



AGENDA MEMO

To: Davidson Board of Commissioners

From: Jason Burdette, Planning Director & Matt Dellinger, PB Chair

Date: April 27, 2021

Re: Growth Management Planning Board Committee Update

OVERVIEW

The board of commissioners directed staff to explore strategies to better control the pace of development, specifically targeted conditional zoning. Staff brought information to the board in July 2019 and was directed to explore creative strategies to implement a targeted conditional requirement for residential development. The board of commissioners provided specific feedback on preferred strategies at their September 2019 work session and gave more explicit direction regarding metrics at their November 2019 work session. After revisiting the topic in July 2020 and conducting two virtual public input sessions in August and September, the board of commissioners instructed staff to slow down the process. Additionally, the board directed the Planning Board to form a committee (PBC – Planning Board Committee) to explore other viable growth management tools and to reevaluate targeted conditional. The committee includes four members from the Planning Board, one of whom lives in the ETJ.

In December 2020, the PBC presented high-level recommendations to explore further. The primary strategy (Option B) included codifying the Growth Management Framework and Utility Service and Annexation Criteria (USAC) from the Comprehensive Plan. Other supporting strategies included Option C (Improve the Development Process), Option D (Address Building Compatibility, Integration, and Affordability), and Option A (Utilize Conditional Thresholds).

Tonight's presentation includes various recommendations and options as to how these strategic approaches could be implemented. This is for discussion purposes only.

BACKGROUND

The Comprehensive Plan (2020) and Strategic Plan (2020/21) both include references to intentional growth management. Specifically, utility/annexation criteria, zoning thresholds, purchase of development rights, and historic preservation plans are mentioned. Public discussions of targeted conditional zoning (TCZ) developed over the last 18 months with commissioner and public feedback. The Planning Board Committee (PBC) seeks to distill these various tools into meaningful, equitable, and implementable strategies.

In Fall 2020, the PBC sought additional input from commissioners to help guide their recommendations. Specifically, what were commissioners' primary and secondary concerns, where could opportunities be found, and where did commissioners believe there were current ordinance deficiencies. The feedback indicated that timing, a perceived lack of consistent character, and affordability were challenging with new development; that land is scarce/expensive and some decisions seem to be reactive; the current process lacks meaningful public input; that commissioners hope to improve/refine the process while respecting foundations (planning principles, ordinance, existing plans); and that a more proactive/directive approach to drive better outcomes is desired. For the purpose of clarity, the PBC segmented these goals into five categories: strategy, process, housing, community character, and equity. The PBC also acknowledged the underlying tensions between various community goals.

As mentioned above, in December 2020, the PBC recommended Option B (Codify the Growth Management Framework and Utility Service and Annexation Criteria) as the primary growth management strategy. Other supporting strategies included Option C (Improve the Development Process), Option A (Address Building Compatibility, Integration, and Affordability), and Option B (Utilize Conditional Thresholds). Below, you'll find the primary and supporting strategies detailed, with various approaches (including options and some recommendations) for consideration. With most of the approaches described, further exploration and details will be required.

PBC'S PROCEDURAL APPROACHES WITH OPTIONS:

PRIMARY STRATEGY – OPTION B: CODIFY THE GROWTH MANAGEMENT FRAMEWORK; ADOPT THE UTILITY SERVICE AND ANNEXATION CRITERIA (USAC)

- **Option B, Approach 1: Adopt the Growth Management Tiers Map by reference in the DPO, with a framework for implementation.**

Implementation Considerations:

- A. Parcels located in the Primary and Secondary Growth Areas require administrative approval.*
- B. Consider different options to require legislative approval (BOC) for development in the Growth Reserve Areas (i.e. adjacency to activity node, adjacency to existing water/sewer)*

[PBC recommends A; PBC believes B needs further exploration]

- **Option B, Approach 2: Adopt the Utility Service and Annexation Criteria (USAC) by reference in the DPO.**

Implementation Considerations:

- A. DPO requires USAC checklist with Preliminary Sketch Plan submittal*

- B. *USAC reorganized into sections and adapted to include relative evaluation measures (i.e., quantitative or qualitative scoring)*
- C. *Existing water/sewer policy repealed and replaced with updated USAC*
- D. *After Preliminary Sketch Plan approval and prior to submittal for Master Plan Schematic Design, a decision is made on utility provision and intent to annex based upon the USAC checklist. Decision options include:*
 - i. *BOC: BOC makes determination based upon USAC checklist*
 - ii. *Town Manager: Town Manager makes decision based upon USAC checklist*
 - iii. *Planning Board + BOC: Based upon USAC checklist, Planning Board makes formal recommendation to BOC, who makes determination.*
 - iv. *Planning Board + Staff: Based upon USAC checklist, Planning Board makes formal recommendation to staff, who makes determination.*

[PBC recommends A, B, C, and D, with D(iii) recommended for decision-making where the Planning Board uses the USAC checklist to make a formal recommendation to the BOC]

Option B Summary:

Concerns Addressed: Unpredictable Development Process; Context

Goals Addressed: Strategy (Pro-active); Community Character; Equity

SUPPORTING – OPTION C: IMPROVE THE DEVELOPMENT PROCESS

- **Option C, Approach 1: Revise the DPO Master Plan (14.6) and Conditional Master Plan (14.5) processes to require a community meeting prior to application submittal.**

Implementation Considerations:

- A. *Require the developer to manage this meeting, adhering to certain noticing and programmatic requirements, and introduce the project. Require developer to present the evolution of the design proposal in good faith and document public input. Ensure a clear distinction with the Public Input Session (PIS), a subsequent step in the process.*
- B. *Require staff to manage this meeting.*

[PBC recommends A with the aim of providing a comprehensive introduction to the community, understanding of developer and community roles, and opportunity for public comment early in the process.]

- **Option C, Approach 2: Revise the DPO Conditional Master Plan (14.5) process to require a pre-consultation meeting with the Planning Board and Board of Commissioners after the neighborhood meeting to share input.**

Implementation Considerations:

- A. *Require just one of these boards (BOC or PB) to host meeting.*
- B. *Require PB meeting to precede BOC meeting.*

[PBC recommends B with both the Planning Board and BOC providing feedback on potential conditional rezonings]

- **Option C, Approach 3: Revise the DPO to clarify differences between Preliminary Sketch Plan and Master Plan Schematic Design.**

Implementation Considerations:

- A. *Modify DPO text to distinguish between different document types.*
- B. *Utilize document submittals as process milestones requiring certain actions (i.e., trigger for community meeting report, USAC decision, etc.)*

[PBC recommends both A and B]

- **Option C, Approach 4: Revise the DPO to clarify requirements specific to when a Public Input Session is held and what staff's "review" entails.**

Implementation Considerations:

- A. *Hold PIS prior to MPSD submittal; clarify draft TIA required prior to PIS.*
- B. *Hold PIS concurrent with initial MPSD submittal; clarify draft TIA required prior to PIS.*
- C. *Elaborate on developer obligation at PIS (i.e., present design evolution, provide analysis of different alternatives, etc.).*
- D. *Modify DPO text to clarify meaning of staff "review" for consistency of information presented vs. input/edits.*

[PBC recommends B, C, and D with the aim of clarifying specific process points and expectations for the PIS]

- **Option C, Approach 5: Revise the DPO to reference the USAC and its location in the development application process.**

Implementation Considerations:

- A. *Require USAC decision after PIS and MPSD submittal that includes revisions reflecting PIS input.*
- B. *Require USAC decision at end of master plan process prior to staff and/or BOC decision.*

[PBC recommends A with the aim of clarifying specific process points and expectations for the USAC]

Option C Summary:

Concerns Addressed: Unpredictable Development Process; Public Input; Small-Town Character; Context

Goals Addressed: Strategy (Pro-active); Process (Public Input); Community Character; Equity

SUPPORTING STRATEGY – OPTION D: ADDRESS BUILDING COMPATIBILITY, INTEGRATION, AND AFFORDABILITY

- **Option D, Approach 1: Revise the DPO to update FAR (Floor-Area-Ratios) in the Village Infill Overlay Districts (see DPO 2.3.4.F Floor to Area Ratio).**

Implementation Considerations:

- Revise FAR based upon existing building context in each Overlay District.*
- Revise FAR downward across the board based on historic precedents.*
- Revise FAR to close two loopholes: Smaller lot/maximum FAR allowed provision; unheated area calculation.*

[PBC recommends both A and C]

