

PLANNED UNIT DEVELOPMENT-CONDITIONAL ZONING DISTRICT PETITION



PD PLAN/PUD-CZ PETITION SUBMISSION:

Application and fee are due by 12:00 pm on the first business day of each month. See the [Planned Unit Development Schedule](#) on the website for more details.

PD PLAN/PUD-CZ PETITION FEES:

PUD-CZ Request: \$ 2,000.00 + \$25 an acre
PD Plan Amendment not requiring full TRC Review: \$800.00
Late Fee: \$350

PRE-APPLICATION MEETING: A pre-application meeting with the Technical Review Committee (TRC) is required to be held prior to sending notices for the required pre-application Neighborhood Meeting and prior to submittal of this Petition. Pre-application meetings with the TRC are typically scheduled during regular business hours on the 1st, 2nd, and 5th Thursdays of the month. To schedule an appointment for a meeting, the applicant must complete and upload the [Rezoning Pre-Application Meeting Request form](#). Please contact Planner Joshua Killian (joshua.killian@apexnc.org) to finalize the appointment time. All required documents must be uploaded at least five (5) working days prior to the pre-application appointment. The invitation to the meeting will be sent to the applicant and staff once the required information is uploaded.

PURPOSE OF A PUD-CZ (UDO Sec. 3.3.3.C): The purpose of the PUD-CZ is to permit variations in order to allow flexibility for landowners to creatively plan for a site specific, higher quality overall development of their land in a way that is not possible through the strict application of the minimum standards of the Unified Development Ordinance (UDO). This is done through the application of performance standards that: integrate and mix uses where a mix of uses is proposed, possess interconnectivity, reflect the small-town character of Apex, expand opportunities for public transportation, preserve of natural features, integrate resource conservation area into plan for development, and that public facilities are available.

NEIGHBORHOOD MEETING: One (1) neighborhood meeting prior to application submittal and another meeting in the month prior to the anticipated public hearing date are required per UDO Sec. 2.2.7. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 500 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. In their initial submittal, the applicant shall submit the "Neighborhood Meeting Packet" forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

ANNEXATION REQUIREMENTS: If a property or portion thereof subject to the PUD is outside the corporate limits and ETJ, an [annexation petition](#) is **REQUIRED** to be submitted on the same day as this application.

Electronic Submittal Requirements (submit in IDT): [Click here to access GeoCivix \(IDT Plans\) Website](#)

- One (1) complete PUD-CZ Application
- Written Metes and Bounds Legal Description
- Development Name Approval Application
- Town of Apex Utilities Offer & Agreement
- Agent Authorization Form & Affidavit of Ownership
- WCPSS Residential Development Notice Form
- Neighborhood Meeting Packet
- PD Plan Text (pdf & Word versions)
- Color Rendering of Building Elevations (all sides) – 11"x17"
- Transportation Impact Analysis, if required
- If applicable: Annexation Petition, map, legal description, and fee uploaded separately
- PUD Plan Set
 - 24" x 36" size
 - Scale not less than: 1"= 50' horizontal, 1"= 5' vertical
 - Saved as pdf – no scanned plans
- Notification list including property owners of the land subject to the application, all property owners and tenants abutting and located within 500 feet of the land subject to the application, and any neighborhood association that represents citizens within the notification area. This list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request.

Hard Copy Submittal Requirements: Submit to Planning Department (322 N. Mason Street, 2nd floor)

- Two (2) sets of envelopes addressed to property owners subject to the application and to those on the notification list.
 - Addresses must be from the notification list obtained by emailing addressing.team@apexnc.org
 - Affixed with first class stamps and the following return address: Town of Apex Planning Department
P.O. Box 250
Apex, NC 27502
- One (1) bound copy of the Transportation Impact Analysis and one (1) copy of the TIA & traffic analysis files on disk or FTP site at first submittal (if required)
- Petition Fee by one of the following forms of payment:
 - Visa or Master Card (online only);
 - Cash (exact amount only); or
 - Check payable to 'Town of Apex'
- If applicable: Annexation Petition, map, legal description and fee

PETITION PROCESS INFORMATION

NEIGHBORHOOD MEETING: One (1) neighborhood meeting prior to application submittal and another meeting in the month prior to the anticipated public hearing date are required per UDO Sec. 2.2.7. The applicant is required to notify property owners, tenants, and any neighborhood association that represents citizens that are abutting or within 500 feet of the subject property via first class mail a minimum of 14 days in advance of the neighborhood meeting. The notification list must be obtained by emailing addressing.team@apexnc.org and will be provided within 5-10 business days of the initial request. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. In their initial submittal, the applicant shall submit the “Neighborhood Meeting Packet” forms included in this application packet. The Neighborhood Meeting Packet is located at the very end of this document.

REVIEW FOR SUFFICIENCY: Incomplete plans will be returned to the applicant and sufficiently complete applications are forwarded to TRC staff for review.

REVIEW BY STAFF: TRC staff reviews the application to determine compliance with the Unified Development Ordinance (UDO). If the application is determined not to be compliant with the UDO, comments will be sent to the applicant. The applicant must address all staff comments before any public hearings are scheduled.

REVIEW BY THE ENVIRONMENTAL ADVISORY BOARD (EAB): Most applications for Conditional Rezoning must be reviewed by the EAB during the staff review portion of the process (refer to UDO Sec. 2.1.9 for standards). The EAB will offer suggested zoning conditions to the applicant. To request to be on the EAB agenda, applicants must contact Environmental Programs Coordinator Nora Skinner (nora.skinner@apexnc.org) at least five (5) working days prior to the desired EAB meeting. The EAB meets at 6:00 p.m. on the 3rd Thursday of the month unless otherwise noted. Review by the EAB must occur at least one (1) month in advance of the public hearing notification in order to maintain the published schedule. This allows time for staff to review any additional zoning conditions proposed based on the EAB’s recommendations.

PUBLIC HEARING NOTIFICATION: Notification of the public hearing will take place by three different methods.

1. A written notice will be prepared by Planning staff and sent to property owners, tenants, and neighborhood associations abutting and within 500 feet of the land subject to the application not more than 25 days nor less than 10 days prior to the public hearings, as required by the UDO.
2. A notice will be published on the Town of Apex website (www.apexnc.org) no less than 10 days, but not more than 25 days, prior to the public hearings.
3. A public hearing sign will be posted at the land subject to the application at least 10 days prior to the public hearings.

