

What is the role of the UDO?



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What are our goals for the new UDO?

COMPREHENSIVE PLAN IMPLEMENTATION

Housing Choice and Affordability

• Allow for a **mix of housing types** throughout Durham and encourage the creation of more **affordable housing**

Built Environment

• Facilitate transit-oriented and pedestrian-friendly development, while preserving Durham's character

Recreation and Open Space

- Increase open space and protect tree canopy
- Promote sustainable development as we densify

Concentrate Growth Inside the UGB

- Align zoning districts with the adopted Place Type Map
- Grow up and in, not out



What does the UDO regulate?

What does the UDO not regulate?

Codifies Administrative Procedures

- Application/permit types and processes
- Public notice requirements
- Responsibilities and authority of various entities (staff, boards)
- Enforcement

Codifies Development Standards

- Includes zoning map and associated zoning districts
- Encompasses land use, building size, site design, open space, density, buffers, environmental protection (including erosion control)

Regulations Contained Elsewhere

• Such as Building Code, Minimum Housing Code, Stormwater Code

Architectural Design Elements

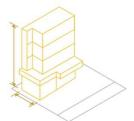
 For single-family, duplex, triplex, quadplex (unless the property owner voluntarily consents (prohibited by NCGS § 160D-702(b))

Cost of housing (prohibited by NCGS § 42-14.1)

 Required affordable housing ("inclusionary zoning") – not expressly prohibited but not explicitly allowed under NCGS

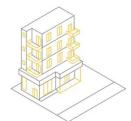
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What types of rules are in the UDO?



Lot and Form

- Lot Size
- Building Size
- Building Placement



Building Exterior

- Windows and Doors
- Entry Features



Use and Density

- Types of Uses - Total Dwelling Units



Site Design

- Site Features
- Parking, Circulation, Access

New Zoning Districts, Map, and Use Table

- First draft content was released in the fall of 2024, and contained all new zoning districts, a new zoning map, and a new draft use table.
- Two-page spread of requirements for each new district, including diagrams for both lot and building standards



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New Zoning Districts

Mixed Use	Residential	Commercial	Employment	Community
RX: Residential Mixed Use CX: Commercial Mixed Use	R-A: Residential Preserve R-B: Residential Suburban R-C: Manufactured Home Park R-D: Residential Neighborhood	CN: Commercial Neighborhood CG: Commercial General CH: Commercial Heavy	IX: Industrial Mixed Use IH: Industrial Heavy IU: Innovation Urban IC: Innovation Campus	CIV: Civic PK: Park CON: Conservation UC: University College

Three Components for Districts

For each new zoning district, there are **three important components** to consider:

DISTRICT STANDARDS

- Height, density, setbacks, lot size, etc.
- What does it look like?

