

#### **IV. Current Major Issues and Solution Recommendations**

This section contains discussion of major issues identified by the Task Force during the planning process and possible solution recommendations.

Goal: In the future, the Focus Area should be well served by reliable infrastructure to accommodate orderly, planned growth. An efficient multi-modal transportation system will operate in the area and commercial and light industrial uses will provide job opportunities to area and County residents.

##### **A. Water and Sewer**

**Objective: Orderly and planned expansion of a public water and sewer system.**

The availability of water and sewer systems is one of the primary factors influencing the characteristics of development. Areas that are not served by water and sewer systems generally develop at very low densities because water must be obtained from individual wells and sewage must be disposed of on-site via, predominantly, an on-site septic system. Additionally, non-residential development tends to be very limited in areas served by on-site well and septic systems and often non-residential development is dependent upon the availabilities of fire service levels.

This area is under Orange County's jurisdiction and has additional potential only with an expanded water system and installation of a sewer system. Given that the Focus Area is within the City of Durham's Urban Growth Area and Durham already has water lines in the Focus Area and sewer lines nearby in Durham County, the Focus Area represents one of the areas of Orange County where higher density and intensity development is a viable option within the County's planning jurisdiction.

As was stated in Section III.G, The City of Durham currently follows two policies regarding water and sewer extensions to its system that would apply should the City look to extend utilities into the Eno EDD:

- The City of Durham requires that water and sewer utility extension is contingent upon a request for voluntary annexation.
- The City of Durham currently does not pursue involuntary annexation.

Based on these policies, it is expected that any future development within the Eno EDD that requests water and sewer service from the City of Durham would at some point be annexed by the City of Durham.

The need for a long range Master Plan and associated funding sources for water and sewer has been discussed. In early 2008, Orange County released an RFP (Request for Proposals) to develop a Master Plan for sewer services in the area. The RFP closing date has passed but a consultant selection has not yet occurred because the bids submitted were much higher than the anticipated cost. At this time, the Master Plan RFP process is on hold until a new strategy is developed or additional funding is allocated.

Following are recommendations regarding water and sewer issues:

1. Complete a preliminary engineering study of a master plan for public water and sewer within the City of Durham's designated Urban Growth Area.
2. Coordinate the study reference in 1 (above) with the City of Durham who would serve this area through an Interlocal Utility Service Agreement. The study should recognize Durham's service restrictions that relate to the City's policies regarding provision of services only within City limits and constraints regarding annexations, specifically the fact that Durham does not have the capacity to satellite annex any additional lands; any future annexations would need to be contiguous to lands already within the City's municipal limits. The agreement should be structured to ensure development and/or redevelopment occurs under Orange County Regulations (see related recommendation in B.3 below).

## **B. Land Use and Zoning**

**Objective: Protection of existing, conforming residential uses while allowing for planned non-residential growth.**

Note: Implementation of most of the Land Use and Zoning recommendations that follow will require amendments to existing development regulations such as the Land Use Element Text and Map, Zoning Ordinance Text, and Zoning Map.

How land is used is a major factor in many aspects of people's lives. Land Use directly affects people's quality of life in a variety of ways. Community character, traffic generation and flow, availability of services, and the quality of the natural environment are all affected by Land Use decisions. Indeed, one of local government's principal powers is the authority to control land development so that growth is managed in such a way that negative impacts are minimized and/or mitigated.

The Focus Area has been targeted for growth of non-residential development for well over a decade. The Task Force is supportive of planned growth, provided that growth occurs in a managed and sustainable fashion and impacts to existing, conforming residential uses are appropriately mitigated. The following are recommendations pertaining to Land Use and Zoning:

1. Change the Land Use classification of the existing Economic Development District and Commercial Node to Economic Development or Eno Mixed Use, as is shown on Map 21.
2. Revise the zoning text for the Economic Development District. Permitted uses and locations are noted within the zoning EDD Design Manual (also known as Zoning Ordinance Article 6.29.3). Presently, zoning categories (unique to the Eno EDD) are classified as 'primary' or 'secondary' and have a specific permitted

use listing and a specific location. With these uses, the specific application process and which agencies review proposed projects are also outlined.

