



Durham County

200 E. Main Street
Durham, NC 27701
(919) 560-0025

Meeting Agenda Board of County Commissioners

Monday, October 28, 2019

7:00 PM

Commissioners' Chambers

Regular Session

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

19-0540 Announcements

Agenda Text:

1. **Durham County Recycles Mobile App** - The DCo General Services Department announced the launch of its new mobile application that makes it easier for County residents to stay connected about waste and recycling collection programs.

Residents can download the **FREE** app on their Apple or Android devices. If you do not have a smartphone, you can also visit www.dconc.gov/recycling and search your home address to sign up for reminders and download/print your collection schedule.

2. **Durham Homicide and Victims of Violent Death Memorial Quilt on Display at Durham County Human Services Building** - Beginning November 4th - 30th, Sidney Brodie a native of Durham will be displaying his

work at the Durham County Human Services Building located at 414 E. Main Street. Each square on the quilt was designed to memorialize the many lives lost due to violence.

The display is **FREE** to view and open to the public.

- 3. Come Hear About the Future of 300 & 500 Blocks of East Main Street** - The Durham Board of County Commissioners (BOCC) selected Laurel Street and ZOM Living to execute on its vision for the two County-owned sites. The proposed plan includes a mix of affordable and market-rate apartments, commercial space along East Main Street, and parking for tenants and County employees.

Please join Durham County and the development team at one of the following informational sessions:

- Saturday, November 2nd at 10 a.m. at Holton Career and Resource Center at 401 N. Driver St.
- Tuesday, November 12th at 7 p.m. at the Durham County Human Services Building at 414 E. Main St.

For additional details please visit www.dconc.gov/EMainSt
<<http://www.dconc.gov/EMainSt>>.

- 4. Health Insurance Marketplace Open Enrollment Period** - The Health Insurance Marketplace at HealthCare.gov serves people who do not get coverage from their job and offers financial assistance for families with incomes from 100% to 400% of the Federal Poverty Level. Most who buy coverage on the federal Marketplace pay \$50 to \$100 per month.

Open enrollment begins November 1 - December 15. To sign up please visit www.healthcare.gov <<http://www.healthcare.gov>> or contact the Marketplace Call Center at 1-800-318-2596.

- 5. Annual Veterans Day Celebration** - The Annual Veterans Day Celebration will be held on Friday, November 8, 2019 from 11 a.m. - 1 p.m. at the Durham County Human Services Building located at 414 E. Main Street. The is **FREE** and all Veterans and their supporters are invited to attend.
- 6. Engage Durham Hosts its First Community Workshop for New Comprehensive Plan and County Transit Plan** - The Engage Durham Listening-and-Learning Workshops were designed to seek input from people who live, work, own a business, go to school or simply care about the future

of Durham.

Five workshops will be held November 14th - 19th to help attendees understand the Comprehensive Plan and how it relates to them. **FREE** childcare and light refreshments will be provided at each workshop. The workshop dates and locations are as follows:

- Thursday, November 14 from 7 p.m. - 9 p.m. at Hillside High School
- Saturday, November 16 from 10 a.m. - 12 p.m. at Carrington Middle School
- Sunday, November 17 from 3 p.m. - 5 p.m. at Southern High School
- Monday, November 18 from 11 a.m. - 1 p.m. at the Durham County Admin II Building
- Tuesday, November 19 from 7 p.m. - 9 p.m. at Rogers-Herr Middle School

For more information about the Comprehensive Plan process or the workshops, please visit www.engagedurham.com/Comprehensiveplan or contact Lisa Miller at 919-560-4137 ext. 28270 or Sara Young at 919-560-4137 ext. 28256.

4. Minutes (5 min)

[19-0539](#)

Minutes

Attachments: [Regular Session - September 23, 2019](#)

5. Ceremonial Items (40min)

[19-0548](#)

Proclamation Honoring the Dedication and Work of Sidney Brodie (10min)

Agenda Text: The Board is requested recognize and honor the remarkable life's work of Durham resident Sidney Brodie, and to call upon the residents of Durham County to join us in honoring his legacy by working together to find ways to end the violence in Durham.

After a two-year old girl was shot while playing on a neighbor's porch, Sidney Brodie wanted people to pay attention - to be outraged - to begin a conversation to stop the violence. He began working on a memorial quilt in 1996. A name is added every time someone is killed in Durham County. There were 805 names as of June 14, 2019.

