



**Town of Davidson
Planning Board Regular Meeting
Town Hall and Community Center
Community Room 120
251 South Street
Monday, January 27, 2025 at 6:00 PM**

I. CALL TO ORDER

II. SILENT ROLL CALL AND DETERMINATION OF QUORUM

III. CHANGES TO THE AGENDA

IV. REVIEW/APPROVAL OF MINUTES

a. Review/Approval of the December 2, 2024, Minutes

Summary: The Planning Board will review and consider approval of the December 2, 2024, Minutes.

V. NEW BUSINESS

a. Member Introductions

Summary: The Planning Board will introduce members, including newly appointed members.

b. Vice Chair Election

Summary: The Planning Board will elect a member to serve as Vice Chair.

c. Adopt Meeting Schedule

Summary: The Planning Board will adopt its meeting schedule for 2025.

d. Planning Board Orientation

Summary: Principal Planner Trey Akers will provide an overview of the board and its responsibilities.

VI. OLD BUSINESS

a. Proposed Design Review Board Text Amendments – FYI

Summary: Senior Planner Lindsay Laird will review a summary of the proposed text amendments with the board. No action is required.

VII. OTHER ITEMS

VIII. PLANNING STAFF REPORT

IX. ADJOURNMENT

MEETING MINUTES

Planning Board

Town of Davidson, NC

December 2, 2024

A meeting of the Davidson Planning Board was held at 6:00 p.m. in the Community Room of the Davidson Town Hall & Community Center at 251 South Street.

I. CALL TO ORDER: 6:02 pm

II. SILENT ROLL CALL AND DETERMINATION OF QUORUM

- **Present Board Members:** Shawn Copeland (Chair); Waller Blackwell (Vice Chair); Susan Cooke; Sara Cummings; Janice Lewis; Michael Fabrizius; Tom Watson; Heather McClow; Rick Pacious; Nora Barger; Jason Ridenhour
- **Absent Board Members:** Mendy McNeel
- **Town Representatives:** Trey Akers, Lindsay Laird

III. CHANGES TO THE AGENDA: N/A

IV. REVIEW/APPROVAL OF THE MINUTES

a. Review/Approval of the October 28, 2024, Minutes:

Motion to recommend approval of the minutes:

- Motion: Susan Cooke
- Second: Rick Pacious
- Vote: 11-0 (Motion Passed, Absent: McNeel)

V. OLD BUSINESS:

- a. **Haley Master Plan – FYI:** Principal Planner Trey Akers provided an update on the master plan, including feedback received at the Public Input Session in October. Members discussed the use of low impact development practices, Transportation Impact Analysis results and the status of Ralph Knox Rd., and the use of the Utility Services & Annexation Criteria framework in the project.

VI. NEW BUSINESS:

- a. **Proposed Design Review Board Text Amendments – FYI:** Senior Planner Lindsay Laird reviewed a summary of the proposed text amendments with the board. Members discussed how the changes would impact the decision-making process for the Design Review Board and the importance of aligning with state law and other municipalities' practice.

VII. OTHER ITEMS:

- a. **Membership Recognition:** Principal Planner Trey Akers announced the appointment of new members Richard Bargoil and David Lusk, who begin their terms in January 2025. The board also bid farewell to members Nora Barger and Susan Cooke.

VIII. PLANNING STAFF REPORT: N/A

IX. ADJOURNMENT: 5:54 pm

- Motion: Susan Cooke
- Second: Nora Barger

APPROVAL OF MEETING MINUTES

Signature/Date

Shawn Copeland, Planning Board Chair



MEETING SCHEDULE

Planning Board - Town of Davidson, NC
2025

January 27th

February 24th

March 31st

April 28th

May 19th

June 30th

July 28th

August 25th

September 29th

October 27th

November 24th

December – Typically No Meeting

**Note: Generally, all meetings are scheduled for the last Monday of each month at 6:00 p.m., Davidson Town Hall & Community Center, 251 South Street, Davidson, NC 28036. Meeting details are announced via the town's "Planning" listserve; register on the [e-Crier webpage](#). In 2025, one meeting falls on a Monday that presents a conflict: 05.26, Memorial Day. The May meeting has been scheduled for Monday, 05.19.2024.*



