

**AN ORDINANCE TO AMEND VARIOUS PROVISIONS
OF THE *UNIFIED DEVELOPMENT ORDINANCE* (TC1800002)**

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions in the *Unified Development Ordinance* (UDO) by making technical and minor policy revisions; and

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

NOW, THEREFORE, be it ordained that Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Articles 6, District Intensity Standards; Article 7, Design Standards; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 12, Infrastructure and Public Improvements; Article 13, Additional Requirements for Subdivisions; Article 14, Nonconformities; Article 16, Design Districts, and Article 17, Definitions of the Unified Development Ordinance are amended to make the following changes set forth in the deletions (strikethroughs) and additions (underlining) below:

PART 1

[Amendments to Article 3, Applications and Permits; and Article 4, Zoning Districts]

Sec. 3.2 Common Review Procedures

[Paragraphs not listed remain unchanged]

3.2.2 Pre-Application Conference

B. A mandatory pre-application conference with the Planning Director or designee shall be required for the following development reviews:

2. Zoning map changes not initiated by the City or County, except for petitions to initiate a neighborhood protection overlay;

7. Reasonable Accommodation;

~~78.~~ Landmark designation; and

~~89.~~ Major Works certificate of appropriateness.

3.2.5 Notice and Public Hearings

B. Public Notice Requirements

2. Mailed Notice

a. Mailed Notice Table

The director of the appropriate department or designee shall provide notification as indicated in the notification table below:

Procedure	Property Owner		Registered Organization
	Subject Property, if applicable	Distance of Property from Subject Property (ft.)	Distance of Registered Organization or Individual from Subject Property (ft.)
Comprehensive Plan Future Land Use Map	✓	1,000 600	1,000
Comprehensive Plan Text Amendment	---	---	All
Zoning Map Change	✓	600	1,000
UDO Text Amendment	---	---	All
Initial Zoning	✓	100	1,000
Site Plans ¹	✓	600	1,000
Board of Adjustment	✓	600	1,000
Governing Body Quasi- Judicial Hearings	✓	600	1,000
Historic District Designation; Neighborhood Protection Overlay	✓	600 100	1,000
Historic Landmark Designation and Certificate of Appropriateness (major works)	✓	All adjacent properties ²	—
Historic District Preservation Plan Text Amendment	✓	All adjacent properties ²	1,000
Historic Properties Local Review Criteria Text Amendment	---	---	All
Vested Rights Determination	✓	All adjacent properties ²	—

~~c. Notice to registered organizations or individuals shall utilize the contact information provided to the Planning Department to receive notice pursuant to paragraph 3.2.5D, Registration to Receive Notice. Notice shall be provided to each organization or individual via first class mail, electronic mail, or another manner offered by the Planning Director.~~

d. The notice shall be mailed at least 14 but not more than 25 days prior the date of the public hearing.

ed. Mailed notice under this section shall not be required if a zoning map change directly affects more than 500 properties owned by a total of at least 500 different property owners, and the Planning Director or designee elects to use the following expanded published notice requirements:

- (1) An advertisement of not less than ½-page may be placed in a local newspaper of general circulation once a week for two successive calendar weeks, the first notice being published not less than ten days nor more than 25 days before the date fixed for the public hearing.
- (2) In addition to the published notice, the Planning Director or designee shall post one or more signs on or immediately adjacent to the subject area reasonably calculated to give public notice of the proposed change in accordance with paragraph 4.c. , Posted Notice, below rather than the notice required pursuant to subsection 3, Posted Notice (Sign), below.
- (3) Mailed notice shall be provided by first class mail to property owners who reside outside of the newspaper's circulation area.

D. ~~Registration to Receive Notice~~ Public Notification Service

~~Upon adoption of this amended section, and every two years thereafter, any~~ Any organization or individual may pay an established fee, if applicable, and register with the Planning ~~Director—Department~~ to receive, at a minimum, a monthly electronic notification.~~notice of all applications for development approval requiring mailed notice and other notice required under this Ordinance.~~

1. The notification shall contain the scheduled public hearings for the procedures listed in paragraph 3.2.5B.2.a, Mailed Notice Table, and major site plans.
2. To be eligible for registration, the applicant must provide the notification information required by the Planning Department. ~~Director, including manner of notice, whether first class mail, electronic mail, or other manner offered by the Planning Director. Notice will be provided in the manner specified in the registration information.~~
3. Each organization or individual is responsible for providing updated information to the Planning Director—Department as necessary, and ~~must re-register and pay the established fee, if applicable, every two years~~ in order to continue receiving notice.

Sec. 3.4 Comprehensive Plan Adoption/Amendment

[Paragraphs not listed remain unchanged]

3.4.8 Additional Criteria for Modification of Tier Boundary

Where a ~~zoning map change~~plan amendment involves modification of the Tiers established in the Comprehensive Plan, the following criteria shall be considered.

- A.** The site is contiguous to the proposed Tier;
- B.** The site is not in the drainage basin for Lake Michie or Little River or in the one-mile critical area around Jordan or Falls Reservoirs;
- C.** The extension does not violate any agreements with neighboring jurisdictions; and
- D.** If the proposal is to expand the Suburban Tier, extending utilities to serve the site is determined to be technically feasible by the Public Works Director or designee and will not result in inordinate cost to the City.

Sec. 3.7 Site Plan Review

[Paragraphs not listed remain unchanged]

3.7.2 Applicability

All proposed development or changes of use, except as indicated below, shall be subject to the site plan review process. The following are exempt from site plan review:

D. Public Right-of-Way Improvements

Development projects consisting only of public utility improvements ~~(water, sewer, gas, electric)~~ within the public right-of-way, ~~or~~ improvements to the public right-of-way (repairing, surfacing, striping, widening, stabilizing, landscaping), or other improvements in the right-of-way where the Planning Director, or designee, determines another City or County approval process verifies conformance to this Ordinance. except when located within a Design District or a local historic district. Exceptions are as follows:

1. In Design Districts, a separate site plan application can be filed or site plan review can occur through another technical review by the City or County for that development project.
2. In local historic districts, a separate site plan application can be filed or site plan review can occur through review of the required COA application.

