

Chapter 30

ZONING, PLANNING AND DEVELOPMENT ORDINANCE*

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***Editor's note**—Ord. No. 10-85, §§ 1—4, adopted June 15, 2010, states the following:

"Section 1. A new Chapter 30 of the Greensboro Code of Ordinances, entitled "Land Development Ordinance" is hereby adopted and which consists of:

1. Land Development Ordinance, Public Hearing Draft, dated 10/20/09.
2. Consolidated Changes List, dated 4/26/10.
3. Final List of Changes, dated 6/8/10.

Section 2. This ordinance shall become effective on July 1, 2010.

Section 3. Members of the public shall be allowed to continue using the current ordinance Chapter 30 of the Greensboro Code of Ordinances entitled "Zoning, Planning and Development Ordinance" through June 30, 2011.

Section 4. That the current Chapter 30 of the Greensboro Code of Ordinances entitled "Zoning, Planning and Development Ordinance" shall be repealed effective July 1, 2011."

Ord. No. 91-145, adopted Nov. 27, 1991, repealed Chapter 30 in its entirety, which pertained to zoning, and adopted a new Chapter 30 to read as herein set out. For the derivation of former Chapter 30, see the Code Comparative Table.

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ARTICLE I. PURPOSE AND AUTHORITY

30-1-1. SHORT TITLE

This Ordinance shall be known and may be cited as the "City of Greensboro Development Ordinance", except as referred to herein, where it shall be known as "this Ordinance".
(Ord. No. 91-145, § 1, 11-27-91)

30-1-2. REPEALS AND ENACTMENT

30-1-2.1 Repeal of inconsistency.

All ordinances, or portions thereof, of the Code of Ordinances of the City of Greensboro, North Carolina which relate to zoning, subdivision, and land use which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
(Ord. No. 91-145, § 1, 11-27-91)

30-1-2.2. Enactment.

This Ordinance is hereby enacted and shall be the Development Ordinance for the City of Greensboro, North Carolina.
(Ord. No. 91-145, § 1, 11-27-91)

30-1-2.3. Effective date.

This Ordinance shall become effective on July 1, 1992.
(Ord. No. 91-145, § 1, 11-27-91)

30-1-3. PURPOSE

30-1-3.1. General purpose.

It is the purpose of this Ordinance to promote the health, safety, morals, and general welfare of the residents of the City of Greensboro through the regulations of this Ordinance.
(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.2. Zoning regulation purposes.

The zoning regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Lessen congestion in the streets;

- (B) Secure safety from fire, panic, and other dangers;
- (C) Provide adequate light and air;
- (D) Prevent the overcrowding of land;
- (E) Avoid undue concentration of population;
- (F) Facilitate the adequate and economic provision of transportation, water, sewage, schools, parks, and other public services;
- (G) Protect water quality within watershed critical areas, the general watershed areas of designated water supply watersheds and other watershed districts;
- (H) Preserve and enhance visual attractiveness and economic vitality; and
- (I) Require appropriate setbacks for buildings and other structures to facilitate the safe movement of vehicular and pedestrian traffic, provide adequate fire lanes, and ensure adequate distance from dust, noise, and fumes created by vehicular traffic.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 93-55, § 1, 6-7-93; Ord. No. 09-58, § 1, 4-7-09)

30-1-3.3. Cluster and zero side setback regulation purposes.

The single-family detached cluster development and zero side setback regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Encourage innovation in residential development by providing efficient, attractive, flexible, environmentally sensitive design;
- (B) Lower the costs of housing by reducing the lot size and the per-dwelling-unit linear footage of streets, water lines, storm sewers, and sanitary sewers;
- (C) Reduce the future cost of infrastructure maintenance and, therefore, the burden upon taxpayers and ratepayers;

- (D) Encourage development in areas which have major streets and utility lines in place but are experiencing little or no development;
- (E) Protect water quality, preserve wildlife habitats, and protect natural features such as streams, lakes, wetlands, and trees; and
- (F) Reduce the amount of grading necessary for site preparation.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.4. Planned unit development purposes.

