



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: April 21, 2016

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, Planning Director

Subject: Compact Neighborhood Planning – Future Land Use Map Updates

Summary. The Durham City-County Planning Department is re-evaluating the Future Land Use Map to better align Compact Neighborhood Tier boundaries with the proposed Durham-Orange Light Rail Transit (D-O LRT) system. The intention of this memo is to provide project background, summarize staff’s recommendations, and discuss next steps.

Recommendation. This item is for information and discussion purposes. No action is necessary at this time. The public hearings for the six separate agenda items is scheduled for the May 15th City Council meeting.

Background. Planning for the D-O LRT system has been ongoing for many years. In addition to serving transportation needs, the D-O LRT has the potential to redirect growth and focus development in a more compact, walkable and mixed-use pattern. To do so effectively will require a multi-faceted approach to station area planning that includes land use planning, infrastructure improvements, and strategies to meet affordable housing objectives. This memo will describe a step in the Land Use Planning initiative to re-examine the Compact Neighborhood Tiers as described on the Future Land Use Map.

The 2005 *Durham Comprehensive Plan* divided the County into “development tiers” to describe the character of development and provide the basis for context-sensitive policy and regulation. The development tiers allow for a diversity of development patterns throughout Durham, ranging from low-intensity rural landscapes to a pedestrian-oriented mixed-use downtown.

The Compact Neighborhood Tier was created to promote “high density and intensity infill, redevelopment, and new development that integrates a mix of uses through an urban fabric,” and was applied on the Future Land Use Map to areas surrounding a proposed regional rail transit system (Policy 2.1.2e, Compact Neighborhood Tier Defined). An additional designation, called the Suburban Transit Area, was established for later phases of the regional rail system, and provided the option of developing under Compact Neighborhood standards.

With increased certainty of station locations, the Durham-City County Planning Department is re-evaluating the Compact Neighborhood Tier and Suburban Transit Area boundaries established in the 2005 *Durham Comprehensive Plan* to better reflect the current light rail proposal. Since 2005, the light rail alignment has shifted and stations have been relocated, added and removed. Through this re-evaluation staff is recommending three changes to the Future Land Use Map including:

1. Revising Compact Neighborhood Tier boundaries;
2. Converting Suburban Transit Areas along the D-O LRT corridor to Compact Neighborhoods and revising their boundaries; and
3. Amending the underlying future land use designations in the Compact Neighborhoods to Design District.

Areas under consideration in this study surround the Leigh Village, Patterson Place, South Square/MLK Jr. Parkway, Duke/VA Medical Center (aka "Erwin Road"), and Alston Avenue light rail stations.

The Planning Department hosted 10 community meetings held between April 2015 and August 2015, two in each proposed Compact Neighborhood. Meetings were designed for members of the public to learn about Compact Neighborhoods, weigh in on areas they believed should (or should not) be included in the Compact Neighborhood Tier, and understanding the planning process. Over 460 people attended these meetings and helped to shape the recommendations described in this memo. To view materials from these meetings, visit: www.durhamnc.gov/compactneighborhoods. Two additional public information sessions were held in late October to review and receive feedback on the draft reports contained in the attachments to this memo.

Approving the proposed changes to the Comprehensive Plan will adapt Durham's long term land use policy to match current conditions. By designating the boundaries of the Compact Tiers at this time, planning staff, property owners, and the surrounding community will have clear policy direction before any zoning changes occur in these areas. Additionally, there are several other advantages to changing the Development Tier designations before the more intensive, station area-specific zoning changes occur:

1. Instead of auto-oriented minimum street yard setbacks, non-residential developments in a Compact Neighborhood will be required to maintain a maximum street yard to help the transition to a more urban, pedestrian-oriented land use pattern.
2. Departments and other agencies that use the Future Land Use Map for infrastructure planning purposes, such as Water Management and the Metropolitan Planning Organization, can plan utility and transportation improvements accordingly.
3. The Federal Transit Administration (FTA) New Starts Application that GoTriangle will be preparing in the near future requires a qualitative score for "Transit-Supportive Corridor Policies." If necessary changes to the Comprehensive Plan are in place, this would receive a "High" ranking from the FTA.
4. The enhanced affordable housing density bonus approved by the City Council and the County Commissioners in September 2015 only applies in designated Compact Neighborhoods. The bonus provision in UDO Sec 6.6.2.A.2 allows three additional market rate unit for each affordable housing unit provided.

