**About SCAD – Buffers**

This is the first of a number of short pieces pointing out problems with SCAD. This one will be devoted to SCAD’s treatment of buffers designed to protect homes and neighborhoods from commercial and more intense neighboring uses. What is SCAD? It is a developer-proposed re-write of Durham’s zoning code or “UDO.” The SCAD acronym was coined by the developers to stand for “Simplified Codes for Affordable Development.” Of course, this naming is strategic because it is meant to make us think SCAD is about affordable housing. While there are a couple of things in SCAD that are directed toward affordability, the vast majority of SCAD’s provisions have nothing to do with housing affordability. Instead, they are designed to make redevelopment of Durham more profitable for the development community – usually at the expense of Durham’s existing residential communities.

SCAD is extremely complex. Not only are hundreds of individual changes proposed, the changes often work together to compound impacts. This happens in SCAD’s treatment of buffers.

When we say buffers in the Durham zoning context we mean a strip of land usually not much more than 20 feet wide in urban areas with vegetation, a berm, or wall required to protect residences from incompatible uses – commercial, offices, hotels, night clubs, industrial projects, etc., next door. Buffers are also required in our UDO when development intensity varies greatly, even if both uses are residential. For example, when a multistory apartment building is proposed next to a single-family home. The current UDO has table describing the kind of buffer that is required between differing uses.

SCAD would eliminate most buffer requirements either directly or, more insidiously, indirectly. First, SCAD would eliminate current buffer requirements between all residential uses regardless of development intensity. Under SCAD, no buffer would be required to protect a single-family home or neighborhood from a six- or seven-story apartment building with hundreds of units next door. Second, SCAD would, through the combination of a number of rule changes, eliminate buffers between homes and commercial uses like shops, bars, restaurants, etc., - even uses that would keep late-night hours.

All across Durham, neighborhoods share long borders with commercial and office zoning districts. In these places, homes back up to areas along major roads which are zoned for commercial, office, and other uses. The current UDO requires modest buffers to protect the adjacent homes from the restaurants, bars, carwashes, offices, shops, and offices in these places. Examples of where these places exist are many but include:

* along Fayetteville Street in the historic Stokesdale and College Heights neighborhoods
* along Hillsborough Road as it runs through Old West Durham
* along Broad Street as it runs through the Trinity Heights, Walltown, Old West Durham, and Watts-Hillandale neighborhoods
* along Guess Road in Walltown, Watts-Hillandale, and neighborhoods to the north
* along Roxboro in the Northgate Park, Colonial Village, Duke Homestead, and Bragtown neighborhoods
* along Angier Avenue and Alston Avenue in East Durham
* along Chapel Hill Boulevard in the Tuscaloosa-Lakewood and Rockwood neighborhoods, and along Mangum in Old North Durham

and there are many more examples. In fact, these places actually constitute most of the residential-commercial interfaces in Durham’s urban area. How does SCAD eliminate buffers in these areas? SCAD contains an exception for all buffers on most commercially zoned parcels of less than 20,000 sf. (For context, 20,000 sf is almost half-an-acre). Since a large portion of the commercial parcels along these strips are smaller than 20,000 sf, SCAD will eliminate buffer protections for the homes and neighborhoods behind them. What SCAD casts as an exception would actually be the rule. But SCAD does even more. SCAD changes other zoning rules to not only eliminate buffers It would also allow commercial buildings on these parcels to be built within ten feet of the back property line shared with neighboring homes. SCAD would also allow commercial buildings on the parcels to reach from one side line to the next and join the commercial buildings on either side. There is nothing in SCAD that would prevent several of these commercial properties from being strung together with a single building or string of buildings running across them. The 20,000 sf maximum is artificial and meaningless. Property lines can be redrawn at the developer’s discretion to make sure that no parcel exceeds the 20,000 mark while the buildings on the parcels can stretch across multiple lots. Underlying lots larger than 20,000 sf can be cut into adjoining smaller parcels to avoid the buffer requirement.

 With no buffer protection, homes next to commercially zoned property will become less desirable places to live. Who wants to live immediately behind a fast-food restaurant, Dollar General, night club, or big box pharmacy? The neighborhoods that contain these homes will become less stable. The adjoining commercial land will become much more attractive for redevelopment. A vote for SCAD lifts development profitability at the expense of Durham’s residential quality of life. In a society where the wealth gap is only widening and where intergenerational family wealth is based largely on home-ownership, stripping buffer protection away from homes is a bad policy decision.