

TARGETED CONDITIONAL ZONING



College Town. Lake Town. *Your Town.*

Planning Board FYI
Jason Burdette, Planning Director
Targeted Conditional Zoning
July 27, 2020

TARGETED CONDITIONAL ZONING – OVERVIEW

TOPICS COVERED

1. Purpose & Background Recap
2. Strategic Plan/Core Value/Comp. Plan Alignment
3. Proposed Thresholds
4. Overall Pros/Cons
5. Draft DPO Text
6. Next Steps

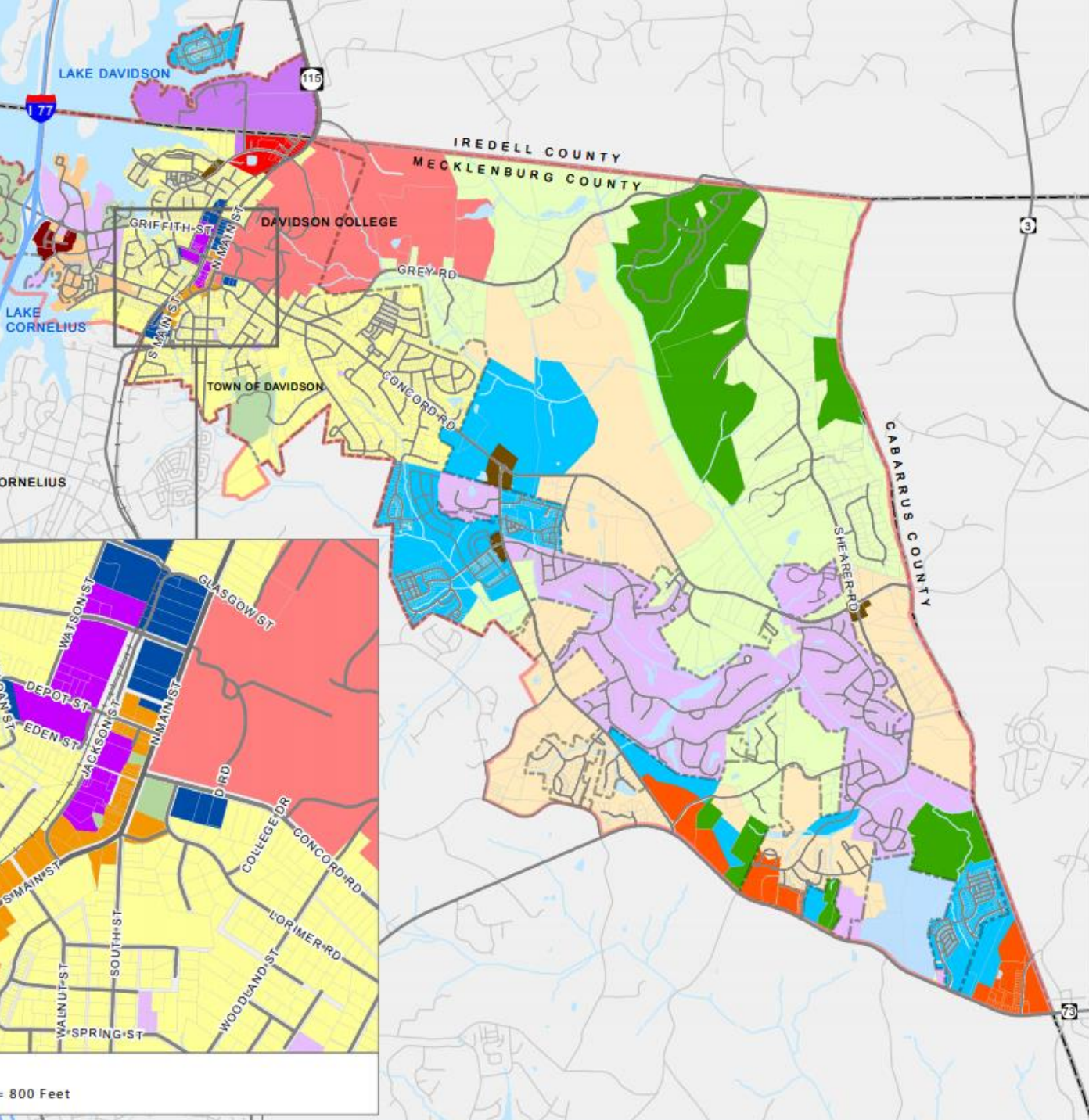
TARGETED CONDITIONAL ZONING

PURPOSE & BACKGROUND

- **BOC DIRECTIVE:** Explore strategies to better control the pace of development
- **CONCERNS:**
 - As Currently Exists: Difficult to control the timing of development
- **STRATEGY:**
 - Respond to BoC directive and citizen citizens' concerns to better manage growth
 - Research strategies that could be implemented
- **SUMMARY:**
 - Develop a targeted conditional zoning mechanism

PLANNING AREAS

A map of the Town of Davidson's Planning Areas as of July 2018.