Sec. 4.2 Residential District Intent Statements

[Paragraphs not listed remain unchanged]

4.2.1 Residential Rural District (RR)

~~Development guidelines for this district may be found in Sec. 6.2, Residential Rural (RR) Development Intensity.~~

4.2.2 Residential Suburban Districts (RS-20, RS-10, RS-8, RS-M)

~~Development guidelines for these districts may be found in Sec. 6.3, Residential Suburban (RS) Development Intensity.~~

4.2.3 Residential Urban Districts (RU-5, RU-5(2), RU-M)

~~Development guidelines for these districts may be found in Sec. 6.4, Residential Urban (RU) Development Intensity.~~

4.2.4 Residential Compact District (RC)

~~Development guidelines for this district may be found in Sec. 6.5, Residential Compact (RC) Development Intensity.~~

PART 2

[Amendments to Article 5, Use Regulations]

Sec. 5.1 Use Table

[Paragraphs and portions of tables not listed remain unchanged]

5.1.2 Use Table

		RESIDENTIAL						NONRESIDENTIAL						PLANNED					DESIGN					
USE CATEGORY	SPECIFIC USE	RR	RS	RS-M	RU	RU-M	RC	CI	CN	OI	CG	SRP	SRP-C ³	IL	I	PDR	UC	CC	IP	MU	DD	CD	NOTES:	
RESIDENTIAL USES																								
Household Living	Upper story residential							L	L	L	L		L			‡		‡ L		‡	L	L	6.10.2, 6.11.3, 6.11.5, 6.11.7, 6.12 Art. 16	
COMMERCIAL USES																								
Self-Service Storage	All self-service storage										L			L	L				‡ L	‡ L	‡		5.3.4T	
Outdoor Recreation	All outdoor recreation, except as listed below	L/m							L/m		L		L	L					‡ L	‡ L	‡	L	L	5.3.4Q

Sec. 5.2 Use Categories

[Paragraphs not listed remain unchanged]

5.2.4 Public and Civic Use Categories**E. Medical Facilities**

Characteristics: Uses providing medical or surgical care to patients. Some uses may offer overnight care.		
Principal Uses	Accessory Uses	Uses Not Included
Blood plasma donation center Rehabilitation clinic Medical center Medical clinic Medical laboratory Medical office Hospital Day treatment facility Acupuncture, chiropractor, massage therapy office	Ancillary indoor storage Helistop Associated office Cafeteria Chapel, ancillary worship space Day care Housing for staff or trainees Laboratory Limited internal support retail Maintenance facility Meeting area Out-patient clinic Pharmacy Recreational facility	Adult establishment (see Indoor Recreation) Exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (see Social Service Institutions) Nursing or medical school not accessory to a hospital (see Educational Facilities) Urgent care or emergency medical office (see Retail Sales and Service)

5.2.5 Commercial Use Categories

F. Retail Sales and Service

Characteristics: Companies or individuals involved in the sale, lease or rental of new or used products, or providing personal services or repair to the general public.

Principal Uses	Accessory Uses	Uses Not Included
<p>Sales-Oriented:</p> <p>Convenience store (with or without gas sales)</p> <p>Drive-through facility</p> <p>Outdoor market</p> <p>Store selling, leasing or renting consumer, house, and business goods including alcoholic beverages, antiques, appliances, art supplies, baked goods, bicycles, books, cameras, carpet and floor coverings, crafts, clothing, computers, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies, gasoline, gifts, groceries, hardware, house improvement, household products, jewelry, medical supplies, musical instruments, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, printed materials, produce, sporting goods, stationery, tobacco and related products, vehicle parts, and videos</p> <p>Personal Service-Oriented:</p> <p>Art, music, dance, or photographic gallery or studio</p> <p>Athletic, tennis, swim or health club</p> <p>Bulk mailing service</p> <p>Caterer not located in a restaurant</p> <p>Drop-in/short-term childcare centers</p> <p>Dry-cleaning or laundry drop-off facility, laundromat</p> <p>Funeral home or mortuary</p> <p>Hair, nail, tanning, massage therapy and personal care service</p> <p>Payday lenders or check cashing services</p> <p>Photocopy, blueprint, and quick-sign service</p> <p>Psychic or medium</p> <p>Security service</p> <p>Tailor, milliner, upholsterer</p> <p>Taxi dispatch center</p> <p>Taxidermist</p> <p>Veterinary clinic, animal hospital or kennel</p> <p>Urgent care or emergency medical office</p> <p>Repair-Oriented:</p> <p>Appliance, bicycle, canvas product, clock, computer, gun, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair</p> <p>Locksmith</p>	<p>Ancillary indoor storage</p> <p>Associated offices</p> <p>Food preparation and dining area</p> <p>Manufacture or repackaging of goods for on-site sale</p> <p>Public recycling drop-off site</p> <p>Residential unit for security purposes (single unit)</p> <p>Storage of goods</p> <p>Car wash at a convenience store with gas sales</p>	<p>Adult videos (see Indoor Recreation)</p> <p>Any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause (see Heavy Industrial)</p> <p>Car wash, except at a convenience store with gas sales (see Vehicle Sales and Service)</p> <p>Crematorium (see Light Industrial)</p> <p>Food service contractor (see Light Industrial Service)</p> <p>Laundry or dry-cleaning plant (see Light Industrial Service)</p> <p>Repair or service of motor vehicles, motorcycles, RVs, boats, and light and medium trucks (see Vehicle Sales and Service)</p> <p>Restaurant (see Restaurants)</p> <p>Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade)</p>

Sec. 5.3 Limited Use Standards

[Paragraphs not listed remain unchanged]

5.3.3 Public and Civic Use Standards

N. Wireless Communication Facilities for Transmitting and Receiving Electronic Signals (WCFs)

2. Exceptions

The following shall not be subject to the requirements of this section:

f. Small wireless facilities, or any other wireless communication facility, installed within public right-of-way and specifically regulated through the City Code, or NCDOT, as applicable. However, any references to this Ordinance by the City Code or NCDOT shall be enforceable regulations.

3. General Requirements

c. Structural, Operational, and Insurance Requirements

(8) Pedestrian and Vehicular Movement

No facility, structure, or associated equipment shall extend into an existing sidewalk or walkway, trail, driveway, bicycle or other vehicular parking area, or travel lane; or otherwise impede pedestrian or vehicular movement and circulation.

4. Standards for Specific Wireless Communication Facilities (WCFs)

a. Collocation – Concealed, Attached

(1) Standards

(c) Aesthetics

i. Concealed, attached WCFs, including ~~feed lines, cables, and~~ antennas, and accessory equipment shall be designed to match the existing structural design and color of the facade, roof, wall, light or utility pole, or any other facility to which it is to be affixed.

ii. Cables, antenna, and accessory equipment not otherwise camouflaged, as prescribed above, shall be hidden from view by installation interior to a supporting building or facility, screened from off-site view, or installed in a location not visible off-site.

b. Collocation – Non-Concealed, Attached

(1) Standard

(a) Non-concealed, attached WCFs shall only be allowed on transmission towers, and light or utility poles internal to a site and not visible off-site. ~~and light stanchions,~~

(b) ~~with the~~The top of the WCF shall be no more than 20 feet above the facility to which it is attached.

