

PROPOSED AMENDMENT TO THE DURHAM COMPREHENSIVE PLAN REGARDING THE URBAN GROWTH AREA (A1200010)

WHEREAS, The Durham City Council has adopted the *Durham Comprehensive Plan* to help guide provision of services and the future development of land within their jurisdiction;

WHEREAS, an update of the adopted *Durham Comprehensive Plan* is warranted by the age of the adopted plan and other factors; and

WHEREAS, the Durham City Council has adopted changes to the City Code to remove all references to the Urban Growth Area;

Now therefore be it resolved by the Durham City Council that the policies of the *Durham Comprehensive Plan* be amended to remove the Urban Growth Area by approving the following changes in ~~strikeout~~ and underline below:

Chapter 2, Issue 2. Extent of Urban Growth. ~~Durham has used the Urban Growth Area (UGA) boundary as a tool to manage its physical growth. Policies regarding watershed protection, policies rural character preservation, and cost of infrastructure, as well as the County's boundaries with and~~ adjacent jurisdictions, ~~represent real~~ create limits to Durham's ~~physical expansion of urban services~~. Capacity for growth exists in eastern and northwestern Durham County, but with trade-offs in the loss of rural landscapes and agricultural lands to more suburban patterns of development, and potential costs of infrastructure, service delivery, and to the environment. Balancing these growth issues will affect the lives of current and future residents.

Policy 2.1.2b. Rural Tier Defined. The Rural Tier is established to preserve rural character, protect critical watersheds, preserve agricultural land uses, and allow low density residential development and limited supportive commercial and civic uses. ~~Land located in the Rural Tier is generally outside of the Urban Growth Area, where City water and sewer services are not extended.~~ Development in the Rural Tier should require large lots to minimize demands on infrastructure. Land in the Rural Tier will not receive urban services.

Policy 2.1.2c. Suburban Tier Defined. The Suburban Tier is established to provide land for low to medium density residential development, employment centers, and commercial and industrial activity. Land located in the Suburban Tier is expected to accommodate a large proportion of Durham's growth through greenfield development, infill, and redevelopment. The Suburban Tier ~~is within the Urban Growth Area and~~ is expected to ~~be provided with urban services~~ develop at traditional suburban densities and patterns.

Objective 2.2.1 Rural Tier Development. Provide sufficient land on the Future Land Use Map to preserve rural character and promote agricultural land uses, as well as rural residential, civic, small-scale commercial and industrial purposes. The Rural Tier shall include land ~~in the Durham Planning Area outside the Urban Growth Area~~that is not to receive urban services.

Objective 2.2.2 Suburban Tier Development. Provide sufficient land in the Suburban Tier ~~appropriately zoned~~ for residential, commercial, institutional, office, research/research applications, and industrial purposes. The Suburban Tier shall ~~include all land within the Urban Growth Area that is not included in the Urban, Compact Neighborhood or Downtown Tiers~~provide for these uses at low to medium densities and intensities, with a development pattern that emphasizes separation of uses.

Policy 2.5.2b. Land Use Updates. The City-County Planning Department shall prepare detailed land use plan updates for the following areas, considering the capacity of infrastructure and the demand for specific land uses:

- i. The area bounded by the ~~eastern Suburban Tier Durham Urban Growth Area~~ boundary, US-70, South Miami Boulevard, and I-40;
- ii. The area bounded by the ~~eastern Suburban Tier Durham Urban Growth Area~~ boundary, Olive Branch Road, Lick Creek, and US-70;
- iii. The area around the proposed East End Connector;
- iv. The area around Durham Technical Community College;
- v. The area around Research Triangle Park; and
- vi. The area bounded by Burdens Creek, NC 55 and South Alston Avenue.

~~**Policy 2.3.1a. Urban Growth Area.** Use the Urban Growth Area boundary to delineate the boundary between the Suburban and Rural Tiers. The Urban Growth Area shall also delineate the boundary where water and wastewater services shall be provided.~~

Policy 2.3.1b. Contiguous Development. Support orderly development patterns that take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development ~~within the Urban Growth Area.~~

Policy 9.1.3e. Water Service Extension Outside the ~~Suburban Tier Urban Growth Area~~. The City Public Works Department shall continue to prohibit extensions of the water distribution system outside of the ~~Suburban Tier Urban Growth Area (UGA)~~. The City may consider extension of the water distribution system outside the ~~UGA Suburban Tier~~ only to properties with a verified water supply of unsatisfactory quantity or quality. Any extension ~~as described above~~ of the City's water distribution system outside of the City limits shall be contingent upon approval by the City Council and shall be in accordance with applicable codes, policies, standards and specifications of the City, which includes a voluntary annexation request to the City.

