

Durham City-County Planning Department
Proposed Work Program, FY16
Part B, Programs and Descriptions

June 15, 2015

1 Development Review

Development review includes administrative review and approval of proposals for public and private land development for consistency with adopted plans, policies, and ordinances, including managing physical and digital records.

1.1 Site Plans

Description: A site plan is an approval granted by the City and/or County that ensures that any future development will occur in a planned and orderly manner. All proposed development in Durham requires review and approval of a site plan, except single-family and two-family development on single lots and improvements that are solely interior to an existing building and not associated with proposed or potential change of use. Architectural Review is required for changes to building elevations where compliance with architectural standards is required, but no site plan approval or certificate of appropriateness is otherwise required. The requirements of paragraph 3.23.2B, General Requirements, also apply where architectural drawings are required for site plan approval.

Responsibility: Process applications for Site Plan and Architectural Review approval in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake and triage, managing review by multiple departments and agencies, preparation of staff reports and recommendations if applicable, on-going applicant contact and information, site plan extension requests, managing public notice, managing governing board consideration if applicable, and maintaining public records. This project covers initial submittals, re-submittals, and amendments. It also covers coordination of reviews of related Floodplain Development Permits.

Authority: UDO Section 3.7, Site Plan Review; Section 3.21, Floodplain Development Permit; and Section 3.23, Architectural Review.

1.2 Plats

Description: Plats include all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purposes of sale or building development, pursuant to State statutes and the Durham UDO. Subdivision of land occurs through the submittal and approval of a map called a "plat" and the recordation of that plat with the Office of the Register of Deeds.

A preliminary plat is a map indicating the proposed layout of a development and related information that is submitted for preliminary review. A final plat is the map of all or a portion of a subdivision, which is presented for final approval.

Responsibility: Process applications for Subdivision plat approval in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations if applicable, on-going

applicant contact and information, site plan extension requests, managing public notice, managing governing board review and decision if applicable, and maintaining public records. These may include conservation subdivisions.

Authority: UDO Section 3.6, Subdivision Review; and Article 13, Additional Requirements for Subdivisions.

1.3 Common and Way-Finding Signage Plans

Description: A Common Signage Plan is required when multiple signs are associated with a project that consists of several buildings in a single development. The common signage plan includes all signs within the development, including outparcels. Way-finding signs are solely for the purpose of providing directional information along rights-of-way from sub-sections, tenants, or areas of the development to other sub-sections, tenants, or areas of the development.

Responsibilities: Process applications for Common Signage Plans and Way-Finding Signage Plans in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, on-going applicant contact and information, and maintaining public records. The Planning Director or designee is the approving authority for common and way-finding signage plans. The Planning Director or designee may approve modifications to the lettering style of a common signage plan to accommodate State and federally registered trademarks (logos) if the intent of the common signage plan requirements are maintained.

Authority: UDO Section 3.11, Common and Way-Finding Signage Plans; paragraph 11.6.2A.9, Way-Finding Signs; paragraph 11.8., Elements of Common and Way-Finding Signage Plans; and Section 11.2, General Requirements for Signs.

1.4 Sign Permits

Description: Sign permits are required for a variety of different sign types and ensure that signs comply with established regulations in terms of size, location, number, and lighting.

Responsibility: Process applications for sign permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes application intake, issuance of the permit, inspection of the sign(s) upon installation, and maintaining public records.

Authority: UDO Section 3.10, Sign Permit; and Section 11.6, Signs Requiring Permits.

1.5 Street Withdrawals

Description: Under State statute, a dedicated right-of-way that was never actually opened, or used by the public within 15 years after the dedication, may be withdrawn from dedication under certain circumstances:

1. The property owner on both sides of the right of way is the same.
2. The continued use of the strip of land dedicated for street or highway purposes shall not be necessary to afford convenient ingress or egress to any lot or parcel of land sold and conveyed by the dedicator of such street or highway.
3. The owner files notice with the City or County having jurisdiction over that right-of-way of the intent to withdraw.

4. The owner files a plat showing the withdrawal of the right-of-way and recombination into the adjacent tracts.

Responsibilities: The Planning Department reviews the information provided from the property owner, verifies that the right-of-way has not been opened or used by consulting aerial photos, and that the street is not shown on the adopted future street plan. Once this has been verified, the Planning Department reviews the recombination plat for compliance with NCGS § 47-30, as amended.

Authority: NCGS § 136-96.

1.6 Site Compliance Inspections

Description: Each development in Durham that has an associated site plan must receive a sign-off on the Certificate of Compliance from the City-County Inspections Department and other City and County Departments prior to occupancy. The UDO requires that new development must be built in accordance with approved site plans in order to remain valid. Planning staff enforce these provisions by performing site evaluations. Planning sign-offs on Certificates of Compliance are based on site visits (and follow-up visits) conducted by Planning Department staff.

In addition, the Planning Department responds to citizen complaints regarding non-compliance with approved site plans through site investigations and follow-up reports and, when violations are found, enforcement actions.

Responsibility: Perform site visits to evaluate whether building and site construction comply with the adopted site plan. Process applications for Swimming Pool Compliance Review in a timely manner and in accordance with UDO requirements and Department procedures.

