

Ordinance Amending the Official Zoning District Map #25CZ18

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Attachment "A" – Legal Description which is incorporated herein by reference, and said lands are hereafter referred to as the "Rezoned Lands."

Section 2: The Town of Apex Unified Development Ordinance, including the Town of Apex North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the "Rezoned Lands" from Sustainable Development-Conditional Zoning (SD-CZ #09CZ07, #23CZ01, #24CZ01, #25CZ08, #25CZ15) to Sustainable Development-Conditional Zoning (SD-CZ) for Veridea, subject to the conditions stated herein.

Section 3: The Planning Director is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Apex, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 4: The "Rezoned Lands" are subject to the conditions in Attachment "B" Veridea SD Plan which are imposed as part of this rezoning, Attachment "C" Veridea Environmental Enhancement Plan, and Attachment "D" Veridea Pattern Book.

Section 5: The "Rezoned Lands" shall be perpetually bound to the conditions imposed including the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance. Site plans for any development to be made pursuant to this amendment to the Official Zoning District Map shall be submitted for site plan approval as provided for in the Unified Development Ordinance.

Section 6: This Ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member Mahaffey

Seconded by Council Member Gray

With 5 Council Member(s) voting "aye."

With 0 Council Member(s) voting "no."

This the 13th day of January 2026.

TOWN OF APEX

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Town Attorney



Attachment A

PIN: 0740191376, 0741207566, 0730977087, 0730996270, 0740180091, 0740180331,
0740287376, 0740293940, 0740360895, 0740289979, 0740389302, 0740586619, 0740783479,
0740888498, 0740992174, 0741614057, 0740489140, 0741203157

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2403; RXR Len Apex Owner, LLC, as described in Deed Book 19297, Page 1692; RXR Len Apex Owner LLC, as described in Deed Book 19947, Page 487; RXR Len Apex Owner, LLC, as described in Deed Book 19263, Page 2335 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a rebar with cap on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1855, being also the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, the point of beginning; thence from the beginning and leaving the northern right of way line of NC Highway 540 and with said common line, North 00°14'49" West a distance of 667.80 feet to a point; thence South 87°37'02" West a distance of 180.32 feet to a point; thence North 01°55'47" West a distance of 1400.56 feet to a point; thence South 84°14'41" West a distance of 440.42 feet to a point on the eastern right of way line of Veridea Parkway, a variable width public right of way, as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125; thence with the eastern right of way line of Veridea Parkway, North 09°16'52" East a distance of 6.98 feet to a point; thence North 09°16'52" East a distance of 31.69 feet to a point; thence North 09°28'48" East a distance of 166.90 feet to a point; thence North 09°28'48" East a distance of 13.32 feet to a point; thence North 09°28'48" East a distance of 17.71 feet to a point; thence North 09°28'48" East a distance of 55.05 feet to a point on the southern line of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80°05'31" East a distance of 386.35 feet to an existing iron pipe, being a southwestern corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859; thence with said common line, South 09°53'16" West a distance of 120.00 feet to an existing iron pipe; thence North 89°42'24" East a distance of 427.65 feet to an existing iron pipe; thence North 28°17'19" East a distance of 258.03 feet to a point; thence North 25°29'27" West a distance of 398.53 feet to a point; thence South 85°22'14" West a distance of 220.54 feet to a point; thence South 09°39'36" West a distance of 200.09 feet to a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, North 80°09'19" West a distance of 185.05 feet to a point, being the southeast corner of lands now or formerly owned by W J and Catherin A Fields, as described in Deed Book 3138, page 93; thence with said common line and the common line of others, North 09°58'01" East a distance of 550.14 feet to a point, being the southeast corner

of lands now or formerly owned by Whitehouse Assets Management, LLC, as described in Deed Book 17143, page 2248; thence with said common line, North 24°25'22" East a distance of 442.30 feet to a point; thence South 69°45'18" West a distance of 509.98 feet to an existing rebar in the center of Veridea Parkway, a 60' public right of way as shown on Book of Maps 2003, page 1756, passing through an existing iron pipe on the eastern right of way line of Veridea Parkway 34.45 feet before the end of the line; thence with the center of Veridea Parkway, South 09°52'33" West a distance of 171.70 feet to a point; thence South 09°57'23" West a distance of 550.24 feet to a point; thence South 09°26'46" West a distance of 21.55 feet to a point; thence leaving the center of Veridea Parkway, North 89°10'45" West a distance of 68.12 feet to a point on the western right of way line of Veridea Parkway, a variable width public right of way as described in Deed Book 16421, page 2112 and Deed Book 16326, page 2125, passing through an existing iron pipe 38.57 feet before the end of the line; thence with the western right of way line of Veridea Parkway, South 09°28'47" West a distance of 60.77 feet to a point; thence South 09°28'45" West a distance of 430.91 feet to an existing concrete monument; thence South 09°46'52" West a distance of 74.87 feet to an existing concrete monument, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of Veridea Parkway, and with said common line, North 89°09'45" West a distance of 1110.26 feet to an existing iron pipe; thence South 02°26'42" West a distance of 1505.96 feet to a point on the northern right of way line of NC Highway 540, a variable width controlled access right of way as described in Deed Book 15539, page 1837; thence with the northern right of way line of NC Highway 540, with a curve to the right a radius of 4035.00 feet, an arc length of 857.09 feet, a chord bearing of North 53°42'27" West, a chord length of 855.48 feet to an existing rebar; thence with a curve to the right a radius of 4054.26 feet, an arc length of 326.65 feet, a chord bearing of North 45°18'10" West, a chord length of 326.56 feet to an existing rebar with cap; thence North 36°43'15" West a distance of 102.76 feet to an existing rebar with cap; thence North 35°20'20" West a distance of 237.13 feet to an existing rebar with cap; thence North 07°47'12" West a distance of 131.08 feet to an existing rebar with cap; thence North 00°34'29" West a distance of 436.11 feet to an existing rebar with cap; thence North 12°52'53" East a distance of 565.14 feet to an existing rebar with cap; thence North 05°57'15" East a distance of 356.74 feet to an existing rebar with cap; thence North 15°26'08" East a distance of 134.33 feet to a point; thence North 15°26'08" East a distance of 200.01 feet to an existing rebar with cap; thence North 28°28'53" East a distance of 237.21 feet to an existing rebar with cap; thence North 45°14'54" East a distance of 75.20 feet to an existing rebar with cap; thence North 42°51'55" East a distance of 241.20 feet to an existing rebar with cap, transitioning to the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of US Highway 1, North 50°43'55" East a distance of 160.95 feet to an existing rebar with cap; thence

North 58°37'05" East a distance of 364.36 feet to a point, being the southwest corner of lands now or formerly owned by The Young Men's Christian Association of the Triangle Area, Inc, as described in Deed Book 17017, page 2427, passing through an existing concrete monument 86.12 feet before the end of the line and an existing iron pipe 3.87 feet before the end of the line; thence leaving the southern right of way line of US Highway 1 and with said common line, North 87°38'44" East a distance of 265.82 feet to a point, passing through an existing iron pipe 259.41 feet before the end of the line; thence North 00°27'33" West a distance of 149.91 feet to a point on the southern right of way line of US Highway 1, a variable width controlled access right of way, as described in Deed Book 14140, page 979; thence with the southern right of way line of U.S. Highway 1, North 58°41'20" East a distance of 1668.68 feet to a point in the center of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756; thence continuing with the southern right of way line of US Highway 1, North 58°41'20" East a distance of 31.03 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway; thence continuing with the southern right of way line of US Highway 1, North 58°39'55" East a distance of 576.45 feet to a point, being a western corner of lands now or formerly owned by EBT Farms, LLC, as shown on Book of Maps 2015, page 14, passing through an existing iron pipe 3.61 feet before the end of the line; thence with said common line, South 88°58'01" East a distance of 304.56 feet to a point in the center of Prince Dead End Road, a 60 foot public right of way as shown on Book of Maps 1988, page 283, being referenced by an existing iron pipe 3.69 feet northeast of the corner; thence leaving the center of Prince Dead End Road and continuing with said common line, South 88°58'01" East a distance of 584.55 feet to a point, being a western corner of lands now or formerly owned by the Town of Apex, as shown on Book of Maps 1989, page 59, passing through an existing iron pipe 14.43 feet before the end of the line; thence with said common line, South 23°14'08" East a distance of 315.07 feet to an existing bent iron pipe on a northern line of lands now or formerly owned by Wildbird LLC, as shown on Book of Maps 1985, page 64; thence with said common line, North 89°17'57" West a distance of 82.50 feet to an existing iron pipe; thence South 00°32'06" West a distance of 760.78 feet to an existing iron pipe, passing through an existing iron pipe 546.06 feet before the end of the line; thence South 00°33'48" West a distance of 1301.27 feet to an existing iron stake, passing through existing iron pipes 776.99 feet and 741.67 feet before the end of the line; thence South 88°56'50" East a distance of 1524.31 feet to an existing iron pipe; thence North 42°37'27" East a distance of 84.50 feet to a point; thence South 87°51'02" East a distance of 208.48 feet to an existing iron pipe, passing through an existing iron pipe 155.64 feet before the end of the line; thence North 00°58'38" East a distance of 734.06 feet to an existing iron pipe, passing through an existing iron pipe 31.40 feet before the end of the line; thence North 00°58'38" East a distance of 2549.03 feet to an existing iron pipe, passing through an existing iron pipe 2465.38 feet before the end of the line; thence South 89°46'05" West a distance of 25.90 feet to an existing iron pipe, being a southeast corner of lands now or formerly owned by

Town of Apex, as shown on Book of Maps 1989, page 59; thence with said common line, North 01°31'12" East a distance of 572.91 feet to an existing iron pipe; thence North 01°28'31" East a distance of 119.73 feet to an existing iron pipe; thence North 01°30'44" East a distance of 41.12 feet to an existing iron pipe on the southern right of way line of US Highway 1, a variable width controlled access right of way as shown on Book of Maps 2024, page 630; thence with said common line, North 58°51'35" East a distance of 406.60 feet to an existing concrete monument; thence North 58°00'23" East a distance of 434.93 feet to an existing iron pipe; thence with a curve to the left a radius of 5860.99 feet, an arc length of 1031.97 feet, a chord bearing of North 51°39'15" East, a chord length of 1030.63 feet to an existing iron pipe; thence South 41°41'54" East a distance of 29.56 feet to an existing iron pipe; thence North 46°57'49" East a distance of 79.93 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, South 08°18'39" West a distance of 74.71 feet to a point; thence South 03°57'01" East a distance of 106.42 feet to a point on the northern line of lands now or formerly owned by Justin Stanley, as described in Deed Book 17473, page 2663; thence leaving the centerline of the creek and with said common line, South 58°19'32" West a distance of 25.09 feet to an existing concrete monument, passing through an existing iron pipe 15.09 feet before the end of the line; thence South 31°28'08" East a distance of 99.98 feet to an existing iron pipe on a northern line of lands now or formerly owned by Madison Apex Owner, LLC, as described in Deed Book 18329, page 2014; thence with said common line, South 58°37'43" West a distance of 311.61 feet to an existing iron pipe; thence South 05°32'28" West a distance of 311.05 feet to an existing iron pipe; thence South 18°18'17" East a distance of 266.26 feet to an existing iron pipe; thence South 58°02'56" East a distance of 253.73 feet to an existing iron pipe; thence South 24°13'34" East a distance of 1064.47 feet to an existing iron pipe; thence North 51°40'44" East a distance of 610.52 feet to an existing iron pipe, being a western corner of lands now or formerly owned by FTPA Storage Apex, LLC, as described in Deed Book 16283, page 140; thence with said common line, South 29°10'43" East a distance of 276.67 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by Sunil and Sudarshini Shelke, as described in Deed Book 14964, page 1295; thence with said common line, North 89°42'08" East a distance of 414.38 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Apex Rent Account, LLC, as described in Deed Book 16018, page 896; thence South 02°52'31" West a distance of 576.07 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by PPTapex, LLC, as described in Deed Book 16247, page 277; thence with said common line, South 03°02'31" West a distance of 260.47 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by James Irvin Rigsbee, as described in Deed Book 2176, page 224; thence with said common line, South 03°08'36" West a distance of 288.05 feet to an existing iron pipe; thence South 02°21'58" West a distance of 72.79 feet to an existing axle, being the northwest corner of lands now or formerly owned by Kenan Transport Co., as

described in Deed Book 2003, page 233; thence with said common line, South 02°22'52" West a distance of 365.20 feet to an existing iron pipe, passing through an existing iron pipe 53.41 feet before the end of the line; thence South 89°54'31" East a distance of 270.03 feet to an existing iron pipe; thence South 89°55'44" East a distance of 403.93 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by David F. and Sharon L Raymer, as described in Deed Book 8712, page 265; thence with said common line, South 04°23'01" East a distance of 445.52 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by Thompson Gas – Smokies, LLC, as described in Deed Book 15976, page 1140; thence with said common line, South 05°37'02" East a distance of 199.93 feet to an existing iron pipe; thence North 89°21'15" East a distance of 417.22 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 101.71 feet, a chord bearing of South 04°07'50" East, a chord length of 101.71 feet to an existing iron pipe; thence leaving the western right of way line of NC Highway 55 and with the common line of RXR Len Apex Owner, LLC and others, South 89°36'58" West a distance of 414.74 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 407.68 feet before the end of the line and an existing iron pipe 240.77 feet before the end of the line; thence South 05°37'02" East a distance of 100.00 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32; thence South 17°12'56" East a distance of 140.08 feet to an existing iron pipe; thence South 87°06'10" East a distance of 374.27 feet to an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, passing through the western right of way line NC Highway 55 9.29 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 100.26 feet, a chord bearing of South 00°30'27" East, a chord length of 100.26 feet to an existing iron pipe; thence South 01°41'54" East a distance of 100.29 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.94 feet to an existing iron pipe; thence South 01°45'44" West a distance of 49.79 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 50.00 feet to an existing iron pipe; thence South 01°45'44" West a distance of 3.89 feet to a point; thence North 80°39'17" West a distance of 39.57 feet to a point; thence with a curve to the right a radius of 1515.50 feet, an arc length of 73.75 feet, a chord bearing of

South 10°44'22" West, a chord length of 73.75 feet to a point; thence South 50°25'39" West a distance of 72.79 feet to a point; thence South 03°20'53" West a distance of 77.92 feet to a point, being the northeast corner of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8235, page 1160; thence with said common line, North 86°43'05" West a distance of 16.98 feet to an existing iron pipe; thence South 01°28'00" West a distance of 100.88 feet to an existing iron pipe; thence South 87°17'00" East a distance of 10.63 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 02°47'00" West a distance of 30.24 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 20.91 feet, a chord bearing of South 21°53'09" West, a chord length of 20.91 feet to a point; thence North 87°17'00" West a distance of 2.64 feet to an existing iron pipe; thence South 01°28'00" West a distance of 16.53 feet to a point; thence with a curve to the right a radius of 1525.00 feet, an arc length of 34.27 feet, a chord bearing of South 23°40'23" West, a chord length of 34.27 feet to a point; thence continuing with the northern right of way line of NC Highway 55 and the common line of lands now or formerly owned by NC Department of Transportation, as described in Deed Book 8138, page 1625, North 87°21'16" West a distance of 246.10 feet to an existing iron pipe; thence continuing with said common line and the common line of others, South 01°23'44" West a distance of 347.79 feet to an existing iron pipe; thence South 86°24'46" East a distance of 46.54 feet to a point on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630; thence with the western right of way line of NC Highway 55, South 31°28'58" West a distance of 41.58 feet to a point on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page 448; thence with the northern right of way line of Technology Drive, South 81°05'32" West a distance of 325.98 feet to an existing iron pipe, passing through an existing iron pipe 125.44 feet before the end of the line; thence South 60°43'09" West a distance of 132.34 feet to an existing iron pipe; thence with a curve to the left a radius of 426.43 feet, an arc length of 181.19 feet, a chord bearing of South 49°06'58" West, a chord length of 179.83 feet to an existing iron pipe; thence South 36°56'38" West a distance of 162.54 feet to an existing iron pipe; thence South 37°44'51" West a distance of 163.20 feet to an existing iron pipe, being the southeast corner of lands now or formerly owned by Margaret Evans Heirs, as shown on Book of Maps 2002, page 165; thence leaving the northern right of way line of Technology Drive and with said common line, North 02°38'53" East a distance of 477.63 feet to an existing iron pipe; thence North 86°17'11" West a distance of 191.04 feet to an existing iron pipe; thence South 02°37'54" West a distance of 192.78 feet to an existing iron pipe; thence South 87°21'03" East a distance of 144.87 feet to an existing iron pipe; thence South 02°38'53" West a distance of 351.16 feet to an existing iron pipe on the northern right of way line of Technology Drive, a variable width public right of way as shown on Book of Maps 2008, page

448; thence with the northern right of way line of Technology Drive, with a curve to the right a radius of 5840.02 feet, an arc length of 578.81 feet, a chord bearing of South 42°11'18" West, a chord length of 578.57 feet to an existing iron pipe; thence South 45°24'35" East a distance of 26.85 feet to an existing iron pipe; thence South 44°12'36" West a distance of 620.76 feet to an existing iron pipe; thence with a curve to the right a radius of 351.98 feet, an arc length of 268.88 feet, a chord bearing of South 67°02'07" West, a chord length of 262.39 feet to an existing iron pipe; thence South 88°52'01" West a distance of 164.86 feet to an existing iron pipe on the eastern line of EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, North 02°16'22" East a distance of 50.18 feet to an existing iron pipe; thence North 02°17'00" East a distance of 1402.38 feet to an existing iron pipe; thence North 02°17'00" East a distance of 163.32 feet to an existing iron pipe; thence North 02°11'42" East a distance of 120.99 feet to a point in the centerline of the creek, passing through an existing iron pipe 10.00 feet before the end of the line; thence with the centerline of the creek, North 82°46'29" West a distance of 59.32 feet to a point; thence North 38°01'48" West a distance of 154.60 feet to a point; thence North 84°02'09" West a distance of 86.70 feet to a point; thence South 20°44'56" West a distance of 18.43 feet to a point; thence South 79°18'34" West a distance of 39.77 feet to a point; thence South 13°19'46" East a distance of 38.31 feet to a point; thence South 76°35'49" West a distance of 53.23 feet to a point; thence South 26°54'51" West a distance of 42.90 feet to a point; thence South 33°19'02" East a distance of 29.87 feet to a point; thence South 51°46'22" West a distance of 61.75 feet to a point; thence North 64°34'50" West a distance of 58.31 feet to a point; thence South 29°34'47" West a distance of 47.94 feet to a point; thence South 71°40'28" West a distance of 23.79 feet to a point; thence North 39°32'53" West a distance of 102.73 feet to a point; thence North 69°26'41" West a distance of 124.25 feet to a point; thence South 57°24'05" West a distance of 82.87 feet to a point; thence South 07°43'11" West a distance of 131.15 feet to a point; thence South 83°27'25" West a distance of 147.78 feet to a point; thence South 00°36'20" East a distance of 95.70 feet to a point; thence South 80°37'14" West a distance of 210.03 feet to a point; thence South 21°46'20" West a distance of 110.71 feet to a point; thence South 78°48'03" East a distance of 41.76 feet to a point; thence South 32°29'11" West a distance of 93.04 feet to a point; thence North 66°26'02" West a distance of 45.02 feet to a point; thence South 47°52'32" West a distance of 34.12 feet to a point; thence South 00°28'52" West a distance of 71.12 feet to a point; thence South 79°33'24" West a distance of 96.46 feet to a point; thence North 52°02'42" West a distance of 30.57 feet to a point; thence South 81°23'08" West a distance of 60.05 feet to a point; thence South 41°39'40" West a distance of 186.48 feet to a point; thence South 44°48'01" East a distance of 60.58 feet to a point; thence South 20°16'03" West a distance of 35.02 feet to a point; thence North 76°32'52" West a distance of 126.07 feet to a point; thence South 34°49'57" West a distance of 90.84 feet to a point; thence North 41°34'57" West a distance of 26.79 feet to a point; thence South 44°48'57" West a

distance of 69.31 feet to a point; thence South 28°17'36" East a distance of 74.29 feet to a point; thence South 47°29'27" West a distance of 92.11 feet to a point; thence North 49°33'56" West a distance of 78.37 feet to a point; thence South 87°17'25" West a distance of 290.72 feet to a point; thence South 11°44'33" West a distance of 20.66 feet to a point; thence South 64°16'17" West a distance of 220.45 feet to a point; thence South 82°21'19" West a distance of 72.19 feet to a point; thence North 36°16'44" West a distance of 42.40 feet to a point; thence South 69°36'51" West a distance of 126.77 feet to a point; thence South 62°06'56" West a distance of 316.17 feet to a point; thence South 17°45'27" West a distance of 29.26 feet to a point; thence South 26°24'46" West a distance of 31.72 feet to a point; thence South 40°05'18" West a distance of 78.74 feet to a point; thence South 07°45'39" West a distance of 35.25 feet to a point; thence South 42°06'24" West a distance of 57.16 feet to a point, being a northwest corner of lands now or formerly owned by EMC Corporation, as described in Deed Book 8681, page 1014; thence with said common line, South 01°06'28" West a distance of 351.89 feet to an existing iron pipe on the northern line of lands now of formerly owned by Greenway Waste Solutions of Apex, LLC, as described in Deed Book 9099, page 1045; thence with said common line, South 88°51'48" West a distance of 28.47 feet to a point in the centerline of the creek; thence with the centerline of the creek, South 03°52'45" West a distance of 158.77 feet to a point; thence South 23°38'07" East a distance of 210.79 feet to a point; thence South 30°01'31" West a distance of 156.29 feet to a point; thence South 11°48'54" East a distance of 104.71 feet to a point; thence South 19°26'04" West a distance of 147.77 feet to a point on the northern right of way line of NC Highway 540, a variable width public right of way as described in Deed Book 15539, page 1850; thence with the northern right of way line of NC Highway 540, North 87°35'38" West a distance of 1273.34 feet to an existing rebar with cap; thence North 75°03'53" West a distance of 276.59 feet to an existing rebar with cap; thence South 36°13'41" West a distance of 120.37 feet to a point; thence North 49°31'49" West a distance of 105.40 feet to the point and place of beginning, having an area of 36,092,685 square feet, 828.57 acres

Less and Except the Following:

PIN: 0730977967; 0740081019; 0740082199; 0740070950; 0740082327

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

PIN: 0740992565

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe on the western right of way line of NC Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, being also the southeast corner of the subject parcel, the point of beginning; thence from the beginning and with the western right of way line of NC Highway 55 and the common line of RXR Len Apex Owner, LLC, as described in Deed Book 19789, page 32, South 89°40'44" West a distance of 123.48 feet to an existing iron pipe, passing through the western right of way line of NC Highway 55 116.17 feet before the end of the line; thence North 02°18'46" West a distance of 50.01 feet to an existing iron pipe, being a southern corner lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19821, page 1026; thence with said common line, North 89°43'19" East a distance of 123.46 feet to an existing iron pipe on the western right of way line of NC Highway 55, passing through the western right of way line of NC Highway 55 7.22 feet before the end of the line; thence with the western right of way line of NC Highway 55, with a curve to the right a radius of 5633.75 feet, an arc length of 49.92 feet, a chord bearing of South 02°20'20" East, a chord length of 49.92 feet to the point and place of beginning, containing an area of 6,168 square feet or 0.14 acres.

PIN 0740992632; 0740990489

Being two tracts of land now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 and Deed Book 19789, page 32 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19821, page 1026 in the Wake County Register of Deeds, being also a corner on the western right of way line of N.C. Highway 55, a variable width public right of way as shown on Book of Maps 2024, page 630, the point of beginning; thence from the beginning and with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 5412.50 feet, an arc length of 100.31 feet, a chord bearing of South 03°00'35" East, a chord length of 100.31 feet to a point on the northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as described in Deed Book 19263, page 2403; thence leaving the western right of way line of N.C. Highway 55 and with said common line, South 89°43'19" West a distance of 116.24 feet to an existing iron pipe; thence South 02°18'46" East a distance of 50.01 feet to an existing iron pipe; thence North 89°40'44" East a distance of 116.17 feet to a point on the western right of way line of N.C. Highway 55; thence with the western right of way line of N.C. Highway 55, with a curve to the right a radius of 2791.21 feet, an arc length of 91.54 feet, a chord bearing of South 00°35'17" East, a chord length of 91.54 feet to a point; thence with a curve to the right a radius of 5411.27 feet, an arc length of 12.91 feet, a chord bearing of South 00°14'58" West, a chord length of 12.91 feet to a point on a northern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence leaving the western right of way line of N.C. Highway 55 and with said common line, North 87°06'10" West a distance of 364.98 feet to an existing iron pipe; thence North 17°12'56" West a distance of 140.08 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by David E. Page, Heirs, as described in Deed Book 1107, page 549; thence with said common line, North 89°41'49" East a distance of 235.12 feet to a point; thence North 02°22'35" West a distance of 99.98 feet to an existing iron pipe on a southern line of lands now or formerly owned by RXR Len Apex Owner LLC, as shown as New Tract 4 on Book of Maps 2024, page 630; thence with said common line, North 89°36'58" East a distance of 166.91 feet to the point and place of beginning, containing an area of 66,202 square feet or 1.52 acres.

PIN: 0740283126 (6300 King David Court)

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19737, page 1859 in the Wake County Register of Deeds; being more particularly described as:

Beginning at a point, being the northeast corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197, being also a corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335, the point of beginning; thence from the beginning, and with the common line of RXR Len Apex Owner, LLC, North 09°39'36" East a distance of 200.09 feet to a point; thence North 85°22'14" East a distance of 220.54 feet to a point; thence South 25°29'27" East a distance of 398.53 feet to a point; thence South 28°17'19" West a distance of 258.03 feet to an existing iron pipe; thence South 89°42'24" West a distance of 427.65 feet to an existing iron pipe; thence North 09°53'16" East a distance of 120.00 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Roger W. and Glenda K. Bushee, as described in Deed Book 4691, page 197; thence with said common line, South 80°06'44" East a distance of 60.00 feet to a point; thence North 09°39'36" East a distance of 270.00 feet to the point and place of beginning, containing an area of 217,807 square feet or 5.00 acres.

PIN: 0730977967; 0740081019; 0740082199; 0740082327; 0740070950

Being all of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 20025, page 1418, and Yifei Wang and wife, Hua Mei, as described in Deed Book 18896, page 1725 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing iron pipe, being a western corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692, the point of beginning; thence from the beginning and with said common line, South 02°19'40" West a distance of 199.14 feet to a point, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°19'40" West a distance of 64.13 feet to an existing iron pipe, being a northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 02°13'53" West a distance of 189.40 feet to an existing iron pipe; thence South 02°17'48" West a distance of 67.39 feet to an existing iron pipe, being a northeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 65°19'45" West a distance of 538.99 feet to a point; thence South 01°27'55" West a distance of 148.65 feet to a point; thence South 77°54'05" West a distance of 389.22 feet to an existing iron pipe; thence North 00°01'19" West a distance of 967.73 feet to a point; thence North 89°58'41" East a distance of 616.26 feet to an existing rebar; thence North 89°58'41" East a distance of 133.87 feet to an existing iron pipe, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19297, page 1692; thence with said common line, North 87°19'22" East a distance of 145.34 feet to the point and place of beginning, containing an area of 668,038 square feet or 15.34 acres.

Zoning line that runs across the subject parcels taken from legal description signed and sealed by Joe H. Patterson, III, L-3717, and dated 9/23/25, as included on pages 40-42 in rezoning report #24CZ23. Document accessed by Google on October 23, 2025 at the following weblink:

<https://mccmeetingspublic.blob.core.usgovcloudapi.net/apexnc-meet-03a58966ba85431aa8fe86ef0da28897/ITEM-Attachment-001-2d34773ae54546f69e3816c213718a14.pdf>

Zoning line in said description was aligned and merged with boundary performed by the John R. McAdams Company.

PIN: 0740240814, 0740241461, 0740241030

Being a portion of the lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as:

Beginning at an existing concrete monument at a northwest corner of the subject lands, being on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2, and the southern right of way line of the NC Highway 540 ramp, a variable width controlled access right of way as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the southern right of way line of the NC Highway 540 ramp, North 48°17'55" East a distance of 64.35 feet to a point; thence North 48°17'55" East a distance of 3.48 feet to a point; thence South 76°02'09" East a distance of 316.69 feet to an existing concrete monument, passing through an existing concrete monument 312.72 feet before the end of the line; thence South 77°42'22" East a distance of 224.13 feet to an existing concrete monument; thence North 74°21'52" East a distance of 75.00 feet to a point; thence leaving the southern right of way line of the NC Highway 540 ramp and across the subject lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403, South 17°16'29" East a distance of 276.68 feet to a point; thence South 49°13'21" East a distance of 207.69 feet to a point; thence South 08°25'14" East a distance of 269.34 feet to a point; thence South 24°55'35" East a distance of 469.85 feet to a point on the northern line of lands now or formerly owned by Wake County, as described in Deed Book 2272, page 678; thence with said common line, North 88°36'32" West a distance of 1161.37 feet to an existing iron pipe, being an eastern corner of lands now or

formerly owned by Wake County, as described in Deed Book 4803, page 67; thence with said common line, North 04°58'10" East a distance of 362.56 feet to a point; thence South 89°45'44" West a distance of 59.47 feet to a point on the eastern right of way line of Old Holly Springs Apex Road, a variable width public right of way as shown on Book of Maps 2022, page 2; thence with the eastern right of way line of Old Holly Springs Apex Road, North 13°15'47" East a distance of 53.04 feet to an existing concrete monument; thence with a curve to the left a radius of 1700.00 feet, an arc length of 338.32 feet, a chord bearing of North 07°33'43" East, a chord length of 337.77 feet to an existing concrete monument, passing through an existing concrete monument 305.65 feet before the end of the line; thence with a curve to the left a radius of 1900.00 feet, an arc length of 76.93 feet, a chord bearing of North 01°06'08" West, a chord length of 76.92 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 63.33 feet, a chord bearing of North 01°01'01" West, a chord length of 63.33 feet to an existing concrete monument; thence with a curve to the left a radius of 1900.00 feet, an arc length of 31.67 feet, a chord bearing of North 02°26'58" West, a chord length of 31.67 feet to an existing concrete monument; thence North 02°54'23" East a distance of 203.97 feet to the point and place of beginning, containing an area of 1,000,850 square feet or 22.98 acres.

PIN: 0740558687 "0" Technology Drive

Beginning at an existing Rebar having an NC Grid NAD 83 Coordinate of N: 706447.20 E: 2046758.62. Thence South 01°08'38" East a distance of 80.10 feet to a point; thence North 88°51'22" East a distance of 155.80 feet to a point; thence South 02°16'41" West a distance of 461.59 feet to a point along the Northern Right of Way of NC Highway 540; thence along Right of way South 61°27'09" West a distance of 26.84 feet to a point; thence South 59°58'25" West a distance of 237.08 feet to a point; thence North 28°22'04" West a distance of 10.00 feet to a point; thence with a curve turning to the right with an arc length of 786.41 feet, with a radius of 1650.00 feet, with a chord bearing of South 75°17'10" West, with a chord length of 778.99 feet to a point; thence North 88°45'04" West a distance of 203.97 feet to a point; thence North 87°37'46" West a distance of 718.10 feet to a point; thence North 87°36'50" West a distance of 643.60 feet to a point; thence North 87°37'20" West a distance of 356.63 feet to a point; thence leaving said Right of way North 19°26'04" East a distance of 147.77 feet to a point; thence North 11°48'54" West a distance of 104.71 feet to a point; thence North 30°01'31" East a distance of 156.29 feet to a point; thence North 23°38'07" West a distance of 210.79 feet to a point; thence North 03°52'45" East a distance of 158.77 feet to a point; thence North 88°51'48" East a distance of 28.47 feet to an Iron Pipe; thence North 88°51'48" East a distance of 1457.31 feet to a point; thence North 88°51'48" East a distance of 1251.38 feet to the Point of Beginning,

Having an area of 2202540 square feet, 50.56 acres

Tract PIN: 0740-07-8021 (REID: 0407983)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument at the northeast corner of the subject parcel, being on the western right of way line of Veridea Parkway, a variable width controlled access and public right of way as described in Deed Book 15539, page 1885, the point of beginning; thence from the beginning and with the western right of way line of Veridea Parkway, with a curve to the right a radius of 1933.03 feet, an arc length of 173.41 feet, a chord bearing of South 14°22'33" West, a chord length of 173.35 feet to a point; thence South 16°56'46" West a distance of 296.14 feet to a point; thence South 36°46'38" West a distance of 128.94 feet to a point; thence South 21°28'31" West a distance of 304.38 feet to a point; thence South 20°42'10" West a distance of 61.19 feet to a point; thence with a curve to the left a radius of 6150.50 feet, an arc length of 428.45 feet, a chord bearing of South 18°25'23" West, a chord length of 428.36 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 203.98 feet, a chord bearing of South 15°28'40" West, a chord length of 203.97 feet to an existing concrete monument; thence with a curve to the left a radius of 6150.50 feet, an arc length of 244.84 feet, a chord bearing of South 13°23'14" West, a chord length of 244.82 feet to an existing concrete monument on the northern right of way line of N.C. Highway 540, a variable width controlled access right of way, as described in Deed Book 15539, page 1837; thence with the northern right of way line of N.C. Highway 540, South 82°34'50" West a distance of 63.94 feet to an existing concrete monument; thence with a curve to the right a radius of 4035.00 feet, an arc length of 584.49 feet, a chord bearing of North 63°59'55" West, a chord length of 583.98 feet to a point, being the southeast corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence leaving the northern right of way line of N.C. Highway 540 and with said common line, North 02°26'42" East a distance of 1505.96 feet to an existing iron pipe, being the southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403; thence with said common line, South 89°09'45" East a distance of 1110.26 feet to the point and place of beginning, containing an area of 1,405,383 square feet or 32.26 acres.

Tract PIN: 0740-16-7653 (REID: 0407980)

Being a portion of the land now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2403 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing rebar with cap at the southeast corner of the subject parcel, being on the northern right of way line of the N.C. Highway 540 Ramp, a variable width controlled access right of way, as described in Deed Book 15539, page 1855, the point of beginning; thence from the beginning and with the northern right of way line of the N.C. Highway 540 Ramp, North 65°24'12" West a distance of 112.48 feet to an existing concrete monument; thence with a curve to the right a radius of 865.00 feet, an arc length of 261.30 feet, a chord bearing of North 54°43'51" West, a chord length of 260.31 feet to an existing concrete monument; thence North 42°11'22" West a distance of 182.87 feet to an existing concrete monument; thence North 40° 19'02" West a distance of 35.61 feet to a point; thence North 44°05'45" West a distance of 184.73 feet to an existing concrete monument; thence with a curve to the left a radius of 534.00 feet, an arc length of 249.50 feet, a chord bearing of North 64°32'31" West, a chord length of 247.24 feet to an existing concrete monument; thence North 77°55'37" West a distance of 220.93 feet to an existing concrete monument; thence North 25° 05'55" West a distance of 60.93 feet to an existing concrete monument on the eastern right of way line of Veridea Parkway, a variable width controlled access and public right of way, as described in Deed Book 15539, page 1885; thence with the eastern right of way line of Veridea Parkway, with a curve to the right a radius of 5930.50 feet, an arc length of 363.87 feet, a chord bearing of North 18°48'19" East, a chord length of 363.81 feet to a point; thence North 20°49'17" East a distance of 59.37 feet to a point; thence North 17°36'52" East a distance of 299.95 feet to a point; thence North 07°20'42" East a distance of 127.17 feet to a point; thence North 16°56'54" East a distance of 296.14 feet to a point; thence with a curve to the left a radius of 2067.50 feet, an arc length of 227.29 feet, a chord bearing of North 13°47'56" East, a chord length of 227.18 feet to a point, being a southwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 84°14'41" East a distance of 440.42 feet to a point, being the northwest corner of lands now or formerly owned by RXR Len Apex Owner, LLC, as described in Deed Book 19263, page 2335; thence with said common line, South 01°55'47" East a distance of 1400.56 feet to a point; thence North 87°37'02" East a distance of 180.32 feet to a point; thence South 00°14'49" East a distance of 667.80 feet to the point and place of beginning, containing an area of 1,187,508 square feet or 27.26 acres.

PIN: 0730865572, 0730852539, 0740052449

BEING A PORTION OF THE LANDS NOW OR FORMERLY OWNED BY RXR LEN APEX OWNER, LLC, AS DESCRIBED IN DEED BOOK 19263, PAGE 2403, IN THE WAKE COUNTY REGISTER OF DEEDS; BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A CONCRETE MONUMENT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY, SAID MONUMENT BEING ON THE NORTHERN LINE OF THE TRACT SHOWN ON BOOK OF MAPS 1986, PAGE 1865, THE POINT OF BEGINNING; THENCE NORTH 71°59'15" WEST A DISTANCE OF 337.68 FEET TO AN IRON PIPE; THENCE NORTH 86°29'50" WEST A DISTANCE OF 829.07 FEET TO AN IRON PIPE, THE NORTHEAST CORNER OF TRACT 3 AS SHOWN ON BOOK OF MAPS 2022, PAGE 3; THENCE WITH SAID COMMON LINE SOUTH 87°43'51" WEST A DISTANCE OF 2,965.86 FEET TO AN IRON PIPE ON THE EASTERN LINE OF TRACT F, AS SHOWN ON BOOK OF MAPS 1974, PAGE 228; THENCE WITH SAID COMMON LINE NORTH 00°24'36" EAST A DISTANCE OF 1,161.04 FEET TO A POINT ON THE SOUTHERN LINE OF TRACT B, AS SHOWN ON BOOK OF MAPS 1979, PAGE 686; THENCE WITH SAID COMMON LINE SOUTH 78°13'36" EAST A DISTANCE OF 73.65 FEET TO A POINT; THENCE SOUTH 70°13'09" EAST A DISTANCE OF 113.59 FEET TO A POINT; THENCE SOUTH 71°57'54" EAST A DISTANCE OF 121.73 FEET TO A POINT; THENCE SOUTH 70°58'13" EAST A DISTANCE OF 114.09 FEET TO A POINT; THENCE SOUTH 72°14'11" EAST A DISTANCE OF 343.92 FEET TO A POINT; THENCE SOUTH 74°17'38" EAST A DISTANCE OF 315.81 FEET TO A POINT; THENCE SOUTH 65°13'58" EAST A DISTANCE OF 138.23 FEET TO A POINT; THENCE SOUTH 65°10'08" EAST A DISTANCE OF 10.00 FEET TO A POINT IN BIG BRANCH; THENCE WITH SAID BRANCH NORTH 19°49'58" EAST A DISTANCE OF 52.46 FEET TO A POINT; THENCE NORTH 27°34'56" EAST A DISTANCE OF 25.74 FEET TO A POINT; THENCE NORTH 62°53'48" EAST A DISTANCE OF 26.76 FEET TO A POINT; THENCE NORTH 29°01'04" WEST A DISTANCE OF 21.84 FEET TO A POINT; THENCE NORTH 05°59'14" WEST A DISTANCE OF 34.25 FEET TO A POINT; THENCE NORTH 49°53'01" EAST A DISTANCE OF 15.65 FEET TO A POINT; THENCE NORTH 35°50'22" EAST A DISTANCE OF 26.00 FEET TO A POINT; THENCE NORTH 57°56'55" WEST A DISTANCE OF 27.74 FEET TO A POINT; THENCE SOUTH 77°56'49" WEST A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 69°25'39" WEST A DISTANCE OF 55.42 FEET TO A POINT; THENCE NORTH 16°13'12" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 47°24'29" EAST A DISTANCE OF 30.81 FEET TO A POINT; THENCE SOUTH 76°52'37" EAST A DISTANCE OF 46.52 FEET TO A POINT; THENCE NORTH 23°54'47" EAST A DISTANCE OF 15.13 FEET TO A POINT; THENCE NORTH 10°53'04" EAST A DISTANCE OF 79.33 FEET TO A POINT; THENCE NORTH 70°48'08" WEST A DISTANCE OF 21.80 FEET TO A POINT; THENCE NORTH 13°57'57" WEST A DISTANCE OF 44.13 FEET TO A POINT; THENCE NORTH 54°45'55" WEST A DISTANCE OF 48.38 FEET TO A POINT; THENCE SOUTH 57°21'14" WEST A DISTANCE OF 58.90 FEET TO A POINT; THENCE SOUTH 44°33'39" WEST A DISTANCE OF 46.68 FEET TO A POINT; THENCE NORTH 46°24'21" WEST A DISTANCE OF 39.79 FEET TO A POINT; THENCE NORTH 72°29'35" WEST A DISTANCE OF 36.60 FEET TO A POINT; THENCE SOUTH 47°15'35" WEST A DISTANCE OF 18.92 FEET TO A POINT; THENCE NORTH 74°35'59" WEST A DISTANCE OF 21.22 FEET TO A POINT; THENCE NORTH 28°54'22" WEST A DISTANCE OF 20.74 FEET TO A POINT; THENCE NORTH 42°54'07" WEST A

DISTANCE OF 46.75 FEET TO A POINT; THENCE NORTH 06°55'02" EAST A DISTANCE OF 26.65 FEET TO A POINT; THENCE NORTH 88°27'17" EAST A DISTANCE OF 37.67 FEET TO A POINT; THENCE NORTH 27°00'55" EAST A DISTANCE OF 19.39 FEET TO A POINT; THENCE NORTH 01°16'06" EAST A DISTANCE OF 31.60 FEET TO A POINT; THENCE NORTH 45°55'37" EAST A DISTANCE OF 50.02 FEET TO A POINT; THENCE NORTH 01°23'54" EAST A DISTANCE OF 14.01 FEET TO A POINT; THENCE NORTH 65°17'04" WEST A DISTANCE OF 42.02 FEET TO A POINT; THENCE NORTH 01°21'12" EAST A DISTANCE OF 32.19 FEET TO A POINT; THENCE NORTH 46°19'10" WEST A DISTANCE OF 51.21 FEET TO A POINT; THENCE NORTH 06°48'02" EAST A DISTANCE OF 35.97 FEET TO A POINT; THENCE NORTH 69°34'03" EAST A DISTANCE OF 41.13 FEET TO A POINT; THENCE NORTH 39°27'36" EAST A DISTANCE OF 39.13 FEET TO A POINT; THENCE NORTH 15°04'34" WEST A DISTANCE OF 20.63 FEET TO A POINT; THENCE NORTH 51°45'25" WEST A DISTANCE OF 25.88 FEET TO A POINT; THENCE NORTH 30°03'26" EAST A DISTANCE OF 27.95 FEET TO A POINT; THENCE SOUTH 60°17'18" EAST A DISTANCE OF 30.79 FEET TO A POINT; THENCE SOUTH 36°34'38" EAST A DISTANCE OF 34.28 FEET TO A POINT; THENCE SOUTH 78°45'43" EAST A DISTANCE OF 52.43 FEET TO A POINT; THENCE NORTH 41°36'19" EAST A DISTANCE OF 15.36 FEET TO A POINT; THENCE NORTH 04°43'43" EAST A DISTANCE OF 44.44 FEET TO A POINT; THENCE NORTH 30°37'30" EAST A DISTANCE OF 51.77 FEET TO A POINT; THENCE NORTH 05°00'41" EAST A DISTANCE OF 35.48 FEET TO A POINT; THENCE SOUTH 62°04'45" WEST A DISTANCE OF 33.82 FEET TO A POINT; THENCE NORTH 44°58'03" WEST A DISTANCE OF 39.84 FEET TO A POINT; THENCE NORTH 44°37'02" EAST A DISTANCE OF 21.58 FEET TO A POINT; THENCE NORTH 53°05'19" EAST A DISTANCE OF 60.88 FEET TO A POINT; THENCE NORTH 61°15'57" WEST A DISTANCE OF 39.17 FEET TO A POINT; THENCE NORTH 50°49'25" WEST A DISTANCE OF 23.78 FEET TO A POINT; THENCE NORTH 10°03'59" WEST A DISTANCE OF 28.54 FEET TO A POINT; THENCE NORTH 38°48'29" EAST A DISTANCE OF 55.95 FEET TO A POINT; THENCE NORTH 43°08'07" WEST A DISTANCE OF 60.59 FEET TO A POINT; THENCE NORTH 42°28'11" EAST A DISTANCE OF 31.74 FEET TO A POINT; THENCE NORTH 70°54'18" WEST A DISTANCE OF 69.18 FEET TO A POINT; THENCE NORTH 86°35'18" WEST A DISTANCE OF 111.94 FEET TO A POINT; THENCE NORTH 47°58'54" WEST A DISTANCE OF 68.58 FEET TO A POINT; THENCE NORTH 30°52'49" EAST A DISTANCE OF 32.56 FEET TO A POINT; THENCE NORTH 21°24'56" WEST A DISTANCE OF 54.07 FEET TO A POINT; THENCE NORTH 55°25'47" EAST A DISTANCE OF 39.27 FEET TO A POINT; THENCE NORTH 03°25'23" WEST A DISTANCE OF 46.46 FEET TO A POINT; THENCE NORTH 31°42'04" EAST A DISTANCE OF 54.96 FEET TO A POINT; THENCE NORTH 18°30'38" EAST A DISTANCE OF 44.10 FEET TO A POINT; THENCE NORTH 01°10'29" WEST A DISTANCE OF 65.77 FEET TO A POINT; THENCE NORTH 22°17'56" WEST A DISTANCE OF 29.93 FEET TO A POINT; THENCE NORTH 19°15'09" EAST A DISTANCE OF 2.52 FEET TO A POINT ON THE SOUTH LINE OF ROBERT BEREMAN; THENCE WITH SAID COMMON LINE NORTH 87°19'40" EAST A DISTANCE OF 837.86 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF NORTH CAROLINA HIGHWAY 540; THENCE WITH SAID RIGHT OF WAY SOUTH 48°51'19" EAST A DISTANCE OF 616.60 FEET TO A REBAR WITH CAP; THENCE NORTH 44°43'56" EAST A DISTANCE OF 25.00 FEET TO A REBAR WITH CAP; THENCE SOUTH 50°09'33" EAST A DISTANCE OF 205.32 FEET TO A REBAR WITH CAP;

THENCE SOUTH 39°54'37" EAST A DISTANCE OF 212.61 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 311.61 FEET, A CHORD BEARING OF SOUTH 45°34'54" EAST, A CHORD LENGTH OF 311.54 FEET TO A REBAR WITH CAP; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 1,106.45 FEET, A CHORD BEARING OF SOUTH 54°52'03" EAST, A CHORD LENGTH OF 1,103.50 FEET TO A POINT; THENCE A CURVE TO THE LEFT, A RADIUS OF 4,375.00 FEET, AN ARC LENGTH OF 456.34 FEET, A CHORD BEARING OF SOUTH 65°10'37" EAST, A CHORD LENGTH OF 456.13 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 49°00'55" EAST A DISTANCE OF 133.17 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF VERIDEA PARKWAY; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 355.38 FEET, A CHORD BEARING OF SOUTH 05°50'57" WEST, A CHORD LENGTH OF 354.72 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A RADIUS OF 1,680.00 FEET, AN ARC LENGTH OF 205.93 FEET, A CHORD BEARING OF SOUTH 03°43'21" EAST, A CHORD LENGTH OF 205.80 FEET TO THE POINT OF BEGINNING; CONTAINING 5,629,803 SQUARE FEET OR 129.24 ACRES.

