



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: June 3, 2013

To: Thomas J. Bonfield, City Manager

Through: Steven L. Medlin, AICP, City-County Planning Director 

From: Hannah Jacobson, Planner

Subject: Annual Evaluation and Assessment Report (EAR) of the *Durham Comprehensive Plan/A1300001*

Summary. In the spring of 2012 the Durham County Board of Commissioners and the Durham City Council adopted an update to the *Durham Comprehensive Plan*. Policy 1.1.4a of the Plan requires the Planning Department submit an annual Evaluation and Assessment Report (EAR) to the governing boards. The EAR serves as an opportunity to highlight progress in implementing the Plan.

Recommendations. Staff recommends that the City Council:

- Approve the Evaluation and Assessment Report;
- Rectify the Future Land Use Map of the *Durham Comprehensive Plan* by approving the map changes that the Durham County Board of Commissioners adopted in 2012;
- Adopt the proposed changes to policies of the *Durham Comprehensive Plan*; and
- Amend the Recreation and Open Space and Agricultural layers on the Future Land Use Map to reflect technical updates.

The Planning Commission recommended approval of these actions on a 10-0 vote at their April 9, 2013 meeting.

Background. This is the first annual EAR of the *Durham Comprehensive Plan* since the document was updated in the spring of 2012. Section 3.4.10 of the Unified Development Ordinance (UDO) directs the Planning Department to include the following components in the EAR:

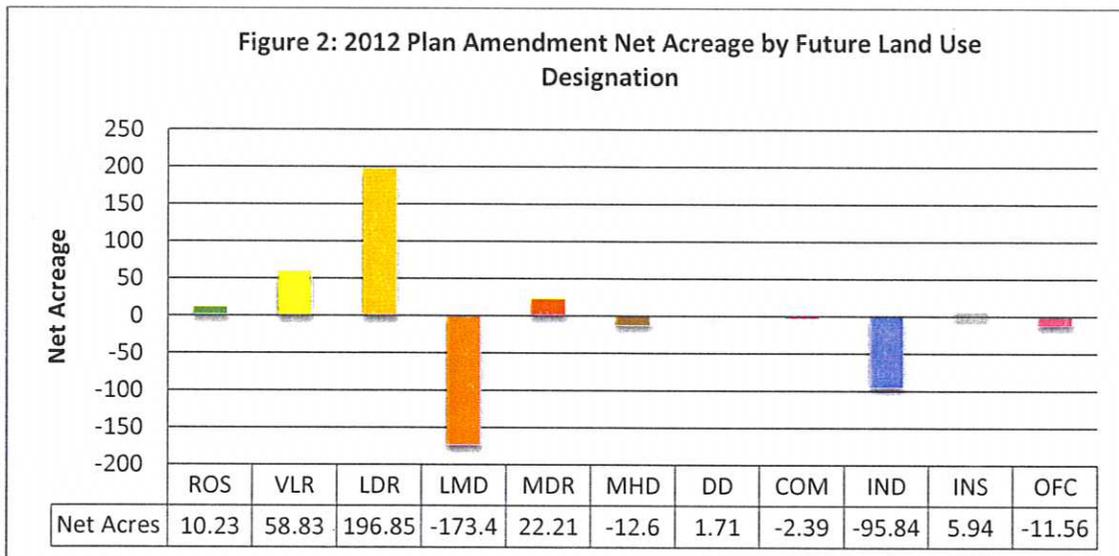
1. A rectification of any differences between the adopted Future Land Use Map of the City and County. In addition, a summary of all zoning cases approved in the past year is included;
2. A report on the progress of policies within the *Durham Comprehensive Plan*;
3. Proposed changes to the policies of the *Durham Comprehensive Plan* that are primarily technical in nature, if any;
4. Technical updates to the Future Land Use Map; and
5. A summary report of planning trends and issues that may affect land use policy in the future.