There is a minimal increase in the base density permitted in the Compact Tier for non-residential zoning districts (See Attachment 8, Table 1). For example, in the Office Institutional (OI) and Commercial General (CG) districts, the maximum density in the Suburban Tier is 11 dwelling units per acre, while in the Compact Tier it is 18 units per acre. This is still significantly less than the density permitted in the Compact Design District, which permits up to 60 units per acre in the CD-C district (See Attachment 8, Table 2).

Summary of Proposed Amendments to the Future Land Use Map. A comprehensive description of proposed changes to the Future Land Use Map relevant to each proposed Compact Neighborhood can be found in Attachments 2-6. For an introduction to Compact Neighborhood policy and land use planning processes, please refer to Attachment 1. The following pages provide a summary.

Leigh Village (Attachment 2)

The Future Land Use Map currently designates an area centered around the proposed Leigh Village station as a 356-acre Suburban Transit Area. Plans for a light rail station in this location have not dramatically changed since the Suburban Transit Area was established there in 2005; however, additional transportation studies have been completed and conversion from a Suburban Transit Area to a Compact Neighborhood Tier needs to be considered, along with re-assessment of the boundaries. Staff recommends five amendments to the Future Land Use Map:

- 1 Development Tier.** Amend the boundaries and convert the Suburban Transit Area to a Compact Neighborhood Tier per Comprehensive Plan policy 2.4.1e.
- 2 Future Land Use Designations.** Amend the adopted future land use designations to Design District.

Adopted Land Use Designation	Acres	Proposed Land Use Designation
Commercial	53	Design District
Low Density Residential	115	Design District
Low-Medium Density Residential	58	Design District
Medium-High Density Residential	109	Design District
Office	75	Design District

- 3 Eastwood Park.** Amend the adopted future land use designation from Commercial to Low-Density Residential.
- 4 Villa Pinea.** Amend the future land use designation from Low-Medium Density Residential to Recreation and Open Space for land held in conservation easement by the NC Botanical Garden Foundation.
- 5 Technical Updates.** Correct minor mapping errors resulting in small (approximately 1 acre or less) changes to the future land use map.

Reference
Attachment 2, Page 3
Attachment 2, Pages 4-5
Attachment 2, Page 6, Figure 5
Attachment 2, Page 6, Figure 6
Attachment 2, Page 6

Key Issues. The report found in Attachment 2 summarizes challenges and opportunities for future compact neighborhood development in Leigh Village and evaluates the potential impact of making such a policy decision on issues like environmental protection, housing and property values, transportation, and other infrastructure and services.

Additionally, a number of the speakers at the January and March Planning Commission hearing were particularly concerned about including the area west of George King Road (Area 1 in Figure 7, Attachment 2). These three tracts are adjacent to The Oaks neighborhood in the Town of Chapel Hill.

Patterson Place (Attachment 3)

The Future Land Use Map currently designates an area centered around the Patterson Place Shopping Center as a Suburban Transit Area (450 acres). Plans for a light rail station in this location have not dramatically changed since the Suburban Transit Area was established in 2005. However, since 2005 the area has developed significantly and floodplain boundaries have been remapped. In light of these changes, conversion from a Suburban Transit Area to a Compact Neighborhood Tier needs to be considered, along with re-assessment of the boundaries.

Staff recommends three amendments to the Future Land Use Map:

- 1 Development Tier.** Amend the boundaries and convert the Suburban Transit Area to a Compact Neighborhood Tier per Comprehensive Plan policy 2.4.1e.
- 2 Future Land Use Designations.** Amend the adopted future land use designations to Design District.

Adopted Land Use Designation	Acres	Proposed Land Use Designation
Commercial	343	Design District
Medium Density Residential	189	Design District
Medium-High Density Residential	55	Design District

- 3 Technical Updates.** Correct minor mapping errors resulting in small (approximately 1 acre or less) changes to the future land use map.

