

**JOINT CITY COUNCIL-PLANNING COMMISSION SPECIAL MEETING
DURHAM, NORTH CAROLINA
WEDNESDAY, MARCH 1, 2023
6:00 P.M.**

The Durham City Council and the Durham City-County Planning Commission conducted a special meeting for the purpose of a Joint City Council-Planning Commission meeting at Mist Lake Water Management Facility located at 1600 Mist Lake Drive, Conference Room 2002D at the above time and date with the following City Council Members present: Mayor Elaine O’Neal, Mayor Pro Tempore Mark-Anthony Middleton and Council Members Javiera Caballero, DeDreana Freeman, Dr. Monique Holsey-Hyman, Jillian Johnson and Leonardo Williams. Absent: None.

The following Durham City-County Planning Commissioners were present: Austin Amandolia, Nate Baker, Sarah Chagaris, Scot MacIver, David Morgan, Anthony Sease, Stephen Valentine, Carmen Williams and Zuri Williams.

Also present: City Manager Wanda Page, City Attorney Kim Rehberg, City-County Planning Director Sara Young and City Clerk Diana Schreiber

[CALL TO ORDER]

Mayor O’Neal called the meeting to order.

SUBJECT: WELCOME & INTRODUCTIONS

Mayor O’Neal requested a moment of silence and welcomed all in attendance.

Council Member Freeman received an excused absence for the upcoming March 9, 2023 City Council Session.

SUBJECT: OVERVIEW & OUTCOMES – COUNCIL MEMBER LEONARDO WILLIAMS AND CHAIR OF THE CITY-COUNTY PLANNING COMMISSION AUSTIN AMANDOLIA

Council Member Williams introduced the item and gave each member from both City Council and the Planning Commission time to introduce themselves.

Council Member Williams explained how the Planning Commission and City Council would conduct the open dialogue regarding how to work together and to address major topics within the community.

Chair Person Amandolia echoed Council Member William’s sentiments and how he was looking forward to the open dialogue between both bodies.

SUBJECT: PLANNING REFRESH – CITY COUNTY PLANNING DIRECTOR SARA YOUNG – DISCUSSION Q & A

City-County Planning Director Sara Young introduced herself and a “Planning Refresh” summarizing the deep dive series presented to City Council in November of last year.

The presentation consisted of the following:

Recap of the three basic types of land use decisions (Types of Approvals per NCG’s)

- Legislative
- Quasi-judicial
- Administrative

Examples were provided for each of the above

Roles and functions within the Planning department

Roles and functions of the Joint City-County Planning Committee

Roles and functions of the Planning Commission as an advisory board

Authorities of both City Council and County Commissioners

Council Member Williams opened the floor for questions and open dialogue regarding the refresher.

Council Member Williams inquired the timeline processes for re-zoning within the community.

Director Young began with explaining the application process, amendment period and how this transitions to approval by the Planning Commission. She explained that after this process, the items move to City Council or the County Commissioners for review/decision making via agenda items.

Director Young noted how the review process could take between 20-40 business days and how applicants had a 90-day turnaround period that could include requests for extensions. Additionally, she noted staffing levels as being a contributor for timeline processes and approvals.

Council Member Williams asked whether a tracking mechanism was in place to track requests.

Senior Planning Manager Alexander Cahill explained the tracking processes for requests. During the pandemic, he cited a 15-month waiting period for re-zoning approvals and shared the period has since been reduced to less than a year. He cited how community engagement was available from application submittal through approval and how the focus was on efficiency currently. In turn, the timeline could limit the amount of community engagement possible for each application.

Council Member Holsey-Hyman asked if there were specific barriers in which the Planning Department were facing that contributed to the lengthy timelines.

Director Young shared how the development community was a factor and how this correlated with approval periods. She shared additional barriers such as financing and ownership issues that were not shared directly with Planning staff who could assist with delays. She discussed a recent text amendment that allowed development plans to be reduced to text form for financial flexibility by developers.

