

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 Section 30-1-4, Relationship to Comprehensive Plan, is hereby amended to read as follows:

30-1-4 Relationship to Comprehensive Plan

The administration, enforcement, and amendment of this ordinance will be accomplished with consideration of recommendations presented in the documents related to the city's Comprehensive Plan. These documents include the following: GSO 2040 Comprehensive Plan, Thoroughfare Plan, Collector Street Plan, neighborhood plans, small area plans, community facilities plan, capital improvements program, economic development strategies, consolidated plan, parks and recreation plan, greenways plan, open space plan, watershed management plan, Bicycle, Pedestrian, and Greenways Master Plan (BiPed), and other relevant plans. A copy of the adopted GSO 2040 Comprehensive Plan is filed with the City Clerk.

Section 2. That Section 30-3-3, Planning Board, is hereby deleted in its entirety.

Section 3. That the following Sections and Subsections are hereby amended by replacing all references to the phrase "Planning Board" with the phrase "Zoning Commission" wherever the phrase is used in the title and/or text of each respective Section or Subsection:

Subsection 30-4-4.4, Review and Recommendation

Subsection 30-4-4.7, Continuance

Subsection (3) of Section 30-4-6.6(A), Unified Development Plans

Subsection (B) of Section 30-4-6.6, Unified Development Plan Approval, Amendments and Modifications

Subsection (1) of Section 30-4-6.6(D), Amendments and Modifications

Subsection (C) of Section 30-4-7.5, Traditional Neighborhood (TN) Development Plan

Subsection (2) of Section 30-4-7.6(B), Application Contents

Subsection (A) of Section 30-4-7.8, Amendments and Modifications

Commentary box with Section 30-4-8, Zoning Map Amendments--Overlay Zoning Districts

Subsection (1) of Section 30-4-8.4(F), Overlay District and Plan Approval

Subsection (C) of Section 30-4-8.5, -PSO, Pedestrian Scale Overlay

Subsection (1) of Section 30-4-8.14(E), Amendments and Modifications

Subsections (3), (4), and (5) of Section 30-4-11.2(B), Description

Subsection (4) of Section 30-4-11.3(C), Type 1 Modifications to Tree Conservation and Landscaping Requirements
Subsection (C) of Section 30-4-11.5, Review and Decision-Making Bodies
Subsection (B) of Section 30-4-11.7, Modification of Water Supply Watershed Standards
Subsection 30-4-11.8(A), (B), and (C) of Section of 30-4-11, Modifications
Subsection (C) of Section of 30-4-15.3, Decision-making Authority
Subsection (B) of Section of 30-4-15.10, Appeal
Subsection (7) of Section of 30-4-17.5(D), Technical Review Committee–Decision
Subsections (A) and (B) of Section 30-4-25.2, Establishment of a Zoning Vested Right
Subsection (A) of Section 30-4-25.3, Approval Procedure
Subsections (C) and (D) of Section 30-4-25.3, Approval Procedure
Subsections (E) and (G) of Section 30-4-25.3, Approval Procedure
Subsection 30-4-25.7 of Section 30-4-25, Site Specific Development Plans
Subsection (a) of Section 30-7-7.2 (E)(12), Signs
Subsection (C) of Section 30-12-3.4, Applicability
Subsection (C) of Section 30-12-3.9 Stream Buffers Required
Subsection (C) of Section 30-12-4.3, Spill Risk Reduction

Section 4. That Subsection 30-3-4.1 of Article 3, Administration, is hereby amended to read as follows:

30-3-4.1 Authority and Establishment.

A planning ~~agency~~ board known as the Technical Review Committee (TRC) is hereby established pursuant to NCGS 160A-361; however, the TRC shall not be subject to Article V of Chapter 2 of the Greensboro Code of Ordinances.