5.3.4 Commercial Use Standards

Q. Outdoor Recreation

4. ~~Except in the DD~~In the RR District, food sales shall be provided for patrons of the recreational activity only.

T. Self Service Storage

1. The facility shall be screened from view from adjacent properties pursuant to Sec. 9.7, Screening, ~~with the following exceptions:~~except where storage units are not

visible off-site and all access to individual storage units are from corridors internal to the building.

a. Facilities in the DD District.

b. Facilities where all access to individual storage units are from corridors internal to the building.

2. In the DD District, storage units shall not be visible off site and access to individual storage units shall be from corridors internal to the building.

3. In the DD District, the ground floor shall be a use or uses other than, and not associated with, self-service storage. Those uses shall be as allowed in Sec. 5.1, Use Table. The following are exceptions:

a. A maximum of 400 square feet of office associated with the self-service storage use can be located on the ground floor.

b. Access to the self-service storage facility is allowed. However, loading access/areas shall not be located along street frontages.

PART 3

[Amendments to Articles 6, District Intensity Standards and 7, Design Standards]

Sec. 6.1 District Intensity in General

[Paragraphs not listed remain unchanged]

6.1.2 Flexible Development Tools by Plan Tier

The district intensity standards set forth in this Article provide for flexible development tools in each planning tier, as shown below:

Development Tool	Rural	Suburban	Urban	Compact Neighborhood	Downtown
Conservation Subdivision	✓	✓			
Variable Housing Types		✓	✓	✓	
Major Roadway Density Bonus		✓	✓		
Affordable Housing Bonus		✓	✓	✓	
Lot Averaging		✓	✓	✓	
Cluster Subdivision		✓	✓		
Variable Frontage and Building Types				✓	✓
Vertical Integration of Uses		✓	✓	✓	✓

Sec. 6.4 Residential Urban (RU) Development Intensity

[Paragraphs not listed remain unchanged]

6.4.2 Permitted Housing Types

Residential uses allowed pursuant to Sec. 5.1, Use Table, shall be limited to the housing types permitted in accordance with the following table. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Housing Type	RU-5	RU-5(2)	RU-M
Single-Family Detached	✓	✓	✓
Zero Lot Line House	✓	✓	✓
Traditional House	✓	✓	✓
Patio house	✓	✓	✓
Semi-Attached House	✓	✓	✓
Duplex		✓	✓
Townhouse	✓ ^{1,2}	✓ ²	✓ ²
Multiplex			✓
Apartment			✓

¹ Cluster subdivision only, see Sec. 6.7.

² ~~See also paragraph Paragraph~~ 6.4.3D, Townhouse transitional use, ~~where applicable.~~

Sec. 6.6 Affordable Housing Bonus

[Paragraphs not listed remain unchanged]

6.6.1 General Requirements

C. Affordable units shall be incorporated throughout the project, and shall not be distinguishable from market-rate units through location, grouping, unit size, interior finishes, or exterior design.

I. All affordable dwelling units proposed within the project shall be provided prior to, or concurrently with, any bonus units.

6.6.2 Compact Neighborhood Tier

A. Applicable Zoning Districts ~~and,~~ Housing Types, and Development Standards

1. CD Zoning District

Standards for the use of the affordable housing bonus in the CD district shall be pursuant to paragraph ~~16.1.3D.2, CD District Density Requirements~~16.1.3D.2.d, Affordable Housing Density Bonus.

2. Other Zoning Districts

a. The bonus, along with the following associated standards, can be utilized in any zoning district that permits multifamily residential; and

b. ~~The program shall not permit housing types not already permitted within the zoning district~~ Can utilize only the housing types allowed by the zoning district.

3. Applicable Development Standards

1. In the CD District, Article 16, Design Districts, shall apply.

2. In all other zoning districts, paragraphs B through F, below, shall apply.

6.6.3 Suburban and Urban Tiers

C. Residential Density

2. For each affordable housing dwelling unit that is constructed, a ~~density~~ bonus of ~~one~~ two additional dwelling ~~unit~~ units can be constructed beyond the base density.

Example #3: The project is in the Urban Tier, and 15% (i.e., 45 units) of the 300 maximum units qualify as affordable housing dwelling units affordable. Thus, an additional ~~45~~ 90 dwelling units are allowed above the maximum 300 units, totaling ~~345~~ 390 dwelling units.

Sec. 6.8 Infill Development in Residential Districts

[Paragraphs not listed remain unchanged]

6.8.1 Applicability

A. General

Unless otherwise stated, standard ordinance requirements shall apply unless modified by the standards set forth within this section.

AB. Suburban Tier [Text remains unchanged]

BC. Urban Tier [Text remains unchanged]

CD. Compact Neighborhood Tier [Text remains unchanged]

DE. Nonresidential Development in Residential Districts [Text remains unchanged]

6.8.2 Lot Width

A. The minimum width of a lot shall be the smaller of:

1. The average width of the adjacent lots fronting on the same ~~linear block~~ block face; or
2. The median of the widths for all other lots fronting on the same ~~linear block~~ block face.

6.8.3 Yards

A. Street Yards

1. Context Area

- a. The context area for the required street yard of the subject lot shall be the established street yards (as defined by the distance between the primary structure on each property and the edge of the right-of-way) on residential lots, including structures converted to nonresidential use, with residential zoning along the same block face.

(1) For the purposes of this Section, all lots on both sides along a cul-de-sac or other similar street section shall be considered a block face.

(2) Corner lots shall be included only if the main entrance of the primary structure on the lot faces the subject block face.

4. Corner Lots

a. Each street yard shall be determined separately.

b. At the discretion of the applicant, the minimum street yard shall be either:

- (1) The average street yard of the nearest two developed parcels (as defined by the distance between the primary structure on each property and the edge of the right-of-way) along the same block face and within the same zoning district; or
- (2) The base zoning district requirement.

B. Side Yards

- ~~1. If the side wall of an existing structure is located on or within three feet of the property line, windows or other openings in the new structure that would allow for visibility into the side yard of the adjacent lot shall not be allowed unless a minimum 10 foot building separation is provided. Windows that do not allow visibility into the side yard of the adjacent lot, such as clerestory windows or translucent windows, shall be allowed.~~
- ~~2. Porte cocheres can extend into the side yard when incorporated into the design and construction of the primary structure, but in no case shall they be permitted to be closer than three feet from the property line.~~

6.8.5 Vehicular Use Areas**A. Residential**

1. Infill residential uses shall locate on-site parking to conform to the predominant location of parking in the context area established in subsection 6.8.4A, Context Area, or to the rear of the structure.
2. No on-site parking is required if placement of a single-family or two-family primary structure, based upon the required street yard, conflicts with the minimum dimensional standards for on-site parking. This parking exemption shall apply to lots measuring 40 feet in width or less.

