

Zoning Ordinance Amendments

1988-Present

1988

- 88-01- Procedure for Amending Zoning Ordinance,
Historic District Ordinance & Building Code6/6/88

1990

- 90-01- An Ordinance Establishing the Zoning Ordinance
for the Town of Durham2/5/90

1993

- 93-03- Amending Various Sections of the
Zoning Ordinance3/1/93

- 93-23- Amending Article 12- Signs and
Utility Structures 11/1/93

1994

- 94-01- Amending Article 1, Sections 1-18.4 and 1-18.5
Definitions of “Restaurant” and “Restaurant
Carryout”6/6/94

1997

- 97-03- Amending Article 7, Sections 1-7 and 7-8.2C
Definitions of “Building Inspector,”
“Recreational Vehicle” and changes to the
Flood Management Section.3/3/97

- 97-09- Amending Article 1, Section 1-3 Definitions
of “Fraternity/Sorority” and “Fraternity/
Sorority House”7/7/97

- 97 13- Amending Article 4, Section 4-6
“Use Regulations” to add “Wireless
Telecommunications Facilities”6/28/97

- 97-18- Amending Article 1 “General Provisions,”
Definitions of “Airport, Commercial,” “Airport
Private,” and “Heliport,” and Article 4 “Zoning
Districts,” to add new definitions to uses. 12/1/97

97-19- Amending Article 2 “Administration,” Section 2-6.3, “Technical Review Committee”	12/1/97
97-20- Amending Article 12 “Signs & Utility Structures,” Section 12-3.4, “Illumination,” Section 12-4.4, “Residential Accessory Signs,” and Section 12-4.7, “Number and Type of Signs Permitted”	12/1/97
1998	
98-01- Amending Article 4, “Zoning Districts,” Section 4-1 Establishing Shoreland Protection Zone, Aquifer Protection Zone and Personal Wireless Service Facilities Overlay District and Eliminating Section 4-6.6, “Wireless Telecommunications Facilities,” and creating Article 13, Personal Wireless Service Facilities Overlay District”	2/2/98
2000	
00-10- Amending Chapter 175 “Zoning” by Rescinding Section 175-23(A) “Offensive Uses”	9/1/00
2001	
01-08- Amending Chapter 175 “Zoning,” Section 175-55 “Applicability,” updating the effective date of the Flood Insurance Rate Maps (FIRM).....	5/21/01
2002	
02 07- Amending Chapter 175 “Zoning,” Section 176-6 To add the Definition of “Recreational Playing Fields, Outdoor,” and Sections 175-25, 175-26, 175-28 and 175-31 To add the use to RA, RB, RC, R and OR Zoning District.	5/13/02
02-10- Amending Chapter 175 “Zoning,” Sections 175-29(C)(20), 175-30(D)(9) and 175-31(C)(18) deleting references to the sale of alcoholic beverages in various zoning districts.....	11/4/02
2004	
04-02- Adopting proposed revisions to certain sections of the Durham Zoning Ordinance.....	5/10/04
04-10- Amending Chapter 175 “Zoning,” “Sections 175-133(B) (2) and 175-133(G) pertaining to snipe signs and political speech.....	11/15/04

2005

- 05-06- Ordinance #2005-06 (A) – Proposed Amendments to Chapter 175
“Zoning” to Address Questions with Prior Amendments..... 11/30/05
- 05-06- Ordinance #2005-06 (B) – Proposed Amendments to
Chapter 175 “Zoning” to Implement the Master Plan
Recommendations Dealing with the Non-Residential Zones 2/20/06
- 05-06- Ordinance #2005-06 (C) – Proposed Amendments to Chapter 175
“Zoning” Relative to the Shoreland Protection Overlay District... 2/20/06
- 05-06- Ordinance #2005-06 (D) – Proposed Amendments to Chapter 175
“Zoning” Relative to the Wetland Conservation Overlay District... 2/20/06
- 05-06- Ordinance #2005-06 (E) – Proposed Amendments to Chapter 175
“Zoning” Relative to the Aquifer Protection Overlay District... 11/30/05
- 05-06- Ordinance #2005-06 (F) – Proposed Amendments to Chapter 175
“Zoning” Relative to the Historic Overlay District 1/8/07
- 05-06- Ordinance #2005-06 (G) – Proposed Amendments to Chapter 175
“Zoning” Relative to the Personal Wireless Service Facilities
Overlay District 2/20/06
- 05-11- Amending Chapter 175 “Zoning”, Section 175-7 Word
Usage; Definitions relative to fraternity/sorority houses..... 12/5/05

