

**TOWN OF APEX  
PLANNING BOARD MEETING MINUTES  
MONDAY, MARCH 10, 2025  
4:30 P.M.**

The Apex Planning Board met on Monday, March 10, 2025 at 4:30 PM in the Council Chamber at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person. The recording of this meeting can be viewed here:

<https://www.youtube.com/watch?v=MAe6U0gHPyc&t=640s>

**[ATTENDANCE]**

Board Members

Tim Royal, Vice-Chair

Keith Braswell

Steven Rhodes

Sarah Soh

Alyssa Byrd

Daniel Khodaparast

Preston Mitchell

Jeff Hastings (Wake County Representative)

Vacant, Apex Historical Society Representative

Absent: Tina Sherman, Chair

Town Staff

Planning Director Dianne Khin

Current Planning Manager Amanda Bunce

Planner II Bruce Venable

All other staff members will be identified appropriately below

**[COMMENCEMENT]**

**Vice-Chair Royal** called the meeting to order at 4:30p.m., then asked Member Braswell to lead an invocation, and led the Pledge of Allegiance.

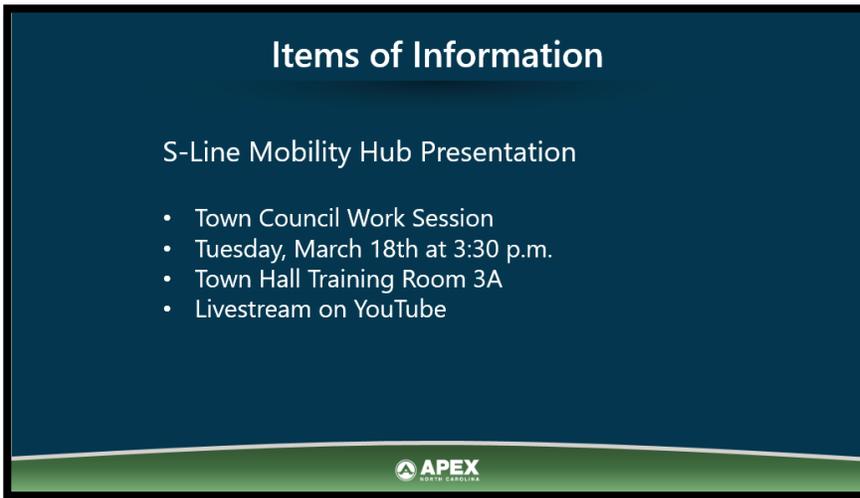
**[ITEMS OF INFORMATION]**

**Vice-Chair Royal** asked if there were any new items before moving to Public Comment.

**Director Khin** informed the public of the S-Line Apex Mobility Hub presentation to be given at the Town Council Work Session on Tuesday, March 18, at 3:30pm. That meeting will

be held in Town Hall Training Room 3A and livestreamed on the Town's YouTube channel.

**[SLIDE 1]**



**[PUBLIC COMMENT]**

**Vice-Chair Royal** opened the floor for anyone to speak on non-agenda items and with no sign-ins the public comment time was closed.

**[CONSENT]**

**Vice-Chair Royal** asked for a motion to approve the meeting minutes from the February 10, 2025 Planning Board meeting.

A **motion** was made by **Member Soh**, second by **Member Khodaparast** to approve the February 10, 2025 minutes.

**VOTE: UNANIMOUS (8-0)**

**[NEW BUSINESS]**

**ITEM NO. 1 - UDO Amendment, East West Partners**

**Bruce Venable, Planner II**, presented amendments to add the projecting sign type to the Unified Development Ordinance (UDO). This amendment was requested by East West Partners. Staff recommended approval of the proposed amendments. He gave the following presentation:

[SLIDE 1]

**Amendment #1**  
Requested by East West Partners

**Amendments to Sec. 8.7 Signs in order to add projecting signs as a permitted permanent sign type in all zoning districts and to set standards for such signage.**

Background: The applicant, East West Partners, is requesting amendments to the Unified Development Ordinance (UDO) to permit projecting signs as a permanent sign type for all uses in all zoning districts. This sign type is currently only permitted within the Small Town Character Overlay District. The applicant collaborated with Planning Staff on the proposed standards. These standards will provide an additional signage option for residential, commercial, industrial, and office/institutional uses.



[SLIDE 2]

**New Business #1**

Possible motion regarding an amendment to add the projecting sign type to the Unified Development Ordinance (UDO)



[SLIDE 3]

**Amendment #1**  
Requested by East West Partners

8.7 Signs  
...  
8.7.1 Permitted Signs: Location, Size, and Number

Table 8.7.1  
P = allowed with permit X = not allowed V = allowed without permit

Sign Type	Conditions	Residential Uses	Commercial Uses	Industrial Uses	Office & Institutional Uses	Illumination <sup>1</sup>
Permanent Sign Types						
...						
20 Projecting	8.7.1.A.20	P	P	P	P	Yes
...						
Sign Design and Color						
<sup>1</sup> Subject to Sec. 8.7.4.C Uniform Color Scheme, 8.6 Exterior Lighting, and 8.7.6.B Sign Illumination.						



[SLIDE 4]

**Amendment #1**  
Requested by East West Partners

A) Permanent Sign Types

...

