

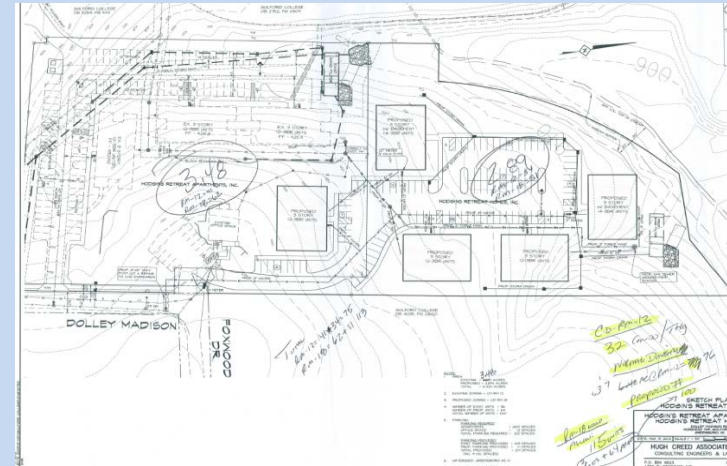
Zoning Process in Greensboro (Zoning 101)





Authority For Local Zoning (NC General Statutes)

- NCGS 160A 381-387 – “Promote health, safety and general welfare”
- Balances rights of property owners to use property as desired while not infringing on rights of adjacent property owners to do the same
- Zoning regulates –
 - Uses
 - Size (height and bulk)
 - Scale (density and building coverage)
 - Placement of Buildings (setbacks)
 - Site Layout (landscaping, parking, lighting)





Why Rezone?

- Change allowed uses
- Change previously approved zoning conditions (base district stays the same)
- Change Development Standards
- Address Nonconformities
- Resolve Zoning Compliance Actions



Rezoning not needed if proposed use is allowed and development meets minimum ordinance requirements



Types of Zoning/Land Use Requests

Original Zoning (goes to City Council)

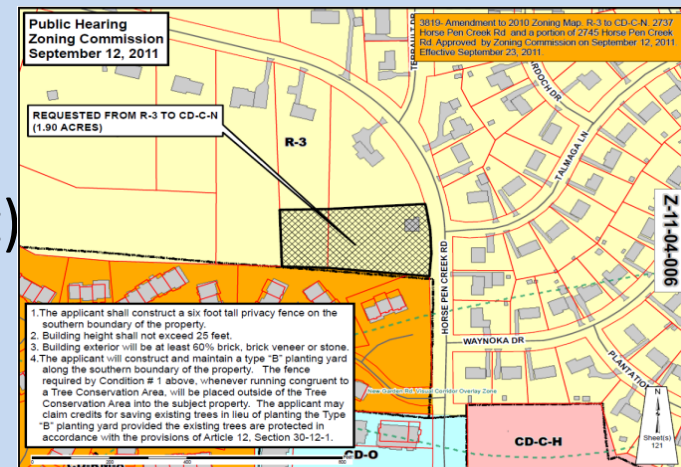
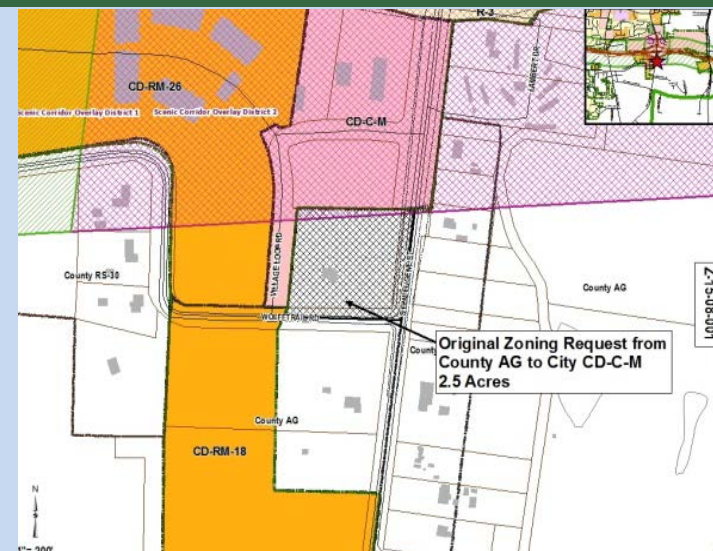
- Associated with Annexation Petition
- Legislative Hearing

Rezoning (may go to City Council)

- Can be straight rezoning or conditional district (CD)
- Legislative Hearing
- Additional Conditions allowed if more restrictive than advertised