Authority: UDO Article 15, Enforcement; paragraph 3.7.9, Inspections of Required Improvements; paragraph 3.7.10, Issuance of Certificate of Compliance; and paragraph 5.4.9, Swimming Pools.

1.7 Building Permit Reviews

Description: Building permit applications must comply with architectural drawings in approved COAs, Architectural Review Applications, and Site Plans.

Responsibility: Review building applications; verify compliance with approved COAs, Architectural Review Applications, or Site Plans; provide feedback to the Inspections Department and applicant; and conduct site compliance investigation.

Authority: UDO Section 3.17, Certificate of Appropriateness; Section 3.23, Architectural Review; Section 6.12, Design Districts; and Section 7.3, Design Standards.

1.8 UDO Administrative Interpretations

Description: The requirements of the UDO cannot anticipate the variety of real-world on-the-ground conditions. On numerous occasions, an interpretation of UDO requirements is necessary to achieve the regulatory objectives while accommodating unorthodox situations.

Responsibility: According to the UDO, the Planning Director is authorized to interpret the Ordinance and make administrative adjustment to the specified development standards in the UDO.

Authority: UDO, Paragraph 2.7.4 Powers and Duties.

1.9 Temporary Use Permits

Description: Temporary uses occurring on property outside of the public right-of-way are allowed upon the issuance of a temporary use permit, with some exceptions. The Planning Department coordinates the review and approval of temporary use permits.

Responsibility: Process applications for Temporary Use Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes a pre-submittal conference as needed, application intake, soliciting comments from other departments and agencies, issuance of the permit, monitoring compliance, and maintaining public records.

Authority: UDO Section 3.12, Temporary Use Permit; and Section 5.5, Temporary Uses.

1.10 Development Process Improvements

Description: The development review processes mandated by the UDO are complex and involve a variety of reviewers and decision makers in numerous City and County departments. Staff from Planning and other departments continually evaluate development review processes for opportunities to educate applicants, reduce unnecessary procedural steps, and improve the process for the applicant and the City and County. This task also involves participation in a City- and County-wide effort to implement digital reviews.

Responsibility: The City and County Managers have charged the Planning Department with continual evaluation and improvement of the various UDO development review processes.

Authority: UDO paragraph 2.7.4, Powers and Duties.

2 Land Use

Process legislative and quasi-judicial applications for public and private land development, and make timely recommendations to advisory and elected boards. Manage physical and digital records, and public notification in accordance with State statutes and UDO requirements.

2.1 Planning Commission Support

Description: The Planning Commission reviews and makes recommendations to the governing bodies on the following types of items: Comprehensive Plan amendments, UDO text amendments, zoning map changes, historic districts, redevelopment plans, and other long-range plans.

Responsibility: Provide ongoing support for the Planning Commission. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.3, Planning Commission.

2.2 Zoning Map Changes

Description: Zoning is the process of legally establishing allowable uses of land pursuant to State statutes and the Durham UDO. A zoning map change occurs when a petitioner wishes to change the allowable uses of land as established by the City-County adopted zoning map. An initial zoning is applied when the City Council annexes property into the City corporate area.

State statute enables the City and County to require and/or authorize zoning with a development plan. A development plan specifies commitments that are beyond

minimum UDO requirements. Commitments can include density and intensity, tree coverage, setbacks, or any other site development characteristic. The development plan becomes part of the zoning of a property and is reviewed concurrently with the zoning map change request. Subsequent site plans or plats may not deviate from the plan, unless otherwise allowed or required by the UDO. Deviation may require a zoning map change. The development plan may be used by the petitioner in any zoning district; but is required in the PDR, CC, MU, and IP districts. A development plan is also required in the RS-M District if the applicant proposes to develop a building greater than 35 feet in height or proposes a density greater than eight units per acre; and in the RU-M District if the applicant proposes a density greater than 12 units per acre. Petitioners may request an administratively approved deviation from an approved development plan under certain conditions.

Responsibility: Process applications for a Zoning Map Change in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board consideration, and maintaining public records.

Authority: UDO Section 3.5, Zoning Map Change.

2.3 Comprehensive Plan Amendments

Description: The *Durham Comprehensive Plan* was adopted by the City and County in 2005 to guide the physical growth and development of the City. The Plan's Future Land Use Map provides guidance on desired patterns of land use. When zoning map changes are proposed that are in significant conflict with the Future Land Use Map, as determined by the Planning Director, the petitioner is required to submit a petition for plan amendment. The UDO establishes procedures required for neighborhood meetings, application submittal, and review and consideration by advisory and governing bodies.

Responsibility: Process applications for Plan Amendments in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparing summary reports for the Joint City-County Planning Committee (JCCPC), preparing staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board review and decision, and maintaining public records. City- or County-initiated Plan Amendments also include conducting neighborhood meetings.

Authority: UDO Section 3.4, Comprehensive Plan Adoption/Amendment.

2.4 Annexation Coordination

Description: Coordinate multi-departmental review of voluntary annexation petitions.