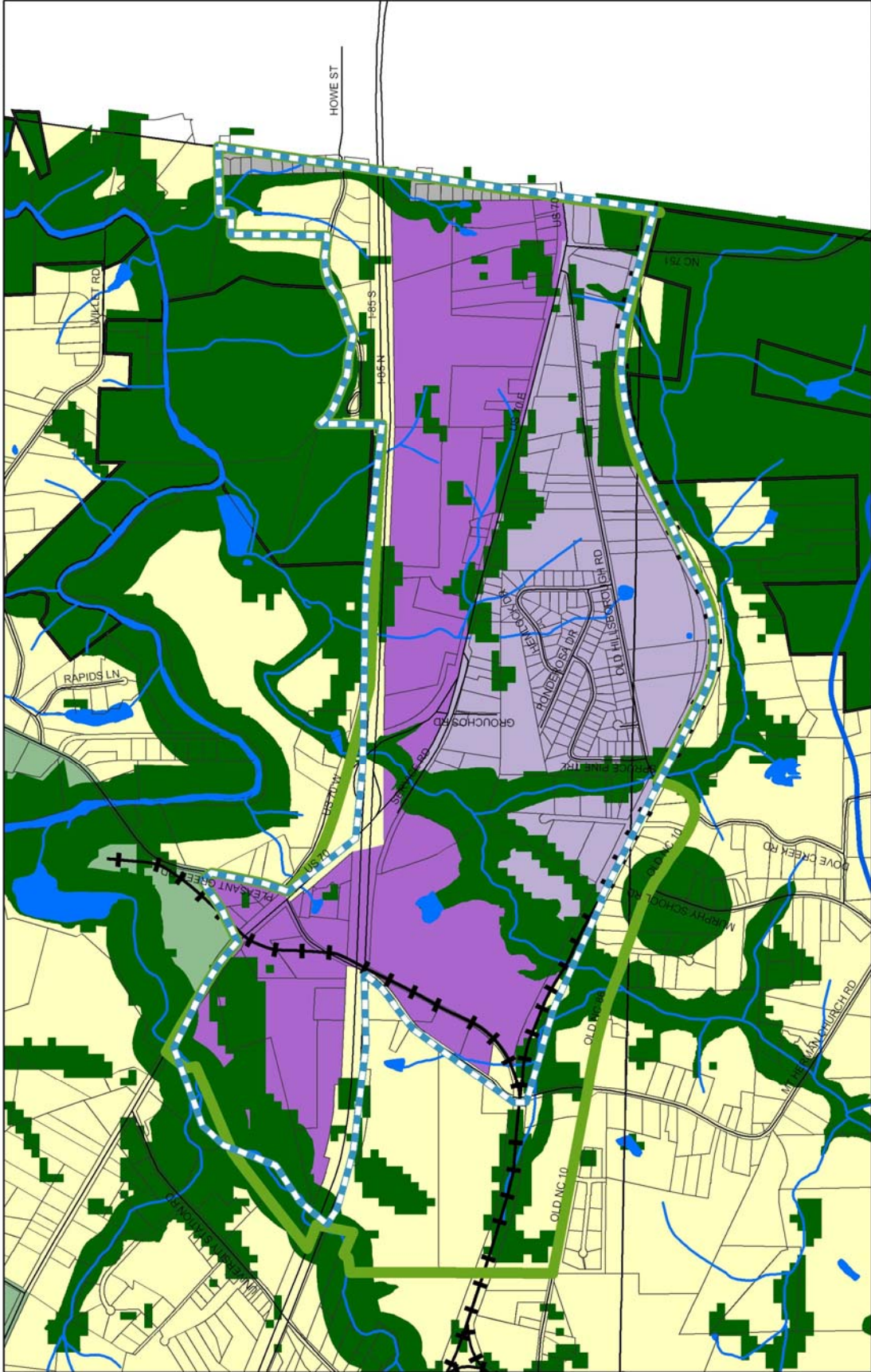
The Task Force has reanalyzed the 1994 I-85/US 70 Eno EDD area and recommends that the EDD zoning permitted use tables pertaining to the Eno EDD be amended to reflect the structure shown in Appendix A. This proposed zoning construct eliminates the EDD designations of 'primary' and 'secondary' and instead applies the zoning category of "Economic Development" to properties located north of Highway 70 and west of Rhodes Creek (see Map 21). Additionally, those properties in the proposed "Mixed Use" area that are currently zoned either Primary or Secondary EDD would be changed to "Economic Development." Properties currently zoned R1 or R2 in the Mixed Use Area would remain zoned as they are currently zoned and property owners who desire to use their properties in conformance with the Mixed Use land use designation would apply for a rezoning to "Economic Development."

