

4.6.6 Old West Durham Neighborhood Protection Overlay

A. Purpose

This overlay establishes standards for the Old West Durham neighborhood to ensure that new residential development is compatible with the established urban form, modest scale, and mill village character of the neighborhood. Preservation of green space and tree canopy are primary motivations for the formulation of a number of these standards.

B. Applicability

This section shall only apply to the following types of residential development within the boundaries of the Old West Durham Neighborhood Protection Overlay, as shown on the official Zoning Map:

- Construction of, or addition to, any primary structure;
- Construction of, or addition to, any garage, accessory dwelling unit, or other accessory structure requiring a building permit; and/or
- Construction of, or addition to, any vehicular use area.

C. General Standards

1. Primary & Accessory Structure Bulk (Floor Area Ratio)

- a. The maximum floor area ratio (FAR) shall be 0.30 (30%). For purposes of this NPO only, floor area is defined as the heated square footage of the primary structure plus the total square footage (heated or unheated) of any garage, accessory dwelling unit, or any other accessory structure requiring a building permit.

To calculate the FAR, the floor area is divided by the lot size.

Example

A 7,500 SF lot contains a single family home totaling 1,450 heated SF as well as a 400 SF unheated garage.

The FAR of this lot is

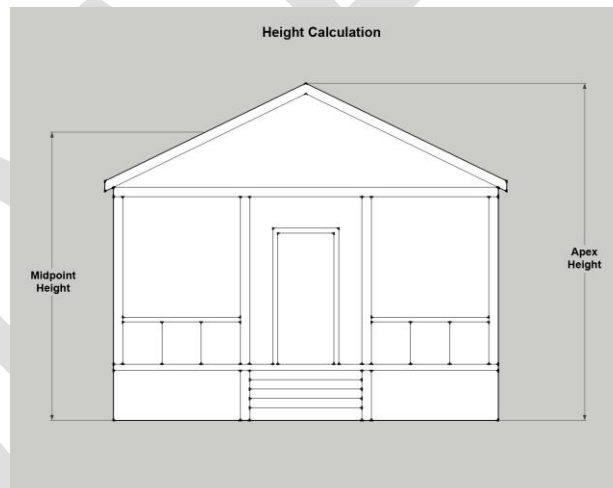
$$(1,450 + 400) \text{ SF} / 7,500 \text{ SF} = 24.7\%$$

In this scenario, 5.3% of the cap (398 SF) remains available for future qualifying development, as specified in this ordinance.

- b. Regardless of the calculated FAR, each parcel shall be allowed a minimum of 1,400 square feet of floor area.
- c. The total square footage of an accessory structure shall not exceed 50% of the heated floor area of the primary structure and shall not exceed 700 square feet.
- d. A building permit application or plot/site plan, as applicable, shall detail the existing and proposed floor area and demonstrate that it does not exceed 0.30 (30%).

2. Primary & Accessory Structure Height

- a. The midpoint height of the primary structure shall not exceed 26' (as calculated in 6.12.1, Height) and its apex height shall not exceed 30'. The apex height is defined as the structure's highest point, excluding chimneys and other appurtenances listed in paragraph 6.12.1B.
- b. The apex height of any accessory structure shall not exceed 18'6" and shall be limited to one story.



3. Lot Dimensions

- a. The maximum lot area shall be 12,000 square feet.
- b. The minimum lot width shall be 50'.
- c. Flag lots shall be prohibited.

4. Trees

- a. The area between the rear wall of the primary structure and the rear property line shall contain, at minimum, one canopy tree of at least 2 inches in caliper, in accordance with the *Landscape Manual for Durham, North Carolina*.

b. All trees required by the Unified Development Ordinance must be depicted on building permit applications or plot/site plans, as applicable, including the location, caliper, and species.

5. Vehicular Use Area and Off-Street Parking Requirements

a. A vehicular use area includes all surface area designated or utilized for vehicle parking or vehicle access.

b. The minimum off-street parking requirement is one space per dwelling unit, excluding accessory dwelling units.

c. The maximum width of the vehicular use area shall be 12'; however, the vehicular use area may expand up to 24' in width to the rear of the primary structure to accommodate garage access and parking. The total additional vehicular use area beyond 12' in width may not exceed 400 square feet.

