

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: January 11, 2022

## Item Details

Presenter(s): Amanda Bunce, Current Planning Manager

Department(s): Planning and Community Development

### Requested Motion

Public Hearing and possible motion regarding various amendments to the Unified Development Ordinance (UDO).

### Approval Recommended?

The Planning and Community Development Department recommends approval.

The Planning Board heard these amendments at their December 12, 2021 meeting and unanimously recommended approval with the condition that the wording in Sec. 6.1.12.B.10 be revised from "...pedestrian safety or a peripheral fence shall be installed..." to "...pedestrian safety. A peripheral fence may be installed..." or as needed after further consultation with Water Resources staff. The revision is to avoid the implication that using a fence allows steep slopes.

### Item Details

Summary of UDO Amendments

Requested by Legal Staff:

1. Amendments to Sec. 7.1.8 *Penalties and Remedies for Violation of Article* in order to add a reference to the State statute that provides the authority for a criminal penalty for violation of a development regulation and to remove text that is no longer applicable due to changes to State law.

Requested by Planning Staff:

2. Amendments to Secs. 6.1.12.B *Stormwater Control Measures (SCMs), Design, Location, and Landscaping of SCMs* and 8.2.7 *Fences, Walls, and Berms* in order to allow fences to completely enclose a Stormwater Control Measure (SCM) even if some or all of the SCM is dedicated or proposed to be dedicated as Resource Conservation Area.

### Attachments

- Staff Report
- Public Notice
- Ordinance

