




UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

Planning

Applicant Information	
Name: Colby Price	Telephone: 864.263.5439
Company/Organization: RealtyLink	Email: cprice@realtylinkdev.com
Address: 201 Riverplace Suite 400	City/State/Zip: Greenville, SC 29601
Proposed Amendment(s)	
<p>In the space below, provide details of the proposed amendment(s), including:</p> <ol style="list-style-type: none"> 1. Current UDO Reference: (List Articles, Sections, and paragraphs affected to the best of your knowledge); 2. Current and proposed text (with strike-out of deleted text and underline of proposed text), diagram, and/or illustration; OR detailed description of desired change; and 3. Justification for the amendment(s), including to the best of your knowledge: <ol style="list-style-type: none"> a. How the proposal is consistent with the <i>Comprehensive Plan</i> citing applicable goals, objectives, and/or policies; b. How the proposal is reasonable and in the public interest; and c. How the proposal may affect other portions of the UDO, as applicable. 	
see attached.	
(attach additional sheets as needed)	
Contact Information: For questions regarding text amendment applications, please contact Michael Stock, Senior Planner at 919-560-4137 ext.28227 or Michael.Stock@DurhamNC.gov.	
Submit To: Durham City-County Planning Department, 101 City Hall Plaza, Durham, NC 27701.	
Signature of Applicant (Required)	
<div style="display: flex; justify-content: space-between;"> <div>Signature of Applicant </div> <div>Date 9.6.19</div> </div>	
Tracking Information (Staff Only)	
Assigned Case #: TC1900002 - 2nd version	Date Received: 9/6/19
Received By: CRK	Fees Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

1. Section 7.4.2B and Section 7.4.3.B.2
2.
 - a. **Section 7.4.2B**-The following shall be exempt from ~~these provisions~~ the standards in Sections 7.4.2A and 7.4.3.
 - b. **Section 7.4.3.B.2**-Outdoor lights used exclusively for recreational activities, concerts, plays or other outdoor events that are open to the public, provided that the light fixtures are located at least 100 feet from any adjacent residential use and the event or function meets all other applicable zoning requirements. Such lighting shall not be illuminated between the hours of 12:00 a.m. and 8 a.m. and between 1:00 a.m. and 8 a.m. Friday and Saturday except in the UC or UC-2 districts, the Downtown Tier, and as authorized by a minor special use permit. For purposes of the hearing on the minor special use permit application the sole issue shall be the requested increase in hours of illumination, and only the review factors found in Section 3.9.8.B.4,10,11, and 12 may be considered in connection with the requested increase in hours of illumination.
3. A. as drafted Section 7.4.2.8.2 seeks to afford opportunities for outdoor recreation activities, concerts, play or other outdoor events while avoiding negative impacts on residential areas. The existing text of 7.4.3.B.2 requires that illumination end by specified times, except in specified districts. The exception for certain districts indicates an understanding that there are properties and circumstances that both warrant additional illumination time and that do not adversely impact surrounding properties. Consistent with the recognition in the existing text the proposed amendment would afford landowner's the opportunity to demonstrate that a proposed use warrants additional illumination time and would not adversely impact surrounding properties through the minor special use permit process.
B. The proposed amendment promotes outdoor activity, promotes the utility of property thereby enhancing property value, generates property and sales tax revenue, and promotes job creation without negatively impacting surround properties.
C. Applicant does not perceive the proposed amendment to have any impact on the other portions of the UDO.

Kolosna, Carl

From: Burns, Keith D. <KBurns@nexsenpruet.com>
Sent: Tuesday, December 03, 2019 11:27 AM
To: Kolosna, Carl; Colby Price
Cc: Todd Waldo; Bohac, Rachel; Eric Jackson; Visser, Ben; Whiteman, Scott
Subject: RE: Confirming receipt of application for UDO Text Amendment

Karl,

Revised text is pasted below. Please have a look and let me know if you have any questions. Also, please let us know when we'll be on the agenda for the City and County.

Outdoor lights used exclusively for recreational activities, concerts, plays or other outdoor events that are open to the public, provided that the light fixtures are located at least 100 feet from any adjacent residential use and the event or function meets all other applicable zoning requirements. Such lighting shall not be illuminated between the hours of 12:00 a.m. and 8:00 a.m. and between 1:00 a.m. and 8:00 a.m. Friday and Saturday except in the UC or UC-2 districts and the Downtown Tier **where such limitations on the hours of illumination do not apply, and except in any I, IL, or IP district during the hours of 3:00 a.m. to 8:00 a.m. Sunday through Thursday and 5:00 a.m. to 8:00 a.m. Friday and Saturday when the additional hours of illumination are authorized by a minor special use permit. For the purposes of the hearing on the minor special use permit application the sole issue shall be the requested increase in hours of illumination, and only the review factors found in Article 3.9.8B.4, 10, 11, and 12 shall be considered.**

Best regards.

Keith

Keith D Burns
T: 919.653.7835

From: Kolosna, Carl <Carl.Kolosna@durhamnc.gov>
Sent: Tuesday, November 26, 2019 2:19 PM
To: Burns, Keith D. <KBurns@nexsenpruet.com>; Colby Price <CPrice@realtylinkdev.com>
Cc: Todd Waldo <Todd.Waldo@topgolf.com>; Bohac, Rachel <rbohac@arcomurray.com>; Eric Jackson <ejackson@realtylinkdev.com>; Visser, Ben <bvisser@arcomurray.com>; Whiteman, Scott <Scott.Whiteman@durhamnc.gov>
Subject: RE: Confirming receipt of application for UDO Text Amendment

{EXTERNAL EMAIL}

Hello all,

Just following up on the status of the text amendment language. Staff has been waiting to receive an updated version from the applicant per our discussion after the Planning Commission meeting.