



Date: March 7, 2019

To: Wendell Davis, County Manager

Through: Jay Gibson, General Manager

From: Patrick O. Young, AICP, Planning Director

Subject: Informational Item: Patterson Place Compact Suburban Design (CSD) District Text Amendment and Zoning Map Change (TC1800009 and Z1800030)

Summary. Durham Planning staff has worked with a variety of stakeholders in and around the Patterson Place station area to guide the planning of a Patterson Place Compact Suburban Design District that would allow/require transit-oriented development around the future station of the Durham-Orange Light Rail Transit (D-OLRT) project. Through this process staff has drafted and presented for public review a full draft of proposed regulations and sub-district boundaries. The proposed text amendment (TC1800009) would incorporate standards for a new Compact Suburban Design (CSD) District into the Unified Development Ordinance and the proposed zoning map change (Z1800030) would apply those Compact Suburban Design District regulations to the Patterson Place Compact Neighborhood Tier (approximately 603 acres) and assign all properties with the CSD District to one of three sub-districts (-Core, -Support 1, or -Support 2). This item will be scheduled for public hearing before the City Council and the Board of County Commissioners in June.

Recommendation. The staff recommends that the Durham Board of County Commissioners receive this report and provide comment. No additional action is required.

At the public hearing on February 12, 2019 the Planning Commission voted (7-4) to continue the item for two cycles. They had three primary concerns related to the project including: widening the proposed transitional use area (TUA) to 300 feet instead of 200 feet, creating more prescriptive review factors for issuance of a major special use permit within that TUA, and the impact of removing the New Hope Commons shopping center from the proposed design district zoning.

Background. In August of 2016, Planning staff completed a project to update the Compact Neighborhood development tiers to reflect the proposed alignment and station locations along the current D-OLRT project. This included revisions to the Patterson Place Compact Neighborhood Tier boundary. The adopted Compact Neighborhoods are envisioned, over the long term, to evolve into communities with development that is higher density, mixed use, and walkable. From Durham Comprehensive Plan policy 2.1.3j.:

Design Districts are intended to encourage intense development and transit and pedestrian oriented activity. Regulations focus on form of the private and public realm

rather than use and intensity. Design Districts are intended to encompass the Downtown and Compact Neighborhood Tiers, and are accommodated by the Downtown Design (DD-) and Compact Design (CD-) zoning districts.

A variety of additional Comprehensive Plan policies have been adopted to guide development in the Compact Neighborhoods. From establishing higher residential densities (Policy 2.1.3d, Table 2-1), to enhancing street-level experiences (Policy 2.2.4a), creating 24-hour places by providing a mix of uses (Policy 2.2.4b), and supporting multi-modal transportation (Policy 2.4.1a). To date, Design Districts have been established in the Downtown Tier and in the Ninth Street Compact Neighborhood Tier.

In the fall of 2016 Planning staff began a public engagement process to develop Compact Suburban Design (CSD) district regulations for the Patterson Place station area. Simultaneously, the Gateway Planning consultant team began work on the Transit-Oriented Development (TOD) Planning Grant for the D-OLRT. This grant, issued by the Federal Transit Administration and managed by GoTriangle, brought jurisdictions together across the D-OLRT alignment to assess opportunities, challenges, and possible futures for transit-oriented development at each of the station locations.

In the summer of 2017 Planning staff hosted another public input opportunity for the project. Participants were asked at that time to provide feedback on appropriate sub-district intensities (density and height) and boundaries, propose future additions to the existing street network, and discuss potential environmental protections in and adjacent to the Patterson Place Compact Neighborhood. Staff worked closely with the Gateway Planning consultant team during the months that followed to ensure that the Patterson Place design district development and the TOD planning efforts were informed by one another. This work has involved close coordination with multiple departments and across jurisdictional boundaries and has had significant focus on infrastructure planning as the station area intensifies. The Gateway Planning team has provided a public TOD Guidebook for all stations along the D-OLRT (<https://gotriangle.org/tod/guidebook>). In addition, they have provided an infrastructure planning document as a staff resource that focuses on the four suburban-style station areas in Durham, including Leigh Village, Patterson Place, South Square, and MLK. This work will continue to inform both the design district finalization (for all four suburban station areas referenced above, eventually) and continued station area planning efforts. Coordination of planning between the Patterson Place station area and the Gateway Station area in Chapel Hill has been an important aspect of both of these projects. Throughout both of these efforts, Durham and Chapel Hill staff have worked together.

In May of 2018, Planning staff held another public input event. At this meeting attendees reviewed and provided feedback on draft sub-district boundaries, a future street network, environmental protection standards, heights and densities (including an affordable housing bonus strategy), and parking regulations. The proposals shared at this meeting were informed by the input received at the July 2017 public meeting. Closely following this public meeting, Planning staff provided an update on the project and summary of the feedback received at the public meeting to the JCCPC at their June meeting. Following this meeting, staff drafted the text amendment language for a new compact suburban design district for the Patterson Place

Compact Neighborhood incorporating the input received from the public process to date. Draft text amendment language was published in mid-October for review and comment by mid-November. On October 25, Planning staff hosted another public meeting to provide an overview of the full text amendment of the Design District regulations, and the proposed placement of the sub-districts within the Tier (which regulate height and density), to provide an opportunity for detailed questions and answers related to the proposal, and to solicit feedback prior to initiating the public hearing and adoption process. Planning staff then incorporated that feedback into a final draft which was submitted to the Planning Commission as an informational item in January of 2019 and for public hearing and recommendation in February of 2019. The proposed sub-district map and text amendment language are attached for review (see **Attachment A** and **Attachment B**).

Issues. The primary issues related to the creation of the Patterson Place Compact Suburban Design District center on coordination in support of transit-oriented development outcomes within the Compact Neighborhood as the area transitions towards transit-supportive development in anticipation of the D-OLRT implementation. Those TOD outcomes include housing affordability, protection of environmental resources, improving the connectivity and mobility of the transportation network, and increasing infrastructure capacity (particularly water and sewer) Staff has also identified a technical issue related to the rezoning of parcels that split the Compact Neighborhood Tier boundary. In addition, community concern related to equity in relation to this project has been raised. These issues are elaborated on below.

TOD Coordination. The TOD Planning Grant process, over the course of two years, highlighted the necessity of coordinating station area planning and implementation efforts between various jurisdictions, departments, and organizations in service of our transit-oriented development goals. As noted on page x of the Guidebook:

Success as it relates to TOD lies in the governance and partnerships that must be developed around the common vision of establishing transit-oriented developments that reflect the neighborhoods surrounding the station, and the authentic qualities of the community that governance and those partnerships support.

This document emphasizes the need for establishing collaborative policy and funding priorities now in order to lay the ground work for establishing successful TOD outcomes. The following sections address issues related to those TOD outcomes: increasing housing affordability, improved environmental protections, multi-modal connectivity in the transportation network, and improving utility infrastructure capacity. The coordination among efforts in each of these areas will be essential in achieving desirable outcomes in support of TOD.

Housing Affordability. Planning staff has been evaluating an alternative approach to allowable heights and densities for future design districts such as Patterson Place. Previously when design district regulations have been implemented, they have significantly intensified allowable heights and/or densities in order to assist with creating transit-supportive development adjacent to future stations. At this time we are considering only modestly raising “by right” densities and heights in new design districts to the minimum density that is considered to be transit supportive, and allowing higher heights and unlimited densities only through use of an affordable housing bonus. There

are a number of significant considerations and potential implications of this approach, including impacts on ridership, impacts on the mix of residential versus non-residential uses, and how parking is managed near station areas.

The current proposal allows 145 feet of height by right in the Core sub-district. Combined with by-right densities that are below market demand, this approach will likely encourage more non-residential development in close proximity to the station and is intended to mitigate any potential consequences of this approach on the area directly adjacent to the station. The Support 1 and Support 2 sub-districts, which make up the majority of the Compact Neighborhood Tier, have significantly lower by right height and density allowances unless the affordable housing bonus is utilized. If the bonus is applied, development is allowed a sizeable height increase and no limit on density within the allowable building envelope. These aspects of the bonus are applicable in the Core sub-district as well, but are less likely to be utilized in the near-term due to the by right height allowance. Planning staff is committed to monitoring proposed development within the Compact Neighborhood after adoption of the design district to determine whether modifications to aspects of the development regulations are required to ensure transit-supportive development is built and to most effectively incentivize the creation of affordable housing units.

While the draft regulations incentivize the creation of new affordable housing units, the sizeable issue of housing affordability needs to be tackled using multiple approaches. To that end, the Triangle J Council of Governments (TJCOG) has been working with local government partners to develop a holistic approach to addressing housing affordability (the full report can be accessed here: <https://www.tjcog.org/transit-corridor-land-use-housing.aspx>). Through this work station area families along the proposed D-OLRT have been assigned strategies that respond to the context of those station areas. The Patterson Place Compact Neighborhood falls within the Suburban Retrofit station family which is characterized by “opportunity for big change” and “significant number of NOAH units.” Proposed strategies for maintaining and increasing housing affordability include:

- Tax Increment financing
- Special Assessment districts
- Incentivize landlords to rehabilitate and preserve affordable housing
- Density bonus

This Compact Neighborhood currently has 1,138 multi-family and 25 single-family residential units. There are no legally binding affordable units in this area, but of those 1,163 units, 88 are affordable to those earning 60% AMI or below and 844 are affordable to those earning 60%-80% AMI. These naturally-occurring affordable housing (NOAH) units make up 80% of all housing units within the proposed Compact Suburban Design District. A strategy to incentivize maintaining those units as affordable could have a significant impact on housing affordability in the Compact Neighborhood Tier. The design district zoning does not specifically address preservation of existing NOAH units so continued close coordination with partner departments will be essential to advancing this effort.

Environmental Features. A primary goal of this planning effort is to ensure the protection of the New Hope Creek corridor (as per the adopted New Hope Creek Open Space Master Plan), important natural inventory areas, and other sensitive environmental resources, such as steep slopes, both within the Compact Neighborhood Tier and adjacent to it. To that end, project stakeholders have included the New Hope Creek Advisory Committee, Durham County Open Space staff, NC Natural Heritage Program staff, the Eno-New Hope Landscape Conservation Plan policy and technical committees, the NC Wildlife Resources Commission staff, and City of Durham Stormwater staff in addition to property owners, residents, and the general public. Increasing protections for adjacent environmental resources, while allowing increased intensity to support future transit, has been integral to the intent of this project from the beginning.

Staff is proposing regulatory modifications to work towards protection of these environmental features (see **Attachment C**). The first is to increase protections for steep slopes in this Compact Neighborhood by modifying the definition of a steep slope, the contiguous area required for protections to apply, and the amount of disturbance allowed within those protected slopes. At this time these protections are proposed solely within the Patterson Place Compact Neighborhood to address the notable importance of the creek corridors to the north and the east in the overall ecological network of the region.

The second regulatory protection that staff has drafted is to establish a transitional use area (TUA) at the edge of the Tier where the floodplain is adjacent to the Tier boundary. The TUA would require that any proposed development within 200 feet of the boundary would require a major special use permit (MSUP) approval by the governing body. The intention behind this proposal is to allow a context sensitive solution to where development intensity is allowed on the site in proximity to property outside of the Compact Neighborhood Tier. Conversations with both property owners and environmental stakeholders indicate support for this mechanism. Environmental stakeholders are asking that a 300 foot distance, that was previously proposed as a floodplain setback, is utilized for the TUA. Property stakeholders have asked for the TUA to include an exemption from the MSUP requirement for small encroachments into the TUA (no specific square footage has been proposed).

During the development of Patterson Place design district project, a site plan for mass grading at 4950 Chapel Hill Blvd (case #D1800258) was submitted. This parcel, PID 206066, is located adjacent to the New Hope Creek Corridor at the intersection with 15-501. The submitted site plan for mass grading is subject to the steep slope requirements that are currently in place and not the new steep slope requirements proposed as part of this project. At the writing of this memo, staff is working on text-only development plan language (and associated site plan conditions) that would memorialize the property owners' proposal to remove the area within the 200 foot TUA from their mass grading site plan. This path forward would provide protection for important areas along the primary New Hope Creek corridor, specifically adjacent to where the 15-501 bridge

across the creek creates the greatest pinch point for the larger wildlife corridor, but would not follow the full extent of the proposed environmental protection regulations (the 15%-25% slopes outside of the TUA would not be protected). However, the property owner currently has vested rights under the existing regulations. Staff believes their proposal along with the new design district standards for the area will result in a better overall balance of the transit-supportive and environmental protection goals than would be the case under the existing zoning and approval of the mass grading plan under the existing steep slope regulations.

