

1D 2021-237
21-154

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 Subsection (B) of Section 30-4-5.4, Exemptions, is hereby amended to read as follows:

(B) Exemptions

- (1) Notwithstanding the applicability thresholds above, a Transportation Impact Study is not required if the property to be rezoned ~~or developed~~ has been the subject of a Transportation Impact Study within the previous 3 years and the projected trip generation of the newly proposed development is equal to or less than the previous study performed and the trip distribution has not significantly changed.
- (2) ~~Developments or properties that have not experienced a change in zoning classification since July 1, 1999 are not required to prepare a Transportation Impact Study as a part of their site plan approval; however, any such development projected to generate 100 trips during the adjacent street AM or PM peak hour or 1,000 average daily trips must provide traffic information and attend a pre-submittal conference with GDOT at least 21 days before site plan submittal. Together with the developer, GDOT will identify any areas of concern and/or issues that must be analyzed prior to site plan approval. The traffic information must be submitted to GDOT at least 3 business days prior to the pre-submittal conference and must include all of the following:~~
- (a) ~~preliminary site plan that includes a vicinity map and proposed layout for the development that shows the proposed and existing points of access in the area and the proposed traffic circulation plan;~~
 - (b) ~~projected trip generation based on the ITE manual referenced above;~~
 - (c) ~~projected trip distribution map showing the origin and destination of the development traffic;~~
and
 - (d) ~~schedule and proposed build-out year for the development.~~

Section 2. That Subsections (c) and (e) of Section 30-4-5.4(C)(2), Study Preparation, are hereby amended to read as follows:

- (c) modal splits, if appropriate,
- (e) impacts on the multimodal transportation system from the proposed development, and

Section 3. That Subsection 30-4-15.4 of Section 30-4-15, Plot Plans and Site Plans, is hereby amended by adding a new Subsection (E) and (F) to read as follows:

(E) Transportation Impact Study

- (1) A Transportation Impact Study is required when the subject development is expected to generate 150 additional trips during the adjacent street AM or PM peak hour or 1,500 additional daily trips, subject to the exemptions set out in 30-4-5.4(B).

- (2) A licensed professional engineer who has completed the GDOT self-certification form must attend a presubmittal conference with GDOT to identify areas of concern and issues to be analyzed prior to site plan approval. The traffic information must be submitted to GDOT at least 3 business days prior to the pre-submittal conference and must include all of the following:
 - (a) preliminary site plan that includes a vicinity map and proposed layout for the development that shows the proposed and existing points of access in the area and the proposed traffic circulation plan;
 - (b) projected trip generation based on the ITE manual referenced above;
 - (c) projected trip distribution map showing the origin and destination of the development traffic; and
 - (d) schedule and proposed build-out year for the development.
- (3) The Study must be prepared as set out in 30-4-5.4 (C). A draft of the Transportation Impact Study must be submitted to GDOT at least 21 days before filing the site plan development application.
- (4) As a part of subdivision, site plan and driveway permit approval, the Technical Review Committee may require needed transportation improvements for the property requesting development approval; however, a Transportation Impact Study may not be utilized as a means for staff to require the party developing the property to make needed transportation improvements remote from the property for which the Transportation Impact Study is submitted, nor may identified deficiencies in level of service automatically be used to preclude approval of the proposed development.
- (F) Cross-access
All developments must be designed to provide cross-access in accordance with the provisions of Section 26-71 (Cross Access) of the City Code.

Section 4. That Subsection (C) of Section 30-4-15.5, Site Plan Filing, is hereby amended to read as follows:

- (C) For plans requiring Transportation Impact Study see ~~30-4-5.4~~ 30-4-15.4(E).

Section 5. That Subsection (B) of Section 30-4-17.5, Preliminary Plat, is hereby amended to read as follows:

- (B) Filing
 - (1) The Preliminary Plat must be prepared by a registered land surveyor, registered landscape architect, or licensed engineer. Plans must be prepared in accordance with design review application published and amended by the Planning Department and submitted in accordance with 30-4-1.3.
 - (2) ~~For plats requiring Transportation Impact Study see 30-4-17.7(B). If the development requires a Transportation Impact Study, a preapplication meeting with the Transportation Director is required in accordance with 30-4-1.1.~~
 - (3) ~~A Transportation Impact Study, if required, must be submitted to the Transportation Department, in accordance with 30-4-5.4, a minimum of 21 days prior to Preliminary Plat submittal.~~

Section 6. That Subsection 30-4-17.7 of Section 30-4-17, Subdivision, is hereby amended to read as follows:

30-4-17.7 Coordination with Other Procedures

(A) To reduce the time required to attain all necessary approvals and to facilitate the processing of applications, an applicant may elect, at their own risk, to start the subdivision approval process simultaneously with applications for grading permits or other applications for approvals required for a particular project. When a watershed development plan approval is required, all portions of that plan except stormwater control construction plans must be approved prior to Preliminary Plat approval.

