



Consider Approval of DPO Section 17: Watershed Ordinance Text Amendments

Date: August 28, 2018
To: Board of Commissioners
From: Jason Burdette, Planning Director
Re: DPO Section 17 (Watershed Ordinance) - Text Amendments

1. OVERVIEW

- **Purpose:** The watershed standards, in place since 1993, maintain clean water in Lake Norman by requiring vegetative buffers and limiting the amount of "built-upon-area" (BUA) placed on a lot.
- **Background:** In March 2017 Mecklenburg Co., the town's partner in administering the ordinance (with oversight from NCDEQ), requested that Davidson: Update/clarify standards; address persistent issues and inconsistencies; and, remove inapplicable sections.
- **Efforts:** Town staff worked with Mecklenburg Co. and NCDEQ from March 2017 until January 2018 to prepare draft changes. In January 2018 the Planning Board's Ordinance Committee (PBOC), which is comprised of citizen volunteers, began reviewing the topics, proposed changes, and meeting with citizens as well as town/county/state staff and elected officials to tailor the standards to fit Davidson's needs.

A public hearing was held in May 2018. The Planning Board provided a recommendation in support of the amendments at their May meeting. The Board of Commissioners elected not to take action on the amendments in their current form. At the July 2018 Board of Commissioners work session, the Board asked the PBOC to revise Sections 17.6.1 Expansions to Existing Development and 17.6.2 Existing Lot of Record to retain the existing exemptions for single-family residential structures. The Board of Commissioners also asked for the removal of Section 17.6.3 Redevelopment. The requested revisions were made to the draft watershed ordinance.

2. RELATED TOWN GOALS

The primary goal is to protect water quality. This is a stated goal in the town's core values and in the comprehensive plan. Ancillary impacts of adopting the watershed text amendments touch on a number of items identified in the strategic plan.

STRATEGIC PLAN ALIGNMENT

- **Community Engagement Strategy:** The Town of Davidson will have inclusive engagement with the community to encourage substantive, respectful, and open dialogue, increase participation, and foster a sense of belonging.

CORE VALUES

Citizens must live in a healthy environment, so town government will protect watersheds, trees, air quality, and other elements of the town's ecology.

COMPREHENSIVE PLAN

- Enable Faithful Stewardship of the Natural and Historic Resources
- Maintain quality design and sound planning principles

CONSTITUENTS SERVED

- All Citizens: Residents across town are impacted by the water quality of Lake Norman, which serves as a drinking water supply for the region. This applies to businesses, too, that depend on clean water for their operations.

3. OPTIONS/PROS & CONS

PROS & CONS

PROS:

- **Environmental Regulations:** Up-to-Date, Effectively/Fairly Applied
 - » The amendments will bring the watershed ordinance up to date, significant portions of which haven't changed since the 1990s.
 - » The amendments will treat landowners more consistently across and within lots types (i.e. residential, non-residential).
- **Increased Administrative Clarity:** Improve Consistency, Reduce Landowner Frustration
 - » The reorganization of sections and clarifications of process will lead to clearer criteria and more consistent treatment of properties.

CONS:

- **Inaction:** Persistence of Exemptions/Regulatory Disparity for Decades
 - » With recent development pressures and the conversion of entire sections of streets into new housing, the enduring disparity in treatment of older vs. newer lots has become more pronounced. That these disparities would continue if adequate measures are not adopted is important to consider.

4. FYI/RECOMMENDED ACTION

Approve the text amendments as provided.

5. NEXT STEPS

N/A