

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF OCTOBER 28, 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 28th day of October 2025.

The Apex Town Council held a public hearing on the 28th day of October 2025. Bruce Venable, Planner II, presented the Planning Board's vote to recommend approval by a vote of 9-0 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 28th day of October 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 October 28, 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. 7.4 *Dedication of Right-of-Way*; 7.4.2 *Dedication of Right-of-Way, No Deprivation of Land*; 7.5.1 *Required Improvements, Generally and Exemptions*; 7.5.4 *Required Improvements, Streets*; and 13.16 *Transportation, Developer Agreements*, update and clarify roadway frontage widening and dedication requirements and add certain exemptions for new development.
2. The amendment to Sec. 6.1.11 *Watershed Protection Overlay Districts, Riparian Buffers*, updates the language to prohibit residential lots within any Riparian Buffer Zone and corrects a typographical error.
3. The amendment to Sec. 6.1.7 *Watershed Protection Overlay Districts, High-Density Development Option*, adds language to conform with state law that specifies that the maximum built-upon area within the Jordan Lake Critical Area of the Town's water supply watershed shall not exceed 50% of the lot area.
4. The amendment to Sec. 4.3.5.G.3 *Use Classifications, Commercial Uses, Retail Sales and Service, Building Supplies, Retail*, adds pool forms and above-ground pools as permitted retail products.
5. The amendment to Sec. 4.3.6 *Use Classifications, Industrial Uses*, allows showrooms as an accessory use when directly related to the principal uses listed in this section.
6. The amendment to Sec. 4.3.3.D *Use Classifications, Utilities, Electrical Power Facility*, clarifies that the use is limited to electrical generation and does not include non-generating uses such as distribution or switching.

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Date