



**TOWN OF DAVIDSON
BOARD OF COMMISSIONERS
216 South Main Street**

January 24, 2017

WORK SESSION - 4:00 PM

(Held in the Town Hall Meeting Room)

I. OTHER DISCUSSION ITEMS

- (a) Economic Development Strategic Work Plan 2022 - Economic Development Manager Kim Fleming
 - (b) Bailey Springs Community Park Design - Parks and Recreation Director Kathryn Spatz
 - (c) Davidson Greenway and Park Priorities for Mecklenburg County - Parks and Recreation Director Kathryn Spatz
 - (d) Vacuum Truck Leaf Collection - Public Works Director Doug Wright
-

REGULAR BOARD OF COMMISSIONERS MEETING - 6:00 PM

(Held in the Town Hall Meeting Room)

I. CALL TO ORDER

II. COMMISSIONER REPORTS

- (a) Mayor John Woods: Centralina Council of Governments (CCOG) and Metropolitan Transit Commission (MTC)

Commissioner Stacey Anderson: Arts & Science Council (ASC)

Commissioner Beth Cashion: Visit Lake Norman (VLN) and North Mecklenburg Alliance

Commissioner Jim Fuller: Lake Norman Chamber (LNC)

Commissioner Rodney Graham: Lake Norman Regional Economic Development Organization (LNREDC)

Commissioner Brian Jenest: Charlotte Regional Transportation Planning Organization (CRTPO) and Lake Norman Transportation Commission

(LNTC)

III. CONSENT

- (a) Approve Tax Levy Adjustments - Finance Director Piet Swart
- (b) Approve Directing the Planning Board to consider and provide a recommendation within 30 days regarding proposed text and map amendments related to the implementation of the Rural Area Plan, miscellaneous text amendments, and map amendment pertaining to the Markham property (PID 00728105). - Planning Director Jason Burdette

IV. NEW BUSINESS

- (a) Consider Ordinance Variance Request: Davidson College
- (b) Consider Ordinance No. 2017-01 - Create a Capital Project Fund for the Planning and Construction of Public Facilities
- (c) Consider Budget Amendment BA2017-12: Public Facilities Project Fund

V. DISCUSSION

- (a) Rural Area Plan Update - Planning Director Jason Burdette

VI. SUMMARIZE MEETING ACTION ITEMS

VII. ADJOURN



Agenda Title: Economic Development Strategic Work Plan 2022 - Economic Development Manager
Kim Fleming

Summary: Kathleen Rose with Rose & Associates helped develop Davidson's Economic Development Plan which included a 5-year work plan from 2012-2016. This presentation highlights the next 5-year work plan through 2022.

ATTACHMENTS:

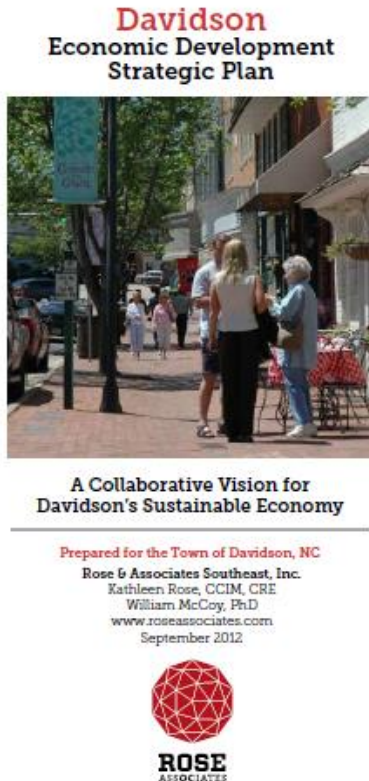
Description	Upload Date	Type
❏ EDSP Work Plan 2022	1/18/2017	Cover Memo

Economic Development Strategic Plan – Work Plan 2022

Town Board Meeting
January 24, 2017



EDSP Work Plan – Why now?



- Completed EDSP I: 2012-2016
- Focus on the next five years
- Economic Development activities to:
 - Balance revenues (commercial vs. residential)
 - Guide growth (limited remaining land for commercial development)
 - Provide economic sustainability

EDSP 2012-2016

5 Guiding Principles:

- **Create** an enabling environment
- **Leverage** existing assets to encourage new investment
- **Build** value from within
- **Reposition** Davidson within the regional economy
- **Establish** Measures of performance

Plan Goals:

- 4-year work plan focused on economic development activities
- Targeted commercial growth areas, expanded tax base
- Developed programs to achieve measurable results
- Task matrix that identified opportunities for partnership and leverage



Economic Development Strategic Plan Accomplishments (2012-2016)



Achieved **\$45,704,599** million in new capital investment

Added **99** new businesses



Announced 4 new HQ/Regional (office) projects within the targeted economic areas



Great Main Street Award



Expanded social media presence with Facebook



Expanded community engagement with Open Town Hall portal



Established Davidson Connections monthly networking meetings



Provided **\$30,000** (over 3 years) in grant funds for building/façade improvements



Provided **\$25,000** in grant funds for advertising/marketing grants



Registered **103** home-based businesses within Davidson

Achieved occupancy rates of up to **95%** within the targeted economic areas



Generated **2.5%** increase in overall tax revenue commercial growth



Launched the Saturday Shuttle pilot program – providing public transit to downtown



Generated approximately **91** new project/business leads

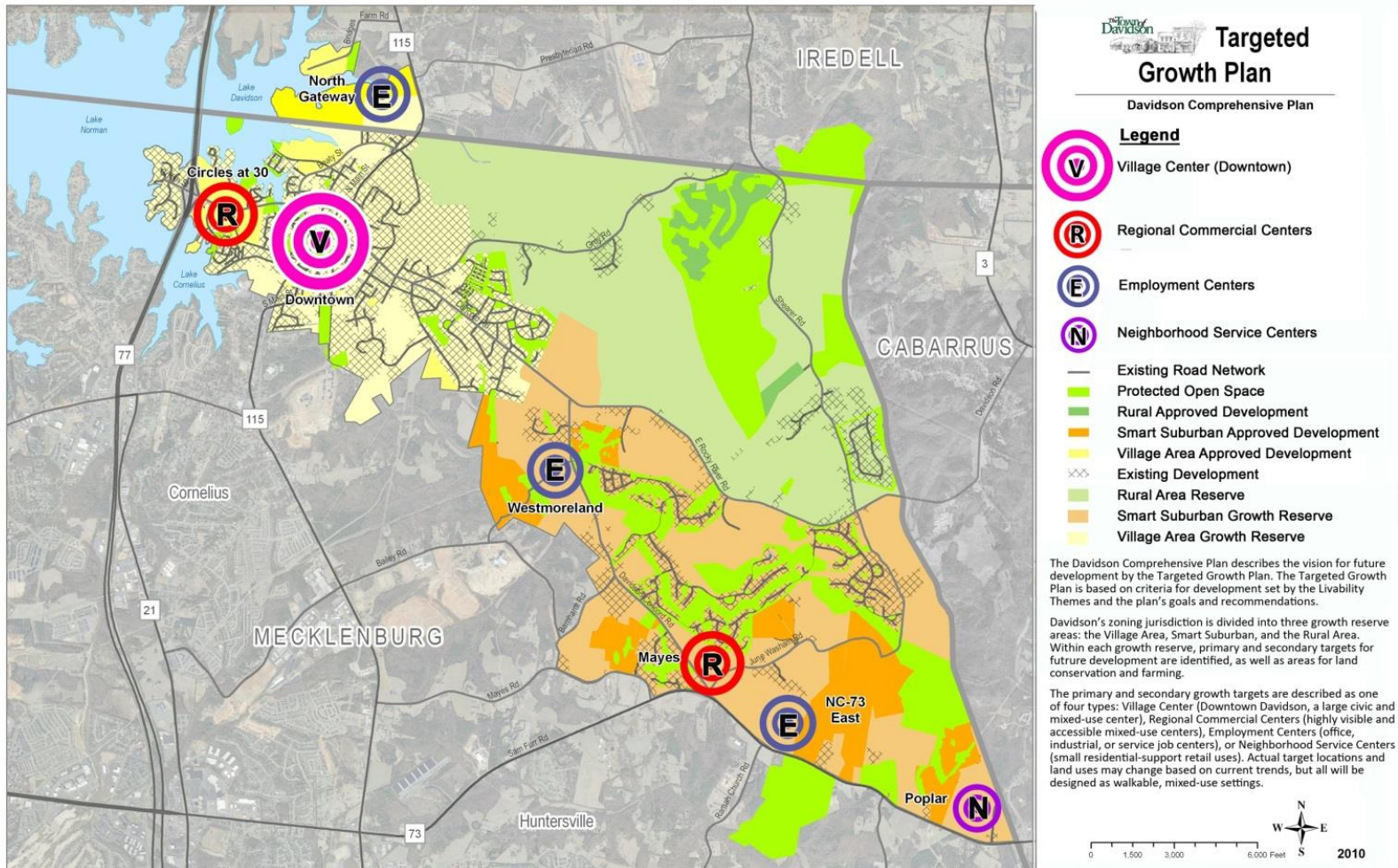
EDSP 2017 – 2022

Program/Policy Areas

- **Who** is our customer?
- **What** do we want to attract?
- **Where** do people want to be?
- **When** and how do we take action?
- **Why** does it matter?



Economic Development Strategic Plan



Downtown Davidson

Downtown 2012



Downtown 2016



South Main

South Main 2012



South Main 2016



Circles @ 30

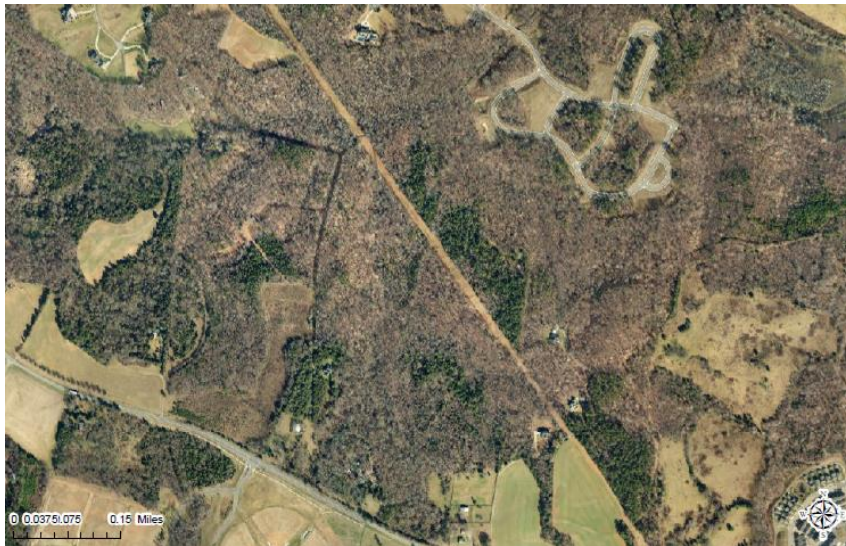
Circles @ 30 2012

Circles @ 30 2016



Davidson East

Davidson East 2012



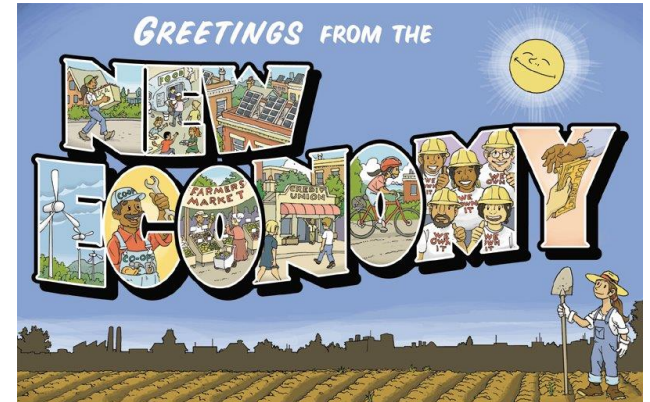
Davidson East 2016



First Annual Business Summit

A Think Tank of ideas & innovation

- Private CEO Roundtable
- Public Think Tank Event:
 - Highlights ~ Annual Report
 - Three break out sessions
 - Foodie Nation (restaurants/food)
 - Retail Survival
 - Brain Power – tapping Davidson's Intellectual Capital



What Lies Ahead...



Food for Thought

Questions & Challenges for 2022

- Tax Base Balance
- Quality of Life/Small Town
- Perception vs. Reality
- Traffic & Parking
- Growth or No-growth?



Agenda Title: Bailey Springs Community Park Design - Parks and Recreation Director Kathryn Spatz

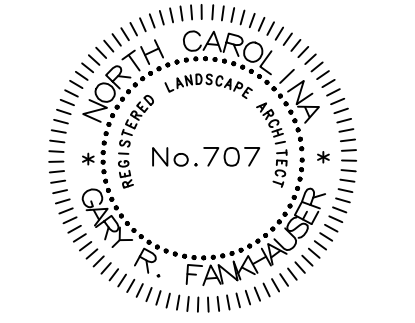
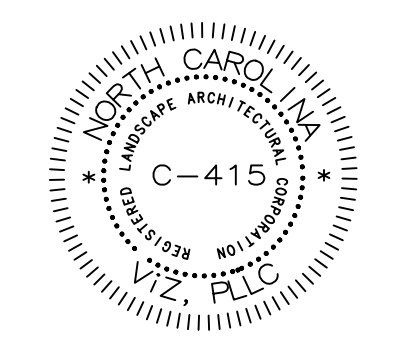
Summary: Following the town-wide P&R master plan process, the Livability Board's P&R subcommittee has been working for over a year, developing plans for the next community park. Two public information gathering sessions were held. Currently, \$390,000 in funding is available for the 1st phase of park development.

ATTACHMENTS:

Description	Upload Date	Type
❑ Bailey Spring Concept Plan	1/18/2017	Exhibit
❑ Bailey Springs Community Park Budget	1/18/2017	Exhibit



REV. #	DATE	DESCRIPTION	OWNER COMMENTS
1	00/00/2011		



DATE: 1/17/2017
SCALE: AS SHOWN
JOB NUMBER: 15-43.1
DESIGNED BY: GRF
DRAWN BY: GRF

**PHASE 1
CONCEPT PLAN**

L1.2



Bailey Springs Park – Order of Magnitude Phase 1 Project Budget
January 16, 2017 - Prepared by ViZ, PLLC

Project Estimated Costs per Element/Area

Note: Estimated costs indicate installation, site preparation, associated utilities, paving, etc., for the listed element/area.

Phase 1

Walks/Trails – Asphalt 10' Multi-use:	1,800 LF @ \$30/LF =	\$ 54,000
Walks/Trails – Gravel 10' <u>Temporary</u> :	350 LF @ \$20/LF =	\$ 7,000
Bridge/Boardwalk Creek Crossing:	60 LF @ \$125/LF =	\$ 7,500
Decorative Guardrail/Fence:	325 LF @ \$18.00/LF =	\$ 5,850
Concrete paving:	3,300 SF @ \$4.00/SF =	\$ 13,200
Miscellaneous Grading and Site Drainage:		\$ 30,000
Playground:		\$ 65,000
2 Court Tennis:	2-Court Set @ \$125,000 =	\$ 125,000
Landscaping:		<u>\$ 15,000</u>
Total:		\$ 322,550
10% Contingency:		<u>\$ 32,255</u>

Total Project Construction Budget: \$ 354,805

Other Costs:

Permit Fees (Phase 1 approximated):	\$ 15,000
Design Fees (Phase 1 approximated):	\$ 25,000

Total Phase 1 Budget: \$ 394,805

Alternates to be Bid in Phase 1:

16'x16' Pre-fabricated Shelter:		\$ 26,000
Full Court Basketball:		\$ 50,000
Sand Volleyball:	2 @ \$8,000 =	\$ 16,000
24' (8 sided) Pre-fabricated Shelter:	1 @ \$40,000 =	\$ 40,000
Bocce Court:	2 @ \$5,000 =	<u>\$ 10,000</u>
<u>Total Alternates:</u>		\$ 142,000

Unit Price Items to be Bid in Phase 1:

Benches	6 @ \$1,000 EA =	\$ 12,000
Picnic Tables	6 @ \$1,800 EA =	\$ 10,800
Family Size Grill:	2 @ \$1,000 EA =	<u>\$ 2,000</u>
<u>Total Unit Cost Items:</u>		\$ 24,800

Future Phases Construction Budget:

Parking Area:	580 SY @ \$40/SY =	\$ 23,200
Walks/Trails – Asphalt 10' Multi-use:	740 LF @ \$30/LF =	\$ 22,200
Walks/Trails – Natural/Mulch:	2,150 LF @ \$18/LF =	\$ 38,700
Concrete walk, steps, ramp:		\$ 12,000
Miscellaneous Grading and Site Drainage:		\$ 20,000
Restroom/Shelter Building:		\$ 250,000
2 Court Tennis:	2 2-Court Sets @ \$125,000 =	\$ 250,000
9 Station Fitness/Exercise System:		\$ 22,000
24' (8 sided) Pre-fabricated Shelter:	1 @ \$40,000 =	\$ 40,000
Shade Sails:	3 @ \$8,500 =	\$ 25,500
Earthen/Concrete Amphitheater:		\$ 25,000
Benches	4 @ \$1,000 EA =	\$ 4,000
Picnic Tables	4 @ \$1,800 EA =	\$ 7,200
Family Size Grill:	2 @ \$1,000 EA =	\$ 2,000
Pollinator Garden:		\$ 60,000
Interpretive Display/Information:		\$ 75,000
Landscaping:		<u>\$ 85,000</u>

Total Future Phases:	\$ 961,800
10% Contingency:	<u>\$ 96,180</u>

Total Future Phases Construction Budget:	\$1,057,980
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Total Park Construction Budget All Phases, Alternates, etc.:	\$1,451,150
10% Contingency:	<u>\$ 145,115</u>

<u>Total Park Master Plan Construction Budget:</u>	<u>\$1,596,265</u>
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Agenda Title: Davidson Greenway and Park Priorities for Mecklenburg County - Parks and Recreation
Director Kathryn Spatz

Summary: The town last shared its greenway and park priorities with Mecklenburg County in February, 2016. The board may wish to revisit this topic.

ATTACHMENTS:

Description	Upload Date	Type
□ Memo	1/18/2017	Cover Memo

MEMORANDUM

TO: Jamie Justice, Town Manager

FROM: Kathryn Spatz, Parks & Recreation Director

RE: Davidson greenway and park priorities for Mecklenburg County

DATE: January 24, 2017

As a follow-up to the February, 2016 discussion, the list below reiterates Davidson's greenway and park priorities for Mecklenburg County in the coming years.

Mecklenburg County staff have confirmed in the last week that there is currently no uncommitted county funding for greenways and they do not anticipate any prior to 2020.

The priority greenway projects the Town of Davidson has provided to county staff since early 2014 are:

- the Summers Walk to River Run connection
- the Kincaid Trail extension

Two other projects I believe we should consider raising to priority level with Mecklenburg County are:

- the remainder of the Charlotte to Mooresville Trail route through town
- the connection from town center to Fisher Farm/Abersham/Allison

Regarding park land and recreation amenities, in early 2014 I submitted the following priorities to county staff when new funding becomes available (projected in 2019 at the earliest):

- Development of nature center by Summers Walk (this project and the Summers Walk to River Run greenway segment are tied together for logistical reasons)
- Development of the remainder of Bradford Regional Park. I believe this has only increased in priority since the Davidson Board of Commissioners asked the county to reallocate \$300,000 in 2008 county bond funding from a local town park to this regional facility

The current projected timeline for the North Meck Rec Center includes design funding in July, 2018, with construction to begin in July, 2019 but there are still many variables in play.