Sec. 6.10 Nonresidential District and Group Living Development Intensity

[Paragraphs not listed remain unchanged]

6.10.1 Nonresidential and Group Living Development Standards**E. Street Yard Alternatives**

1. For districts with minimum street yard requirements (excluding Design Districts):
 - a. Where 50% or more of the lots on the same ~~linear block~~block face as the lot in question are developed with less than the required street yard, the average setback of the buildings on the developed lots on the block with less than the required street yard shall be observed as the minimum setback for a new structure;
 - b. Where the lot on which the new structure is proposed is between two adjacent existing developed lots with less than the required street yard, the average setback of the buildings of both adjacent lots shall be observed as the minimum street yard;
 - c. Where a ~~linear block~~block face of less than 500 feet is split into more than one zoning district, the zoning district with the most frontage shall determine the minimum street yard setback. However, this provision shall not apply if the street right-of-way is less than 50 feet wide and property on the opposite side of the street is residentially used or zoned, in which case the provisions of paragraph 6.8.3A, Street Yards, shall be applied~~;~~.

Sec. 6.11 Planed Districts**6.11.7 Mixed Use (MU)****B. Dimensional Requirements****2. Use Area**

- a. For mixed use developments containing two uses, no use shall occupy less than 30% of the floor area or gross acreage of the project.

- b. For projects with three or more uses, the 30% minimum for a single use shall be waived; however, no single use shall occupy more than 60% of the floor area or gross acreage of the project.
- c. Changes in the location of use areas within a project shall be approved through the site plan process; provided that all other requirements of the district, including the required mix of uses, are met.
- d. For projects utilizing Sec. 6.6, Affordable Housing Bonus, the affordable housing dwelling units:
 - (1) Shall not be included in the percent calculations for paragraphs a and b, above;
 - and
 - (2) At least 10% of the affordable housing dwelling units shall be in each phase of the project.

Sec. 6.12 Measurement and Computation

[Paragraphs not listed remain unchanged]

6.12.3 Required Yards

B. Encroachments into Required Yards

Unless otherwise regulated within this Ordinance, ~~The the~~ following encroachment standards shall apply, so long as they do not extend in any easements:

- 8. Surface parking and associated lighting, ~~Uncovered-uncovered~~ steps, and handicapped access ramps can be located within any yard.
- 14. ~~Mailboxes and mail kiosks~~Cabinets, such as “little libraries” or “blessing boxes”, can be located within any required yard.
 - a. A maximum of one is allowed in any street yard.
 - b. The maximum size of the cabinet shall be 21 cubic feet.

Sec. 7.1 Housing Types

[Paragraphs not listed remain unchanged]

7.1.8 Townhouse

A. Description

A townhouse is a building made up of three or more attached dwelling units (except where otherwise allowed), where each unit is on an individual lot and the units are lined up in a row and share side walls.

B. Development Standards

- 3. A maximum of 25% of building configurations for a townhouse development can consist of two-unit configurations. The remaining configurations shall consist of at least three units.

Sec. 7.2 Open Space

[Paragraphs not listed remain unchanged]

7.2.3 Design and Use of Required Open Space**A. Recreational Open Space****2. Exemptions**

- a. Recreational open space is not required in the Rural Tier or for development pursuant to Sec. 6.9, Nonresidential and Group Living Development in Residential Districts.
- b. The recreational open space requirement shall not apply to the additional open space required for a cluster subdivision. The recreational open space requirement shall only be applied to the amount that would be provided for a conventional subdivision.

Sec. 7.4 Outdoor Lighting

[Paragraphs not listed remain unchanged]

7.4.3 Standards

- A.** All site lighting shall be designed so that the level of illumination as measured in foot-candles (fc) at any one point all points meets the standards in the table below with minimum and maximum levels measured on the pavement within the lighted area.

PART 4

[Amendments to Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 12, Infrastructure and Public Improvements; and Article 13, Additional Requirements for Subdivisions]

Sec. 9.5 Mass Grading Buffers and Revegetation**9.5.1 Mass Grading Buffers****A. Applicability**

- 2.** Mass grading, as defined in Sec. 17.3, in the Rural, Suburban ~~and~~, Urban, and Compact Neighborhood Tiers where no other site improvements are proposed shall require perimeter mass grading buffers at all exterior lot lines pursuant to this section.

Sec. 9.9 Fences and Walls

[Paragraphs not listed remain unchanged]

9.9.1 Height

- D.** Where a minor special use permit is required as indicated in the table found within paragraph 9.9.1A, the following findings shall be made in addition to those required in paragraphs 3.9.8, Criteria for Approval of Major and Minor Special Use Permits:
 - 1. That the fence or wall does not impede the natural light from reaching the subject or surrounding properties to their detriment;
 - 2. That normal circulation of air is not unreasonably impeded by the fence or wall for the subject or surrounding properties;
 - 3. That the fence or wall will not hinder access to the subject or surrounding properties for emergency services;

- ~~4. That the fence or wall shall be reasonably compatible with the surrounding properties in that it will not adversely affect property values; and~~
- ~~5. That vision clearances for pedestrian and vehicular traffic will not be impeded.~~
~~Conditions may be specified to protect the welfare of the neighborhood and adjacent properties.~~

ED. Exception to Requirement of a Minor Special Use Permit

When a certificate of appropriateness (COA) is required for a fence or wall, a minor special use permit is not required.

- FE.** Sight distance triangles shall be maintained pursuant to paragraph 12.3.1D, Sight Triangles.

Sec. 10.2 General Requirements

[Paragraphs not listed remain unchanged]

10.2.2 Facilities Required

- A.** Parking facilities for motorized vehicles and bicycles shall be provided ~~for all uses located outside of the Downtown Teras~~ as required within this Article.

10.2.3 Vehicle Parking Permitted in Residential Districts and Uses

- A.** Other than townhouses and apartments, residential uses shall only utilize designated driveways within any yard area between the primary structure and the street for parking.