PLANNING AREAS

- Central Business District
- College Campus
- Conditional
- Employment Campus I
- Employment Campus II
- Lakeshore
- Neighborhood Center I
- Neighborhood Center II
- Neighborhood Edge
- Neighborhood General
- Neighborhood Services
- Rural
- Rural Reserve
- Special Use
- Village Center
- Village Commerce
- Village Edge
- Village Infill

STREETS / RAIL

- Rail
- Interstates
- Streets

WATER FEATURES

- Lakes, Rivers, and Ponds
- Creeks and Streams

LAND USE

- Parcels

BOUNDARIES

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

TOWN OF DAVIDSON

MECKLENBURG COUNTY, NORTH CAROLINA



1 inch = 3,000 Feet

Date: 7/30/2018

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.

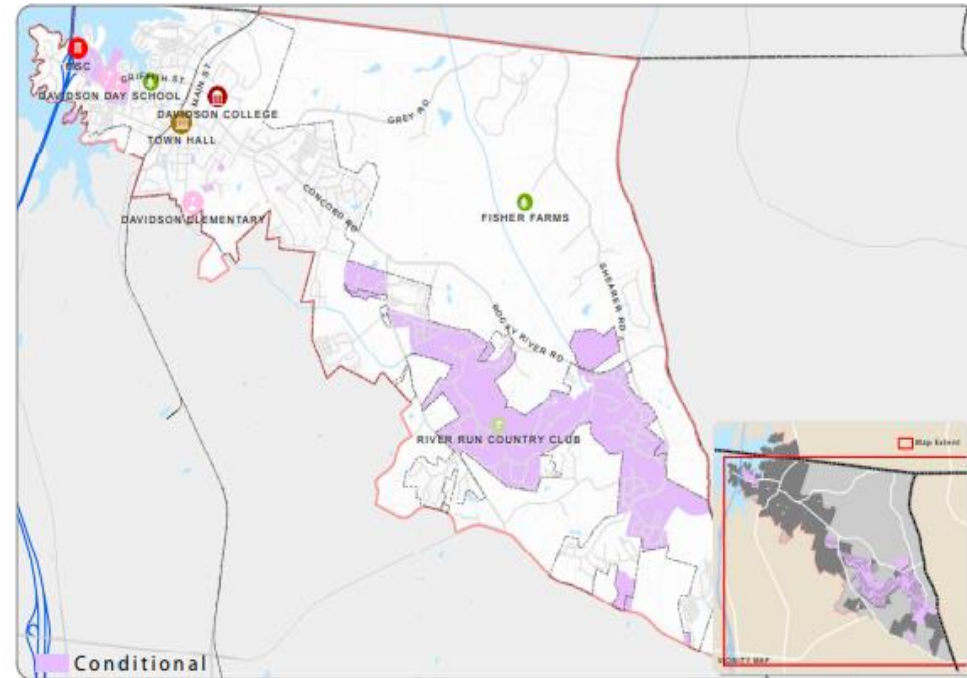
800 Feet

TARGETED CONDITIONAL ZONING

PURPOSE AND BACKGROUND

Existing Conditional Planning Area (CPA):

Allows for flexible and innovative development that may fall outside the rigid parameters of the ordinance



2.2.17 CONDITIONAL PLANNING AREA

A. DESCRIPTION

Because of the nature, scale, or location, or particular impacts on the immediate areas, as well as the community as a whole, a Conditional Planning Area is established to add flexibility to the planning and development process, but at the same time create additional controls which can establish specific development standards to insure quality development.

B. PURPOSE

Conditional Planning Areas may be established for the purpose of allowing innovative planning or design ideas for development in any planning area.

In some instances, such development proposals may not be adequately accommodated by the base planning areas. In accordance with NCGS 160A-382, 384 and 385 the provisions set forth in Section 14 establish a legislative, conditional rezoning process for property within the town's planning jurisdiction.

