

Article 4 | Zoning Districts

Sec. 4.1 General

4.1.1 Establishment of Districts

- A. The following zoning districts are hereby established, and are intended to implement the Comprehensive Plan. Each district is only appropriate in development tiers where it effectively implements the plan, as set forth below.

Symbol	District	Development Tier					Former Districts
		Rural	Suburban	Urban	Compact Neighborhood	Downtown	
Residential Districts							
RR	Residential Rural	✓	✓				RD
RS-20	Residential Suburban – 20	✓ ¹	✓				R-20
RS-10	Residential Suburban – 10		✓				R-10, R-15
RS-8	Residential Suburban – 8		✓				R-8
RS-M	Residential Suburban Multifamily		✓				RM-8, RM-12, RM-16
RU-5	Residential Urban – 5			✓	✓ ³		R-5
RU-5(2)	Residential Urban – 5 (2) (duplexes allowed)			✓	✓ ³		R-3
RU-M	Residential Urban Multifamily			✓	✓ ³		RM-16, RM-20
RC	Residential Compact		✓ ²		✓		ITOD-CN, RM-CN
Nonresidential Districts							
CI	Commercial Infill			✓	✓		--NEW--
CN	Commercial Neighborhood	✓	✓	✓	✓		NC
OI	Office and Institutional	✓	✓	✓	✓		O&I-1, O&I-2
CG	Commercial General	✓	✓	✓	✓		GC
SRP	Science Research Park		✓				RSCH, RAD
IL	Industrial Light		✓	✓	✓		I-2, CT
I	Industrial	✓	✓	✓			I-3
Planned Districts							
PDR	Planned Development Residential		✓	✓	✓		PDR
UC	University and College		✓	✓	✓		UC
UC-2	University and College-2			✓			--NEW--
CC	Commercial Center		✓	✓			SC
IP	Industrial Park		✓	✓			I-1
MU	Mixed Use		✓	✓	✓		MU
Design Districts							
CD-C	Compact Design - Core				✓		--NEW--
CD-S1	Compact Design – Support 1				✓		--NEW--
CD-S2	Compact Design - Support 2				✓		--NEW--
CD-P	Compact Design – Pedestrian Business				✓		--NEW--
DD-C	Downtown Design - Core					✓	--NEW--
DD-S1	Downtown Design - Support 1					✓	--NEW--

		Development Tier					Former Districts
Symbol	District	Rural	Suburban	Urban	Compact Neighborhood	Downtown	
DD-S2	Downtown Design - Support 2					✓	--NEW--
Overlays							
-P	Neighborhood Protection Overlay	✓	✓	✓	✓		P
-TO	Transitional Office Overlay		✓	✓			TO
-A60 -A65	Airport Overlay	✓	✓				60 to 65 LDN Above 65 LDN
-MTC	Major Transportation Corridor Overlay	✓	✓	✓	✓		MTC, I-540
-H	Historic Districts & Landmarks Overlay	✓	✓	✓	✓	✓	Historic District Overlay
M/LR-A, -B	Watershed Protection Overlays Lake Michie/Little River District	✓	✓				M/LR-A, -B
F/J-A, -B	Falls/Jordan District	✓	✓	✓			F/J-A, -B
E-A, -B	Eno River District	✓	✓	✓			E-A, -B

¹ Within Rural Villages as designated in the Comprehensive Plan only

² Within Suburban Transit Areas as designated in the Comprehensive Plan only, using Support Area standards as defined in Sec. 6.5, Residential Compact (RC) Development Intensity.

³ Applying the infill standards of Sec. 6.8, Infill Development in Residential Districts, only.

Commentary: Downtown Design District Core, Support 1, and Support 2 are the only districts allowed in the Downtown Tier. Therefore the Downtown Tier boundary and the Downtown Design District boundary are the same.

- B. All development plans approved as part of a rezoning action shall continue in force, except as may be modified in the future under the provisions of paragraph 3.5.12, Deviations from Approved Development Plans.

4.1.2 Development Tier Map

- A. The Development Tier Map is intended to ensure that development reflects the character of the area within which it occurs and to minimize the cost of extending infrastructure into areas inappropriately. The tiers shown on the map shall function as overlays, establishing guidelines within which different development patterns, intensities, and densities shall be utilized. The development tiers shall include the following:
 1. The Rural Tier – That area of Durham that lies outside the Suburban Tier and largely within watershed critical areas within which development should maintain a rural focus to encourage preservation of agriculture and protect important water resources. Development within this area should feature large lots to minimize demands on infrastructure, with limited commercial areas.
 2. The Suburban Tier – That area not included within the Downtown, Compact, Urban, or Rural Tiers in which urban services are expected to be provided with development at traditional suburban densities and patterns. This area is anticipated to absorb the majority of Durham’s population growth and its attendant demands for housing,

Sec. 6.11 Planned Districts

6.11.1 Purpose

Planned districts shall be established to allow for design flexibility and to encourage efficient use of land and public services and high quality design. These regulations are intended to allow innovative development that is integrated with proposed adjacent uses and compatible with existing patterns of nearby development.