1. Driveways shall be surfaced with an all-weather material with edges clearly delineated; and,
2. ~~within~~ Within the area between the primary structure and the street, shall not exceed 25 feet in width ~~unless wider driveways are shown on an approved site plan or plot plan.~~
3. Except for driveways, no additional curb cuts or vehicle access points shall be permitted. ~~Parked vehicles shall not block pedestrian walkways.~~

B. Parked vehicles shall not block sidewalks, walkways, or trails.

- BC.** Except as specified below, vehicles parked in residential areas shall not exceed 35 feet in overall length, eight feet in width or 12 feet in height.

- CD.** Parking of buses on the site of and directly associated with an allowed nonresidential use in a residential district shall be allowed.

- DE.** Recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off the street and shall be located to the rear of the primary structure. Multifamily developments may designate a specific area on a site plan for boat and trailer parking for residents of the development.

- EF.** Except as permitted in paragraph 5.4.4, Home Occupations, parking of heavy equipment or tractor trailers shall not be allowed. This requirement shall not prohibit commercial vehicles from making deliveries in a residential district.

Sec. 10.3 Required Parking

[In addition to the additional text within the table in paragraph 10.3.3B, the two columns, as depicted with a blue "X", shall be deleted]

10.3.3 Bicycle Parking in the SRP-C District (County Only), Downtown and Compact Neighborhood Tiers**B. Minimum Parking Requirements**

The minimum amount of bicycle parking shall be as follows:

	Minimum Total Required Parking	Minimum of Total Required Parking:	
		"Short-Term" Spaces	"Long-Term" Spaces
Multi-family (except townhomes) of three or more dwelling units:	0.5 space per dwelling unit	Fewer than 50 dwelling units: None required	Fewer than 50 dwelling units: 75%
		50 Dwelling units or more: 6 spaces or 5%, whichever is greater	50 Dwelling units or more: 75%
Retail/Restaurant	1 space per 1,000 square feet	75%	2 spaces
Office/light industrial (10,000 square feet or greater)	1 space per 2,500 square feet	4 spaces	75%
The following do not require minimum amounts of total required parking to be either short or long term parking			
Office/light industrial (less than 10,000 square feet)	---	---	1 space per 2500 square feet , or 2 spaces, whichever is greater
Commercial parking lot or structure	---	---	6 spaces, or 1 per 20 motor vehicle spaces, whichever is greater
Bus/Rail platform or station with public-accessible, completely enclosed structures	---	---	8 spaces
Bus/Rail platform or stop with shelter	---	---	4 spaces
All other non-residential	---	---	4 spaces, or as required for non-design districts, whichever is greater
Utilities	---	---	As required per non-design districts
Additions	---	---	2 spaces, or the requirement for the additional square feet, whichever greater
change of use only (no site work is proposed that requires a site plan, special use permit, or architectural review application approval from the Planning Department.	---	---	2 spaces, or none if publicly accessible bicycle parking facilities exist within 50 feet of the entrance along the same block face

Sec. 10.4 Design Standards

[Paragraphs not listed remain unchanged]

10.4.2 Parking Space Design Standards**D. Surfacing****2. All Other Tiers****a. Urban and Suburban Tiers**

- (1) All required vehicle use areas and driveways, except for those associated with single-family dwellings, shall be paved ~~in accordance with standards and specifications of the City Public Works Department.~~

b. Compact Neighborhood and Downtown Tiers

All vehicle use areas and driveways shall be paved ~~in accordance with standards and specifications of the City Public Works Department.~~

Commentary: Paving shall be required to adhere to any standards maintained by the City Public Works Department.

10.4.4 Design Standards for Bicycle Parking**B. Types of Bicycle Racks or Storage**

The following shall be the types of racks or storage that can be used to satisfy bicycle parking requirements.

2. Bicycle Lockers

- a. ~~Unless placed within individual dwelling units, bicycle~~ Bicycle lockers shall be anchored in-place.

D. Indoor Parking**3. Minimum Outdoor Parking Required**

Except for Design Districts, A-a minimum amount of bicycle parking spaces shall be publicly accessible through outdoor parking or within parking structures at the following rates:

Total Required Bicycle Parking	Amount Required Outdoor or within a Parking Structure
Less than 20 spaces	A minimum of two spaces
20 or more spaces	A minimum of six spaces or at least 5% of required bicycle parking spaces, whichever is greater

Sec. 12.4 Pedestrian and Bicycle Mobility

[Paragraphs not listed remain unchanged]

12.4.2 Sidewalk Requirement

~~D. Sidewalk shall be provided along common access driveways and areas that serve as ingress/egress for the development site pursuant to paragraph 12.2.2B.2.b, Driveways.~~

- ~~1. Sidewalk shall be a minimum five feet in width;~~
- ~~2. Sidewalk shall be placed along both sides of the driveway or area;~~
- ~~3. Shall be located no more than five feet from the edge of driveway or area; and~~
- ~~4. Sidewalk shall be constructed of concrete unless a material of equal or better performance is approved by the City Public Works Director, or designee.~~

ED. Exemptions [Text remains unchanged]

FE. Alternative Pedestrian Plans [Text remains unchanged]

GF. (County Only) Additional Requirements for the SRP-C District [Text remains unchanged]

12.4.3 Additional Standards for Pedestrian and Bicycle Facilities

- A. Pedestrian and bicycle facilities shall be clearly marked using NCDOT standard markings, or shall be based on the Manual on Uniform Traffic Control Devices.
- B. Adjacent public greenways shall be connected to pedestrian and bicycle facilities on the site.
- C. Pedestrian and bicycle connections shall be made to any existing or proposed off-site pedestrian, bicycle, and transit facilities.

D. Internal Walkways

~~The minimum width of internal walkways shall be pursuant to all applicable accessibility requirements.~~

1. Walkways shall be provided to satisfy paragraph 12.4.1 General. Additionally, walkways shall be provided along common access driveways and areas that serve as ingress/egress for the development site pursuant to paragraph 12.2.2B.2.b, Driveways, as follows:
 - a. A walkway shall be placed along both sides of the driveway or area.
 - b. The walkway shall be located no more than five feet from the edge of driveway or area.
 - c. Driveways and areas that solely serve as access for rear-loaded townhouses or loading areas for nonresidential buildings shall not require walkways.
2. The minimum width of internal walkways shall be four feet, or as required by the State accessibility code, whichever is greater.
3. Walkways shall be constructed of an all-weather solid surface material such as concrete, asphalt, or another similar material that would satisfy the State accessibility code.