Sidney Brodie will display the Durham Homicide and Victims of Violent Death Memorial Quilt at the Durham County Human Services Building, 414 E. Main Street beginning on Monday, November 4. The quilt will be available for viewing during the

entire month of November 2019.

Alignment with Strategic Plan: This item aligns with Strategic Goal 3: Safe Community and Goal 2: Health and Well-Being for All

Resource Persons: Wendy Jacobs, Chair, Durham Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board Honor the Dedication and Work of Sidney Brodie.

Attachments: [Proclamation - Sidney Brodie - October 2019](#)

19-0547

Recognize Keshia Gray for Receiving the 2019 Willis Young Memorial Award on the Frontlines of Violence (10min)

Agenda Text:

The Board is requested to recognize Keshia Gray, Lead Outreach Worker with Bull City United for receiving the 2019 Willis Young Memorial Award on the Frontlines of Violence.

The Willis Young Memorial Award for Outstanding Work on the Frontlines of Violence is presented to an individual who has exhibited extraordinary commitment and passion in their work. Keshia “Queen” Gray has exemplified that as being the only female on an all-male team who has used her connections to walk through grief and provide resources for hundreds in the Durham community.

As mention on her nomination form, Ms. Gray in collaboration with the Duke University Medical Team introduced a “Stop the Bleed and Save a Life” class in targeted areas. Through this class a 14-year old was able to help save her cousin life from a gunshot wound.

Ms. Gray received this award at the Healing Justice Alliance Annual Conference held in Sacramento, California.

Alignment with Strategic Plan: This item aligns with Goal 1: Community Empowerment and Enrichment

Resource Persons: Wendy Jacobs, Chair, Durham Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board recognize Keshia Gray, Lead Outreach Worker with Bull City United for receiving the 2019 Willis Young Memorial Award on the Frontlines of Violence.

19-0532

Video and Resolution from Made in Durham (10min)

Agenda Text:

The Board is requested to watch the short video from the youth-led Made in Durham event on May 7, 2019 and adopt the attached resolution.

Durham County is a founding member of Made in Durham, our education-to-work

collective action backbone agency in Durham. Durham County strongly supports Made in Durham's work to create and strengthen education-to-work pipelines and is eager to create ever more compelling and functional pathways for Durham's youth to see and move towards living wage work in Durham.

Alignment with Strategic Plan: Strong education-to-work pipelines serve aspects of all five goal areas of the Durham County strategic plan.

Resource Persons: Casey Steinbacher, Executive Director (Made in Durham)

County Manager's Recommendation: The County Manager recommends that the Board watch the short video from the youth-led Made in Durham event on May 7, 2019 and adopt the attached resolution.

Attachments: [2019 MID Partnership Luncheon Video](#)
 [Resolution - Durham County Work-Based Learning](#)

19-0538 **Durham County Government has been recognized by the Public Technology Institute as a recipient of the 2019 PTI Solutions Award for its use of predictive analytics to strengthen the County's foster care effort (10min)**

Agenda Text: The Board is requested to recognize a recent award received by Durham County Government in recognition of a predictive analytics effort conducted by the County's Department of Social Services and the Information Services and Technology department.

Durham County Government was presented a 2019 PTI Solutions Award by the Public Technology Institute for its use of effective predictive analytics. Durham County DSS implemented a set of predictive analysis tools to forecast the number of children in the County's foster care program-- year-by-year through 2025-- and the corresponding impacts upon critical points within the system including caseworkers, foster caregivers and other items tied to County budget and resources.

After carefully preparing and managing the data-data was used from 2003 forward--the analysis and reporting were performed using Microsoft PowerBI and Microsoft Excel.

Your recognition of these achievements made by the entire staff of DSS and IS&T is appreciated!

Alignment with Strategic Plan: Goal 5: Accountable, Efficient and Visionary Government by providing collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility.

Resource Persons: Ben Rose, Director DSS; Greg Marrow, Chief Information Officer

County Manager's Recommendation: The County Manager recommends that the Board recognize a recent award received by Durham County's Department of Social Services and Information Services and Technology department.

Attachments: [DSS IST Award 2019 AAF Supplemental Document \(1\)](#)

6. Consent Agenda (15 min)

[19-0500](#)

Property Tax Releases and Refunds for September 2019

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of September 2019.

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of September 2019.