1a. Rectification. The EAR serves as an opportunity to rectify differences between adopted plans of the City and County. When plan amendments are adopted by either the Board of Commissioners or the City Council, the Future Land Use Map (FLUM) becomes inconsistent. Eleven plan amendments were approved in 2012 (Figure 1). City Council is being asked to rectify one plan amendment adopted by the County in 2012, Alexander Park Development (A1100008). A map of this plan amendment is shown in Attachment 1.

Figure 1: Summary of 2012 Adopted Plan Amendments		
Case	Adopted By	Date Adopted
A0800001, Eno Drive at West Point on the Eno	City Council	3/19/12
A1100006, Guess Road Apartments	City Council	1/17/12
A1100008, Alexander Park Development *	City Council	9/4/12
	Board of Commissioners	8/27/12
A1100009, Fayetteville Street Plan Amendments	City Council	3/19/12
A1100010, Diamond Touch Construction	City Council	3/5/12
A1100012, Del Webb Duraleigh Arbors	City Council	6/18/12
A1100013, Duraleigh Investments	City Council	10/15/12
A1100014, Live Well North Durham	City Council	6/4/12
A1200003, NCCU Plan Amendments	City Council	9/4/12
A1200004, North Street Residential	City Council	9/4/12
A1200006, Swift Avenue Apartment Homes	City Council	11/19/12

* The plan amendment areas for this case were different for each governing board; therefore rectification for this case is required.

Approved Plan Amendments in 2012 resulted in relatively minor net impact in overall acreage per land use allotted on the Future Land Use Map (Figure 2). Low Density Residential (4 DU/Ac. or Less) gained the most acreage, while Low-Medium Density Residential (4-8 DU/Ac.) lost the most acreage. This swing, however, was almost entirely due to one case: Del Webb Duraleigh Arbors (A1100012).



Despite the relatively high number of Plan Amendments approved in 2012 there remains adequate acreage allotted on the Future Land Use Map to accommodate the projected demand for a variety of land uses through the year 2035 (Figure 3).

Figure 3: Land Demand and the Future Land Use Map

Sector	Projected Demand, 2035	Accommodated by the Future Land Use Map
Residential	189,000 units	225,000 units
Institutional/Government	1,710 acres	3,500 acres
Office	2,830 acres	2,900 acres
Commercial	4,650 acres	6,700 acres
Industrial	10,500 acres	16,200 acres

Source: Durham City-County Planning Department, July 2011

Plan Amendments approved in 2012 were dispersed throughout the County; however, in recent years there has been an increase in the number of requested changes in southeastern Durham County (Attachment 2, Map of Adopted Plan Amendments 2005-2012).

1b. 2012 Zoning Map Changes. The City Council approved 22 changes to the Zoning Map in 2012, which are listed in Figure 4. Attachment 3 is a map showing the geographic location and distribution of approved changes.

Figure 4: Summary of 2012 Approved Zoning Map Changes

Case	Request		Jurisdiction
	From	To	
Z1000017, Ninth Street Compact Design District	Multiple	CD-C, CD-S1, CD-S2, CD-P	City
Z1100018, Guess Road Apartments	RU-M, OI	RU-M(D)	City
Z1100020, Gateway Terrace II	OI(D), CG(D)	CG(D)	City
Z1100022, Alexander Park Development	IL	PDR 5.240	City

