



Planning

Date: January 25, 2021

To: Wendell M. Davis, County Manager
Through: Jay Gibson, General Manager
From: Sara M. Young, AICP, Planning Director
Subject: Terry Road Deannexation Zoning

Executive Summary

Terry Road Deannexation, case Z2000026A, is a staff-initiated zoning map change for 114.36 acres located at 1230 and 1236 Terry Road and 620 Scaly Bark Road. Planning Commission voted 11-0 to recommend approval of this proposal at their December 8, 2020 meeting.

Recommendation

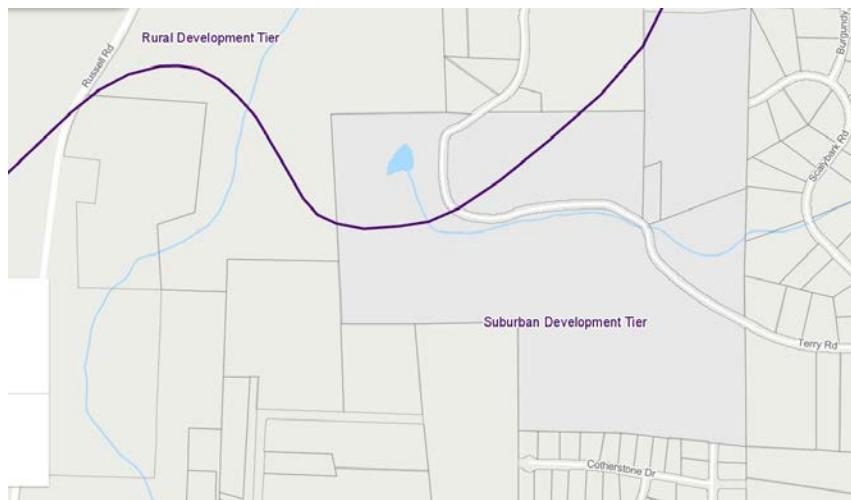
The staff recommends the Board of Commissioners approve the proposed zoning designation of Rural Residential (RR), which is consistent with the Future Land Use Map designations of Rural Density and Very Low Density Residential.

Background

In 2019, the owners of these parcels determined it was cost prohibitive to install public water and sewer to serve this property. The property owners and their representatives requested the North Carolina General Assembly to deannex this satellite area from City of Durham. Session Law 2019-218, Senate Bill 270, enacted the deannexation effective on June 30, 2020, Attachment 5.

The site was originally annexed into the City of Durham in 2003, accompanied by a zoning map change to Planned District Residential (PDR). The resulting, and current, city zoning of PDR 2.500, case P03-37, permits a maximum of 289 single family detached dwelling units. Now that the site is outside of the city limits and cannot be served public water and sewer, it cannot be developed at that density. Due to these unusual circumstances staff is initiating the zoning map change.

The staff recommends changing the zoning designation from PDR 2.500 to RR, which is consistent with the Future Land Use Map designations of Rural Density and Very Low Density Residential. Since the site is located in two development tiers (see the inset map), RR is also the least intense residential zoning permitted in both the Suburban and Rural Tiers.



Issues and Analysis

The property owners have consented to this zoning map change and have affirmed that it does not run counter to future development plans for this site. As seen in the photos below Terry Road will likely be upgraded and constructed to NCDOT standards depending on the type of development ultimately approved for this site. A neighborhood meeting was held by TMTLA Associates on November 10, 2020 to discuss a conservation subdivision for this property but a site plan has not been submitted at this time.

The zoning map change has been evaluated to suggest its potential impact on the transportation system and schools. Since the proposed change will result in a decrease in traffic generation, the existing roadway capacity will not be adversely affected. Transit service is not currently provided within one-quarter mile of the site. Additionally, compared to the existing zoning, there will be a decrease in the estimated school demand by 23 elementary school students, 12 middle school students and 17 high school students. Since the proposed change will result in an overall decrease in student enrollment, the Durham Public Schools System capacity will not be adversely affected. Additional details are available in Attachment 4, Transportation and School Impacts.



Photo 1
Taken from Terry Road looking East at the site



Photo 2
Taken from Terry Road looking East toward the paved portion of Terry Road



Photo 3
Terry Road paved to gravel portion looking West

Alternatives

The Board of Commissioners could approve an alternative zoning for the site but staff would need to further evaluate if an alternative zoning designation would be consistent with the Comprehensive Plan and Unified Development Ordinance.

Staff Contact

Grace D. Smith, AICP, CZO, Assistant Planning Director

Attachments

1. Context Map
2. Aerial Map
3. Future Land Use Map
4. Transportation and School Impacts
5. Session Law 2019-218
6. Planning Commission Written Comments
7. Consistency Statement
8. Zoning Ordinance