2006

- 06-02- Amending Chapter 175 “Zoning”, Article XIV
“Shoreland Protection Overlay District”, Section 175-72(A)(4)
changing “principal” to “non-residential or multi-unit” building 7/17/06
- 06-06- Amending Chapter 175 “Zoning,” Article XII, Section 175-53(A)
Table of Land Use changing Mixed Use with Residential from a
Permitted to a Conditional Use in the Professional Office Zone..... 8/21/06
- 06-07- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7; Article XIII “Wetland Conservation Overlay
District,” Sections 175-60, 175-61 and 175-65; Article XIV
“Shoreland Protection Overlay District,” Sections 175-69,
175-71, 175-72 and 175-75.1; Article XX, “Performance
Standards,” Section 175-109 with regards to timber harvesting/forestry
regulation..... 7/16/2007

2007

- 07-01- Amending Chapter 175 “Zoning,” Zoning Map to change
Tax Map 5, Lot 1-8 to the Central Business Zoning District 2/5/07

07-08- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7, definition of Home Occupation..... 9/10/07

2008

08-02- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7, Article XII, “Zone Requirements,”
Sections 175-53, 175-54 and 175-55 with regards to several misc.
changes..... 3/3/08

08-04- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7, definition of Wholesale Sales..... 6/16/08

08-05- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7, amending “Personal Services” to include
Fitness Centers 4/7/08

08-07- Amending Chapter 175 “Zoning,” Article III, “Administration
And Enforcement,” deleting Section 175-9(A)(13) 6/16/08

08-08- Amending Chapter 175 “Zoning,” Article XXI, “Off-Street
Parking and Loading” 7/7/08

08-09- Amending Chapter 175 “Zoning,” Article XXIII, “Signs and
Utility Structures” 7/7/08

08- 12- Amending Chapter 175 “Zoning,” Zoning Map, to expand the
Office and Research and Light Industry Zoning District into the
Residence B Zoning District to include the remaining land of
Sprucewood to the Lee Town Line 10/20/08

08-13- Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Section 175-7, definition of Habitable Floor Area 8/18/08

08-14- Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,”
Section 175-54, to lower the minimum lot area per dwelling unit in the
Central Business Zoning District..... 8/18/08

08-16- Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,”
Section 175-53(A), to allow Stables as a Conditional Use in the Multi-Unit
Dwelling/Office Research Zoning District 9/22/08

2009

09-01- Amending Chapter 175 “Zoning,” Article XXIV, “Septic Systems,”
Section 175-139, “Suitability of the Location of the Leaching Field,” and
Section 175-140, “Duties of the Code Enforcement Officer” 2/16/09

09-10- Amending Chapter 175 “Zoning,” Article II, “Definitions,”

Section 175-7, Article XII, “Zoning Requirements,” Section 175-41, “Central Business District (CB), Section 175-43, “Professional Office District (PO), Section 175-56, “Special Situations Affecting Dimensions,” and Article XXI, “Off-Street Parking and Loading,” Section 175-116, “On Site Landscaping and Exterior Screening, Section 175-117, “Driveway Permits; Penalty; Fees”10/19/09

2010

10-03- Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-45(F)(2-4), “Development Standards in the Courthouse District”2/15/10