Z1100024, Diamond Touch Construction	OI	IL	City
Z1100026, Del Webb Durham	RR, PDR 4.0	PDR 3.7	City
Z1100027, Fayetteville Street-University	Multiple	CN, RU-M, RU-5, OI	City
Z1100028, Duraleigh Investments	IL(D)	RS-M(D)	City
Z1100030, Live Well North Durham	RS-10, RU-5, OI	OI(D), CN(D)	City
Z1100031, Renaissance at Four Seasons	RU-5(D), RS-M(D)	RU-5(D), RS-M(D)	City
Z1100032, Bethpage Village	PDR 4.733, CG(D), IL(D)	PDR 4.733, CG(D), IL(D)	City
Z1200003, NCCU UC-2	RU-5, RU-5(2), RU-M, OI(D)	UC-2	City
Z1200008, Old Chapel Hill Residential	RS-20	PDR 4.000	City
Z1200010, Palladian Multifamily	OI(D)	OI(D)	City
Z1200011, West Point at 751 Revisions	CC(D)	CC(D)	City
Z1200012, North Street Residential	DD-S2	RU-M	City
Z1200018, Swift Avenue Apartment Homes 2	RU-M	CD-C(D)	City

Initial Zoning Cases			
Case	Request		Jurisdiction
	From	To	
Z1100017A, Southpoint Trails Initial	RR	RR	City
Z1100029A, Cree Silicon Campus North Initial	IL	IL	City
Z1100006A, Snow Hill Middle School B Initial	RR	RR	City
Z1200007A, Leesville Road Active Adult Community Phase II Initial	RR	RR	City
Z1200009A, Brier Creek Townes Initial	RR	RR	City

2. Policy Status Update. The *Durham Comprehensive Plan* is a policy document intended to guide growth and development in an organized, efficient and sustainable manner. Multiple City and County departments, outside agencies, and advisory boards have a role in implementing the Plan. As part of the EAR, parties responsible for implementation are given an opportunity to describe actions and accomplishments related to specific policies. This approach differs from past methods in which policies were either indicated as complete, ongoing, underway, scheduled or unscheduled. While Planning Staff feels it is important to measure progress, the City and County Strategic Plans are able to fill that role more effectively because many of the Comprehensive Plan's policies are ongoing in nature and are implemented by every-day decisions and actions. While it is not comprehensive list, Attachment 4 highlights many of the ways in which individual departments worked toward achieving the goals, objectives and policies of the Comprehensive Plan.

3. Proposed Changes in Policy Language. A number of departments requested changes to policy language to better reflect their current priorities. Most proposed changes are minor or represent technical changes. Proposed changes regarded as substantive are described below in Figure 5. A complete list of changes can be found in Attachment 5, Proposed Policy Language.

Figure 5: Proposed Substantive Policy Amendments	
Policy	Justification for Change
<p>Policy 3.6.2b. Vacant Housing Stock. The City Department of Neighborhood Improvement Services shall monitor the City's housing stock to identify neglected vacant housing and shall maintain a database listing those properties. The database shall be used to prioritize code enforcement actions.</p>	<p>NIS's departmental resources are currently being utilized for boarded structures and PRIP. Policy 3.6.2a and 3.6.2c more specifically focus on those vacant properties with violations and most impact neighborhoods.</p>
<p>Policy 8.1.2c. Transportation Facilities Plan. The City Department of Transportation shall prepare an updated Comprehensive Transportation Plan, to be called the Durham Transportation Facilities Plan, and to show locations for long range transportation facilities, including major thoroughfares, collector streets, fixed guideway transit routes, other transit routes, sidewalks, and bicycle routes. Upon adoption by the City and County, the Durham Transportation Facilities Plan shall be adopted and included by reference in the Durham Comprehensive Plan as the Official Map for purposes of right-of-way preservation.</p>	<p>Regarded as redundant with the Comprehensive Transportation Plan.</p>
<p>Policy 8.1.2d. US 15-501 Major Investment Study. The City and County hereby adopt and include by reference in the Durham Comprehensive Plan the "US 15-501 Major Investment Study, Phase II Report" (as may be amended from time to time) and other companion corridor studies.</p>	<p>This study has been replaced by the more recent Alternatives Analysis work done by Triangle Transit.</p>
<p>Policy 12.1.1a. City Fire Protection Response Time. Maintain the following response times:</p> <ul style="list-style-type: none"> i. A six (6) <u>seven (7)</u> minute emergency response time for the first arriving unit for 90% of all <u>emergency incident occurrences in the metropolitan/urban response area</u>; eight (8) <u>minutes</u> in suburban and/or rural response areas; ii. A two (2) <u>three (3)</u> minute turn out time for 100% <u>90%</u> of <u>emergency incident occurrences</u> (911 Center one minute <u>90 seconds</u> call processing time plus one minute <u>90 seconds</u> enroute time); iii. Four (4) minutes for actual travel time for 90% of occurrences <u>in the metropolitan/urban response area</u>; <u>five (5) minutes</u> in the suburban and/or rural response areas. 	<p>To be consistent with measures in the Fire Department's Strategic Plan.</p>