Commissioners discussed administrative fees involved with the applications. Assistant Planning Director Grace Smith expanded on these costs inclusive of base fees per acreage.

Director Young clarified why acreage was a factor, by law, in application costs as an effort to promote economic consistency between developers.

Assistant Director Smith explained how larger projects include more time for staff review and were calculated dependent on site conditions and the amount of acreage.

Planning Chairperson Amandolia explained the Commission's role in keeping the process efficient while maintaining the public's interest.

Commissioner Sease inquired about how the timeline effects the Planning Department with regard to other projects.

Director Young explained tools like transparency and communication being utilized by the Planning Department that sought to be organizationally consistent and transparent with the development community.

Council Member Williams asked whether the tracking mechanism had a time stamp feature available.

Director Young stated the software utilized had workflow features that alerted staff and assisted with tracking. She stated how the Planning Department was in the process of trying to replace the software with something more efficient and user-friendly. She explained current challenges with the software, communication with developers, and addressing concerns.

City Manager Wanda Page spoke to the investment in the new software and how it was already currently funded.

Commissioner Morgan stated how the social pinpoints were a helpful tool for Commissioners to utilize.

Commissioner Williams discussed community engagement and how this impacts development plans approved by the Planning Commission. She shared the transparency needs from developers for both larger and smaller projects. She stated how this would be beneficial for both the Commissioners and the Planning Department to assist with efficiencies.

Director Young explained the requirements for development plans.

SUBJECT: HOUSING & DEVELOPMENT – DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT REGINALD JOHNSON; CHAIR OF THE CITY-COUNTY PLANNING COMMISSION AUSTIN AMANDOLIA; AND COUNCIL MEMBER WILLIAMS.

Director of the Department of Community Development Reginald Johnson introduced himself and summarized his responsibilities. He stated the background of the “Forever Home, Durham” investment program.

The presentation consisted of the following:

Federal and City funding amounting to \$160 million investment to support the following:

- affordable housing
- services for low-income Durham residents

Brief overview of the investment program

Definition of “affordable housing”

Chart and explanation of the 2022 Durham-Chapel Hill Metro Fair Market Rents (FMRs) and Household Area Median Income (AMI)

“Forever Home, Durham” Goals including reporting methods (Units and Services)

“Forever Home, Durham” progress to date and highlights

“Forever Home, Durham” future plans inclusive of neighborhood stabilization, multifamily production, and homelessness housing system

Chairperson Amandolia expressed his support for the funding and affordable housing presented. He shared strides from the Town of Apex with re-zoning and how it can be implemented within the City.

Council Member Holsey-Hyman further inquired about the topic.

Senior Deputy City Attorney Don O’Toole stated the information given to Durham City Council on mandatory inclusionary zoning and could not further elaborate on the Town of Apex’s zoning policies.

Council Member Williams asked what the needs were to ensure realistic completion of affordable housing or reach the goals stated.

Director Johnson stated funding as being a barrier to goal completion. He further explained the capacity of spending, resources, and non-profit community partnerships.

Commissioner Williams inquired about the monitoring of funds between organizations and to elaborate on barriers. She asked how the Planning Commission could assist.

Director Johnson shared limiting capacities of the Community Development Department and the non-profit community. He explained the single tax credit allotted to the City annually and how it could be championed for more. He shared recommendations made to the Council to further existing projects that have been affected by the COVID 19 pandemic.

Commissioner Williams shared personal experiences with home development. She expressed working together to help navigate the challenges involved with developers as a Commission and being solution oriented.

Senior Deputy City Attorney O'Toole explained Council's ability to approve or deny rezoning from a legislative perspective. He cautioned Council on requiring developers to include affordable housing as a factor for approval.

City-County Planning Assistant Director Bo Dobrzanski expanded on applications and their inclusivity of affordable housing tax credits. He stated this included City funding.

Commissioner Sease inquired about legislative acts and affordable housing.

