



COMPREHENSIVE PLAN CONSISTENCY REVIEW

PROPOSED COMPREHENSIVE PLAN POLICY CHANGES- TRACK CHANGES

Comprehensive Plan Development Applicable Policies	
Policy	Recommendation
Community Relationships Policy Topic	
Engagement on New Development	
Policy 7: Ensure that the Zoning Map Change and Annexation application processes engage residents, and engage them equitably, especially reaching residents with the least access to public processes, such as Black and Hispanic/ Latino, low-wealth, and rural residents. Applicants should contact nearby residents and organizations to identify key stakeholders and the best methods to reach them, per the City's Equitable Community Engagement Blueprint. (D)	Remove (D) designation because it has not previously been included in our Comprehensive plan Consistency Review. This policy is addressed through the neighborhood meeting requirement and is a guiding policy for our department as opposed to a policy to be applied to individual zoning cases.
Neighborhoods Policy Topics	
Historic Resources	
Policy 32: Preserve and protect historic resources in the design of new developments and neighborhoods and design them to respect Durham's unique identity and reflect the nearby historical context. Promote new developments that are compatible with the architectural elements of significant historic resources. (D)	Commentary: All projects are evaluated against this policy. There are no Unified Development Ordinance (UDO) requirements for historic structures identified on the North Carolina State Historic Preservation Office (NCSHPO) maps. If the site is in a local historic district and/or is designated a local landmark, the proposal must meet local historic standards and/or complete the Certificate of Appropriateness process. For projects outside of local historic districts and/or a local landmark, but have historic structures listed on the NCSHPO map, additional standards should be included to preserve and protect historic structures. Commitments could include voluntary inclusion into the Certificate of Appropriateness (COA) process, reuse of the structure, and/or preservation of the structure. <u>Any development proposal that does not protect structures identified by SHPO does not meet this policy, unless the structures are found to be ineligible by SHPO.</u> If structures cannot be preserved due to poor structural integrity, documentation should be provided to staff.
Developments in Neighborhoods	
Policy 33: Discourage development patterns, such as exclusively single-family neighborhoods, that segregate and concentrate high-wealth communities. (D)	Remove this policy from the rezoning consistency review and it's (D) designation because this is a guiding principle of the Comprehensive Plan and the mechanisms to

	accomplish this policy are captured in the place type policies.
Neighborhood Design	
Policy 37: Design new developments to prioritize pedestrians in ways compatible with existing neighborhoods, such as by placing buildings close to the street, oriented toward sidewalks, green spaces, or community areas where people gather; locating vehicle access and parking to the side or rear of buildings and lots; maintaining connected streets and frequent intersections; and designing buildings to engage with the street through stoops, porches, or other welcoming entranceways. (D)	Commentary: All projects are evaluated against this policy. Developments will always be required to meet this policy and can do so by meeting UDO standards for pedestrian facilities and connectivity. Any commitments in excess of UDO standards will be consistent by exceeding.
Policy 39: Preserve and create natural areas, open spaces, community gardens, and trees within new housing developments or redevelopments—particularly for affordable housing—to improve the physical and mental health of residents. (D)	Remove this policy from the rezoning consistency review and it's (D) designation, as it is currently addressed by UDO standards.
Housing Policy Topics	
Affordable Housing	
Policy 40: Encourage A affordable housing should be included in all new development proposals <u>with a residential component.</u> Encourage and i ncentivize housing that meets the needs of Durham residents in terms of cost, unit size, housing type, ADA accessibility, and location. Tenures for housing affordability should run, where feasible, with the land in perpetuity. When this is not possible, affordability tenures should last for a minimum of 30 years and have an associated deed restriction. (D)	Commentary: This policy applies when residential development is allowed in the proposal. New development should include affordable dwelling units and meet the tenure requirement of 30 years. <u>To be compliant with this policy, affordability should match the definition within the Unified Development Ordinance.</u>
Accessible Housing	
Policy 48: Encourage and , incentivize, and require a variety of housing types <u>design accommodations</u> in new developments that allow for a mix of age groups, and d Discourage developer commitments that isolate seniors by restricting housing based on age. (D)	Commentary: This policy applies when residential development is allowed in the proposal. To accommodate a variety of age groups, the development plan may make commitments that create a variety of unit sizes, include first floor bedrooms, units accessible to persons with disabilities, and/or “universal design” elements. <u>Design and site elements and amenities that support families, such as on-site playgrounds and multi-bedroom units, also support this policy.</u> Commitments that restrict residents based on age are discouraged. This policy can only be met by exceeding UDO standards and requires a text commitment to include design standards.
Policy 49: Work towards healthier housing and lower utility costs for residents by using green building techniques and technologies (such as solar panels, passive solar design, low VOC materials), particularly in affordable housing units. Use durable, environmentally sustainable materials in publicly	Commentary: This policy applies when residential development is allowed in the proposal and can only be met by exceeding UDO Standards. There are no UDO standards that require green building techniques or certification. Through the development plan