Special Use Permit (SUP) (may go to court)

- Use allowed in district if :
 - In harmony with area and conforms with Comp Plan
 - Not detrimental to health and safety,
 - Use at particular location contributes to general well being
- Quasijudicial Hearing





Zoning Process in Greensboro

Application

- Pre-submittal conferences encouraged, may also include pre-development or sketch reviews with technical staff
- Application filed no later than 45 days prior to zoning hearing
- Application includes:
 - Applicant Information
 - Owner Information (if different)
 - Map
 - Legal Description
 - Zoning request and initial conditions if applicable
- Items that may also be needed:
 - Traffic Impact Study (TIS) – draft due 21 days prior to application being filed
 - GFLUM Amendment - Planning Board review and comments (not public hearing)
 - Neighborhood Communications Summary – required for conditional district zoning when residences within 600 feet of request. (not due to staff until shortly before hearing)



GREENSBORO ZONING COMMISSION
APPLICATION FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP
 City of Greensboro Planning Department
 300 W. Washington Street, 3rd Floor,
 Greensboro, North Carolina 27401
 (336) 373-2144

SECTION 1: GENERAL INFORMATION

VERY IMPORTANT: The Applicant must complete Page 1 and Page 2 (and page 3 if this request is for a conditional zoning district) of this application and submit all supporting information as required below. Receipt of this application by the Planning Department does not constitute a complete application until it is determined to be complete by the Planning Department.

All rezonings must be consistent with the Generalized Future Land Use Map (GFLUM) and/or associated ordinance requirements. Incomplete applications will not be processed and may result in a postponement of your request. The application cannot be accepted unless the Planning Department completes Section 5.

No rezoning application for the same rezoning classification involving the same property or any part thereof shall be filed until the expiration of twelve (12) months from the date of public hearing or final determination. A second rezoning request for all or part of the same property may be submitted for a different zoning classification, provided however that a maximum of two (2) applications may be filed within any twelve (12) month period. (See Section 30-4-5.9 of the Land Development Ordinance.)

“REQUIRED DOCUMENTATION (ADDITIONAL DOCUMENTS MAY BE REQUESTED)”

A **Legal Description** of the subject property (Address and Bounds)
 A **Boundary Survey or Map** of the subject property
 An **Agent Authorization Form** (If the application is made by a person other than the Owner of the parcel of land to which the amendment would apply)
 An **Applicant's Summary of Neighborhood Communication Form** (where applicable)

PLANNED UNIT DEVELOPMENT APPLICATION
 No application for a Planned Unit Development request will be processed until a Concept Plan has been approved by the Technical Review Committee.

CONDITIONAL ZONING DISTRICT APPLICATION
 If this application is for a Conditional Zoning District, the attached Conditional Zoning application (Section 6) must be completed and signed by the property owner(s).

TRANSPORTATION IMPACT STUDY (TIS)
 For section 30-4-8.4 of the Land Development Ordinance, a Transportation Impact Study (TIS) may be required by the City of Greensboro Department of Transportation (GDOT) for any development expected to generate 100 or more peak hour trips, and/or 1,000 or more daily trips. The TIS must be submitted to GDOT twenty-one days prior to the filing of a rezoning application. Applicants are encouraged to contact GDOT at 336-373-2810 prior to filing a rezoning application.


APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATION / PUBLIC NOTIFICATION
 For section 30-4-1.2 of the Land Development Ordinance, all applicants are required to complete and return the attached Neighborhood Communication Summary form for all conditional zoning map amendments, unless there are no



Zoning Process in Greensboro

Staff Review and Analysis

- Pre-submittal conferences
(testing ideas, looking at potential zoning options)
- Sufficiency Review
(includes Transportation and Long-Range Planning staff)
- Site Visits
- Preparation of Staff Report and Official Recommendation



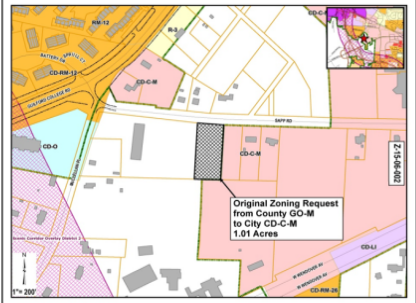
	<p>Z-15-08-001 City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation</p>
<hr/> <p>Zoning Commission Hearing Date: August 10, 2015</p>	
<p><u>GENERAL INFORMATION</u></p>	
APPLICANT	El Club Mexicano Real Estate Investment Inc.
HEARING TYPE	Original Zoning Request
REQUEST	County-AG (Agricultural) to City-CD-C-M (Conditional District-Commercial-Medium)
CONDITIONS	1. All uses permitted in the C-M district <u>except</u> automobile, motorcycle repair service, major; automobile, motorcycle repair service, minor; automobile towing and storage services; boat repairs; commercial parking; equipment rental & leasing (no outside storage); equipment repairs, light; kennels or pet grooming services; pest or termite control services; recreational vehicle