1ST PUBLIC HEARING/PLANNING BOARD MEETING: The Planning Board will consider the application, relevant support materials, the Staff Report, and public testimony given at the public hearing. After the public hearing the Planning Board will make a recommendation to the Town Council. The Planning Board may recommend approval, approval with conditions, or disapproval. The application is then forwarded to the Town Council. The Planning Board meets at 4:30 p.m. in the Town Hall Council Chambers on the date indicated on the Planned Unit Development Schedule.

2ND PUBLIC HEARING/TOWN COUNCIL MEETING: The Town Council will consider the application, relevant support materials, the Staff Report, the Planning Board recommendation, and public testimony given at the public hearing. After the public hearing the Town Council will either vote to continue action on the application to a subsequent meeting or vote to approve, approve with conditions, or disapprove the rezoning. The Town Council meets at 6:00 p.m. in the Town Council Chamber on the date indicated on the Planned Unit Development Schedule.

PLANNED UNIT DEVELOPMENT APPLICATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: _____ Submittal Date: _____
Fee Paid \$ _____ Check # _____

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Project Name: _____

Address(es): _____

PIN(s) _____

_____ Acreage: _____

Current Zoning: _____ Proposed Zoning: _____

Current 2045 LUM Designation: _____

Is the proposed rezoning consistent with the 2045 LUM Classification(s)? Yes No

If any portion of the project is shown as mixed use (3 or more stripes on the 2045 Land Use Map) provide the following:

Area classified as mixed use: Acreage: _____

Area proposed as non-residential development: Acreage: _____

Percent of mixed use area proposed as non-residential: Percent: _____

Applicant Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Owner Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Agent Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Other contacts: _____

PLANNED UNIT DEVELOPMENT APPLICATION

Application #: _____

Submittal Date: _____

PLANNED UNIT DEVELOPMENT DISTRICT STANDARDS:

In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town’s adopted land development regulations for routine developments. The PD text and plan should demonstrate how the standards of Sec. 2.3.4.F are met by the proposed rezoning.

LEGISLATIVE CONSIDERATIONS - CONDITIONAL ZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning request is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Use additional pages as needed.

1) *Consistency with 2045 Land Use Map.* The proposed Conditional Zoning (CZ) District use’s appropriateness for its proposed location and consistency with the purposes, goals, objectives, and policies of the 2045 Land Use Map.

2) *Compatibility.* The proposed Conditional Zoning (CZ) District use’s appropriateness for its proposed location and compatibility with the character of surrounding land uses.

3) *Zoning district supplemental standards.* The proposed Conditional Zoning (CZ) District use’s compliance with Sec 4.4 *Supplemental Standards*, if applicable.

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4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use’s minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.

5) *Design minimizes environmental impact.* The proposed Conditional Zoning District use’s minimization of environmental impacts and protection from significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.

6) *Impact on public facilities.* The proposed Conditional Zoning (CZ) District use’s avoidance of having adverse impacts on public facilities and services, including roads, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.

7) *Health, safety, and welfare.* The proposed Conditional Zoning (CZ) District use’s effect on the health, safety, or welfare of the residents of the Town or its ETJ.

8) *Detrimental to adjacent properties.* Whether the proposed Conditional Zoning (CZ) District use is substantially detrimental to adjacent properties.

PETITION PROCESS INFORMATION

9) *Not constitute nuisance or hazard.* Whether the proposed Conditional Zoning (CZ) District use constitutes a nuisance or hazard due to traffic impact or noise, or because of the number of persons who will be using the Conditional Zoning (CZ) District use.

10) *Other relevant standards of this Ordinance.* Whether the proposed Conditional Zoning (CZ) District use complies with all standards imposed on it by all other applicable provisions of this Ordinance for use, layout, and general development characteristics.

**FOR APPLICANT USE ONLY
DO NOT SUBMIT WITH APPLICATION**

Common Acronyms/Definitions			
GeoCivix (IDT)	Contractor's Plan Room	UDO	Town's Unified Development Ordinance
TOA	Town of Apex	NCDEQ	North Carolina Dept. of Environmental Quality
RCA	Resource Conservation Area	DDM	Design & Development Manual
Town Contact Information			
Planning Department	(919) 249-3426	Soil & Erosion Control Officer	(919) 249-1166
Parks & Recreation Department	(919) 372-7468	Electric Utilities Division	(919) 249-3342
Transportation Engineer	(919) 249-3358	Utility Engineering/Stormwater	(919) 249-3413
General Document Formatting Requirements			
Page margins should be 1" or greater.			
Font size should neither be less than 10 nor greater than 12 for text. Larger font size for headers is acceptable			
Font type should be Calibri, Arial, Verdana, or other Sans Serif font.			
Use of bold type should be limited to headings and section titles.			
Use of italics and underlining is discouraged.			

PD PLAN TEXT CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
1	Table of Contents		
2	Vicinity Map	Show location of property and adjacent streets within a maximum of a ½ mile radius.	
3	Base Items		
a	Name of project	Include phase numbers, if applicable	
b	Preparer's, Owner's and Contract Purchaser's contact information	Name, address, phone number, fax number, and e-mail address.	
c	Current zoning designation		
d	Proposed zoning designation		
e	Current 2045 Land Use Map designation		2045 LUM
f	Area of tract(s)	In square feet or acres	
g	Area designated as mixed use on 2045 LUM	In square feet or acres	
h	Area of mixed use property proposed as non-residential development	In square feet or acres	
i	Percent of mixed use areas proposed as non-residential development		
j	Proposed list of uses	Add statement below at the top of the list 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.		
4	Purpose Statement-Planned Unit Development standards		UDO Sec. 2.3.4.F.1.iv-vi
5	Purpose Statement-Conditional Zoning standards		UDO Sec. 2.3.3.F.1-10
6	Proposed Design Controls		
a	Maximum square footage per non-residential use		
b	Maximum densities per residential use (du/acre)		
c	Lot sizes for residential use		
d	Maximum height of the building(s)	Include number of stories.	
e	Front, side and rear setbacks		
f	Amount and percentage of built upon area allowed		
g	Amount and percentage of built upon area		

PLANNED UNIT DEVELOPMENT APPLICATION - CHECKLIST

PD PLAN TEXT CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
7	Proposed Architectural Controls		
a	Proposed materials		
b	Proposed structural elements	Includes roof pitch, inclusion of porches, inclusion of crawl space, etc.	
8	Parking and loading	State that requirements of UDO Sec. 8.3 will be met or provide comprehensive parking on layout sheet.	UDO Sec. 8.3
9	Provide statement that signage will comply with UDO Section 8.7		UDO Sec. 8.7
10	Natural Resource and Environmental Data		
a	Indicate if the site is in the Primary or Secondary Watershed Protection Overlay District		
b	Indicate if the site contains a FEMA designated 100 year floodplain		
c	Gross square footage and percent of RCA required		
d	Gross square footage and percent of RCA provided		
e	Indicate if site contains a historic structure		
11	Explain how this project meets the stormwater management requirements		UDO Sec. 2.3.4.F.1.h & 6.1.7
12	Project must be reviewed by the Parks and Recreation Advisory Board	For recommendation on land dedication and/or fee in lieu. Applicant must contact the Parks and Recreation staff to request to be on the agenda.	
13	Explain how this project meets the Public Facilities requirements		UDO Sec. 2.3.4.F.1.f
14	Provide phasing plan		
15	Provide statement regarding how this project is consistent with the Land Use Plan's map, intent, and/or goals		
16	Provide statement regarding compliance with all other relevant portions of the UDO.	List sections of UDO the applicant is asking for deviation from.	
17	Building elevations showing all sides of the structure(s)	Indicate height and number of stories.	

