

Ordinance Amending the Official Zoning District Map #22CZ15

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 Tech/Flex-Conditional Zoning (TF-CZ #14CZ30) to Light Industrial-Conditional Zoning (LI-CZ), subject to the conditions stated herein.

Section 3: The Director of Planning and Community Development 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 all of the following conditions which are imposed as part of this rezoning:

Limitation of Uses:

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply. An “(SUP)” designation indicates a Special Use Permit is required prior to commencing this use.

Permitted Uses and Limitations:

1. Security or caretaker quarters
2. Assembly hall, nonprofit
3. Assembly hall, for-profit
4. Church or place of worship (P/SUP)
5. Day care facility
6. Drop-in or short-term day care
7. Government service
8. Transportation facility
9. Veterinary clinic or hospital
10. Vocational school
11. Communication tower, commercial (SUP)
12. Communication tower, constructed stealth (SUP)
13. Communication tower, camouflage stealth (SUP)
14. Recycling Center
15. Recycling collection station (SUP)
16. Utility, minor
17. Botanical garden
18. Entertainment, indoor
19. Entertainment, outdoor (SUP)
20. Greenway
21. Park, active
22. Park, passive
23. Youth or day camps
24. Restaurant, general
25. Dispatching Office
26. Medical or dental office or clinic
27. Medical or dental laboratory
28. Office, business or professional
29. Pilot plant
30. Research facility
31. Glass sales
32. Health/fitness center or spa
33. Kennel (SUP)
34. Monument sales, retail
35. Repair services, limited
36. Retail sales, bulky goods
37. Retail sales, general (%)
38. Self-service storage
39. Studio for art
40. Upholstery shop
41. Pet services
42. Automotive paint or body shop
43. Car wash or auto detailing
44. Repair and maintenance, general
45. Vehicle sales and rental, light
46. Building supplies, wholesale
47. Contractor’s office and storage yard
48. Laboratory, industrial research
49. Machine or welding shop
50. Warehousing
51. Woodworking or cabinetmaking
52. Wholesale, general
53. Manufacturing and processing
54. Brewery

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55. Distillery
56. Microbrewery

57. Microdistillery

Conditions:

1. Building exteriors shall have more than two material colors.
2. The building shall have architectural elements such as varied roof forms, articulation of the façade, breaks in the roof, walls with texture materials and ornamental details.
3. Architectural detail such as windows, awnings, trellises, articulation, arcades, and material changes shall be utilized.
4. Building main entrances shall be emphasized.
5. The predominant building materials shall be high quality materials, including brick, native stone, metal panel, glass, fiber cement cladding and/or masonry units.
6. EIFS or synthetic stucco shall not be used in the first forty (40) inches above grade.
7. The supplemental standards for the self-service storage use found in UDO Sec. 4.4.5.G.14 shall be amended as follows only for a self-service storage use where the storage units are designed solely to accommodate the storage of vehicles in addition to office and/or co-working space.
 - a) Self-service storage bays shall be allowed to be designed to accommodate office space, including co-working space as well as the storage of vehicles. Storage bays shall not be used to manufacture, fabricate or process goods; service or repair small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on the site;
 - b) A security or caretaker quarters use may be established on the site of a self-storage facility;
 - c) Except as provided in this section, all property stored on the site of a self-service storage facility use shall be entirely within enclosed buildings;
 - d) Open storage of recreational vehicles and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:
 - (i) The storage shall occur only within a designated area. The designated area shall be clearly delineated;
 - (ii) The storage area shall not exceed 25% of the buildable area of the site;
 - (iii) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or solid fencing with landscaping on the outside of the fence;
 - (iv) Storage shall not occur within the area set aside for minimum building setbacks;
 - (v) No dry stacking of boats shall be permitted on site; and
 - (vi) No vehicle maintenance, washing or repair shall be permitted.
 - e) The minimum lot size for a self-service storage facility shall be three acres. No variance or other relief shall be granted from this standard;
 - f) The development shall not encroach into any buffer required by this Ordinance; the minimum required setback from any property line shall be the greater of any required buffer or setback (Sec. 8.2.6.B).
 - g) If separate structures are constructed, there shall be a minimum separation of 10 feet between the buildings within the facility;
 - h) The maximum size of a storage bay shall be 4,000 square feet;
 - i) The maximum height of a self-service storage facility use shall be 48 feet. Stair structures for roof access shall be allowed to exceed the maximum building height by no more than five (5)

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feet. In addition, a parapet wall shall be constructed to screen roof-mounted heating and air conditioning and other equipment, if any.

- j) The following on-site circulation standards shall apply:
 - (i) Interior parking shall be provided in the form of aiseways adjacent to the storage bays. These aiseways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aiseways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted;
 - (ii) The one- or two-way traffic flow patterns in aiseways shall be clearly marked. Marking shall consist at a minimum of use of standard directional signage and painted lane markings with arrows;
 - (iii) Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aiseways.
- k) Outdoor lighting shall be the minimum necessary to discourage vandalism and theft. If a facility abuts a residential district, outdoor lighting fixtures shall be no more than 15 feet in height;
- l) No exterior loudspeakers or paging equipment shall be permitted on the site;
- m) Storage bay doors shall not face any abutting property located in a residential district, nor shall they be visible from any public road; and
- n) The minimum building setback distance from RCA area shall be 5 feet.
- o) Parking internal to each unit shall count as 2 parking spaces towards the minimum parking requirement of the site.

Additional Zoning Conditions

- 8. At least 75% of the landscaping shall be native species. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.
- 9. A minimum of 3 native hardwood tree species shall be used for the landscaping on site.
- 10. The project shall use full cutoff LED fixtures that have a maximum color temperature of 3000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.
- 11. The project shall install light timers, motion sensors, or other smart lighting technology for all lighting within the parking lot.
- 12. The building(s) shall be designed to incorporate passive daylighting techniques, including, but not limited to, southern building orientation, clerestory windows, solar tubes, skylights, light redirection devices, and/or large windows.
- 13. Tree clearing, SCM, or infrastructure shall not occur or be placed in either zone of the riparian buffer, except as necessary for the installation of Town of Apex utilities.
- 14. The project shall install a minimum of two (2) signs adjacent to wooded or natural condition Resource Conservation Area. The signage shall indicate that the area is RCA and is to be preserved in perpetuity and not disturbed.

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.