3. Coordinate zoning text changes with the City of Durham to ensure that properties developed under Orange County regulations will conform to an appropriate zoning district in Durham's Unified Development Ordinance to ensure properties do not become non-conforming when annexed by the City of Durham. Examples of aspects to be coordinated include setbacks, building heights, parking requirements, landscaping, impervious surface, etc.

Map 21 is the Proposed Future Land Use Map for the Focus Area. A new Future Land Use category is proposed and the proposed description is found below. The descriptions of adopted Future Land Use categories are found in the chart on page 41.

*Eno Mixed Use.* Land located in areas served or to be served by public water and sewer where a mix of residential, commercial, office, services, and light industrial uses are appropriate. Residential uses within Mixed Use areas should have a minimum density of six (6) units per acre. Examples of housing at this density include attached homes, patio homes, and apartments. Note: prior to adoption of implementation measures, a percentage or acreage limit on residential uses within the Mixed Use area should be determined. It is the intent to limit the amount of residential uses in the Mixed Use area to encourage the development of non-residential uses.

# Eno EDD Small Area Plan - Proposed Future Land Use Map

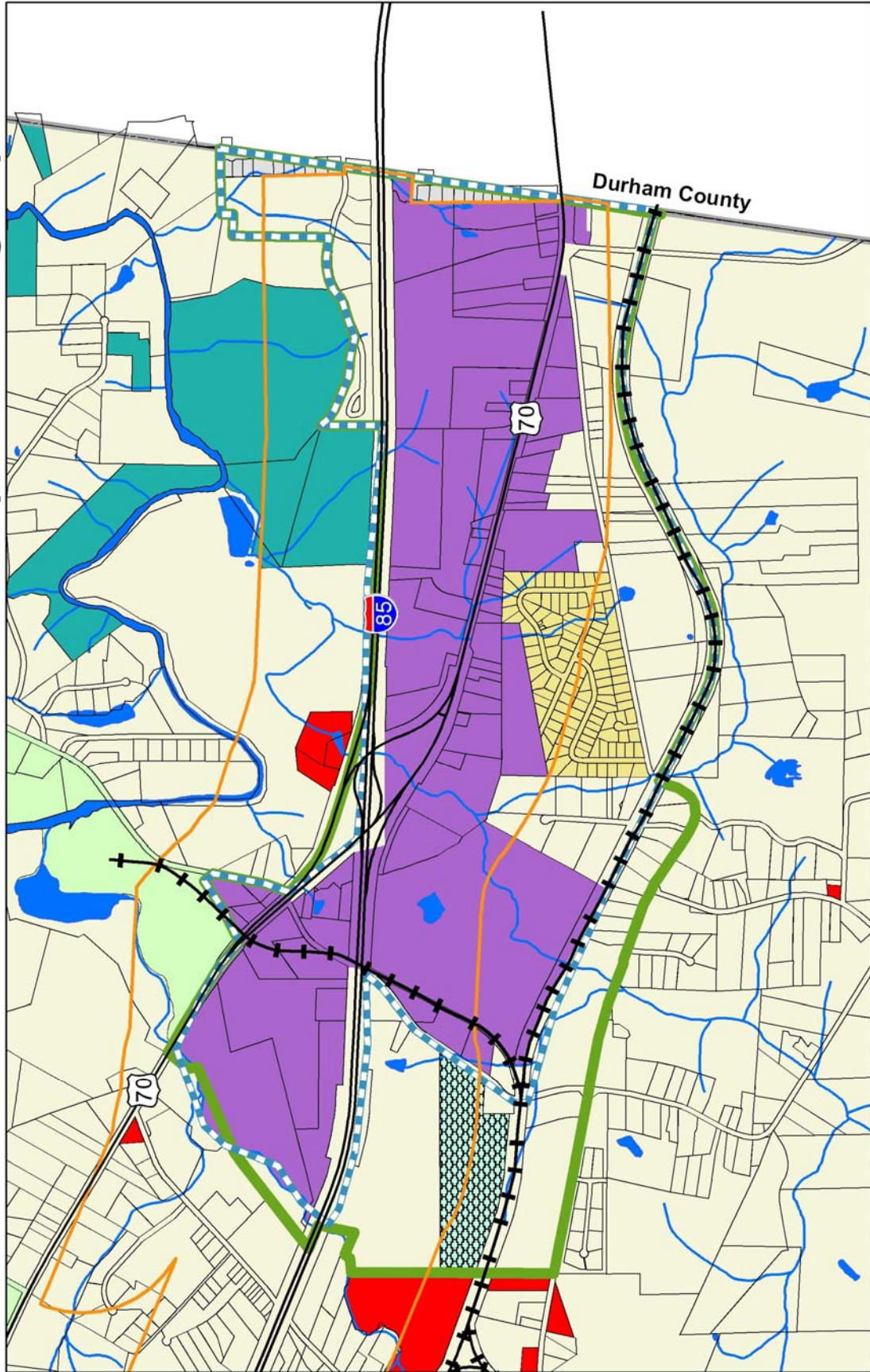


- Eno EDD SAP Focus Area
- Durham Urban Growth Area
- Water Supply Areas
- OC/CH/CA Joint Planning Area
- Municipal Town Limits
- Municipal Extra-Territorial Jurisdiction
- Public Interest Areas
- Resource Protection Areas
- Economic Development
- Eno Mixed Use
- Rural Residential
- Agricultural Residential
- Rural Buffer



0 1,500 Feet  
 Orange County Planning and Inspections Department  
 GIS Map Prepared by Brian Canon May 27, 2008

# Eno EDD Area Small Area Plan - Proposed Zoning Map



0 1,500 Feet

Orange County Planning and Inspection Department  
GIS Map Prepared by Brian Carson May 27, 2008

Major Transportation  
Corridor Overlay  
Economic Development

R1  
R2  
RB  
Durham

AR  
EC5  
NC2  
PDHR4  
PID

Parcels  
Streams  
County Boundary  
Water Bodies

Eno EDD SAP Focus Area  
Durham Urban Growth Area  
Railroad

+

## C. Transportation

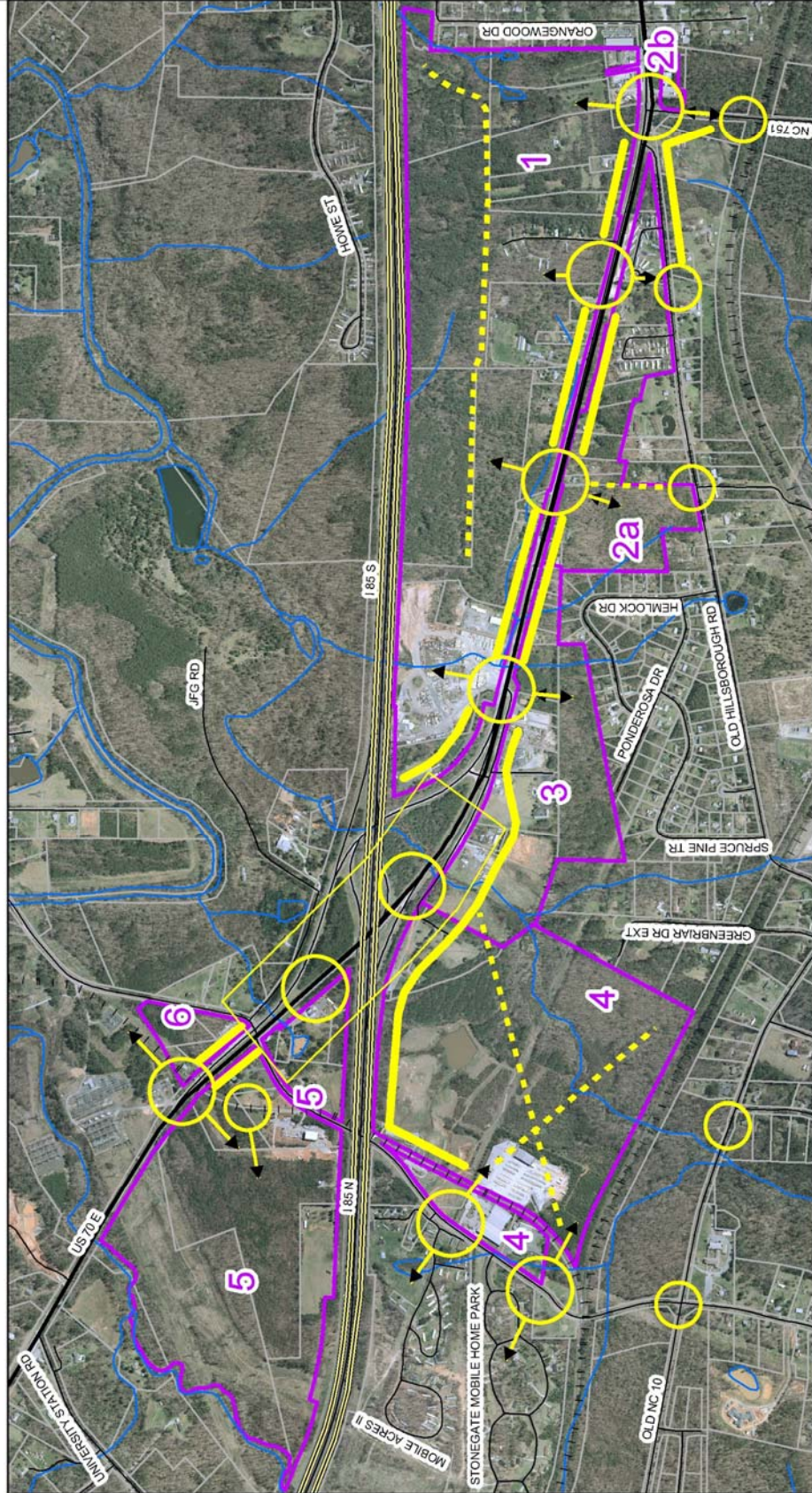
### **Objective: Provision of an efficient, multi-modal transportation system.**

