

AMENDING CHAPTER 30 (LDO)
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 Table 8-1 within Section 30-8-1, Permitted Use Table, is hereby amended by adding a row for a use labeled "Community Gardens" within the Use Category of Agricultural Uses, a "U" in the R-3, R-5, R-7, RM-5, RM-8, RM-12, RM-18, MU-L, MU-M, MU-H, and TN zoning districts, and a "30-8-10.6(C)" in the standards column.

Section 2. That Table 8-1 within Section 30-8-1, Permitted Use Table, is hereby amended by adding a row for a use labeled "Urban Farms" within the Use Category of Agricultural Uses, and a "S" in the R-3, R-5, R-7, RM-5, RM-8, RM-12, RM-18, MU-L, MU-M, MU-H, C-N, C-L, and TN zoning districts, and a "30-8-10.6(D)" in the standards column.

Section 3. That the introductory paragraph for Section 30-8-7.4, Parks and Open Areas, is hereby amended to read as follows:

30-8-7.4 Parks and Open Areas

Uses focusing on natural areas consisting mostly of vegetation, passive and active outdoor recreation areas, ~~community gardens~~, and having few structures.

Section 4. That Section 30-15-4, Terms Beginning with C, is hereby amended by adding the definition for "Community Gardens" within alphabetical order as follows:

Community Gardens (Principal Use)

Areas of land used solely to grow and harvest food crops and non-food ornamental crops, for personal or group use, consumption, or donation. Community Gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by the group.

Section 5. That Section 30-15-20, Terms Beginning with U and V, is hereby amended by adding the definition for "Urban Farms," within alphabetical order as follows:

Urban Farms (Principal Use)

Areas of land used for the raising and harvesting of trees (excluding forestry), vines, seeds, plants and crops, as well as the keeping and raising of animals (including fish)

when located within city limits. Urban farms may include intensive agriculture and a retail component.

Section 6. That Subsection (A) of Section 30-8-4.1, Agricultural Use Group, is hereby amended to read as follows:

(A) Typical Use Types

The following are examples of typical agricultural uses:

- 1) Forestry and Crops
- 2) Community Gardens
- 3) Urban Farms

Section 7. That Section 30-8-10.6, Agricultural Uses, is hereby amended by inserting a new subsection (C), Community Gardens, to read as follows:

(C) Community Gardens

- 1) A community garden shall be used for growing and harvesting food crops and ornamental crops, for consumption or donation. On site sales are prohibited.
- 2) A community garden exceeding one acre in size shall be permitted with the approval of a Special Use Permit.
- 3) A “Use Registration Permit” from the city is required if the community garden is a new use or a change in use for a zone lot.
- 4) Detached accessory structures such as storage or utility buildings, gazebos, trellises, or accessory structures are permitted, subject to an approved zoning and/or building permit. The maximum size for an accessory structure affiliated with a community garden, permitted by right, in a residential district is 12 feet by 12 feet and shall not exceed 12 feet in height. A larger structure may be permitted with the approval of a Special Use Permit (see Sec. 30-4-10).
- 5) All storage structures housing fertilizer, gas, or other chemicals shall be ventilated.
- 6) Community gardens are not permitted to have electricity. Electricity is permitted with the approval of Special Use Permit (see Sec. 30-4-10).
- 7) If fencing is installed, such fencing shall not be opaque and shall be subject to the standards of Sec. 30-9-4
- 8) Lighting shall be limited to lights controlled and activated by motion sensor devices for a duration of 15 minutes or less.
- 9) Community Gardens shall be managed and maintained in compliance with all applicable standards of this ordinance and the City Code of Ordinances, including but not limited to those pertaining to:
 - a) Nuisance abatement;
 - b) Stormwater management;
 - c) Site accessibility;
 - d) Signage;
 - e) Soil erosion and sedimentation control;
 - f) Tree conservation; and
 - g) Landscaping.

10) Gardeners are required to adhere to this ordinance. If any Community Garden is found to be in violation of this ordinance, the owner of the property and the party identified on the “Use Registration Permit” (if different) will be notified and subject to remedies and penalties of any such violation in accordance with Article 5.

Section 8. That Section 30-8-10.6, Agricultural Uses, is hereby amended by inserting a new subsection (D), Urban Farms, to read as follows:

(D) Urban Farms

1) Urban farms shall be managed and maintained in compliance with all applicable standards of this ordinance and the City Code of Ordinances, including but not limited to those pertaining to:

- a) Nuisance abatement;
- b) Stormwater management;
- c) Site accessibility;
- d) Signage;
- e) Soil erosion and sedimentation control;
- f) Tree conservation; and
- g) Landscaping.

2) A “Use Registration Permit” from the city is required if the urban farm is a new use or a change in use for a zone lot.

3) All keeping, grazing or feeding of animals as an accessory to the urban farm shall comply with Section 30-8-11.3, Animals and Livestock.

4) An aquaculture license, written permission and/or a capacity use permit, if applicable, from the North Carolina Department of Agriculture and Consumer Services is required of any applicant farming fish.

5) All storage structures housing fertilizer, gas, or other chemicals shall be ventilated.

6) If fencing is installed, such fencing shall not be opaque and shall be subject to the standards of Sec. 30-9-4.

7) Urban farms are only permitted on parcels that do not contain single-family dwellings. However, a caretaker dwelling is permitted per Sec. 30-8-11.4.

8) The minimum lot size to establish an urban farm is 30,000 square feet.

Section 9. That Subsection (D) of Section 30-9-4.5, Prohibited Fence/Wall Heights, is hereby amended to read as follows:

(D) fences or walls topped with barbed wire or razor wire in residential ~~zoning districts~~, C-N, C-L, MU- and TN zoning districts, except those service a public institution for public safety or security purposes.

Section 10. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 11. This ordinance shall become effective upon date of adoption.