Planning Board Orientation

Trey Akers
Principal Planner
01.27.2025

www.townofdavidson.org

DAVIDSON'S COMMITMENT TO PLANNING



AUTHORITY & RESPONSIBILITY

Main Activities

- **Make Studies:** Within Jurisdiction/ETJ
- **Determine Objectives:** Prepare/Adopt Plans Supporting Objectives
- **Develop & Recommend:** Policies, Ordinances, Admin. Procedures
- **Advise Town Board:** On Plans, Uses, & Amend. of Plans/Procedures

DPO Section 13.2.1

- **Master Plan Recommendations:** Schematic Design Plans, Conditions (As Applicable)
- **Land Use Plan Recommendations:** Small Area Plans, Studies, Comp. Plan Review, etc.
- **Planning Ordinance Updates:** Review/Consider Petitions
- **Board of Adjustment:** Sub-set of the Planning Board; Quasi-Judicial; BUA-Averaging/Watershed

Additional Charges

- **Participation in Planning Processes:** Small Area Planning, Public Meetings (Input Sessions)
- **Education:** **Conversant Advocates** of Relevant Plan Details
- **Board of Commissioners Liaison:** Support/Provide Guidance on Strategic Decisions

PLANNING BOARD – MAIN ROLES

- **Development Projects & Planning Ordinance:**
 - Ask Questions, Understand Decision Factors
 - Review + Informed Commentary
 - Serve as Knowledgeable Ambassadors of Project/Process Facts
- **Mobility Plan + Vision Zero:**
 - Provide Annual Input on Implementation
- **Comprehensive Plan, Long-Range Plans:**
 - Conversant Advocates of Davidson Planning Principles
- **Board of Adjustment:**
 - Serve as Objective Members on Rotating Basis

PLANNERS' ROLES

Planetizen

*And yet, an understanding of a desired future, and a **grasp of the tools** that can make a desired future a reality, is precisely the job of planners. Planners must always keep one eye toward history, one on the present, and one eye toward the future.*

DOCUMENTS

1. Policies:

- **General Planning Principles:** Broad Aspirations
- **Comprehensive Plan:** Framework/Action-Oriented
- **Mobility Plan:** Framework/Action-Oriented
- **Historic Preservation Plan:** Framework/Action-Oriented
- **Small Area Plans:** Smaller-Scale/Geographically-Specific Frameworks
 - » NC 73 (2004, 2005, 2008); Station Area Plan (2012); Circles @ 30 (2013); Rural Area Plan (2016); Downtown Small Area Plan (2023)
- **Administrative Plans/Policies:** Topical, Planning Offers Support
 - » Affordable Housing Needs Assessment (2022); Sustainability Framework (2021)

2. Legal Codes:

- **Planning Ordinance:** Development Standards Achieving Aspirations
- **Municipal Code:** Statutory Provisions

COMMUNICATION

GUIDELINES

Meetings:

- Member Dialogue: Respect, Collegiality, Inquiry, Discourse
- Citizen Comments: Respect, Active Listening

Outside of Meetings:

- Board Email: Logistical Info., Limited/Clarifying Responses
 - Questions, Suggestions, Concerns: Direct to Staff/Chair
 - No Discussion of Board Business/Topics
- Meetings Outside of Official Meeting: Permissible (Quorum = 7 Persons)
- Public Engagement (In Person): Acceptable/Encouraged, Purpose = Listen
- Media:
 - Official Inquiries: Direct to Communications Director
 - Mobile/Digital Platforms (i.e. social media): Proceed with Caution – Report Facts, If Necessary
 - » Becomes Written Evidence in Quasi-Judicial/Legal Challenge Determination

UPCOMING WORK

DEVELOPMENT PROJECTS

Haley Master Plan: Final Steps of Master Plan Process

Oakhill Ph. 2 Master Plan: 818 Blackwelder Dr. (Beaty/Shearer Streets)

Mayes Node Master Plan: Intersection of June Washam Rd., Davidson-Concord Rd., NC 73

Alexander Carwash: Downtown Infill, Mixed-use

DAVIDSON PLANNING ORDINANCE

Update Section 5: Affordable Housing, TIA, DRB/HPC Text Amendments

PLANS + INITIATIVES

Comprehensive Plan/Implementation: Winter 2025 (Action Items, Key Metrics – Trendlines)

Historic Preservation Plan: Sloan House RFP Release; Storytelling (Lakeside Sign Installation)