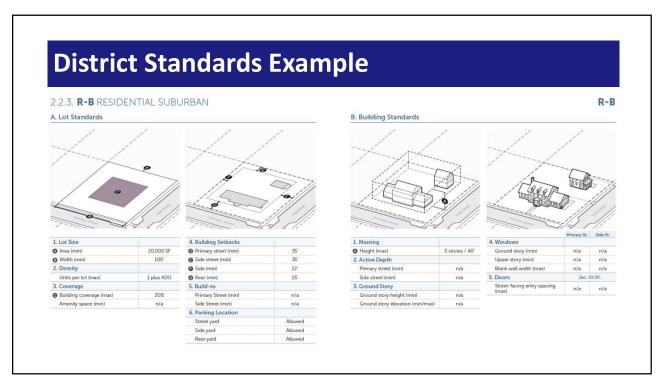
USE TABLE

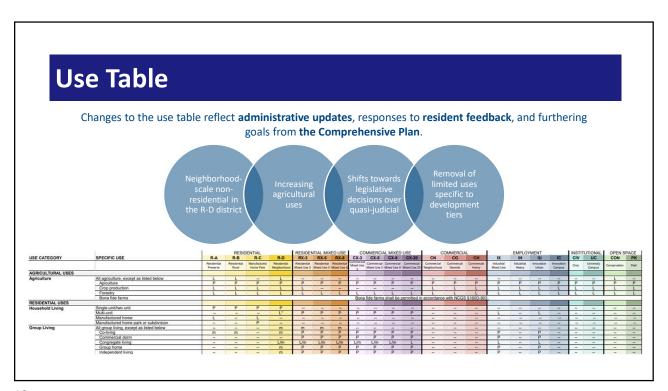
- Permitted uses, limited use standards, special use permits, etc.
- What is allowed to be there?

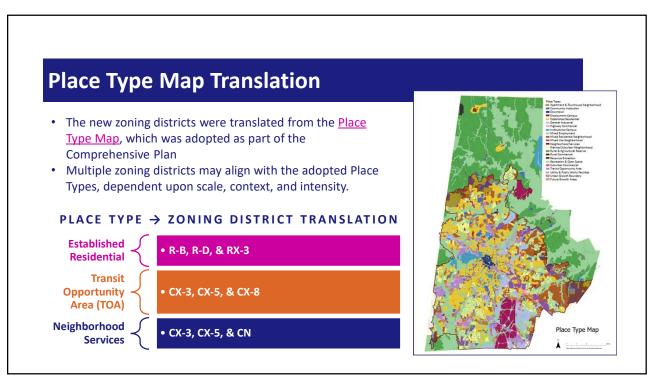
ZONING MAP

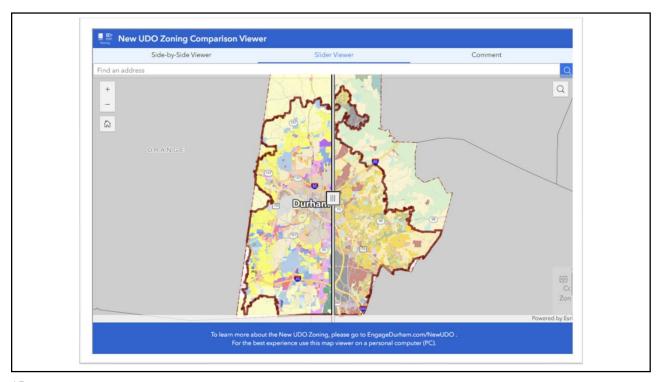
- Depicting a new zoning for each parcel
- Is this location appropriate for those standards and uses?

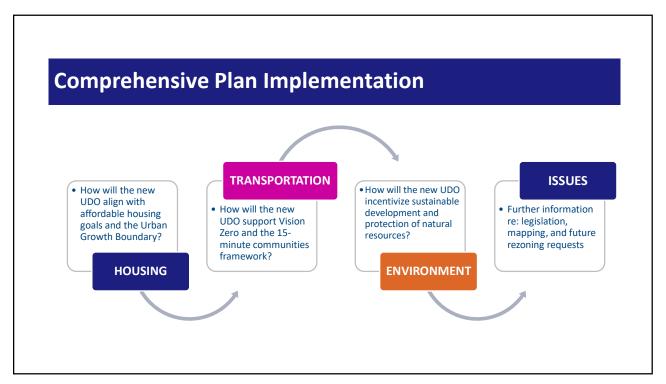
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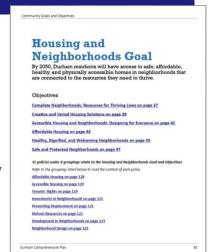






Comprehensive Plan: Housing

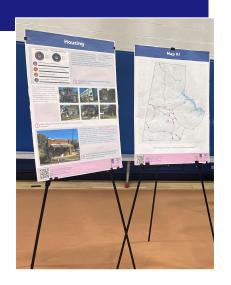
- Focus development within the Urban Growth Boundary (UGB), including more infill units within areas that have existing infrastructure;
- A mix of housing types and densities in new neighborhoods, along with supportive non-residential uses and pedestrian-friendly design and infrastructure;
- The retrofit of aging and vacant shopping centers to mixed use, transitsupportive developments that include housing;
- The incremental change of existing neighborhoods to incorporate a variety
 of housing options with a mix of units, heights, and densities, and the
 inclusion of new uses that provide access to daily needs and that fit in with
 the scale of the neighborhood;
- Creating effective incentive structures for affordable housing in both new and infill development proposals.



