

WORK PROGRAM FY2026-2027



Planning & Development Department



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DURHAM PLANNING & DEVELOPMENT DEPARTMENT

Overview

The Durham Planning & Development Department was originally established (under NCGS § 160D) through an Interlocal agreement between the City of Durham and Durham County. The Department serves as the professional planning agency for both the City and County. The department performs complex land use evaluations and provides plans, reports, information, and recommendations to elected boards, City and County Managers, six appointed boards and commissions, and the public. The department is also the lead department in implementing and enforcing regulatory controls on development applications, and works collaboratively with City, County, state, and federal agencies on land use issues. In addition, through a city reorganization effective July 1, 2025, the Department now also houses development review and inspections functions for city infrastructure, which are separate city-only responsibilities not subject to inclusion in this work program.

Our Mission:
To plan for and foster the equitable and sustainable future of Durham.

Annual Work Program

The Interlocal Agreement requires that the City Council and Durham County Board of County Commissioners adopt an annual Planning Department Work Program, which sets the department's priorities for the next year. The work program is based on the available resources and is intended to reflect both ongoing regulatory tasks and special projects. It is aligned to the department's organizational structure for transparency and accountability.

Types of Work Program Items

The Work Program categorizes items into two types: ongoing processes or one-time projects. Ongoing items are tasks, processes, or programs that the department continually performs, such as reviewing development applications of all types. Those ongoing tasks can be either legally mandated or a result of policy direction by the governing bodies. One-time projects are discretionary and may be completed in a single year or span over multiple years depending on their scope and complexity. The anticipated length of projects is denoted in parenthesis after each item's title, as either single year or multi-year. All other items are considered ongoing. In addition, new items to this year's work program are also denoted as "NEW" after the item title.

COMMUNITY PLANNING

The Community Planning Team prepares plans, policies, programs, recommendations, and regulations about land use, historic preservation, urban design, environmental protection, and open spaces to preserve Durham's natural and cultural resources. Community Planning work includes the following:

1.1 Unified Development Ordinance Text Amendments

Description: Development issues give rise to changes in Durham's development regulations. Private applicants may apply for zoning text amendments, or the City or County may initiate zoning text amendments.

Responsibility: Propose and process amendments to the *Unified Development Ordinance* (UDO) as necessary to respond to development and regulatory issues in a timely manner and accordance with the UDO. This includes pre-submittal conferences as needed; application intake; ongoing applicant contact and information, as applicable; coordination of review by other Planning staff, other City, County, and State agencies, and the public. It also includes preparation of policy guidance documents for review by the Joint City-County Planning Committee (JCCPC); preparation of staff reports and recommendations; managing public notice and holding public informational meetings as needed; managing Planning Commission review and recommendation; managing governing board reviews and notice of decisions, and maintaining public records.

Authority: N.C.G.S. 160D and UDO Section 3.19, Text Amendments.

1.1.1 Respond to Legislative Mandates

Description: Propose amendments to the UDO to comply with changes to local, State, and federal regulations.

1.1.2 City- and County-Initiated Text Amendments

Description: Process City and County requests for zoning text amendments in a timely manner and keeping with the UDO.

1.1.3 Privately Initiated Text Amendments

Description: Process private applications for zoning text amendments in a timely manner and keeping with the UDO.

1.1.4 Omnibus Changes

Description: Process technical and minor changes to the UDO in keeping with direction from the City and County Managers and the Joint City-County Planning Committee.

1.2 New Unified Development Ordinance (Multi-Year Project)

Description: Complete rewrite of the *Unified Development Ordinance* (UDO) to implement the newly adopted Comprehensive Plan and Place Type Map.

Responsibility: The selected consultant, Code Studio, will draft a new UDO in modules. This includes an initial code audit and approach report, community engagement materials and events, biweekly coordination meetings with staff and presentations to elected officials.

1.3 Comprehensive Plan Implementation

The Comprehensive Plan is the City and County's land use plan to guide future growth and development, including prioritization of infrastructure investments. Implementation of the policy direction from the new Comprehensive Plan includes the specific projects listed below as well as additional small-scale special projects that may be undertaken as resources allow.

1.3.1 Inter-Departmental Long-Range Plans Coordination Meetings

Description: Quarterly meetings with Departments with long-range planning and implementation responsibilities to coordinate priorities, track progress on implementation items, and coordinate future projects.



1.4 Small Area Planning

Prepare plans and develop policies for areas of limited geographic scope as directed by the governing boards. Small area plans provide guidance and recommendations for improvements that are tailored to specific areas of the city and county. These plans can address unique neighborhood concerns and priorities and involve significant community engagement.

1.4.1 Lakewood Park Small Area Plan (Multi-Year Project)

Description: Develop a small area plan for the area around the Lakewood Shopping Center, including the Lyon Park and Lafayette Street neighborhoods.

1.4.2 Greater Bragtown Small Area Plan (Multi-Year Project)

Description: Develop a small area plan for the Bragtown, Oxford-Hamlin, and Colonial Village neighborhoods as well as the Oxford Commons Shopping Center.

1.4.3 Walltown Small Area Plan Paper Street Closings (NEW, One-Year Project)

Description: Closure of paper streets identified in the Walltown Small Area Plan as recommended in Chapter 3.

1.5 Environmental Planning

Prepare plans and develop policies for the protection of Durham's environmental resources as directed by the governing boards.

1.5.1 Landscape Manual Update (Multi-Year Project)

Description: Revise the *Durham Landscape Manual* to further align with Comprehensive Plan policies, particularly related to biodiversity and conservation goals (Comprehensive Plan Environment Action 45), and review and recommend changes to Comprehensive Plan policies.