TARGETED CONDITIONAL ZONING

BENCHMARK COMMUNITIES

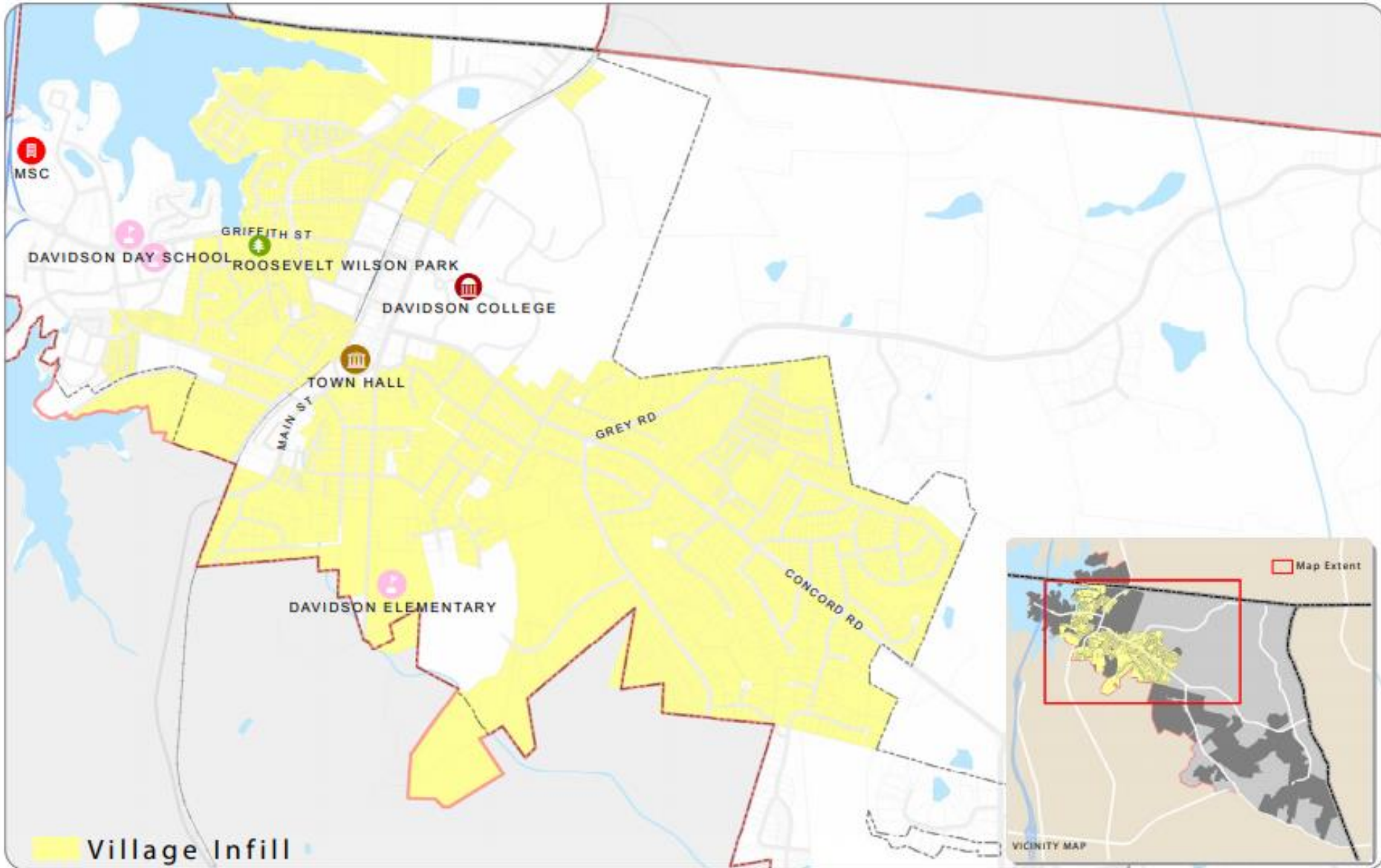
- **Asheville:** Uses CPAs with development thresholds
- **Chapel Hill:** Use Conditional-Use Permit (Q-J) to achieve specific goals
- **Charlotte:** Uses CPAs in specific zoning districts
- **Cornelius:** Uses CPAs for specific uses and specific development processes
- **Huntersville:** Uses Special Use Permits (Q-J) for major subdivision
- **Kannapolis:** CPAs are treated as an overlay
- **Mooresville:** Uses CPA for specific uses

