

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE REGARDING REQUIRED PROJECT BOUNDARY BUFFERS FOR THE INDUSTRIAL LIGHT (IL) ZONING DISTRICT (TC1400002)

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions in the *Unified Development Ordinance* (UDO) regarding project boundary buffers; and

WHEREAS, it is the objective of the Durham County Board of Commissioners to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that Article 9, Landscaping and Buffering, of the *Unified Development Ordinance* is amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

[Revise IL zoning district project boundary buffer standards for properties of four acres or less in size, and relocate current standards into a new paragraph "C"]

Sec. 9.4 Project Boundary Buffers

[Paragraphs and tables not listed remain unchanged. Proposed paragraph 9.4.3C.4 is shown in **bold** for emphasis only]

9.4.3 Standards

B. Project Boundary Buffer Table

- ~~1. Multiplex and apartment development proposed in any district to be adjacent to single-family districts or single-family developments on other properties shall provide buffers in accordance with the provisions for RS-M or RU-M districts.~~
- ~~2. Non-residential development proposed in a residential district to be adjacent to residential districts or residential developments (except for upper-story residential or with any intervening street or railroad right-of-way) on other properties, that would not otherwise require a buffer, shall provide buffers in accordance with the provisions of the CN District in determining buffer requirements. Principal uses listed in paragraph 5.2.4F, Parks and Open Areas, except playgrounds and zoos, are exempt from this requirement.~~
- ~~3. Nonresidential uses proposed next to property used for residential purposes, although nonresidentially zoned, shall provide a buffer along the side of the property adjoining the property used residentially equivalent to one-half of the buffer width that would have been required for property with a residential zoning designation within that Tier~~
- ~~4. Some uses may require additional buffering, as set forth in the specific use standards of Sec. 5.3, Limited Use Standards.~~

C. Modifications to the Project Boundary Buffer Table

- 1. Multiplex and apartment development proposed in any district to be adjacent to single-family districts or single-family developments on other properties shall provide buffers in accordance with the provisions for RS-M or RU-M districts.**
- 2. Nonresidential development proposed in a residential district to be adjacent to residential districts or residential developments (except for upper story residential or with any intervening street or railroad right-of-way) on other properties, that would not otherwise require a buffer, shall provide buffers in accordance with the provisions of the CN District in determining buffer requirements. Principal uses listed in paragraph 5.2.4E, Parks and Open Areas, except playgrounds and zoos, are exempt from this requirement.**
- 3. Nonresidential uses proposed next to property used for residential purposes, although nonresidentially zoned, shall provide a buffer along the side of the property adjoining the property used residentially equivalent to one-half of the buffer width that would have been required for property with a residential zoning designation within that Tier.**
- 4. The buffer requirement for a subject property zoned Industrial Light (IL) adjacent to property zoned Industrial (I), per the table in paragraph 9.4.3B, shall be 0.2/0.4 when the subject property is four acres or less in size.**
- 5. Some uses may require additional buffering, as set forth in the specific use standards of Sec. 5.3, Limited Use Standards.**

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 December 1, 2014.