The planned unit development regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Promote all of the purposes listed in Section 30-1-3.3 (Cluster and Zero Side Set-back Regulation Purposes);
- (B) Allow diversification of uses in developments intended as cohesive, unified projects;
- (C) Allow variation in the relationship of residential and nonresidential uses and structures in such cohesive, unified projects;
- (D) Reduce travel time by providing opportunities for employment and services closer to residences; and
- (E) Encourage innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.5. Historic district overlay purposes.

The historic district overlay regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Protect, safeguard, and conserve the heritage of the community;
- (B) Promote the sound and orderly preservation of historic areas as a whole, and of the individual properties therein, which

embody important elements of social, economic, political, or architectural history for the education, pleasure, and enrichment of all citizens; and

- (C) Enhance property values within historic areas.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.6. Scenic corridor overlay purposes.

The scenic corridor overlay regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Preserve and enhance the appearance and operational characteristics of certain designated roadways; and
- (B) Address development issues of special concern with specific requirements which relate to land use, traffic movement, access, environment, signage, landscaping, visual quality, and aesthetics.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.7. Manufactured housing overlay purposes.

The manufactured housing overlay regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Provide alternative, affordable housing opportunities for low- and moderate-income residents in residential areas by allowing for the use of manufactured dwellings;
- (B) Establish requirements designed to assure acceptable similarity in exterior appearance between manufactured dwellings and single-family dwellings that have been or might be constructed on adjacent or nearby lots; and
- (C) Protect property values and preserve the character and integrity of the community or individual neighborhoods within the community.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.8. Subdivision regulation purposes.

The subdivision (including group development) regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Promote orderly growth and development;
- (B) Provide for suitable residential and non-residential developments with adequate streets and utilities and appropriate building sites;
- (C) Provide for the distribution of population and traffic in a manner which shall avoid congestion and overcrowding;
- (D) Provide for the coordination of streets within subdivisions with existing or planned streets and with other public facilities;
- (E) Provide for the dedication or reservation of rights-of-way or easements for street and utility purposes;
- (F) Provide for the dedication or reservation of adequate spaces for public lands and buildings;
- (G) Encourage design that is protective of environmental quality;
- (H) Provide for the dedication or reservation of recreation, park, and greenway areas; and
- (I) Provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.9. Sign regulation purposes.

The sign regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Encourage the effective use of signs as a means of visual communication;
- (B) Promote a positive community appearance for the enjoyment of all citizens by eliminating physical and visual clutter;

(C) Maintain and enhance the aesthetic environment and the community's ability to attract sources of economic development and growth;

(D) Protect the public from damage or injury attributable to distractions and/or obstructions caused by improperly designed or located signs; and

(E) Protect existing property values in both residential and nonresidential areas.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.10. Off-street parking, stacking, and loading regulation purposes.

The off-street parking, stacking, and loading regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

(A) Ensure a sufficient amount of off-street parking, stacking, and loading areas for various land uses;

(B) Ensure easy, convenient circulation of vehicles within parking and loading areas;

(C) Minimize the potential for conflict with traffic on public streets; and

(D) Permit the shared use of parking areas by establishments and/or activities which have different hours of operation.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-3.11. Planting yard purposes.

The planting yard regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

(A) Create a better quality of life for the community by encouraging preservation of existing trees and vegetation;

(B) Provide visual buffering and enhance beautification;

(C) Establish appropriate separation between land uses;

(D) Provide the separation necessary to permit certain land uses to coexist harmoniously which might not do so otherwise;

- (E) Safeguard and enhance property values and protect public and private investment;
 - (F) Enhance the community's competitive position in economic development and tourism by improving views, particularly along streets;
 - (G) Reduce the negative impact of glare, noise, trash, odors, overcrowding, traffic, lack of privacy, and visual disorder when incompatible land uses adjoin one another; and
 - (H) Provide wildlife habitats within urban and suburban environs.
- (Ord. No. 91-145, § 1, 11-27-91)

30-1-3.12. Water supply watershed and other watershed management and protection purposes.