I would be pleased to discuss any of these projects in more depth at your convenience.

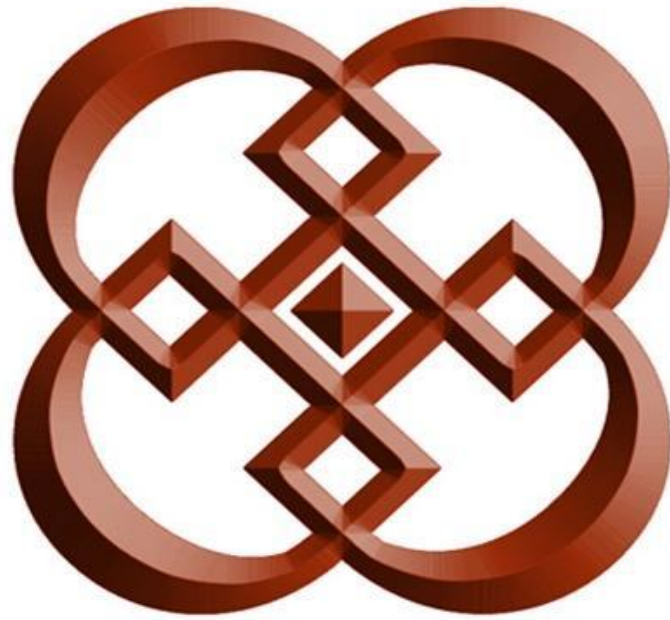


Agenda Title: Vacuum Truck Leaf Collection - Public Works Director Doug Wright

Summary: Vacuum Truck Leaf Collection

ATTACHMENTS:

Description	Upload Date	Type
☐ Leaf Collection	1/19/2017	Cover Memo



The Town *of* Davidson

College Town. Lake Town. *Your Town.*

Curbside Leaf Collection



College Town. Lake Town. *Your Town.*

Leaf Collection
Doug Wright, Public Works Dept
January 24, 2017

Curbside Leaf Collection

- How Much?
 - 19000 cubic yards blown or raked to street
 - 9 foot high pile of leaves covering 1 football field
 - 10 to 1 reduction during collection
 - 1900 cubic yard shredded
 - 1 foot high pile of leaves covering 1 football field



Automated Operation



Weekly Service

– Automated



- 16 weeks (Oct – Feb)
 - \$122,958.96 / year
 - \$34.16 / household / year
- 12 weeks (Oct – mid Jan)
 - \$115,758.96 / year
 - \$32.16 / household / year



Bi-Weekly Service

– Automated



- 16 weeks (Oct – Feb)
 - \$65,715.88 / year
 - \$18.25 / household / year
- 12 weeks (Oct – mid Dec)
 - \$62,115.88 / year
 - \$17.25 / household / year



Potential Annual Increase Solid Waste Fee

- | | |
|----------------------|---------|
| • Bi-Weekly 16 weeks | \$18.25 |
| • Bi-Weekly 12 weeks | \$17.25 |
| • Weekly 16 weeks | \$34.16 |
| • Weekly 12 weeks | \$32.16 |



College Town. Lake Town. *Your Town.*

Leaf Collection
Doug Wright, Public Works Dept
January 24, 2017

Solid Waste Contract

- Current contract expires October 2017
- Re-bid including leaf collection as alternate
- Earliest start to service would be Fall 2018



College Town. Lake Town. *Your Town.*

Leaf Collection
Doug Wright, Public Works Dept
January 24, 2017

Comments

- Borrowing Equipment
- Dump Site Fisher Farm
- Compost Operation
- Yard Waste Disposal Tonnage Suggests Source Reduction





Agenda Title: Approve Tax Levy Adjustments - Finance Director Piet Swart

Summary: The Town received tax levy adjustment refund check requests from Mecklenburg County Assessor's Office for \$389.07, on 8 parcels. These refunds will be issued directly by the Town. Details regarding these refund requests are available in the Finance Office

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		



Agenda Title: Approve Directing the Planning Board to consider and provide a recommendation within 30 days regarding proposed text and map amendments related to the implementation of the Rural Area Plan, miscellaneous text amendments, and map amendment pertaining to the Markham property (PID 00728105). - Planning Director Jason Burdette

Summary: This is NOT a vote on the proposed rezonings or the proposed text changes to the Davidson Planning Ordinance related to the implementation of the Rural Area Plan. Per the Davidson Planning Ordinance and NC statute, the Davidson Board of Commissioners should direct the Planning Board to consider and make a recommendation on proposed map amendments within 30 days of the public hearing, held January 5, 2017.

ATTACHMENTS:

Description	Upload Date	Type
❑ RAP Text Amendments Staff Analysis	1/20/2017	Cover Memo
❑ RAP Map Amendments Staff Analysis	1/20/2017	Cover Memo
❑ Miscellaneous Text Amendments Staff Analysis	1/20/2017	Cover Memo
❑ Markham Map Amendment	1/20/2017	Cover Memo



MEMO

Date: January 10, 2017
 To: Board of Commissioners
 From: Jason Burdette, Planning Director
 Re: Davidson Planning Ordinance Rural Area Plan Proposed Text Amendments, Staff Analysis

1. TEXT AMENDMENTS

TEXT CHANGES – PROPOSED AMENDMENTS

The following is a list of proposed text changes to the Town of Davidson Planning Ordinance (DPO). The listed changes are being undertaken in response to the recommendations made by the Rural Area Plan, which was adopted on September 13, 2016. Proposals are organized by page number.

PROPOSED TEXT CHANGES				
PAGE	SECTION	TITLE	ISSUE	PROPOSED ACTION
MISCELLANEOUS				
X-X	X.X.X	VARIOUS	RAP Action Item 7.5 removes Low-Impact and Conservation Easement development options from use in the Rural Planning Area (the only place previously allowed). Therefore, all references to these development types must be removed from the ordinance.	Remove the following references: 2.2.15.F (pg. 2-71); 6.3.1.A (pg. 6-3); 14.3 A-B (pg. 14-2); 14.15-14.6 (pg. 14-4 to 14-9); 14.16, Table 14-1 Application Types (pg. 14-35); 16.3 Flag Lot (pg. 16-12); 16.3 Master Plan Item 2 (pg. 16-16).
TEXT CHANGES			Old Text: [Misc. – References to Outdated Terms “Low-Impact” and “Conservation Easement” subdivisions] New Text: N/A [Does Not Exist – “DNE”]	
SECTION 2 – PLANNING AREAS				
2-43	2.2.9.A	NEIGHBORHOOD SERVICES DESCRIPTION	RAP Action Item 7.6 recommends a commercial node at the East Rocky River Rd./Shearer Rd. intersection, with buildings that embody vernacular rural/village architecture. This means creating an	<ul style="list-style-type: none">▫ Include the Detached House in the building type table.▫ Specify that this building type is only permitted at the East Rocky River Rd./Shearer Rd. designated commercial node.

			overlay district in DPO 2.3.5, which must be cross-referenced here.	<ul style="list-style-type: none"> Clarify that the Detached House building type is required to be constructed to commercial standards because of the intended use as a commercial property, which ensures Design Review Board oversight.
TEXT CHANGES			<p>Old Text: N/A [Does Not Exist - DNE]</p> <p>New Text:</p> <p>Table 2-30:</p> <ol style="list-style-type: none"> Add * to Building Type column heading. Add Detached House², Allowance: P, Design Review: R, Height: 2 Min., 3 Max. Stories. [BELOW TABLE 2-30]: <ul style="list-style-type: none"> ² Within the Neighborhood Services Planning Area this building type is allowed only at the East Rocky River Rd. - Shearer Rd. designated commercial node. *Buildings located at the intersection of Shearer Rd. and East Rocky River Rd. shall be designed to be consistent with rural vernacular architecture precedents as described in the Rural Area Plan, RAP Action Item 7.6. The Storefront building type and the Detached House building type shall be constructed according to commercial building code standards, and are the only building types permitted on the intersection's four corners. Additional building types, as permitted by the ordinance, may be constructed within this area away but not within 100' feet of the right-of-way at the main intersection's four corners. Please see the Neighborhood Services Overlay District for more information. 	
2-56	2.2.12.C	NEIGHBORHOOD EDGE PERMITTED BUILDING TYPES	RAP Action Item 7.8 recommends the re-designation of planning areas. Both Planning Board RAP comments and the Comprehensive Plan recommend implementation measures to ensure housing choice and variety throughout all areas of Town.	Change text to introduce flexible standards resulting in a variety of lot sizes and/or building types throughout this planning area.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>In the Neighborhood Edge Planning Area, no more than 85 percent of the units in each new development shall be single-family residential Detached House building type and no more than 30 percent of the units in each new</p>	

			development shall be duplex Detached House or Attached House building types.	
2-58	2.2.12.E	NEIGHBORHOOD EDGE DEVELOPMENT STANDARDS	RAP Action Item 7.8 recommends the re-designation of planning areas. Both Planning Board RAP comments and the Comprehensive Plan recommend implementation measures to ensure housing choice and variety throughout all areas of Town.	Change text to introduce flexible standards resulting in a variety of lot sizes and/or building types throughout this planning area.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [Below List]</p> <p>The following are additional development standards in the Neighborhood Edge Planning Area:</p> <p>Lot Size Requirements:</p> <p>A. Projects 50 Units or More:</p> <ul style="list-style-type: none"> • Minimum of three different lot sizes required; • Minimum 15 foot variation in lot sizes; • Each lot size must comprise a minimum of 20 percent of the total lots in the project; • A minimum of 35 percent of the lots must be 60 feet or less. <p>B. Projects 49 Units or Less:</p> <ul style="list-style-type: none"> • Minimum of two different lot sizes required; • Minimum 15 foot variation in lot sizes; • Each lot size must comprise a minimum of 20 percent of the total lots in the project; • A minimum of 50 percent of the lots must be 60 feet or less, and a maximum of 60 percent of the lots may be 60 feet or less. 	
2-70	2.2.15.D	RURAL PLANNING AREA SITE DESIGN STANDARDS	RAP Action Item 7.5 recommends modifying the Rural Planning Area standards to be used exclusively for very low density development.	<ul style="list-style-type: none"> ▫ Create two development, Options A & B, that afford varying densities and/or site designs strategies based on the amount of open space provided. ▫ This means shifting the current Item 1. to Item 2.
TEXT CHANGES			<p>Old Text: 1. Setback Requirements: The following...</p> <p>New Text:</p> <p>1. Development Options: Two development options are permitted in the Rural Planning Area:</p> <p>Option A: 1 unit per 2 acres + 40% open space with up to 16 permitted units.</p> <p>Option B: 1 unit per acre + 70% open space. At least 50% of the open space is required on-site with the</p>	

			balance permitted as either a payment-in-lieu or dedication of property off-site. 2. Setback Requirements: The following...	
2-70	2.2.15.D.2	TABLE 2-54 RURAL PLANNING AREA OPEN SPACE TABLE	RAP Action Item 7.5 recommends new open space standards for the Rural Planning Area.	<ul style="list-style-type: none"> ▫ Modify Table 2-54 Rural Open Space to include Options A & B. ▫ Include phrase after table referencing payment-in-lieu information in DPO Section 7.
TEXT CHANGES			Old Text: [In Table]: Minimum Open Space 40% [All Development] [After Table]: Certain open space reduction bonuses may be applicable. See Section 7. New Text: [In Table] 1. Option A Min. 40%, Max. NA 2. Option B Min. 70% (50% Min. On-Site; 20% Max. off-site dedication or payment-in-lieu permitted). [After Table] See Section 7 for information regarding open space and payment-in-lieu options.	
2-71	2.2.15.D.3	TABLE 2-55 RURAL PLANNING AREA DENSITY TABLE	RAP Action Item 7.5 makes Low-Impact, Conservation Easement Subdivisions obsolete; it also establishes new density measures for the RPA.	Modify Table 2-55 Rural Density to include development Options A & B. Additionally, delete all text below table and replace with affordable housing text.
TEXT CHANGES			Old Text: Subdivision/Tract Size/Max. Units Per Acre; Types: Low-Impact/Conservation Easement/Residential Subdivisions. Additional development standards for rural subdivisions are in Section 2.2.14 Certain density bonuses may be applicable. See Section 7. ¹ Shall be an established irrevocable conservation easement. ² May only be developed on lots of record as of July 1, 2001 New Text: 1. Remove: "Subdivision" Heading; "Tract Size" Heading; "Low-Impact, Conservation Easement Subdivisions" entries; and, revise "Residential Subdivision" to "Master Plan." 2. Add Heading: "Gross Density" 3. Option A: 1 Unit Per 2 Acres (Max. 16 Units*) 4. Option B: 1 Unit Per Acre (Max. N/A)	

			[Below Table] *If a project elects to construct affordable housing on-site, affordable units do not count towards the maximum permitted density in Option A and Option B.	
2-74	2.2.16.B	TABLE 2-56 RURAL RESERVE PLANNING AREA USE TABLE	RAP Action Item 7.3 recommends changing the Planning Area for existing parks and conservation easements to “Rural Reserve.” This means that uses that are permitted or desired for facilities such as Allison or Fisher Farms need to be allowed the by-right opportunity to construct select facilities (i.e. restrooms, trail shelters) as outlined in relevant agreements or plans.	<ul style="list-style-type: none"> ▫ Add to Use Table 2-56, under Agricultural Uses: Conservation Easement Uses¹ (P - Permitted). ▫ Add Language [Below Table]: ¹Any use allowed by the conservation easement or master plan associated with the parcel.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>[In Table, Ag. Uses]: Conservation Easement Uses¹ (P)</p> <p>[Below Table]: ¹Any use allowed by the conservation easement or master plan associated with the parcel.</p>	
2-74	2.2.16.C	TABLE 2-57 RURAL RESERVE BUILDING TYPE TABLE	RAP Action Item 7.3 recommends changing the Planning Area for existing parks and conservation easements to “Rural Reserve.” This means adjusting the table to accommodate Institutional Building Type construction in Rural Reserve to allow structures permitted by the Conservation Easement and/or that fit with the programmatic aspects of these facilities (i.e. restrooms for Fisher Farm).	<ul style="list-style-type: none"> ▫ Add to Building Type Table 2-57: Institutional* (P - Permitted). ▫ Add Language [Below Table]: *Any institutional building type allowed by the conservation easement or master plan associated with the parcel.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>[In Table, Ag. Uses]: Institutional* (P)</p> <p>[Below Table]: *Any institutional building type allowed by the conservation easement or master plan associated with the parcel.</p>	
2-79	2.3.1	OVERLAY DISTRICTS ESTABLISHED	Because two new overlay districts are being created they must be added to the	Add Scenic Byway Overlay District and Neighborhood Services Overlay District to the list.

			list of overlay districts at the start of the section.	
TEXT CHANGES			<p>Old Text: [Previous Items] F-O: Floodplain Overlay</p> <p>New Text: [Previous Items]</p> <ul style="list-style-type: none"> • F-O: Floodplain Overlay • SBO: Scenic Byway Overlay • NSO: Neighborhood Services Overlay 	
2-85	2.3.10 [NEW]	SCENIC BYWAY OVERLAY DISTRICT	<p>RAP Action Item 7.4 establishes a Scenic Byway Overlay district whose standards must be codified within the DPO's Planning Areas section.</p>	<ul style="list-style-type: none"> ▫ Include specific overlay standards recommended by the RAP in DPO 2, Planning Areas. ▫ Setbacks: Include encroachment language from DPO Pg. 2-22, excluding bay windows; and, make the encroachment allowed 10'.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>2.3.10 Scenic Byway Overlay District</p> <p>A. Purpose: The Scenic Byway Overlay District is established to preserve and enhance the rural character of Grey Rd. and Shearer Rd. north of East Rocky River Rd.</p> <p>B. Applicability: The Scenic Byway Overlay District encompasses Grey Rd. north of Wolfe St. and Shearer Rd. north of the Neighborhood Services Overlay District.</p> <p>C. Standards:</p> <ol style="list-style-type: none"> 1. Setbacks: <ol style="list-style-type: none"> a. Front building setbacks for a single-family Detached House shall be 80 feet minimum; setbacks for all other development types shall be 150 feet minimum. These standards apply to new development; existing non-conforming buildings may not increase the building's non-conforming front setback. Balconies, stoops, stairs, open porches, and awnings are permitted to encroach up to ten feet into the front setback area. b. Development located on the east side of Shearer Road north of Maple Way Drive shall provide a minimum wooded buffer measuring at least 85 feet from the right-of-way. This applies to all development involving more than one single-family Detached House. 2. Landscape Elements: If fencing is proposed in the front setback of a detached house or along road frontages within the development setback it must be a wooden fence row or split rail type. 	

