Zoning Process in Greensboro
(Zoning 101)
Authority For Local Zoning (NC General Statutes)

• NCGS 160A 381-387 – “Promote health, safety and general welfare”

• Balances rights of property owners to use property as desired while not infringing on rights of adjacent property owners to do the same

• Zoning regulates –
  • Uses
  • Size (height and bulk)
  • Scale (density and building coverage)
  • Placement of Buildings (setbacks)
  • Site Layout (landscaping, parking, lighting)
Why Rezone?

- Change allowed uses
- Change previously approved zoning conditions (base district stays the same)
- Change Development Standards
- Address Nonconformities
- Resolve Zoning Compliance Actions

Rezoning not needed if proposed use is allowed and development meets minimum ordinance requirements
Types of Zoning/Land Use Requests

Original Zoning (goes to City Council)
- Associated with Annexation Petition
- Legislative Hearing

Rezoning (may go to City Council)
- Can be straight rezoning or conditional district (CD)
- Legislative Hearing
- Additional Conditions allowed if more restrictive than advertised

Special Use Permit (SUP) (may go to court)
- Use allowed in district if:
  - In harmony with area and conforms with Comp Plan
  - Not detrimental to health and safety,
  - Use at particular location contributes to general well being
- Quasijudicial Hearing
Application

- Pre-submittal conferences encouraged, may also include pre-development or sketch reviews with technical staff
- Application filed no later than 45 days prior to zoning hearing
- Application includes:
  - Applicant Information
  - Owner Information (if different)
  - Map
  - Legal Description
  - Zoning request and initial conditions if applicable
- Items that may also be needed:
  - Traffic Impact Study (TIS) – draft due 21 days prior to application being filed
  - GFLUM Amendment - Planning Board review and comments (not public hearing)
  - Neighborhood Communications Summary – required for conditional district zoning when residences within 600 feet of request. (not due to staff until shortly before hearing)
Zoning Process in Greensboro

Staff Review and Analysis

• Pre-submittal conferences
  (testing ideas, looking at potential zoning options)
• Sufficiency Review
  (includes Transportation and Long-Range Planning staff)
• Site Visits
• Preparation of Staff Report and Official Recommendation
Public Notification

- State law prescribes how and when hearings are advertised
  - 10-25 days prior to hearing
    - date, time, location and items for consideration
- Mailed Notice
  - State law only requires adjacent owners be notified (NCGS 160A-384)
  - Greensboro notifies all property owners within 600 feet of request
  - Includes QR codes (for smart phones) and web address for staff report
  - Full meeting agenda also sent to Neighborhood Congress, media contacts and others at same time of individual case mailings
Public Notification

• Posted Notice
  • Posted at prominent location(s) on site
  • Includes hearing date and time, contact info
  • Includes QR codes (for smart phones) and web address

• Newspaper
  • Ad for 2 consecutive weeks with first ad no sooner than 10 days prior to hearing
  • Basic info on requests and staff contact info

• Web
  • Agenda online when notices mailed out. Also links to previous meetings and minutes
  • Staff reports available online 10 days prior to hearing
  • Public can provide comments to Zoning Commission and staff (directly or through weblink)
Decisions

Rezonings (no Comp Plan amendment)
• Final action if minimum 6 in favor
• Referred to Council if in favor but less than 6

Rezonings (with Comp Plan amendment)
• Final action if unanimous in favor
• Referred to Council if in favor but less than unanimous

Original Zonings
• Automatically goes to Council (not applicable if annexation not approved)

Zoning Overlays (may or may not be linked to a Plan)
• Automatically goes to Council

Special Use Permits
• Final action if majority in favor
Zoning Appeals

Appeals of Zoning Decisions

• Must be in writing to Planning staff or City Clerk within 10 days of Zoning Commission decision

• No proof of standing/prequalification to appeal

• Appealed items typically scheduled for 2nd Council meeting in following month

• As of August 1, 2015 rezoning applications no longer subject to zoning protest petition
Appeals of Special Use Permit Decisions

- Filed in Superior Court within 30 days of notice of final decision
- Requires proof of standing/prequalification to appeal
- Appeal hearing based on evaluation of the public hearing record and hearing process
• Look at upcoming agendas and meeting info on the web

• Volunteer on Zoning Commission or other Boards/Commissions

• Learn More about Zoning Ordinances and Processes
  http://online.encodeplus.com/regs/greensboro-nc/

• Contact Staff and Commission members

• Keep up with local and national development trends

• Watch the live coverage of Zoning Commission meetings on The Greensboro Television Network (Cable Channel 13 or on web) or attend the meetings and speak in support or against an application.