Sec. 12.10 Sedimentation and Erosion Control

[Paragraphs not listed remain unchanged]

12.10.10 Self-Inspections

- A. The person who performs the inspection shall make a record of the site inspection by documenting the following items:
 1. All of the erosion and sedimentation control measures, practices and devices, as called for in a construction sequence consistent with the approved erosion and sedimentation control plan, including but not limited to sedimentation control basins, sedimentation traps, sedimentation ponds, rock dams, temporary diversions, temporary slope drains, rock check dams, sediment fence or barriers, all forms of inlet protection, storm drainage facilities, energy dissipaters, and stabilization methods of open channels, have initially been installed and do not significantly deviate (as defined in ~~Sub-item (1)(e) of this Rule~~paragraph 12.10.10A.5) from the locations, dimensions and relative elevations shown on the approved erosion and sedimentation plan. Such documentation shall be accomplished by initialing and dating each measure or practice shown on a copy of the approved erosion and sedimentation control plan or by completing, dating and signing

an inspection report that lists each measure, practice or device shown on the approved erosion and sedimentation control plan. This documentation is required only upon the initial installation of the erosion and sedimentation control measures, practices and devices as set forth by the approved erosion and sedimentation control plan or if the measures, practices and devices are modified after initial installation;

3. The location of temporary or permanent ground cover, and that the installation of the ground cover does not significantly deviate (as defined in [paragraph 12.10.10A.5Sub-item \(1\)\(c\) of this Rule](#)) from the approved erosion and sedimentation control plan. Such documentation shall be accomplished by initialing and dating a copy of the approved erosion and sedimentation control plan or by completing, dating and signing an inspection report;

Sec. 13.6 Street Connectivity Requirements

[Paragraphs not listed remain unchanged]

13.6.1 Connectivity Defined

- A. Except in Design Districts, connectivity shall be defined by the ratio of links to nodes in any subdivision.
 1. The connectivity ratio shall be the number of street links divided by the number of nodes or end links, including cul-de-sac heads.
 2. A link shall be any portion of a street, other than an alley, defined by a node at either end. Stub-outs to adjacent property shall be considered links. For the purpose of determining the number of links in a development, boulevards, median-divided roadways, and divided entrances shall be treated the same as conventional two-way roadways.
 3. A node shall be:
 - a. ~~the~~ The terminus of a street or the intersection of two or more streets. A divided entrance shall only count once.
 - ~~ab. Where a street curves so that any two adjacent 100 foot chords thereof form an angle of 120 degrees or less, measured along the centerline of the street, such curve shall receive credit as a node. Any curve or bend of a street that exceeds 75 degrees shall receive credit as a node. Any curve or bend of a street that does not exceed 75 degrees shall not be considered a node.~~
 - ~~b. A divided entrance shall only count once.~~

13.6.2 Required Ratio

[Paragraphs not listed remain unchanged]

- C. Required ~~Stub~~outs that cannot be constructed pursuant to paragraph 12.3.1F, Stub Outs, shall be considered as being present as a link at the ratio of one link per side as provided in paragraph 12.3.1F, Stub Outs, for purposes of determining if the required ratio has been met.

PART 5

[Amendments to Article 14, Nonconformities]

Sec. 14.3 Nonconforming Lots

[Paragraphs not listed remain unchanged]

14.3.1 General Standards

- A. The creation of a lot with a width or area smaller than allowed by existing zoning requirements is prohibited, except ~~by governmental action, such as a road widening or an officially adopted housing program.~~
- ~~B. Notwithstanding this prohibition, the creation of a lot that does not meet Ordinance requirements is allowed~~ as follows:
 - 1. By governmental action, such as a road widening or an officially adopted housing program.
 - ~~12.~~ Where such lot is comprised of one or more legal nonconforming lots that are being enlarged to create a lot that more closely meets Ordinance standards; ~~or~~
 - 3. Where the creation of such a lot lessens the extent of a nonconforming use and/or structure condition;
 - ~~24.~~ For the purposes of setting land aside as permanent open space with no development rights, provided that the resulting lots satisfy the applicable dimensional requirements for an open space lot pursuant to Sec. 7.2, Open Space; or
 - 5. A variance is approved pursuant to Sec. 3.14, Variance.
- ~~CB.~~ Where governmental action has reduced the size of a lot, construction, reconstruction, and additions to structures on the lot shall be considered under the standards for nonconforming lots set forth in this subsection.

14.3.2 Single-Family Residential Lots

- A. Any legally established lot of record not located within a Special Flood Hazard Area that has a minimum width of 35 feet created prior to the effective date of this Ordinance that is located on a street that is accepted and maintained by NCDOT or the City (or such other form of access as is permitted pursuant to paragraph 12.2.2, Other Forms of Access) may be developed with a single-family residence subject to ~~Sec. 8.4, Floodplain and Flood Damage Protection Standards; Sec. 8.7, Watershed Protection Overlay Standards~~all other applicable Ordinance requirements; and the availability of water and wastewater treatment systems, so long as such use is a permitted use in the district in which the property is located.
- C. Side yard requirements for single-family residential development on nonconforming lots that do not meet lot width requirements shall be reduced as follows:
 - 1. In the Rural Tier, the sum of the width of the two side yards of a nonconforming lot of record shall be at least 25% of the lot width. The minimum single side yard of a nonconforming lot of record shall be 12% of the lot width. In addition to these requirements, the following minimums apply: if the nonconforming lot of record exceeds a width of 55 feet, then each side yard shall be a minimum of eight feet wide. If the nonconforming lot of record is 55 feet wide or less, each side yard shall be a minimum of six feet wide.

2. In all other Tiers, as applicable, no total side yard is required and each individual side yard shall be at least 80% of the required side yard for the district in which the lot is located.

PART 6

[Amendments to Article 16, Design Districts]

Sec. 16.2 Site Design

[Paragraphs not listed remain unchanged]

16.2.3 Service Areas

C. Utilities and Solid Waste Facilities

2. Utilities and mechanical equipment

All utilities and associated equipment, and other mechanical equipment serving the site, shall be installed underground or on rooftops, unless:

- a. Another applicable code prevents such locations; ~~or~~
- b. If documentation from the service provider prohibits such locations; or,
- c. If equipment is placed outside of public right-of-way, and is not visible from off-site by placement internal to the site or walled with material consistent with the primary building facade.

Sec. 16.3 Building Design

[Paragraphs not listed remain unchanged]

16.3.1 Frontage and Building Types

A. Applicability

2. Frontage Type Applicability

- b. Frontage types shall not apply along alleys, except where there is sole or primary access to a townhouse lot, as allowed pursuant to paragraph 16.4.4C.3.

