



# Planning and the Development Process

November 22, 2022

# Development Services Center (DSC)

What is the function of the DSC?

- Primary focus = help those unfamiliar with development processes/regulations
- Single point of entry into the development process
- Respond to walk-in, phone and email inquiries
- Staffed by Planning and Inspections Departments



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# DSC: Common Customer Inquiries

## Homeowners

- I want to build a deck
- I want to build a fence

## Small business owners

- I want to open a home-based business
- I want to start a mobile business
- I want to open a brick and mortar business in an existing building



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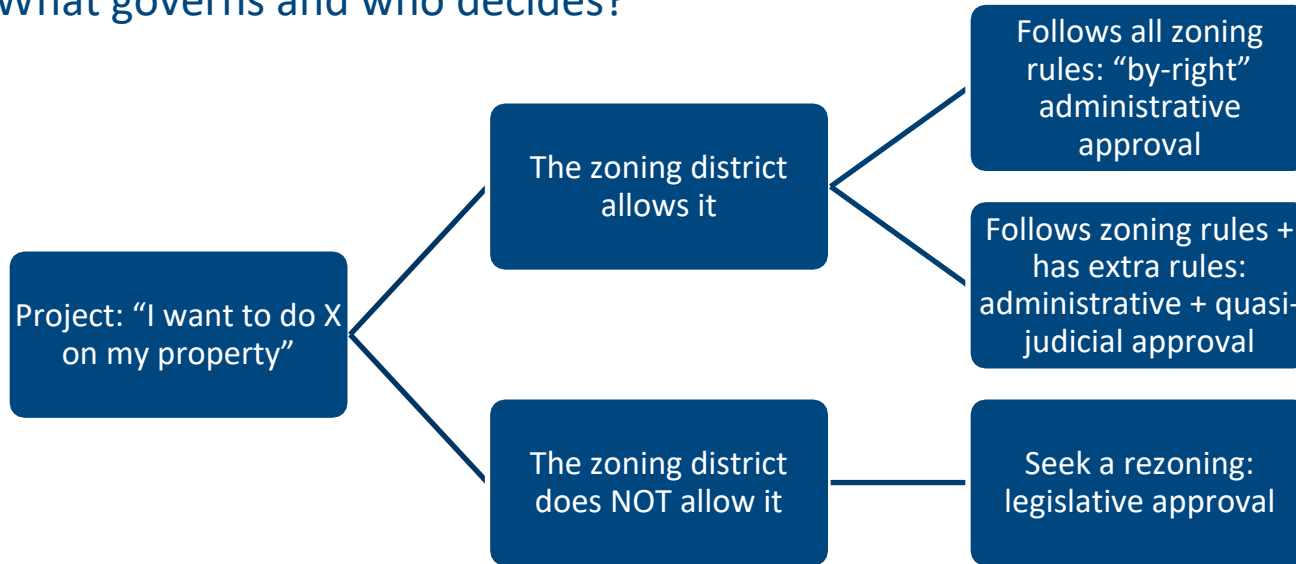
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# Development Basics

What governs and who decides?



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# Types of Approvals (per NCGS)

## Legislative

- Discretionary
- Who: City Council
- Purpose: Set policy and enact regulations

### Examples:

Plans, Ordinances, Annexations, Rezonings, Historic Landmarks

## Quasi-judicial

- Evidentiary
- Who: Board of Adjustment, Historic Preservation Commission, City Council
- Purpose: Ensure compatibility

