12-26

AMENDING CHAPTER 30
AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES
WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

(Editor's Note: Added text shown with underlines and deleted text shown with strikethroughs.)

Section 1. That Section 30-3-16 and Table 3-1, Summary of Review and Decision-Making Authority, is hereby amended by adding a row labeled "Overlays – Plan, Design Manual" with a "R" in the Planning and Community Development Director column, a "{R}" in the Planning Board column, a "{D}" in the City Council column, and "30-4-8" on the Section column.

Section 2. That Subsection 1) of Section 30-4-1.4(A) and Table 4-1, Notice Requirements for City Council, is hereby amended by adding a row labeled "Overlays – Plan, Design Manual" with a "□" in the Mailed column.

Section 3. That Subsection 2) of Section 30-4-1.4(A) and Table 4-2, Notice Requirements for Boards and Commissions, is hereby amended by adding a row labeled "Overlays – Plan, Design Manual" with a "□" in the Mailed column.

Section 4. That Subsection 2) of Section 30-4-1.4(B) and Table 4-3, Mailed Notice, is hereby amended by adding a row labeled "Overlays – Plan, Design Manual" with a "600" in the Notification Distance (feet) column.

Section 5. That Section 30-4-1.5 and Table 4-4, Hearing Requirements, is hereby amended by adding a row labeled "Overlays – Plan, Design Manual" with a "□" in the Planning Board column, and a "□" in the City Council column.

Section 6. That Subsections (C) and (D) of Section 30-4-8.1, –ACO, Activity Center Overlay District, is hereby amended to read as follows:

(C) Plan and Design Manual Adoption
The plan and design manual must be approved using the Comprehensive Plan Amendment procedure of Sec. 30-4-3 and the mail notice requirements of Sec. 30-4-1.4. The Planning Board must ~~review and~~ recommend a design manual for the overlay district plan specifying design standards for each major element. Standards may address new use restrictions, building bulk or location requirements, on or off-street parking, landscaping and buffering, signs and lighting, and other site design and improvements elements.
(D) Adoption of Overlay Zoning
The ~~new~~ –ACO, Activity Center Overlay district must be ~~reviewed and~~ approved using the Zoning Map Amendment procedure of Sec. 30-4-5. The ordinance adopting the Overlay must contain the following:
1) A description of the type of activity center being established;
2) A statement adopting the activity center master plan if one has been developed;
3) Any use limitations imposed by the overlay district; and
4) A design manual, including any dimensional and other development standards imposed by the overlay district.
Section 7. That Section 30-4-8.2, -DDO, Downtown Design Overlay District, is hereby amended to read as follows:
30-4-8.2 -DDO, Downtown Design Overlay
(A) Initiating Overlay Zoning
The –DDO, Downtown Design Overlay district must be approved ~~in accordance with~~ using the Zoning Map Amendment procedure of Sec. 30-4-5. The ordinance adopting the overlay district must contain the district boundaries.
(B) Design Manual Adoption
The design manual for the overlay district specifying design standards for each major element must be approved using the text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4. Standards may address new use restrictions, building bulk or location requirements, on- or off-street parking, landscaping and buffering, signs and lighting and other site design and improvement elements.
(C) Amendments to an Adopted Downtown Design Overlay District
1) Boundary of the District
Any amendment to the boundaries of the Downtown Design Overlay district shall be in accordance with the Zoning Map Amendment procedures of Sec. 30-4-5.
2) Content of the Design Manual
Any amendment to the contents of the Design Manual for the Downtown Design Overlay district shall be ~~in accordance with the text amendment procedures of Sec. 30-4-4~~ approved using the text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4.

