



# City of Durham

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## Development Standards

OFFICE PARK	DEVELOPMENT STANDARDS
Minimum Lot Size	10,000 sq. ft.
Minimum Lot Dimensions	80 x 80 ft.
Minimum Front Yard Setback	20 ft.
Minimum Side Yard Setback	10 ft.; 20ft. from the on a corner lot abutting a ROW
Minimum Rear Yard Setback	10 ft.
Maximum Building Height	35 ft.
Maximum Floor Area Ratio	35%
Maximum Traffic Generation	200 trips per day per gross acre
Bicycle and pedestrian routes	Bikeways are required along all arterials. Sidewalks are required along all arterials, collectors, and local streets.
Parking	See table 3.7.5 Durable and dustless, lighting, space to maneuver, wheel stops, landscaping, drained onsite At least 2 bicycle parking per 1000 sq. ft. of GFA
Minimum Landscaping, enclosures, and screening	20 % of site; evergreen landscaping to provide a screen; professionally designed and perpetually maintained
Minimum Entrance	1 principal facing ROW
Minimum Pedestrian Access	Safe internal pedestrian circulation 5 feet wide
Minimum Vehicle Access	30 ft. wide; if 100 parking spaces then wide enough for two vehicle access ways At least 80% paved
Driveway Apron	Not wider than 40 ft., set back from adjacent property by min 5 ft.; no portion less 100 ft. from any street intersection
Electricity, natural gas, and telephone	Underground
Sanitary and Storm sewerage systems	Per CWS
Dedication of ROW	Vehicle and pedestrian
Project Design	Building elevations, exterior materials, colors, finishes and other aspects of exterior appearance must comply with the community appearance policy of the Comprehensive Plan.

**DEVELOPMENT STANDARDS**

<b>INDUSTRIAL PARK</b>	<b>DEVELOPMENT STANDARDS</b>
Minimum Lot Size	35,000 sq. ft.
Minimum Lot Dimensions	50 x 120 ft.
Minimum Front Yard Setback	30 ft.
Minimum Side Yard Setback	30 - 50 ft.; 0 if RR
Minimum Rear Yard Setback	30 - 50 ft.; 0 if RR
Maximum Building Height	40 ft.
Maximum Floor Area Ratio	35%
Maximum Traffic Generation	200
Bicycle and pedestrian routes	Bikeways are required along all arterials. Sidewalks are required along all arterials, collectors, and local streets.
Minimum Parking	See table 3.7.5 Durable and dustless, lighting, space to maneuver, wheel stops, landscaping, drained onsite At least 2 bicycle parking per 1000 sq. ft. of GFA
Minimum Landscaping	20 % of site; evergreen landscaping to provide a screen; professionally designed and perpetually maintained
Minimum Entrance	1 principal facing ROW
Pedestrian Access	Safe internal pedestrian circulation 5 feet wide
Minimum Vehicle Access	30 ft. wide driveway; if 100 parking spaces then wide enough for two vehicle access ways At least 80% paved
Driveway Apron	Not wider than 40 ft., set back from adjacent property by min 5 ft.; no portion less 100 ft. from any street intersection
Electricity, natural gas, and telephone	Underground
Sanitary and Storm sewerage systems	Per CWS
Dedication of ROW	Vehicle and pedestrian
Project Design	Building elevations, exterior materials, colors, finishes and other aspects of exterior appearance must comply with the community appearance policy of the Comprehensive Plan.

**DEVELOPMENT STANDARDS**

<b>SINGLE DWELLING RESIDENTIAL</b>	<b>DEVELOPMENT STANDARDS</b>
Minimum Lot Size	10,000 sq. ft.
Minimum Lot Frontage	20 ft.
Minimum Front Yard Setback	20 ft.; attached projections are allowed into setback up to 5 ft.
Minimum Side Yard Setback	10 ft.; 20 ft. from property corner to structure; attached projections are allowed into setback up to 5 ft.
Minimum Rear Yard Setback	20 ft. for detached, 15 ft. for attached ; attached projections are allowed into setback up to 5 ft.
Maximum Building Height	35 ft.; chimneys and antennae 15 ft. above building height
Temporary structures within front or side setbacks	Not allowed
Parking Driveway	Minimum 1 off street parking 10-30 ft. wide; 30 ft. max, Fully paved
Electricity, natural gas, and telephone	underground
Sanitary sewer	Per CWS, no septic systems. Sewage outflow pipe must be appropriately sized. New pipe may be required for remodels
Storm sewerage systems	Engineered storm water drainage system is required if no public storm water (Peters Road)
Drinking water	Public connection
Dedication of ROW	May require sidewalk
Accessory uses	No accessory use can be placed in the front or side yard setback except as allowed by an adjustment or variance. An accessory use such a storage shed may be allowed within 5 feet of the rear lot line without an adjustment or variance if also allowed by the Uniform Building Code. No temporary structures are allowed within the front or side setback. Storage sheds, tool sheds, play houses less than 200 sq., and less than 10 ft. do not require a building permit.
Fences	No more than 6 ft. high. Allowed in any setback so long as it does not obstruct vision clearance between driveway and street right-of-way. No building permit is required.