Transportation Network. One critical goal of the Compact Suburban Design District at Patterson Place is to allow for multi-modal movement throughout all quadrants of the US 15-501/I-40 intersection, connecting Patterson Place, New Hope Commons, Eastowne, and Gateway. There are a couple relevant plans either adopted or underway which will aid in improving connectivity in the existing transportation network. The Southwest Durham/Southeast Chapel Hill Collector Street Plan (adopted by the DCHCMPO in 2007) proposes new collector streets that connect these quadrants over I-40 to both the north and south of US 15-501. These collectors could create opportunities for complete streets to connect development in all quadrants without sending local traffic through the congested US 15-501/I-40 intersection, allowing safe and comfortable connectivity for bicyclists and pedestrians, and the possibility of more efficient bus routing for existing or future service further linking the four areas. While this adopted plan addresses a significant needed mobility improvement, the projects associated with these connections are costly. Identifying and prioritizing funding to make these plans a reality is extremely important.

Additionally, the Reimagining 15-501 Corridor Study is currently underway. The study area encompasses US 15-501 from Franklin Street in Chapel Hill to the 15-501 bypass and then extends along Business US 15-501 to University Drive in Durham. This study is assessing the future of this corridor with a multi-modal safety and mobility focus. The study is intended identify ways to improve pedestrian, bicycle, and transit access across US 15-501 within the Patterson Place station area while also being responsive to the regional traffic needs of the US 15-501 corridor. Much of the focus of this study has been on the latter, but staff is advocating for strong bicycle and pedestrian connections to be seen as integral to this transportation project since it is unlikely that the highway itself will accommodate these modes of travel. It is anticipated that this study will conclude this summer (June 2019).

In addition to connectivity improvements between the quadrants of which Patterson Place is one, improvements to the transportation network within the Patterson Place Compact Neighborhood is also a priority. Within the station area, higher levels of connectivity are desirable for providing more pedestrian- and bicycle-friendly access. In addition, greater connectivity can act to disperse motor vehicle traffic by providing more options for mobility rather than concentrating congestion on just a few major roadways. Planning staff, in coordination with the Transportation and Public Works Departments, consultation with the public, and guidance by the TOD Planning Grant work, has drafted a future street network as part of this project for the governing bodies

to consider adopting (see **Attachment D**). The proposed street network is designed to work in tandem with the multi-use paths included in the Comprehensive Transportation Plan for full multi-modal transportation within and into the Compact Neighborhood. Additional study and discussion is necessary to determine the final placement and type of off-road facilities to accommodate this necessary connectivity. The current Design District regulations also include regulations regarding the design of new streets and the allowable block sizes to aid in creating the appropriate connectivity in the station area.

Infrastructure Capacity. With the significant shift in development intensity envisioned in the Compact Neighborhood, an important consideration is the capacity of the existing infrastructure and the timing of increased capacity of that network. As part of the TOD Planning Grant effort, projections of net new water and sewer capacity due to new development or redevelopment have been generated. And, while developers are generally responsible for new utility infrastructure to support their development proposal, the existing status of many utility facilities would necessitate significant upgrades to the larger utility systems. For instance, according to staff in the Department of Water Management, the Githens School Lift Station, which serves the majority of the Patterson Place Compact Neighborhood, is currently at 89% of capacity and expected growth within the station area is expected to exceed existing capacity. The process of developing master plans for water and sewer systems is underway in order to anticipate necessary system upgrades in advance of development needs. This master planning work and the TOD Planning Grant work are anticipated to assist in determining the specific infrastructure investments that would be catalytic in allowing new development to occur without overloading the existing system. The timing and funding of these projects will be essential in allowing transit-supportive development to occur in the station area. The design district zoning does not specifically address these issues so continued close coordination with partner departments will be essential.

Zoning Changes on Split Parcels. Concurrent with the zoning map change of property within the Compact Neighborhood Tier, staff is proposing zoning map changes outside of the CN Tier on two parcels that are split by the Tier boundary (see Attachment G).

Parcel A (PID 140125) is a 38.827 acre parcel, primarily outside the Compact Neighborhood, that currently has Mixed Use zoning with a development plan. The development plan covers the majority of Patterson Place and the full allowable build-out under that plan has been permitted and/or constructed. The development plan commitments include 25.83 acres of “wetland and tree save area” on parcel A. The majority of this mixed use zoning and accompanying development plan will be replaced by CSD District zoning within the Compact Neighborhood Tier, including a portion of the subject parcel. Staff is proposing that the remainder of that parcel be re-zoned to Rural Residential with a text-only development plan committing to retaining the protection of the 25.83 acres wetland and tree save area on the parcel, ensuring the protection of the 25.83 acres of wetland and tree save area accompanying the re-zoning. Staff is working to finalize this language at the completion of this memo.

Parcel B (PID 206066) is a 68.319 acre parcel, primarily outside the Compact Neighborhood Tier, that currently has split zoning. Parcel segments both inside and outside the Tier boundary have

a portion of RS-20 zoning and a portion of PDR 6.030 with a development plan. The development plan allowed for a 346 unit retirement facility on a small portion of the parcel and stated that “all areas outside of limits of disturbance of construction shall remain in their natural state.” The segment of the parcel inside the Compact Neighborhood Tier will replace the PDR and RS-20 zoning, and a small portion of CN zoning, with CSD District zoning. For the parcel segment outside the Compact Neighborhood Tier, staff is proposing that the remainder of the PDR zoning be rezoned to Rural Residential with a text-only development plan ordinance committing to retaining the same protections of the site in their natural state accompanying the re-zoning. Staff is working to finalize this language at the completion of this memo.

Equity. The policy direction to encourage the transit-oriented redevelopment of the Patterson Place area has brought up some concerns relating to equity and potential displacement for the existing community within the Compact Neighborhood. Specifically, Planning staff received information from Durham Belt Line for Everybody that “We heard concerns in our Belt Line community meetings at The Hayti about displacement at Patterson Place. There are residents in that area whose families have lived in the area since emancipation.” Staff has reached out to gain a fuller understanding of the concern and potential impact but has not yet received specific information to evaluate and address. The majority of the existing development is large scale commercial or multi-family residential in nature. There are also a small number of single family residential properties, primarily near Old Chapel Hill Road, that remain. A number of the existing residential developments are older apartment communities that are currently naturally occurring affordable units to those earning 60 to 80% of AMI. Given the complexity of transitioning suburban development character to transit-oriented development, it is unlikely that these developments will redevelop prior to establishing the light rail. Undertaking the zoning map change for this area now will ensure that as development does occur it will begin the transition to a transit-oriented character, but will also allow time to continue to work with partners to ensure affordability in the station area through the variety of strategies recommended in the “housing affordability” section above, including preservation of the affordability of existing market units. In addition, the institution of the affordable housing bonus in the Compact Suburban Design district is a significant opportunity for the market to create additional affordable housing units in Patterson Place to tackle community-wide housing shortages and already rising rents.

Consistency with the *Comprehensive Plan*; Reasonableness and in the Public Interest. The Durham City Council and Durham County Board of Commissioners have adopted Compact Neighborhood Tier areas around planned stations along the proposed Durham-Orange Light Rail Transit corridor. The adopted Compact Neighborhoods are envisioned, over the long term, to evolve into communities with development that is higher density, mixed use, and walkable. From Durham Comprehensive Plan policy 2.1.3j.: Design Districts are intended to encourage intense development and transit and pedestrian oriented activity. Regulations focus on form of the private and public realm rather than use and intensity. A variety of additional Comprehensive Plan policies have been adopted to guide development in the Compact Neighborhoods. From establishing higher residential densities (Policy 2.1.3d, Table 2-1), to enhancing street-level experiences (Policy 2.2.4a), creating 24-hour places by providing a mix of uses (Policy 2.2.4b), and supporting multi-modal transportation (Policy 2.4.1a). The proposed standards are directly implementing these policies.

The proposed standards appear reasonable and in the public interest since the standards are balancing the implementation of TOD regulations in a future transit area with the concerns of stakeholders raised in the public input process.

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Lisa.Miller@DurhamNC.gov.

Attachments:

Attachment A: Patterson Place Compact Suburban Design District Map

Attachment B: Compact Suburban Design District Text Amendment Ordinance

Attachment C: Patterson Place Compact Suburban Design District Steep Slopes and TUA Map

Attachment D: Patterson Place Compact Suburban Design District Future Street Network Map

Attachment E: Planning Commission Comments

Attachment F: Presentation Slides

Attachment A, Patterson Place Compact Suburban Design (CSD) District Map

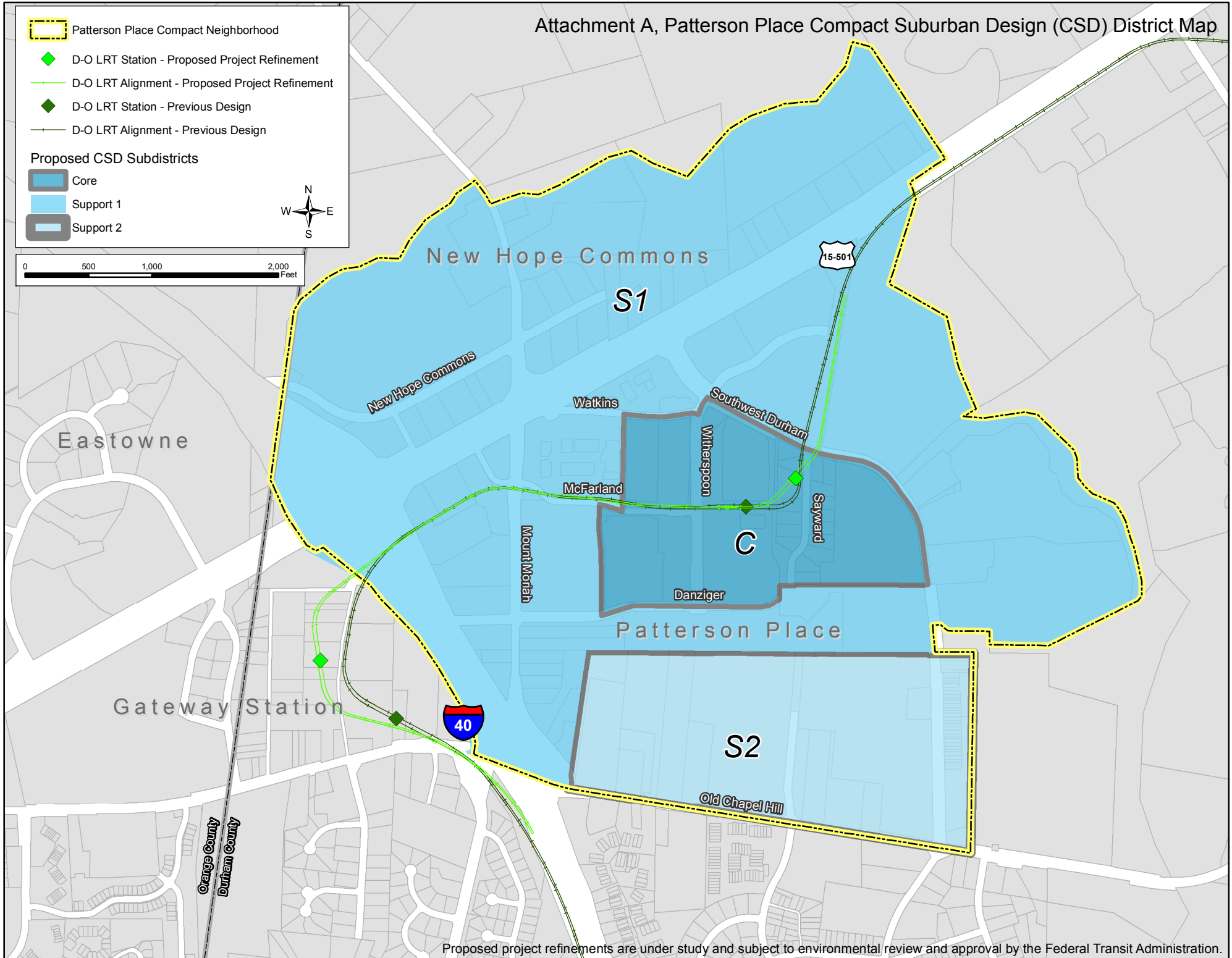
-  Patterson Place Compact Neighborhood
-  D-O LRT Station - Proposed Project Refinement
-  D-O LRT Alignment - Proposed Project Refinement
-  D-O LRT Station - Previous Design
-  D-O LRT Alignment - Previous Design

Proposed CSD Subdistricts

-  Core
-  Support 1
-  Support 2



0 500 1,000 2,000 Feet



Proposed project refinements are under study and subject to environmental review and approval by the Federal Transit Administration.