The watershed protection regulations, adopted and prescribed in this Ordinance, to protect the public health; are found by the City Council to be necessary and appropriate to:

- (A) Protect water supply watersheds and other watersheds from activities which could degrade water quality in the reservoirs and streams;
- (B) Reduce the volume of nutrients and other chemicals which could enter streams and the water supply by reducing the amount of runoff which any given development will generate;
- (C) Minimize land disturbance to reduce the amount of sediment washing into streams and lakes and to enhance the infiltration of runoff into soils, thus alleviating the sedimentation of water supply lakes which reduces their storage capacity, shortens their useful life, and makes them less able to withstand drought;
- (D) Reduce the probability of the release of harmful chemicals into streams and water supply reservoirs, either through natural catastrophe or human error;
- (E) Provide for natural and engineered methods for managing the stormwater which flushes contaminants off of built-upon ar-

reas in the water supply watersheds and other watersheds which may reach water supply reservoirs and streams unless controlled.

- (F) To require that new development maintain the pre-development hydrologic response in its post-development state as nearly as practicable for the applicable design storm to reduce flooding, streambank erosion, nonpoint and point source pollution and increases in stream temperature, and to maintain the integrity of stream channels and aquatic habitats; and
 - (G) To establish provisions for the long-term responsibility for and maintenance of structural and nonstructural stormwater Best Management Practices (BMPs) to ensure that they continue to function as designed, are maintained appropriately, and pose no threat to public safety.
- (Ord. No. 91-145, § 1, 11-27-91; Ord. No. 93-55, § 2, 6-7-93; Ord. No. 97-157, § 1, 10-14-97; Ord. No. 99-206, § 1, 12-21-99; Ord. No. 09-58, § 2, 4-7-09)

30-1-3.13. Soil erosion and sedimentation control purposes.

The soil erosion and sedimentation control regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Regulate certain land-disturbing activity to control accelerated erosion and sedimentation to prevent the pollution of water and other damage to lakes, watercourses, and other public and private property by sedimentation; and
 - (B) Establish procedures through which the purposes of soil erosion and sedimentation control can be fulfilled.
- (Ord. No. 91-145, § 1, 11-27-91)

30-1-3.14. Flood damage prevention purposes.

The flood damage prevention regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Permit only that development within the floodplain which is appropriate in light of the probability of flood damage and which represents a reasonable social and economic use of land in relation to the hazards involved; and
- (B) Minimize public and private losses due to flood conditions within flood prone areas by enactment of provisions designed to:
 - (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities;
 - (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
 - (4) Control filling, grading, dredging, and all other development which may increase erosion or flood damage;
 - (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands;
 - (6) Protect human life and health;
 - (7) Minimize expenditure of public money for costly flood control projects;
 - (8) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - (9) Minimize prolonged business losses and interruptions;
 - (10) Minimize damage to public facilities and utilities such as water, sewer, gas, electric, cable and telephone lines and streets and bridges located in flood prone areas;
 - (11) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas;
 - (12) Permit and encourage the retention of open land uses which will be so located and designed as to constitute a harmonious and appropriate part of the physical development of the community and which will not impede the flow of floodwaters; and
 - (13) Ensure that potential buyers are aware that property is in a Special Flood Hazard Area or Future Conditions Flood Hazard Area.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 07-43, §§ 1—6, 3-6-07)

30-1-3.15. Traditional neighborhood district purposes.

The traditional neighborhood district regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Establish neighborhoods that are limited in size and oriented toward pedestrian activity;
- (B) Encourage a desirable mix of uses in close proximity to each other;
- (C) Allow a mix of housing types to serve persons of various ages and income levels;
- (D) Develop a network of interconnecting streets and blocks that shorten travel distances, lessen congestion in the streets, promote walking, and promote frequent contacts among neighbors;
- (E) Create a coordinated transportation system with appropriately designed facilities for pedestrian, bicycle, public transportation, and automotive vehicles;

- (F) Provide and emphasize safe and inviting public open spaces such as squares, parks and greenways, and integrate them into the neighborhood pattern for the active and passive enjoyment of neighborhood residents;
- (G) Provide prominent sites for civic buildings;
- (H) Provide commercial and employment opportunities which are easily accessible to neighborhood residents;
- (I) Create neighborhoods with a distinct sense of place and character;
- (J) Provide predictable and reliable patterns of neighborhood development and qualities of urban design; and
- (K) Discourage sprawl and produce an efficient pattern of development that imposes lower per-capita service costs upon the City.