PIN: 0741117192

Being all of the land now or formerly owned by RXR Len Apex Owner, LLC, as described as "PIN: 0741-11-7192 (Tract 1)" in Deed Book 19947, page 487 in the Wake County Register of Deeds; being more particularly described as: Beginning at an existing concrete monument on the eastern right of way line of Veridea Parkway, a 60 foot public right of way as shown on Book of Maps 2003, page 1756, being also a corner on the northern right of way line of U.S. Highway 1, a variable width controlled access right of way as shown on Book of Maps 2010, page 282, the point of beginning; thence from the beginning and with the eastern right of way line of Veridea Parkway, North 35°53'59" West a distance of 81.82 feet to an existing iron pipe, being a southern corner of lands now or formerly owned by Greater Raleigh Area Christian Education, Inc., as shown on Book of Maps 2015, page 14; thence leaving the eastern right of way line of Veridea Parkway and with said common line, North 00°44'04" East a distance of 32.54 feet to an existing iron pipe; thence South 89°07'32" East a distance of 204.62 feet to an existing iron pipe on the northern right of way line of U.S. Highway 1; thence with the northern right of way line of U.S. Highway 1, South 58°38'37" West a distance of 183.90 feet to the point and place of beginning, containing an area of 10,829 square feet or 0.25 acres.

Attachment B



December 3, 2025

Town of Apex
Planning Department
322 N. Mason Street
Apex, NC 27502

RE: Veridea Sustainable Development Plan Amendment for parcels south of US 1, east of I-540, and west and east of Veridea Parkway

To Whom It May Concern,

This letter is to inform you of a proposed amendment to the Veridea Sustainable Development Plan Conditional Zoning (SD-CZ) to (i) facilitate the development of the North Carolina Children's Hospital and campus, and (ii) revise certain conditions for the remainder of Veridea.

The Veridea Sustainable Development Plan was approved by the Town of Apex on May 9, 2011 (Rezoning #09CZ07).

In the summer of 2025, North Carolina Children's announced their intention to develop a new, state-of-the-art children's hospital within Veridea, bringing North Carolina's first freestanding children's hospital to the Triangle. The North Carolina Children's health care campus and its supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations) have a specific set of needs for automobile and pedestrian circulation, massing, scale, and materials. These unique considerations require the enclosed technical exemptions to the SD-CZ Plan (Exhibit A).

Exhibit A proposes exemptions from technical standards found within the SD-CZ Plan. The exemptions would apply to the Hospital Site and surrounding supporting uses which will make up the campus. The exemptions that apply to the health care campus and surrounding supporting uses (including but not limited to medical, research, academic, administrative, transport, patient and family respite and accommodations, central utility plant, and adequate parking facilities) which will make up the campus are found in Part 1 of Exhibit A. These uses and parcels are approximately equivalent to +/- 193 acres of the Urban Core (UC) sustainable zone and +/- 29 acres of the Village Center (VC) sustainable zone within the Veridea development. Exemptions for the overall SD-CZ Zoned area are contained within Part 2 of Exhibit A.

Exemptions or modifications requested herein for the hospital campus relate to standards for glazing, lot width, block perimeter, build-to/maximum setbacks, rear loading, and location of parking and entrances. Exemptions or modifications requested herein for the remainder of Veridea relate to recreation land dedication, land reservation for future rail, and development thresholds. Where exemptions from text are requested, the full text is provided. Where exemptions from a table are requested, the full table is included as an attachment.

Where an exemption is granted from the SD-CZ plan, the development will default to the current UDO standards effective at the date of approval of this amendment.

A corresponding SD-CZ rezoning application has been filed in the Town's development portal.

Sincerely,

Veridea Development Team

Veridea SD Plan Amendment

Proposed Rezoning Changes

December 3, 2025

PART 1 North Carolina Children's (NCC) Campus Property

The Sustainable Development Plan south of US 1, east of I-540, and west of Veridea Parkway (PINs 0740191376, 0730996270, 0730977087, 0730977967, 0740081019, 0740070950, 0740082327, 0740082199, 0740078021, 0740180091, 0740180331, 0731902142 (portion of)) and a portion of the Sustainable Development Plan south of US 1 and east of Veridea Parkway (PINs 0741207566, 0741203157, 0740293940) (collectively, the "NCC Campus Property") will retain all of the conditions from rezoning #09CZ07 except:

Section 3.3.3 Written Statement from Responsible Person Required; Noncompliance

Modification to Section 3.3.3

Any site plan or Subdivision Plan submitted to the Town for approval for a project to be undertaken by a party other than the Responsible Person must be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such written statement shall also state the authorized development allocated to the Project (i.e., number of dwelling units and/or square feet of non-residential Retail, Office and/or Industrial Uses) as well as the development fee credits, if any, other credits, and/or liabilities and responsibilities assigned to or assumed by the Project. Provided however, any site plan or Subdivision Plan submitted to the Town for approval for a project to be undertaken on the NCC Campus Property shall not be required to be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such site plans or Subdivision Plans shall be subject to the terms of the SD Plan, as amended, and the Unified Development Ordinance where not inconsistent with the SD Plan.

Any event of non-compliance with any requirement of this SD Plan or the UDO that relates solely to a Project or Projects within Veridea shall not be attributed to Veridea as a whole, but rather shall be attributed only to that Project or Projects, such that any enforcement action taken by the Town shall be limited to the Project or Projects at issue.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO remains in existence with respect to a Project or Projects or a distinct area within Veridea after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, building permits, certificates of compliance or occupancy, site plans, subdivision plans or plats and other permits or approvals for the Project or Projects or distinct area in issue until the non-compliance is corrected and cured.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO which applies to Veridea as a whole remains in existence after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, site plans and subdivision plans or plats throughout Veridea until the non-compliance is corrected and cured.

Section 3.7: Energy Standards

Exemption from the energy efficiency goal of Section 3.7.2.v.

- v. The improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2004.

Section 4: Community Design Standards

Exemption from 4.2.3.a. (i. – ii.)

- a. Buildings and frontages along the A-Grids shall reflect multi-modal and pedestrian standards of the SD Plan supporting pedestrian activity.
Thoroughfares within an A-Grid Zone may be developed according to B-Grid standards subject to the following special and limiting conditions:
 - i. Transition conditions within A-Grid Zones to adjacent B- Grid Zones; and
 - ii. Small internal Thoroughfares of limited length to respond to a specific condition of the site or a use. Notwithstanding these special and limiting conditions, no more than 15% of the aggregate length of Thoroughfares within an A-Grid Zone may be designated as a B-Grid and follow B-Grid standards. Location and other specifics of such B-Grid Thoroughfares shall be addressed within site plans.

Exemption from 4.2.3.b (i. – iii.)

- b. Buildings and frontages along the B-Grids may reflect automobile- oriented standards. B-Grids may be developed in whole or in part to A-Grid standards. It is the goal that B-Grid zones eventually become redeveloped as A-Grids. Therefore, site plans for B-Grids shall reflect in their planning and site engineering this goal by:
 - i. Establishing a B-Grid Thoroughfare grid and therefore a block layout that can be redeveloped into smaller blocks exhibiting the characteristics of an A-Grid;
 - ii. Establishing the B-Grid Thoroughfares in such a manner that they can be redeveloped into A-Grid Thoroughfares and frontages; and
 - iii. Locating utilities and site features so that they will not prohibit the establishment of an A-Grid development pattern, and do so without significant redesign or cost impacts. Site plans for B- Grid zones shall depict both the B-Grid configuration, and conceptually reflect how the B-Grid configuration may be redeveloped into an A-Grid.

Exemption from 4.3.5 – 4.3.7

4.3.5 Village Center – A-Grid (VC A-Grid) consists of higher Density Mixed Use buildings that accommodate retail, Office, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

4.3.6 Village Center – B-Grid (VC B-Grid) consists of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks and steady street tree planting.

4.3.7 Urban Core – A-Grid (UC A-Grid) consists of the highest Density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

4.3.8 Urban Core – B-Grid (UC B-Grid) consists of the highest Density and height, with predominantly Office, lab, and research uses. It may have larger blocks; streets have steady street tree planting and buildings may be set back from the sidewalks.

Exemption from 4.5.1.e. & h.

- e. The Thoroughfare network shall be designed to define Blocks not exceeding the size indicated in Table 14. The perimeter shall be measured as the sum of Lot Frontage Lines.
- h. Each Lot shall be bounded by a vehicular Thoroughfare, except that 20% of the Lots within each Sustainable Zone may be bounded by a Passage, so long as the Thoroughfare assembly behind such Lots is constructed to Rear Alley standards, will meet emergency vehicle access requirements and is public.

Note: If subdivided, lot dimensions and minimum public frontage standards will default to UDO standards.

Exemption from 4.5.3.a. (i. -iii.)

- a. General to all zones OS, NG, NM, VC, UC
 - i. The Public Frontage contributes to the character of the Sustainable Zone, and includes the requisite types of Sidewalk, Curb, Planter, bicycle parking, and street trees.
 - ii. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Sustainable Zones as specified in Table 14d.
 - iii. Within the Public Frontages, the types of Public Planting and Public Lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6.

Note: Public frontage standards will default to the Town of Apex UDO Section 7.5.

Section 5: Building Standards

Exemption from 5.4.1.a. – g.

- a. Newly platted Lots shall be dimensioned according to Table 14f and Table 15.
- b. Building Disposition shall be as shown in Table 9 and Table 14i.
- c. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 14g, Table 14h, and Table 15.
- d. One Principal Building at the Frontage and one Outbuilding to the rear of the Principal Building may be built on each Lot as shown in Table 17c.
- e. Lot coverage by buildings shall not exceed that specified in Table 14f and Table 15.
- f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 14g and Table 15.
- g. Setbacks for Principal Buildings shall be as shown in Table 14g and Table 15.

Exemption from 5.4.2.a

- a. The Principal Entrance shall be on a Frontage Line.

Exemption from 5.5.1 (a., b., d., g.)

- a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7 and Table 14j.
- b. Buildings on corner Lots shall have two Private Frontages as shown in Table 17. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
- d. Building stories, Stepbacks, and Expression Lines shall conform to Table 8 and Table 14j.
- g. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.

Modification to 5.5.1. c.

- c. All Facades shall be glazed with clear glass no less than 30% of the first Story, however glazing shall be no less than 50% of the first Story in the VC Zone A-Grid and UC Zone A-Grid areas. Within the NCC Campus Property, this requirement shall only apply to buildings within 200 feet of the Veridea Parkway right-of-way with the exception of any inpatient, outpatient, or supporting medical use.

Exemption from 5.5.5.e.

- e. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen may be built co-planar with the Facade or adjacent Facades.

Exemption from 5.8.1 (a. - c.)

- a. Parking shall be accessed by Rear Alleys or Rear Lanes, when available.

- b. Open parking areas and Parking Structures shall be masked from the Frontage by a Building or Streetscreen.
- c. For buildings on B-Grids, open parking areas and Parking Structures are allowed unmasked on the Frontage in the front Layer, except for corner Lots at intersections with the A-Grid.

Exemption from 5.8.4 (a. & c.)

- a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer except along B-Grids where parking may be located in the first layer. (Table 17d)
- c. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.

Modification to 5.8.4.b:

- 1. Vehicular entrances to parking lots, garages, and Parking Structures shall ~~be no wider than 24 feet at the Frontage for A-Grid Thoroughfares. Driveways at Frontages for B-Grid Thoroughfares shall be no wider than necessary to accommodate the straight and turn lanes in the first Layer. (Table 3B.f)~~ meet the requirements found in the *Town of Apex Standard Specifications and Standard Details* or be designed to accommodate the use subject to TRC approval.

Section 6: Tables

Note: Exempted tables are included as attachments to this letter, labeled as described below.

Table 1 – Sustainable Zone Descriptions

The NCC Campus Property shall be exempt from Table 1.

Tables 3B – Vehicular Lane and Parking Assemblies

The NCC Campus Property shall be exempt from Table 3B c., d., and e. streetside parking requirements.

Tables 4A & 4B – Public Frontages

The NCC Campus Property shall be exempt from Tables 4A & 4B.

Tables 4C – Thoroughfare Assemblies

The NCC Campus Property shall be exempt from Tables 4C.

Tables 4D – Thoroughfare Cross Sections

The NCC Campus Property shall be exempt from Tables 4D.

Table 6 – Public Planting

The NCC Campus Property shall be exempt from Table 6.

Table 7 – Private Frontages

The NCC Campus Property shall be exempt from Table 7.

Table 8 – Building Configuration

The NCC Campus Property shall be exempt from Table 8.

Table 9 – Building Disposition

The NCC Campus Property shall be exempt from Table 9.

Table 13 – Civic Space

The NCC Campus Property shall be exempt from Table 13.

Table 14 – Form-Based Code Summary

The NCC Campus Property shall be exempt from the struck through standards of Table 14 as shown below relating to block perimeter, rear-loading, lot width, and building disposition for the VC and UC sustainable zones. Other applicable standards shall be amended as indicated with the callout black boxes below.

c. Block Size

	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
c. BLOCK SIZE					
Block Perimeter: A-Grids	no maximum	3000 ft. max	2400 ft. max	2000 ft. max*	2000 ft. max*
Block Perimeter: B-Grids	not applicable	not applicable	not applicable	* 3500 ft. max with parking structures	

d. Thoroughfare

	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
d. THOROUGHFARES (see Table 3 and Table 4)					
Highway (HW)	permitted	permitted	not permitted	not permitted	not permitted
Boulevard (BV)	not permitted	not permitted	not permitted	permitted	permitted
Avenue (AV)	not permitted	permitted	permitted	permitted	permitted
Commercial Street (CS)	not permitted	not permitted	not permitted	permitted	permitted
Drive (DR)	not permitted	permitted	permitted	permitted	permitted
Street (ST)	permitted	permitted	permitted	permitted	not permitted
Road (RD)	permitted	permitted	not permitted	not permitted	not permitted
Rear Lane (RL)	permitted	permitted	permitted	not permitted	not permitted
Rear Alley (RA)	not permitted	permitted	required	required	required
Path (PT)	permitted	permitted	permitted	not permitted	not permitted
Passage (PS)	not permitted	permitted	permitted	permitted	permitted
Bicycle Trail (BT)	permitted	permitted	not permitted *	not permitted *	not permitted
Bicycle Lane (BL)	permitted	permitted	permitted	permitted	permitted
Bicycle Route (BR)	permitted	permitted	permitted	permitted	permitted

Amend to
"permitted"

Amend to
"permitted"

f. Lot Occupation

f. LOT OCCUPATION	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Lot Width: A-Grids	variable	25 ft. min 120 ft. max	18 ft. min 400 ft. max	18 ft. min 600 ft. max	18 ft. min 700 ft. max
Lot Width: B-Grids	not applicable	not applicable	not applicable	no max	no max

Amend to
"no max"

i. Setbacks – Outbuilding

h. SETBACKS - OUTBUILDING (see Table 15)	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
(h.1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	40 ft. max from rear prop	not applicable
(h.2) Side Setback	not applicable	0 ft. or 3 ft. min	0 ft. or 3 ft. min	0 ft. min	not applicable
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. min	not applicable

Amend to "not
applicable"

j. Building Disposition

i. BUILDING DISPOSITION (see Table 9)	OS OPEN SPACE ZONE	NG NEIGHBORHOOD GENERAL ZONE	NM NEIGHBORHOOD MIXED-USE ZONE	VC VILLAGE CENTER ZONE	UC URBAN CORE ZONE
Edgeyard	permitted	permitted	permitted	permitted	permitted
Sidyard	not permitted	permitted	permitted	permitted	not permitted
Rearyard	not permitted	permitted	permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted	permitted	permitted

Amend to
"permitted"

Table 15D – Form-Based Code Graphics – VC – Village Center

The NCC Campus Property shall be exempt from the Form-based code standards in Table 15 D.

Table 15E - Form-Based Code Graphics - UC - Urban Core

The NCC Campus Property shall be exempt from the Form-based code standards in Table 15 E.

In addition to the standards and conditions of the Sustainable Development Plan for Veridea (#09CZ07), as amended, the NCC Campus Property shall comply with the following:

1. All lots shall front on a public street.
2. Hospital, behavioral health, and accessory/supportive uses including but not limited to central utility plants, shared services (i.e. laboratory, sterile processing, security, network support, logistics, housekeeping, maintenance, laundry, supply chain, dietary and food preparation), parking structures, ambulatory surgery centers (with or without Emergency Department), and physician office buildings shall be considered a Civic Use for SD Zoning and UDO regulatory requirements including calculations related to maximum development of respective uses within the SD Zoning boundary.
3. For the area west of Veridea Parkway only, four (4) bus stops shall be constructed. The location of the stops will be finalized and shown on the first Major Site Plan within the NCC Campus Property. All bus stops shall be within ¼ -mile radius of a healthcare building. Bus stops shall

meet Town of Apex Standard Specifications including landing pad, amenity pad, and pedestrian circulation path. Each bus stop (at a minimum) will include the following, pending Planning Director or designee approval:

- 1 bus shelter
- 1 trash receptacle
- 1 bench
- 2 bicycle racks
- Pedestrian connections to surrounding street network to ADA and PROWAG guidelines.

PART 2 Veridea Properties Zoned SD-CZ

The Sustainable Development Plan for Veridea (#09CZ07), is amended as follows, with additions underlined and deletions being shown by stricken-through text:

Elimination of Rail

The rail requirements of the SD Plan no longer apply. Any references within the SD Plan to rail shall not be applicable.

Modification to 3.4.2.2 Specific Recreation Requirements

Section 3.4.2.2 is deleted in its entirety and replaced as follows:

3.4.2.2 Specific Recreation Requirements

(i) Developer shall grant to the Town a public access easement over the stormwater and linear parks areas shown generally on the attached **Exhibit A-1**. Developer shall work collaboratively with the Town to program the space within this easement. The Town, in its sole discretion, shall approve all uses of the space within the easement and Developer and Town shall execute an agreement detailing scheduled uses of the easement space prior to approval of the Master Subdivision Final Plat that contains said easement;

(ii) Developer shall construct a 25,000sf programmable recreation center at its sole cost and expense to be designed with interior finishes consistent with other Town of Apex recreation center facilities. This recreation center shall be located south of Adesso Way and north of Forest Light Way as shown generally on the attached **Exhibit A-1**. The programmable recreational facility may include but is not limited to gymnasium, adaptive classroom/ program/ camp spaces, and associated support spaces such as restrooms, offices and storage to be determined in agreement with PRCR staff and as part of the developer agreement. Prior to construction of the recreation center, Town must approve the design, construction schedule, construction cost, and location of the recreation center. Construction will not

begin until Town and the Developer have executed a Development Agreement outlining the roles and obligations associated with the design and construction of the recreation center;

(iii) A site plan for this recreation center shall be submitted to the Town of Apex prior to issuance of a building permit for the 1,000th dwelling unit or platting of the 4,000th lot within Veridea, whichever comes first. Construction of this recreation center shall be completed within three (3) years of Developer's receipt of building permit approval. In the event construction has not been completed within this time, including the issuance of a Certificate of Occupancy, no building permits will be issued for any additional dwelling units within the Veridea Development until construction of the recreation center is complete.

(iv) The costs and expenses incurred by Developer in construction of the recreation facility required by subsection (iii) hereof shall be credited against parks and recreation fees due for residential development within Veridea and shall be outlined in the Development Agreement. This credit shall be in favor of Developer exclusively and may be applied by Developer from time-to-time for the permitting of residential dwellings constructed by third parties. Further, any parks and recreation fees paid for any development within Veridea prior to construction of the recreation center shall be paid over to Developer on an agreed upon schedule as construction of the recreation center progresses. In the event that parks and recreation fees-in-lieu received by the Town prior to commencement of the recreation center exceed the cost of the recreation center, such excess amounts shall be retained by the Town and all residential development within Veridea thereafter shall be required to pay applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(v) Subject to the foregoing, all development within Veridea shall be subject to all applicable Parks and Recreation fees-in-lieu in accordance with Town and state requirements for the same.

(vi) These Developer commitments related to the construction of the recreation center shall be reduced to a development agreement between the Town and Developer which shall be executed prior to the issuance of the 750th building permit. In addition to the foregoing terms, the Development Agreement shall include an agreed upon construction schedule for the recreation center and shall provide the Town a remedy to take over construction in the event that Developer fails to comply with said construction schedule beyond any applicable cure periods.

Modification to 3.5.3.d Land Reservation for Future Rail

~~d. ——— Land Reservation: Land shall be reserved for the future Regional Public Transit System within Veridea. With regard to the Regional Public Transit System alignment and associated rights of way ("ROW") outside of Veridea, the location along Veridea's perimeter where the Regional Public Transit System will enter and exit Veridea in the vicinity of the interchange of US 1 with the Triangle Expressway will be determined by Triangle Transit, and/or other regional transit organization, and/or the Town. As Veridea is developed, site plans and Subdivision Plans will be shared with Triangle Transit, and/or other relevant regional transit organization, to assist such entities in the planning for and selection of the final alignment of the Regional Public Transit System.~~

The reservation of land to accommodate the Regional Public Transit System will be made as follows:

- i. ~~Land shall be reserved in a manner consistent with the development pattern of the Sustainability Zone in which it resides, and may overlap dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;~~
- ii. ~~Reservation shall include an area for transit station functions which shall be located within a UC zone, and shall be reserved in a manner that is in keeping with an urban development pattern of that zone as defined by the SD Plan, and may overlap reservations and, dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;~~
- iii. ~~Determination of the form, character, location, and relationship to adjacent development, relationship to other reservations and/or dedications and dimensions shall occur during site planning jointly by the Responsible Person, the TRC or Town Council, as appropriate.~~
- iv. ~~The reservation of land will prohibit permanent development within the designated reserve area until 2035 at which time, if there are no plans that financially commit the Triangle Transit, and/or other regional transit organization, and/or the Town to implement a regional rail plan that includes the Development, the Responsible Person may consider the reservation null and void.~~
- v. ~~Land reserved hereunder will be dedicated to Triangle Transit, and/or other regional transit organization, and/or the Town once the applicable entity secures funding and commits to construct the Regional Public Transit System within the Development.~~
- vi. ~~Buildout of any of single land use of the three (3) uses identified in Article 4.2.2.b.i-iii shall not exceed 85% of the total authorized development for the respective use, unless Town Council otherwise approves in accordance with UDO 2.3.16 F) 3) a), until the commencement of a Regional Public Transit System that will serve Veridea.~~

With the removal of regional rail from the Town's Transportation Plan, the reference to regional rail in this section shall no longer apply and shall be replaced with a requirement that a bus transit center site shall be identified within Veridea (but not within the NCC Campus Property) with the first site plan submittal that includes the area identified as the location of the Bus Transit Center on the Transit Plan Map. The site plan for the transit center shall be submitted to the Town prior to approval of the site plan or subdivision plan containing the 2,000th dwelling unit within Veridea.

Prior to approval of the site plan or subdivision plan for the 3,000th dwelling unit within Veridea, Developer shall construct and install the following Bus Transit Center Improvements:

- Restroom accessible to bus operators. In the event the recreation center required by Section 3.4.2.2 is not located within 500 feet of the Bus Transit Center, the restrooms required herein shall be constructed and installed independent of the recreation center;
- Bus layover area including at least two (2) bus layover parking spaces;

- Park and ride area including at least ten (10) standard vehicle parking spaces (inclusive of ADA space where required);
- Two bus stops (one for each direction of travel) with dimensions per the Town of Apex Standard Specification, including a thirty foot (30') landing pad between the curb and pedestrian circulation, and a six foot (6') by thirty foot (30') amenity pad behind the pedestrian circulation path. The bus stops shall include the following amenities:
 - i. One (1) bus shelter (two (2) total)
 - ii. One (1) trash receptacle (two (2) total)
 - iii. One (1) bench (two (2) total)
 - iv. Two (2) bicycle racks (four (4) total)
 - v. Direct pedestrian connections to surrounding street network to ADA and PROWAG guidelines
 - vi. Final location to be approved by Planning Director

The Town, in its sole discretion, will approve the design and construction of Bus Transit Center Improvements before this condition is considered satisfied. In the event that the Town provides Developer with notice that a fully funded bus route has been approved that will provide service within Veridea prior to the schedule outlined above, then the site plan for the transit center shall be submitted within six (6) months of receipt of said notice and the center shall be constructed and completed within two (2) years of receipt of permit approval for the same.

Modification to 3.5.5.g.ii Perry Road improvements

Veridea shall not exceed 50% build-out of any single land use until both the interchange of Perry Road at US 1 and the interchange of Old Holly Springs Apex Road at Triangle Expressway are open to traffic an overpass for Perry Road is constructed across US HWY 1 in accordance with the Apex Transportation Plan.

Exemption from 4.2.2.b maximum authorized development intensities for Hospital and Behavior Health Center Components of NCC Campus Property

Hospital, behavioral health, and accessory/supportive uses including but not limited to central utility plants, shared services (i.e. laboratory, sterile processing, security, network support, logistics, housekeeping, maintenance, laundry, supply chain, dietary and food preparation), parking structures, ambulatory surgery centers (with or without Emergency Department), and physician office buildings shall be considered a Civic Use for SD Zoning and UDO regulatory requirements including calculations related to maximum development of respective uses within the SD Zoning boundary.

Exemption from 4.2.4 Development Thresholds

Upon commencement of development work on the North Carolina Children's Hospital Campus development thresholds 1-5 contained within Section 4.2.4 shall be deemed satisfied.

Modification to Various Sections

With the exception of references within Section 3.4.2.2, all other references to “building permit” or “certificate of occupancy” as a development threshold shall be replaced with “Site Plan Final Plat or Master Subdivision Final Plat”, as determined by staff.



**ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP
#09CZ07**

WHEREAS, the application of Lookout Ventures, Inc., petitioner, for the rezoning of lands hereinafter described was duly filed with the office of the Planning Director and thereafter public hearings were held hereon on the 13th day of December, 2010 and the 13th day of January, 2011 before the Planning Board and the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011, before the Town Council, respectively, pursuant to due notice mailed and published pursuant to G.S. § 160A-384. Thereafter, the Planning Board submitted its final report to the Town Council recommending approval of said application for the rezoning of the lands hereinafter described, all in accordance with the requirements of the Town of Apex Unified Development Ordinance and the provisions of Chapter 160A, Article 19, of the North Carolina General Statutes; **NOW, THEREFORE**,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX

Section 1: The Town of Apex Unified Development Ordinance, including the Town of Apex North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the lands hereinafter described from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning) District, said lands so rezoned being described as follows:

See Attachment “A” (Legal Description)

Section 2: The Planning Director is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Apex, North Carolina, to be physically revised and amended to reflect the zoning changes directed by this Ordinance.

Section 3: A request to amend the Official Zoning District Map is granted whereby the previously described property and the subject of the previously mentioned change in zoning classification is subject to the following limitations:

See Attachment “B” (SD Plan and UDO Amendments)

Section 4: This property shall be perpetually bound to the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance. Site plans for any development to be made pursuant to this amendment to the Official Zoning District Map shall be submitted for site plan approval as provided for in the Unified Development Ordinance.

Ordinance Amending the Official Zoning District Map #09CZ07
Page Two

Section 5: This ordinance shall be in full force and effect from and after its adoption.

Motion by Council Member Jones

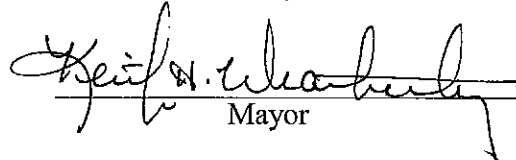
Seconded by Council Member Jensen

With 4 Council Member(s) voting "aye."

With 0 Council Member(s) voting "no."

This the 2nd day of August, 2011.

TOWN OF APEX, NORTH CAROLINA



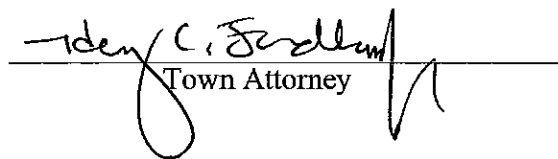
Mayor

ATTEST:



Town Clerk

APPROVED AS TO FORM:



Town Attorney

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383
ADDRESSING ACTION ON ZONING PETITION #09CZ09**

Lookout Ventures, Inc., owners/applicants (the "Applicant"), submitted a completed application for a conditional zoning on the 1st day of June, 2009 (the "Application"). The proposed conditional zoning is designated #09CZ07.

The Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #09CZ07 before the Planning Board held on the 13th day of December, 2010 and the 13th day of January, 2011.

Pursuant to G.S. §160A-384 and Sec. 2.2.11(E) of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #09CZ07 before the Town Council on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011.

The Apex Planning Board held a public hearing on the 13th day of December, 2010 and the 13th day of January, 2011, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #09CZ07. A motion was made at the Apex Planning Board to recommend approval; the motion passed unanimously for the application for #09CZ07.

The Apex Town Council held a public hearing on the 18th day of January, 2011, the 1st day and 15th of February, 2011, the 15th day of March, 2011 and the 10th day of May, 2011. Dianne Khin presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #09CZ07 and who were residents of Apex or its extraterritorial jurisdiction, or who owned property adjoining the property for which the conditional zoning is sought, were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 and 0 approved Application #09CZ07.

In zoning Application #09CZ07, Applicant seeks to rezone the subject tract located west of NC 55, south of US#1, north and adjacent to proposed 540 from Planned Unit Development Conditional Zoning (PUD-CZ), Light Industrial (LI), Rural Residential (RR) and Residential Agricultural (RA) to SD-CZ (Sustainable Development Conditional Zoning). After public hearing, Town Council approved the rezoning. This Statement will address consistency with the Town's comprehensive and other applicable plans, reasonableness and affect on public interest.

Approval of the rezoning is in line with the mixed use development proposed on the 2025 Land Use Plan. The rezoning request includes amendments to the Unified Development Ordinance, the 2025 Land Use Plan, and the Official Zoning District Map. The changes being made are consistent with the long range vision to create a unified sustainable development in the requested area. The rezoning is compatible with the surrounding area, and should be of no detriment to immediate neighbors and the surrounding community.

Property Description

Tract 1 (Poe):

BEGINNING at a point which is the northeast corner of the 54.650 acre tract shown on Boundary Survey Prepared for Apex Land Assemblage, LLC by Riley Surveying, PA dated February 23, 2006 and recorded in Book of Maps 2006, Page 416, Wake County Registry; thence along the line of said 54.650 acre tract N 89° 54' 34" W 1794.53 feet to a point in the centerline of Big Branch; thence along the centerline of Big Branch, the following courses and distances denoted L87 through L156 on the following table:

CENTERLINE BIG BRANCH

<i>LINE TABLE</i>					
<i>LINE</i>	<i>BEARING</i>	<i>LENGTH</i>			
L87	N20° 48' 14" E	52.19	L124	N39° 28' 55" E	39.13
L88	N27° 36' 15" E	25.74	L125	N15° 03' 15" W	20.63
L89	N62° 55' 07" E	26.76	L126	N51° 44' 06" W	25.88
L90	N28° 59' 45" W	21.84	L127	N30° 05' 45" E	27.95
L91	N05° 57' 55" W	34.25	L128	S60° 15' 59" E	30.79
L92	N49° 54' 20" E	15.65	L129	S36° 33' 19" E	34.28
L93	N35° 51' 41" E	26.00	L130	S78° 44' 24" E	52.43
L94	N57° 55' 36" W	27.74	L131	N41° 37' 38" E	15.36
L95	S77° 58' 08" W	70.86	L132	N04° 45' 02" E	44.44
L96	N69° 24' 20" W	55.42	L133	N30° 38' 49" E	51.77
L97	N16° 11' 53" W	54.07	L134	N05° 02' 00" W	35.48
L98	N47° 25' 48" E	30.81	L135	S62° 06' 04" W	33.82
L99	S76° 51' 18" E	46.52	L136	N44° 56' 44" W	39.84
L100	N23° 56' 06" E	15.13	L137	N44° 38' 21" E	21.58
L101	N10° 54' 23" E	79.33	L138	N53° 06' 38 E	60.88
L102	N70° 46' 49" W	21.80	L139	N61° 14' 38" W	39.17
L103	N13° 56' 38" W	44.13	L140	N50° 48' 06" W	23.78
L104	N54° 44' 36" W	48.38	L141	N10° 02' 40" W	28.54
L105	S57° 22' 33" W	58.59	L142	N38° 49' 48" E	55.95
L106	S44° 34' 58" W	46.68	L143	N43° 06' 48" W	60.59
L107	N46° 23' 02" W	39.79	L144	N42° 29' 30" E	31.74
L108	N72° 28' 16" W	36.60	L145	N70° 52' 59" W	69.18
L109	S47° 16' 54" W	18.92	L146	N86° 33' 59" W	111.94
L110	N74° 34' 40" W	21.22	L147	N47° 57' 35" W	68.58
L111	N28° 53' 03" W	20.74	L148	N30° 54' 08" E	32.56
L112	N42° 52' 48" W	46.75	L149	N21° 23' 37" W	54.07
L113	N06° 56' 21" E	26.65	L150	N55° 27' 06" E	39.27
L114	N88° 28' 36" E	43.87	L151	N03° 24' 04" W	46.46
L115	N27° 02' 14" E	18.93	L152	N31° 43' 23" E	54.96
L116	N01° 17' 25" E	31.60	L153	N18° 31' 57" E	44.10
L117	N45° 56' 56" E	50.02	L154	N01° 09' 10" W	65.77
			L155	N22° 16' 37" W	29.93
			L156	N19° 16' 28" E	2.52

<i>L118</i>	<i>N01° 25' 13" E</i>	<i>14.01</i>
<i>L119</i>	<i>N65° 15' 45" W</i>	<i>42.02</i>
<i>L120</i>	<i>N01° 22' 31" E</i>	<i>32.19</i>
<i>L121</i>	<i>N46° 17' 51" W</i>	<i>51.21</i>
<i>L122</i>	<i>N06° 49' 21" E</i>	<i>35.97</i>
<i>L123</i>	<i>N69° 35' 22" E</i>	<i>41.13</i>

Thence leaving the course of Big Branch, N 87° 20' 59" E 1317.72 feet to a point; thence N 00° 20' 59" E 1411.74 feet to a point; thence N 87° 17' 47" E 1396.96 feet to a point; thence S 02° 19' 40" W 527.05 feet to a point; thence S 90° 00' 00" W 750.13 feet to a point; thence S 00° 00' 00" W 967.73 feet to a point; thence N 77° 55' 24" E 389.22 feet to a point; thence N 01° 29' 14" E 148.65 feet to a point; thence N 65° 20' 41" E 538.98 feet to a point; thence S 02° 20' 59" W 179.73 feet to a point; thence S 02° 28' 41" W 1915.88 feet to a point; thence N 89° 11' 33" W 648.01 feet to the point and place of beginning and being all of Tract 3 containing 128.439 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 2 (Poe):

BEING all of the 1.710 acre tract and the 0.042 acre tract shown as area in the right of way of Old Holly Springs – Apex Road shown on a map entitled "Property of Bobby W. and Elizabeth A. Poe, F.D. Prince, Sr, Trustee" recorded in Book of Maps 2002, Page 109, Wake County Registry, reference to which is hereby made for greater certainty of description and also being more particularly described as follows: Beginning at an existing nail in the northwest corner of the property of E.K. Huang, et. al. as described in Deed Book 6650, Page 866, Wake County Registry, and the southwest corner of the property of F.D. Prince, Sr. as described in Deed Book 8291, page 540, Wake County Registry, runs thence North 05 degrees 23 minutes 24 seconds East 64.21 feet to an iron pipe; thence North 74 degrees 31 minutes 24 seconds East 381.93 feet to an iron pipe; thence South 86 degrees 04 minutes 18 seconds East 863.27 feet to an iron pipe in the west right of way of SR 1153 (Old Holly Springs – Apex Road). Thence South 86 degrees 04 minutes 18 seconds East 30.32 feet to the centerline of SR 1153; thence along the centerline of SR 1153, South 12 degrees, 45 minutes 03 seconds West 60.72 feet to a point; thence with the north line of Huang, et. al., North 86 degrees 04 minutes 18 seconds West 30.32 feet to an existing iron pipe; thence North 86 degrees 04 minutes 18 seconds West 843.70 feet to an existing iron pipe; thence South 74 degrees 31 minutes 24 seconds West 394.54 feet to an existing iron pipe, the point and place of Beginning, and also being Tract 1 containing 1.754 acres shown on a survey entitled "Exempt Division Survey – Property of Bobby and Elizabeth Poe" prepared by Riley Surveying, PA dated November 9, 2006.

Tract 3 (Lyna):

BEGINNING at a point in the centerline of Old Holly Springs Apex Road, said point being calculated as follows: Beginning at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and

Woods Creek Road; thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to the POINT AND PLACE OF BEGINNING; thence continuing along the centerline of said Old Holly Springs Apex Road in a northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 259.39 feet and a chord bearing and distance of North 02° 14' 59" East 259.20 feet; thence North 00° 00' 56" East 187.39 feet to a point; thence South 67° 20' 57" East 925.18 feet to a point; thence South 61° 30' 00" East 301.10 feet to a point; thence South 73° 33' 19" East 346.87 feet to a point; thence South 74° 36' 50" East 217.48 feet to a point; thence South 70° 39' 03" East 219.39 feet to a point; thence South 66° 06' 14" East 183.83 feet to a point; thence South 51° 10' 55" East 327.09 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows: South 03° 23' 35" East 31.18 feet to a point; thence South 19° 58' 50" East 138.13 feet to a point; thence South 09° 01' 05" West 63.94 feet to a point; thence South 22° 49' 37" West 94.25 feet to a point; thence South 05° 19' 49" West 65.12 feet to a point; thence leaving the center line of said creek N 67° 48' 05" W 2481.26 feet to the point and place of BEGINNING and being all of Tract 1 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 4 (Reeves):

BEGINNING at a point in the line of Tract A shown on a map entitled "Proposed Subdivision and Recombination of Properties of Wake County" which is recorded in Book of Maps 1998, Page 782, Wake County Registry, said point also being North 45° 03' 47" East 1591.01 feet from the centerline of the intersection of Old Holly Springs Apex Road and Woods Creek Road, being the point and place of BEGINNING, thence North 09° 24' 42" East 362.56 feet to a point; thence North 85° 47' 44" West 162.21 feet to a point; thence North 85° 47' 44" West 30.48 feet to an iron pin in the centerline of Old Holly Springs Apex Road; thence along the centerline of Old Holly Springs Apex Road in an northerly direction along a left hand curve having a radius of 1963.49 feet, an arc distance of 423.08 feet and chord bearing and distance of North 12° 12' 26" East 422.26 feet to a point; thence leaving the centerline of said road South 67° 48' 05" East 2481.26 feet to a point in the centerline of White Oak Creek a/k/a Falls Branch Creek; thence along the centerline of said creek as follows South 05° 19' 49" West 39.71 feet to a point; thence South 17° 13' 42" West 52.16 feet to a point; thence South 63° 16' 26" West 25.88 feet to a point; thence South 17° 55' 39" West 68.74 feet to a point; thence leaving the line of said creek North 78° 00' 00" West 876.99 feet to a point; thence North 84° 10' 00" West 1370.01 feet to the point and place of BEGINNING, and being all of Tract 2 containing 23.62 acres as shown on a survey entitled "Exempt Subdivision prepared for Apex Land Assemblage, LLC" by Riley Surveying, P.A. dated May 13, 2005.

Tract 5 (Goodwin/ALAN):

BEING all that certain tract or parcel of land containing 54.650 acres, more or less, as shown on plat of survey entitled "Boundary Survey Prepared for Apex Land Assemblage, LLC" dated February 16, 2006 and revised February 23, 2006, prepared by Phillip W. Riley, professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2006, Page 416, Wake County Registry, which plat is referenced for a more particular description.

Tract 6 (Adams):

BEING all that certain tract or parcel of land containing 86.334 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 17, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2469, Wake County Registry, which plat is referenced for a more particular description.

Tract 7 (Cox):

BEING all that certain tract or parcel of land containing 65.210 acres as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 19, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Survey, P.A. and recorded in Book of Maps 2007, Page 2467, Wake County Registry, which plat is referenced for a more particular description.

Tracts 8 - 11 (Raymer):

BEING all those certain tracts or parcels of land designated as Tract I-A, containing 278.521 acres; Tract II, containing 2.134 acres; Tract III, containing 4.333 acres; and Tract 840' x 40', containing 0.626 acres, as shown on plat of survey entitled "Boundary Survey, Prepared for HH Trinity Apex Investments, LLC, Holly Springs Township, Wake County, NC" dated September 20, 2007, prepared by Phillip W. Riley, Professional Land Surveyor, of Riley Surveying, P.A. and recorded in Book of Maps 2007, Page 2468, Wake County Registry, which plat is referenced for a more particular description.

Tract 12 (Apex Town Square):

Being all of that certain tract of land lying in the Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at the northeastern corner of the now or formerly EMC Corporation property described in Deed recorded Book 2791, Page 428, Wake County Registry, said pipe also being located in the western line of the now or formerly Cash and Maynard Tract 1-A as shown on plat of survey recorded in Book of Maps 2003, Page 398, Wake County Registry (the "Plat"), said pipe being located North 02° 14' 00" East 271.08 feet from a common corner with said Cash and Maynard Tract 1-A and the now or formerly Cor Bregman property in said EMC Corporation's eastern property line as shown on the Plat; thence with said EMC Corporation's northern property line, South 89° 33' 33" West 1,910.66 feet to an existing iron pipe; thence with EMC Corporation's interior eastern property line, North 02° 07' 56" East

543.28 feet to an existing iron pipe, the southeastern corner of the now or formerly Colon Hobby property; thence with the eastern property line of said Colon Hobby property, North 00° 59' 41" East 734.53 feet to a set iron pipe marking the southwest corner of the said Cash and Maynard Tract 1-A; thence with said Cash and Maynard's Tract 1-A's southern property line and passing over an existing iron pipe at a distance of 15.08 feet, South 87° 48' 34" East 1,905.24 feet (total) to an existing iron pipe; thence continuing with said Cash and Maynard's Tract 1-A's interior western property line, South 01° 15' 42" West 1,190.09 feet to the point or place of BEGINNING, containing 53.939 acres, more or less, including any deed/survey gaps that may exist along the western line of the property herein described, as shown on the Plat, which Plat is referenced for a more particular description and being all of the property conveyed to Apex Town Square, LLC, by deed dated January 6, 2006, and recorded in Book 11766, Page 242, Wake County Registry.

