

AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO LAND DEVELOPMENT
ORDINANCE 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 30-3-3.4, Powers and Duties, is hereby amended by adding Subsection (D) to read as follows:

(D) The Planning Board shall form a Tree Conservation and Landscaping (Tree Board) subcommittee, composed of three members, and led by a member of the Planning Board 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 2. That Subsection 1) of Section 30-3-4.5(B), Final Action, is hereby amended by to read as follows:

- 1) Type 2 Modifications (Sec. 30-4-11); ~~except that the Advisory Commission on Trees has final decision-making authority for Type 2 modifications of the tree conservation requirements of Sec. 30-12-1;~~

Section 3. That Section 30-3-5, Design Review Team (DRT) is hereby deleted in its entirety and mark the section as [RESERVED].

Section 4. That Subsection 3) of Section 30-3-7.4(B), Appeals, is hereby deleted in its entirety.

Section 5. That Section 30-3-10, Advisory Commission on Trees (ACT) is hereby deleted in its entirety and mark the section as [RESERVED].

Section 6. That Table 3-1, Summary of Review and Decision-making Authority, is hereby amended by deleting the column for "Advisory Commission on Trees (ACT)"

and the “Design Review Team (DRT)”; deleting the row for “Appeal of Tree Conservation Admin. Decision” and Footnote #3 is hereby amended to read as follows:

~~1) The Advisory Commission on Trees (ACT) makes recommendations to the Board of Adjustment on applications for a Variance when related to tree conservation regulations. ACT makes final decisions on modifications to the tree conservation regulations. [Reserved]~~

Section 7. That Table 3-1, Summary of Review and Decision-making Authority, is hereby amended by replacing the “{R}” in the Planning Board column for Street, Alley and Walkway Closings with an “R” to denote that it is not an item requiring a public hearing.

Section 8. That Table 4-1, Notice Requirements for City Council, is hereby amended to indicate that a published notice is required for Street, Alley and Walkway Closing.

Section 9. That Table 4-4 Hearing Requirements, is hereby amended by deleting the column for “Advisory Commission on Trees (ACT)” and deleting the row for “Appeal of Tree Conservation Adm. Decision”

Section 10. That Subsection (B) of Section 30-4-2.1, Final Action, is hereby amended by to read as follows:

(B) Appeal

- ~~1) Appeals of administrative decisions related to the Tree Conservation regulations may be appealed to the Advisory Commission on Trees in accordance with Sec. 30-4-28.~~
- 2) Appeals of administrative official interpretations of all other portions of this ordinance may be appealed to the BOA in accordance with the appeal procedures of Sec. 30-4-27.

Section 11. That Subsections 3) and 4) of Section 30-4-11.3(C), Final Action, is hereby amended by to read as follows:

- ~~3) Decisions of the Planning and Community Development Director regarding alternate methods of compliance for landscaping, tree conservation and reforestation may be appealed to the Technical Review Committee as requests for modifications. ~~Decisions of the Planning and Community Development Director regarding alternate methods of compliance for tree conservation and reforestation may be appealed to the Advisory Commission on Trees.~~~~
- 4) Appeals from decisions of the ~~Advisory Commission on Trees~~ Technical Review Committee may be taken to the ~~Board of Adjustment in accordance with Sec. 30-4-1.7~~ Planning Board.

Section 12. That Subsection 1) of Section 30-4-11.5(B), Technical Review Committee, is hereby amended to read as follows:

- 1) The Technical Review Committee has final decision-making authority on all Type 2 Modifications, ~~except that the Advisory Commission on Trees has final decision-making authority for Type 2 Modifications of the tree conservation requirements of Sec. 30-12-1.~~ Standards and regulations eligible for modification through the Type 2 Modification procedure are expressly identified in the text of this ordinance.

Section 13. That Subsection (C) of Section 30-4-13.1, General, is hereby amended to read as follows:

(C) The Board of Adjustment, ~~after review and recommendation from the Advisory Commission on Trees,~~ may grant variances relating to tree conservation provisions of Sec. 30-12-1.

Section 14. That Section 30-4-28, Appeal of Tree Conservation Administrative Decision, is hereby deleted in its entirety and mark the section as [RESERVED].

Section 15. That Section 30-12-1, Tree Conservation, is hereby amended by added a new Subsection 30-12-1.8, Modifications to read as follows:

30-12-1.8 Modifications

The Technical Review Committee is authorized to approve Type 2 Modifications of the standards of this section in accordance with Sec. 30-4-11.


Section 16. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 17. This ordinance shall become effective upon adoption.

THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF GREENSBORO
ON THE 2ND DAY OF OCTOBER, 2012 AND WILL
BECOME EFFECTIVE UPON ADOPTION.

ELIZABETH H. RICHARDSON
CITY CLERK

APPROVED AS TO FORM



CITY ATTORNEY