

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

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions in the Unified Development Ordinance to create a Compact Suburban Design District standards; and

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

NOW, THEREFORE, be it ordained that Article 16, Design Districts, Article 4, Zoning Districts, Article 5, Use Regulations, Article 8, Environmental Protection, Article 9, Landscaping and Buffering, Article 10, Parking, and Article 14, Nonconformities 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

4.5.2 Compact Design (CD)

The Compact Design (CD) 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 Design Districts are located within areas designated as “Design District” within Compact Neighborhood Tiers of the *Durham Comprehensive Plan*.

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 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, ~~The~~ 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	<u>L</u>	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	<u>L</u>	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	<u>L</u>	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	P	5.3.3K
	Universities or colleges		M	M	M	M	M	P		P	P	P	P	P		‡M	‡	‡	‡	‡	P	P	P	
	Vocational, trade or business schools							P		P	P	P	P	P				‡	‡	‡	P	P	P	
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	P	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	P	
	Hospitals							P		P	P			P			‡	‡		‡	P	P	P	
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	L	5.3.3H

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		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	<u>L</u>	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	<u>L</u>	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	<u>P</u>	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	<u>M</u>	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	<u>P</u>	
	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	<u>L</u>	5.3.3N

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		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	

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		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	Ⓘ	5.3.4P
Outdoor Recreation	All outdoor recreation, except as listed below	L/m							L/m		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		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				Ⓙ	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 s 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 be limited to one lane and 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)i)~~ A minimum six foot high fence or wall at the property line along adjacent properties; and

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

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

~~(d)iv)~~ 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~~ 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.

S. Payday Lenders

Payday lenders shall be permitted in accordance with the use table in Sec. 5.1, Use Table, subject to the following:

1. Within the S1 and S2 sub-districts of the CD Districts, payday lenders shall not be permitted.

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 Ddistrict, 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, Ssteep 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, The 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 ¹	Maximum
Downtown Tier Design (DD) District	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 Tier¹⁺², Commercial Infill (CI) District</u>	80%	100%

Location	Minimum ¹	Maximum
<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>
<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

	Minimum	Maximum
Compact Suburban Design Districts		
<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>
<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. A single-family nonconforming use can be reestablished in any event.

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

D. In Design Districts, a nonconforming use that is contained in a structure that is damaged or destroyed can be reestablished by right if a completed building permit is issued within 12 months of damage or destruction, and construction is completed within 12 months of issuance of the permit.

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. In the CSD-S2, single-family and two-family subdivisions pursuant to 16.1.3D, Single-family and Two-family Subdivisions shall be exempt from the above requirement.

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. No frontage types shall apply.

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

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

7. 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>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 zone~~ing 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.

<u>Sub-District</u>	<u>Minimum Percent</u>
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

1. Unless otherwise specified, open-public space shall be provided in lieu of the requirements of Sec. 7.2, Open Space.
2. Area developed as required streetscape shall not be applied to open-public space requirements.
3. Open-Public space shall be provided as follows:
 - a. 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-Public 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

CSD Sub-Districts	Height Articulation (Massing)			Residential ² Maximum Building Height without Affordable Housing Bonus	Non- Residential Maximum Building Height without Affordable Housing Bonus	Maximum Building Height with Affordable Housing Bonus ³	Optional Corner Tower Elements: Additional Height above Proposed Podium Height
	Minimum/Maximum Podium Height	Minimum Upper Story Step-Back					
Core (-C)	30 feet min	75 feet max ¹	20 feet	145 feet	300 feet	300 feet	30 feet
Support 1 (-S1)	25 feet min	75 feet max	20 feet	45 feet	90 feet	145 feet	15 feet
Support 2 (-S2)	20 feet min	35 feet max	10 feet	35 feet	60 feet	60 feet	15 feet

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</u> (see 16.4.2A.2)
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.