**DEVELOPMENT STANDARDS**

Patio and decks	Decks and impervious patios that are on or above grade, but no more than 30 inches, may project in the setback to the extent allowed in the Uniform Building Code.
Patio Covers	Patio covers more than 200 sq. ft. may be attached or detached from the residential dwelling. They may be used for outdoor recreational purposes only, not carports, garages, storage rooms, or habitable areas.
Pools	A 48" fence must enclose in-ground swimming pool. Access gates must be self-closing and equipped with locks. Hot-tubs must be equipped with a safety cover or be enclosed by a fence

**DEVELOPMENT STANDARDS**

<b>MULTI-DWELLING RESIDENTIAL</b>	<b>DEVELOPMENT STANDARDS</b>
Minimum Lot Area	May vary
Maximum Density	16 units per gross acre. Density and height bonuses are allowed within MDDO.
Minimum Front Setback	20 ft., may be reduced in MDDO
Minimum Side Setback	5 ft., except for zero lot line construction , and 15 ft. from property corner, may be reduced
Minimum Rear Setback	15 ft., may be reduced
Maximum Building Height	35 ft.; chimneys and antennae 15 ft. above roof; may be increased
Minimum Lot Frontage	20 ft.
Fences	6 ft.; cannot obstruct vision clearance
Parking	1BR: 1.25; 2BR: 1.5; 3BR: 1.75 / No maximum Durable and dustless, lighting, space to maneuver, wheel stops, landscaping, drained onsite 1 bicycle parking space per residential unit or a garage unit in lieu of the parking space. Must be convenient, secure, lighted. 6 ft. long x 7 ft. high. 5 ft. of paved maneuvering area and paved access to ROW, identified with signage
Minimum Pedestrian Access	Visually prominent, separate from driveways, at least 5 ft. wide Must extend from each ground level entry to the Public ROW
Minimum Vehicle Access, with at least 80% of the required width to be paved:	For 1-2 dwelling units, 1 access at least 20 feet wide, no sidewalk or curb required; For 3 to 49 dwelling units, 1 two-way at least 30 feet wide or 2 one-way each at least 20 feet wide, 5 foot sidewalk required on one side, no curb required; For over 50 dwelling units, 1 two-way at least 40 feet wide or 2 one-way at least 30 feet wide, 5-foot sidewalk one side only, no curb required.
Electricity, natural gas, and telephone	Underground
Sanitary and Storm sewerage systems	Per CWS
Dedication of ROW	Vehicle and pedestrian may be required
Common Recreational Open Space	Required - Not less than 5% of site
Comprehensive Plan Compliance	Housing policies

## DEVELOPMENT STANDARDS

### MULTI-DWELLING RESIDENTIAL

The purpose of the MDDO district is to allow a site design that includes density and height bonuses that in turn allow a variety of housing types and to provide incentives for high quality multi-dwelling development that includes additional amenities for the residents. Density and height bonuses may be allowed for a development within the MDDO District up to 44 extra units (thus up to 60 units per gross acre) for a site abutting SW Lower Boones Ferry Road and Upper Boones Ferry Road and up to 16 extra units (thus up to 32 units per gross area) for a site not abutting either street. The design features that qualify a Planned Residential Development in the MDDO District for specified density and height bonuses are listed in **Table 3.3.5**. The design features listed in that table are defined as follows:

- “Durable materials” means (the use of) proven exterior materials such as cementitious brick, wood, metal and composites.
- “Ecologically sensitive and sustainable practices” means either LEED certification for the development or a minimum of 4 of the following, (\* = as are further defined by the current version of the LEED program or by a similar, objective industry standard):
  - \*Energy and atmosphere aspects
  - \*Indoor environmental quality aspects
  - \*Innovation and design
  - \*Materials and resources aspects
  - \*Sustainable site aspects
  - \*Water efficiency aspects
  - Bicycle parking that is secure and covered in a minimum amount of .75 space per dwelling unit.
- Pedestrian connections to any major public transit facility that is within 2000 feet of the site of the development.
- “Horizontal and vertical facade articulation” means a change of materials, color, texture, pattern or structural expression, bays and recesses, varied window form or detail, breaks in building or roof elevation, use of a belt course or signage band and so forth to provide visual interest, create a human scale, and to reduce the apparent bulk of large structures or facades by breaking them down into smaller components.
- “Multi-level structured parking” means above or below grade, concrete or steel constructed parking for at least 90% of the total of housing units.
- “Private open space” means that at least half of the housing units in a development have front or rear patios or decks (on the ground floor) or balconies or porches (on upper floors) of at least 40 square feet each, oriented towards common open space and away from adjacent single dwellings, trash receptacles, parking and driveways to the greatest extent practicable.

