

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE REGARDING FAMILY CARE AND GROUP HOMES (TC1200011)

WHEREAS, the Durham Board of County Commissioners wishes to amend certain provisions in the Unified Development Ordinance (UDO) regarding separation requirements for family care and group homes; and

WHEREAS, it is the objective of the Durham Board of County 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 5, Use Regulations, of the Unified Development Ordinance is amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

Sec. 5.1 Use Table

[Portions of the table not shown remain unchanged]

		RESIDENTIAL					NONRESIDENTIAL					PLANNED			DESIGN								
USE CATEGORY	SPECIFIC USE	RR	RS	RS-M	RU	RU-M	RC	CI	CN	OI	CG	SRP	IL	I	PDR	UC	CC	IP	MU	DD	CD	NOTES:	
RESIDENTIAL USES																							
Household Living	Family care home	L	L	L	L	L	L		L		L				L±					L±		L	5.3.2C , 6.2.1, 6.3.2, 6.4.2, 6.5.2, 6.9.1, 6.10.2, 6.11.3 , 6.11.7 , 7.1.2

Sec. 5.3 Use Categories

5.3.2 Residential Use Standards

C. Family Care Homes and Group Homes

Family care and group home facilities shall be permitted in accordance with the use table in Sec. 5.1, Use Table, subject to the following:

1. Family care homes

a. Family care home facilities shall be separated by a minimum of 1,125 linear feet.

b. Measurements shall be made as a straight line measurement from the closest point on the property line of each family care home facility.

2. Group homes

1.a. The ~~home-facility~~ shall be operated in a manner that is compatible with the neighborhood and shall not be detrimental to adjacent properties as a result of traffic, noise, refuse, parking or other activities.

2.b. The ~~home-facility~~ shall maintain a residential appearance compatible with the neighborhood.

3.c. The ~~home-facility~~ shall meet all State requirements, and all applicable housing and building code requirements.

d. The facility shall be separated by a minimum 1,125 linear feet from a group home or family care home facility. Measurements shall be made as a straight line measurement from the closest point on the property line of each facility.

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.