

# ***Zoning Ordinance Amendments***

## ***1988-Present***

### **1988**

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

### **1990**

- 90-01- An Ordinance Establishing the Zoning Ordinance  
for the Town of Durham.....2/5/90

### **1993**

- 93-03- Amending Various Sections of the  
Zoning Ordinance.....3/1/93

- 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.....7/16/07

## 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
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## 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 District .....	3/5/12
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 restrictions .....	4/1/13
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. changes..... 12/16/13

## 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

15-6 Amending Chapter 175 “Zoning,” Article I, “General Provisions,” Section 175-3, “Purpose,” to add language regarding Renewable Energy .....	5/4/15
15-7 Amending Chapter 175 “Zoning,” Article XVII, “Durham Historic Overlay District,” Section 175-91(A)(3) “Historic District Commission, Membership” .....	6/15/15
15-8 Amending Chapter 175 “Zoning,” Article II, “Definitions,” and Article XV, “Flood Hazard Overlay District,” to comply with FEMA requirements... ..	9/21/15
15-9 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 districts... ..12/17/2018

## **2019**

19-3 Amending Chapter 175 “Zoning,” Various Articles including Article XXI, “Off-Street Parking” pertaining to parking .....11/18/2019

## **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