TARGETED CONDITIONAL ZONING

STRATEGIC PLAN + COMP PLAN + CORE VALUES ALIGNMENT

- **Strategic Plan:**
 - A well-planned and livable community: implement targeted conditional zoning
- **Planning Department Workplan:**
 - Research and explore conditional development options
- **Core Values:**
 - Land planning will reflect historic patterns of village-centered growth
- **Planning Principle #6**
 - We must manage growth so that the town can provide public facilities and services apace with development
- **Comprehensive Plan (2020):**
 - Explore the use of targeted conditional zoning (p. 35)

TARGETED CONDITIONAL ZONING DEVELOPMENT SIZE + VILLAGE INFILL (VIPA)



TARGETED CONDITIONAL ZONING

DEVELOPMENT SIZE + VILLAGE INFILL (VIPA)

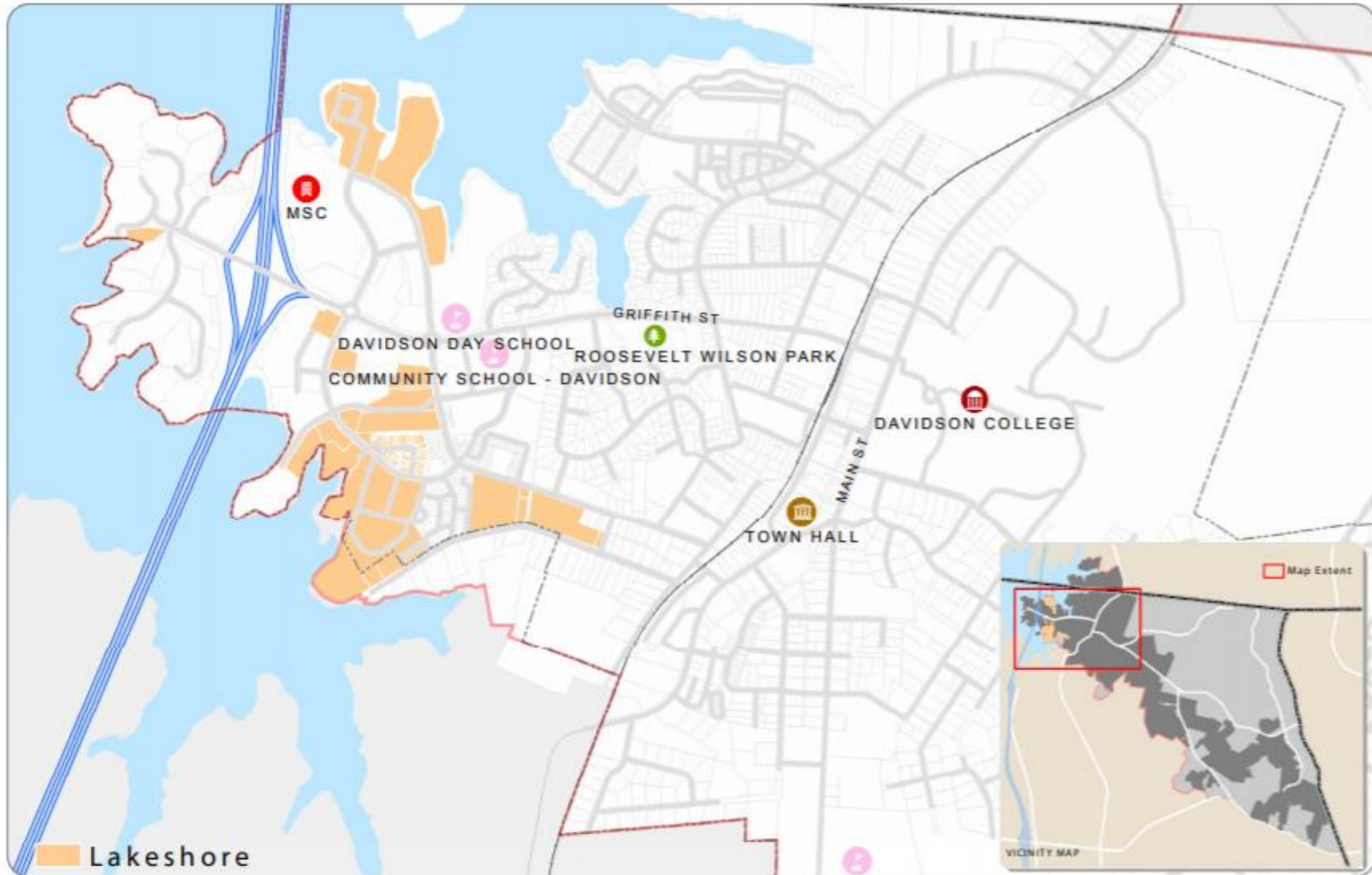
- **UNIT COUNTS:** Developments which exceed established unit thresholds would require conditional approval.