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
TO CREATE A COMPACT SUBURBAN DESIGN DISTRICT (TC1800009)**

WHEREAS, the [Durham City Council/Board of County Commissioners] wishes to amend certain provisions in the Unified Development Ordinance landscaping and project boundary buffers; and

WHEREAS, it is the objective of the [Durham City Council/Board of County 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 16, Design Districts, Article 4, Zoning Districts, Article 5, Use Regulations, Article 8, Environmental Protection, Article 9, Landscaping and Buffering, and Article 10, Parking, of the *Unified Development Ordinance* is amended to make the following changes set forth in the deletions (strikethroughs) and additions (underlining) below:

PART 1

Sec. 4.5 Design District Intent Statements

4.5.3 Compact Suburban Design (CSD)

The Compact Suburban Design (CSD) District is intended to encourage development of appropriate urban streetscape and form through bicycling, pedestrian, and transit-oriented development around light rail stations through various sub-districts similar to the Downtown Design District. Compact Suburban Design Districts are located within areas designated as "Design District" within Compact Neighborhood Tiers of the Durham Comprehensive Plan with existing suburban character.

4.5.~~34~~ Sub-Districts

Sec. 4.9 Major Transportation Corridor Overlay (-MTC)

4.9.2 Applicability

Except in design districts, ~~T~~he MTC Overlay shall apply to all property within 1,250 feet of a designated right-of-way, and may extend up to 2,500 feet at intersections. The actual boundaries shall be determined at the time of adoption of the MTC Overlay and shall be shown on the Official Zoning Map. The MTC Overlay shall be measured perpendicular to the edge of:

- A. The right-of-way of the limited access highway; or
- B. The right-of-way for a frontage road, if present.

Sec. 5.1 Use Table

5.1.2 Use Table

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
AGRICULTURAL USES (City Only)																								
Agriculture	All agriculture, except as listed below	L	L																					5.3.1A
	Apiculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Commercial crop production	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	5.3.1A
	Forestry	L	L	L	L	L	L	L	L	L	L	L		L	L	L	L	L	L	L		L	L	5.3.1B
RESIDENTIAL USES																								
Household Living	Single-family	L	L	L	L	L	L		L							‡					‡	L	L	6.2.1, 6.3.2, 6.4.2, 6.5.2, 6.10.2, 6.11.3, 6.11.7, 7.1.2, 7.1.3,

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
																								7.1.4, 7.1.5, 7.1.6, Art. 16
	Two-family			L	L	L	L									‡				‡	L	L	L	6.3.2, 6.4.2, 6.5.2, Art. 16, 7.1.7
	Multifamily			L	L	L	L	L	L	L	L		L			‡		‡L		‡	L	L	L	6.3.2, 6.4.2, 6.5.2, 6.10.2, 6.11.3, 6.11.5, 6.11.7, 7.1.8, 7.1.9, 7.1.10, Art. 16
	Family care home	L	L	L	L	L	L		L		L					L‡				L‡		L	L	5.3.2C, 6.2.1,

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
																								6.3.2, 6.4.2, 6.5.2, 6.9.1, 6.10.2, 6.11.3, 6.11.7, 7.1.2
Household Living	Manufactured home	L																						5.3.2D
	Manufactured home park or subdivision															‡L								5.3.2E
	Upper story residential							L	L	L	L		L			‡		‡L		‡	L	L	<u>L</u>	6.10.2, 6.11.3, 6.11.5, 6.11.7, Art. 16
Group Living	All group living, except as listed below			m	m	m	m	m	m		m					‡m				‡m	m			

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	Commercial dorm			L/m		L/m	L/m	L/m	L/m		L/m						‡L				L	L/m	<u>L/m</u>	5.3.2A
	Congregate living facility			L/m	L/m	L/m	L/m	L	L	L	L					‡L/m				‡L/m	L	L	<u>L</u>	5.3.2B
	Group home		L/m	L/m	L/m	L/m	L/m	L	L	L	L					‡L/m				‡L/m	L	L	<u>L</u>	5.3.2C
	Independent Living Facility			m	m	m	m	P	P	P	P					‡m				‡	P	P	<u>P</u>	
PUBLIC AND CIVIC USES																								
Community Service	All community service, except as listed below	P	P	P	P	P	P	P	P	P	P		P			‡		‡		‡	P	P	<u>P</u>	
	Auditoriums									L	L	L	P				‡L	‡L		‡L	P	<u>L</u>	<u>L</u>	5.3.3A
	Clubs and lodges	L/m	L/m	L/m	L/m	L/m	L/m	L	L	L	L	L	L	L		‡L/m		‡L	‡L	‡L	L	L	<u>L</u>	5.3.3C
	Museums	L/m	L/m	L/m	L/m	L/m	L/m	L/m	L/m	L	L	L	L				‡L	‡L		‡L	L	L	<u>L</u>	5.3.3G
Day Care	Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P		‡	‡	‡		‡	P	P	<u>P</u>	
	Day care facility	L/m	L/m	L/m	L/m	L/m	L/m	L	L	L	L	L	L	L		‡L/m	L	‡L		‡L	L	L	<u>L</u>	5.3.3E
Educational Facilities	School, elementary	L/m	L/m	L/m	L/m	L/m	L/m	P	P	P	P	P	P	P		‡L/m	‡	‡	‡	‡	P	P	<u>P</u>	5.3.3K

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	School, middle or high	L/m	L/m	L/m	L/m	L/m	L/m	P	P	P	P	P	P	P		‡L/m	‡	‡	‡	‡	P	P	<u>P</u>	5.3.3K
	Universities or colleges		M	M	M	M	M	P		P	P	P	P	P		‡M	‡	‡	‡	‡	P	P	<u>P</u>	
	Vocational, trade or business schools							P		P	P	P	P	P				‡	‡	‡	P	P	<u>P</u>	
Government Facilities	All government facilities, except as listed below	L/m	L/m	L/m	L/m	L/m	L/m	P	P	P	P	P	P	P	P	‡L/m		‡	‡	‡	P	P	<u>P</u>	5.3.3F
	Correctional facilities													L/M	L/M			‡L/M	‡L/M		L/M			5.3.3D
Medical Facilities	All medical facilities, except as listed below							P	P	P	P		P	P		‡		‡	‡	‡	P	P	<u>P</u>	
	Hospitals							P		P	P			P			‡	‡		‡	P	P	<u>P</u>	
Parks and Open Areas	All parks and open areas, except as listed below	L	L	L	L	L	L	L	L	L	L	L	L	L	L	‡L	‡L	‡L	‡L	‡L	L	L	<u>L</u>	5.3.3H

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	Cemeteries, mausoleums, columbaria, memorial gardens	P	P	P	P	P				P	P			P		‡		‡	‡	‡	L	L	L	5.3.3B
Passenger Terminals	All passenger terminals, except as listed below	M									M	L		M	M									5.3.7
	Rail and Bus terminals				M	M	P		P	P	P	P	P	P			‡	‡	‡	‡	P	L	L	5.3.3I
Places of Worship	All places of worship	L/m	L/m	L/m	L/m	L/m	L/m	P	P	P	P			P		‡L/m	‡	‡	‡	‡	P	P	P	5.3.3J
Social Service Institutions	All social service institutions										M			M						‡M	M			
Utilities	Major utilities	L/m	L/m	L/m	L/m	L/m	L/m		L/m	L	L	L	L	L	L	‡L/m		‡L	‡L		m	M	M	5.3.3M
	Minor utilities	L	L	L	L	L	L	L	L	L	L	L	L	L	L	‡L	‡L	‡L	‡L	‡L	P	P	P	
	TV/HDTV/AM/FM Broadcast Antennae	L/m										L/m	L/m	L/m	L/m				‡L/m		L/m			5.3.3L
	Wireless	L	L	L	L	L	L	L	L	L	L	L	L	L	L	‡L	‡L	‡L	‡L	‡L	L	L	L	5.3.3N

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	Communication Facility, except as Listed Below																							
	Unipole Wireless Communication Facility	L/M ¹ /m	L/M ¹ /m					L/M ¹		L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹		‡L/M ¹	‡L/M ¹	‡L/M ¹	‡L/M ¹	L/M ¹	L/M ¹	L/M ¹	5.3.3N
	Wireless Communication Facility, Freestanding Concealed	L/M ¹ /m ²	L/M ¹ /m ²	L/M ¹ /m ²	L/M ¹ /m ²	L/M ¹ /m ²	L/M ¹ /m ²	L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹	L/M ¹	‡L/M ¹ /m ²	‡L/M ¹	‡L/M ¹	‡L/M ¹	‡L/M ¹	L/M ¹	L/M ¹	L/M ¹	5.3.3N
	Wireless Communication Facility, Freestanding Non-Concealed	L/M ¹ /m	L/M ¹ /m									L/M ¹ /m	L/M ¹ /m	L/M ¹ /m	L/M ¹ /m		L/M ¹ /m	L/M ¹ /m	L/M ¹ /m	L/M ¹ /m	L/M ¹ /m			5.3.3N
COMMERCIAL USES																								
Indoor Recreation	All indoor recreation, except as listed							P	P		P		P	P				‡	‡	‡	P	P	P	

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	below																							
	Adult establishment													L/m	L									5.3.4A
	Electronic gaming operations										L			L				±L						5.3.4J
	Firing range, indoor										L			L	L			±L						5.3.4K
	Nightclub or bar							L	L/m		L		L	L				±L		±L	L	L	L	5.3.4P
Outdoor Recreation	All outdoor recreation, except as listed below	L/m							L/m		L		L	L				±L	±L	±	L	L	L	5.3.4Q
	Campground, summer camp, RV camp	m																						
	Drive-in theatre										L/m			L/m										5.3.4H
	Firing range, outdoor, archery, skeet	L/M													L/M									5.3.4L

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	Golf course, country club, swim club, tennis club	L	L	L	L	L					L		L			‡L	‡L		‡L	‡L				5.3.4M
	Marina, boating facility	M																						
	Paintball	L/m									L/m			L/m										5.3.4R
	Stadium, arena									M				M			‡			‡M	M			
Overnight Accommodations	Hotel, motel, and extended stay residences							L		L	L		L	L			‡L	‡L	‡L	‡L	L	L	<u>L</u>	5.3.4N
	Bed and breakfast	L/m	L/m	L/m	L/m	L/m	L/m	L	L	L	L					‡L/m		‡L		‡L	L	L	<u>L</u>	5.3.4D
	Diet house								P	P	P					‡		‡		‡	P	P	<u>P</u>	
Parking, Commercial	All commercial parking							L		L	L	P	P	L	P			‡		‡L	L	L	<u>L</u>	5.3.4F
Restaurants	All restaurants, except as listed below							P	P		P	L	P	P		‡		‡	‡	‡	P	P	<u>P</u>	5.3.7

