

4.9 Davidson Concord Road - NC 73 Corridor

4.9.1 Description

The Town of Davidson, through the adoption of the NC 73 Small Area Land Use and Economic Development Plan (NC 73 Small Area Plan) and the Davidson Concord Road – NC 73 Area Plan, has determined that the area in Davidson’s jurisdiction serves a unique role in the community. The high volume of regional traffic along these corridors makes it a prime location for employment-based development that will serve to reduce commuting trips for our citizens as well as provide for an expanded tax base. Neighborhoods in this area are encouraged to be compact, well-connected, and pedestrian-friendly to complement the planned employment centers along the corridor. In order to best implement the adopted plan, this planning area has been subdivided into districts that are specific to the adopted plan.

4.9.2 Conformance to the Adopted Plan

This ordinance has been specifically coded to implement the NC 73 Small Area Plan and Davidson Concord Road – NC 73 Area Plan. Where plans differ, the more recent plan shall apply. To that end, the following conventions shall be followed in the design of new development:

- 4.9.2.1 Thoroughfare Network:** The proposed thoroughfare network shall closely resemble the pattern and network depicted in the adopted plans. Plan recommendations for minor or major thoroughfare right-of-way dedication shall apply, when greater than cross sections described in Section 11, Streets and Greenways, of the Planning Ordinance. Variations on a site by site basis requested by the developer shall be permitted by the Planning Director provided the integrity of the network and proposed connections are maintained. Actual neighborhood connections will be identified during the master plan process, regardless of connections shown on area plans.
- 4.9.2.2 Frontage Parkway:** Where recommended, the frontage parkway along NC 73 and Davidson-Concord Road may be aligned no closer than 75 feet to the ultimate right-of-way for NC 73 and/or Davidson-Concord Road, as shown on the adopted Thoroughfare Plan. Where this parkway intersects a full-movement primary connection to NC 73 (e.g. Ramah Church Road, June Washam Road) it shall be no closer than 300 feet. In the NC and CBD areas, buildings may be placed between the frontage parkway and NC 73; however, all such buildings shall be setback a minimum of 75 feet from NC 73 and Davidson-Concord Road. Otherwise, the area between this parkway and the NC 73 right-of-way shall remain undisturbed or designed with supplemental plantings to create a naturalistic rural environment or urban landscape in accordance with area plans.
- 4.9.2.3 Green Infrastructure/Open Space:** The green infrastructure network defined by preserved open spaces, greenway trails, and viewsheds shall closely resemble the pattern and network depicted in the adopted plan. Variations on a site by site basis requested by the developer shall be permitted by the Planning Director, provided the general amount of land preserved and greenway trail trajectories and connections are maintained. Open space should be well connected within the property and to adjoining preserved or sensitive natural areas.
- 4.9.2.4 Existing Single Family and Agriculture Uses:** Existing single-family houses and agricultural uses may continue and may be expanded without being subject to the requirements of Section 4.9 provided that a maximum of one single-family house is

permitted on any lot of record existing on August 1, 2008. Subdivision or more intense development shall follow the requirements of these planning areas and the area plans.

4.9.3 Environmental Sustainability

Developments in the Davidson Concord Road - NC 73 Planning Area are encouraged to achieve LEED Neighborhood Development (ND) Certification. LEED provides a complete framework for assessing building performance and meeting sustainability goals. Based on well-founded scientific standards, LEED emphasizes state of the art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. For more information about this program, please go to <http://www.usgbc.org>. LEED – ND standards should guide decisions regarding on-site stormwater treatment and must be consistent with Section 9, Design Guidelines.

Planning Area Descriptions

4.9.4 Planning Area Descriptions

4.9.4.1 Rural Reserve (Rural Reserve): The Rural Reserve accommodates very low-density, rural residential and agricultural uses that are present at the time of the adoption of this ordinance.

4.9.4.2 Employment Campus (EC): Employment Campus permits the development of employment-based uses such as corporate office campuses and light industrial uses that provide a minimal impact on the landscape of the area, preserving viewsheds, and unique historical features by containing buildings in a clustered campus format. Because of the presence of a high number of employees, these developments should be designed in a manner that is pedestrian- and transit-friendly.

4.9.4.3 Neighborhood Edge (NE): The Neighborhood Edge District serves as a low density residential area. Generally, this planning area may include those areas with severe topography, watercourses, wetlands, or areas otherwise reserved as open space in the area plans.