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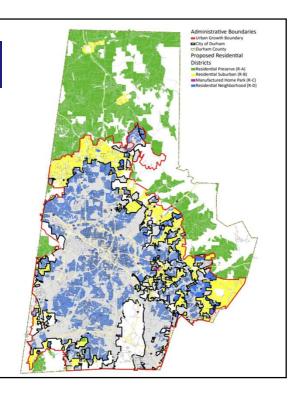
New UDO: Housing

- Focus development within the UGB to utilize existing infrastructure and protect watersheds & rural areas outside that boundary
- Primary mechanisms: the R-D residential district and the CXand RX- mixed-use districts
- Provide height and density incentives for both compact and affordable units throughout the entirety of the UGB
- Mixed-use districts will focus density along existing highfrequency transit corridors



Proposed Residential Districts

- R-A: Residential Preserve
 R-B: Residential Suburban
 R-C: Manufactured Home Park
 R-D: Residential Neighborhood
- As currently mapped, most of these districts represent a translational zoning designation (R-A, R-B, and R-C).
- The R-D (Residential Neighborhood) district
 mostly closely resembles the existing RU-5
 and RU-5(2) (Residential Urban 5) districts.
 It is currently mapped to align with the
 Established Residential Place Type. The
 implementation of this district represents the
 largest potential density increase within the
 Residential Districts



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District Standards: R-D District

- · Incorporates an incentive structure which allows for three by-right scenarios within one district
- · Affordable option is currently proposed at 8% of units at 80% AMI, or 4% of units at 30% AMI



OPTION 1: BASE

Residential Neighborhood 1

5,000 SF min lot size
1 unit plus an ADU per lot max
No max unit size
No affordability requirement

OPTION 2: COMPACT

Residential Neighborhood 2

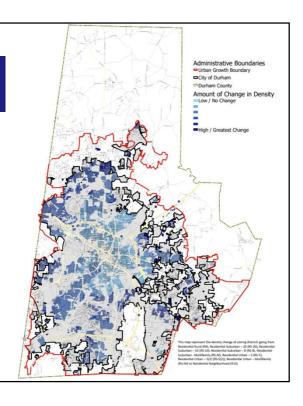
No minimum lot size 1 unit per 1,250 SF of lot area (4 units per lot assuming a 5,000 SF lot) 1,200 SF max unit size No affordability requirement

OPTION 3: AFFORDABLEResidential Neighborhood-3

No minimum lot size 1 unit per 625 SF of lot area (8 units per lot assuming a 5,000 SF lot) No max unit size Affordability requirement

Potential Density Increase via R-D

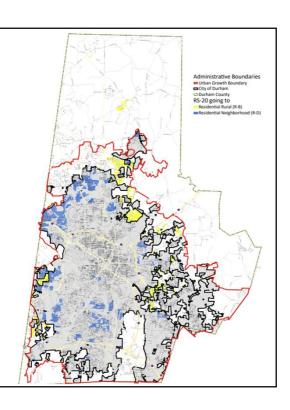
- The R-D district aligns closely with our RU-5/RU-5(2) districts, with the compact option comparable to existing the small lot option.
 Only the affordable option provides a density increase in these areas.
- Durham's current zoning districts are mapped across a gradient of concentric development tiers which decrease in density as they move outward. Therefore, the implementation of the R-D district represents the largest potential increase in density for suburbanstyle developments which exist on the outer edge of this gradient and along the fringes of the Urban Growth Boundary.