Section 5. That Subsection (B) of Section 30-3-4.5, Powers and Duties, is hereby amended to read as follows:

(B) Final Action

The Technical Review Committee has final decision-making authority for the following procedures:

- (1) Type 2 Modifications (30-4-11);
- (2) Major Subdivision Preliminary Plats (30-4-17);
- (3) Site Plans (30-4-15);
- (4) Watershed Plans;
- (5) Stormwater Management Plans; ~~and~~
- (6) Planned Unit Development Concept Plans; and
- (7) Release of Utility Easements.

Section 6. That Section 30-3-6.4, Zoning Commission Powers and Duties, of Article 3, Administration, is hereby amended to read as follows:

30-3-6.4 Powers and Duties

(A) Review and Recommendation

The Zoning Commission has review and recommendation authority for the following:

- (1) Ordinance Text Amendments ~~when referred to it by the Planning Board or City Council~~ (30-4-4);
- (2) Zoning Map Amendments ~~(30-4-5.7) processed concurrently with Comprehensive Plan Amendments (30-4-5 through 30-4-8);~~
- (3) Establishment of Original Zoning (30-4-9); ~~and~~
- (4) Zoning Map Amendments for overlay zoning districts ~~(30-4-8)~~ and Design Manuals for overlay zoning districts (30-4-8);
- (5) GSO 2040 Comprehensive Plan Amendments;
- (6) Street Name Changes. (30-4-23);
- (7) Street, Alley and Walkway Closings (30-4-22);
- (8) Designation of Redevelopment Areas;
- (9) Type 4 and Type 5 Modifications (30-4-11); and
- (10) Department of Housing and Urban Development Consolidated Plan:
 - (a) To review and provide recommendations concerning programs contained in the Consolidated Plan covering the Community Development Block Grant, HOME and Emergency Shelter Grant Program for the City;
 - (b) To provide professional expertise for developing program goals and policy;
and
 - (c) To gather information from the public, development and business communities with respect to the Consolidated Plan.

(B) Final Action

The Zoning Commission has final decision-making authority (subject to appeal) for the following:

- (1) Zoning Map Amendments ~~(30-4-5.6), other than those processed concurrently with Comprehensive Plan Amendments (30-4-5 through 30-4-8);~~
- (2) ~~Zoning Map Amendments with Comprehensive Plan Amendments (30-4-5.6(D)2);~~
~~and~~
- (3) ~~Special Use Permits (30-4-10)~~ Unified Development Plans (30-4-15).
- (3) Traditional Neighborhood Development Plans (30-4-7);
- (4) Type 3 Modifications (30-4-11); and
- (5) Site Specific Development Plans (30-4-25);

(C) Appeal

The Zoning Commission is authorized to hear and decide appeals of the following administrative decisions in accordance with 30-4-27.

- (1) Subdivision Preliminary Plats (30-4-17);
- (2) Site Plans (30-4-15); and
- (3) Type 1 and Type 2 Modifications (30-4-11).

(D) The Zoning Commission shall form a Tree Conservation and Landscaping (Tree Board) subcommittee, composed of three members, and led by a member of the Zoning Commission to perform the following powers and duties:

- (1) To provide professional expertise for developing program goals and policy related to tree conservation and landscape;
- (2) To review and provide recommendations for the long term tree management and maintenance plan for the city;
- (3) To evaluate and monitor current regulations for effectiveness, and recommend appropriate changes regarding the tree conservation and landscape provisions of this ordinance to the city council; and
- (4) To gather information from the public, development and business communities with respect to the tree conservation and landscape provisions of this ordinance.

Section 7. That Subsections (C), (E1), and (F) of Section 30-3-6.5, Zoning Commission Voting, of Article 3, Administration, is hereby amended to read as follows:

30-3-6.5 Voting

- ~~(C) When an application is accompanied by a Comprehensive Plan Amendment and receives a unanimous vote of approval by the Zoning Commission, it shall be deemed approved (30-4-5.6(D)2)).~~ Reserved.
- (E1) The concurring affirmative vote of a majority of Zoning Commission members present and voting is required to make a recommendation in favor of an applicant. Tie votes will not be considered a recommendation.
- ~~(F) All special use permit decisions of the Zoning Commission may be appealed to the Guilford County Superior Court (30-4-10.13)~~ Reserved.