Commissioner Morgan asked about title grants and other opportunities for funding. He provided examples from other municipalities. Director Johnson explained existing funding and how it correlated with the "Forever Home, Durham" investment program.

Commissioners and Director Johnson discussed neighborhood development bonds inclusive of sidewalk and street improvement. Director Johnson explained infrastructure and accessibility within this scope and the work done with the Public Works department.

Council Member Williams asked how to truly implement affordable housing and economic impacts on our residents. He discussed reasonable goals and how these correlated with financial strains on City residents.

Chairperson Amandolia discussed the differences between tenants and owners within the City and affordability. Commissioners discussed long term affordability, sustainable properties, and the creation of housing to uphold these values.

Commissioner Williams expressed utilizing local partnerships with businesses and creativity to assist with implementation.

Commissioner Sease asked for a clear distinction between housing necessity and production. He expressed wanting clarity on land use ordinances and how they correlated with the needs for City residents, City Council, and the overall community.

Commissioner Baker stated the relationship of housing and its impacts on the community. He expressed the need for sustainable, accessible, and equitable housing as factors for developers to consider.

Council Member Williams asked about the overall message being sent to the community regarding housing development, generational wealth, and the rental community. Commissioners discussed governmental resources for residents to assist with affordability and future planning to keep residents in Durham.

Mayor Pro-Tempore Middleton asked for clarification from Commissioner Baker on how to effectively implement his thoughts on how to influence developers to align with City priorities and needs. Commissioner Baker stated the need for new zoning districts to accomplish this. Commissioners and Council Members discussed opportunities inclusive of shorter sidewalks, accessibility, and being proactive with re-zoning.

Council Member Caballero explained her understanding of land usage. She explained how zoning is one of many factors that are included in Council's decisions regarding community development and housing. She stated working together as bodies for a productive and effective change.

Council Member Holsey-Hyman asked for clarification on the legal ramifications regarding changes with the Unified Development Ordinance (U.D.O.). Sr. Deputy City Attorney O'Toole and Director Young explained futures revisions to the U.D.O. and how a consultant will be utilized to make strategic changes.

Mayor Pro-Tempore Middleton explained economic impacts and present decisions being made while awaiting the revision of the U.D.O.

Council Member Holsey-Hyman inquired about how to move forward for the betterment of the community.

Council Member Williams stated the amount of residents (estimated to be 10,000) currently waiting for housing. He stated the need for priorities and opportunities between both bodies. He stated the importance of maintaining a healthy working relationship with developers.

**SUBJECT: WORKING RELATIONS FOR COUNCIL AND PLANNING
COMMISSION – CHAIR OF THE CITY-COUNTY PLANNING
COMMISSION AMANDOLIA AND COUNCIL MEMBER WILLIAMS**

Commissioners expressed the intent of continuing an open dialogue and meeting on a regular basis with Council. They discussed pairing together to have detailed and constructive conversations.

Council Member Williams discussed setting a culture and reform to accomplish their shared goals.

Chairperson Amandolia stated if there were any decorum issues to please contact him directly. He stated his background with economic development. He stated how cases

are viewed from a planning perspective and emphasized the Commission's role as an advisory body.

Council Member Freeman thanked the Commission for their vigilance and support. Council Member Caballero echoed these sentiments.

Mayor Pro Temp Middleton explained responsibilities of an elected body. He explained the differences between advice and advocacy. He thanked the Commission for their service.

Council Member Holsey-Hyman stated how the Commission's advocacy allowed her to be more informed.

Council Member Johnson stated how she appreciated all of the different perspectives and conversations that are happening. She stated how they shared the common goal of accessible housing for the community and how there was not a perfect solution for it.

Council Member Williams encouraged both bodies to continue their discussions.

Mayor O'Neal thanked everyone for their time.

[ADJOURNMENT: 8:03 PM]

Paola Roland
Assistant Clerk

Diana Schreiber
City Clerk