



**TOWN OF APEX TOWN COUNCIL**  
**RESOLUTION IN OPPOSITION OF HOUSE BILL 765**  
**AN ACT TO REFORM LOCAL GOVERNMENT**  
**DEVELOPMENT REGULATIONS IN THIS STATE**  
**RES-2025-\_\_\_\_\_**

**WHEREAS**, zoning and development plans and regulations are adopted to promote the health, safety, and general welfare of all residents; and

**WHEREAS**, Multiple pieces of legislation have been introduced in the 2025 session of the North Carolina General Assembly without consultation with municipal elected officials, planning staff or local constituents on the negative impact they will have on community growth, property values, preserving community character, and sound community planning; and

**WHEREAS**, The North Carolina General Assembly will be considering House Bill 765, which undermines the fundamental authority of local planning and zoning and the ability of local elected officials to manage community growth as expressed by the Apex residents who have participated and provide input into the Town's various land use and development plans; and

**WHEREAS**, this legislation imposes inflexible rules statewide without regard to the differences between North Carolina small towns and larger cities and how these rules will affect each community differently, often with negative consequences, leading to unregulated development, decreased housing affordability, and much more; and

**WHEREAS**, House Bill 765, as proposed, would impose quasi-judicial decision-making standards on what are currently considered routine legislative decisions, completely stripping legislative discretion, and creates unprecedented conflict of interest rules; and,

**WHEREAS**, Provisions in this legislation would subject elected officials, and possibly Planning Board members, to the threat of legal retribution having a chilling effect of discouraging well-intentioned individuals from serving in public office; and,

**WHEREAS**, portions of House Bill 765 remove the ability of residents and local officials to pursue their unique visions for their communities which is critical for attracting new residents, new businesses, and maintain their quality of life; and

**WHEREAS**, the Apex Mayor and Town Council members, as outlined in their recently adopted Legislative Agenda, remain committed to thoughtful planning and development processes and decision making which represents the best interest of all Apex residents; and,

**WHEREAS**, Local governments, with input from their residents, are best suited to represent their constituent on local matters and enforce planning and zoning ordinances.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council and Mayor

of the Town of Apex, that the elected representatives for the Town of Apex and the entire Wake County Delegation in the North Carolina General Assembly are hereby urged to work diligently with bill sponsors and all others to stop House Bill 765 immediately; and,

**BE IT FURTHER RESOLVED**, that the Town Council and Mayor strongly urges all members of the North Carolina General Assembly to consult with local municipalities to develop meaningful and appropriate resolutions that do not usurp local authority and to respect the interest of the local residents; and,

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to provide a certified copy of this resolution to all elected representatives representing the Town of Apex in the North Carolina General Assembly as well as the entire Wake County Delegation.

**ADOPTED**, this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

TOWN OF APEX

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

Attest:

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk