

# **TOWN OF DAVIDSON BOARD OF COMMISSIONERS**

## **CONSISTENCY STATEMENT**

### **PROPOSAL**

Davidson Planning Ordinance Section 17 Update – Watershed Text Amendments

### **PROPOSAL / REQUEST**

The proposed text amendments update/clarify standards; address persistent issues and inconsistencies; and remove inapplicable sections.

### **SUMMARY OF PETITION / PROPOSAL**

In March 2017, Mecklenburg County, our partner in administering the watershed ordinance – with oversight from the North Carolina Department of Environmental Quality (“NCDEQ”) – requested that the Town of Davidson: update/clarify standards; address persistent issues and inconsistencies; and remove inapplicable sections. The standards, in place since 1993, are designed to maintain clean water in Lake Norman by requiring vegetative buffers and limiting the amount of "built-upon-area" (“BUA”) placed on a lot.

The proposed amendments cover many topics; among the more prominent are:

- The addition of new definitions related to existing development, redevelopment, and the modification of the variance definitions to be clearer and aligned with relevant state law and regulations;
- The clarification that property must be contiguous, adjoining, or adjacent to be included in calculation of a project area’s BUA;
- The modification of the BUA averaging (formerly known as “Density Averaging”) program to (a) increase and clarify the Board of Adjustment’s discretion in deciding cases, and (b) express a preference for the types of proposals appropriate for this program.

### **CONSISTENCY STATEMENT**

In the opinion of the Board of Commissioners the Planning Ordinance, as amended and presented to this board for its review and comment, is consistent with: (a) the Davidson Comprehensive Plan, as adopted by the Board of Commissioners and amended from time to time; and, (b) all other officially adopted plans that are applicable to the Planning Ordinance.

The areas in which the recommended text changes to the Planning Ordinance are consistent with the Davidson Comprehensive Plan and all other officially adopted plans are as follows:

#### **Consistent with the Davidson Comprehensive Plan (August 2010):**

- a. ***Encourage Committed Civic Involvement & Responsibility, Goal 2 - Sustain and Promote More Resident Volunteerism and Involvement:*** This goal notes the importance of local advisory boards being more engaged and influential concerning short-term and long-term decisions. The proposed amendments are the product of extensive involvement on the part

of the Planning Board Ordinance Committee, which collaborated with staff in reviewing/revising the amendments beginning early in the process, and met with citizens individually and collectively (including hosting an open house) to solicit and incorporate their feedback. The proposed amendments thus reflect significant and meaningful citizen input.

- b. ***Enable Faithful Stewardship, Goal 3 - Sustain/Enhance Air & Water Quality:*** This goal recommends working with Mecklenburg County on regulations for water quality/conservation measures. It also states that residents could positively impact the environment by adapting their properties to implement water saving practices, such as those included in the proposed amendments (i.e. rain gardens, rain barrels/downspout modification, French drains). It lists the following as on-going initiatives to pursue: Protect ground/surface water; encourage rainwater capture/reuse in all new development; and, mitigate sources of groundwater contamination. The proposed amendments are the result of close collaboration with Mecklenburg County and further the initiatives listed above through a mix of land coverage and site design criteria.

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Adopted this 28th day of August, 2018.

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Signature/Date

Rusty Knox

Mayor