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED						DESIGN		NOTES:
		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	CSD	
	Drive-through facilities								L		L		L	L		‡		‡L	‡L	‡L				5.3.4I
Retail Sales and Service	All retail sales and service, except as listed below							P	P		L	L	P	P		‡	L	‡		‡	P	P	<u>P</u>	5.3.4B; 5.3.7
	Antique shop	L						P	P		P		P	P		‡		‡		‡	P	P	<u>P</u>	5.3.4C
	Art, music, dance, photographic studio or gallery							P	P	P	P		P	P		‡		‡	‡	‡	P	P	<u>P</u>	
	Convenience store with gasoline sales								L		L		L	L		‡		‡L		‡L	L	L	<u>L</u>	5.3.4G
	Drive-through facilities								L		L		L	L		‡		‡L		‡L			<u>L</u>	5.3.4I
	Payday Lenders							P	P		L			P							P	L	<u>P</u>	5.3.4S
	Veterinary clinic, animal hospital, kennel	L						L	L	L	L		L	L	L	‡L		‡L	‡L	‡L	L	L	<u>L</u>	5.3.4W

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
Self-Service Storage	All self-service storage										L			L	L				‡L	‡L				5.3.4T
Vehicle Sales	Manufactured home sales										L			L	L				‡L					5.3.4O
	Vehicle sales, leasing, and rentals										L		L	L	L			‡L	‡L		L			5.3.4U
Vehicle Service	Car wash										L			L	L			‡L	‡L					5.3.4E
	Vehicle service, minor							L	L/m		L			L	L			‡L	‡L	‡L				5.3.4V
	Vehicle service, major													L	L				‡L					5.3.4V
OFFICE																								
Office	All offices, except those listed below							P	P	P	P	P	P	P		‡		‡	‡	‡	P	P	P	
	Conference center, retreat house	L/m						L		L	L	L	L			‡		‡L	‡L	‡L	L	L	L	5.3.5A

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
	Drive-through facilities								L	L	L	L	L	L		‡		‡L	‡L	‡L			<u>L</u>	5.3.4I
INDUSTRIAL USES																								
Heavy Industrial	All heavy industrial, except as listed below														P									
	Asphalt plant														L/M									5.3.6A
	Concrete manufacturing plant														L/M									5.3.6B
	Hazardous and low-level nuclear disposal and storage														L/M									5.3.6C
	Wrecking, junk, and salvage yards													L/m	L									5.3.6I

USE CATEGORY	SPECIFIC USE	RESIDENTIAL						NONRESIDENTIAL								PLANNED					DESIGN			NOTES:
		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	CSD	
Light Industrial Service	All light industrial service, except as listed below											L	L	P	P				‡		L	<u>L</u>	<u>L</u>	5.3.6D
	Research and development											L	P	P	P				‡		P	<u>P</u>	<u>P</u>	5.3.76E
Resource Extraction	All resource extraction														L/M									5.3.6F
Warehouse and Freight Movement	All warehouse and freight movement													P	P				‡					
Waste-Related Service	All waste-related services, except as listed below														M									
	Recycling centers													M	M									
	Transfer stations													L	L									5.3.6G
Wholesale Trades	All wholesale trade										m			P	P				‡		L			5.3.6H

Sec. 5.3 Limited Use Standards

5.3.3 Public and Civic Use Standards

A. Auditoriums

1. Except in design districts, A auditoriums shall not be located adjacent to residential uses.
2. In design districts, auditoriums shall not be permitted in the S2 sub-district of CD or CSD districts.

B. Cemeteries, Columbaria, and Memorial Gardens

1. In the DD-design districts no new cemeteries shall be allowed.

C. Club or Lodge (Nonprofit)

3. Clubs and Lodges shall not be permitted in the S2 sub-district of the CD and CSD Districts.

G. Museum

2. Museums shall not be permitted in the S2 sub-district of the CD and CSD Districts.

I. Passenger Terminals

1. Passenger terminals shall not be permitted in the S2 sub-district of the CD and CSD Districts.

5.3.4 Commercial Use Standards

F. Commercial Parking

2. Commercial parking shall not be permitted in the S2 sub-district of the CD and CSD Districts.

G. Convenience Stores with Gas Sales

6. Within the S1 and S2 Core sub-districts of the CD and CSD Districts, Convenience Stores with Gas Sales shall not be permitted.

I. Drive-Through Facilities

1. Except in the CSD District, D drive-through facilities shall be permitted in accordance with the use table in Sec. 5.1, Use Table, subject to the following:

- 1.a. Where no street separates the use and residentially zoned property, at least 40 feet of separation shall be maintained between the residential lot line and the drive-through facility.
- 2.b. The location of drive-through windows and associated facilities (for example: communications systems and access aisles) shall be identified on all site plans.
- 3.c. Any speaker systems associated with a drive-through facility shall be designed and located so as not to adversely affect adjacent uses.
- 4.d. Drive-through lanes between the right-of-way of a roadway and a building shall require landscaping pursuant to Sec. 9.8, Vehicle Use Area Landscaping, if the drive-through lane is within 50 feet of, and visible from, the roadway. Such landscaping shall be installed and maintained along the entire length of the drive-through lane and the adjacent roadway.
- 5.e. (County Only) Within the SRP-C District, no drive-through lanes or other vehicular areas shall be located between the primary structure and the street.

2. Drive-through facilities shall be permitted in the Support 1 and Support 2 sub-districts of the CSD district in accordance with the use table in Sec. 5.1 Use Table, subject to the following:

a. The location of drive-through windows and associated facilities (for example: communications systems and access aisles) shall be identified on all site plans.

b. Drive-through facilities shall only be permitted for bank or pharmacy uses.

c. Drive-through facilities shall not be located in any street yard or any side yard.

d. To minimize the visual impact when drive-through facilities are visible from the street, the facility shall be incorporated into the overall building design with material selection and design details.

e. Any speaker systems associated with a drive-through facility shall be designed and located so as not to adversely affect adjacent uses.

N. Hotels, Motels, and Extended Stay Residences

6. In the Design districts, the requirements in paragraphs 1 and 5 shall not apply. Instead, a minor special use permit shall be required if a hotel, motel, or extended stay residence is located in the S2 sub-district of the DD District. This use shall not be permitted in the S2 sub-district of the CD or CSD District.

8. In the CD or CSD District, a six-foot-high masonry wall shall be provided along the entire property line between any outdoor recreation facility or vehicular use area and an adjacent pre-existing residential use at ground level.

P. Nightclubs or Bars

1. This section shall not apply to Outdoor Dining areas pursuant to City Code 54-110.

2. Distance From a Place of Worship

a. With the exception of nightclubs or bars located within ~~the DD-Ca Design~~ District, the applicant shall demonstrate that no existing place of worship is located within 250 feet of the proposed nightclub or similar establishment.

3b. Within ~~the DD-Ca Design~~ District, the applicant shall demonstrate that no existing place of worship is located within 50 feet of the proposed nightclub or similar establishment.

4c. Measurements shall be made from the point on the place of worship, whether on the building or associated parking area, that is closest to the proposed night club or similar establishment to the point on the proposed nightclub or similar establishment, whether on the building, associated parking area, or outdoor activity area that is closest to the place of worship.

53. No outside storage shall be located on the site.

4. Additional Design District Requirements

Nightclubs and bars are allowed in all Design Districts subject to the following additional requirements:

a. For the CD-S2 and CSD-S2 Districts, approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit, shall be required in order to establish a nightclub or bar.

b. Nightclubs or bars in the DD-S2 District shall be located 50 feet from any residential zoning district outside of the Downtown Tier. Measurements shall be made from the residential district boundary to the point on the proposed nightclub or bar, whether

on the building or associated parking area that is closest to the residential district boundary.

c. Outside Activities

~~6. For Outside activities, shall be allowed only in the DD-C and DD-S1 sub-districts. The following standards shall be met:~~

~~a.(1)~~ For the area between the building line and the right-of-way, excluding alleys, the outdoor activity area shall:

~~(1a)~~ Not exceed 50% of the interior seating area square footage;

~~(2b)~~ Be physically delineated and separated from the public right-of-way by a fence or wall in conformance with the requirements of Sec. 9.9, Fences and Walls;

~~(3c)~~ Be utilized for seating areas only; and

~~(4d)~~ Be prohibited from having amplified music.

~~b.(2)~~ For all other areas, the outdoor activity area shall:

~~(1a)~~ Not exceed 100% of the interior seating area square footage;

~~(2b)~~ Be physically delineated and separated by a fence or wall as follows:

~~(a)~~ A minimum six foot high fence or wall at the property line along adjacent properties; and

~~(b)~~ A minimum three foot high fence or wall at the property line along rights-of-way.

~~(c)~~ When a building wall is present along adjacent properties, no fence or wall shall be required along the length of that building wall.

~~(d)~~ The fence or wall shall be in conformance with maximum heights and construction standards pursuant to Sec. 9.9, Fences and Walls.

~~e.(3)~~ All outside activities shall be conducted in accordance with paragraph 7.8.7, Noise.

~~f.(4)~~ Any area established for outside activities shall be shown on an approved site plan.

~~7. Nightclubs or bars in the DD-S2 District shall be located 50 feet or more from any residential zoning district outside of the Downtown Tier. Measurements shall be made from the residential district boundary to the point on the proposed nightclub or bar, whether on the building or associated parking area, that is closest to the residential district boundary.~~

~~8. Nightclubs and bars shall not be permitted in the S2 sub-district of the CD District.~~

95. (County Only) Within the SRP-C District, the following shall apply:

Q. Outdoor Recreation

1. If not otherwise required, a minor special use permit shall be required if any access to the site is through or adjacent to (including directly across a public right-of-way) a residential district or use, unless such access is consistent with an approved development plan that accurately specifies the type, size, and intensity of use.

a. This requirement shall apply in the CD and CSD Districts only if access is through or adjacent to a residential district.

2. Except in the SRP-C (County Only), CD, CSD, and DD Districts, a 50-foot setback from any property line adjacent to a residential district or use shall be maintained for any unlighted structure, food sale or dining area, playground, viewing area, court, field, or other athletic or entertainment area or facility.

a. **CD and CSD Districts**

Except as required for the incidental building type, a 15-foot setback shall be maintained instead of the build-to zone in paragraph 16.2.1, Building Placement Standards.

3. Except in the SRP-C (County Only), CD, CSD, and DD Districts, a 100-foot setback from any property line adjacent to a residential district or use shall be maintained for any lighted structure, food sale or dining area, playground, viewing area, court, field, or other athletic or entertainment area or facility.

a. **CD and CSD Districts**

Except as required for the incidental building type, in the CD and CSD Districts, a 30-foot setback shall be maintained instead of the build-to zone in paragraph 16.2.1, Building Placement Standards. In addition, the site plan shall include documentation by a registered professional with experience in lighting certifying that the lighting does not exceed 0.5 foot-candle at the property line of any adjacent residential district or use.

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

5. ~~In the DD District~~ The following standards shall apply in all design districts:

- a. Unless located on the roof of a structure, miniature golf courses shall have a maximum site area of 0.5 acres.
- b. Outdoor recreation uses are only allowed on the roof of a structure if they are set back a minimum of 10 feet from the building face, in addition to any building setbacks.
- c. Batting cages (except where associated with ballparks), golf driving ranges, and amusement parks are only allowed in ~~the DD design~~ districts if they are not visible from adjacent right-of-way. In association with ballparks, batting cages are allowed to be visible from adjacent right-of-way.

W. Veterinary Clinics, Animal Hospitals, and Kennels

1. No outdoor runs, kennels, or storage shall be allowed in PDR or Design districts. (County Only) No outdoor runs, kennels, or storage shall be allowed in the SRP-C District.
2. A 300-foot separation shall be maintained between the outdoor areas where animals are kept and any property line of any adjacent residential use in a residential district.
3. A minimum six-foot tall wall shall be installed and maintained between outdoor areas where animals are kept and any property line of an adjacent residential use in a non-residential district.
4. Within the ~~S1 and S2~~ sub-districts of the CD and CSD Districts, ~~Veterinary Clinics, Animal Hospitals, and~~ Kennels shall not be permitted.
5. In the RR District, parking located between the structure and the street shall be set back at least 25 feet from the right-of-way.