Releases and Refunds for 2019 total \$114,454.68. Prior year's (2015-2018) releases and refunds for September 2019 are in the amount of \$3,962.19. The current year and prior year's releases and refunds total amount \$118,416.87

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E&R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accepts the property tax release and refund report for September 2019 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases and Refunds Backup Detail-September 2019-October 28, 2019.xlsx](#)
[Backup-Tax Release and Refunds-September 2019-October 28, 2019.pdf](#)
[NCVTS August Report Refunds.xlsx](#)

7. Public Hearings (105min)

[19-0498](#)

Leesville Road Boat and RV Storage (15min)

Agenda Text:

The Board is requested to conduct a public hearing and consider the following motions:

- 1) Adopt a Consistency Statement as required by NCGS 153A-341; and
- 2) Adopt an ordinance amending the Unified Development Ordinance by taking property out of the Rural Residential (RR), and Falls/Jordan Watershed

Protection Overlay B (F/J-B) zoning districts and establishing the same as Commercial General with a Text-Only Development Plan (CG(D)) and Falls/Jordan Watershed Protection Overlay B (F/J-B).

Summary: This is a request to change the zoning for the property located at 4615 Leesville Road from Residential Rural (RR) to Commercial General with a Text-Only Development Plan (CG(D)). Staff determines that this request is consistent with the *Comprehensive Plan* and applicable policies and ordinances.

Alignment with Strategic Plan: Review of applications for amendments to the official zoning map is aligned with Goal 5 of the County Strategic Plan: Accountable, Efficient, and Visionary Government by creating a sustainable land use pattern that supports the use of properties as provided by the Comprehensive Plan and other adopted ordinances.

Resource Persons: Jamie Sunyak, Senior Planner; 919.560.4137 x28235

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing and consider the two motions.

Attachments:

[staff report Z1900020](#)

[Attachment 1 - Context Map](#)

[Attachment 2 - Aerial Map](#)

[Attachment 3 - FLUM](#)

[Attachment 4 - Application](#)

[Attachment 5 - Comp Plan Analysis](#)

[Attachment 6 - Summary of Development Plan](#)

[Attachment 7 - Summary of Impacts](#)

[Attachment 8 - PC Written Comments](#)

[Attachment 9 - Consistency Statement](#)

[Attachment 10 - Zoning Ordinance](#)

[Z1900020 Presentation BOCC - Leesville Rd Boat and RV Storage](#)

19-0499

Unified Development Ordinance Text Amendment, FEMA FIRM Updates (TC1(00003) (15min)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, FEMA FIRM Updates (TC1900003); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 8, Environmental Protection.

Summary. Text amendment TC1900003 is a technical update to adopt revised Flood Insurance Rate Map (FIRM) panels issued by the Federal Emergency Management Agency (FEMA) by December 6, 2019, as required by FEMA and state law.

Attachments:

Attachment A: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment B: An Ordinance to Amend the *Unified Development Ordinance* Regarding Flood Insurance Rate Map (FIRM) Updates (TC1900003)

Attachment C: FEMA Letter of Final Determination

Attachment D: FIRM Panel Map

Attachment E: Planning Commission comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government) by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC10-28-19Memo TC1900003](#)

[Attachment A TC1900003 BOC Consistency statement](#)

[Attachment B TC1900003 FIRM update Ordinance BOC draft per State 9-27](#)

[Attachment C FEMA Letter of Final Determination - Summary of Map Actions -](#)

[Attachment D FIRM Panel map](#)

[Attachment E Planning Commission Comments TC1900003](#)

19-0512

Unified Development Ordinance Text Amendment, Expanding Housing Choices (TC1800007) - DURHAM COUNTY JURISDICTION ONLY (30min)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Expanding Housing Choices (TC1800007); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 13, Additional Requirements for Subdivisions; Article 14, Nonconformities; and Article 17, Definitions; and

Third Motion: To adopt a resolution regarding the development and reporting of metrics for Expanding Housing Choices

Summary. Text amendment TC1800007 (Attachment B; B1-B6) includes amendments to the Unified Development Ordinance (UDO) that would allow for more, and more varied, housing choices to be created in a context-sensitive manner predominantly within, but not completely limited to, the Urban Tier. Proposed UDO revisions include expanding the allowance of duplexes, a new small lot option, aligning duplex and attached single-family housing types with detached single-family standards, increasing the opportunities for accessory dwelling units, modifications to residential infill standards, and modifications to other associated standards.