**DEVELOPMENT STANDARDS**

- “Property Operations” means the use of professional on-site management and leasing companies, experienced with Class A multi-unit residential properties with 200 or more units, to operate the development.
- “Roof lines” means such features as dormers, varied gables, articulated or significant eaves, roof plane offsets, varied parapets, multiple rooflines and so forth to create visual interest, and the screening of rooftop mechanical equipment from ground level view.
  - “Security provisions” means pre-wiring for individual security systems in ground floor dwelling units and gated structured parking entries.

<b>Table 3.3.5 - MDDO Design Features - Allowable Density and Height Bonus (Density In Additional Units Per Gross Acre, Additional Height in Feet)</b>	
Durable Material	2D, 1H
Ecological Practices	6D, 5H
Horizontal/Vertical Facade Articulation	3D, 1H
Multi-Level Structured Parking	30D, 15H
Private Open Space	2D, 2H
Property Operations	4D, 2H
Roof Form	2D, 1H
Security Provisions	6D, 3H

**DEVELOPMENT STANDARDS**

<b>PLANNED RESIDENTIAL</b>	<b>DEVELOPMENT STANDARDS</b>
Minimum Area	3 acres
Density	Transfer of density on a development site up to 40% to encourage natural resource preservation.
Minimum Lot Size	Detached - 5000 sq. ft. Attached - 2500 sq. ft.
Minimum Front Yard Setback	15 - 20 ft.
Minimum Side Yard Setback	5 ft. (except zero lot line construction) 15 ft. from corner of property
Minimum Rear Yard Setback	15 ft.
Maximum Building Height	35 ft.; chimneys and antennae 15 ft. above roof
Parking	1 parking per unit 1 bicycle parking space per residential unit or a garage unit in lieu of the parking space
Minimum Entrance	1 principal facing ROW
Minimum Pedestrian Access	From each ground level entry to ROW
Minimum Vehicle Access	For 1-2 dwelling units, 1 access at least 20 feet wide, no sidewalk or curb required; For 3 to 49 dwelling units, 1 two-way at least 30 feet wide or 2 one-way each at least 20 feet wide, 5 foot sidewalk required on one side, no curb required; For over 50 dwelling units, 1 two-way at least 40 feet wide or 2 one-way at least 30 feet wide, 5 foot sidewalk one side only, no curb required
Driveway Apron	Not wider than 40 ft., set back from adjacent property by min 5 ft.; no portion less 100 ft. from any street intersection
Electricity, natural gas, and telephone	Underground
Sanitary and Storm sewerage systems	Per CWS
Dedication of ROW	Vehicle and pedestrian
Common open space	30% of buildable area, accessible and usable by persons who occupy the development except those dedicate as NRP
Neighborhood compatibility	Reasonably compatible and not impair the use and enjoyment or limit development of surrounding property.



**DEVELOPMENT STANDARDS**

<b>TABLE 3.7.5: REQUIRED OFF STREET PARKING PER LAND USE (Per 1000 Sq. Ft Gross Floor Area for Non-Residential Uses)</b>	
<b>Type of Use</b>	<b>Min/Max Spaces</b>
Single Dwelling, Attached or Detached	1 / No maximum
Multi-Dwelling - As per # of Bedrooms (BR)	1BR: 1.25; 2BR: 1.5; 3BR: 1.75 / No maximum
Live / Work Dwelling Unit	1.25 per DU plus 2.7 per 1000 sq ft gross commercial floor area / No maximum
OP/ BPO General Office, Government Office	2.7 / 4.1
OP Medical / Dental Office	3.9 / 5.9
IP Light Industrial, Industrial Park, Manufacturing	1.6 / No maximum
IP Warehouse Up to 150,000 sq. Ft Gross Floor Area	1.6 / No maximum.
IP Warehouse Over 150,000 sq. Ft Gross Floor Area	0.3 / No maximum

## DEVELOPMENT STANDARDS

### Accessory Dwelling Unit

An Accessory Dwelling Unit (ADU) is allowed in a residential district to create new housing units while respecting the appearance and scale of single unit detached residences, to provide additional housing stock with minimal impact on the quality and character of existing neighborhoods, to allow a mix of housing that responds to changing family needs and smaller households, and to foster a more efficient use of existing housing stock and the availability of more affordable housing.

