



## Legislation Text

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**File #:** ID 20-0487, **Version:** 1

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Public Hearing for the Adoption of a Land Development Ordinance Amendment Related to the Planning Board, Zoning Commission, Board of Adjustment, Easement Releases, Special Use Permits, GSO 2040 Comprehensive Plan; Rezoning Process, Activity Center Overlay District, RM-40 Zoning District, Light Industrial - Mixed Zoning District, C-M, C-H and BP Zoning Districts, Pole Mounted Banners, Planned Unit Development Zoning District, and Unified Development Plans

Council Priority: Create an Environment to Promote Economic Development Opportunities and Job Creation / Maintain Infrastructure and Provide Sustainable Growth Opportunities

Department: Planning  
Council District: All

Public Hearing: Yes  
Advertising Date/By: July 2, 2020 and July 9, 2020/City Clerk

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### **PURPOSE:**

The purpose of the text amendment is to amend the Land Development Ordinance (LDO) related to the Planning Board, Zoning Commission, Board of Adjustment, Easement Releases, Special Use Permits, GSO 2040 Comprehensive Plan; Rezoning Process, Activity Center Overlay District, RM-40 Zoning District, Light Industrial - Mixed Zoning District, C-M, C-H and BP Zoning Districts, Pole Mounted Banners, Planned Unit Development Zoning District, and Unified Development Plans. The City Council is required to hold a public hearing on this amendment before considering its approval.

### **BACKGROUND:**

On June 16, 2020, City Council adopted an update to the City of Greensboro's comprehensive plan as GSO 2040. There are several cross references between the comprehensive plan and the Land Development Ordinance. The purpose of this text amendment is to replace the cross references from the previous comprehensive plan - Connections 2025 with the appropriate references in the updated comprehensive plan - GSO 2040. In formulating the changes, staff also evaluated changes made in past legislative updates and the upcoming changes to the State Enabling Legislation (NCGS 160D). As directed by City Council to consolidate board and commissions, staff also evaluated the application processes handled by the Planning Department for the Planning Board, Zoning Commission and Board of Adjustment to better align the board's/commission's purpose and expertise with the items being decided. As an example, the amendment shifts Special Use Permits (which require a quasi-judicial hearing) from the Zoning Commission (a legislative body) and City Council (a legislative body) to the Board of Adjustment, which is a quasi-judicial board.

The text amendment will make several changes to the Land Development Ordinance which are outlined as follows:

1. Inserts references to the GSO 2040 Comprehensive Plan;
2. Inserts references the new GSO 2040 Comprehensive Plan - Future Built Form Map (Map 8);
3. Allows applications for rezoning to the RM-40 zoning district in the District Scaled Activity Centers, Regional Scaled Activity Centers and Corridors which were previously allowed in the GFLUM Activity Centers and the Growth Stagey Map Reinvestment Corridors (Section 40);
4. Allows applications for rezoning to the Light Industrial - Mixed zoning district in the Planned Industrial District which was previously the GFLUM areas of Industrial/Corporate Park or Mixed Use Corporate Park (Section 41);
5. Allows applications to create the Activity Center Overlay Districts only in the District in all Activity Centers and Corridors which were previously the GFLUM Activity Centers and Areas of Mixed Use (Section 25, Page 20 and Section 42, Page 15);
6. Allow the residential component for mixed-use context in the C-M, C-H and BP zoning districts in the District Scaled Activity Centers, Regional Scaled Activity Centers and Corridors which were previously the GFLUM Activity Centers and the Growth Stagey Map Reinvestment Corridors (Section 43);
7. Allows applications for pole mounted banners along Corridors which were previously the Growth Stagey Map Reinvestment Corridors (Section 44);
8. Deletes GFLUM amendments from being required during the rezoning process Section 21);
9. Creates a process for annual review, reporting and amendments to GSO 2040 (Section 18, Page 7);
10. Moves Special Use Permits from Zoning Commission to the Board of Adjustment (Section 8);
11. Eliminates provision for Special Use Permits being heard by City Council (Section 32);
12. Amends the Planned Unit Development District rezoning process to require the submission and approval of the Unified Development Plan as part of the rezoning application process (Section 24);
13. Moves the Planning Board duties to the Zoning Commission, except for Easement Releases (Section 6); and
14. Moves Easement Releases from the Planning Board to the Technical Review Committee Section 5.

#### **BUDGET IMPACT:**

This item will have no budget impact.

#### **RECOMMENDATION / ACTION REQUESTED:**

Staff prepared and recommended the amendment. The Planning Board recommended the amendment at its June meeting on a vote of 8-0 with quarter review of Comprehensive Plan Amendments, allowing the use of Activity Center Overlay Districts in areas depicted as Neighborhood Activity Centers, and to require affordable house units (inclusionary zoning) in the RM-40 Zoning District. Since the affordable housing item is a major undertaking, Planning staff will need additional time to investigate these provisions (in conjunction with the housing efforts being carried-out by the Department of Neighborhood Development) before proposing changes to the Land Development Ordinance. Along with their recommendation they requested that moving forward, City Council appoint people with neighborhood-focused expertise to the Zoning Commission.

Staff recommends that City Council receive citizen comments and consider adoption of proposed text amendment.