TEXT CHANGES			<p>3. Street Section: For required street sections see Section 6 for a list of streets included in the Rural Area's Plan Scenic Byway Overlay.</p> <p>4. Multi-Use Path: All new development, including detached houses, located on the south side of Grey Rd. or the west side of Shearer Rd. within the Scenic Byway Overlay district shall contribute to multi-use path dedication in the following ways:</p> <ul style="list-style-type: none"> a. Dedication of public access easement area and construction of a multi-use path in accordance with Mecklenburg County standards; b. Dedication of public access easement area for a multi-use path in accordance with Mecklenburg County standards, and payment-in-lieu in accordance with the Town's adopted fee schedule. <p>*All development of more than one single-family Detached House must pursue 2.3.10.C.4.A.</p>	
2-85	2.3.11 [NEW]	NEIGHBORHOOD SERVICES OVERLAY DISTRICT	<p>RAP Action Item 7.6 recommends the creation of a Neighborhood Services area at the East Rocky River Rd./Shearer Rd. intersection to provide commercial opportunities for existing and future residents nearby. The RAP specifies that buildings in this particular area embody vernacular rural/village architecture. To achieve these aims, an Overlay District should be created specifying certain architectural standards for the building types, setbacks, etc. at this node.</p>	<p>State that the specific standards that will apply for building types and site design at this node.</p>
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>2.3.11 Neighborhood Services Overlay District</p> <p>A. Purpose: The Neighborhood Services Overlay District is established to preserve and enhance the rural character of the Shearer Rd. - East Rocky River Rd. intersection as a rural crossroads with residential and commercial development. Like other Neighborhood Services areas, the aim is to create small nodes within or near residential development that increase walkability, create a sense of place, and provide a concentration of goods and services for the daily needs and activities of nearby residents. The buildings within the Neighborhood Services Planning Area should be at a pedestrian scale with retail frontage.</p>	

TEXT CHANGES

- B. Applicability: The Neighborhood Services Overlay District encompasses the parcels immediately adjacent to the Shearer Rd. - East Rocky River Rd. intersection, as indicated on the Planning Ordinance Map.
- C. Standards: The following standards apply to properties within the district:
1. Permitted Uses: The allowed uses are those permitted in the Neighborhood Services Planning Area.
 2. Permitted Building Types: The following table establishes the permitted building types for the Neighborhood Services Overlay District. Building types not listed in the Building Type Table are presumed to be prohibited (See Section 2.1.4). Additional requirements and exceptions are set out in Section 4, Site & Building Design Standards.
Table 2-XX Building Types:
 - Building Types: Live/Work, Storefront, Detached House, [Permitted By-Right, Design Review Required, Height: Two Story Minimum, 37 foot Maximum]; Accessory Structure [Permitted By-Right, Design Review - See Section 4.5.8, Height: One Story Minimum, Two Story Maximum]
 - *The only Detached House building type permitted in this overlay district is the single-family Detached House building type; duplexes are not permitted.
 - [Below Table]:
 - All buildings constructed within the overlay district shall be built according to commercial building code standards. Accessory Structures are exempt from this requirement.
 - Only the Detached House/Storefront Building Types are allowed at the intersection's four corners. The Live/Work Building Type is not permitted within 100' of the intersection's four corners, measured from the parcel boundary.
 - Within 100 feet of the intersection the first floor must feature only commercial uses; residential uses are permitted on the upper floors. Residential uses are permitted on all floors of the Live/Work Building Type.
 - Flat roof forms are not permitted for any building type.
 3. Site Design Standards:
 - A. Setbacks: The following table establishes the required setbacks for the Neighborhood Services Overlay District.
Table 2-XX Setbacks:
 - Building Types:
 - Live/Work: 0'-10' Front, 0'-10' Side, N/A Rear
 - Storefront: 0' Front, 0'-N/A Side, N/A Rear
 - Det. House: 0'-25' Front, 0'-10' Side, N/A Rear
 - B. Sidewalks: For properties fronting Shearer or East Rocky River Roads, the sidewalk width must be a

			minimum of eight to twelve feet, and as noted in Section 6.8.	
SECTION 4 – SITE & BUILDING DESIGN STANDARDS				
4-12	4.5.2.F.5	DETACHED HOUSE BUILDING TYPE RURAL PLANNING AREA	The RAP creates new development options in the Rural Planning Area, which means that standards and exceptions to certain facilities in this area need to be distinguished for single-family residential and master-planned development.	<ul style="list-style-type: none">▫ Revise the standards to require all master-planned lots within the Rural Planning Area to meet the 4.5.2.F standards, while continuing to permit individually-developed lots the allowances granted under 4.5.2.F.5.▫ Add new bullet point clarifying the circumstances in which exceptions to the existing standards apply (i.e. for single-family residential construction).
TEXT CHANGES			Old Text: N/A [DNE] New Text: <ul style="list-style-type: none">• [New Bullet Point #2]: The lot is not part of an approved master plan; and	
4-13	4.5.2.G [NEW]	DETACHED HOUSE BUILDING TYPE	RAP Action Item 7.6 recommends that buildings at the East Rocky River Rd./Shearer Rd. intersection embody vernacular rural/village architecture. This means specifying certain architectural standards for the Detached House building type at this node.	Specify the standards required for this building within the Neighborhood Services Planning Area at the East Rocky River Rd./Shearer Rd. designated commercial node.
TEXT CHANGES			Old Text: N/A [DNE] New Text: G. For Detached House types in the Neighborhood Services Overlay District: <ol style="list-style-type: none">1. The entire building must be built to commercial code, which requires Individual Building submittal and Design Review Board approval.2. The ground floor of the building must be used as commercial or retail use.3. Roofs: Roof forms shall not be flat.4. Transparency: A minimum of 45% of the first floor facade between 2'-0" and 10'-0" above grade facing the primary streets must be transparent. At least 30% of the upper floors facades between 3'-0" and 50'-0" above finished floor must be transparent.	

TEXT CHANGES			<p>5. Porches: Wrap-around porches shall be installed on at least two building sides, including all facades with primary street frontage. A minimum porch depth of ten feet is required.</p> <p>6. Materials: Building design shall use materials consistent with rural vernacular architecture, as illustrated in the Rural Area Plan precedent images.</p>	
4-13	4.5.3.A/E [NEW]	LIVE/WORK BUILDING TYPE	RAP Action Item 7.6 recommends that buildings at the East Rocky River Rd./Shearer Rd. intersection embody vernacular rural/village architecture. This means specifying certain architectural standards for the Live/Work building type at this node.	Specify the standards required for this building within the Neighborhood Services Planning Area at the East Rocky River Rd./Shearer Rd. designated commercial node.
TEXT CHANGES			<p>Old Text: Live/work units combine commercial and residential uses within a single dwelling unit of two or more stories. At least 50 percent of the heated floor area must contain the residential dwelling unit(s).</p> <p>A. Each unit shall...[Ensuing List B-D]</p> <p>New Text:</p> <p>Live/work units combine commercial and residential uses within a single dwelling unit of two or more stories. All units must be constructed to meet the commercial building code standards. At least 50 percent of the heated floor area must contain the residential dwelling unit(s).</p> <p>A. Each unit shall...[Ensuing List B-D]</p> <p>E. For Live/Work buildings located in the Neighborhood Services Overlay District:</p> <ol style="list-style-type: none"> 1. Roofs: Roof forms shall not be flat. 2. Materials: Building design shall use materials consistent with rural vernacular architecture, as illustrated in the Rural Area Plan precedent images. 	
4-14	4.5.6.J [NEW]	STOREFRONT BUILDING TYPE	RAP Action Item 7.6 that buildings at the East Rocky River Rd./Shearer Rd. intersection embody vernacular rural/village architecture. This means specifying certain architectural standards for the Storefront building type at this node.	Specify the standards required for this building within the Neighborhood Services Planning Area at the East Rocky River Rd./Shearer Rd. designated commercial node.
TEXT CHANGES			<p>Old Text: Old Text: N/A [DNE]</p> <p>New Text:</p>	

TEXT CHANGES			<p>J. For Storefront buildings located in the Neighborhood Services Overlay District:</p> <ol style="list-style-type: none">1. The ground floor of the building must be used as commercial or retail use within 100 feet of the Shearer Rd. – East Rocky River Rd. intersection.2. Roofs: Roof forms shall not be flat.3. Transparency: At least 50% of the first floor facade between 2'-0" and 10'-0" above grade facing the primary streets must be transparent. At least 30% of the upper floors facades between 3'-0" and 37'-0" above finished floor must be transparent.4. Materials: Building design shall use materials consistent with rural vernacular architecture, as illustrated in the Rural Area Plan precedent images.	
4-15	4.5.8	ACCESSORY STRUCTURES	The RAP creates new development options in the Rural Planning Area, which means that standards and exceptions to certain facilities in this area need to be distinguished for single-family residential and master-planned development.	Revise the text to clarify that all master-planned lots within the Rural Planning Area must meet the 4.5.8 standards, while continuing to permit individually-developed lots the existing allowances granted under 4.5.8.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>[First Paragraph, Last Sentence] Note: Lots within the Rural Planning Area that are part of an approved master plan are subject to all applicable ordinance requirements and are not eligible for the exceptions granted to individually-developed lots located within the Rural Planning Area.</p>	
SECTION 5 – AFFORDABLE HOUSING				
5-3	5.2.C.2	AFFORDABLE HOUSING PERCENTAGE & DISTRIBUTION OF AFFORDABLE UNITS	In order to ensure that the appropriate incentives are in place throughout the Town's entire jurisdiction, the RAP implementation process developed incentives to encourage the construction of on-site affordable housing units.	Include language describing the incentive to encourage on-site construction of affordable housing units.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [Below Table 5-1 Distribution Table]</p> <p>Waiver Option: Projects that elect to construct on-site affordable housing units may receive a reduction in the required amount of affordable housing as follows: For every unit constructed on-site, the payment-in-lieu for one unit will be waived. All units constructed on-site using the</p>	

			waiver option shall be priced as affordable to households that earn between 80%-100% AML.	
SECTION 6 – SUBDIVISION & INFRASTRUCTURE STANDARDS				
6-3	6.3.1	REQUIRED IMPROVEMENTS FOR ALL DEVELOPMENT	All references to CMUD are outdated. Additionally, the RAP recommends the extension of sewer to select corridors. The DPO should be revised to clarify that sewer extension should proceed in accordance with CLT Water policy.	<ul style="list-style-type: none">▫ Revise all CMUD references in ordinance to read Charlotte Water.▫ Include language clarifying that sewer extension must be implemented in accordance with CLT Water policy.
TEXT CHANGES			Old Text: Public sewer per CMUD requirements. New Text: [Fourth Bullet Point] Public sewer in accordance with Charlotte Water policy and requirements.	
6-3	6.3.1.A	REQUIRED IMPROVEMENTS FOR ALL DEVELOPMENT	The RAP recommends the DPO no longer use the Low-Impact Subdivision development; so, this should be removed and the list updated to clarify what improvements are required for master-planned developments in the Rural Planning Area.	<ul style="list-style-type: none">▫ Remove the Low-Impact Subdivision exemption list.▫ List and clarify the required improvements, including cross-references, for master-planned developments in the Rural Planning Area.
TEXT CHANGES			Old Text: A. Low-Impact Subdivisions [Remove All] New Text: A. Master Plans in the Rural Planning Area are subject to the following standards: <ul style="list-style-type: none">• Street Lights: See Section 10.• Public Sewer: If the project is within 1,000 feet of an existing sewer line or planned sewer line funded within a Charlotte Water Capital Improvement Plan.• Public Water: If the project is within 1,000 feet of an existing water line or planned water line funded within a Charlotte Water Capital Improvement Plan.• Sidewalks: See Section 6.• Curb & Gutter: If the development features a sewer connection then curb and gutter shall be required.• Landscaping: See Section 9.• Neighborhood Park: See Section 7.	
6-4	6.5.1.A	MINIMUM ACCESS	RAP Action Item 5.1 states that the Town should continue to require a network of streets for development, in order to move vehicles as well as other users more efficiently through a variety of modes.	Clarify that the connectivity requirements apply to all master plan developments.

TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [...established in Section 6.7.] Additionally, all master-planned development fronting on a state- or town-maintained right-of-way must provide an internal street within the development.</p>	
6-5	6.5.1.E.2	STREET NETWORK EXTERNAL CONNECTIONS	RAP Action Item 5.1 states that the Town should continue to require a network of streets for development, in order to move vehicles as well as other users more efficiently through a variety of modes.	Include language clarifying that connections across water features, in so far as they lie within the boundary of a developing parcel, are included in the connectivity requirements.
TEXT CHANGES			<p>Old Text: 2. Any connection/street stub represented on a town-accepted transportation or land use plan;</p> <p>New Text: 2. Any connection/street stub, including water crossings, represented on a town-accepted transportation or land use plan;</p>	
6-5	6.5.1.F.1	ALTERNATE COMPLIANCE	RAP Action Item 5.1 states that the Town should continue to require a network of streets for development, in order to move vehicles as well as other users more efficiently through a variety of modes.	Clarify that the connectivity requirements apply to all master plan developments, and provide the Planning Director flexibility in allowing easement area to be dedicated in-lieu of construction when topographic or other constraints exist.
TEXT CHANGES			<p>Old Text: When the Planning Director deems a required external street connection is impractical due to severe topography, existing development, or other natural features, the town may require a non-vehicular connection in lieu of the required street connection(s).</p> <p>New Text: When the Planning Director deems a required internal or external street connection is impractical due to severe topography, existing development, or other natural features, the town may require an easement or a non-vehicular connection in lieu of the required street connection(s).</p>	
6-10	6.7.2.B	PUBLIC ACCESS	The RAP removes all development types that allowed private streets; therefore, the DPO should be updated to eliminate mention of private streets.	Remove the second sentence of this item, which references private streets.
TEXT CHANGES			<p>Old Text: All streets shall be maintained for public access whether by easement or by public dedication. Private streets are only allowed when one entity will retain ownership of all properties that abut the street.</p>	

			New Text: All streets shall be maintained for public access whether by easement or by public dedication.	
6-13	6.7.3 [NEW]	TOWN STREET CLASSIFICATIONS	RAP Action Items 5.5-5.9: New street sections are proposed for Grey Rd., Shearer Rd., East Rocky River Rd., with features such as fence-breaks/multi-use paths that are not currently in the DPO.	Include a reference to the RAP for specific street sections that should be included as part of proposed development projects on/adjacent to these roads.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: Certain corridors feature special characteristics and warrant the application of specific infrastructure standards. Many of these corridors lie within the Town's rural areas. All new development fronting Grey Rd., Davidson-Concord Rd., East Rocky River Rd., and Shearer Rd., shall conform to the street cross-sections as specified in the Rural Area Plan.</p>	
6-18	6.8.1.B	SIDEWALK STANDARDS MINIMUM WIDTH	For Detached House and Live/Work commercial buildings in the designated node at East Rocky River Rd./Shearer Rd., a sidewalk section wider than 5' is necessary to safely accommodate pedestrians in front of businesses along these higher-speed roads.	Change the text to require a sidewalk width of 8' in front of commercial buildings at the designated node.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [Last Sentence] For sidewalks in front of Detached House and Live/Work commercial buildings in the Neighborhood Services node at the East Rocky River Rd. and Shearer Rd. intersection, sidewalks along primary street frontages shall be a minimum of eight feet.</p>	
6-19	6.8.1.H [NEW]	SIDEWALK STANDARDS RURAL PLANNING AREA EXCEPTIONS	The RAP recommends various greenway/trail facilities to which access must be provided via installed sidewalk infrastructure appropriate to the Rural Planning Area context.	Add specific allowances for alternative sidewalk facilities in the Rural Planning Area.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text:</p> <p>H. Rural Planning Area Exceptions: All development shall provide sidewalk facilities on both sides of the street unless otherwise determined by the Planning Director. In select cases sidewalks may be provided on only one side of each minor street and ADA-compliant paths meeting the</p>	

			minimum DPO standards for sidewalk width may be provided on one side of each street. All walkways shall be publicly-accessible.	
6-20	6.8.3.A	GREENWAY STANDARDS	RAP Action Item 5.4: The RAP emphasizes greenway and trail connectivity between properties based on existing plans and new linkages identified in the RAP. The DPO should be modified to clarify the connectivity requirements in light of plan goals.	Include language describing connectivity requirements for greenways and trails.
TEXT CHANGES			Old Text: All new developments on an identified greenway corridor must provide and construct greenway access within a designated public easement. New Text: All new developments on or adjacent to an identified greenway corridor must provide and construct greenway access within a designated public easement. Where adjacent properties prohibit construction of off-street connector trails, on-street connector facilities shall be required to connect to the nearest connector facility.	
6-21	6.8.3.H	GREENWAY STANDARDS	RAP Action Item 5.11 calls for the development of way station facilities at various locations on select greenway corridors.	Include reference to way station facilities as an amenity to be considered in when planning for greenways.
TEXT CHANGES			Old Text: Amenities: Greenways shall provide amenities, such as drinking fountain(s), trash receptacles, bike rack(s), and pet station(s), as defined in the Davidson Walks & Rolls Active Transportation Master Plan and the Parks and Recreation Master Plan. New Text: ...Master Plan. Way station facilities should be considered for select greenway corridors, intersections, and amenities/attractions. These facilities may range from sheltered kiosks and/or benches to small buildings containing exhibits, restrooms, or minor food provisions.	
SECTION 7 – PARKS & OPEN SPACE				
7-2	7.2.3.C [NEW]	CREDIT TOWARD OPEN SPACE CONSERVATION	RAP Action Item 4.6: The RAP recommends incentives to promote or encourage the retention of agricultural land within proposed developments.	<ul style="list-style-type: none">▫ Include language outlining open space contribution mechanism as new item C.▫ Utilize DPO 15, Violations & Penalties, to establish clear enforcement criteria.
TEXT CHANGES			Old Text: N/A [DNE] New Text: C. Agricultural Land: The open space requirements, but not the neighborhood park requirements, may be reduced by 1.5 acres for every acre of active farmland included in a new development. Active	

TEXT CHANGES			farmland is not considered to be passive open space; it must be secured through a conservation easement that is professionally-managed on an on-going basis. The permanent conservation easement must be approved by the Planning Director and Town Attorney, and the Town reserves the right to conduct periodic reviews of farm activity on-site to determine compliance with the conservation easement. Additionally, the following criteria also apply: <div><div>1. The agricultural land must meet the definition of a farm as defined by this ordinance, and it may not include tree-farming, timber production, or contained animal feeding operations;</div><div>2. The agricultural land must comprise at least 10 contiguous acres;</div><div>3. The credit cannot be used to reduce the open space requirements by more than 50%.</div></div>	
7-11	7.5.1.A.2.B	ADDITIONAL OPEN SPACE	RAP Action Item 4.3 recommends prioritizing the preservation of upland areas through the site planning process.	Include reference to upland areas when considering land suitable for open space in development projects.
TEXT CHANGES			Old Text: The presence of significant natural features (rock outcroppings, forests, ponds, streams, etc.), viewsheds, wildlife habitats, trails, and/or community farms and gardens. New Text: ...rock outcroppings, forests, ponds, streams, upland areas, etc....	
7-11	7.5.1.A.2.C [NEW]	ADDITIONAL OPEN SPACE	RAP Action Item 4.2 recommends the application of the Wildlife Resource Commission’s recommended buffer, where feasible.	Include recommended buffer as an area to be considered for open space.
TEXT CHANGES			Old Text: N/A [DNE] New Text: C. Land within 600 feet of either side of the following water courses: The Rocky River; West Branch of the Rocky River; and, the West Branch's main tributary (from north of Grey Rd. to its intersection with the West Branch).	
SECTION 9 – TREE PRESERVATION, LANDSCAPING, & SCREENING				
9-7	9.4.1.A	STREET TREE LOCATION REQUIREMENTS	As a result of the RAP, DPO 6.3.A allows specific exemptions or alternative criteria for certain development standards, including landscaping within the right-of-way.	Include language that requires the same amount of landscaping but permits a more informal or rural aesthetic in landscape design.

