



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: June 20, 2011

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, City-County Planning Director 

Subject: Unified Development Ordinance Text Amendment – SRP Utilities
(TC1100005)

Summary. This text amendment would amend the Unified Development Ordinance (UDO) to delete the provision that prohibits utilities in the Science Research Park (SRP) District except as accessory uses. The Board of County Commissioners considered this item on June 13, 2011, and staff will report on their actions during this public hearing.

Recommendations. The Planning Department recommends approval. The Planning Commission held a public hearing on this proposed text amendment on April 12, 2011 and recommended approval by a vote of 12-0.

Background. This text amendment is requested by Duke Energy and supported by the Research Triangle Foundation. The provision at issue was added when the UDO replaced the Zoning Ordinance in 2006. The Zoning Ordinance allowed public utility facilities by right in both the Research Application District (RAD) and the Research Park District (RSCH), the old districts analogous to the SRP District. However, the UDO at paragraph 5.3.3L.3 states that “[w]ithin the SRP district, utility facilities shall only be permitted as accessory uses.” The restriction was included in the draft UDO by the consultant, but in practice hinders appropriate activities and development in the SRP District.

Issue. UDO Sec. 4.3.4, Science Research Park (SRP), states that the SRP District implements the Comprehensive Plan within the Suburban Tier by providing an area for business and scientific research and development, pilot plants, prototype production facilities, other manufacturing operations, and office and support services. To adequately enable such activities, however, it is necessary to allow public utilities including power generation. Requirements regarding buffers, screening, and setbacks for utilities are in place to ensure protection of surrounding areas, residential areas in particular.

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Alternatives. The City Council may approve the amendment, deny the amendment, or direct modifications of its language.

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Attachments: Attachment A, An Ordinance to Amend a Provision of the Unified Development Ordinance Regulating Utilities, Mark-up Version
Attachment B, An Ordinance to Amend a Provision of the Unified Development Ordinance Regulating Utilities, Clean Version
Attachment C, Planning Commission Written Comments Following Hearing on February 12, 2011