



Transportation Special Use Permit (TSUP) Application

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

City-County Development Services Center

101 City Hall Plaza, Durham, NC 27707 | <https://dsc.durhamnc.gov> | 919-560-4137

Planning

TRACKING INFORMATION (STAFF ONLY)

Case Number:	Date/Time rec'd:	Rec'd by:
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ABOUT THIS APPLICATION

Transportation special use permits are heard by the Governing Body (City Council, if City jurisdiction, Board of Commissioners, if County jurisdiction) as a quasi-judicial public hearing.

Submittal: Applications are accepted by appointment only and are available online at <https://durhamnc.gov/DocumentCenter/View/29372/MSUP-and-TSUP-Pre-Submittal-Form>. Prior to submittal, a presubmittal conference must be held. At the conference, the applicant will be provided with further information about submittal deadlines and hearing scheduling for the Governing Body that will be hearing the case. Application submittal must be made in-person and fees are due at the time of submittal.

ONLY COMPLETED APPLICATIONS CAN BE ACCEPTED.

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 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 speak and ask questions 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

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), as determined at pre-submittal meeting		
Traffic Impact Analysis (TIA)		

Note: Additional supporting documents may also be submitted

GENERAL/PROPERTY INFORMATION

Site Address:		PIN(s):
Zoning District(s):	Overlay District(s):	PID(s):
Current Use(s):		City County Both
Proposed use(s):		
Project Name:		
TIA prepared by:		

PROPERTY OWNER

Name(s) (Print):	Phone:
Contact Person:	Email:
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Owner Signature	Date

APPLICANT INFORMATION

Name(s):	
Contact Person:	Phone:
Address:	Fax:
City/State/ZIP:	Email:
<p><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></p>	
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Applicant Signature	Date

AGENT (IF DIFFERENT THAN APPLICANT)

Name:	
Contact Person's Mailing Address:	Phone:
Address:	Fax:
City/State/ZIP:	Email:

COMPLETE AND RESPOND TO THE FOLLOWING WITH AN ATTACHMENT (SUGGESTED), OR IN THE SPACE PROVIDED:

Note: Before any Transportation Special Use Permit shall be granted, the Governing Body must find that satisfactory evidence has been provided for the following. Your site plan, application and testimony at the hearing must provide sufficient evidence for the Governing Body to determine that these general findings and review factors have been adequately and appropriately addressed.

I, _____, do hereby petition the City of Durham/County of Durham for a Transportation Special Use Permit to allow the following:

SECTION 3.3.8D OF THE UDO: CRITERIA FOR APPROVAL OF TRANSPORTATION SPECIAL USE PERMITS

In order to approve a TSUP; the governing body shall make the following findings:

1. The traffic generated by the development and associated improvements to the street system will not have a significant adverse impact on the surrounding area. Significant adverse impact shall include:
 - a. Substantial increases in traffic on local residential streets such that the majority of the traffic is not associated with the residential properties which front on the street; or
 - b. The need to widen local residential streets which would detract significantly from the character or basic function of the nearby streets.
2. Adequate provisions have been made for safe and efficient vehicular circulation, parking and loading, and pedestrian access
3. The traffic generated by the proposed development and any proposed improvements to the street system will not have a significant adverse impact on the environment. Significant adverse impacts shall include but not be limited to undue concentration of air pollutants, or excessive noise or vibrations
4. The traffic generated by the development can be accommodated by the existing or funded transportation system, or adequate traffic mitigation measures have been proposed as part of the development application. Proposed mitigation measures shall become conditions of the special use permit. The adopted level of service for the adjacent roadways may be considered in making this determination but shall not be the sole factor considered by the governing body.

READ AND SIGN BELOW:

In granting a Transportation Special Use Permit, the Governing Body may place conditions on the use 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, 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