5.3.6 Industrial Use Standards

D. Light Industrial Uses

1. Within ~~the DD~~ any design ~~Dd~~ district, the following light industrial uses shall not be allowed:

- a. Equipment rental;
 - b. Maintenance yard or facility; and
 - c. Regional recycling center.
2. Within the SRP District, the only light industrial uses permitted shall be the manufacture or assembly of equipment, instruments (including musical instruments), precision items, or electrical items.
- a. The manufacture or assembly of appliances, toys, or other similar items are not permitted.
 - b. Outdoor storage for manufacturing is allowed only as an accessory use.
3. No outdoor operations or storage shall be visible from the street.
4. (County Only) Within the SRP-C District, the following light industrial uses shall not be allowed:
- a. Equipment rental;
 - b. Maintenance yard or facility; and
 - c. Regional recycling center.

5. No outdoor storage is permitted in design districts.

6. Light industrial uses shall not be permitted in the S2 sub-district of CD and CSD Districts.

E. Research and Development

~~Research and development shall be permitted in accordance with the use table in Sec. 5.1, Use Table, subject to the following:~~

~~1. Research and development shall not be permitted in the S2 sub-district of the CD District.~~

Sec. 8.8 Steep Slope Protection Standards

8.8.3 Steep Slope Areas

A. Applicability

- 1. Steep slope areas refer to natural grades and shall not include man-made grades.
- 2. Slope is the relationship of vertical rise to horizontal run, expressed as a percentage.
 - a. Except in the Patterson Place Compact Neighborhood Tier, steep slope areas shall be defined as land areas that:
 - ~~a.(1)~~ Have a grade of 25% or more;
 - ~~b.(2)~~ Have an area of 5,000 square feet or greater; and
 - ~~c.(3)~~ Are located within 200 feet of any floodway fringe or perennial stream or within 100 feet of an intermittent stream.
 - b. In the Patterson Place Compact Neighborhood Tier, steep slope areas shall be defined as land areas that:
 - (1) Have a grade of 15% or more;
 - (2) Have an area of 2,500 square feet or greater; and
 - (3) Are located within 200 feet of any floodway fringe or perennial stream or within 100 feet of an intermittent stream.

8.8.4 Steep Slope Development Limitations

B. Grading and Uses

- 1. Except in the Patterson Place Compact Neighborhood Tier, On any tract proposed for construction, no more than 15% of the steep slope area on the tract shall be graded. For

purposes of this calculation, the land areas of individual steep slope areas on the tract shall be added together to establish the total steep slope area for the tract.

2. In the Patterson Place Compact Neighborhood Tier, on any tract proposed for construction, 0% of the steep slope area on the tract shall be graded. The only allowed disturbance shall be unpaved walking paths and foot trails constructed with minimal disturbance of tree roots and existing vegetation. No tree eight inches dbh or greater shall be removed for the construction of the trail.

C. Land disturbance solely for the purpose of ~~Proposed any public~~ right-of-way ~~for boulevards, major thoroughfares, minor thoroughfares and collector streets~~ shall be exempt from the steep slope area grading limits of this section.

8.8.5 Density Credits

A. Except in Design Districts, ~~T~~he amount of land designated as steep slopes shall be credited for residential density at a rate of 15% of that allowed by the zoning.

B. Within Design Districts, density credits for steep slopes shall be governed by the provisions in Article 16.

Sec. 9.7 Screening

9.7.1 Applicability

C. All rooftop equipment, except solar panels and wind turbines, shall be screened or set back so that it is not visible from ground level at any adjacent right-of-way. For buildings over 75 feet tall, rooftop equipment shall be screened or set back so that it is not visible from any ground level vantage point.

Sec. 10.3 Required Parking

10.3.1 Required Motorized Vehicle and Bicycle Parking

B. Required Parking

1. The amount of motor vehicle parking shall be a percent of the amount indicated in paragraph 10.3.1A.4, Parking Rate Table. The minimum and maximum parking rates are as follows. For fractions, refer to paragraph 10.2.5, Calculation of Spaces.

Location	Minimum ⁴	Maximum
Downtown Tier <u>Design (DD) District</u>	None	100%
<u>Suburban and Rural Tiers</u>	<u>100%</u>	<u>175%</u>
<u>Urban Tier¹</u>		
<u>All Districts except Commercial Infill (CI)</u>	<u>90%</u>	<u>175%</u>
<u>Compact Neighborhood Tier^{1,2} - Commercial Infill (CI) District</u>	80%	100%
<u>Compact Neighborhood Tier^{1,2,3}</u>		
<u>All Districts except Compact Suburban Design (CSD) Districts</u>	<u>If use(s) are within 400 feet of the Tier boundary: 80%;</u> <u>Otherwise: None</u>	<u>100%</u>

Location	Minimum ¹	Maximum
<u>Compact Suburban Design District – Core (CSD-C)</u>	<u>None</u>	<u>50%</u>
<u>Compact Suburban Design District – Support 1 (CSD-S1)</u>	<u>None</u>	<u>100%</u>
<u>Compact Suburban Design District – Support 2 (CSD-S2)</u>	<u>50%</u>	<u>100%</u>
<u>Urban Tier</u>	<u>90%</u>	<u>175%</u>
<u>Suburban and Rural Tiers</u>	<u>100%</u>	<u>175%</u>

1 For all household living within the Compact Neighborhood Tier, and affordable housing dwelling units in the Urban Tier, see paragraph 10.3.1B.7.

2 For projects qualifying for the affordable housing bonus, see paragraph 10.3.1B.11.

3 For the North RTP and Triangle Metro Center Compact Neighborhood Tiers, see paragraph 10.3.1B.5.

4 For methods to reduce minimum parking requirements, see paragraph 10.3.1B.9 and 10.

Example: The parking schedule is a baseline calculator for the amount of motor vehicle parking for a particular use or uses, subject to the location minimum and maximum requirements of the tier or specific zoning district. For example, if a use, per the parking table, generates a rate of 100 spaces, the amount of parking permitted is as follows:

~~Downtown~~: Minimum – none; maximum – 100 spaces

~~Compact Neighborhood or CI District: Minimum – 80 spaces; maximum – 100 spaces~~

~~Urban: Minimum – 90 spaces; maximum – 175 spaces~~

Suburban and Rural: Minimum – 100 spaces; Maximum – 175 spaces

Compact Neighborhood (All districts except CSD): Minimum-None; Maximum-100 spaces

Compact Neighborhood-CSD Districts:

Core: Minimum-None; Maximum- 50 spaces

Support 1: Minimum- None; Maximum- 100 spaces

Support 2: Minimum- 50 spaces; Maximum- 100 spaces

Urban (except CI): Minimum – 90 spaces; maximum – 175 spaces

CI District: Minimum – 80 spaces; maximum – 100 spaces

7. In the following tiers, the motor vehicle parking rates for household living dwelling units shall be as follows:

	Minimum	Maximum
Compact Neighborhood Tier <u>(except CSD Districts)</u>:		
Household Living, except as Listed Below	1 space/unit	2 spaces/unit
Affordable Housing Dwelling Units	None	2 spaces/unit
<u>Compact Suburban Design Districts</u>		
<u>CSD-C and CSD-S1</u>	<u>None</u>	<u>1.5 spaces/unit</u>
<u>CSD-S2</u>	<u>1 space/unit</u>	<u>2 spaces/unit</u>

	Minimum	Maximum
<u>Affordable Housing Dwelling Units</u>	<u>None</u>	<u>See sub-district maximum</u>
Urban Tier:		
Affordable Housing Dwelling Units	None	2 spaces/unit

8. Methods to Exceed Maximum Parking

The maximum amount of motor vehicle parking can be exceeded by any of the following methods:

e. Design Districts

- (1) No more than ~~100% of the~~ maximum allowed parking ~~rate~~ pursuant to paragraph 10.3.1A.4 shall be allowed, unless provided within structured parking, and at least two of the three following requirements are met:
 - (a) At least 50% of the parking structure roof area is a green roof;
 - (b) A minimum of 15% of the total parking provided shall be made permanently publicly accessible; and
 - (c) All street frontage portions of the parking structure shall be constructed to allow conversion to interior usable space.
- (2) Public parking provided as a provision for additional height in paragraph 16.3.4, Height, can be provided in excess of the maximum parking provided it meets 1a and 1c above.

9. Parking Reduction Allowed By-Right

The minimum amount of motor vehicle parking can be reduced using the following methods for an overall maximum reduction of 20%. For reductions applicable to Compact Neighborhood Tiers, see paragraph c, below.:

a. Shared Parking

b. Additional Bicycle Parking and Public Transit

c. Reductions Applicable in Compact Neighborhood Tiers

- (1) All uses within projects utilizing the affordable housing bonuses, per Sec. 6.6, Affordable Housing Bonus, or paragraph 16.1.3D.2.d, Affordable Housing Density Bonus, shall be exempt from required minimum parking.
- (2) The parking reduction methods in paragraph 10.3.1B.9a and b can be applied in Compact Neighborhood Tiers.
 - (a) No maximum overall reduction shall apply.
 - (b) The maximum reduction for utilizing shared parking shall be 50%.
- (3) The minimum required parking for All Districts except CSD Districts Compact Neighborhood Tiers in paragraph 10.3.1B.1, shall only apply to properties within Compact Neighborhood Tiers that are within 400 feet of the boundary of the Tier. Properties outside of this area shall have no minimum parking requirement.

10. Parking Reductions Allowed with a Minor Special Use Permit

~~Except for the Compact Neighborhood Tiers,~~ Reductions of more than 20% of required motor vehicle parking shall require the approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit. In addition to the findings within paragraph 3.9.8A, General Findings, the following findings shall be made:

- a. Current industry standards and parking rate methodologies were utilized;
- b. Comparable developments that serve similar population densities or development intensities were studied; and
- c. The reduction will protect local, state, or federal designated historic resources, if applicable to the site.

~~11. In the Compact Neighborhood Tier, all uses within projects utilizing the affordable housing bonuses, per Sec. 6.6, Affordable Housing Bonus, or paragraph 16.1.3D.2.d, Affordable Housing Density Bonus, shall be exempt from required minimum parking.~~

C. Alternate Forms of Compliance

- 2. ~~On-Street Parking Credit in Urban and Compact Neighborhood Tiers, and the CI District~~ Within any zoning district within the Urban and Compact Neighborhood Tiers, ~~One~~ required motor vehicle parking space shall be satisfied for every 23 contiguous feet of street frontage for which there is adjacent permitted on-street parking.

f. Single- and Two-Family Lot Exception

~~Except in the CSD-S2 district,~~ ~~One~~ off-street parking space shall be required regardless of the amount of contiguous street frontage.

Sec. 14.2 Nonconforming Uses

14.2.4 Damage/Destruction

A. A nonconforming use other than a single-family use that is contained in a structure that is damaged or partially destroyed can ~~only~~ be reestablished if the damage is less than 50% of the appraised tax value, a completed building permit is issued within 12 months of damage or partial destruction, and construction is completed within 12 months of issuance of the permit.

B. ~~Where damage is calculated at 50% or more of appraised tax value, the nonconforming use may be reestablished only with approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit.~~

C. A single-family nonconforming use can be reestablished in any event.

D. No new structure may be constructed to be used as an accessory structure to a nonconforming use.

PART 2

Sec. 16.1

16.1.1 Purpose

Design District standards shall be established to regulate the physical form of specific areas within the community, and implement to the intent within Sec. 4.5, Design District Intent Statements. Design Districts regulate the relationship between buildings and the streetscape by focusing on mass, scale, and character along the street. Although land uses are regulated, the emphasis is on appropriate building placement and massing. They are intended to encourage

innovative projects that create human-scaled mixed-use environments~~are integrated and compatible with nearby development.~~

16.1.2 Applicability

A. Standards within this Article shall apply to any property with a Downtown Design District (DD), ~~or Compact Design District (CD)~~, or Compact Suburban Design District (CSD) zoning designation and applicable sub-district zoning designations.

E. Environmental Protection

For environmental protection requirements refer to Article 8, Environmental Protection. For additional watershed overlay standards, refer to Sec. 4.11, Watershed Protection Overlay.

EF. Durham Design Manual

16.1.3 Uses and Density

C. Buildings With One or Two Dwelling Units

2. Exemption

a. In the S2 sub-district, development sites shall be exempt from the above requirement when adjacent to (including directly across a public right-of-way) a residential zoning district or use.

b. Single-family and two-family subdivisions pursuant to 16.1.3D, Single-family and Two-family Subdivisions in CSD-S2.