**20) Projecting Signs**  
A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall and meets the conditions below:

- a) Projecting signs shall maintain a minimum vertical clearance of nine (9) feet and shall not project higher than the building height, roof line, or parapet wall.
- b) Projecting signs may only be used as an alternative to a wall sign. In no instance shall a single tenant have a projecting sign, and a wall sign located on the same building façade.



[SLIDE 5]

**Amendment #1**  
Requested by East West Partners

- c) The maximum sign area permitted for such sign shall be determined by the mounting height of the top of the sign as listed in Table 8.7.1.A.20 below.

Table 8.7.1.A.20	
Projecting Sign Location	Maximum Sign Area
Ground Floor	12 square feet
Between ground floor and secondary story	18 square feet
Between second story and third story	32 square feet
Third story and above	48 square feet

- d) Projecting signs shall be limited to one (1) per tenant with frontage on a street; or if on a corner lot, one (1) projecting sign per tenant per facade with street frontage.



[SLIDE 6]

**Amendment #1**  
Requested by East West Partners

- e) The outside edge of the projecting sign shall not project more than five (5) feet beyond the façade of the building.
- f) Also subject to Sec. 8.7.4 Sign Design and Color, 8.7.5 Master Sign Plan Requirement, Sec. 8.7.3 Sign Area Measurement, and 8.7.6.B Sign Illumination.
- g) Projecting signs in compliance with the above regulations may project into the air rights of a public right-of-way if approval for such encroachment is obtained from the governmental authority having jurisdiction over improvements in the public right-of-way prior to the approval of the sign permit.

Figure 8.7.1.A.20 Examples of projecting sign types.

[SLIDE 7]

**Amendment #1**  
Requested by East West Partners

8.7.6 Installation Requirements  
...  
B) *Sign Illumination*  
...  
4) *Style of internally illuminated signs.* Internally illuminated signs shall have individually illuminated letters and logos. Such letters shall have opaque sides, and the acrylic front shall be flush with the sides instead of held by a lip. **Provided, however, projecting signs shall be allowed to be internally illuminated only with the use of individual face or edge-lit halo letters, logos, and design forms with a maximum of one-half-inch visible acrylic on a common cabinet.**



[SLIDE 8]

**Amendment #1**  
Requested by East West Partners

Halo Lighting Examples:



Individual Sign Face Example:



**Member Mitchell** asked if the ordinance defines a marquee. He asked if the individual bulb could flash or move around the perimeter of the sign like a marquee.

**Mr. Venable** said that marquee is mentioned in the UDO, but this is designed not to flash or a distraction and solidly lit internally from the rear.

**Member Soh** asked if there is specific language of limitations of color intensity or brightness.

**Mr. Venable** said that it is in the sign section and there are limits on the types of color and how bright the signs can be.

**Member Byrd** asked if the standards are different. She said that in summary it says currently only permitted in the Small Town Character Overlay District.

**Mr. Venable** said that in the Small Town Character Overlay this sign was approved and is part of the UDO. He said that this type of sign is being used in other areas and the signs will be different in size.

**Member Byrd** asked if there were 12 tenants then could there be 12 signs.

## APPROVED MINUTES | PLANNING BOARD MARCH 10, 2025

**Mr. Venable** said that he would have to check to see. He said one per tenant could mean multiple signs with a multi-use building potentially. He said ideally that these would come in for review for guidance and direction.

**Member Byrd** said that overall, they are very attractive.

**Member Khodaparast** asked if East West Partners currently has a project that would benefit from this.

**Mr. Venable** said that they are development the Flats at Depot 499, which is a 4-story building with multiple tenants and working with them helped making decisions on signage.

**Member Mitchell** said at Sweetwater on the first or second floor of multi-tenants and asked if all tenants wanted a sign how would that work.

**Mr. Venable** said that it would be approached like wall signs. He said that the concern may be safety to appearance and that may be something to talk about.

**Member Mitchell** asked how the figures were chosen.

**Mr. Venable** said that they looked at multiple jurisdictions and they all varied. He said staff based them off of Wilmington, NC because they had good examples of smaller signs.

**Member Byrd** said that she had been in Wilmington lately and that this was more palatable.

**Member Mitchell** asked if it was still in the UDO that the building owner would have to approve.

**Mr. Venable** said that property owners will have to work with the tenant.

**Vice-Chair Royal** asked if there were any other questions for Mr. Venable and opened it up to the Board for discussion.

**Member Mitchell** said that because this is not coming from staff, and it is a private application that they should know where signs will go.

**Member Byrd** said that it makes sense for a walkable downtown dense feeling, although it can go anywhere in town, where we will see it applied, makes sense.

A **motion** was made by **Member Soh** and seconded by **Member Mitchell** to approve the amendment.

**VOTE: UNANIMOUS (8-0)**

### **ITEM NO. 2 - UDO Amendments**

**Amanda Bunce, Current Planning Manager** and **Bruce Venable, Planner II**, presented various amendments to the Unified Development Ordinance (UDO). Staff recommended approval of the proposed amendments.

