

DPO 17 UPDATE: WATERSHED ORDINANCE



College Town. Lake Town. *Your Town.*

Section 17 Watershed Protection Overlay District
Planning Ordinance - Text Amendments
Board of Commissioners
August 28, 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. Pros & Cons
7. Next Steps



SECTION 17 - TEXT AMENDMENTS

PURPOSE

- **Intent:** To keep drinking water clean, require higher standards for properties near Lake Norman (17.7.1).

- **Accomplished By:**
 1. Updating outdated standards in the ordinance based upon NCDEQ and Meck County recommendations
 2. Clarifying existing standards

- **Applies:** To properties within 0.5 mi. of Lake Norman (i.e. west of Main St.)



SECTION 17 - TEXT AMENDMENTS

BACKGROUND

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

- 1. Clarify Standards** (i.e. Process and Definitions)
 - 2. Address Inconsistencies** (i.e. Remove repeating “Existing Development” section)
 - 3. Remove Inapplicable Sections** (i.e. Cluster Developments)
- The Planning Board Ordinance Committee (PBOC) drafted and vetted proposed ordinance language.
 - After public hearing, the BoC chose not to move forward in its current format.
 - The PBOC recommended (July 2018) moving forward with amendments except for sections specific sections (removing exemptions and downtown development standards).
 - The BoC directed staff to bring text amendments forward save specific sections



SECTION 17 - TEXT AMENDMENTS

PUBLIC ENGAGEMENT / SINCE JAN. 2018

- **Planning Board Ordinance Committee (PBOC):**
 - 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-June (six)
- **Board of Commissioners:** Discussed at 2018 Meetings – January, February, April, July
- **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

POLICY ALIGNMENT

- **Strategic Plan:**
 - Community engagement
- **Core Values:**
 - Healthy Environment, Open Communication
- **Comprehensive Plan:**
 - Enable Faithful Stewardship
 - » Sustain/Enhance Water Quality
 - Maintain Quality Design/Sound Planning Principles



SECTION 17 - TEXT AMENDMENTS

WHAT'S NOT CHANGING

- **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'
- **Section 17.6:** Exceptions to Applicability
 - Expansions; Existing Lots of Record; Redevelopment

**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

SUMMARY OF PROPOSED SUBSTANTIVE CHANGES:

- **Section 17.3:** Definitions
 - Existing Development; Redevelopment; Variances
- **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

PROS & CONS

PROS:

- **Environmental Regulations:** Up-to-Date, Effectively/Fairly Applied
- **Increased Administrative Clarity:** Improve Consistency, Reduce Frustration
- **Maintains Stability:** Affirms/Clarifies Options of Long-standing Owners and Supports Existing Development's Character

CONS:

- **Inaction:** Outdated, Has not been updated to reflect current best practices



SECTION 17 - TEXT AMENDMENTS

PROCEDURAL STEPS

- **BOC Public Hearing:** 5/8/18
- **Planning Board Review + Recommendation:** 5/21/18
- **BOC/PBOC Discussion:** 7/10/18
- **BOC Action (Potential):** 8/28/18