16.3.3 Height

C. Sub-District Requirements

1. DD District

c. Maximum Building Height with Provisions

- (4) Eligible Provisions

Project Provisions	Standards	Additional Height Allowance		
		Core	Support 1	Support 2
Affordable Housing	At least 15% of the units in a project meet the definition of an affordable housing dwelling unit.	60 feet	45 feet	30 feet Due to varying base maximum heights, see "Maximum Building Height with Provisions" in paragraph 16.3.3C.1.a for the ultimate height allowance with this provision

2. CD District

- a. Unless otherwise specified, the following standards shall apply to all frontage and building types:

CD Sub-Districts	Height Articulation (Massing)			Maximum Building Height without Provisions	Maximum Building Height with Provisions	Optional Corner Tower Elements: Additional Height above Proposed Podium Height
	Minimum/Maximum Podium Height	Minimum Upper Story Step-Back				
Core (-C)	30 feet min	75 feet max ¹	10 feet	90 feet	145 feet	30 feet
Support 1 (-S1)	30 feet min	50 feet max	10 feet	60 feet	90 feet	15 feet
Support 2 (-S2)	20 feet min	45 feet max	10 feet	35 feet ² /45 feet	60 feet, as applicable	15 feet
Pedestrian Business (-P(N))	20 feet min	35 feet max	10 feet	40 feet/55 feet ³	—	—

d. Maximum Height with Provisions**(4) Eligible Provisions**

Project Provisions	Standards	Additional Height Allowance		
		Core	S1	S2
Affordable Housing	The project implements Sec. 6.6 , Affordable Housing Bonus.	45 feet	30 feet	45 feet Due to varying base maximum heights, see "Maximum Building Height with Provisions" in paragraph 16.3.3C.2.a for ultimate height allowance with this provision

16.3.4 Building Access**C. Exemptions**

Exemptions from paragraph B, Primary or Main Entrance, above, are as follows:

- Entrances to the Courtyard and Forecourt Frontage Types, per paragraph 16.3.~~4G1F~~, Courtyard Frontage Type, and paragraph 16.3.~~4H1G~~, Forecourt Frontage Type.

Sec. 16.4 Streetscape, Right-of-Way, and Block/Lot Standards

[Paragraphs not listed remain unchanged]

16.4.2 Streetscape**C. Accessibility****1. Sidewalk Accessibility Ramps**

Directional sidewalk accessibility ramps shall be provided at street intersections to direct users across crosswalks rather than diagonally into intersections.

- Non-directional ramps shall [not](#) be permitted.

D. Required Streetscape Amenities

- Amenities shall be provided within the streetscape as indicated in the table below and shall be calculated by rounding to the nearest linear foot or receptacle. These standards shall apply whether the amenity is required or provided beyond minimum requirements.

Sub-District	Required Amenity Standards					
	Seating	Solid Waste Receptacles (trash and recycling bin pair)	Decorative Street Lights	Street Trees	Bus Shelters	Bicycle Racks
Core (-C)	One linear foot per 15 linear feet of street frontage	One per 200 linear feet of street frontage	When existing street lights are replaced or new street lights are installed, they shall meet the specifications in paragraph 16.4.2F, Construction Specifications.	Pursuant to paragraph 16.4.2E, Street Trees. See planting guidelines and details in the <i>Landscape Manual</i> .	Required for development projects consisting of at least 80,000 square feet of building, adjacent to existing or proposed bus stops. Construction specifications shall be in accordance to the applicable mass transit entity.	As required pursuant to Article 10, Parking and Loading
Support 1 (-S1)	One linear foot per 20 linear feet of street frontage	One per 250 linear feet of street frontage				
Support 2 (-S2)	One linear foot per 25 linear feet of street frontage	One per 300 linear feet of street frontage				
Pedestrian Business (-P(N))	One linear foot per 15 linear feet of street frontage	One per 250 linear feet of street frontage				

F. Construction Specifications

4. Trash/Recycling Receptacles

- a. Trash receptacles shall be 32-gallon DuMor Receptacle 102 ~~with bonnet~~ or equal in design and performance in black finish.

G. Alternative Streetscape Plan (ASP)

1. General

- a. Alternative streetscape requirements to the standard requirements of this section can be established within an approved alternative streetscape plan (ASP).
- b. Amenities that are on private property and are not required for satisfying streetscape standards are not subject to this plan.
- c. Plan applications and any amendments shall be signed by all property owners, or legally designated representatives, within the plan area.

2. Applicability

- a. A plan can be approved for an area consisting of at least 10 contiguous acres. Additions to a plan area can be made at any increment.
 - (1) Right-of-way shall not be included within the area calculation.
 - (2) For the purposes of this paragraph, properties shall be considered contiguous if right-of-way is intervening.
- b. Streetscapes internal to Plan the plan areas shall include entire block faces, and block faces shall be contiguous, in order to avoid gaps and “doughnut holes” within the plan area.
- c. Where the perimeter boundary of the plan area would not include a portion of a block face, or an entire block face, of property not party to the plan:
 - (1) The streetscape shall be included in order to encompass the block face, or to create contiguous block faces, to avoid gaps between block faces and provide continuity along the streetscape.

(2) The streetscape receptacles and seating consistent with the plan and other applicable ordinance requirements shall be provided along the streetscapes sections not included in the plan, concurrent with the installation of furnishings within the portion of the block face within the plan area or on a neighboring block face, as applicable.

16.4.3 Streets and Other Rights-of-Way

A. Streets

1. General

- c. New streets and alleys shall be dedicated as public right-of-way. Right-of-way can be private only if private stormwater control measures are placed within or underneath the right-of-way. Per paragraph 12.2.2, Other Forms of Access, private streets shall be constructed to public street standards, and all other requirements of this Article shall apply.

2. New Streets

e. Street Types

(1) Primary Street Type

A two-lane street with on-street parking and bicycle lanes. This street type shall be used as the predominantthe default street type throughout the district. The Primary Street Type shall be designed as follows:

(2) Alternate Street Types

(a) Four-Lane Street Type

A four-lane street with a median/turn lane. The Four-Lane Street Type shall be used for streets designated as a major thoroughfare or boulevard in the adopted Comprehensive Transportation Plan, as amended. This street type shall be designed as follows:

(b) Two-Lane Street Type

A two-lane street with limited parking or bike lanes. The Two-Lane Street Type shall be used as a secondary street in the S2 sub-districts. This street type shall be designed as follows:

D. Over-Street Connectors

A major special use permit under Sec 3.9, Special Use Permit, shall be required for all over-street connections over public streets, including but not limited to aerial pedestrian bridges and enclosed building areas. In addition to the requirements of Sec 3.9, Special Use Permit, the applicant shall demonstrate that the project's relationship to the street and street level objectives and activities have been adequately addressed, and the City Council shall approve the permit only if it finds that:

1. The project will not create negative effects on the surrounding properties; and
2. The project will be aesthetically harmonious with or complementary to the surrounding buildings and streetscape, and will not have a substantial negative impact on downtown views.