<p>Policy 12.2.1a. EMS Response Time. The Durham Emergency Medical Services Department shall maintain a County-wide total response time of 8:59 12:59 minutes or less.</p>	<p>New response time now reflects the time it takes from when the call comes to 911 dispatch until EMS arrives on scene.</p>
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4. Technical Updates to the Future Land Use Map. *Durham Comprehensive Plan policies 2.5.2c., Recreation and Open Space Updates, and 2.5.2d., Voluntary Agricultural District Updates,* direct technical updates to the Future Land Use Map for the Recreation/Open Space and Agriculture layers through the EAR. UDO Section 3.4.10 specifies technical updates can be performed through the EAR without following the standard procedures for public notification. These include:

- i. Amendments to the Recreation and Open Space layer, if needed, to conform to the most recent Special Flood Hazard Area designation by the Federal Emergency Management Agency;
- ii. Amendments to the Recreation and Open Space layer to include those properties for which a conservation easement has been recorded with the Register of Deeds; and
- iii. Amendments to the Agricultural layer to include those properties for which an agricultural easement has been recorded with the Register of Deeds.

Planning Staff met with representatives from the Triangle Land Conservancy, the Eno River Association, the Ellerbe Creek Watershed Association, and the County Engineering Department to update the database of lands held in permanent conservation. It is estimated that these technical changes will add approximately 1,740 acres of Agricultural land and 1,300 acres of Open Space to the Future Land Use Map. Attachments 6 and 7 detail the proposed changes.

5. Forecasting Land Use Issues and Trends. Comprehensive plans are intended to guide growth and development in an organized, efficient and sustainable manner. To do so, they look to the future to anticipate trends and issues that could impact how growth and development occur. While many core goals in a comprehensive plan remain unchanged over time – livable neighborhoods, access to jobs, clean and healthy environments – the context changes. Despite adopting the *Durham Comprehensive Plan* less than a decade ago, many aspects of life have changed in the intervening years: the Great Recession continues to impact homeownership and the ability of businesses to obtain loans; smartphones and other technologies are proliferating as new uses are discovered; and Generation Y, the largest yet, is entering and altering the marketplace.

To take a broader perspective and explore these trends, the Planning Department commissioned a report, prepared by masters students enrolled in the Department of City and Regional Planning at the University of North Carolina. This report (Attachment 8) strives to provide an overview of several areas that have potential to shift land use policy in the future: demographics, transportation, energy, and communication technology.

It will be the role of elected officials and the Durham community as a whole, with support from the Planning Department, to decide how to plan for and respond to many of the

challenges associated with changing populations, infrastructure deficits and new innovations. This report is a starting point for discussions about how well-equipped Durham is to not merely manage, but to benefit from, these trends.

Demographic Trends and Predictions

1. *Seniors are the fastest growing segment of the population.* The growing population of retirees will have less interest or means to live in traditional retirement communities. Providing services to elderly who prefer to stay in their homes or to incentivize development of senior housing in urban areas in walkable distances to services will become important.
2. *No clear racial or ethnic majority.* Minority populations tend to live in multigenerational housing and use public transit at a higher rate than non-Hispanic White populations. Preserving a wide range of housing options (sizes, types, price points) that are connected to jobs via public transit will become an even higher priority.
3. *Generation Y, 15-32 year olds, represent the largest segment of the population.* People in this generation tend to want to live and work in areas with lots of urban action and amenities. Incentivizing mixed use, urbanized neighborhoods with parks, restaurants, nightlife, and common areas and a mix of rental and for-sale housing will be important to attract and retain young people.

