

HOUSEHOLD – A group of occupants of a dwelling unit restricted to the following two (2) categories:

1. **FAMILY** – An individual or two (2) or more persons related within the second degree of kinship by civil law or by marriage or adoption or foster care arrangement living together as a single housekeeping unit, including necessary domestic help such as nurses or servants not to exceed three (3) in number.
2. **UNRELATED HOUSEHOLD** – Any household not conforming to the definition of a "family," provided that no such household shall have a number of members in excess of the figure provided in Table II-1.

Table II-1. DWELLING DENSITY BY TYPE

Dwelling type	Maximum number of occupants in unrelated household per 300 square feet of habitable floor area
Single-family dwelling	1
Duplex or townhouse	1
Apartment, including accessory apartments	1.5
Rooming/boarding, including accessory rooming/boarding	2
Dormitory	3
Fraternity or sorority	2
Nursing home	2
Elderly housing	1.5

Notes: No more than three (3) unrelated occupants may occupy a dwelling unit in an R, RA, RB, RC, PO, CH, C, or CC Zoning District. See Section 175-109(C).

B. *General use regulations* - The following additional standards apply to the specific uses listed below:

1. Occupancy of Residences. No more than three (3) unrelated occupants shall occupy a dwelling unit located in a residence in an R, RA, RB, RC, PO, CH, C or CC District.

175-55. General Dimensional Controls.

- A. ***Limitation on occupants.*** The number of unrelated occupants is subject to the provisions of Article II, 175-53.B.1., and to the off-street parking requirements of Article XXI.
- B. ***Permitted uses in required yards.*** No building or parking is permitted within the minimum yards required for the district, except as otherwise allowed below. All required minimum yards, except for driveways and walkways, shall be landscaped or left with natural vegetation, with the following exceptions:
1. Up to twenty-five (25) percent of the area of street yards of noncommercial residential lots may be used for accessory parking.
 2. Structures accessory to residential uses shall occupy no more than thirty (30) percent of the required yard and be no closer than ten (10) feet to any lot line nor more than twenty (20) feet high.

C. *Accessory Apartments and Dwelling Units.* Accessory apartments and accessory dwelling units shall conform to the following standards:

1. Only one accessory apartment or one accessory dwelling unit shall be located on a lot with a single-family residence. The location of an accessory apartment and an accessory dwelling unit in conjunction with one single-family residence shall not be permitted.
2. An accessory apartment shall contain at least three hundred (300) square feet of floor space, but shall not contain more than twenty-five (25) percent of the total floor space of the dwelling in which it is located, and shall be an integral part of the dwelling.
3. An accessory dwelling unit shall contain at least three hundred (300) square feet of floor space, but shall not contain more than twenty-five (25) percent of the total floor space of the single-family residence to which it is accessory.
4. If the occupancy of the single family dwelling, including the integral accessory apartment or accessory dwelling unit, becomes an unrelated household, the total occupancy is limited to three unrelated persons.
5. The location and design of the accessory apartment or dwelling unit shall maintain the single-family character of the premises.

D. *Accessory Structures.* Accessory structures shall be limited to a maximum of two (2) accessory buildings per lot plus one (1) additional accessory building for each eighty thousand (80,000) square feet over the required minimum lot size.

**ARTICLE XXI
OFF-STREET PARKING AND LOADING**

175-110. Compliance Required; Applicability.

No use of premises shall be authorized or extended and no building shall be erected or enlarged unless parking and loading requirements are met for the new or added use. Any use existing prior to passage of this chapter which is later changed or enlarged shall provide an additional number of parking spaces at least equal to the difference between the number required for the total proposed use less the number which would have been required for the prior use under this chapter.

175-111. General Requirements.