(Ord. No. 99-26, § 1, 3-2-99)

30-1-3.16. Transportation Impact Study (TIS) purposes.

The Transportation Impact Study (TIS) regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Assure the integrity and safety of the transportation system is maintained by identifying and evaluating impacts of proposed development and identifying scope and timing of necessary improvements to the transportation system.
- (B) Safeguard and enhance property values and protect public and private investment by identifying and eliminating or mitigating negative transportation impacts of development.

(Ord. No. 99-54, § 1, 5-4-99)

30-1-3.17. Pedestrian scale overlay purposes.

The pedestrian scale overlay regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and

appropriate to accommodate commercial, residential, office, and neighborhood business uses as infill development;

- (A) Encourage consistency between new development and existing development within currently built up areas;
- (B) Provide safe, walkable, attractive, pedestrian-oriented areas.

(Ord. No. 00-60, § 1, 4-18-00)

30-1-3.18. Tree preservation purposes.

The Tree Preservation regulations, adopted and prescribed in this ordinance, are found by the city council to be necessary and appropriate to:

- (A) Assure the appearance of Greensboro contributes ecologically and aesthetically to the growth and economic prosperity of the city.
- (B) Assure the integrity of the urban forest is preserved and maintained during and after the development process.
- (C) Provide a flexible, realistic, effective ordinance that is viewed as an asset to the community.

(Ord. No. 00-189, § 1, 10-17-00)

30-1-3.19. Sidewalk purposes.

The sidewalk regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Facilitate the movement of pedestrians in an efficient manner;
- (B) Provide a safe pedestrian environment;
- (C) Provide sidewalks in areas where walking is anticipated throughout the jurisdiction;
- (D) Ensure pedestrian connections to schools, parks, shopping facilities, green spaces, and public recreation facilities;
- (E) Provide for the coordination of pedestrian facilities within subdivisions with existing pedestrian facilities or planned pedestrian facilities;
- (F) Support the adopted Greensboro Walkability Policy; and

- (G) Promote public health through the provision of convenient exercise opportunities. (Ord. No. 02-239, § 6, 12-3-02)

Sec. 30-1-3.20. Neighborhood conservation overlay purposes.

The neighborhood conservation overlay regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Encourage development, redevelopment, and/or public projects that are consistent with a neighborhood's livability, architectural character, and reinvestment potential.
- (B) Provide a means to modify zoning regulations and establish design standards for specific areas of the city while facilitating compatible development or redevelopment and protecting neighborhoods from incompatible development. (Ord. No. 07-64, § 1, 4-17-07)

30-1-4. JURISDICTION

The provisions of this Ordinance shall apply to all the territory encompassed in the City of Greensboro, North Carolina as well as its extraterritorial jurisdiction and shall govern the development and use of land and structures therein. (Ord. No. 91-145, § 1, 11-27-91; Ord. No. 09-58, § 3, 4-7-09)

30-1-5. AUTHORITY

This Ordinance is adopted pursuant to portions of one (1) or more of the following authorities in NCGS: Chapter 63 (Aeronautics), Chapter 69 (Fire Protection), Chapter 74 (Environmental Controls), Chapter 95 (Department of Labor and Labor Regulations), Chapter 106 (Agricultural Regulations), Chapter 113A (Pollution Control and Environment), Chapter 119 (Gasoline and Oil Inspection and Regulations), Chapter 121 (Environmental Controls), Chapter 130A (Public Health), Chapter 133 (Public Works), Chapter 136 (Roads and Highways), Chapter 143 (State Departments, Institutions, and Commissions), Chapter 153A (Counties), Chapter 157 (Housing Authorities),

Chapter 160A (Cities and Towns), Chapter 168 (Handicapped Persons). This Ordinance may be amended from time to time as required or allowed by subsequent legislative enactments. (Ord. No. 91-145, § 1, 11-27-91)

30-1-6. ABROGATION

This Ordinance is not intended to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law. (Ord. No. 91-145, § 1, 11-27-91)

30-1-7. INTERPRETATION OF ORDINANCE

30-1-7.1. Minimum requirements.

In the interpretation and application of this Ordinance, all provisions shall be considered to be minimum requirements and deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. No. 91-145, § 1, 11-27-91)

30-1-7.2. Greater restrictions govern.

