

**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF AUGUST 13, 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 13<sup>th</sup> day of August 2024.

The Apex Town Council held a public hearing on the 13<sup>th</sup> day of August 2024. 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 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 August 2024 by a vote of 4-0 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 13, 2024 are 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. 2.1.3 *Board of Adjustment* updates and clarifies the language relating to participation in the meeting by alternates.
2. The amendments to UDO Secs. 2.1.2 *Planning Board*, 2.1.3 *Board of Adjustment*, 2.1.4 *Transit Advisory Committee*, and Sec. 2.1.10 *Housing Advisory Board* adds clarify to the voting requirements to indicate that all regular members of the boards and any seated alternate members of the Board of Adjustment shall vote unless they have been disqualified pursuant to the applicable conflict of interest standard.
3. The amendment to 2.3.12.C *Appeals, Procedures* changes the vote needed by the Board of Adjustment to reverse a contested decision or interpretation to a majority vote in accordance with State law.
4. The amendment to 5.2.5 *Bulk Measurement and Requirements* revises the standard for calculation of built-upon area in that section to instead refer to the definition of the term in Sec. 12.2 *Terms Defined*.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Allen Coleman, CMC, NCCCC  
Town Clerk

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Date