- A. **Standard vehicle parking space size.** A standard vehicle parking space shall measure no smaller than nine by eighteen (9 x 18) feet.
- B. **Compact parking space size.** A compact parking space shall be no smaller than eight by sixteen (8 x 16) feet. No more than twenty percent (20%) of the off-street parking requirement shall be met by the use of compact spaces, and all such spaces shall be suitably marked on the site.
- C. **Storage.** The parking or storage of any truck or truck trailer in excess of one (1) ton for more than twenty-four (24) hours in any three-day period shall not be allowed in the front or side yard setback.
- D. No driveway in the front yard setback shall be wider than twenty-two (22) feet.
- E. Parking spaces, excluding employee parking, shall be on the same lot with the main building.
- F. **Minimum requirements.**
 - 1. All parking areas and access driveways shall have, at a minimum:
 - a. A smoothly graded stabilized dust-free gravel surface for single-family and duplex dwelling units.
 - b. A paved hard surface (concrete, asphalt, interlocking brick, etc.) for:
 - (1.) All multiunit dwelling units, fraternities, sororities and rooming and boarding houses.
 - (2.) All nonresidential uses.
 - c. Adequate drainage to prevent runoff flowing onto adjacent property, sidewalks and public roads.
 - d. Appropriate bumper guards or curbs where needed to define parking spaces or limits of paved areas or to prevent vehicles from projecting into any setback or other portion of a lot where parking is prohibited.
 - 2. Parking lots for ten (10) or more vehicles shall be clearly marked with properly painted lines or other method approved by the Durham Public Works Department.
 - 3. Parking serving single-family and duplex units will be permitted in the front yard setback for up to three (3) vehicles per household.

4. Parking is allowed in the side yard setbacks and rear yard to serve residential uses and all nonresidential uses, provided that:
 - a. A five-foot landscaping and solid screening area is provided and maintained adjacent to the adjoining property boundary or a public right-of-way.
 - b. A commercial residential or commercial use does not abut a single-family or duplex household.

175-112. Required Parking.

Parking shall be required as follows:

TYPE OF USE	NUMBER OF REQUIRED PARKING SPACES
<i>Residential</i>	
Single-family duplex or multiunit dwellings	2 per dwelling unit
OR	
Dwelling units where permitted to be occupied by 3 or more unrelated individuals	0.75 per resident
Rooming or boarding houses, fraternities, sororities, dormitories, or congregate housing	1 per resident
Elderly housing	1 ½ per dwelling unit or lodging unit, plus 1 per employee
Homes for aged, disabled, or handicapped	1 per 5 beds, plus 1 per employee of the maximum shift
Educational facilities	1 per staff member, plus 1 for 4 seats in the largest public assembly room

175-113. Loading Spaces or Bays.

- A. Every retail business shall have direct access to an off-street exterior loading space or interior loading bay. Where the gross floor area of a retail business exceeds two thousand (2,000) square feet, an off-street loading space or bay shall be provided on the premises. In the OR District, at least one (1) off-street loading space or bay shall be provided for the first twenty-five thousand (25,000) square feet of gross floor area and two (2) such spaces or bays for the first fifty thousand (50,000) square feet of gross floor area.
- B. No required loading space or bay shall be less than fourteen (14) feet high and twelve (12) feet wide. The length shall be not less than fifty (50) feet for retail stores nor less than thirty (30) feet for all other business establishments. The bay shall be so laid out

as not to require repeated maneuvering within a public way or parking lot by the entering or departing vehicle.

175-114. Landscaping and Screening.

All parking areas for over five (5) vehicles shall meet the following conditions below and the requirements in Diagrams 8-1 and 8-2:

- A. A minimum of five percent (5%) of the total parking and driveway area, including a minimum five-foot buffer strip abutting a public right-of-way, shall be landscaped.
- B. Parking aisles shall not contain more than ten (10) cars in a row. The total parking area required shall be broken into sections not to exceed forty (40) cars.
- C. The perimeter landscape buffer along a street shall consist of planting materials or planting materials and man-made features to create at a minimum a three-foot-high visual relief screen in the form of a hedge, fence, planter box, berm, dividers, shrubbery or trees, or a combination thereof. All landscaping to form such visual relief shall create a two-foot-tall minimum screen at planting.
- D. All islands, peninsulas and medians required in the parking areas shall be more or less evenly distributed throughout such parking areas. The distribution and location of landscaped areas may be adjusted to accommodate existing trees or other natural features so long as the total area requirement for landscaped islands, peninsulas and medians for the respective parking area is satisfied.
- E. There shall be a six-foot-high solid screen when bordering or adjacent to a residential zone.
- F. Corner clearance, as defined in Section 175-7, shall be observed regarding all landscaping or screens.
- G. Trees for parking lots shall be species selections recommended for the Durham area. They shall be selected to endure urban environment, shall be tolerant of salt, shall be resistant to disease and shall require little maintenance. Trees that drip sap or drop large seeds or blossoms onto parked vehicles shall not be used.
- H. All trees and other vegetation within parking lot landscaped areas are subject to maintenance requirements as outlined in Section 175-124. Maintenance Requirements. All trees and other vegetation are also subject to protection during construction as outlined in Section 175-123.
- I. A performance bond or letter of credit is required to insure compliance with this section and to cover maintenance for a period not to exceed one (1) year after the time of planting.

