

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
May 17, 2021**

**TEXT AMENDMENTS:**

**PL(P) 21-15:** Amending Section 30-4-11.3 (Decision -Making -Criteria) and Section 30-8-11.1 (Accessory Uses and Structures) of the Land Development Ordinance to allow a Type 1 modification for separate utility connections to accessory structures.

Shayna Thiel, Greensboro Planning, stated agenda item PL(P) 21-15 is a proposed text amendment to the Land Development Ordinance related to separate utility connections for accessory structures. The Planning Department requests the Zoning Commission to hold a public hearing, receive public comments, and consider making a recommendation to City Council. Currently the Land Development Ordinance requires accessory structures to single-family, twin homes, duplexes, and traditional housing to take utility service by branching from the principal dwelling. If a property owner wants to install a separate electric meter, they must seek a variance from the Board of Adjustment. As part of the process, the research and review, all the separate meter requests that have been heard by the Board of Adjustment over the last 3 years have been approved unanimously by the Board. The Board directed staff to evaluate the current process and provide recommendations. Staff researched other municipalities ordinance requirements, solicited feedback from professional colleagues on the Professional listserv, and sought input from the Engineering and Inspections Department within the city. Draft text language was prepared for consideration and was shared with TREBIC, the Neighborhood Congress, and Land Use Attorneys throughout the city. From that sharing, there were no negative feedback. The process as proposed changes the review approval body from the Board of Adjustment through a variance to the Planning Director through a Type 1 modification. The process would be shortened. Property owners would not go before the Board of Adjustment seeking their request and wait a month for the Board to meet. The Type 1 modification would be handled directly by the Director of the Planning Department. Appeals to those decisions would be heard by the Zoning Commission. As a result, costs would be reduced for the applicants and staff time and money would be reduced. It still would be incumbent for the applicant to demonstrate practical difficulties from branching from the principal dwelling or what the need is for a separate utility connection. The change would also allow the city to continue monitoring for illegal home occupation, the establishment of additional principal uses on residential lots or new accessory dwelling units requiring additional permits. There would be checks for staff to review and a faster process for applicants.

Ms. Thiel thanked the Commission for their time and was ready to answer any questions. Mr. Engle asked if the Zoning Commission was going to hear appeals regarding utility connections. Ms. Thiel responded the Zoning Commission is the authorized body to hear appeals for Type 1 modifications. Chair Holston asked what percent of the cases coming through the Planning Director, would be appealed. Mr. Kirkman responded the Planning Department does not anticipate appeals on these items. The process is there, should someone wish to pursue it. Chair Holston asked if it was not a one to one and would not automatically come to the Zoning Commission. Mr. Kirkman responded it would be very rare that the Zoning Commission would receive an appeal request. Chair Holston inquired if there were any further questions from the Commissioners. Hearing none, Chair Holston inquired if there was anyone signed up to speak. Ms. O'Connor advised there was no one signed up to speak. Chair Holston inquired if there was anyone wishing to speak from the Zoom floor for this amendment. Seeing none, Chair Holston closed the public hearing and requested to have discussion and a recommendation for City Council. Ms. Skenes stated this amendment came from the Board of Adjustments. BOA had many cases regarding electric meters and this action has been needed for a long time. It saves applicants \$400.00 in application fees. It was a no brainer in her opinion. Ms. Skenes moved that the Zoning Commission recommend amending the Land Development Ordinance to allow the Type 1 modifications for staff to make a Type 1

modification regarding utility meters and connection. Second by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the June 15, 2021, City Council meeting.