

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF FEBRUARY 10, 2026

Pursuant to G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning 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 10th day of February 2026.

The Apex Town Council held a public hearing on the 10th day of February 2026. Bruce Venable, Planner III, 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 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 on the 10th day of February 2026, by a vote of 5-0 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 various UDO Amendments of February 10, 2026, are consistent with the *Advance Apex: The 2045 Plan* and reasonable and in the public interest for the following reason(s):

1. The amendments to Secs. 8.2.2.B *General Landscaping Design Standards, Plant Materials* and 12.2 *Terms Defined* provide the opportunity for artificial turf to be used within high-activity or heavily trafficked areas where the establishment or long-term maintenance of natural vegetation is impractical, provided it meets applicable drainage and installation standards. This provides flexibility in site design while ensuring compliance with applicable drainage, built-upon area, and erosion control standards. The amendment supports durable, functional landscapes without compromising environmental performance requirements or the Town's broader sustainability objectives.
2. The amendments to Sec. 8.3.6 *Off-Street Parking and Loading, Parking Lot Design Standards* allow gravel overflow parking for "Church or place of worship" and "Assembly hall, non-profit" uses located in the Residential Agricultural (RA) and Rural Residential (RR) zoning districts. Such uses often experience peak parking needs during limited times rather than daily continuous demand. Permitting gravel overflow parking in these rural districts reduces unnecessary impervious surface, preserves rural character, and provides a context-sensitive parking solution that balances operational needs with environmental stewardship and compatibility with surrounding properties.
3. The amendments to Sec. 8.3.9.C *Off-Street Alternatives, Shared Parking, Table 8.3-8: Shared Parking Demand by Land Use and Time of Day* revise the percentage of parking spaces required during the weekend daytime hours for the "Medical/Dental Office" and "Bank" land use categories. This update ensures that parking requirements are data-informed and aligned with actual demand, preventing overbuilding of parking infrastructure while maintaining adequate access. This promotes more efficient land use, supports shared parking arrangements, and advances the Plan's goals of compact, fiscally responsible development.
4. The amendment to Sec. 2.3.6.C.1 *Site Plan, Exemptions* adds language to clarify that all developments qualifying as "exempt" under this section shall obtain administrative approval of an Exempt Site Plan from the Planning Director prior to the commencement of any construction activity, unless otherwise expressly exempted by the provisions of this UDO. This clarification codifies the existing practice and enhances procedural transparency and ensures consistent administrative oversight, while preserving the streamlined nature of exempt developments.

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Date