

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
REGARDING TEXT-ONLY DEVELOPMENT PLANS (TC1800008)**

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions in the Unified Development Ordinance in order to develop standards for a text-only development plan; and

WHEREAS, it is the objective of the Durham County Board of Commissioners 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 3, Applications and Permits; and Article 5, Use Regulations, of the *Unified Development Ordinance* is amended to make the following changes set forth in the deletions (strikethroughs) and additions (underlining) below:

PART 1

Sec. 3.5 Zoning Map Change

[Paragraphs not listed remain unchanged]

3.5.6 Development Plan

E. Illustrative Graphic Depictions

Graphic depictions other than those listed above shall not be shown at, submitted at, or otherwise used in connection with any public hearing on a zoning map change with development plan unless they depict only area within the scope of the development plan and are development plan commitments in their entirety.

1. Such graphic depictions shall supersede existing commitments, if conflicts exist, to the extent they are more stringent.
2. Illustrative graphic depictions, shown in association with a text-only development plan, shall require compliance with paragraph 3.5.6D, Requirements, and shall be considered a new zoning map change application.

H. Text-Only Development Plan for Use Restrictions

A text-only development plan shall be limited to applications that only proffer commitments that specify, limit, and/or prohibit uses within the zoning district requested pursuant to Sec. 5.1, Use Table.

1. Paragraphs 3.5.6D, Requirements; and 3.5.6F, Development Plan as site Plan/Preliminary Plat, shall not apply.
2. The text commitment(s) can be proffered anytime during the application review and adoption process.
3. The text commitment(s) shall be incorporated within the ordinance adopting the new zoning designation.
4. A text-only development plan shall not be permitted for a zoning map change request for a Planned District listed within Sec. 4.4, Planned District Intent Statements.

Sec. 5.1 Use Table

5.1.1 Use Table Key

A. Types of Uses

3. Special Use Permit Required (M or m)

An “M” (Major) or “m” (minor) indicates that a use is only allowed where approved as a special exception by the appropriate approving authority in accordance with the procedures set forth in Sec. 3.9, Special Use Permit.

- a.** Special uses are subject to all other applicable requirements in this Ordinance, including the additional listed use standards in Sec. 5.3, Limited Use Standards, except where expressly modified by the approving authority as part of the special use approval.
- b.** A special use permit shall not be required if an approved development plan exists for the site and the specifications on the development plan comply with paragraph 3.5.6D.10, Uses and Minor/Major Special Use Permits; or the development plan also serves as a site plan or preliminary plat pursuant to paragraph 3.5.6F, Development Plan as Site Plan/Preliminary Plat. [This allowance shall not apply to text-only development plans.](#)

PART 2

That the Unified Development Ordinance shall be renumbered, including references, as necessary to accommodate these changes.

PART 3

That this amendment of the Unified Development Ordinance shall become effective February 1, 2019.