Tract 13 (Bregman):

Lying and being in Town of Apex, Holly Springs Township, Wake County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe at a corner of the property now or formerly owned by Heartland Raleigh Apex U.S. 1 Limited Partnership (Book 4454, Page 666, Wake County Registry ["WCR"]), said pipe being located at NC Grid Coordinates: N=707,936.09; E2,048,195.68, and also being located South 31° 57' 19" West a distance of 2,292.37 feet (Grid) from NCGS Monument "TANK" (N=709,881.08; E2,049,408.93); from said POINT OF BEGINNING, running thence along and with the western line of the aforesaid Heartland Raleigh property the following courses and distances:

- South 02° 41' 34" West a distance of 537.74 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 100.28 feet to an existing iron pipe;
- South 02° 41' 34" West a distance of 2.08 feet to an existing iron pipe;
- South 02° 39' 56" West a distance of 37.18 feet to an existing iron pipe in the northern right-of-way of Technology Drive;

running thence along and with the northern right-of-way of Technology Drive the following courses and distances:

- along and with the arc of a curve to the left having a radius of 411.97 feet (Chord Bearing: South 60° 59' 56" West; Chord Distance: 224.57 feet) a distance of 227.45 feet to an existing iron pipe;
- South 45° 37' 55" West a distance of 288.89 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 549.68 feet to an existing iron pipe;
- South 44° 59' 17" West a distance of 70.66 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 57° 36' 33" West; Chord Distance: 151.96 feet) a distance of 153.17 feet to an existing iron pipe;
- along and with the arc of a curve to the right having a radius of 351.97 feet (Chord Bearing: South 79° 30' 30" West; Chord Distance: 115.27 feet) a distance of 115.79 feet to an existing iron pipe;
- South 88° 51' 29" West a distance of 164.77 feet to a point in the eastern line of property

now or formerly owned by Data General (Book 2791, Page 428, WCR);

leaving the northern right-of-way of Technology Drive and running thence along and with the eastern line of the aforesaid Data General property, North 02° 16' 29" East a distance of 1,200.00 feet to an existing iron pipe; continuing with the eastern line of the Data General property and running thence North 02° 17' 20" East a distance of 416.31 feet to an existing iron pipe in the southern line of the aforesaid Heartland Raleigh property; running thence along and with the southern line of the Heartland Raleigh property, South 86° 16' 48" East a distance of 1,218.14 feet to the POINT AND PLACE OF BEGINNING, containing 34.0763 acres, more or less, and being all of Tract 4 north of the right-of-way of Technology Drive, as shown on that certain survey entitled "Recombination And Minor Subdivision of Technology Drive Property For Thomas H. Byrd, III", dated December 11, 1996, and prepared by Niall W. Gillespie, R.L.S. (No. L-2629) (File Name: BYRDTOPO), to which survey reference is hereby made for a more particular description, and being the same property conveyed to Cor S. Bregman by deed recorded in Book 7409, Page 255, Wake County Registry, and being the same property conveyed to Cornelius S. Bregman and Kandes K. Bregman, as Trustees of the Cornelius and Kandes Bregman Trust, under Agreement dated September 20, 1999 by deed recorded in Book 10856, Page 2786, Wake County Registry, LESS AND EXCEPT (i) the property conveyed to Thomas H. Byrd, IV, and wife Lisa W. Byrd, by deed recorded in Book 10129, Page 491, Wake County Registry, and (ii) the property conveyed to the Department of Transportation by deed recorded in Book 8128, Page 153, Wake County Registry.

Tracts 14 - 15 (EMC):

Being all those certain tracts or parcels of land containing approximately 47.419 acres and identified as portions of parcel identification numbers 0740672147 (containing approximately 46.61 acres) and 0740570471 (containing approximately 77.66 acres), and as generally shown as Tract 2 on the map attached hereto as Schedule 1.

Tract 16 (Whitehouse):

Being all that certain tract or parcel of land containing approximately 27.47 acres and identified as parcel identification number 0740287376 and being the same property conveyed to Brenda P. Whitehouse, individually, a 55% undivided interest, and Brenda P. Whitehouse as Trustee of the Irene F. Prince Family Trust dated February 19, 2004, a 45% undivided interest, by deed recorded in Book 10680, Page 477, Wake County Registry.

Tract 17 (F. Prince):

Being all that certain tract or parcel of land containing approximately 75.63 acres and identified as parcel identification number 0740191376 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 18 (F. Prince):

Being all that certain tract or parcel of land containing approximately 21.36 acres and identified as parcel identification number 0730996270 and being the same property conveyed to F.D. Prince, Sr., sole Trustee, or his successors in trust, under the Frank Dixon Prince, Sr. Living Trust, dated October 20, 1988, and any amendments thereto, by deed recorded in Book 8291, Page 540, Wake County Registry.

Tract 19 (B. Prince):

Being all that certain tract or parcel of land containing approximately 32.06 acres and identified as parcel identification number 0741207566 and being the same property conveyed to William Ira Prince, III, by deed recorded in Book 2673, Page 652, Wake County Registry.

Tract 20 (J. Prince):

Being all that certain tract or parcel of land containing approximately 1.80 acres and identified as parcel identification number 0740293940 and being the same property conveyed to William I. Prince and Jean P. Prince, by deed recorded in Book 6217, Page 146, Wake County Registry.

Tracts 21-38 (Stephens):

Being all of those certain tracts or parcels of land identified as parcel identification numbers 0740886966, 0740991702, 0740992565, 0740991337, 0740991237, 0740990140, 0740980647, 0740982309, 0740982534, 0740982635, 0740982769, 0740982866, 0740982964, 0740982929, 0740992024, 0740992069, 0740992169 and 0740982764.

Tract 39 (Tew):

Being all that certain tract or parcel of land containing approximately 1.84 acres and identified as parcel identification number 0741203157 and being the same property conveyed to Kim Prince Tew, and husband, David Wayne Tew, by deed recorded in Book 10633, Page 1741, Wake County Registry.

Tract 40 (Huang):

Being all that certain tract or parcel of land containing approximately 13.33 acres and identified as parcel identification number 0740180091 and being the same property conveyed to Ruey Shiue Huang, Co-Trustee, and Edward K. Huang, Co-Trustee, of The Huang Family Trust, dated September 30, 2005, by deed recorded in Book 10656, Page 33, Wake County Registry.

Sustainable Development Plan

for

VERIDEA

A Sustainable Mixed-Use Community
Apex, North Carolina

10 MAY 2011

Responsible Person:

Lookout Ventures, Inc.
P. O. Box 1166
Zebulon NC

SUSTAINABLE DEVELOPMENT PLAN

DEVELOPER AND RESPONSIBLE PERSON

Lookout Ventures, Inc.
P. O. Box 1166
Zebulon NC 27597
Contact: Tom Hendrickson
tom@lookoutnc.com

EQUITY PARTNER

Hudson Realty Capital, L.L.C.
250 Park Avenue South, Third Floor
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MASTER PLANNING • PLACEMAKING

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Charlotte NC 28036

CIVIL ENGINEERING

WSP Sells
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Cary NC 27513

BBM Associates, Inc.
407 Gorman Street, Suite 101
Raleigh NC 27607

TRANSPORTATION

Kimley-Horn and Associates, Inc.
3001 Weston Parkway
Cary NC 27513

ENERGY PLANNING

Sanford Law Office, P.L.L.C
530 North Person Street
Raleigh NC 27604

SUSTAINABILITY AGENDA

BASED ON

PRINCIPLES AND GOALS

DEVELOPED BY

William McDonough + Partners
700 East Jefferson Street
Charlottesville VA 22902

LANDSCAPE ARCHITECTURE

CLH Design, P.A.
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Cary NC 27518

ENVIRONMENTAL STRATEGY

RST Engineering, P.L.L.C.
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William G. Ross, Jr.
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**Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan,
L.L.P.**
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ARTICLE 1.0 DEFINITIONS OF CAPITALIZED TERMS USED IN THE SUSTAINABLE DEVELOPMENT (SD) PLAN

A-Grid: cumulatively, those Thoroughfares that by virtue of their pedestrian-supportive qualities, and their importance to pedestrian connectivity, are part of multi-modal transportation network that is vehicle tolerant and is linked to the contextual nature of the place. *See B-Grid.*

A-Grid Zones: areas of the Concept Map where A-Grids are required.

Accessory Structures: structures or buildings incidental to and appropriate to support a Function or use (i.e., ticket booths and storage for outdoor amphitheaters, and dugouts and storage for baseball and softball.)

Accessory Unit or Building: a dwelling not greater than 800 square feet sharing ownership and shared or separate utility connections with a Principal Building. *See Table 10 and Table 17.* (Syn: ancillary unit)

Advanced Materials: a broad technology category based on a rapidly evolving area of science, with applications ranging from aircraft to computer chips. Advanced structural materials can make products strong, lighter, and more effective as well as enable the development of totally new products. The materials can increasingly be designed and tailored to specific applications. A material is said to be "advanced" if it is a new material for the application. *See Table 12.*

Agricultural Plot: a parcel of land used for small-scale agricultural purposes such as the raising of agricultural products or poultry. *See Table 12 and Table 19.*

Alleé: a regularly spaced and aligned row or rows of trees usually planted along a Thoroughfare or Path.

Anticipatory Design: a development approach intended to predict and facilitate the use of innovative technology and other best development practices as they evolve and become practically and economically feasible over time.

Arcade: a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at the Frontage Line.

Avenue ("AV"): a Thoroughfare designed for high vehicular capacity and low to moderate speed, acting as a short distance connector between Village Centers, and usually equipped with a landscaped median.

B-Grid: cumulatively, those Thoroughfares that by virtue of their use or location are vehicle supportive and pedestrian tolerant. *See A-Grid.*

B-Grid Zones: areas of the Concept Map where B-Grids are permitted.

Backbuilding: a single-Story structure connecting a Principal Building to an Outbuilding. *See Table 17.*

Bed and Breakfast: an owner or manager controlled Lodging type, permitted to serve breakfast in the mornings to guests in the Neighborhood General (NG) zone and at all times in other Sustainable Zones.

Bicycle Lane (“BL”): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare.

Bicycle Route (“BR”): a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds. These routes are signed as “bike route.”

Bicycle Trail (“BT”): a bicycle and pedestrian way running independently of a vehicular Thoroughfare.

Biotechnology: the science of using living things and components of living things to produce goods and services. It involves manipulating and modifying organisms, often at the molecular level, to create new and practical applications for agriculture, medicine and industry. *See Table 12.*

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

Boulevard (“BV”): a Thoroughfare designed for high vehicular capacity and moderate speed, traversing an urbanized area. Boulevards are usually equipped with Slip Streets buffering Sidewalks and buildings.

By Right: characterizing a proposal or component of a proposal for the Development that is allowed by the SD Plan.

Civic Building: a building primarily dedicated to public functions such as arts, culture, education, recreation, government, transit, and parking, or for other public purposes. Civic Buildings are primarily operated by public or not-for-profit entities.

Civic Space: land containing a Civic Building and/or an outdoor area dedicated for public use including Parks but not including street rights of way. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their enfronting buildings. *See Table 13.*

Civic Use: Open Space that is designated for Civic Buildings and Civic Space and Public Space.

Commercial: the term collectively defining workplace, Office, Retail, and Lodging Functions.

Common Destination: an area of focused community activity. It may include, without limitation, one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station or stop, and may act as the social center of a neighborhood.

Community Garden: a grouping of garden plots available for small scale cultivation, generally to the residents of apartments and other dwelling types without private gardens, permitting individual storage sheds, and providing a locus of recreation and sociability greater than that of a private yard, thus being a Common Destination.

Concept Map: See Veridea **Sustainable Development Concept Map**.

Concessions: a place where food, drinks and incidental retail items are sold or rented.

Conference Center: a facility that is constructed for and devoted to meetings and meeting space. *See Table 12.*

Configuration: the form of a building, based on its massing, Private Frontage, and height or the geographic characteristics of an area of land.

Convention Center: a Facility designed to accommodate multiple groups or large groups and consisting of exhibit halls, meeting rooms, ballrooms or banquet space but not sleeping accommodations. *See Table 12.*

Corridor: a lineal geographic system incorporating transportation and/or Greenway trajectories.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system. *See Table 4A and Table 4B.*

Density: the amount of development measured on the basis of a Gross Acre of land area expressed in the number of Dwelling Units Per Acre ("DUA") for residential or Floor Area Ratio ("FAR") for non-residential.

Design Speed: the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed. *See Table 3A.*

Design Standards: all of the provisions of the SD Plan, other than authorized Density, related to the development of Veridea, including but not limited to standards, designs, criteria, illustrations and other elements and materials of both a descriptive and proscriptive nature.

Developable Areas: lands other than those in the OS Open Space Zone.

Development: refers to Veridea and the land encompassed by the Veridea Sustainable Development Plan as a whole.

Disposition: the placement of a building on its Lot. *See Table 9 and Table 17.*

Drive ("DR"): a Thoroughfare along the boundary between an urbanized and a natural condition, usually along a waterfront or Park. One side has the urban character of a Thoroughfare, with Sidewalk and building, while the other has the qualities of a Road or parkway, with naturalistic planting and rural details.

Dwelling Units Per Acre ("DUA"): the number of dwelling units per Gross Acre.

Driveway: a vehicular lane within a Lot, often leading to a garage. *See Article 5.8 and Table 3B.f.*

Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. *See Table 11.*

Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account. *See Table 17.*

Elevation: an exterior wall of a building not along a Frontage Line. *See Table 17.* See: **Facade.**

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element so that it extends into a Setback, into an easement, into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into an easement, into the Public Frontage, or above a height limit.

Environmental Enhancement Plan: additional Sustainability Standards related to environmental enhancement required to be submitted to the Town Council for approval in accordance with UDO 2.3.16 F) 3) b).

Existing Communication Towers: towers that are currently in place within Veridea, including any and all guy wires, anchors, supporting cables, tower assembly, and ancillary buildings.

Expression Line: a line prescribed at a certain level of a building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. *See Table 8.* (Syn: transition line.)

Facade: the exterior wall of a building that is set along a Frontage Line. *See Elevation.*

Farm: an active, usually commercial, agricultural operation, such as the raising of agricultural products, livestock, poultry and dairying at a scale requiring industrial sized machinery and farm buildings, consistent with the requirements and limitations of the UDO. *See Table 12 and Table 19.*

Floor Area Ratio ("FAR"): the ratio of total building floor area per Gross Acre.

Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. *See Table 7.*

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage**. *See Table 4A and Table 7.*

Frontage Line: a Lot Line bordering a Public Frontage. Facades facing

Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. *See Table 17.*

Function: the use or uses accommodated by a building and its Lot, categorized as *Restricted*, *Limited*, or *Open*, according to the intensity of the use. *See Table 10 and Table 12.*

Gallery: a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. *See Table 7.*

Goal(s): the desired result of Veridea's effort to achieve sustainability.

Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages. *See Table 13.*

Green Roof: a building roof partially or completely covered with vegetation and soil, or some other living medium, over a waterproofing membrane.

Green Technology: a continuously evolving group of methods and materials, including—but not limited to—environmentally-sound techniques for: generating energy, energy efficiency, chemistry, nanotechnology and construction. *See Table 12.*

Greenway: a Corridor in largely natural conditions, which shall include trails for bicycles or pedestrians.

Gross Acre: an acre of land within the Veridea Sustainable Development District used for the purpose of Density calculation.

Guiding Principles: the Principles used to develop Veridea.

High Performance Computing: the use of supercomputers and computer clusters to solve advanced computation problems. *See Table 12.*

Highway ("HW"): a rural and suburban Thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural Sustainable Zones (OS and NG).

Home Occupation: non-Retail Commercial enterprises within or closely associated with a dwelling.

Impermeable Surface: surfaces constructed using materials that allow no infiltration of water into the soil. Impermeable surfaces include, but are not limited to, public and private Thoroughfares, sidewalks, driveways, rooftops, parking lots and patios constructed with asphalt, concrete, compacted aggregate base course or other impervious materials. The surface area of bodies of water (natural or man-made) and wooden decks shall be considered permeable and shall not be included in the calculation of built-upon area. Green Roofs, permeable pavements, and other surfaces constructed with uniformly graded gravel, porous materials or pervious materials and designed in accordance with the NC Division of Water Quality Stormwater Best Management Practices Manual to accommodate the infiltration of water shall not be considered impermeable surfaces and shall not be included in the

calculation of the built-upon area.

Independent Living: a Project, or a portion of a Project, consisting of residences of any type or various types primarily accommodating age targeted residents maintaining an independent lifestyle.

Industrial: the term collectively defining Manufacturing, warehousing and storage uses.

Information Technology: the application of computer, communications and software technology to the management, processing and dissemination of information. *See Table 12.*

Internal Trip Capture: a concept used in transportation modeling to define an automobile trip between different land uses within Veridea that would have required an automobile trip external to the site.

Layer: a range of depth of a Lot, measured from the Frontage Line, within which certain elements are permitted. *See Table 17.*

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. *See Table 7.* (Syn: light court.)

Liner Building: a building specifically designed to mask a blank building wall, a service area, a parking lot, or a Parking Structure from a Frontage.

Live-Work: a Mixed Use unit consisting of a Commercial and Residential Function. *See Table 10.*

Lodging: premises available for daily and weekly renting of bedrooms. *See Table 10 and Table 12.*

Lot: a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain, as characterized by a tight-knit Thoroughfare grid, or coarse grain, as characterized by a loose-knit street grid) of the urban fabric.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the Principal Frontage Line of a Lot.

Manufacturing: all areas of manufacturing, including design, control, fabrication, and assembly for uses where activities are conducted and confined within a building or structure including, but are not limited to: electronics, computers/IT, instrumentation, industrial equipment, medical, pharmaceutical, telecom, aerospace, defense, government, appliances, food, beverage and consumer products.

Medical Devices: products used for medical purposes for patients, in diagnosis, therapy or surgery. *See Table 12.*

Mixed Use: multiple Functions within the same building through vertical integration or adjacency, or in multiple buildings by adjacency.

Mixed Use Block: *See Mixed Use and Block. See Table 12.*

Modular Construction: single-family, multi-family or mixed use building constructed on-site and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly that complies with the requirements of the North Carolina State Building Code.

Nanotechnology: is an advanced technology involving the fabrication and use of devices so small that the convenient unit of measurement is the nanometer (one thousand-millionth of a meter); or, is the art of manipulating and exploiting the properties of matter at a molecular level. *See Table 12.*

Natatorium: a building containing a swimming pool. *See Table 12.*

NCDENR: The North Carolina Department of the Environment and Natural Resources, or any successor executive agency or agencies having the powers and authority of such department.

Neighborhood General: A Sustainable Zone. *See Table 1.*

Neighborhood Mixed-Use: A Sustainable Zone. *See Table 1.*

Non-residential Uses: uses and building functions other than residential. Vertically integrated residential and Non-residential uses will be considered non-residential for the purposes of the SD Plan and the UDO. *See Article 4.2.2 and Table 12.*

Office: premises available for the transaction of general business, lab and research uses but excluding Retail uses. *See Table 10.*

Open Space ("OS"): A Sustainable Zone. *See Table 1.*

Outbuilding: an Accessory Building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding. *See Table 17.*

Park: a Civic Space type or type of Open Space used for active and/or passive recreation purposes or natural preserve available for unstructured recreation, including all examples in Table 13.

Parking Garage (deck): *See Parking Structure.*

Parking Management Plan: a plan setting forth various policies and programs intended to optimize the efficient use of parking resources.

Parking Structure: a building containing one or more Stories of parking at, above and/or below grade. A Parking Structure may be stand alone or may be connected to or integrated with other uses. *See Table 12.*

Passage ("PS"): a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path ("PT"): a pedestrian and/or bicycle way traversing a Park or rural area, with landscape matching the contiguous Neighborhood General (NG) Zone, ideally connecting directly with the urban sidewalk network.

Pattern Book(s): a book or books of text, diagrams and illustrations setting forth the principles of design for Veridea or some portion thereof in order to provide consistencies in characteristic form, massing, composition, style, method, materials, lighting and signage while simultaneously allowing for architectural and aesthetic diversity.

Planter: the element of the Public Frontage, which accommodates street trees and other vegetation, whether continuous or individual.

Plaza: a Civic Space type designed for Civic purposes and Commercial activities in the more urban Sustainable Zones, generally paved and spatially defined by building Frontages.

Power Facility: A facility for the generation of electric or thermal power. See *Table 12*.

Principal Building: the main building on a Lot, usually located toward the Frontage. See *Table 17*.

Principal Entrance: the main point of access for pedestrians into a building.

Principal Frontage: on corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. See **Frontage**.

Principle(s): fundamental positions that serve as the foundation for the creation of Veridea.

Private Frontage: the privately held Layer between the Frontage Line and the Principal Building Facade. See *Table 7 and Table 17*.

Project: individual developments within the Veridea Sustainable Development District to which the Sustainable Development Plan applies.

Public Frontage: the area between the Curb of the vehicular lanes and the Frontage Line, possibly containing utility easements, for walkways. See *Table 4A and Table 4B*.

Public Parking Facility: a parking facility that may include decks, structures or lots that may be publicly or privately owned and contain shared spaces available for public use that are not allocated to other residential or non-residential uses within Veridea.

Public School: A school operated by the Wake County Public Schools System, a charter school, or other type of school sanctioned by the State of North Carolina for public instruction and wholly or partially funded by the State and/or Wake County.

Public Space: land accessible to the general public through dedication or easement, but not including street rights of way.

Rear Alley ("RA"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and possibly containing utility easements. See *Table 4A and Table 4C*.

Rear Lane ("RL"): a vehicular way, either public or private, located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. *See Table 4A and Table 4C.*

Rearyard: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. *See Table 9.* (Var: Townhouse, Apartment House)

Regional Public Transit System: a transit system operated by a public agency that serves a geographic area that extends beyond the jurisdictional limits of the Town of Apex that includes, as one of its elements, a fixed guideway or comparable transit technology.

Renewable Energy Facility: a facility that either: i) generates thermal and/or electric power primarily by the use of a Renewable Energy Resource; ii) uses heat derived primarily from a Renewable Energy Resource to produce electricity or useful, measurable thermal or mechanical energy; iii) is a solar thermal energy facility; iv) specifically allows for co-firing with non-renewable energy resources as long as non-renewable energy resources are not the primary energy source; or v) provides energy storage capacity.

Renewable Energy Resource: a solar electric, solar thermal, wind, hydropower, geothermal, or ocean current or wave energy resource; a biomass resource, including agricultural waste, animal waste, wood waste, spent pulping liquors, combustible residues, combustible liquids, combustible gases, energy crops, or landfill methane; waste heat derived from a renewable energy resource and used to produce electricity or useful, measurable thermal energy; or hydrogen derived from a renewable energy resource. Renewable Energy Resource does not include peat, a fossil fuel, or nuclear energy resource.

Responsible Person: that person identified in the SD Plan and appointed pursuant to UDO 2.3.16 D), or his successors or assigns, to make certain decisions with respect to the SD Plan and the zoning of Veridea. The Responsible Person is sometimes referred to in this SD Plan as the "Developer."

Retail: the sale, (other than wholesale), rental or repair of goods, merchandise and services and food and beverage service and sales.

Retail Kiosk: a place where merchandise and food and drink may be sold or rented. *See Table 12.*

Retail Storage within Retail Spaces: stock rooms and storage areas located within retail spaces. *See Table 12.*

Road ("RD"): a local, rural and suburban Thoroughfare of low-to-moderate vehicular speed and capacity. This type is allocated to the more rural, less dense Sustainable Zones (OS-NG). *See Table 3A and Table 4C.*

School Authority: The Wake County Public Schools System or other entity having state-sanctioned authority for public education.

School Dormitory: an educational building or a group of rooms in a building

used for institutional living and sleeping purposes for students. *See Table 12.*

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated. *See Table 17.*

Setback: the area of a Lot measured from the Lot line to a building Facade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments listed in *Article 5.5*. *See Table 14.g.* (Var: build-to-line.)

Shared Parking Factor: an accounting for parking spaces that are available to more than one Function. *See Table 11.*

Shopfront: a Private Frontage conventional for Retail use, with substantial glazing and sometimes an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. *See Table 7.*

Shopping Center: a building or multiple buildings consisting of a complex of shops, with interconnecting walkways along with associated parking. *See Table 12.*

Slip Street: an outer vehicular lane or lanes of a Thoroughfare, designed for slow speeds while inner lanes carry higher speed traffic, and that may be separated from them by a planted median. (Syn: access lane, service lane)

Smart Power: the system of generation, transmission, distribution and use of energy through means that both increase efficiency throughout the system and reduce the environmental impact of the cycle of production, delivery and use. The referenced means include development, manufacture and deployment of information technology, engineering, manufacturing, construction techniques, building science, controls, and HVAC and lighting systems. *See Table 12.*

Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed. *See Table 13.*

Stoop: a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance. *See Table 7.*

Story: a habitable level within a building, excluding an attic, mezzanine, or raised basement. *See Table 8.* Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.

Strategy: general approach to achieve desired goals for Veridea.

Street ("ST"): a local urban Thoroughfare of low speed and capacity. *See Table 3B and Table 4B.*

Streetscreen: a freestanding wall or a free standing or attached trellis system for supporting plants along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn:

streetwall.) See *Article 5.5.5f*.

Sustainability: the process and ultimately the benefits of implementing a sustainable development program.

Sustainable: as used within the context of "sustainable development," and as derived from the 1987 Brundtland report: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". In practice, to develop sustainably is to integrate the economic, social and environmental dimensions to create human habitats that contribute to a quality life now, and in the future based upon an evolution of society, knowledge and technology.

Sustainable Zone: one of several areas described in the SD Plan and shown on the Sustainable Development Concept Map (and thereafter more clearly delineated in subdivision and site plans) analogous to Zoning Districts established under the UDO. Allowable land uses and development regulations applicable to such zones shall be as provided in the SD Plan.

Swale: a low or slightly depressed natural area for drainage.

Thoroughfare: a way for use, including a street, by vehicular and pedestrian traffic and to provide access to Lots and Open Space, consisting of vehicular lanes and the Public Frontage. See *Table 3A, Table 3B, Table 4C and Table 17a*.

Town Standards: any statement, codification or other document setting forth standards, designs, directives or plans for the construction of roads, utilities, parks, public facilities or infrastructure of any nature adopted by the Town of Apex and regulating the development of property and the construction of improvements and infrastructure within the jurisdiction of the Town. Town Standards shall include, but shall not be limited to, the Town of Apex Code of Ordinances, the Apex Unified Development Ordinance, Apex Comprehensive Plan, Apex Watershed Overlay District, Apex 2025 Land Use Plan, Apex Transportation Plans, NC 540 Land Use Plan, the Apex Standard Specifications and Standard Details, Wastewater Master Plan, Water Distribution Master Plan, and the Apex Parks and Recreation Master Plan.

Townhouse: a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. See **Rearyard Building**.

Transit Oriented Development ("TOD"): those areas within an average 1/2 mile radius or 2640 feet of a transit stop (bus or rail) present or proposed as a Common Destination, as set forth in *Article 5.7.2d*.

Transportation Demand Management ("TDM"): is a general term for strategies that result in more efficient use of transportation resources. The strategies include developing comprehensive plans for bus and rail transit, bike/transit integration, car sharing, flex cars, and park and ride resources.

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning

Radius, the shorter the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. *See Table 3B and Table 17.*

Unified Development Ordinance (“UDO”): The Apex Unified Development Ordinance.

Urban Farm: agricultural land used for the production of fruits and vegetables, livestock, poultry or other agricultural products, or some combination thereof, consistent with the requirements and limitations of the UDO. *See Table 12 and Table 19.*

Urbanism: collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and socio-cultural aspects.

Urban Core (“UC”): A Sustainable Zone. *See Table 1.*

Vegetable Garden: private agricultural land dedicated to food production to be locally consumed, restricted to back yards. *See Table 12 and Table 19.*

Veridea Sustainable Development Concept Map: the map or set of maps that depicts a concept for the development of a community and the conceptual location of Sustainable Zones and Thoroughfares within it. *See Table 2.*

Veridea Sustainable Development District: the zoning district as depicted by the Veridea Sustainable Development Concept Map and developed in accordance with this SD Plan.

Vertical Farm: agricultural production in buildings not primarily within yards, but as a part of or incidental to inhabited buildings, or as a stand alone feature, utilizing container gardens or boxes, which may be associated with windows, balconies and terraces, or roof gardens.

Village Center (“VC”): A Sustainable Zone. *See Table 1.*

Yield: characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

ARTICLE 2.0 THE DISTRICT

2.1 INTRODUCTION

This Sustainable Development Plan (the “SD Plan”) is submitted by the Responsible Person and approved by the Town Council pursuant to UDO 2.3.16 of the Town of Apex (the “Town” or “Apex”) with respect to the proposed rezoning of property within the Town for the Sustainable, mixed-use development to be known as “Veridea.” The SD Plan and its standards and applicable provisions of the UDO and other Town Ordinances and Town Standards shall authorize, regulate, and control the development of land within Veridea and shall establish the design and form for such development. To the extent that the SD Plan varies from the provisions of the UDO, other Town Ordinances, Town Standards or any document or policy referenced or incorporated therein as they exist on the date of approval of the SD Plan and as they may be amended from time to time by the Town Council, the SD Plan shall control.

2.2 CHANGE OF THE RESPONSIBLE PERSON

Pursuant to UDO 2.3.16 D), the Petition to Amend the Official Zoning District Map requesting the rezoning of Veridea to Sustainable Development Conditional Zoning District SD-CZ identified and appointed Lookout Ventures, Inc. as the Responsible Person for the district. Any successor corporation to Lookout Ventures, Inc. by way of merger or other reorganization shall become Responsible Person for the district, and written notice of such succession shall be provided to the Planning Director. At any time following the rezoning of Veridea as requested, Lookout Ventures, Inc. (or its successor corporation) may appoint another person as the Responsible Person for the district by providing notice of such change in writing to the Planning Director of the Town. In the event of the death, incapacity or dissolution of the Responsible Person without its appointment of a new Responsible Person, a new Responsible Person shall be appointed by the owners of fifty-one percent (51%) of the land comprising Veridea at the time of such appointment and written notice of such appointment shall be provided to the Planning Director.

2.3 AUTHORIZED DEVELOPMENT

No development shall occur within Veridea, or any parcel added to Veridea, except as is specifically authorized by this SD Plan with reference, when appropriate, to the UDO.

2.4 MASTER PROPERTY OWNERS’ ASSOCIATION

Prior to the Developer's conveyance of any of the Properties within Veridea by the Developer or its assigns, a Master Property Owners' Association ("MPOA") will be established. Membership in the MPOA will be mandatory for any property owner. The MPOA will be funded by dues to be established in the Declaration or other duly recorded document. The MPOA will be responsible for the enforcement of recorded restrictive covenants and for the maintenance of certain common areas within Veridea, including private Thoroughfares. Subassociations of property owners may be established for individual development tracts within Veridea, which will be responsible for the maintenance of the common area within that specific tract, unless otherwise provided in documents relating to the respective subassociation. Should any subassociation fail to perform its maintenance obligations, the MPOA shall be responsible for such performance within a commercially reasonable timeframe. The Town will maintain all Thoroughfares and any other real property that is properly dedicated to and accepted by the Town.

2.5 DECLARATION OF RESTRICTIVE COVENANTS

Prior to the Developer's conveyance of any property within Veridea subsequent to its rezoning, the Developer shall record in the Wake County Registry with respect to the Development a Declaration of Restrictive Covenants (the "Declaration"), duly executed by the record owner or owners of each parcel included within the Development, stating that the Development is within the zoning jurisdiction of the Town of Apex and is zoned Sustainable Development Conditional Zoning ("SDCZ") District and that (i) the Development and the use of property therein are therefore subject to regulations applicable to the SDCZ District described in Section 2.3.16 of the UDO and other provisions of such Ordinance, a copy of which is available in the Planning Department of the Town of Apex (the "Planning Department") at the Apex Town Hall, 73 Hunter Street, Apex, North Carolina 27502; (ii) the Development and the use of land within the Development are also subject to the terms and provisions of a Sustainable Development Plan approved upon the rezoning of the Development to SDCZ District, a copy of which is available in the Planning Department; (iii) under applicable provisions of the UDO and the aforementioned SD Plan, the Developer, its successors and assigns, as Responsible Person, has the sole authority to make certain decisions with regard to property comprising the Development; and (iv) upon acceptance and recordation of any deed conveying property within Veridea, the grantee or grantees of such deed shall become a member of the Master Property Owners' Association for Veridea established pursuant to Section 2.4 of this Plan and any subassociation established pursuant to such section that relates to the property conveyed in the respective deed. The Declaration shall further provide that (i) each deed conveying land within Veridea recorded subsequent to the recordation of the Declaration shall state that the respective conveyance is subject to the Declaration, but that the failure to include such statement in a deed shall not affect the enforceability of the Declaration with respect to the property conveyed or invalidate the respective conveyance; and (ii) no rezoning petition shall be submitted or proposed with regard to the Development, or any portion thereof, without the written consent of the Developer.

ARTICLE 3.0 GENERAL SUSTAINABILITY STANDARDS AND FURTHER DEVELOPMENT APPROVALS

3.1 PURPOSE OF THE PLAN

3.1.1 The SD Plan has been adopted to facilitate the development of Veridea as a community of safe, healthy, resource efficient and transit-oriented mixed-use Projects planned and developed in accordance with Principles promoting Sustainability. Accordingly, Veridea will be developed in view of the following Guiding Principles:

- a. Create economic value
- b. Eliminate the concept of waste
- c. Insist on a renewable future
- d. Create delightful urban places
- e. Integrate nature throughout the community

The Guiding Principles for Veridea have been developed in accordance with The Hannover Principles, Design for Sustainability, which was authored by William McDonough and Michael Braungart. The Hannover Principles are as follows:

1. **Insist on rights of humanity and nature to co-exist** in a healthy, supportive, diverse and Sustainable condition.
2. **Recognize interdependence.** The elements of human design interact with and depend upon the natural world, with broad and diverse implications at every scale. Expand design considerations to recognizing even distant effects.
3. **Respect relationships between spirit and matter.** Consider all aspects of human settlement including community, dwelling, industry and trade in terms of existing and evolving connections between spiritual and material consciousness.
4. **Accept responsibility for the consequences of design** decisions upon human well-being, the viability of natural systems and their right to co-exist.
5. **Create safe objects of long-term value.** Do not burden future generations with requirements for maintenance or vigilant administration of potential danger due to the careless creation of products, processes or standards.
6. **Eliminate the concept of waste.** Evaluate and optimize the full life-cycle of products and processes, to approach the state of natural systems, in which there is no waste.

7. Rely on natural energy flows. Human designs should, like the living world, derive their creative forces from perpetual solar income. Incorporate this energy efficiently and safely for responsible use.

8. Understand the limitations of design. No human creation lasts forever and design does not solve all problems. Those who create and plan should practice humility in the face of nature. Treat nature as a model and mentor, not as an inconvenience to be evaded or controlled.

9. Seek constant improvement by the sharing of knowledge. Encourage direct and open communication between colleagues, patrons, manufacturers and users to link long term Sustainable considerations with ethical responsibility, and re-establish the integral relationship between natural processes and human activity.

In addition, the Guiding Principles are grounded in the belief that they can only be achieved through a flexible development plan which recognizes the reality of the time in which elements of the plan are developed. The Guiding Principles will be pursued in an anticipatory manner, one which acknowledges that Veridea will be developed over a sustained period of time and according to evolving criteria that define accepted and attainable Sustainable development practices. The SD Plan establishes a flexible framework of development standards (collectively, the "Sustainability Standards") that, by its very nature, seeks to anticipate future trends and technologies and acknowledges that future technologies and practices are, by definition, evolutionary. Accordingly, an Anticipatory Design process shall be used in the planning and design of Veridea and in the design of specific Projects within Veridea.

- 3.1.2 In order to achieve these Guiding Principles, Veridea shall be developed as Sustainable Zones, as described in Table 1, in accordance with the SD Plan and the Sustainability Standards. In accordance with UDO 2.3.16 F) 2), Sustainability Standards include natural and cultural resource standards, transportation infrastructure standards, utility infrastructure standards, energy standards, community design standards, and building standards. Additional, modified or elective Sustainability Standards shall be adopted in accordance with UDO 2.3.16 F) 3). Sustainability Standards contemplated for Veridea shall include an Environmental Enhancement Plan and may include additional plans as follows:

Sustainability Standards	Authority	When Adopted
SD Plan	UDO 2.3.16	Rezoning
Environmental Enhancement Plan	UDO 2.3.16 F) 3) b)	Prior to first site plan or subdivision plan
Pattern Book	UDO 2.3.16 F) 3) a)	With first site plan
Transportation Demand Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking
Parking Management Plan	UDO 2.3.16 F) 3) a)	With first site plan that deviates from UDO standards related to parking

Additional Sustainability Standards	UDO 2.3.16 F) 3) a)	As appropriate, subsequent to rezoning
Elective Sustainability Standards	UDO 2.3.16 F) 3) c)	

Figure 1. Sustainability Standards in Veridea

3.1.3 In addition to the total authorized development authorized by this SD Plan, a minimum of 250 acres of land, in varying locations and varying scales and forms, shall be designated by the Responsible Person during the site plan and subdivision approval process as follows:

- a. 100 acres shall be designated for Resource Conservation Area.
- b. Sufficient acreage shall be designated to accommodate the recreation requirements specifically set forth in Article 3.4.2.2; and
- c. 150 acres less the acreage sufficient to accommodate the recreation requirements of Article 3.4.2.2 shall be designated for Open Space, Public Space, and Civic Space. Civic Buildings dedicated to government, transit or parking and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection. Civic Buildings dedicated to arts, culture, education and social activity and any portion of the respective lot routinely accessible to the public shall be included in the acreage designated pursuant to this subsection. Any privately-owned or operated buildings located in an Open Space zone and any portion of the respective lot not routinely accessible to the public shall not be included in the acreage designated pursuant to this subsection.

3.2 SUSTAINABLE FRAMEWORK

3.2.1 The Veridea Sustainable Development District is utilized for Veridea to create a framework for compact and connected Sustainable Urbanism. In view of its scale and the Guiding Principles, the Veridea Sustainable Development District is distinguished from the other districts within the UDO and offers an additional lifestyle choice to Apex for current and future residents. Because technology and the laws and regulations affecting sustainability are evolutionary, the SD Plan recognizes the need to enable Anticipatory Design and to maintain flexibility in order to incorporate and adapt to future best practices.

3.2.2 In view of the Guiding Principles, the Goals of Veridea are intended to capture the spirit and intent of sustainability in order to achieve the following desired results:

- a. Economic Value
 - i. Create a model community of Sustainable design.

- ii. Create a framework for the next generation version of the Research Triangle Park that is a vibrant, urban, mixed-use transit-oriented community.
- b. Energy
 - i. Pursue renewably sourced energy supplies.
 - ii. Maximize energy efficiency.
 - iii. Pursue energy opportunities presented by the evolving regulatory landscape and emerging renewable energy technologies.
- c. Water
 - i. Release to the ecosystem only water that is clean and healthy.
 - ii. Treat water as a precious resource by conserving and reusing it to the maximum extent practicable.
- d. Community
 - i. Create a world class model of a safe, healthy, delightful, Sustainable mixed-use urban environment that enables the community to live, work and play.
 - ii. Facilitate a mix of housing types, sizes and tenure options that allow all members of society to remain part of the community throughout the human life cycle.
 - iii. Establish a full-service pedestrian-friendly transit-oriented community that respects and encourages wellness and safety.
 - iv. Establish a community that respects the history of Apex and compliments and expands its existing community infrastructure.
 - v. Set aside Open Space and Civic Space throughout the community.
 - vi. Reduce, re-use and recycle construction and demolition materials whenever practicable.

3.3 DEVELOPMENT APPROVALS

3.3.1 Site Plans

- a. The approval of site plans within the Development shall comply with the procedures and standards of UDO 2.3.6 except as modified in the SD Plan.
- b. Within the Development, notwithstanding any provision of UDO 2.3.6 D) 2), only those individual site plans that propose 100,000 square feet or more of nonresidential floor area or 200 residential units or more shall be considered Major Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 3). Notwithstanding UDO 2.3.6 D) 2) a), multiple site plan applications within any three year period for one property, or portions of the same property, or neighboring properties if owned by the same entity, shall be considered as individual site plans for the determination of the existence of a Major Site Plan and shall not be considered cumulatively for any purpose. All other site plans within the Development, shall be considered Minor Site Plans and shall be processed and reviewed in accordance with UDO 2.3.6 D) 1).

3.3.2 Subdivision Plans

The approval of subdivision plans shall comply with the procedures and standards of UDO 2.3.7 except as modified in the SD Plan. A minor Subdivision Plan, for the purposes of UDO 2.3.7 G), shall be defined as a division of a tract or parcel into fewer than 200 lots. In approving a major Subdivision Plan, the Town Council shall find that the area of the proposed subdivision will be adequately served by public fire and law enforcement personnel.

3.3.3 Written Statement from Responsible Person Required; Noncompliance

Any site plan or Subdivision Plan submitted to the Town for approval for a Project to be undertaken by a party other than the Responsible Person must be accompanied by a written statement from the Responsible Person indicating its approval of the Project. Such written statement shall also state the authorized development allocated to the Project (i.e., number of dwelling units and/or square feet of non-residential Retail, Office and/or Industrial Uses) as well as the development fee credits, if any, other credits, and/or liabilities and responsibilities assigned to or assumed by the Project.

Any event of non-compliance with any requirement of this SD Plan or the UDO that relates solely to a Project or Projects within Veridea shall not be attributed to Veridea as a whole, but rather shall be attributed only to that Project or Projects, such that any enforcement action taken by the Town shall be limited to the Project or Projects at issue.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO remains in existence with respect to a Project or Projects or a distinct area within Veridea after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, building permits, certificates of compliance or occupancy, site plans, subdivision plans or plats and other permits or approvals for the Project or Projects or distinct area in issue until the non-compliance is corrected and cured.

In addition to any other remedy that may be available to the Town, if a violation of this SD Plan, Town Standards, Sustainability Standards applicable to Veridea or the UDO which applies to Veridea as a whole remains in existence after the Town complies with the procedures of UDO 11.5, the Town may withhold the issuing, approving or granting of grading permits, site plans and subdivision plans or plats throughout Veridea until the non-compliance is corrected and cured.

3.3.4. Additional, Modified and Elective Sustainability Standards

All of the provisions of the SD Plan, including those related to development approvals, may be affected by any standards applicable to SD-CZ districts that may be adopted at any time or from time to time by the Town Council in accordance with UDO 2.3.16 F) 3). Upon the consent of the Responsible Person, any Sustainability Standards adopted or modified by the Town

Council in accordance with the provisions of UDO 2.3.16 F) 3) a), b) or c) shall apply to subsequent site plans and Subdivision Plans and be incorporated into the SD Plan. The Environmental Enhancement Plan shall be the sole required additional Sustainability Standard under this SD Plan and shall be adopted pursuant to UDO 2.3.16 F) 3) b).

3.3.5. Encroachment Agreements

Notwithstanding any other provision in this SD Plan, any encroachment into a Town of Apex right-of-way or easement requires an encroachment and maintenance agreement with the Town before such encroachment is made.

**3.4 RESOURCE CONSERVATION – NATURAL AND CULTURAL
RESOURCE STANDARDS**

3.4.1 General

The natural and cultural resource standards set forth herein, as a component of the Sustainability Standards, provide certain community resources and conserve and protect natural and cultural resources and the quality of the water, land, and air within Veridea.

As set forth in Article 3.1.1 of the SD Plan, Veridea will be developed in view of the Guiding Principles over time according to evolving criteria that will define accepted and attainable sustainable development practices at the time of site plan or Subdivision Plan submission. As set forth in Article 3.1.2 and elsewhere within the SD Plan, Veridea shall include both Open Space, as an independent zone, and Developable Areas, generally identified as Sustainable Development Zones. Accordingly, Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary as to those that apply within the Open Space zones, and those that apply within the Sustainable Development Zones. Further, due to the different levels of development within each Sustainable Development Zone, the Environmental and Natural Resource Protection Standards and Community Resource Standards shall vary with the level of development intensity within each zone. Also as set forth in Article 3.1.1 of the SD Plan, development standards are intended to be flexible in order to anticipate future trends and technologies, and yet acknowledge that future technologies and practices are unknown.