(B) Transportation Impact Study

(1) A Transportation Impact Study is required when the subject subdivision is expected to generate 150 additional trips during the adjacent street AM or PM peak hour or 1,500 additional daily trips, subject to the exemptions set out in 30-4-5.4(B).

(2) A licensed professional engineer who has completed the GDOT self-certification form must attend a presubmittal conference with GDOT to identify areas of concern and issues to be analyzed prior to subdivision approval. The traffic information must be submitted to GDOT at least 3 business days prior to the pre-submittal conference and must include all of the following:

(a) preliminary subdivision plat that includes a vicinity map and proposed layout for the subdivision that shows the proposed and existing points of access in the area and the proposed traffic circulation plan;

(b) projected trip generation based on the ITE manual referenced above;

(c) projected trip distribution map showing the origin and destination of the subdivision traffic; and

(d) schedule and proposed build-out year for the development.

(3) The Study must be prepared as set out in 30-4-5.4 (C). A draft of the Transportation Impact Study must be submitted to GDOT at least 21 days before filing the preliminary subdivision application.

(4) As a part of subdivision, site plan and driveway permit approval, the Technical Review Committee may require needed transportation improvements for the property requesting development approval; however, a Transportation Impact Study may not be utilized as a means for staff to require the party developing the property to make needed transportation improvements remote from the property for which the Transportation Impact Study is submitted, nor may identified deficiencies in level of service automatically be used to preclude approval of the proposed development.

(C) Cross-access

All subdivisions must be designed to provide cross-access in accordance with the provisions of Section 26-71 (Cross Access) of the City Code.

Section 7. That Subsection 30-9-3.10 of Section 30-9-3, Street Access, is hereby amend to read as follows:

~~30-9-3.10 Cross-access [Reserved]~~

~~(A) Description and Intent~~

- (1) ~~Cross access is an easement or service drive providing vehicular access between 2 or more contiguous sites/land uses so that motorists and/or pedestrians do not need to reenter the public street system to gain access to an adjacent site/land use.~~
- (2) ~~Cross access between adjacent properties reduces vehicular conflicts between motorists on the main street and motorists entering and leaving driveways. Reduced traffic conflicts result in fewer accidents and improved traffic flow on the main street. The intent of this section is to provide for cross access between compatible land uses that front major/minor thoroughfares so that patrons leaving one business may access adjoining businesses without having to reenter a busy public street system.~~
- (3) ~~It is not the intent of this section to reduce the number of driveways beyond what is already allowed in other sections of the Driveway Manual.~~

(B) ~~Cross access is required in the following circumstances:~~

~~All new commercial, industrial, and office developments, or additions to existing developments of over 3,000 square feet of gross floor area; all uses of land without buildings involving more than 40,000 square feet; and all nonresidential subdivisions, including group developments and integrated multiple use developments that front thoroughfares and collectors must be designed to provide cross access to above mentioned developments.~~

(C) ~~Cross access Not Required~~

~~Cross access is not required when the subject adjacent properties have one or more of the following conditions or barriers:~~

- ~~(1) the properties do not have common frontage along the same street;~~
- ~~(2) significant topography differences in existing or proposed conditions;~~
- ~~(3) significant natural features;~~
- ~~(4) vehicular safety factors;~~
- ~~(5) existing cross access provisions;~~
- ~~(6) other safety and security factors;~~
- ~~(7) incompatible land uses; or~~
- ~~(8) existing infrastructure obstructions.~~

(D) ~~Easement Recordation~~

~~A cross access easement must be recorded on the final plat for property involving a subdivision, or recorded by separate instrument when no plat is proposed.~~

(E) ~~No Obstruction of Access~~

~~All cross access must be built to the property line (or lease line). An accessway may not be blocked off, parked in, or otherwise “obstructed” unless approved by the Transportation Director.~~

(F) ~~Parking Requirement Relief~~

~~Where a required cross accessway eliminates otherwise required parking spaces, parking space requirements may be reduced by the number of spaces lost to the provision of the cross accessway.~~

(G) ~~Perimeter Landscaping Requirement Relief~~

~~Where a required cross accessway eliminates otherwise required perimeter landscape planting area, perimeter tree and shrub requirements may be reduced by the length of the perimeter affected by the provision of the cross accessway.~~

(H) ~~Joint Maintenance~~

~~When a cross-access easement is created to serve more than one lot, an owners association or binding contract is required for the purpose of maintenance.~~

~~(1) Property Owner Cooperation~~

~~Applicants are not required to seek cooperation or permission from the adjacent property owner.~~

Section 8. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 9. This ordinance shall become effective upon adoption.

THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF
GREENSBORO ON THE 1st DAY
OF NOVEMBER 2021 AND WILL BECOME
EFFECTIVE UPON ADOPTION.

ANGELA R. LORD
CITY CLERK

APPROVED AS TO FORM


CITY ATTORNEY