

### **3.3 DISTRICT PURPOSES**

The districts established have the following purposes and intent:

#### **3.3.1 Residential Districts**

The purpose and intent of the residential districts is to provide a comfortable, healthy, safe and pleasant environment for persons to live, to protect the Town's existing neighborhoods, to maintain the Town's small-town character, to maintain natural areas and open spaces within neighborhoods, to encourage the development and protection of pedestrian ways within and between neighborhoods, to encourage interconnectivity, and to ensure residential areas are served by adequate public facilities and services and sheltered from incompatible land uses.

A) ***RA Residential Agricultural District***

The purpose and intent of the RA Residential Agricultural District is to protect and enhance an agricultural and rural lifestyle by providing lands that allow for agricultural uses, and very low density rural and residential development. Single family homes in the Residential Agricultural (RA) District shall have an average lot size of 5 acres or greater per residential development.

B) ***RR Rural Residential District***

The purpose and intent of the RR Rural Residential District is to provide for lower density rural and residential development while accommodating smaller lot sizes than the RA Residential Agricultural District. Single family homes in the Rural Residential (RR) District shall have an average lot size of 1 acre or greater per residential development.

- C) ***Low Density Residential District***  
The purpose and intent of the LD Low Density Residential District is to provide lands for low density, single family residential uses at densities up to 3 units an acre.
- D) ***Medium Density Residential District***  
The purpose and intent of the MD Medium Density Residential District is to provide lands for medium density single-family and duplex residential uses at densities up to 6 units an acre.
- E) ***High Density Single-Family Residential District***  
The purpose and intent of the HDSF High Density Single-Family Residential District is to provide lands for high density single-family and duplex residential housing at densities up to 8 units an acre.
- F) ***High Density Multi-Family Residential District***  
The purpose and intent of the HDMF High Density Multi-Family Residential District is to provide lands for high-density multi-family residential uses, (townhouses, condominiums, apartments, duplexes, triplexes, and quadplexes) at densities up to 14 units an acre.
- G) ***MH Manufactured Housing Residential District***  
The purpose and intent of the MH Manufactured Housing Residential District is to provide lands for manufactured housing along with other multi-family (townhouse, condominium, duplex, and multi-family dwellings) and single family housing at densities of six units an acre.
- H) ***MHP Mobile Home Park District***  
The purpose and intent of the MH Mobile Home District is to provide lands for mobile home development in a planned environment at densities of eight units an acre.
- I) ***MORR Mixed Office-Residential-Retail District***  
The purpose and intent of the MORR Mixed Office-Residential-Retail District is to build on the traditional neighborhood and small-town character of Apex by providing lands that allow a mix of residential, professional office, and limited retail uses that are designed and developed consistent with neo-traditional principles. The district allows single family development on small lots, duplexes, bed and breakfasts, and small-scale professional office and retail uses built to a scale that is consistent with Apex's small-town character. Properties to be rezoned to MORR Mixed Office-Residential-Retail that are greater than or equal to 10 acres in land area shall provide the minimum percentage of non-residential land area for certain mixed-use areas as specified on the 2045 Land Use Map. Properties to be rezoned to MORR Mixed Office-Residential-Retail that are less than 10 acres in land area are exempt from the minimum non-residential percentage requirement.

### **3.3.2 Business Districts**

The purpose and intent of the business districts is to provide lands that allow for a wide range of businesses, services and goods to the residents of Apex and the Triangle region in ways that are consistent with the Town's small-town character, encourage interconnectivity between business uses and residential areas, encourage the development and protection of pedestrian ways between business and residential districts, and ensure businesses are served by adequate public facilities.

