STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF NOVEMBER 17, 2020 RELATED TO THE FLOOD DAMAGE PREVENTION OVERLAY DISTRICT

Pursuant to G.S. §160A-384 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning and Community Development Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 17th day of November 2020.

The Apex Town Council held a public hearing on the 17th day of November 2020. Adam Stephenson, Engineering Supervisor, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO Amendments and who were residents of Apex or its extraterritorial jurisdiction were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council by a vote of 5 to 0 approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the UDO Amendments of November 17, 2020 related to the Flood Damage Prevention Overlay District is consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendments to UDO Sec. 6.2 *Flood Damage Prevention Overlay District* allow automatic adoption of future Special Flood Hazard Areas established under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) for Wake County, allow for floodway and non-encroachment area encroachment via Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) issued by FEMA which is consistent with current practice, and include additional definitions.

_____
Jacques K. Gilbert
Mayor

ATTEST:

_____
Donna B. Hosch, MMC, NCCMC
Town Clerk

_____
Date