Responsibility: Serve as the lead agency for consolidated annexation agenda items, including processing applications for voluntary annexation in a timely manner and in accordance with State statute and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing governing board consideration, and maintaining public records. It also includes incorporating Utility Impact Analysis (UIA) information from Public Works, Fiscal Impact Analysis (FIA), and initial zoning information into the coordinated City Council recommendation.

Authority: Coordinated Annexation Strategy resolution, adopted by City Council in October, 2012.

2.5 Board of Adjustment (BOA)

2.5.1 BOA Support

Description: The BOA is the quasi-judicial approving authority for variances, minor special use permits, design special use permits, and appeals of administrative decisions.

Responsibility: Provide ongoing support for the BOA. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.4, Board of Adjustment.

2.5.2 Special Use Permits

Description: A Special Use Permit is required for certain uses within certain zoning districts that have significant potential for incompatibility with adjacent and nearby uses and, therefore, require individual, quasi-judicial review. A Special Use Permit must be obtained when a property owner wishes to undertake one of the specified uses.

Minor Special Use Permits (mSUPs) are required for all uses identified as minor special uses within the UDO paragraph 5.1, Use Table; paragraph 8.4.4C, Development Requiring a Minor Special Use Permit; and other provisions of the Ordinance. Minor Special Use Permits are issued by the Durham City-County Board of Adjustment based on a quasi-judicial hearing as specified in UDO paragraph 3.9.6, Approval of a Minor Special Use Permit.

Major Special Use Permits (MSUPs) are required for all uses identified as major special uses within the UDO Section 5.1, Use Table; and paragraph 3.3.8, Transportation Special Use Permit. Major Special Use Permits are issued by the governing body based on a quasi-judicial hearing as specified in UDO paragraph 3.9.7, Approval of a Major Special Use Permit.

Design Special Use Permits are required for site plans and architectural reviews where alternative forms of compliance are sought in Design Districts, in accordance with UDO Section 3.9, Special Use Permit; Section 3.24, Design Special Use Permit; and paragraph 6.12.2, All Design Districts. Design Special Use Permits are issued by the Durham City-County Board of Adjustment based on a quasi-judicial hearing as specified in UDO paragraph 3.9.6, Approval of a Minor Special Use Permit, and the findings in paragraph 3.24.3, Criteria for Approval.

Responsibility: Process applications for Special Use Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision if applicable, managing governing board review and decision if applicable, and maintaining public records.

Authority: UDO Section 3.9, Special Use Permit.

2.5.3 Variances

Description: The Board of Adjustment may vary certain requirements of the UDO, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property. Per State law, a use variance is not allowed.

Responsibilities: Process application for Variances in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision, and maintaining public records.

Authority: UDO Section 3.14, Variances.

2.5.4 Appeals of Administrative Decision

Description: Any person aggrieved by a final order, interpretation, or decision of any administrative official authorized to make decisions under the UDO may appeal those decisions to the Board of Adjustment.

Responsibilities: Process application for Appeals of Administrative Decisions in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision, and maintaining public records.

Authority: UDO Section 3.15, Appeal of an Administrative Decision.

2.6 Historic Preservation Commission (HPC)

Description: The HPC is the quasi-judicial approving authority for Certificates of Appropriateness and appeals of Demolition by Neglect findings, and reviews and makes recommendations to the governing bodies on historic districts and historic landmarks.

Responsibility: Provide ongoing support for the HPC. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.5, Historic Preservation Commission.

2.6.1 Certified Local Government Management

Description: Certified Local Government (CLG) status allows a jurisdiction with a qualifying historic preservation program access to technical assistance from the State Historic Preservation Office, participation in the National Register nomination process, and eligibility to apply for Historic Preservation Fund matching grants.

Responsibilities: Continue to maintain CLG status. Prepare annual reports for the State Historic Preservation Office; apply for and administer grants for historic preservation studies; review nominations for the National Register of Historic Places; review Section 106 inquiries; and participate in training for staff and Historic Preservation Commission members.

Authority: National Historic Preservation Act of 1966, as amended and 36 CFR Part 61.

2.6.2 Certificates of Appropriateness (COAs)

Description: The City Council and Board of County Commissioners are authorized to establish local historic districts and local landmarks. Proposed exterior changes in appearance of properties in local historic districts and local landmarks require the approval of a Certificate of Appropriateness from the HPC. For local historic districts, the Commission uses the review criteria in the adopted historic preservation plan to guide their quasi-judicial determination of COAs. For local historic landmarks, the Commission uses the Secretary of Interior's Standards to guide their determination of COAs. The Commission delegates administrative approval to staff for certain activities with insignificant impact on the exterior appearance of the historic structures.

Responsibilities: Process applications for COAs in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing HPC review, issuance of decision, and maintaining public records.

Authority: UDO Section 3.17, Certificate of Appropriateness; and adopted Historic District Preservation Plans.

2.6.3 Historic Landmarks and Landmark Signs

Description: The City Council and Board of County Commissioners are authorized to establish local historic landmarks and landmark signs. Local landmarks are designated with the consent of the property owner and subject the property to Certificate of Appropriateness requirements. Local landmarks are eligible for a deferral of local property taxes for one-half of their appraised value.

