



## MEMO

Date: November 14, 2017  
 To: Board of Commissioners  
 From: Jason Burdette, Planning Director  
 Re: Davidson Planning Ordinance Proposed Text Amendments, Staff Analysis

### 1. TEXT AMENDMENTS

#### TEXT CHANGES – PROPOSED AMENDMENTS

The following is a list of proposed text changes to the Town of Davidson Planning Ordinance (DPO). The listed changes are being undertaken to address the compatibility of building types in the Village Infill Planning Area; the inclusion of Government Services as a use in the Village Center Planning Area; and, the applicability of the Retail Overlay District requirements to Civic/Educational/Institutional buildings. Additional changes that occur outside of Sections 2 and 4 are necessary to ensure that cross-references related to the proposed changes are consistent across the DPO.

PROPOSED TEXT CHANGES				
PAGE	SECTION	TITLE	ISSUE	PROPOSED ACTION
SECTION 2 – PLANNING AREAS				
2-5	2.1.4.D	BUILDING TYPES	The text amendments propose adding a new building type, Mixed Village housing, which must be included in the list of building type general descriptions.	Add a description of Mixed Village housing to the list of building types.
TEXT CHANGES			<p>Old Text: N/A [Does Not Exist]</p> <p>New Text: Mixed Village Housing (Village Walkup, Village Courtyard): Mixed Village housing includes well-scaled buildings designed to fit within the context of surrounding residential or mixed-use neighborhoods. These buildings are a minimum of two stories, include a minimum of four to a maximum of eighteen units, feature individual or shared entrances, and provide walkable access to nearby destinations for multiple tenants. Examples of Mixed Village buildings include walkup and courtyard dwellings.</p>	
2-8	2.2.1	VILLAGE CENTER PLANNING AREA PERMITTED USES	The Town Hall site lies within the Village Center Planning Area, which does	Correct this oversight to list Government Services as a permitted use in Table 2-1.

		TABLE 2-1	not list Government Services as a permitted use.	(P) means permitted without additional requirements.
TEXT CHANGES			Old Text: N/A [Does Not Exist] New Text: Permitted Uses – Civic/Educational/Institutional Uses, Government Services (P)	
2-12	2.2.2	VILLAGE COMMERCE PLANNING AREA PERMITTED USES TABLE 2-4	The Town Hall site lies within the Village Commerce Planning Area, which does not list Government Services as a permitted use.	Correct this oversight to list Government Services as a permitted use in Table 2-4. (P) means permitted without additional requirements.
TEXT CHANGES			Old Text: N/A [Does Not Exist] New Text: Permitted Uses – Civic/Educational/Institutional Uses, Government Services (P)	
2-19	2.2.4.A	VILLAGE INFILL PLANNING AREA DESCRIPTION	The text amendments propose to require certain building types while limiting the extent of any one building type's inclusion in a Master Plan.	Add a paragraph listing the building type requirements applicable to Master Plan projects greater than two acres within the planning area.
TEXT CHANGES			Old Text: N/A [Does Not Exist] New Text: The following standards apply to Master Plan projects on lots over three acres: No more than 60 percent of the units in each Master Plan development shall be single-family residential Detached House or Townhouse building types; and no more than 60 percent of the units in each Master Plan development shall be Attached House, Live/Work, or Mixed Village building types.	
2-21	2.2.4.C	VILLAGE INFILL PLANNING AREA BUILDING TYPES TABLE 2-11	The text amendments propose to address compatibility within the Village Infill Planning Area by removing one building type and adding an alternative building type.	In Table 2-11 Building Types, remove Multi-family from the Building Type column and replace with the Mixed Village building type.
TEXT CHANGES			Old Text: Building Type/Multi-family New Text: Mixed Village	
2-22	2.2.4.D	VILLAGE INFILL PLANNING AREA SETBACKS TABLE 2-13	The text amendments propose to address compatibility within the Village Infill Planning Area, which includes applying context-sensitive setback criteria to the Mixed Village building type so that these buildings adhere to the	▫ In Table 2-13 Setbacks, remove Multi-family from the Building Types column and replace with the Mixed Village building type. ▫ Adjust the Mixed Village setbacks to be consistent with single-family Detached Houses.

			same criteria as single-family Detached Houses and therefore reinforce a street’s existing character.	
TEXT CHANGES			Old Text: Building Type/Multi-family; Setbacks Front (5’ Min., 10’ Max.), Side (10’ Min., N/A Max.), Rear (5’ Min., N/A Max.).  New Text: Mixed Village; Setbacks Front (+ Min., ++ Max.), Side (+ Min., ++ Max.), Rear (20’ Min., N/A Max.).	
2-86	2.3.6.B	RETAIL OVERLAY DISTRICT STANDARDS	The ordinance requires the front 35 feet of all buildings in the Retail Frontage Overlay District to be a retail use, which is not a consistent use for Civic, Educational, or Institutional buildings; but, these buildings should still feature active spaces on their ground floors.	Modify the standards to permit active and community-oriented spaces on the ground floor of these uses to meet the Retail Overlay District requirements. Reorganize the criteria to create a numbered list.
TEXT CHANGES			Old Text: N/A [Does Not Exist]  New Text: B. Standards:  1. Retail Space: The front 35 feet...must be a retail use. 2. Community Spaces: In buildings whose primary use is Civic/Educational/Institutional, 20 percent of the first floor square footage must be reserved for publicly-accessible gathering (including galleries/lobbies) and/or community meeting or programming space. The gathering and/or community space must be located along a street-facing façade, pedestrian way, or public plaza.	
SECTION 4 – SITE & BUILDING DESIGN STANDARDS				
4-2	4.3.1.A.2	STANDARDS: PEDESTRIAN & VEHICULAR ACCESS	The text amendments propose to address compatibility within the Village Infill Planning Area by adding Mixed Village housing, which must be subject to the same standards for fronting streets and public spaces.	Add Mixed Village housing to the list of building required to front public streets and public spaces.
TEXT CHANGES			Old Text: Detached, attached, townhouse, and multi-family buildings shall have the primary pedestrian entry facing a fronting, primary street, a central courtyard, or pedestrian way.  New Text: Detached, attached, townhouse, mixed village, and multi-family buildings shall have the primary pedestrian entry facing a fronting, primary street, a central courtyard, or pedestrian way.	