D. Single-family and Two-family Subdivisions in CSD-S2

Single-family and two-family subdivisions within the CSD-S2 shall meet the following standards:

1. The development shall comply with the density standards pursuant to 16.1.3E.3, CSD District Density Requirements.

2. No minimum lot size shall apply.

3. No minimum side yard shall apply.

4. Vehicular access shall be provided to the rear of each lot.

5. Each lot shall maintain a minimum street yard of five feet or comply with the forecourt frontage type build-to zone requirements.

6. Open Space

a. Shall be a minimum of 5% of gross area;

b. Shall have a minimum dimensional standard of 25 feet; and

c. Shall meet the open space requirements of Section 7.2, Open Space.

DE. Residential Density

3. CSD District Density Requirements

a. Residential development within the CSD District shall be in accordance with the following density requirements:

<u>Sub-Districts</u>	<u>Residential Density</u>		<u>Max. (units/acre) with Affordable Housing Density Bonus</u>
	<u>Min. (units/acre)</u>	<u>Max. (units/acre)</u>	
<u>CSD-C</u>	<u>22</u>	<u>30</u>	<u>Unlimited</u>

<u>Sub-Districts</u>	<u>Residential Density</u>		<u>Max. (units/acre) with Affordable Housing Density Bonus</u>
	<u>Min. (units/acre)</u>	<u>Max. (units/acre)</u>	
<u>CSD-S1</u>	<u>16</u>	<u>21</u>	
<u>CSD-S2</u>	<u>9</u>	<u>15</u>	

b. Density shall be calculated based upon the entire site acreage, including areas precluded from consideration for density in Article 8, Environmental Protection.

c. Affordable Housing Density Bonus

(1) Within any sub-district, allowable density shall not be limited; provided, that at least 15% of the total number of dwelling units in the project qualify as affordable housing dwelling units.

(2) Only projects with a minimum of 15 dwelling units, or projects adding at least 15 dwelling units to an existing development, shall be eligible for the affordable housing density bonuses.

(3) Requirements pursuant to paragraph 6.6.1, General Requirements, shall apply.

E. Additional Use Limitations

~~1. Commercial uses in the CD-S2 shall only be permitted as follows:~~

~~a. Property shall have frontage on a minor or major thoroughfare, or boulevard, as designated in the adopted Comprehensive Transportation Plan (CTP) as amended.~~

~~b. The size of the use shall be limited to 20,000 square feet per establishment.~~

~~2. Non-commercial uses shall not be permitted on the ground floor of the CD-P(N) sub-district; however, upper story residential uses can have ground level access.~~

F3. Ground Floor Use Limitations

1. DD District

2. CD District

Non-commercial uses shall not be permitted on the ground floor of the CUD-P(N) sub-district; however, upper story residential uses can have ground level access.

16.1.4 CSD-S1 Transitional Use Area (TUA) Major Special Use Permit

A. Transitional Use Area

Within the Support 1 sub-district of the CSD District, development within 200 feet of the Tier boundary, except where the Tier boundary abuts ROW) shall require approval of a major special use permit (MSUP) pursuant to Sec. 3.9, Special Use Permit.

B. Exemption

The following shall be exempt from this requirement:

1. Redevelopment of, or additions to, existing development so long as no expansion of the limits of disturbance in the TUA is proposed.

2. Public right-of-way.

C. Criteria for Approval of Major Special Use Permit in TUA

In lieu of addressing the Review Factors in 3.9.8.B for Special Use Permits, Major Special Use permits in the TUA shall require that the applicant demonstrate that the following review factors have been adequately addressed:

1. Environmental Protection.

Preservation of tree cover, floodplain, stream buffers, wetlands, steep slopes, open space and other natural features, protection of water quality and wildlife corridors, Durham Inventory Sites, state designated natural heritage elements and related studies.

2. Lighting

Locations of exterior lighting with reference to edge effects and impacts on the adjacent natural areas and wildlife movements.

3. Effects on Nearby Properties

Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic.

4. Conformance with Adopted Plans

Conformance with adopted plans such as the New Hope Creek Open Space Master Plan, the Durham Comprehensive Plan, and other applicable city/county policies.

5. Other Factors

Any other review factors which the approving authority considers to be appropriate to the property in question.

PART 3

Sec. 16.2

16.2.1 Building Placement Standards

A. Build-To Zone

1. Measurement

- a. The build-to zone shall be ~~12-18 feet~~ measured from back-of-curb of each street and provided as follows:

<u>Design District</u>	<u>Build-to Zone</u>
<u>DD</u>	<u>12-18 feet</u>
<u>CD</u>	<u>12-18 feet</u>
<u>CSD</u>	<u>15-25 feet</u>

For sides of property that front along a freeway or other similar NCDOT right-of-way, the build-to zone shall be measured from the right-of-way line and not the back-of-curb.

2. Conflict with Right-of-Way

- b. Where right-of-way encumbers the entire build-to zone:

- (1) The build-to zoning shall be ~~placed no more than two feet from right of way line~~ as follows:

<u>Design District</u>	<u>Build-to Zone</u>
<u>DD</u>	<u>0-4 feet from ROW</u>
<u>CD</u>	<u>0-4 feet from ROW</u>
<u>CSD</u>	<u>0-10 feet from ROW</u>

- (2) An additional adjustment, of the minimum amount necessary to avoid encroachment of footings into the street, shall be allowed if demonstrated with a sealed foundation plan.

B. Percent Placement

For all frontage types, except as specified below, a minimum percentage of the build-to zone shall be occupied by the building podium, calculated as a linear measurement within the build-to zone along the width each street frontage of the development site.

Sub-District	Minimum Percent
Core (-C)	80%
Support 1 (-S1)	70%
Support 2 (-S2)	60%
Pedestrian Business (-P(N))	60%

C. Required Yards

3. The required rear yard for any building shall be as follows, unless otherwise specified in this Article:

c. For any CD and CSD sub-district, a 10-foot minimum rear yard is required.

16.2.2 Pedestrian Passages

A. Minimum Required

1. One passage per every 250 feet of aggregate building façade per development along a street frontage.

16.2.4 Open-Public Space

A. Applicability

- Unless otherwise specified, ~~open-public~~ space shall be provided in lieu of the requirements of Sec. 7.2, Open Space.
- Area developed as required streetscape shall not be applied to ~~open-public~~ space requirements.
- ~~Open-Public~~ space shall be provided as follows:
 - In DD and CD Districts, public space shall be provided for development of at least 80,000 square feet of building square footage on 3.5 acres or more.

b. In CSD Districts, public space shall be provided for development of at least 50,000 square feet of building square footage on 2 acres or more.

4. Pedestrian malls pursuant to paragraph 16.4.3C, Pedestrian Mall Standards, shall qualify for required open-public space.

B. Ownership, Management, and Accessibility

The requirements pursuant to paragraph 7.2.5, Ownership and Management of Open Space, shall apply.

1. Open-Public space shall be maintained for public access even if under private ownership. An easement to maintain public access shall be required.
2. Open-Public space shall be handicap accessible.
3. Maintenance of open-public space, if privately owned, shall be the responsibility of the private entity and not that of the City or County.

C. General Requirements

1. Area and Location

- a. Open-Public space shall be provided on the development site.
- b. Except in the CSD district, Aa maximum of two open-public space areas shall be provided.
- c. The minimum amount of open-public space square footage shall be as follows 2%as a percentage of the development site area:-

<u>Design District</u>	<u>Minimum Percent</u>
<u>DD</u>	<u>2%</u>
<u>CD</u>	<u>2%</u>
<u>CSD</u>	<u>5%</u>

2. Dimensions

- a. The minimum dimension for each open-public space area shall be 25 feet in all directions.

3. Open Space Amenities

a. Seating

One linear foot of seating for every 100 square feet of open-public space shall be provided. Ledges and/or walls can be used if the height is 18 to 30 inches high and at least 15 inches deep.

- d. Pedestrian circulation shall be provided with a paved walkway with a minimum width of five feet.

(1) In DD, brick double-sailor-course banding as required for sidewalks shall be incorporated into each open-public space walkway to provide a visual connection from the streetscape to the open-public space.

4. Exclusions

- a. Forecourts shall not count towards required open-public space.

- b. Private recreational amenity areas, including but not limited to pools, fitness facilities, lounges and other similar amenities, shall not count towards ~~open-public~~ space requirements.
- c. Rooftops of any type shall not qualify as ~~open-public~~ space unless approved as an alternative form of compliance pursuant to paragraph 16.2.4D, below or through paragraph 16.2.4C.5, below, for the CSD district.

5. CSD District Public Space Modifications

- a. A maximum of 2% of the required public space may be provided through publicly accessible green roof.
- b. The required public space shall be provided in a maximum of three public space areas.
- c. Any area of stormwater mitigation may count towards a maximum of 2% of required public space.

PART 4

Sec. 16.3 Building Design

16.3.1 Frontage and Building Placement Standards

A. Applicability

1. Unless otherwise indicated in this Article, Bbuilding design shall utilize either frontage type requirements or building type requirements, as permitted.

2. Frontage Type Applicability

c. Frontage types shall not apply along freeways and other similar NCDOT right-of-way.

C. Permitted Frontage and Building Types

Permitted frontage and building types are indicated by a “✓” in the table below.

		Frontage Type				Building Type		
Sub-District		Storefront	Arcade	Courtyard	Forecourt	Monumental	Incidental	Accessory
Downtown Design	DD-C	✓	✓	✓	✓	✓	✓	✓
	DD-S1	✓	✓	✓	✓	✓	✓	✓
	DD-S2	✓	✓	✓	✓	✓	✓	✓
Compact Design	CD-C	✓	✓	✓	✓	--	✓	✓
	CD-S1	✓	✓	✓	✓	✓	✓	✓
	CD-S2	✓	✓	✓	✓	✓	✓	✓
	CD-P(N)	✓	✓	✓	--	--	✓	✓
<u>Compact</u>	<u>CSD-C</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>Suburban</u>	<u>CSD-S1</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>Design</u>	<u>CSD-S2</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>

G. Forecourt Frontage Type

3. Building Standards

The following standards shall apply to the Forecourt Frontage Type:

e. Amenities

- (1) At least three of the following shall be provided within the forecourt for every 50 linear feet of forecourt frontage, or portion thereof. Any two of paragraphs (a) through (c) below can be combined as long as dimensional standards are met for each item.

(c) A fence or wall two to four feet in height, perpendicular-parallel to the building face to create defined spaces.

16.3.2 Structured Parking

A. Ground Floor

7. Paragraphs 1 through 3 and 5, above, shall not apply to a frontage along a limited-access right-of-way or alley.

16.3.3 Height

C. Sub-District Requirements

3. CSD District

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

Building Height and Massing

<u>CSD Sub-Districts</u>	<u>Height Articulation (Massing)</u>		<u>Residential² Maximum Building Height without Affordable Housing Bonus</u>	<u>Non- Residential Maximum Building Height without Affordable Housing Bonus</u>	<u>Maximum Building Height with Affordable Housing Bonus³</u>	<u>Optional Corner Tower Elements: Additional Height above Proposed Podium Height</u>
	<u>Minimum/Maximum Podium Height</u>	<u>Minimum Upper Story Step-Back</u>				
<u>Core (-C)</u>	<u>30 feet min</u>	<u>75 feet max¹</u>	<u>20 feet</u>	<u>145 feet</u>	<u>300 feet</u>	<u>30 feet</u>
<u>Support 1 (-S1)</u>	<u>25 feet min</u>	<u>75 feet max</u>	<u>20 feet</u>	<u>45 feet</u>	<u>90 feet</u>	<u>15 feet</u>
<u>Support 2 (-S2)</u>	<u>20 feet min</u>	<u>35 feet max</u>	<u>10 feet</u>	<u>35 feet</u>	<u>60 feet</u>	<u>15 feet</u>

1 See paragraph (1) for additional height allowance.

2 Mixed use developments with a residential component are considered residential for establishing maximum allowable height

3 See paragraph c, below, for affordable housing height bonus requirements.

- (1) For Core, if the adjacent right-of-way is at least 90 feet wide, then the maximum podium height shall be 90 feet.
- (2) The upper-story step-back is applied to all stories that exceed the maximum podium height. However, no step-back is required in the S2 sub-district unless the affordable housing bonus is utilized.
- (3) The Monumental Building Type shall be exempt from height articulation requirements.
- (4) Incidental and Accessory Structure Building Types shall be exempt from the requirements in paragraph a, above.
- (5) Balconies and bay windows that extend out from the building are not required to meet step-back requirements.

b. Corner Tower Elements

When provided, all corner tower elements on a single building shall have a combined maximum width and depth of 20% of the building frontage or 30 feet, whichever is less.

c. Maximum Height with Affordable Housing Bonus

(1) Within any sub-district, provided that at least 15% of the total number of dwelling units in the project qualify as affordable housing dwelling units, the Maximum Building Height with Affordable Housing Bonus shall apply.