1.5.2 Durham County Open Space Plan (Multi-Year Project)

Description: Subject to funding, and through a consultant, develop a county-wide open space plan that includes policies and actions for open space protection and preservation and land acquisition priorities (Comprehensive Plan Environment Actions 4, 9, and 10).

1.5.3 Natural Resource Protection Overlays (NEW, One-Year Project)

Description: Research the feasibility of creating new zoning overlays specifically focused on increased environmental protection. The report will include analysis of approaches taken by other municipalities, legal frameworks and limitations, and potential implementation strategies (Comprehensive Plan Policies 79, 80, 83, and 84).

1.5.4 Tree Canopy Assessment (NEW, One-Year Project)

Description: In conjunction with the General Services Department, Urban Forestry Division, complete an analysis of the new tree canopy assessment data provided by the consultant. Conduct further analyses to determine if regulatory shifts are required in order to meet the City's 55% canopy coverage goal by 2045 (Comprehensive Plan Policy 94), and review and recommend changes to Comprehensive Plan policies.

1.5.5 Biophilic Cities Network (NEW, Multi-Year Project)

Description: Coordinate with the General Services Department, Sustainability & Resiliency Division, to apply to join the Biophilic Cities Network and complete all requisite annual reporting (per the adopted City Council resolution in October of 2025).

1.6 Transportation Planning

Provide transportation planning services to the City, the County, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). This includes representing Durham County on the DCHC MPO Technical Coordinating Committee and preparing socioeconomic projections for the long-range transportation plan.

1.6.1 Regional and State Transportation Planning

Description: Participate in regional transportation planning with the DCHC MPO. Participate with GoTriangle and other jurisdictions in the region to plan a regional transit system, including locating transit-oriented neighborhoods around proposed transit stations.

1.6.2 Triangle West Transportation Planning Organization

Description: Represent Durham County on the Triangle West TPO Technical Coordinating Committee and various subcommittees, including but not limited to the Comprehensive Transportation Plan and Metropolitan Transportation Plan committees. Assist the TPO on behalf of the County with analyses of various land use, demographic, and transportation models and scenarios to better inform land use and transportation policy and assist in the development of policies that improve transportation choices and regional mobility.

1.6.3 Multimodal Traffic Impact Analysis (Multi-Year Project)

Description: Subject to funding, and through a consultant, develop a process and procedures for a multimodal traffic impact analysis that would address impacts on non-motor vehicle transportation modes. The new multimodal process is anticipated to develop key thresholds, review standards, and level of service standards that would identify necessary improvements to the pedestrian, bicycle and transit system that are directly tied to the impacts of a new development. (Comprehensive Plan Transportation Action 22).

1.7 Historic Preservation

1.7.1 Historic Preservation Commission (HPC) Support

Description: The HPC is the quasi-judicial approving authority for Certificates of Appropriateness and appeals of Demolition by Neglect findings, and reviews and makes recommendations to the governing boards about historic districts and historic landmarks.

Responsibilities: Provide ongoing support for the HPC. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.5, Historic Preservation Commission (HPC), and the "Interlocal Cooperation Agreement Between Durham County and the City of Durham" establishing a joint historic planning effort.

1.7.2 Certified Local Government Management

Description: Certified Local Government (CLG) status allows a jurisdiction with a qualifying historic preservation program access to technical assistance from the State Historic Preservation Office, participation in the National Register nomination process, and eligibility to apply for Historic Preservation Fund matching grants.

Responsibilities: Continue to maintain CLG status. Prepare annual reports for the State Historic Preservation Office; apply for and administer grants for historic preservation studies; review nominations for the National Register of Historic Places; review Section 106 inquiries; and participate in training for staff and Historic Preservation Commission members.

Authority: National Historic Preservation Act of 1966, as amended, and 36 CFR Part 61.

1.7.3 Certificates of Appropriateness

Description: The City Council and the Board of County Commissioners are authorized to establish local historic districts and local landmarks. Proposed exterior changes in the appearance of properties in local historic districts and local landmarks require the approval of a Certificate of Appropriateness (COA) from the HPC. The HPC delegates administrative approval to staff for certain activities with insignificant impact on the exterior appearance of the historic structures.

Responsibilities: Process applications for COAs in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing HPC review and issuance of the decision, and maintaining public records.

Authority: UDO Section 3.17, Certificate of Appropriateness, and adopted Historic District Preservation Plans.

1.7.4 Historic Landmarks and Landmark Signs

Description: The City Council and the Board of County Commissioners are authorized to establish local historic landmarks and landmark signs. Local landmarks are designated with the consent of the property owner and subject the property to Certificate of Appropriateness requirements. Local landmarks are eligible for a deferral of local property taxes equal to one-half of their appraised value.

Responsibilities: Process application for Historic Landmarks and Landmark Signs in a timely manner and in keeping with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, submission of the application to the NC State Historic Preservation Office for comment, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing Historic Preservation Commission review and recommendation. It also includes managing governing board review and notice of the decision, maintaining records, and follow-up with the County Tax Administrator's Office.

Authority: UDO Section 3.16, Historic District or Landmark Designation.

1.7.5 Demolition by Neglect Investigations

Description: Owners of certain historic properties within the City limits are required to maintain their properties and not allow them to fall into disrepair. The UDO in paragraph 3.18.1A, Conditions of Neglect Defined and Prohibited, describes the conditions of neglect that must be remedied within the time set by an administrative determination. Property owners and staff may formally request the Planning Director's determination that a property is being demolished by neglect.

Responsibilities: Respond to petitions for a Demolition by Neglect determination in a timely manner and accordance with UDO requirements and Department procedures.