Placemaking Initiative: Continue to Seek/Review Proposals

TOD Workforce Housing/DFI: Evaluation of Town-owned Sites/Feasibility

Mobility: Red Station Area Planning, Microtransit



YOU HAVE A ROLE TO PLAY

QUESTIONS



RESOURCES



RESOURCES

TOWN OF DAVIDSON

Planning Ordinance: <http://www.townofdavidson.org/1006/Planning-Ordinance>

Comprehensive Plan: <http://www.townofdavidson.org/340/Davidson-Comprehensive-Plan>

Plans, Reports, & Studies: <https://www.townofdavidson.org/111/Plans-Reports-Studies>

Maps: <http://www.townofdavidson.org/1026/Maps-GIS>

ADDITIONAL

Google: www.google.com

Mecklenburg County/Mapping: [Polaris 3G](#)

Time Machine Map: [Meck. County GIS](#)

Planning: APA (Policy Reports); Congress for the New Urbanism; Planetizen; Project for Public Spaces; RCL Co. (Real Estate); Smart Growth America; Urban Land Institute; Visualizing Density (Lincoln Institute of Land Policy).



SCHEDULE OF PROPOSED CHANGES

Date: January 27, 2025

To: Planning Board

From: Lindsay Laird, Senior Planner

Re: Davidson Planning Ordinance – DRB Schedule of Proposed Changes

TEXT AMENDMENTS

The following is a list of proposed text changes to the Town of Davidson Planning Ordinance (DPO). The listed changes are being undertaken based on best practices for Design Review Boards (DRB) and Historic Preservation Commissions (HPC). Based on research to date, the DRB should no longer be quasi-judicial. Making these changes will help to differentiate the two overlapping boards. Proposals are organized by page number.

The Davidson Planning Ordinance is available at www.townofdavidson.org/planningordinance

PROPOSED TEXT CHANGES				
PAGE	SECTION	TITLE	ISSUE	PROPOSED ACTION
SECTION 2 – PLANNING AREAS				
2-5	2.1.4	BUILDING TYPES	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: DR = Permitted with approval of the Design Review Board New Text: DR = Design Review Board recommendation required	
2-85	2.3.5.B	LOCAL HISTORIC DISTRICT OVERLAY	Historic district design standards take precedence over DPO Section 4	Modify text to make clear that historic district design standards take precedence in the local historic district
TEXT CHANGES			Old Text: Standards: Buildings in the local historic district must meet the requirements in Section 4 and the Davidson Historic District Design Standards. If there are conflicts, the stricter regulation takes precedence.	

			New Text: Standards: Buildings in the local historic district must meet the requirements in the Davidson Planning Ordinance and the Davidson Historic District Design Standards. If there are conflicts, the Historic District Design Standards take precedence.	
SECTION 3 – USES WITH ADDITIONAL REQUIREMENTS				
3-4	3.2.9	COLUMBARIUM	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: b. The size of the columbarium site, including benches and walking paths around the columbarium, shall not exceed a total of 2,500 square feet. A columbarium site over 500 square feet shall require Design Review Board approval. New Text: b. The size of the columbarium site, including benches and walking paths around the columbarium, shall not exceed a total of 2,500 square feet. A columbarium site over 500 square feet shall require Design Review Board review and recommendation.	
SECTION 4 – SITE & BUILDING DESIGN STANDARDS				
4-2	4.2	APPLICABILITY & ADMINISTRATION	The DRB is not quasi-judicial and is not a decision-making board.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: The standards in this section shall: - Serve as criteria for the review of the application and decision to approve, deny, or approve with conditions. - Serve as criteria to evaluate the application and prepare an analysis of the application for the appropriate decision-making board. - Serve as the basis for the decision-making bodies’ deliberations. See section 14 for design review procedures. - "Shall" and "Must", when used, denote a design requirement. "Should" and "May" denote a design guideline.	