[SLIDE 1]

New Business #2

Possible motion regarding various amendments to the Unified Development Ordinance



[SLIDE 2]

Amendment #1  
Requested by Planning Staff

1. Amendments to Secs. 2.1.2 *Planning Board*, 2.1.4 *Transit Advisory Committee*, 2.1.5 *Parks, Recreation, and Cultural Resources Advisory Commission*, 2.1.9 *Apex Environmental Advisory Board*, and 2.1.10 *Housing Advisory Board* in order to increase the membership, add attendance requirements, and change term length and limits for various advisory boards; add voting power to the Historical Society Member of the Planning Board; change the name of the Parks, Recreation, and Cultural Resources Advisory Commission; remove the sections for the Transit Advisory Committee and Housing Advisory Board; remove staff as ex-officio members of advisory boards; and change the threshold for rezonings that must be reviewed by the Environmental Advisory Board. Amendments to Secs. 2.3.7.D.1 *Subdivision*, *Master Subdivision Plan, Procedures*, 7.1.7 *Substitution of Fees in Lieu of Public Improvements* and 14.1 *Park, Recreation, and Open Space Sites* are needed to reflect the proposed name change for the Parks, Recreation, and Cultural Resources Advisory Commission.



[SLIDE 3]

Amendment #1  
Requested by Planning Staff

2.1.2 Planning Board  
...  
B) *Membership*

1) *Number*. The Planning Board shall consist of ~~nine (9)~~ **10** voting members and one (1) non-voting member youth representative as defined in the Resident Advisory Board Administrative Policy.

2) *Composition of the Members*

a) Composition between Town and ETJ. The composition of membership between the Town and ETJ shall be as follows:  
...  
(ii) ETJ membership shall be based on the proportionality of population between the Town and the ETJ. This shall be determined by estimating the total population in the ETJ as a percentage of the population in the Town's corporate limits and the ETJ and multiplying this percentage by ~~nine (9)~~ **10** (the total required voting membership), rounding up to the next whole number. Members appointed from the ETJ shall be residents of the ETJ and citizens of Wake County.  
...



[SLIDE 4]

**Amendment #1**  
Requested by Planning Staff

...

- c) One (1) ~~non-voting~~ member of the Planning Board shall be a member of the Apex Historical Society and may reside either within or outside the Town's corporate limits. However, the Town Council is not authorizing the Planning Board to operate as a historic preservation commission pursuant to NCGS 160D-303.
- d) All members of the Planning Board, except the non-voting ~~member from the Apex Historical Society~~ youth representative, shall have voting power on all matters of business.

...

4) *Appointment.* Members shall be appointed as follows:

...

- d) The non-voting ~~member~~ youth representative of the Planning Board shall be recommended by the Mayor and appointed by the Town Council.



[SLIDE 5]

**Amendment #1**  
Requested by Planning Staff

- 5) Terms. Members shall be appointed for terms of two (2) years, except for the youth representative who shall be appointed for a term of one (1) year. No member of the Planning Board may serve more than five (5) ~~three (3)~~ three (3) consecutive two (2) year terms with the exception of the youth representative who may serve no more than two (2) consecutive terms.
- 6) Removal. Any member of the Planning Board shall be removed for cause (~~neglect of duty, malfeasance, misconduct, or failure to faithfully attend meetings~~) by the Town Council upon written charge as defined in the Resident Advisory Board Administrative Policy.

...



**Member Khodaparast** asked if terms limits would be applied retroactively.

**Ms. Bunce** said that you would continue to serve until the term expires but if you have already served three consecutive terms you would be termed out.

**Member Soh** asked what was the youth rep selection process.

**Ms. Bunce** said for all board members there is an application process, and the Mayor selects, and Council affirms.

[SLIDE 6]

**Amendment #1**  
Requested by Planning Staff

C) Officers

- 1) *Chair and vice-chair.* The chair and vice-chair of the Planning Board shall be appointed by the Mayor from the **voting** members of the Board and confirmed by the Town Council. The term of the chair and vice-chair shall be one **(1)** year. A past chair or vice-chair may be re-appointed, even though no chair or vice-chair shall serve for more than four **(4)** consecutive terms. Vacancies within a term shall be filled by the same method as the original appointment. The chair shall decide all points of order on procedure, and shall take such action as shall be necessary to preserve the order and integrity of all proceedings before the Planning Board. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair. In the absence of both the chair and vice-chair, an acting chair shall be selected for that meeting by a simple majority of those members present. The acting chair shall have the authority and responsibilities of the chair for that meeting.
- 2) *Secretary.* The Planning Director **or designee** shall serve as Secretary of the Planning Board and shall keep minutes of all proceedings. These minutes shall be a summary of all proceedings before the Planning Board, which shall include the vote of all members upon every consideration, and be attested to by the Secretary. The minutes shall be approved by a majority of the Planning Board members voting. In addition, the Secretary shall maintain all records of the Planning Board meetings, hearings, proceedings, and correspondence, as public records in the offices of the Planning Department.



[SLIDE 7]

**Amendment #1**  
Requested by Planning Staff

D) Quorum  
No meeting of the Planning Board shall be called to order, nor may any business be transacted by the Planning Board, without a quorum consisting of the majority of the Planning Board's membership excluding vacant seats and the non-voting member **youth representative**.

...

