

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OF APRIL 13, 2021**

Pursuant to G.S. §160D-601 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 23<sup>rd</sup> day of March 2021.

The Apex Town Council held a public hearing on the 13<sup>th</sup> day of April 2021. 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 13<sup>th</sup> day of April 2021 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 April 13, 2021 is consistent with the Advance Apex: The 2045 Plan and reasonable and in the public interest for the following reason(s):

1. The amendment to UDO Sec. 4.2.2 *Use Table* adds the use "Medical or dental laboratory" as a permitted use in the Downtown Business (B2) in non-storefront locations and the Planned Commercial (PC) zoning districts in order to provide more flexibility in where such use may locate. The amendments to UDO Sec. 4.4.5.D *Supplemental Standards, Office and Research* clarify that the use "Medical or dental laboratory" is permitted as an accessory use in all zoning districts and states that it is allowed as a primary use in the Downtown Business (B2) subject to certain supplemental standards that address safety of chemicals stored on site and ensure that there is adequate separation between the same use.
2. The amendment to UDO Sec. 8.2.7.B *Fence/Wall Height* corrects a typographical error in a reference to another section in the UDO.

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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