These regulations shall be the minimum requirements for administration, enforcement, procedures, restrictions, standards, uses, variances, and all other areas addressed by this Ordinance. If any federal or state law or any other existing ordinance or regulation is less restrictive, this Ordinance shall govern so that the more restrictive requirement shall govern. If regulations imposed by this Ordinance are less restrictive than regulations imposed by any governmental authority through regulation, rule, or restriction, the regulations imposed by that authority shall govern. Regardless of any other provision of this Ordinance, no land shall be developed or used, and no structure shall be erected or maintained, in violation of any state or federal regulation. (Ord. No. 91-145, § 1, 11-27-91)

30-1-7.3. Rounding of numbers.

(A) *General:* All calculations that result in a part or fraction of a whole number shall be rounded up to the next highest whole number, unless otherwise provided in this Ordinance.

(B) *Parking*: All calculations that result in a part or fraction of a whole number shall be rounded down to the next lowest whole number, unless otherwise provided in this Ordinance. (Ord. No. 91-145, § 1, 11-27-91; Ord. No. 92-52, § 1, 4-20-92)

30-1-7.4. Density calculations.

(A) *Rounding*: In calculating density, all calculations that result in a part or fraction of a whole number shall be rounded down to the next lowest whole number.

(B) *Dwelling Unit Equivalence*:

(1) *Congregate Care Facilities and Private Dormitories*: For the purpose of calculating density for congregate care facilities and private dormitories, two (2) bedrooms shall be equivalent to one (1) dwelling unit.

(2) *Single Room Occupancy (SRO) Residences*: For the purpose of calculating density for single room occupancy (SRO) residences, a rooming unit of less than one hundred fifty (150) square feet shall be equivalent to one-half ($\frac{1}{2}$) a dwelling unit and a rooming unit of one hundred fifty (150) square feet or more shall be equivalent to one (1) dwelling unit.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 92-52, § 2, 4-20-92)

30-1-8. RULES OF INTERPRETATION AND CONSTRUCTION

30-1-8.1. Word interpretation.

Words not defined in this Ordinance shall be given their ordinary and common meaning.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-8.2. Rules of construction.

For the purposes of this Ordinance, the following rules of construction shall apply:

(A) *Tense*: Words used in the present tense include the future tense;

(B) *Singular and Plural*: Words used in the singular number include the plural num-

ber and the plural number includes the singular number unless the context of the particular usage clearly indicates otherwise;

(C) *Mandatory Meaning*: The words "shall," "will," and "must" are mandatory in nature implying an obligation or duty to comply with the particular provision;

(D) *Gender*: Words used in the male gender include the female gender; and

(E) *Days*: Any reference to days shall mean calendar days unless otherwise specified.

(F) *References*: Any reference to an article or section shall mean an article or section of this Ordinance, unless otherwise specified.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-9. COMPLIANCE

30-1-9.1. Compliance.

No building, premises, or structure shall be located, extended, altered, constructed, erected, modified, converted, occupied, placed, maintained, or moved, and no land use shall be commenced, maintained, or modified, except as authorized by this Ordinance and other applicable regulations.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 07-43, § 7, 3-6-07)

30-1-9.2. Conformance with requirements.

Except as herein provided, no applicable permit shall be issued or granted that does not conform to the requirements of this Ordinance. Developments which have received Technical Review Committee approval, Enforcement Officer approval, or a building permit prior to the effective date of this Ordinance may proceed in accordance with such approval or permit while such approval or permit remains in effect.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-10. RELATION TO THE COMPREHENSIVE PLAN

The administration, enforcement, and amendment of this Ordinance shall be accomplished

with consideration of recommendations presented in the documents comprising the Comprehensive Plan. These documents include, but are not limited to, the following: comprehensive plan, thoroughfare plan, collector street plan, neighborhood plans, small area plans, community facilities plan, capital improvement program, economic development strategies, housing assistance plan, recreation plan, greenways plan, drainageway and open space plan, and watershed management plan. A copy of the adopted Greensboro Connections 2025 Comprehensive Plan shall be filed with the City Clerk.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 03-92, § 2, 5-6-03)

Editor’s note—The Greensboro Connections 2025 Comprehensive Plan, adopted in Chapter 30-1-10 above, has been amended by the following ordinances:

Ordinance Number	Adoption Date	Effective Date
04-69	5-18-04	5-18-04
04-124	7-20-04	7-20-04
04-237	12- 7-04	12- 7-04
05-25	2-15-05	2-15-05
05-29	2-15-05	2-15-05
05-30	2-15-05	2-15-05
05-31	2-15-05	2-15-05
05-32	2-15-05	2-15-05
05-33	2-15-05	2-15-05
05-34	2-15-05	2-15-05
05-35	2-15-05	2-15-05
05-64	4- 5-05	4- 5-05
05-124	6-21-05	6-21-05
05-125	6-21-05	6-21-05
05-155	7-19-05	7-19-05
05-199	10-18-05	10-18-05
05-202	10-18-05	10-18-05
05-205	10-18-05	10-18-05
05-207	10-18-05	10-18-05
05-209	10-18-05	10-18-05
05-225	11-15-05	11-15-05
05-242	12-20-05	12-20-05
06-5	1-10-06	1-10-06
06-18	2- 7-06	2- 7-06
06-20	2- 7-06	2- 7-06
06-22	2- 7-06	2- 7-06
06-44	3- 7-06	3- 7-06
06-84	5- 2-06	5- 2-06
06-110	6- 6-06	6- 6-06
06-113	6- 6-06	6- 6-06
06-117	6- 6-06	6- 6-06
06-170	7-31-06	7-31-06
06-224	10-17-06	10-17-06
07-41	3- 6-07	3- 6-07
07-69	5- 1-07	5- 1-07

Ordinance Number	Adoption Date	Effective Date
07-89	6- 5-07	6- 5-07
07-99	6-19-07	6-19-07
07-136	7-17-07	7-17-07
07-146	7-17-07	7-17-07
07-161	8- 6-07	8- 6-07
07-163	8- 6-07	8- 6-07
07-190	9- 4-07	9- 4-07
07-216	10- 2-07	10- 2-07
07-218	10- 2-07	10- 2-07
07-229	10-16-07	10-16-07
07-230	10-16-07	10-16-07
07-231	10-16-07	10-16-07
07-232	10-16-07	10-16-07
07-233	10-16-07	10-16-07
07-284	12-18-07	12-18-07
07-286	12-18-07	12-18-07
07-288	12-18-07	12-18-07
08-20	2- 5-08	2- 5-08
08-42	3- 4-08	3- 4-08
08-64	3-18-08	3-18-08
08-107	4- 1-08	4- 1-08
08-120	5- 6-08	5- 6-08
08-122	5- 6-08	5- 6-08
08-124	5- 6-08	5- 6-08
08-126	5- 6-08	5- 6-08
08-142	6- 3-08	6- 3-08
08-170	6-17-08	6-17-08
08-203	6-17-08	6-17-08
08-207	7-15-08	7-15-08
08-210	7-15-08	7-15-08
08-263	10-21-08	10-21-08
09-3	1- 6-09	1- 6-09
09-8	1- 6-09	1- 6-09

30-1-11. ESTABLISHMENT OF OFFICIAL ZONING MAP

30-1-11.1. Official zoning map.

The City is hereby divided into zones, or districts, as established in Article IV (Zoning) and as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-11.2. Map certification.

The Official Zoning Map shall be identified by the signature of the mayor, attested by the City Clerk, and bear the seal of the City together with

the effective date of this Ordinance. Any replacement Official Zoning Map shall be signed, attested, and sealed in the same manner.
(Ord. No. 91-145, § 1, 11-27-91)

30-1-11.3. Map changes.

If changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-11.4. Unauthorized changes.

No changes in zoning district boundaries shall be made on the Official Zoning Map except in conformance with the procedures set forth in this Ordinance. Any unauthorized change shall be considered a violation of this Ordinance.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-11.5. Map location.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the Office of the City Clerk, shall be the final authority as to the current zoning of property within the City.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-11.6. Replacement of official zoning map.

(A) *Map Damage:* If the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may by resolution adopt a replacement Official Zoning Map which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved, together with all available records pertaining to its adoption or amendment.

(B) *Correction of Errors:* The replacement Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.