H) Meetings  
Meetings of the Planning Board shall be held monthly to consider matters properly before the Board. Additional meetings may be called by the Chair or in writing by **five six (6)** members of the Board. All meetings and public hearings shall be held in the Town in a place accessible and open to the public.

...



[SLIDE 8]

**Amendment #1**  
Requested by Planning Staff

2.1.4 Transit Advisory Committee **Reserved**

A) Powers and Duties  
The Transit Advisory Committee shall have the following powers and duties under the provisions of this Ordinance:

- 1) *Review transit plans and services.* Review proposed local transit plans, policies, capital improvements, and service changes, and provide recommendations regarding revisions and/or approval. Review regional transit plans, policies, capital improvements, and proposed services changes relevant to the Town of Apex and provide recommendations regarding revisions and/or approval.
- 2) *Recommendations to Mayor and Town Council.* Recommend to the Mayor and Town Council local transit plans, policies, capital improvements, and service changes.
- 3) *Provide information to the Mayor and Town Council.* Provide information to the Mayor and Town Council regarding transit customer experience and stakeholder opinions and needs.



[SLIDE 9]

**Amendment #1**  
Requested by Planning Staff

B) — Membership

- 1) — *Number.* The Transit Advisory Committee shall consist of nine (9) members. Up to three (3) members may be ex officio, non-voting members consisting of Town staff. No member of the Town Council shall serve on the Transit Advisory Committee.
- 2) — *Appointment.* Members shall be recommended by the Mayor and appointed by the Town Council.
- 3) — *Initial establishment.* At the initial establishment of the Transit Advisory Committee, three (3) members shall be appointed for a term of three (3) years, three (3) members shall be appointed for a term of two (2) years, and all remaining members shall be appointed for a term of one (1) year. Thereafter, new appointments for terms of three (3) years shall be made. No member of the Transit Advisory Committee may serve more than three (3) consecutive three (3) year terms with the exception of ex officio members.
- 4) — *Removal.* Any member of the Transit Advisory Committee shall be removed for (neglect of duty, malfeasance, misconduct, or failure to faithfully attend meetings) by the Town Council upon written charge and after a public hearing.
- 5) — *Filling of vacancy.* Vacancies shall be filled by the same method as the original appointment. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by the same method as the original appointment. 6) — *Voting.* All regular members shall vote on any issue unless they have been disqualified pursuant to Sec. 2.1.4.E Conflict of Interest.
- 6) — *Voting.* All regular members shall vote on any issue unless they have been disqualified pursuant to Sec. 2.1.4.E Conflict of Interest.



[SLIDE 10]

**Amendment #1**  
Requested by Planning Staff

C) — Officers

- 1) — *Chair and vice-chair.* The chair and vice-chair of the Transit Advisory Committee shall be appointed by the mayor from the members of the Committee and confirmed by the Town Council. The term of the chair and vice-chair shall be for one (1) year. A past chair or vice-chair may be re-appointed, even though no chair or vice-chair shall serve for more than four (4) consecutive terms. Vacancies within a term shall be filled by the same method as the original appointment. The chair shall decide all points of order on procedure, and shall take such action as shall be necessary to preserve the order and integrity of proceedings before the Transit Advisory Committee. In absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair. In the absence of both the chair and vice-chair, an acting chair shall be selected for that meeting by a majority of those members present. The acting chair shall have the authority and responsibilities of the chair for that meeting.
- 2) — *Secretary.* The Planning Director or designee shall serve as the Secretary of the Transit Advisory Committee and shall keep minutes of all proceedings. These minutes shall be a summary of all proceedings before the Transit Advisory Committee, which shall include the vote of all members upon every consideration, and be attested to by the Secretary. The minutes shall be approved by a majority of the Transit Advisory Committee members voting. In addition, the Secretary shall maintain all records of the Transit Advisory Committee meetings, hearings, proceedings, and correspondence as public records in the offices of the Planning Department.



[SLIDE 11]

**Amendment #1**  
Requested by Planning Staff

D) — Quorum

No meeting of the Transit Advisory Committee shall be called to order, nor may any business be transacted by the Transit Advisory Committee, without a quorum consisting of the majority of the Transit Advisory Committee's membership, excluding vacant seats, being present.

E) — Conflict of Interest

Per 160D-109(b), Transit Advisory Committee members shall not vote on any advisory decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Any member who has an interest in a matter under consideration by the Transit Advisory Committee shall declare such interest prior to the vote of the Committee and abstain from voting on the question. The member declaring the interest is not exempted from participation in the discussions of the Committee on the matter prior to its vote.

F) — Staff

The Planning Department shall be the professional staff to the Transit Advisory Committee.

G) — Rules of Procedure

The Transit Advisory Committee shall, by a majority vote of the entire membership, adopt rules and regulations governing its procedure as it may consider necessary or advisable.

H) — Meetings

Meetings of the Transit Advisory Committee shall be held quarterly to consider matters properly before the Committee. Additional meetings may be called by the Chair or in writing by a majority of the Committee.

I) — Compensation

The members of the Transit Advisory Committee shall serve with compensation as authorized by Town Council in the annual budget.