4-14	4.5.4	MIXED VILLAGE BUILDING TYPE	The text amendments propose to address compatibility within the Village Infill Planning Area by adding Mixed Village housing, which must be described and assigned criteria to govern these buildings' design.	Add Mixed Village housing to the list of building types and include relevant criteria to ensure their compatibility with surrounding residential and mixed-use neighborhoods.
TEXT CHANGES			<p>Old Text: N/A [Does Not Exist]</p> <p>New Text: Mixed Village Building: Mixed Village housing includes well-scaled buildings designed to fit within the context of surrounding residential or mixed-use neighborhoods. These buildings are a minimum of two stories, include individual or shared entrances, and provide walkable access to nearby destinations. Examples of Mixed Village buildings include walkup and courtyard dwellings, as described below. All Mixed Village buildings are subject to the Master Plan or Individual Building processes as well as and Design Review Board approval.</p> <ul style="list-style-type: none"> <li>A. Village Walkup: Small-scale buildings comprised of 4-12 units that typically feature a shared entrance or corridor.</li> <li>B. Village Courtyard: Small-scale buildings comprised of 10-18 units arranged around a courtyard and including individual or shared entrances.</li> <li>C. Features: <ul style="list-style-type: none"> <li>1. Sites with multiple buildings shall arrange the buildings to front the street and to frame common open space and amenities. Village Courtyard buildings must include a courtyard, and courtyard proportions shall feature a maximum of 2:1 or minimum 1:2 height to width ratio. Courtyard depth shall be at least one times the width but not exceed two times the width of the courtyard opening.</li> <li>2. Entrances should be differentiated architecturally to create a sense of human scale.</li> <li>3. Building and outdoor unit entrances on the first floor shall face the street or courtyard and may include a porch, stoop, or similar element which provides a transition from the courtyard area/public sidewalk to the private space within the building or unit. The primary pedestrian entrance to end unit(s) of courtyard buildings shall face the primary fronting street. Units above the first floor shall be accessed from an interior stairwell. Entrances to common stairwells shall also have access from the courtyard or the fronting street. Exterior corridors fronting the street are not allowed.</li> <li>4. Generally, parking shall be located behind the building where required.</li> </ul> </li> </ul>	

SECTION 8 – PARKING				
8-3	8.3.2	EXCEPTIONS TO PARKING REQUIREMENTS	The proposed Mixed Village building type is similar to the attached and townhouse building types and therefore should be included in the list of building types able to meet parking criteria in a variety of ways.	Add the Mixed Village building type to the list featured in 8.3.2.
TEXT CHANGES			<p>Old Text: Detached, attached, and townhouse building types may meet or contribute to meeting motor vehicle parking requirements with on-street parking if abutting portion of the fronting street is designed to meet the parking needs of the residential buildings.</p> <p>New Text: Detached, attached, mixed village, and townhouse building types may meet or contribute to meeting motor vehicle parking requirements with on-street parking if abutting portion of the fronting street is designed to meet the parking needs of the residential buildings.</p>	
SECTION 16 – DEFINITIONS				
16-11	16.3	DEFINITIONS, C	The ordinance language must be updated to be consistent with the addition of new courtyard standards in Section 4.	Include a reference to Section 4 of the ordinance.
TEXT CHANGES			<p>Old Text: Courtyard: For single-family detached building types, courtyard means an unroofed area that is bound on at least three sides by roofed interior spaces, provided the two opposing walls are each at least 10 feet in depth.</p> <p>New Text: Courtyard: For single-family detached building types, courtyard means an unroofed area that is bound on at least three sides by roofed interior spaces, provided the two opposing walls are each at least 10 feet in depth. For non-single family detached building types, see Section 4 for courtyard standards.</p>	

## 5. PUBLIC PLANS AND POLICIES

The proposed text changes are consistent with the existing policy and ordinance frameworks adopted by the town. Most changes relate to the inclusion of Mixed Village building types in the ordinance, with a few other changes concerning the inclusion of Government Services as a use in the Village Center + Commerce Planning Areas and the applicability of the Retail Overlay District requirements to Civic/Educational/Institutional buildings. All proposed changes meet the requirements set forth in Davidson Planning Ordinance 1.5.1 Implementation of Adopted Plans & Policies: “Any amendments to, or actions pursuant to, this ordinance should be consistent with these adopted plans and policies, as amended.”

## 6. STAFF RECOMMENDATION

The proposed changes aim to: 1. Ensure the compatibility of building types within the Village Infill Planning Area by implementing context-sensitive standards; 2. Render Government Services an allowed use based on town hall's current location within the Village Commerce and Village Center Planning Areas; and, 3. Enable non-commercial buildings within the Retail Overlay District to contribute to a lively streetscape in a manner consistent with their Civic/Educational/Institutional functions. Specific explanations are provided in the table above. These changes are recommended for approval in order to accurately reflect the proposed Planning Area standards for each parcel.