

# DPO 17 UPDATE: WATERSHED ORDINANCE



College Town. Lake Town. *Your Town.*

Section 17 Watershed Protection Overlay District  
Planning Ordinance - Text Amendments  
BOC Public Hearing  
May 8, 2018

# TEXT AMENDMENTS UPDATE – OVERVIEW

## TOPICS COVERED

1. Purpose & Background
2. Public Engagement
3. Strategic Plan/Core Value/Comp. Plan Alignment
4. What's Not Changing
5. Amendment Highlights
6. Options Summary
7. Pros & Cons
8. Next Steps



# SECTION 17 - TEXT AMENDMENTS

## PUBLIC ENGAGEMENT / SINCE JAN. 2018

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- **Planning Board Ordinance Committee:**
  - Sub-set of Planning Board, Citizen Volunteers
  - Review/Draft Amendments; Facilitate Citizen Meetings
  - Bi-Weekly Meetings, Citizen Meetings, Public Meetings after Planning Board
  - Open House: Presentation, Extended Q&A
- **Planning Board:** Discussed at 2018 Meetings – January, February, March, April
- **Board of Commissioners:** Discussed at 2018 Meetings – January, February, April
- **Citizen Meetings:** February, March, April
- **Digital + Print Media:**
  - E-Crier Notifications: Monthly, Open House (Specific)
  - Website: Updates Tab
  - Planning Board/Board of Commissioner Agendas
  - Town Messenger Newsletter (All Households)



# SECTION 17 - TEXT AMENDMENTS

## PURPOSE

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- **Intent:** To keep drinking water clean, require higher standards for properties near Lake Norman (17.7.1).
- **Accomplished By:**
  1. Vegetated Buffers On-Site (near streams/lake)
  2. Limiting Amount of Built-Upon Area [BUA] on a Lot
    - BUA = Hardscape (i.e. driveways, building footprint; not fences, decks)
- **Addresses:** Runoff carrying pollutants into water.
- **Applies:** To properties within 0.5 mi. of Lake Norman (i.e. west of Main St.)



# SECTION 17 - TEXT AMENDMENTS

## BACKGROUND

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In March 2017, Charlotte-Mecklenburg Stormwater Services (CMSS) suggested that Davidson update our Watershed Ordinance to:

1. **Clarify Standards** (i.e. Single family residential development exemption)
2. **Address Inconsistencies** (i.e. Remove repeating “Existing Development” section)
3. **Remove Inapplicable Sections** (i.e. Cluster Developments)

Additionally, staff worked with CMSS to identify/resolve Davidson-specific issues, including:

- Expansions that exceeded the BUA criteria;
- Demolitions that avoided the BUA criteria; and,
- Tailoring standards to fit downtown.



# SECTION 17 - TEXT AMENDMENTS

## POLICY ALIGNMENT

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- **Strategic Plan:**
  - Land Use, Community Engagement, Historic Preservation, Affordable Housing, Economic Development, Partnerships
- **Core Values:**
  - Healthy Environment, Open Communication, Historic Mix of People, Traditional Character, Economic Health, Interjurisdictional Cooperation
- **Comprehensive Plan:**
  - Enable Faithful Stewardship
    - » Goal 3 - Sustain/Enhance Air & Water Quality
  - Maintain Quality Design/Sound Planning Principles
    - » Goal 1 - Prioritize Infill/Mixed Use Development Within or Near Already Developed Areas



# SECTION 17 - TEXT AMENDMENTS

## WHAT'S NOT CHANGING

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- **Environmental Rigor:** Emphasis on Clean Drinking Water
- **Maximum BUA Limits:** Thresholds + Requirements = Same
  - Low-Density: 24% BUA + Buffer
  - High-Density: 50% BUA + Stormwater Controls + Buffer
- **Buffer Requirements:** Distance from Lake/Perennial Stream
  - Low-Density: 40'
  - High-Density: 100'

*\*Note: Terms such as low- and high-density are retained for consistency with Meck. County and state statute. The BUA density terms describe land coverage and stormwater controls; they do not describe units/acre.*



# SECTION 17 - TEXT AMENDMENTS

## AMENDMENT HIGHLIGHTS

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### SUMMARY OF PROPOSED SUBSTANTIVE CHANGES:

- **Section 17.3:** Definitions
  - Existing Development; Redevelopment; Variances
- **Section 17.6:** Exceptions to Applicability
  - Expansions; Existing Lots of Record; Redevelopment
- **Section 17.8:** Density Averaging
  - Reorganization, Increase BOA Direction to Deny; Only Qualified Proposals

*\*Note: These highlight substantive changes to DPO Section 17. Additional changes are being proposed to clarify definitions, standards, and address inconsistencies; these are detailed in the Board of Commissioners and Planning Board agendas.*





# SECTION 17 - TEXT AMENDMENTS

## OPTIONS SUMMARY

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- **Built-Upon Area Averaging (“Density” Averaging):**

- A. Do Not Modify
- B. Require Board of Commissioners Decision
- C. Enhance Board of Adjustment Discretion
- D. Allow Only Select Projects:
- E. Remove from the Ordinance

\*PBOC Recommendation: Options C-D

- **Exemptions (Existing Lots of Record):**

- A. Retain Exemption
- B. Modify Exemption
- C. Remove Exemption
- D. Remove Exemption/Include Sunset Clause

\*PBOC Recommendation: Option C



# SECTION 17 - TEXT AMENDMENTS

## PROS & CONS

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### PROS:

- **Environmental Regulations:** Up-to-Date, Effectively/Fairly Applied
- **Exemptions Removed:** Expansions & Demolitions Avoiding BUA Criteria
- **Measured Flexibility Downtown:** Village Center + Village Commerce
- **Increased Administrative Clarity:** Improve Consistency, Reduce Frustration
- **Maintains Stability:** Affirms/Clarifies Options of Long-standing Owners and Supports Existing Development's Character

### CONS:

- **Inaction:** Persistence of Exemptions for Decades
- **Additional Design:** Post-1993 Lots Require Focused Design



# SECTION 17 - TEXT AMENDMENTS

## NEXT STEPS

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- **BOC Public Hearing:** 5/8/18
- **Planning Board Review + Recommendation:** 5/21/18
- **BOC Action (Potential):** 6/12/18



# QUESTIONS



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