

**AN ORDINANCE TO AMEND TREE COVERAGE CALCULATION REQUIREMENTS
OF THE UNIFIED DEVELOPMENT ORDINANCE (TC1300002)**

WHEREAS, the Durham City Council received an application to amend certain provisions in the *Unified Development Ordinance* (UDO) regarding tree coverage calculations; and

WHEREAS, it is the objective of the Durham City Council to have the UDO promote regulatory efficiency and consistency, and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that Article 6, District Intensity Standards, and Article 8, Environmental Protection, of the *Unified Development Ordinance* are amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

Sec. 8.3 Tree Protection and Tree Coverage

8.3.1 Tree Coverage Standards

C. Tree Coverage

5. Tree Coverage Calculation Exclusions

For the purposes of calculating tree coverage requirements, the following shall be excluded from the total area of the development tract:

- a. The water surface area of ponds, lakes, and other water bodies (excluding stormwater control structures).
- b. Right-of-way dedication for the widening of existing road right-of-way.
- c. (City Only) For single-family residential development in the Suburban Tier: The area within a utility easement of record (power, gas, water, or sewer) that measures at least 50 feet in width and exists at the time of application submittal. If an application claims this exclusion, the following shall apply:
 - (1) The exclusion shall only be applied to paragraph 8.3.1E, Replacement Tree Coverage;
 - (2) No density credit shall be allowed for land within the easement; and
 - (3) No pervious surface credit shall be allowed for land within the easement in determining the overall percentage of impervious surface of the development.

Sec. 6.11 Planned Districts

6.11.3 Planned Development Residential (PDR)

C. Intensity

1. Residential Density

The specific maximum density in units per acre, other than the areas proposed for nonresidential development and areas precluded from consideration for density in paragraphs 8.3.1C.5, Tree Coverage Calculation Exclusions; 8.4.4, Development in Special Flood Hazard Areas and Future Conditions Flood Hazard Areas; ~~8.5.9, Lots and Density Credits;~~ and 8.8.5, Density Credits, shall be included in the application. The allowable density shall be consistent with the land use designation shown in the *Comprehensive Plan*.

PART 2

That the *Unified Development Ordinance* shall be renumbered as necessary to accommodate these changes and clarifications.

PART 3

That this amendment of the *Unified Development Ordinance* shall become effective upon adoption.