Objective 9.2.2. Wastewater Collection. Construct, operate and maintain in a cost-effective manner a wastewater collection system that serves ~~the~~ citizens and businesses ~~inside the Urban Growth Area~~ and protects the natural environment.

Policy 9.2.2d. Sewer Service Extension Outside the ~~Suburban Tier Urban Growth Area~~. The City Public Works Department and the County Engineering Department shall continue to prohibit extensions of the sewer collection system outside of the ~~Suburban Tier Urban Growth Area (UGA)~~, except to properties with a verified existing health hazard from an on-site sanitary sewer system. Any extension of the City's sewer collection system outside of the City limits as described above shall be contingent upon approval by the City Council and shall be in accordance with applicable codes, policies, standards and specifications of the City, which includes a voluntary annexation request to the City.

Policy 15.1.1b. Levels of Service Established. The City, County, and Durham Public Schools shall maintain Durham's quality of life by maintaining the level of service standards, as defined in the elements of the Durham Comprehensive Plan and summarized in Table 15-1, Summary of Level of Service Standards.

Table 15-1, Summary of Level of Service Standards		
Service	Level of Service Standard	Element Reference
Open Space	Require preservation of open space appropriate to the intensity of development in each Tier, consistent with Table 7-1, Open Space Level of Service Standards, or other adopted open space plans. Provide for the acquisition of farmland conservation easements	Chapter 7, Conservation and Environment Element
Transportation	Provide road capacity at levels of service consistent with Table 8-1, Traffic Level of Service Standards.	Chapter 8, Transportation Element
Water Supply	Continue to operate and maintain water treatment and distribution facilities to provide 170 gallons per capita per day consistent with Federal and State standards.	Chapter 9, Water and Wastewater Element
Wastewater Treatment	Continue to treat wastewater and resulting effluent and sludge to meet or exceed Federal and State standards.	Chapter 9, Water and Wastewater Element
Utilities Extension and the Urban Growth Area	Continue to prohibit <u>Require City Council approval of</u> extensions of the water distribution <u>and sewer collection</u> systems outside of the <u>City limits in accordance with applicable codes, policies, standards and specifications of the City, which includes a voluntary annexation request to the City Urban Growth Area (UGA) except to properties with a verified water supply of unsatisfactory quantity or quality. Continue to prohibit extensions of the sewer collection system outside of the Urban Growth Area (UGA), except to properties with a verified existing health hazard from an on-site sanitary sewer system.</u>	Chapter 9, Water and Wastewater Element
Stormwater Collection	New development shall not increase the post-development peak runoff rate from the 1-year storm over the predevelopment peak runoff rate by more than 10 percent. Ensure that, in the Neuse River basin, new development limits nitrogen export to 3.6 pounds per acre per year. New	Chapter 9, Water and Wastewater Element

	development in watershed protection areas shall treat the first 1-inch of stormwater runoff.	
Libraries	Provide at least 0.50 square feet of library space per capita, at least 3.00 books per capita, and provide facilities such that most County residents are within 5 miles of a library facility.	Chapter 14, Libraries Element
Parks and Recreation	Provide parks and recreation services and facilities in the City in accordance with Table 10-1, Parks and Recreation Level of Service Standards. In the County, continue to provide passive, nature-based recreational opportunities.	Chapter 10, Parks and Recreation Element
Schools	Provide public school facilities with a maximum enrollment of 110 percent of the system's maximum permanent building capacity, measured on a system-wide basis for each type of facility.	Chapter 11, Schools Element
Public Safety	For City fire protection, maintain a six minute emergency response time for 90 percent of the calls, which includes a turn out time of less than two minutes for percent incident occurrences and four minutes of travel time for 90 percent of occurrences. For County fire protection, maintain an 8 minute emergency response time for 80 percent of the calls and a turn out time of less than one minute for at least 90 percent of calls. For emergency medical services, maintain a County-wide response time of 8:59 or less. For City police protection, maintain adequate patrols to provide an average response time of 6:30 or less for Priority 1 calls. For County Sheriff's Office protection, maintain a ratio of sworn officers to the (non-City) County population of 1:229.	Chapter 12, Public Safety Element
Solid Waste	Provide disposal capacity sufficient to accommodate the City's needs. In the County, operate and maintain solid waste Convenience Centers to provide County residents a place to dispose of solid waste.	Chapter 13, Solid Waste Element

~~Definitions: **Urban Growth Area** Those portions of Durham, Orange, and Wake Counties indicated in the Comprehensive Plan which are expected to receive urban services and to develop an urban character over the next 20 to 30 years and are not within the Rural Tier.~~

Maps. Amend the maps of the *Durham Comprehensive Plan* by removing the Urban Growth Area.