



Durham City-County Planning Department  
**DESIGN SPECIAL USE PERMIT (DSUP)**  
**APPLICATION**



(A Pre-submittal conference must be held prior to submission)

**Tracking Information (Staff Only)**

Case Number:	Date/Time Rec'd:	Rec'd By:
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**About this Application**

**ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED**

*Design special use permits* are heard by the Board of Adjustment as a quasi-judicial public hearing. A Design Special Use Permit shall be required for site plans and architectural reviews where alternative forms of compliance are sought.

Submittal: Applications are due by noon on the submittal deadline date. Deadlines are discussed at the pre-submittal meeting and are available online at <http://durhamnc.gov/340/Applications-Application-Materials>. Applications should be submitted in-person, and fees are due at time of submittal.

The application is a form of written testimony, and used both to show how Ordinance considerations are addressed and to provide evidence that the required findings for approval can be made. In addition to the application materials, the applicant may provide any other written, drawn or photographed material to support his/her request and as permitted by the Board of Adjustment or Governing Body, as applicable. Any such additional material submitted will become part of the application, and as such cannot be returned.

Attendance at the hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. The applicant has the **burden of proof** and must provide sufficient evidence in order for the required findings to be made. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to testify in regards to the request. An application may be approved, approved with conditions, continued for more information, or denied. **Decisions can be appealed to Superior Court within 30 days.**

**Contact Information:** If you have any questions, please contact the City-County Planning Department at 560-4137 between 8:00 a.m. and 5:00 p.m. on weekdays.

Application Requirements	Applicant Initial	Staff Initial
Record of the pre-submittal meeting (copies provided at the meeting)		
Fee		
Completed application and responses: ORIGINAL signatures required		
SITE PLAN (full size and 11x17 already submitted for review), as determined at pre-submittal meeting		
Responses to general findings and review factors: Section 3.25.3, Criteria for Approval, of the UDO		
Responses to Additional Findings and/or Review Factors, as applicable		
Responses to Limited Use Standards, as applicable		
Floorplan, as applicable		
Elevations, as applicable		
Note: Additional supporting documents may also be submitted		

Property Information	
Site Address	PID(s):
Zoning District(s) including overlays:	PIN(s):
Current Use:	City                      County                      Both
Building/Frontage Type:	Storefront    Arcade    Courtyard    Forecourt    Parking Deck    Monumental    NA

Property Owner	
Name(s) (Print):	Telephone:
Contact Person:	Email:
_____	_____
Owner Signature	Date

Applicant	
Name(s):	
Contact Person:	Telephone
Address:	Fax:
City/State/ZIP:	Email:
<i>I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.</i>	
_____	_____
Applicant Signature	Date

Agent (if different than applicant)	
Name:	
Contact Person:	Telephone:
Address:	Fax:
City/State/ZIP:	Email:

**Complete and respond to the following with an attachment (suggested), or in the space provided:**

Applicant's Name: I, \_\_\_\_\_, do hereby petition the City of Durham/County of Durham for a Design Special Use Permit to allow the following:

### **Section 3.25.3 of the UDO: Criteria for Approval of Design Special Use Permit**

#### **A. General Findings**

Applications for design special use permits shall be approved only if the Board of Adjustment or Governing Body, as applicable, finds that the proposed alternative form of compliance shall yield an overall design that equals or exceeds the applicable standards.

*Applicant's Response:*

#### **B. Review Factors**

The applicant shall demonstrate that the review factors listed below have been adequately addressed.

##### **1. Street Level Activity**

Explain how the proposed design will generate street level activity with pedestrian oriented design on all street frontages.

*Applicant's Response:*

##### **2. Complement the Surrounding Context**

Explain how the proposed design will complement the surrounding context, including use of the principles of architectural styles, urban design, and landscape/site design.

*Applicant's Response:*

**3. Human Scale**

Explain how the proposed design relates to the human scale in site and building design.

*Applicant's Response:*

**4. Sustainability**

Explain how the proposed design incorporates sustainable design strategies.

*Applicant's Response:*

**5. Views**

Explain how the proposed design protects and emphasizes important views of notable buildings and sites. Include applicable references to views identified in local historic district plans, open space plans, or other applicable sources.

*Applicant's Response:*

**6. Multi-Modal**

Explain how the proposed design provides access and circulation systems to allow a wide range of efficient multi-modal movement options. Include applicable references to policies identified in Durham Walks!, Durham Comprehensive Bicycle Transportation Plan, or other applicable sources.

*Applicant's Response:*

**NOTE:** Please address the requirements of any applicable "Limited Use Standards" or other special requirements of the use as an attachment of the application.

**Read and sign below:**

In granting a Design Special Use Permit, conditions may be placed to assure that adequate mitigation measures are associated with the use. The conditions shall become part of the special use permit approval. Violations of any of the conditions shall be treated in the same manner as other violations of the Ordinance. Furthermore, Design Special Use Permits shall become null and void in any of the following cases (Section 3.9.13 of the UDO):

- A. If a site plan is not approved within 12 months of the date of permit approval.
- B. If an approved site plan or building permit expires.
- C. If a building permit is not issued within two years of the date of approval, in cases where a site plan is not required.
- D. If a substantial violation of the conditions of the permit, as determined by the Planning Director or designee occurs. The addition of language to the special use permit regarding such voiding shall not be required.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**