Responsibilities: Process application for Historic Landmarks and Landmark Signs in a timely manner and in keeping with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, submission of the application to the NC State Historic Preservation Office for comment, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Historic

Preservation Commission review and recommendation, managing governing board review, issuance of decision, maintaining public records, and follow-up with the County Tax Administrator's Office.

Authority: UDO Section 3.16, Historic District or Landmark Designation.

2.6.4 Demolition by Neglect

Description: Owners of certain historic properties within the City limits are required to maintain their properties and not allow them to fall into disrepair. The UDO in paragraph 3.18.1A, Conditions of Neglect Defined and Prohibited, describes the conditions of neglect that must be remedied within the time set by an administrative determination. Property owners and staff may formally request the Planning Director's determination that a property is being demolished by neglect.

Responsibilities. Respond to petitions for a Demolition by Neglect determination in a timely manner and in accordance with UDO requirements and Department procedures.

Authority: UDO Section 3.18, Demolition by Neglect (City Only).

2.7 Street Closings

Description: The Planning Department coordinates the review and approval of the petitioned closure of publicly dedicated streets in the City and County, except those under the jurisdiction of the NC Department of Transportation, pursuant to State law. Street closings require public hearings and approval by the governing body.

Responsibility: Process applications for street closing in a timely manner and in accordance with State statute and Department procedures. This includes pre-submittal conferences, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing governing board consideration and decision, recordation of the street closing plat, maintaining public records, and notification of appropriate local, State, and federal agencies after the street has been closed.

Authority: UDO paragraph 12.3, Streets; NCGS § 160A-299 (City); and NCGS § 153A-241 (County).

2.8 Street Renaming

Description: The Planning Department coordinates the review and approval of the petitioned renaming of streets in the City and County pursuant to State statute and the UDO. Street renaming requires public hearings and approval by the governing body.

Responsibility: Process applications for street renaming in a timely manner and in accordance with UDO requirements and Department procedures.

Authority: UDO paragraph 12.3.2, Street Names

2.9 Statutory Vested Rights Determinations

Description: The UDO establishes a procedure for obtaining a statutory vested right in conformance with NCGS § 153A-344.1 and NCGS § 160A-385.1. A vested right may be established upon approval of a "site specific development plan." New or amended zoning regulations shall not apply to a property with an established vested right until the vested right expires or is terminated.

Responsibility: Process applications for Statutory Vested Rights Determination in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing governing board consideration, and maintaining public records.

Authority: UDO paragraph 3.20, Statutory Vested Rights Determination.

3 Customer Service and Compliance

Provide accurate and timely information about the community, procedures, and Department recommendations to citizen and elected officials. Manage physical and digital records in accordance with State statutes and UDO requirements.

3.1 Customer Service Center

Provide personal service in the Customer Service Center to walk-in visitors, telephone, and email contacts about zoning and other Planning Department activities. Provide receptionist services for the Department.

3.1.1 Public Information

Upon request, provide general planning information to citizens, developers, appointed and elected officials, City and County Public Information Offices, and the media about planning programs and activities. Upon request, respond to formal public records requests.

3.1.2 Limited Agriculture Permits

Description: Maintaining domestic chickens for non-commercial uses within the City limits requires a Limited Agriculture Permit per the UDO.

Responsibility: Process applications for Limited Agriculture Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, verifying that the notification requirements have been met, conducting administrative reviews as needed, conducting site compliance investigations, and maintaining public records.

Authority: UDO Section 3.22, Limited Agriculture Permit (City Only); and paragraph 5.4.12, Limited Agriculture (City Only).

3.1.3 Home Occupation Inspections and Permits

Description: Commercial enterprises undertaken from residential structures must meet City-County standards and require a home occupation permit from the Planning Director or designee.

Responsibility: Process applications for Home Occupation Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes pre-submittal conferences as needed, application intake, review of proposals for home occupation permits, conducting site visits as necessary, issuing required permits, and maintaining public records.

Authority: UDO Section 3.13, Home Occupation Permit; and paragraph 5.4.4, Home Occupations.

3.1.4 Family Care Homes and Group Homes Monitoring and Compliance

Description: Family care homes are dwellings defined in NCGS § 168-21; group homes are dwellings that are State-licensed; provide room and board for persons who because of age, illness, handicap, or specialized program, require personalized services or a supervised living arrangement.

Responsibility: The Planning Department: a) maintains a database of family care homes and group homes; b) coordinates the database with the North Carolina Department of Health and Human Services, Division of Health Service Regulation (NCDHSR) listings, the City business license office, and the County Health Department on a regular basis; c) works with the County Health Department to require verification of zoning and compliance with separation standards for family care and group homes. Additionally, the Planning Department processes requests for business verification letters for new family care and group homes, including pre-submittal conferences as needed, application intake, verifying the proposed location meets the UDO separation requirements, investigating complaints and performing enforcement actions as needed, and maintaining public records.

Authority: Directives from the City and County Managers, and UDO paragraph 5.3.2C, Family Care Homes and Group Homes.