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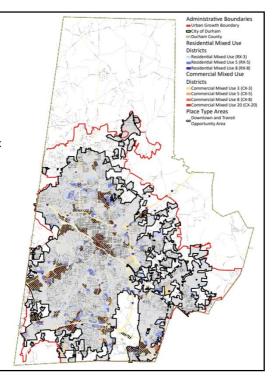
RS-20 → R-B or R-D

- Many parcels located within Urban Growth Boundary and within the Established Residential Place Type are proposed to be R-B instead of R-D, due to their location outside of the city limits. These parcels will require an annexation to develop at the development intensity associated with the R-D district.
- Many existing residential subdivisions may have private covenants which could limit the increased development within the R-D district
- Note that the R-B zoning district is modeled after existing suburban-style development and does not contain an incentive structure for the provision of affordable or compact units.



Mixed-Use Districts

- Mapped to align with a few differing place types: Apartment and Townhouse Neighborhood, Mixed Residential Neighborhood, and the Downtown and Transit Opportunity Area place types (shown as hatched).
- Many of these areas are replacing existing lower-intensity commercial zoning districts with higher-intensity commercial mixed-use districts, in order to facilitate increased density and disincentivize auto-centric development along existing transit corridors.
- Like the R-D district, the mixed-use districts also include an incentive structure for the provision of affordable and compact units.



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Mixed-Use Zoning Districts: RX-, CX-, and IX

Form-Based

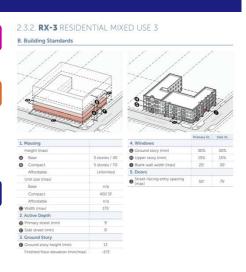
 Regulates number of units through height, lot coverage, and other design elements, rather than by a density measure (DU/AC)

Pedestrian-Centered Design

- Prioritizes pedestrian mobility through a build-to requirement along the street frontage and improved pedestrian access standards
- Does not allow parking between the building and the street
- Includes standards for active depth and fenestration

Mix of Uses

- While these districts do not mandate uses, they better facilitate a mix of residential and nonresidential uses within developments, reducing auto dependence
- Ground-floor nonresidential requirement within CX-8 & CX-20



Mixed-Use Zoning Districts: Incentive Structure

- These districts also incorporate an incentive structure which allows for three by-right scenarios:
 - Base option: applicant can build to the base height denoted in the district title (e.g. 3 stories in RX-3)
 - · Compact option: height bonus if 25% of units are 450 SF or smaller
 - Affordable option: unlimited height bonus if 8% of units at 60% AMI or if 4% of units at 30% AMI

DISTRICT	BASE	COMPACT	AFFORDABLE
RX-3	3 stories of height	5 stories of height	
RX-5	5 stories of height	8 stories of height	
RX-8	8 stories of height	13 stories of height	
CX-3	3 stories of height	5 stories of height	Unlimited height bonus if 8% of units at 60% AMI or
CX-5	5 stories of height	8 stories of height	if 4% of units at 30% AMI
CX-8	8 stories of height	13 stories of height	
CX-20	20 stories of height	30 stories of height	
IX	5 stories of height	8 stories of height	

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Policy: Transportation

Comprehensive Plan

Calls for complete streets design for all new streets, including:

- reducing vehicle travel lane widths to reduce speeds and shortening pedestrian crossing lengths;
- providing safe and comfortable options for people to walk, bike, roll, and reach transit stops; and
- increasing connectivity to create more pedestrian-friendly places by creating more direct routes, reducing travel distances, and enhancing safety.

Vision Zero Action Plan

 The City's Unified Development Ordinance (UDO) will have updated street cross-sections and standards that prioritize the safety of vulnerable road users who walk, bike, or use a mobility aid.