3) Boundary of the District by Rezoning
Except as provided above, any property that abuts the Downtown Design Overlay district that is rezoned to the CB district after September 7, 2010 shall be included in the Downtown Design Overlay district.
Section 8. That Subsections 6) and 7) of Section 30-4-8.4(E), Neighborhood Conservation Plan, is hereby amended to read as follows:
6) Upon completion of the proposed Neighborhood Conservation Plan, the Planning and Community Development Director must schedule a public meeting for the purpose of informing property owners in the proposed overlay district of the nature of any pending requirements. The Planning and Community Development Director must send notice as provided in subsection (D) above. A petition (provided by the Planning and Community Development Department) indicating support for the city to proceed to public hearings must be filed with the Planning and Community Development Director within 6 months of this public meeting ~~the Public Information Meeting~~. The petition to proceed must be signed by property owners representing at least 51% of the land area and at least 51% of the parcels within the proposed district.
7) Adoption of a Neighborhood Conservation Overlay district requires an amendment to the official zoning map. Upon receipt of a sufficient petition, the Planning and Community Development Director shall initiate the Zoning Map amendment. The associated Neighborhood Conservation Plan must be approved by the City Council at the same time that the map amendment is adopted.
Section 9. That Subsection (F) of Section 30-4-8.4–NCO, Neighborhood Conservation Overlay, is hereby amended to read as follows:
(F) Overlay District and Plan Approval
~~1) The plan must be forwarded, with the recommendations of the Planning Board and Zoning Commission following public hearings, to the City Council for approval.~~
~~2) The City Council must hold a public hearing to consider adoption of both the Overlay District and the Neighborhood Conservation Plan.~~
1) Plan and Design Manual Adoption
The plan and design manual must be approved using the text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4. The Planning Board must recommend a design manual for the overlay district plan specifying design standards for each major element. Standards may address new use restrictions, building bulk or location requirements, on or off-street parking, landscaping and buffering, signs and lighting, and other site design and improvements elements.
2) Adoption of Overlay Zoning
The –NCO, Neighborhood Conservation Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5.
Section 10. That Subsections (C) and (D) of Section 30-4-8.5–PSO, Pedestrian Scale Overlay, is hereby amended to read as follows:
(C) Design Manual Adoption
The Planning Board must recommend ~~adopt~~ a design manual for the overlay district specifying design standards for each major element. Standards may address new use restrictions, building bulk or location requirements, on or off-street parking, landscaping and buffering, signs and lighting, and other site design and improvements elements. The design manual must be approved using the text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4.
(D) Initiating Overlay Zoning
The ~~new~~ – PSO, Pedestrian Scale Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5. The ordinance adopting the Overlay must contain the district boundaries.
Section 11. That Section 30-4-8.6, –SCO, Scenic Corridor Overlay, is hereby amended to read as follows:
30-4-8.6 –SCO, Scenic Corridor Overlay
(A) Corridor Plan Required
Before a Scenic Corridor Overlay District is established for any particular road, the Planning and Community Development Department must study the conditions and length of the corridor. At a minimum, the corridor plan must consider the following elements in determining the length of the corridor:
1) The type and arrangement of land uses along the corridor;
2) The unique qualities of the corridor, such as landmark buildings, views and vistas, and natural features which merit special consideration or protection;
3) The value of the corridor as an entryway to the city which influences the perception of individuals or firms considering residence or investment in the community;
4) Transportation (e.g. vehicular access, dedication of right-of-way, driveway limitations, and traffic impacts.) and;
5) The standards of the underlying zoning district(s) that must be modified in order to maintain the scenic character of the area (for example, off-street parking requirements, landscaping requirements, sign regulations).

(B) Corridor Plan Approval
The corridor plan and design manual must be approved using the text amendment procedures of Sec. 30-4-4 ~~Comprehensive Plan Amendment procedure of Sec. 30-4-3~~ and the mail notice requirements of Sec. 30-4-1.4.
(C) Initiating Overlay Zoning
The ~~new~~ -SCO, Scenic Corridor Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5. The ordinance adopting the Overlay must contain the district boundaries.

Section 12. That Section 30-4-8.7, –AO, Airport Overlay, is hereby amended by adding a new Subsetion (C) to read as follows:

(C) Modification of District Boundaries
Except as provided in (B) above, any amendment to the boundaries of the Airport Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5 and the mail notice requirements of Sec. 30-4-1.4.

Section 13. That Section 30-4-8.8, –MHO, Manufactured Housing Overlay, is hereby amended to read as follows:
30-4-8.8 –MHO, Manufactured Housing Overlay
The ~~new~~ –MHO, Manufactured Housing Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5. In addition, the following information is required:
(A) In requesting the establishment of a Manufactured Housing Overlay District, the applicant must present factual information to ensure, in the opinion of the Zoning Commission and the City Council, that property values of surrounding properties are protected, that the character and integrity of the neighborhood are adequately safeguarded, and the purposes of the overlay district are met.
(B) To ensure acceptable similarity in exterior appearance between proposed manufactured dwellings and dwellings that have been constructed on adjacent or nearby lots, an applicant may choose to attach present examples of the types and design of such proposed dwellings.
Section 14. That Section 30-4-8.9–CBO, Central Business Overlay, is hereby amended to read as follows:
30-4-8.9 –CBO, Central Business Overlay
The ordinance text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4 apply.
Section 15. That Section 30-4-8.10, –VCO, Visual Corridor Overlay, is hereby amended to read as follows:
30-4-8.10 –VCO, Visual Corridor Overlay
The ordinance text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4 apply.
Section 16. That Subsections (C) and (D) of Section 30-4-8.14, -GO, Greenway Overlay, is hereby amended to read as follows:
(C) Design Manual Adoption
The Planning Board must ~~adopt~~ recommend a design manual for the overlay district specifying design standards or guidelines for each major element. Standards or guidelines may address new use restrictions, bike rack requirements, landscaping/screening requirements, sign regulations, building orientation, building material, connectivity with the greenway, and other site design and improvements elements. The design manual must be approved using the text amendment procedures of Sec. 30-4-4 and the mail notice requirements of Sec. 30-4-1.4.
(D) Initiating Overlay Zoning
The ~~new~~ –GO, Greenway Overlay district must be approved using the Zoning Map Amendment procedure of Sec. 30-4-5. The ordinance adopting the Overlay must contain the district boundaries.
Section 17. That Section 30-4-22, Street, Alley and Walkway Closings, is hereby amended to read as follows:
30-4-22, Street, Alley and Walkway Closings
All street, alley and walkway closings must be processed in accordance with ~~Section 160A-299 of the North Carolina General Statutes and~~ Section 6.61 of the City Charter.
Section 18. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
Section 19. This ordinance shall become effective upon adoption.

THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF GREENSBORO
ON THE 3RD DAY OF APRIL, 2012 AND WILL
BECOME EFFECTIVE UPON ADOPTION.

APPROVED AS TO FORM

ELIZABETH H. RICHARDSON
CITY CLERK

INTERIM CITY ATTORNEY