- A) ***O&I Office and Institutional District***  
The purpose and intent of the O&I Office and Institutional District is to encourage development of office and institutional uses at moderate intensities, and the integration of complementary retail uses to service the office and institutional development, primarily at major and minor thoroughfares.
- B) ***B1 Neighborhood Business District***  
The purpose and intent of the B1 Neighborhood Business District is to encourage the development of small-scale, neighborhood serving commercial and business uses providing a wide range of goods and services, generally located at intersections.
- C) ***B2 Downtown Business District***  
The purpose and intent of the B2 Downtown Business District is to encourage the development of a high intensity, mixed-use, pedestrian-oriented downtown business district, with retail, financial, service, office, governmental, cultural and entertainment uses, along with residential options on the top floors of buildings.
- D) ***PC Planned Commercial District***  
The purpose and intent of the PC Planned Commercial District is to encourage the development of a moderate and high intensity mix of convenience and city-wide serving convenience and regional retail and related uses within a planned environment at the intersections of the Town's arterials and major collector roads.
- E) ***TF Tech/Flex***  
The purpose and intent of the TF Tech/Flex District is to provide locations for a wide range of employment opportunities for office, institutional, research and development and light industrial uses. The district also provides for "flex space" where different combinations of uses on a site may occur over time as the market changes and adjusts to new or different conditions.
- F) ***LI Light Industrial District***  
The purpose and intent of the LI Light Industrial District is to provide sufficient lands in appropriate locations for certain types of businesses, light manufacturing, or processing uses that might cause undesirable effects upon residential or commercial lands.

### **3.3.3 Planned Development Districts**

The purpose and intent of the planned development districts is to encourage the design of a more complete and sustainable environment consistent with the Town's small-town character through the application of imaginative approaches to community design that allows and encourages mixed uses, design flexibility, pedestrian-oriented development and interconnectivity among uses, sensitivity to the natural environment and natural features, and the coordination of development with the adequacy of public facilities. The specific procedures and standards for the review of planned development districts is found in Sec. 2.3.4, *Planned Development Districts*.

- A) ***MEC-CZ Major Employment Center District***  
The purpose and intent of the MEC-CZ Major Employment Center District is to encourage the development of a vibrant mix of employment uses at appropriate major intersections and corridors within the Town in a planned and aesthetically pleasing way. This is done by allowing design flexibility as well as a mix of office, research, light industrial, limited neighborhood commercial, and a mixture of residential uses that are reviewed as a plan for development subject to the application of performance standards that:

- 1) *Integration and mixing of MEC-CZ and a mixture of residential uses.* Encourage the integration and mixing, rather than separation of, major employment center uses and a mixture of residential uses, provided a minimum percentage of non-residential land area is included for certain mixed-use areas as specified on the 2045 Land Use Map;
- 2) *Interconnectivity.* Encourage interconnectivity between uses;
- 3) *Small-town character.* Encourage the design of development at a scale that is consistent with Apex's small-town character;
- 4) *Opportunities for public transportation.* Establish land use patterns that promote and expand opportunities for public transportation and for efficient, compact networks of streets and utilities that lower development and maintenance costs and conserve energy;
- 5) *Preservation of natural features.* Encourage the preservation of natural features and the natural environment on the site;
- 6) *Integration of open space into plan for development.* Encourage the integration of open space into the plan for development; and
- 7) *Public facilities available.* Ensure that public facilities are available to serve the proposed development.

**B) *TND-CZ Traditional Neighborhood District***

The purpose and intent of the TND-CZ Traditional Neighborhood District is to encourage the development of a vibrant mix of residential, retail, and offices uses that adhere to neo-traditional neighborhood principles and that provide a minimum percentage of non-residential land area for certain mixed-use areas as specified on the 2045 Land Use Map. This is done by allowing design flexibility and a mix of residential, retail, office and recreational uses, along with schools and churches, that are reviewed as a plan for development subject to the application of performance standards that:

- 1) *Neo-traditional design principles.* Generally require the use of a grid pattern for the majority of development, along with back alleyways and garages and parking at the rear of buildings;
- 2) *Town center.* Require the development of a town center which is memorable – a square, green, and/or transit stop, with retail and offices uses connected to the mix of residential uses in a practical way;
- 3) *Variety of residential types in neighborhood.* Encourage a variety of dwelling types within a neighborhood;
- 4) *Shops and offices at edge of neighborhood.* Encourage shops and offices to be located at the edge of neighborhoods;
- 5) *Schools and churches.* Encourage the location of schools and churches within neighborhoods;
- 6) *Narrow streets.* Require streets to be relatively narrow, with street trees and sidewalks on both sides;
- 7) *Passive and active recreational opportunities.* Encourage the provision of both passive and active recreational opportunities. Small playgrounds

and parks should be scattered throughout the neighborhood within walking distance to most of the homes;