- **Option D, Approach 2: Revise the DPO to require lot differentiation, building type mixes or establish maximums for select planning areas.**

Implementation Considerations:

- Require a greater mix of building types in Village Infill, Lakeshore Planning Areas.*
- Establish a maximum percentage of single-family detached homes (non-duplex) in the following Planning Areas: Neighborhood General (50%), Neighborhood Edge (80%), and Rural (90%).*
- Use Building Diversity Score to gauge building compatibility, and further consider options for how to address non-compliance based on plan specific issues and context.*
- Allow Mixed-Village Building types in LAK, NG, NE*

[PBC recommends A, B, C, and D]

- **Option D, Approach 3: Revise the DPO to utilize a Building Diversity Score to assess building compatibility (see LEED’s use of the Simpson Diversity Index Option 1, Table 1).**

Implementation Considerations:

- A. *Require a minimum score of 0.5 in the Lakeshore, Village Infill Planning Areas.*
- B. *Provide some undetermined incentive if 0.7 or greater achieved.*

[PBC recommends further exploration of the Building Diversity Score to better understand how it could be utilized.]

- **Option D, Approach 4: Revise the DPO Section 2 to provide better context-sensitivity requirements.**

Implementation Considerations:

- A. *When a development fronts an existing street require at least XX (25%) buildings of the same existing/surrounding building type on the existing street.*
- B. *Within XX' of existing development the building height of proposed buildings shall not exceed XX' of adjacent, existing development.*

[PBC recommends further exploration of context-sensitivity requirements to better understand how they could be utilized.]

- **Option D, Approach 5: Revise the DPO to incentivize affordable housing construction on-site via tiered open space reductions.**

Implementation Considerations:

- A. *Reduce the required open space by 5% if 50% of the affordable units are constructed.*
- B. *Reduce the required open space by 10% if 100% of the affordable units are constructed.*

[PBC recommends further exploration of the tiered approach, specifically, which planning areas might be most appropriate for consideration.]

Option D Summary:

Concerns Addressed: Unpredictable Development Process; Small-Town Character; Context; Need for Affordable Housing

Goals Addressed: Strategy (Pro-active); Housing; Community Character; Equity

SUPPORTING Strategy – Option A: Utilize Conditional Thresholds

- **Option A, Approach 1: Implement conditional thresholds based on growth management criteria.**

Implementation Considerations:

- A. *BOC approval required if the USAC checklist does not meet more than half of criteria (50%) automatically.*
- B. *BOC approval required if the project does not meet a minimum Building Diversity Score, where applicable.*

[PBC recommends further exploration of the legislative options approach.]

Option A Summary:

Concerns Addressed: Unpredictable Development Process; Context; Need for Affordable Housing

Goals Addressed: Housing; Community Character; Equity

REQUESTED ACTION

The PBC requests feedback on the various implementation options/considerations and approaches outlined under the primary and supporting growth management strategies.

RELATED TOWN GOALS

Strategic Plan Alignment

A Well-Planned and Livable Community – Preserve our rural area and create well-planned, dynamic community places with connected progressions between them.

Historic Preservation – Preserve our historic properties that contribute to our vibrant and unique community and honor the history of the lived experiences of our residents.

Connecting People and Places – Expand the town’s transportation network to provide residents and visitors with safe, convenient and efficient travel choices to connect people across the community.

Core Values

Citizens are the heart of Davidson, so town government will treat all people fairly, with courtesy and respect.

Open communication is essential to an engaged citizenry, so town government will seek and provide accurate, timely information and promote public discussion of important issues.

Davidson’s traditional character is that of a small, historic college town, so land planning will reflect its historic patterns of village-centered growth including connection of neighborhoods, preservation of our historic resources, conservation of rural area, and provision of public spaces.

Citizens entrust town government with the stewardship of public funds, so government will provide high quality services at a reasonable cost.

Davidson's economic health is essential to its remaining a sustainable community, so town government will judiciously encourage and guide the location of new business opportunities.

Citizens need to move easily throughout the town and region, so government will provide a variety of options, such as sidewalks, bike paths, greenways, connected streets, and transit.

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

OPTIONS/PROS & CONS

Options: The options are detailed above.

Pros: N/A

Cons: N/A

NEXT STEPS

PBC will use feedback received tonight to further explore and refine the approaches outlined here.