TEXT CHANGES			<p>Old Text:</p> <p>[First Sentence] A. Location: Except along a rural road, alley, or the park side of a parkway, trees shall be planted wherever a new street right-of-way is constructed...</p> <p>[Last Sentence]: N/A [DNE]</p> <p>New Text:</p> <p>[First Sentence] A. Location: Except along an alley or the park side of a parkway, trees shall be planted wherever a new street right-of-way is constructed...</p> <p>[Last Sentence]: In the Rural Planning Area, all development shall provide the quantity of landscaping required in the ordinance. Trees may be spaced in a less formalized pattern than required in the ordinance, so long as the same quantity of trees is provided.</p>	
SECTION 10 – LIGHTING				
10-6	10.5.2.B	STREET LIGHTING DESIGN & MAINTENANCE	As a result of the RAP, DPO 6.3.A allows specific exemptions or alternative criteria for certain development standards, including street lighting within the right-of-way.	Include language that requires adequate lighting but permits a more informal or rural aesthetic in location/placement.
TEXT CHANGES			<p>Old Text: The placement of street lighting fixtures in residential areas shall be at 160 to 200 foot intervals and at each intersection unless...</p> <p>New Text: The placement of street lighting fixtures in residential areas shall be at 160 to 200 foot intervals (300-500 foot intervals in the Rural Planning Area), and at each intersection unless...</p>	
SECTION 14 – ADMINISTRATION & PROCEDURES				
14-25	14.15.1.B	ENVIRON. INVENTORY NATURAL FEATURES	<ul style="list-style-type: none">▫ RAP Action Item 4.3 recommends prioritizing the preservation of upland areas through the site planning process.▫ RAP Action Item 4.1: Connections to adjacent natural areas and viewshed analysis must be added to the Environmental Inventory documentation.	<ul style="list-style-type: none">▫ Include reference to upland areas when considering land suitable for open space in development projects.▫ Add additional sentence to 14.15.1.B to include viewshed analysis reference.
TEXT CHANGES			<p>Old Text:</p> <p>[First Sentence] Show all important natural features influencing site design such as the location of wetlands, rock outcroppings, site topography...</p> <p>[Last Sentence] ...conservation easements on adjoining properties.</p>	

TEXT CHANGES			New Text: [First Sentence] ...the location of wetlands, upland areas, rock outcroppings... [Last Sentence] ...conservation easements on adjoining properties. Identify connections to existing or future contiguous open space utilizing Map 4.1 Future Green Network Diagram from the Rural Area Plan. Additionally, provide a study of viewsheds related to the site.	
14-25	14.15.1.C	ENVIRON. INVENTORY SURVEY	RAP Action Item 4.7: Incorporate identification of historic resources into the site planning process.	Include language requiring historic or cultural resources to be identified as part of the initial plan documents.
TEXT CHANGES			Old Text: DNE New Text: ...or any environmentally-significant areas. Additionally, surveys must show the location of any historic or cultural resources.	
SECTION 15 – VIOLATIONS & PENALTIES				
15-6	15.3.4 [NEW]	OPEN SPACE VIOLATIONS	The DPO permits a reduction in open space area if active farmland is placed under conservation easement as part of a proposed development. To ensure active, on-going use of the dedicated land as active farmland; to provide restitution to the Town in the event it is not used as such; and, to account for the loss of open space, civil penalty language should be developed for active farmland that received an open space reduction credit but is no longer actively farmed.	<ul style="list-style-type: none">▫ Include language that disincentivizes the conversion of land set aside as agricultural land within a proposed development from being discontinued in its use.▫ Ensure the penalty creates a strong disincentive and, if the land is withdrawn, that the Town recoups a financial reimbursement for permanently lost open space.
TEXT CHANGES			Old Text: N/A [DNE] New Text: Violation of the provisions reducing open space wherein active farmland, as defined by this ordinance, is provided through a conservation easement as part of development shall require payment to the Town of Davidson of 1.5 times the current tax value of the development's original land area to be deposited in the Town's open space fund. This applies to all years in which a violation occurred. To be considered active farmland, the property must be in a permanent conservation easement that preserves the land for agricultural purposes. The permanent conservation easement must be approved by the Planning Director and Town Attorney, and the Town reserves the right to conduct periodic reviews of farm	

			activity on-site to determine compliance with the conservation easement.	
SECTION 16 – DEFINITIONS				
16-11	16.3	DEFINITIONS, F	The DPO currently features only one definition of farmland. In light of RAP Action Item 4.6, which recommends incentives to promote or encourage the retention of agricultural land within proposed developments, it would be helpful to distinguish between farms and bona fide farms as defined by state statute.	Revise the definition of Farm, Bona Fide to include reference to the NC general statute, and utilize the existing definition to create a new entry/definition for Farm.
TEXT CHANGES			<p>Old Text:</p> <p>- Farm, Bona Fide: Any tract of land containing at least 3 acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of “farm” and “bona fide farm” shall not include agricultural industries.</p> <p>New Text:</p> <p>- Farm: Any tract of land containing at least 3 acres which is used for dairying or for the raising of agricultural products, forest products, livestock or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of “farm” and “bona fide farm” shall not include agricultural industries.</p> <p>- Farm, Bona Fide: A tract of land meeting the definition of farm as included in this ordinance and certified under the provision of N.C.G.S. 153A-340.</p>	
16-27	16.3	DEFINITIONS, R	RAP Action Item 4.7: Incorporate identification of historic resources into the site planning process. Therefore, the DPO must define Resources, Historic or Cultural since these are required in the Environmental Inventory.	Include a definition for Resources, Historic or Cultural to clearly identify what should be included as part of the Environmental Inventory.
TEXT CHANGES			<p>Old Text: DNE</p> <p>New Text: Resource, Historic or Cultural: A site, object, or landscape with architectural, engineering, archaeological, or cultural remains present in districts, sites, buildings, or structures that possess integrity of location, design, setting, materials, workmanship, feeling and association. Each resource should be associated with one or more of the following historical or cultural themes:</p>	

TEXT CHANGES			<ul style="list-style-type: none"> - Those that are associated with the events that have made a significant contribution to the broad patterns of history; - Those that are associated with the lives of persons significant in a community's past; - Those that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; - Those that have yielded, or may be likely to yield, information important to prehistory or history. 	
16-27	16.3	DEFINITIONS, V	Because 14.15.B.1 now requires viewshed analysis, the term "viewshed" must be defined.	Define viewshed and describe general analysis parameters.
TEXT CHANGES			<p>Old Text: DNE</p> <p>New Text: Viewshed: The sphere of locations and/or objects visible from one or more specified points or lines. Viewshed analysis involves identification of important landscape and site features, including spaces of cultural or historic value, both within and external to the site. Analysis entails study of specific points within a defined topographical context, and how key features of the existing landscape are impacted by proposed development. It reflects both digital and site-collected data, as available.</p>	

2. PUBLIC PLANS AND POLICIES

The proposed text changes are consistent with the existing policy and ordinance frameworks adopted by the town. All changes relate to the implementation of the adopted Rural Area Plan. All proposed changes meet the requirements set forth in Davidson Planning Ordinance 1.5.1 Implementation of Adopted Plans & Policies: "Any amendments to, or actions pursuant to, this ordinance should be consistent with these adopted plans and policies, as amended."

3. STAFF RECOMMENDATION

The proposed changes aim to implement the policies described in the Rural Area Plan approved by the Board of Commissioners in September 2016. Specific explanations are provided in the table above. These changes are recommended for approval in order to accurately reflect the adopted Planning Area standards for each parcel.



MEMO

Date: January 10, 2017
To: Board of Commissioners
From: Jason Burdette, Planning Director
Re: Davidson Planning Ordinance Proposed Text & Map Amendments, Staff Analysis

1. MAP AMENDMENTS

MAP CHANGES – PLANNING AREAS

The following is a list of proposed changes to the Town of Davidson Planning Areas map, located on the Davidson Planning Ordinance's second page (before the Table of Contents). The proposed changes are being undertaken based on the recommendations included in the Rural Area Plan, which was approved by the Board of Commissioners on September 13, 2016. Note: Properties for which a street name exists but not a street number are understood to be non-addressed properties.

1. **RURAL RESERVE:** *These parcels comprise Fisher Farm Park, Allison Farm Regional Park, Rocky River Bluff Nature Preserve, and West Branch Nature Preserve.*

Parcel ID	Street Number	Street Name	Exhibit Number	Current Planning Area	New Planning Area
00307115	20532	SHEARER RD	Exhibit 1	Rural	Rural Reserve
00304103		GREY RD	Exhibit 1	Rural	Rural Reserve
00305106	21705	SHEARER RD	Exhibit 1	Rural	Rural Reserve
00311104	21215	SHEARER RD	Exhibit 1	Rural	Rural Reserve
00333102	21401	SHEARER RD	Exhibit 1	Rural	Rural Reserve

00747198		DAVIDSON-CONCORD RD	Exhibit 1	Rural	Rural Reserve
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2. NEIGHBORHOOD SERVICES: *These parcels are located at two intersections: 1. Concord Rd., Davidson-Concord Rd., and East Rocky River Rd., and 2. Shearer Rd. and East Rocky River Rd.*

Parcel ID	Street Number	Street Name	Exhibit Number	Current Planning Area	New Planning Area
00742119		CONCORD RD	Exhibit 2	Rural	Neighborhood General/Neighborhood Services
00727203		DAVIDSON-CONCORD RD	Exhibit 2	Rural	Neighborhood General/Neighborhood Services
00312101	1335	CONCORD RD	Exhibit 2	Rural	Neighborhood General/Neighborhood Services
00724102	19301	SHEARER RD	Exhibit 2	Rural	Neighborhood Services
00723102	15632	E ROCKY RIVER RD	Exhibit 2	Rural	Neighborhood Services
00309209	19409	SHEARER RD	Exhibit 2	Rural	Neighborhood Services
00308166		E ROCKY RIVER RD	Exhibit 2	Rural	Neighborhood Edge/Neighborhood Services
00723103	19300	SHEARER RD	Exhibit 2	Rural	Neighborhood Edge/Neighborhood Services

3. NEIGHBORHOOD GENERAL: *These parcels are located in the vicinity of the traffic circle at Concord Rd., Davidson-Concord Rd., and East Rocky River Rd. They surround the Neighborhood Services Planning Area, a mixed-use village center envisioned by the RAP at this junction.*

Parcel ID	Street Number	Street Name	Exhibit Number	Current Planning Area	New Planning Area
00742120	1228	CONCORD RD	Exhibit 3	Rural	Neighborhood General
00312105	13409	E ROCKY RIVER RD	Exhibit 3	Rural	Neighborhood General
00727207	13316	E ROCKY RIVER RD	Exhibit 3	Rural	Neighborhood General
00312106	1305	CONCORD RD	Exhibit 3	Rural	Neighborhood General
00742119		CONCORD RD	Exhibit 3	Rural	Neighborhood General/Neighborhood Services

00727203		DAVIDSON-CONCORD RD	Exhibit 3	Rural	Neighborhood General/Neighborhood Services
00312101	1335	CONCORD RD	Exhibit 3	Rural	Neighborhood General/Neighborhood Services

4. NEIGHBORHOOD EDGE: *These parcels are located throughout the Town’s rural area. They can be grouped into four general categories based on geography:*

- a. East Rocky River Rd. to Grey Road:** *The proposed planning area begins with parcels located north of the River Run and Bradford developments, but south of East Rocky River Road; and, extends north across East Rocky River Rd., west of the West Branch of the Rocky River, ending at Grey Rd.*
- b. Shearer Rd. South of East Rocky River Road:** *The proposed planning area begins with parcels just north of the Shearer Rd./East Rocky River Rd. intersection; extends south across East Rocky River Rd. and ends about 800’ below the intersection with Dembridge Dr. on Shearer Road; and, runs east to the Cabarrus County line. Most parcels are located east of Shearer Rd., with about ten parcels lying west of Shearer Rd. and abutting the River Run development.*
- c. June Washam Road:** *Five parcels along June Washam Rd. are proposed for designation as Neighborhood Edge Planning Area. Three are clustered on the north side of the road’s bend, and two are located on either side of the road just west of the Davidson Equestrian Center.*
- d. Davidson-Concord Road:** *These parcels are located in two sets and lie east of Davidson-Concord Rd., abutting the west side of the River Run development on the north and south sides of River Crossing Boulevard.*

Parcel ID	Street Number	Street Name	Exhibit Number	Current Planning Area	New Planning Area
East Rocky River Rd. to Grey Rd.					
00312108	13815	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00313198	2045	CHARDEN RD	Exhibit 4	Rural	Neighborhood Edge
00313199	2040	CHARDEN RD	Exhibit 4	Rural	Neighborhood Edge
00336101	14109	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00725103	14412	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00725106	14408	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00725131		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727101	14240	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727102	14126	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge

00727105	14016	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727108	13820	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727110	13626	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727111		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727112	14216	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727114	13900	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727120		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00312102	13725	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00312103	13601	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00312107	13801	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00313101		GREY RD	Exhibit 4	Rural	Neighborhood Edge
00313102	2800	GREY RD	Exhibit 4	Rural	Neighborhood Edge
00313103	2712	GREY RD	Exhibit 4	Rural	Neighborhood Edge
00313104	2808	GREY RD	Exhibit 4	Rural	Neighborhood Edge
00314101	2032	GREY RD	Exhibit 4	Rural	Neighborhood Edge
00725128	14432	ROCK GARDEN DR	Exhibit 4	Rural	Neighborhood Edge
00727103	14106	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727104	14030	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727106	14000	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727107	13916	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727109	13800	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727113	14256	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727115	20050	RALPH KNOX RD	Exhibit 4	Rural	Neighborhood Edge
00727117		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727118	20008	RALPH KNOX RD	Exhibit 4	Rural	Neighborhood Edge
00727119	14242	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727201	13520	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge

00727202	13324	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727210	13430	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727211	20007	RALPH KNOX RD	Exhibit 4	Rural	Neighborhood Edge
00727269	13324	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00727270	13400	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
<i>Shearer Rd. South of East Rocky River Rd.</i>					
00749104	18400	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00308103	15715	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00308104	15901	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00308167		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00308170	15701	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00723101	15708	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00723103	19300	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge/Neighborhood Services
00723117	15826	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00741507	18809	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00741510	19011	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00749101	18642	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00749102		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00749103	18600	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00749108		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750101	19000	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750106	18750	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750107	18650	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750108	18808	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750109	18800	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750110	18760	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750111		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge

00308105	19700	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00308109	15615	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00308166		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge/Neighborhood Services
00308168	19610	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00308169		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00723109	15818	E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00723115		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00723116	19128	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00723121		SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00723122		E ROCKY RIVER RD	Exhibit 4	Rural	Neighborhood Edge
00724110	19205	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00724111	19217	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00724112	19227	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00724146	19121	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00741505	18705	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00741506	18709	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00741508	18825	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00749109	18630	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750102	18910	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750103	18822	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
00750105	18700	SHEARER RD	Exhibit 4	Rural	Neighborhood Edge
June Washam Rd.					
00717103	14653	JUNE WASHAM RD	Exhibit 4	Rural	Neighborhood Edge
00718209	14652	JUNE WASHAM RD	Exhibit 4	Rural	Neighborhood Edge
00721103		JUNE WASHAM RD	Exhibit 4	Rural	Neighborhood Edge
00721105	15101	JUNE WASHAM RD	Exhibit 4	Rural	Neighborhood Edge
00721108	15049	JUNE WASHAM RD	Exhibit 4	Rural	Neighborhood Edge

Davidson-Concord Rd.					
00726102	19000	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00726108	19016	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00726112		DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00726110	19320	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00726113	19344	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00732121	18904	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00732120	18900	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00732119	18800	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge
00726101	19200	DAVIDSON-CONCORD RD	Exhibit 4	Rural	Neighborhood Edge

2. PUBLIC PLANS AND POLICIES

The proposed map changes are consistent with the existing policy and ordinance frameworks adopted by the town. All proposed changes meet the requirements set forth in Davidson Planning Ordinance 1.5.1 Implementation of Adopted Plans & Policies: “Any amendments to, or actions pursuant to, this ordinance should be consistent with these adopted plans and policies, as amended.”

3. STAFF RECOMMENDATION

MAP CHANGES – PLANNING AREAS

As noted above, the proposed changes reflect the recommendations included in the Rural Area Plan, which was approved by the Board of Commissioners on September 13, 2016. The reasons for each change are detailed in the approved Rural Area Plan, and a description of the parcel locations are provided above. These changes are recommended for approval in order to accurately reflect the adopted Rural Area Plan standards for each parcel.

4. EXHIBITS & RESOURCES

- Overview: [Rural Area Plan Map Amendments](#)
- Exhibit 1: [Rural Reserve Planning Area](#)
- Exhibit 2: [Neighborhood Services Planning Area](#)

- Exhibit 3: [Neighborhood General Planning Area](#)
- Exhibit 4: [Neighborhood Edge Planning Area](#)
- Resources: [Davidson Planning Ordinance](#)



MEMO

Date: January 10, 2016
 To: Board of Commissioners
 From: Jason Burdette, Planning Director
 Re: Davidson Planning Ordinance Miscellaneous Proposed Text Amendments, Staff Analysis

1. TEXT AMENDMENTS

TEXT CHANGES – PROPOSED AMENDMENTS

The following is a list of proposed text changes to the Town of Davidson Planning Ordinance (DPO). The listed changes are being undertaken to provide necessary clarifications, correct inadvertent omissions, and to address inconsistencies with statewide legislation passed since the DPO was approved by the Board of Commissioners and came into effect on May 1, 2015. Proposals are organized by page number.

PROPOSED TEXT CHANGES				
PAGE	SECTION	TITLE	ISSUE	PROPOSED ACTION
SECTION 2 – PLANNING AREAS				
2-X	2.X.X	VARIOUS OPEN SPACE TABLES	Below many open space tables in Section 2 the following phrase is listed: "Certain open space reduction bonuses may be applicable. See Section 7." This phrase refers to a policy contained within the pre-2015 ordinance that is no longer applicable for open space criteria.	Remove all instances of "Certain open space reduction bonuses may be applicable. See Section 7."
TEXT CHANGES			Old Text: Certain open space reduction bonuses may be applicable. See Section 7. New Text: N/A [Removed]	
2-1	2.1.1	PLANNING AREAS	The order in which the DPO lists the Planning Areas is confusing and not based on geographic proximity and/or intensity of development.	Revise the list to organize Planning Areas based on geography and intensity. Note: This will also result in the order of Planning Areas changing within Section 2.
TEXT CHANGES			Old Text:	

TEXT CHANGES			<ul style="list-style-type: none"> • Village Center (Section 2.2.1) • Village Commerce (Section 2.2.2) • Village Edge (Section 2.2.3) • Village Infill (Section 2.2.4) • Central Business District (Section 2.2.5) • Neighborhood Center I (Section 2.2.6) • Neighborhood Center II (Section 2.2.7) • Lakeshore (Section 2.2.8) • Neighborhood Services (Section 2.2.9) • Employment Campus I (Section 2.2.10) • Employment Campus II (Section 2.2.11) • Neighborhood Edge (Section 2.2.12) • Neighborhood General (Section 2.2.13) • College Campus (Section 2.2.14) • Rural (Section 2.2.15) • Rural Reserve (Section 2.2.16) • Conditional (Section 2.2.17) • Special Use (Section 2.2.18) <p>New Text:</p> <ul style="list-style-type: none"> • Village Center (Section 2.2.1) • Village Commerce (Section 2.2.2) • Village Edge (Section 2.2.3) • Village Infill (Section 2.2.4) • Central Business District (Section 2.2.5) • Lakeshore (Section 2.2.6) • Neighborhood Center I (Section 2.2.7) • Neighborhood Center II (Section 2.2.8) • Neighborhood Services (Section 2.2.9) • Neighborhood General (Section 2.2.10) • Neighborhood Edge (Section 2.2.11) • Rural (Section 2.2.12) • Rural Reserve (Section 2.2.13) • College Campus (Section 2.2.14) • Employment Campus I (Section 2.2.15) • Employment Campus II (Section 2.2.16) • Conditional (Section 2.2.17) • Special Use (Section 2.2.18)
2-4	2.1.3	PERMITTED USES	<p>Updated state law [Ref. #] does not permit the listing of prohibited uses. The list's preface must be revised to indicate uses will be identified with the next closest use or, if that cannot be determined, on a conditional basis.</p> <p>Revise the preface to be consistent with new state legislation regarding permitted uses.</p> <p>Additionally, all references in each Section 2 subsection, B. Permitted Uses, will need to be revised.</p>
TEXT CHANGES			<p>Old Text:</p> <ul style="list-style-type: none"> □ [2.1.3 Preface] Uses not listed in the Use Table are presumed to be prohibited. The following is a list of uses specifically not permitted in any planning area... □ [2.X.X B. Permitted Uses] Uses not listed in the Use Table are presumed to be prohibited.