### Examples:

Variances, Use Permits, Certificates of Appropriateness

## Administrative

- Non-discretionary
- Who: Staff
- Purpose: Verify compliance

### Examples:

Plats, Site Plans, Construction Drawings, Building Permits, Sign Permits



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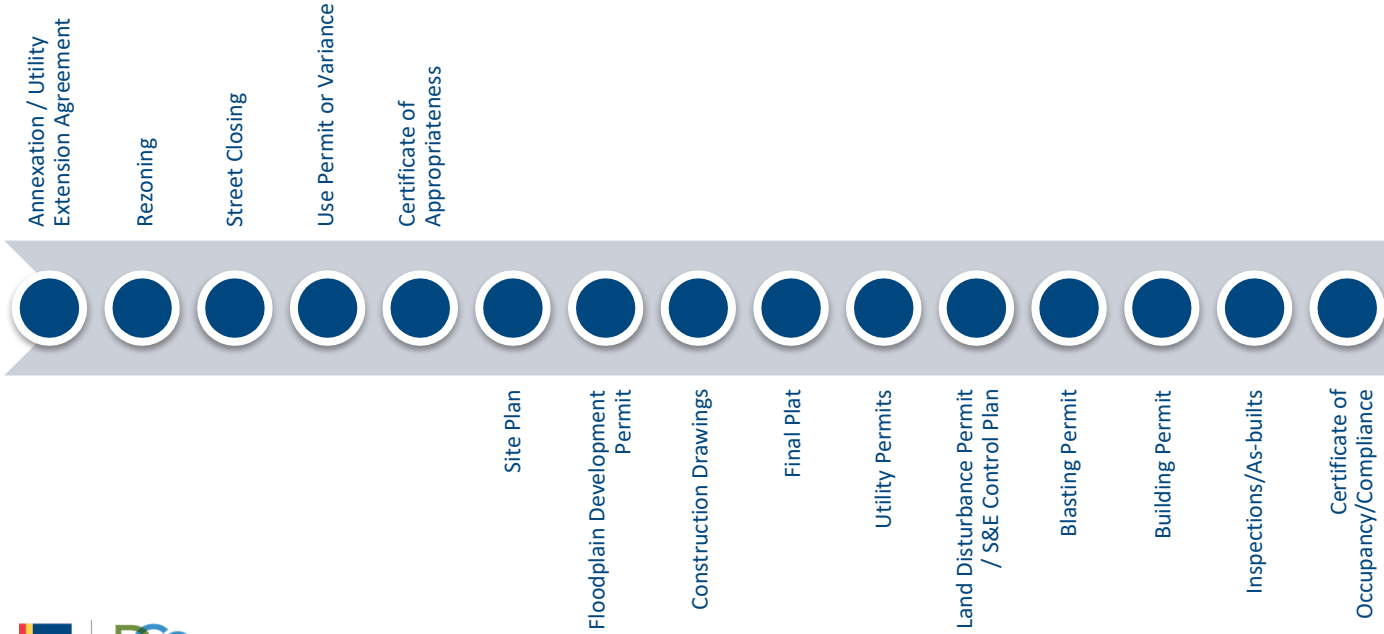
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# The Development Process

Discretionary  
↕  
Non-discretionary



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# Development Process Responsibilities

|                                    | Annexation / Utility Extension Agreement | Rezoning | Street Closing | Use Permit or Variance | Certificate of Appropriateness | Site Plan | Floodplain Development Permit | Final Plat | Construction Drawings | Utility Permits | Land Disturbance Permit / S&E Control Plan | Blasting Permit | Building Permit | Inspections/As-builts | Certificate of Compliance |
|------------------------------------|--|----------|----------------|------------------------|--------------------------------|-----------|-------------------------------|------------|-----------------------|-----------------|--|-----------------|-----------------|-----------------------|---------------------------|
| City-County Planning Department    | ●  | ●        | ●              | ●                      | ●                              | ●         | ●                             | ●          |                       |                 |  |                 |                 | ●                     |                           |
| City-County Inspections Department |  |          |                |                        |                                |           |                               |            |                       |                 |  |                 | ●               | ●                     | ●                         |
| City Public Works Department       | ●  |          |                |                        |                                |           |                               |            | ●                     | ●               |  |                 |                 | ●                     |                           |
| County Engineering Department      |  |          |                |                        |                                |           |                               |            | ●                     | ●               | ●  |                 |                 | ●                     |                           |
| Other State Agencies               |  |          |                |                        |                                |           |                               |            |                       | ●               |  |                 |                 |                       |                           |
| Fire Marshal                       |  |          |                |                        |                                |           |                               |            |                       |                 |  | ●               |                 | ●                     |                           |



