

**AN ORDINANCE TO AMEND WATERSHED PROVISIONS
WITHIN THE UNIFIED DEVELOPMENT ORDINANCE (TC1300003)**

(Recommended changes are underlined)

WHEREAS, the Durham City Council wishes to amend certain provisions in the Unified Development Ordinance regarding watershed protection overlay standards for rural villages; 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 8, Environmental Protection, and Article 16, Definitions, of the Unified Development Ordinance is amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

Paragraphs within this part, but not listed, remain unchanged.

Section 8.7 Watershed Protection Overlay Standards

8.7.2 General Requirements

A. Minimum Lot Size

1. In all Watershed Protection Overlays, except F/J-B and E-B, the minimum lot sizes indicated in the following table shall be applied in all new subdivisions unless the subdivision uses the cluster provision in accordance with 6.7, Cluster Subdivision, or the conservation subdivision provisions of Sec. 6.2.4, Conservation Subdivision.

Overlay	Minimum Lot Size		
	Rural Tier	<u>Rural Tier – Rural Village</u>	Suburban Tier
M/LR-A	3 acres		20,000 square feet
M/LR-B	3 acres	<u>1 acre</u>	20,000 square feet
F/J-A	3 acres		1 acre
E-A	Not Applicable		20,000 square feet

B. Impervious Surface Limit

1. Any development in a Watershed Protection Overlay shall be subject to limits on the amount of impervious surfaces permitted in accordance with the following table. Development plans, site plans, preliminary plats, and final plats shall clearly identify the amount of existing and proposed impervious surfaces.

Overlay	Low Density Option		High Density Option
	Impervious Surface Limit		Impervious Surface Limit
M/LR-A	6%		Not permitted
M/LR-B	<u>Rural Tier</u>	6%	Not permitted
	<u>Rural Village</u>	<u>12%</u>	<u>24%</u>
F/J-A	Within one-half mile of the normal pool: 6%; Between one-half and one mile from the normal pool: 9%		Not permitted in the Rural Tier. 40%, for all areas not in the Rural Tier and for those uses allowed in Sec. 4.11.4, Nonresidential Land Use Restrictions; Nonresidential Land Use Restrictions, intensities greater than 25% shall require a Major Special Use Permit pursuant to Sec. 3.9, Special Use Permit.
F/J-B, E-B	24%		70%
E-A	24%		Not permitted

8.7.3 Exceptions

B. Existing Single-Family Lots

New construction and additions to existing residential buildings on single-family residential lots recorded prior to January 1, 1994 shall be constructed in accordance with the watershed protection regulations, if any, in effect at the time the lot was created. In Rural Villages, as defined on the Future Land Use Map of the Durham Comprehensive Plan, such lots shall use the current standards or those in effect at the time the lot was created, whichever is less restrictive.

Section 16.3 Defined Terms

Rural Village - An area delineated on the Future Land Use Map, within the Rural Tier, that can include commercial, office, institutional, and open space/recreation land uses, and allows a residential density up to one dwelling unit per acre.

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.