3.1.5 Outdoor Seating Permits

Description: Outdoor dining areas located in the public right-of-way require a permit.

Responsibility: Process applications for Outdoor Seating Permits in a timely manner and in accordance with City Code and Department procedures. This includes pre-submittal conferences as needed, providing background information to applicants, application intake, conducting administrative reviews for compliance with standards, installing outdoor dining area markers, issuing required permits, conducting site compliance investigations, and maintaining public records.

Authority: City Code, Section 54-110, Outdoor Dining Area.

3.1.6 Street Vendor Registration and Compliance

Description: Durham City Code establishes standards for street vendors operating in the public rights-of-way and requires that they be registered annually with the City. The Planning Department has been delegated the tasks related to street vendor registration and compliance by the City Manager.

Responsibility: Process applications for Street Vendor Registration in a timely manner and in accordance with City code requirements and Department procedures. These include informing the street vendors of the requirements, processing Street Vendor Registration initial requests and annual renewals, conducting pre-submittal conferences as needed, application intake, coordination with the County Health Department as needed, investigating complaints, performing enforcement actions as needed, maintaining public records, and maintaining a database of street vendors.

Authority: City Code, Chapter 54-91, Right of Way Sales Activities, and the City Manager.

3.1.7 Selective Vegetation Removal Permits

Description: A property owner may submit a request to the NC Department of Transportation for a selective vegetation removal permit to open up views to a building or a legally-erected billboard located directly adjacent to limited- or controlled-access State highway right-of-way that is also within City limits. In addition, all beautification and replanting plans within a State highway right-of-way, except mitigation plans, must be submitted to either the City or County of Durham, as appropriate. The Planning Department coordinates the reviews of these requests and responses to NCDOT.

Responsibility: Review Selective Vegetation Removal Permits and/or Beautification and Replanting Plans in a timely manner and in accordance with State law. This includes maintaining registration with the NCDOT for the City and County, receipt of requests, soliciting comments from other departments and agencies, issuance of a response letter to NCDOT, maintaining public records, and keeping the elected officials informed when new requests are received.

Authority: NCGS § 19A NCAC 02E.0600.

3.1.8 Zoning Verification

Description: As requested, provide zoning verification, business verification, ABC permit zoning verification, NC Division of Motor Vehicle zoning verification (for new motor vehicle sales), air quality permit zoning verification, family care home and group home business verification, and single-family zoning compliance letters.

Responsibility: Process Zoning Verification Requests in a timely manner and in accordance with UDO requirements and Department procedures.

Authority: Director's discretion to grant based on requests from outside agencies

3.2 Zoning Enforcement

Enforce provision of the Unified Development Ordinance proactively and on a complaint basis. Track all enforcement actions taken by updating LDO and hard copy files.

3.2.1 Response to Complaints

Description: In response to complaints, work with citizens and staff to ensure compliance with development ordinances.

Responsibility: Investigate complaints in accordance with Director's Guidelines for Enforcement. Issue Notices of Violation, as appropriate. Update records in the database, referencing specific complaints and any enforcement actions taken. Track cases systematically with the database. Communicate with the complainant and violator regarding case status.

Authority: UDO Article 15, Enforcement.

3.2.2 Proactive Enforcement

Description: In response to observations from patrol, work with citizens and staff to ensure compliance with the UDO and other ordinances.

Responsibility: Patrol assigned area and enforce UDO provisions as necessary. Follow the Planning Directors' guidelines for enforcement. Issue Notices of Violation, as appropriate. Update records in the database referencing specific complaints and any enforcement actions taken. Track cases systematically through the database. Communicate with the complainant and violator regarding case status. Remove and dispose of illegally placed signs.

Authority: UDO Article 15, Enforcement.

4 Policy and Urban Design

Prepare plans, policies, programs, and recommendations about land use, historic preservation, urban design, environmental protection, trails and greenways, and open spaces to preserve Durham's natural and cultural resources.

4.1 Unified Development Ordinance Text Amendments

Description: Development issues give rise to changes in Durham's development regulations. Citizens may apply for zoning text amendments, or the City or County may initiate zoning text amendments.

Responsibility: Propose and process amendments to the Unified Development Ordinance (UDO) as necessary to respond to development and regulatory issues in a timely manner and in accordance with the UDO. This includes pre-submittal conferences as needed; application intake; on-going applicant contact and information as applicable; coordination of review by other staff, other City, County, and State agencies and the public; preparation of policy guidance documents for review by the Joint City-County Planning Committee (JCCPC); preparation of staff reports and recommendations; managing public notice and holding public informational meetings as needed; managing Planning Commission review and recommendation; managing governing board reviews and decisions; and maintaining public records.

Authority: UDO Section 3.19, Text Amendments.

4.1.1 Respond to Legislative Mandates

Description: Propose amendments to the UDO to comply with changes to local, State, and federal regulations.

4.1.2 City and County Initiated Text Amendments

Description: Process City and County requests for zoning text amendments in a timely manner and in keeping with the UDO.

4.1.3 Privately Initiated Text Amendments

Description: Process private applications for zoning text amendments in a timely manner and in keeping with the UDO.

