

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

The Apex Town Council held a public hearing on the 13<sup>th</sup> day of February 2024. Amanda Bunce, Current Planning Manager presented the Planning Board's vote to recommend approval by a vote of 7-0 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 February 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 February 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 amendments to UDO Sec. 12.2 *Terms Defined* expand the boundaries of the Downtown Festival District which will allow more flexibility in the number of promotional events and the setback for outdoor operations of certain uses.
2. The amendment to UDO Sec. 6.1.11.G *Uses Permitted Within the Riparian Buffer* clarifies that screened porches are allowed to encroach into a riparian buffer in the same manner as sheds and gazebos consistent with an interpretation from the North Carolina Department of Environmental Quality.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Allen Coleman, CMC, NCCCC  
Town Clerk

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Date