



City of **GREENSBORO** *North Carolina*

August 19, 2015 / Planning Board Meeting

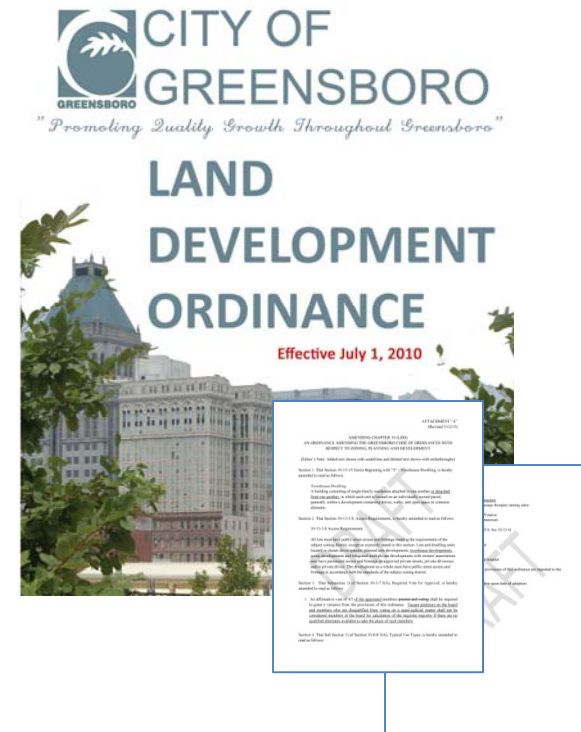
“Protest Petitions”

Planning Department



Protest Petitions

A formal petition filed in opposition to a rezoning that triggers a requirement for a supermajority affirmative vote of City Council to approve the request





Protest Petitions - Allowed

NCGS -


Section 160A-385

Statutes allows municipalities to include

LDO -

Section 30-4-5.8 and 30-15-16

Includes mechanics for submission

**LAND DEVELOPMENT ORDINANCE**

Article 4. Review and Approval Procedures

30-4-5 Zoning Map Amendments – All Zoning Districts

30-4-5.8 Protest Petitions

A. Applicability

1. The protest petition provisions of this subsection apply to all zoning map amendments heard by City Council, except zoning map amendments that establish a property original city zoning designation (original zoning) and those described in subsection 2 below.
2. Protest petitions are only be applicable to an amendment to an adopted conditional district when such amendment:
 - a. changes the uses categories of uses that are permitted;
 - b. increases the approved density for residential development;
 - c. increases the total approved size of nonresidential development; or
 - d. reduces the size of any buffers or screening.

B. Standards of Sufficiency
To be judged sufficient, the protest petition must meet the substantive requirements of NCGS 160A-385(2), and in particular must be signed by the owners of either:

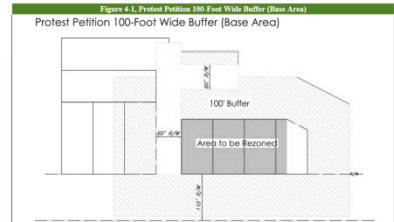
1. 20% or more of the area included in the rezoning; or
2. 5% or more of the area of a 100-foot wide buffer ("base area") extending along the entire boundary of each discrete or separate area proposed to be rezoned as described below in subsection C.

C. Evaluation of Sufficiency
In evaluating whether the standards of sufficiency have been met, calculations shall be a 100-foot-wide buffer extending along the following exceptions:

1. If the area to be rezoned abuts street right-of-way that is 100 feet wide or less, the buffer shall extend into that right-of-way.
2. If the area to be rezoned abuts street right-of-way that is 100 feet wide or less, the buffer shall extend into that right-of-way.
3. If there is non-abutting street right-of-way within 100 feet of the area to be rezoned, the buffer shall extend into that right-of-way.
4. If there is non-abutting street right-of-way within 100 feet of the area to be rezoned, that right-of-way shall not be considered nor of that right-of-way be considered in computing the base area.

Figure 4-1. Protest Petition 100-Foot Wide Buffer (Base Area)

Protest Petition 100-Foot Wide Buffer (Base Area)

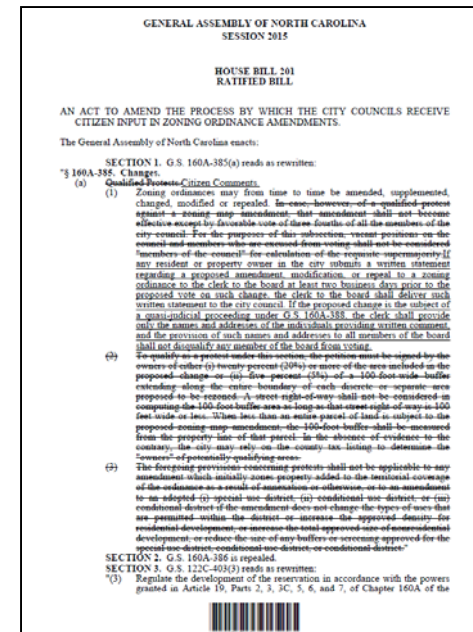




Protest Petitions - Removed

NCGS – HB201 Removed Protest Petitions

LDO – Amendment would remove Protest Petitions



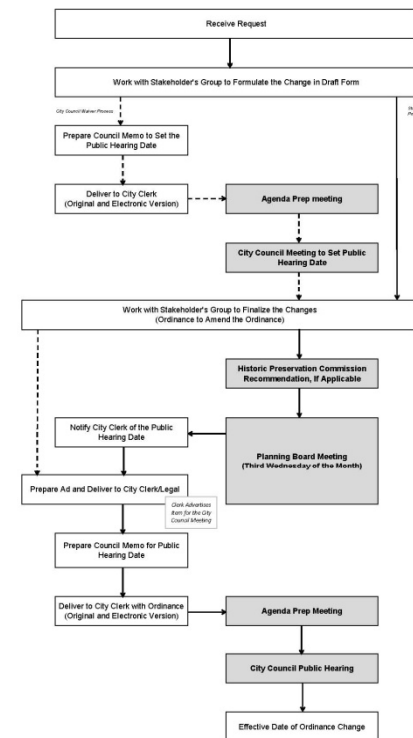


LDO Amendment Process

- **Planning Board Recommendation**
(August 19, 2015)

- **City Council Action**
(Tentative - September 15, 2015)

TEXT AMENDMENT PROCESS





QUESTIONS?