4.1.4 Technical Changes and Minor Changes

Description: Process technical and minor changes to the UDO in keeping with direction from the City and County Managers and the Joint City-County Planning Committee.

4.1.5 Design District Update

Description: Propose amendments to the UDO to simplify and restructure components of the design districts in response to staff, development community, and public feedback and experience with this new type of zoning (Part 1). Create new complete street types, including typical cross-sections, for use in design districts (Part 2).

Deliverable: Part 1 draft presented to JCCPC by March 2016; Part 2 draft presented to JCCPC by the end of FY1015-16.

4.1.6 Landscaping Update

Description: Propose amendments to the UDO to simplify buffer requirements and improve coordination of environmental regulations (such as tree coverage) and open space requirements with landscaping provisions.

Deliverable: Issue identification and best practices research complete by the end of FY1015-16.

4.1.7 UDO Graphics Update

Description: Propose amendments to the UDO to revise existing supplemental diagrams for improved clarity, and to create new graphics to illustrate key regulatory concepts with examples.

Deliverable: Draft UDO amendment presented to JCCPC by December 2015.

4.2 Transportation Planning

Provide transportation planning services to the City and County, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). This includes representing Durham County on the MPO Technical Coordinating Committee and preparing socio-economic projections for the long range transportation plan, etc.

4.2.1 Regional and State Transportation Planning

Description: Participate in regional transportation planning with the DCHC MPO. Participate with Go Triangle and other jurisdictions in the region to plan a regional transit system, including locating transit-oriented neighborhoods at proposed transit stations.

4.2.2 County Transportation Planning

Description: Represent Durham County on the DCHC MPO Technical Committee and various subcommittees, including but not limited to the Unified Planning Work Program (UPWP) Oversight Committee, and Comprehensive Transportation Plan and Metropolitan Transportation Plan committees. Assist the DCHC MPO on behalf of the County with analysis of various land use, demographic, and transportation models and scenarios to better inform land use and transportation policy, and assist with development of policies that improve transportation choices and regional mobility. Submit annual budgets and quarterly reports for the UPWP.

4.2.3 City Transportation Planning

Description: Represent the City of Durham on the DCHC MPO Technical Committee. Assist the DCHC MPO with analysis of various land use, demographic, and transportation models and scenarios to better inform land use and transportation policy. Assist with development of policies that improve transportation choices and regional mobility.

4.2.4 Station Area Strategic Infrastructure Plan

Description: With the assistance of a multi-department technical advisory group, prepare recommendations about infrastructure improvements that will be needed around regional transit stations. Prepare recommendations about infrastructure needed for access on opening day, infrastructure needed to support higher density, mixed use development, strategies to capture the increase in property value as a vehicle to finance infrastructure improvements.

Deliverable: Draft recommendations for Phase I presented to JCCPC in May 2016.

4.2.5 Compact Neighborhood Future Land Use Analysis

Description: Analyze and recommend necessary updates to the Compact Neighborhood Tiers adopted in the 2005 Comprehensive Plan based on the transit station locations identified in the Locally Preferred Alternative. Prepare recommendations for adjustments to the Tier Boundaries, conversion of selected Suburban Transit Areas into Compact Neighborhood Tiers, and changes to the Future Land Use Map.

Deliverable: Draft recommendations presented to JCCPC in September 2015.

4.3 Historic Preservation Planning

Prepare plans and develop draft policies for the protection of Durham's historic resources in accordance with direction from the governing boards.

4.3.1 Holloway Street Historic District Expansion

Description: Respond to citizen petitions for the expansion of the existing Holloway Street Historic District, including surveying existing conditions and preparing a historic district preservation plan that includes design criteria reflecting the historic character of the area.

Deliverable: Draft Historic Preservation Plan and zoning map change for City Council consideration by April 2016.

4.3.2 Local Review Criteria Consolidation

Description: Merge and coordinate the local review criteria for historic districts and landmarks to ensure consistency in their application by the Durham Historic Preservation Commission.

Deliverable: Draft Consolidated Review Criteria for City Council consideration by October 2015.

4.3.3 Golden Belt Local Historic District

Description: Respond to citizen petitions for the establishment of a local historic district in the area around the Golden Belt facility in northeast Durham, including surveying existing conditions and preparing a historic district preservation plan that includes policies reflecting the historic character of the area.

Deliverable: Draft preservation plan completed by historic preservation consultant by December 2015.

4.4 Environmental Planning

Prepare plans and develop draft policies for the protection of Durham's environmental resources in accordance with direction from the governing boards.

4.4.1 Urban Open Space Plan

Description: Prepare a plan for the preservation and protection of urban open spaces, providing guidance for the City administration about protection, preservation, acquisition, and/or development of those open space areas deemed most important.

Deliverable: Draft plan for Planning Commission consideration by June 2016.

4.4.2 Watershed Determinations

Description: When the precise location of a water supply watershed boundary is unclear, a formal determination by the Planning Director with concurrence of the relevant governing body and the State of North Carolina is required. The North Carolina Administrative Code requires that the North Carolina Environmental Management Commission (EMC) approve all expansions and deletions to protected and critical area boundaries prior to adoption by the local government.