Authority: UDO Section 3.18, Demolition by Neglect.

1.7.6 Section 106 Review

Description: Section 106 of the National Historic Preservation Act requires that federal agencies consider the effects of their projects on properties listed (or eligible for listing) in the National Register of Historic Places and allow certain parties the opportunity to comment on the proposed action to resolve any adverse effect.

Responsibilities: Respond to notices of potential adverse effect within specified timeframe in accordance with Department procedures.

Authority: National Historic Preservation Act of 1966.

1.7.7 Historic Preservation Fund Grant Administration

Description: Administer any awarded Historic Preservation Fund (HPF) grants issued by the National Park Service, through the State Historic Preservation office, for partner non-profit groups.

Responsibility: Administer HPF grants in accordance with federal, state, and local standards.

Authority: Historic Preservation Act Amendments of 1980 (P. L. 96-515), Durham County Certification Agreement for Local Governments (1987), and City of Durham Certification Agreement for Local Governments (1989).

1.7.8 Heritage Communities Program

Description: Administer the Heritage Communities Program, which recognizes properties of historic significance, without imposing regulatory requirements that can be burdensome on property owners and residents. Heritage Community recognition is commemorative and educational and has no effect on property rights, zoning, or taxation. Heritage Communities are designated through an application process (Comprehensive Plan Neighborhoods Action 22).

1.7.9 Local Historic Districts Inventory Update (Multi-Year Project)

Description: Update the property inventories for all local historic districts to identify any changes in contributing/noncontributing status. (Comprehensive Plan Neighborhoods Action 22).

1.8 Urban Design Studios (NEW, Ongoing)

Description: Plan, organize, and facilitate design-focused, public outreach events such as workshops, charrettes, and presentations for special projects. Due to the scope of the new Comprehensive Plan Urban Design Studios will be limited to city or county projects only during the duration of Plan development.

1.9 Durham Open Space and Trails Commission Support

Description: The Durham open Space and Trails Commission (DOST) provides advice to the City Council and Board of County Commissioners on matters relating to open space preservation and trail development. To provide recreational and environmental benefits for the citizens of Durham County, the DOST promotes the preservation of valuable open spaces, natural vegetation, and stream valleys within the urban and rural environment, and the development of trails and other appropriate recreational and transportation facilities for pedestrians and bicycles.

Responsibility: Provide ongoing support for the DOST. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, maintain records of meeting minutes or notes, and provide public information.

Authority: City of Durham and County of Durham Interlocal Cooperation Agreement for Open Space and Trails Planning.

GROWTH MANAGEMENT

The Growth Management Team processes legislative applications for public and private land development, makes timely recommendations to advisory and elected boards, and manages physical and digital records and public notification in accordance with State statutes and UDO requirements. Growth Management work includes the following:

2.1 Planning Commission Support

Description: The Planning Commission reviews and makes recommendations to the governing boards on the following types of items: *Comprehensive Plan* amendments, UDO text amendments, zoning map changes, historic districts, development agreements, redevelopment plans, and other long-range plans.

Responsibility: Provide ongoing support for the Planning Commission. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.3, Planning Commission, and the latest version of the “State of North Carolina, County of Durham Interlocal Cooperation Agreement” between the City and County for planning.

2.2 Zoning Map Changes

Description: Zoning is the process of legally establishing allowable uses of land pursuant to State statutes and the Durham UDO. A zoning map change occurs when a petitioner wishes to change the allowable uses of land as established by the adopted City-County zoning map. An initial zoning is applied when the City Council annexes property into the City’s corporate area.

State statute enables the City and County to require and authorize zoning with a development plan. A development plan specifies commitments that are beyond minimum UDO requirements. Commitments can include density and intensity, tree coverage, setbacks, or any other site development characteristic. The development plan becomes part of the zoning of a property and is reviewed concurrently with the zoning map change request. Subsequent site plans or plats may not deviate from the plan unless otherwise allowed or required by the UDO. Petitioners may request an administratively approved deviation from an approved development plan under certain conditions.

Responsibility: Process applications for a Zoning Map Change in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board consideration, and maintaining public records.

Authority: UDO Section 3.5, Zoning Map Change.

2.3 Comprehensive Plan Amendments

Description: The *Durham Comprehensive Plan* guides the physical growth and development of the City and County. The Plan’s Map provides guidance on desired patterns of land use. The UDO establishes required procedures for neighborhood meetings, application submittal, and review and consideration by advisory and governing bodies.

Responsibility: Process applications for Plan Amendments in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparing summary reports for the Joint City-County Planning Committee (JCCPC), preparing staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Planning Commission review and recommendation, managing governing board review and decision, and maintaining public records. City- or County-initiated Plan Amendments also include conducting neighborhood meetings.

Authority: UDO Section 3.4, Comprehensive Plan Adoption/Amendment.

2.4 Annexation Petitions

Description: Coordinate multi-departmental review of voluntary annexation petitions.

Responsibility: Serve as the lead agency for consolidated annexation agenda items, including processing applications for voluntary annexation in a timely manner and accordance with State statute and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing governing board consideration, and maintaining public records. It also includes incorporating Utility Impact Analysis (UIA) information from Public Works, Fiscal Impact Analysis (FIA), and initial zoning information into the coordinated recommendation to City Council.

Authority: NCGS § 160A-31 and Coordinated Annexation Strategy resolution, adopted by City Council in October 2012.

2.5 Statutory Vested Rights Determinations

Description: The UDO establishes a procedure for obtaining a statutory vested right in conformance with NCGS § 160D-102 and 160D-108. A vested right may be established upon approval of a "site specific development plan" after a public hearing by the governing board. New or amended zoning regulations shall not apply to a property with an established vested right until the vested right expires or is terminated.