Section 8. That Subsection (A) of Section 30-3-7.4, Powers and Duties, is hereby amended to read as follows:

(A) Final Action

The Board of Adjustment has final decision-making authority for the following procedures:

- (1) Variances (30-4-13);
- (2) Special Exceptions (30-4-14); and

- (3) Changes of Use for Nonconforming Uses (30-2-3.4) or Alterations of Nonconforming Uses (30-2-3.2(D)); and
(4) Special Use Permits (30-4-10).

Section 9. That the “Zoning Commission” column within Section 30-3-16 and Table 3-1, Summary of Review and Decision-Making Authority, is hereby amended by inserting an “{R}” to the Comprehensive Plan Amendment row, the Ordinance Text Amendment row, the Overlays - Plan, Design Manual row and the Street Name Change/Assignment row; inserting a “D” to the Type 3 Modification row; inserting an “R” to the Type 4 Modification row, the Type 5 Modification row, and the Street, Alley and Walkway Closings row: and inserting an “{D}” to the Unified and TN Development Plans row and the Site Specific Development Plans row.

Section 10. That the Section 30-3-16, and Table 3-1, Summary of Review and Decision-Making Authority, is hereby amended by deleting the entire “Planning Board” column, deleting the “{R/D}” from the Zoning Commission column in the Special Use Permit row, inserting an “{D}(7)” for the Board of Adjustment column in the Special Use Permit row, deleting the “{D}” from the City Council column in the Special Use Permit row, amending Note #1 from the bottom of the table to read “When located within a Historic District,” inserting “(1)” in the HPC column in the Ordinance Text Amendment row, the Zoning Map Amendment row, the Type 1 Modification row, the Special Exceptions row, the Street, Alley, Walkway Closings row, and the Site Specific Development Plans row.

Section 11. That Subsection (B) of Section 30-4-1.1, Preapplication Consultation, is hereby amended to read as follows:

30-4-1.1 Preapplication Consultation

(B) A preapplication consultation with the Planning Director is mandatory prior to the following development reviews:

- (1) Zoning Map Amendments (30-4-5, and 30-4-6);
- (2) ~~Comprehensive Plan Amendment (30-4-3)~~
- (3) ~~Special Use Permits (30-4-10);~~
- (3) Variances (30-4-13); and
- (4) Special Exceptions (30-4-14).

Section 12. That Section 30-4-1.4 and Table 4-1, Notice Requirements for City Council, is hereby amended by deleting Note “(1)” from the Published column in the Comprehensive Plan Amendment row, deleting the “X(2)” from the Mailed column in the Comprehensive Plan Amendment row, inserting a row for “Unified and TN Development Plans” with an “X” in the Published column, an “X” in the Mailed column, and an “X” in the Posted column, deleting the Special Use Permit row in its entirety, and deleting Note #1 and #2 from the bottom of the table.

Section 13. That Section 30-4-1.4 and Table 4-2, Notice Requirements for Boards and Commissions, is hereby amended by deleting Note “(1)” from the Published column in the

Comprehensive Plan Amendment row, deleting the “X(2)” from the Mailed column in the Comprehensive Plan Amendment row, inserting a row for “Unified and TN Development Plans” with an “X” in the Published column, an “X” in the Mailed column, and an “X” in the Posted column, deleting Note #1 and #2 from the bottom of the table, and indicating Note #1 and Note #2 as [Reserved].

Section 14. That Section 30-4-1.4 and Table 4-3, Mailed Notice, is hereby amended by deleting the “Comprehensive Plan Amendment” row in its entirety, inserting a row for “Unified and TN Development Plans” with a “600” in the Notification Distance (feet) column.

