

STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OF MAY 25, 2021

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 25th day of May 2021.

The Apex Town Council held a public hearing on the 25th day of May 2021. Amanda Bunce, Current Planning Manager, 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 25th day of May 2021 by a vote of 5 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 May 25, 2021 is consistent with *Advance Apex: The 2045 Plan* for the following reason(s):

1. The amendments to UDO Secs. 2.2.7 *Neighborhood Meeting* and 2.2.11.E *Public Notification* provides applicants the option of holding in-person or virtual neighborhood meetings, increases the notice timeframe for neighborhood meetings to 14 days to allow neighbors time to make arrangements to attend such meetings, and adds a requirement that written notice be sent to tenants in accordance to the same standards applicable to property owners to ensure more residents are aware of certain development applications.
2. The amendments to UDO Secs. 8.6.2 *Lighting Plan* and 8.6.3 *Illumination Standards* set a maximum correlated color temperature of 3,500 Kelvin for lamps used in exterior lighting with the exception of athletic field lighting in order to improve the appearance and reduce the effect of outdoor lighting on surrounding areas.
3. The amendment to UDO Sec. 2.2.18 *Public Hearing Procedures* in order to remove subsection 2.2.18.E *Successive Applications* so that there is no longer a one-year waiting period from the date of denial to resubmit an application that is not materially different from the prior application.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

Date