Responsibility: Process applications for Statutory Vested Rights Determinations in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing governing board consideration and notification of the decision, and maintaining public records.

Authority: UDO paragraph 3.20, Statutory Vested Rights Determination.

2.6 Watershed Determinations

Description: When the precise location of a water supply watershed boundary is unclear, a formal determination by the Planning Director with the concurrence of the relevant governing board and the State of North Carolina is required. The North Carolina Administrative Code requires that the North Carolina Environmental Management Commission (EMC) approve all expansions and deletions to protected and critical watershed area boundaries before adoption by the local government.

Responsibility: Process private requests for watershed determinations in accordance with UDO requirements and Department procedures. This includes preparation of staff reports and recommendations, routing the request to the EMC for approval, ongoing applicant contact and information, managing governing board consideration, and maintaining public records.

Authority: UDO paragraph 4.11.3, Rules for Interpretation of Overlay Boundaries, and the North Carolina Administrative Code

LAND DEVELOPMENT REVIEW

The Major Development Review Team reviews large proposals for public and private land development for consistency with adopted plans, policies, and ordinances, including managing physical and digital records. The Major Development Review Team issues administrative approvals and also processes some quasi-judicial and legislative items. Their work includes the following:

3.1 Site Plans

Description: A site plan is an approval that ensures that any future development will occur in a planned and orderly manner. All proposed development in Durham requires review and approval of a site plan, except single-family and two-family development on single lots or improvements that are solely interior to an existing building.

Responsibility: Process applications for Site Plan review approval in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake and triage, managing review by multiple departments and agencies, preparation of staff reports and recommendations if applicable, ongoing applicant contact and information, managing public notice, managing governing board consideration if applicable, and maintaining public records.

Authority: UDO Section 3.7, Site Plan Review.

3.2 Subdivisions

Description: Plats include all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for sale or building development, pursuant to State statutes and the Durham UDO. Subdivision of land occurs through the submittal and approval of a map called a “plat” and the recordation of that plat with the Office of the Durham County Register of Deeds.

A preliminary plat is a map indicating the proposed layout of a development and related information that is submitted for preliminary review. A final plat is the map of all or a portion of a subdivision, presented for final approval.

Responsibility: Process applications for Subdivision plat approval in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations if applicable, ongoing applicant contact and information, extension requests, managing public notice, managing governing board review and decision, if applicable, and maintaining public records. These may include conservation subdivisions.

Authority: UDO Section 3.6, Subdivision Review, and Article 13, Additional Requirements for Subdivisions.

3.3 Street Withdrawals

Description: Under State statute, a dedicated right-of-way that was never actually opened, or used by the public within 15 years after the dedication, may be withdrawn from dedication under certain circumstances.

Responsibilities: The Planning Department reviews the information provided by the property owner, verifies that the right-of-way has not been opened or used by consulting aerial photos, and that the street is not shown on the adopted future street plan and verifies the applicant's legal relationship to the original dedicator. Once this has been verified, the Planning Department reviews the recombination plat for compliance with NCGS § 47-30, as amended, manages review by multiple departments and agencies, and ongoing applicant contact and information.

Authority: UDO paragraph 3.24.2, Street Withdrawal, and NCGS § 136-96.

3.4 Street Closings

Description: The Planning Department coordinates the review and approval of the petitioned closure of publicly dedicated streets in the City and County, except those under the jurisdiction of the NC Department of Transportation, pursuant to State law. Street closings require public hearings and approval by the governing board.

Responsibility: Process applications for street closings in a timely manner and accordance with State statute and Department procedures. This includes pre-submittal conferences, managing review by multiple departments and agencies, preparation of staff reports and recommendations, and ongoing applicant contact and information. It also includes managing public notice, managing governing board consideration and notice of the decision, recordation of the street closing plat, maintaining public records, and notification of appropriate local, State, and federal agencies after the street closing plat is recorded.

Authority: UDO paragraph 12.3, Streets; UDO paragraph 3.24.1, Street Closing; NCGS § 160A-299 (City); and NCGS § 153A-241 (County).

3.5 Street Renaming

Description: The Planning Department coordinates the review and approval of the petitioned renaming of streets in the City and County pursuant to State statute and the UDO. Street renaming requires a public hearing and approval by the governing board.

Responsibility: Process applications for street renaming in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, managing review by multiple departments and agencies, the holding of neighborhood information meetings, preparation of staff reports and recommendations, ongoing applicant contact and information. It also includes managing public notice, managing governing board consideration and notice of the decision, recordation of the street renaming plat, maintaining public records, and notification of surrounding property owners and appropriate local, State, and federal agencies after approval of the street name change.

Authority: UDO paragraph 12.3.2, Street Names, and UDO paragraph 3.25.2, Street Renaming.

3.6 UDO Administrative Interpretations

Description: The requirements of the UDO cannot anticipate the variety of real-world, on-the-ground conditions. On numerous occasions, an interpretation of UDO requirements is necessary to achieve the regulatory objectives while accommodating unorthodox situations.

Responsibility: According to the UDO, the Planning Director is authorized to interpret the Ordinance and make an administrative adjustment to the specified development standards in the UDO.

Authority: UDO paragraph 2.7.4, Powers and Duties.

3.7 Board of Adjustment

3.7.1 BOA Support

Description: The Board of Adjustment (BOA) is the quasi-judicial approving authority for variances, minor special use permits, reasonable accommodations, and appeals of administrative decisions.