Reference in Report

Attachment 3, Page 3

Attachment 3, Pages 4-5

Attachment 3, Page 5

Key Issues. The report found in Attachment 3 summarizes challenges and opportunities for future compact neighborhood development in Patterson Place and evaluates the potential impact of making such a policy decision on issues like environmental protection, housing and property values, transportation, and other infrastructure and services.

Additionally, the Durham Open Space and Trail Committee (DOST) raised concerns about the inclusion of environmentally sensitive areas in the northeast within the Compact Neighborhood boundary. DOST specifically requested that the boundary correspond the existing Suburban Transit Area boundary, which is based on the FEMA flood maps that were effective in 2005.

South Square/MLK Jr. (Attachment 4)

The Future Land Use Map currently designates an area centered around the South Square shopping center as a 366-acre Suburban Transit Area. This original boundary made sense in 2005 when plans for the regional rail corridor included a rail station on Pickett Road and a South Square station site option on Westgate Drive. However, current light rail transit plans include a new station location near the intersection of MLK Jr. Parkway and University Drive and a South Square station location on Shannon Road between Durham-Chapel Hill Boulevard and University Drive. As plans for the Durham-Orange Light Rail station locations have changed over time conversion from a Suburban Transit Area to a Compact Neighborhood Tier needs to be considered, along with re-assessment of the boundaries.

Staff recommends three amendments to the Future Land Use Map:

- 1 Development Tier.** Amend the boundaries and convert the Suburban Transit Area to a Compact Neighborhood Tier per Comprehensive Plan policy 2.4.1e.
- 2 Future Land Use Designations.** Amend the adopted future land use designations to Design District.

Adopted Land Use Designation	Acres	Proposed Land Use Designation
Commercial	345	Design District
Medium Density Residential	189	Design District
Office	114	Design District
Low-Medium Density Residential	40	Design District

- 3 Technical Updates.** Correct minor mapping errors resulting in small (approximately 1 acre or less) changes to the future land use map.

Reference in Report

Attachment 4, Page 3

Attachment 4, Pages 4-5

Attachment 4, Page 5

Key Issues. The report found in Attachment 4 summarizes challenges and opportunities for future compact neighborhood development in the South Square/MLK Jr. area and evaluates the potential impact of making such a policy decision on issues like environmental protection, housing and property values, transportation, and other infrastructure and services. No specific issues regarding the boundary were raised at the community meetings or the Planning Commission public hearing.

Erwin Road (Attachment 5)

The Future Land Use Map currently designates an area centered around the Duke and Veteran’s Administration medical centers as a 475-acre Compact neighborhood Tier. This original boundary made sense in 2005; however, with changes to the development character of Erwin Road and a new LRT station introduced at LaSalle Street, boundaries for the Compact Neighborhood Tier ought to be reconsidered.

Staff recommends three amendments to the Future Land Use Map:

- 1 **Development Tier.** Amend the boundaries of the Compact Neighborhood Tier.
- 2 **Future Land Use Designations.** Amend the adopted future land use designations to Design District.

Adopted Land Use Designation	Acres	Proposed Land Use Designation
Commercial	86	Design District
Industrial	38	Design District
Institutional	23	Design District
Office	38	Design District
Medium-High Density Residential	226	Design District

- 3 **Duke University UC Zoning.** Amend the future land use designation from Commercial to Institutional for land owned by Duke University and zoned University-College with a Development Plan.
- 4 **Technical Updates.** Correct minor mapping errors resulting in small (approximately 1 acre or less) changes to the future land use map.

Reference in Report
Attachment 5, Page 3
Attachment 5, Pages 4-5
Attachment 5, Page 6
Attachment 5, Page 6

Key Issues. The report found in Attachment 5 summarizes challenges and opportunities for future compact neighborhood development in the Erwin Road area and evaluates the potential impact of making such a policy decision on issues like environmental protection, housing and property values, transportation, and other infrastructure and services. No specific issues regarding the boundary were raised at the community meetings or the Planning Commission public hearing.