The provisions of Section 9 (d) of Session Law 2006-246, which provide a landward setback of 30 feet for built upon areas adjacent to certain surface waters, shall be applicable to Veridea except to the extent exceptions are granted by the Town Council in accordance with Section 11 (a) of such Session Law. Otherwise, UDO 6.1 shall apply until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16. F) 3) b).

3.4.2 Community Resource Standards

Veridea will achieve intensity of development within an environment of Sustainability.

3.4.2.1. Parks, Recreation and Open Space

All of the landscape that comprises Veridea will be purposefully designed to achieve a wide range of Goals to achieve Sustainability. The scale of Veridea's Parks will vary from small urban greens and squares, to active recreation areas with playfields, to natural preserve areas conducive to passive recreation. Within each Park, recreation, and open space site setting, appropriate human activity, from the passive to the most active, will be accommodated. Parks may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval, however only public parks will count toward recreation requirements. As Veridea is developed, land shall be dedicated for parks, recreation, and open space or fees in-lieu paid with respect thereto as contemplated by UDO 7.3.1 and 7.5.9 B). At any time, the Town Council and the Responsible Person may agree upon a plan or plans that deal with parks, recreation and open space for all or any portion of Veridea.

3.4.2.2. Specific Recreation Requirements

In accordance with the above and consistent with other requirements of the SD Plan, the Developer shall, at a minimum, dedicate land parcels to accommodate the following: i) four (4) lighted regulation softball fields in keeping with the standards of the American Softball Association (ASA) Men's Slow-Pitch Open Division; ii) six (6) lighted tennis courts in keeping with the standards of the United States Tennis Association (USTA); iii) a 22,500 square foot community center consistent with phase 1 of the existing community center at 53 Hunter Street, Apex, North Carolina; and iv) a dog park of at least one (1) acre. The Responsible Person shall have the discretion to disperse items i – iv and any part of items i or ii. No later than at the time 1000 residential units have received building permits, the Responsible Person shall submit to the Town Council for approval a Master Parks Plan depicting the location of the land parcels associated with items i, ii, iii and iv. The land parcels for items i, ii, iii, and iv shall be dedicated to the Town no later than at the time 2000 residential units have received building permits. Once the Master Parks Plan has been approved, any portion of the remaining obligation under Article 3.4.2.1. may be satisfied, at the election of the Responsible Person, by the payment of fees in lieu pursuant to UDO 7.3.1, which shall be utilized by the Town as soon as practicable for the foregoing construction of items i, ii, iii and iv.

The Responsible Person shall receive credits from the Town Council against fees in lieu payable under UDO 7.3.1 for the value of any historic or

cultural resource sites or facilities dedicated to and accepted by the Town and for amounts which it expends in developing and improving land for parks, recreation and open space pursuant to the recommendation of the Parks, Recreation and Cultural Resources Advisory Commission and approval by Town Council. Notwithstanding the foregoing sentence, any dedicated historic or cultural resource sites or facilities for which the Responsible Person receives credits against fees in lieu cannot be credited toward the RCA requirement set forth in Article 3.4.3 hereof.

3.4.2.3. Greenways

The Development will provide easements for Town of Apex greenways generally consistent with the current Parks and Recreation Master Plan. To the extent practicable, greenways will be constructed to Town Standards and located along stream corridors and within Open Space and easements. In cases where greenways generally follow public rights-of-way, greenways may be either constructed as a multi-use trail in lieu of a sidewalk, or when located within more urban areas, as pedestrian-oriented streetscapes containing both hardscape elements (including but not limited to sidewalks, decorative lighting, street furniture, and fountains) and street tree plantings which do not have to meet typical island widths or sizes. Greenways may be located within existing and future utility easements. Greenways may be publicly or privately owned as determined at the time of site plan or Subdivision Plan approval. Greenways may be dedicated to the Town as linear Parks, subject to the Town's approval.

3.4.2.4 Public Schools

The Development shall make available for purchase or lease by a School Authority three (3) Public School sites within Veridea, each having a minimum size of five (5) acres. Unless earlier purchased or leased by a School Authority, one (1) of such school sites shall be reserved by the Responsible Person upon the issuance of the 2,000th residential building permit within Veridea, and a similar reservation shall occur on the issuance of each of the 4,000th and 6,000th residential building permit within Veridea. Each area reserved should meet site design standards of a School Authority. Each such reservation shall exist for a period of ten (10) years, and during such period no permanent construction shall occur within the area reserved. The Public Schools constructed upon the areas so reserved shall be of a compact urban form and design appropriate for Veridea and meeting the standards of the State or the School Authority. There may be arrangements with the Town for the shared use of recreational facilities.

3.4.3 Resource Conservation – Environmental and Natural Resource Protection Standards

3.4.3.1 Resource Conservation Area ("RCA")

UDO 8.1, Resource Conservation, and other provisions of the UDO dealing with RCA not otherwise specifically dealt with in this SD Plan shall apply to the Development until the Environmental Enhancement Plan is adopted by Town Council in accordance with UDO 2.3.16.F) 3) b), except as follows:

- a. UDO 8.1.2 A) shall apply to the Development as a whole as opposed to individual site plans or Subdivision Plans.
- b. UDO 8.1.2 B) 2) f) shall not apply.
- c. The maximum impermeable surface area shall be as listed in Table 14.
- d. Notwithstanding UDO 8.1.3, Tree and Vegetation Conservation, the requirements for conservation of existing trees and vegetation and new landscaping requirements are set forth in Article 5.9 of the SD Plan.
- e. Not including the land parcels to be dedicated to the Town pursuant to SD Plan 3.4.2.2, both: i) Open Space, excluding Civic Buildings and all associated parking, municipal parking lots, and parking associated with Open Space that exceeds the direct needs of such Open Space; and ii) recreation area provided in Public Space or Civic Space within the Development including, but not limited to, open space, pools, tennis courts, tot lots, ball fields, and village greens shall be allowed to be counted as partial credit toward the RCA requirement. The credit for such area shall be 50% of the area provided. (For example, 1 acre of area shall count as 0.5 acres of RCA) In order to qualify as RCA, the area must be located on a lot 0.5 acre or larger in size.
- f. Notwithstanding UDO 8.1.2 A) 1) d), the provision of off-site RCA shall be provided at the same rate as the on-site RCA, and off-site RCA may be provided in lieu of on-site RCA.

3.4.3.2 Water

a. Stormwater Management

The Goals of Stormwater Management within Veridea are as follows:

- i. Reducing pollutants to protect surface water bodies;
- ii. Promoting recharge of ground water resources;
- iii. Eliminating flooding within the Development and downstream;
- iv. Enhancing safety and aesthetics for the public; and
- v. Creating wildlife habitats and educational opportunities.

Specific stormwater management standards, technologies, devices and control structures for the Development shall work interdependently and holistically with the built and natural environment both on-site and off-site. The standards for Veridea's stormwater management shall be in

accordance with Town Standards. Further, to the extent practicable, low impact development (“LID”) techniques such as bio-swales, vegetated channels, pervious pavement where appropriate, rainwater harvesting and “green” roofs to convey and treat runoff, may be used within the Development to the maximum extent practicable, based on the best available technology and research at the time of site plan and/or Subdivision Plan submission.

b. Water Conservation

The Goals of water conservation within Veridea are as follows:

- i. Reducing per capita water use while retaining attractive landscapes;
- ii. Protecting ground and surface water supplies from unsustainable depletion;
- iii. Eliminating unnecessary waste in water use practices;
- iv. Reducing wastewater treatment volume and associated municipal expenditures; and
- v. Promoting the increased use of re-use water for irrigation.

Water conservation standards within the Development shall be in accordance with the Town of Apex Water Conservation Ordinance. Landscape plant materials shall be in accordance with NCDENR or North Carolina Cooperative Extension standards for drought tolerant, native species. Only re-use water, where practicably available, shall be used for landscape irrigation; however, where re-use water is not available, potable water use for landscape irrigation shall be used in accordance with the Town of Apex Water Conservation Ordinance.

c. Surface Water Enhancement

Encroachment on streams and associated riparian buffers will be unavoidable in some places in order to accomplish the Goals in light of the Guiding Principles. However, the Environmental Enhancement Plan, in accordance with 3.4.1 of the SD Plan, will be developed to provide for the protection and enhancement of the aquatic function of the surface water resources within the Development.

The Environmental Enhancement Plan will address surface water enhancement with the following objectives:

- i. Maintaining water quality by capturing or controlling sediment, nutrients, and other pollutants to an extent that is equal to or better than would be the case if the encroachments did not occur;
- ii. Maintaining the hydraulic conditions downstream to ensure that post-development peak flows do not exceed pre-development flows for the 1-year, 24-hour and 10-year, 24-hour storms, stream

- channel stability is maintained or improved, increased sedimentation of the stream bed is avoided, and no increase in downstream flooding occurs;
- iii. Maintaining or enhancing the aquatic ecosystem in order to restore or improve biodiversity;
 - iv. Augmenting low flow in order to improve downstream aquatic habitat;
 - v. Providing space and ecological conditions that maintain or enhance wildlife habitat and travel corridors;
 - vi. Constructing wetlands or enhancing naturally occurring wetlands; and
 - vii. Enhancing public use and enjoyment of the natural systems will be considered during the planning process.

3.4.3.3 Land

a. Sedimentation and Erosion Control

The Goals for sedimentation and erosion control are as follows:

- i. Minimize disturbance to vegetation and soils;
- ii. Minimize runoff and diversion;
- iii. Minimize the need for additional storm drainage facilities;
- iv. Reduce sedimentation; and
- v. Prompt restoration after land clearing and grading.

Land disturbing activity within the Development shall comply with the Town of Apex Soil Erosion and Sedimentation Control Ordinance, as amended from time to time. The Town's standards related to the design of erosion and sedimentation collection devices for the 25-year storm and for the provision for 3,600 cubic feet per disturbed acre in sediment basins shall be implemented in the Development unless alternative design standards that are the functional equivalent or better are proposed by the Developer and approved by the TRC.

b. Waste Minimization

The Goals of waste minimization within Veridea are as follows:

- i. Minimize the volume of demolition and construction waste generated in the Development;
- ii. Distinguish between useful or reusable resources in demolition materials and waste materials from demolished buildings; and
- iii. Expand the market for recycled construction and demolition materials.

The waste minimization standards shall support the following solid waste goals identified in the Wake County Environmental Stewardship Agenda, adopted by the Wake County Board of Commissioners February 21, 2005

and as may be amended from time to time:

- i. Ensuring a solid waste management system for waste reduction, reuse and recycling to the maximum extent practicable;
- ii. Providing convenient opportunities for residents, institutions, and businesses to recycle a full range of marketable materials (including yard debris), and to properly dispose of waste requiring special handling (e.g., used motor oil, household hazardous wastes, pesticide containers, automobile batteries, electronic waste, and others);
- iii. Offering incentives, disincentives, and policies that motivate residents, businesses, and institutions to reduce and recycle waste, including institution of a countywide construction and demolition debris mandatory recycling ordinance;
- iv. Devising an efficient recovery and processing infrastructure with the capacity to collect and divert from disposal all recyclable materials that have reliable market outlets;
- v. Supplying accessible, user-friendly information to all citizens on how to reduce and recycle waste in their homes, places of work, and places of learning;
- vi. Devising an expanded recycled products purchasing program with formal policies on procurement of products with recycled content and other "green" products by participating Wake local governments; and
- vii. Working with Environmental Education and Environmental Information Providers to develop effective programs and services for a variety of County audiences on the importance of reducing, reusing, and recycling solid waste; buying recycled products and creating new and local markets; and reducing personal consumption and/or disposal of material goods and/or packaging.

Specifications of building and site work material may include recycled content requirements consistent with industry standards, including but not limited to, aggregate base and sub-base materials, asphalt, concrete, and finishes.

3.4.3.4 Air

The SD Plan for Veridea is grounded in the belief that the most effective planning Strategy to reduce greenhouse gas emissions is the pursuit of a dense, mixed-use, walkable and ultimately transit-oriented development. Greenhouse gas emissions are associated with both transportation and the total energy demands of the built environment. By targeting the expected growth within an area that can be served best by the municipality's ability to provide and afford municipal services, by balancing the land uses within the community, and by designing the community in conjunction with multi-modal transportation, a walkable, livable community such as Veridea can be created as a model of Sustainability.

Further, the creation of such a community concentrates development and attracts development that otherwise would occur outside of Veridea in a

sprawl-like manner that is inherently less Sustainable.

The SD Plan recognizes that the technologies and practices associated with the reduction of greenhouse gas emissions are evolving. Accordingly, in recognition of the impacts of greenhouse gas emissions and in an effort to minimize such emissions, transportation planning at all scales shall be approached and implemented in a manner that encourages the pattern of development defined within the Sustainable Development Plan.

The Goals for Air Quality within Veridea are as follows:

- a. Establish a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking to increase community internal trip capture and reduce vehicular trip generation and vehicle miles traveled in order to lower overall emissions and traffic congestion in otherwise heavily traveled areas.
- b. Incorporate Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area to increase pedestrian and bicycle traffic, and transit share while reducing vehicle miles traveled.
- c. Provide open space and landscaping within the Development to maintain a significant carbon absorbing medium.
- d. To the extent practicable, comply with applicable EPA emission goals for the operation of non-road diesel engines.

3.5 TRANSPORTATION INFRASTRUCTURE STANDARDS

3.5.1 General

The transportation infrastructure standards set forth herein, a component of the Sustainability Standards, shall adhere to the Principles described and depicted throughout this Sustainable Development Plan.

Transit Oriented Development in conjunction with a parking management Strategy within a mixed-use community, linked to a growth area, has been proven to be very effective in increasing pedestrian and bicycle traffic and transit share while reducing vehicle trips and vehicle miles traveled. By establishing a connected circulation plan that uses an integrated network of Thoroughfares, sidewalks, and paths linked to land uses with convenient access to alternative modes of travel including rail, bus, and walking, community internal trip capture is significantly increased. One significant advantage of Sustainable Urbanism is that it reduces sprawl and the need to drive. Reduction in vehicular trip

generation and vehicle miles traveled lowers overall emissions and limits traffic congestion in otherwise heavily traveled areas. A second significant advantage of a connected circulation plan is that public safety is enhanced when the plan is based upon an integrated network of Thoroughfares that provides alternative routes from one destination to another, and that is designed to industry recognized criteria to reduce the performance speed of Thoroughfares and provides enhanced pedestrian safety.

a. Transportation Demand Management Plan

The SD Plan incorporates TDM strategies into the plan. The SD Plan provides for a compact mixed-use development with an efficient, connected multi-modal transportation network, key components of any TDM plan. The integration of land use and transportation decisions increases travel efficiencies and change travel behavior. This results in less auto dependence and an increase in use of other modes of transportation. TDM strategies will be applied to all levels of the land development process including long-range actions implemented after the land is developed. The Responsible Person shall prepare a Transportation Demand Management Plan outlining transportation options and incentives to be reviewed and, if feasible, developed, and setting the strategic framework for implementation. The options to be reviewed include:

- i) Ridesharing;
- ii) Telecommuting/flex time;
- iii) Bicycle and pedestrian planning;
- iv) Park and ride facilities;
- v) Parking management;
- vi) Shuttle bus;
- vii) Bus/bus rapid transit;
- viii) Car sharing; and
- ix) Regional public transit.

The TDM Plan shall be submitted by the Responsible Person for approval by the Town, in accordance with UDO 2.3.16 F) 3) a) prior to or concurrent with the submittal of the first site plan that varies any standards related to parking set forth in the UDO. In accordance with UDO 2.3.16 F) 3) a) and the provisions of UDO 2.3.2 applicable to amendment to text, the TDM Plan may be updated or modified as the build-out of the Development occurs. Because preparation of the TDM Plan is triggered by the occurrence of development within Veridea, the TDM Plan is not required for the purposes of UDO 2.3.16 F) 3) b).

Parking planning and management refers to various policies and programs that result in more efficient use of parking resources. It recognizes that too much parking supply can be as damaging as too little and seeks to provide an optimal parking supply. A Parking Management Plan will be utilized in the B-Grid and

NG Zones. The plan shall address spillover parking for Commercial uses when located near single family development. The plan shall be submitted or updated as needed for site plans in the B-Grid and NG Zones.

3.5.2 Alternative Thoroughfare Standards

- a. Thoroughfares shall conform to the *Apex Transportation Plan* to provide for the appropriate projection of principal streets in surrounding areas to permit reasonable access for surrounding properties. The exact placement of the streets and Thoroughfares within the plan may be adjusted. In areas within the Development, Thoroughfares shall be designed and located in proper relation to existing and proposed streets, to the topography of the area, and to natural features.
- b. Thoroughfares in their construction shall conform to Town Standards except as noted within the SD Plan. Exceptions to Town Standards set forth in the SD Plan may be used by right, as an alternative to the Town Standards available. Exceptions are as listed hereafter or as provided elsewhere in this SD Plan:
 - i. Section 3 *Streets of the Standard Specifications* shall apply except for the dimensional and other standards of 3.02b *Pavement & Right-of-Way Widths*, 3.02d *Radii of Curvature* and 3.02e *Tangents*, all of which shall be modified by the SD Plan, including but not limited to Tables 3A, 3B, 4A, 4B, and 4C, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
 - ii. The dimensional standards of Standard Detail Number 3.01 *Street Typical Sections*, Sheets 1 through 4 shall be modified by this Sustainable Development Plan and Tables 3A, subject to TRC review and approval as to their application within the site plans or Subdivision Plans.
 - iii. The location of utilities as shown on Standard Detail Number 3.10 *Standard Street Cross Section Showing Utility Locations* may be adjusted to permit street trees and utility locations in the Rear Alleys and Rear Lanes. Due to the anticipatory nature of the design of the Development, additional utilities, both public and private, may be incorporated into the right-of-way as the technology becomes available. Regulated utilities shall be permitted within the Thoroughfare right-of-way to include the District Utility Zone as illustrated in Table 4D.
- c. In the event that Thoroughfares as identified in Table 4C do not meet the approval of the North Carolina Department of Transportation ("NCDOT") for the design of thoroughfares under NCDOT's jurisdiction, an alternative acceptable to the Responsible Person, the TRC and NCDOT may be utilized.
- d. Thoroughfares shall be included as part of each Sustainable Zone.

- e. Thoroughfares should be laid out in such manner as to encourage the flow of vehicle traffic at very low to low design speed, except upon major Thoroughfares, and to encourage pedestrian circulation. Public Sidewalks shall be required along all public streets except when the TRC approves an alternative plan during the site plan and construction plan review process upon its determination that the alternative plan, viewed in the context of surrounding development, adequately accommodates pedestrian connectivity. The street classifications shown on Tables 4B and 4C shall be used as guidance for sidewalk placement when possible. If determined by the TRC to provide an equal or better pedestrian system, Bicycle Trails may be allowed in lieu of some sidewalks within the Development. In addition to the requirements of Articles 3.5.1 and 3.5.2.b, the layout of thoroughfares and intersections will reasonably allow for emergency vehicle access. This may require an evaluation of emergency routes and turning radii during the site and construction plan review process. The TRC may consider alternative design elements and refer to third party published sources of information in order to minimize impacts to the intended character of the Development while accommodating emergency vehicles.
- f. Private Thoroughfares and sidewalks may be allowed for Commercial, Manufacturing, and multi-family residential uses that conform to widths shown in Tables 4B and 4C, provided however that a five (5) foot public access easement will be provided on all private sidewalks fronting public Thoroughfares.
- g. Rear Alleys and Rear Lanes shall be allowed that conform to widths shown in Tables 4B and 4C. Where required for public access and public utilities, continuous and/or crossing easements shall be provided for private Thoroughfares and/or sidewalks.
- h. Right-of-way widths may be adjusted to the back of curbs during the site plan and construction plan review process. If the right-of-way does not extend beyond the back of curbs, public access and utility easements shall be provided to cover areas along the public street and Thoroughfare that allow for safe and adequate pedestrian flow and maintenance areas.
- i. Design Standards for thoroughfare assemblies with reverse curves shall comply with the AASHTO Policy on Geometric Design of Highways and Streets, latest edition.
- j. Thoroughfare standards may, at the election of the Responsible Person, include additional or elective regulations and standards, if any, adopted at any time and from time to time by Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).

3.5.3 Traffic

- a. The Development and each Project will be designed to:
 - i. Reduce vehicle miles traveled;
 - ii. Increase share of alternative modes of transportation;
 - iii. Reduce external trips; and

- iv. Facilitate and encourage pedestrian and bicycle traffic.
- b. Master Traffic Impact Analysis: A Master Traffic Impact Analysis ("Master TIA") will be prepared for Veridea. The Master TIA will address the maximum densities and allowable building square footage of various uses in the SD Plan along with recommended off-site thoroughfare improvements at the build-out of Veridea. Thoroughfare and associated improvements beyond those recommended in the Master TIA that are outside of the study area will be the responsibility of other developers or entities. Thoroughfare and associated improvements required as a direct result of other developments or background growth outside the scope of the Master TIA shall not be the responsibility of the Developer. However, internal improvements needed to serve site plans within Veridea will be identified when additional analyses are conducted.

The Developer shall provide Thoroughfare and associated improvements as recommended in the Master TIA. Additional traffic impact analyses ("TIAs") will be conducted for each major site plan or major Subdivision Plan required to serve Veridea, and Section 13.19 of the UDO shall be used as a guide for preparing the TIAs. TIAs shall be performed only for projects meeting the major site or subdivision plan threshold set forth in Article 3.3.1.b hereof. The study area of each TIA shall encompass all necessary street intersections internal to the Development but shall rely on the Master TIA for improvements along NC 55 and the proposed interchanges on the Triangle Expressway and US 1 external to the Development.

The Town shall have no obligation to provide financial assistance for the planning, design, permitting, acquisition of right of way, or construction of the following roadway improvements: i) those identified in the Master TIA; ii) those identified in the Article 3.5.5.a-g hereof; and iii) those identified in subsequent TIAs for each major site plan or major Subdivision Plan. Notwithstanding the foregoing, it is acknowledged that the Town may provide right of way that it currently owns for the new US 1 Interchange identified in the Master TIA and shown on the Town's Thoroughfare Plan.

- c. Public Transit: A Regional Public Transit System may be accommodated and encouraged within the Development. Bus circulation shall be accommodated and encouraged within the Development. Optimally, the pedestrian network will provide direct pedestrian links from the proposed residential units, Offices and other commercial buildings to designated transit stops. Triangle Transit standards for bus stop amenities shall serve as a guideline. Access to the Regional Public Transit System by the adjacent pedestrian and bicycle network and park and ride facilities is an important component of the transit system. As noted in SD Plan 3.5.1.a, the TDM Plan will address bicycle and pedestrian planning as well as park and ride facilities.

- d. Land Reservation: Land shall be reserved for the future Regional Public Transit System within Veridea. With regard to the Regional Public Transit System alignment and associated rights of way ("ROW") outside of Veridea, the location along Veridea's perimeter where the Regional Public Transit System will enter and exit Veridea in the vicinity of the interchange of US 1 with the Triangle Expressway will be determined by Triangle Transit, and/or other regional transit organization, and/or the Town. As Veridea is developed, site plans and Subdivision Plans will be shared with Triangle Transit, and/or other relevant regional transit organization, to assist such entities in the planning for and selection of the final alignment of the Regional Public Transit System.

The reservation of land to accommodate the Regional Public Transit System will be made as follows:

- i. Land shall be reserved in a manner consistent with the development pattern of the Sustainability Zone in which it resides, and may overlap dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
- ii. Reservation shall include an area for transit station functions which shall be located within a UC zone, and shall be reserved in a manner that is in keeping with an urban development pattern of that zone as defined by the SD Plan, and may overlap reservations and, dedications made for other public uses such as Thoroughfares and utilities as long as the overlap is not contrary to sound planning and engineering practice that ensures that the reservation and dedication are sufficient for all planned infrastructure;
- iii. Determination of the form, character, location, and relationship to adjacent development, relationship to other reservations and/or dedications and dimensions shall occur during site planning jointly by the Responsible Person, the TRC or Town Council, as appropriate.
- iv. The reservation of land will prohibit permanent development within the designated reserve area until 2035 at which time, if there are no plans that financially commit the Triangle Transit, and/or other regional transit organization, and/or the Town to implement a regional rail plan that includes the Development, the Responsible Person may consider the reservation null and void.
- v. Land reserved hereunder will be dedicated to Triangle Transit, and/or other regional transit organization, and/or the Town once the applicable entity secures funding and commits to construct the Regional Public Transit System within the Development.

- vi. Buildout of any of single land use of the three (3) uses identified in Article 4.2.2.b.i-iii shall not exceed 85% of the total authorized development for the respective use, unless Town Council otherwise approves in accordance with UDO 2.3.16 F) 3) a), until the commencement of a Regional Public Transit System that will serve Veridea.

3.5.4 Schedule of Installation

Transportation infrastructure shall be completed in accordance with UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.5.5 Phasing of Traffic Infrastructure

Traffic infrastructure shall be developed as build-out of Veridea occurs, as set forth herein. Percent build-out of “any single land use” refers to a percentage of building permits for residential dwelling units or certificates of occupancy for non-residential uses for the three (3) different uses identified in Article 4.2.2.b.i– iii hereof.

- a. NC 55 at US 1 Northbound Ramps

Veridea shall not exceed 10% build-out of any single land use until the northbound inside right turn lane on NC 55 at US 1 is extended back to the intersection with Lufkin Road.

- b. NC 55 at Lufkin Road

Veridea shall not exceed 10% build-out of any single land use until the third (3rd) northbound through lane on NC 55, starting at least 500 feet in advance of Lufkin Road, is constructed.

- c. NC 55 at Lufkin Road Connector (Pristine Water Drive)/Site Access 1

Access shall not be granted to NC 55 through the fourth leg of the intersection across from the Lufkin Road Connector/Pristine Water Drive (Site Access 1) until the Lufkin Road Connector and Pristine Water Drive are complete and open to traffic. The Lufkin Road Connector includes a new location extension to Lufkin Rd and paving of Pristine Water Dr with improvements according to the Master Traffic Impact Analysis (Master TIA) including a landscaped median-divided cross section on NC 55 with a traffic signal.

- d. Site Access 2, 3, 4, 5, 6, and 7

Access shall not be granted to NC 55 through Site Access 2, 3, 4, 5, 6, or 7 until improvements according to the Master TIA at the corresponding access are constructed including a landscaped median-divided cross section on NC 55.

- e. NC 55 at Jessie Drive Extension

Access shall not be granted to NC 55 through Jessie Drive extension until improvements for Veridea according to the Master TIA are constructed including a landscaped median-divided cross section on NC 55 and a traffic signal.

f. NC 55 at Technology Drive

Access shall not be granted to NC 55 through Technology Drive until Technology Drive is widened to four-lane divided roadway and the departing second (2nd) eastbound through lane along NC 55 Business is constructed for a minimum of 1000 feet prior to the lane drop. In addition, access shall not be granted to NC 55 through Technology Drive until a second (2nd) northbound left turn lane and second (2nd) southbound left turn lane on NC 55 is open to traffic.

g. Perry Road at US 1 Interchange and Old Holly Springs Apex Road at Triangle Expressway Interchange

- i. Veridea shall not exceed 15% build-out of any single land use until either the interchange of Perry Road at US 1 or the interchange of Old Holly Springs Apex Road at Triangle Expressway is open to traffic.
- ii. Veridea shall not exceed 50% build-out of any single land use until both the interchange of Perry Road at US 1 and the interchange of Old Holly Springs Apex Road at Triangle Expressway are open to traffic.
- iii. The Responsible Person shall coordinate with the NC Department of Transportation (NCDOT) and the Town of Apex to determine the appropriate phasing of completion of the ultimate lane geometry and signalization at the ramp termini as recommended in the Master TIA. The phasing plan for the ultimate build-out of improvements shall be determined through subsequent site plan and subdivision plan TIAs referenced by 3.5.3.b.

3.6 UTILITY INFRASTRUCTURE STANDARDS

3.6.1 General

Water and sanitary sewer lines with connections to municipal systems, adequate drainage system for the proper drainage of all surface water, and dry utilities, including but not limited to, electrical distribution, natural gas, and telecommunication lines shall be provided in accordance with the Town Standards, unless otherwise noted in Article 3.6.2. Dry utilities, wherever practicable, shall be installed underground.

3.6.2 Alternative Utility Standards

- a. At the election of the Responsible Person, standards and requirements applicable to utilities in the Development may include any additional Sustainability Standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
- b. Easement encroachments and shared use easements shall be allowed with the approval of the Town Council to minimize land disturbance and Thoroughfare sections, to encourage joint trenching agreements, and to maximize the beneficial use of easements for greenway trails at the time of site plan and Subdivision Plan submittal.

3.6.3 Schedule of Installation

Utility infrastructure shall be completed in accordance UDO 7.5.9. For the purposes of UDO 7.5.9, vertically-integrated residential and non-residential uses will be considered non-residential.

3.6.4 Regional Utility Standards

- a. Potable Water
It is anticipated that off-site extension of existing potable water mains will be required. Within the Development, a network of potable water mains will be required. Potable water infrastructure for the Development shall be in accordance with the Town's Water Distribution System Master Plan and Cross Connection Control Ordinance (Sec. 12-156 through 166), as amended from time to time.
- b. Reclaimed Water
The Developer may request that the Town apply to NCDENR for conjunctive systems permit in order to modify the Middle Creek Water Reclamation Facility ("WRF") to provide a source of reclaimed water for use within the Development. If such permit is issued, then water re-use distribution infrastructure may be provided within the Development to provide a circulation network of water for non-potable uses, including fire suppression. Standards and specifications related to reclaimed water shall comply with rules and regulations as promulgated, established and interpreted by NCDENR and Town Standards, if any. It is anticipated that any reclaimed water that is not consumed in the reuse options available will be discharged within the Development in accordance with applicable law and regulation.

If and when the Town adopts standards for the permitting, construction, modification and operation of reclaimed water distribution lines, the Town shall work cooperatively with Veridea to ensure that the standards allow for all actual or planned for uses within the Development. Should public reuse water become available to the Development through the Town of Apex, the Town specifications and details will be the authority for design, ownership and maintenance issues within Town right-of-way.

c. Sanitary Sewer

In all cases, Veridea shall follow the Town's Wastewater Master Plan, as may be amended from time to time. If a conjunctive systems permit is issued for the Middle Creek WRF as set forth in 3.6.4.b hereof, then the Town's Wastewater Master Plan may be amended to allow for wastewater generated within the Development to discharge to the Middle Creek WRF. If a conjunctive systems permit is not issued for the Middle Creek WRF, then wastewater generated within the Development shall be treated in accordance with the Town's Wastewater Master Plan.

d. Electric and Thermal

If a Renewable Energy Facility is available, distribution lines may be provided to provide an alternate source to meet power and thermal demands within the Development.

3.7 ENERGY STANDARDS

3.7.1 Renewable Energy

The Goals for the use of Renewable Energy Facilities and Renewable Energy Resources within Veridea are as follows:

- i. Removing regulatory obstacles and adopting streamlined processes for the installation and safe interconnection of renewable energy technologies;
- ii. Creating a receptive environment for innovative uses of Renewable Energy Facilities;
- iii. Providing for use of shared non-polluting Renewable Energy Resources to reduce climate change and greenhouse gas emissions; and,
- iv. Enhancing the opportunity for increased development of Renewable Energy Facilities and Renewable Energy Resources in the future to increase energy independence;

The use of Renewable Energy Facilities shall be allowed. Renewable energy standards, a component of the Sustainability Standards, shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to, priorities, standards, and practices developed by entities such as the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("ASHRAE"), Environmental Protection Agency ("EPA"), and the Department of Energy ("DOE"), and requirements for interconnection and other associated safety metrics.

3.7.2 Energy Efficiency

The goals for energy efficiency within Veridea are as follows:

- i. Encourage the use of energy efficient technologies and design to fully maximize the use of existing generation capacity;
- ii. Encourage environmental stewardship through reduction in energy use;
- iii. Encourage local investment in efficiency as a substitute for out-of-state resources;
- iv. Promote an overall reduction in energy demand to ensure reliability of supply in the face of increased population and to preserve affordability in the face of rising costs imposed by carbon constraints; and
- v. The improvement of energy performance by 20% compared to baseline building performance ratings per ASHRAE/ IESNA Standard 90.1-2004.

The use of technologies and designs intended to maximize energy efficiency shall be consistent with generally accepted industry standards and best practices, recognizing that relevant technology and standards are evolving. Such standards include, but are not limited to guidelines developed by the US Green Building Council (USGBC), ASHRAE, EPA, and DOE.

3.8 NO OBLIGATION

3.8.1 No Obligation

Nothing in this SD Plan obligates the Town to provide any financial assistance with respect to any infrastructure or improvements referenced herein, nor shall it prohibit the Town from doing so.

ARTICLE 4.0 COMMUNITY DESIGN STANDARDS

4.1 GENERAL

- 4.1.1 Development shall comply with the community design standards, a component of the Sustainability Standards, set forth in this Article.
- 4.1.2 Subdivision Plans and site plans shall be prepared in accordance with the SD Plan.
- 4.1.3 Site plans and Subdivision Plans shall designate areas and elements as follows:
 - a. Sustainable Zones:
 - i. **OS** Open Space
 - ii. **NG** Neighborhood General
 - iii. **NM** Neighborhood Mixed-Use
 - iv. **VC** Village Center
 - v. **UC** Urban Core
 - b. Civic Uses; and
 - c. Thoroughfares.

The respective Sustainable Zones are described in Table 1.

- 4.1.4 It is possible that as the build out of the Development occurs, the Town Council may adopt elective regulations and standards applicable to SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).
- 4.1.5 Open Space is one of the Sustainable Zones, and will exist both as an independent Zone as well as being integrated into and completely surrounded by other Sustainable Zones.

4.2 VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

4.2.1 Veridea Sustainable Development Concept Map

Table 2 contains the Veridea Sustainable Development Concept Map (Concept Map), which depicts a concept for the development of Veridea and the conceptual location of its Sustainable Zones. The Concept Map depicts the configuration of land uses believed to be appropriate for Veridea. However, based on future planning, market and demographic conditions, the Sustainable Zones may be located anywhere within the Development as determined by the Responsible Person. The Responsible Person may revise the Concept Map from time to time and shall provide the TRC with a copy of each revision. The development of Veridea shall include the following minimum acreages with respect to the Sustainable Zones noted:

NG	Neighborhood General	75 acres
NM	Neighborhood Mixed-Use	50 acres
VC	Village Center	215 acres
UC	Urban Core	135 acres

The VC and UC Zones shall contain a minimum of 150 acres allocated as A-Grid Zones. Further, a minimum of 250 acres within Veridea shall be designated as provided in Article 3.1.3 hereof.

4.2.2 Land Use Locations and Densities

- a. Land uses and Densities allowed in each Sustainable Zone are set forth in Article 7 Tables. Such land uses can be located anywhere within the respective Sustainable Zones.
- b. For purposes of the SD Plan, Density is expressed in terms of housing units per acre for residential uses and as FAR for other uses as specified for the area of each respective Sustainable Zone in Table 14. The FAR for each Sustainable Zone is set as an average Density for the zone. Areas designated for Open Space, utilities infrastructure, Thoroughfares and other transportation infrastructure, such as a Regional Public Transit System, may be allocated from time to time by the Responsible Person to any other area or areas for the purpose of calculating authorized Density for the area or areas receiving the allocation. The Responsible Person shall have the authority to reallocate the authorized square footage numbers of the Non-residential Uses within Article 4.2.2.b.ii and iii on a square foot-for-square foot basis; provided, however, that the Responsible Person may only increase or decrease the Retail square footage by up to 20% subject to the limitation that the reallocation shall not result in a total daily vehicular trip generation for Veridea that exceeds the maximum daily vehicular trip generation that served as the basis for the Master TIA. Any further increase related to retail must be approved by Town Council in accordance with UDO 2.3.16 F) 3) a. In addition to the total authorized development provided below, Public, Civic, Utilities, Recreational and Lodging Uses are authorized to support the total authorized development set forth in Article 4.2.2.b.i, ii, and iii. In the event that additional parcels are incorporated into the Veridea Sustainable Development District, the total authorized development hereinafter provided shall be adjusted in accordance with UDO 2.3.16 D).

The total authorized development for the Development shall be as follows:

- | | | |
|------|--|------------------------|
| i. | Authorized Number of Dwelling Units (all types) | 8,000 |
| ii. | Authorized Retail Uses (gross leasable area) | 3,500,000 Square Feet |
| iii. | Authorized Office and Industrial Uses (gross floor area) | 12,000,000 Square Feet |

4.2.3 The Sustainable Development Concept Map designates VC and UC zones as being either A-Grid or B-Grid. Subsequent approved site plans and Subdivision Plans shall confirm or modify such zones as called for in the SD Plan, and shall designate Thoroughfares within the VC and UC zones as being either A-Grid or B-Grid.

- a. Buildings and frontages along the A-Grids shall reflect multi-modal and pedestrian standards of the SD Plan supporting pedestrian activity.

Thoroughfares within an A-Grid Zone may be developed according to B-Grid standards subject to the following special and limiting conditions:

- i. Transition conditions within A-Grid Zones to adjacent B- Grid Zones; and
 - ii. Small internal Thoroughfares of limited length to respond to a specific condition of the site or a use. Notwithstanding these special and limiting conditions, no more than 15% of the aggregate length of Thoroughfares within an A-Grid Zone may be designated as a B-Grid and follow B-Grid standards. Location and other specifics of such B-Grid Thoroughfares shall be addressed within site plans.
- b. Buildings and frontages along the B-Grids may reflect automobile- oriented standards. B-Grids may be developed in whole or in part to A-Grid standards. It is the goal that B-Grid zones eventually become redeveloped as A-Grids. Therefore, site plans for B-Grids shall reflect in their planning and site engineering this goal by:
- i. Establishing a B-Grid Thoroughfare grid and therefore a block layout that can be redeveloped into smaller blocks exhibiting the characteristics of an A-Grid;
 - ii. Establishing the B-Grid Thoroughfares in such a manner that they can be redeveloped into A-Grid Thoroughfares and frontages; and
 - iii. Locating utilities and site features so that they will not prohibit the establishment of an A-Grid development pattern, and do so without significant redesign or cost impacts. Site plans for B- Grid zones shall depict both the B-Grid configuration, and conceptually reflect how the B-Grid configuration may be redeveloped into an A-Grid.

4.2.4. Development Thresholds

In order to create and maintain a mix of uses as the buildout of Veridea occurs, the following requirements shall be applicable to development within Veridea, unless otherwise provided by the Town Council at the request of the Responsible Person:

Threshold 1: Certificates of Occupancy shall not be issued for more than 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage or more than 20% (700,000 sf) of the total authorized Retail square footage unless and until building permits have been issued for dwelling units. Similarly, building permits for no more than 20% (1,600 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 2% (70,000 sf) of the total authorized retail square footage and 2% (240,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 2: Certificates of Occupancy shall not be issued for more than 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 50% (1,750,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 5% (400 units) of the total authorized dwelling units. Similarly, building permits for no more than 37.5% (3,000 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 10% (350,000 sf) of the total authorized Retail square footage and 5% (600,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 3: Certificates of Occupancy shall not be issued for more than 50% (6,000,000 sf) of the total authorized Office and/or Industrial square footage or more than 60% (2,100,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 15% (1,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 60% (4,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 25% (875,000 sf) of the total authorized Retail square footage and 10% (1,200,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 4: Certificates of Occupancy shall not be issued for more than 70% (8,400,000 sf) of the total authorized Office and/or Industrial square footage or more than 80% (2,800,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 40% (3,200 units) of the total authorized dwelling units. Similarly, building permits for no more than 80% (6,400 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 40% (1,400,000 sf) of the total authorized Retail square footage and 25% (3,000,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 5: Certificates of Occupancy shall not be issued for more than 85% (10,200,000 sf) of the total authorized Office and/or Industrial square footage (or more than 85% (2,975,000 sf) of the total authorized Retail square footage until building permits have been issued for at least 50% (4,000 units) of the total authorized dwelling units. Similarly, building permits for no more than 85% (6,800 units) of the total authorized dwelling units can be issued until Certificates of Occupancy have been issued for at least 50% (1,750,000 sf) of the total authorized Retail square footage and 40% (4,800,000 sf) of the total authorized Office and/or Industrial square footage.

Threshold 6: See the requirements set forth in SD Plan 3.5.3.d.vi and 4.2.2.b.

The foregoing requirements are illustrated by the tables below:

RESIDENTIAL CONTROL

DU BP's	Minimum Required	
	Retail SF C/O's	O&I SF C/O's
1 - 1,600	0	0
1,601 - 3,000	70,000	240,000
3,001 - 4,800	350,000	600,000
4,801 - 6,400	875,000	1,200,000
6,401 - 6,800	1,400,000	3,000,000
6,801 - 8,000	1,750,000	4,800,000

RETAIL CONTROL

Retail SF C/O's	Minimum Required	
	DU BP's	O&I SF C/O's
0 - 700,000	0	0
700,001 - 1,750,000	1	0
1,750,001 - 2,100,000	400	0
2,100,001 - 2,800,000	1,200	0
2,800,001 - 2,975,000	3,200	240,000
2,975,001 - 3,500,000	4,000	240,000

O&I CONTROL

O&I SF C/O's	Minimum Required	
	DU BP's	Retail SF C/O's
0 - 1,200,000	0	0
1,200,001 - 3,000,000	1	0
3,000,001 - 6,000,000	400	0
6,000,001 - 8,400,000	1,200	0
8,400,001 - 10,200,000	3,200	70,000
10,200,001 - 12,000,000	4,000	70,000

Although the foregoing tables are intended to illustrate the preceding text, the text shall control the construction of this Article 4.2.4.

4.3 SUSTAINABLE ZONES

- 4.3.1 Sustainable Zones, as shown on the Sustainable Development Concept Map shall have the character described in Table 1.
- 4.3.2 Open Space (OS) consists of lands approximating or reverting to a natural condition and farmland, parks, greenways, Civic Uses, utility corridors and easements, and waterways or water bodies, including lands unsuitable for development due to topography, hydrology and/or vegetation.
- a. Open Space includes areas protected by law or regulation, as well as land designated for conservation.
 - b. Open Space shall be identified in site and Subdivision Plans approved for the Development. Upon the approval of a subdivision or site plan designating an area Open Space, such area may be conveyed in fee or by easement to (i) an entity created by law to hold interests in property designated for conservation purposes, or (ii) to a property owners association formed, in part, for such purpose, or (iii) to a public entity.
 - c. Land area within Open Space may be used in calculating the Density of a Project.
 - d. Open Space is an independent Sustainable Zone and will also be integrated into other Sustainable Zones.
- 4.3.3 Neighborhood General (NG) consists of low Density residential areas, adjacent to higher Density zones that consist of some Mixed Use. Home occupations and Outbuildings are allowed. Planting is naturalistic and Setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.
- 4.3.4 Neighborhood Mixed-Use (NM) consists of Mixed Uses within a medium to high Density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.
- 4.3.5 Village Center – A-Grid (VC A-Grid) consists of higher Density Mixed Use buildings that accommodate retail, Office, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.
- 4.3.6 Village Center – B-Grid (VC B-Grid) consists of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks and steady street tree planting.
- 4.3.7 Urban Core – A-Grid (UC A-Grid) consists of the highest Density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.

- 4.3.8 Urban Core – B-Grid (UC B-Grid) consists of the highest Density and height, with predominantly Office, lab, and research uses. It may have larger blocks; streets have steady street tree planting and buildings may be set back from the sidewalks.

4.4 CIVIC USES

4.4.1 General

- a. Space for Civic Uses shall be designated on the Sustainable Development Concept Map as Civic Space (CS) and Civic Building (CB) as Subdivision Plans and site plans are approved for the Development.
- b. Civic Space (CS) shall denote public sites supportive of or ancillary to Civic Buildings or sites permanently dedicated to Open Space.
- c. Civic Building (CB) shall denote sites for buildings primarily operated by governmental or not-for-profit organizations dedicated to Functions such as culture, education, religion, government, transit and municipal parking.

4.4.2 Civic Space (CS) Specific to NG, NM, VC, and UC Zones

- a. Civic Spaces shall be designed as generally described in Table 13 and distributed throughout Sustainable Zones as described in Table 14e.