Section 15. That the “Zoning Commission” column within Section 30-4-1.5 and Table 4-4, Hearing Requirements, is hereby amended by inserting an “X” to the Comprehensive Plan Amendment row, and the Overlays - Plan, Design Manual row; the Street Name Changes row, the Street, Alley and Walkway Closings row, and the Site Specific Development Plans row, inserting an “X(2)” to the Ordinance Text Amendment row; and deleting the “X” from the Special Use Permit row.

Section 16. That the Section 30-4-1.5 and Table 4-4, Hearing Requirements, is hereby amended by deleting the entire “Planning Board” column, , and inserting an “X” to the Board of Adjustment column in the Special Use Permit row, inserting a row for “Unified and TN Development Plans” with an “X(3)” in the Historic Pres. Preservation column, an “X” in the Zoning Commission column, and an “X(4)” in the City Council column, deleting the “X(4)” from the City Council column in the Special Use Permit row, deleting Note #1 from the bottom of the table, indicating Note #1 as [Reserved], and amending Note #3 from the bottom of the table to read “When located within a Historic District.”

Section 17. That Subsection (a) of Section 30-4-1.4(B)(1), Published Notice, is hereby amended to read as follows:

(a) Zoning Map Amendments, ~~Special Use Permits~~ and Ordinance Text Amendments

All zoning map amendments heard by the Zoning Commission and City Council, and all ~~Special Use Permits~~ and Ordinance Text Amendments heard by City Council require the placement of an advertisement in a local newspaper of general circulation once a week for 2 successive calendar weeks, the first notice being published not less than 10 days nor more than 25 days before the date of the public hearing.

Section 18. That Section 30-4-3 Comprehensive Plan Amendments, is hereby amended to read as follows:

30-4-3 GSO 2040 Comprehensive Plan Amendments

30-4-3.1 Applicability

- (A) The City Council may consider amendments to the GSO 2040 Comprehensive Plan ~~not in association with a Zoning Map Amendment~~, as may be required from time to time, with a recommendation from the Planning Board Zoning Commission.
- (B) ~~The City Council may also consider amendments to the Comprehensive Plan when Zoning Map Amendment applications are in direct conflict with the Comprehensive Plan, as determined by the Planning Director. Such plan amendments shall only be heard by the City Council. Council may also establish policy guidelines as to what amendments constitute a direct conflict and require an amendment.~~

30-4-3.2 Coordination with Applications for Zoning Map Amendment

~~When required, an application for a plan amendment must be submitted and reviewed concurrently with a zoning map amendment application.~~

30-4-3.3 Preapplication Consultation

~~In order to determine whether a plan amendment is required, a preapplication consultation is required in accordance with Preapplication Consultation requirements of 30-4-1.1.~~

30-4-3.4 Application Requirements

~~An application for a plan amendment must be prepared in accordance with the common review procedures of 30-4-1 and submitted to the Planning Department.~~

30-4-3.2 Reviewing Progress and Monitoring Conditions

Annual reviews will be made to the Zoning Commission and include updates on Plan implementation and a summary of land use trends for the year.

30-4-3.5 3.3 Planning Board Zoning Commission Review

- (A) GSO 2040 Comprehensive Plan Amendment ~~without Zoning Map Amendment~~
- (1) Before making any recommendation on a plan amendment, the Planning Board Zoning Commission must consider any recommendations from the Planning Director, and must conduct a public hearing.
 - (2) Notice and public hearing requirements must be provided in accordance with 30-4-1.4.
 - (3) ~~The applicant or a representative of the applicant is encouraged to appear at the meetings to explain why the Comprehensive Plan should be changed.~~
 - (4) Following the close of the public hearing, the Planning Board Zoning Commission shall make a recommendation on the amendment to the City Council.
 - (5) (4) If the Planning Board Zoning Commission fails to make a recommendation within 45 days of an item being placed on a Board Commission meeting agenda, City Council may proceed to hear the application.
- (B) ~~Comprehensive Plan Amendment with Zoning Map Amendment~~

