

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE (TC2400003 – STATUTORY DEVELOPMENT AGREEMENT AMENDMENT)

WHEREAS, the Durham Board of County Commissioners wish to amend certain provisions in the Unified Development Ordinance by making various technical and minor policy revisions; and

WHEREAS, it is the objective of the Durham Board of County Commissioners to have the Unified Development Ordinance promote regulatory efficiency and consistency and the health, safety, and general welfare of the community; and

NOW, THEREFORE, be it ordained that Article 3 *Applications and Permits*, is amended to make the following changes set forth in the deletions (strikethroughs) and additions (underlining) below.

Part 1

ARTICLE 3 | APPLICATIONS AND PERMITS

[Amendments to **Sec. 3.26 Statutory Development Agreement**. Paragraphs not listed remain unchanged.]

Sec. 3.26 Statutory Development Agreement

3.26.6 Requirements and Limitations

A. Statutory Requirements

A development agreement shall adhere to the requirements of NCGS Chapter 160D, Article 10, Development Agreements.

B. Limitations

A development agreement may modify the standards of this Ordinance except:

1. The process for adoption and execution of a development agreement shall not be modified.
2. A development agreement shall not allow uses and/or housing types that are not allowed in the underlying zoning district of the subject property.
3. A development agreement shall not reduce environmental requirements within Article 4, Zoning Districts; and Article 8, Environmental Protection, with the exception of Sec. 8.3 Tree Protection and Tree Coverage.
4. A development agreement shall not reduce requirements within Article 12, Infrastructure and Other Public Improvements.

Part 2

That the *Unified Development Ordinance* shall be renumbered, including references, as necessary, to accommodate these changes and clarifications.

Part 3

That this text amendment to the *Unified Development Ordinance* shall become effective upon June 1, 2025