4.5 THOROUGHFARE STANDARDS

4.5.1 General

- a. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access throughout the Development.
- b. Thoroughfares shall consist of vehicular lanes and Public Frontages. Walkways shall be in accordance with Table 4B.
- c. Thoroughfares shall be designed in context with the desired vehicular design speed of the Sustainable Zones through which they pass. The Public Frontages of Thoroughfares that pass from one Sustainable Zone to another shall be adjusted accordingly or, alternatively, the Sustainable Zone may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its course.
- d. Within areas designated as B-Grid Zones, pedestrian use shall be a secondary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian traffic generally shall be decided in favor of the vehicle. Within the more urban A-Grid Zones, pedestrian use shall be a primary consideration of the Thoroughfare. Design conflict(s) between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
- e. The Thoroughfare network shall be designed to define Blocks not exceeding the size indicated in Table 14. The perimeter shall be measured as the sum of Lot Frontage Lines.

- f. Street trees shall satisfy traffic calming measures required within the Development.
- g. Thoroughfares shall terminate at other Thoroughfares, forming a network. Internal Thoroughfares shall connect wherever practicable to those on adjacent sites. Cul-de-sacs may be permitted to accommodate unusual site conditions subject to UDO 7.2.1 G).
- h. Each Lot shall be bounded by a vehicular Thoroughfare, except that 20% of the Lots within each Sustainable Zone may be bounded by a Passage, so long as the Thoroughfare assembly behind such Lots is constructed to Rear Alley standards, will meet emergency vehicle access requirements and is public.
- i. Thoroughfares within designated B-Grid Zones and designated as B-Grid Thoroughfares may follow the specified B-Grid Public Frontage and Private Frontage requirements in Tables 4A and 4B, and Table 7.
- j. B-Grid Thoroughfares are permitted within A-Grid Zones for Thoroughfares necessary to support vehicular traffic and that enhance the pedestrian network per Article 4.2.3. These Thoroughfares shall be addressed on the individual site plans and may follow the standards for B-Grid.
- k. The B-Grid Zones may abut freeways and conventional commercial arteries that are pedestrian intolerant. B-Grid Zones are used to transition into the more multi-modal and pedestrian supportive environments. B-Grid Zones may be developed in whole or in part to A-Grid standards and may evolve into A-Grid Zones over time.

4.5.2 Vehicular lanes

- a. The standards for vehicular lanes shall follow the guidance in Table 3A or the Town Standards, or may follow other additional or elective regulations and standards adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
- b. A bicycle network consisting of Bicycle Trails, Bicycle Routes and Bicycle Lanes shall be permitted as set forth in Table 14d.

4.5.3 Public Frontages

- a. General to all zones OS, NG, NM, VC, UC
 - i. The Public Frontage contributes to the character of the Sustainable Zone, and includes the requisite types of Sidewalk, Curb, Planter, bicycle parking, and street trees.
 - ii. Public Frontages shall be designed as shown in Table 4A and Table 4B and allocated within Sustainable Zones as specified in Table 14d.
 - iii. Within the Public Frontages, the types of Public Planting and Public Lighting shall be as shown in Table 4A, Table 4B, Table 5 and Table 6.
- b. Specific to OS and NG Zones
 - i. The Public Frontage may include trees of various species, naturalistically clustered, as well as understory.
 - ii. The landscape may consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

- c. Specific to NM, VC and UC Zone
 - i. The landscape shall consist primarily of durable species tolerant of soil compaction.
- d. Specific to NM Zone
 - i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the NM Zone.
- e. Specific to VC and UC Zone
 - i. The Public Frontage shall include trees planted in a regularly-spaced and aligned pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. Various street tree species shall be used within the VC and UC Zones. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the Shopfronts.
 - ii. Streetscape solar panels as shown in Table 18 may be used in the place of street trees where required. This section shall provide design flexibility in the creation of a public statement in the form of either art or symbolic statements of sustainability, but shall not allow the wholesale replacement of mandatory street trees with solar-powered streetlights or prohibit the installation of larger solar panel assemblages elsewhere within the Development.
 - iii. Thoroughfares with Galleries, Arcades, or a right-of-way width of 40 feet or less shall be exempt from the tree planting requirement.

ARTICLE 5.0 BUILDING STANDARDS

5.1 TABLES AND PLAN

- 5.1.1 It is possible that the evolution of technology, building materials and lifestyle may result in the future in the Town Council's adoption of elective Sustainability Standards for SD-CZ districts pursuant to UDO 2.3.16 F) 3) c).
- 5.1.2 B-Grid Zones within the Development shall comply with UDO 9.2 and 9.3, except that the requirements of UDO 9.2 and 9.3 may be varied, in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.2 CIVIC BUILDINGS

- 5.2.1 Civic Buildings ("CB")
 - a. Civic Buildings shall be subject to the requirements of this Article.

5.3 OPEN SPACE ("OS") ZONES

- 5.3.1 Buildings shall not be allowed in an OS Zone, except as listed in Table 12 and for accessory structures incidental to and necessary to support the permitted Functions and uses.

5.4 BUILDING DISPOSITION

- 5.4.1 Specific to OS, NG, NM, VC and UC Zones
 - a. Newly platted Lots shall be dimensioned according to Table 14f and Table 15.
 - b. Building Disposition shall be as shown in Table 9 and Table 14i.
 - c. Buildings shall be disposed in relation to the boundaries of their Lots according to Table 14g, Table 14h, and Table 15.
 - d. One Principal Building at the Frontage and one Outbuilding to the rear of the Principal Building may be built on each Lot as shown in Table 17c.
 - e. Lot coverage by buildings shall not exceed that specified in Table 14f and Table 15.
 - f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Table 14g and Table 15.
 - g. Setbacks for Principal Buildings shall be as shown in Table 14g and Table 15.
 - h. Adequate access to and clearance around utilities and HVAC units shall be provided.
- 5.4.2 Specific to UC Zone
 - a. The Principal Entrance shall be on a Frontage Line.
- 5.4.3 Specific to NM, VC and UC Zones

- a. Farmers Markets may be located on unbuffered Lots of any size.
- b. Diagonal parking on commercial streets shall be as set forth in the SD Plan.

5.5 BUILDING CONFIGURATION

5.5.1 General to OS, NG, NM, VC and UC Zones

- a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 7 and Table 14j.
- b. Buildings on corner Lots shall have two Private Frontages as shown in Table 17. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
- c. All Facades shall be glazed with clear glass no less than 30% of the first Story, however glazing shall be no less than 50% in the VC Zone A-Grid and UC Zone A-Grid areas.
- d. Building stories, Stepbacks, and Expression Lines shall conform to Table 8 and Table 14j.
- e. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
- f. Story limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, cupolas or elevator bulkheads.
- g. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.
- h. Public access requirements shall comply with UDO 7.5.4 E) except that the requirements of UDO 7.5.4 E) may be varied in accordance with UDO 2.3.16 F) 3) a), by the standards set forth in the Pattern Book.

5.5.2 Specific to NG, NM and VC Zones

- a. The habitable area of an Accessory Unit within a Principal Building or an Outbuilding shall not exceed 800 square feet, excluding any enclosed parking area.

5.5.3 Specific to NG Zone

- a. No portion of the Private Frontage may Encroach into the Sidewalk.
- b. Open porches may Encroach into the first Layer 50% of its depth. (Table 17d)
- c. Balconies, cantilevers, and bay windows may Encroach into the first Layer up to 25% of the depth defined for the first Layer. In addition, porches including balconies on porch roofs may Encroach into the first Layer up to 50% of the depth defined for the first Layer.
- d. A first level Residential or Lodging Function shall be raised a minimum of three steps from average Sidewalk grade, except as required for accessibility under applicable federal and state laws or to accommodate single-family senior housing units.

5.5.4 Specific to NM Zone

- a. Balconies, open porches, cantilevers and bay windows may Encroach into the first Layer 50% of its depth. (Table 17d)

5.5.5 Specific to OS, VC and UC Zones

- a. Arcades, awnings, and Galleries may Encroach into the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 9 feet. Arcades and Galleries within public rights-of-way require encroachment and maintenance agreements with the Town.
 - b. Maximum Encroachments for Arcades shall be as shown on Table 8.
 - c. Stoops, Lightwells, balconies, bay windows, cantilevers and terraces may Encroach into the first Layer for 100% of its depth. (Table 17d)
 - d. Loading docks and service areas shall be permitted along/within Frontages.
 - e. In the absence of a building Facade along any part of a Frontage Line, a Streetscreen may be built co-planar with the Facade or adjacent Facades.
 - f. Streetscreens shall be between 3.5 and 8 feet in height. The Streetscreen may be in the form of a hedge, fence or wall. Walls may be constructed of masonry, stone, stucco, EIFS or may match the building materials of the adjacent buildings. Fences shall be constructed of wood or wrought iron (or products created to resemble these materials) and shall be finished on the side facing the public right-of way. Streetscreens shall have openings no larger than reasonably necessary to allow vehicular and pedestrian access.
 - g. Arena, auditorium or stadium uses shall be located a minimum of 500 feet from any NG or NM Zone and may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of sufficient size and with sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
 - h. Outdoor entertainment areas such as small amphitheaters may be incorporated without enclosure into Open Space, Public Space, or Civic Space or on an individual Lot as long as there is sufficient Frontage to support the use and comply with the egress requirements of the North Carolina State Building Code.
 - i. Drive-through facilities associated with financial institutions and pharmacies may be integrated into multi-story buildings.
- 5.5.6 Specific to NM, VC and UC Zones
- a. Lodging Functions may be located in Mixed Use Blocks, in Mixed Use buildings or on Lots of any size to support the use and comply with the egress requirements of the North Carolina State Building Code when the use is located 100 feet or more from NG Zones.

5.6 BUILDING FUNCTION

- 5.6.1 General to OS, NG, NM, VC and UC Zones
- a. Buildings in each Sustainable Zone shall comply with Article 7 Tables.
 - b. Historic Sites may be used for residential, lodging, food and beverage, Office or retail sales and service use.
- 5.6.2 Specific to NG Zone
- a. Accessory Functions of Lodging or Office shall be permitted within an Accessory Building. See Table 10.
- 5.6.3 Specific to NM Zones
- a. Commercial Functions shall be permitted.

5.6.4 Specific to VC and UC Zones

- a. Commercial Functions shall be permitted.
- b. Manufacturing Functions may be permitted.
- c. Utilities such as communication towers and water towers may be integrated into building structures without the need for screening. See Article 5.5.2 for existing cell towers.
- d. Electrical Power Facilities shall be set back a minimum of 20 feet from property lines or easement lines and may be screened or buffered by architectural means or located internally within a block to permit integration into an urban fabric.

5.7 PARKING AND DENSITY STANDARDS

5.7.1 Specific to NG Zone

- a. Buildable Density on a Lot shall be determined by the actual parking provided as applied to the Functions permitted in Table 10 and Table 11.

5.7.2 Specific to OS, NM, NG, VC and UC Zones

- a. As provided in Tables 10 and 11, buildable Density on a Lot shall be determined by the sum of the actual parking calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase, lease, allocation, dedication, reservation or assignment from a public or private parking structure or lot within 1,200 feet of any entrance for customer, patron, or resident parking and within 1,200 feet of any entrance of the principal use for employee parking, if available.
- b. The actual parking may be adjusted downward according to the Shared Parking Factor of Table 11 to determine the Effective Parking. The Shared Parking Factor is available for any two Functions within any block, any pair of adjacent Blocks or within any area contained within a single site plan submittal. Further adjustment is permitted for areas controlled by a comprehensive parking plan in accordance with Article 5.7.3.
- c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 10.
- d. Within the area of a Transit Oriented Development ("TOD") the Effective Parking may be further adjusted downward by 30% and the distances listed in 5.7.2.a are permitted to be increased by 20%.
- e. Accessory Units do not factor into Density calculations.
- f. Liner Buildings less than 30 feet deep and up to the first two Stories shall be exempt from parking requirements.
- g. Retail spaces of 1,500 square feet or less of net floor area shall be exempt from the parking requirements.
- h. In accordance with SD Plan 3.1.2, a Parking Management Plan, subject to review and approval by the Town Council in accordance with UDO 2.3.16 F) 3) a), shall be submitted with the first site plan that deviates from applicable UDO standards related to parking and shall be updated as necessary for subsequent site plans.

- 5.7.3 Off-Street Parking: Further reduction in off-street parking beyond those otherwise allowed by the SD Plan is permitted for the Veridea Sustainable Development District or portions thereof within the area of a TOD in conjunction with a TDM plan.
- 5.7.4 Off-Street and On-Street Loading: The Veridea Sustainable Development District or portions thereof are permitted to have comprehensive loading plans to include on-street loading in Thoroughfares during non-peak hours, on side streets and/or in non-dedicated parking areas of parking lots for all or portions of the site.
- 5.7.5 A portion of the parking spaces provided in any public or private parking lots or parking deck may be compact spaces if such spaces are: a) assigned and/or private spaces; b) assigned to a car-share program; c) specifically designated for electric cars; or d) approved by the TRC upon its determination that then current market data support the use by compact vehicles of the number of compact spaces proposed. A compact space will be a space of at least 8.5 feet by 14 feet, and a compact vehicle shall be a vehicle that can safely park in the area of the compact space proposed.

5.8 PARKING LOCATION STANDARDS

- 5.8.1 General to OS, NG, NM, VC and UC Zones
 - a. Parking shall be accessed by Rear Alleys or Rear Lanes, when available.
 - b. Open parking areas and Parking Structures shall be masked from the Frontage by a Building or Streetscreen.
 - c. For buildings on B-Grids, open parking areas and Parking Structures are allowed unmasked on the Frontage in the front Layer, except for corner Lots at intersections with the A-Grid.
 - d. Bicycle parking locations at Common Destinations shall be determined at the time of site plan approval for all Sustainable Zones including OS Zones.
 - e. Commercial Parking Garages may be incorporated into Mixed Use Blocks or in Mixed Use buildings on the same Lot to allow for internal block parking.
- 5.8.2 Specific to NG Zone
 - a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 17d)
 - b. Garages shall be located at the second or third Layer except that side- or rear-entry types may be allowed in the first Layer by the TRC.
 - c. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)
- 5.8.3 Specific to NM Zone
 - a. All parking areas and garages shall be located at the second or third Layer except for lots located on designated B-Grids. (Table 17d)
 - b. Driveways at Frontages shall be no wider than 24 feet in the first Layer. (Table 3B.f)
- 5.8.4 Specific to VC and UC Zones

- a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer except along B-Grids where parking may be located in the first layer. (Table 17d)
- b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage for A-Grid Thoroughfares. Driveways at Frontages for B-Grid Thoroughfares shall be no wider than necessary to accommodate the straight and turn lanes in the first Layer. (Table 3B.f)
- c. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.

5.9 LANDSCAPE STANDARDS

5.9.1 General to OS, NG, NM, VC and UC Zones

- a. The landscape plantings shall consist of native or naturalized species requiring minimal irrigation, fertilization and maintenance as shown on Table 6.
- b. Street trees and landscape planted in public rights-of-way shall require maintenance agreements with the Town.
- c. Public utility locations, placement and accessibility shall be laid out and engineered so that trees and landscaping and utility conflicts are eliminated or substantially minimized.
- d. Trees shall not be required in the first Layer where Setbacks are less than 12 feet.
- e. Planting selection in the first Layer shall be appropriate for the scale of the space and located so as to avoid conflicts with buildings, walls and utilities.
- f. Street trees shall be planted within the Public Frontage as illustrated in Table 7 and listed in Table 4C. Street trees may be shifted or eliminated along any Thoroughfares as long as the average number of trees based upon the Public Frontage is met for the site plan or Subdivision Plan. Tree preservation areas located in Open Space Zones shall be exempt from the street tree planting requirements. Public Frontages on Thoroughfares that are exempt from the tree planting requirement and Thoroughfare Assemblies for Rear Lanes, Rear Alleys, or where the landscape type is listed as trees clustered shall not be used in the calculation of the average number of trees.
- g. In order to accommodate the intended density, connectivity and integration of uses, the landscape requirements set forth in UDO 7.2.5 C) 9) and UDO 7.2.5 C) 12) through UDO 7.2.5. C) 14) shall not apply within the Development.
- h. Screening shall comply with UDO 8.2.8. Notwithstanding the foregoing, HVAC and other mechanical units shall not be required to be screened from adjacent properties when not visible from the public street.
- i. Veridea shall comply with UDO 8.2.1, 8.2.2 and 8.2.3, except that, in order to accommodate the intended density, connectivity and integration of uses, the landscape buffer requirements of UDO 8.2 shall not apply.

- j. Fences, walls and berms shall comply with UDO 8.2.7, except to the extent modified by Articles 5.5.5.e, 5.5.5.f. and 5.8.1.b. hereof.
- 5.9.2 Specific to NG and NM Zones
 - a. The first Layer may not be paved, with the exception of Driveways as specified in Article 5.8. (Table 17d)
- 5.9.3 Specific to NG Zone
 - a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
 - b. Trees shall be of single or multiple native or naturalized species as shown on Table 6.
 - c. Trees shall be naturalistically clustered.
 - d. Lawn shall be permitted upon site plan approval. Only re-use water, where available, may be used for Lawn irrigation.
- 5.9.4 Specific to NM Zone
 - a. One appropriately sized tree at maturity per Lot shall be planted within the first Layer. (Table 17d)
 - b. Trees should not be of a single species throughout large areas. Tree species selected are permitted to alternate along blocks. Selection of plant material shall be appropriate for the scale of the space.
 - c. Lawn shall be permitted. Only re-use water, where available, may be used for Lawn irrigation.
- 5.9.5 Specific to VC and UC Zones
 - a. Trees shall not be required in the first Layer.
 - b. The first Layer may be paved to match the pavement of the Public Frontage.
 - c. A minimum of one shade tree is required for every two thousand (2,000) square feet of vehicular surface area located within or adjacent to the parking area. Parking Structures are excluded from this requirement.
 - d. A minimum of 1 shrub is required for every five hundred (500) square feet of vehicular surface area. Selection of the plant material shall be appropriate for the scale of the space. Parking Structures are excluded from this requirement.
 - e. All vehicular surface areas within fifty (50) feet of any right-of-way that are visible from a Thoroughfare (street) are required to be screened from off-site view to a minimum height of thirty-six (36) inches. Plants, closed fences, walls, earthen berms or a combination thereof may be used to satisfy this requirement. Plants must be a minimum of thirty-six (36) inches at maturity or used in combination with earthen berms to satisfy this requirement. Screening material other than plants and earthen berms shall be harmonious with surrounding architecture and shall accommodate pedestrian and vehicular ingress and egress where applicable.
 - f. No vehicular parking space shall be located farther than fifty (50) feet from the back of curb in a planting area with one shade tree, or seventy five (75) feet from the back of curb in a planting area with two or more shade trees. Parking Structures are excluded from this requirement.

5.10 SIGNAGE

5.10.1 General to All Sustainable Zones

Signage shall comply with UDO 8.6, Signs, except that the requirements of UDO 8.6 may be varied by the standards set forth in the Pattern Book(s).

5.11 COMMUNICATION TOWERS

5.11.1 General to All Sustainable Zones

- a. Communication Towers are exempt from the standards set forth in UDO 4.4.3 B).
- b. Existing Communication Towers will be contained on a Lot.
- c. Existing Communication Towers may be located a Lot that contains other uses.
- d. Existing Communication Towers, or a portion thereof, may occupy a leased parcel on the Lot in which it is located.
- e. New or relocated Communication Towers shall be located in accordance with Table 12.
- f. New rooftop communication towers and devices may be allowed within UC and VC Zones.

5.12 EXTERIOR LIGHTING

5.12.1 General to All Sustainable Zones

Exterior lighting shall comply with UDO 8.7, Exterior Lighting, except that the requirements of UDO 8.7 may be varied by the standards set forth in the Pattern Book(s).

5.13 PATTERN BOOK(S)

A Pattern Book(s) may be submitted for approval from time to time in accordance with UDO 2.3.16 F) 3) a). Each site plan submitted with respect to Veridea shall designate the existing Pattern Book, or portion thereof, which shall be applicable to the site plan, or a Pattern Book applicable thereto shall be submitted with the site plan for approval pursuant to UDO 2.3.16 F) 3) a).

ARTICLE 6.0 TABLES

6.1 TABLES

- 6.1.1. The Tables which follow shall establish, together with the foregoing provisions of the SD Plan and applicable provisions of the UDO, other Town Ordinances and Town Standards, the standards and regulations which shall govern all development and land use within the Development.
- 6.1.2. If the Responsible Person so determines, as with the other provisions of the SD Plan, specific portions of the Tables may be affected by additional or elective regulations and standards hereafter adopted by the Town Council in accordance with UDO 2.3.16 F) 3) a) or 2.3.16 F) 3) c).
- 6.1.3. Design Standards contained in one or more of the Articles, Sections, or Tables of the Plan that pertain to the same aspect of development may be implemented independently or in conjunction with one another.
- 6.1.4. The text and numerical descriptions in the Tables are an integral part of this SD Plan. However, the graphics that accompany them represent guidelines. Where in conflict, the text and numerical descriptions shall take precedence over graphics.

6.2 TOWN STANDARDS

- 6.2.1 The Town and the Responsible Person may enter into a Development Agreement providing that the Town Standards applicable to the Development shall be those in existence as of the date of the adoption of this SD Plan. However, notwithstanding the foregoing, the Apex Standard Specifications and Standard Details, as modified and amended from time to time, shall be applicable to the Development, except to the extent otherwise specifically provided in this SD Plan or where the modified Apex Standard Specifications and Standard Details are specifically inapplicable to Veridea.

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

TABLE 1A: Sustainable Zone Descriptions. This table provides descriptions of the character of each Sustainable Zone.

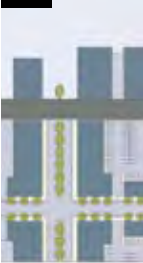
		OS - OPEN SPACE OS Open Space Zone consists of lands approximating or reverting to a natural condition and farmland, parks, Civic Uses, RCA, utility corridors, non-street easements, greenways, waterways or water bodies, including lands unsuitable for settlement due to topography, hydrology or vegetation.	General Character: Natural landscape and parkland (active and passive parks) with some civic and agricultural use Building Placement: Variable front and side setbacks for park structures, civic structures, agricultural and maintenance buildings Frontage Types: Variable Building Height: 1- to 2-Story Type of Civic Space: Parks, Greenways, Civic Buildings
		NG - NEIGHBORHOOD GENERAL NG Neighborhood General Zone consists of low density residential areas, adjacent to higher zones that consists of some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the Thoroughfares irregular to accommodate natural conditions.	General Character: Lawns, and landscaped yards surrounding predominantly detached single-family houses with some mix of Townhouses; pedestrians occasionally Building Placement: Medium and variable front and side yard Setbacks Frontage Types: Porches, fences, naturalistic tree planting Building Height: 1- to 3-Story with some 4-Story Type of Civic Space: Parks, Greenways
		NM - NEIGHBORHOOD MIXED-USE NM Neighborhood Mixed-Use Zone consists of mixed uses within a medium to high density residential urban fabric. It may have a wide range of building types: single, sideyard, rowhouses, and apartments. Setbacks and landscaping are variable. Thoroughfares with curbs and sidewalks define medium-sized blocks.	General Character: Mix of Houses, Townhouses & Apartment buildings, with moderate Commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: Shallow to medium front and side yard Setbacks Frontage Types: Porches, fences, Dooryards Building Height: 1- to 4-Story with a few taller Mixed Use buildings up to 7 stories adjacent to Village Center Zones and major transportation corridors Type of Civic Space: Squares, Greens
		VC - VILLAGE CENTER - A-GRID VC Village Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments. It has a tight network of Thoroughfares, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.	General Character: Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity Building Placement: Shallow Setbacks or none; buildings oriented to the street defining a street wall. See the Concept Map for locations Frontage Types: Stoops, Shopfronts, Galleries Building Height: 1- to 10-Story with some variation up to 15 stories adjacent to Urban Center Zones, Type of Civic Space: Parks, Plazas and Squares, median landscaping
		UC - URBAN CORE - A-GRID UC Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; Thoroughfares have steady street tree planting and buildings are set close to wide sidewalks.	General Character: Medium-high to high-Density Mixed Use buildings, entertainment, Civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; highest pedestrian and transit activity Building Placement: Shallow Setbacks or none; buildings oriented to street, defining a street wall. Frontage Types: Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades Building Height: 4- to 20-Story with a few shorter buildings including some 1 story uses Type of Civic Space: Parks, Plazas and Squares; median landscaping

TABLE 1. SUSTAINABLE ZONE DESCRIPTIONS

	VC - VILLAGE CENTER - B-GRID VC Village Center Zone consisting of larger block sizes, and larger format uses supporting regional users. It has a coarse network of Thoroughfares, with sidewalks, regular street tree planting.	General Character: Larger single-use retail, office, and manufacturing formats with out-parcels permitted, transitioning to shops mixed with Townhouses, and larger Apartment houses towards A-Grid Zones; trees within the public right-of-way; substantial automobile activity Building Placement: Larger setbacks with parking permitted in the setback for any Layer except along adjacent A-Grids Frontage Types: Common Yard, Shopfronts, Building Height: Predominantly 1- to 4-Story with some increased variation up to 7 stories Type of Civic Space: Not required
	UC - URBAN CORE - B-GRID UC Urban Core Zone consists of the highest density and height, with predominantly office, lab, and research uses. It may have larger blocks; a coarse network of Thoroughfares, regular street tree planting and may have buildings set back from the sidewalks.	General Character: High-density single and Mixed Use buildings. Attached and detached buildings forming a continuous street wall or set-back from the street; trees within the public right-of-way; highest pedestrian activity near the building and substantial automobile activity at the parking Building Placement: Shallow setbacks or none along A-Grid Thoroughfares with buildings oriented to streets transitioning to larger setbacks with parking permitted in the setback for any Layer Frontage Types: Common Yards, Stoops, Dooryards, Forecourts, Shopfronts, Galleries, and Arcades Building Height: 1- to 20-Story with a few shorter buildings including some 1 story uses Type of Civic Space: None required

TABLE 2. VERIDEA SUSTAINABLE DEVELOPMENT CONCEPT MAP

Sustainable Zones

	OS	Open Space and Civic Use
	NG	Neighborhood General
	NM	Neighborhood Mixed Use
	VC-A	Village Center - A Grid
	VC-B	Village Center - B Grid
	UC-A	Urban Core - A Grid
	UC-B	Urban Core - B Grid

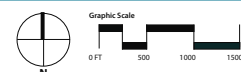
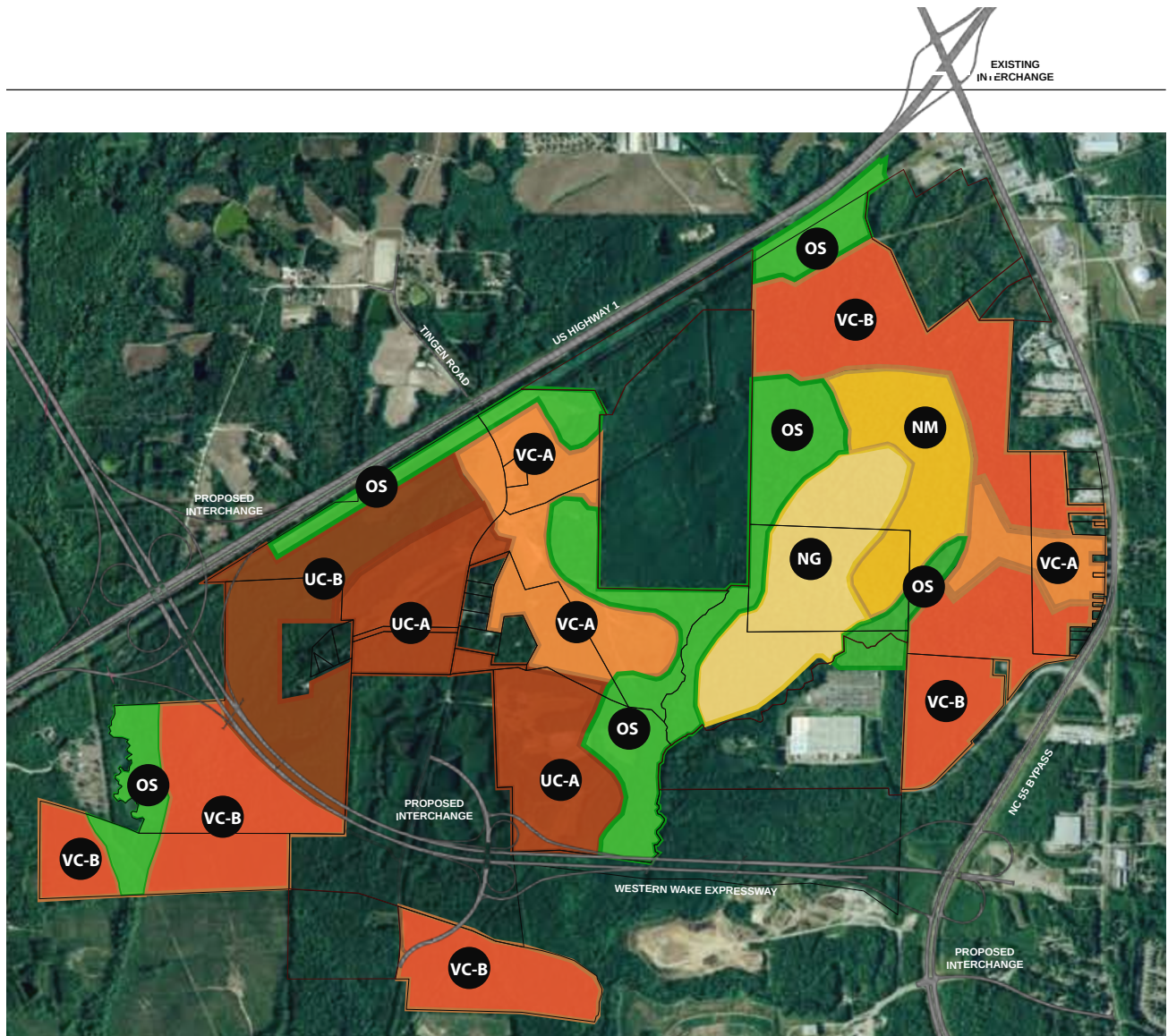


TABLE 3A. VEHICULAR LANE DIMENSIONS

TABLE 3A: Vehicular Lane Dimensions. This table assigns lane widths to Sustainable Zones. The Design ADT (Average Daily Traffic) is the determinant for each of these sections. The assemblies are shown in Table 3B. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

DESIGN SPEED	TRAVEL LANE WIDTH	OS	NG	NM	VC	UC	
Below 20 mph	10 feet	■	■	□			■ BY RIGHT
20-25 mph	10 feet	■	■	■	□	□	□ BY THE TRC
25-35 mph	10 feet	■	■	■	■	■	
25-35 mph	11 feet	■			■	■	
Above 35 mph	12 feet	■			■	■	

DESIGN SPEED	PARKING LANE WIDTH						
20-25 mph	(Angle) 16 to18 feet				■	■	
20-25 mph	(Parallel) 7 to 8 feet		■	■	■		
25-35 mph	(Parallel) 8 feet		■	■	■	■	
Above 35 mph	(Parallel) 9 feet				■	■	

DESIGN SPEED	EFFECTIVE TURNING RADIUS						(See Table 17b)
Below 20 mph	5-10 feet		■	■	■	■	
20-25 mph	10-15 feet	■	■	■	■	■	
25-35 mph	15-20 feet	■	■	■	■	■	
Above 35 mph	20-30 feet	■			□	□	

TABLE 3B. VEHICULAR LANE & PARKING ASSEMBLIES

TABLE 3B: Vehicular Lane/Parking Assemblies. The projected design speeds determine the dimensions of the vehicular lanes and Turning Radii assembled for Thoroughfares. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

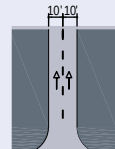
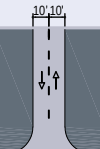
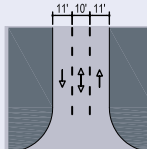
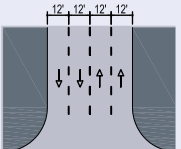
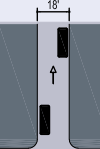
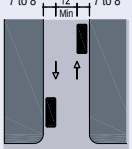
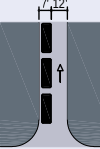
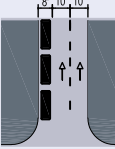
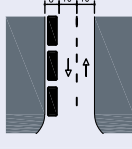
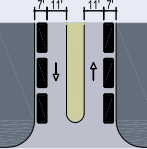
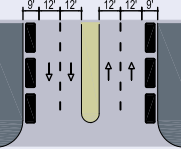
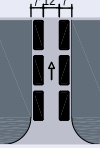
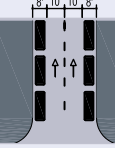
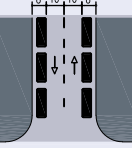
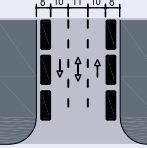
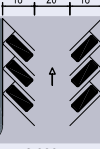
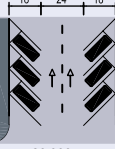
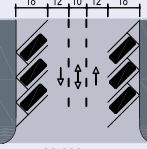
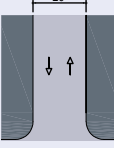
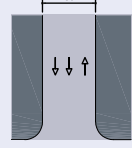
	ONE WAY MOVEMENT		TWO WAY MOVEMENT		
a. NO PARKING	OS NG	OS	OS NG	OS	OS
					
Design ADT	300 VPD	600 VPD	2,500 VPD	22,000 VPD	36,000 VPD
Pedestrian Crossing	3 Seconds	5 Seconds	5 Seconds	9 Seconds	13 Seconds
Design Speed	20 - 30 MPH	Below 20 MPH	20-25 MPH		35 MPH and above
b. YIELD PARKING	OS NM		NG NM VC UC		
					
Design ADT	1,000 VPD		1,000 VPD		
Pedestrian Crossing	5 Seconds		7 Seconds		
Design Speed					
c. PARKING ONE SIDE PARALLEL	OS NG NM VC	NG NM VC	NG NM VC	NG NM VC UC	NG NM VC UC
					
Design ADT	5,000 VPD	18,000 VPD	16,000 VPD	15,000 VPD	32,000 VPD
Pedestrian Crossing	5 Seconds	8 Seconds	8 Seconds	11 Seconds	13 Seconds
Design Speed	20-30 MPH		25-30 MPH	25-30 MPH	
d. PARKING BOTH SIDES PARALLEL	NG NM VC UC	NM VC UC	NM VC UC	VC UC	
					
Design ADT	8,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	7 Seconds	10 Seconds	10 Seconds	13 Seconds	
Design Speed	Below 20 MPH	25-30 MPH	25-30 MPH	25-30 MPH	
e. PARKING BOTH SIDES DIAGONAL	VC UC	VC UC	VC UC	VC UC	
					
Design ADT	18,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	
Pedestrian Crossing	15 Seconds	17 Seconds	17 Seconds	20 Seconds	
Design Speed	Below 20 MPH	20-25 MPH	20-25 MPH	25-30 MPH	
f. PARKING ACCESS			NG NM	NG NM VC UC	NM VC UC
					
Design ADT					
Pedestrian Crossing			3 Seconds	6 Seconds	10 Seconds
Design Speed					

TABLE 4A. PUBLIC FRONTAGES - GENERAL

TABLE 4A: Public Frontages - General. The Public Frontage is the area between the private Lot line and the edge of the vehicular lanes. Dimensions are given in Table 4B. Note:

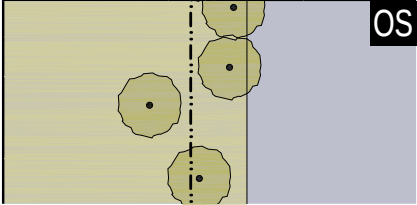
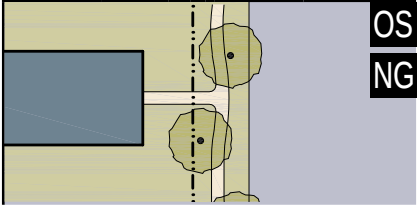
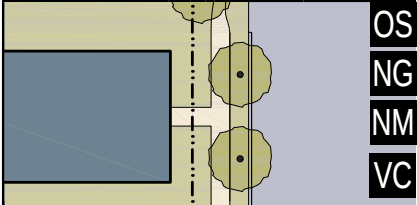
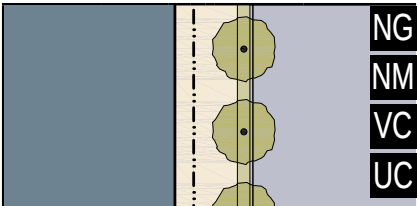
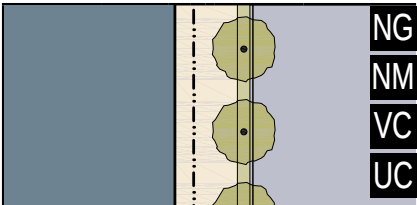
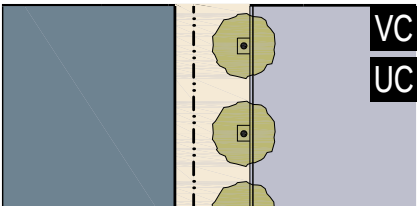
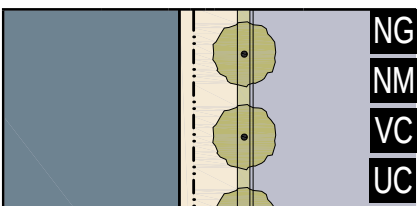
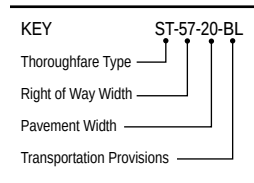
PLAN	
LOT	R.O.W.
PRIVATE FRONTAGE	PUBLIC FRONTAGE
a. (HW) Highway: This Frontage has open Swales, Bicycle Trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.	 OS
b. (RD) Road: This Frontage has open Swales and a Sidewalk walking Path or Bicycle Trail and Yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.	 OS NG
c. (ST) Street: This Frontage has raised Curbs drained by inlets and Sidewalks separated from the vehicular lanes by individual or continuous Planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee, with the exception that Streets with a right-of-way (R.O.W.) width of 40 feet or less are exempt from tree requirements.	 OS NG NM VC
d. (DR) Drive: This Frontage has raised Curbs drained by inlets and a wide Sidewalk or paved Path along one side, related to a Greenway or waterfront. It is separated from the vehicular lanes by individual or continuous Planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced Allee.	 NG NM VC UC
e. (AV) Avenue: This Frontage has raised Curbs drained by inlets and wide Sidewalks separated from the vehicular lanes by a narrow continuous Planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced Allee.	 NG NM VC UC
f. (CS) (AV) Commercial Street or Avenue: This Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides separated from the vehicular lanes by separate tree wells and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible, but clears the storefront entrances.	 VC UC
g. (BV) Boulevard: This Frontage may have Slip Streets on both sides. It consists of raised Curbs drained by inlets and Sidewalks along both sides, separated from the vehicular lanes by Planters. The landscaping consists of double rows of a single tree species aligned in a regularly spaced Allee.	 NG NM VC UC

TABLE 4C. THOROUGHFARE ASSEMBLIES

TABLE 4C: Thoroughfare Assemblies. These Thoroughfares are assembled from the elements that appear in Tables 3A and 3B and incorporate the Public Frontages of Table 4A. The key gives the Thoroughfare type followed by the right-of-way width, followed by the pavement width, and in some instances followed by specialized transportation capability. All dimensions listed are minimums. Design Speeds shown in these Tables represent desired speeds for traffic flow based on typical sections. Thoroughfare alignments (excluding Rear Lanes and Rear Alleys) shall be based on a minimum 25 mile per hour design speed. Design exceptions to otherwise posted regulatory speed, if approved by the TRC will require warning signs.

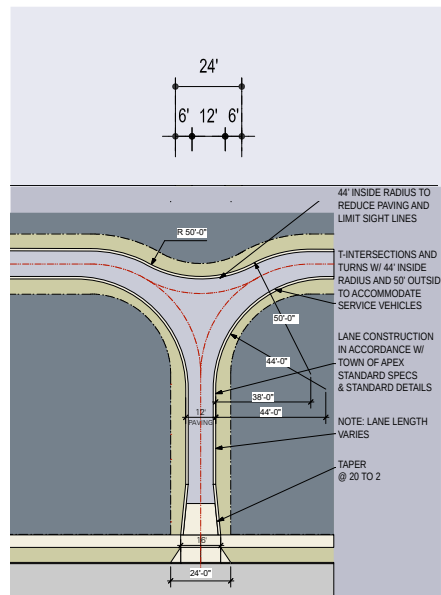


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

KEY

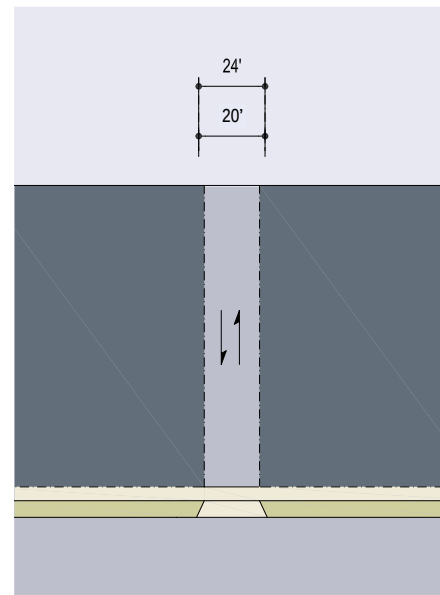
Thoroughfare Type	
Sustainable Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Design Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	



RL-24-12

Rear Lane
OS, NG, NM
24 feet
12 feet
Yield Movement
10 MPH
3.5 seconds
n/a
None
Flared section with driveway apron
None
None
None
None
None

Note: Rear Lanes may be public or private. If Rear Lanes are public, the minimum pavement width shall be 16 feet. Private maintenance shall be required for private Rear Lanes and the maintenance shall be adequately funded by a Veridea property owners' association.

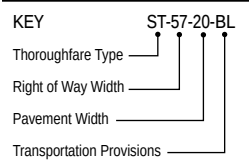


RA-24-20

Rear Alley
NG, NM, VC, UC
24 feet min
20 feet min
Slow Movement
10 MPH
7 seconds
n/a
None
Driveway apron
None
None
None
None
None

Note: Rear Alleys may be public or private. If Rear Alleys are private, then private maintenance shall be required and the maintenance shall be adequately funded by a Veridea property owners' association.

