

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF MAY 10, 2022 RELATED TO THE DOWNTOWN FESTIVAL DISTRICT AND OTHER ASSOCIATED AMENDMENTS

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 UDO Amendments related to the Downtown Festival District and other associated 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 amendments to UDO Secs. 4.1.2 *Outside Storage and Sales*; 4.2.2 *Use Table*; 4.3.5 *Use Classifications, Commercial Uses*; 4.3.6 *Use Classifications, Industrial Uses*; 4.4.4 *Supplemental Standards, Recreational Uses*; 4.4.5 *Supplemental Standards, Commercial Uses*; 4.4.6 *Supplemental Standards, Industrial Uses*; 4.6 *Temporary Uses and Structures*; and 12.2 *Terms Defined* further goals of the Downtown Master Plan by creating the Downtown Festival District, amending the standards for promotional events and allowing more such events in the new district, creating the uses "Parking garage, public" and "Parking lot, public" and prohibit "Parking lot, commercial" as a permitted use in the Downtown Festival District. In addition, the amendments clarify standards for outside storage and sales within the Central Business District, revise how uses that serve alcohol are permitted, and provide a definition for "outdoor operations" and standards for the outdoor operations aspect of certain uses.

Jacques K. Gilbert
Mayor

ATTEST:

Town Clerk

Date