METRIC (d/u)	Average	Syncs w/ TIA	Average Minus Outlier: Nov 2019	BOC July 2020
THRESHOLD (d/u)	56 d/u	50 d/u	36 d/u	8 d/u

- **ACREAGE:** Developments whose base parcel(s) exceed established acreage thresholds would require conditional approval.

METRIC (ac.)	Average	Midpoint	Average Minus Outlier
THRESHOLD (ac.)	10 ac.	8 ac.	6 ac.

TARGETED CONDITIONAL ZONING DEVELOPMENT SIZE + LAKESHORE (LAK)



TARGETED CONDITIONAL ZONING

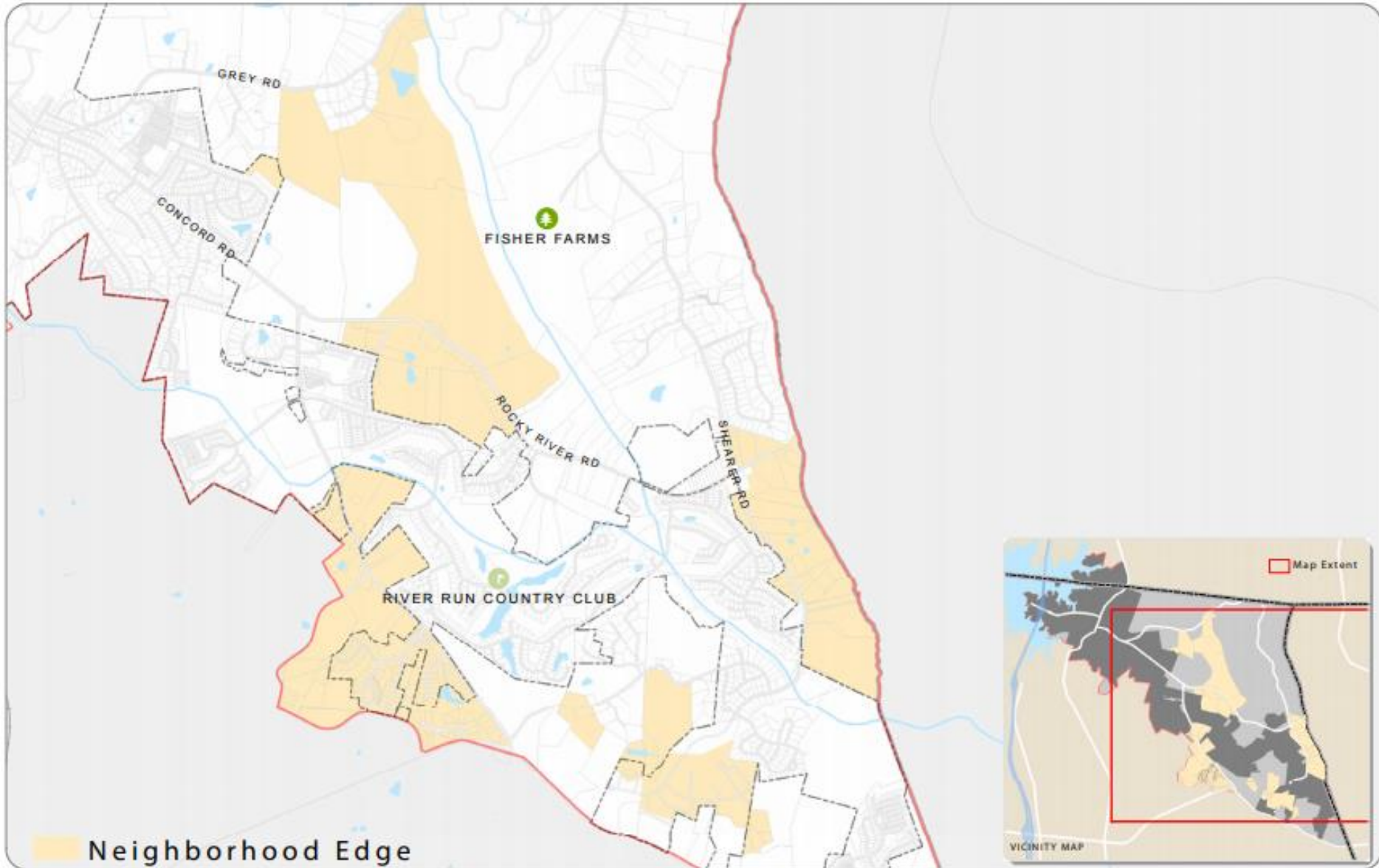
DEVELOPMENT SIZE + LAKESHORE (LAK)

- **UNIT COUNTS:** Developments which exceed established unit thresholds would require conditional approval.