Responsibility: Provide ongoing support for the BOA. Prepare agendas, prepare meeting notices and advertisements, arrange and attend meetings, prepare meeting minutes or notes, maintain records, and provide public information.

Authority: UDO Section 2.4, Board of Adjustment (BOA), and the latest version of the “State of North Carolina, County of Durham Interlocal Cooperation Agreement” between the City and County for planning.

3.7.2 Special Use Permits

Description: A Special Use Permit is required for certain uses within certain zoning districts that have significant potential for incompatibility with adjacent and nearby uses and, therefore, require individual, quasi-judicial review. A Special Use Permit must be obtained when a property owner wishes to undertake one of the specified uses. There are three different types of special use permits: Minor, Major and Transportation, with the first requiring Board of Adjustment approval and the latter two requiring governing body approval.

Responsibility: Process applications for Special Use Permits in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, on-going applicant contact and information, managing public notice, managing Board of Adjustment review and decision if applicable, managing governing board review and issuance of the decision, if applicable and maintaining public records.

Authority: UDO Section 3.9, Special Use Permit.

3.7.3 Variances

Description: The Board of Adjustment may vary certain requirements of the UDO, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in hardship in making reasonable use of the property. Per State law, a use variance is not allowed.

Responsibilities: Process applications for Variances in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing Board of Adjustment review and issuance of the decision, and maintaining public records.

Authority: UDO Section 3.14, Variance.

3.7.4 Appeals of Administrative Decision

Description: Any person aggrieved by a final order, interpretation, or decision of any administrative official authorized to make decisions under the UDO may appeal those decisions to the Board of Adjustment.

Responsibilities: Process applications for Appeals of Administrative Decision in a timely manner and accordance with UDO requirements and Department procedures. This includes application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing Board of Adjustment review and issuance of the decision, and maintaining public records.

Authority: UDO Section 3.15, Appeal of Administrative Decision.

3.7.5 Reasonable Accommodations

Description: Any person with a disability or handicap may request a modification or exception to the rules, standards, and/or practices for the siting, development, and use of housing or housing-related facilities in the UDO to eliminate regulatory barriers and provide an equal opportunity to a dwelling of choice.

Responsibilities: Process applications for Reasonable Accommodations in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences, application intake, managing review by multiple departments and agencies, preparation of staff reports and recommendations, ongoing applicant contact and information, managing public notice, managing Board of Adjustment review and issuance of the decision, and maintaining public records.

Authority: UDO Section 3.23, Reasonable Accommodation



LAND DEVELOPMENT COMPLIANCE

The Land Development Compliance Team provides quick turnaround reviews and administrative approvals for a variety of development permits of limited scope and complexity. The Team's work includes the following:

4.1 Exempt Plats

Description: Plats include all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for sale or building development, pursuant to State statutes and the Durham UDO. Subdivision of land occurs through the submittal and approval of a map called a "plat" and the recordation of that plat with the Office of the Durham County Register of Deeds.

Responsibility: Process applications for exempt plat approval in a timely manner and accordance with UDO requirements and Department procedures. This includes application intake, managing review by multiple departments and agencies, ongoing applicant contact and information, extension requests, and maintaining public records.

Authority: UDO Section 3.6, Subdivision Review, and Article 13, Additional Requirements for Subdivisions.

4.2 Planning Review of Building Permits

Description: Building permits are reviewed by Planning staff to verify compliance with applicable standards established in the UDO or approved site plan, development plan, or Certificate of Appropriateness.

Responsibility: Review building permits in a timely manner and in accordance with UDO requirements and Department procedures.

Authority: Durham Unified Development Ordinance, sections as applicable.

4.3 Site Compliance Inspections

Description: Each development in Durham that has an associated site plan must receive a sign-off on the Certificate of Compliance from the City-County Inspections Department and other City and County Departments before occupancy. The UDO requires that new development must be built in accordance with approved site plans to remain valid. Planning staff enforces these provisions by performing site evaluations. Planning sign offs on Certificates of Compliance are based on site visits (and follow-up visits) conducted by Planning Department staff.

The Planning Department also responds to citizen complaints regarding non-compliance with approved site plans through site investigations and follow-up reports and, when violations are found, enforcement actions.

Responsibility: Perform site visits to evaluate whether building and site construction comply with the adopted site plan, in a timely manner and accordance with UDO requirements and Department procedures.

Authority: UDO Article 15, Enforcement; paragraph 3.7.9, Inspections of Required Improvements; and paragraph 3.7.10, Issuance of Certificate of Compliance.

FLOODPLAIN MANAGEMENT

The Floodplain Management Team provides administrative reviews and approvals for development in the floodplain and right-of-way permits of limited scope and complexity. The Team's work includes the following:

5.1 Floodplain Reviews and Permits

Description: Pursuant to the requirements of the National Flood Insurance Program (NFIP) and the Durham UDO, development activities in the 100-year floodplain and floodway are restricted. Permissible development in the floodplain requires additional review and approval to ensure that there is no substantial, negative impact on flooding of adjacent properties. Reviews include: Floodplain Development Permits, Floodplain Administrator's (MT-2) compliance signoff of Conditional Letters of Map Revision (CLOMR), floodplain review determination letters, no-impact certifications and calculations, No Practical Alternative Applications (NPAA), floodplain as-builts, and tracking of floodplain inquiries.

Responsibility: Process reviews in a timely manner and in accordance with UDO requirements, FEMA regulations, and Department procedures.

Authority: Section 8.4 of the Durham UDO.

5.2 NFIP Community Rating System (County Only)

Description: The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from community actions. The goals of the CRS program are to reduce flood losses, facilitate accurate insurance rating, and promote the awareness of flood insurance. The objective of the CRS is to reward communities that are doing more than meeting the minimum NFIP requirements to help their residents prevent or reduce flood losses. The CRS also provides an incentive for communities to initiate new flood protection strategies.