GENERAL PLAN CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
1	Uploading to IDT	All files must be named in consecutive order with Sheet name and title (01. Coversheet.pdf, 02. Site Plan.pdf, 03. Erosion Control Plan.pdf).	IDT Plan Review
2	Electronic submittal through GeoCivix	Submit PD Plan for PUD Application, set of site plans (24"x36" at a scale of not less than 1"=50' horizontal, 1"=5' vertical), and 11"x17" colored rendering of required elevations.	
3	Every checklist item must be included on the plan sets. Do not attach checklist to the plan submittal.	If an item is not applicable, place a note on the applicable plan sheet stating why the item is not applicable. Failure to do so may result in the plans being considered incomplete.	

COVER SHEET CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
1	Vicinity Map	Show location of the property and adjacent streets within a maximum of ½ mile radius.	
2	Aerial photograph of site	Include 50' of adjoining property	
3	Project Data (tabular format)-requirements below:		See Table 1

PLANNED UNIT DEVELOPMENT APPLICATION - CHECKLIST

COVER SHEET CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
a	Name of project	Include phase numbers	
b	Preparer's contact information	Name, address, phone number, fax number, and e-mail address.	
c	Owner's contact information	Name, address, phone number, fax number, and e-mail address.	
d	Contract purchaser's contact information	Name, address, phone number, fax number, and e-mail address.	
e	Current 2045 Land Use Map designation		2045 LUM
f	Proposed 2045 Land Use Map designation	Application must be submitted if amendment is requested or required.	
g	Area of tract(s)		
h	Area designated as mixed use on 2045 LUM	In square feet or acres	
i	Area of mixed use property proposed as non-residential development	In square feet or acres	
j	Percent of mixed use areas proposed as non-residential development		
k	Existing and proposed gross square footage of buildings		
l	Proposed gross square footage by floor area	By type of use and use classification	
m	Proposed height of the building and number of stories	Measured as the vertical distance in feet between the finished floor elevation to the highest point of the roof at the front elevation. Do not include finished grade of a basement.	UDO Sec. 5.1
n	Number of parking spaces required	Indicate whether based on number of employees or square footage of building.	UDO Sec. 8.3.2
o	Total number of parking spaces provided		UDO Sec. 5.1
p	Required front, side and rear yard setbacks		
q	Indicate if the site is in the Primary or Secondary Watershed Protection Overlay District	Watershed Protection Overlay District Map	UDO Sec. 6.1 & 8.1.2.B.2.i
r	Indicate if the site contains a historic structure	Indicate if site appears on the Wake County Inventory of Historic Structures map and/or if the property appears on the TOA National Register Historic District Map.	UDO Sec. 12.2
4	Include the recommendation from the Parks and Recreation Advisory Board.	Include the specific amount of the recommendation.	

EXISTING CONDITIONS SHEET CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
Show existing site features on the proposed site and the area within a 50' perimeter of the site.			
1	Provide LIDAR or field verified topography of the subdivision at a minimum of 2 ft contours, showing existing grades	Please fill out the GIS request form for a copy of Town of Apex LIDAR data. Wake County topo data is no longer acceptable.	
2	Location of existing vegetation 18-inch caliper and larger		
3	Location of any underground storage tanks, hazardous waste and debris, abandoned wells, septic tanks, or similar structures	Other permits from local, state, or federal authorities may be required for the demolition or removal of these items on the property.	
4	Identify open fields, existing vegetation, wetlands, steep slopes, creeks, ponds, dams, rock outcroppings, fencing, roads, structures, and other pertinent site features	Show outline of existing vegetation.	

PLANNED UNIT DEVELOPMENT APPLICATION - CHECKLIST

EXISTING CONDITIONS SHEET CHECKLIST ITEMS

#	Requirement	Additional Information	Reference
Show existing site features on the proposed site and the area within a 50' perimeter of the site.			
5	Location of wetlands		
6	Location of the 100-year floodplain and 100-year floodway	Based on FIRM maps, the FEMA detailed study and field measurements.	

LAYOUT SHEET CHECKLIST ITEMS

#	Requirement	Additional Information	Reference
1	Boundary of entire tract by metes and bounds		
2	Note stating "Plan sheets are intended for illustrative use only."		
3	Location and dimensions of existing driveways or curb cuts on adjoining properties	Include properties on opposite side of adjoining streets.	
4	Existing streets and right-of-ways showing existing dimensions in accordance with the TOA Transportation Plan. Connections must be made to existing stubs on adjacent property.	Indicate location and dimensions of pavement, curbs and gutters, and sidewalks. Where development abuts or includes a State maintained road, design must be submitted and reviewed concurrently with NCDOT.	Thoroughfare Plan Map TOA Details Sec. 300
5	Approximate location of access points.	May be indicated by arrows.	
6	Approximate location of RCA.	Only needed if RCA has been identified.	
7	Location and dimensions of buffers	Includes RCA and Riparian buffers	UDO Sec. 6.1.11, 8.1.2.B.1 & 8.2.6
8	Approximate location of residential and non-residential uses.	May be done with bubbles.	
9	Check for conformity with TOA's adopted plans and policies	Advance Apex: The 2045 Transportation Plan Thoroughfare and Collector Street Plan Map Land Use Plan & 2045 Land Use Map Parks, Rec, Greenways & Open Space Master Plan Bicycle and Pedestrian System Plan Map Water & Wastewater Master Plan	

PHASING PLAN CHECKLIST ITEMS

#	Requirement	Additional Information	Reference
1	Boundary of entire tract by metes and bounds		
2	Phase lines		
3	Guarantee project improvements and amenities are necessary and desirable for residents of the project, or are of benefit to the Town	If development is proposed to occur in phases, project improvements and amenities are to be constructed within the first phase of the project or as early as is technically feasible.	