			- Shall not be applied in any manner prohibited by NC G.S. 160D. New Text: The standards in this section shall: - Serve as criteria for the review of the application and decision to approve, deny, or approve with conditions. - Serve as criteria to evaluate the application and prepare an analysis of the application for the appropriate advisory board. - Serve as the basis for advisory board review and recommendation. See section 14 for design review procedures. - "Shall" and "Must", when used, denote a design requirement. "Should" and "May" denote a design guideline. - Shall not be applied in any manner prohibited by NC G.S. 160D.	
4-11	4.5.1	INSTITUTIONAL BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing "approvals" of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: Institutional buildings are typically used for public or semi-public purposes. These buildings must be designed appropriately to fit within neighborhoods as integral parts of the community. Institutional buildings serve as places of assembly. They have a sense of prominence within their respective neighborhoods. Their uses may include churches, libraries, post offices, and schools. All institutional buildings are subject to the Individual Building process and Design Review Board approval. New Text: Institutional buildings are typically used for public or semi-public purposes. These buildings must be designed appropriately to fit within neighborhoods as integral parts of the community. Institutional buildings serve as places of assembly. They have a sense of prominence within their respective neighborhoods. Their uses may include churches, libraries, post offices, and schools. All institutional buildings are subject	

			to the Individual Building process and require Design Review Board recommendation.	
4-12	4.5.2	DETACHED AND ATTACHED HOUSES BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: Duplexes and all attached houses are subject to the Individual Building Process and Design Review Board approval. New Text: Attached houses are subject to the Individual Building Process and require Design Review Board recommendation.	
4-13	4.5.2.G.1	DETACHED AND ATTACHED HOUSES BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: The entire building must be built to commercial code, which requires Individual Building submittal and Design Review Board approval. New Text: The entire building must be built to commercial code, which requires Individual Building submittal and Design Review Board recommendation.	
4-13	4.5.3	TOWNHOUSE AND LIVE WORK BUILDING TYPES	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: All townhouse and live/work buildings are subject to the Individual Building process and Design Review Board approval.* New Text: All live/work buildings are subject to the Individual Building process and require Design Review Board recommendation.*	

4-14	4.5.4	MIXED VILLAGE BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: All Mixed Village buildings are subject to the Master Plan or Individual Building processes as well as and Design Review Board approval. New Text: All Mixed Village buildings are subject to the Master Plan or Individual Building processes and require Design Review Board recommendation.	
4-15	4.5.5	MULTI-FAMILY BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: All multi-family buildings are subject to the Individual Building process and Design Review Board approval. New Text: All multi-family buildings are subject to the Individual Building process and require Design Review Board recommendation.	
4-15	4.5.6	STOREFRONT BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: All storefront buildings are subject to the Individual Building process and Design Review Board approval. New Text: All storefront buildings are subject to the Individual Building process and require Design Review Board recommendation.	
4-16	4.5.7	WORKPLACE BUILDING TYPE	The DRB is not quasi-judicial and should not be issuing	Modify the text to reference DRB

			“approvals” of projects.	recommendation and not approval.
TEXT CHANGES			Old Text: All workplace buildings are subject to the Individual Building process and Design Review Board approval. New Text: All workplace buildings are subject to the Individual Building process and require Design Review Board recommendation.	
SECTION 11 – SIGNS				
11-3	11.3.1.1	SINGLE TENANT BUILDINGS	The DRB is not quasi-judicial and is not a decision-making board.	Modify the text to remove DRB approval of signage.
TEXT CHANGES			Old Text: E. Only one of the total numbers of allowed signs may contain neon. The neon sign area shall not exceed 10 square feet and shall be approved by the Design Review Board. New Text: E. Only one of the total numbers of allowed signs may contain neon. The neon sign area shall not exceed 10 square feet and shall be reviewed by the Design Review Board.	
11-3	11.3.1.2	MULTI-TENANT BUILDINGS	The DRB is not quasi-judicial and is not a decision-making board.	Modify the text to remove DRB approval of signage.
TEXT CHANGES			Old Text: D. The following additional regulations apply: 1. One building directory sign per multi-tenant entrance is allowed. 2. One service entrance sign is allowed. 3. One parking directional sign per rear parking lot is allowed. 4. Only one of the total numbers of allowed signs may contain neon. The neon sign area shall not exceed 10 square feet and shall be approved by the Design Review Board. New Text: D. The following additional regulations apply: 1. One building directory sign per multi-tenant entrance is allowed. 2. One service entrance sign is allowed. 3. One parking directional sign per rear parking lot is	