10-07- Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53, “Table of Uses”, to allow Single Family Homes and Duplexes in the Office Research & Light Industry Zoning District as a Conditional Use and to allow Single Family Homes in the Multi-Unit Dwelling/ Office Research Zoning District as a Conditional Use 7/12/10

10- 09 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-41(F)(7), “Development Standards in the Central Business District,” to change the requirements for the Maximum Height of Mixed-Use Buildings in the Central Business Zoning District..... 7/26/10

10- 10 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Removing Section 175-55(E), “Minimum Contiguous Lot Area” 9/27/10

10- 15 Amending Chapter 175 “Zoning,” Article XIX, “Conservation Subdivisions,” Section 175-107(B), “Applicability,” to add ORLI & MUDOR Zoning Districts to the list of Zones to which Conservation Subdivision Regulations apply 1/24/11

2011

11-05 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53, “Table of Uses,” to allow Single Family Residences in the Professional Office Zoning District as a Permitted Use 10/3/11

11-06 Amending Chapter 175 “Zoning,” Article XIX, “Conservation Subdivisions,” addition a new section, Section 175-107 II, “Workforce Housing Option” 10/3/11

2012

- 12- 01 Amending Chapter 175 “Zoning,” Zoning Map, to move
Map 2, Lots 6-0 & 7-1 from the Professional Office Zoning
District to the Residence A Zoning District 3/5/12
- 12- 02 Amending Chapter 175 “Zoning,” Article XII,
“Zone Requirements,” Section 175-53, “Table
Of Uses,” to make Eldercare Facilities a Non-Permitted
Use in the Residence A Zoning District3/5/12
- 12- 03 Amending Chapter 175 “Zoning,” Article XII,
“Zone Requirements,” Section 175-53, “Table
Of Uses,” to allow Light Manufacturing as a Permitted
Use in the CB, PO, CC, C, CH, OR, MUDOR, ORLI and
DBP Zoning Districts 3/5/12

2013

- 13-02 Amending Chapter 175 “Zoning,” Article II,
“Definitions,” Article XII, “Zone Requirements,”
Section 175-41(A) & (F)(7) and Section 175-54, to
limit the height and number of stories in a section of
Main Street in the Central Business District 1/28/13
- 13-03 Amending Chapter 175 “Zoning,” Article II,
“Definitions,” Article XII, “Zone Requirements,”
Section 175-53, and Article XX, “Performance
Standards,” Section 175-109, “Compliance Required,”
to allow the keeping of Chickens and Turkeys as an Accessory
Use to Single and Two-Family Residences subject to various restrictions4/1/13
- 13-06 Amending Chapter 175 “Zoning,” Article XII,
“Zone Requirements,” Section 175-41(F),
“Central Business District,” Section 175-43(F),
“Professional Office District,” and Section 175-54,
“Table of Dimensional Requirements,” to increase the
setbacks along Madbury Road and to reduce the Maximum
Permitted Building Heights from 50 Feet to 35 Feet 9/9/13
- 13-07 Amending Chapter 175 “Zoning,” Article II, “Definitions,”
Table II-1, “Dwelling Density By Type,” such that the Maximum
Number of Occupants in Unrelated Households changes from
1.5 to 1 per 300 square feet of habitable floor area for dwelling type
“Apartment” (Excluding the ORLI and MUDOR Districts)9/9/13
- 13-10 Amending Chapter 175 “Zoning,” Article XII,
“Zone Requirements,” Section 175-41(F), “Central Business
District,” Section 175-53, “Table of Uses,” and Section 175-54,
“Table Of Dimensional Requirements,” regarding misc. changes12/16/13

