



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



**Date:** November 5, 2012

**To:** Thomas J. Bonfield, City Manager

**Through:** Keith Chadwell, Deputy City Manager

**From:** Steven L. Medlin, AICP, Planning Director *Steven L. Medlin*

**Subject:** Unified Development Ordinance Text Amendment—Outdoor Recreation and Activity in the Downtown Design District (TC1100014)

**Summary.** This is a text amendment initiated by Downtown Durham, Inc. (DDI) to create revised, more permissive standards for outdoor activity associated with bars, nightclubs, and outdoor recreation located in the Downtown Design (DD) District.

**Recommendation.** Staff recommends that the City Council approves the text amendment. The Planning Commission recommended approval on September 11, 2012, with a vote of 13-0. The Durham Board of County Commissioners will consider this text amendment at its November 26, 2012, meeting.

**Background.** Outdoor activity is currently allowed in association with bars and nightclubs only when located in the Core sub-district of the DD District. The proposal would expand that allowance into the Support 1 sub-district, with size, screening, and design criteria. In addition, the proposal would allow miniature golf as a permitted outdoor recreation use in all sub-districts of the DD District. The Joint City-County Planning Committee (JCCPC) reviewed the proposed amendment on August 1, 2012, and recommended proceeding with the public hearing process.

**Issues.** The purpose of the proposed changes, as requested by the applicant, is to reflect the changing dynamic of downtown and the need to provide more flexibility by allowing outdoor activity. Staff has reviewed the application and prepared the text amendment attached (Attachment A), which allows for expansion of certain outdoor activity with specific limited use standards, including but not limited to:

1. Size limitations for outdoor areas;
2. Screening requirements;
3. Limitations on amplified music; and
4. Design criteria.

Thomas J. Bonfield, City Manager  
TC1100014, Outdoor Recreation and Activity in the Downtown Design District  
November 5, 2012

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**Attachments**

**Attachment A:** An Ordinance to Amend the Unified Development Ordinance Regarding Outdoor Recreation and Activity in the Downtown Design District (TC1100014), Mark-up Version

**Attachment B:** An Ordinance to Amend the Unified Development Ordinance Regarding Outdoor Recreation and Activity in the Downtown Design District (TC1100014), Clean Version

**Attachment C:** Planning Commission Comments

**Attachment D:** Application Submitted by DDI