[SLIDE 12]

**Amendment #1**  
Requested by Planning Staff

2.1.5 Parks, ~~and~~ Recreation, and Cultural Resources Advisory Commission **Board**

A) Powers and Duties  
The Parks, ~~and~~ Recreation, and Cultural Resources Advisory Commission **Board** shall have the following powers and duties under the provisions of this Ordinance:  
...

B) Rules Governing Commission **Board**  
The professional staff of the Commission **Board** shall be the Parks, Recreation, and Cultural Resources Department. The rules governing the other responsibilities and procedures of the Parks, ~~and~~ Recreation, and Cultural Resources Advisory Commission **Board** are established in Sec. 15-4, Code of Ordinances, Town of Apex, North Carolina.

C) Compensation  
The members of the Parks, ~~and~~ Recreation, and Cultural Resources Advisory Commission **Board** shall serve with compensation as authorized by Town Council in the annual budget.



[SLIDE 13]

**Amendment #1**  
Requested by Planning Staff

2.1.9 Apex Environmental Advisory Board

A) Powers and Duties  
The Environmental Advisory Board shall have the following powers and duties under the provisions of this Ordinance:  
...

2) Review, with applicants, during the staff review phase of a proposal, certain requests for conditional rezoning and recommend zoning conditions to the applicant and Town Council that will mitigate anticipated impact to the natural environment as a result of the project under consideration. The following conditional rezoning requests shall be exempt from review by this Board:

- a) Rezoning to amend zoning conditions which have no environmental impact on a site including but not limited to revisions to architectural standards, building height, setbacks, and uses;
- b) Rezoning to resolve nonconformities;
- c) Rezoning of one (1) acre **10 acres** or less; and
- d) Rezoning within the Small Town Character Overlay District.

...



[SLIDE 14]

**Amendment #1**  
Requested by Planning Staff

2.1.10 Housing Advisory Board

A) Powers and Duties  
The Housing Advisory Board shall have the following powers and duties under the provisions of this Ordinance:

- 1) Recommendations to Mayor and Town Council. Recommend to the Mayor and Town Council, policies and funding recommendations related to affordable housing.
- 2) Housing Advocacy to Mayor, Town Council, and Planning Board. Advise the Mayor, Town Council, and Planning Board on housing advocacy efforts related to affordable housing.
- 3) Housing Annual Report. Assist in the creation of the housing annual report.



[SLIDE 15]

**Amendment #1**  
Requested by Planning Staff

B) Membership

- 1) Number. The Housing Advisory Board shall consist of nine (9) members. The Housing Advisory Board shall include one (1) Planning Board member and one (1) Town Council member. The Planning Board member and Town Council member shall be non-voting members.
- 2) Appointment. Members shall be recommended by the Mayor and appointed by the Town Council.
- 3) Initial establishment. At the initial establishment of the Housing Advisory Board, four (4) members shall be appointed for a term of three (3) years, three (3) members shall be appointed for a term of two (2) years, one Planning Board non-voting member shall be appointed for a term of (1) year and one Town Council non-voting member shall be appointed for a term of one (1) year. Thereafter, new appointments for terms of three (3) years shall be made with the exception of the Planning Board non-voting member and Town Council non-voting member which shall remain on a term of one (1) year. No member of the Housing Advisory Board shall serve more than nine (9) consecutive years after being appointed with the exception of the Planning Board non-voting member and Town Council non-voting member which shall serve no more than three (3) consecutive years after being appointed.
- 4) Removal. Any member of the Housing Advisory Board shall be removed for cause (neglect of duty, malfeasance, misconduct, or failure to faithfully attend meetings) by the Town Council upon written charge and after a public hearing.
- 5) Filling of vacancy. Vacancies shall be filled by the same method as the original appointment. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by the same method as the original appointment.
- 6) Voting. All regular members shall vote on any issue unless they have been disqualified pursuant to Sec. 2.1.10.E Conflict of Interest.



[SLIDE 16]

**Amendment #1**  
Requested by Planning Staff

C) Officers

- 1) Chair and vice-chair. The chair and vice-chair of the Housing Advisory Board shall be appointed by the Mayor from the members of the Board and confirmed by the Town Council. The term of the chair and vice-chair shall be for one (1) year. A past chair or vice-chair may be re-appointed, even though no chair or vice-chair shall serve for more than three (3) consecutive terms. Vacancies within a term shall be filled by the same method as the original appointment. The chair shall decide all points of order on procedure, and shall take such action as shall be necessary to preserve the order and integrity of all proceedings before the Housing Advisory Board. In absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair. In the absence of both the chair and vice-chair, an acting chair shall be selected for that meeting by a majority of those members present. The acting chair shall have the authority and responsibilities of the chair for that meeting.
- 2) Secretary. The Housing Program Manager or designee shall serve as the Secretary of the Housing Advisory Board and shall keep minutes of all proceedings. These minutes shall be a summary of all proceedings before the Housing Advisory Board, which shall include the vote of all members upon every consideration, and be attested to by the Secretary. The minutes shall be approved by a majority of the Housing Advisory Board members voting. In addition, the Secretary shall maintain all records of the Housing Advisory Board meetings, hearings, proceedings, and correspondence as public records in the offices of the Planning Department.