2014

- 14-04 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53, “Table of Uses,” regarding misc. changes 5/19/14
- 14-05 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-54, “Table of Dimensional Requirements,” regarding misc. changes 5/19/14
- 14-06 Amending Chapter 175 “Zoning,” Article XXIII, “Signs and Communications Devices,” Section 175-129, “Placement of Signs,” Section 175-131, “Permitted Messages,” and Section 175-133, “Permitted Signs, by District,” regarding political signs 6/16/14
- 14-11 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53(A), “Table of Uses,” to change Single Family Residential Use in the ORLI and MUDOR Zoning Districts from Not Permitted to a Conditional Use 8/4/14
- 14-12 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53(A), “Table of Uses,” to change Conference Center Use in the MUDOR and ORLI Zoning Districts from Conditional Use to Not Permitted..... 10/06/14
- 14-13 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53(A), “Table of Uses,” to change Convenience Store with Gasoline Sales Use in the ORLI Zoning District from Conditional Use to Not Permitted 10/06/14
- 14-14 Amending Chapter 175 “Zoning,” Article II, “Definitions,” Table II-1, “Dwelling Density By Type,” to change the Maximum Number of Occupants in an Unrelated Household from 1 to .5 per 300 Square Feet of Habitable Floor Area for “Apartment” (Excluding Accessory Apartments) except in the ORLI and MUDOR Zoning Districts 12/1/14

2015

- 15-5 Amending Chapter 175 “Zoning,” Article XII, “Zone Requirements,” Section 175-53(A), “Table of Uses” and Section 175-54, “Table of Dimensional Requirements,” with regards to the Durham Business Park Zoning District... 4/20/15
- Amending Chapter 175 “Zoning,” Article I, “General Provisions,” Section 175-3, “Purpose,” to add language regarding Renewable Energy 5/4/15
- 15-6 Amending Chapter 175 “Zoning,” Article XVII, “Durham Historic Overlay District,” Section 175-91(A)(3) “Historic

District Commission, Membership”	6/15/15
15-7 Amending Chapter 175 “Zoning,” Article II, “Definitions,” and Article XV, “Flood Hazard Overlay District,” to comply with FEMA requirements	9/21/15
15-8 Amending Chapter 175 “Zoning,” Article XII, Section 175-53, “Table of Land Uses,” to change “Mixed Use with Residential (Office/Retail Down, Multiunit Residential Up)” from Conditional Use to Not Permitted in the Professional Office (PO) and Church Hill (CH) Zoning Districts	10/5/15

2016

16-6 Amending Chapter 175 “Zoning,” Article II, “Definitions,” Article XII, Section 175-53 “Table of Uses,” and Article XX, “Performance Standards,” to include Accessory Animal Husbandry For Goats	6/6/16
16-8 Amending Chapter 175 “Zoning,” Article XVII, “Durham Historic Overlay District”	7/18/16

2017

17-1 Amending Chapter 175 “Zoning,” Article II, “Definitions,” Article XII, Section 175-53 “Table of Uses,” and Article XX, Section 175-109(E), “Accessory Dwelling Units and Accessory Apartments” to update the Ordinance in accordance with the State’s Statute on Accessory Dwelling Units, also updating Section 175-109(F) “Accessory Shed”	2/20/17
17-7 Amending Chapter 175 “Zoning” – Various amendments throughout the whole document	10/2/17

2018

18-1 Amending Chapter 175 “Zoning,” Article XV, “Flood Hazard Overlay District,” Various amendments	4/16/18
18-2 Amending Chapter 175 “Zoning,” Various amendments dealing with floor area, piers & docks, and sign master plans	6/4/2018
18-4 Amending Chapter 175 “Zoning,” Article XXIII, “Signs and Communication Devices,” Section 175-26 “Special Exceptions” for temporary signage in the Historic District	8/20/2018

18-7 Amending Chapter 175 “Zoning,” Sections 175-7, 175-42,
175-54, 175-56 and 175-112 regarding development in the Central
Business District and occupancy within all districts12/17/2018

2019

19-3 Amending Chapter 175 “Zoning,” Various Articles including
Article XXI, “Off-Street Parking” pertaining to parking11/18/2019