4.9.4.4 Neighborhood General (NG): The Neighborhood General District serves as the higher density residential neighborhood in close walking proximity to the planned or existing commercial and employment centers.

4.9.4.5 Neighborhood Center (NC): The Neighborhood Center area provides pedestrian-scaled, higher density residential homes and commercial activities along existing or planned mixed-use corridors, and at the functional center of new neighborhoods. Development in this district should encourage pedestrian activity through construction of mixed-use buildings and connections to adjacent neighborhoods.

Within these Neighborhood Centers, the focus of new development shall be generally employment-based commercial activity. The Town therefore finds that it is necessary to limit the amount of residential activity within these areas to ensure an adequate balance of land uses.

4.9.4.6 Central Business District (CBD): This area creates a regional employment center in a mixed-use environment. It is intended to support dense, well-connected neighborhoods that cross jurisdictional boundaries seamlessly through the implementation of a common area plan.

4.9.5 General Planning Area Requirements

- 4.9.5.1** All buildings, site plans, and master plans shall conform to the design regulations set out in Section 9, Design Regulations.
- 4.9.5.2** All buildings constructed for a permitted use shall be one of the building types permitted in these planning areas.
- 4.9.5.3** Drive-through services and structures are prohibited.
- 4.9.5.4** No more than 4 spaces per 1000 square feet of multi-family, commercial, or office floor space, served by such parking shall be at grade. The excess of 4 spaces per 1000 square feet shall be in a structured facility.

4.9.6 Permitted and Required Uses by Planning Area

	RR	EC	NE	NG	NC	CBD
Accessory Structures	AR	AR	AR	AR	AR	AR
Accessory Uses*	BR	BR	BR	BR	BR	BR
Agricultural	BR		BR	BR		
Arboretum	BR	BR	BR	BR		
Bed and breakfast inn			AR	AR	AR	AR
Business Support Services		BR		BR	BR	BR
Cemetery			AU	AU	AU	AU
Civic		BR	BR	REQ	REQ	REQ
Commercial		AU		BR	REQ	REQ
Commercial outdoor kennels					AR	AR
Conference Facilities		BR			BR	BR
Day care home			AR	AR	AR	AR
Day care center		AR		AR	AR	AR
Essential services 1		AR	AR	AR	AR	AR
Essential services 2		AR				AR
Gasoline Service Station					AR	AR
Home occupations			AR	AR	AR	AR
Hotels and Inns						BR
Indoor and outdoor recreation		AU	BR	BR	BR	BR
Manufacturing and assembly, excluding heavy manufacturing		BR			BR	BR
Nightclub					BR	BR
Office		BR		BR	REQ	REQ
Outdoor amusement		AR		AR	AR	AR
Outdoor sale of goods				AR	AR	AR
Outdoor storage		AR		AR		
Outdoor storage of construction equipment		AR				
Park and ride lots		AR		AR	AR	AR
Parking as principal use		AR		AR	AR	AR
Parks	BR	BR	REQ	REQ	BR	BR
Religious institutions			AR	AR	AR	AR
Residential			REQ	REQ	BR	BR
Retail				BR	REQ	REQ
Restaurant		BR		BR	BR	BR
Riding academy & commercial stable			AR			
Schools and universities		CD	AR	AR	AR	AR
Temporary uses		BR		BR	BR	BR
Transit shelter		AR	AR	AR	AR	AR
Warehouse		AR			AR	BR
Wholesale sales		BR			AR	BR

*Accessory Uses Permitted are: Detached structures (barns and sheds) used for agricultural purposes; Home occupations; In-ground pools as an auxiliary structure to a detached or attached house; Temporary uses and structures

“REQ” indicates that the development must contain some of the use.
“BR” indicates uses allowed by right without additional requirements.
“AU” indicates uses allowed accessory to a principal use only.
“AR” indicates uses allowed with additional requirements (see Section 5).
“CD” requires a Conditional District.