An ADU may be created within or shall share a common wall with the primary residence. A garage may not be converted to an ADU unless replaced with a new garage.

An ADU may not be larger than 33 percent of the habitable area of the primary residence (excludes garage) or 600 square feet, whichever is less.

No more than 2 persons may reside in an ADU at any time and the primary residence or the ADU shall be owner-occupied. The City may require the owner of the primary residence to record a deed restriction on the property to that effect.

The primary entrance to the ADU shall not be newly constructed on the facade of the primary residence that faces public right of way.

All site design regulations of the zoning district shall apply to the ADU.

An ADU created through the addition of floor area to the primary single family dwelling shall include the following design features:

- The exterior finish material must be the same or visually match the exterior finish material of the primary single family dwelling with respect to type, size, placement, and color;
- The siding for exterior walls must be the same or similar material and color as the primary single family dwelling;
- The roof pitch must be the same as the predominant roof pitch of the primary single family dwelling;
- Trim on edges of elements on the addition must be the same in type, size, and location as the trim used on the primary single family dwelling;
- Windows must match those on the primary single family dwelling in proportion (relationship of width to height), shape and size; and,
- Eaves must project from the building walls the same distance as the eaves on the primary single family dwelling.

Review and approval of an ADU is a Type 1 Decision Process.

## **DEVELOPMENT STANDARDS**

### **Live-Work Residence**

A Live-Work Residence may be allowed as a conditional use in the MDR and MDDO districts.

The site design and structural requirements of a live-work residence shall conform to the requirements of the Uniform Building Code (UBC) as enforced in the City. In case of any conflict between those requirements and the provisions of this Code as to site design or structural design, the UBC requirements shall control.

The minimum and maximum parking allowance for a live-work residence shall be as shown in Table 3.7.5.

Review and approval of Live-Work Residence is a Type 3 Decision Process.

## DEVELOPMENT STANDARDS

### Religious Land Use

A religious land use includes the use, building or conversion of real property for the purpose of religious exercise. Religious exercise includes any exercise of religion whether or not compelled by or central to a system of religious belief. A religious land use is a conditional use in the MDR district and is subject to the site and design standards of this Code applicable in the underlying zone district, including adequate public facilities available to serve the use.

An applicant for a conditional use as a religious land use may apply for a waiver of any requirement of this Code in addition or in lieu of an application for a variance. The City may grant such a waiver if it finds substantial evidence to show that:

- the requirement as applied would be a substantial burden on the applicant's exercise of religion; and,
- no other property is available that would allow the applicant's exercise of religion without such a waiver.

The applicant shall show the criteria by which it evaluated available property and shall evaluate all available property by the same criteria. The time and expense of a property search and of the City's application and review process is not a substantial burden on religious exercise.

Review and approval of Religious Land Use is a Type 3 Decision Process.

## DEVELOPMENT STANDARDS

### Transferable Density

An applicant for a Planned Residential Development or for a land division in a residential or environmental zoning district (SDR, MDR, MDDO, NRO ) may request as part of that application to transfer the permitted or required density for the development site from one portion of the site to another portion. The City may require a transfer of density on a development site when the transfer would allow the protection and preservation of significant natural resources and wildlife habitat, would lessen the effects of development restrictions in water quality and flood management areas or would allow a transition between established land use patterns and a use where density is concentrated on a portion of the site.

To encourage preservation of significant natural resources by the use of density transfer, when such a resource exists on the site and is to be preserved, the City may allow up to a total of 40 percent additional density to be applied to that portion of the site to which the density is transferred.

A person may apply to transfer the buildable density of no more than 30 per cent of the gross site area to another portion of the site proposed for development or for an adjacent site if owned by the same person and the adjacent site lies within in a zoning district where this section allows for density transfer.

Transferable density rights shall not be assignable and shall not be redeemable for cash or for a credit against any development fee or charge due the City. A transferable density right is void if not exercised within 15 years from the date that the City's land use decision granting the right is final or until the property on which a person seeks to exercise the right is rezoned into a zoning district in which the City does not allow the use of density transfer, whichever is first.

The portion of the site of the land division or land development from which density is transferred is restricted by recorded covenants running with the land or shall be dedicated in fee or as a conservation or open space easement to a public entity for a public purpose. The City will keep a separate registry of all such transfers and of the allowable development level for the site following transfer.

Review and approval of Density Transfers is a Type 3 Decision Process.