and privately funded affordable housing to create healthier homes. (D)	process, this policy can be achieved through commitments to green building standards or certification, installation of solar panels, or publicly accessible and/or level 2 or higher electronic vehicle charging stations.
Policy 50: Encourage the location of a New residential development should be located such that homes are within the following distances/travel times a safe ten minute walking distance (approximately one half mile) of public parkland: • <u>Half-mile/ten minute walk/five minute drive in urban residential areas (of approximately eight units/acre or greater)</u> • <u>Three miles/ten minute drive in suburban residential areas (of less than eight units/acre)</u> • <u>Five miles/15 minute drive outside the Urban Growth Boundary (UGB)</u> <u>Alternatively, a proposal could, or provide publicly accessible active recreation facilities to meet this policy.</u> (D)	Commentary: This policy applies when residential development is allowed in the proposal. A proposal will be considered consistent with the policy if the proposed development is located within <u>a ten minute walk and the distances or estimated travel times indicated. In urban areas, there are</u> adequate pedestrian facilities <u>should be available</u> to allow safe movement from the site to the public parkland; if <u>if</u> there is no safe route to the parkland, the proposal could commit to offsite sidewalk improvements to further safely connect the two sites. If there is no public parkland within <u>a ten minute walk the indicated distance or travel time</u>, the proposal could proffer to dedicate land for a public park, subject to approval by Parks and Recreation Department, <u>or publicly accessible active recreation facilities as defined in UDO 7.2.3A.1,</u> to be consistent with this policy. There is no current UDO standard that requires new residential development to <u>be located within a half mile of public parkland meet these standards.</u>
Tenants' Rights	
Policy 52: Encourage the preservation of existing mobile home parks. Provide a re-housing plan for residents when mobile home parks are redeveloped, prioritizing locations near existing parks or with similar access to amenities. (D)	Remove this policy from zoning consistency review and remove it's (D) designation because it is only applicable in very specific scenarios. Staff will monitor if an existing mobile home park is threatened by new development and include the policy when applicable.
Transportation Policy Topics	
Sidewalks	
Policy 55: Fill in gaps in the existing sidewalk, bicycle, and transit infrastructure to create an accessible, safe, and direct transportation network for all residents. Focus on improving residents' access to needed resources, including healthcare services, grocery stores, employment areas, and schools. (D)	Remove this policy from the rezoning consistency review and remove it's (D) designation because it is addressed by meeting UDO standards. Opportunities to exceed this policy are addressed in Policy 72.
Transportation Investments	
Policy 57: Encourage new developments to fill in gaps or upgrade transportation infrastructure by building or dedicating rights-of-way within and adjacent to the project site. (D)	Remove this policy from the rezoning consistency review and remove it's (D) designation because it is addressed by meeting UDO standards. Opportunities to exceed this policy are addressed in Policy 72.

Accessible Transportation	
Policy 63: Improve ADA accessibility at crosswalks, sidewalks, and bus stops for all people, regardless of ability or age. Improve pedestrian infrastructure, including street crossings, intersections, signals, wayfinding, and sidewalks prioritizing the safety of people with disabilities, senior citizens, students, and families with young children. (D)	Remove this policy from the rezoning consistency review and remove it's (D) designation because it is addressed by meeting UDO standards. Opportunities to exceed this policy are addressed in Policy 72.
Land Use and Transportation Coordination	
Policy 70: Reduce the amount of land used for automobile travel and parking and encourage pedestrian and transit friendly design. Discourage conversion of land into uses primarily or exclusively supportive of automobiles, such as gas stations and car washes. (D)	Commentary: All projects are evaluated against this policy <u>unless in the Highway Commercial (HC), Suburban Commercial (SC) or Rural Commercial (RC) Place Types, in which case this policy is not applicable.</u> Non-residential land uses that are auto dependent, such as gas stations, car washes, and vehicle sales and service cannot meet this policy. <u>Outside of the HC, SC and RC Place Types, commitments restricting auto-oriented uses must be made to meet this policy. Ways to exceed UDO standards and meet this policy include limiting parking, committing to pedestrian friendly design, installation of transit facilities, etc.</u>
Policy 72: Ensure new development is connected to adjacent neighborhoods and commercial areas with walking and biking infrastructure. This can include building, improving, or dedicating right-of-way for sidewalks, and constructing bicycle paths, greenways, off-street bicycle and pedestrian connections, bus stop infrastructure, and collector streets, as called for in locally adopted transportation plans. (D)	Commentary: This policy applies to all proposed projects except industrial development or zoning districts without adjacent commercial or residential uses. The Unified Development Ordinance (UDO) requires sidewalks to be provided along both sides of public or private right-of-way in all tiers except the Rural Tier. In addition, per UDO 12.4.3C, pedestrian and bicycle connections shall be made to any existing or proposed off-site pedestrian, bicycle, and transit facilities. Due to these existing standards, all projects should be found consistent with this policy by meeting UDO standards. <u>Projects can exceed UDO standards by providing off-site pedestrian/bicycle facilities, installing and/or upgrading transit facilities, and/or with additional ADA components beyond UDO requirements.</u>
Environment and Public Spaces Policy Topics	
Protecting Sensitive Land	
Policy 79: Protect Durham's most sensitive natural areas (including floodplains, wetlands, wildlife habitats <u>and corridors</u> , unique plant communities, <u>steep slopes/hillsides</u> , drinking water sources, critical watersheds, and <u>North Carolina Natural Heritage Areas</u>) from the impacts of development. (D)	Commentary: All <u>Projects with at least one sensitive natural area as described</u> are evaluated against this policy. The Unified Development Ordinance (UDO) requires protection of sensitive natural areas including floodplains, wetlands <u>greater than one-acre</u> , steep slopes, <u>riparian areas</u> , drinking water sources, and <u>critical</u> watersheds, <u>protection</u>

	<u>areas. If only those elements are present on the site, meeting UDO standards would meet this policy.</u> However, wildlife <u>habitats and corridors, and natural heritage areas, and threatened animal and plant communities, such as those identified in an adopted open space plan, or habitats of threatened and endangered species of special concern identified by the North Carolina Wildlife Resources Commission or the North Carolina Plant Conservation Program,</u> are not protected within the UDO. Commitments that restrict <u>significant</u> development in natural areas, such as wildlife corridors and natural heritage areas, and floodplains, <u>these areas</u> would exceed UDO standards. <u>Furthermore, applicants can proffer protection beyond UDO standards such as wider riparian buffers, limitations on steep slope intrusions, and additional open space.</u>
Policy 80: Ensure that new developments are designed to protect the integrity of nearby public parklands and nature preserves (ex., buffers or clustering of development). (D)	Add this policy to the rezoning consistency review because it has a (D) designation and is relevant to many rezoning applications. Commentary: <u>All projects adjacent to public parklands and nature preserves are reviewed against this policy. In order to meet this policy, a development plan must demonstrate minimal impact to the adjacent lands. Ways to exceed UDO standards could include additional buffering, establishment of building parking envelopes, or specifying areas that are not to be disturbed.</u>
Policy 81: Locate open space <u>and/or tree preservation</u> in new development so that it protects the most environmentally sensitive portions of the site and creates large and contiguous habitat areas, rather than narrow and disconnected strips of open space. (D)	Commentary: All projects are evaluated against this policy. There are no UDO standards regarding the location of open space within a development, only a minimum percentage when applicable. To exceed UDO standards and meet this policy, a commitment must be made regarding the location of open space to ensure areas are connected and protect the most sensitive areas onsite. <u>This policy is not applicable if there are no environmentally sensitive areas on site.</u>
Policy 82: Encourage stream buffer widths of 300 feet on each side of perennial streams (600 feet total) where feasible, to create and protect wildlife habitat corridors. (D)	Add this policy to the rezoning consistency review because it has a (D) designation and is relevant to some rezoning applications. Commentary: <u>This policy is applicable when a perennial stream buffer is present on site. In order to exceed UDO standards and meet this policy, a commitment to increase the stream buffer width as stated in the policy is required.</u>