6.11.2 General Requirements

- A.** A development plan meeting the requirements of paragraph 3.5.6, Development Plan, shall be required as part of the zoning map change application to any planned district, except in the UC and UC-2 districts as indicated below.
- B.** The initial zonings to establish the UC and UC-2 districts on each campus, which shall be initiated by the appropriate governing body for each university/college campus, shall not require a development plan, though the university or college can submit a development plan providing additional details and restrictions beyond minimum Ordinance requirements, for all or parts of the area associated with the initial zoning map change. A basic zoning map change application shall be required for the initial zoning map change, along with documentation on the availability of adequate parking and a limited surcharge fee to cover public notification requirements.
- C.** Except in the MU District, uses shall be permitted only in the location shown on the approved development plan. Development of the property shall not begin until a site plan has been approved for that portion of the property. Site plans shall be reviewed for conformance with an approved development plan. Should alterations or changes represent a substantial departure from the approved plan, an amendment is required. The same procedures as required for the original approval shall be required for development plan amendments.

- D. Unless alternative standards are explicitly established in the provisions below, all relevant standards and provisions of this Ordinance shall apply to development within any planned district.

6.11.3 Planned Development Residential (PDR) Purpose

A. Uses

1. The primary use allowed within the PDR District shall be residences, including manufactured homes.
2. Manufactured homes shall be permitted only where they have been expressly indicated on the approved development plan. Manufactured house subdivisions and parks shall be designated as such on the development plan and show lot layouts and the orientation of the house to the street in the development plans.
3. Nonresidential uses allowed in the PDR District shall be limited to those uses listed in the Sec. 5.1, Use Table. Nonresidential uses can be approved subject to the use limitations established in Sec. 5.3, Limited Use Standards, and the following conditions.
 - a. Except for Public and Civic uses pursuant to Sec. 5.1, Use Table, the development shall provide for at least 100 dwelling units, unless reducing this requirement is approved by the governing body based on committed plan elements that are innovative, efficient as to land use, with high quality design. When both nonresidential and residential uses are proposed:
 - (1) The dwelling units can be separate structures from the nonresidential uses or located in the same structure as the nonresidential uses.

- (2) To assure that commercial and office uses are supportive of the PDR project, Certificates of Compliance shall be issued for at least 25% of the residential units before Certificates of Compliance are issued for the commercial or office uses. This requirement shall not apply when residences are located in the same building as the commercial or office uses.
- b.** Nonresidential acreage shall not be included in any calculations of residential density.
- c.** The building heights, location, orientation, and building-to-building spacing, shall be specified in the development plan.
- d.** Nonresidential uses shall be located with street access deemed adequate by the City Transportation Department.
- e.** Nonresidential square footage shall promote a range of services for residents. Except for Public and Civic uses pursuant to Sec. 5.1, Use Table, the nonresidential component within a PDR shall not exceed 50,000 square feet and shall be devoted to more than one business.

A. Dimensional Requirements

1. Site Area

- a.** The minimum area required for the initial approval of the zoning district shall be as follows:
 - (1) Within the Urban Tier, a minimum of two contiguous acres shall be required unless reducing this requirement is approved by the governing body based on committed plan elements that are innovative, efficient as to land use, with high quality design;

(2) Within the Suburban Tier, a minimum of four contiguous acres shall be required unless reducing this requirement is approved by the governing body based on committed plan elements that are innovative, efficient as to land use, with high quality design.

b. A reduction in the required minimum area of the zoning district by the governing body shall take into consideration various characteristics, attributes, and placement considerations as shown on a proposed development plan. In allowing a reduction of the required minimum area, the governing body shall consider the following attributes as well as other attributes that will contribute to creating highly compact walkable residential environments:

- (1) The presence of smaller houses (400-2,000 square feet);
- (2) The mix of detached, attached, and semi-attached single family residences, duplexes, and multifamily units;
- (3) The use of zero lot lines;
- (4) Provision of direct access, including common footpath connections to shared public space and/or common courtyard(s);
- (5) Provision of play areas, garden areas, parking (including shared parking areas), sidewalks, as well as legally reserved areas such as flood zones and storm water retention areas and rights-of-way;to shared public space and/or common courtyard(s);

- (6) Provision of dwellings facing public or private streets, lanes, alleys, or common areas;
 - (7) Provisions for traffic calming and reduced vehicular speeds using narrow private interior vehicular lanes;
 - (8) Possible use of “pocket neighborhood” type layouts arranged in clusters (or “Pockets”) of approximately six to sixteen units per pocket;
 - (9) Reduction of space in between units, within fire code limits;
 - (10) Reduced dimensions of street yards, rear yards, and side yards
 - (11) Provision transitional spaces for social interaction such as porches, dooryard gardens, or patios.
- c. Additions to an existing approved PDR can be made in increments of any size.

2. Minimum Lot Area

- a. No minimum lot area shall be required to be specified.
- b. Lot areas described on a development plan may be increased by the appropriate State agency or County Health Department in order to ensure adequate waste treatment.