- ~~(1) Before reviewing a plan amendment that is accompanied by a zoning map amendment, the Planning Board must consider any recommendations from the Planning Director and comment on the proposed amendment.~~
- ~~(2) If the accompanying zoning map amendment is given final approval by the Zoning Commission, the Comprehensive Plan amendment will be deemed automatically approved.~~
- ~~(3) If the accompanying zoning map amendment is forwarded to City Council for final decision, the Planning Board's comments on the proposed plan amendment must be provided to the City Council for their consideration and final decision on the Comprehensive Plan amendment.~~

30-4-3.6 3.4 Criteria for ~~Planning Board~~ Zoning Commission Recommendations

The recommendations of the ~~Planning Board~~ Zoning Commission to the City Council must show that the ~~Planning Board~~ Zoning Commission has studied and considered the proposed change in relation to the following, where applicable:

- (A) whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and programs of any adopted plans;
- (B) whether the proposed change would be compatible with the existing and intended land use pattern and designated future land uses; and
- (C) whether the proposed change would meet the GSO 2040 Comprehensive Plan amendment criteria.

Section 19. That Section 30-4-3.2, Reviewing Progress and Monitoring Conditions, is hereby amended by inserting a Commentary box to read as follows:

Commentary: Regular review and reporting on progress to the Zoning Commission and City Council will help keep implementation on schedule and ensure accountability.

Section 20. That Subsection (C) of Section 30-4-5.2, Authority to File, is hereby amended to read as follows:

(C) RM-40 Zoning Districts

A proposal to amend the zoning map to the RM-40 zoning district may only be initiated in designated District Scaled or Regional Scaled Activity Centers, or in Corridors (see on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8), or along major thoroughfares (see 30-6-2.2(F)).

Section 21. That Subsection (D) of Section 30-4-5.6, Zoning Commission–Review and Recommendation/Decision, is hereby amended to read as follows:

- (D) Following the close of the public hearing, the Zoning Commission shall take action on the amendment.

- (1) The Zoning Commission must advise and comment on whether the proposed amendment is consistent with the Comprehensive Plan, and it must adopt a written statement that addresses consistency between the proposed amendment and the Comprehensive Plan (and other matters as deemed relevant by the Zoning Commission) and explain why the Zoning Commission considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review. However, concluding that a proposed amendment is inconsistent with the Comprehensive Plan does not preclude approval of the proposed amendment.
- (2) ~~Zoning map amendment applications that are accompanied by Comprehensive Plan amendments must be heard by the City Council unless the Zoning Commission approves the application by unanimous vote and that action is not appealed. If the accompanying zoning map amendment is given final approval by the Zoning Commission and that action is not appealed, the Comprehensive Plan amendment will also be deemed approved. Likewise, if a zoning map amendment that is accompanied by a Comprehensive Plan amendment is denied and that action is not appealed, the proposed plan amendment will also be deemed to have been denied.~~
- (3) ~~For zoning map amendments that are consistent with the Comprehensive Plan, the Zoning Commission is authorized to take final action on the application. In such cases, 6 or more favorable votes from the Zoning Commission shall constitute final action to approve the application unless the action is appealed in accordance with paragraph (E), below. If no appeal is made, a copy of the ordinance rezoning the property is filed with the City Clerk.~~
- (4) When a zoning map amendment application receives a tie vote or an unfavorable vote from the Zoning Commission, that action constitutes denial of the application, unless appealed in accordance with paragraph (E), below.
- (5) (3) When an application receives a majority favorable vote consisting of less than 6 favorable votes from the Zoning Commission, that action constitutes a recommendation to approve the zoning map amendment application and is forwarded to the City Council for final action.