Policy 83: Existing habitat areas and wildlife movement corridors should be left largely undisturbed to remain in their natural, vegetated state and to avoid fragmentation and disruption. These areas include Wildlife Habitat Areas or Natural Corridors in adopted open space plans or identified NC Natural Heritage Areas. Some disturbance may be allowed for road crossings, utilities, and stormwater infrastructure, if minimized. Staff will recommend against proposed <u>There should not be</u> structures or parking in these areas. (D)	Remove from the rezoning consistency review and remove it's (D) designation because it is addressed in policy 79, but update the proposed wording changes in the Comprehensive Plan.
Policy 84: Discourage development that contributes to a loss of biodiversity, particularly through disruptive clear-cutting and mass grading. Mass grading should be discouraged for new residential projects. When mass grading of new development sites is proposed, it should occur in phases rather than across the entire area at once, to reduce on-site stormwater runoff and erosion, and to retain tree cover between the phases of construction. (D)	Commentary: All projects are evaluated against this policy which are at least four acres in size. New UDO standards for phasing and mass grading provide policy consistency for applicable projects. Committing to no mass grading at all or a phasing plan for projects under the phasing threshold (50 acres) is considered exceeding UDO standards for this policy. <u>Additionally, commitments to minimize clear cutting would also exceed UDO standards for this policy.</u>
Policy 85: New developments should include tree coverage beyond that required by development regulations. <u>Tree canopy Developments</u> should be distributed throughout new developments strive to maintain a consistent mature tree canopy wherever possible. (D)	Commentary: All projects are evaluated against this policy above two acres in size and in the Urban or Suburban tiers, or zoned or proposed to be Design District in the Compact Neighborhood tier. To meet this policy, proposals must exceed current tree coverage standards. Where tree coverage is not required, any commitment to tree coverage would exceed policy.
Environmental Justice	
Policy 88: Strongly discourage new development, such as of heavy industrial uses, that will worsen air quality, particularly when it will impact nearby <u>near</u> residential <u>uses</u>. (D)	Add this policy to the rezoning consistency review because it has a (D) designation and may be relevant to some rezoning applications. Commentary: <u>This policy is applicable when a proposal includes heavy industrial uses or when a residential proposal is locating adjacent to a heavy industrial use. In order to meet this policy, heavy industrial uses must not locate adjacent to residential uses and vice versa.</u>
Policy 94: Increase Durham's urban tree canopy, prioritizing neighborhoods and communities with comparably less canopy. Prioritize native trees in replanting efforts. (D)	Remove from the rezoning consistency review and remove it's (D) designation, as it is covered by policies 85 and 101. Consider adding this policy back into the review when the Tree Canopy Study has been completed.
Policy 95: Strongly discourage new development in floodplains. For existing development in floodplains, support and encourage retrofits to increase flood resilience. (D)	Commentary: All projects <u>with floodplain on site</u> are evaluated against this policy with floodplain on site. Development, as it pertains to this policy, refers to structures or impervious surface areas; greenways, trails, recreation and open space uses, <u>and utilities</u> in floodplain areas do not violate this policy. Committing to protection

	beyond UDO standards would exceed for this policy; meeting UDO standards would not meet this policy.
Policy 96: Implement strategies to reduce the heat island effect and its impact on residents. Ensure that new developments mitigate the urban heat island effect in areas currently experiencing it. Encourage new developments that by minimize impervious surfaces and include ing additional measures such as green infrastructure, reflective materials, and plentiful tree canopy. (D)	Commentary: All projects are evaluated against this policy. For projects in watershed protection overlay districts, meeting impervious surface limits meets this policy. To exceed UDO standards for this policy, examples include a further limitation of impervious surface limits, provision of tree coverage above UDO standards, green infrastructure measures, and inclusion of reflective materials. Projects in the Urban and Suburban Tiers should provide additional tree coverage/impervious surface limitations to exceed standards for this policy. Projects in the Downtown and Compact Neighborhood Tiers should include green infrastructure to exceed UDO standards for this policy. For projects not in a watershed protection overlay district, a commitment to one of the above measures, or a comparable action, is required to meet this policy.
Policy 101: Encourage new development that incorporates native plants and, wildlife habitats, natural landscaping, and that discourages invasive exotic species. (D)	Add the (D) designation to this policy in the Comprehensive Plan to reflect its importance in the development review process. This policy has previously been included in the Comprehensive Plan Consistency Review. Commentary: The UDO prohibits invasive exotic species for use in required plantings. Committing to planting only native species would meet this policy by exceeding UDO standards, not making such a commitment would mean this policy is not met. Exceeds: the native plantings proposed for the site will be selected in accordance with the associated natural history of the site, per the Classification of the Natural Communities of North Carolina—4th Approximation (or another source which can speak to the ecology/native plant communities of Durham).
Access to Parks, Open Space, Trails, and Recreation	
Policy 104: In new development, dedicate parks, recreation facilities, and other amenities for public use rather than as private space. (D)	Commentary: This policy applies to all proposed projects that include recreational amenities. To meet this policy, those amenities should be publicly accessible.
Policy 105: New developments should build or dedicate right-of-way for trails and greenways as per adopted trails and greenway plans. The trails and greenways system should link residential areas, schools, parks, institutions, shopping centers, and other greenway corridors. (D)	Commentary: This policy is only applicable when a proposed trail or greenway is on site for a proposed development, per the Durham's Trails & Greenways Master Plan (2011) . Should that be the case, the development plan should demonstrate compliance with the plan through