Responsibility: Process annual application for certification of Durham County's National Flood Insurance Program Community Rating System (NFIP CRS) program. Implement public outreach and education related to floodplain issues; enforce applicable floodplain regulations; and develop and implement enhancements to open space acquisition, repetitive loss reduction strategy, and maintenance of streams and other waterways.

Authority: Direction from the County Manager.

CUSTOMER SERVICE

The Customer Service Team functions include receiving permits and development applications, routing materials for review, tracking the status of permit and development applications, coordinating interdepartmental meetings, helping customers navigate the development process and answering minor questions that do not involve substantial staff research or analysis. In-person staffing of the Development Services Center lobby is provided in coordination with the City-County Inspections Department. The Customer Service Team's work includes the following:

6.1 Public Education and Outreach

Description: Help customers navigate the development process and engage with stakeholders. This includes helping customers define what they are trying to accomplish, helping customers understand which development application or permit they will need, and assisting with the completion of an application or permit. This also includes notifying customers of operational changes, providing customer self-help information online, and periodically meeting with customers or stakeholder groups to receive feedback related to any aspect of Durham's development process.

6.2 Public Information Inquiries

Description: Provide customers with information on property zoning and applicable development regulations (ranging from high-level summaries to more in-depth analyses) prior to initiating a formal application. Information may be provided as due diligence letters that verify zoning district, current land use, Certificate of Occupancy, and/or pending or prior zoning code enforcement actions. Also includes fulfilling public records requests, either by directing customers to information online or retrieving and scanning documents.

6.3 Development Review Support

Description: This includes receiving permits and development applications, routing materials for review, and tracking the status of permit and development applications.

6.4 Family Care Homes and Group Homes Compliance

Description: Family care homes are dwellings defined in NCGS § 168-21; group homes are dwellings that are operated under State regulations, that provide room and board for more than six, but less than 13 individuals who as a result of age, illness, handicap or some specialized program, require personalized services or a supervised living arrangement in order to assure their safety and comfort.

Responsibility: The Planning Department: a) maintains a database of family care homes and group homes within Durham City and County; b) coordinates the database with the North Carolina Department of Health and Human Services, Division of Health Service Regulation (NCDHSR) listings, and the County Health Department on a regular basis; c) works with the County Health Department to require verification of zoning and compliance with UDO separation standards for family care and group homes. Additionally, the Planning Department processes requests for business verification letters for new family care and group homes, including pre-submittal conferences as needed, application intake, verifying the proposed location meets the UDO separation requirements, investigating complaints and performing enforcement actions as needed, and maintaining public records.

Authority: Directives from the City and County Managers, and UDO paragraph 5.3.2C, Family Care Homes and Group Homes.

6.5 Home Occupation Permits and Inspections

Description: Commercial enterprises undertaken from residential structures must meet City-County standards and require a home occupation permit from the Planning Director or designee.

Responsibility: Process applications for Home Occupation Permits in a timely manner and accordance with UDO requirements and Department procedures. This includes pre-submittal conferences as needed, application intake, review of proposals for home occupation permits, conducting site visits as necessary, issuing required permits, and maintaining public records.

Authority: UDO Section 3.13, Home Occupation Permit, and paragraph 5.4.4, Home Occupations.

6.6 Street Vendor Registration and Compliance

Description: Durham City Code establishes standards for street vendors operating in the public rights-of-way and requires that they be registered annually with the City. The Planning Department has been delegated the tasks related to street vendor registration and compliance by the City Manager.

Responsibility: Process applications for Street Vendor Registration in a timely manner and in accordance with City code requirements and Department procedures. These include informing the street vendors of the requirements, processing Street Vendor Registration initial requests and annual renewals, conducting pre-submittal conferences as needed, application intake, coordination with the County Health Department as needed, investigating complaints, performing enforcement actions as needed, and maintaining public records.

Authority: City Code, Section 54-91, Right of Way Sales Activities; designated to administer the program by the City Manager.

6.7 Common and Way-Finding Signage Plans

Description: A Common Signage Plan is required when multiple signs are associated with a project that consists of several buildings in a single development. The common signage plan includes all signs within the development, including out parcels. Way-finding signs are solely for the purpose of providing directional information along rights-of-way from sub-sections, tenants, or areas of the development to other sub-sections, tenants, or areas of the development.

Responsibilities: Process applications for Common Signage Plans and Way-Finding Signage Plans in a timely manner and accordance with UDO requirements and Department procedures. This includes application intake, managing review by multiple departments and agencies, ongoing applicant contact and information, and maintaining public records. The Planning Director or designee is the approving authority for common and way-finding signage plans. The Planning Director or designee may approve modifications to the lettering style of a common signage plan to accommodate State and federally registered trademarks (logos) if the intent of the common signage plan requirements is maintained.

Authority: UDO Section 3.11, Common and Way-Finding Signage Plans; paragraph 11.6.2A.9, Way-Finding Signs; Section 11.8, Elements of Common and Way-Finding Signage Plans; and Section 11.2, General Requirements for Signs.

6.8 Sign Permits

Description: Sign permits are required for a variety of different sign types and ensure that signs comply with established regulations in terms of size, location, number, landscaping, and lighting.

Responsibility: Process applications for sign permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes application intake, issuance of the permit, inspection of the sign(s) and any required landscaping upon installation and maintaining public records.

Authority: UDO Section 3.10, Sign Permit; and Section 11.6, Signs Requiring Permits.