Zoning Process in Greensboro

Public Notification

- State law prescribes how and when hearings are advertised
 - 10-25 days prior to hearing
 - date, time, location and items for consideration
- Mailed Notice
 - State law only requires adjacent owners be notified (NCGS 160A-384)
 - Greensboro notifies all property owners within 600 feet of request
 - Includes QR codes (for smart phones) and web address for staff report
 - Full meeting agenda also sent to Neighborhood Congress, media contacts and others at same time of individual case mailings

 GREENSBORO	OFFICIAL NOTICE OF PUBLIC HEARING CITY OF GREENSBORO ZONING COMMISSION	 GREENSBORO
<p>The Greensboro Zoning Commission has received a request to zone property located <u>within 600 feet</u> of your property. A map of this property and important information about this request can be found below. For additional information, please contact the Planning Department at (336) 373-2144 or (336) 333-6930 (TDD).</p>		
<p>ORIGINAL ZONING REQUEST</p>		
<p>PROPERTY INFORMATION</p>		
<p>LOCATION:</p> <p>5605 Sapp Road, generally described as north of Sapp Road and east of McClellan Place.</p>		
<p>REQUEST:</p> <p>County-GO-M (General Office-Moderate) to City-CD-C-M (Conditional District-Commercial-Medium) with the following conditions:</p>		
<p>1. All uses permitted in the C-M district except funeral homes and crematoriums; sexually oriented businesses; junked motor vehicles and land clearing and inert debris landfills.</p>		
		



Zoning Process in Greensboro

Public Notification

- Posted Notice
 - Posted at prominent location(s) on site
 - Includes hearing date and time, contact info
 - Includes QR codes (for smart phones) and web address
- Newspaper
 - Ad for 2 consecutive weeks with first ad no sooner than 10 days prior to hearing
 - Basic info on requests and staff contact info
- Web
 - Agenda online when notices mailed out. Also links to previous meetings and minutes
 - Staff reports available online 10 days prior to hearing
 - Public can provide comments to Zoning Commission and staff (directly or through weblink)
<http://www.greensboro-nc.gov/index.aspx?page=1629>





The Zoning Hearing – Final Action/Recommendation

Decisions

Rezoning (no Comp Plan amendment)

- Final action if minimum 6 in favor
- Referred to Council if in favor but less than 6

Rezoning (with Comp Plan amendment)

- Final action if unanimous in favor
- Referred to Council if in favor but less than unanimous

Original Zonings

- Automatically goes to Council (not applicable if annexation not approved)

Zoning Overlays (may or may not be linked to a Plan)

- Automatically goes to Council

Special Use Permits

- Final action if majority in favor



Zoning Appeals

Appeals of Zoning Decisions

- Must be in writing to Planning staff or City Clerk within 10 days of Zoning Commission decision
- No proof of standing/prequalification to appeal
- Appealed items typically scheduled for 2nd Council meeting in following month
- As of August 1, 2015 rezoning applications no longer subject to zoning protest petition



Zoning Appeals

Appeals of Special Use Permit Decisions

- Filed in Superior Court within 30 days of notice of final decision
- Requires proof of standing/prequalification to appeal
- Appeal hearing based on evaluation of the public hearing record and hearing process



Getting Involved in Zoning Discussions

- Look at upcoming agendas and meeting info on the web
<http://www.greensboro-nc.gov/index.aspx?page=1650>
- Volunteer on Zoning Commission or other Boards/Commissions
<http://www.greensboro-nc.gov/index.aspx?page=1629> (link to form)
- Learn More about Zoning Ordinances and Processes
<http://online.encodeplus.com/regs/greensboro-nc/>
<http://www.greensboro-nc.gov/index.aspx?page=3867>
- Contact Staff and Commission members
- Keep up with local and national development trends
- Watch the live coverage of Zoning Commission meetings on The Greensboro Television Network (Cable Channel 13 or on web) or attend the meetings and speak in support or against an application.



Greensboro Zoning 101

Questions/Comments?