TEXT CHANGES			<p>New Text:</p> <ul style="list-style-type: none">▫ [2.1.3 Preface] Uses not listed in the Use Table may, upon determination of the Planning Director, be identified with the next-closest use or identified as a conditional use. The following is a list of uses specifically not permitted by-right in any planning area...▫ [2.X.X B. Permitted Uses] For Uses not listed in the Use Table, please see 2.1.3.	
2-22	2.2.4.D	VILLAGE INFILL SITE DESIGN STANDARDS	The current setback standards do not accommodate situations found within the older town neighborhoods where street and lot patterns are irregular.	Revise the language to allow flexibility for front setback standards in situations where streets and lots create irregular setbacks.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: ...same side of the street. For dual-frontage lots, the Planning Director may waive the adjacent setback rule requiring the subject house to be within ten feet of the closest adjacent house based on the context of the block. Balconies, stoops...</p>	
2-30	2.2.6.C	PERMITTED BUILDING TYPES	The second paragraph listing a specific percentage of building types within NC1PA was intended for master plan projects and not as a requirement pertaining to the entire planning area.	Remove the language prescribing a certain percentage of building types within the planning area.
TEXT CHANGES			<p>Old Text: Within the Neighborhood Center I planning area a maximum of 25 percent of the land area may be townhouse, live/work, or multi-family building types and a maximum of 85 percent of the land area may be institutional, work places, or storefront building types.</p> <p>New Text: N/A [Removed]</p>	
SECTION 3 – USES WITH ADDITIONAL REQUIREMENTS				
3-5	3.2.11	COMMERCIAL SERVICES	This description references commercial services in the Neighborhood General and Village Infill Planning Areas, whereas these areas do not contain Commercial Services (a specific use-type not permitted in these planning areas). The language should be clarified to address Commercial/Office/Retail Uses.	Revise the text to reference the specific use-types contained in these planning areas.

TEXT CHANGES			Old Text: 1. In Neighborhood General and Village Infill Planning Areas commercial services shall be permitted in a storefront building type only. New Text: 1. In Neighborhood General and Village Infill Planning Areas Commercial/Office/Retail Uses other than Home Occupations shall be permitted in a storefront building type only.	
SECTION 4 – SITE & BUILDING DESIGN STANDARDS				
4-12	4.5.2.F.4	DETACHED HOUSE BUILDING TYPE	The definition of façade is revised to include conditioned spaces. Therefore, language must be added clarifying instances in which garages may be flush with the front porch’s front plane, as currently allowed.	Include language clarifying instances in which the garage may be flush with the front plane of a front porch.
TEXT CHANGES			Old Text:of the house. New Text: [Last Sentence] ...of the house. If the front property line is at least 75 feet wide and the front façade has a covered porch that covers at least 60 percent of the front façade, then a side loaded garage, i.e. oriented at least 90 degrees to the front façade, may be flush with the front plane of the covered porch but shall not project in front of this plane.	
SECTION 6 – SUBDIVISION & INFRASTRUCTURE STANDARDS				
6-13	6.7.3	TOWN STREET CLASSIFICATIONS	The last sentence of the first paragraph references a table that no longer exists.	Remove the last sentence from the DPO.
TEXT CHANGES			Old Text: Only those street types permitted in the applicable district, as established in the table below, shall be permitted. New Text: N/A [Removed]	
SECTION 7 – PARKS & OPEN SPACE				
7-6	7.4.5.A.D	NEIGHBORHOOD PARK	The current DPO does not specify a minimum neighborhood park size, which is an inadvertent omission.	Include language from the previous ordinance specifying a minimum neighborhood park size.
TEXT CHANGES			Old Text: N/A [DNE] New Text: Neighborhood parks shall be a minimum of half of a contiguous acre in size.	
7-9	7.4.2.F.A	COMMUNITY GARDEN	The current description of community garden does not afford sufficient flexibility for staff to determine whether storage and/or	Revise the description to afford staff discretion in allowing the facility requirements to be met as needed for each project.

			other facilities should be required for each garden.	
TEXT CHANGES			Old Text: Community gardens must include garden sheds for the storage of gardening equipment and access to a water source. New Text: Community gardens must include garden sheds for the storage of gardening equipment and access to a water source unless the Planning Director determines that site constraints prohibit such facilities.	
SECTION 8 – PARKING				
8-4	8.4.2.A	STRUCTURED PARKING	The current language does not contain flexibility for situations in which a building may front multiple rights-of-way.	Revise the language to acknowledge instances in which multiple rights-of-way exist and allow flexibility to meet the screening standard in these situations.
TEXT CHANGES			Old Text: When above-ground structured parking is located on a road right-of-way, the first two floors adjacent to the right-of-way shall be lined with a permitted building type for the planning area in which it is located. New Text: When above-ground structured parking is located on a road right-of-way, the first two floors adjacent to the right-of-way shall be lined with a permitted building type for the planning area in which it is located. If the structured parking fronts multiple rights-of-ways or pedestrian ways, the Planning Director may determine a hierarchy and the extent to which buildings shall line each.	
SECTION 14 – ADMINISTRATION & PROCEDURES				
14-2	14.3.E	TYPES OF DEVELOPMENT PROPOSALS – MASTER PLAN	The description of the Master Plan should be revised to include language consistent with the definition included in Section 16, which clarifies that this means a plan for more than two buildings.	Revise the description of Master Plan to be consistent with Section 16 and more clearly identify what qualifies as a Master Plan.
TEXT CHANGES			Old Text: Any development subject to this Ordinance not clearly falling under one of the categories listed in this section. New Text: E. Master Plan: A plan depicting more than two principal buildings on a single lot, buildings planned concurrently as part of the same development process, or any development subject to this ordinance not clearly falling under one of the categories listed in this section.	
14-2	14.3	TYPES OF DEVELOPMENT PROPOSALS	The DPO should be updated to reference and describe the required Meck. County Site Plan Improvement Process, which requires pre-	<ul style="list-style-type: none">▫ Revise the DPO to reference and describe Meck. County’s Site Plan Improvement Process.▫ Revise the DPO to reference informal, in-

14-2	14.3	TYPES OF DEVELOPMENT PROPOSALS	<p>submittal meetings and checklists to be completed by all stakeholders prior to document submission. Additionally, it should include reference to an in-house charrette, which affords project teams the opportunity to informally work through pre-concept site designs prior to submission of formal documentation – a practice that can lead to consensus plans and lessen the number of reviews required in EPM.</p>	house charrettes as a means to flesh out initial plans and build consensus amongst staff, the project team, and additional stakeholders, as needed.
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [Below 14.3.F Individual Building] Development proposals are required to follow the processes outlined in this ordinance, as applicable, as well as Mecklenburg County processes, as applicable. This includes the Town & County Site Plan Review Process and all required meetings and documentation associated with this process. Additionally, the Planning Director may deem it necessary for an informal charrette with Planning Dept. staff and additional parties to be conducted during the conceptual design phase of a development proposal prior to application submission or participation in a Public Input Session or Work Session, depending on the process.</p>	
14-2	14.4	PUBLIC INPUT SESSION	The text should be modified to include scope for the Planning Director to require a Public Input Session for select project proposals, including Map Amendments.	Revise the text to provide scope for the Planning Director to require a Public Input Session for Map Amendments.
TEXT CHANGES			<p>Old Text: [First Sentence] The Planning Director may deem it necessary for a public input session to be conducted before a development proposal can be approved.</p> <p>New Text: [First Sentence] The Planning Director may deem it necessary for a public input session to be conducted before a development proposal or map amendment can be approved.</p>	
14-25	14.15	REQUIRED DOCUMENTS FOR DEVELOPMENT PROPOSALS	Documentation submitted for review as part of development proposals is often incomplete, illegible, and poorly organized, leading to confusing plan sets and longer project	Revise DPO to include reference to documentation standards, including US National CAD Standard and Master Format.

			review times. The DPO should be revised to clarify industry-standard documentation practices are required for all submitted documents.	
TEXT CHANGES			<p>Old Text: N/A [DNE]</p> <p>New Text: [Last Sentence] All project documentation must meet the latest versions of the US National CAD Standard and Master Format standards. Project documentation deemed non-compliant with these standards shall be subject to revisions prior to document approval.</p>	
14-27	14.15.2.L	MASTER PLAN: LANDSCAPE SCHEMATIC DESIGN	The list following Landscape Schematic Design has incorrect formatting in which the introductory statement and ensuing list are not appropriately distinguished but run together.	Revise DPO to create separation between 14.15.2.L and the following text, with Items M-P being clearly distinguished as a separate list per 8.3.N-O in 2009 DPO.
TEXT CHANGES			<p>Old Text:</p> <p>L. Landscape Schematic Design: Per Section 14.15.5 In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p> <p>M. Environmental Impact Statement: If required...</p> <p>New Text:</p> <p>L. Landscape Schematic Design: Per Section 14.15.5.</p> <p>In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p> <p>M. Environmental Impact Statement: If required...</p>	
14-29	14.15.7.J	SITE SCHEMATIC DESIGN: LANDSCAPE SCHEMATIC DESIGN	The list following Landscape Schematic Design has incorrect formatting in which the introductory statement and ensuing list are not appropriately distinguished but run together.	Revise DPO to create separation between 14.15.7.J and the following text, with Items K-N being clearly distinguished as a separate list per 8.3.N-O in 2009 DPO.
TEXT CHANGES			<p>Old Text:</p> <p>J. Landscape Schematic Design: Per Section 14.15.5 In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p>	

TEXT CHANGES			<p>K. Environmental Impact Statement: If required...</p> <p>New Text:</p> <p>J. Landscape Schematic Design: Per Section 14.15.5.</p> <p>In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p> <p>K. Environmental Impact Statement: If required...</p>	
14-32	14.15.8.N	SITE SCHEMATIC DESIGN: LANDSCAPE SCHEMATIC DESIGN	The list following Landscape Schematic Design has incorrect formatting in which the introductory statement and ensuing list are not appropriately distinguished but run together.	Revise DPO to create separation between 14.15.8.N and the following text, with Items O-S being clearly distinguished as a separate list per 8.4.U-Z in 2009 DPO.
TEXT CHANGES			<p>Old Text:</p> <p>N. Building Elevations: ...visible from public streets.</p> <p>In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p> <p>O. Non-Public Water and Sewer Systems: Where a proposed water...</p> <p>New Text:</p> <p>N. Building Elevations: ...visible from public streets.</p> <p>In addition to the required information listed on the previous page, the following information may be required by the Planning Director on discretionary, site-specific bases if necessary:</p> <p>O. Non-Public Water and Sewer Systems: Where a proposed water...</p>	
14-41	14.21.3	REQUIRED PLANS & PUBLIC NOTIFICATION	The current DPO text does not distinguish between different types of Map Amendments (i.e. rezonings), which can lead to disparity in mailing requirements for different proposals and is inconsistent with the DPO mailing requirements for Public Input Sessions.	Revise the DPO text to distinguish noticing requirements between singular/minor rezonings that require the mailing of properties within 1,320 feet and rezonings of more than five properties or ten acres, which would require noticing of adjacent properties and those within 100' of adjacent properties, per the DPO's current Public Input Session notice requirements. Both standards exceed state

				statutory noticing requirements.
TEXT CHANGES			<p>Old Text: The petitioner shall also prepare a list of the owners of all properties within 1320 feet of the property for which the planning area change is requested and provide said list to the Planning Director. The petitioner shall obtain from the Planning Director a copy of the legal notice for public hearing at which the request is to be considered; and shall return copies to the Planning Director in stamped envelopes properly addressed to all property owners on the list described above no later than twenty five working days prior to the date of the public hearing. The Planning Director shall mail these copies of the legal notice to the property owners no later than ten days prior to the date of the public hearing. The Planning Director shall also place a sign or other legible notice on the property on which the planning area change is requested at least ten days before the public hearing.</p> <p>New Text: The petitioner shall also prepare and distribute public notices of the Map Amendment according to the following:</p> <ul style="list-style-type: none"> A. If the proposal involves less than five properties or ten acres, the petitioner shall mail all properties within 1,320 feet of the subject properties. If the proposal involves five or more properties or ten or more acres, the petitioner shall mail adjacent properties and those properties within 100' of adjacent properties, as defined by this ordinance. B. The petitioner shall provide a list to the Planning Director of the owners of all properties required to be mailed under 14.21.3.A. C. The petitioner shall obtain from the Planning Director a copy of the legal notice for public hearing at which the request is to be considered; and, shall return copies to the Planning Director in stamped envelopes properly addressed to all property owners on the list described above no later than twenty five working days prior to the date of the public hearing. D. The Planning Director shall mail these copies of the legal notice to the property owners no later than ten days prior to the date of the public hearing. E. The Planning Director shall also place a sign or other legible notice on the property on which the planning area change is requested at least ten days before the public hearing. 	
14-42	14.21.3	REQUIRED PLANS & PUBLIC NOTIFICATION	The text should be modified to include scope for the Planning Director to require a Public Input Session for select project	Revise the text to provide scope for the Planning Director to require a Public Input Session for Map Amendments.

			proposals, including Map Amendments.	
TEXT CHANGES			Old Text: N/A [DNE] New Text: [Last Sentence] Additionally, at the Planning Director’s discretion, a Public Input Session in accordance with ordinance provisions may be required as part of the Map Amendment approval process.	
SECTION 16 – DEFINITIONS				
16-11	16.3	DEFINITIONS, F	The ordinance language must be updated to be consistent with statewide legislation regarding building massing.	Include language that identifies the façade based on building massing elements.
TEXT CHANGES			Old Text: The exterior wall of the building that contains the main building entrance and faces the primary publically-accessible right-of-way, pedestrian way, or open space. New Text: Façade, Front: The widest portion of the building elevation on the first floor encompassing habitable, conditioned space and facing the primary publicly-accessible right-of-way, pedestrian way, or open space. For the definition of Habitable Space, see the NC Building Code.	
16-15	16.3	DEFINITIONS, L	The DPO now includes a reference to dual-frontage lots, which must be defined.	Provide a definition for dual-frontage lots.
TEXT CHANGES			Old Text: N/A [DNE] New Text: Lot Types, 2. Dual-Frontage: An interior lot with parcel frontage on two separate streets or rights-of-way.	
16-16	16.3	DEFINITIONS, M	The description of the Master Plan should be revised to include language consistent with the definition included in Section 14, which clarifies that this means a plan for more than two buildings.	Revise the description of Master Plan to be consistent with Section 14 and more clearly identify what qualifies as a Master Plan.
TEXT CHANGES			Old Text: Master Plan: A plan depicting 1) more than two buildings on a single lot, or 2) subdivision of land that is not a low impact, conservation, or exempt subdivision. New Text: Master Plan: A plan depicting more than two principal buildings on a single lot, buildings planned concurrently as part of the same development process, or any development subject to this ordinance not clearly falling under one of the categories listed in Section 14.	

2. PUBLIC PLANS AND POLICIES

The proposed text changes are consistent with the existing policy and ordinance frameworks adopted by the town. Most changes involve the improvement or clarification of text, or the inclusion of items inadvertently missed in the drafting of the original ordinance. All proposed changes meet the requirements set forth in Davidson Planning Ordinance 1.5.1 Implementation of Adopted Plans & Policies: “Any amendments to, or actions pursuant to, this ordinance should be consistent with these adopted plans and policies, as amended.”

3. STAFF RECOMMENDATION

The proposed changes aim to: 1. Provide additional clarification pertaining to words or phrases utilized in the ordinance text; 2. Align the ordinance text with statewide legislation passed since the DPO was approved by the Board of Commissioners and came into effect on May 1, 2015; and, 3. Include in the ordinance items inadvertently missed in the drafting of the original ordinance or subsequent amendments. Specific explanations are provided in the table above. These changes are recommended for approval in order to accurately reflect the adopted Planning Area standards for each parcel.



MEMO

Date: January 10, 2017
To: Board of Commissioners
From: Jason Burdette, Planning Director
Re: Davidson Planning Ordinance Proposed Text & Map Amendments, Staff Analysis

1. MAP AMENDMENTS

MAP CHANGES – PLANNING AREAS

The following table describes the proposed change to the Town of Davidson Planning Areas map, located on the Davidson Planning Ordinance's second page (before the Table of Contents). The reason for the listed change is due to an illustration error discovered since the map was approved by the Board of Commissioners and came into effect on May 1, 2015.

1. 19905 Davidson-Concord Road: Markham Property

Parcel ID	Exhibit Number	Current Planning Area	New Planning Area
00728105	N/A	Conditional Planning Area	Neighborhood General
<i>Reason: The land was incorrectly illustrated as Conditional Planning Area due to a mapping error that occurred in late 2007. This error inadvertently mapped the Markham Property as Conditional, just like Westmoreland Farm to the north and northwest, when it should have been Rural. The amendment to the Davidson Planning Ordinance effective May 1, 2015, rezoned all Rural Planning Area properties adjacent to the Markham property to Neighborhood General. Therefore, the Map Amendment proposes to rectify this error and make the property consistent with the neighboring properties to the southwest, as intended in 2015.</i>			

2. PUBLIC PLANS AND POLICIES

The proposed map change is consistent with the existing policy and ordinance frameworks adopted by the town. All proposed changes meet the requirements set forth in Davidson Planning Ordinance 1.5.1 Implementation of Adopted Plans & Policies: "Any amendments to, or actions pursuant to, this ordinance should be consistent with these adopted plans and policies, as amended."

3. STAFF RECOMMENDATION

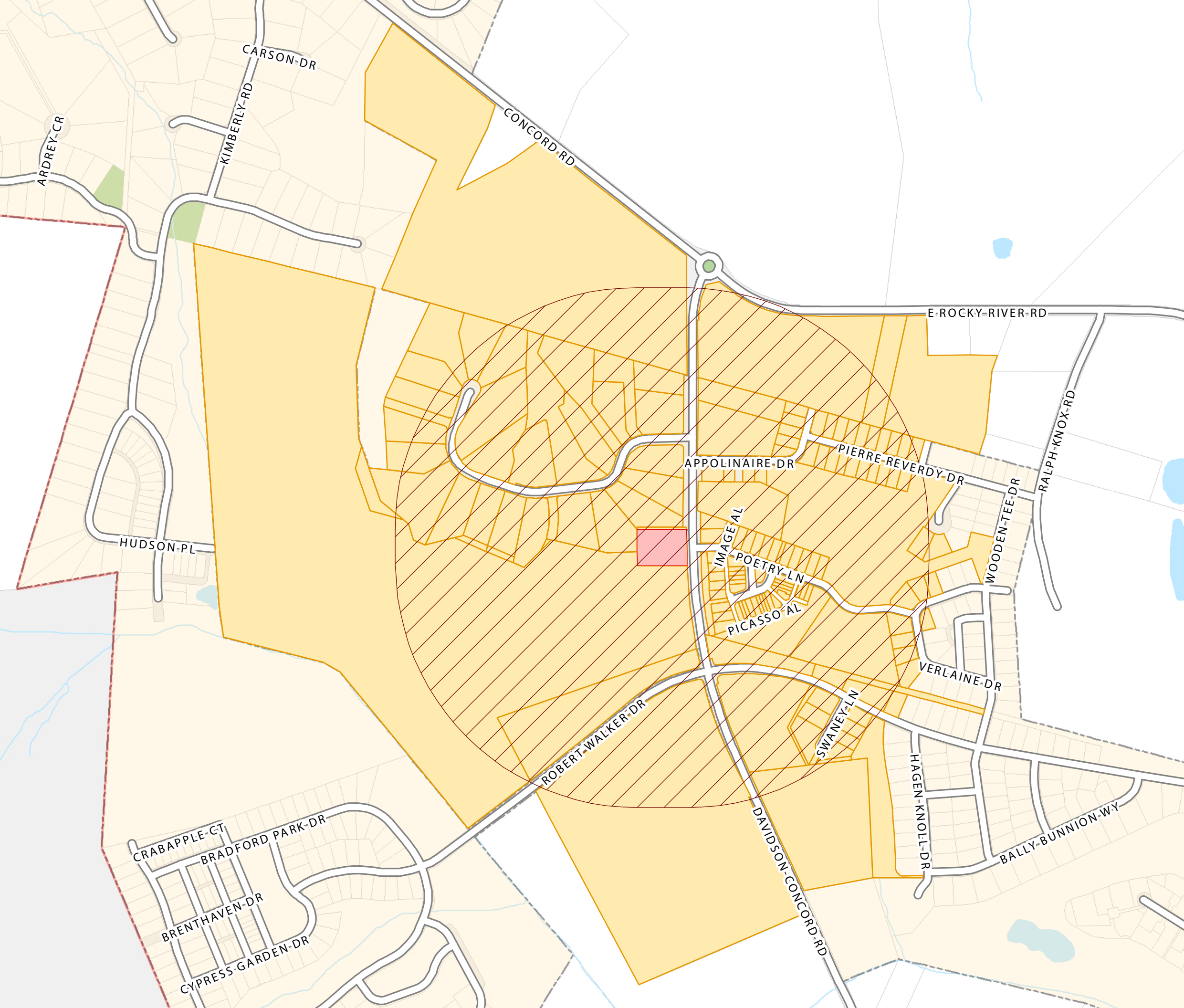
MAP CHANGES – PLANNING AREAS

As noted above, the proposed change is due to an illustration error discovered since the map was approved by the Board of Commissioners and came into effect on May 1, 2015. The reason for the

change is listed in the table above. This change is recommended for approval in order to accurately reflect the intended Planning Area standards for the parcel.