4.9.7 Form-Based Standards by Planning Area

	RR	EC	NE	NG	NC	CBD
1. Permitted Building Types ⁽¹⁾						
Civic			✓	✓ (5% min) ⁽²⁾	✓(5% min) ⁽²⁾	✓(5% min) ⁽²⁾
Detached House	✓		✓	✓ (30 – 70%)		
Attached House ⁽³⁾				✓ (30 – 70%)	✓	✓
Live Work				✓ (0 – 20%)	✓	✓
Storefront				✓ ⁽⁷⁾	✓	✓
Workplace		✓			✓	✓
2. Building Height (in Stories)						
Minimum ⁽⁸⁾	1	1	1	1	2	3
Maximum	3	6	3	4	4	6 ⁽⁴⁾
3. Required Open Space						
% of Development	n/a	35%	45%	20%	10%	5%
4. Residential Lot Width for Detached House Lots						
Minimum	n/a	n/a	40 ft	none	n/a	n/a
Maximum	n/a	n/a	none	60 ft	n/a	n/a
5. Development Intensity						
Commercial Density (Minimum Required)					3,000 sq ft per gross acre	0.5 FAR of gross CBD area
Commercial Density (Maximum Permitted)						2.5 FAR of gross CBD area ⁽⁵⁾
Retail/Restaurant Uses (Minimum Required)					20% of total floor area ⁽⁶⁾	20% of total floor area
Office/Employment Uses (Minimum Required)					30% of total floor area	40% of total floor area

¹ Each of the development options permits or requires a different mix of building types. The following table specifies the maximum permitted and minimum required percentages of total units or land area of each building type or use within each type of development. Normal rounding rules apply to totals, i.e. .5 and above is rounded to the next highest number, and below .5 is rounded to the next lowest number.

² Calculated as a percentage of land area, net of open space. Not required unless a civic use is shown on the area plan.

³ Attached house includes single family detached houses on lots 40 ft wide or less

⁴ Maximum floor height of the buildings not to exceed 75 ft measured from the point of fire department vehicle access. Total building heights to be approved by the Design Review Board.

⁵ Floorplates on individual buildings may not exceed 36,000 sq ft and no more than 120 ft deep.

⁶ Retail space in the ground level of live-work units is not included in the minimum retail requirements.

⁷ Individual storefront buildings in the NG shall be a minimum of 2 stories and shall not exceed 5,000 sq ft in total square footage. Storefront buildings shall be placed at prominent intersections and preferably front civic spaces.

⁸ Refer to Section 9.1.3.8.

4.9.8 Open Space Standards

4.9.8.1 Required Open Space: For each development, an area (or areas) of land equal to the amount specified in Section 4.9.7.3 of the gross area of the development shall be set aside as permanent open space.

4.9.8.2 Incentive Reductions: This required open space may be reduced by the application of incentives detailed in Section 4.8.7.4 and Section 4.8.7.4. The ownership and conservation of the open space shall be in accordance with Section 4.8.8-10.

4.9.8.3 Open Space Criteria: In order to ensure the planned preservation and the creation of a coherent green network, land preserved as open space shall be consistent with the NC 73 Small Area Plan and Davidson-Concord Road – NC 73 Area Plan. The location, nature, configuration, and use of the open space shall be determined by the following regulations and criteria:

Primary conservation area: Primary conservation areas have been determined as inappropriate for development because they contain stream buffers, flood plains, or slopes greater than 20%. Developers proposing plans shall first preserve these primary conservation areas and then designate additional open space for preservation to attain the required percentage.

Criteria for additional open space: The following list contains no priority order; different criteria may be deemed most important in different developments:

- Parks and similar uses required as part of the development approval process
- Proximity or relationship to other open space within or without the development
- Significant natural features (rock outcroppings, forests, ponds, streams, etc.)
- Viewsheds
- Wildlife habitats
- Trails
- Community farms and gardens

4.9.8.4 Urban Open Space: Open spaces in the core of any mixed use or employment node shall be urban in nature. The design and location of urban open space on a site is perhaps the most important determinant in a successful pedestrian environment. To ensure that urban open space is well-used, it is essential to locate and design it carefully in accordance with the following general standards:

- Urban open space shall be fronted by streets and buildings to encourage its use and patrol its safety.
- The space shall be located where it is visible and easily accessible from homes and public areas (building entrances, streets, sidewalks).
- The space should be located to take views and sun exposure into account.
- The space shall be well-buffered from moving cars so that users can enjoy and relax in the space.
- The space shall be visible from streets or internal drives but should not be wholly exposed to them.
- This space shall partially enclose the space with building walls, freestanding walls, landscaping, raised planters, or on-street parking to help buffer it and create a comfortable "outdoor room".

