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Durham Planning and Development 101

- *The Development Process in Durham*

September 2007



“The Most Complex Process in Local Government”



- *Multiple Steps*
- *Multiple Departments*

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Departments and Agencies

- *City-County Inspections*
- *City-County Planning*
- *City Engineering*
- *City Stormwater Services*
- *City Transportation*
- *County Engineering*
- *County Environmental Health*
- *County Sedimentation and Erosion Control*
- *Development Review Board*
- *Fire Marshal*
- *NCDENR*
- *NCDOT*



Boards and Commissions

- ***Board of Commissioners***
- ***City Council***
- ***Joint City-County Planning Committee***
- ***Planning Commission***
- ***Board of Adjustment***
- ***Design District Review Team***
- ***Historic Preservation Commission***
- ***Open Spaces and Trails Commission***
- ***Bike and Pedestrian Advisory Commission***
- ***Appearance Commission***
- ***MPO***



Planning Department Initially Coordinates



- ***Guide the orderly growth and enhancement of the Durham community while preserving its cultural heritage and natural resources – Department Mission Statement***

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Planning Department Development Functions

- *Long Range Plans*
- *Zoning Text Changes*
- *Plan Amendments*
- *Zoning Map Changes*
- *Plats*
- *Site Plans*
- *Use Permits*
- *Certificates of Appropriateness*
- *Right of Way Closings*
- *Variances*
- *Street Renamings*
- *Site Plan Inspections*
- *Zoning Enforcement*



Functions Concurrent with Planning Department Functions

- *Stormwater Impact Analyses*
- *Traffic Impact Analyses*
- *Transportation Special Use Permits*
- *Floodplain Development Permits*



Post Planning Department Functions

- ***Construction Drawings***
- ***Sedimentation and Erosion Control Permits***
- ***Driveway Permits***
- ***Building Permits***

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Types of Development Review Processes

- ***Legislative***
 - Decision Maker Sets Policy
- ***Quasi-Judicial***
 - Decision Maker Rules Based on Evidence and Sworn Testimony
- ***Administrative***
 - Decision Maker Confirms Technical Compliance with Policies and Ordinances

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Legislative Processes

- ***Complete Discretion***
- ***Maximize Public Input***
- ***Required Public Hearings***
- ***Final Action by Governing Board***

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Legislative Processes – Planning Department

- ***Long Range Plans***
 - Comprehensive Plan
 - Open Space Plan
 - Redevelopment Plan
 - Neighborhood (or Small Area) Plan
 - Historic Preservation Plan
- ***Plan Amendments***
- ***Zoning Map Changes***
- ***Zoning Text Changes***
- ***Right-of-Way Closings***
- ***Street Renamings***

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Typical Legislative Process

- ***Pre-Submittal Conference***
- ***Application***
- ***Agency Review and Recommendation***
- ***Public Notice***
- ***Planning Commission Public Hearing and Recommendation***
- ***Governing Body Public Hearing and Decision***



Legislative Process Recommendations

- ***Staff – Based on technical compliance with adopted ordinances and policies***
- ***Planning Commission – Based on information presented at hearing and personal knowledge***

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Quasi-Judicial Processes

- ***Limited Discretion***
- ***Required Quasi-Judicial Hearings***
- ***Decision Based on Sworn Testimony and Evidence***
- ***Final Action by***
 - Governing Body
 - Board of Adjustment
 - Historic Preservation Commission



Quasi-Judicial Processes – Planning Department



- *Use Permit*
- *Variance*
- *Certificate of Appropriateness*
- *Appeals of Administrative Decisions*

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Typical Quasi-Judicial Process

- ***Pre-Submittal Conference***
- ***Application***
- ***Agency Technical Review and Report***
- ***Hearing with Sworn Testimony***
- ***Decision***
 - Governing Body
 - Board of Adjustment
 - Historic Preservation Commission

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Administrative Processes

- ***No Discretion***
 - Limited Exceptions
 - Fill in Floodplain
 - Parking Reductions
- ***No Public Input***



Administrative Processes – Planning Department



- *Site Plans*
- *Plats*



Typical Administrative Process



- ***Application***
- ***Agency Review***
- ***Decision***
 - Planning Director
 - Development Review Board
 - Governing Body



Continuing Development Processes

- ***Construction Drawings***
- ***Sedimentation and Erosion Control Permits***
- ***Driveway Permits***
- ***Building Permits***

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Continuing Development Processes

