

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF JANUARY 10, 2023**

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 10<sup>th</sup> day of January 2023.

The Apex Town Council held a public hearing on the 10<sup>th</sup> day of January 2023. Dianne Khin, Planning Director, presented the Planning Board's vote to recommend approval by a vote of 8-0 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 on the 10<sup>th</sup> day of January 2023 by a vote of 4-0 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 10, 2023 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. 4.2.2 *Use Table*; 4.3.5 *Use Classifications, Commercial Uses* and 4.3.6 *Use Classifications, Industrial Uses* in order to create the use "Warehousing fulfillment center", change the definitions of "Truck terminal" and "Warehousing, general", and to change the use "Wholesaling, general" to "Wholesaling distribution center" served to modernize and clarify the uses per industry definitions.
2. The amendment to UDO Sec. 6.1 *Watershed Protection Overlay Districts* in order to change all references to "Environmental Engineering Manager" to "Stormwater Engineering Manager" was related to a recent change in position title.
3. The amendments to UDO Secs. 6.1.11 *Riparian Buffers* and 6.1.13 *Modifications by Variance* in order to modify the single-family residential riparian buffer requirements and riparian buffer variance standards, and to provide updated references to state law, served to allow administrative buffer authorizations in zone 3, reducing the amount of time and expense single-family homeowners faced in making improvements to their properties and reducing the variance caseload for the Board of Adjustment, and to ensure consistency with state law.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Allen Coleman, CMC, NCCCC  
Town Clerk

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Date