UTILITY PLAN CHECKLIST ITEMS

#	Requirement	Additional Information	Reference
1	Items on Layout sheet		
2	Indicate whether or not requesting full town services – water, sewer and electricity	If electric utilities are provided by the Town of Apex, a consultation with the Electric Utilities Division is required.	
3	Indicate whether or not site will utilize private sewage disposal (septic system)		
4	Approximate location and dimension width of easements required for utilities		
5	Location of existing trees to be saved		

PLANNED UNIT DEVELOPMENT APPLICATION - CHECKLIST

PRELIMINARY STORMWATER MANAGEMENT PLAN CHECKLIST ITEMS			
#	Requirement	Additional Information	Reference
1	Items on Layout sheet		
2	Demonstrate that the post-development rate of on-site stormwater discharge from the entire site will not exceed pre-development levels in accordance with UDO		UDO Sec. 6.1.7

TRANSPORTATION IMPACT ANALYSIS CHECKLIST ITEMS			
Please contact the Transportation Engineer at 919-249-3358 prior to starting a TIA.			
#	Requirement	Additional Information	Reference
1	Site Plan or at a minimum, a land use plan indicating conceptual access points to the external roadway system		UDO Sec. 13.19
2	Vicinity map showing the location of the property and adjacent streets within the approved study area		UDO Sec. 13.19
3	Peak-hour volumes from a recent count, no more than one year old at the time of submittal unless otherwise approved by Town staff		UDO Sec. 13.19
4	Average daily and peak hour vehicular trips generated by the proposed development		UDO Sec. 13.19
5	Trip distribution allocation on all roads and intersections within the study area approved by the Town	Please contact the transportation engineer at 919-249-3358 at least 60 days prior to starting a TIA. The transportation engineer must approve the study area.	UDO Sec. 13.19
6	Intersection geometry and traffic control devices		UDO Sec. 13.19
7	Capacity analyses for all anticipated conditions including phasing milestones unless otherwise approved by Town staff	Anticipated conditions include existing, no-build and build.	UDO Sec. 13.19
8	Documentation of data and assumptions		UDO Sec. 13.19
9	Proposed road improvements in accordance with the UDO requirements for a Traffic Impact Analysis	Upload to IDT and provide 1 hardcopy at first submittal. Anticipated review time 4 to 6 weeks.	UDO Sec. 13.19

PARKS AND RECREATION SITE DATA TABLE			
Date Reviewed by Parks & Recreation Advisory Board:			
<input type="checkbox"/>	Fee-in-Lieu of Dedication:		
	_____ single-family detached units X \$_____ per unit =		\$_____
	_____ single-family attached units X \$_____ per unit =		\$_____
	_____ multi-family units X _____ per unit =		\$_____
	Total Fee-in-Lieu:		\$_____
<input type="checkbox"/>	Acres of Land Dedication		
<input type="checkbox"/>	Public Greenway Trail Construction		
	Yes	<input type="checkbox"/>	No <input type="checkbox"/>

Refer to Town of Apex Fee Schedule: <https://www.apexnc.org/DocumentCenter/View/407>

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: _____

Submittal Date: _____

Fee for Initial Submittal: No Charge

Fee for Name Change after Approval: \$500*

Purpose

To provide a consistent and clearly stated procedure for the naming of subdivisions and/or developments and entrance roadways (in conjunction with *Town of Apex Address Policy*) so as to allow developers to define and associate the theme or aesthetics of their project(s) while maintaining the Town's commitment to preserving the quality of life and safety for all residents of Apex proper and extraterritorial jurisdiction.

Guidelines

- ✓ The subdivision/development name shall not duplicate, resemble, or present confusion with an existing subdivision/development within Apex corporate limits or extraterritorial jurisdiction except for the extension of an existing subdivision/development of similar or same name that shares a continuous roadway.
- ✓ The subdivision/development name shall not resemble an existing street name within Apex corporate limits or extraterritorial jurisdiction unless the roadway is a part of the subdivision/development or provides access to the main entrance.
- ✓ The entrance roadway of a proposed subdivision/development shall contain the name of the subdivision/development where this name does not conflict with the Town of Apex *Road Name Approval Application* and *Town of Apex Address Policy* guidelines.
- ✓ The name "Apex" shall be excluded from any new subdivision/development name.
- ✓ Descriptive words that are commonly used by existing developments will be scrutinized more seriously in order to limit confusion and encourage distinctiveness. A list of commonly used descriptive words in Apex's jurisdiction is found below.
- ✓ The proposed subdivision/development name must be requested, reviewed and approved during preliminary review by the Town.
- ✓ A \$500.00 fee will be assessed to the developer if a subdivision/development name change is requested after official submittal of the project to the Town.*

*The imposed fee offsets the cost of administrative changes required to alleviate any confusion for the applicant, Planning staff, other Town departments, decision-making bodies, concerned utility companies and other interested parties. There is no charge for the initial name submittal.

Existing Development Titles, Recurring

	Residential	Non-Residential
10 or more	Creek, Farm(s), Village(s),	Center/Centre
6 to 9	Crossing(s), Park, Ridge, Wood(s)	Commons, Park
3 to 5	Acres, Estates, Glen(s), Green*, Hills	Crossing(s), Plaza, Station, Village(s)

*excludes names with Green Level

DEVELOPMENT NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

Proposed Subdivision/Development Information

Description of location: _____

Nearest intersecting roads: _____

Wake County PIN(s): _____

Township: _____

Contact Information (as appropriate)

Contact person: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Proposed Subdivision/Development Name

1st Choice: _____

2nd Choice (*Optional*): _____

Town of Apex Staff Approval:

Town of Apex Planning Department Staff

Date

STREET NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

Wake County Approval Date: _____

Guidelines:

- No names duplicating or sounding similar to existing road names
- Avoid difficult to pronounce names
- No individuals' names
- Avoid proper names of a business, e.g. Hannaford Drive
- Limit names to 14 characters in length
- No directionals, e.g. North, South, East, West
- No punctuation marks, e.g. periods, hyphens, apostrophes, etc.
- Avoid using double suffixes, e.g. Deer Path Lane
- All names must have an acceptable suffix, e.g. Street, Court, Lane, Path, etc.
- Use only suffixes which are Town of Apex approved
- Town of Apex has the right to deny any street name that is determined to be inappropriate

Information:

Description of location: _____

Nearest intersecting roads: _____

Wake County PIN(s): _____

Township: _____

Contact information (as appropriate)

Contact person: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

Owner: _____

Phone number: _____ Fax number: _____

Address: _____

E-mail address: _____

STREET NAME APPROVAL APPLICATION

Application #: _____ Submittal Date: _____

of roads to be named: _____

Please submit twice as many road names as needed, with preferred names listed first. Proposed road names should be written exactly as one would want them to appear. Town of Apex Planning Department staff will send all approved street names to the Wake County GIS Department for county approval. Please allow several weeks for approval. Upon approval Wake County GIS – Street Addressing will inform you of the approved street names.