- 8) *Residential uses mixed with offices.* Encourage the location of residential uses as accessory uses on the upper floors of retail and office uses;
- 9) *Prominent sites.* Encourage prominent sites to be reserved for civic or important buildings
- 10) *Interconnectivity.* Require interconnectivity between uses;
- 11) *Small-town character.* Require the design of development at a scale that is consistent with Apex's small-town character;
- 12) *Expand opportunities for public transportation.* Establish land use patterns that promote and expand opportunities for public transportation and for efficient, compact networks of streets and utilities;
- 13) *Encourage preservation of natural features.* Encourage the preservation of natural features and the natural environment on the site;
- 14) *Encourage integration of open space into plan for development.* Encourage the integration of open space into the plan for development; and
- 15) *Public facilities available.* Ensure that public facilities are available to serve the proposed development.

C) ***PUD-CZ Planned Unit Development District***

The purpose of the PUD-CZ Planned Unit Development District 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 this Ordinance. This is done through the application of performance standards that:

- 1) *Integration and mixing of uses where a mix of uses is proposed with a minimum percentage of non-residential land area for certain mixed-use areas as specified on the 2045 Land Use Map.* Ensure the integration and mixing, rather than separation of uses, so that retail, office, recreational, and educational facilities are conveniently located in relation to housing;
- 2) *Interconnectivity.* Ensure interconnectivity between uses and adjoining developments;
- 3) *Small-town character.* Ensure the design of development at a scale that is consistent with Apex's small-town character;
- 4) *Expand opportunities for public transportation.* Establish land use patterns that promote and expand opportunities for public transportation and for efficient, compact networks of streets and utilities that lower development and maintenance costs and conserve energy;
- 5) *Preservation of natural features.* Ensure the preservation of natural features and the natural environment;
- 6) *Integration of Resource Conservation Area into plan for development.* Ensure the integration of RCA into the plan for development; and

- 7) *Public facilities available.* Ensure that public facilities are available to serve the proposed development.

### 3.3.4 Other Districts

A) ***CB Conservation Buffer District***

The purpose and intent of the CB Conservation Buffer District is to designate lands that possess unique environmental values that are under public ownership and management.

B) ***Sustainable Development Conditional Zoning District***

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

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

Further, because the aforementioned design standards are best implemented on a large-scale basis, a purpose and intent of the Sustainable Development Conditional Zoning District SD-CZ is to provide sufficient lands for such implementation. To this end, the Sustainable Development Conditional Zoning District SD-CZ must include a minimum of 500 contiguous acres. An SD-CZ District may include other parcels of any size within 2000 feet of such parcel of at least 500 contiguous acres.

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

### 3.3.5 Overlay Districts

A) ***Watershed Protection Overlay Districts***

The purpose and intent of the Watershed Protection Overlay Districts (Primary and Secondary) is to ensure the quality of the public drinking water supplies in the Swift Creek Watershed and the Jordan Lake Watershed are preserved and maintained for present and future residents of the Town and the Triangle region. This is done through the application of land use controls and water quality performance standards to development within each watershed.

B) ***Flood Damage Prevention Overlay District***

The purpose and intent of the Flood Damage Prevention Overlay District is to minimize public and private losses due to flood conditions in specific areas of the Town by provisions designed to:

- 1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- 4) Control filling, grading, dredging, and other development which may increase erosion or flood damage; and
- 5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

C) ***Small Town Character Overlay District***

The purpose and intent of the Small Town Character Overlay District is to repeat the spirit of traditional character rather than imitate style. The Overlay identifies the architectural qualities that define the downtown character and proposes design standards to maintain that character in new and infill projects. These standards emphasize existing patterns.