4. EXHIBITS & RESOURCES

- Map: “Map Amendment – 00728105”
- Resources: Davidson Planning Ordinance, <http://www.townofdavidson.org/1006/Planning-Ordinance>.






MAP AMENDMENT - 00728105

A Map of parcels within 1,320 sq ft from the Proposed Map Amendment property.

The property is changing from Conditional Planning Area to Neighborhood Edge Planning Area.



MAP AMENDMENT

-  1,320 SQ FT Buffer
-  Parcel: 00728105
-  Parcels Within 1,320 SQ FT

STREETS / RAIL

-  Rail
-  Interstates
-  Streets




WATER FEATURES

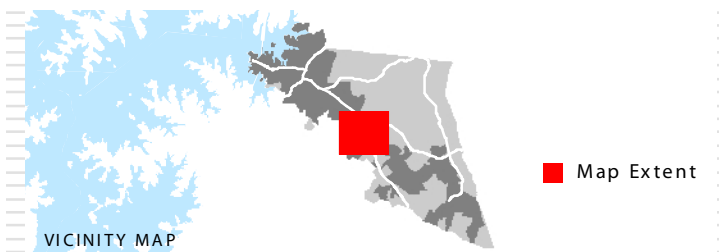
-  Lakes and Ponds
-  Creeks and Streams

LAND USE

-  Parks
-  Parcels

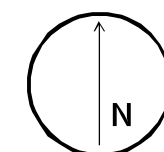
BOUNDARIES

-  Town of Davidson
-  Sphere of Influence / ETJ
-  County Boundary



TOWN OF DAVIDSON

MECKLENBURG COUNTY, NORTH CAROLINA



0 500 Feet

1 inch = 500 Feet

Date: 12/13/2016
DATA SOURCES:
NC One Map
Mecklenburg County
Town of Davidson

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Agenda Title: Consider Ordinance Variance Request: Davidson College

Summary: Davidson College is requesting the noise ordinance variance on June 10th, 2017 for the annual alumni celebration,

ATTACHMENTS:

Description	Upload Date	Type
□ Noise Ordinance Request	1/18/2017	Cover Memo



January 4, 2017

Town of Davidson Board of Commissioners
216 South Main Street
Davidson, NC 28036

Dear Board of Commissioners,

Each June, after the students have completed their spring semester, Davidson College hosts Alumni Reunion Weekend. This year Reunion Weekend will take place on June 9-11, 2017. The program typically begins Friday around 1 p.m. and ends at Noon on Sunday. Alumni celebrating their 5th- 60th reunions come back to enjoy a weekend of fellowship with classmates, experience the beauty that is the Davidson campus, and re-engage with the college and Davidson community. The number of alumni and their families who travel for this unique program continues to increase each year. In 2016, our most recent reunion, we had just under 1,900 people return to campus.

The goals of Reunion Weekend include reconnecting alumni with the college and each other so they will continue to be advocates for Davidson. Alumni return for many reasons including nostalgia, desire to see faculty, staff, and old friends, to return to campus and to learn about current and future priorities of the college. To accomplish these goals, programs offered throughout the weekend include opportunities to be back in the classroom, a discussion with President Carol Quillen, social gatherings with other classmates and time to enjoy the Town of Davidson. Many area hotels, restaurants and businesses offer discounts and work with us to accommodate the increased number of people in town utilizing these venues during the weekend.

One suggestion that has repeatedly surfaced each year is the desire to incorporate live music and dancing after the class year dinners. Class dinners take place on Saturday evening from approximately 6-10 p.m. These dinners vary in size from 40 people to 250 people, depending on how many have returned for the weekend from a particular class. Davidson College has limited indoor venues to accommodate all these dinners simultaneously and, therefore, erects several outdoor tents.

This year we would like to offer a late-night party, on Saturday, June 10, 2017 that would take place under a tent and include a cash bar, music and a dance floor as well as a space to continue visiting. Saturday class dinners would be scheduled from 6-9 p.m. or 7-10 p.m., rolling into the late-night party which would take place from approximately 9 p.m. - 1 a.m. The late-night event would be held near the Union, under a tent on the grassy area by the old tennis courts. We would hire a cover (wedding) band that would play music for everyone to enjoy. Recognizing this would affect town neighbors, we would plan to notify residents accordingly. Classes are not in-session on the Davidson campus and Charlotte Mecklenburg schools will be out. We submit this application in hopes of lifting the town noise ordinance for this event on Saturday, June 10.



We appreciate your consideration of this request and would be happy to answer any questions you have.

Sincerely,

A handwritten signature in black ink that reads "Marya Howell".

Marya Howell '91
Director of Alumni Relations
(704) 894-2642
mahowell@davidson.edu



Agenda Title: Consider Ordinance No. 2017-01 - Create a Capital Project Fund for the Planning and Construction of Public Facilities

Summary: Ordinance No. 2017-01 creates a Capital Project Fund to be used for the Planning and Construction of a Public Facilities Project.
Phase 1 of the project will encompass survey, architectural and site design consulting, and public information expenditures.

ATTACHMENTS:

Description	Upload Date	Type
❏ Ordinance 2017-01	1/23/2017	Cover Memo

ORDINANCE NO 2017-01

ADOPTION OF A CAPITAL PROJECTS ORDINANCE
for the
Planning and Construction of Municipal Facilities

BE IT ORDAINED by the Board Commissioners of the Town of Davidson, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is the planning and construction of municipal facilities to be financed by the installment financing and reserves.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Architecture	\$ 279,000
Surveying	20,000
Public Information and Citizen Engagement	<u>7,500</u>

Total appropriations: \$ 306,500

Section 4: The following revenues are anticipated to be available to complete this project:

General Fund - Fund Balance	<u>\$ 306,500</u>
-----------------------------	-------------------

Total estimated revenues: \$ 306,500

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of any financing agreement.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7: The Finance Officer is directed to report on the financial status of each project element in Section 3 in the monthly financial reporting package to the Board of Commissioners.

Section 8: Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 24th day of January, 2017

ATTEST

John M. Woods, MAYOR

Carmen Clemsic, TOWN CLERK



Agenda Title: Consider Budget Amendment BA 2017-12: Public Facilities Project Fund

Summary: BA2017-12 Appropriates General Fund - Fund Balance to the Public Facilities Project Fund. Provides budget authority for Phase 1 of the Public Facilities Project, which includes survey, architecture and site design consulting, and public outreach expenditures.

ATTACHMENTS:

Description	Upload Date	Type
BA2017-12	1/23/2017	Cover Memo

AMENDMENT TO THE BUDGET ORDINANCE

BE IT ORDAINED by the Governing Board of the Town of Davidson, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2017:

Section 1: To amend the General Fund, the appropriations are to be changed as follows:

<u>Acct. No.</u>	<u>Account</u>	<u>Decrease</u>	<u>Increase</u>
10-00-4190-580	Capital Outlay – Building		\$ 306,500.00

Budgeted expenditures will be transferred to the Public Facilities Project Fund to fund the cost of Phase I of the project.

Section 2: To amend the General Fund, the estimated revenues are to be changed as follows:

<u>Acct. No.</u>	<u>Account</u>	<u>Decrease</u>	<u>Increase</u>
10-00-3990-980	Fund Balance Appropriated		\$ 306,500.00

Section 3: To amend the Public Facilities Project Fund, the appropriations are to be changed as follows:

<u>Acct. No.</u>	<u>Account</u>	<u>Decrease</u>	<u>Increase</u>
40-00-4190-400	Design		\$ 299,000.00
40-00-4190-440	Contract Services		\$ 7,500.00

Budgeted expenditures will fund the costs of design and public outreach in phase I of the project

Section 4: To amend the Public Facilities Project Fund, the estimated revenues are to be changed as follows:

<u>Acct. No.</u>	<u>Account</u>	<u>Decrease</u>	<u>Increase</u>
40-00-3902-000	Contribution From General Fund		\$ 306,500.00

Section 5: Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 24th day of January, 2017



Agenda Title: Rural Area Plan Update - Planning Director Jason Burdette

Summary: Discuss Rural Area Plan implementation.

ATTACHMENTS:

Description		Upload Date	Type
❏	RAP Map Amendments Presentation	1/20/2017	Presentation
	RAP FAQ	1/24/2017	Backup Material

RAP AMENDMENTS SUMMARY – OVERVIEW

TOPICS COVERED

1. **Updated Schedule**
2. **FAQs from 1/10/17 BOC Meeting**
3. **Amendment Summary: Planning Areas Overview**
4. **Amendment Summary: Rural Reserve**
5. **Amendment Summary: Rural Planning Area**
6. **Amendment Summary: Neighborhood Services**
7. **Amendment Summary: Neighborhood General**
8. **Amendment Summary: Neighborhood Edge**
9. **Amendment Summary: Scenic Byway Overlay District**
10. **Amendment Summary: Neighborhood Services Overlay District**



RAP IMPLEMENTATION – UPDATED SCHEDULE

EVENTS

- **Individual Citizen Meetings [On-Going]**
- **Coffee Chat 1/23 @ 9:00 am [Citizen Q&A]**
- **BOC Work Session 1/24 @ 6:00 pm [FAQ Update]**
- **Planning Board Review 1/30 @ 6:00 pm [Recommendation]**
- **Public Open House, Hopewell Baptist Church 2/4 @ 9:00 am [Citizen Q&A]**

**Upcoming events listed in the Timeline section on RAP website:*

www.townofdavidson.org/ruralareaplan



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

BOC 1/10/17 – FREQUENTLY ASKED QUESTIONS

HIGHLIGHTS

- Can we “lock in” the RAP standards without rezoning?
- What does “by-right” development mean?
- Why rezone now? What are the risks of not rezoning now?
- Why not let everything be conditional rezoning?
- What are the benefits of implementing the plan?
- Will implementing the plan encourage development?

**Full FAQs document available on RAP website:*

www.townofdavidson.org/ruralareaplan



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

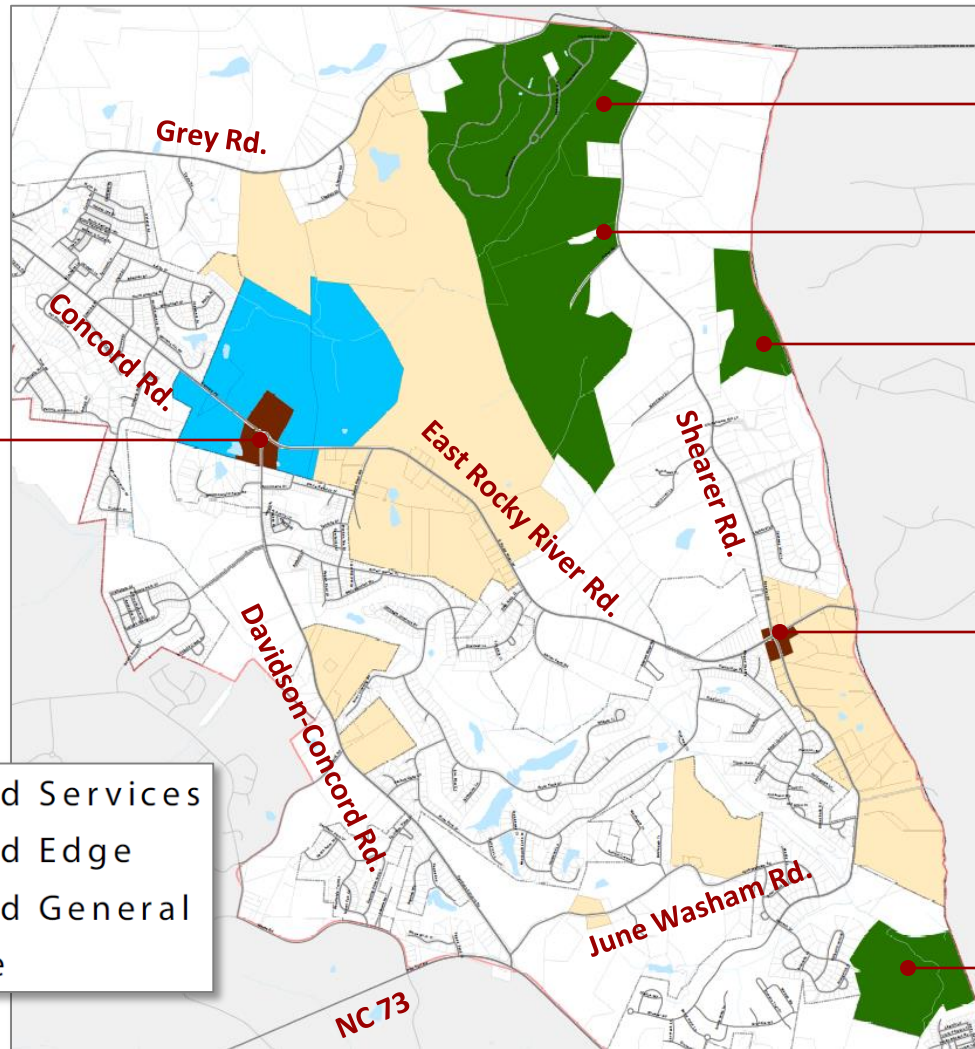
RAP AMENDMENTS: OVERVIEW

HIGHLIGHTS

- 30+ Year Vision
- Context-Based
- Consistent
- 2,048 ac. (1,362 ac. – Once Parks Removed)

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

	Neighborhood Services
	Neighborhood Edge
	Neighborhood General
	Rural Reserve



Allison Farm

Fisher Farm

Rocky River Bluff
NP

Intersection:
E. Rocky River Rd.
Shearer Rd.

West Branch NP



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

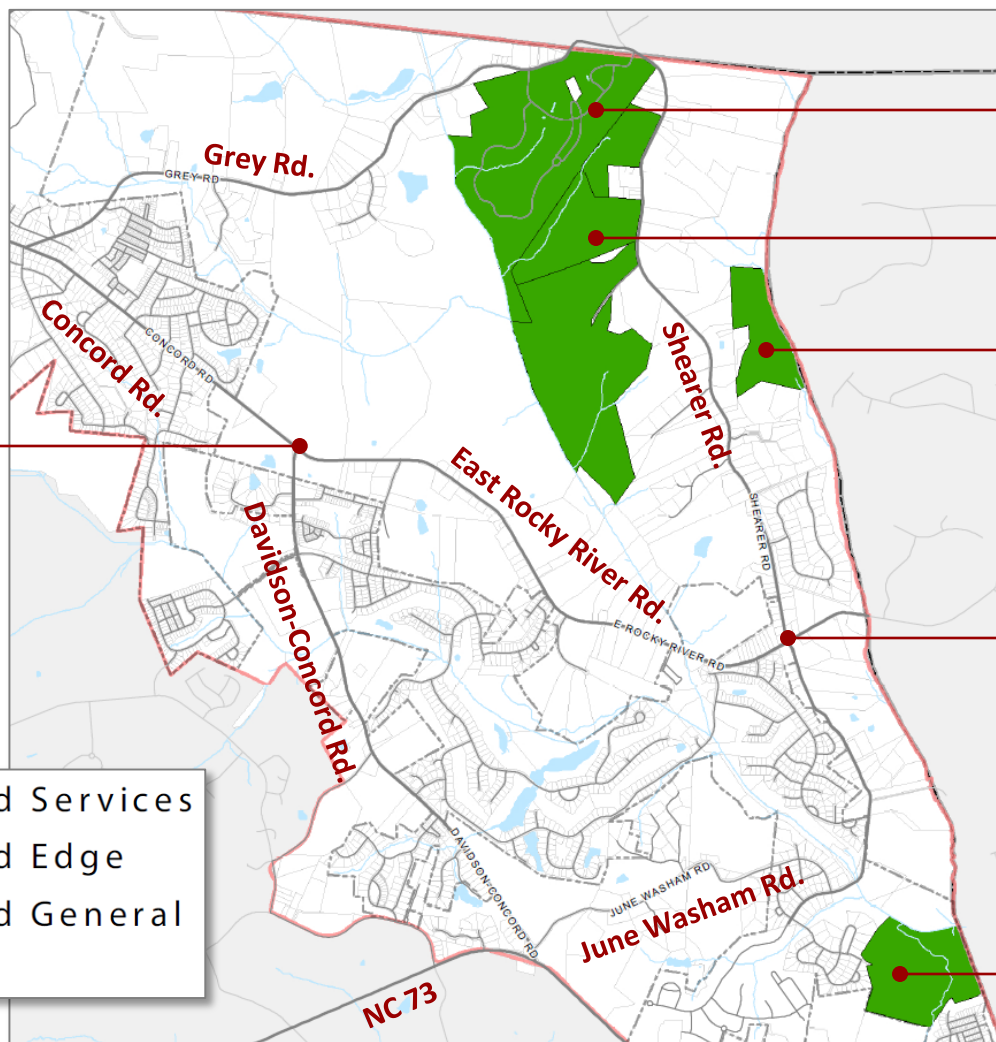
RAP AMENDMENTS: RURAL RESERVE

HIGHLIGHTS

- Land Not Developed
- Parks/Conservation
- 686 ac.

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

	Neighborhood Services
	Neighborhood Edge
	Neighborhood General
	Rural Reserve



Allison Farm

Fisher Farm

Rocky River Bluff
NP

Intersection:
E. Rocky River Rd.
Shearer Rd.