Transportation Trends and Predictions

1. *The use of single-occupancy vehicles will continue to be the dominant form of transportation.* Existing land use patterns will limit the overall efficiency and viability for many people to commute by walking, biking or using transit. Investments in smart street technology could reduce congestion and improve roadway conditions.
2. *Various transportation alternatives, such as public transit and cycling, will gain market share due to changes in land use patterns and personal preferences.* Focused development and redevelopment along transit corridors and in the Compact Neighborhood Tier will induce more transit ridership, especially if the Light Rail and Commuter Rail systems are funded and built.
3. *New technologies could change travel habits.* If electric cars and self-driving cars become more prevalent they could have an important impact on land use. By reducing congestion, emissions and eliminating the manual effort of driving, traveling further distances might become less onerous.

Energy Trends and Predictions

1. *Durham's growing population combined with a national trend toward increasing electricity use will necessitate increased electricity-generating capacity.* This increased demand could be partially met through the promotion of renewable energy technologies, as well as increased energy conservation due to green building and retrofitting.
2. *Renewable energies will continue to gain market share as they become more cost-competitive due to economies of scale and cost-cutting innovations.* The prices of wind and solar energy technology have fallen dramatically in the last decade, and they are expected to be nearly cost-competitive with fossil fuels in the near to mid-term. Permitting and regulations may need to be reworked to deal with increased public demand.

3. *Green building and energy retrofits should help to lessen per capita demand for energy in the future.* Many companies are realizing the financial and health benefits of green building and are choosing to build based on those considerations. However, as previously mentioned there are still many policies that government can pursue to further encourage green building.

Communication Technology Trends and Predictions

1. *The proliferation of quality telecommunication equipment will enable growth of at-home workers.* This will result in decreased congestion during peak commuting hours and decreased need for office space.
2. *The increase of internet-enabled devices will result in a rapid increase in population data and increased mechanization of tasks.* This increase in data could enable more efficient and informed decision-making provided the data is used wisely. Increased data-gathering could be harnessed with information technology advances to make a smarter city.
3. *Increased smart phone usage could be a draw for downtown tourism.* Smart phone apps enable information relay that couldn't be easily relayed to tourists otherwise. This could enable Durham and other cities to draw in more tourists, and thus greater revenue.
4. *Online retail will continue to grow, taking market share from some (but not all) brick-and-mortar retailers.* Some industries such as publishing and electronics will be particularly hard hit and will most likely transfer operations online. In terms of general trends, retailers will likely cut back on building costs by demanding less total retail space, especially in out-of-the-way fringe areas. This could impact the amount and location of commercial land demand in the future.

Alternatives. The City Council may choose to adopt the rectification of the Future Land Use Map, amendments to the Recreation and Open Space and Agricultural layers of the Future Land Use Map, or changes to policies of the Durham Comprehensive Plan.

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Attachments.

Attachment 1, Context Maps of 2012 Adopted Plan Amendments

Attachment 2, Adopted Plan Amendments: 2005-2012

Attachment 3, Approved Zoning Map Changes: 2012

Attachment 4, 2012 Comprehensive Plan Implementation Highlights

Attachment 5, Proposed Policy Text Changes

Attachment 6, List of Proposed Technical Updates to the Future Land Use Map by PIN

Attachment 7, Map of Proposed Technical Updates to the Future Land Use Map

Attachment 8, *Forecasting Land Use Issues and Trends*, a report submitted by

Holly Safi and Daniel Band

Attachment 9, Planning Commission's Written Comments, April 9, 2013 Meeting

Attachment 10, Evaluation and Assessment Report Resolution