METRIC (d/u)	BOC July 2020
THRESHOLD (d/u)	8 d/u

TARGETED CONDITIONAL ZONING

DEVELOPMENT SIZE + NEIGHBORHOOD EDGE (NEPA)



TARGETED CONDITIONAL ZONING

DEVELOPMENT SIZE + NEIGHBORHOOD EDGE (NEPA)

- **UNIT COUNTS:** Developments which exceed established unit thresholds would require conditional approval.

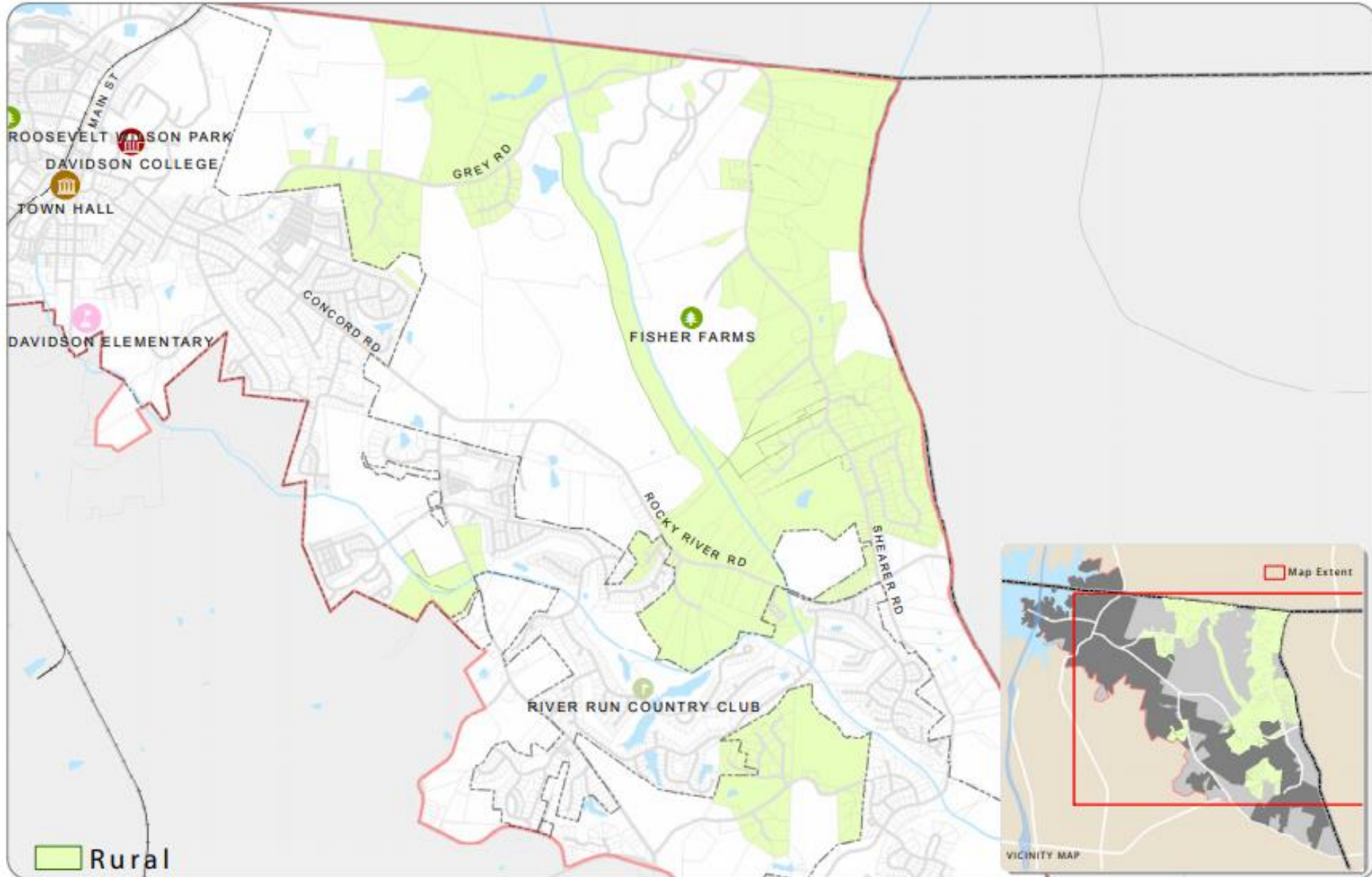
METRIC (d/u)	Average	Approx. Midpoint	Average Minus Outlier	BOC July 2020
THRESHOLD (d/u)	150 d/u	115 d/u	75 d/u	36 d/u

- **ACREAGE:** Developments whose base parcel(s) exceed established acreage thresholds would require conditional approval.

