

Planning & Development Follow Up Questions

SIGNAGE

- **You mention that every sign needs a permit. Does that include no parking signs an HOA would want to put up?**

Not all signs require permits. In UDO Section 11.4 there are several sign types noted that are allowed without a sign permit. Here is the link: <https://durham.municipal.codes/UDO/11.4>

- **What are the rules for campaign signs – do they require permits? Are they allowed on public property? Are they required to be removed?**

These do not generally require a permit but need to meet these requirements in the City and should be in the right of way:

11.5.1 General

- F. (City only) Signs erected in connections with elections, referenda, or current political events provided that they do not exceed six square feet per sign in area and are no more than four feet in height. The signs shall be located so as not to obstruct drivers' vision clearances at intersections. Such signs may be posted 45 days prior to an election in which a person identified on the sign is a candidate or item identified on the sign is on the ballot and shall be removed within 15 days after the election or cessation of candidacy of all persons identified on the sign, whichever comes first. Along State rights-of-way such signs may require permits from NCDOT.

- **You mentioned “signs in the right of way” a few times. Can you explain what that means and why it’s a problem?**

Signs in the right-of-way are within the City or NCDOT’s road right-of-way (the area where those entities can legally make utility or street improvements/repairs, generally outside private parcels and along streets). This can include the road, ditches, sidewalks, or undeveloped land along the edges of the street reserved for future widening. Because signs in the right-of-way can impede improvements or visibility, they are restricted.

OTHER PLANNING QUESTIONS

- **Why are home developers allowed to create lots of homes so close together and yet practically no driveway (only one car can park)?**

There are a number of communities where many people are parking on the street as a result.

Parking requirements are based on UDO Section 10.3. Here is the link:

<https://durham.municipal.codes/UDO/10.3>. In most residential developments, 2 parking spaces are required per housing unit. This number can be reduced by adding additional bike racks or mass transit stops, per UDO 10.3.1B.9. In the Compact development tier, Compact Suburban Design Districts, or Urban development tier fewer spaces are required:

10.3.1 Required Motorized Vehicle and Bicycle Parking



a City District, shall not be required to provide additional parking spaces. New buildings or expansion areas of existing buildings within these districts shall be required to meet all off-street motor vehicle parking requirements.

B. 7. In the following tiers, the motor vehicle parking rates for household living dwelling units shall be as follows:

	Minimum	Maximum
Compact Neighborhood Tier (except CSD Districts):		
Household Living, except as Listed Below	1 space/unit	2 spaces/unit
<u>Affordable Housing Dwelling Units</u>	None	2 spaces/unit
Compact Suburban Design Districts:		
CSD-C and CSD-S1	None	1.5 spaces/unit
CSD-S2	1 space/unit	2 spaces/unit
<u>Affordable Housing Dwelling Units</u>	None	See sub-district maximum
Urban Tier:		
<u>Affordable Housing Dwelling Units</u>	None	2 spaces/unit

The development tier of a parcel can be found in GIS

<https://maps.durhamnc.gov/?x=35.99399999999939&y=-78.89859999999867&z=288895.277144&r=0&b=8&s=default&l=>

- **Does Development Services make suggestions to the elected officials about what to ask a developer to do in response to their request (e.g. ask for a sidewalk)?**

During the review of a site plan, staff only makes comments based on the requirements found in the UDO. We cannot suggest proffers. However, if a site is being rezoned, a developer may offer proffers beyond UDO requirements to “improve” the site or to make a controversial rezoning more palatable. The Planning Board can suggest changes to the City Council but staff does not.

- **What are the regulations that maintain the housing stock?**

I am not sure what this is getting at but maybe maintenance? There are minimum housing code in Article VI of the Code of Ordinances, City of Durham, found here:

https://library.municode.com/nc/durham/codes/code_of_ordinances?nodeId=PTIICOOR_CH10_BUBURE_ARTVIHOCO. This is not enforced by Planning, but rather by Inspections per Code.

- **I’m on the Housing Appeals Board and know when someone is brought in for a violation, the cash penalty meter is already running. Would they have received a notice of violation from zoning regulation first?**

Not sure about this question. Planning issues notices of violation prior to issuing civil citations. If the question is when a civil citation is issued are the fines accrued daily until corrected? Then the answer would be yes.

- **I live in South Durham and there is a lot of development, especially of subdivisions. What factors do you consider for requests to develop new residential communities? How do you account for sustainability and environmental impact?**

If the proposed development meets all requirements of the UDO and any other pertinent code, we cannot legally deny a project. Reviewing departments may include Planning, Inspections, Engineering, Stormwater (city or county), Fire (city or county), Soil and Erosion Control, County Utilities (if in county) or Water Management, Parks and Recreation, County Open Space (county only), Solid Waste, NCDOT if a county road, Urban Forestry in the Urban or Downtown development tiers, and the Bike/Ped committee. Most of these groups have their own codes and requirements that they use to review in addition to the UDO.

- **There is only my house and a building on the side of my street. The land is zoned institutional. Is there any chance the type of zoning can change? The building is now for sale and with all the changes in the southside, I'm afraid of the change I may not be able to stay in my house.**
An owner can apply for a rezoning of their property, although typically a single parcel is cannot be rezoned as that might be considered spot rezoning, which is illegal per General Statute. The zoning map change process overview can be found here: <https://durhamnc.gov/DocumentCenter/View/14186/Zoning-Map-Change-Process-Overview?bidId=>. I would also suggest contacting the Land Use group for further information. Grace Smith should be able to assist. Her number is 919-560-4137 ext. 28215.
- **Are there any plans for public sewer service being moved into Northern Durham County?**
I would suggest contacting County Utilities and/or City Engineering. However, I do not believe there are any such plans at this time.

Can the facility on T.W. Alexander & Hwy 55 be toured? If yes, what is the best way to schedule a tour?

- Yes, the Triangle Waste Water Treatment Plant (TWWTP) welcomes tours and routinely conducts them. Please note that several construction projects are in the works at the TWWTP. Work being done may impact the scheduling of a tour. Contact Corinna Somers at (919) 560-9040 for information on touring the facility.