(2) Only projects with a minimum of 15 dwelling units, or projects adding at least 15 dwelling units to an existing development, shall be eligible for the affordable housing density bonuses.

(3) Requirements pursuant to paragraph 6.6.1, General Requirements, shall apply.

16.3.4 Building Access

A. General Access Requirement

Except along a freeway or similar NCDOT right-of-way, ~~E~~each street frontage facade or pedestrian mall facade shall have at least one entrance with direct access to the street or pedestrian mall.

C. Exemptions

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

3. The standards shall not apply to frontage along a freeway or other similar NCDOT right-of-way.

16.3.6 Glazing Requirements

A. Minimum Glazing

1. Facades requiring a frontage type, and frontage along Freeways or other similar NCDOT right-of-way, shall provide glazed window or door openings at the following minimum percentages:

Level Category	Glazing Required	Glazing for Portion with 4% Slope or Greater ¹
At Ground Floor		
Storefront and Arcade Frontage Types	65%	50%
Forecourt Frontage Type	50%	50%
Monumental Building Type	30%	25%
Courtyard Frontage Type	30%	30%
<u>Frontage along Freeways or other similar NCDOT right-of-way</u>	<u>50%</u>	<u>50%</u>
Podium Levels above Ground Floor	25%	25%
All Levels above the Podium	20%	20%
Exceptions to the above Criteria:		
Overnight Accommodations at Ground Floor ²	30%	25%
Residential at Ground Floor	30%	25%
Structured Parking	See paragraph 16.3.2	

PART 5

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

16.4.2 Streetscape

A. Sidewalk Standards

1. Sidewalk shall be provided as follows. When ~~both~~ multiple methods are shown as allowed, ~~either~~ any allowable method can be used.

	Sidewalk from building face to back-of-curb	Sidewalk from building face to three-foot landscape strip	<u>Sidewalk with a Landscape Stormwater Control Measure (see 16.4.2A.2)</u>
DD-C	✓	—	=
-S1	✓	—	=
-S2	✓	✓	=
CD-C	✓	—	=
-S1	✓	—	=
-S2	✓	✓	=
-P(N)	✓	—	=
<u>CSD-C</u>	<u>✓</u>	<u>=</u>	<u>✓</u>
<u>-S1</u>	<u>✓</u>	<u>=</u>	<u>✓</u>
<u>-S2</u>	<u>✓</u>	<u>=</u>	<u>✓</u>

23. Forecourt Frontage Type and Monumental Building Type

34. For additions or modifications to existing structures on sites with existing sidewalk, sidewalk along all frontages shall be widened to at least 12 feet, unless:

45. Existing sidewalk width shall not be reduced.

56. For projects that propose removal of the existing structures for construction of new structures, current standards shall apply.

67. Street trees are allowed in the sidewalk area, but shall not conflict with the required clear zone. Pit openings shall not encroach into the required clear zone unless a suspended sidewalk system is utilized.

78. Parking areas, loading zones, bus and valet pull-offs, and other similar features shall not utilize, or encroach into, the required sidewalk area.

89. All sidewalk area, whether within public right-of-way or on private property with an easement, shall meet ADA accessibility standards.

910. Payment-in-lieu shall not be an option to comply with sidewalk requirements.

11. For frontage along freeways and other similar right-of-way where the build-to line is measured from the right-of-way, the following standards shall apply:

a. No sidewalk within right-of-way is required; however, on-site sidewalk shall be required and shall connect to any other existing or proposed sidewalk in right-of-way or on-site. Connections shall also be made to on-site buildings and parking areas.

b. The minimum width shall be six feet.

B. Sidewalk Clear Zone

1. Within the required sidewalk, a continuous, unobstructed area, or “clear zone;” ~~of five feet~~ shall be maintained at all points along the sidewalk as follows:-

	<u>Required Clear Zone</u>
<u>DD</u>	<u>5 feet</u>
<u>CD</u>	<u>5 feet</u>
<u>CSD</u>	<u>8 feet</u>

E. Street Trees

2. Standards

a. Number of Trees

(1) One tree for every 40 feet of street frontage along existing and proposed rights-of-way (not including alleys), private street easements, and pedestrian malls.

(2) For street frontage along a freeway or other similar NCDOT right-of-way, the requirement shall be one tree for every 20 feet of street frontage.

d. Suspended Sidewalk System

A suspended sidewalk system shall be required in the Core and S1 sub-districts of the DD and CD Districts.

3. Alternative Street Tree Requirement

a. Applicability

(2) Except in the CSD District, ~~Ww~~ where development incorporates existing buildings and the distance from the back-of-curb to the building face is less than 10 feet, an alternative can be provided in lieu of the street tree requirement.

F. Construction Specifications

5. Street Lights and Mast Arms

b. Compact Design and Compact Suburban Design Districts

Street lights and mast arms shall use a metal product approved by the City Transportation Department or NCDOT, as applicable.

16.4.3 Streets and Other Rights-of-Way

1. General

a. Dead End Streets

(1) New ~~C~~ul-de-sacs or other dead end streets shall not be permitted.

(2) Existing dead end streets can be maintained, modified, and improved so long as the length of the street is not increased.

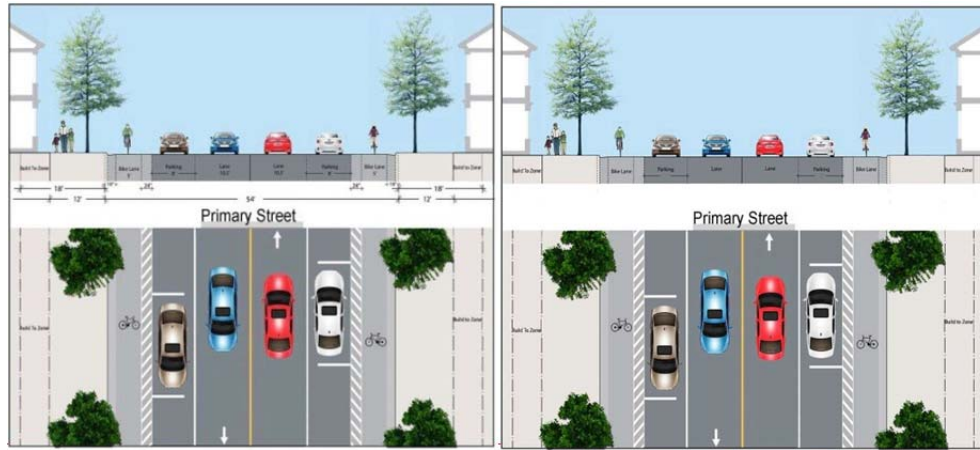
- b. Public and private streets, including alleys, shall not be gated or otherwise restrict public access.

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 the default street type throughout the district. The Primary Street Type shall be designed as follows:

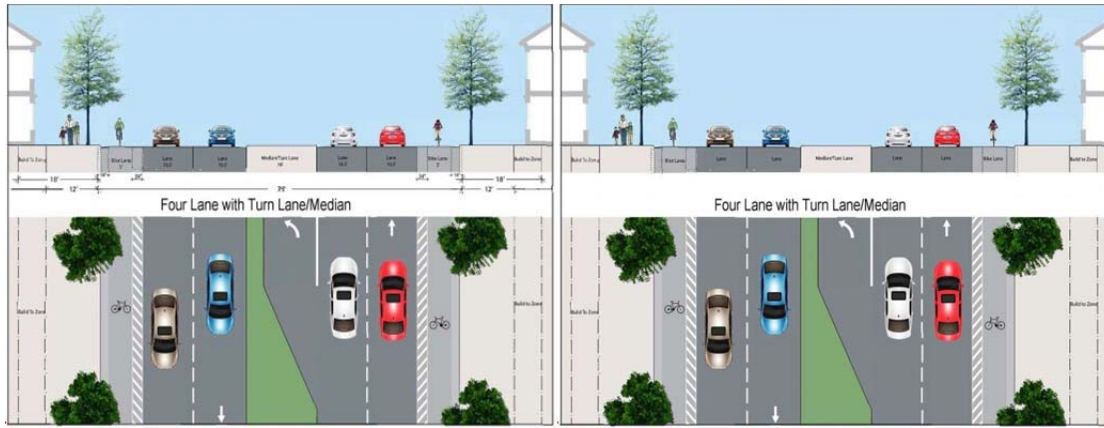


Component	Required Width
Travel lane	10.5 feet
Parking lane	<u>87.5</u> feet
Bicycle lane	5 feet (excluding gutter and buffer)
Bicycle/parking buffer	<u>23.5</u> feet
Curb/gutter section	18 inches

(2) Alternate Street Types

(a) Four-Lane Street Type

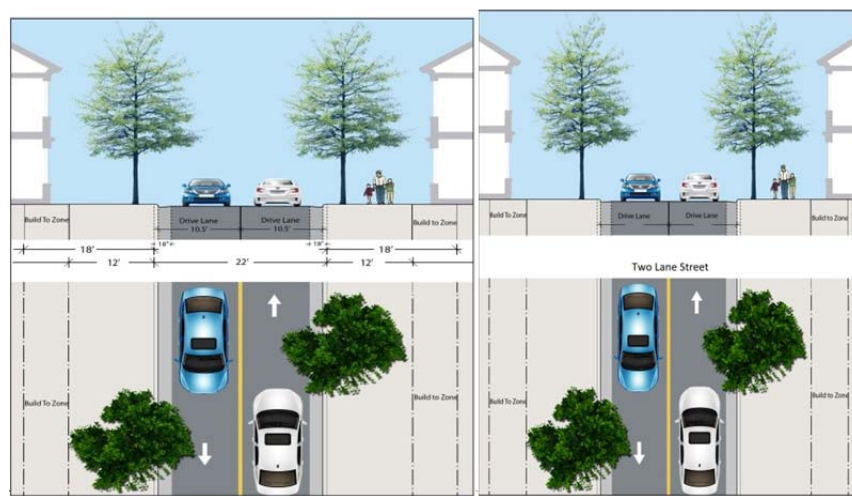
A four-lane street with a median/turn lane. The Four-Lane Street Type shall be used for streets designated as a major thoroughfare or boulevard in the adopted Comprehensive Transportation Plan, as amended. This street type shall be designed as follows:



Component	Required Width
Travel lane	10.5 feet
Median	16 feet with taper for turn lanes
Parking lane	None
Bicycle lane	5 feet (excluding gutter and buffer)
Bicycle/travel lane buffer	2 feet
Curb/gutter section	18 inches

(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:



Component	Required Width
Travel lane	10.5 feet
Parking lane	None; or 8 feet on one side
Bicycle lane	None. Shared-lane markings shall be provided
Bicycle/parking buffer	None
Curb/gutter section	18 inches

(3) Bicycle Lane and Buffers

- (c) Bicycle lanes shall be painted green at areas of conflict, such as intersections, bicycle boxes, driveways, and transit stops, as determined by the City Transportation Department.

16.4.4 Block Standards

C. Blocks may exceed the maximum block size or block length for the purposes of right-of-way dedication for new streets as long as the new block size and length are in greater conformance with these standards.

CD. Lot Standards

PART 6

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

PART 7

That this amendment of the Unified Development Ordinance shall become *effective [insert date]*.