			allowed. 4. Only one of the total numbers of allowed signs may contain neon. The neon sign area shall not exceed 10 square feet and shall be reviewed by the Design Review Board.	
11-6	11.4.1.2.2	WALL SIGN	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to remove DRB approval of signage.
TEXT CHANGES			Old Text: Maximum sign area per facade is five percent of the ground floor facade area on which the sign is located OR 24 square feet, whichever is greater. The Design Review Board must approve all signs greater than 24 square feet. New Text: Maximum sign area per facade is five percent of the ground floor facade area on which the sign is located OR 24 square feet, whichever is greater. The Design Review Board must review all signs greater than 24 square feet.	
11-9	11.4.1.5.2	CANOPY SIGN	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to remove DRB approval of signage.
TEXT CHANGES			Old Text: Maximum sign area is five percent of the ground floor facade area on which the sign is located OR 24 square feet, whichever is greater. The Design Review Board must approve all signs greater than 24 square feet. New Text: Maximum sign area is five percent of the ground floor facade area on which the sign is located OR 24 square feet, whichever is greater. The Design Review Board must review all signs greater than 24 square feet.	
SECTION 13 – BOARDS AND COMMISSIONS				
13-3	13.3.1	AUTHORITY AND RESPONSIBILITY	The DRB is not quasi-judicial and is not a decision-making board.	Modify the text to reference DRB recommendation and not approval.

TEXT CHANGES			Old Text: A. Design Review Board 1. Review and approve the building schematic design of all individual buildings in approved plans. 2. Propose changes to the design standards in the Planning Ordinance. 3. Undertake programs of research, information, education, or analysis relating to any matter under its purview. 4. Provide such recommendations or approvals as required by the Planning Ordinance or as requested by the Board of Commissioners. New Text: A. Design Review Board 1. Review and approve the building schematic design of all individual buildings in approved plans. 2. Propose changes to the design standards in the Planning Ordinance. 3. Undertake programs of research, information, education, or analysis relating to any matter under its purview. 4. Provide such recommendations or approvals as required by the Planning Ordinance or as requested by the Board of Commissioners.	
SECTION 14 – ADMINISTRATION & PROCEDURES				
14-28	14.12	INDIVIDUAL BUILDING	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: 14.12.9 Design Review Board Approval: The applicant must submit an application to the Design Review Board in accordance with Section 14.13. The project must receive Design Review Board approval in order to proceed to review of the building construction documents. New Text: 14.12.9 Design Review Board Approval Review & Recommendation: The applicant must submit an application to the Design Review Board in accordance with Section 14.13. The Design Review Board shall review and provide a recommendation	

			on the project prior to administrative approval of any construction documents or building permits.	
14-29	14.12	INDIVIDUAL BUILDING	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: Individual Building Review Process Step 1: Pre-Concept/Site Meeting Step 2: Pre-Submittal Meeting Step 3: Application Step 4: Transportation Impact Analysis (if required) Step 5: Design Review Board Preliminary Review Step 6: Building Schematic Design Review Step 7: Technical Review Step 8: Design Review Board Approval Step 9: Utility Service and Annexation Criteria (USAC decision) Step 10: Site and Landscape Construction Documents Approval Step 11: Building Construction Documents Approval New Text: Individual Building Review Process Step 1: Pre-Concept/Site Meeting Step 2: Pre-Submittal Meeting Step 3: Application Step 4: Transportation Impact Analysis (if required) Step 5: Design Review Board Preliminary Review Step 6: Building Schematic Design Review Step 7: Technical Review	

			Step 8: Design Review Board Review & Recommendation Step 9: Utility Service and Annexation Criteria (USAC decision) Step 10: Site and Landscape Construction Documents Approval Step 11: Building Construction Documents Approval	
14-30	14.13	DESIGN REVIEW	The DRB is not quasi-judicial and should not be issuing “approvals” of projects.	Modify the text to reference DRB recommendation and not approval.
TEXT CHANGES			Old Text: 14.13.4 Design Review Board Decision: The applicant submits the following required materials prior to the Design Review Board meeting. A. The site schematic design, as per Section 14.16.9. B. The building schematic design, as per Section 14.16.5. C. The landscape schematic design, as per Section 14.16.7. D. The building perspective. This includes perspective views from the street, from the side, and in context with other buildings nearby. E. One electronic copy of the above submittal materials (jpg or pdf extensions only). F. Building Materials/Colors: for roofing, siding, doors and windows, etc. The Design Review Board is a quasi-judicial advisory board and shall follow the quasi-judicial procedures as described in Section 14.22 and G.S. 160D. At the Design Review Board meeting, the Board will consider the submittal materials, the staff analysis, and comments from the applicant and public. The Design Review Board shall approve, deny, or defer the decision on the proposed building design as submitted.	