Responsibility: Process private requests for watershed determinations in accordance with UDO requirements and Department procedures. This includes preparation of staff reports and recommendations, routing the request to the EMC for approval, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board consideration, and maintaining public records.

Authority: UDO Section 4.11.3, Rules for Interpretation of Overlay Boundaries, and the North Carolina Administrative Code.

4.4.3 NFIP Community Rating System (County Only)

Description: The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions. The goals of the CRS program are to reduce flood losses, facilitate accurate insurance rating, and promote the awareness of flood insurance. The objective of the Community Rating System (CRS) is to reward communities that are doing more than meeting the minimum NFIP requirements to help their citizens prevent or reduce flood losses. The CRS also provides an incentive for communities to initiate new flood protection activities.

Responsibility: Process annual application for certification of Durham County's National Flood Insurance Program Community Rating System (NFIP CRS) program. Implement public outreach and education related to floodplain issues; enforce applicable floodplain regulations; and develop and implement enhancements to open space acquisition, repetitive loss reduction strategy, and maintenance of streams and other waterways.

Authority: Direction from the County Manager.

4.5 Comprehensive Plan Annual Evaluation and Assessment Report

Description: Prepare an annual evaluation and assessment report to the governing boards, in accordance with the *Durham Comprehensive Plan*, Policy 1.1.4a, Evaluation and Assessment, to evaluate the status and effectiveness in implementing the Plan's goals, objectives, and policies.

Deliverable: Draft EAR for JCCPC and Planning Commission consideration by May 2016.

4.6 Demographic Support

Description: File annual annexation and boundary surveys with the State and federal governments. Provide technical support for identifying new Census Tract boundaries. Staff US Census Complete Count Committee. Manage and maintain population estimates for the City and County of Durham. Provide demographic information to citizens and project future population growth.

Deliverable: State report submitted in August 2015; Federal report submitted in March 2016.

4.7 Housing Affordability Initiative

Description: At the direction of the City and County Managers, participate in a multi-department effort to develop a comprehensive strategy to preserve and provide affordable housing around proposed regional transit station to achieve the Affordable Housing Goal. The project will be a joint effort between City Community Development, City Neighborhood Improvement Services, City Economic and Workforce Development, County Social Services, the City and County Budget Offices, the City and County Finance Departments, and City-County Planning.

Deliverable: Draft text amendment for Planning Commission by October 2015. White paper of final policy recommendations presented to JCCPC by October 2015.

4.8 East End Connector Land Use Analysis

Description: Assess and analyze the impact of the East End Connector project on adjacent and nearby land and recommend policies to address identified impacts (if appropriate).

Deliverable: Draft recommendations presented to JCCPC in April 2016.

5 Community Planning

5.1 Community Outreach

Present to community organizations about planning concepts and inform the public about the role and objectives of land use planning. Provide information to City and County Departments about planning and zoning activities. Disseminate information through activities, including but not limited to, such as the department newsletter, Neighborhood College and City College, social media, and maintenance of the community organization directory and public notice distribution list.

5.1.1 Public Education

Description: Present information to citizen and neighborhood groups on an ad hoc basis on topics of particular interest. Provide forums such as lunch and learns on topics of interest for intra- and inter-departmental groups.

5.1.2 Newsletter and Social Media

Description: Publish a newsletter that updates the community on activities undertaken by the Department. Establish a robust presence on various forms of social media, as a means of obtaining meaningful citizen input and feedback.

5.1.3 Planning Academy Program

Description: Develop a follow-up course to City College and Neighborhood College for community members and local government employees to explore planning issues in greater detail. Graduates of the Planning Academy would serve as community ambassadors to their respective neighborhoods and as points of contact for the Planning Department.

5.1.4 Urban Design Studios

Description: Plan, organize and facilitate design-focused public outreach events (workshops, charrettes, presentations, etc.) for specific topics or special projects not already associated with a work program project.

5.1.5 Community Listening Sessions

Description: Plan, organize, and facilitate a regularly scheduled public forum for planning-related community concerns. Feedback from these sessions will help inform the department's annual work program priorities, and identify needs for future Urban Design Studios.

5.1.6 Educational Institution Partnerships

Description: Develop a plan to more effectively interact with nearby universities, including North Carolina Central University, Durham Technical College, Duke University, and the University of North Carolina at Chapel Hill. Develop a more formal internship and mentoring program to strengthen the bond between the department and the university community. Identify and publicize opportunities for student volunteers in partnership with local schools.

5.2 Advisory Body Support

Provide ongoing support for advisory bodies appointed by the Durham City Council and Board of County Commissioners.

5.2.1 Durham Open Space and Trails Commission (DOST)

Description: The DOST provides advice to the City Council and Board of County Commissioners on matters relating to open space preservation and trail development. In order to provide recreational and environmental benefits for the citizens of Durham County, the DOST promotes the preservation of valuable

open spaces, natural vegetation, and stream valleys within the urban and rural environment, and the development of trails and other appropriate recreational and transportation facilities for pedestrians and bicycles.