Section 22. That Subsections (A) of Section 30-4-5.7, City Council–Final Action, is hereby amended to read as follows:

(A) The following zoning map amendment applications must be scheduled for public hearing before the City Council:

- (1) ~~those that require a Comprehensive Plan amendment, as required by 30-4-5.6(D)2);~~
- (2) zoning map amendments ~~those~~ that receive a majority favorable vote from the Zoning Commission consisting of fewer than 6 favorable votes;
- (3) all appealed zoning map amendment decisions of the Zoning Commission;
- (4) all original zoning map amendments; and

(5) all establishments of and changes to overlay district boundaries.

Section 23. That Subsections (B) of Section 30-4-5.12, Conditional District–Amendments and Modifications, is hereby amended to read as follows:

(B) ~~The Planning Board may approve Type 3 Modifications~~ Technical Review Committee may approve Type 2 Modifications in accordance with 30-4-11 for all other changes, provided that the modification does not change or amend the use category, as per Table 8-1, allowed in the conditional district.

Section 24. That Subsections 30-4-6.2 of Section 30-4-6, Zoning Map Amendments–Planned Unit Development Districts, is hereby amended by inserting a new Subsection (C) to read as follows:

(C) The unified development plan approved by the Technical Review Committee for submission. This unified development plan constitutes a recordable map-based representation of the proposed zoning conditions and development standards for the conditional district as part of the zoning map amendment application.

Section 25. That Subsection (1) of Section 30-4-8.1(A), Creating an Activity Center Master Plan, is hereby amended to read as follows:

(1) Who May Initiate

Application to develop an activity center master plan may be initiated by the City Council, Planning Director, or by petition from any owner of property in or near an area designated as Activity Centers or a Corridor on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) ~~Plan's Generalized Future Land Use Map.~~

Section 26. That Subsection (C) of Section 30-4-8.1, -ACO, Activity Center Overlay District, is hereby amended to read as follows:

(C) Plan and Design Manual Adoption

The plan and design manual must be approved using the ~~Comprehensive Plan~~ Zoning Map Amendment procedure of ~~30-4-3~~ 30-4-5 and the mail notice requirements of 30-4-1.4. The ~~Planning Board~~ Zoning Commission must recommend a design manual for the overlay district plan specifying design standards for each major element. Standards may address new use restrictions, building bulk or location requirements, on or off-street parking, landscaping and buffering, signs and lighting, and other site design and improvements elements.

Section 27. That Subsection (e) of Section 30-4-8.4(G)(2), Amendments to an Adopted Neighborhood Conservation Overlay District, is hereby amended to read as follows:

(e) The amendment shall be forwarded, with the recommendations of the ~~Planning Board and~~ Zoning Commission following public hearings, to the City Council for approval.

Section 28. That Subsection (d) of Section 30-4-8.4(G)(3), Amendments to an Adopted Neighborhood Conservation Overlay District, is hereby amended to read as follows:

(d) The amendment shall be forwarded, with the recommendations of the ~~Planning Board and~~ Zoning Commission following a public hearings, to the City Council for approval.

Section 29. That Subsections (B) and (C) of Section 30-4-8.14 -GO, Greenway Overlay, is hereby amended to read as follows:

(B) Plan Approval

The plan must be approved using the ~~Comprehensive Plan~~ Zoning Map Amendment procedure of ~~30-4-3~~ 30-4-5 and the mail notice requirements of 30-4-1.4.

(C) Design Manual Adoption

The ~~Planning Board~~ Zoning Commission must recommend a design manual for the overlay district specifying design standards or guidelines for each major element. Standards or guidelines may address new use restrictions, bike rack requirements, landscaping/screening requirements, sign regulations, building orientation, building material, connectivity with the greenway, and other site design and improvements elements. The design manual must be approved using the text amendment procedures of 30-4-4 and the mail notice requirements of 30-4-1.4.