	dedication of easements consistent with the UDO Section 12.1.4.B. Should a proposal commit to constructing the trail or greenway, this policy would be determined to exceed the UDO.
Green Infrastructure and Sustainability	
Policy 108: Encourage green infrastructure, such as native trees and vegetation, protected green spaces, but not limited to , green roofs and walls, bioswales, rain gardens, and permeable pavement. Green infrastructure should be prioritized in low-income and BIPOC communities if desired by those communities. (D)	Commentary: All projects are evaluated against this policy. Provision of green infrastructure, as listed in the policy, and/or use of native trees in planting , is required to meet this policy.
Policy 111: Encourage innovative stormwater management practices that will preserve and enhance water quality and will not increase the quantity of water discharged downstream of new developments. Encourage innovative stormwater management practices that will prepare our community and its infrastructure for increasingly heavy precipitation events. (D)	Commentary: All projects are evaluated against this policy. Durham has one of the most stringent stormwater regulations in the state. Therefore, meeting City Code standards is considered meeting this policy. Commitments that go above and beyond City Code standards regarding stormwater are considered in excess of City Code standards for this policy.
Policy 114: Encourage reuse of existing buildings, infrastructure, and construction materials, rather than their new creation from scratch. (Ensure that existing infrastructure is adequate for infill development, upgrade if not). (D)	Commentary: This policy applies to infill development or sites with significant existing buildings, substantial structures, and/or infrastructure; it is not applicable to greenfield sites. Infill proposals that do not require additional infrastructure meet this policy.
Jobs and Training Policy Topic	
Access to Childcare	
Policy 145: Co-locate childcare facilities within or adjacent to employment centers, education and medical institutions, and community and civic places. (D)	Commentary: This policy applies to non-residential sites that meet the uses listed in the policy or are adjacent to those uses. This policy can be met if childcare centers are a permitted use in the zoning district requested (and in the development plan, if applicable). The proposal will be considered to exceed UDO standards if a childcare facility is committed to in the development plan. This policy is not met if care centers are prohibited in the development plan.
Education Policy Topic	
School Site Development	
Policy 152: Coordinate school planning and land use planning to proactively prepare for increased student growth from new development. When a proposed residential development causes any school level (ex: elementary, middle, and high school) within a region to be over-capacity, Durham Public Schools, the Durham City-County Planning Department, and the development team should consider mitigation measures for the school system (ex: land dedication, payments in-lieu-of improvements, or other	Commentary: All residential projects are evaluated against this policy. There is no UDO standard for school impact mitigation. Residential proposals that provide a monetary contribution to Durham Public Schools will be considered to meet this policy in excess of UDO standards.

proffers). Coordinate with Durham Public Schools to calculate what mitigation is necessary based on the best available estimates. (D)	
Policy 155: When a proffer of land dedication for school sites is made, review of acreage and feasibility should be assessed in coordination with Durham Public Schools and Durham City-County Planning. (D)	Remove from rezoning consistency review and remove it's (D) designation because this policy can be used if/when a land dedication proffer is made to address Policy 152.
Growth Management and Infrastructure Policy Topic	
Growth Management	
Policy 116: Build or add land uses that form complete communities in Durham so that all residents have safe and easy access to their daily needs including neighborhood services, healthy food, green space, healthcare facilities, community places (libraries, community centers, places of worship, etc.), jobs, or schools. Allow for increased housing supply within and adjacent to commercial and mixed-use areas. (D)	Remove (D) designation because it has not previously been included in the Comprehensive Plan Consistency Review and is a larger guiding principle of the UDO as opposed to something that can be applied to individual development cases.
Policy 117: Adequately assess the costs and benefits of new development before rezoning or annexation approval. Provide best estimates for the true impact of new development on City and County revenues as well as services, including water, sewer, transportation, safety, greenhouse gas emissions, school capacity, and potential long-term maintenance needs. (D)	Commentary: This policy only applies to annexations. City Code 70-129 requires a cost benefit analysis to be performed for annexations. The analysis must be found to be revenue positive in order to meet this policy.
Planning Tools for Growth Management	
Policy 118: Establish an Urban Growth Boundary to discourage development on the edge of the city that strains existing infrastructure or prompts significant public investment in new infrastructure. Annexation and P ublic sewer and water should not be extended past the Urban Growth Boundary, with limited exceptions to protect public health and safety. (D)	Commentary: Water/Sewer services should not extend past the UGB. Exceptions would be a failing water/sewer system or contaminated area that causes a health issue, or other exceptions found in the City Code.
Policy 119: Ensure new developments within the Urban Growth Boundary are within the established level of service for emergency services (such as fire, emergency medical services, police, and community safety). (D)	Commentary: A fiscal impact analysis An Operational Impact Analysis is required for all annexations. If significant operational issues are identified, then the policy will not be met.
Policy 120: Protect the rural character of Durham outside the Urban Growth Boundary. (D)	Remove the (D) designation because this policy has previously not been included in the Comprehensive Plan Consistency Review. Additionally, this policy can be difficult to apply on a case-by-case basis, and the intent of this policy is captured through Policy 121.
Policy 121: Only low-intensity Place Types that support the needs of rural residents and agricultural functions should be	Add this policy to the rezoning consistency review because it has a (D) designation and may be relevant to some rezoning applications.

