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NORTH CAROLINA



Date: September 5, 2013

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Steven L. Medlin, AICP, Planning Director
Subject: Eno Economic Development District Land Use Update
Plan Amendment Case A1200012

Summary. At the request of Orange County, the Durham City-County Planning Department has prepared recommendations to update to the Future Land Use Map of the *Durham Comprehensive Plan* for the Eno Economic Development District (Eno EDD) located in eastern Orange County near the interchange of Interstate 85 and US Highway 70. This item is scheduled to come before the City Council for a public hearing and action on October 7, 2013.

Recommendation. This presentation is for informational purposes. The staff will bring the plan amendment for public hearing and Council consideration on the next available agenda cycle.

Background. The Eno EDD, approximately 900 acres located in eastern Orange County near the intersection of US Highway 70 and Interstate 85 (Attachment 1), has been the focus of joint planning efforts between Orange County and the City of Durham for many years. The area has been long identified by Orange County in their future land use plans as an area of potential economic growth. A small area plan detailing implementation strategies was adopted by the Orange County Board of Commissioners in 2008. The Plan provided a land use vision for the area as a hub for activity consisting of light industrial, distribution, office, service/retail, and suburban density residential uses. In order to service those land uses, the Plan also endorsed the development of an interlocal agreement between the City of Durham and Orange County to extend City of Durham water and sewer services into the district. Per the agreement, Orange County absorbs the financial cost of providing the initial water and sewer lines into the district.

In the fall of 2011 the Durham City Council and the Orange County Board of Commissioners entered into an interlocal agreement detailing the extension of City of Durham water and sewer services into the Eno EDD. On January 22, 2013, the City Council authorized the City Manager to execute a contract with the engineering firm CDM Smith Inc. to complete a master utilities plan for the Eno EDD. That work is now underway, with construction not expected to begin until 2015.

Since the adoption of the interlocal agreement, staff members from the Durham City-County Planning Department and the Orange County Planning and Inspections Department have worked together to develop recommendations for updating future land use plans in each of the respective jurisdictions. In September 2012, the Orange County Board of Commissioners voted to approve changes to their future land use and zoning maps (Attachment 2). Durham Planning staff has prepared recommendations to update the Future Land Use Map of the *Durham Comprehensive Plan* (Attachment 3).

Issues.

Absence of Community Consensus. Efforts to reach out to community members were conducted during the development and adoption of the Eno Economic Development Small Area Plan (2006-2008), the adoption of land use and zoning changes in Orange County (2011-2012), and proposed future land use changes in Durham (2012-2013). However, a consensus for the future land use vision amongst community members is absent. As a part of these processes, several public meetings have been held since 2006 (Attachment 4), including a task force organized by Orange County on which there were several citizen representatives. The most recent neighborhood meeting was hosted by the Durham City-County Planning Department on August 6, 2013 in which mailed notices were sent to approximately 300 property owners. Twelve members of the community attended the meeting, and many of their perspectives were at odds with one another. At the conclusion of the meeting, staff feels these different perspectives are irreconcilable in the near term. While there is a spectrum of opinions, they can generally be divided into two groups:

- Proponents. This group is in favor of connecting to City of Durham utilities, and was largely supportive of the zoning changes approved by Orange County, and the proposed changes to Durham's Future Land Use Map to allow "economic development" land uses. Of top priority for this group is to move beyond economic stagnation and decline, improve the appearance of the district, and to potentially raise property values by making land more marketable. Most of the proponents are residents and/or landowners in the proposed plan amendment area.
- Opponents. This group was largely opposed to the zoning changes approved by Orange County, and would generally not see direct benefit from the water and sewer extension. Most of the opponents either own property outside of the district or they are satisfied with existing well and septic. Of top priority for this group is preserving the rural character of the area and preventing further industrial development that could introduce health, safety, and environmental impacts, or negatively impact their property values.

Adopted versus Proposed Future Land Use Plans. Durham currently has an adopted land use pattern for the Eno Economic Development District approved as part of the 2005 *Durham Comprehensive Plan* (Attachment 3). It shows future industrial development comprising a large portion of the district, especially along Interstate 85 and US Highway 70. According to the adopted plan, the existing Whispering Pines subdivision, mobile home parks west of Mount Herman Church Road, and areas south of Old NC Highway 10 would remain low and very low density residential. If proposed changes to the Future Land Use Map are not adopted, this pattern will remain in effect.

The extension of the water and sewer trunk lines into the Eno EDD has already been approved by the Durham City Council, and will take place whether or not the proposed changes to Durham's Future Land Use Map are adopted. Construction is expected to begin within two years. While individual property owners are not required to "hook on," many will petition the City for annexation in order to do so. Staff believes the proposed land use pattern is an improvement over the currently adopted land use pattern described above, and will better

guide appropriate development to appropriate locations and make more efficient use of the water and sewer infrastructure.

Compatibility between Orange County and City of Durham land use plans. Orange County and the City of Durham use different frameworks and terminology to describe future land use; however, efforts have been made to align the intent of Durham's proposed future land use pattern with the Economic Development District adopted by Orange County in 2012. While compatibility across jurisdictions has been an objective throughout the process, planning staff recognizes that there were citizens who objected to the land use and zoning changes made in Orange County. Balancing the goal of inter-local cooperation and responding to citizen concerns has been a challenge. The Orange County Planning and Inspections Director has indicated to Durham Planning staff that the Durham land use program provides more detailed guidance for land use in the area.

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Attachments

Attachment 1, Eno Economic Development District Context Map

Attachment 2, Orange County's Adopted Land Use and Zoning Maps

Attachment 3, City of Durham's Adopted and Proposed Future Land Use Map

Attachment 4, Timeline for the Eno EDD Area Plan Adoption and Subsequent Actions