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# Roles in the Development Process

## City-County Planning Department

- Draft policies and regulations
- Administrative reviews/approvals\*
- Customer service/assistance

## Joint City-County Planning Committee

- Advisory only
- Members: 3 CC + 3 BOCC + PC Chair
- Provide guidance to Planning Department on matters of joint jurisdictional interest

## Planning Commission

- Advisory only
- 14 members
- Make recommendations on plans, ordinances, rezonings

## City Council

- Set policies and regulations
- Legislative approvals\*
- Some quasi-judicial approvals\*
- Appointments (BOA, HPC, PC)



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# Development Policy vs. Regulations

## Policies

- Non-binding
- Aspirational – what would we like to see in the future
- Intended as guidance
- Not requirements
- No enforcement
- Can set priorities
- Reflect community vision

## Regulations

- Legally binding
- Intended to implement plans
- Law
- Requirements:
  - Standards – how designed
  - Processes – how reviewed and approved
- Enforcement mechanisms



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# Development Policy vs. Regulations

## Policy: Adopted Plans

- Comprehensive Plan
- Open Space Plans
- Corridor Plans
- Small Area Plans
- Historic Preservation Plans

## Regulations: Codes and Ordinances

- City Code
- Unified Development Ordinance + Zoning Map
- Historic Local Review Criteria
- Building Code

## Regulations: Industry Standards

- Reference Guide for Development
- Institute of Transportation Engineers (ITE) Manuals



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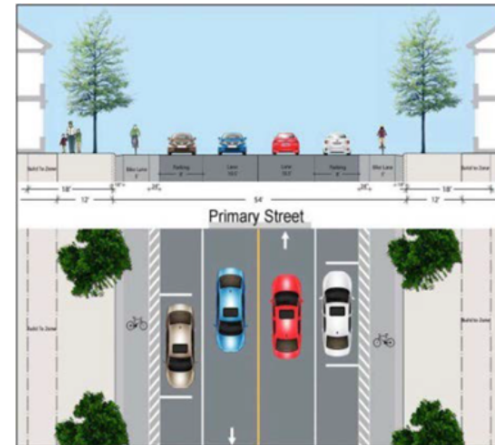


# Development Policy vs. Regulations

## Example

- Policy: “Design streets to be safe for all users.”
- Regulations:

| Component              | Required Width                       |
|------------------------|--------------------------------------|
| Travel lane            | 10.5 feet                            |
| Parking lane           | 8 feet                               |
| Bicycle lane           | 5 feet (excluding gutter and buffer) |
| Bicycle/parking buffer | 2 feet                               |
| Curb/gutter section    | 18 inches                            |



# Policy: Comprehensive Plan

## Goals and Objectives

- Identify big picture things the plan hopes to accomplish

## Place Type Map and Guide

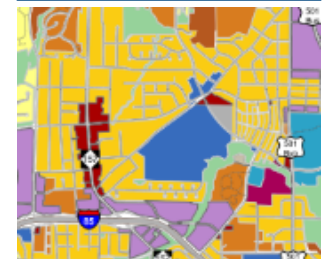
- Describes different types of development and shows where they should go geographically

## Policies

- Recommendations for how to reach goals/objectives

## Implementation/Action Items

- Specific steps, tasks, projects and who is responsible



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# Regulations: Unified Development Ordinance

## **Codifies Administrative Procedures**

- Application/permit types and processes
- Public notice requirements
- Responsibilities and authority of various entities
- Enforcement

## **Codifies Development Standards**

- Includes Zoning Map
- Most organized by zoning district
- Covers: land use, building mass/scale, site design, environmental protection



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# Comp Plan and UDO Updates

## Comprehensive Plan

- Revised policies and map posted in October
- Full draft plan available in January
- Final round of engagement January – February
- Planning Commission public hearing- February
- Joint governing bodies public hearing – June or August

## Unified Development Ordinance

- Needs re-write to implement new Comp Plan
- RFP for Regulatory Impediments to Affordability Analysis this winter
- RFP for new UDO this winter
- Consultant to start re-write in the spring



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# Questions?



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