allowed outside of the Urban Growth Boundary, as identified in the list below: • Rural and Agricultural Reserve; • Rural Commercial; • Utilities and Public Works Facilities; • Institutional Campus; • Community Institution; • Recreation and Open Space; • Established Residential (Only in the historic centers of Bahama and Rougemont). (D)	Commentary: This policy applies to any request located outside of the Urban Growth Boundary. This policy is applicable to requests for annexation and therefore amendment of the Urban Growth Boundary. If a rezoning request would require a Place Type map change to a Place Type not identified in this policy, this policy would not be met. In order to meet this policy a request must be consistent with one of the above listed Place Types.
Infrastructure	
Policy 128: Ensure upgrades to the existing sewer system that are required to serve development are provided by the associated developer. (D)	Commentary: Required Infrastructure upgrades will be required as part of the Utility Extension Agreement.
Policy 135: The creation of privately owned and maintained infrastructure such as streets, sewer, and water in new development is discouraged. (D)	Remove the (D) designation because this policy has not previously been included in the Comprehensive Plan Consistency Review and is better enforced through the UDO or city or county code.
Administrative Policy Topic	
Adopted Plans	
Policy 164: The Comprehensive Plan is intended to work in harmony with other community plans adopted by the City, County, and other governing authorities. When conflict exists between multiple plans, the Planning Director shall use the Community Goals and Objectives from the Comprehensive Plan to determine which policy will be used. (D)	Remove (D) designation because this policy has not previously been included with the zoning consistency review, and it is codified in the UDO.
Annexations	
Policy 165: Annexations into the City of Durham should be contiguous with the existing City limits and should not cause service delivery or operational issues for the City or County. Staff will recommend against approval of a Annexations that should not create donut holes, enclaves, satellites, or difficult to develop remnant properties. Annexations comprising parcels where one or two single-family homes could be developed should be considered for annexation, even when they do not meet the criteria above, if they cannot be served by well or septic, and/or when it creates an undue burden on the landowner. Annexation into the City limits should only be considered when a substantial benefit to the community can be demonstrated. Annexations that substantially reduce existing enclaves or donut holes are exempt from this policy. (D)	Commentary: Annexations should be contiguous and not create new donut holes, enclaves, satellites, or remnant properties. A contiguous annexation to an existing satellite area would also meet this policy. An annexation that creates a new donut hole would be consistent with this policy if the applicant invites the property owner of the donut hole to join the annexation petition, even if the property owner does not join the request.
Comprehensive Plan Updates	

Policy 167: Amendments to the Place Type Map, including the UGB and FGAs, should only be permitted when the proposal demonstrates that: 1. Adequate public utilities, emergency services, transportation services, and public schools are available to accommodate the request, and, 2. Durham's ability to achieve the goals of the Comprehensive Plan will be increased, AND, either: 1. Significant changes have occurred since the adoption of the Comprehensive Plan and necessitate the proposed amendment; Or, 2. Inconsistencies in land use or other plan policies exist in the adopted Comprehensive Plan that affect Durham's orderly growth and development. Decisions on Place Type Map amendments should include these additional considerations: 1. For changes to a Place Type designation that changes the intensity of development envisioned for an area, whether the proposal has demonstrated benefits to affordable housing production, environmental goals, and approaches to equitable engagement and outcomes. 2. For changes to the Urban Growth Boundary, whether those parcels were previously included in the 2005 Comprehensive Plan's Suburban Development Tier. (D)	Remove the (D) designation because the Consistency Statement indicates that proposed Place Type Map changes demonstrate benefits to the city, Policy 168 guides Urban Growth Boundary amendments, and Policy 119 ensures adequate public services. This policy is a guiding principle for City Council or the Board of County Commissioners to consider requests as opposed to being applicable to specific development requests.
Policy 168: Proposed changes to expand the Urban Growth Boundary (UGB) should only be made when the proponent can demonstrate all three of the following: 1. The change does not expand the UGB further into a Critical Watershed. 2. The change does not significantly increase long-term infrastructure maintenance costs for the City or County; and 3. The change would address a clear need for the community based on the adopted Comprehensive Plan policies, <u>such as benefits to affordable housing production, environmental goals, and the change demonstrated approaches to equitable engagement and outcomes.</u> (D)	Commentary: <u>This policy is only applicable to Urban Growth Boundary amendment requests. In order to comply with this policy, the proposal must demonstrate all of the listed criteria.</u>
Place Type Policies	
Applicable Policy	Commentary
Transit Opportunity Area (TOA)	
Policy 44: Equitably distribute housing throughout Durham that is accessible to those with low incomes. Identify and ensure appropriate locations for affordable housing, public housing, and supportive housing near jobs, services, and existing or planned transit services.	Remove from the TOA Place Type analysis because it does not have a (D) designation and is difficult to apply on a case-by-case basis.
Policy 46: At least 20% of housing in the Transit Opportunity Areas Place Type should be affordable to households making 30-80% of Area Median Income (AMI), with half of those units being affordable for households making 30-50% of AMI. At least 15% of housing in all other residential and mixed-use	Remove from the TOA Place Type analysis, as this is not a (D) Policy and was not intended to be included.

place types should be affordable to households making 30-80% of AMI.	
Policy 71: Plan transportation connections between affordable housing, public housing, and shelters for low-income and houseless residents to offer safe access to nearby jobs, education facilities, and services.	Remove from the TOA Place Type analysis, as this is not a (D) Policy and was not intended to be included.
Policy 169: The Downtown and Transit Opportunity Area Place Types should provide a sensitive transition to nearby neighborhoods through building placement, design, massing, and step-down height. (D)	Commentary: Proposals should incorporate additional standards to provide a sensitive transition to adjacent neighborhoods. In the Transit Opportunity Area, when adjacent to areas outside the TOA place type, commitments should be made to provide sensitive transition to residential areas.
Policy 170: Transit Opportunity Areas should respect the surrounding neighborhoods in scale and design. Larger, regional-oriented Transit Opportunity Areas should be tall and dense to support transit but not as intense as the Downtown Place type. Neighborhood-oriented Transit Opportunity Areas should include shorter heights and less intensity, while still supporting transit. (D)	Commentary: Proposals should incorporate additional standards for scale and design that respect the surrounding neighborhood yet support transit-oriented development.
Mixed Use Neighborhood (MUN)	
Policy 171: Development in the Mixed Use Neighborhood Place Type should include a mix of residential and non-residential uses and a mix of housing types and sizes. Non-residential uses should be located within a 15-minute walking distance of all residential uses. Residential uses should be provided at a variety of price points, with include a portion of the housing being housing that is accessible to those with low incomes. (D)	Commentary: Development proposals within the MUN Place Type are considered based on the greater context of the entire place type area. While not every development proposal is required to have a mix of residential and non-residential uses to meet this policy, no development should preclude the eventual incorporation of a mix of uses within the Place Type. The Mixed Residential Neighborhood (MRN) criteria regarding housing types (Policy 174) is applicable to this policy and must be met in order for the proposal to be consistent with this policy. Transportation commitments should be incorporated in order to allow for non-automotive travel from residential to non-residential areas of the Place Type in 15 minutes.
Mixed Residential Neighborhood (MRN)	
Policy 174: Housing types should be mixed throughout Mixed Residential Neighborhood Place Types and not isolated in discrete parts of the development. (D)	Commentary: All residential proposals with multiple housing types in the MRN Place Type are evaluated against this proposal. In order to be consistent with this Place Type, if multiple housing types are provided, a commitment would be required regarding the location of each housing type in the development to demonstrate integration.
Policy 175: Mixed Residential Neighborhoods smaller than 20 developable acres should increase the mix of housing types in the immediate vicinity. Mixed Residential Neighborhood Place Types generally between 20 and 50 developable acres should include a mix of at least two housing types. Mixed	Commentary In order to be consistent with this policy, a commitment to require more than one housing type for sites of more than 20 developable acres is required. For sites with more than more than 50 development acres, a

