

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF AUGUST 23, 2022

Pursuant to G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Director of Planning and Community Development 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 5th day of August 2022.

The Apex Town Council held a public hearing on the 23rd day of August 2022. Amanda Bunce, Current Planning Manager presented the Planning Board's vote to recommend approval by a vote of 6-0 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 23rd day of August 2022 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 August 23, 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. 2.2.6 *Pre-Application Meeting* and 2.2.7.B *Neighborhood Meetings* require pre-application meetings with the Technical Review Committee be held prior to mailing notices for a neighborhood meeting, require applicants to provide information about long range plan amendments directly associated with a rezoning or development in the notice of and during the neighborhood meeting so that the public is better informed of proposed changes and make grammatical changes for clarity.
2. The amendment to UDO Sec. 4.4.3.G *Supplemental Standards; Utilities; Utility, Minor* removes the height limitation for water towers to provide more flexibility in the siting and design of such towers.
3. The amendment to UDO Sec. 8.2.7.A *Fences, Walls, and Berms; Materials* allows the unfinished side of a fence to face an alley to provide more flexibility with design in the Downtown Festival District.
4. The amendments to UDO Sec. 8.3.2 *Off-Street Parking Requirements* provide the vehicular and bicycle parking requirements for "Parking garage, public" and "Parking lot, public" and changes the phrase "no requirement" to "none" for consistency.
5. The amendment to UDO Sec. 8.3.6.E *Parking Lot Design Standards, Dimensions* clarifies that the dimensional standards provided are minimum standards.
6. The amendments to UDO Sec. 8.3.9 *Shared Parking* increases the percentage of parking that may be shared for the use "Church or place of worship" to better reflect the typical parking needs of such use.

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Date