	New Text: 14.13.4 Design Review Board Review & Recommendation: The applicant submits the following required materials (as applicable) prior to the Design Review Board meeting. A. The site schematic design, as per Section 14.16.9. B. The building schematic design, as per Section 14.16.5. C. The landscape schematic design, as per Section 14.16.7. D. The building perspective. This includes perspective views from the street, from the side, and in context with other buildings nearby. E. One electronic copy of the above submittal materials (jpg or pdf extensions only). F. Building Materials/Colors: for roofing, siding, doors and windows, etc. The Design Review Board is a quasi-judicial advisory board and shall follow the quasi-judicial procedures as described in Section 14.22 and G.S. 160D. At the Design Review Board meeting, the Board will consider the submittal materials, the staff analysis, and comments from the applicant and public. The Design Review Board shall recommend approval, approval with conditions, denial, or defer their recommendation on the proposed building design as submitted. Final approval of individual building design is administrative.			
SECTION 22 – HISTORIC PRESERVATION ORDINANCE				
22-11	22.7.6	APPLICATIONS & REQUIRED PROCEDURES	HPC Rules & Procedures requires COA applications to be submitted at least three weeks prior to the next regularly scheduled meeting.	Modify the text to align with HPC Rules of Procedure.
TEXT CHANGES			Old Text: A. An application for a Certificate shall be obtained from Commission staff. Applications shall be completed in form and in content and filed with the staff at least ten	

	(10) business days prior to the next regularly scheduled Commission meeting. Late applications shall be deferred until the following regularly scheduled meeting. New Text: A. An application for a Certificate shall be obtained from Commission staff. Applications shall be completed in form and in content and filed with the staff at least three weeks prior to the next regularly scheduled Commission meeting. Late applications shall be deferred until the following regularly scheduled meeting.
--	--



Proposed Design Review Board Text Amendments

Lindsay Laird
Senior Planner
January 27, 2025

www.townofdavidson.org

Quasi-Judicial Procedures

- Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision (NCGS 160D-406)
- Formal hearing similar to a court - process includes:
 - Sworn witnesses
 - Presentation of evidence
 - Deliberation
 - Voting
- Board discretion is limited – must be based on evidence in the record and the standards as required in the ordinance/historic district design standards
- Opinion should not come into play

Jointly Appointed DRB & HPC

Davidson Planning Ordinance (DPO) 13.3 *Design Review Board/Historic Preservation Commission*

A. Design Review Board (NCGS 160D-304 Appearance Commission):

- Reviews and approves the building schematic design of all individual buildings in approved plans (not in the local historic district)
- Not quasi-judicial per state statute – should be advisory only

B. Historic Preservation Commission (NCGS 160D-303):

- Review and act on proposals for Certificates of Appropriateness in local historic districts
- Explicitly quasi-judicial when reviewing COAs per state statute

DPO & Bylaw Revisions: Design Review Board

- Multiple DPO sections revised to remove references to quasi-judicial procedures & approvals for DRB (but not HPC)
 - Section 2 – Planning Areas
 - Section 3 – Uses with Additional Requirements
 - Section 4 – Site & Building Design Standards
 - Section 11 – Signs
 - Section 13 – Boards & Commissions
 - Section 14 – Administration & Procedures
 - Section 22 – Historic Preservation Ordinance
- Updated DRB & HPC bylaws clarify procedures
- Revisions make clear that DRB is advisory only; Final design approvals are administrative based on DPO building design standards
- Revisions also differentiate the two overlapping boards

NEXT STEPS

Process: DPO 14.23: Amendments to the Planning Ordinance

- **October 8, 2024:** Board of Commissioners FYI
- **December 2, 2024:** Planning Board FYI
- **January 15, 2025:** Design Review Board FYI
- **January 28, 2025:** Board of Commissioners Public Hearing
- **February 24, 2025:** Planning Board Recommendation
- **March 2025:** Board of Commissioners Decision

QUESTIONS

