

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF JANUARY 14, 2025

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 14th day of January 2025.

The Apex Town Council held a public hearing on the 14th day of January 2025. Amanda Bunce, Current Planning Manager, and Bruce Venable, Planner II, 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 14th day of January 2025 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 January 14, 2025, 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. 8.6.3 *Illumination Standards* and 8.6.4 *Design Requirements* provide the Town of Apex's Planning Director the ability to approve an alternative means of compliance for exterior lighting in cases where strict compliance with the UDO is not feasible. The amendments also allow building mounted light fixtures with lamps up to 15,500 lumens for loading docks of Industrial Service and Production uses in the TF Tech/Flex and LI Light Industrial zoning districts in order to improve safety.
2. The amendment to 12.2 *Terms Defined* updates the definition of "Built-Upon Area" to be consistent with that required by NC General Statute 143-214.7 and NC Session Law 2024-49.
3. The amendment to Sec. 8.7.1 *Permitted Signs: Location, Size and Number; Table 8.7.1* corrects a typographical error regarding the permitted locations for On-premises, Non-commercial Temporary Signs. The updated table now shows accurate information on whether a permit is required based on the type of use.

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Date