4.9.8.5 Public Seating: Publicly accessible places to sit in the public realm are important not only as basic amenities, but also in sponsoring casual social interaction. Seating can be

both formal and informal, including both park benches on the tops of garden walls or monumental stairs at the entrance to public buildings. Planter walls should be set at a maximum height of 2½ feet to allow for their use as seating. Moveable chairs and sidewalk cafes are strongly encouraged.

4.9.8.6 Minimum Required Amenities for Urban Open Space:

- a. 1 tree (3 ½ inch caliper minimum at installation) for every 1,000 square feet required open space to be planted in at least 350 square feet of soil.
- b. A minimum of 25 linear feet of seating should be provided for every 1,000 square feet of urban open space. Seating should be more than 12 inches and less than 30 inches in height and not less than 16 inches in depth. Seating more than 28 inches in depth and accessible from two sides will count double. Moveable chairs are encouraged and each count as 2 ½ linear feet of seating.
- c. At least half of the open space shall be at street level.
- d. Playground equipment, statues, and fountains, if provided, should be located toward the interior of squares and parks.
- e. One water tap for each 5,000 square feet of each landscaped urban open space.
- f. One garbage receptacle for each 5,000 square feet of each physically separated urban open space.
- g. Planting screen requirement: Where property classified as the Central Business District (CBD) is adjacent to a protected property enrolled in a state forest management program or local lease of development rights program, a 15 foot-wide vegetated screen (evergreen, large maturing trees planted 25 feet on center or the equivalent) shall be required on the protected property with the consent of the owners of the protected property. The Planning Director will make the final determination of the need for and location of the vegetation screen during the master plan process.

4.9.9 Rural Reserve (RR) Standards

4.9.9.1 Voluntary District Only: This district shall be established only at the request of the property owner.

4.9.9.2 Present Use: The present use of the property may be enlarged or expanded. However, no more than one single-family residence and its related accessory uses is permitted on each lot of record.

4.9.9.3 Subdivision Prohibited: No further subdivision of land is permitted.

4.9.10 Employment Campus (EC) Standards

4.9.10.1 An interconnecting network of internal streets shall be designed to accommodate the various uses.

4.9.10.2 The street network shall be designed in a manner to facilitate bus transit. Front doors shall be located to provide easy access to the interior of buildings from transit stops.

4.9.10.3 The interior core of the development shall maintain a well-defined open space network to give prominence to important structures and allow for pedestrian circulation.

4.9.10.4 Building sites shall be established so as to minimize their impact on the landscape of the area, preserving viewsheds and unique historical features by containing buildings in a clustered campus format.

4.9.10.5 The operation of facilities shall not generate dust, odor, sound, vibration or other emission which causes a nuisance.

4.9.11 Neighborhood Edge (NE) Standards

4.9.11.1 Lot Diversity: No more than 50% of the single-family detached residential lots in a development shall be one width. A minimum ten foot differential in lot width is required to meet this regulation.

4.9.12 Neighborhood General (NG) Standards

4.9.12.1 Lot Diversity: No more than 50% of the single family detached residential lots in a development shall be one width. A minimum ten foot differential in lot width is required to meet this regulation.

4.9.12.2 Density Location: The highest density of development shall generally be located closest to the planned NC or CBD area.

4.9.13 Neighborhood Center (NC) Standards

4.9.13.1 Non-Residential Development Required: With respect to all the property shown on an approved master plan, a maximum of 50% of the permitted residential units may be platted (in the case of single family or duplex unit) or approved for construction (in the case of multi family units) prior to the construction of the required minimum intensity of commercial, retail/restaurant, and office/employment uses in accordance with Section 4.9.7.4. The master plan may allocate this requirement within separate development parcels within the master plan.

4.9.14 Central Business District (CBD) Standards

4.9.14.1 Specific Development Standards for NC 73 and Market Street Buildings

- a. Buildings fronting NC 73, Davidson Concord Road or roads that connect the two shall contain a minimum of 50% office or employment use.
- b. Buildings shall provide some ground-level commercial development such as retail, service, or restaurant uses.
- c. Buildings must define at least 80% of the frontage of the primary street block face. The block face shall be measured from property line to property line. Buildings must also define at least 50% of the frontage of the secondary street(s) block face.

4.9.14.2 Non-Residential Development Required: A maximum of 50% of the permitted residential units may be platted/approved for construction prior to the construction of the required minimum intensity of commercial, retail/restaurant, and office/employment uses in accordance with Section 4.9.7.5.