METRIC (ac.)	Average	Approx. Midpoint	Average Minus Outlier
THRESHOLD (ac.)	60 ac.	45 ac.	35 ac.

TARGETED CONDITIONAL ZONING

DEVELOPMENT SIZE + RURAL PLANNING AREA (RPA)



TARGETED CONDITIONAL ZONING

DEVELOPMENT SIZE + RURAL PLANNING AREA (RPA)

- **UNIT COUNTS:** Developments which exceed established unit thresholds would require conditional approval.

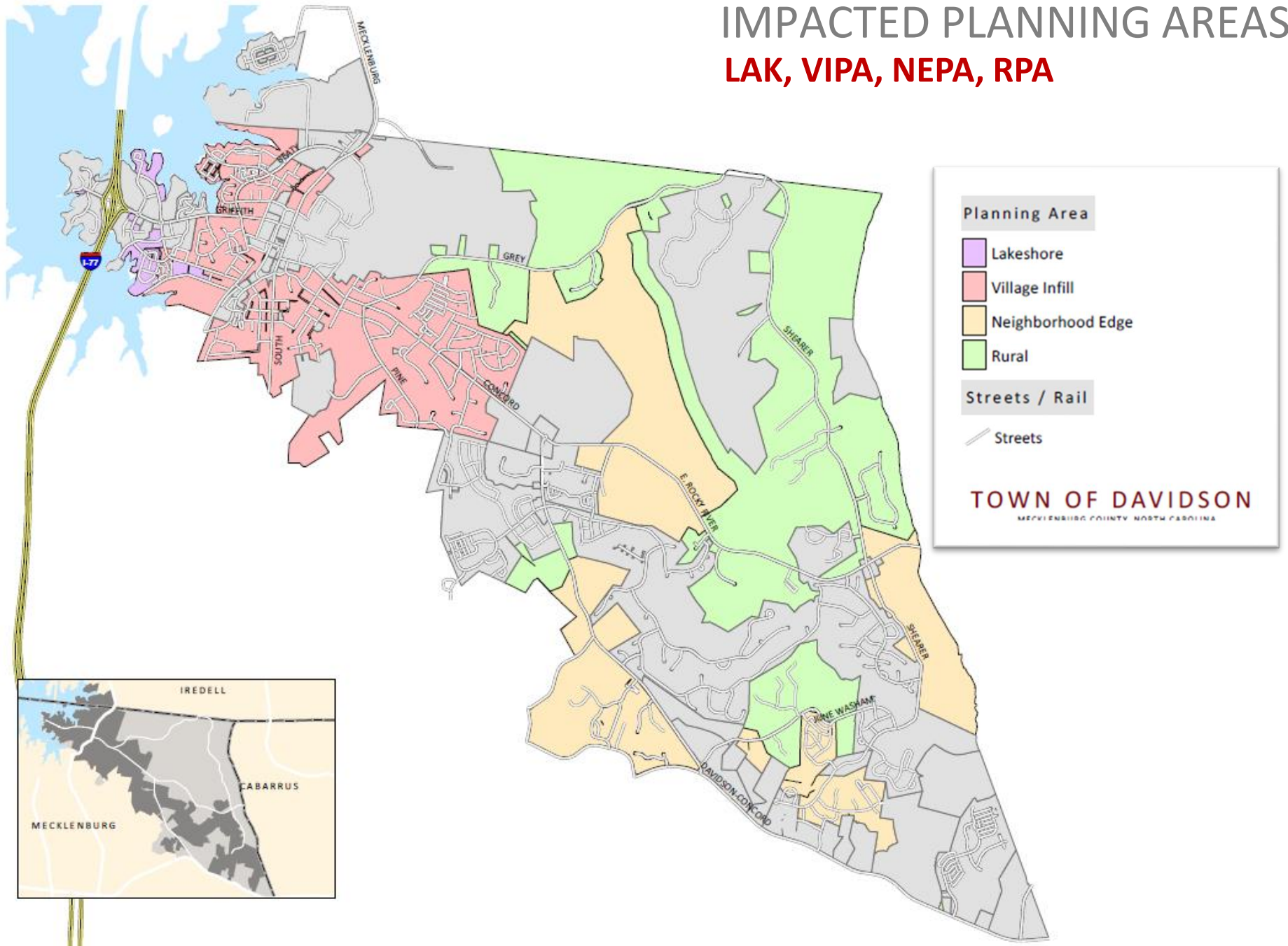
METRIC (d/u)	Above Average	Average	Average Minus Outlier	BOC July 2020
THRESHOLD (d/u)	30 d/u	20 d/u	14 d/u	36 d/u