30-1-12. INTERPRETATION OF DISTRICT BOUNDARIES

30-1-12.1. Boundary interpretation.

Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:

- (A) *Centerline:* Where a boundary line lies within and follows a street or alley right-of-way, a railroad right-of-way, or a utility easement, the boundary shall be construed to be in the center of such street or alley right-of-way, railroad right-of-way, or utility easement. If such a street or alley right-of-way, railroad right-of-way, or utility easement forming the boundary between two separate zoning districts is abandoned or removed from dedication, the district boundaries shall be construed as following the centerline of the abandoned or vacated roadbed or utility easement.
- (B) *Edge Line:* Where a boundary line follows the edge of a street or alley right-of-way, a railroad right-of-way, or a utility easement, the boundary shall be construed to be in the edge of such street or alley right-of-way, railroad right-of-way, or utility easement. If such a street or alley right-of-way, railroad right-of-way, or utility easement forming the boundary between two separate zoning districts is abandoned or removed from dedication, the district boundaries shall be construed as following the edge of the abandoned or vacated roadbed or utility easement.
- (C) *Lot Line:* Boundaries indicated as approximately following lot lines shall be construed as following such lot lines. In the event that a district boundary line divides a lot or tract, each part of the lot or tract so divided shall be used in conformity with the regulations established by this Ordinance for the district in which said part is located.
- (D) *City Limits:* Boundaries indicated as approximately following city limits or extra-

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territorial boundary lines shall be construed as following city limits or extraterritorial boundary lines.

- (E) *County Lines:* Boundaries indicated as approximately following county lines shall be construed as following county lines.
- (F) *Watercourses:* Boundaries indicated as approximately following the centerlines or edges of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines or edges, respectively.
- (G) *Extensions:* Boundaries indicated as parallel to or as extensions of street or alley rights-of-way, channelized waterways, railroad rights-of-way, utility easements, lot lines, city limits, county lines, or extraterritorial boundaries shall be so construed.
- (H) *Scaling:* Where a district boundary does not coincide with any line or extension described in (a) through (g) above and no distances are described by specific ordinance, the boundary shall be determined by the use of the scale appearing on the map. In the case of Flood Hazard Boundaries, Corps of Engineers work maps, if available, shall be used for scaling.
- (I) *Watersheds:* Outer boundaries of general watershed area districts indicated as approximately following ridge lines or streets shall be construed to follow ridge lines (the actual drainage basin boundaries). Watershed critical area district outer boundaries not forming the inner boundaries of general watershed area districts shall be construed in the same manner. Boundaries between general watershed area districts and watershed critical area districts indicated as approximately following major landmarks (identifiable major features) such as streets shall be construed to follow the centerlines of such features or, where applicable, the projections of the centerlines of such features.

(Ord. No. 91-145, § 1, 11-27-91; Ord. No. 93-55, § 4, 6-7-93)

30-1-12.2. Interpretation by board of adjustment.

Where natural or manmade features existing on the ground differ from those shown on the Official Zoning Map, or are not covered by Section 30-1-12.1 (Boundary Interpretation), the Board of Adjustment shall interpret the district boundary. (Ord. No. 91-145, § 1, 11-27-91)

30-1-12.3. Annexation.

If any portion of the territory subject to county jurisdiction under this Ordinance shall be annexed by a municipality or taken into a municipality's extraterritorial jurisdiction by act of the General Assembly or in accordance with NCGS 160A, Article 4A or NCGS 160A-360, county regulations and powers of enforcement shall remain in effect until:

- (A) The municipality has adopted regulations for said annexed or extraterritorial area; or
- (B) A period of sixty (60) days has elapsed following the effective date of annexation or extension of extraterritorial jurisdiction.

(Ord. No. 91-145, § 1, 11-27-91)

30-1-13. SEVERABILITY

Should any Section, sentence, clause, phrase, or word of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction of either the State of North Carolina or the United States, such decision shall not affect, impair, or invalidate the validity of the remaining parts of this Ordinance which can be given effect without the invalid provision.

(Ord. No. 91-145, § 1, 11-27-91)

ARTICLE II. DEFINITIONS

30-2-1. DEFINITION INDEX

<i>Defined Word</i>	<i>Ordinance Reference</i>
Accelerated Erosion	30-2-2.5