New UDO: Transportation

- Requires complete streets for new streets which are constructed prior to the adoption of the Street Design Manual
- · Aligns with the City's Vision Zero Action Plan
- Two categories of streets: multiple types for neighborhood streets and mixed-use districts
- Features: smaller lane widths, bicycle facilities, wider planted merges for street trees, transit facilities

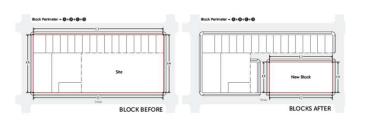


Mixed-Use Street example

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New UDO: Transportation

- Retains the street connectivity and block size standards (TC210007), translated to new zoning districts. A maximum block perimeter is also added for sites which are 10 acres or greater outside of the UGB;
- Provides increased density and mixeduse development along transit corridors
- Incorporates pedestrian-friendly design into the development standards, reducing land dedicated to vehicles and prioritizing pedestrian movement instead (e.g. requiring buildings closer to the street, decreasing driveway widths, and introducing new types of required pedestrian access points for enhanced connectivity, etc).





Comprehensive Plan: Environment

A vision for more sustainable development practices and the preservation of important natural areas and resources, including:

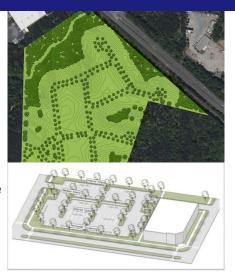
- Establishing 30% of Durham County as permanently conserved land;
- 55% tree canopy coverage within the City limits, prioritizing preservation + native species;
- Encouraging green infrastructure and innovative stormwater management practices; and
- Specifically revising the UDO to increase open space and tree coverage standards.



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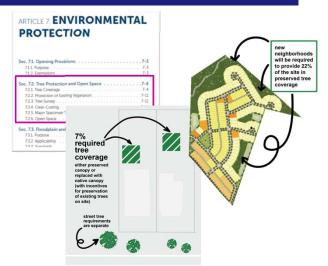
New UDO: Environment

- Incentivizes increased density within the existing UGB, rather than continuing to expand outwards;
- Creates new Park (PK) and Conservation (CON) zoning districts in order to further strategic conservation and recreation planning goals;
- Retains existing standards for street trees, landscaping, mass grading, and phased development;
- Increases the species diversity requirements and native species incentives from the existing ordinance;
- Requires the preservation of existing plant material whenever a transition (landscape buffer) is required



New UDO: Environment

- Consolidates existing tree protection, tree coverage, and open space standards into a single unified section to improve clarity and useability
- Recalibrates the tree coverage standards for all new zoning districts, expands the 7% tree coverage requirement from the Tuscaloosa-Lakewood NPO to all R-D-zoned parcels
- Removes conservation subdivisions from the Ordinance, and instead requires that the primary conservation areas (when existing on-site) be retained in <u>all</u> subdivisions
- Allows for piedmont prairies to count towards tree coverage requirements, providing further protection for a wider array of Durham's natural areas



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New UDO: Environment

- Expands the list of elements which can be counted towards required open space standards (with a new incentive structure for public art, public plazas/courtyards, and a requirement for the preservation of natural and cultural resources)
- Establishes a new sustainable development matrix which will provide an array of options so that development patterns within the UGB will densify more sustainably (with opportunities for increased conservation measures, native landscaping, green stormwater infrastructure, community agriculture, green building design, etc).
- Introduces new standards for decreasing light trespass, especially when adjacent to natural areas (in order to reduce the impact on wildlife)





New UDO: Environment

- Retains existing riparian buffer protection standards, and clarifies jurisdictional review authority
- Updates the riparian buffer protections for the Neuse River Basin to the most recently adopted State requirements
- Establishes the Lake Michie/Little River District C (M/LR-C)
 Watershed Protection Overlay to replace the Rural Village
 designation within the ML/R-B District; to ensure that there is no
 increase in the allowable impervious within the Lake Michie/Little
 River Watershed Protection Overlay;
- Requires that any disturbed steep slope be reconstructed at a grade of 3:1 (33%) rather than 2:1 (50%), in order to reduce down-slope erosion and further minimize grading and the removal of vegetation



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Module 3: Pulling It All Together





Module 3: Pulling It All Together



N-2 street type: on-street parking with both alleyloaded units and units with driveways access.