Section 30. That Subsection 30-4-10.2 of Section 30-4-10, Special Use Permits, is hereby amended to read as follows:

30-4-10.2 Filing

An application for special use permit must be prepared in accordance with the common review procedures of 30-4-1 and submitted to the Planning Department at least ~~38-45~~ days before the meeting of the ~~Zoning Commission~~ Board of Adjustment at which such an application is to be considered.

Section 31. That Subsection 30-4-10.3 of Article 4, Review and Approval Procedures, is hereby amended to read as follows

30-4-10.3 Procedure

Applications for special use permits must be processed, considered, and voted upon in accordance with the ~~Zoning Map Amendment~~ Variance procedures of ~~30-4-5~~ 30-4-13, except as otherwise expressly stated in this section.

Section 32. That Subsections (A) and (B) of Section 30-4-10.5, Required Findings, is hereby amended to read as follows:

- (A) The special use permit must be granted by the ~~Zoning Commission~~ Board of Adjustment ~~or City Council~~ when all of the following findings have been made:
- (1) That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
 - (2) That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the neighborhood or the community; and
 - (3) That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.
- (B) If the ~~Zoning Commission~~ Board of Adjustment ~~or City Council~~ does not make these findings, then the special use permit may not be granted.

Section 33. That Subsection 30-4-10.6 of Section 30-4-10, Special Use Permits, is hereby amended to read as follows:

30-4-10.6 Greater Restrictions

In granting a special use permit, the ~~Zoning Commission~~ Board of Adjustment ~~or City Council~~ may impose more restrictive requirements as deemed necessary to advance the purposes and intent of this ordinance, provided that such requirements are directly related to the impacts of the proposed use.

Section 34. That Subsection 30-4-10.8 of Section 30-4-10, Special Use Permits, is hereby amended to read as follows:

30-4-10.8 Amendments and Modifications

- (A) The ~~Zoning Commission~~ Board of Adjustment ~~or City Council~~ may make a substantial change or amendment to a special use permit, using the criteria in 30-4-5.10, by following the same procedure as that required for the original approval of the special use permit.
- (B) The ~~Planning Board and may approve Type 3 modifications~~ Technical Review Committee may approve Type 2 Modifications in accordance with 30-4-11 for all other changes.

Section 35. That Subsection 30-4-10.10 of Section 30-4-10, Special Use Permits, is hereby amended to read as follows:

30-4-10.10 Violation of Permit Restrictions

Any violation of a restriction in an approved special use permit must be treated the same as any other violation of this ordinance, subject to the same remedies and penalties as any such violation. The ~~Zoning Commission~~ Board of Adjustment ~~or City Council~~ may, after a hearing, revoke such permit on all or part of a development if it finds that the violation was intentional, was continued for an unreasonable time, or was substantially inconsistent with the purpose and intent of the permit.

Section 36. That Subsection 30-4-10.13 of Section 30-4-10, Special Use Permits, is hereby amended to read as follows:

30-4-10.13

Final decisions made by the ~~Zoning Commission~~ Board of Adjustment ~~or the City Council~~ may be appealed within 30 days to the Guilford County Superior Court who must hear the appeal on the record.

Section 37. That Subsections (G) and (H) of Section of 30-4-12.1, Local Historic Overlay District Designation, is hereby amended to read as follows:

(G) ~~Planning Board~~ Review and Recommendation

~~The Planning Board must hold a public hearing concerning the local historic district overlay designation report along with comments from the SHPO (if applicable) and the Historic Preservation Commission. The Planning Board may not review or comment on the proposed overlay district boundaries. Following the public hearing, the Planning Board must make a recommendation to the Zoning Commission to approve or deny the application. [Reserved]~~

(H) ~~Zoning Commission~~ Review and Recommendation

~~The Zoning Commission must hold a public hearing concerning the local historic overlay district designation report, to review only the proposed boundaries of the historic district overlays, along with comments from the SHPO (if applicable) and the Historic Preservation Commission. The Zoning Commission may receive any applicable comments from the Historic Preservation Commission or SHPO. Following the public~~

hearing, the Zoning Commission must make a recommendation to the City Council to approve or deny the application and the overlay district zoning map amendment.