Example: Road Name Suffix

Hunter Street

1 _____ 11 _____

2 _____ 12 _____

3 _____ 13 _____

4 _____ 14 _____

5 _____ 15 _____

6 _____ 16 _____

7 _____ 17 _____

8 _____ 18 _____

9 _____ 19 _____

10 _____ 20 _____

TOWN OF APEX STAFF APPROVAL

Town of Apex Staff Approval

Date

WAKE COUNTY STAFF APPROVAL:

GIS certifies that _____ names indicated by checkmark are approved.

Please disregard all other names.

Comments:

Wake County GIS Staff Approval

Date

TOWN OF APEX UTILITIES OFFER AND AGREEMENT

Application #: _____ Submittal Date: _____

**Town of Apex
73 Hunter Street
P.O. Box 250 Apex, NC 27502
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

_____, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: _____

TOWN OF APEX

BY: _____
Authorized Agent

BY: _____
Authorized Agent

DATE: _____

DATE: _____

AGENT AUTHORIZATION FORM

Application #: _____ Submittal Date: _____

_____ is the owner* of the property for which the attached application is being submitted:

- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: _____

The property address is: _____

The agent for this project is: _____

- I am the owner of the property and will be acting as my own agent

Agent Name: _____

Address: _____

Telephone Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)*

_____ Type or print name

_____ Date

_____ Type or print name

_____ Date

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

AFFIDAVIT OF OWNERSHIP

Application #: _____

Submittal Date: _____

The undersigned, _____ (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at _____ and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated _____, and recorded in the Wake County Register of Deeds Office on _____, in Book _____ Page _____.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on _____, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on _____, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the _____ day of _____, 20_____.

(seal)

Type or print name

STATE OF NORTH CAROLINA
COUNTY OF _____

I, the undersigned, a Notary Public in and for the County of _____, hereby certify that _____, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's _____, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

Notary Public
State of North Carolina
My Commission Expires: _____

[NOTARY SEAL]

AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION

Application #: _____

Submittal Date: _____

Insert legal description below.

Wake County Residential Development Notification

Please complete each section of this form and submit with your application.

Please complete each section of this form and submit with your application.

Please send any questions about this form to:
studentassignment-gis-group@wcpss.net.

Developer Company Information	
Company Name	
Company Phone Number	
Developer Representative Name	
Developer Representative Phone Number	
Developer Representative Email	

New Residential Subdivision Information	
Date of Application for Subdivision	
City, Town or Wake County Jurisdiction	
Name of Subdivision	
Address of Subdivision (if unknown enter nearest cross streets)	
REID(s)	
PIN(s)	

Projected Dates Information	
Subdivision Completion Date	
Subdivision Projected First Occupancy Date	

Lot by Lot Development Information																	
Unit Type	Total # of Units	Senior Living	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Square Foot Range		Price Range		Anticipated Completion Units & Dates					
								Min	Max	Low	High	Year	# Units	Year	# Units	Year	# Units
Single Family																	
Townhomes																	
Condos																	
Apartments																	
Other																	



Instruction Packet and Affidavit for Neighborhood Meetings

Town of Apex
Planning Dept
PO Box 250
Apex, NC 27502

T: 919-249-3426
F: 919-267-4987

This packet consists of instructions and templates for conducting a required Neighborhood Meeting. Planning staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is a required form of community outreach to receive initial feedback regarding certain project types and any long range plan amendments directly associated with such projects prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7.B. The intent of the meeting is to initiate neighbor communication and identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application.

A pre-application neighborhood meeting is valid for six (6) months prior to the submission of an application; a delay in submission requires a new neighborhood meeting.

WHEN IS A NEIGHBORHOOD MEETING REQUIRED?

- Rezoning (including Planned Unit Developments);
- Major Site Plans;
- Minor Site Plans for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", and "Convenience store with gas sales";
- Residential Master Subdivision Plans (excluding exempt subdivisions); or
- Special Use Permits

INSTRUCTIONS

Prior to submitting an application for a Rezoning; Major Site Plan; Minor Site Plans for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"; residential Master Subdivision Plan (excluding exempt subdivisions); or Special Use Permit, the applicant must conduct at least one (1) Neighborhood Meeting. **The notices for this Neighborhood Meeting shall not be mailed until after the pre-application meeting with the Technical Review Committee has been held.** This meeting may be held in-person or virtually. Virtual meetings shall provide a dial-in option in addition to a link to participate by internet. The applicant shall submit all forms included in this packet with the initial application submittal.

A second Neighborhood Meeting is required for all Rezoning (including Planned Unit Developments). This meeting shall be held in the month preceding the anticipated public hearing date.

The Neighborhood Meeting must be held in accordance with the following rules:

These groups and individuals must be invited to the meeting:

- The applicant is required to notify the Planning Department, all property owners and tenants abutting and within 500 feet of the subject property, and any neighborhood association that

represents citizens in the notification area via first class mail a minimum of 14 days in advance of the neighborhood meeting, not including the day of mailing. **The applicant shall send an email to addressing.team@apexnc.org to request the notification list as early as possible in order to receive the list in time for the mailing. The list will be provided within 5-10 business days of the initial request.** The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the applicant and the neighbors. An updated list shall be provided by Planning staff prior to the required 2nd meeting for Rezoning applications.

- The applicant shall include with the meeting notice a vicinity map in addition to the materials listed under “Mailing and handout requirements” below.