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Module 3: Pulling It All Together



- R-D2 (compact option) incorporated within the neighborhood Cottage court style
- Cottage court style development with N-1 and N-2 street types

Module 3: Pulling It All Together



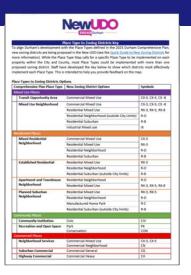
- R-D3 (affordable option) housing incorporated
- •N-1 street type

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Issues for Discussion: Mapping

- The new UDO is primarily focused on implementing the Comprehensive Plan
- This entails densification within the Urban Growth Boundary and implementation of the Place Types through the creation of new zoning districts
- Staff has heard direction from JCCPC supportive of zoning in line with the Place Type map to implement Comprehensive Plan policies, however, each Place Type has multiple zoning districts that can implement that vision

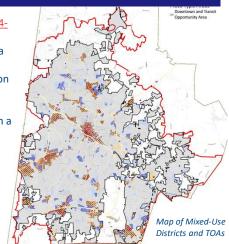
For example, multiple CX- zoning districts may be appropriate to implement the Transit Opportunity Area Place Type, but the <u>specific</u> CX-zoning for each parcel may need further evaluation from elected officials



Issues for Discussion: Legislation

- New legislation passed in December of 2024 (SB382 / Session Law 2024-57) has created significant hurdles for this project: namely that local governments cannot enact new zoning map changes which constitute a "down-zoning" (decreasing density, reducing the number of permitted uses, or create non-conforming situations) without explicit authorization from property owners.
- Therefore, direction for specific properties will need to be evaluated on a case-by-case basis in order to ensure that the new zoning district does not constitute a "down-zoning.

For example, a parcel which is currently zoned as CG (Commercial General) within the Urban Tier is currently allowed 55 feet in height; opting to map that parcel as CX-3 could potentially constitute a down-zoning, given that the CX-3 zoning only allows for a maximum of 3 stories with a maximum height of 45 feet.



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Issues for Discussion: Future Rezoning Requests

Staff has heard the misconception that once the new UDO is adopted everything will be developed "byright" with no more rezoning requests coming before the elected officials for approval

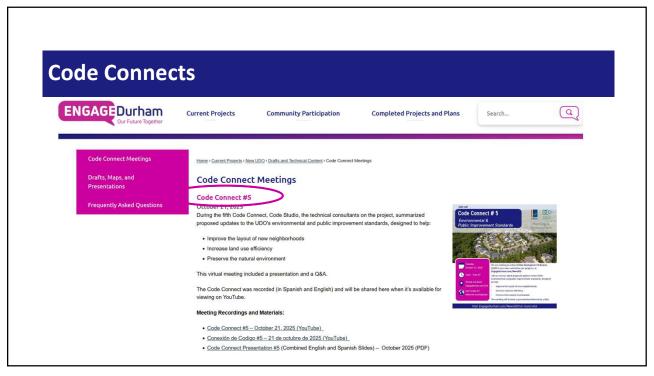
Year	Total Submitted Rezoning Requests	Total Requests That Also Included Annexation ¹
2023	47	29 (or 62%)
2024	43	19 (or 44%)
2025	36	25 (or 69%)

¹ rezonings without an annexation: avg size **11.5 acres**. rezonings with an annexation: avg size **54.5 acres**.

Rezonings and public hearings will continue:

- City Council approval of annexations into the City for property within the UGB will still be required (see table for the proportion of current cases that include annexation)
- New schools, places of worship, and government facilities will require a rezoning to the CIV district
- Applicants may wish to develop differently than what the current zoning allows





Questions?