Responsibility: Provide ongoing support for the DOST. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: City of Durham and County of Durham Interlocal Cooperation Agreement for Open Space and Trails Planning

5.2.2 Environmental Affairs Board (EAB)

Description: The EAB advises and assists the City and County on matters related to the maintenance and improvement of the quality and safety of the environment.

Responsibility: Provide ongoing support for the EAB. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: City of Durham and County of Durham Interlocal Cooperation Agreement for the Durham Environmental Affairs Board

5.2.3 Appearance Commission

Description: The Appearance Commission's mission is to enhance and improve the visual quality and aesthetic character of Durham City and County. They provide advice to the City and County on matters of community beautification.

Responsibility: Provide ongoing support for the Appearance Commission. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: Interlocal Agreement Between the City of Durham and Durham County Creating a Durham City-County Appearance Commission

5.3 Inter-agency Coordination

Provide support and share information to a variety of inter-agency and inter-governmental bodies.

5.3.1 Durham-Chapel Hill-Orange Work Group

Description: Update elected and appointed officials of this intergovernmental work group at quarterly meetings. Provide liaison services on behalf of Durham County and the City of Durham.

5.3.2 Center of the Region Enterprise

Description: Represent the City and County of Durham from a land use planning perspective for this intergovernmental work group.

5.3.3 Regional Appearance Committee

Description: Represent the City and County of Durham from a land use planning perspective for this intergovernmental work group operated by the Triangle J Council of Governments.

5.3.4 Durham Appearance Advocacy Group

Description: Represent the Planning Department and provide information on land use planning and regulation for this intergovernmental and citizen work group.

6 Department Management

6.1 Department Management and Administration

- Prepare annual Department budget for the City and County.
- Monitor and report on performance measures.
- Monitor Department spending and accounts. Monitor timely deposit of receipts, including development application fees. Maintain fiscal records for audit and review.
- Prepare annual work program and monthly reports on work program progress. Secure review and approval of annual work program from the Planning Commission, the Joint City-County Planning Committee, City and County Managers, and governing boards.
- Develop scope of services, prepare requests for proposals, evaluate proposals, prepare contracts, and secure governing board approval to enter into a contract. Develop and execute contracts as needed, and manage consultant projects.
- Monitor interlocal cooperation agreements.
- Work with Risk Division to improve employee safety. Educate staff on OSHA requirements.
- Maintain planning-related documents to meet State requirements, including document filing and scanning.
- General office management, including handling mail and ordering supplies.
- Consult with the City and County Attorney's Offices as needed on matters related to City and County codes and litigation.
- Engage in quality assurance activities, including: review of staff reports, agendas, advertisements and notices, and progress reports; respond to management inquiries from the City and County Managers, members of governing and advisory boards, customers, and citizens.

6.2 Performance and Personnel Management

Prepare and maintain performance standards for each employee, conduct and participate in annual coaching sessions, and conduct and participate in annual performance evaluations in a timely manner. Conduct and attend Section, Division, and Department staff meetings. Conduct regular staff meetings to facilitate flow of management information and monitor work performance.

6.3 Professional Development

Provide opportunities and funding for the professional development of Department staff, including State and national professional conferences, web seminars, etc. Coordinate training programs for Departmental staff.

6.4 Intergovernmental Coordination

Provide ongoing support planning coordination among neighboring jurisdictions. This includes the Durham-Chapel Hill-Work Group, the Center of the Region (CORE) committee, the Land Use/Community Infrastructure/Development (LUCID) Committee, and other Triangle J Council of Governments (TJCOG) Committees.

6.5 City, County, and Planning Department Strategic Plans

Implement the Planning Department Strategic Plan for the next two to three years. Participate in staff initiatives to implement the adopted City Strategic Plan. Participate in staff initiatives to implement the adopted County Strategic Plan.

6.6 Culture of Service Initiatives

Conduct staff initiatives to implement the City's Culture of Services goals and respond to concerns raised by the Employee Opinion Survey.

6.7 Governing Bodies Support

Provide ongoing support for the governing bodies, including preparing agendas or agenda items, arranging and/or attending meetings, preparing meeting minutes or notes if applicable, maintaining records, and providing public information.

6.7.1 Board of Commissioners

6.7.2 City Council

6.7.3 Joint City-County Planning Committee

6.8 Website

Develop and maintain the Planning Department's web site to provide information to citizens about planning and development activities. Continue to expand the Department's Internet website to be as complete and as interactive as possible.

6.9 Computer, GIS, and Data Support

Manage and maintain geospatial databases of planning-related information. Provide mapping support and research for staff. Create and manage databases of planning-related topics. Manage the Land Development Office (LDO) software used by multiple City and County departments to coordinate the review of development proposals. Manage updates to the Durham Zoning Atlas. Provide basic hardware and software support for Planning staff, including input and quotes for new technology. Serve as liaison to the Technology Solutions Department.

6.10 Customer Satisfaction Feedback

Solicit feedback on the Planning Department's performance in serving its numerous and diverse customers, including elected boards, advisory boards, development review applicants and consultants, comprehensive and neighborhood planning stakeholders, and citizens.