Section 38. That Subsection 30-4-14.3 of Section 30-4-14, Special Exceptions, is hereby amended to read as follows:

30-4-14.3 Filing

An application for a special exception must be prepared in accordance with the common review procedures of 30-4-1 and submitted to the Planning Department at least ~~24~~ 30 days before the Board of Adjustment meeting where the application will be heard.

Section 39. That Subsection (E) of Section of 30-4-17.5, Preliminary Plat, is hereby amended to read as follows:

(E) ~~Planning Board~~ Zoning Commission –Appeal

The ~~Planning Board~~ Zoning Commission must consider the appeal at the next regularly scheduled meeting. The ~~Board~~ Commission has until the next available scheduled meeting following the initial appeal hearing to act on an appeal.

Section 40. That Subsection (F) of Section 30-6-2.2, RM, Residential Multi-family Districts, is hereby amended by to read as follows:

(F) RM-40, Residential Multi-family 40 District

The RM-40, Residential Multi-family district is intended to accommodate multi-family and other residential development, only in District Scaled or Regional Scaled Activity Centers or in Corridors (~~see on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) Generalized Future Land Use Map~~), or along major thoroughfares. Single-family homes and duplexes, and twin homes are not permitted.

Section 41. That Subsection (C) of Section 30-6-6.4, LIM, Light Industrial Mixed, is hereby amended to read as follows:

(C) Located in areas designated as Reinvestment Corridors or areas designated as ~~Industrial/Corporate Park or Mixed Use Corporate Park~~ Planned Industrial District (~~see on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) Generalized Future Land Use Map~~).

Section 42. That Section 30-6-9.1, –ACO, Activity Center Overlay, is hereby amended to read as follows:

30-6-9.1 –ACO, Activity Center Overlay

- (A) Activity centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in ~~areas of mixed use~~ Corridors shown on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) ~~Generalized Future Land Use Map~~, activity centers are intended to include features such as a mix of higher intensity uses (residential, retail, office, etc.), compact development patterns, urban open spaces, pedestrian and transit linkages. Activity centers must be served by a network of alternative transportation options, including walking routes, bike lanes, and rail (if available).
- (B) The purpose of the –ACO, Activity Center Overlay district is to promote the development of lands in areas designated as Activity Centers on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) ~~Generalized Future Land Use Map~~ in accordance with the GSO 2040 Comprehensive Plan and the adopted activity center master plan if one has been developed for the specific activity center. The regulations allow for greater variety of uses, flexibility in site planning and development regulations, and intensity of land use than may be allowed in the underlying zoning district.

Section 43. That Subsection (A) of Section 30-8-10.1(H)(1)(c)(ii)(d), Mixed-use context in the C-M, C-H and BP districts, is hereby amended to read as follows:

- (A) Located within an District Scaled or Regional Scaled Activity Center or ~~reinvestment corridor~~ in Corridors on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8) ~~as defined by the Comprehensive Plan~~; or

Section 44. That Subsection (a) of Section 30-14-7.3(E)(2), Purpose, is hereby amended to read as follows:

- (a) Along streets in the Central Business District (bounded by Fisher Street, Spring Street, Gate City Boulevard and Murrow Boulevard); along streets in the Downtown National Register Historic District; and along streets adjacent to government buildings or complexes, adjacent to college or university campuses, or adjacent to any city-initiated streetscape improvement project, or along streets located ~~within a designated reinvestment corridor as defined in the Comprehensive Plan~~ in Corridors on the GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8).

Section 45. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 46. This ordinance shall become effective on September 1, 2020.