The meeting must be held within specific timeframes and meet certain requirements:

- For all applications except Rezonings, the meeting must be held for a minimum of two (2) hours, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- For Rezoning, two (2) meetings are required. The first meeting must be held prior to submittal of the application and the second meeting must be held in the month preceding the anticipated public hearing date. The meetings must be held for a minimum of one (1) hour each, Monday through Thursday, during the 5:00 p.m. - 9:00 p.m. time period.
- Meetings cannot be held on Town recognized holidays (<http://www.apexnc.org/calendar.aspx>).
- In-person meetings:
 - Meeting shall be held at a place that is generally accessible to neighbors that reside in close proximity to the land subject to the application.
 - A sign-in sheet must be used in order to verify attendance. Ensure each attendee signs in. Please note if any person(s) refuses to sign in. Note if no one attended.
- Virtual meetings:
 - Meeting shall be held via an interactive online video conferencing software such as Microsoft Teams, Zoom, WebEx, or any similar platform of the applicant’s choice. A dial-in option shall be provided.
 - An attendance sheet must be used to log known attendees at the virtual meeting. Note if no one attended.
- Mailings and handouts must include the following to help facilitate discussion:
 - For rezonings (excluding rezonings to PUD-CZ, TND-CZ and MEC-CZ):
 - A vicinity map and existing zoning map of the area; and
 - An exhibit(s) showing any proposed long range plan amendment(s), if applicable.
 - For rezonings to PUD-CZ, TND-CZ and MEC-CZ; Major Site Plans; Minor Site Plans for the uses “Day care facility”, “Government service”, “School, public or private”, “Restaurant, drive-through”, and “Convenience store with gas sales”; residential Master Subdivision Plans; and Special Use Permits:
 - A vicinity map and preliminary plans of the proposed development. Neighbors may request emailed/mailed copies of the maps or plans from the applicant by checking the “send plans” box on the sign-in sheet; applicant shall provide reduced copies upon request. For virtual meetings, the applicant must ask meeting participants if they would like any materials emailed/mailed to them; and
 - An exhibit showing any proposed long range plan amendment(s), if applicable.
 - Printed copies (handouts) must equal the number of notices required to be sent.
 - Contact information for the applicant’s representative and Town Staff must be provided on the attached “Project Contact Information” form.
 - “Common Construction Issues & Who to Call” sheet (attached) must be included as part of the mailing/handout.
 - A copy of the handout must be included as part of the Neighborhood Meeting report.

- The agenda of the meeting shall include:
 - Explanation of all processes the meeting is being held for (rezoning, subdivision, etc.).
 - Explanation of future meetings (additional neighborhood meetings, Planning Board, Town Council, etc.).
 - Explanation of development proposal – uses and conditions for rezonings, layout for subdivision and site plans, and builder/end user if known/public knowledge.
- Questions or concerns by attendees, and responses by the applicant, if any, must be noted. For in-person meetings, provide blank comment sheets or notecards for neighbors to submit written comments. For virtual meetings, copy all questions and answers entered into the meeting’s chat feature before closing the meeting and save them into a document. The applicant shall also include any questions and concerns received via written correspondence (such as email) or phone call along with responses provided by the applicant.
- The applicant shall be responsible for notifying any neighbors who check the “Send Plans & Updates” box on the sign-in sheet or who otherwise request to be updated of any additional neighborhood meetings and the actual submittal date to the Town with a link to the Town of Apex’s Interactive Development Map.

For accountability purposes, please submit the following with your application:

- A copy of the letter mailed to the Planning Department, neighbors, and neighborhood organizations (use attached invitation template);
- A list of those persons and neighborhood organizations invited to the meeting;
- A copy of the sign-in sheet (use attached sign-in sheet template);
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached meeting summary template);
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One (1) reduced copy of the maps and/or plans included in the invitation and presented to the neighbors at the Neighborhood Meeting.

NOTICE OF NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Date

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at

Address(es)

PIN(s)

in accordance with the Town of Apex Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. If you are unable to attend, please refer to the Project Contact Information page for ways to contact the applicant. Notified neighbors may request that the applicant provide updates and send plans via email or mail. Once an application has been submitted to the Town, it may be tracked using the [Interactive Development Map](#) or the [Apex Development Report](#) located on the Town of Apex website at <http://www.apexnc.org/180>. Applications for Rezoning must hold a second Neighborhood Meeting in the month prior to the anticipated public hearing date.

A Neighborhood Meeting is required because this project includes (check all that apply):

Application Type		Approving Authority
<input type="checkbox"/>	Rezoning (including Planned Unit Development)	Town Council
<input type="checkbox"/>	Major Site Plan	Technical Review Committee (staff)
<input type="checkbox"/>	Minor Site Plan for the uses "Day care facility", "Government service", "School, public or private", "Restaurant, drive-through", or "Convenience store with gas sales"	Technical Review Committee (staff)
<input type="checkbox"/>	Special Use Permit	Board of Adjustment (QJPH*)
<input type="checkbox"/>	Residential Master Subdivision Plan (excludes exempt subdivisions)	Technical Review Committee (staff)

*Quasi-Judicial Public Hearing: The Board of Adjustment cannot discuss the project prior to the public hearing.

The following is a description of the proposal including any proposed long range plan amendments (also see attached map(s) and/or plan sheet(s)):

Estimated submittal date: _____

MEETING INFORMATION:

Property Owner(s) name(s): _____
 Applicant(s): _____
 Contact information (email/phone): _____
 Meeting Address: _____
 Date/Time of meeting**: _____
 Welcome: _____ Project Presentation: _____ Question & Answer: _____

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-249-3426. You may also find information about the Apex Planning Department and on-going planning efforts at <http://www.apexnc.org/180>.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: _____ Zoning: _____

Location: _____

Property PIN(s): _____ Acreage/Square Feet: _____

Property Owner: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utility Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Division Jared Harris, Electric Technical Services Manager	(919) 372-7466

Providing Input to Town Council:

Each Town Council meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Town Council meets on the 2nd and 4th Tuesdays of each month at 6:00 p.m. (except for holidays, see schedule of meetings at <http://www.apexnc.org/838/Agendas-Minutes>). You may also contact Town Council by e-mail at AllCouncil@apexnc.org.

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Apex can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Town Council public hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the Town Council public hearing if the agreement is included in the conditions. If it is not, you may request that the Town Council not approve the rezoning without the agreement being included in the conditions (note that it is up to Town Council whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Interactive Development Map at: <http://apexnc.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=fa9ba2017b784030b15ef4da27d9e795>

Documentation:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Noise & Hours of Construction:	Non-Emergency Police	919-362-8661
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Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 am to 8:30 pm so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday-Friday from 8:00 am to 5:00 pm. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic:	Infrastructure Inspections	919-249-3386
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Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control:	Infrastructure Inspections	919-249-3386
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There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

Parking Violations:	Non-Emergency Police	919-362-8661
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Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road:	Water Resources	919-362-8166
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Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams:	Water Resources	919-362-8166
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Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

Dust:	Water Resources	919-362-8166
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During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash:	Water Resources	919-362-8166
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Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins:	Water Resources	919-362-8166
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Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures:	Water Resources	919-362-8166
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Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed.

Electric Utility Installation:	Electric Utilities	919-249-3531
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Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department.