- **ACREAGE:** Developments whose base parcel(s) exceed established acreage thresholds would require conditional approval.

METRIC (ac.)	Average	Approx. Midpoint	Average Minus Outlier
THRESHOLD (ac.)	50 ac.	25 ac.	15 ac.

IMPACTED PLANNING AREAS

LAK, VIPA, NEPA, RPA



TARGETED CONDITIONAL ZONING

PROS/CONS

PROS

- 1) Could better control the timing of development, adding intentional additional steps
- 2) Could provide opportunities to achieve specific town goals such as affordable housing
- 3) Could allow additional opportunities for public input
- 4) Provides the Board of Commissioners a direct say in the type and scale of development they would like to see in specific locations
- 5) Additional oversight for contextually sensitive development in most pressured neighborhoods (VIPA) and in the most fragile lands (RPA)
- 6) In RPA, would likely trigger the largest parcels with significant open space requirements
- 7) Could allow additional flexibility for creative/innovative development



TARGETED CONDITIONAL ZONING

PROS/CONS

CONS

- 1) Could reduce the value of larger parcels (i.e. harder to develop); significant burden on these property owners
- 2) Could lead to uneven development pattern (if other planning areas deemed “easier”)
- 3) Unit count options could incent large lot development (expensive homes) to stay below development thresholds
- 4) Reduces the predictability of the process for land owners, developers, citizens, planners
- 5) Would significantly lengthen approval process
- 6) Could require additional staffing to accommodate lengthened and focused process
- 7) Would require additional time of the Board; specifically meeting time allocated to conditional discussion.



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OVERALL PROS/CONS

CONS (cont.)

8. Would require additional time of the Planning Board; recommendation would be required beyond their typical “review and comment” per the DPO.
9. Would likely lead to a highly-politicized process
10. Could negate previous community-wide planning efforts/initiatives/plans (i.e. create de facto conditional zoning everywhere)
11. Targeted threshold could result in the underutilization of land (i.e. not the highest and best use)



TARGETED CONDITIONAL ZONING

DRAFT DPO TEXT

Section 2.1.5 Development Standards

Add additional paragraph:

Specific development proposals in the Village Infill, Lakeshore, Neighborhood Edge, and Rural Planning Areas may trigger the Conditional Planning Area (CPA) process and require approval from the Board of Commissioners **based upon specific metrics. These threshold metrics aim to improve the town's ability to better control the pace of development given existing infrastructure, while simultaneously providing opportunities to secure specific town goals via innovative development proposals.** See specific planning area development standards for additional detailed requirements.



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DRAFT DPO TEXT

Section 2.2.4.E (VILLAGE INFILL) Development Standards

Section 2.2.6.E (LAKESHORE) Development Standards

Additional bullet as the first point added after “The following are additional development standards in the VIPA/LAK...”

Any new development greater than eight dwelling units requires conditional approval from the Board of Commissioners. See Section 14, Conditional Planning Area, for more details.

Section 2.2.11.E (NEIGHBORHOOD EDGE) Development Standards

Add first paragraph under existing bullet points.

Any new development whose **master plan encompasses** 35 acres or greater OR 36 dwelling units or greater requires conditional approval from the Board of Commissioners. See Section 14, Conditional Planning Area, for more details.

Section 2.2.12.E (RURAL) Development Standards

Add first paragraph under existing bullet points.

Any new development whose **master plan encompasses** 15 acres or greater OR 36 dwelling units or greater requires conditional approval from the Board of Commissioners. See Section 14, Conditional Planning Area, for more details.



DISCUSSION



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NEXT STEPS

1. **Staff/PBOC:** Finalize DPO Draft Text
2. **Planning Board:** Additional feedback, July
3. **BOC:** Public Hearing (potentially August)
4. **Planning Board:** Recommendation (potentially Aug./Sept.)
5. **BOC action:** Potentially Sept./Oct.