

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160A-383 ADDRESSING ACTION ON VARIOUS UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF DECEMBER 15, 2020**

Pursuant to G.S. §160A-384 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 15<sup>th</sup> day of December 2020.

The Apex Town Council held a public hearing on the 15<sup>th</sup> day of December 2020. 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 by a vote of 4 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 December 15, 2020 is 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 Sec. 8.1.2.A *Resource Conservation Area, Establishment of RCA* reduce the ratio of off-site RCA to on-site RCA and amend the standards for the approval of off-site RCA in order to better facilitate the provision of off-site RCA.
2. The amendments to UDO Sec. 1.2.2 *Authority to Regulate Zoning, Subdivision and Building Practices in ETJ* remove the requirement for signs, signposts, or other markers to be installed at the Town's ETJ boundaries as such signage is of little public benefit and must be adjusted as the corporate limits are changed.
3. The amendments to UDO Secs. 2.1.9.A *Apex Environmental Advisory Board, Powers and Duties* revise the types of rezoning applications that must be reviewed by the Board prior to submittal in order to allow the Board to focus on rezonings that are most likely to warrant the addition of zoning conditions in order to mitigate environmental impact of the anticipated development.
4. The amendments to UDO Sec. 4.3.2.I *Use Classifications, Public and Civic Uses, Government Service* and Sec. 4.4.2.G *Supplemental Standards, Public and Civic Uses, Government Service* add EMS station and transit station to the definition of the Government Services use and add supplemental standards for outdoor storage aspects of this use in order to ensure better compatibility when adjacent to residential areas.

5. The amendments to UDO 6.1.15 *Watershed Protection Overlay Districts, Civil Penalties* move the standards for the assessment of civil penalties for violations of Sec. 6.1 *Watershed Protection Overlay Districts* from Sec. 11.4.4 to Sec. 6.1.15 and set guidelines for determining the amount of the civil penalty. The amendment to UDO Sec. 11.4.4 *Enforcement, Remedies and Penalties, Civil Penalties* refers the reader to Sec. 6.1.15 for such violations.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

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Date