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

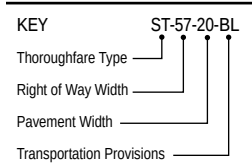
KEY	
Thoroughfare Type	
Sustainable Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Design Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	

RDOS-50-20	
Thoroughfare Type	Road
Sustainable Zone Assignment	OS
Right-of-Way Width	50 feet
Pavement Width	16 feet
Movement	Slow Movement
Design Speed	15 MPH
Pedestrian Crossing Time	5.1 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	25 feet
Walkway Type	Path, Sidewalk or BT
Planter Type	Continuous Swale
Curb Type	Swale or Curb
Landscape Type	Trees clustered
Transportation Provision	BT

RD-50-20	
Thoroughfare Type	Road
Sustainable Zone Assignment	OS, NG
Right-of-Way Width	50 feet
Pavement Width	18 feet
Movement	Slow Movement
Design Speed	15 MPH
Pedestrian Crossing Time	5.1 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	25 feet
Walkway Type	Path, Sidewalk or BT
Planter Type	Continuous Swale
Curb Type	Swale or Curb
Landscape Type	Trees clustered
Transportation Provision	BT

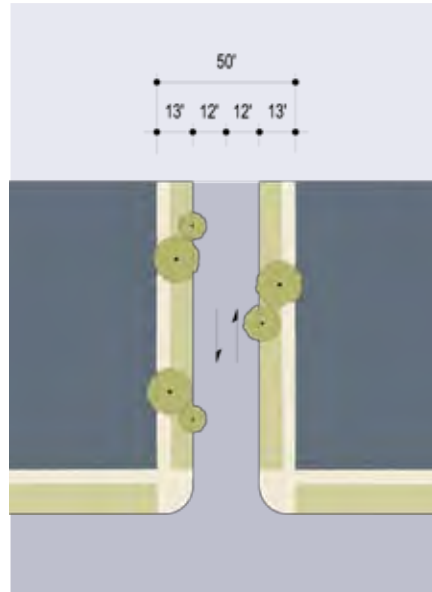
Note: Requires approval of TRC
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

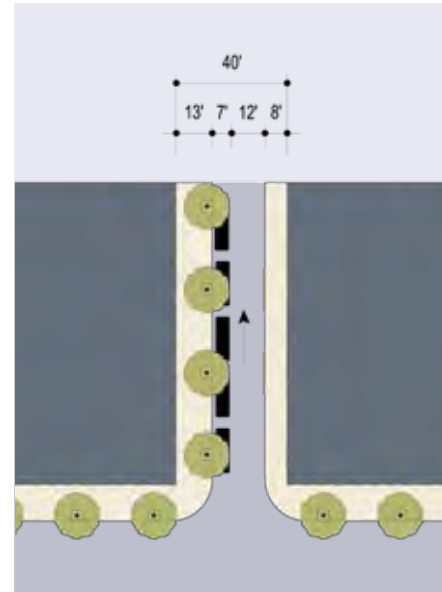
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



RD-50-24

Thoroughfare Type	Road
Sustainable Zone Assignment	OS, NG
Right-of-Way Width	50 feet
Pavement Width	24 feet
Movement	Slow Movement
Design Speed	20 MPH
Pedestrian Crossing Time	6.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	25 feet
Walkway Type	Path, Sidewalk or BT
Planter Type	Continuous Swale
Curb Type	Swale or Curb
Landscape Type	Trees clustered
Transportation Provision	BL optional, BT optional

Note: Requires approval of TRC
Note: Curb radius to be high-strength / reinforced

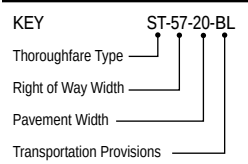


ST-40-19

Thoroughfare Type	Street
Sustainable Zone Assignment	OS, NG, NM, VC
Right-of-Way Width	40 feet
Pavement Width	19 feet
Movement	Slow Movement
Design Speed	20 MPH
Pedestrian Crossing Time	5.4 seconds
Traffic Lanes	1 lane
Parking Lanes	One side @ 7 feet marked
Curb Radius	15 feet
Walkway Type	13/8 foot Sidewalk
Planter Type	Tree well (Permitted but not required per 4.5.3 e. ii.)
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg. (Permitted but not required per 4.5.3 e. ii.)
Transportation Provision	

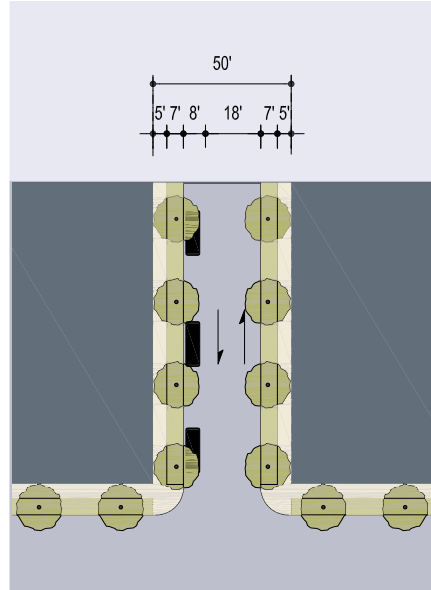
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

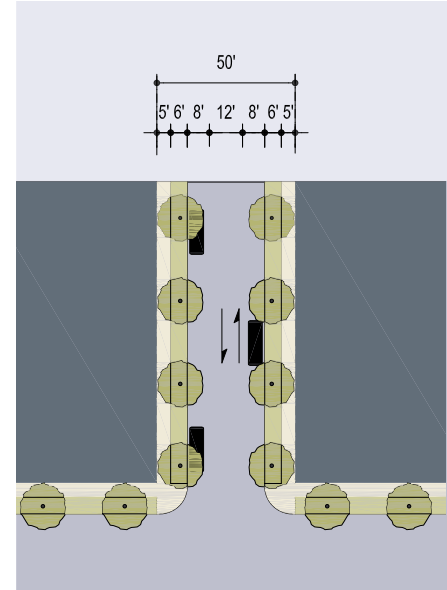
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



ST-50-26

KEY	
Thoroughfare Type	Street
Sustainable Zone Assignment	NG, NM, VC, UC
Right-of-Way Width	50 feet
Pavement Width	26 feet
Movement	Free Movement
Design Speed	20 MPH
Pedestrian Crossing Time	7.4 seconds
Traffic Lanes	2 lanes
Parking Lanes	One side @ 8 feet marked
Curb Radius	10 feet
Walkway Type	5 foot Sidewalk
Planter Type	7 foot continuous Planter
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BL optional

Note: Curb radius to be high-strength / reinforced

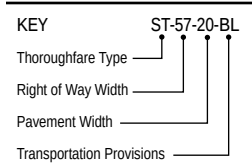


ST-50-28

Street
NG, NM, VC, UC
50 feet
28 feet
Yield Movement
20 MPH
7.6 seconds
2 lane
Both sides @ 8 feet unmarked
10 feet
5 foot Sidewalk
6 foot continuous Planter
Curb
Trees at 50' o.c. Avg.
BL optional

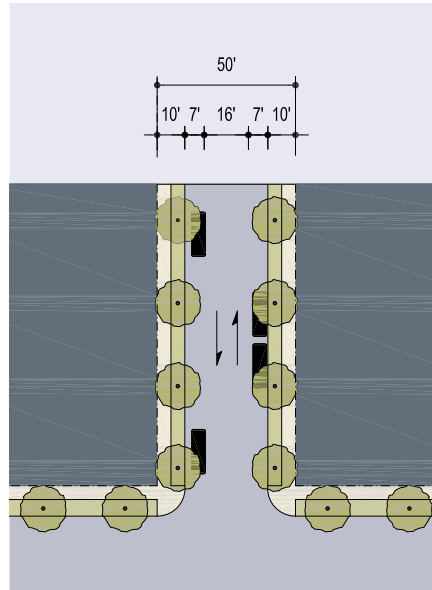
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

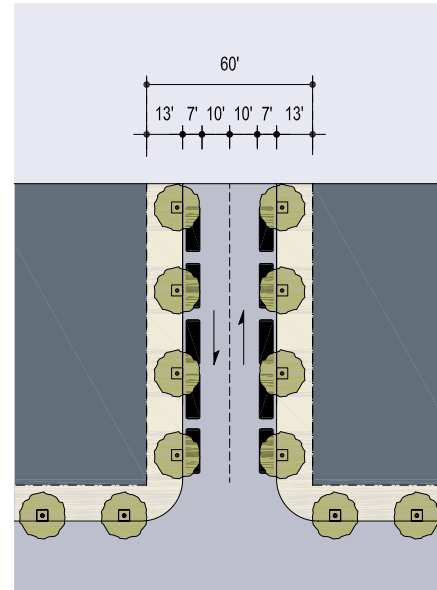
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



ST-50-30

KEY	
Thoroughfare Type	Street
Sustainable Zone Assignment	NG, NM, VC
Right-of-Way Width	50 feet
Pavement Width	30 feet
Movement	Slow Movement
Design Speed	20 MPH
Pedestrian Crossing Time	8.5 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 7 feet unmarked
Curb Radius	10 feet
Walkway Type	5 foot Sidewalk
Planter Type	5 foot continuous Planter
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BL optional

Note: Curb radius to be high-strength / reinforced

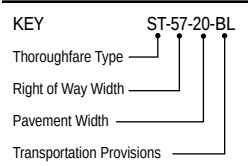


ST-60-34

Street
NG, NM, VC, UC
60 feet
34 feet
Slow Movement
20 MPH
9.7 seconds
2 lanes
Both Sides @ 7 feet marked
15 feet
6 foot Sidewalk
Tree well or 7 foot continuous Planter
Curb
Trees at 50' o.c. Avg.
BR

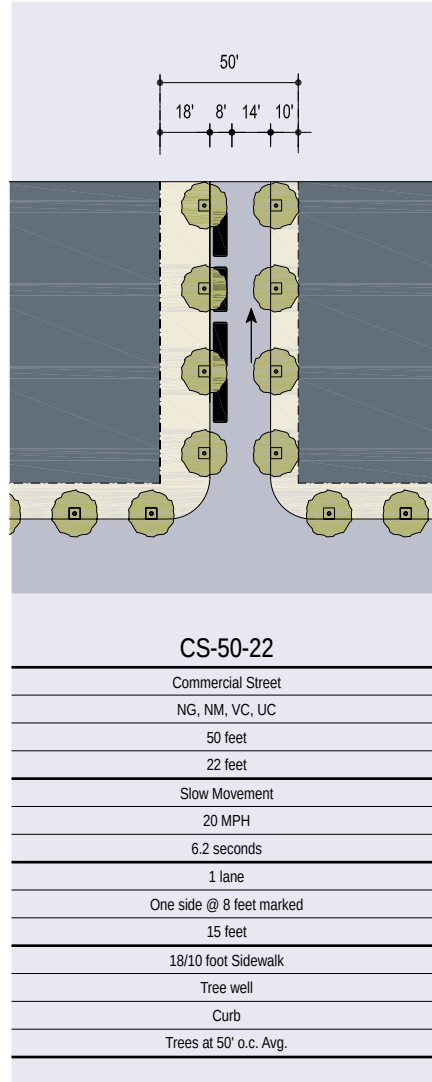
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES

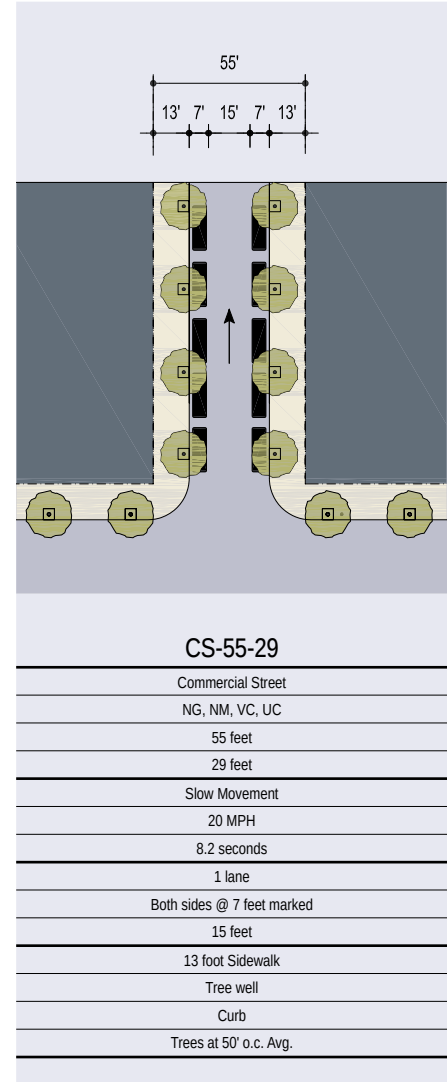


THOROUGHFARE TYPES	
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

KEY	
Thoroughfare Type	
Sustainable Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Design Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	

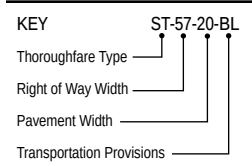


Note: Curb radius to be high-strength / reinforced



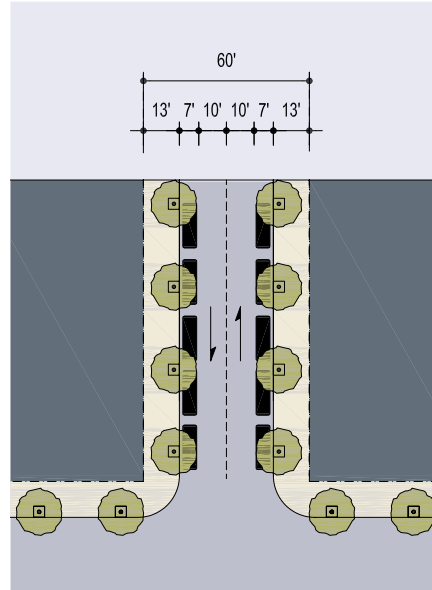
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

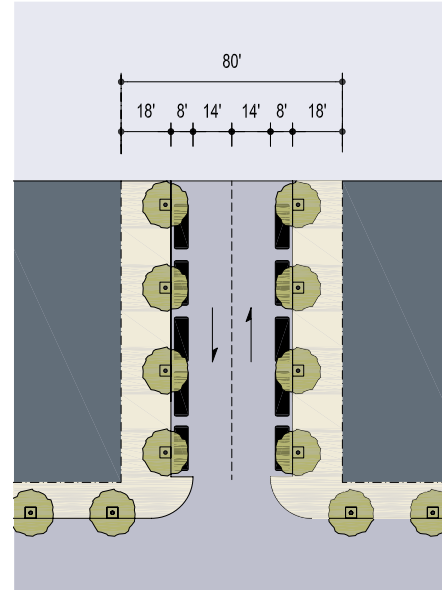
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



CS-60-34

Thoroughfare Type	Commercial Street
Sustainable Zone Assignment	NM, VC, UC
Right-of-Way Width	60 feet
Pavement Width	34 feet
Movement	Slow Movement
Design Speed	20 MPH
Pedestrian Crossing Time	9.7 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 7 feet marked
Curb Radius	10 feet
Walkway Type	13 foot Sidewalk
Planter Type	Tree well
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	

Note: Curb radius to be high-strength / reinforced

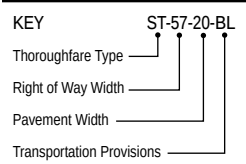


CS-80-44

Thoroughfare Type	Commercial Street
Sustainable Zone Assignment	VC, UC
Right-of-Way Width	80 feet
Pavement Width	44 feet
Movement	Free Movement
Design Speed	25 MPH
Pedestrian Crossing Time	8 seconds at corners
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8 feet marked
Curb Radius	10 feet
Walkway Type	18 foot Sidewalk
Planter Type	Tree well
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	

Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

KEY	
Thoroughfare Type	
Sustainable Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Design Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	

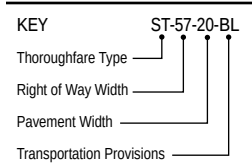
CS-80-54	
Commercial Street	
VC, UC	
80 feet	
54 feet	
Slow Movement	
25 MPH	
5.7 seconds at corners	
2 lanes	
Both sides angled @ 17 feet marked	
10 feet	
13 foot Sidewalk	
Tree well	
Curb	
Trees at 50' o.c. Avg.	

Note: Curb radius to be high-strength / reinforced

CS-100-64	
Commercial Street	
VC, UC	
100 feet	
64 feet	
Slow Movement	
25 MPH	
8.5 seconds at corners	
2 lanes	
Both sides angled @ 17 feet marked	
10 feet	
18 foot Sidewalk	
Tree well	
Curb	
Trees at 50' o.c. Avg.	

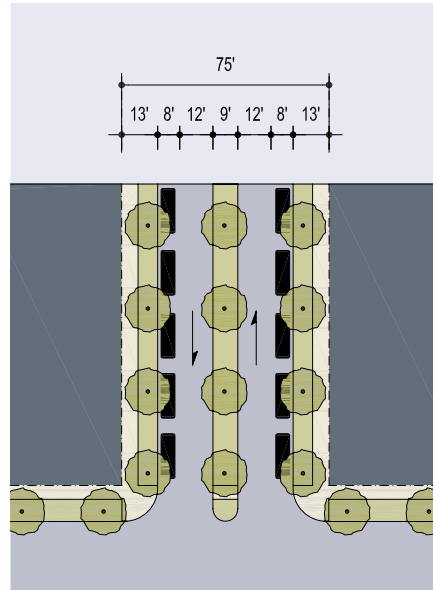
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

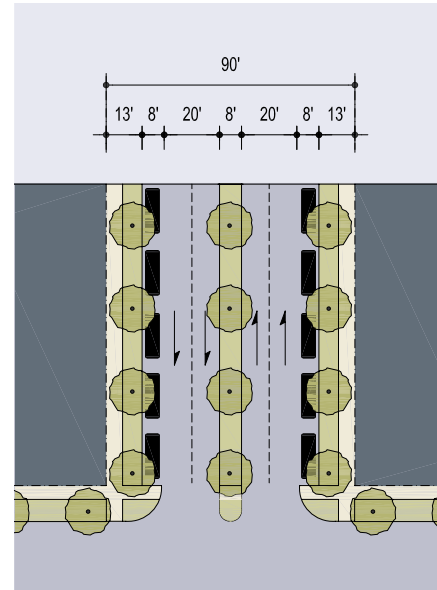
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



AV-75-40

KEY	
Thoroughfare Type	Avenue
Sustainable Zone Assignment	NG, NM, VC, UC
Right-of-Way Width	75 feet
Pavement Width	40 feet total
Movement	Slow Movement
Design Speed	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8 feet marked
Curb Radius	10 feet
Walkway Type	6 foot Sidewalk
Planter Type	7 foot continuous Planter
Curb Type	Curb or Swale
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR

Note: Curb radius to be high-strength / reinforced

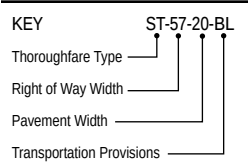


AV-90-56

Thoroughfare Type	Avenue
Sustainable Zone Assignment	NG, NM, VC, UC
Right-of-Way Width	90 feet
Pavement Width	56 feet total
Movement	Slow Movement
Design Speed	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds at corners
Traffic Lanes	4 lanes
Parking Lanes	Both sides @ 8 feet marked
Curb Radius	10 feet
Walkway Type	6 foot Sidewalk
Planter Type	7 foot continuous Planter
Curb Type	Curb or Swale
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR

Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

KEY

Thoroughfare Type
Sustainable Zone Assignment
Right-of-Way Width
Pavement Width
Movement
Design Speed
Pedestrian Crossing Time
Traffic Lanes
Parking Lanes
Curb Radius
Walkway Type
Planter Type
Curb Type
Landscape Type
Transportation Provision

BV-115-33

Boulevard
VC, UC
115 feet
20 feet - 33 feet - 20 feet
Free Movement (inner lanes)
35 MPH
5.7 seconds - 9.4 seconds - 5.7 seconds
3 lanes, one turning lane & two one-way slip roads
8 feet
10 feet
6 foot Sidewalk
7 foot continuous Planter
Curb
Trees at 50' o.c. Avg.
BR, TR

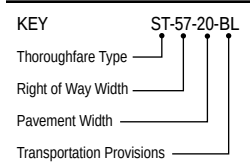
Note: Curb radius to be high-strength / reinforced

BV-125-43

Boulevard
VC, UC
125 feet
20 feet - 43 feet - 20 feet
Free Movement (inner lanes)
35 MPH
5.7 seconds - 12.2 seconds - 5.7 seconds
4 lanes & two one-way slip roads
8 feet
10 feet
6 foot Sidewalk
7 foot continuous Planter
Curb
Trees at 50' o.c. Avg.
BR, TR

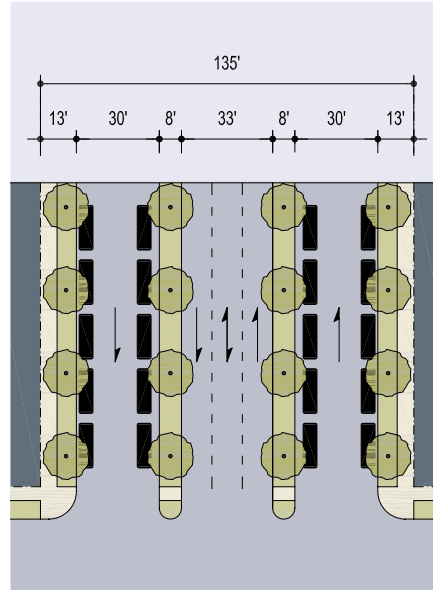
Note: Curb radius to be high-strength / reinforced

TABLE 4C THOROUGHFARE ASSEMBLIES



THOROUGHFARE TYPES

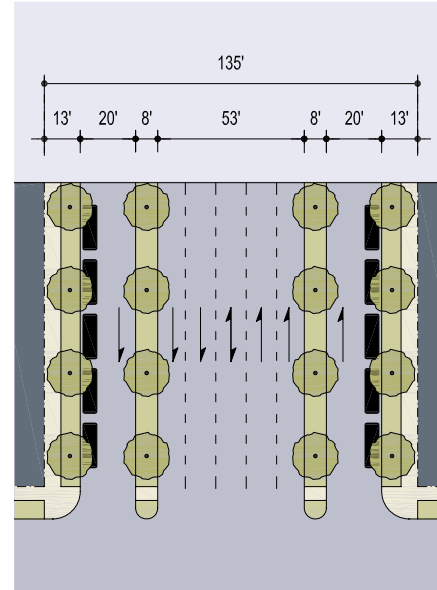
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR



BV-135-33

Thoroughfare Type	Boulevard
Sustainable Zone Assignment	VC, UC
Right-of-Way Width	135 feet
Pavement Width	30 feet - 33 feet - 30 feet
Movement	Free Movement
Design Speed	35 MPH
Pedestrian Crossing Time	8.5 seconds - 9.4 seconds - 8.5 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads
Parking Lanes	8 feet
Curb Radius	10 feet
Walkway Type	6 foot Sidewalk
Planter Type	7 foot continuous Planter
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR

Note: Curb radius to be high-strength / reinforced



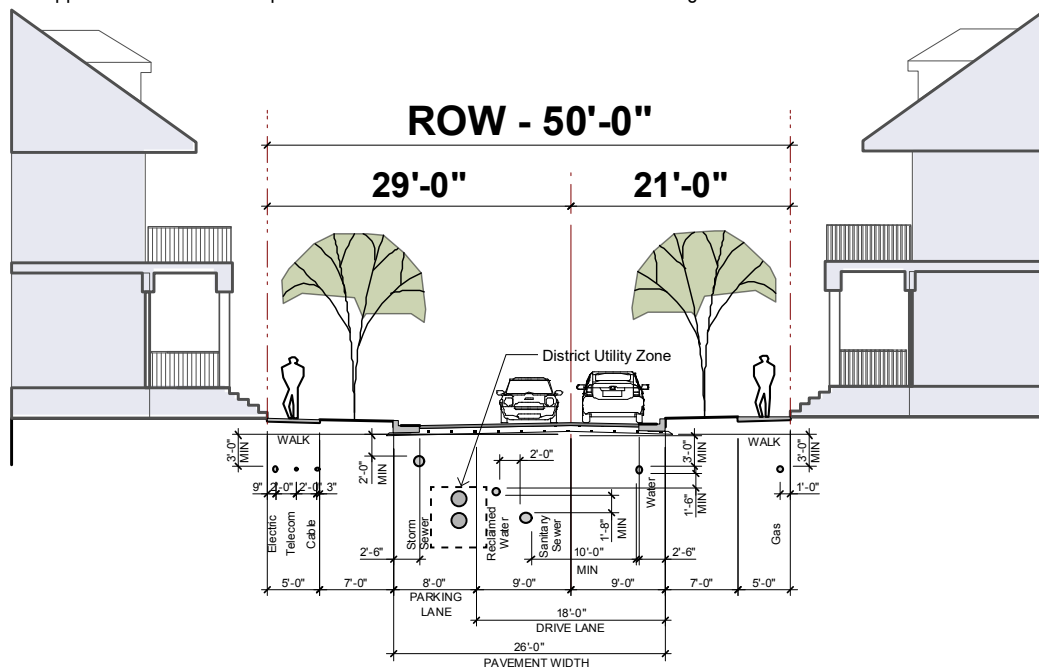
BV-135-53

Thoroughfare Type	Boulevard
Sustainable Zone Assignment	VC, UC
Right-of-Way Width	135 feet
Pavement Width	20 feet - 53 feet - 20 feet
Movement	Free Movement
Design Speed	35 MPH
Pedestrian Crossing Time	5.7 seconds - 15.1 seconds - 5.7 seconds
Traffic Lanes	5 Lanes, one turning lane & two one-way slip roads
Parking Lanes	8 feet
Curb Radius	10 feet
Walkway Type	6 foot Sidewalk
Planter Type	7 foot continuous Planter
Curb Type	Curb
Landscape Type	Trees at 50' o.c. Avg.
Transportation Provision	BR, TR

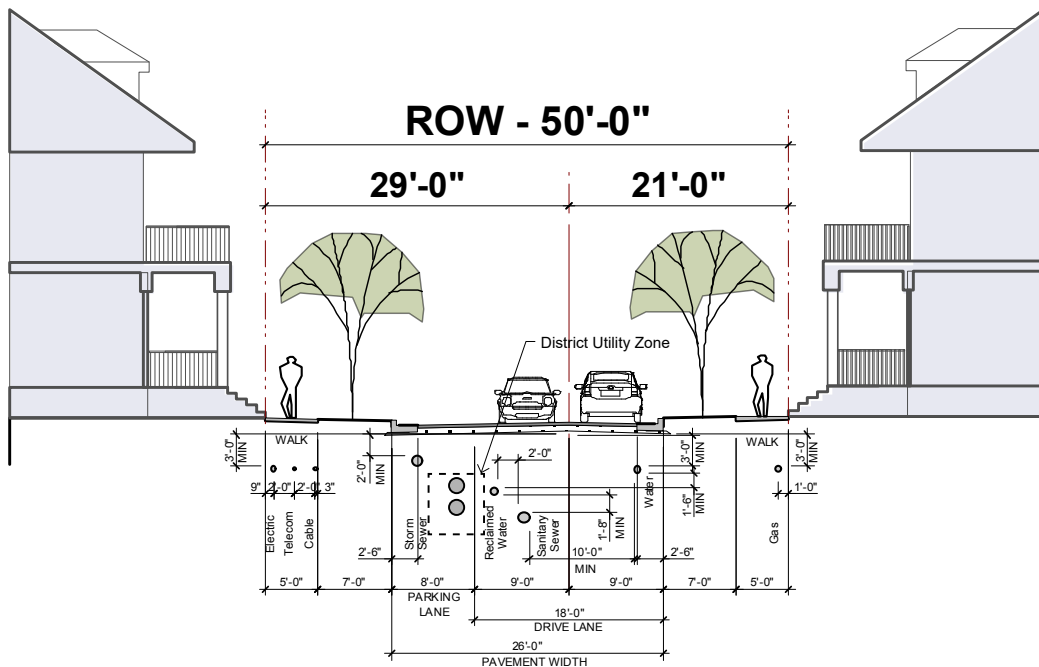
Note: Curb radius to be high-strength / reinforced

TABLE 4D. THOROUGHFARE CROSS SECTIONS

TABLE 4D: Thoroughfare Cross Sections. These Thoroughfares Cross Sections are assembled from the some of the typical Thoroughfares that appear in Table 4C and represent Standard Street Cross Sections Showing Utilities.

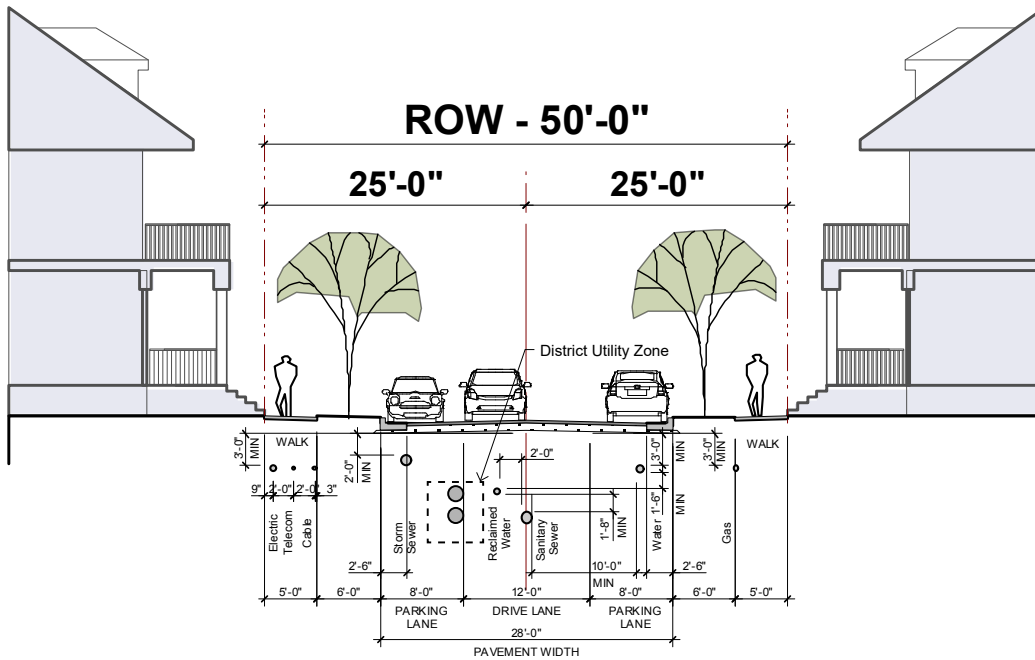


ST-50-26 without Rear Lane
Thoroughfare Sections with Utilities

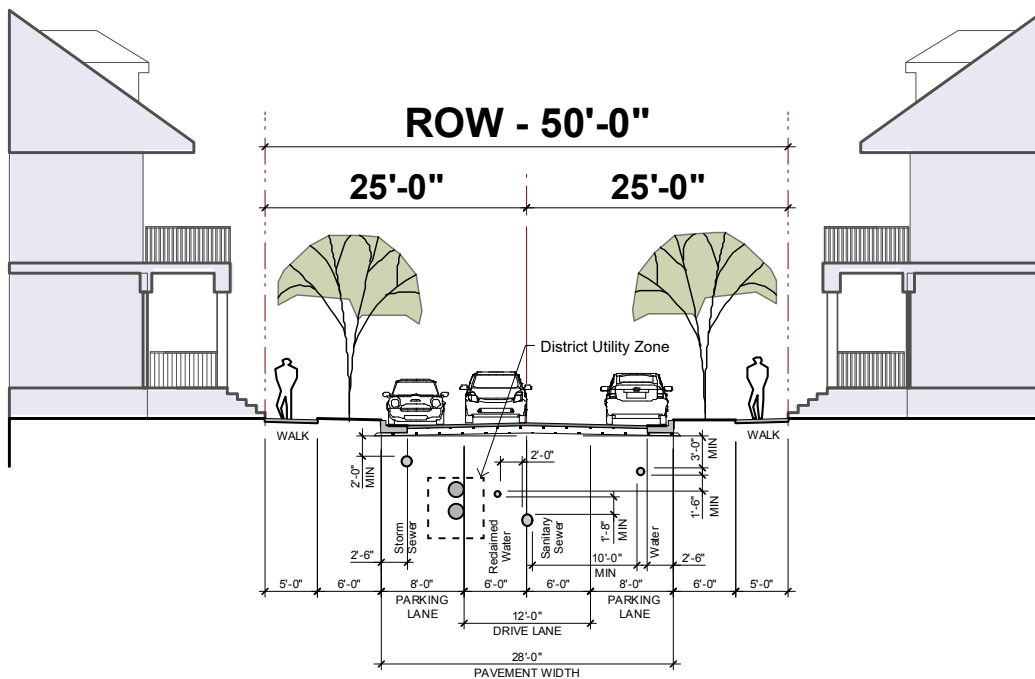


ST-50-26 with Rear Lane
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS

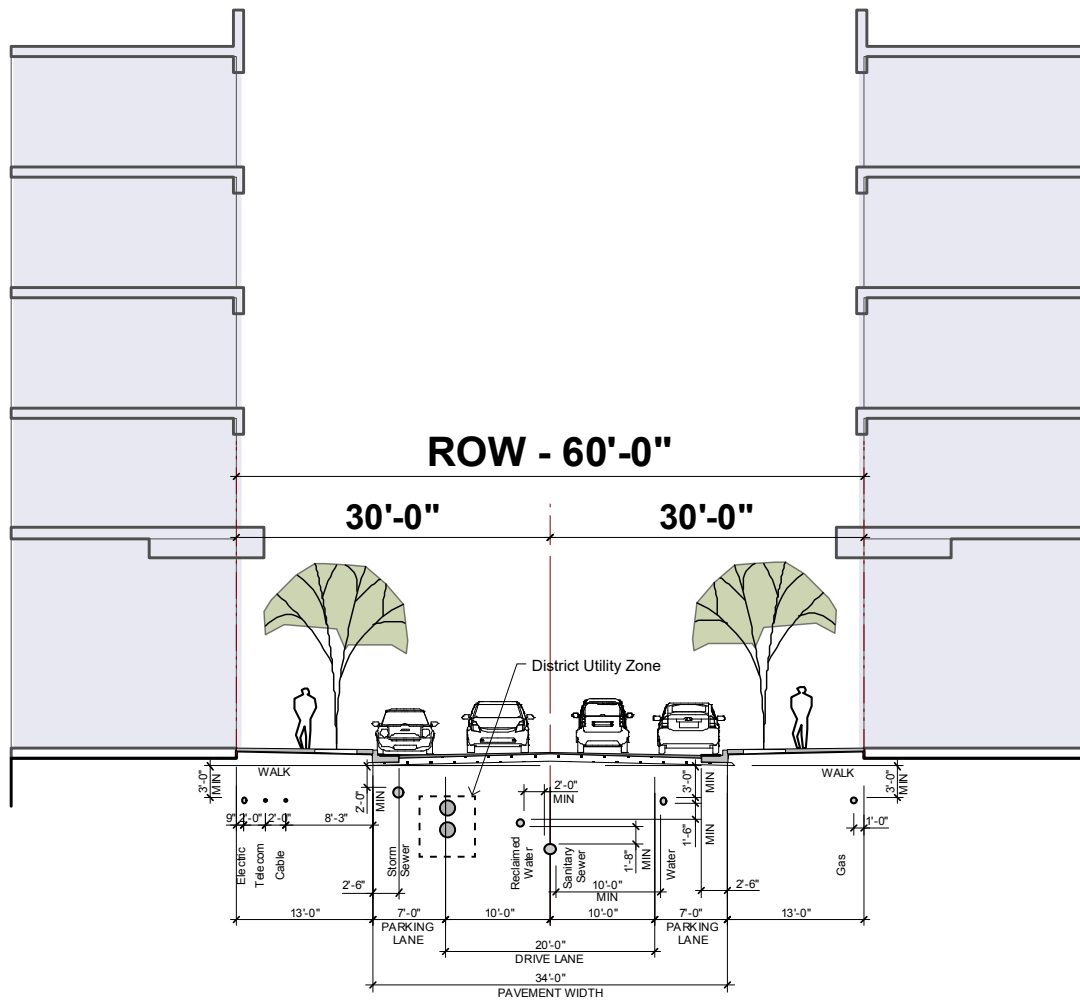


ST-50-28 without Rear Lane
Thoroughfare Sections with Utilities



ST-50-28 with Rear Lane
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS



CS-60-34 without Rear Alley
Thoroughfare Sections with Utilities

TABLE 4D. THOROUGHFARE CROSS SECTIONS

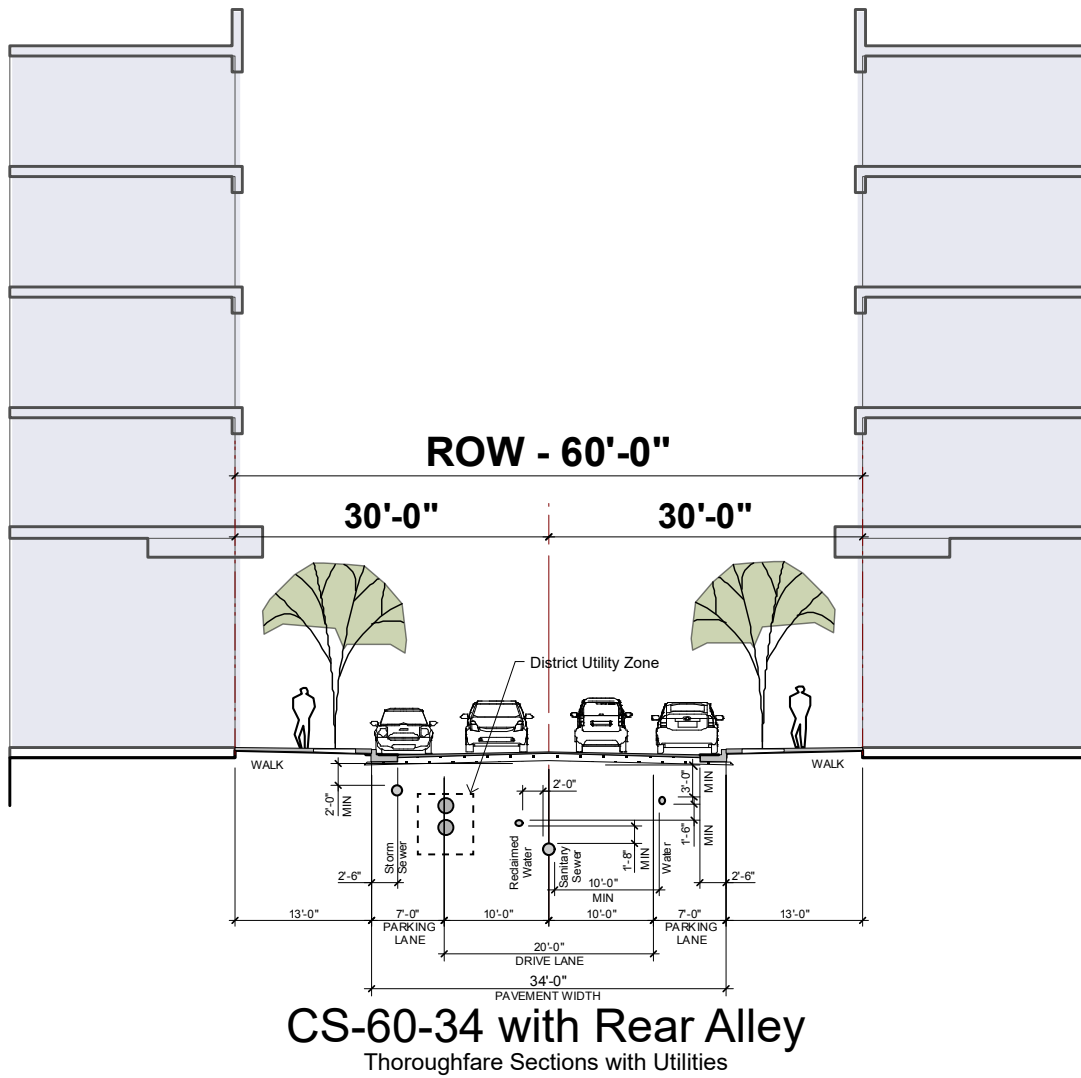


TABLE 4D. THOROUGHFARE CROSS SECTIONS

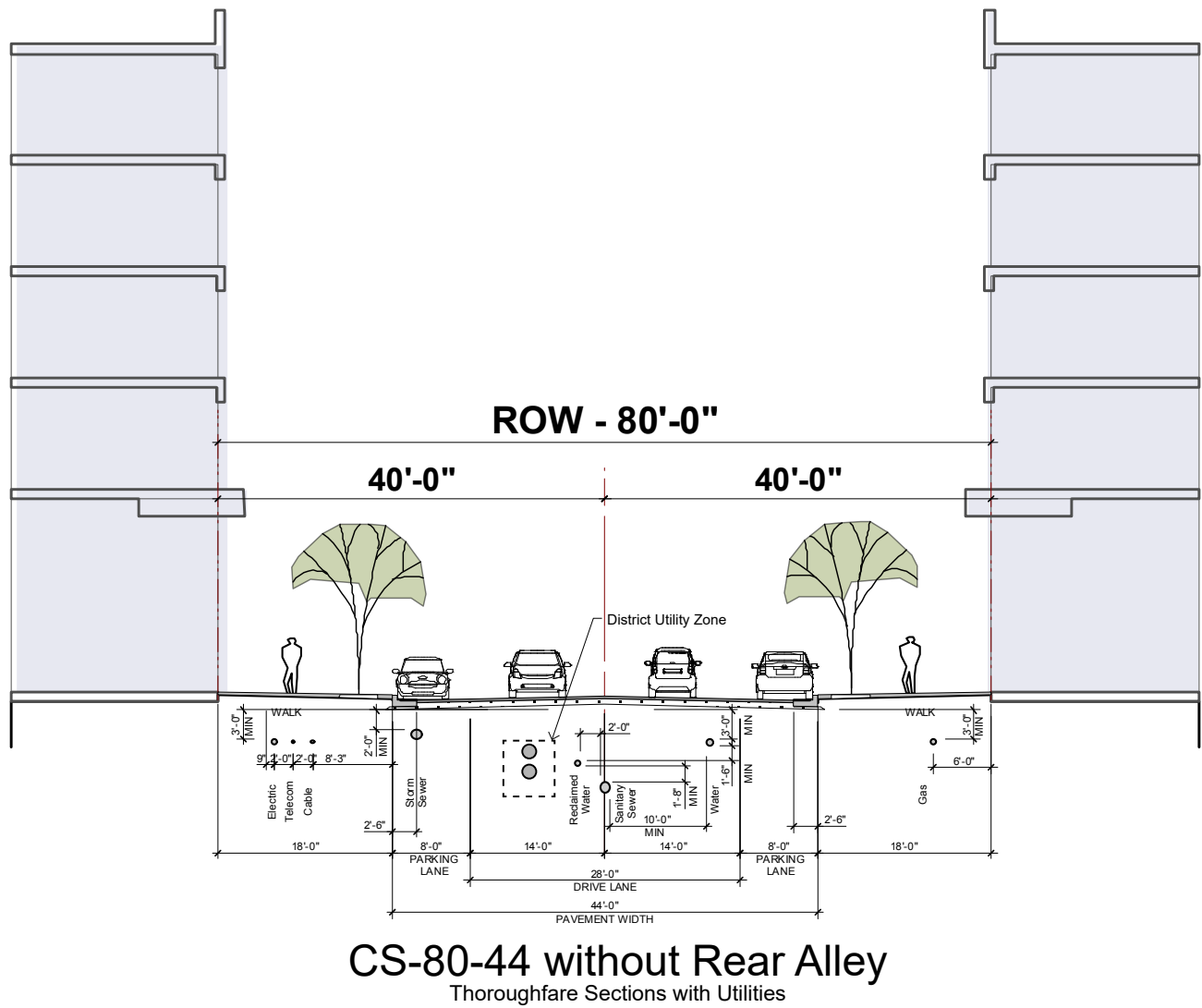


TABLE 4D. THOROUGHFARE CROSS SECTIONS

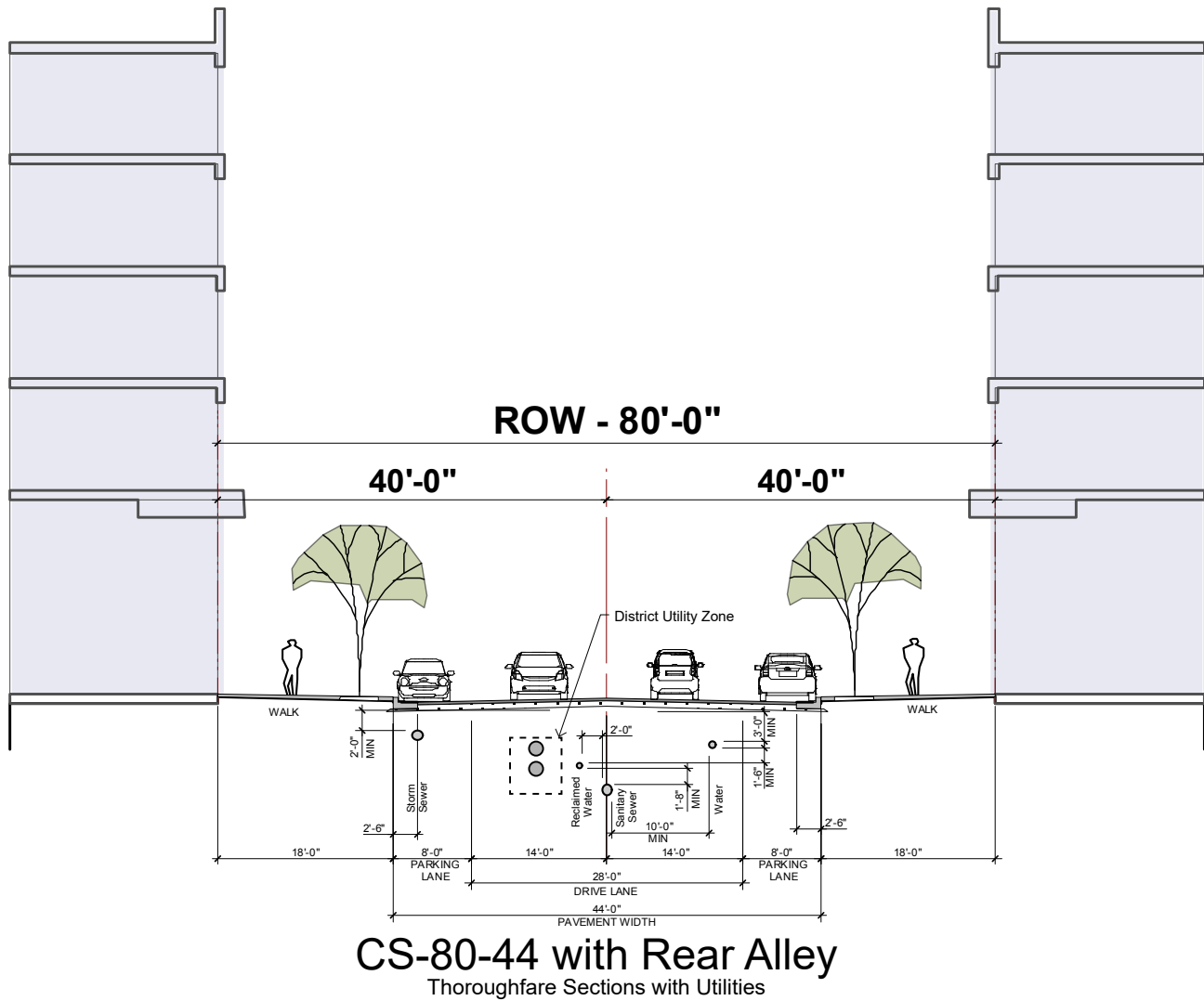
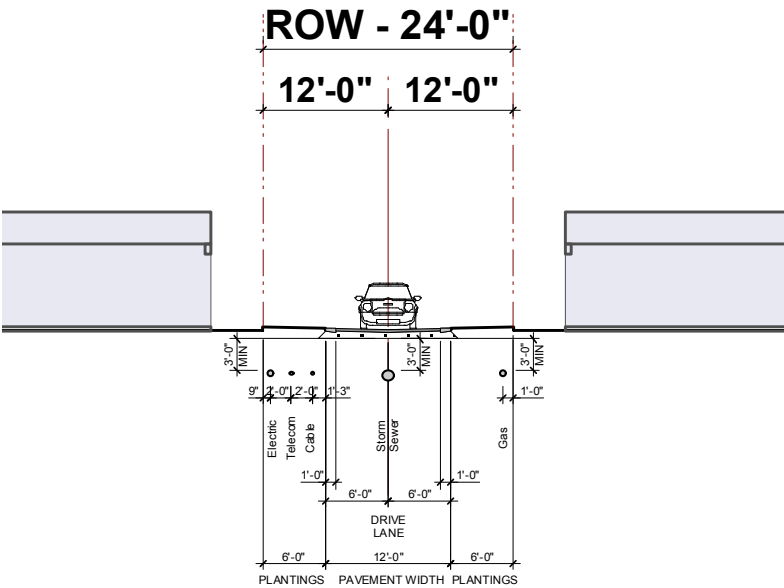
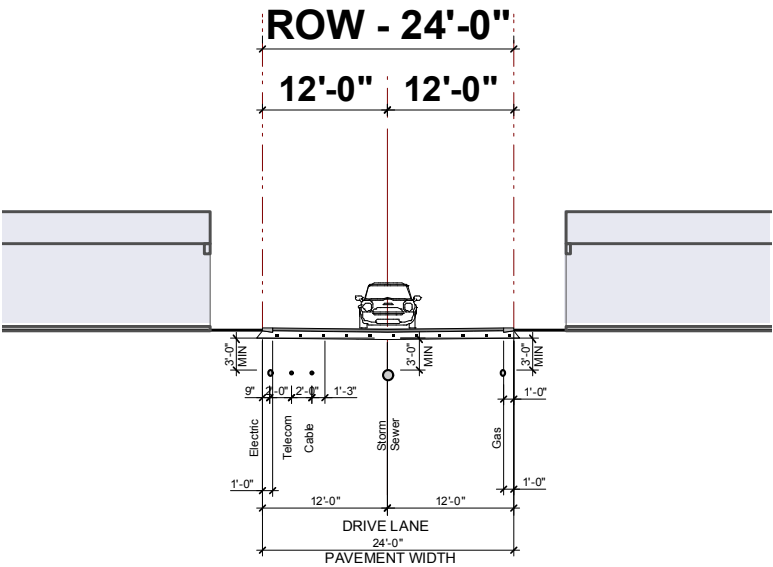


TABLE 4D. THOROUGHFARE CROSS SECTIONS



RL-12-24 Rear Lane
Thoroughfare Sections with Utilities



RA-24-24 Rear Alley
Thoroughfare Sections with Utilities

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows five common types of street tree shapes and their appropriateness within the Sustainable Zones. Provide adequate soil volumes for street trees set within hardscape. A registered professional shall prepare a landscape plan and provide planting details to ensure adequate soil preparation for the size and species proposed on the plan.