- **Please note that Expanding Housing Choices has been implemented by the City Council in City jurisdictions effective October 1, 2019. The Board of County Commissioners will be considering the same amendment in County jurisdictions only.**

Attachments:

Attachment A: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment B; B1-B6: An Ordinance to Amend the *Unified Development Ordinance* Regarding Expanding Housing Choices (TC1800007)

B1: Accessory Dwelling Units

B2: Residential Infill Development

B3: District Intensity

B4: Housing Types

B5: Miscellaneous Provisions

B6: Neighborhood Protection Overlays

Attachment C: Summary Tables of Proposed Changes

Attachment D: Planning Commission Recommendation and Individual Comments

Attachment E: Recommendations from the Durham Environmental Affairs Board (EAB)

Attachment F: Recommendations from the Durham Appearance Commission

Attachment G: Article Review

Attachment H: Zoning Ordinance Research

Attachment I: Summer 2018 Questionnaire Results

Attachment J: Discussion Draft (November 2018-January 2019)
Questionnaire Results

Attachment K: Public Outreach Summary

Attachment L: Resolution for Continued Monitoring and Reporting

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC EXPANDING HOUSING CHOICES MEMO 10-28-19 final](#)

[B6- Part 6 Neighborhood Protection Overlay final](#)

[Attachment A TC1800007_BOC Consistency statement](#)

[Attachment B Ordinance cover](#)

[B1- Part 1 Accessory Dwelling Units final](#)

[B2- Part 2 Residential Infill Development final](#)

[B3- Part 3 District Intensity final](#)

[B4- Part 4 Housing Types final](#)

[B5- Part 5 Additional Miscellaneous Provisions final](#)

[B6- Part 6 Neighborhood Protection Overlay final](#)

[Attachment C Summary Tables](#)

[Attachment D Planning Commission Recommendation and Comments TC1800/](#)

[Attachment E Environmental Affairs Board Recommendations](#)

[Attachment F Appearance Commission Recommendations](#)

[Attachment G EHC Article Review](#)

[Attachment H Zoning Ordinance Research](#)

[Attachment I Summer 2018 Questionnaire Results](#)

[Attachment J Discussion Draft Survey Results](#)

[Attachment K Summary of Public Meetings-Outreach as of 4-27](#)

[Attachment L Annual Reporting Resolution draft](#)

[RESOLUTION DURHAM COUNTY - EHC](#)

[Expanding Housing Choices BOC - 2](#)

19-0497**Unified Development Ordinance Text Amendment, Tree Coverage and Landscaping Revisions (TC1800005) (45min)****Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance Text Amendment, Tree Coverage and Landscaping Revisions (TC1800005)*; and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 4, Zoning Districts; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; and Article 17, Definitions.

Summary. Text amendment TC1800005 includes amendments to landscaping, buffering, and tree coverage standards for additional buffers for residential development sites that are mass graded, to establish or retain more tree canopy, to modify requirements for street trees, and to strengthen current specimen tree requirements.

Attachments:

Attachment A: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment B: An Ordinance to Amend the *Unified Development Ordinance* Regarding Tree Coverage, Landscaping, and Buffer Revisions (TC1800005)

Attachment C: Tree Canopy Assessment

Attachment D: Sustainability Roadmap

Attachment E: Urban Forest Management Plan

Attachment F: *TreesDurham* October 2, 2018, requests

Attachment G: Planning Commission comments

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government) by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed *Unified Development Ordinance* text amendment and, if appropriate based on the comments received

during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC10-28-19Memo TC1800005_final](#)

[Attachment A TC1800005 BOC Consistency statement](#)

[Attachment B TC1800005 BOC10-28-19 LandscapeRevisions Ordinance draft](#)

[Attachment C Tree Canopy Assessment - Durham NC 2017](#)

[Attachment D SUSTAINABILITY ROADMAP](#)

[Attachment E Urban Forest Management Plan](#)

[Attachment F 2018 Oct TreesDurham Planning Priorities](#)

[Attachment G Planning Commission Comments TC1800005](#)

8. Board and Commission Appointments (10 min)

19-0530

Board and Commission Appointments (10min)

Agenda Text:

Monica Toomer, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Adult Care Home Community Advisory Committee
- Board of Adjustment
- Community Child Protection Team/Child Fatality Prevention Team
- Discover Durham Tourism Development Authority
- Industrial Facilities and Pollution Control Financing Authority
- Workforce Development Board

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

Resource Persons: Monica Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint a member to the aforementioned Boards and Commissions.

Attachments: [28october19](#)

9. Items Pulled from the Consent Agenda (20 min)

10. Adjournment