Residential Place Types generally more than 50 developable acres should include a mix of three or more housing place types. All Mixed Residential Neighborhoods should include housing at a variety of price points and sizes. (D)	minimum of three committed housing types is required. For sites with less than 20 developable acres, in order to meet this policy a housing type must be included that provides a mix of housing types in the vicinity of the site.
Policy 177: Incorporate Encourage the incorporation of Community Institution Place Types uses within new mixed-use communities in Mixed Residential Neighborhoods and on small infill sites within existing neighborhoods. (D)	Add this policy to the MRN Place Type analysis; it was not previously included. Commentary: This place type policy is applicable when a use consistent with the Community Institution place type is proposed. New neighborhood-scale community institutions and civic uses are consistent within areas developed as Mixed Residential Neighborhood and are encouraged by policy in the Mixed Use Neighborhood place types. Larger scale community institution developments should change to the Community Institution Place Type but are still consistent within MRN areas.
Established Residential (ER)	
No specific Place Type policies.	Commentary: N/A
Apartment and Townhouse Neighborhood (ATH)	
Policy 173: Encourage more residential units on smaller sites in the Apartment and Townhouse Place Type. Larger sites should include a mix of densities and housing types. (D)	Commentary: Sites of more than 20 developable acres require a commitment to a mix of housing types, sizes, or a significant percentage of units with three or more bedrooms to accommodate families in order to meet this policy.
Planned Suburban Neighborhood (PSN)	
Policy 172: Reduce public and private barriers to middle density housing in existing Planned Suburban Neighborhoods to allow a greater variety of housing types and sizes and price points . Potential barriers include zoning restrictions, out-of-date development plans, private restrictive covenants, and Homeowner's Association rules. (D)	Commentary: This policy is applicable to infill proposals within the PSN place type. In order to meet this policy, commitments should be included in the proposal for housing types that differ from the existing type(s) within the development. Commitments to minimum affordable/income-restricted housing would also meet this policy.
Community Institution (CI)	
Policy 176: Locate Community Institutions (such as libraries, schools, and community spaces) in areas with existing safe and accessible public transit connections and with existing services and community resources. Ensure they are designed and sited for orientation to pedestrians, bicyclists, and transit riders. (D)	Commentary: Due to existing UDO standards for pedestrian and bicycle connectivity, all projects should be found consistent with this policy by meeting UDO standards. Committing to providing supportive transit infrastructure, when requested, during the zoning map change process is consistent with this policy and exceed UDO standards. Places of worship are exempt from this policy.
Policy 177: Encourage the incorporation of Incorporate Community Institution uses Place Types within new mixed-use	Commentary: New neighborhood-scale community institutions and civic uses are consistent within areas developed as Mixed

use communities in Mixed Residential Neighborhoods and on small infill sites within existing neighborhoods. (D)	Residential Neighborhood and are encouraged by policy in the Mixed Use Neighborhood place types. Larger scale community institution developments should change to the Community Institution Place Type but are still consistent within MRN areas.
Policy 178: Co-locate libraries, schools, and other public and private Community Institution Place Types to create welcoming spaces that connect residents, youth, and English Language Learners to local resources, information, internet, and gathering spaces for creative, athletic, social, and academic uses. (D)	Remove (D) designation from CI Place Type analysis because this is a guiding principle and not able to be analyzed on a site basis. Additionally, programming aspects of this policy cannot be addressed through zoning.
Policy 179: Encourage the use of Community Institution Place Types for secondary purposes during days and times when the primary institution is not using the facilities. New Community Institutions should include multiple community-oriented uses and activities and should serve as a central gathering place that is walkable and accessible for meetings and events for the community. (D)	Remove (D) designation from CI Place Type analysis because this is not managed through the zoning process. Additionally, UDO requirements for pedestrian and ADA accessibility address this policy.
Policy 180: Encourage the development of affordable or income-restricted housing as a secondary use within Community Institution Place Types is consistent with this Place Type . (D)	Commentary: The inclusion of affordable housing within a Community Institution is supported by this policy, and zoning map change requests to districts that permit residential uses will be supported by this policy if affordable or income-restricted housing is committed.
Policy 181: Collaborate with nearby residents on the design of Community Institution Place Types to ensure they will enhance and support the neighborhood. (D)	Remove (D) designation from the CI Place Type analysis since the policy is addressed by required neighborhood meetings.
Policy 182: Allow Encourage Neighborhood Services, Community Institutions, and other small scale commercial and civic uses to locate within a 15-minute walk of existing near neighborhoods, where they do not already exist within a 15-minute walk, to improve access to essential goods and services. (D)	Commentary: Zoning map change requests that would place civic uses in the Community Institution Place Type within a 15-minute walk of existing neighborhoods are consistent with this policy. Otherwise, the policy is not applicable.
Policy 187: Encourage conversion of some existing non-residential uses to residential housing within Suburban Commercial, Employment Campus, Mixed Employment, and Community Institution Place Types, especially if this conversion creates a greater mix of uses within the place type. Include residential on upper floors in Neighborhood Service Place Types. (D)	Add this policy to the CI Place Type analysis; it was not previously included. Commentary: This policy focuses on the conversion of Place Types that describe an existing development pattern into one that is more in line with Durham's Comprehensive Plan. A zoning map change to a residential district from the Community Institution place type is supported, and such a request would be consistent with this policy. Such a change may result in a change in place type. This policy is not applicable to new Community Institution place types.
Recreation and Open Space (ROS)	
No specific Place Type policies.	Commentary: N/A