D) Quorum

No meeting of the Housing Advisory Board shall be called to order, nor may any business be transacted by the Housing Advisory Board, without a quorum consisting of the majority of the Housing Advisory Board's membership, excluding vacant seats, being present.



[SLIDE 17]

**Amendment #1**  
Requested by Planning Staff

E) Conflict of Interest

Any member who has an interest in a matter under consideration by the Housing Advisory Board shall declare such interest prior to the vote of the Board and abstain from voting on the question. The member declaring the interest is not exempted from participation in the discussions of the Board on the matter prior to its vote.

F) Staff

The Planning Department shall be the professional staff to the Housing Advisory Board.

G) Rules of Procedure

The Housing Advisory Board shall, by a majority vote of the voting membership, adopt rules and regulations governing its procedure as it may consider necessary or advisable.

H) Meetings

Regular meetings of the Housing Advisory Board shall be held quarterly to consider matters properly before the Board. Special Board meetings may also be called on an as needed basis. The chair, vice-chair, or any two (2) members of the Board may at any time call a special Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. A special Board meeting may also be called or scheduled by vote of the Board in open session during another duly called meeting.

I) Compensation

The members of the Housing Advisory Board shall serve with compensation as authorized by Town Council in the annual budget.



[SLIDE 18]

**Amendment #1**  
Requested by Planning Staff

2.3.7 Subdivision  
...  
D) Master Subdivision Plan  
1) *Procedures*  
...  
b) Additionally, the Parks, Recreation, and Cultural Resources Director shall also provide a copy of any Master Subdivision Plan for residential development to the Parks, ~~and Recreation, and Cultural Resources Advisory Commission~~ **Board** which shall review the application and provide comments to the TRC about whether the proposed Master Subdivision Plan complies with the standards of Sec. 2.3.7.D.2 Standards.

7.1.7 Substitution of Fees in Lieu of Public Improvements  
...  
B) In the case of required parks, recreation, and open space facilities, the Parks, ~~Recreation, and Cultural Resources (PRCR) Advisory Committee~~ **Parks and Recreation Advisory Board** shall recommend whether dedication of land is feasible in a given plat and consistent with the Town's development plan, or rather, if fees in lieu should be paid, or if some dedication/fee combination is appropriate. See Article 14: Parks, Recreation, Greenways, and Open Space.



[SLIDE 19]

**Amendment #1**  
Requested by Planning Staff

14.1 PARK, RECREATION, AND OPEN SPACE SITES  
14.1.1 Dedication Generally; Fee in Lieu of Dedication Generally; Construction of Public Recreation Facilities with Fee-in-Lieu Monies Generally  
...  
B) As an alternative to the dedication of a portion of such land by the developer, and where it is recommended by the Parks, ~~and Recreation, and Cultural Resources (PRCR) Advisory Commission~~ **Board** and determined by the Town Council that a dedication of land is not feasible in a given development or incompatible with the Town's plan, the developer may be allowed to:  
...  
14.1.4 Standards for Town Council's Choice Between Land Dedication, Payment of Fee-in-Lieu, Construction of Public Recreation Facilities with Fee-in-Lieu Monies, or Combination Thereof  
A) Whether the Town Council accepts the land dedication, elects to require payment of fee-in-lieu or construction of public recreation facilities with fee-in-lieu monies, or some combination thereof, shall be determined by consideration of the following:  
...  
2) The recommendations of the ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board**;



[SLIDE 20]

**Amendment #1**  
Requested by Planning Staff

14.1.5 Procedure for Determination of Choice Between Land Dedication, Payment of Fee-in-Lieu, Construction of Public Recreation Facilities with Fee-in-Lieu Monies, or Combination Thereof; Performance Guarantees

The procedure for determining whether the subdivider is to dedicate land, pay a fee-in-lieu, construct public recreation facilities with fee-in-lieu monies, or some combination thereof, shall be as follows:

A) Action of Town  
After a proposal by the developer as indicated in Sec. 14.1.5.B below, the ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board** shall recommend, and the Town Council shall determine as a part of PD Plan approval or prior to TRC approval of a Master Subdivision Plan or Minor or Major Site Plan, whether to require a dedication of land, payment of a fee-in-lieu, construction of public recreation facilities with fee-in-lieu monies, or some combination thereof, pursuant to the standards in Sec. 14.1.4 *Standards for Town Council's Choice Between Land Dedication, Payment of Fee-in-Lieu, Construction of Public Recreation Facilities with Fee-in-Lieu Monies, or Combination Thereof*.



[SLIDE 21]

**Amendment #1**  
Requested by Planning Staff

The procedure shall be as follows:

- 1) Planned Development (PD) Plans. At the time of the PD plan review, staff shall review and provide comments and a recommendation to the ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board**. The ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board** recommendation shall be provided to the Town Council at the time of public hearing for the PD Plan. The per-unit acreage and/or fee-in-lieu will be set as of the Town Council approval date for the PD Plan.
- 2) Master Subdivision and Minor and Major Site Plans. Unless set at the time of PD Plan approval, at the time of Master Subdivision Plan or Minor or Major Site Plan review, staff shall review and provide comments and a recommendation to the ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board**. The ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board** recommendation shall be provided to the Town Council prior to approval of such plans. The per-unit acreage and/or fee-in-lieu will be set as of the approval date of the Master Subdivision Plan or Minor or Major Site Plan.