6.9 Temporary Use Permits

Description: Temporary uses occurring on property outside of the public right-of-way are allowed upon the issuance of a temporary use permit, with some exceptions. The Planning Department coordinates the review and approval of temporary use permits.

Responsibility: Process applications for Temporary Use Permits in a timely manner and in accordance with UDO requirements and Department procedures. This includes a pre-submittal conference as needed, application intake, soliciting comments from other departments and agencies, issuance of the permit, monitoring compliance, and maintaining public records.

Authority: UDO Section 3.12, Temporary Use Permit; and Section 5.5, Temporary Uses.

6.10 Selective Vegetation Removal Permit Review

Description: A property owner may submit a request to the N.C. Department of Transportation (NCDOT) for a selective vegetation removal permit to open up views to a building or a legally erected billboard located directly adjacent to limited- or controlled-access State or federal highway right-of-way that is also within City limits. In addition, all beautification and replanting plans within a State or federal highway right-of-way, except mitigation plans, must be submitted to either the City or County of Durham, as appropriate. The Planning Department coordinates the reviews of these requests and responses to NCDOT.

Responsibility: Review Selective Vegetation Removal Permits and Beautification and Replanting Plans in a timely manner and in accordance with State law. This includes maintaining registration with the NCDOT for the City and County, receipt of requests, soliciting comments from other departments and agencies, issuance of a response letter to NCDOT, maintaining public records, and keeping the elected officials informed when new requests are received.

Authority: NCGS § 19A NCAC 02E.0600.



ZONING ENFORCEMENT

The Zoning Enforcement Team ensures compliance with adopted regulations and in conformance with granted approvals and manages physical and digital records in accordance with State statutes and UDO requirements. The Team's work includes the following:

7.1 Complaint Investigations

Description: Investigate complaints of possible violations of provisions of the Unified Development Ordinance. Track all enforcement actions taken by updating the database and hard copy files. In response to complaints, work with citizens and staff to ensure compliance with development ordinances.

Responsibility: Investigate complaints in accordance with the Planning Director's Guidelines for Enforcement. Issue Notices of Violation, as appropriate. Maintain records in the database, referencing specific complaints and any enforcement actions taken. Communicate with the complainant and violator regarding case status. Issue fines, as appropriate, and provide testimony in court, as needed.

Authority: UDO Article 15, Enforcement.

7.2 Proactive Enforcement

Description: Enforce provisions of the Unified Development Ordinance proactively through daily patrols. Track all enforcement actions taken by updating the database and hard copy files. In response to observations from patrol, work with citizens and other staff to ensure compliance with the UDO and other ordinances.

Responsibility: Patrol assigned area and enforce UDO provisions as necessary. Follow the Planning Director's Guidelines for Enforcement. Issue Notices of Violation, as appropriate. Maintain records in the database referencing specific complaints and any enforcement actions taken. Communicate with the complainant and violator regarding case status. Remove and dispose of illegally placed signs. Issue fines, as appropriate, and provide testimony in court as needed.

Authority: UDO Article 15, Enforcement.

STRATEGIC INITIATIVES

Staff throughout the department are involved in supporting a variety of programs and projects that support department-wide strategic initiatives intended to increase community engagement, improve operational efficiencies, and utilize best practices and evidence-based research. The department's strategic initiatives include the following:

8.1 City, County, and Planning Department Strategic Plans

Description: Develop, update, and implement the Planning Department Business Plan for the next two to three years. Participate in staff initiatives to implement the adopted City Strategic Plan. Participate in staff initiatives to implement the adopted County Strategic Plan.

8.2 Departmental Engagement Priorities Plan

Description: Update and implement a plan that identifies departmental priorities for engagement throughout all of the department's functions. The plan focuses on three areas: general communication, language access, and community engagement.

8.3 Language Access Plan Implementation

Description: Implement priorities from the departmental Language Access Plan in support of the City's Language Access Plan policy.

8.4 Customer Satisfaction Feedback

Description: Solicit feedback on the Planning Department's performance in serving its numerous and diverse customers, including elected boards, advisory boards, development review applicants and consultants, comprehensive and neighborhood planning stakeholders, and citizens.

8.5 Development Process Improvements

Description: The development review processes mandated by law are complex and involve a variety of reviewers and decision makers in numerous City and County departments. Staff from Planning and other departments administer Durham's development review process and continually evaluate the process for opportunities to educate applicants, reduce unnecessary procedural steps, and improve the process for the applicant and the City and County.

8.6 Internship Program

Description: Provide internship opportunities for students to engage in a variety of planning and administrative projects and experiences.

8.7 Educational Institution Partnerships

Description: Develop a plan to more effectively interact with nearby universities, including North Carolina Central University, Durham Technical Community College, Duke University, and the University of North Carolina at Chapel Hill. Develop a more formal internship and mentoring program to strengthen the bond between the Department and the University community. Identify and publicize opportunities for student volunteers in partnership with local schools.

8.8 Planning Academy

Description: Continue to offer a follow-up course to City College and Neighborhood College for community members and local government employees to explore planning issues in greater detail. Graduates of the Planning Academy may serve as community ambassadors to their respective neighborhoods and as points of contact for the Planning Department. A virtual Planning Academy curriculum will be developed to further expand the program's reach and increase accessibility.



8.9 Clariti Implementation (NEW, Multi-Year Project)

Description: Implementation of Clariti, the new digital permitting software, to replace the current Land Development Office platform. Implementation of the new software will include configuration, data migration, testing, and training from all development review, inspection, and enforcement workgroups.