Neighborhood Services (NS)	
Policy 182: Allow <u>Encourage</u> Neighborhood Services, Community Institutions, and other small scale commercial and civic uses to locate near neighborhoods, where they do not already exist within a 15-minute walk <u>of existing neighborhoods</u> to improve access to essential goods and services. (D)	Commentary: <u>Zoning map change requests that would place small scale, neighborhood-oriented commercial uses in the Neighborhood Services Area Place Type within a 15-minute walk of existing neighborhoods are consistent with this policy. Otherwise, the policy is not applicable.</u>
Policy 183: Areas designated as Neighborhood Services Place Types should provide opportunities for neighborhood-scale commercial, intended to serve and be directly accessible from surrounding residential neighborhoods. Residential should only be allowed as a secondary use. (D)	Commentary: <u>In order to be consistent with this policy, zoning map change requests to non-residential zoning districts that permit residential uses should limit the scale of potential residential uses. Proposals to change to a residential zoning district are considered inconsistent with this policy.</u>
Policy 187: Encourage conversion of some existing non-residential uses to residential within Suburban Commercial, Employment Campus, Mixed Employment, and Community Institution Place Types. Include residential on upper floors in Neighborhood Service Place Type. (D)	Add this policy to the NS Place Type analysis; it was not previously included. The text of the policy is edited to reflect previously documented suggested changes. Commentary: <u>This policy is applicable when residential is proposed in a Neighborhood Services place type. In order to be consistent with this policy, the residential component of the proposal should be a secondary use and should be limited to upper story located above non-residential uses. A residential-only proposal would not meet this policy.</u>
Suburban Commercial (SC)	
Policy 184: Encourage areas designated as Suburban Commercial Place Types to change to the Transit Opportunity Area Place Type as conditions and transit access change over time. <u>The addition or expansion of new Suburban Commercial Place Type designations is discouraged.</u> (D)	Commentary: <u>: In order to meet this policy, new proposals within a Suburban Commercial area should provide commitments to adjacent transit accommodations, if requested. Any development proposal that would create or expand a Suburban Commercial place type is inconsistent with this policy. Proposals that continue a suburban commercial development pattern within the Suburban Commercial place type that are not adjacent to existing transit service are consistent with this policy.</u>
Policy 185: Encourage areas designated as Suburban Commercial Place Type to become more sustainable and walkable over time by adding buildings, green space, green stormwater infrastructure, and pedestrian-oriented connections in existing parking areas. (D)	Commentary: <u>Commitments in excess of UDO requirements are necessary to meet this policy.</u>
Policy 187: Encourage conversion of some existing non-residential uses to residential within Suburban Commercial, Employment Campus, Mixed Employment, and Community Institution Place Types. Include residential on upper floors in Neighborhood Service Place Type. (D)	Add this policy to the SC Place Type analysis; it was not previously included. The text of the policy is edited to reflect previously documented suggested changes. Commentary: <u>This policy focuses on the conversion of Place Types that describe an existing development pattern into one that is</u>

	more in line with Durham’s Comprehensive Plan. A zoning map change to a residential district from the Suburban Commercial place type is supported, and such a request would be consistent with this policy. Such a change may result in a change in place type. This policy is not applicable to new Suburban Commercial place types.
Highway Commercial (HC)	
Policy 186: Areas designated Highway Commercial Place Type should be reserved for auto- dependent uses that are not appropriate in other commercial and mixed-use place types. The addition or expansion of new Highway Commercial Place Type designations is discouraged. (D)	Commentary: Any development proposal that would create or expand a Highway Commercial place type is inconsistent with this policy.
Downtown (DT)	
Policy 169: The Downtown and Transit Opportunity Area Place Types should provide a sensitive transition to nearby neighborhoods through building placement, design, massing, and step-down height. (D)	Commentary: Proposals should incorporate additional standards to provide a sensitive transition to adjacent neighborhoods. In the Downtown place type, this policy is primarily achieved through the standards of the Downtown Design sub-districts. The Downtown Core (DD-C) and Downtown-Support 1 (DD-S1)) should not be adjacent to residential and residentially-zoned districts outside the Downtown place type.
Mixed Employment (ME)	
Policy 187: Encourage conversion of some existing non-residential uses to residential within Suburban Commercial, Employment Campus, Mixed Employment, and Community Institution Place Types. Include residential on upper floors in Neighborhood Service Place Type. (D)	Add this policy to the ME Place Type analysis; it was not previously included. The text of the policy is edited to reflect previously documented suggested changes. Commentary: This policy focuses on the conversion of Place Types that describe an existing development pattern into one that is more in line with Durham’s Comprehensive Plan. A zoning map change to a residential district from the Mixed Employment place type is supported, and such a request would be consistent with this policy. Such a change may result in a change in place type. This policy is not applicable to new Mixed Employment place types.
Policy 191: Encourage the adaptive reuse of older industrial and commercial structures property in Mixed Employment Place Types, including reuse that results in a change to a non-industrial use. (D)	Commentary: This policy focuses on the conversion of Place Types that describe an existing development pattern into one that is more in line with Durham’s Comprehensive Plan. Zoning map change proposals that adaptively reuse industrial and commercial structures are consistent with this policy; commitments to historic integrity, if applicable, that are also in support of Policy 32 are encouraged but are not necessary to meet this policy. This policy is not