14.1.8 Use of Land by Town; Sale of Land by Town; Use of Funds Received in Lieu of Dedication

...  
B) *Sale of Land*  
The Town shall have the right to sell any land dedicated to the Town for neighborhood park and recreation purposes on finding by the ~~PRCR Advisory Commission~~ **Parks and Recreation Advisory Board** that a particular piece of property is not feasible or compatible with the Parks, Recreation Greenways and Open Space Master Plan.



Mr. Venable gave the remaining presentation:

[SLIDE 22]

**Amendment #2**  
Requested by Planning Staff

**2. Amendments to Secs. 2.2.7 Neighborhood Notice and 2.2.11 Public Notification in order to increase the minimum distance for all neighborhood and public hearing notices from 300 feet to 500 feet. The effective date of this amendment would be July 1, 2025.**

2.2.7 Neighborhood Notice

- A) Notification Letter  
The petitioner of a Minor Site Plan for uses that do not require a neighborhood meeting as outlined in Sec. 2.2.7.B Neighborhood Meetings, and which are located within ~~300~~ **500** feet of a residential land use and have not had a rezoning approval in the previous two (2) years, shall be required to send a letter to all property owners and tenants abutting and located within ~~300~~ **500** feet of the land subject to the application, to any neighborhood association that represents citizens within that notification area, and to the Town of Apex Planning Department at least 14 days prior to the submittal of the Minor Site Plan. The letter shall include the developer's and authorized agent's contact information and an explanation of the proposed project, and shall follow the guidelines in the Neighborhood Notification Letter Packet, including the procedure for requesting the notification address list from Town GIS staff.



[SLIDE 23]

**Amendment #2**  
Requested by Planning Staff

- B) Neighborhood Meetings

...

- 3) Notification  
The applicant shall provide notification of the neighborhood meeting a minimum of 14 calendar days in advance of the meeting by mail, to all property owners and tenants abutting and located within ~~300~~ **500** feet of the land subject to the application, to any neighborhood association that represents citizens within that notification area, and to the Town of Apex Planning Department. The applicant shall request this notification list from Town GIS staff per the guidelines in the Neighborhood Meeting Packet. When less than an entire parcel of land is subject to the proposed zoning map amendment, the ~~300~~ **500**-foot notification area shall be measured from the property line of that entire parcel.

...



[SLIDE 24]

**Amendment #2**  
Requested by Planning Staff

2.2.11 Public Notification

...

B) Written (Mailed) Notice

When the provisions of this Ordinance require that written or mailed notice be provided, the Planning Director shall be responsible for preparing the written notice and mailing the written notice. Notice shall be mailed to all property owners subject to the application, all property owners and tenants abutting and located within 300 **500** feet of the land subject to application, and any neighborhood association that represents citizens within the notification area unless otherwise specified in this Ordinance. However, as an alternate form of notification, NCGS 160D-602(b) may be used when a zoning map amendment proposes to change the zoning designation of more than 50 properties, owned by at least 50 different property owners, and the Town elects to use the expanded published notice provided for in that subsection.



[SLIDE 25]

**Amendment #2**  
Requested by Planning Staff

Written notice shall be provided at the last addresses listed for such property owners on the county tax abstracts and all tenant and neighborhood association addresses on record with the Planning Department. Town GIS staff shall provide the applicant with a list of all property owners of land subject to the application, all property owners and tenants abutting and located within 300 **500** feet of the land subject to application, and any neighborhood association that represents citizens within the notification area. Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The applicant shall be responsible for providing the Planning Director with first class stamped envelopes (postage metering is not acceptable) addressed to all property owners subject to the application, all property owners and tenants abutting and located within 300 **500** feet of the land subject to application, and to any neighborhood association that represents citizens within the notification area.

The Planning Director shall be responsible for preparing an affidavit affirming that the mailed notice met the requirements of Sec. 2.2.11.A *Content*. The affidavit shall be conclusive that notice has been given pursuant to the terms of the subsection. When less than an entire parcel of land is subject to the proposed zoning map amendment, the entire parcel shall be used to determine abutting owners and the 300 **500**-foot notification area. Properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

...



[SLIDE 26]

Municipality	Notification Distance	Recipients
Garner	800 feet	Property owners and tenants (E911 addresses) for all meetings
Cary	800 feet (above ordinance requirement of 100 feet)	Property owners only (from county tax records); tenants not included but may be considered for future improvements
Wake Forest	500 feet	Property owners only; neighborhood meeting info may be posted on Nextdoor within ½ mile
Raleigh	500 feet (standard); 1,000 feet (for second neighborhood meeting, if triggered)	Property owners and tenants
Holly Springs	500 feet	Public hearing: Property owners only; Neighborhood meetings: Property owners, HOAs, and tenants when owner's address differs from property address
Morrisville	500 feet	Property owners only
Rolesville	500 feet (previously 200 feet)	Property owners only
Fuquay-Varina	200 feet	Property owners only (for annexations, rezonings, and special use permits)
Knightdale	200 feet	Property owners only (for all hearing types)
Wake County	Abutting properties only (per NCGS § 160D-602)	Property owners only