BUSINESS SERVICES

The Business Services Team provides administrative and technology support department-wide, including the following:

9.1 Governing Body Agenda Item Support

Description: Proof, submit, and revise (as necessary) agenda items for the Board of County Commissioners and City Council. Produce legal ads and execute required notice in accordance with the UDO and state law for public hearings.

9.2 Boards and Commissions Clerk Support

Description: Provide ongoing support for the Planning Commission, Joint City-County Planning Committee, Historic Preservation Commission, and Board of Adjustment, including preparing agendas arranging and attending meetings, preparing meeting minutes, and maintaining records. Produce legal ads and execute required notice in accordance with the UDO and state law for public hearings.

9.3 Web-based Platform Support

9.3.1 Planning Department and ENGAGEDurham Websites

Description: Develop and maintain the Planning Department's website and the ENGAGEDurham website to provide information to residents about planning and development activities and engagement opportunities. Continue to expand the Department's website to be as complete and as interactive as possible. Serve as Web Content Administrator for the Department.

9.3.2 SharePoint Administration

Description: Develop and maintain the Department's SharePoint site to provide inter- and intra-departmental staff resources related to planning and departmental activities. Serve as CODI Content Administrator for the Department.

9.3.3 Digital Engagement

Description: Develop and maintain a digital engagement site to provide a digital platform for public engagement on projects and land use cases. Serve as the site administrator for the Department.

9.3.4 Planning and Development Dashboard

Description: Develop and maintain a web-based planning and development dashboard to share key information and metrics with the public, including population information, construction information, and information about application types and volumes.

9.3.5 Online Unified Development Ordinance

Description: Develop and maintain the Department's official online Unified Development Ordinance.

9.4 Application Intake Support

Description: Process intake for submitted applications, including creating digital folders, distributing cases, verifying proper payment, and performing data entry into the application tracking software.

9.5 Computer, GIS, Graphics, and Data Support

Description: Manage and maintain geospatial databases of planning-related information. Provide mapping support and research for staff. Manage and complete updates to the official Zoning Map and other maps referenced in the Comprehensive Plan. Create and manage databases of planning-related topics. Maintain open data portal of Durham demographics and development trends. Manage the Land Development Office (LDO) database used by multiple City and County departments to coordinate the review of development proposals. Provide graphic support to the Department. Provide basic hardware and software support for Planning staff, including input and quotes for new technology. Serve as liaison to the Technology Solutions Department.

9.6 Demographic Support

Description: Manage and maintain population estimates for the City and the County of Durham. Provide basic demographic information and project future population growth.

9.7 Records Retention and Requests

Description: Maintain planning-related documents to meet State requirements, including document filing and scanning, and fulfilling public records requests.

9.8 Digital Records Conversion

Description: In accordance with City, County, and North Carolina Records Management statutes, assist in the ongoing effort to convert paper files to digital records by scanning file contents, indexing them according to a standard protocol, uploading them to the Land Development Office, and purging paper files of extraneous materials in preparation for offsite storage and in accordance with the adopted Records Retention Schedule.

9.9 Budget and Finance Management

Description: Prepare the annual Department budget for the City and County. Monitor Department spending and accounts. Monitor timely deposit of receipts, including development application fees. Maintain fiscal records for audit and review. Serve as departmental liaison to the Finance Department.

9.10 Performance Measures Reporting

Description: Monitor and report on performance measures in DataHub.

9.11 Contract Management

Description: Develop scope of services, prepare requests for proposals, evaluate proposals, prepare contracts, and secure governing board approval, as needed, to enter into a contract. Develop and execute contracts and manage them including making timely payments and ensuring insurance certificates are up to date.

9.12 Human Resources Support

Description: Process personnel actions and serve as liaison to the Human Resources Department to keep departmental staff informed about City policy and benefits changes.

9.13 General Administrative Support

Description: General office management, including handling mail and ordering supplies.

DEPARTMENT MANAGEMENT

The Department's Management Team manages personnel and operations related processes that support department-wide functions, which include the following:

10.1 Performance and Personnel Management

Description: Prepare and maintain performance standards for each employee, conduct and participate in annual coaching sessions, and conduct and participate in annual performance evaluations in a timely manner. Conduct and attend Section, Division, and Department staff meetings. Conduct regular staff meetings to facilitate the flow of management information and monitor work performance.

10.2 Quality Assurance

Description: Engage in quality assurance activities, including review of staff reports, agendas, advertisements and notices, and progress reports; respond to management inquiries from the City and County Managers, members of governing and advisory boards, customers, and citizens.

10.3 Professional Development

Description: Provide opportunities and funding for the professional development, professional certification, and certification maintenance of Department staff, such as State and national professional conferences and web seminars. Coordinate training programs for departmental staff.

10.4 Annual Work Program

Description: Prepare the annual work program and quarterly reports on work program progress. Secure review and approval of annual work program from the Planning Commission, the Joint City-County Planning Committee, the City and County Managers, and the governing boards.

10.5 Employee Engagement Initiatives

Description: Conduct staff initiatives to increase employee engagement and respond to concerns raised by the Employee Engagement Survey.

10.6 Interlocal Agreements

Description: Monitor Interlocal cooperation agreements, including renewing or amending them as needed.

10.7 Legal Consultation

Description: Consult with the City and County Attorney's Offices as needed on matters related to City and County codes and litigation.

10.8 Intergovernmental and Interagency Coordination

Description: Provide ongoing support/planning coordination among neighboring jurisdictions and regional agencies. This includes coordination with the Raleigh-Durham Airport Authority, the Center of the Region Enterprise (CORE), and Triangle J Council of Governments (TJCOG) Committees. Provide courtesy notifications of pending development applications within specified proximities to adjacent jurisdictions, either as specified by annexation agreements or standing practice.