PART 7

[Amendments to Article 17, Definitions]

Sec. 17.3 Defined Terms

Adult Establishment: A business as defined in North Carolina General Statute (NCGS) §14-202.10(2). This definition includes adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult live entertainment businesses or massage businesses. These uses are further defined in NCGS §14-202.10 and the definitions are adopted by reference; however, ~~those~~ massage therapy businesses as defined in this Ordinance are exempt from this definition. ~~where all employees associated with massage meet the ethical and educational requirements specified by the American Massage Therapy Association, or equivalent national or state standards, are exempt from this definition.~~

~~**Interpretation:** Massage businesses meeting these educational and ethical standards may be classified as "Offices" in the Permitted Use chart.~~

~~**Clear-cut:** To remove all trees in a given area.~~

Block: A usually rectangular space enclosed by streets right-of-way and occupied by or intended for buildings.

Block Face: One side of a street right-of-way between two consecutive intersecting streets or intercepting rights-of-way, natural barrier, or between a cross-street and the end of a dead end street or cul-de-sac. Where a street curves so that any two adjacent 100 foot chords thereof form an angle of 120 degrees or less, measured along the centerline of the street, such curve shall be construed as an intersecting street.

~~**Linear Block:** That property abutting one side of a street between the two nearest intersecting or intercepting streets, natural barrier, or between such cross-street and the end of a dead end street or cul-de-sac. Where a street curves so that any two adjacent 100 foot chords thereof form an angle of 120 degrees or less, measured on the lot side, such curve shall be construed as an intersecting street.~~

Floor Area Ratio (FAR): The ratio of building area to parcel area. ~~Floor area ratio is a measure of nonresidential land use intensity.~~

Massage Therapy Business: A business where all therapists maintain a valid license to practice massage therapy, as required pursuant to NCGS Chapter 90, Article 36, Massage and Bodywork Therapy Practice.

Public Utility: A business or service that provides the public with electricity, gas, water and sewer service, telephone or cable television service. A wireless communication facility, unless regulated as a public utility by state or federal regulations, shall not be considered a public utility.

Right-of-Way: A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a street, trail, rail corridor, or public utility.

Road: See "Street".

Setback: The minimum distance between a property line (or a different encumbrance, improvement, or feature as required within a specific regulation) and a building or structure. ~~Unless specifically noted in the text, ground level parking and security gatehouses can be located within the setback area.~~

PART 8

[Amendments to establish standards for Cluster Box Unit (CBU) mail kiosks required by the United States Postal Service]

Sec. 5.4 Accessory Uses and Structures

[Paragraphs not listed remain unchanged]

5.4.13 Cluster Box Unit (CBU)**A. General**

1. CBUs for residential developments shall meet or exceed the standards of the United States Postal Service and meet the following additional requirements. In case of regulatory conflicts, any requirement of the USPS shall supersede regulations of this Ordinance.
2. In case of conflict with accessory structure requirements pursuant to paragraph 5.4.1, Accessory Structures, the requirements of this section shall apply.

B. Location

1. CBUs shall be located as follows:
 - a. Within a primary building, such as an apartment building, or an accessory facility serving the development such as a clubhouse;
 - b. Stand-alone within 25 feet of the parking area servicing such buildings or facilities; and/or
 - c. Located along right-of-way and common access drives at least 50 feet interior to the development.
2. CBUs can be located in open space or in a common access easement. The area of each CBU located in common open space shall count towards any required open space for the development.

C. Parking and Pedestrian Access

1. The number of motor vehicle parking spaces shall be provided per location, which shall include at least one space meeting handicap accessibility requirements.

<u>Number of Mailboxes per Location</u>	<u>Minimum Number of Parking Spaces</u>
50 or less	2
51-80	3
80-110	4
<u>111 or more</u>	<u>4 plus 1 per each additional 25 mailboxes</u>

2. No parking is required for CBUs located within a facility with parking or within 25 feet of a parking area serving another facility.
 - a. Such facilities include, but are not limited to, clubhouses, leasing offices, and parking bays designated for visitor parking.

- b. Such parking areas shall include a designated handicap accessible parking space in a location meeting USPS requirements.

3. Pedestrian Access

- a. Walkways or sidewalks shall connect CBUs to parking areas and the overall walkway and sidewalk system of the development.
- b. All CBUs shall be accessed by walkways or sidewalks meeting handicap accessibility width and paving requirements.

Sec. 7.2 Open Space

[Paragraphs not listed remain unchanged]

7.2.2 Required Open Space

E. Cluster Box Units (CBUs)

CBUs, if required, shall be considered a component of any open space. However, all applicable development requirements shall apply.

Sec. 17.3 Defined Terms

Cluster Box Unit (CBU): A centralized grouping of individually locked and keyed mailboxes meeting the specifications of the United States Postal Service.

PART 9

[Amendments to support Crime Prevention Through Environmental Design (CPTED) strategies for natural surveillance]

Sec. 5.4 Accessory Uses and Structures

[Paragraphs not listed remain unchanged]

5.4.9 Swimming Pools

B. Outdoor Community Pools, Private Club Pools, or Townhouse, Multiplex and Apartment Pools

- 3. All outdoor pools shall be enclosed by a fence ~~that is at least four feet in height~~. The exterior walls of buildings can be incorporated as a portion of the fence to create a fully enclosed area around the pool.
 - a. All fence ~~openings into the pool area~~ points of ingress/egress shall be equipped with self-closing and self-latching gates.
 - b. The fence shall be at least four feet in height with a maximum opacity of 50%.

Sec. 10.3 Required Parking

[Paragraphs not listed remain unchanged]

10.3.3 Bicycle Parking in the SRP-C District (County Only), Downtown and Compact Neighborhood Tiers

B. Minimum Parking Requirements

3. Long-term parking

- d. If placed outdoors, the parking facility shall be lit in accordance with storage areas (security lighting) pursuant to paragraph 7.4.3, Standards; covered to provide

protection from rain and snow; and, if provided for residential uses, be located within a secured enclosure.

PART 10

[For consistency, use the term “multifamily” instead of “multi-family”]

Throughout the UDO, replace the term “multi-family” with the term “multifamily” as defined in Sec. 17.3, Defined Terms.

PART 11

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

PART 12

That this amendment of the Unified Development Ordinance shall become effective January 15, 2019