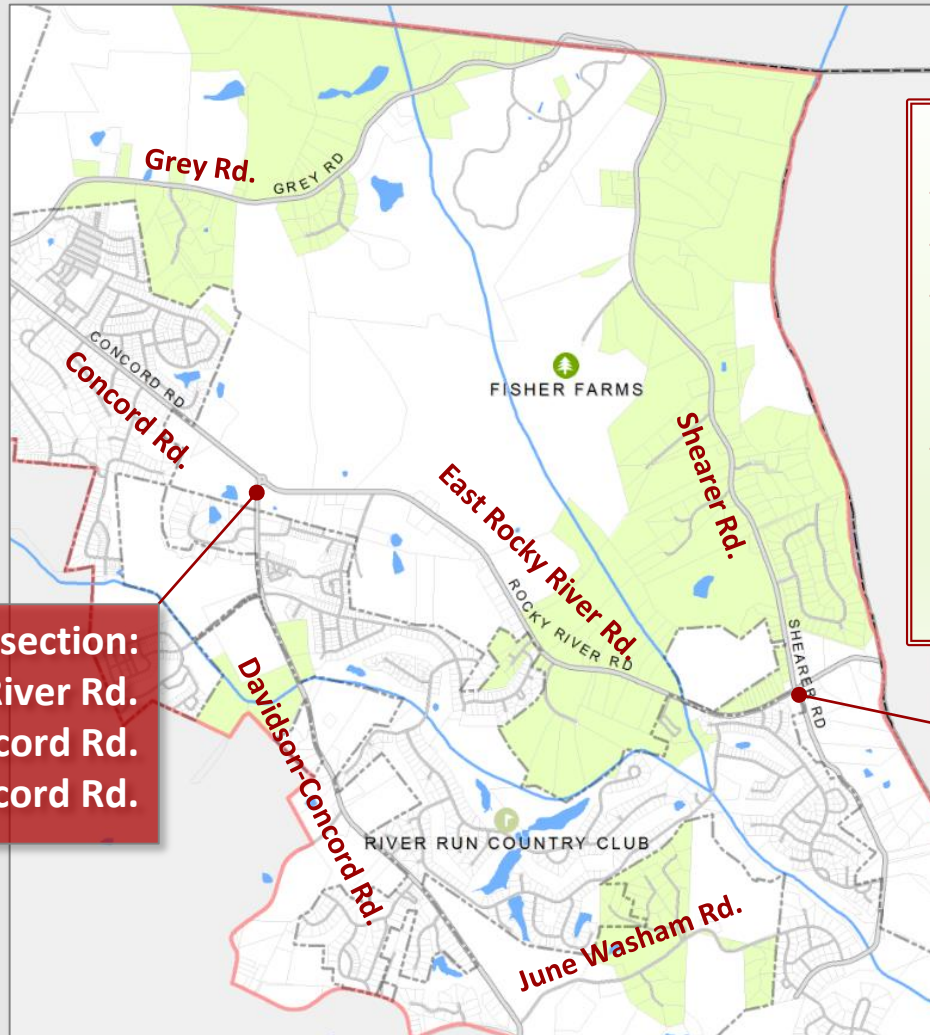
West Branch NP



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

RAP AMENDMENTS: FUTURE RURAL PLANNING AREA



HIGHLIGHTS

- Remaining Rural Planning Area
- 1,733 ac.
- Now:
 - 1 du/2 ac (6 max.) 40% OS, or
 - 2 du/ac, 40% OS
- Proposed:
 - 1 du/2 ac (16 max.) 40% OS, or
 - 1 du/ac 70% OS, with 50% OS on-site (Max. 20% off-site)

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

Intersection:
E. Rocky River Rd.
Shearer Rd.



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

RAP AMENDMENTS: NEIGHBORHOOD SERVICES

HIGHLIGHTS

- Mixed-Use
- Small-Scale
- Placemaking
- 29 ac.
 - Barger: 23 ac.
 - ERR/Shearer: 6 ac.

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

	Neighborhood Services
	Neighborhood Edge
	Neighborhood General
	Rural Reserve



South Main St.

Intersection:
E. Rocky River Rd.
Shearer Rd.



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

RAP AMENDMENTS: NEIGHBORHOOD GENERAL



Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.



St. Alban's

HIGHLIGHTS

- Residential Variety
- Cohesive, Walkable
- Public Spaces
- 20% Open Space
- 253 ac.



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

RAP AMENDMENTS: NEIGHBORHOOD EDGE

HIGHLIGHTS

- Consistent, Transition
- 90% Single-Family
- 10% 2-4 Unit (DRB)
- Lot Size Variety
- 40% Open Space

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

	Neighborhood Services
	Neighborhood Edge
	Neighborhood General
	Rural Reserve



St. Alban's, The Woodlands,
& Park Place

Intersection:
E. Rocky River Rd.
Shearer Rd.



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
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January 24, 2017

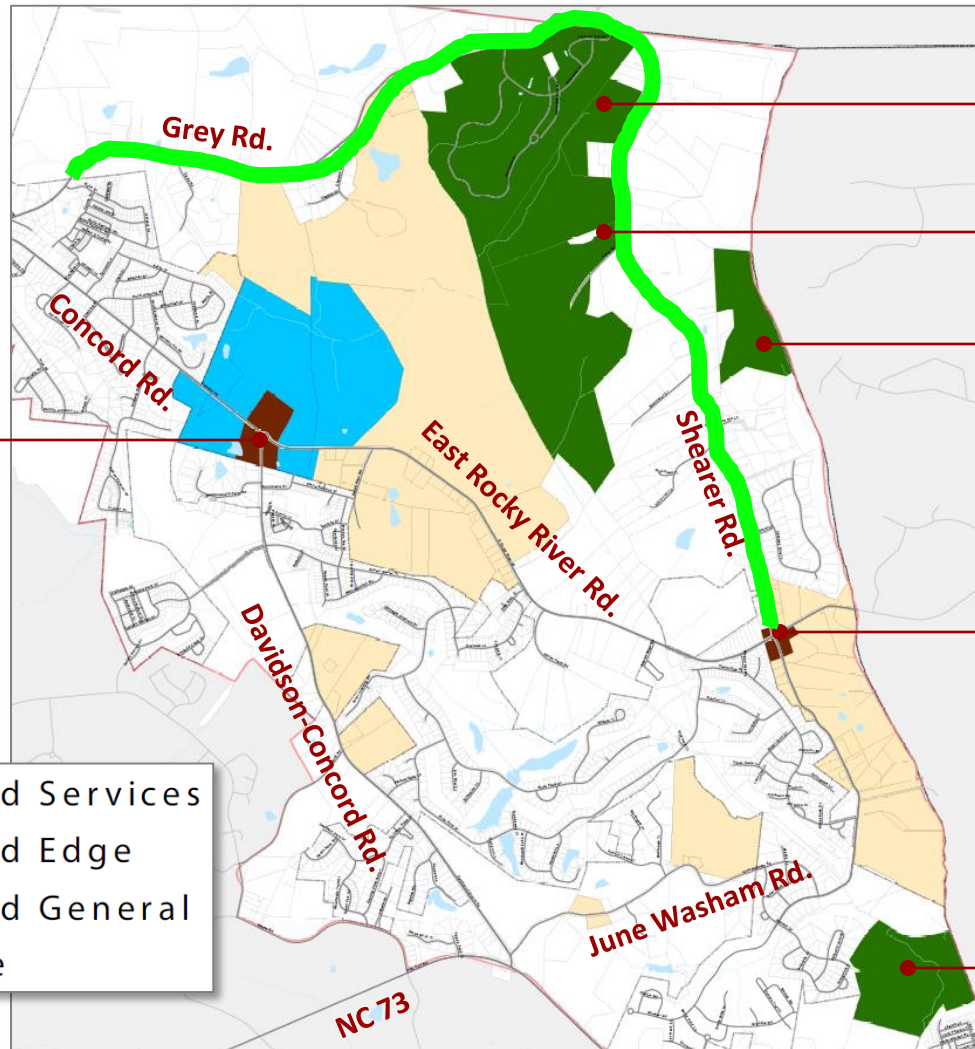
RAP AMENDMENTS: SCENIC BYWAY OVERLAY

HIGHLIGHTS

- *Preserve Rural Features*
- *Development Setbacks*
- *Fencing Standards*
- *Greenway Construc./ Contribution*

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.

	Neighborhood Services
	Neighborhood Edge
	Neighborhood General
	Rural Reserve



Allison Farm

Fisher Farm

Rocky River Bluff
NP

Intersection:
E. Rocky River Rd.
Shearer Rd.

West Branch NP



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

RAP: NEIGHBORHOOD SERVICES OVERLAY

HIGHLIGHTS

- Pitched Roofs
- Height Max. 37'
- Ground Floor Retail w/in 100' Intersection
- DRB Review Required
- Precedents RAP Pg. 91

Intersection:
E. Rocky River Rd.
Dav.-Concord Rd.
Concord Rd.



Village-Scaled, Mixed-Use

Intersection:
E. Rocky River Rd.
Shearer Rd.



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

BOARD OF COMMISSIONERS QUESTIONS



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Rural Area Plan – Implementation Summary
Board of Commissioners Work Session
Jason Burdette, Planning Director
Trey Akers, RAP Project Manager
January 24, 2017

Rural Area Plan: Frequently Asked Questions

1/20/17

These questions include responses to questions asked at the Board of Commissioners meeting on 1/10/17 as well as general information about the Rural Area Plan and process. Abbreviations are used as follows: Rural Area Plan (RAP); Davidson Planning Ordinance (DPO).

I. OVERVIEW

RURAL AREA PLAN

1. What is the Rural Area Plan?

Response: It is a “small area plan” that covers approximately 3,800 acres of land in the Town’s Extraterritorial Jurisdiction (ETJ), a mainly rural landscape interspersed with discontinuous subdivisions and a sparse transportation network. The ETJ refers to land area that is outside of the Town limits but within Davidson’s planning jurisdiction. Its current regulations permit uncoordinated, low-density development that presents serious land, transportation, and environmental concerns in the near future. The plan seeks to address these challenges in a proactive way. The Rural Area Plan was adopted by the Board of Commissioners on September 13, 2016 after a 12-month period of dedicated public outreach and input.

2. What is the Rural Area Plan’s vision?

Response: The plan promotes Davidson’s interrelated values of open space preservation, connectivity, and walkable neighborhoods. It increases the requirements for open space preservation and street/greenway connectivity as part of individual development projects, actions that will provide neighborhoods consistent with this Town’s high standards. Overall, even in the face of significant development pressure both within and adjacent to the Town, the plan targets 57% of the current rural area to be set aside as publicly-accessible, interconnected open space – a remarkable feat for any community.

3. What's the difference between the 2010 Comprehensive Plan, the 2015 Davidson Planning Ordinance + Rezoning, and the RAP Small Area Plan?

Response: These documents are distinct but work together to achieve our Town goals. The biggest difference is that the Comprehensive Plan and RAP are policies, sets of aspirations and guidelines that assist decision-makers in planning efforts. The DPO is the document that contains the rules and regulations for development; it reflects the vision of the policy documents but it is legally-enforceable (unlike adopted plans). For example, one of the RAP’s goals states “Continue to support open space preservation through the development process.” The DPO specifically lists the requirement that makes this goal enforceable [Table 2-43]: “...Neighborhood Edge properties, 40% of the land area must be set aside as publicly-accessible open space and protected from development.”

Continuing, the Comprehensive Plan was adopted in 2010. This document encompasses the entire Town’s land area and governmental scope, is updated roughly every five to ten years, and covers many topics ranging from economic to social, civic, and environmental policies. In 2015, a revised Davidson Planning Ordinance was adopted and, as required by state statute, an updated zoning map was included as part of that document. The 2015 DPO (i.e. current) reflects the

Comprehensive Plan's aims and includes updated information based on events occurring since the Comprehensive Plan's 2010 approval. The Rural Area Plan is a small area plan, which refers to a policy document that covers a specific geographic area within the Town's jurisdiction, with recommendations for implementation.

RURAL AREA PLAN - PROCESS

4. What was the process for developing the Rural Area Plan?

Response: In the fall of 2015 the town hosted a four-day "charrette," a design-based, collaborative event that included a public kick-off meeting followed by several days of intensive work. The process produced conceptual plans illustrating potential land use outcomes, with citizens reviewing the plans multiple times at daily review sessions. The final conceptual plans provide the basis for the plan's policy recommendations. Citizens were encouraged to attend the kick-off meeting, review sessions, and stop by the "design studio" at Davidson Town Hall to share their feedback. All meetings were open to the public and a copy of the [Charrette Schedule](#) was posted publicly through various media platforms. The draft recommendations (including proposed rezonings) were presented on December 9, 2015 and discussed at four public meetings between May and September 2016. Additionally, since the Board of Commissioners approved the plan in September 2016 the plan's implementation (i.e. text changes and rezonings) has been discussed at three public meetings in the fall of 2016.

5. How were people notified?

Response: All information related to the plan has been posted on the project's dedicated webpage since the project's inception: www.townofdavidson.org/ruralareaplan.

In October 2015 the Town of Davidson reached out to rural area landowners via postal mail to make them aware of the process so that they could share information at various events. Since then project updates have been communicated via a variety of channels including social media platforms, Town news emails/listserves, and the Town website – including a dedicated Rural Area Plan webpage. Additionally, the Town Message newsletter featured updates about the plan in each of its quarterly publications (Fall 2015, Winter 2016, Spring 2016, Summer 2016, Fall 2016); this newsletter is mailed to all households in Davidson's planning jurisdiction, which is approximately 7,800 households. The [Charlotte Observer](#) also ran an article on the plan in early January, 2016.

More recently, in May 2016 all citizens were invited to participate in the Public Comment Period, which was announced via several of the aforementioned channels. This period ran from May-June 2016 and citizens were invited to comment on the draft plan. Throughout and even after the Public Comment Period, staff continued to meet with citizens to answer questions, solicit feedback, and incorporate their ideas into the plan.

In December 2016 the Town of Davidson mailed a public notice to all affected property owners as determined by state statute. The letter directed citizens to a dedicated webpage describing the proposed text changes and rezonings. This was followed by an open house on January 5, 2017 in which citizens were invited to come learn about the plan and its implementation.

6. What are the next steps?

Response: Town staff and elected officials are working to implement the plan adopted in September 2016. This means making written changes to the DPO ("text amendments"), and changing its zoning maps as well ("map amendments"). The Board of Commissioners held a public hearing regarding these changes on January 10, 2017. Staff and elected official heard from a lot of

citizens at that meeting. Currently, staff is working to address questions asked by citizens at the January 10th hearing by meeting with citizens individually, producing supplementary information, and participating in/devising additional public meetings for citizens to ask questions.

Other upcoming opportunities to learn about the implementation include: The Davidson Coffee Chat on January 23, 2016; the Board of Commissioners meeting on January 24, 2016; and a Q&A meeting with citizens at Hopewell Baptist Church on Saturday, February 4, 2017 at 9:00 am. Ultimately, the Board of Commissioners will vote on the proposed changes – potentially in March.

II. ZONING

7. How much land is in the study area?

Response: The study area encompassed the current Rural Planning Area, which is about 3,800 acres. For more information see RAP Map 2.3 Rural Planning Area Boundaries & Natural Features.

8. How much land is proposed for rezoning?

Response: The plan's recommendations propose to re-designate the planning area for 114 of the 507 properties within the study area. In total, this represents 2,048 acres. However, not all that land is developable. In fact, 686 acres are being designated as Rural Reserve. This designation is for parks and conservation areas – areas that won't be developed for residential or commercial purposes. That leaves about 1,362 acres of land available for development. It's critical to understand that of that 1,362 acres the vast majority of that land contains open space regulations requiring 40% of a property to be retained as publicly-accessible open space in the event it develops.

Furthermore, there are an additional 1,733 acres of land that will retain the Rural Planning Area (RPA) designation. Compared to the current RPA standards, the recommendations for these parcels ratchet up the open space requirements and dramatically reduce the land use intensity. The existing standard for properties with access to sewer allows two units per acre and only 40% open space; the RAP permits either one unit per two acres with 40% open space, or one unit per acre with 70% open space.

9. Can you “lock in” the standards of a long-term plan without rezoning?

Response: No. The plan's recommendations must be implemented through the written changes and map changes to the DPO. Without these actions, the plan remains legally unenforceable.

10. What does “by-right” development mean?

Response: This term refers to development projects that meet and agree to the Town's established standards for development as outlined in the DPO and are not proposing deviations from those standards. Every property in town has by-right entitlements associated with it based on its designated planning area. This includes all land in the current rural area. The rezoning does not change the by-right classification of land in the study area; it only changes the types of standards that apply to certain properties. The by-right classification ensures that the standards citizens care about – such as mandatory open space, preservation of rural views, greenway construction, etc. – are not subject to negotiation but are required improvements for all development projects. All by-right proposals require additional review and approval by town staff and Mecklenburg County, and in many cases require the Planning Board to accept public comment and review the proposal. The Davidson Board of Commissioners does not vote on these projects.

Projects that do not meet the Town's established standards for development are referred to as "conditional" developments. These projects request special deviations from the established standards – usually by requesting a relaxation of or relief from the standards. In these scenarios, neighborhood features that are normally considered required improvements – such as sidewalks, street trees, parks, greenways and open space – are subject to negotiation. Ultimately, the Davidson Board of Commissioners votes on these projects.

11. Why not allow everything to be conditional rezoning later rather than rezoning now? What are the risks of not approving the Map Amendments (i.e. rezonings)?

Response: The conditional planning process does not yield predictable, fair results that fully satisfy landowner, citizen, developer, and Town aims. As noted above, conditional developments typically involve a request for relief from the Town's development standards – criteria that have been publicly-vetted and enforced to achieve our high-quality developments. Without rezoning the properties as called for in the RAP, the Town does not have a legally-enforceable way to require the open space, greenways, parks, and streets that make our neighborhoods unique.

If a landowner/developer comes forward to propose a project and the Town has not rezoned the land as called for in the RAP, the landowner is not able to build a project as recommended by the RAP. This means that the land's future remains uncertain – it is zoned for one thing but recommended for another. Having an adopted plan but addressing each development conditionally implements the plan inconsistently. In many cases, such scenarios lead landowners/developers to pursue alternative development schemes other than those illustrated in the plan. The risk is that a developer does not agree to the rules established in the plan and, since the DPO has not been updated to reflect the plan recommendations, comes in to negotiate each aspect of their project. Ultimately, this requires elected officials to make a determination about whether to approve the project – an uncertain prospect potentially subject to political whims and not publicly-approved requirements devised through the RAP planning process. By-right development standards lock-in the plan's recommendations by tying them to specific standards that are non-negotiable.

12. In 2015, how many acres were rezoned to new planning area designations as part of the Davidson Planning Ordinance rewrite?

Response: The 2015 rezoning encompassed about 2,400 acres. Not all of these rezonings entailed a change in the underlying planning area standards. Many were minor tweaks to existing standards or were simply changes in the name of the planning area designation to make the name consistent with an area used elsewhere in our jurisdiction.

III. PLANNING & DEVELOPMENT

13. What are the benefits of implementing the plan?

Response: The plan allows landowners, the Town, and its citizens to achieve the following:

- *Open Space Preservation:* The plan's hallmark feature is the preservation of roughly 57% of the Town's existing Rural Planning Area as publicly-accessible open space that is protected from development. Without changing the standards, the ambitious open space targets set forth in the plan will not be achieved.
- *Connectivity:* The plan requires development projects to construct necessary street infrastructure that will assist in addressing our increasing traffic burden. The Town does not have the funding to build roads, so it is imperative that development projects construct critical links in our system that will augment the sparse transportation network that currently exists in

the rural area. Importantly, by implementing these changes projects must construct the required infrastructure according to Davidson's standards. This means streets that are more than just pavement – they are thoughtfully-designed public spaces that feature sidewalks, street trees, and other amenities such as parks and paths to offer users a variety of transportation means and, correspondingly, add value to their surrounding land uses.