NEIGHBORHOOD MEETING SIGN-IN SHEET

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Meeting Address: _____

Date of meeting: _____ Time of meeting: _____

Property Owner(s) name(s): _____

Applicant(s): _____

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. For virtual meetings, applicants must include all known participants and request the information below.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS & UPDATES
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					

Use additional sheets, if necessary.

SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Property Owner(s) name(s): _____

Applicant(s): _____

Contact information (email/phone): _____

Meeting Address: _____

Date of meeting: _____ Time of meeting: _____

Please summarize the questions/comments and your responses from the Neighborhood Meeting or emails/phone calls received in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be "Noted" or "No Response". There has to be documentation of what consideration the neighbor's concern was given and justification for why no change was deemed warranted.

Question/Concern #1:

Applicant's Response:

Question/Concern #2:

Applicant's Response:

Question/Concern #3:

Applicant's Response:

Question/Concern #4:

Applicant's Response:

AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, _____, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Minor Site Plan, Residential Master Subdivision Plan, or Special Use Permit in accordance with UDO Sec. 2.2.7.B *Neighborhood Meeting*.
2. The meeting invitations were mailed to the Apex Planning Department, all property owners and tenants abutting and within 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at _____ (location/address) on _____ (date) from _____ (start time) to _____ (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, on this the _____ day of _____, 20____.

SEAL

Notary Public

Print Name

My Commission Expires: _____



APEX ENVIRONMENTAL ADVISORY BOARD

Suggested Zoning Conditions

The Town of Apex Environmental Advisory Board (EAB) offers this general list of suggested rezoning conditions for rezoning applicants to consider before filing a rezoning petition. The purpose of this list is to encourage and recommend implementation of exceptional environmental practices for future development that exceeds Town requirements. The Board will review each rezoning application and expand on suggested conditions by offering specific recommendations on a case-by-case basis.

The decision to include any of the recommendations below is voluntary by the applicant and the Board does not expect applicants to add all of the suggested conditions. Planning staff will include all zoning conditions suggested by this Board and will note which conditions have been added by the applicant in the staff reports to the Planning Board and Town Council. Applicants should review this list before meeting with the Board.

NOTE: **Text in green** indicates suggested zoning condition language from Planning Staff. Underlined text indicates text or numbers that may be changed based on the specific project. Additional conditions may be suggested by the EAB at the meeting.

Residential and Non-Residential Development Categories and Coverage

Part I applies to all developments; Part II applies exclusively to residential developments, and Part III exclusively to non-residential developments. Your development may include elements of each part.

- **Part I** – Includes suggestions for **BOTH** residential and non-residential developments (see definitions below).
- **Part II – Residential** applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights or exterior architecture.

Part III – Non-Residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas

Please be sure to read and complete the entire document. Please select “Yes” to each zoning condition you are proposing to add to your rezoning application. Any proposed modifications to the green zoning language should be listed in the section at the end of the document.

Part I – Residential AND Non-Residential

The following apply to both Residential **and** Non-Residential developments:

STORMWATER AND WATER CONSERVATION – WATER QUALITY		YES
1.	The project shall increase the riparian buffer width by at least ____ feet above the minimum required by the Unified Development Ordinance. The additional buffer width shall be measured from the top of bank on each side of the stream.	<input type="checkbox"/>
2.	No clearing or land disturbance shall be permitted within the riparian buffer, except the minimum necessary to install required greenway and sewer infrastructure and SCM outlets. The SCM water storage and treatment area shall not be permitted within the riparian buffer. The infrastructure shall be designed to minimize impacts to the riparian buffer.	<input type="checkbox"/>
3	No buffer averaging shall be allowed for Zone 3 of the riparian buffers.	<input type="checkbox"/>
4.	The project shall install one (1) sign per SCM to reduce pet waste and prohibit fertilizer, in locations that are publicly accessible, such as adjacent to amenity centers, sidewalks, greenways, or side paths.	<input type="checkbox"/>
5.	The project shall install a minimum of ____ Low Impact Development Technique as defined and approved by the NC Department of Environmental Quality. The specific type of LID technique shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	<input type="checkbox"/>
6.	At least ___SCM shall be designed and constructed to provide irrigation to the surrounding landscaping on site. The design shall be reviewed and approved by the Water Resources Department at site plan.	<input type="checkbox"/>
7.	A ____-foot buffer shall be provided along existing, delineated wetlands that are to be preserved.	<input type="checkbox"/>
8.	<p>Each option below is intended to be used as an improvement to the minimum UDO requirements. If an area is already required to mitigate the 25-year storm, option 7.b should not be selected.</p> <p>a. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, 25-year and <u>100-year storm events</u> in accordance with the Unified Development Ordinance.</p> <p style="text-align: center;">OR</p> <p>b. Post-development peak runoff shall not exceed pre-development peak runoff for the 24-hour, 1-year, 10-year, and <u>25-year storm events</u> in accordance with the Unified Development Ordinance.</p>	<input type="checkbox"/>
	<input type="checkbox"/>	
PLANTING AND LANDSCAPING		YES
<p>Note: Invasive species are prohibited. Please see the Town’s Design and Development Manual for a link to the list of prohibited species and for a list of suggested native species..</p>		
9.	<p>Preserve existing trees (percentage-based). Numbers shown may be changed based on project. The EAB’s preference is for a minimum of 50%.</p> <p>The project shall preserve a minimum of ____% of the existing tree canopy. Where the project abuts adjacent developments, special effort shall be taken to locate the preserved trees adjacent to areas of existing preserved open space, including but not limited to, RCA, perimeter landscape buffers, riparian buffers, and/or HOA maintained open spaces.</p>	<input type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