	OS	NG	NM	VC	UC	Native and Naturalized Plant List Table Page 27
Oval 	■	■	■	■	■	
Ball 	■	■	■	■	■	
Pyramid 	■	■	■	■	■	
Umbrella 	■	■	■	■	■	
Vase 	■	■	■	■	■	

TABLE 6. PUBLIC PLANTING

TABLE 6: Public Planting. This table shows a list of native and naturalized trees divided in five common types of street tree shapes and their appropriateness within the Sustainable Zones. Other types of hardy plant material are allowed with TRC approval.

<u>Oval Shape</u> (OS, NG, NM, VC, UC)		Tree Size*
Acer campestre	Hedge Maple	L
Acer truncatum	Purpleblow Maple	M
Carpinus caroliniana	American Hornbeam	M
Pistacia chinensis cultivar "Keith Davey"	Chinese Pistache	M
Tilia americana	American Linden	L
Tilia cordata	Littleleaf Linden	M
<u>Ball Shape</u> (OS, NG, NM, VC, UC)		
Acer barbatum	Southern Sugar Maple	M
Acer buergerianum	Trident Maple	S
Acer ginnala	Amur Maple	M
Amelanchier arborea	Downy Serviceberry	M
Platanus X acerifolia	London Planetree	L
Quercus coccinea	Scarlet Oak	L
Quercus lyrata	Overcup Oak	L
Quercus phellos	Willow Oak	L
Quercus shumardii	Shumard Oak	L
Quercus virginiana	Live Oak	L
<u>Pyramid Shape</u> (OS, NG, NM)		
Carpinus betulus	European Hornbeam	M
Cryptomeria japonica	Japanese Cryptomeria	M
Ginkgo biloba (Male only)	Ginkgo	L
Ilex opaca	American Holly	L
Juniperus virginiana	Eastern Redcedar	L
Magnolia grandifolia	Southern Magnolia	L
Metasequoia glyptostroboides	Dawn Redwood	L
Nyssa sylvatica	Black Gum	L
<u>Umbrella Shape</u> (OS, NG, NM)		
Celtis laevigata	Sugar Hackberry	L
Cornus florida	Flowering Dogwood	S
Gleditsia triacanthos var. inermis	Thornless Honey Locust	M
Koeleria paniculata	Golden Rain Tree	M
Ostrya virginiana	Ironwood	L
Ulmus parvifolia	Lacebark Elm	L
Vitex agnus-castus	Chaste Tree	S
Zelkova serrata	Japanese Zelkova	L
<u>Vase Shape</u> (OS, NG, NM)		
Acer ginnala	Amur Maple	M
Cercis canadensis	Eastern Redbud	S
Chionanthus virginicus	Fringetree	S
Lagerstroemia indica	Crape Myrtle	S/M
Styrax japonica	Japanese Snowbell	S

* Tree Size

Small Tree (S): Trees with a mature height of less than 20 feet tall. Small trees shall be planted in permeable areas no less than 6' x 8' and 3' minimum depth of soil preparation per Town of Apex standards.

Medium Tree (M): Trees with mature height between 20 and 30 feet tall. Medium trees shall be planted in permeable areas no less than 6' x 8' and 3' minimum depth of soil preparation per Town of Apex standards

Large Trees (L): Trees with mature height above 30 feet tall. Large trees shall be planted in permeable areas no less than 10' x 12' and 3' minimum depth of soil preparation per Town of Apex standards

TABLE 7. PRIVATE FRONTAGES

TABLE 7: Private Frontages. The Private Frontage is the area between the building Facade and the Lot line. Note that buildings in B-Grid Zones reflect automobile-oriented standards with parking permitted in front and larger building setbacks.

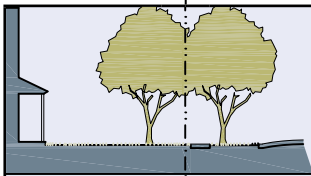
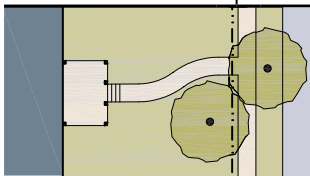
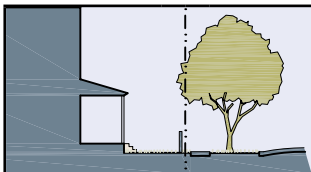
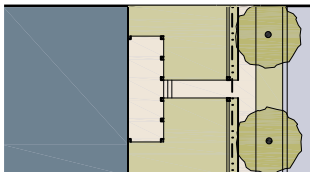
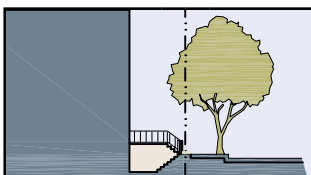
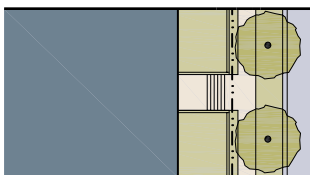
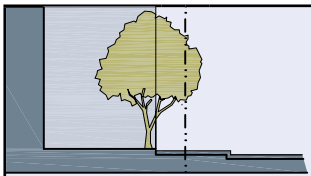
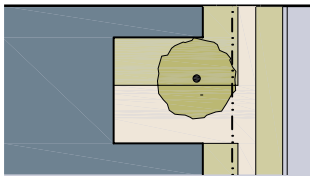
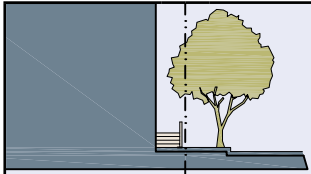
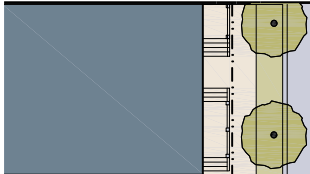
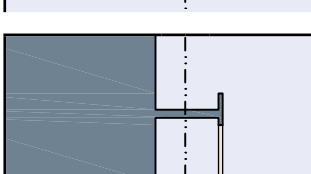
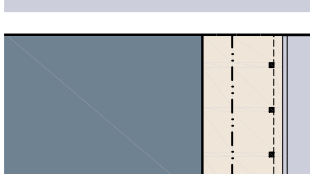
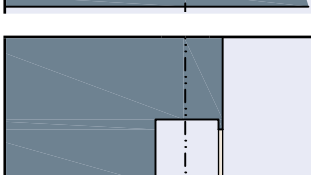
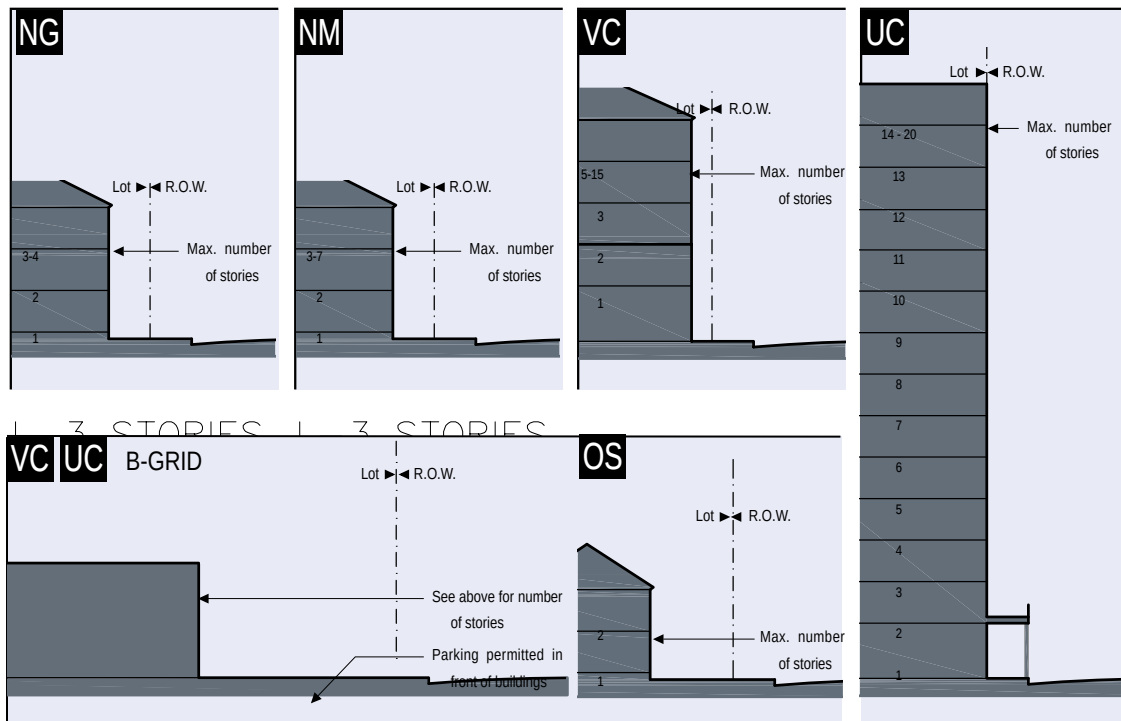
	SECTION	PLAN			
	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	
a. Common Yard - A-Grid: a planted Frontage wherein the Facade is set back from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. Common Yard - B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping			OS NG NM VC UC		
b. Porch: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence, low wall or slope at the Frontage Line may be used to maintain street spatial definition. Porches shall be no less than 8 feet deep.			OS NG NM VC UC		
c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace and/or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.			NM VC UC		
d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.			OS NM VC UC		
e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.			OS NG NM VC UC		
f. Shopfront - A-Grid: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have awning or canopies that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage. Shopfront- B-Grid: a Frontage that permits parking in the front Layer with perimeter landscaping			OS NG NM VC UC		
g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb.			NM VC UC		
h. Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide (clear) and should overlap the Sidewalk to within 2 feet of the Curb. See Table 8.			VC UC		

TABLE 8. BUILDING CONFIGURATION

TABLE 8: Building Configuration. This table shows the Configurations for different building heights for each Sustainable Zone. Maximum number of stories specified in Table 14k. Regardless of the number of stories, maximum height of a multi-story building shall not exceed 400 feet.



* UC not in excess of 20 stories without specific site plan review and approval by Council.

Stepbacks/Arcade/Gallery Heights. The diagrams below show Arcade and Gallery Frontages. Diagrams above apply to all other Frontages.

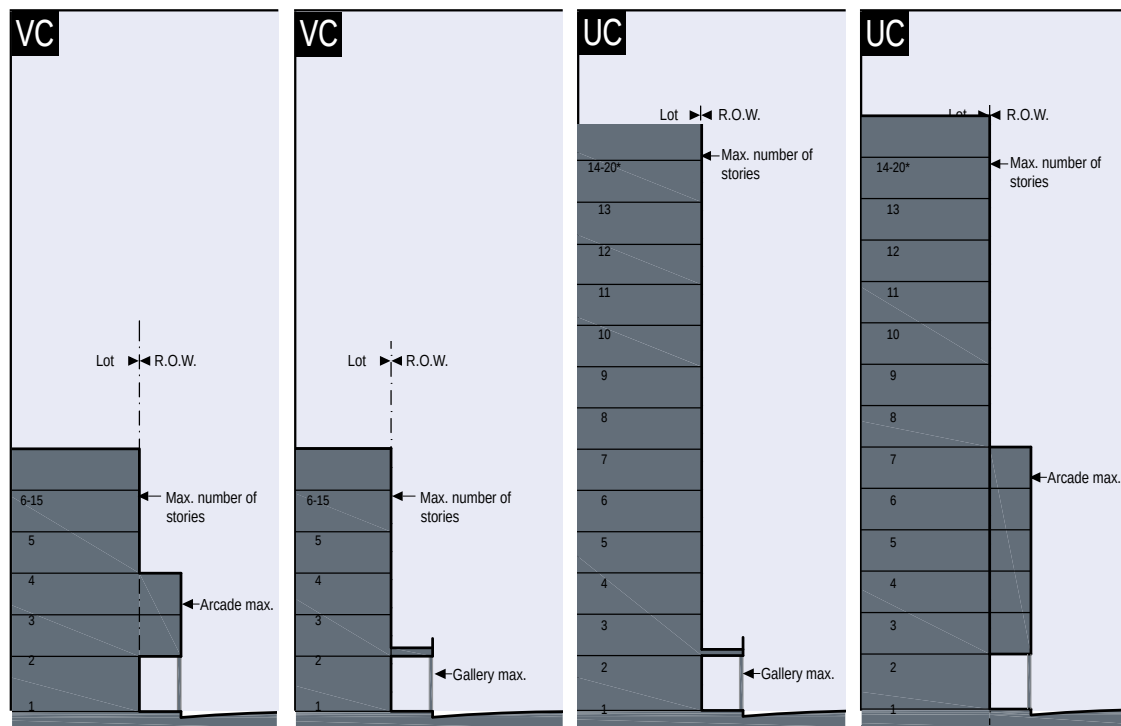
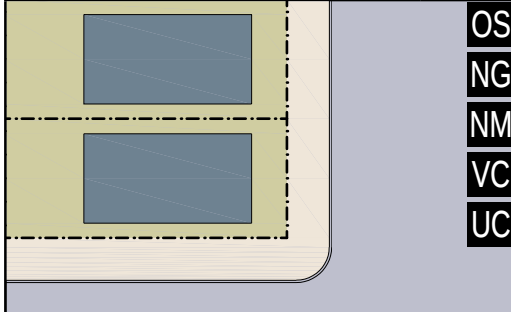
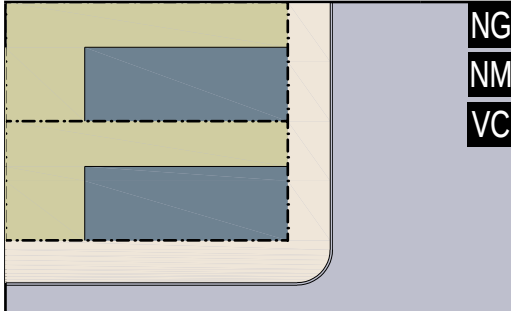
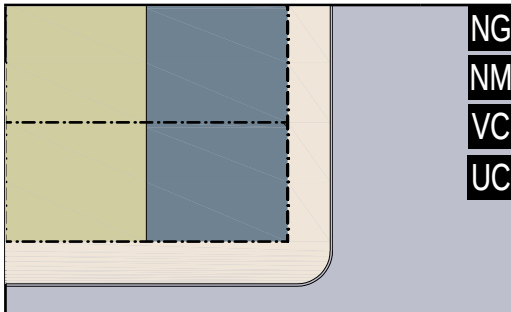
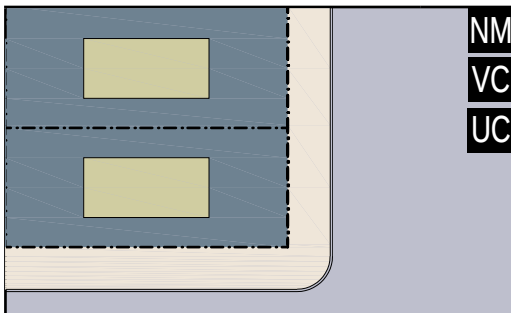


TABLE 9. BUILDING DISPOSITION

TABLE 9: Building Disposition. This table depicts the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Sustainable Zone.

a. Edgeyard - A-Grid: A building that occupies the center of its Lot with Setbacks on all sides. The front yard is visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding. Edgeyard - B-Grid (VC & UC Zones): A building that occupies the center of its Lot with Setbacks on all sides. The front Layer side and rear yards may be used for parking. This is the least urban of types as the building Facade sets back from the Frontage. The rear yard can be used for truck access and may be secured for privacy by fences.	 OS NG NM VC UC
b. Sidyard: A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze.	 NG NM VC
c. Rearyard: A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard for residential and as building, sole yard or structured parking for other uses. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Townhouse. For its Commercial form, the rear yard can accommodate substantial parking.	 NG NM VC UC
d. Courtyard: A building that occupies the boundaries of its Lot while internally defining one or more private spaces. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides.	 NM VC UC

TABLES 10 & 11. BUILDING FUNCTION & PARKING CALCULATIONS

TABLE 10: Building Function. This table categorizes Building Functions within Sustainable Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Administrative Approval, see Table 12. The Commercial Function of a Live-Work unit may be anywhere in the unit. It may be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry.

	OS NG	NM	VC UC
a. RESIDENTIAL	Residential: The number of single family dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 800 sf, excluding the enclosed parking area. See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). See Table 11A for required parking.	Residential: The number of dwellings on each Lot is calculated by the minimum requirement of 1.0 parking places per dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). Parking requirements may be satisfied off-site per Section 5.7. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.
b. LODGING	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. Food service may be provided in the a.m. Not applicable for OS.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. Food service may be provided at all times.	Lodging: The number of bedrooms available on each Lot for lodging is calculated by the minimum requirement of 0.5 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function. Parking requirements may be satisfied off-site per Section 5.7.
c. OFFICE / MANUFACTURING	Office/Manufacturing: The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to the parking requirement for any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use. Not applicable for OS.	Office/Manufacturing: The building area available for office may include the Accessory building, and by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross office space in addition to any parking requirement for other uses.	Office/Manufacturing: The building area available for office use on each Lot is calculated by the minimum requirement of 1.6 assigned parking places per 1000 square feet of gross office space. Parking requirements may be satisfied off-site per Section 5.7.
d. RETAIL	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to the parking requirement of any dwellings. The specific use shall be further limited to 8,000 SF for any single tenant use, or food service seating no more than 100.	Retail: The building area available for Retail use is calculated by the minimum requirement of 3.0 assigned parking places per 1000 square feet of gross Retail space in addition to any parking requirement for other uses. The specific use shall be further limited by Table 12 to include, but not be limited to neighborhood stores, or food service seating no more than 120.	Retail: The building area available for Retail use is calculated by the minimum requirement of 2.5 assigned parking places per 1000 square feet of gross Retail space. Retail spaces under 1500 square feet are exempt from parking requirements. Parking requirements may be satisfied off-site per Section 5.7.
e. CIVIC	See Table 12	See Table 12	See Table 12
f. OTHER	See Table 12	See Table 12	See Table 12

TABLE 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available. Within the overlay area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted downward by 30%.

REQUIRED PARKING (See Table 10)

	OS NG	NM	VC UC
RESIDENTIAL	See Table 11A	See Table 11A	1.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom	0.5 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	1.6 / 1000 sq. ft.
RETAIL	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.5 / 1000 sq. ft.
CIVIC	Determined by the Planning Director or Planning Director's designee		
OTHER	Determined by the Planning Director or Planning Director's designee		

SHARED PARKING FACTOR

Function	with	Function
RESIDENTIAL		RESIDENTIAL
LODGING		LODGING
OFFICE		OFFICE
RETAIL		RETAIL

Diagram illustrating the Shared Parking Factor for combinations of functions. The factors are shown in a diamond shape, representing the intersection of functions. The factors are: 1.0 for Residential/Residential, 0.5 for Lodging/Lodging, 1.6 for Office/Office, 2.5 for Retail/Retail, 1.1 for Residential/Lodging, 1.1 for Lodging/Residential, 1.4 for Residential/Office, 1.4 for Office/Residential, 1.7 for Residential/Retail, 1.7 for Retail/Residential, 1.3 for Lodging/Office, 1.3 for Office/Lodging, 1.2 for Lodging/Retail, 1.2 for Retail/Lodging, 1.1 for Office/Retail, and 1.1 for Retail/Office.

TABLE 11A. PARKING

Single Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

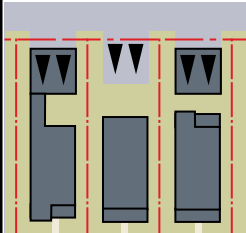
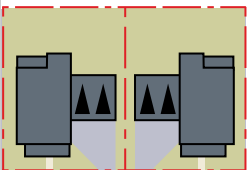
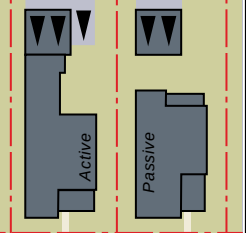
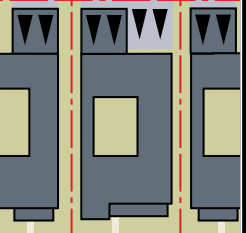
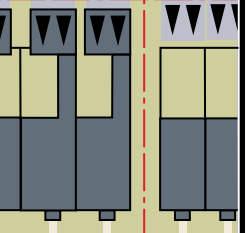
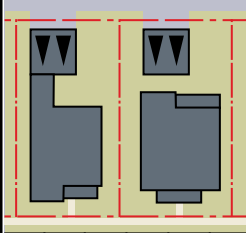
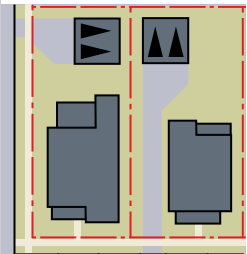
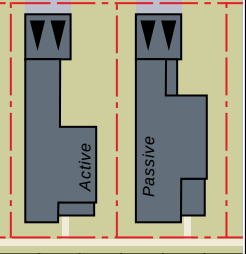
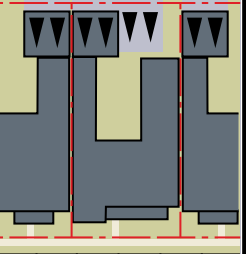
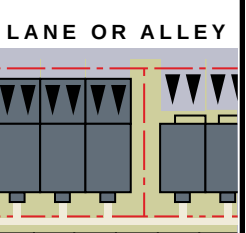
NG NM	NG NM	NG NM	NM	NG NM
Detached House	Detached House	Sideyard House	Courtyard House	Townhouse
<i>Rear Loaded (Typical)</i> LANE  STREET	<i>Front Loaded (Atypical)</i>  STREET	LANE  STREET	LANE  STREET	LANE OR ALLEY  STREET
<i>Rear Loaded (Typical)</i> LANE  STREET	<i>Front Loaded (Atypical)</i>  STREET	LANE  STREET	LANE  STREET	LANE OR ALLEY  STREET
Detached House: an edge yard building type. A single-family dwelling on small to large lots, shared with an accessory building in the rear yard. NG Required Parking: 2 Off-Street NM Required Parking: 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	Detached House: an edge yard building type. A single-family dwelling on medium to large lots, shared with an accessory building in the rear yard and front or side driveway where alley is not available (atypical condition). NG Required Parking: 2 Off-Street NM Required Parking: 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	Sideyard House: a sideyard building type. A single-family dwelling which occupies one side of the lot, with the primary yard to the other side, shared with ancillary building in the rear yard. NG Required Parking: 2 Off-Street NM Required Parking: 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	Courtyard House: a courtyard building type which surrounds one or more private yards. This is a functionally flexible type as it is able to shield the private open space from a public realm of great intensity. NM Required Parking: 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.	Townhouse: a rear yard building type. A single family dwelling with common walls on the side lot lines, the facades forming a continuous frontage line. Rowhouses are the highest density type able to provide private yards.. NG Required Parking: 2 Off-Street NM Required Parking: 2 Off-Street Table 11 Shared Parking Factor does not apply to this use.

TABLE 11A. PARKING

Townhome and Multi-Family Residential Building Types. This parking diagram illustrates the parking locations for on and off street parking for the various residential building types within the Neighborhood General and Neighborhood Mixed-Use Zones. Parking is calculated by the minimum requirement of 0.75 parking places per dwelling for Independent Living.

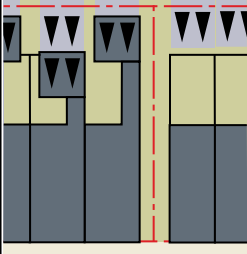
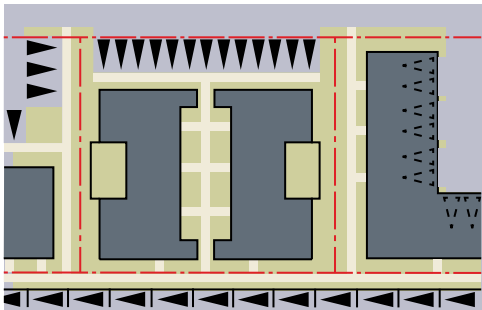
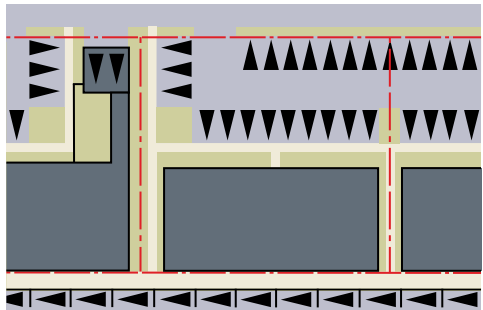
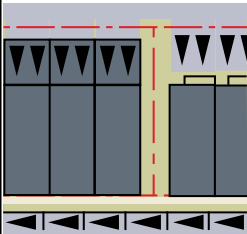
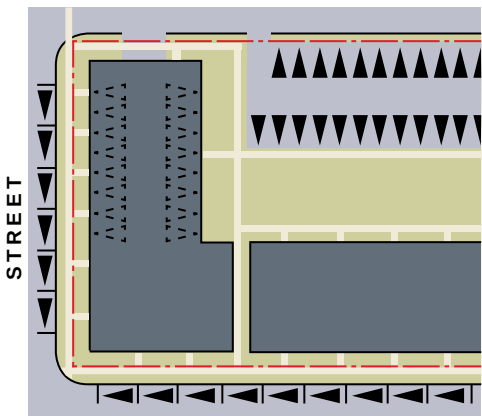
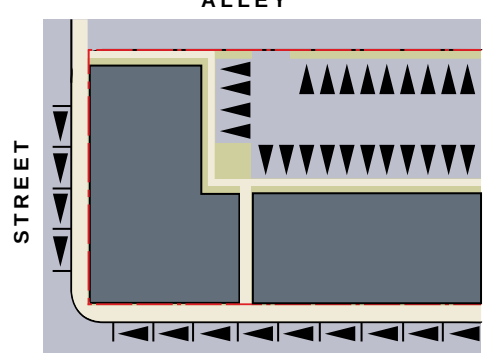
NG NM Live-Work	NM Multi-Family or Apartment	NG NM Mixed Use
LANE OR ALLEY  STREET	LANE OR ALLEY  STREET	LANE OR ALLEY  STREET
LANE OR ALLEY  STREET	LANE OR ALLEY  STREET	ALLEY  STREET
Live-Work: a rear yard, fully mixed use building type with one dwelling above or behind a commercial space. NG Required Parking: 2 Off-Street 1 On-Street NM Required Parking: 2 Off-Street 1 On-Street Table 11 Shared Parking Factor does not apply to this use.	Multi-Family or Apartment: a rear yard residential building type accommodating multiple dwellings disposed above and beside each other, with individual or sharing entries. Parking may be on the surface, structured or underground. NM Required Parking: 1.25 Parking Spaces per Unit	Mixed Use Building or Mixed Use Block: a rear yard, flexible commercial building type with residential uses above. Commercial buildings may have floor plates deeper than residential ones. NG Required Parking (Residential): 1.50 Off-Street Spaces per Unit NM Required Parking (Residential): 1.25 Off-Street Spaces per Unit

TABLE 12. SPECIFIC FUNCTION & USE

TABLE 12: Specific Function & Use. This table expands the categories of Table 10 to delegate specific Functions and uses within Sustainable Zones. Table 12 has been customized for local character and requirements. The Sustainable Development District provides for the following uses to be permitted within the Sustainable Zones.

Permitted (P): The permitted uses for the District

Permitted (b): The permitted uses for the District on B-Grid Thoroughfares and within B-Grid Zones only

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
a. RESIDENTIAL					
Accessory Unit or Building		P	P	P	
Condominium			P	P	P
Congregate living facility *			P	P	P
Duplex		P	P		
Family care home *		P	P		
Farm residence	P	P	P		
Historic Site, Adaptive Use	P	P	P	P	P
Independent living		P	P	P	P
Multi-family or apartment			P	P	P
Nursing or convalescent facility *			P	P	P
Single-family		P	P	P	
Townhouse		P	P	P	P
Townhouse, detached		P			
Triplexes or quadplexes			P	P	
Live-Work		P	P	P	P
Modular Construction		P	P	P	P
Mixed Use Block		P	P	P	P
b. PUBLIC/CIVIC USES					
Ambulatory healthcare facility				P	P
Amphitheater **	P	P	P	P	P
Assembly hall, nonprofit			P	P	P
Church, or place of worship		P	P	P	P
Cemetery	P	P	P	P	P
Day care facility		P	P	P	P
Government service		P	P	P	P
Heliport or helipad	P		P	P	P
Hospital				P	P
Natorium **	P		P	P	P
Restrooms	P	P	P	P	P
Picnic Shelter **	P	P	P	P	P
School, public or private **		P	P	P	P
Transportation facility				P	P
Veterinary clinic or hospital			P	P	P
c. UTILITIES					
Communication tower, (Commercial; Stealth)	P	P	P	P	P
Communication or water tower Integrated Into building or structure (Camouflage Stealth)	P	P	P	P	P
Utility, Minor	P			P	P
Power facility	P			P	P
Renewable Energy Facilities	P	P	P	P	P
d. RECREATIONAL USES					
Arena, auditorium, or stadium **	P			P	P
Entertainment, indoor **				P	P
Entertainment, outdoor **	P		P	P	P
Greenway	P	P	P	P	P
Horse boarding and riding stable **	P				
Park, active	P	P	P	P	P
Park, passive	P	P	P	P	P
Recreation facility, private	P	P	P	P	P
e. COMMUNICATIONS					
Broadcast station (radio and television)				b	P
Radio and television recording studio				b	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
f. FOOD AND BEVERAGE SERVICE					
Concessions	P		P	P	P
Restaurant, drive-through				P	b
Restaurant, general	P		P	P	P
Bar or nightclub			P	P	P
g. OFFICE LAB AND RESEARCH					
Dispatching office				P	P
Historic site – adaptive use	P	P	P	P	P
Medical or dental clinic or office			P	P	P
Medical or dental laboratory				P	P
Office, business or professional			P	P	P
Publishing office			P	P	P
Research facility				P	P
h. PARKING, COMMERCIAL					
Parking Garage (deck), commercial			P	P	P
Parking Garage (deck) private			P	P	P
Parking lot, commercial				P	P
Parking lot, surface	P	P	P	P	P
i. LODGING					
Bed and breakfast (up to 5 rooms)		P	P	P	P
Bed and breakfast (up to 12 rooms)			P	P	P
Hotel or motel			P	P	P
Conference Center				P	P
Convention Center					P
School Dormitory				P	P
j. RETAIL SALES AND SERVICE					
Barber and beauty shop		P	P	P	P
Bookstore		P	P	P	P
Building Supplies, Retail				b	b
Convenience store			P	P	P
Convenience store with gas sales			P	P	P
Dry cleaners and laundry service		P	P	P	P
Farmer's market	P	P	P	P	P
Financial institution			P	P	P
Floral shop		P	P	P	P
Funeral home			P	P	P
Gas and fuel, retail				P	P
Greenhouse or nursery, retail			P	P	P
Grocery, general				P	P
Grocery, specialty		P	P	P	P
Health/fitness center or spa			P	P	P
Kennel, indoor				P	P
Laundromat			P	P	P
Newsstand or gift shop		P	P	P	P
Personal service			P	P	P
Pharmacy			P	P	P
Printing and copying service			P	P	P
Real estate sales		P	P	P	P
Retail Kiosk	P		P	P	P
Retail sales, bulky goods				b	b
Retail sales, general		P	P	P	P
Studio for art		P	P	P	P
Tailor shop		P	P	P	P
Theater				P	P
Shopping Center				P	P
k. VEHICLE REPAIR AND SERVICE					
Automotive paint or body shop					
Automotive parts				P	P
Automotive service station				P	P
Car wash or auto detailing				P	P
Repair services limited				P	P
Vehicle inspection center				P	P

TABLE 12. SPECIFIC FUNCTION & USE

SUSTAINABLE ZONE	OS	NG	NM	VC	UC
I. INDUSTRY, MANUFACTURING, STORAGE					
Biotechnology and Medical Devices				P	P
Information Technology and High Performance Computing				P	P
Manufacturing				P	P
Nanotechnology and Advanced Materials				P	P
Retail Storage within Retail spaces		P	P	P	P
Smart Power and Green Technology	P			P	P
Self-service storage			P	P	P
Warehousing				b	b
m. FOOD PRODUCTION (SEE TABLE 19)					
Farm	P				
Agricultural plots	P	P			
Vegetable gardens		P	P	P	P
Urban farms	P	P	P	P	
Community gardens	P	P	P	P	P
Green roofs		P	P	P	P
Vertical farms			P	P	P

If an application is submitted for a use type that is not permitted by Table 12 in one or more of the Sustainable Zones and the use type is not one prohibited by the UDO, the Planning Director shall be authorized to make a similar use interpretation based on the use categories Listed in Table 12. If the Planning Director determines that the proposed use does not fit any of the use categories, no similar use interpretation shall be made and the use shall not be permitted.

Any land uses not specially dealt with in this Table but otherwise permitted by the UDO and not excluded by any provision of this SD Plan are subject to a similar use interpretation by the Planning Director and if found to be similar to a use permitted by this Table shall be allowed within all sustainable zones in which the similar use is allowed.

- * For the purposes of density and parking, dwelling rooms shall be treated as 0.2 dwelling units with parking per the multi-family requirements.
- ** The building and any portion of the lot routinely accessible to the public shall be included in the acreage designated pursuant to SD Plan 3.1.3.c.

TABLE 13. CIVIC SPACE

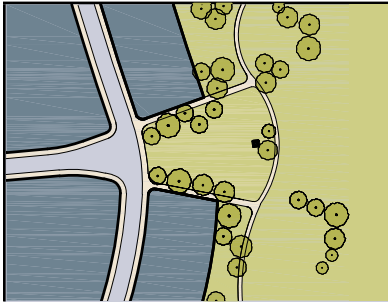
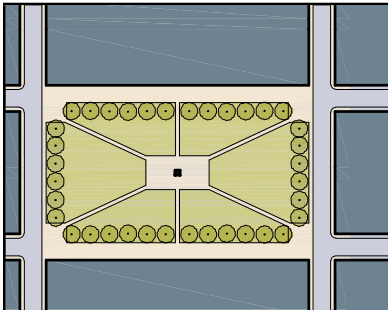
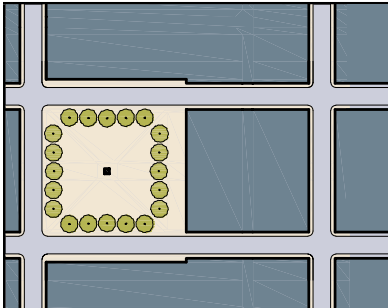
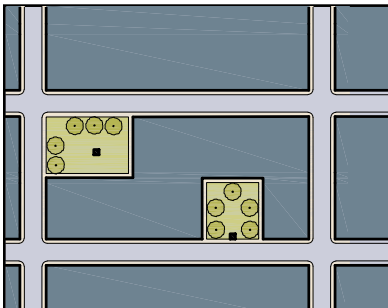
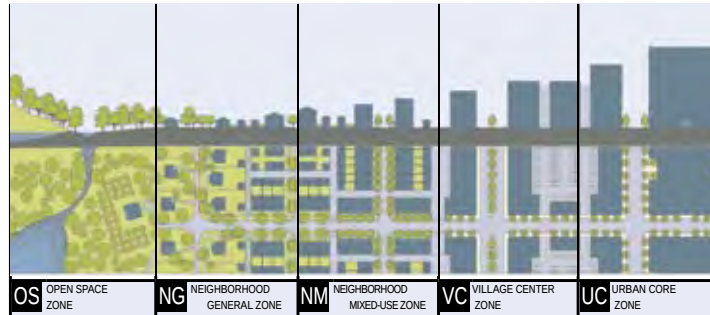
a. Park: A natural preserve available for unstructured recreation or a park for active recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.	 OS NG NM VC UC
b. Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/4 acre and the maximum shall be 8 acres.	 NG NM VC
c. Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.	 NM VC UC
d. Plaza: A public or private Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre and the maximum shall be 2 acres.	 VC UC
e. Playground: An Open Space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Parks and Greens. There shall be no minimum or maximum size. Dog Parks: An Open Space designed as a safe place where dogs may play and get exercise while not on a leash. Dog Parks shall be fenced and may be interspersed within Residential areas. They may be placed within a Block or included within Parks and Greens. There shall be no minimum or maximum size.	 OS NG NM VC UC

TABLE 14. FORM-BASED CODE SUMMARY

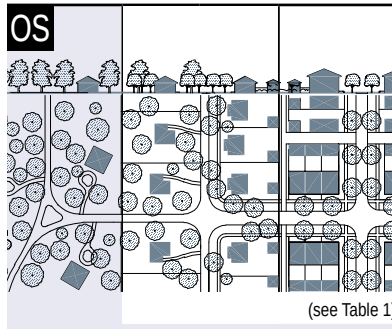


a. ALLOCATION OF ZONES					
Minimum Acres	not applicable	75 acres	50 acres	215 acres	135 acres
Min Acres for Non-Residential	variable	3 acres	7 acres	120 acres	75 acres
b. DENSITY (see Sustainable Development Concept Map)					
By Right - DUA	not applicable	20 units / ac. gross	40 units / ac. gross	80 units / ac. gross	100 units / ac. gross
By Right - Other Uses - FAR	permitted	2.00 / ac. gross	4.00 / ac. gross	6.00 / ac. gross	12.00 / ac. gross
Maximum Impermeable Surface	30%	65%	75%	90%	100%
c. BLOCK SIZE					
Block Perimeter: A-Grids	no maximum	3000 ft. max	2400 ft. max	2000 ft. max *	2000 ft. max *
Block Perimeter: B-Grids	not applicable	not applicable	not applicable	* 3500 ft max with parking structures	
d. THOROUGHFARES (see Table 3 and Table 4)					
Highway (HW)	permitted	permitted	not permitted	not permitted	not permitted
Boulevard (BV)	not permitted	not permitted	not permitted	permitted	permitted
Avenue (AV)	not permitted	permitted	permitted	permitted	permitted
Commercial Street (CS)	not permitted	not permitted	not permitted	permitted	permitted
Drive (DR)	not permitted	permitted	permitted	permitted	permitted
Street (ST)	permitted	permitted	permitted	permitted	not permitted
Road (RD)	permitted	permitted	not permitted	not permitted	not permitted
Rear Lane (RL)	permitted	permitted	permitted	not permitted	not permitted
Rear Alley (RA)	not permitted	permitted	required	required	required
Path (PT)	permitted	permitted	permitted	not permitted	not permitted
Passage (PS)	not permitted	permitted	permitted	permitted	permitted
Bicycle Trail (BT)	permitted	permitted	not permitted *	not permitted *	not permitted *
Bicycle Lane (BL)	permitted	permitted	permitted	permitted	permitted
Bicycle Route (BR)	permitted	permitted	permitted	permitted	permitted
e. CIVIC SPACES (see Table 13)					
Park	permitted	permitted	permitted	permitted	permitted
Green	not permitted	permitted	permitted	permitted	permitted
Square	not permitted	not permitted	permitted	permitted	permitted
Plaza	not permitted	not permitted	not permitted	permitted	permitted
Playground	permitted	permitted	permitted	permitted	permitted
f. LOT OCCUPATION					
Lot Width: A-Grids	variable	25 ft. min 120 ft. max	18 ft. min 400 ft. max	18 ft. min 600 ft. max	18 ft. min 700 ft. max
Lot Width: B-Grids	not applicable	not applicable	not applicable	no max	no max
g. SETBACKS - PRINCIPAL BUILDING (see Table 15)					
(g.1) Front Setback (Principal)	10 ft. min	15 ft. min	6 ft. min	0 ft. min	0 ft. min
(g.2) Front Setback (Secondary)	5 ft. min	12 ft. min	6 ft. min	0 ft. min	0 ft. min
(g.3) Side Setback	5 ft. min	0 ft. min.	0 ft. min	0 ft. min	0 ft. min
(g.4) Rear Setback	5 ft. min	12 ft. min	3 ft. min	3 ft. min	0 ft. min
h. SETBACKS - OUTBUILDING (see Table 15)					
(h.1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	40 ft. max from rear prop	not applicable
(h.2) Side Setback	not applicable	0 ft. or 3 ft. min	0 ft. or 3 ft. min	0 ft. min	not applicable
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. min	not applicable
i. BUILDING DISPOSITION (see Table 9)					
Edgeyard	permitted	permitted	permitted	permitted	permitted
Sideyard	not permitted	permitted	permitted	permitted	not permitted
Rearyard	not permitted	permitted	permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted	permitted	permitted
j. PRIVATE FRONTAGES (see Table 7)					
Common Yard	permitted	permitted	permitted	permitted	permitted
Porch & Fence	permitted	permitted	permitted	permitted	permitted
Terrace or Lightwell	not permitted	not permitted	permitted	permitted	permitted
Forecourt	permitted	not permitted	permitted	permitted	permitted
Stoop	permitted	permitted	permitted	permitted	permitted
Shopfront	permitted	permitted	permitted	permitted	permitted
Gallery	not permitted	permitted	permitted	permitted	permitted
Arcade	not permitted	not permitted	permitted	permitted	permitted
k. BUILDING CONFIGURATION (see Table 8)					
Principal Building	1 to 2 Stories	4 Stories max	7 Stories max, 1 min	15 Stories, Note 2, 1 min	20 Stories, Note 1, 1 min
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	not applicable

ARTICLE 5
ARTICLE 2, 3, 4

Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.
Note 3: Accessory Structures shall be treated as Principal Buildings.