- *Greenways:* Similar to connectivity, the plan identifies new greenway and trail connections throughout the rural area and puts in place mechanisms such as the Scenic Byway Overlay District to ensure their construction as development comes forward.
- *Conservation:* The plan prioritizes contiguous habitat connections both on-site and off-site, and includes provisions that require greater examination of environmental resources at the start of the site-planning process. The standards also include a host of best practices recommended by the NC Wildlife Resources Commission, which participated in the charrette process and after reviewing the draft document commended the plan for its willingness to implement comprehensive conservation measures.
- *Small Town Character:* By laying out the areas intended for growth and those intended for preservation, the plan clearly manages growth and directs it towards areas that make sense – while setting rules and expectations about rural areas and features that should be saved. This proactive step to map out and rezone land in accordance with our planning principles ensures that if development comes forward it must meet our rigorous standards. Contrastingly, not rezoning as the plan recommends leaves the current rural area subject to ad hoc, speculative development via the conditional zoning process, with little guarantee that developers will respect or seek to implement the plan's aims.
- *Predictability:* The plan offers landowners, citizens, and the Town a clear vision of how development and conservation should proceed in the rural area. Implementing the written and zoning changes recommended by the plan codifies this vision and sets clear expectations for all involved, making the development process more predictable. Far from making it easy for developers, it actually locks in the conservation practices, connectivity, and village-based growth we value and ensures these standards are duly administered – rather than capriciously applied or dismantled through a conditional rezoning process.

14. Will this encourage development?

Response: Development has already come and will continue to come to Davidson; currently, we are experiencing all the costs of development [adjacent to/outside of our jurisdiction] with none of the benefits. The plan considers how to direct, manage, and accommodate growth over a 30-year timeframe – all while preserving significant amounts of open space and ensuring the necessary street and greenway connections are built as development occurs. By setting forth the expected standards for development and codifying those standards in the DPO, the Town sends a clear message to landowners, developers, and citizens about the standards required to achieve the walkable, cohesive neighborhoods for which Davidson is known.

Implementing the plan establishes these standards so that they are available *if and when* development comes forward. No landowner is required to sell their land as part of the plan's implementation. Development remains contingent on willing sellers and willing buyers, and there are many long-standing regulations applied to properties as part of adopted plans for which development has yet to come – the Mayes node at the intersection of June Washam Rd. and Davidson-Concord Rd. is an example.

Lastly, by implementing the plan much of the proposed area to be rezoned will then require access to sewer in order to develop. For this to occur, *the Town must approve the extension*, which can

occur in two ways: A. The proposed line is included in Charlotte Water's five-year Capital Improvements Plan, a process that includes Charlotte Water securing the design and funding for the potential line (construction would occur at a later date); and, B. The line is constructed by a developer and reimbursed by Charlotte Water, who assumes responsibility for the line once complete. In both cases, the line must meet Charlotte Water's criteria for extension prior to approval (i.e. among other factors, it must serve enough households and be worth their costs to accept maintenance responsibility). For developers constructing these lines, they must have significant financial capital available to secure their cost to construct the line. In other words, even after rezoning there are many additional steps that must follow in order for a development project to occur – steps that likely reduce the immediacy of development occurring.

15. Are there specific development projects ready to come forward?

Response: As noted in the public notice letter mailed to residents, neither the plan nor its implementation were/are undertaken in response to specific landowner or developer requests, or in anticipation of such requests. Rather, this is a proactive step by the Town and its citizens to clearly delineate conservation and development expectations in the rural area. There are a few parcels whose development possibilities have long been discussed; this is normal and a benefit of implementing the plan is that the rigorous standards produced by the plan will now be applied to any potential development projects that come forward. Failing to implement the plan will mean that these standards do not apply.

16. Why not the Narrow Passage model?

Response: There are aspects of the Narrow Passage project that are to be commended, and these practices have been incorporated into the plan's proposed implementation. Other aspects of the plan and its approval process did not result in desirable outcomes. The positive and negative aspects of this plan can be summarized as:

- *Open Space:* The Narrow Passage project aims to provide about 64% open space on-site and must either provide an additional 6% open space on-site or make a payment-in-lieu to hit a 70% target. This practice has been incorporated into the proposed written changes to the DPO and will potentially result in a greater amount of open space being preserved compared to the existing 40% Rural Planning Area standards.
- *Lot Sizes:* The project includes a variety of lot sizes. These lot sizes provide a range of housing options for buyers interested in living in the rural area and replicate the variety currently existing in the rural area, including in The Woodlands, River Run, and Park Place. These standards have been incorporated into the proposed Neighborhood Edge Planning Area standards.
- *Connectivity:* The Narrow Passage project features only one way in and one way out on Shearer Rd. and does not provide a connection to East Rocky River Rd., which means that all future traffic will be directed towards the Shearer Rd./East Rocky River Rd. intersection. Part of this is due to site topography, but another key factor that contributed to the lack of connectivity is that this development's critical mass does not provide enough financial return to construct a much needed connection to East Rocky River Rd. Because this was a conditional rezoning, the East Rocky River Rd. connection was not mandatory as it would be under the by-right development process. Implementing the plan will ensure that the necessary connections and streets are built via neighborhoods that can support this infrastructure, providing the Town and its citizens with viable transportation alternatives.
- *Greenways:* This is a standard requirement of by-right development projects that became subject to negotiation during the conditional rezoning process. Although a greenway will be

constructed, key components will not be designed as requested by Mecklenburg County. Because it was approved as part of a conditional rezoning, requiring features such as connector trails and bridges is not legally enforceable without a specific condition addressing these issues. The proposed written changes to the DPO correct the short-comings of these provisions by requiring connecting trails and infrastructure to be included as part of by-right development.

- *Process:* This project pursued a conditional rezoning process that resulted in years of uncertainty, rancorous debate, and a plan that didn't fully satisfy all stakeholders. Much of this relates to the fact that there was no clear vision for the rural area, with the result that a consensus plan was difficult to achieve. Now, the RAP clearly sets forth a vision for how conservation and development may proceed throughout the rural area. Implementing the plan integrates the standards necessary to achieve high-quality development into the by-right development process, avoiding unpredictable outcomes inherent in the conditional rezoning process.

Adopting the Rural Area Plan's written and rezoning recommendations proactively ensures the model parts of this project are reflected in by-right development going forward and safeguards against a zero-sum conditional rezoning process that results in unpredictable outcomes associated with ad hoc development.

17. What's the effect of development on roads, schools, and greenways?

Response: Simply relying on the adopted plan will not address the rural area's current and future infrastructure needs. Implementing the plan, however, places binding requirements on any future development that ensures these needs are met. Specifically:

- *Roads:* Due to a variety of constraints, such as funding, the Town does not construct roads. All main roads in the rural area are currently operated and maintained by NCDOT, which prefers fewer, wider, and higher-speed roads that negatively impact surrounding land uses and inefficiently consolidate traffic on a few roads that inevitably leads to congestion. These roads include Grey Rd., Shearer Rd., East Rocky River Rd., Davidson-Concord Rd., and June Washam Rd.

The town's approach to road-building is different: As development occurs the Town relies on projects to create an interconnected network of streets that serve a variety of purposes and users while adding value to their surrounding context through sidewalks, street trees, and public spaces. Constructing many smaller, lower-speed streets rather concentrating traffic on a few large, high-speed roads moves the same amount of vehicles while ensuring safe options for pedestrians and cyclists. The plan identifies key connections and streets that will be expected in the event a parcel comes forward for development – *if* the written and rezoning changes occur. Without implementation, the plan is just a wish-list of infrastructure needs without a mechanism to require their construction.

- *Schools:* Section 6.12.2 of the DPO currently requires land to be set aside for schools and other public buildings for projects of a certain size (200 ac. or 500 units). This section also outlines the process for reserving school sites in advance of development. These standards will not change. Critically, implementation of the plan will facilitate exploration of potential school sites because the rezoning changes will clearly identify the types of planning areas that can accommodate such uses. This was the case with Davidson East, in which proactive planning led to the reservation of the current school site on the north side of NC 73 across from the Bradford Park baseball fields.
- *Greenways:* The plan identifies new greenway corridors, connector trails, and mechanisms to facilitate construction of these amenities through the development process. In particular, the

plan emphasizes the construction of greenways along the south side of Grey Rd., the west side of Shearer Rd., and up the West Branch of the Rocky River – all of which will connect citizens directly to Allison & Fisher Farm Parks. The plan also proposed a revised street section for East Rocky River Rd. that features a multi-use path along the roadway.

The proposed changes require that these features be constructed as part of the by-right development process. This is accomplished by requiring connector trails for properties adjacent to planned greenways, the dedication of easement area as part of the development process, and funding strategies to require development to construct or make a payment-in-lieu that will be used to complete the facilities. By incorporating the plan's recommendations into the DPO as part of the plan implementation, the Town will help to ensure that these facilities are built – otherwise, the Town does not have the funds to design and construct these facilities in a reasonable timeframe.

18. What uses does Neighborhood Services Planning Area encompass? Does it allow gas stations or strip malls?

Response: The Neighborhood Services Planning Area is designed to accommodate a variety of small-scale commercial uses – see the next question for more details. Importantly, it does not allow gas stations as a by-right use; nor does the plan recommend a gas station in either of the designated Neighborhood Services nodes. Such a proposed use would have to proceed through the conditional rezoning process, which is discouraged.

Lastly, the Town of Davidson does not allow strip malls – that is, commercial buildings set back from the street with parking in front (all examples of this in Town are much older developments or historic structures that couldn't be moved, like the Campania Café on South Main Street). The Town only allows street-facing buildings with parking located behind or, in select cases, between buildings. Any time a commercial building is proposed in Davidson, it must receive approval from the Design Review Board. This citizen-led panel of dedicated architects, engineers, and historic preservation professionals has binding decision-making authority on all commercial building types proposed in Davidson – this is one of the reasons we're able to achieve such high-quality architecture in our town.

19. What are the key features and uses of the proposed planning areas and overlay districts?

Response: Below is a brief description of the Planning Areas, Overlay Districts, and highlighted features of each:

- *Rural Reserve:* This designation is for parks and conservation areas – in other words, areas that won't be developed. It comprises about 686 acres of the proposed rezoning and includes Allison & Fisher Farm Parks, the Rocky River Bluff Nature Preserve, and the West Branch Nature Preserve.
- *Rural Planning Area:* The uses for the Rural Planning Area will not change (i.e. single-family detached homes and institutional uses), but the standards for this area are being revised to reduce the overall density of homes permitted and increase the amount of open space required. If development in this planning area comes forward, the following options will be available: A. One unit per two acres with 40% open space (max. 16 units); or, B. or one unit per acre with 70% open space. This compares to the current standard of A. One unit per two acres with 40% open space (max. six units); or, B. for properties with access to sewer, two units per acre with 40% open space. The Rural Area Plan rightly recognized that two units per acre is more consistent with suburban development patterns and recommended a reduction in density to help preserve more open space by driving down the permitted density and

ratcheting up the required open space. About half the current Rural Planning Area will remain designated as Rural Planning Area after the rezoning and will feature these new standards, which amounts to about 1,733 acres.

- *Neighborhood Services:* The Neighborhood Services Planning Area represents small commercial nodes within or near residential development, which help to create a sense of place. These areas offer walkable access to goods and services like bakeries, restaurants, dry cleaners, small gift stores, graphic design studios, and real estate offices. Officially, such uses are known as “Commercial Services,” “Professional Services,” and “Retail, Secondary.” The commercial area in and around South Main St./South Main Square (i.e. Campania Café) offers a good example of this planning area. The plan envisions two nodes located at the intersection of East Rocky River Rd./Shearer Rd. and the roundabout at Concord Rd./Davidson-Concord Rd./East Rocky River Rd. In total, this about 28 acres – 22 at the East Rocky River Rd./Shearer Rd. intersection and six at the roundabout.
- *Neighborhood General:* The Neighborhood General Planning Area provides a range housing types that surround the Neighborhood Service areas. These are walkable, cohesive neighborhoods designed around public spaces. This planning area includes a broad range of housing types, from single-family detached to multi-family buildings and townhomes. No more than 70% of the dwelling units may be single-family detached and no more than 50% may be multi-family, townhomes, etc. Neighborhood General also allows civic and institutional uses such as schools, religious institutions, and police/fire stations. The St. Alban’s neighborhood offers an idea of what such neighborhoods may look and feel like. The plan envisions the area immediately north of the roundabout at Concord Rd./Davidson-Concord Rd./East Rocky River Rd. as Neighborhood General, comprising about 253 acres.
- *Neighborhood Edge:* The Neighborhood Edge Planning Area plays an important role in providing a suitable transition to the Town’s rural areas. It is comprised of neighborhoods that predominantly feature single-family detached homes knit together by greenways and open space. It is compatible with much of the existing development in the rural area; therefore, it comprises the largest component of rezoning at 1,080 acres. The standards proposed for the Neighborhood Edge Planning Area will require a mix of housing types – no more than 90% of a development can be single-family detached homes, with the remainder being two-, three-, or four-unit dwellings designed to look and function like single-family detached homes (examples of this include the building at the southwest corner of Davidson Gateway Dr. and Jetton Street). Note: All three- and four-unit dwellings are subject to the Design Review Board architectural review, which provides oversight and confers binding guidance on projects to ensure what’s built is consistent with existing development in terms of quality and appearance.
The proposed standards will also require a mix of lot sizes, with a minimum of 15’ differential in lot sizes. This is consistent with existing neighborhoods in and around our rural area. Examples include parts of River Run (Hagan Knoll Dr.), The Woodlands (Laurel Oak Crescent), Park Place (Boulder Rock Loop), and Narrow Passage. These features help to create a sense of place, with a mix of lot sizes often designed around public spaces. The result is high-quality neighborhoods built around public spaces, rather than the open space being relegated to residual, unusable land underneath utility lines or behind stormwater detention facilities.
- *Scenic By-way Overlay District:* This overlay district extends along Grey Rd. from Wolf St. up to Shearer Rd., and down Shearer Rd. until just north of the proposed Neighborhood Services node at the intersection of East Rocky River Rd./Shearer Rd. The standards included in this overlay will help to preserve and reinforce the existing rural features citizens care about by requiring development to be set back from the road in the style of existing development today.

It also requires the construction of split-rail fences, greenways/multi-use paths to connect to Allison & Fisher Farms, and any improvements to the Grey or Shearer Rds. must preserve features such as tree/fences rows that make these stretches of road unique.

- *Neighborhood Services Overlay District:* The Neighborhood Services Overlay District at the intersection of Shearer and East Rocky River Rds. ensures that this natural crossroads, if it ever does develop, features walkable, commercial services at a scale and with an architecture that is in keeping with rural, village features. The height for commercial buildings in this area is reduced to 37', which is roughly two to three stories and is compatible with the height of nearby homes. Examples of precedent buildings are located on Page 91 of the Rural Area Plan. As noted above in the discussion about Neighborhood Edge, all commercial buildings would be subject to Design Review Board approval.

20. What are the tax implications if rezoning is approved?

Response: Staff met with Mecklenburg County tax assessors on multiple occasions both prior to and after plan approval to understand the potential tax implications for various planning area designations. The officials described the assessment process, noting that assessment decisions are based on lot prices, land sales, and "improved sales" (i.e. when additions or other features are added to a site that enhance its value). They emphasized that none of these facets are contingent on zoning. In fact, they noted that it's difficult to extract the nuances of an impact that rezoning can have on evaluations. Importantly, they explained that for rezonings that do not involve a change in use (i.e. residential to residential), values are less likely to experience a significant – or any – change. The vast majority of proposed changes represent residential to residential rezonings with comparable land use intensities. Residential to commercial rezonings affect five of the 507 properties in the rural planning area and several of these landowners participated in the planning process.

Furthermore, as explained above, valuations are based on past land activity such as sales and improvements. Actions to subdivide property between assessment cycles may trigger a reconsideration of a land's value, but such steps are not promoted in the plan or required as part of its implementation. In all circumstances landowners are able to appeal an entire property's assessment.

21. Will Transportation Impact Analyses (TIA) be provided?

Response: Section 6.10 of the DPO lists requirements for Transportation Impact Analyses, which are required for any residential development over 100 units, any school, or any commercial building over 75,000 square feet. Our TIA criteria exceed that of other communities and place particular emphasis on pedestrian and bicycle considerations. Currently, Planning Dept. staff is reviewing the development threshold requirements along with the required TIA report components to ensure that future development is required to provide reports tailored to support the Town's emphasis on smaller-scale, walkable development projects.

22. What are the open space requirements? How much open space will be saved in total?

Response: The plan sets a target of preserving 57% of the current rural area as publicly-accessible open space set aside from development. The specific amount of open space that will be saved is difficult to determine since the proposed Rural Planning Area standards allow two different development options resulting in open space set asides ranging from 40%-70%; regardless, 57% is the baseline anticipated. Paired with the lower density now required (as explained in Question 19), this represents a significant increase compared to the current standards.

Furthermore, new standards will require future development to identify and consider contiguous open space connections to other parcels as part of the first concept plans undertaken during a proposed development. Implementing the proposed changes will increase the opportunities for vegetated, cross-parcel connections to the benefit of both humans and wildlife.

23. Why allow development at all?

Response: Given the legal, legislative, and land-use economic contexts, the Town government is not in a position to prohibit development. The plan represents a vision to require open space, connectivity, and walkable neighborhoods through a development-based framework. That is, as development comes forward an implemented plan places expectations and requirements on landowners to help achieve these aims in exchange for contextually-appropriate development opportunities. The plan reflects a consensus vision of interrelated interests including property rights and land preservation, balancing both conservation goals and development realities.

24. Why not use impact fees to slow development?

Response: We're not allowed to charge impact fees because North Carolina is a "Dillon's Rule" state rather than a "Home Rule" state. This means that the state legislature does not allow local governments to do anything that is not expressly listed in state law. Impact fees aren't listed – and, they've been legally challenged in communities attempting to implement them.

25. How much land is actually developable? How do current vs. proposed densities compare?

Response: On Page 24 of the Rural Area Plan, Map 2.9 Land Suitability & Development Opportunities identifies the conceptual constraints and opportunities for development in the study area. In other words, it shows areas that should be saved and/or are not good to develop along with areas that are suitable for development based on land features and other considerations. The analysis estimates about 1,460 acres are able to accommodate development. Notably, this estimate spans a period of thirty or more years.

This map is then translated into the conceptual framework and plans illustrated in Maps 6.1-6.2 (Pages 72-73). Map 6.2 depicts *conceptual* development layouts that balance both conservation and development while meeting the Town's demanding standards. Significantly, Map 6.2 how illustrates the development footprint is further reduced once the proposed open space requirements, connectivity criteria, and topographical constraints are factored into a site plan.

Regarding current versus future buildout: It's not possible to make a definitive statement about how much the current standards allow compared to the proposed standards. That's because Davidson does not prescribe building densities, instead choosing to focus on building height, public spaces, and open space requirements that indirectly dictate (and limit) density. The result is market flexibility matched by a dedicated focus on key building and site features – such as how buildings relate to one another and the public space around them, how they are experienced from the street, and how they appear architecturally. Building density is actually a poor predictor of the quality of a development. There are beautiful places with moderate densities such as Savannah, GA and Charleston, SC. And, there are beautiful places with lower-densities that include a variety of buildings, lot sizes, and walkable access to amenities (Haile Village, Gainesville, FL; Habersham, Beaufort County, SC; and, I'On, Mt. Pleasant, SC). These places all provide significant amounts of open space while affording residents walkable access to village-scaled amenities. Davidson's by-right development standards require such features of all development.