- *Can require amendment of site plan*



Site Plan Inspections



- ***Required for Certificate of Compliance***
- ***Limited to Consistency with Site Plan of Record***



Zoning Enforcement

- ***Complaint Driven***
- ***Enforce Parts of UDO ONLY***
- ***No Authority to Enforce***
 - Minimum Housing Code
 - Building Code
 - Animal Control
 - City Code
 - County Code



Zoning Enforcement Process



- ***Complaint Received***
- ***Violation Confirmed***
- ***Notice of Violation Issued***
- ***Opportunity to Correct***
- ***Citations***
- ***Quality of Life Court***

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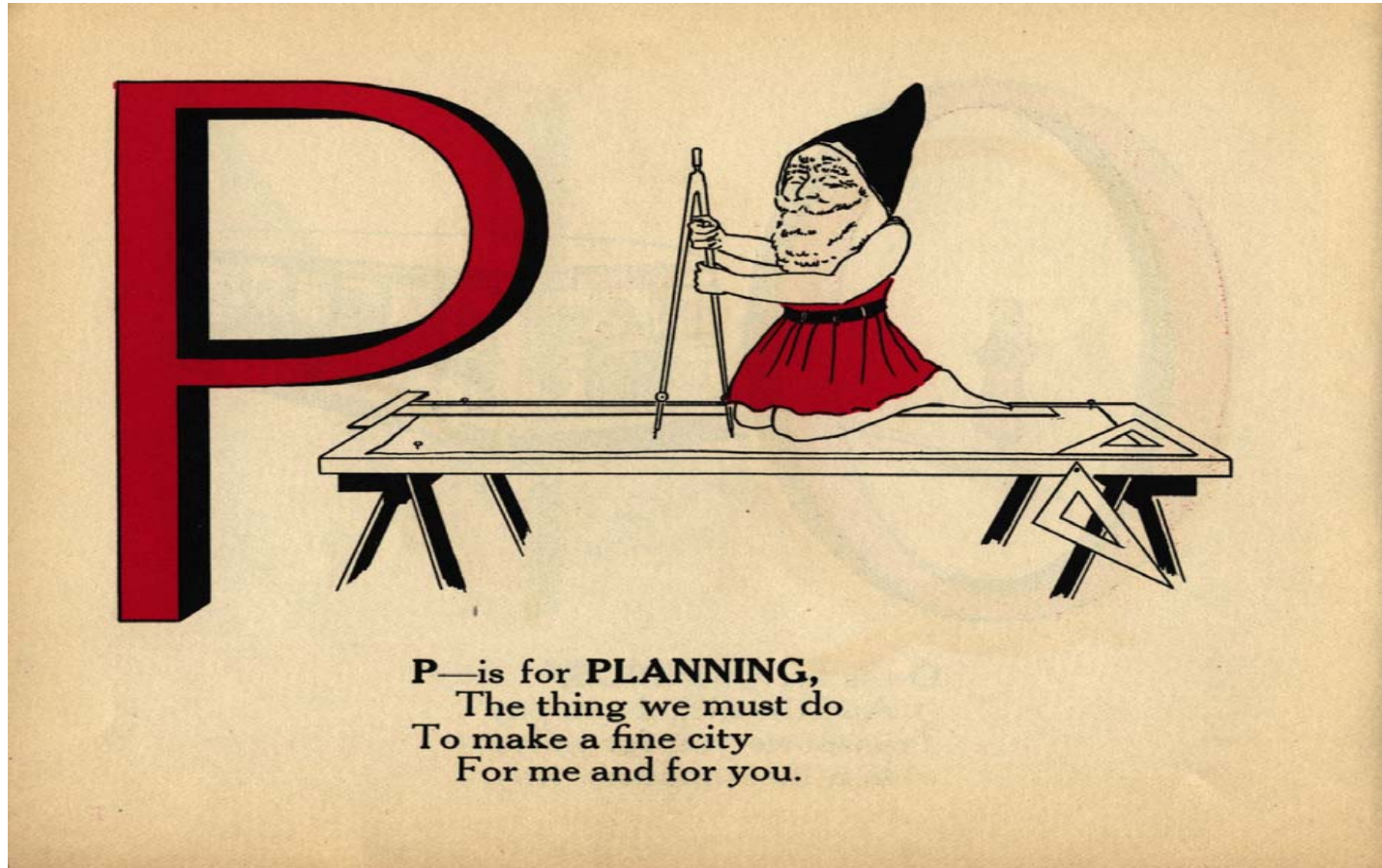


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Planning





Planning in Durham



Questions?