

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE VARIOUS UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF MAY 10, 2022

Pursuant to G.S. §160D-601 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 10th day of May 2022.

The Apex Town Council held a public hearing on the 10th day of May 2022. Amanda Bunce, Current Planning Manager, 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 the 10th day of May 2022 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 various UDO Amendments of May 10, 2022 are consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendment to UDO Sec. 4.4.5.G.13 *Supplemental Standards, Commercial Uses, Retail Sales and Service, Retail sales, general* requires that vape and tobacco stores be located at least 1,000 feet from any public or private school.
2. The amendment to UDO Sec. 7.5.14 *Defects Guarantee* sets a different guarantee period for residential and non-residential subdivisions.
3. The amendment to UDO Sec. 5.1.5 *Small Town Character Overlay District* clarifies the maximum height allowed for buildings in the Central Business District that don't qualify for additional height according to footnote 1 of that section.

Jacques K. Gilbert
Mayor

ATTEST:

Town Clerk

Date