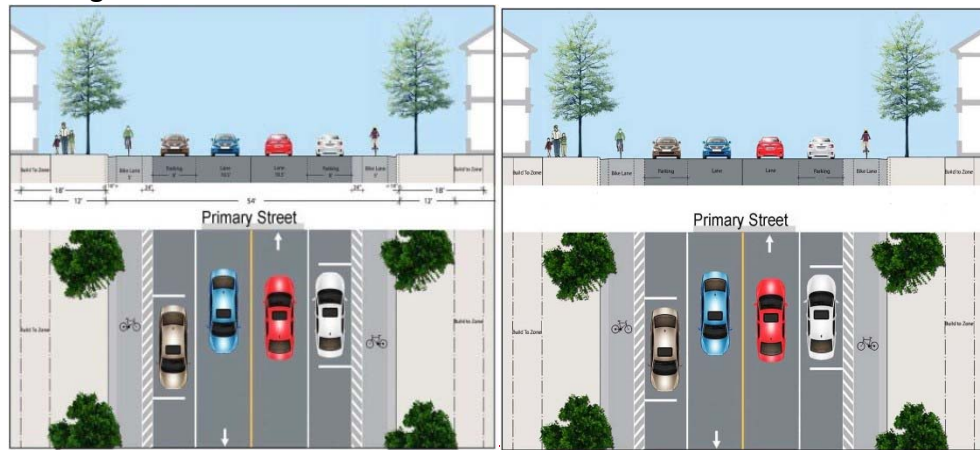
- b. Public and private streets, including alleys, shall not be gated or otherwise restrict public access.

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:

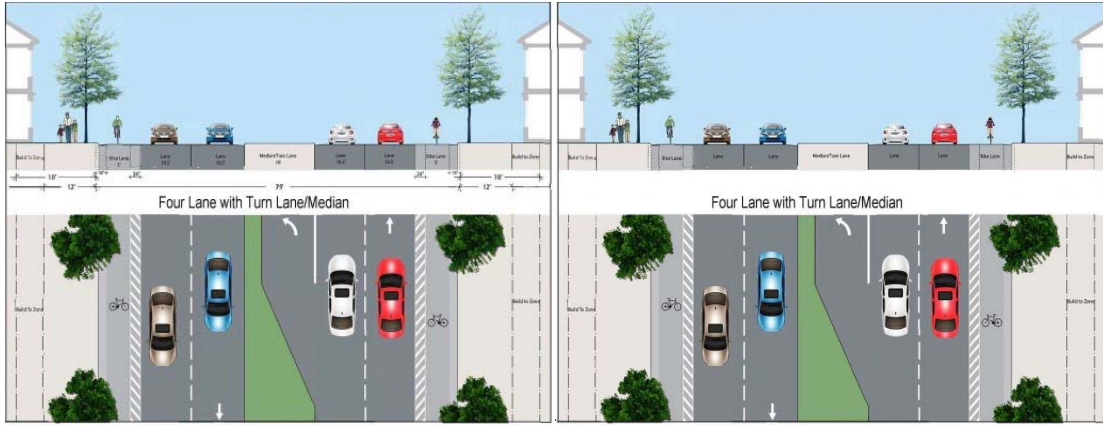


Component	Required Width
Travel lane	10.5 feet
Parking lane	<u>87.5</u> feet
Bicycle lane	5 feet (excluding gutter and buffer)
Bicycle/parking buffer	<u>23.5</u> feet
Curb/gutter section	18 inches

(2) Alternate Street Types

(a) Four-Lane Street Type

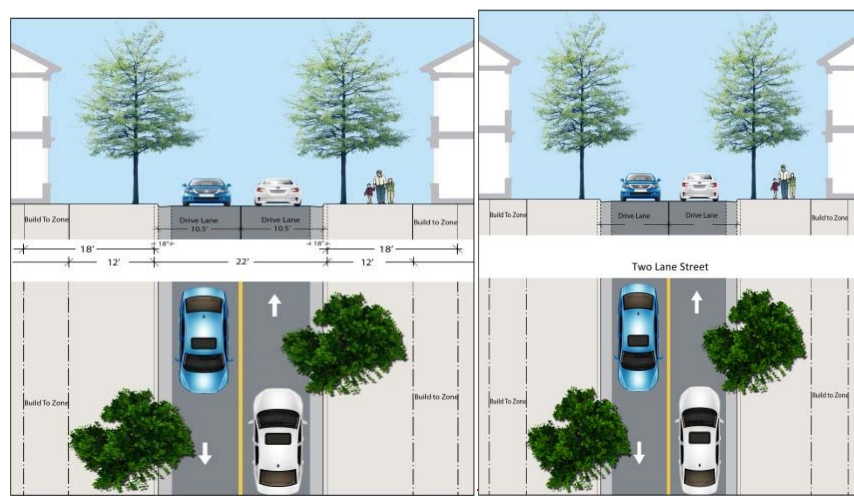
A four-lane street with a median/turn lane. The Four-Lane Street Type shall be used for streets designated as a major thoroughfare or boulevard in the adopted Comprehensive Transportation Plan, as amended. This street type shall be designed as follows:



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 upon adoption.*