The vehicular transportation system in the planning area generally functions well, but there are some concerns, especially regarding motorized vehicle flows during peak traffic hours. However, some peak hour congestion is also to be expected in an urban or suburban area. The key is managing the transportation system such that it can function as safely and efficiently as possible.

Sidewalks and bicycles lanes do not exist anywhere in the Focus area. The shoulders along Highway 70 are paved 1 to 2 feet beyond the automobile travel lane and people use these paved shoulders as informal bicycle lanes. Broadening transportation alternatives beyond the passenger car is important. "Alternative" transportation modes such as pedestrian, bicycle, and mass transit are part of an intermodal transportation system. The following are recommendations pertaining to transportation:

1. Approve an access management program for US 70 and Old Highway 10 as shown on Map 23. This will provide better transportation systems and capacities as development proceeds in the area. (See Appendix B for an explanation of access management techniques).
2. Support the proposed future improvements by NCDOT that will redesign the I-85/US 70 interchange. Limited access near the interchange will prompt an enhanced service road and access system to ensure equitable access to defined full access intersections. NCDOT should be strongly encouraged to incorporate bridge designs that allow wildlife to cross safely under the bridge and that allow pedestrian passage along any existing or planned trail-system connectors.
3. Evaluate the feasibility of providing bicycle lanes along Old NC 10.
4. Evaluate the feasibility and need to provide sidewalks along Highway 70 as the area develops.
5. The ability to have a commuter train station in the future should be explored. A station could serve the existing Amtrak service or a station could be incorporated into the future Triangle commuter rail system.
6. The county should work cooperatively with Triangle Transit Authority (TTA) to provide bus service in the area.

# Eno EDD Transportation Access Management Concept Plan



North Arrow  
 Orange County Planning and Inspections Department  
 GIS Map Prepared by Miami Coleman, April 09, 2008  
 Projection: North Carolina State Plane (feet)  
 Datum: North American 1983

- Area 1 - 186 acres
- Area 2a - 40 acres
- Area 2b - 2 acres
- Area 3 - 52 acres
- Area 4 - 115 acres
- Area 5 - 106 acres
- Area 6 - 7 acres

- Legend**
- Eno EDD Areas
  - I-85/US70 Intersection Limited Access Zone
  - Frontage
  - Internal Connectivity
  - Primary Intersections



## D. Housing

**Objective: Provision of a mix of housing choices that includes decent, affordable housing for “the workforce” and protection of existing, conforming residential uses from new non-residential uses.**

As was noted in Section B, the Focus Area has been targeted for growth of non-residential development for well over a decade. Some of the existing residential uses and mobile home parks are nonconforming uses under existing regulations. The following are recommendations pertaining to housing issues:

1. The EDD designated area originally permitted some residential uses of undesignated density in areas zoned Secondary EDD. Residential uses that were constructed as conforming uses in the Secondary EDD area should not be made nonconforming under any new zoning designation. Additional residential uses in the area shown as Economic Development on Map 21 should not be permitted.
2. New residential uses in the Mixed Use Area, as shown on Map 21, should be encouraged to step up in density as the distance from existing single family uses increases (i.e single family [1-4 DU/AC], townhomes [4-8 DU/AC], multifamily [8-12 DU/AC]). (Note: prior to future adoption of implementation measures, a percentage or acreage limit on residential uses within the Mixed Use area should be determined. It is the intent to limit the amount of residential uses in the Mixed Use area to encourage the development of non-residential uses).
3. Require that an appropriate buffer be provided between new non-residential uses and existing, conforming residential uses.
4. New residential development that is compatible with the character, size, scale, and price range of existing surrounding homes should be encouraged in the Mixed Use area. Since home prices are directly tied to the square footage of the home, Orange County should consider offering incentives such as expedited review or density bonuses for developments that offer smaller sized homes.
5. Orange County should consider adopting a policy requiring that a certain percentage of new homes within a subdivision be affordable and under the control of an organization such as the Orange Community Housing and Land Trust (OCHLT) or Habitat for Humanity to ensure affordability in perpetuity.
6. If existing mobile home parks are redeveloped into other uses, the property owner and County should work together to help displaced residents find suitable, decent, alternative housing.

## **E. Parks, Recreation, and Open Space**

**Objective: Provision of adequate parks and recreation opportunities and open space preservation.**

One of the jewels of the State Park System – Eno River State Park – is located immediately adjacent to the Focus Area. Additionally, Duke Forest is located immediately south of the Focus Area. These two recreational opportunities are available to residents in the Focus Area interested in engaging in the types of activities offered. Recommendations regarding parks, recreation, and open space are as follows:

1. Preserve stream corridors and create a network of publicly-accessible trails between developed areas and the Eno River State Park to the north of the Focus Area and Duke Forest to the south of the Focus Area. The following recommendations are made to encourage trail development:
  - Indemnification of the landowner from lawsuits
  - Provision of a tax incentive for the landowner
  - Prohibition of motorized vehicles on the trail
  - Assurances that local government or other well-established group will maintain the trail
2. Open space should continue to be required as part of the land development approval process. Note: Open Space is not necessarily publicly accessible.

## **F. Communications**

**Objective: Provision of a high-quality communications system that will meet the needs of business, industry, and residents.**

Communication systems are an important aspect of attracting commercial uses to appropriate sections of the planning area. Factors such as wireless communication, high-speed internet access, and state-of-the-art communication infrastructure are analyzed by businesses and residents considering locating in a given area.

Technology is changing at an ever-increasing rate and keeping abreast of changes can be essential to staying competitive. In emergency situations, functioning communication systems can literally be the difference between life and death. Within the Focus Area, cellular phone coverage is currently sufficient and the area is served by cable which includes broadband Internet service. Given the nature of communication systems, some of the following recommendations extend outside of the Focus Area and are recommendations regarding a countywide policy to improve access to communication technology.

1. Achieving full cellular wireless coverage countywide should be a priority. A Telecommunications Plan that will achieve this objective should be developed and implemented. In order to minimize the number of free-standing towers

necessary for antennas, the county should work with the power companies to allow wireless communication antennas on existing transmission line structures.

2. DSL and/or cable Internet service is needed, at a minimum, in areas targeted for growth. These services are particularly vital for commercial or industrial uses although providing these services to residential uses should also be considered. The county should work with the providers of these services to ensure that necessary infrastructure is extended to growth areas.
3. The county should consider asking providers of wireless communication services to install generator backup instead of battery backup at cellular switch sites. During prolonged power outages, the battery backups are depleted and the wireless communication system stops functioning.

## **G. Intergovernmental Issues**

### **Objective: Continued intergovernmental coordination between Orange County and the City of Durham.**

Intergovernmental coordination with the City of Durham will be an important aspect of desired development within the Focus Area since the City will be the service provider of water and sanitary sewer. Orange County's desire for the area is for parcels to be developed under Orange County regulations prior to potential annexation by the City of Durham. Recommendations regarding intergovernmental coordination are as follows:

1. Orange County and the City of Durham should pursue an Interlocal Agreement for the efficient provision of sanitary sewer services into the Focus Area and the expansion of water service in the area.
  - a. An orderly method regarding future annexation should be part of the Interlocal Agreement.

## **H. Other Recommendations**

### Potential Strategic Growth and Rural Conservation (SGRC) Program

The County is currently working with a consultant on developing a framework for a Transfer of Development Rights (TDR) – type program in Orange County. The proposed name of the program is “Strategic Growth and Rural Conservation.” If the program is adopted, it is likely that the Focus Area would be targeted as a receiving area for growth because of the anticipated availability of water and sewer.