Attachment C, Patterson Place Compact Suburban Design District Steep Slopes and TUA Map

-  Patterson Place Compact Neighborhood
-  Transitional Use Area
-  Slopes at 25% or greater
-  Slopes at 15% or greater
-  Streams
-  Parcel Lines



0 500 1,000 2,000 Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Attachment D, Patterson Place Compact Suburban Design District Future Transportation Network

 Patterson Place Compact Neighborhood

 Proposed Road Network

 Proposed Multiuse Paths

 Parcels



0 500 1,000 2,000 Feet



Planning Commission Comments 2/12/2019

Case TC1800009 (Patterson Place Compact Suburban Design District)

BUZBY – Voted 7-4 to defer 2 cycles

GIBBS – Keep New Hope Commons; keep 15-501, I-40 Corridor; Re-instate 300 buffer, steep slopes.

Protect New Hope Creek/Wetlands

Patterson Place proposal needs further study. We (DPC) need more time to study.

HORNBUCKLE – Continue 2 months.

HYMAN – Voted no for the two cycle continuance. Motion however, passed.

JOHNSON – Continued for 60 days.

KENCHEN –

MILLER –

MORGAN – I would encourage staff to consider factors like expanding the core, promote mixed use, and look at ways to bridge over 15-401 to New Hope Commons.

We need better definition of the setback for the New Hope corridor about 300”.

We should look for new technology options to move within the district.

Case Z1800030 (Patterson Place Compact Suburban Design District)

AL-TURK –

GIBBS – Keep New Hope Commons; keep 15-501, I-40 Corridor; Re-instate 300 buffer, steep slopes.

Protect New Hope Creek/Wetlands

Patterson Place proposal needs further study. We (DPC) need more time to study.

HORNBUCKLE – Continue 2 months.

JOHNSON – Continued for 60 days.

KENCHEN –

MILLER –

MORGAN -



Planning

Patterson Place Design District

March 7, 2019

Patterson Place Design District

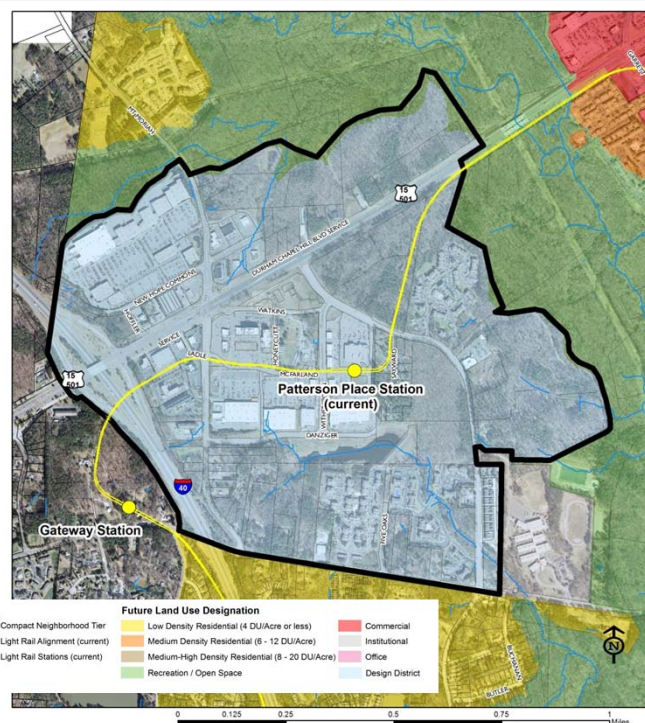
Objective: Establish a new form-based zoning district for the Patterson Place Compact Neighborhood Tier

Actions:

- Text Amendment to create regulations
- Zoning map change to apply regulations and sub-district
- Future Street Network



Planning



Project Background

- Compact Neighborhood (CN) Tier system created in 2005
- Suburban Transit Areas – future CN Tiers
- CN Tiers to become Design Districts, per Comprehensive Plan
- First Design District established in Downtown in 2010
- First Compact Design District established at Ninth Street in 2012

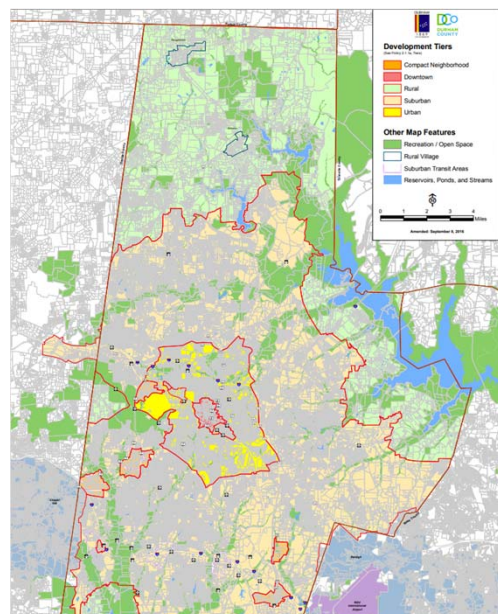


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Project Background

- Update to Compact Neighborhood (CN) Tiers began in early 2015
- This project included:
 - Converting Suburban Transit Areas along D-O LRT to CN Tier
 - Revising Compact Neighborhood Tier boundaries
 - Changing the future land use designations for CN Tiers to Design
 - Minor changes to Comprehensive Plan policies
- Proposed changes approved June/August 2016 (CC/BOCC)



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Patterson Place Public Input Process

October 2016:

- Presentation on existing design district framework
- Solicitation of feedback on applying this framework in Patterson Place
- Identification of areas of concern within this CN Tier

June 2017:

- Initial input on: improving connectivity, locating sub-districts, appropriate height and density, and environmental protections



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Patterson Place Public Input Process

May 2018:

- Proposed concepts for feedback: sub-district boundaries, heights and densities, affordable housing bonus, environmental protections, future street network, parking regulations

October 2018:

- Presentation on proposed Compact Suburban Design (CSD) District and how the design districts work
- Full text amendment language and sub-district boundaries available for feedback



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Compact Suburban Design Districts

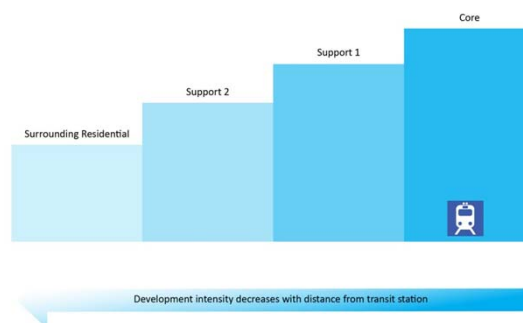
Create new design district type where existing context is auto-oriented:

Compact Suburban Design (CSD)

Core (CSD-C) – most intense, proposed D-O LRT station location

Support 1 (CSD-S1) – tapers intensity

Support 2 (CSD-S2) – transitions to residential outside the district



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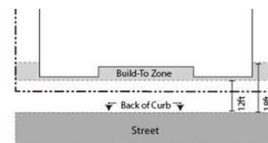
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Compact Suburban Design Districts

Follow existing design district framework:

- Sub-districts;
- Building Placement, Height, and Density;
- Frontage and Building Types;
- Design Standards; and
- Streets, Blocks, and Streetscape.



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CSD Districts: Affordable Housing Bonus

- Only modestly raising “by right” densities and heights to the minimum density that is considered to be transit supportive
- Allowing higher heights and unlimited densities only through use of an affordable housing bonus (adopting interim strategy)
- Potential implications of this approach include impacts on ridership, impacts on the mix of residential versus non-residential uses, and how parking is managed near station areas
- Bonus should be used in combination with additional strategies for retaining affordable units and creating new units



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Affordable Housing: Other Strategies

- Preservation of existing NOAH units
 - 1,163 multi-family and single-family units within the Tier
 - No existing legally binding affordable units
 - 88 units affordable to those earning 60% of AMI or below
 - 844 units affordable to those earning between 60% and 80% of AMI
- Other strategies
 - Tax increment financing or special assessment districts to provide additional funds for creation or preservation of affordable units
 - Grant funds for those utilizing bonus to offset costs



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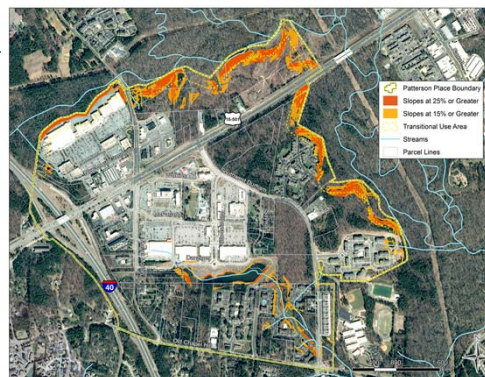
Environmental Protections

Transitional Use Area:

- 200 feet from Tier boundary in Support 1 Requires an MSUP
- Environmental impact findings
- Exemptions for existing development

Steep Slopes:

- 15% slope or greater
- 2,500 square foot area
- No disturbance allowed
- Full density credit for area



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Planning Commission Concerns

- Expand width of the Transitional Use Area (TUA)
- Revise review factors for TUA
- Possible exclusion of New Hope Commons development



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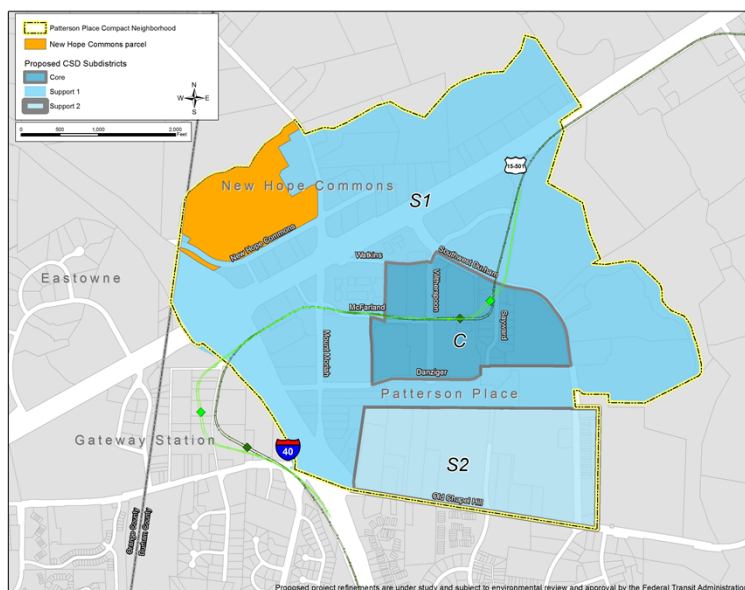


New Hope Commons

February 4, 2019 letter on behalf of ownership asking to be excluded from the re-zoning



Planning



Upcoming Steps to Adoption

- Planning Commission public hearing (February, continued to April)
- City Council information item and presentation
- County Commissioners information item and presentation
- City Council public hearing and action (Text Amendment, Zoning Map Change, and Future Street Network)
- County Commissioners public hearing and action (Text Amendment and Future Street Network)



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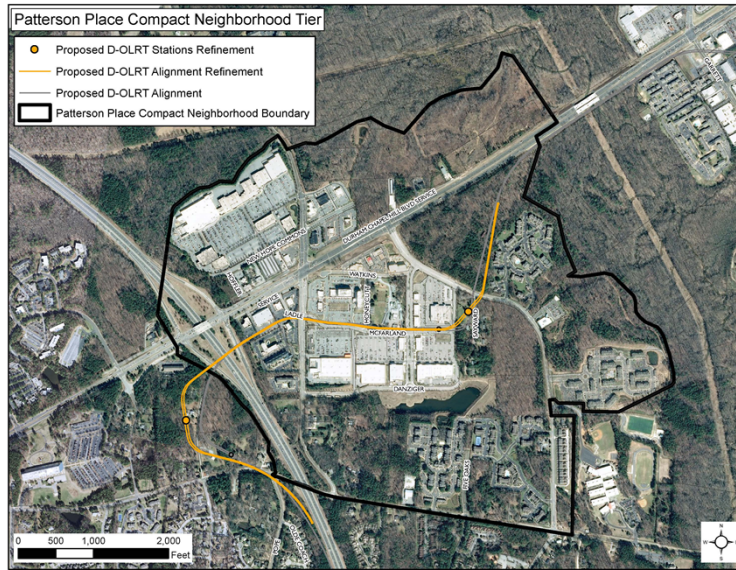
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Questions?



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