



PLANNING BOARD RECOMMENDATION: WATERSHED TEXT AMENDMENTS

Date: May 21, 2018
To: Board of Commissioners
From: Planning Board
Re: DPO Section 17 (Watershed Ordinance) - Text Amendments

In addition to the Consistency Statement approved by the Planning Board, members offer the following points to consider as part of their recommendation:

- 1. Proposed Amendments Reflect High Level of Collaboration:** Since January, numerous interactions and communications between the Planning Staff, the Planning Board Ordinance Committee (“PBOC”), citizens, Town of Davidson, and state and county officials have shaped the proposed DPO 17 (Watershed Ordinance) text amendments.

As a result, the proposed text amendments provide greater flexibility and transition period for citizens with pre-1993 single-family lots of record (with or without structures on the lots and including expansions) to address their wants/needs for home building/expansion, while ensuring a consistent, fair approach beginning in 2025 for pre-1993 lots.

Additionally, by requiring enhanced water runoff management practices (e.g., mulch/plant catchment areas, French drains) for single-family lots with more than 24% BUA, the proposed amendments promote environmental aims for the watershed in a manner that is relatively low-cost to homeowners. Environmentally-conscious citizens who – based on the BUA of their particular property – may not be *required* to implement them, may nevertheless find these simple enhanced water runoff management practices sufficiently economical and attractive to install on a voluntary basis.

- 2. Proposed Amendments Address Issues Associated with “BUA/Density Averaging”:** By enhancing the role of the Board of Adjustment to render decisions on proposed high-density projects that seek to utilize BUA/density averaging, coupled with a statement of preferred project types (such as civic/educational), the proposed amendments provide greater consistency with key elements of the Davidson Comprehensive Plan. Specific elements include encouraging committed civic involvement and responsibility, and enabling faithful stewardship of natural resources.
- 3. Coherent Set of Amendments:** The proposed amendments work together as a whole to clarify the processes for conservation and development in the watershed, and carefully coordinate the phased-in transition of standards over a seven-year horizon. This integrated set of standards may be adjusted – and has been revised and/or tweaked extensively for four months in response to Board of Commissioner, Planning Board, and citizen input – but should be adopted as a whole to

ensure consistency of regulation. Sections considered to be essential to the overall functioning of the ordinance include: 17.3 Definitions; 17.6 Exemptions; 17.7.1.2 Built-Upon Area Limits; 17.8 Built-Upon Area Averaging; among other sections containing basic standards.

4. **Measured Flexibility Downtown:** The proposed amendments afford flexibility in areas prioritized by the Comprehensive Plan for investment (i.e. in/around the downtown, Village Center + Village Commerce Planning Areas). Section 17.6.3 wisely balances the need to promote environmental objectives with the reality (not faced by other municipalities within the Lake Norman watershed) that our Town's iconic and historic downtown is situated almost entirely within the critical watershed.