

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF APRIL 23, 2024

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 23rd day of April 2024.

The Apex Town Council held a public hearing on the 23rd day of April 2024. Robert Patterson, Senior Stormwater Engineer, 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 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 April 2024 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 April 23, 2024 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 Sec. 6.1 *Watershed Protection Overlay Districts* incorporate the Neuse River Basin stormwater regulations as required by 15A NCAC 02B .0711 *Neuse Nutrient Strategy - Stormwater* and update the riparian buffer mitigation requirements to be consistent with that in 15A NCAC 02B .0295 *Mitigation Program Requirements for Protection and Maintenance of Riparian Buffers*. The related amendments to Sec. 8.2.7 *Fences, Walls, and Berms* and Sec. 11.4.4 *Civil Penalties* update Section references related to the proposed changes in Sec. 6.1. The updates to Sec. 12.2 *Terms Defined* update the definition of "Built-Upon Area" to be consistent with that required by NC General Statute 143-214.7.

Jacques K. Gilbert
Mayor

ATTEST:

Allen Coleman, CMC, NCCCC
Town Clerk

Date