

AMENDING CHAPTER 30

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 30-5-1.2, Noise, is hereby amended by rewriting the section to read as follows:

30-5-1.2. Highway Noise Mitigation Standards.

(A) General: Noise mitigation elements shall be incorporated into developments to lessen the impact of noise from the most heavily-traveled thoroughfares upon residences and other noise-sensitive land uses.

(B) Applicability: Noise mitigation measures shall be provided for development on properties which meet all of the following:

(1) Location, Uses and Size:

- (a) Located within 100 feet of the right-of-way for the City's Urban Loop, including areas within the Scenic Corridor Overlay District-1 (SCOD-1) and Scenic Corridor Overlay District-2 (SCOD-2);
- (b) Containing a noise-sensitive use such as a multi-family residential development, elementary and secondary school, place of worship, single-family or two-family dwelling subdivision, or any combination thereof; and
- (c) Located within a development greater than one acre in area.

(2) Exemption: The requirements of Section 30-5-1.2 shall not apply to developments or any portion of a development that is located at an elevation that is more than 20 feet below the elevation of the highway pavement.

(C) General Noise Mitigation: For applicable developments, the effects of noise from the vehicles traveling the highway (or ramps) on the principal buildings shall be mitigated in accordance with the following standards:

(1) Principal Buildings Location:

- (a) Setbacks: Principal buildings shall be located at least 70 feet from any Scenic Corridor Overlay District natural undisturbed buffer required in Section 30-4-4.3(E)(3) or 30-4-4.3(F)(3) and from the street planting yard required alongside the highway in Section 30-4-4.3 (E)(4) or 30-4-4.3(F)(4).
- (b) The installation of vertical mixed use buildings, non-residential buildings, accessory buildings, uninhabited portions of buildings, off-street parking, and

stormwater devices between the noise-sensitive use and the highway buffer is strongly encouraged.

(c) No development shall be required to provide an increased principal building setback which covers an area that exceeds 20 percent of the total site area.

(2) *Building Orientation:* Orienting buildings such that the windows and doors for the portions of the building which are accessory to the principal use (i.e. garages and stairwells) are towards the highway and the windows and doors for the portions of the building which contain the noise sensitive use are away from the highway is strongly encouraged.

(3) *Additional Protections:* A barrier shall be placed near the edge of the highway buffer and located between the principal building and the highway. The barrier selected shall be at least one or a combination of the following and shall utilize topography and existing vegetation to the maximum extent practicable:

(a) *Berm:* A minimum six-foot-high earthen berm. The earthen berm shall contain a rounded crown and a stabilized side slope of no greater than 3:1. Retaining walls may be used as part of or in place of the berm;

(b) *Accessory Building:* An accessory building of 400 square feet or more;

(c) *Evergreen Landscaping:* A 20-foot-wide planting bed with a double staggered row of nine evergreen canopy trees per 100 linear feet, 12 evergreen understory trees per 100 linear feet, and 17 evergreen shrubs per 100 linear feet;

(d) *Opaque Fence:* A minimum six-foot-high opaque fence constructed of masonry, stone or pressure treated lumber; and

(e) *Other Measures:* Building insulation features; certification from a qualified acoustical professional, relevant to building construction, shall be required to demonstrate that the interior sound levels within a building average a minimum of five decibels below that of exterior sound levels.

(D) *Noise Mitigation for Single-Family Subdivisions:* For applicable single-family subdivisions the effects of noise from the vehicles traveling the highway (or ramps) on the single family dwellings shall be mitigated in accordance with the following standards:

(a) *Cluster Required:* The subdivision must be designed using the Single Family Detached Cluster Development regulations contained within Section 30-4-6.1(B), with the required common elements for open space located along the highway (or ramp) to the maximum extent practicable. A portion of the required common elements for open space shall be the Scenic Corridor Overlay District natural undisturbed buffer required in Section 30-4-4.3(E)(3) or 30-4-4.3(F)(3) or the street planting yard required alongside the highway in Section 30-4-4.3 (E)(4) or 30-4-4.3(F)(4).

(b) *Additional Requirements:* Installation of noise mitigation devices in accordance with Section 30-5-1.2(C).

(E) Application Requirements: The applicant shall submit a letter or profile, describing and depicting noise mitigation features to be employed on the site, particularly within the area between the edge of the pavement for the highway and the proposed principal buildings as part of the submission for the review of a conditional district rezoning, preliminary plat or site plan.

(F) Vertical Mixed Use Building: A building that contains a combination of residential and non-residential uses such that the first or ground floor contains a non-residential use and which is not separated from the highway by another principal building shall be exempt from the provisions of this section.

(G) Modifications: The Technical Review Committee, in order to help achieve compliance with these highway noise mitigation standards, may approve modifications in accordance with Section 30-9-11 to:

- (1) Reduce the required minimum street setback for any street other than the highway or ramp; and
- (2) Change other standards in this section if equal or better performance measures are proposed or if the standard is otherwise felt to be impractical to apply to this site.

(H) Existing Development: Revisions to plans previously approved by the Technical Review Committee that has achieve the status of "Existing Development" shall comply with the provisions of this Section to the maximum extent possible with the exception that the proposed buildings shall be no closer to the highway then would have been permitted as part of that previously approved plan.

Section 2. That Section 30-4-6.1(B) (2), Cluster Option, is hereby amended by adding Subsection (c) to read as follows:

- (c) Cluster development shall be used for all tracts subject to the Highway Noise Mitigation Standards in accordance with Section 30-5-1.2.

Section 3. That Subsections (E) through (Q) of Section 30-9-11.4 Sections Affected, are hereby amended and renumbered to read as follows:

- (E) Section 30-5-1.2: Highway Noise Mitigation Standards
~~(E)~~ (F) Section 30-5-1.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance).
~~(F)~~ (G) Section 30-5-2.54(B): General Requirements (for manufactured dwelling parks and recreational vehicle parks)
~~(G)~~ (H) Section 30-5-2.54(C): Manufactured Dwelling Park Requirements
~~(H)~~ (I) Section 30-5-2.54(D): Recreational Vehicle Park Regulations
~~(I)~~ (J) Section 30-5-5.6 (H) (4) Relocating Non-Conforming Outdoor Advertising Signs
~~(J)~~ (K) Section 30-6-9: Permanent Runoff Control Structures

- ~~(K)~~ (L) Section 30-6-10: Owners' Associations
- ~~(L)~~ (M) Section 30-6-13.1(B): Development Name
- ~~(M)~~ (N) Section 30-6-13.2: Lot Dimensions and Standards
- ~~(N)~~ (O) Section 30-6-13.3: Streets
- ~~(O)~~ (P) Section 30-6-13.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance)
- ~~(P)~~ (Q) Section 30-6-13.6: Utilities
- ~~(Q)~~ (R) Section 30-6-13.7: Drainage

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 5. This ordinance shall become effective upon adoption.