TABLE 15A. FORM-BASED CODE GRAPHICS - OS - OPEN SPACE



k. BUILDING CONFIGURATION (see Table 8)

Principal Building	2 stories max.
Outbuilding	not applicable.

f. LOT OCCUPATION (see Table 14f)

Lot Width	variable
-----------	----------

i. BUILDING DISPOSITION (see Table 9)

Edgeyard	permitted
Sidyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

(g.1) Front Setback Principal	10 ft. min
(g.2) Front Setback Secondary	5 ft. min
(g.3) Side Setback	5 ft. min
(g.4) Rear Setback	5 ft. min

h. SETBACKS - OUTBUILDING (see Table 14h)

(h.1) Front Setback	not applicable
(h.2) Side Setback	not applicable
(h.3) Rear Setback	not applicable

j. PRIVATE FRONTAGES (see Table 7)

Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	not permitted
Arcade	not permitted

Refer to Summary Table 14

PARKING PROVISIONS

See Table 10 & Table 11

*or 15 ft. from center line of alley

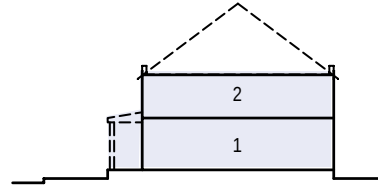
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:

1. Vinyl exterior material may be used in areas not in view of the public, such as service areas.
2. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

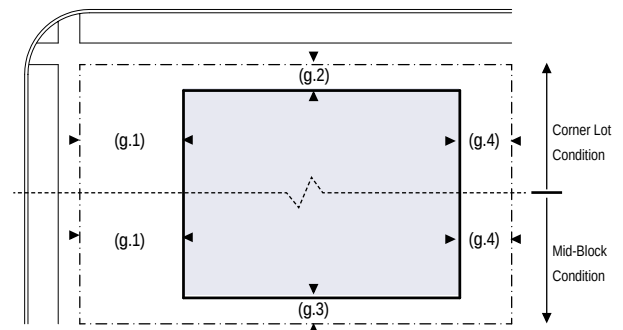
BUILDING CONFIGURATION

1. Stories exclude Attics and raised basements.



SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.
3. Accessory Structures shall be treated as Principal Buildings.



SETBACKS - OUTBUILDING

1. Not applicable

PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

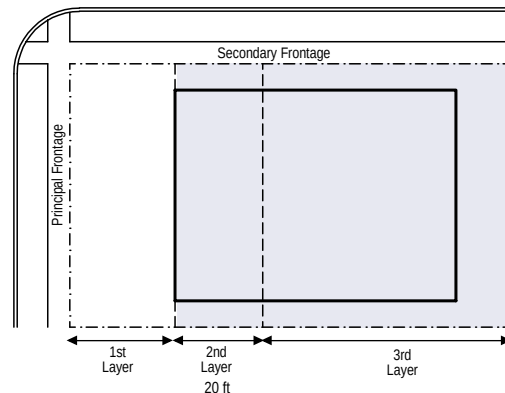
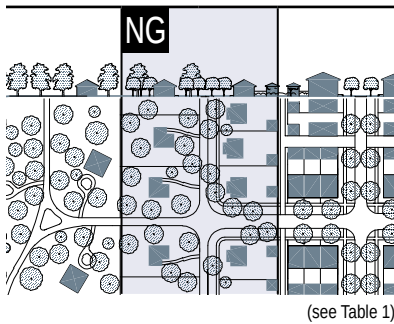


TABLE 15B. FORM-BASED CODE GRAPHICS - NG - NEIGHBORHOOD GENERAL



k. BUILDING CONFIGURATION (see Table 8)

Principal Building	4 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 14f)

Lot Width (Note 1)	25 ft. min 120 ft. max
--------------------	------------------------

i. BUILDING DISPOSITION (see Table 9)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

(g.1) Front Setback Principal	15 ft. min
(g.2) Front Setback Secondary	12 ft min.
(g.3) Side Setback	0 ft min.
(g.4) Rear Setback	12 ft min.

h. SETBACKS - OUTBUILDING (see Table 14h)

(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	0 ft. or 3 ft at corner
(h.3) Rear Setback	3 ft. min

j. PRIVATE FRONTAGES (see Table 7)

Common Lawn	permitted
Porch	permitted
Terrace or Lightwell.	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	not permitted

Refer to Summary Table 14

PARKING PROVISIONS

See Table 10 & Table 11

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

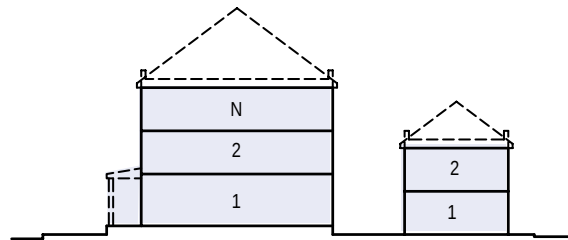
Note 1: Lot width reductions to 20' for single family and 18' for townhomes require specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

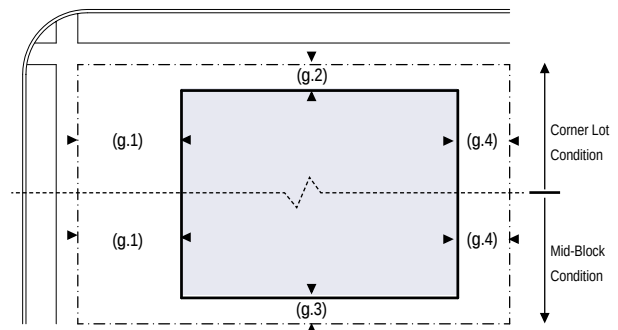
BUILDING CONFIGURATION

1. Stories exclude Attics and raised basements.



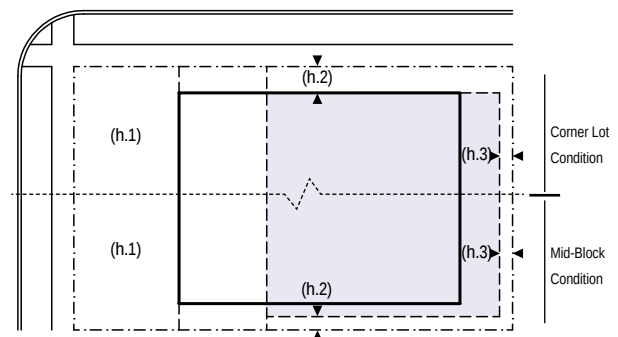
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage



SETBACKS - OUTBUILDING

1. The Elevation of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the second or third Layer as shown in the diagram (see Table 17d). Side-entry garages are permitted on corner lots and front-entry garages may be allowed.
3. Trash containers shall be stored within the third Layer.

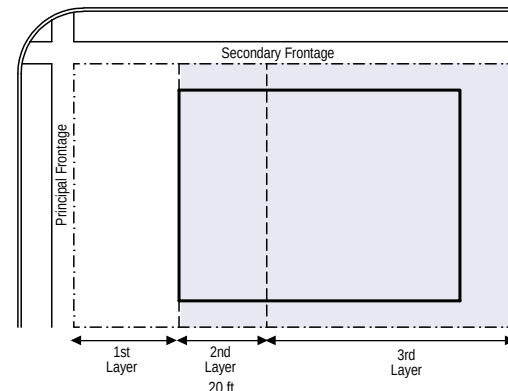
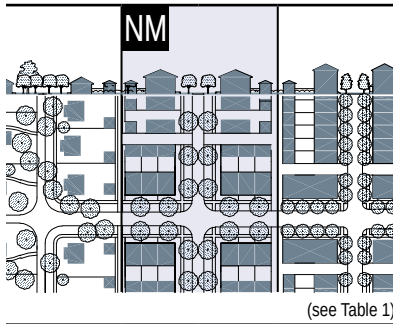


TABLE 15C. FORM-BASED CODE GRAPHICS - NM - NEIGHBORHOOD MIXED-USE



k. BUILDING CONFIGURATION (see Table 8)

Principal Building	7 stories max, 1 min
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 14f)

Lot Width	18 ft min 400 ft max
-----------	----------------------

i. BUILDING DISPOSITION (see Table 9)

Edgeward	permitted
Sideward	permitted
Rearward	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

(g.1) Front Setback Principal	6 ft. min.
(g.2) Front Setback Secondary	6 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*

h. SETBACKS - OUTBUILDING (see Table 14h)

(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 3 ft at corner
(h.3) Rear Setback	3 ft. min

j. PRIVATE FRONTAGES (see Table 7)

Common Lawn	permitted
Porch & Fence	permitted
Terrace or Lightwell.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted

Refer to Summary Table 14

PARKING PROVISIONS

See Table 10 & Table 11

*or 15 ft. from center line of alley

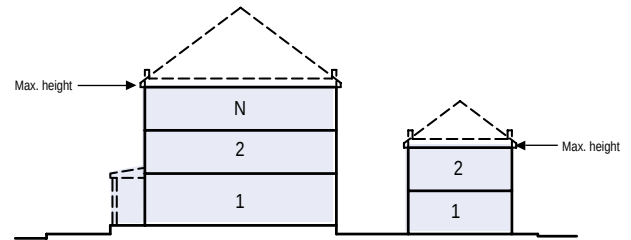
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

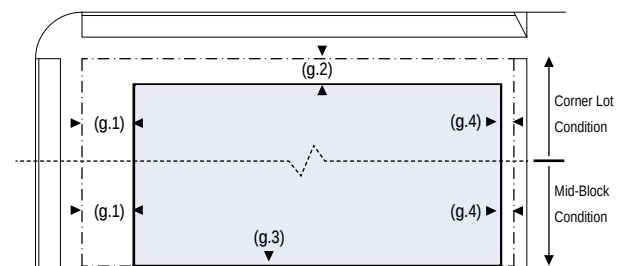
BUILDING CONFIGURATION

1. Stories exclude Attics and raised basements.



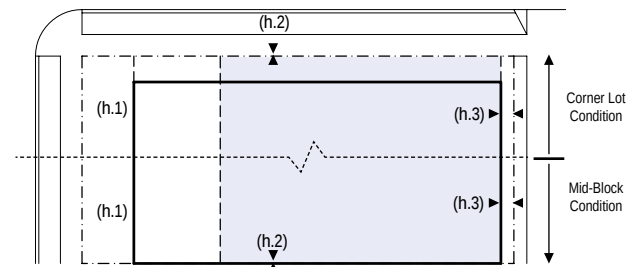
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

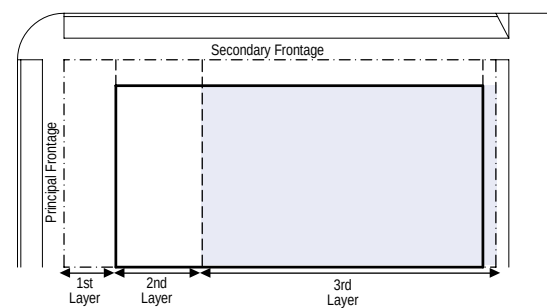
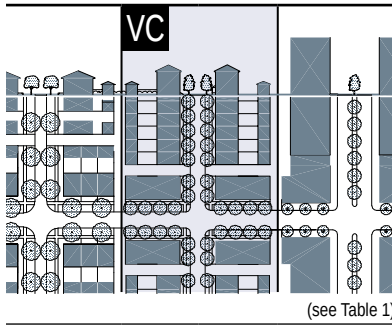


TABLE 15D. FORM-BASED CODE GRAPHICS - VC - VILLAGE CENTER



k. BUILDING CONFIGURATION (see Table 8)

Principal Building	15 stories, Note 2, 1 min.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 14f)

Lot Width: A-Grids	18 ft min 700 ft max
Lot Width: B-Grids	no max

i. BUILDING DISPOSITION (see Table 9)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*

h. SETBACKS - OUTBUILDING (see Table 14h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min. or 2 ft at corner
(h.3) Rear Setback	3 ft. max.

j. PRIVATE FRONTAGES (see Table 7)

Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted

Refer to Summary Table 14

PARKING PROVISIONS

See Table 10 & Table 11

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

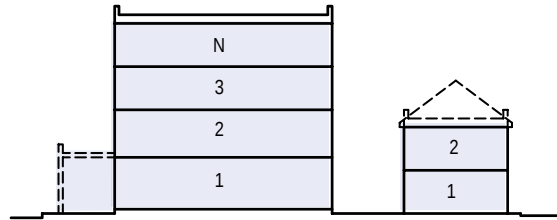
Note 2: Not in excess of 15 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION

1. Stories, exclude Attics mezzanines and basements.



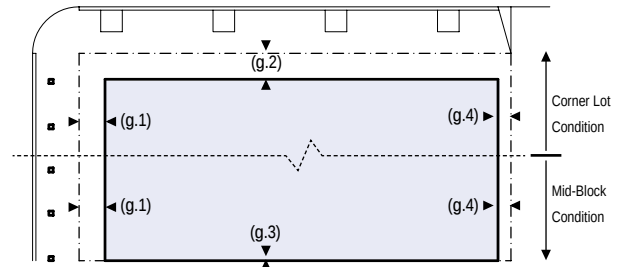
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

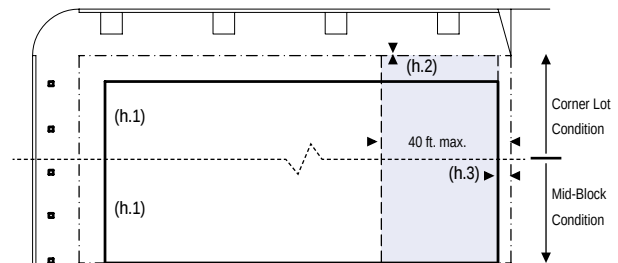
B-GRIDS

1. Multiple Buildings may be located on the same Lot.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

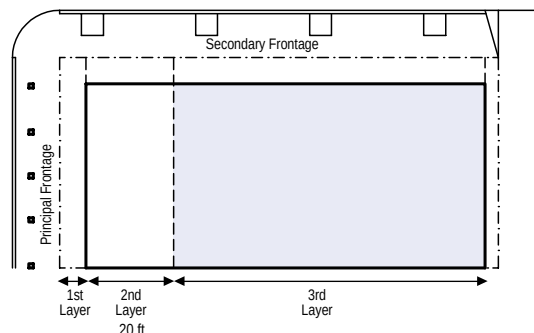
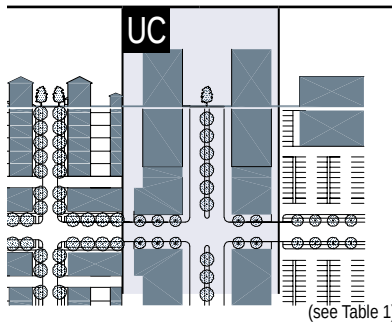


TABLE 15E. FORM-BASED CODE GRAPHICS - UC - URBAN CORE



k. BUILDING CONFIGURATION (see Table 8)	
Principal Building	20 stories, Note 1, 1 min.
Outbuilding	N/A

f. LOT OCCUPATION (see Table 14f)	
Lot Width: A-Grids	18 ft. min 700 ft. max
Lot Width: B-Grids	no max

i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	permitted
Sidyard	not permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)	
(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	0 ft. min.

h. SETBACKS - OUTBUILDING (see Table 14h)	
Front Setback	N/A
Side Setback	N/A
Rear Setback	N/A

j. PRIVATE FRONTAGES (see Table 7)	
Common Lawn	permitted
Porch	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
Gallery	permitted
Arcade	permitted

Refer to Summary Table 14

PARKING PROVISIONS	
See Table 10 & Table 11	

*or 15 ft. from center line of alley

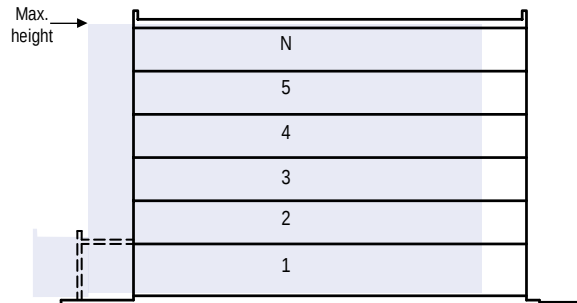
"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

Note 1: Not in excess of 20 stories without specific site plan review and approval by Town Council.

Vinyl Siding Notes:

1. Vinyl siding is not permitted on single family homes and Townhouses except as permitted in vinyl siding note 3 below.
2. Vinyl exterior material may be used above the second story of an apartment, condominium or Mixed Use buildings and in areas not in view of the public, such as service areas.
3. Elements such as vinyl trim, vinyl windows, decorative vents, and the like are permitted.

BUILDING CONFIGURATION
1. Stories, exclude Attics mezzanines and basements.



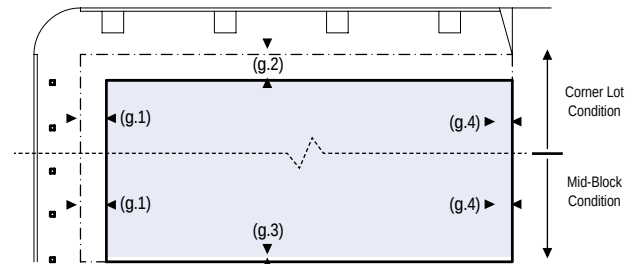
SETBACKS - PRINCIPAL BLDG

A-GRIDS

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage.

B-GRIDS

1. Multiple Buildings may be located on the same Lot



PARKING PLACEMENT

A-GRIDS

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d) except as noted above.
3. Trash containers shall be stored within the third Layer.

B-GRIDS

1. Uncovered parking spaces may be provided within any Layer as shown in the diagram (see Table 17d).
2. Trash containers shall be stored within the third Layer.

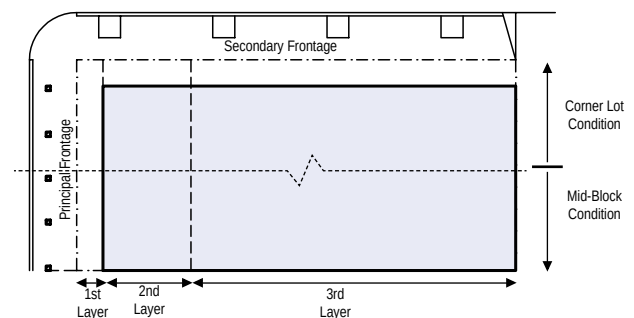
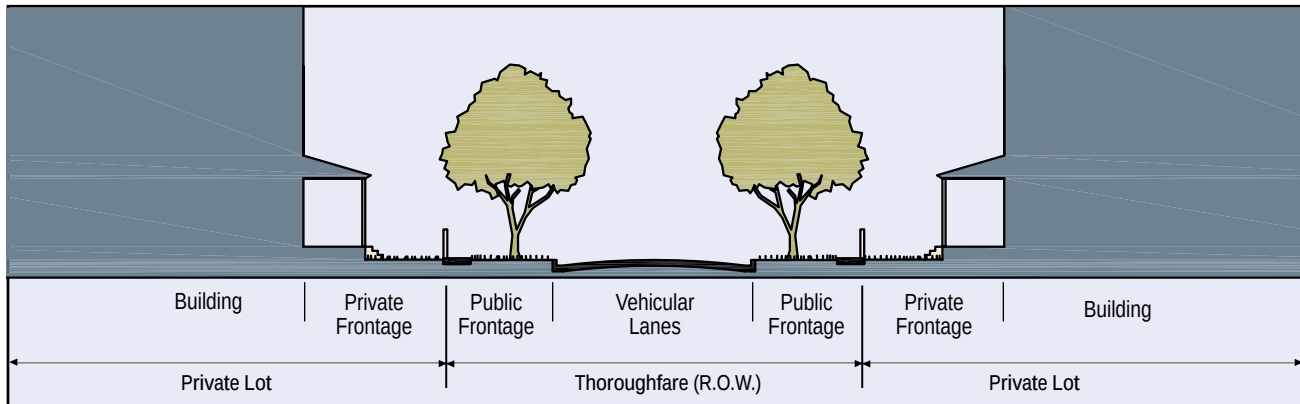
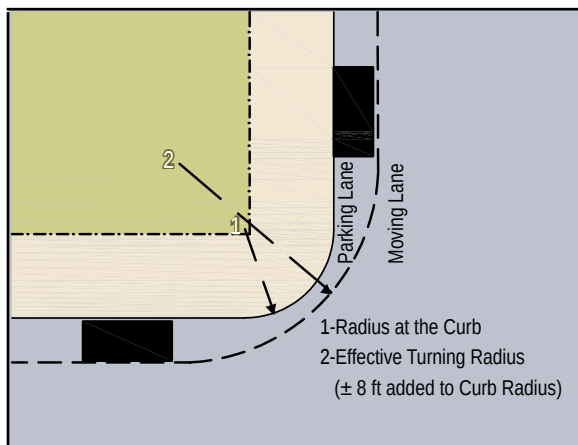


TABLE 17. DEFINITIONS ILLUSTRATED

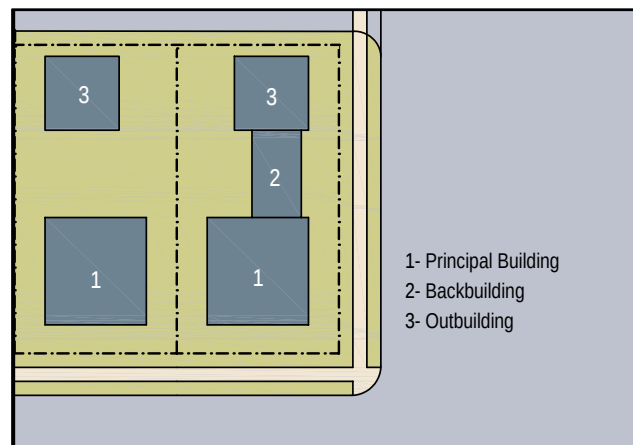
a. THOROUGHFARE & FRONTAGES



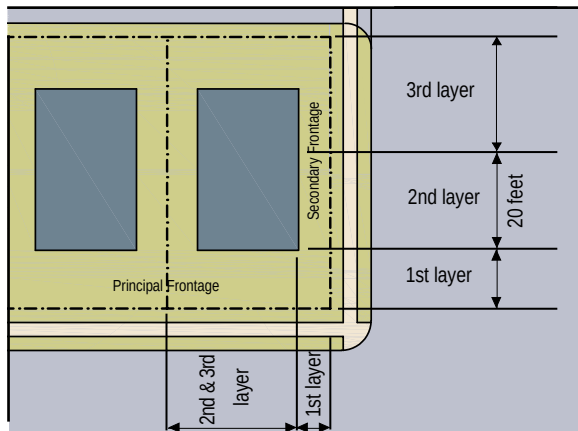
b. TURNING RADIUS



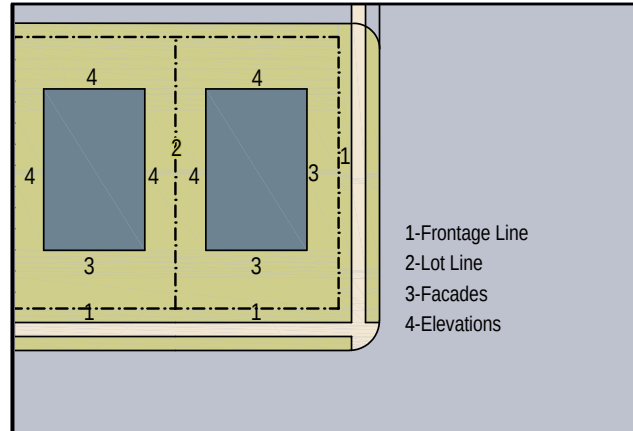
c. BUILDING DISPOSITION



d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS

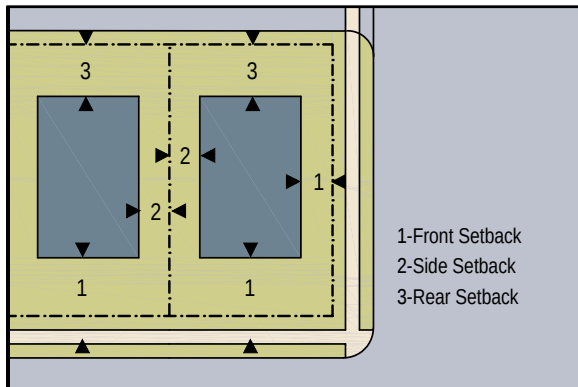


TABLE 18. SUSTAINABILITY - SOLAR ENERGY

Sustainability - Solar Energy. This table shows opportunities for the placement of types of solar-powered devices within the Sustainable Zones.

	OS	NG	NM	VC	UC	Specifics
Solar Farm 	■		■	■	■	
Roof Mounted Solar Panels 	■	■	■	■	■	
Streetscape Solar Panels 	■	■	■	■	■	Streetscape solar panels may be used in place of street trees

TABLE 19. SUSTAINABILITY - FOOD PRODUCTION

Sustainability - Food Production. This table shows ways of incorporating types of food production along the Sustainable Zones.

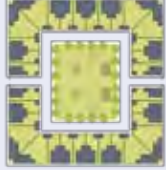
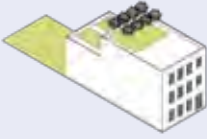
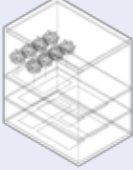
	OS	NG	NM	VC	UC	Specific
Farm 	■					
Agricultural Plots 	■	■				
Vegetable Garden 		■	■	■	■	
Urban Farm 	■	■	■	■		
Community Garden 	■	■	■	■	■	
Green Roof 		■	■	■	■	
Vertical Farm 			■	■	■	

TABLE 20. SUSTAINABILITY - COMPOSTING AND RECYCLING

	OS	NG	NM	VC	UC
On-Site Organics Processing	▪	▪			
Self-Drop Collection Systems					
Optional/Competitive Collection		▪			
Mandatory Curbside Collection			▪	▪	▪
Centralized Composting Systems	▪				
Smaller Regional Composting	▪	▪			
On-Site Processing		▪			
Re-Use Centers		▪	▪	▪	▪
Recycling Processing Centers		▪	▪	▪	▪
Once-Used Materials Storage		▪			
Transfer Stations		▪	▪	▪	▪
Disposal Facilities	Prohibited				

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) *General*

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) *General Applicability*

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) *Location*

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) *Unified Ownership or Control*

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) *Procedures*

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures*, Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) *Standards*

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

- a) facilitate the integration of a broad array of uses;
- b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;
- c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

- d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the “Sustainability Standards”) to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

- a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;
- b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;
- c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;
- d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and
- e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

- a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;
- b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;
- c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;
- d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and
- e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) *SD Plan*

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

- 1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

- 2) design guidelines;
- 3) parks, open space and greenways;
- 4) water resources and ecosystem services;
- 5) comprehensive signage;
- 6) landscaping conditions;
- 7) parking requirements; and
- 8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) Effect

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) Deviation to SD Plan

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) *Amendment to Sustainable Development Conditional Zoning District SD-CZ*

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) *Sustainable Development Conditional Zoning District*

The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

- 1) addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;
- 2) facilitates a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations; and
- 3) facilitates the restoration and enhancement of the environment and natural resources.

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ

District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

The unique purpose and intent, and the scale and standards to which the development plan must adhere, distinguish the Sustainable Development Conditional Zoning District SD-CZ from the other districts established in Sec. 3.2. Therefore, the specific procedures and standards for the review of the Sustainable Development Conditional Zoning District SD-CZ are found in Sec. 2.3.16, *Sustainable Development Conditional Zoning District SD-CZ*.

IV. Article 4 / Use Regulations

Sec.4.2 / USE TABLE

Sec.4.2.2 / Use Table

The Use Table in Section 4.2.2 shall be amended to include among the Zoning Districts shown at the top of the table “SD” to denote the **Sustainable Development Conditional Zoning District** as a Zoning District in the “Other” category and to place a double asterisk (**) in the block under SD for each use listed within all of the Use Types, with the exception of the following uses: Adult Establishment; Airplane Landing Strip; Airport; Sanitary Landfill; Land Clearing and Inert Debris Landfill; Mobile Homes; and Asphalt or Concrete Plant. Further, the following shall be inserted below the table:

“**Uses allowed as a matter-of-right in a Sustainable Development Conditional Zoning District shall be those uses authorized in the Sustainable Development Plan approved for such district. Standards applicable to each such use shall be as provided in this Use Table unless modified by the respective Sustainable Development Plan.”

V. Article 4 / Use Regulations

Sec.4.3 / Use Classifications

Sec.4.3.1 / Residential Uses

A) Accessory Apartment

A secondary dwelling unit either (1) inside of or added to an existing single-family dwelling, (2) in an accessory structure on the same lot as the principal single-family dwelling, (3) on any floor except for the ground floor of a commercial use in the B1 Neighborhood Business District, B2 Downtown Business District, MEC-CZ Major Employment Center District, TND-CZ Traditional Neighborhood District, PUD-CZ Planned Unit Development District, or (4) on any floor of a commercial use in the SD-CZ Sustainable Development Conditional Zoning District. An accessory apartment is a complete, independent living facility equipped with a kitchen and with provisions for sanitation and sleeping. An accessory structure may include a loft.

VI. Article 5 / Measurements

Sec.5.1 / TABLE OF INTENSITY AND DIMENSIONAL STANDARDS

Sec.5.1.4 / Other Development Districts

The table for “Other Development Districts” in Section 5.1.4 shall be amended to include “SD” to denote the **Sustainable Development Conditional Zoning District** under “Use” and below “*See Sec. 6.1, Watershed Protection Overlay Districts.” “All uses” shall be inserted below “SD” and to the right thereof shall be inserted “All Intensity and Dimensional Standards shall be as set forth in the Sustainable Development Plan approved for the respective Sustainable Development Conditional Zoning District.”

VII. TECHNICAL AMENDMENTS

A) Each of the following Sections shall be amended to insert “SD-CZ” immediately after “PUD-CZ” at each place in the respective Section at which “PUD-CZ” appears:

- 2.1.1 A) 2) b)
- 2.1.2 A) 2) b)
- 2.1.7 A) 2)
- 2.2.11 E)
- 2.3.15 B)
- 4.1.2 A)
- 4.5.6
- 4.5.6 A)
- 4.5.6 D)
- 4.5.6 F)
- 4.6.1 C) 1) a)
- 5.2.2 A) 2)
- 8.2.6
- 8.3.6 B) 5)
- 8.4.2
- 9.1.2

B) Section 2.3.1 shall be amended to insert within the Table under “Development Permit” and following “Traditional Neighborhood District (TND-CZ) (Sec. 2.3.4)” the words “Sustainable Development Conditional Zoning District (SD-CZ) (Sec. 2.3.16)”; to place the letter “R” under each of “Planning Director/Technical Review Committee” and “Planning Board”; and to place the letter “D” under “Town Council.”

C) Section 2.3.3 J) 2) shall be amended to insert “or Section 2.3.16 J) *Minor Deviation to a SD Plan* or Section 2.3.16 K) *Modification of SD Plan*” following “2.3.4(M) *Minor Deviations*”.

D) Section 2.3.16, **Site Work Prior to Development Approvals**, shall be re-numbered to “Section 2.3.17”.

E) Section 2.3.17, **Utility Service**, shall be re-numbered to “Section 2.3.18”.

F) Sections 4.3.1 A), 4.4.5 F), and 4.6.1 C) 3) shall each be amended to insert “, SD-CZ Sustainable Development Conditional Zoning District,” immediately following “TND-CZ Traditional Neighborhood District” at each place where “TND-CZ Traditional Neighborhood District” appears.

G) Section 5.2.2 F) shall be amended to insert at the beginning of the paragraph “Except in Sustainable Development Conditional Zoning District (SD-CZ),” and to replace “I” with “i” in “internal.”

H) Section 8.3.6 B) 5) shall be amended to substitute “Section 8.4.4” for “Section 8.5.3.”

I. Article 2 / Administration
Sec. 2.3 / DEVELOPMENT APPROVALS

2.3.16 Sustainable Development Conditional Zoning District

A) *General*

This Section establishes the procedures and standards applicable to the Town's Sustainable Development Conditional Zoning District SD-CZ.

B) *General Applicability*

Before any development shall be designated as a Sustainable Development Conditional Zoning District SD-CZ on the Official Zoning District Map, it shall receive approval pursuant to the terms of this Section and Section 2.3.3 of this Ordinance.

C) *Location*

A Sustainable Development Conditional Zoning District SD-CZ designation may be established on any land located in the Town and its ETJ that complies with all of the applicable standards of this Section and Section 3.3.4B), including the requirement that a Sustainable Development Conditional Zoning District SD-CZ include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

D) *Unified Ownership or Control*

One person shall have all the responsibility and authority to make all the developer land use planning decisions for all land that is part of a Sustainable Development Conditional Zoning District SD-CZ. A person shall be considered to have such responsibility and authority for all lands in the Sustainable Development Conditional Zoning District SD-CZ either through ownership or by written agreement by and between such person and each owner of parcels comprising said lands agreeing to the conditions and standards of the adopting ordinance and the Sustainable Development Conditional Zoning District SD-CZ and granting the person such responsibility and authority. This one person, who shall be identified in the Sustainable Development Conditional Zoning District SD-CZ Re-Zoning Application as the "Responsible Person," will be the sole person from whom the Town will accept decisions regarding the Sustainable Development (SD) Plan and Sustainable Development Conditional Zoning District SD-CZ, including amendments, modifications or supplements thereof or the addition of lands thereto. The SD Plan shall provide the process for effecting a change or succession of Responsible Person for the purposes of a specific district. A parcel or parcels (the "Parcel") of any size may be added to an existing Sustainable Development Conditional Zoning District if (i) any portion of the Parcel is within two thousand (2000) feet of such existing district, (ii) the

Responsible Person of the existing district consents in writing and (iii) the Town Council approves a rezoning of the Parcel to Sustainable Development Conditional Zoning District SD-CZ in accordance with Sections 2.3.3 and 2.3.16. In such event the SD Plan approved for the existing SD-CZ District shall be applicable to the Parcel(s) added to such existing district, and the development densities authorized in the existing SD Plan (including number of residential units and authorized square footage of other land uses) shall be increased on a pro-rata basis based on the size of the Parcel(s) added to the district, unless the Town Council provides otherwise with the consent of the Responsible Person.

E) *Procedures*

1) *Overview.* Approval of a Sustainable Development Conditional Zoning District SD-CZ shall constitute an amendment to the Official Zoning District Map. It shall be controlled by an SD Plan that is approved as part of the Sustainable Development Conditional Zoning District SD-CZ designation and that designates the appropriate form and scale of development within the Sustainable Development Conditional Zoning District SD-CZ. The procedure requires review and recommendation of approval or disapproval by the Planning Board and approval, approval with conditions, or disapproval by the Town Council.

2) *General.* The procedures for initiation of the application, the application contents, fees, submission and review by Town staff and/or consulting firms on retainer, public notification, review by the Planning Board and then approval, approval with conditions, or disapproval by the Town Council at a public hearing(s) shall comply with the requirements of Sec. 2.2 *Common Review Procedures*, Sec 2.2.7 *Neighborhood Meeting* and Sec. 2.3.16 (F) *Sustainability Standards*.

F) *Standards*

1) In return for greater flexibility in site design requirements, the Sustainable Development Conditional Zoning District SD-CZ is expected to deliver exceptional quality designs on a large-scale basis that:

- a) facilitate the integration of a broad array of uses;
- b) preserve and enhance critical environmental and natural resources, including water resources and ecosystem services in the stream network flowing through the district;
- c) incorporate creativity in the design and configuration of buildings, roads, public space and infrastructure; and

- d) employ innovative techniques and practices aimed at maximizing efficiency in the use of energy and materials.

In short, the Sustainable Development Conditional Zoning District SD-CZ is expected to provide a high quality of life through the creation of a healthy, living landscape within a high-intensity mixed-used community.

2) The purpose, intent and scale of the Sustainable Development Conditional Zoning District SD-CZ are unique from the other districts established in Sec. 3.2. Thus, the unique nature of the Sustainable Development Conditional Zoning District SD-CZ necessitates alternative standards, regulations, specifications, details, designs, and criteria (the “Sustainability Standards”) to meet the spirit and intent of this Ordinance. These Sustainability Standards, which shall be set forth in the SD Plan and may be established pursuant to paragraph 3) hereafter, may:

- a) specify the nature, density, maximums on development, minimums on development, development thresholds, and design characteristics proposed for the Sustainable Development Conditional Zoning District SD-CZ;
- b) address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;
- c) facilitate a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations;
- d) facilitate the restoration and enhancement of the environment and natural resources through both accepted practice and innovative practices; and
- e) modify and supersede the provisions of this Ordinance or any land development document referenced or incorporated therein, or other land development ordinances or policies of the Town. However, an SD Plan and development pursuant thereto shall conform to all applicable Town ordinances and policies, including the UDO, except to the extent that ordinances or policies, including the UDO, are varied in the approved SD Plan or in Sustainability Standards adopted pursuant to paragraph 3) hereafter. An SD Plan and the Sustainability Standards may not modify the requirements that an SD-CZ District include a minimum of 500 contiguous acres.

3) The Sustainability Standards and other provisions of the SD Plan, as well as Sustainability Standards established pursuant to this paragraph F) 3), shall form the basis for a development of exceptional quality and innovation that is an

enhancement to the welfare of the Town's citizens. At any time, and from time to time:

- a) with the consent of the Responsible Person, the Town Council may adopt additional or modified Sustainability Standards for an approved SD-CZ District following review and recommendation by the Planning Board;
- b) where an SD Plan requires additional or modified Sustainability Standards for an approved SD-CZ District, site plan approval, subdivision approval, construction or grading shall not commence within such SD-CZ District unless and until the required Sustainability Standards are adopted as provided in the SD Plan; with the consent of the Responsible Person, the Town Council shall review and consider and may adopt such additional and modified Sustainability Standards following review and recommendation by the Planning Board;
- c) as an amendment to this Ordinance, the Town Council may adopt elective Sustainability Standards for SD-CZ districts, which may, at the election of a Responsible Person, (i) be incorporated, in whole or in part, into an approved SD Plan for an existing SD-CZ district or (ii) be included within an SD Plan for a proposed SD-CZ district. In the case of an approved SD Plan, the elective Sustainability Standards so incorporated may provide that they serve as a supplement to the provisions of the SD Plan and serve as an alternative to the application of any inconsistent provisions of the Plan;
- d) actions by the Town Council under the foregoing subsections 2.3.16 F) 3) a), b) and c) shall be taken in accordance with the provisions of Sec. 2.3.2 applicable to Amendments to the Text of this Ordinance. It is provided, however, that such actions may be proposed only by the Town Council, the Planning Director, or the Responsible Person; and
- e) this Subsection 2.3.16 does not reduce any authority that the Town otherwise has to amend its UDO or an approved SD-CZ rezoning and SD Plan; the vested rights applicable to a SD-CZ rezoning and SD Plan shall be determined by other applicable law and by the provisions of a developer agreement if any.

G) *SD Plan*

To the degree necessary and appropriate, the SD Plan and the Sustainability Standards shall include, but shall not be limited to, requirements related to:

- 1) standards a) through d) set forth in the foregoing Section 2.3.16 F) 1);

- 2) design guidelines;
- 3) parks, open space and greenways;
- 4) water resources and ecosystem services;
- 5) comprehensive signage;
- 6) landscaping conditions;
- 7) parking requirements; and
- 8) public infrastructure improvements and public facilities.

The SD Plan shall also include a map depicting the concept for the development of the property. To the extent that provisions of the SD Plan or Sustainability Standards vary the provisions of this Ordinance, or other ordinances or policies of the Town, the provisions of the SD Plan or Sustainability Standards shall be applicable.

H) Placement of Sustainable Development Conditional Zoning District SD-CZ Designation on Official Zoning District Map

After final approval of the adopting ordinance for the Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan, the Planning Director shall amend the Official Zoning District Map to show a Sustainable Development Conditional Zoning District SD-CZ designation.

I) Effect

Approval of an adopting ordinance for Sustainable Development Conditional Zoning District SD-CZ designation and the SD Plan shall constitute an Official Zoning District Map designation and recognition by the Town that the landowner may proceed, consistent with the SD Plan, to develop the land. The next appropriate development approval for the land is a site plan or subdivision plan.

J) Deviation to SD Plan

When appropriate to further the goals of an approved SD-CZ District and its SD Plan, the Planning Director may approve deviations of up to ten percent (10%) with respect to any standard, design, configuration, disposition, or matter established or quantified in an SD Plan or the Sustainability Standards, except that this authority shall not apply to density, maximums on development minimums on development or thresholds. Any other modification, revision or supplementation of an SD Plan or the Sustainability Standards shall require the approval of the Town Council following review by the Planning Board.

K) *Amendment to Sustainable Development Conditional Zoning District SD-CZ*

An amendment to the Official Zoning District Map for a Sustainable Development Conditional Zoning District SD-CZ may be made only pursuant to the procedures and standards for its original approval, and specifically Sec. 2.3.16 (D) *Unified Ownership or Control*.

II. Article 3 / Zoning Districts
Sec. 3.2 / ZONING DISTRICTS ESTABLISHED

3.2.8 Conditional Zoning Other Districts

A) *CB-CZ Conservation Buffer District; and*

B) *SD-CZ Sustainable Development Conditional Zoning District.*

III. Article 3 / Zoning Districts
Sec. 3.3 / DISTRICT PURPOSES

3.3.4 Other Districts

B) *Sustainable Development Conditional Zoning District*

The purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to encourage the design of a sustainable community through the application of design approaches that allow and encourage flexibility, an intensity of uses, integration among uses, restoration and enhancement of the environment and natural resources, transit-oriented development, pedestrian-oriented development and the efficient use of resources, energy and materials. This shall be accomplished by allowing design flexibility and innovative approaches to environmental stewardship incorporated in a plan for development that:

- 1) addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks;
- 2) facilitates a full diversity of building types, thoroughfare types, and public space types with appropriate characteristics for their respective locations; and
- 3) facilitates the restoration and enhancement of the environment and natural resources.

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ

District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

The unique purpose and intent, and the scale and standards to which the development plan must adhere, distinguish the Sustainable Development Conditional Zoning District SD-CZ from the other districts established in Sec. 3.2. Therefore, the specific procedures and standards for the review of the Sustainable Development Conditional Zoning District SD-CZ are found in Sec. 2.3.16, *Sustainable Development Conditional Zoning District SD-CZ*.

IV. Article 4 / Use Regulations

Sec.4.2 / USE TABLE

Sec.4.2.2 / Use Table

The Use Table in Section 4.2.2 shall be amended to include among the Zoning Districts shown at the top of the table “SD” to denote the **Sustainable Development Conditional Zoning District** as a Zoning District in the “Other” category and to place a double asterisk (**) in the block under SD for each use listed within all of the Use Types, with the exception of the following uses: Adult Establishment; Airplane Landing Strip; Airport; Sanitary Landfill; Land Clearing and Inert Debris Landfill; Mobile Homes; and Asphalt or Concrete Plant. Further, the following shall be inserted below the table:

“**Uses allowed as a matter-of-right in a Sustainable Development Conditional Zoning District shall be those uses authorized in the Sustainable Development Plan approved for such district. Standards applicable to each such use shall be as provided in this Use Table unless modified by the respective Sustainable Development Plan.”

V. Article 4 / Use Regulations

Sec.4.3 / Use Classifications

Sec.4.3.1 / Residential Uses

A) Accessory Apartment

A secondary dwelling unit either (1) inside of or added to an existing single-family dwelling, (2) in an accessory structure on the same lot as the principal single-family dwelling, (3) on any floor except for the ground floor of a commercial use in the B1 Neighborhood Business District, B2 Downtown Business District, MEC-CZ Major Employment Center District, TND-CZ Traditional Neighborhood District, PUD-CZ Planned Unit Development District, or (4) on any floor of a commercial use in the SD-CZ Sustainable Development Conditional Zoning District. An accessory apartment is a complete, independent living facility equipped with a kitchen and with provisions for sanitation and sleeping. An accessory structure may include a loft.

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