	applicable to new Mixed Employment place types.
Policy 192: Allow Support the conversion of Mixed Employment Place Types to change to a non-industrial Place Type as conditions change provided that any environmental contamination has been remediated. Sites identified in Policy 194 should remain industrial to ensure an adequate supply of industrial uses in Durham. (D)	Commentary: Zoning map change requests that would result in a non-industrial zoning district and place type are consistent with this policy unless the site meets Policy 194.
Policy 196: Reserve areas with limited environmental constraints and with supporting infrastructure, such as access to rail and major roads, as industrial Place Types (including General Industrial or Mixed Employment). (D)	Commentary: A zoning map change proposal to a non-industrial district and place type for a site that is shown as having high industrial value in the Industrial Land Study is inconsistent with this policy.
Institutional Campus (IC)	
Policy 189: Encourage Institutional Campus uses Place Types to expand and intensify-grow within their existing Place Type area. footprint, especially where expansion would Expansion of the Place Type that would negatively impact surrounding neighborhoods is discouraged . (D)	Commentary: Any expansion of the Institutional Campus place type into existing residential areas is inconsistent with this policy. Development proposals that expand uses of institutions within the Institutional Campus place type area, or into surrounding non-residential areas, is consistent with this policy.
Policy 190: Encourage Institutional Campus Place Types to include safe and affordable housing for students and staff. (D)	Commentary: Expansion of residential uses within the Institutional Campus place type is consistent with this policy, unless it expands the use beyond the existing place type area as described in Policy 189.
Employment Campus (EC)	
Policy 187: Encourage conversion of some existing non-residential uses to residential within Suburban Commercial, Employment Campus, Mixed Employment, and Community Institution Place Types. Include residential on upper floors in Neighborhood Service Place Type. (D)	This policy was previously not included in the EC Place Type policy analysis, but staff recommends including it. The text of the policy is edited to reflect previously documented suggested changes. Commentary: This policy focuses on the conversion of Place Types that describe an existing development pattern into one that is more in line with Durham's Comprehensive Plan. A zoning map change to a residential district from the Employment Campus place type is supported, and such a request would be consistent with this policy. Such a change may result in a change in place type. This policy is not applicable to new Employment Campus place types.
Policy 188: Encourage existing Employment Campus Place Types to use vacant or underutilized land and to include a greater mix of uses. New developments should to be more walkable and accessible to transit. (D)	Commentary: Expansion and intensification of uses within the Employment Campus place type is consistent with this policy. UDO requirements for pedestrian and bicycle connectivity meet this policy for greater walkability. In addition, commitments for transit amenities and accommodations, when adjacent and requested,

	are required to meet this policy (otherwise this portion of the policy is not applicable).
General Industrial (GI)	
Policy 195: Consider community demographics, such as race and income, Equitably site industrial facilities when designating new General Industrial Place Types, ensuring taking into account the historic discrepancies regarding the siting of industrial uses within that communities of color and low-income communities no longer have a concentration of these uses. (D)	Commentary: As part of its analysis, staff will provide demographic information, including but not limited to, race and income of the surrounding community, for the elected officials to consider when a proposal for a new General Industrial area is proposed.
Policy 196: Reserve areas with limited environmental constraints and with supporting infrastructure, such as access to rail and major roads, as industrial Place Types (including General Industrial or Mixed Employment). (D)	Commentary: A zoning map change proposal to a non-industrial district and place type for a site that is shown as having high industrial value in the Industrial Land Study is inconsistent with this policy.
Utilities and Public Works Facilities (UPW)	
Policy 193: Reduce or mitigate historic inequities in the siting of utilities and public works facilities Consider community demographics, such as race and income, when designating new Utilities and Public Works Facilities Place Types, taking into account the historic discrepancies regarding the siting of utilities and public works facilities within communities of color and low-income communities. (D)	Commentary: As part of its analysis, staff will provide demographic information, including but not limited to, race and income of the surrounding community, for the elected officials to consider when a proposal for a new Utilities and Public Works Facilities area is proposed.
Resource Extraction (RE)	
Policy 194: New Resource Extraction Place Types should be discouraged. (D)	Commentary: No new Resource Extraction place type will meet this policy.
Rural and Agricultural Reserve (RAR)	
Policy 198: Rural and Agricultural Reserve place type areas are to be outside the Urban Growth Boundary, unless already conserved through a conservation easement or other method, and designated only for agricultural, agritourism, and low-density uses. (D)	Add this new proposed policy. Staff recommends including it in the RAR Place Type. Commentary: Any inclusion of Rural and Agricultural Reserve areas into the Urban Growth Boundary is inconsistent with this policy. Any proposal to introduce non-residential (other than agricultural and supportive small-scale commercial) or increase residential density to Rural and Agricultural Reserve areas is also inconsistent with this policy.
Rural Commercial (RC)	
Policy 197: Maintain and support existing Rural Commercial outside the Urban Growth Boundary and discourage the addition of new Rural Commercial Place Types. (D)	Commentary: All Rural Commercial place types will be outside the Urban Growth Boundary; requests for Rural Commercial place types within the Urban Growth Boundary are inconsistent with this policy. Expansion of existing Rural Commercial areas to adjacent properties is consistent with this policy. Creation of new Rural Commercial areas is always inconsistent with this policy.

Previously Included Policies Met through UDO Standards at the Site Plan Stage
Policy 39: Preserve and create natural areas, open spaces, community gardens, and trees within new housing developments or redevelopments—particularly for affordable housing—to improve the physical and mental health of residents.
Policy 55: Fill in gaps in the existing sidewalk, bicycle, and transit infrastructure to create an accessible, safe, and direct transportation network for all residents. Focus on improving residents’ access to needed resources, including healthcare services, grocery stores, employment areas, and schools.
Policy 57: Encourage new developments to fill in gaps or upgrade transportation infrastructure by building or dedicating rights-of-way within and adjacent to the project site.
Policy 63: Improve ADA accessibility at crosswalks, sidewalks, and bus stops for all people, regardless of ability or age. Improve pedestrian infrastructure, including street crossings, intersections, signals, wayfinding, and sidewalks prioritizing the safety of people with disabilities, senior citizens, students, and families with young children.
Policy 164: The Comprehensive Plan is intended to work in harmony with other community plans adopted by the City, County, and other governing authorities. When conflict exists between multiple plans, the Planning Director shall use the Community Goals and Objectives from the Comprehensive Plan to determine which policy will be used.