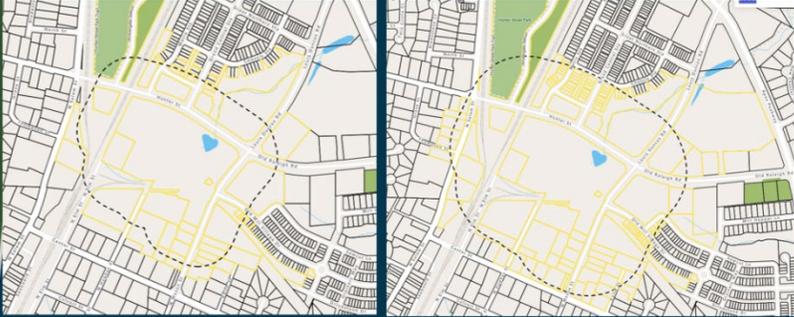


[SLIDE 27]

**Amendment #2**  
Requested by Planning Staff

Current 300-foot noticing requirement example  
61 properties reached.

Proposed 500-foot noticing requirement example  
135 properties reached.



Member Mitchell thanked Mr. Venable for showing the peer communities and their standards.

[SLIDE 28]

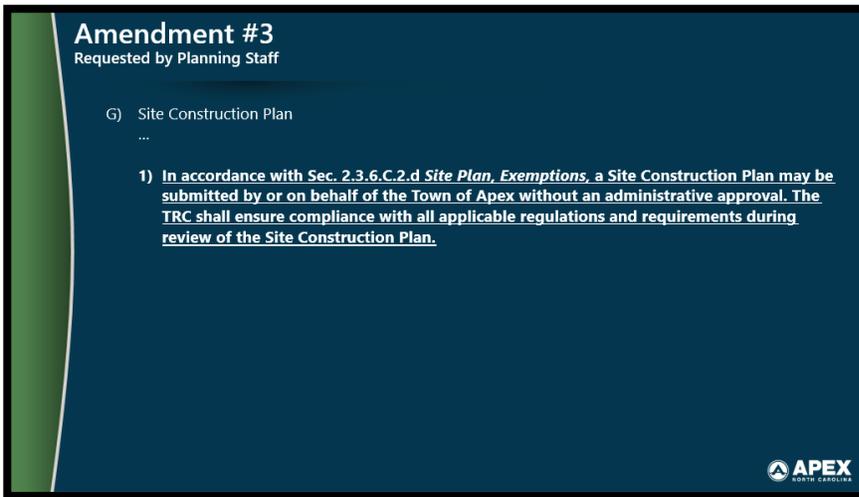
**Amendment #3**  
Requested by Planning Staff

**3. Amendments to Sec. 2.3.6 Site Plan to allow for linear utility, infrastructure, and public works projects submitted by the Town to go directly to construction plans after a pre-application meeting.**

2.3.6 Site Plan  
...  
C) Exemptions  
...  
2) The following development or activities shall be exempted from the requirements of this Section:  
...  
d) Utilities, infrastructure, and public works projects. Utilities, infrastructure, and public works projects, including, but not limited to, road improvements, sidewalk improvements, utility improvements, above ground utility boxes, bus shelters, and co-location of communication equipment. A linear utility, infrastructure, or public works project submitted by or on behalf of the Town of Apex shall not be required to receive administrative approval prior to submitting Site Construction Plans. However, a pre-application meeting, in accordance with Sec. 2.2.6 Pre-Application Meeting, shall be held prior to the submittal of Site Construction Plans.  
...  
...



[SLIDE 29]



**Mr. Venable** said that if there were any questions he would be glad to answer.

**Member Mitchell** asked if someone on TRC hold up the project in that meeting. He asked for clarification if vertical construction would apply.

**Mr. Venable** said it would not apply. He said that bus stops would be the only vertical thing that would be allowed.

**Member Mitchell** asked if there was an infrastructure plan, but there was a long range plan or policy that conflicted with the proposed plan, would this allow the plan to bypass an adopted plan or policy.

**Mr. Venable** said that other jurisdictions have what's called a combo submittal where the site plan and construction drawing come in at the same time for review. He said that is essentially how these projects would be reviewed. Staff would use the UDO and every adopted plan in reviewing the project and they will not be able to bypass anything.

**Member Mitchell** stated that sometimes the local government laws and policies can get in the way of an infrastructure project and that they are suggesting that this not happen, and he supports this amendment.

**Mr. Venable** said some communities don't even require a pre-application meeting for these type projects, but the Planning leadership made a good point that designers don't always know what is going on at the project or site when designing. This allows all staff to comment on the proposal early in the design process.

A **motion** was made by **Member Hastings** and seconded by **Member Soh** to approve the amendments.

**VOTE: UNANIMOUS (8-0)**

[ADJOURNMENT]

A **motion** was made by **Member Soh** and seconded by **Member Mitchell** to adjourn the Planning Board meeting at **5:08 p.m.**

**APPROVED MINUTES | PLANNING BOARD MARCH 10, 2025**

**VOTE: UNANIMOUS (8-0)**

Tina Sherman  
Planning Board Chair

Jeri Pederson  
Lead Planning Technician  
Submitted for approval by Jeri Pederson and approved on April 14, 2025.