10.	<p>Replace canopy (percentage- or DBH size-based)</p> <p>The project shall replace any large type trees, that measure 18-inches in caliper size or larger, and small type trees, that measure 8-inches in caliper size or larger, that are removed as a part of the development. The ratio of replacement shall be 1 large tree to 1 replacement tree. The UDO's required landscaping may be used to satisfy this requirement. To determine the number of trees that must be replaced, a tree survey for the full property shall be provided to the Planning Department. The survey shall be independently verified by a third-party licensed arborist. No further clearing shall be conducted for replacement planting if there is insufficient space.</p>	<input type="checkbox"/>
11.	<p>To improve energy efficiency by providing shading, a combination of large and small deciduous shade trees shall be planted on the southern side of any buildings.</p>	<input type="checkbox"/>
12.	<p>To improve energy efficiency, the project shall plant evergreen trees on the northern side of all buildings to act as a windbreak.</p>	<input type="checkbox"/>
13.	<p>The project shall ensure that ____% of the landscaping shall be native species, which shall provide diverse and abundant pollinator and bird food sources. Special attention shall be paid to providing diverse and abundant pollinator and bird food sources, including plants that bloom in succession from spring to fall. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p>	<input type="checkbox"/>
14.	<p>The project shall increase biodiversity within perimeter buffers, common owned open space, and other landscape areas by providing a variety of native and adaptive species for canopy, understory and shrub levels. A minimum of ____% of the species selected shall be native to the eastern United States or a native of North Carolina.</p>	<input type="checkbox"/>
15.	<p>No single species of native or adaptive vegetation shall constitute more than 20% of the plant material of its type within a single development site.</p>	<input type="checkbox"/>
16.	<p>HOA covenants, conditions, and restrictions shall not prohibit clover or native grass mixed species lawns.</p>	<input type="checkbox"/>
17.	<p>In order to support nesting and overwintering wildlife and pollinators, HOA covenants shall not require that fallen leaves or dormant plants be removed during the winter on areas without turf grass, including individual homes and HOA owned common areas.</p>	<input type="checkbox"/>
18.	<p>To preserve and protect existing species, existing ponds shall be preserved if structurally sound.</p>	<input type="checkbox"/>
19.	<p>Implements xeriscaping in design, which will use landscaping that requires less irrigation and chemical use. Contact Planning for assistance, if needed.</p> <p>The project commits to planting ____% drought tolerant plants, of which ____% of the plants selected shall be native. Landscaping shall be coordinated with and approved by the Planning Department at site or subdivision review.</p>	<input type="checkbox"/>
20.	<p>To reduce irrigation requirements, the project shall select and plant only warm season grasses.</p>	<input type="checkbox"/>

Part II – Residential

Residential applies to single-family dwellings and townhome subdivisions, but does not include the parking lots, exterior building lights, or exterior architecture.

STORMWATER AND WATER CONSERVATION – WATER QUALITY		YES
The Transportation & Infrastructure Development Department does not currently support these options within the right-of-way (ROW). These may be done on private sites, but not within the public ROW.		YES
25.	The project shall utilize pervious pavement when constructing the parking spaces for parking lot-style townhomes. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or owner’s association.	<input type="checkbox"/>
26.	The project shall utilize pervious pavement when constructing the driveways for residential units. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review. The selected system shall be maintained by the developer and/or homeowner’s association.	<input type="checkbox"/>
WASTE MANAGEMENT		YES
27.	If single family, the project shall install at least one (1) pet waste station per 25 residential units/townhomes and at least two (2) pet waste stations per apartment building throughout the community in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths. If there are fewer than 25 homes, at least one (1) pet waste station shall be installed.	<input type="checkbox"/>
CLEAN ENERGY		YES
28.	A solar PV system of at least 3.5kW shall be installed on at least ____homes within the development. All solar installation required by this condition shall be completed or under construction prior to 90% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	<input type="checkbox"/>
29.	A solar PV system shall be installed on a minimum of ____model home. All solar installation required by this condition shall be completed or under construction prior to ____% of the building permits being issued for the development. The lot(s) on which this home/these homes is/are located shall be identified on the Master Subdivision Plat, which may be amended from time to time.	<input type="checkbox"/>
30.	Wire all garages with 220-volt outlets at the exterior to provide for EV charging stations in SF and Townhomes.	<input type="checkbox"/>

Part III – Non- Residential

Non-residential includes condominiums, apartments, and multi-family, common areas in residential developments (e.g. amenity areas, parking lots, exterior building lights, and exterior architecture), commercial, office, and industrial areas. Your development may include elements of each part.

STORMWATER AND WATER CONSERVATION – WATER QUALITY		YES
The Transportation & Infrastructure Development Department does not currently support these options within the ROW. These may be done on private sites, but not within the public ROW. Note that number 36 is an exception that can be done in the public ROW.		YES
31.	The project shall utilize pervious pavement when constructing parking spaces that are in excess of the minimum parking requirement. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	<input type="checkbox"/>
32.	The project shall utilize pervious pavement for all of the parking spaces provided. The specific type of pervious pavement system shall be reviewed and approved by the Water Resources Department at site or subdivision plan review.	<input type="checkbox"/>
33.	To increase stormwater infiltration and evaporation, the project shall use modified curb and gutter designs to direct driveway runoff to one or more stormwater device, such as, but not limited to, bioswales, Silva cells, or rain gardens. The specific type and design shall be selected at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Department of Public Works and Transportation.	<input type="checkbox"/>
34.	May be done within the public ROW if it's in the form of a bioretention cell within a landscaped median or large roundabout. Will require approval by the Department of Public Works and Transportation. The project shall design and install one or more bioretention cells within the landscape median or roundabout along the primary road. The specific type and design shall be determined at site or subdivision plan review. The proposal shall be reviewed and approved by the Water Resources Department and Transportation and Infrastructure Development Department.	<input type="checkbox"/>
WASTE MANAGEMENT		YES
35.	The project shall install at least _____ pet waste stations throughout the community, in locations that are publicly accessible, such as adjacent to amenity centers, SCMs, sidewalks, greenways or side paths.	<input type="checkbox"/>

Environmental Advisory Board – Suggested Zoning Conditions

CLEAN ENERGY		YES
36.	a. A solar PV system shall be incorporated into buildings to be constructed on the property. Such PV systems shall have a capacity of not less than 2 kW/1,000 heated square feet of building floor area.	<input type="checkbox"/>
	OR	
	b. A solar PV system of at least 3.5kW shall be installed on at least ____% of or ____ buildings within the development. All solar installation required by this condition shall be completed or under construction prior to ____% of the building permits being issued for the development. The buildings on which these PV systems are located shall be identified on the Site Plan, which may be amended from time to time.	<input type="checkbox"/>
37.	The developer shall provide ____% or ____ more EV charging spaces than required by the UDO.	<input type="checkbox"/>
38.	The amenity center for the project shall include a rooftop solar PV system with a capacity of at least 3.5kW.	<input type="checkbox"/>
39.	The project shall install conduits for solar energy systems for all non-residential buildings	<input type="checkbox"/>
LIGHTING EFFICIENCY		YES
40.	On the lighting plan, the average footcandle measurement for parking, building lighting and driveways shall be at least 0.5 footcandles lower than the UDO requires.	<input type="checkbox"/>
41.	The project shall use full cutoff LED fixtures that have a maximum color temperature of 3,000K for all exterior lighting, including, but not limited to, parking lot and building mounted fixtures.	<input type="checkbox"/>

Applicant Clarification/Additional Language:

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Additional Board Recommendations:

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