

8.5 OPERATIONAL COMPATIBILITY STANDARDS

8.5.1 Glare

Glare from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building.

8.5.2 Heat and Humidity

Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site on which they are situated, which cause material distress, discomfort, or injury to a reasonable person.

8.5.3 Noise

No activity or operation subject to this Ordinance shall exceed the maximum permitted sound levels as set forth in Sections 14-29 through 14-38 of the Apex Town Code, which provisions are enforced by the Police Department.

8.5.4 Vibration

No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 7:00 a.m. and 10:00 p.m., or for more than 30 seconds in any one hour between the hours of 10:00 p.m. and 7:00 a.m.

8.5.5 Operational/Physical Compatibility

The following conditions may be imposed upon the approval of any development to ensure that it is compatible with existing uses, including but not limited to, restrictions on:

- A) Hours of operation and deliveries;
- B) Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare;
- C) Placement of trash receptacles;

- D) Location of loading and delivery areas;
- E) Location, intensity, and hours of illumination;
- F) Placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
- G) Additional landscaping and buffering;
- H) Height restrictions to preserve light and privacy and views of significant features from public property and rights-of-way;
- I) Preservation of natural lighting and solar access;
- J) Ventilation and control of odors and fumes;
- K) Dust-control paving; and
- L) Location and intensity of drive-through uses that require stacking spaces.

8.5.6 Evidence of Compliance

The Planning Director shall require such evidence of ability to comply with appropriate performance standards, mitigation measures, and conditions as set forth in this Section, as the Director deems necessary prior to issuance of a Certificate of Zoning Compliance.