2020

20-3 Amending Chapter 175 “Zoning,” Various Articles to
include a “Short Term Rental” designation.....2/3/2020

20-7 Amending Chapter 175 “Zoning,” Article XVII,
“Durham Historic Overlay District,” Various Sections..... 4/20/2020

20-9 Amending Chapter 175 “Zoning,” Article XII.1,
“Use and Dimensional Standards,” Section 175-54,
“Table of Dimensions,” changing the Minimum Lot
Area per Dwelling Unit for the Durham Business Park
Zoning District to 20,000 Square Feet 6/1/2020

2021

20-13 Amending Chapter 175 “Zoning,” several Articles
and the creation of Article XX.1 to create an
Agricultural Ordinance.....2/1/2021

20-10 Amending Chapter 175 “Zoning,” several Articles
for changes to the Central Business District and
building height.....5/3/2021

2023

23-01 Amending Section 175-7 “Definitions” adding a
new section for Solar Energy Systems and adding a
definition for Carport. Amending the uses in the Table
of Uses in Section 175-53 adding Solar Energy Systems
and amending Article XX “Standards for Specific Uses”
Section 175-109 adding a section for Solar Energy Systems
and re-lettering N “Temporary Sawmill”2/6/2023

23-03 Amending Chapter 175 “Zoning,” Article XII, “Wetland
Conservation Overlay District” and Article XIV, “Shoreland
Conservation Overlay District.....6/5/2023

2024

- 24-02 Amending Section 175, Zoning Ordinance, Articles I, IV, VII and XVII to change the process for noticing public hearings for Zoning Amendments, Conditional Uses, Historic District Reviews and UNH projects from publishing notices in a local newspaper to posting notices on the Town Website, and to change the process for notices for Conditional Use Hearings to be sent by Verified mail rather than Certified mail.....4/1/2024
- 24-05 Amending Section 175, Zoning Ordinance, Article XVII, “Durham Historic Overlay District,” Section 175-93, “Identification of the Historic Overlay District,” to update the Map & Lot Numbers of the Historic District.....8/12/24
- 24-09 Amending Chapter 175 “Zoning,” Article II, “Definitions,” Article XII.1, “Use and Dimensional Standards,” Article XVIII, “Personal Wireless Service Facilities Overlay District,” Article XIX, “Conservation Subdivisions,” and the Zoning Map; and adding a new Article XVIII.1, “Attainable Housing Overlay District.”.....12/16/24
- 24-10 Amending Chapter 175 “Zoning,” Article III, “Administration and Enforcement,” Article VI, “Zoning Board of Adjustment,” Article XII.1, “Use and Dimensional Standards,” Article XX, “Standards for Principal Uses,” and Article XX.1, “Standards for Agricultural Uses.”.....11/18/24

2025

- 25-01 Amending Chapter 175 “Zoning,” Article II, “Definitions,” Article XII.1, “Use and Dimensional Standards,” Article XV, “Flood Hazard Overlay District,” Article XVI, “Aquifer Protection Overlay District,” Article XVII, “Durham Historic Overlay District,” Article XVIII, “Personal Wireless Service Facilities Overlay District,” Article XX.1, “Standards for Agricultural Uses,” and Article XXIII, “Signs and Communications Devices.”.....2/17/25
- 25-02 Amending Chapter 175, “Zoning,” Article XVII, “Durham Historic Overlay District,” Section 175-94, “Purview of the Board.”.....2/17/25
- 25-03 Amending Chapter 175, “Zoning,” Article II, “Definitions,” Article XII.1, “Use and Dimensional Standards,” and Article XX, “Standards for Specific Uses,” Regarding Student Rentals.....2/17/25
- 25-04 Amending Chapter 175, “Zoning,” Article XII.1, “Use and Dimensional Standards,” of the Town Code to change the minimum front setback in the Office – Research 108 (OR) District on minor streets and collector roads.....4/7/25