Alston Avenue (Attachment 6)

The Future Land Use Map already designates an area centered around the proposed Alston Avenue station as a 302-acre Compact Neighborhood. The original boundary adopted in 2005 extended south of the Durham Freeway and north to Taylor Street. In 2006, the boundary was amended to exclude areas south of the Durham Freeway. In light of a significant development opportunity immediately south of the freeway and the presence of intact and historic neighborhoods, re-evaluation of the Compact Neighborhood Tier boundaries ought to be considered.

Staff recommends three amendments to the Future Land Use Map:

- 1 **Development Tier.** Amend the boundaries and convert the Suburban Transit Area to a Compact Neighborhood Tier per Comprehensive Plan

Reference in Report
Attachment 6, Page 3

policy 2.4.1e.

- 2 Future Land Use Designations.** Amend the adopted future land use designations to Design District.

Attachment 6,
Pages 4-5

Adopted Land Use Designation	Acres	Proposed Land Use Designation
Commercial	49	Design District
Industrial	59	Design District
Office	27	Design District
Medium-High Density Residential	120	Design District

- 3 Technical Updates.** Correct minor mapping errors resulting in small (approximately 1 acre or less) changes to the future land use map.

Attachment 6,
Page 5

Key Issues. The report found in Attachment 6 summarizes challenges and opportunities for future compact neighborhood development in the Alston Avenue area and evaluates the potential impact of making such a policy decision on issues like environmental protection, housing and property values, transportation, and other infrastructure and services.

At the Planning Commission Public Hearing, some concern was raised about including the blocks in the northeastern portion of the Compact Neighborhood because they have a more residential character. Also, the property owner of 1111 Fayetteville Street, directly adjacent to the former Fayette Place site, requested to be included in the Compact Neighborhood at the Planning Commission hearing.

Summary of Comprehensive Plan Policy Amendments. Two new policies are proposed to be added to the text of the Durham Comprehensive Plan:

- **Affordable Housing and Transit.** The City and County, working with Go Triangle and key private sector partners, shall investigate regulatory and other incentives in order to achieve at least 15% of housing stock within a ½ mile of each future light rail station be affordable to households earning 60% of area median income or less.
- **Sub-districts of Design Districts.** In the creation of a Design District, any number of the following sub-districts shall be established and depicted on the zoning map for the specific Design District:
 - **Core (C):** The portion of a Design District where the highest, densest urban development, with a mix of vertically integrated uses, is expected and encouraged. The Core shall include and be in proximity of the transit station and shall not be located at the edge of the Design District.
 - **Support 1 (S1):** The portion of a Design District where moderate intensity urban development creates a mixed use urban environment at a lesser scale that respects adjacent development. The S1 district is appropriate at the edge where intensity of development or other physical barriers does not

necessitate a more sensitive transition. The S1 district also serves as a transition between the Core and the Support 2 districts.

- Support 2 (S2): The portion of a Design District intended to provide a sensitive transition from more intense development to development adjacent to the district, often residential in nature.
- Special Sub-Districts: Special sub-districts can be established as needed for any of the Design District. Specific standards for a special sub-district shall be contained in the standards for the Design District in which it is established to accommodate unique existing conditions identified through the detailed planning of the district to develop context sensitive standards.

Next Steps. This project is scheduled for public hearing at the May 15, 2016 City Council meeting. A subsequent Board of County Commissioners hearing will be schedule for the Leigh Village and Patterson Place Compact Neighborhoods and the Comprehensive Plan policy changes.

Staff Contact. Scott Whiteman, AICP, 560-4137 x28253, scott.whiteman@durhamnc.gov

Attachments

Attachment 1, Compact Neighborhoods: An Introduction

Attachment 2, Leigh Village Compact Neighborhood Report

Attachment 3, Patterson Place Compact Neighborhood Report

Attachment 4, South Square/MLK Jr. Compact Neighborhood Report

Attachment 5, Erwin Road Compact Neighborhood Report

Attachment 6, Alston Avenue Compact Neighborhood Report

Attachment 7, Appendices

Attachment 8, Site Development Standards in Compact Neighborhoods and Design Districts

Attachment 9, Planning Commission Written Comments