

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 (2) of Section 30-8-7.3(A), Typical Use Types, is hereby amended to read as follows:

(2) Batting cage, miniature golf facility, swimming pool, interactive water feature, and other similar outdoor entertainment activity.

Section 2. That Subsection (i) of Section 30-8-10.1(H) (1), Active Recreation Facilities, is hereby amended to read as follows:

(i) Active recreation facilities must comply with the following:

(i) Active recreational facilities must be set back at least 50 feet from
~~adjacent~~ abutting land used for single-family residential purposes.

(ii) Swimming pools and interactive water features are subject to the
standards of Sec. 30-8-11.9.

Section 3. That Subsection (3) of Section 30-8-10.3(A), Amusement or Water Parks, Fairgrounds, is hereby amended to read as follows:

(3) Amusement equipment, machinery, swimming pools (including decking and equipment associated with the pool), interactive water features, and mechanical devices ~~may not be operated within~~ must be setback at least 200 feet of from any
abutting residentially or PI zoned property.

Section 4. That Subsection (B) of Section 30-8-10.3, Recreational Uses, is hereby amended by adding a new subsection (3) to read as follows:

(3) Swimming Pools and Interactive Water Features
(see 30-8-11.9)

Section 5. That Subsection (1) of Section 30-8-10.3(C), Golf Courses, Driving Ranges, Country Clubs, is hereby amended to read as follows:

(1) Setbacks

Clubhouses, maintenance facilities, and other buildings, swimming pools (including decking and equipment associated with the pool), interactive water features, and lighted tennis courts must be set back at least 50 feet from any abutting residentially zoned property.

Section 6. That Subsection (2) of Section 30-8-10.3(E), Parks and Open Areas, is hereby amended to read as follows:

(2) Setbacks

A minimum 50-foot setback must be maintained for all structures, picnic areas, playgrounds, swimming pools (including decking and equipment associated with the pool), interactive water features, basketball courts, and athletic fields from property lines ~~adjacent~~ abutting to residentially zoned or used property; however, the Planning Director may reduce setback requirements to no less than 10 feet at the time of site plan approval when conditions warrant a reduction. Possible conditions include building orientation, topography, distance to off-site improvements, physical obstructions, developability of the park site or developability of the adjacent site, or natural features.

Section 7. That Subsection (2) of Section 30-8-10.3(J), Sporting and Recreational Camps, is hereby amended to read as follows:

(2) All buildings and other structures, lighted athletic fields and courts, ~~and~~ swimming pools (including decking and equipment associated with the pool), and interactive water features must be set back at least 50 feet from abutting residentially zoned property.

Section 8. That Subsection (K) of Section 30-8-10.3, Recreational Uses, is hereby amended to read as follows:

(K) Swim and Tennis Clubs

(1) Setbacks

Clubhouses, maintenance facilities, and other buildings, swimming pools (including decking and equipment associated with the pool), interactive water features, and lighted tennis courts must be set back at least 50 feet from any abutting residentially zoned property.

(2) Minimum Area

The site must be at least 2 acres in area. When located in the TN district or included as part of a common area within a development, the minimum size is one acre.

(3) Fencing

~~Outdoor swimming pools must be protected by a fence (or equal enclosure such as a wall or continuous hedge), a minimum 4 feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. Refer to North Carolina State Building Code for fencing requirements.~~

Section 9. That Subsection (2) of Section 30-8-11.1(C), Interior Setbacks, is hereby amended to read as follows:

(2) Residential Districts

Accessory structures must be set back at least 3 feet from side and rear lot lines.

In the R- districts, this setback must be increased to at least 10 feet for accessory structures over 15 feet tall.

Section 10. That Section 30-8-11.9, Swimming Pools and Interactive Water Features, is hereby amended to read as follows:

30-8-11.9 Swimming Pools and Interactive Water Features

(A) Swimming Pools and Interactive Water Features

(1) Easements

Swimming Pools and Interactive Water Features may not be located in an easement unless otherwise expressly stated.

(2) Proportion

Swimming pools and interactive water features must be clearly subordinate to the principal structure in all dimensional aspects.

(B) Swimming Pool Enclosures Fencing

~~Pools must be protected by a fence (or equal enclosure such as a wall or continuous hedge), a minimum 4 feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. Refer to North Carolina State Building Code for fencing requirements.~~

(C) ~~Private Residential~~ Swimming Pools and Interactive Water Features on Lots with Single-family Dwellings and Two-family Dwellings

(1) ~~Private~~ Swimming pools (as well as the decking and equipment associated with the pool) and interactive water features that are located on single-family and two-family, duplex, and multi-family lots that are less than one acre in area must be located behind the principal structure (when viewed from a road or street). On lots that are one acre or larger, the pool or interactive water feature may be located in front of the principal structure, but not in a required street setback.

- (2) In no case may a swimming pool or interactive water feature (measured from the edge of water) be located closer than 5 feet to any property line.
- (3) Swimming pools and interactive water features (measured from the edge of water) must be separated by at least 5 feet from any other structure, swimming pool, or interactive water feature on the lot.

Commentary: For the purposes of this section the housing types "Traditional House" and "Zero Lot Line" are considered single-family detached dwellings, the housing types "Twin Home" and "Duplex" are considered two-family dwellings, and the housing type "Townhouse" is considered multi-family.

(D) ~~Outdoor Community Pools or Pools in Multi-family Complexes~~ Swimming Pools and Interactive Water Features in Multi-family Developments

- (1) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features must be located behind the front structure line of the principal structures.
- (2) In no case may a swimming pool or interactive water feature (measured from the edge of water) be located closer than 20 feet to any property line.
- (3) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features must be set back at least 50 feet from any principal building containing a residential use on an abutting property ~~abutting residentially zoned property~~.
- (4) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features must be separated by at least 5 feet from any other structure, swimming pool, or interactive water feature on the lot.
- (5) The Technical Review Committee is authorized to approve Type 2 Modifications of the standards of this subsection in accordance with [30-4-11](#).

(E) Swimming Pools and Interactive Water Features in Non-residential and Mixed Use Developments

- (1) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features may be located in front of the front structure line of the principal structures but are not allowed in a required setback for the zoning district.
- (2) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features must be set back at least 50 feet from any abutting residentially zoned property.

(3) Swimming pools (as well as decking and equipment associated with the pool) and interactive water features must be separated by at least 5 feet from any other structure, swimming pool, or interactive water feature on the lot.

(4) Any swimming pool (as well as decking and equipment associated with the pool) and interactive water feature that is integrated into a building or structure must observe the minimum setbacks and maximum height of that building or structure.

Section 11. That Section 30-15-3, Terms Beginning with "B", is hereby amended by adding a new definition for "Building Coverage" in alphabetical order and to read as follows:

Building Coverage

The total land area covered by buildings on a zone lot.

Section 12. That Section 30-15-10, Terms Beginning with "I", is hereby amended by adding a new definition for "Interactive Water Feature" in alphabetical order and to read as follows:

Interactive Water Feature

An interactive device or structure such as a water fountain, water spray, dancing water jet, waterfall, dumping bucket, or shooting water cannon through which water is directed to the user.

Section 13. That the definition for "Swimming Pool" within Section 30-15-18, Terms Beginning with "S", is hereby amended to read as follows:

Swimming Pool

~~A water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool, having a depth of more than 30 inches designed, used, and maintained for swimming and bathing. Any structure intended for swimming or recreational bathing that is designed to contain water over 24 inches deep. This includes any 100 square feet and larger in-ground, above-ground, and on-ground swimming pools, hot tubs and spas.~~

Section 14. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 15. This ordinance shall become effective upon date of adoption.