

**An Ordinance Amending the Durham Unified Development Ordinance By Taking Property out of the Commercial Neighborhood (CN), Residential Suburban-10 (RS-10), and Lake Michie/Little River District B Watershed Protection Overlay (M/LR-B) Zoning Districts and Establishing the Same as Commercial Neighborhood with a Text-Only Development Plan (CN(D)) and Lake Michie/Little River District B Watershed Protection Overlay (M/LR-B) Zoning Districts**

Be it Ordained by the Durham Board of County Commissioners:

Section 1. That the Durham Board of County Commissioners held a Public Hearing on Zoning Case Z1700037 and Voted on May 28, 2019 to approve the Zoning Map Change described herein.

Section 2. That the Durham Zoning Atlas and Unified Development Ordinance are hereby amended by taking the following described Property out of the Commercial Neighborhood (CN), Residential Suburban-10 (RS-10), and Lake Michie/Little River District B Watershed Protection Overlay (M/LR-B) zoning districts and establishing the same as Commercial Neighborhood with a Text-Only Development Plan (CN(D)) and Lake Michie/Little River District B Watershed Protection Overlay (M/LR-B) zoning districts.

As allowed by Unified Development Ordinance section 3.5.6.H, this text-only development plan shall limit the uses to which this property may be put to exclude the following: drive-through facilities; dry-cleaning; payday lenders or check cashing services; psychic or medium; taxi dispatch center; animal kennel; and restaurants with drive-through facilities.

All property as follows, and to the centerlines of any adjoining public rights-of way:

BEGINNING AT AN IRON REBAR SET IN THE SOUTHERN RIGHT OF WAY OF BILL POOLE ROAD (SR 1470), SAID POINT BEING FURTHER LOCATED S 15°58'26" W A DISTANCE OF 569.97 FEET FROM NGS "ROUGEMONT" (N 898,319.35 FT, E 2,021,736.45 FT, NC GRID NAD 83-2001); THENCE ALONG THE SOUTHERN RIGHT OF WAY OF BILL POOLE ROAD N 48°18'46" E A DISTANCE OF 324.31 FEET TO A POINT MARKING A SIGHT DISTANCE TRIANGLE (120X120); THENCE S 78°25'58" E A DISTANCE OF 43.22 FEET TO A POINT IN THE WESTERN RIGHT OF WAY OF ROXBORO ROAD (U.S. HWY. 501); THENCE ALONG THE WESTERN RIGHT OF WAY OF ROXBORO ROAD ALONG A CURVE HAVING A RADIUS OF 3,572.90 FEET, LENGTH OF 162.00 FEET, CHORD BEARING S 26°55'06 E AND A CHORD DISTANCE OF 161.99 FEET; THENCE CONTINUING ALONG THE RIGHT OF WAY S 28°13'02" E A DISTANCE OF 44.00 FEET TO AN IRON REBAR SET IN THE NORTHEAST CORNER OF THE PROPERTY BELONGING TO MILLARD & MARLENE THACKER; THENCE ALONG THE THACKER LINE S 48°18'46" W A DISTANCE OF 124.28 FEET TO AN IRON REBAR SET; THENCE S 48°18'46" W A DISTANCE OF 17.51 FEET TO A POINT IN THE CENTER OF THE FORMER CEDAR STREET AS SHOWN ON PLAT BOOK 3A, PAGE 13; THENCE WITH SAID CENTERLINE S

26°45'31" E A DISTANCE OF 50.32 FEET TO A POINT; THENCE S 47°17'05 W A DISTANCE OF 287.22 FEET TO AN IRON REBAR FOUND, SAID REBAR MARKING THE NORTHWEST CORNER OF THE THACKER PROPERTY AND THE EASTERN EDGE OF A 20 FOOT ALLEY AS SHOWN ON PLAT BOOK 3A, PAGE 13; THENCE ALONG THE EASTERN EDGE OF SAID ALLEY N 15°13'11" W A DISTANCE OF 321.54 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 2.39 ACRES.

**Section 3. This Ordinance shall be in full force and effect from and after its passage.**

**Section 4. All ordinances in conflict with this Ordinance are hereby repealed.**