

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 Subsection (A) of Section 30-7-1.4, Setbacks, is hereby amended to read as follows:

(A) Street Setbacks

Street setbacks are computed by the horizontal distance from the existing or proposed (whichever is further from the centerline) street right-of-way line to the nearest part of the applicable building, structure, sign, or activity, measured perpendicularly to the line. The future street right-of-way line will be determined by the Street Design Standards Manual using the street centerline or other appropriate reference point which satisfies the intent of the street design standards and its roadway classification. Determination of any future street right of way line shall only apply to those streets that have been identified on the Thoroughfare Plan or Collector Street Plan as requiring improvements or widening.

1) Front

a) Any setback from a street right-of-way line other than a side street setback. A through lot has 2 front street setbacks. The property owner shall designate the front and side setback on a corner lot.

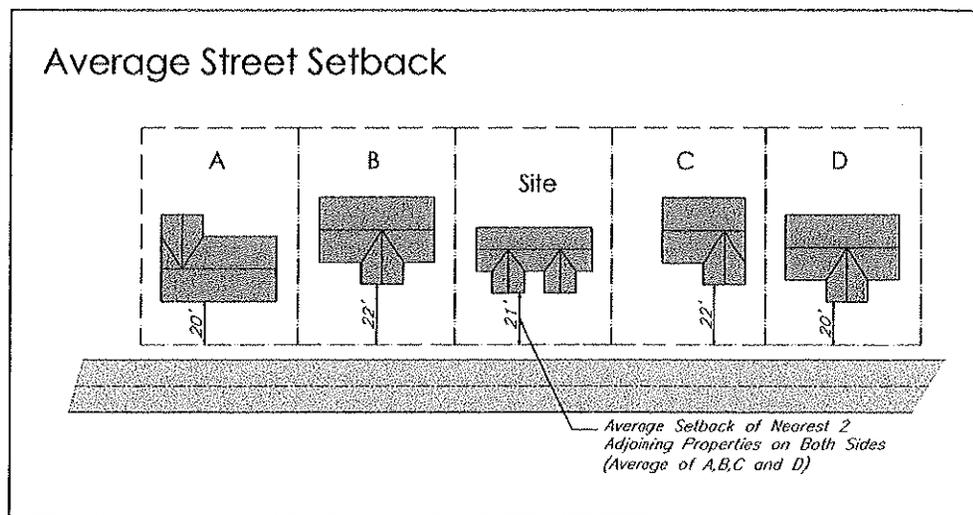
b) Single Family Detached Dwellings

Where 50% or more of the lots on the same block face as the subject lot are occupied by single family detached dwellings, buildings on the subject lot must comply with the minimum street setback determined by calculating the average (mean) setback that exists on the 2 lots on either side of the subject lot (total of 4).

i) If one or more of the lots included in the average calculation is vacant, the vacant lot will be deemed to have a setback equal to the minimum street setback of the underlying zoning district.

ii) Lots with buildings oriented to a different street than the subject lot or that are separated from the subject lot by a street or alley may not be used in computing the average street setback.

- iii) When the subject lot is a corner lot, the average street setback will be computed on the basis of the nearest 2 lots occupied by buildings oriented to the same street as the subject lot.
- iv) When the subject lot abuts a corner lot occupied by a building oriented to the same street, the average street setback will be computed on the basis of the abutting corner lot and the nearest 2 lots occupied by buildings oriented to the same street as the subject lot.
- v) For lots where the calculated average street setback does not result in achieving a buildable area equal to or greater than the percentage of building coverage for that zoning district, the Planning Director may approve a Type 1 Modification (see Sec. 30-4-11) as follows:
- a. The rear setback is to be first reduced to 15 feet;
 - b. Then the street setback may be reduced by 10% or 5 feet, whichever is greater.
 - c. Upon the granting of a modification to this section, the Planning Director shall notify the owners of property abutting the subject lot and each lot used in determining the average street setback.



vi) Where 50% or more of the lots on the same block face as the subject lot are not occupied by single family detached dwellings, buildings on the subject lot must comply with the minimum street setback for the underlying zoning district.

vii) Application Requirements

In addition to any other application requirements, applicants subject to the average (mean) setback must submit detailed plans showing building footprints for existing buildings in the area. These plans must be annotated with building setbacks, and other

information that the Planning Director may require to determine compliance with these requirements.

2) Side

Side street setback is a required street setback that is not a front street setback.

3) Thoroughfare

Thoroughfare (major or minor) setback is the setback required for any portion of a lot abutting a thoroughfare right of way line.

4) Street Setback Reduction

a) Nonresidential Uses and Multifamily Dwellings

Where 50% or more of the lots on the same block face as the subject lot are occupied by buildings containing nonresidential uses or multifamily dwellings with less than the minimum street setback requirement of the subject zoning district, buildings on the subject lot may comply with the minimum street setback requirement of the district or the ~~contextual (average)~~ average setback requirement calculated in accordance with ~~30-7-3.4(F)(1)~~ 30-7-1.4(A)1b).

Section 2. That Table 7-1 in Subsection 1) of Section 30-7-3.2 (A), R-3 Residential Single-family 3, is hereby amended by changing the footnote reference in the row for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (6) to (9).

Section 3. That Table 7-1 in Subsection 1) of Section 30-7-3.2 (A), R-3 Residential Single-family 3, is hereby amended by adding a new Footnote (9) to read as follows:

Street Setback

(9) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1b).

Section 4. That Table 7-2 in Subsection 1) of Section 30-7-3.2 (B), R-5 Residential Single-family 5, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (7) to (10).

Section 5. That Table 7-2 in Subsection 1) of Section 30-7-3.2 (B), R-5 Residential Single-family 5, is hereby amended by adding a new Footnote (10) to read as follows:

Street Setback

(10) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1)b).

Section 6. That Table 7-3 in Subsection 1) of Section 30-7-3.2 (C), R-7 Residential Single-family 7, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (7) to (10).

Section 7. That Table 7-3 in Subsection 1) of Section 30-7-3.2 (C), R-7 Residential Single-family 7, is hereby amended by amending Footnote (7) and by adding a new Footnote (10) and to read as follows:

~~(7) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F): (Reserved)~~

Street Setback

(10) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1)b).

Section 8. That Table 7-4 in Subsection 1) of Section 30-7-3.2 (D), RM-5 Residential Multi-family 5, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (8) to (12).

Section 9. That Table 7-4 in Subsection 1) of Section 30-7-3.2 (D), RM-5 Residential Multi-family 5, is hereby amended by amending Footnote (8) and by adding a new Footnote (12) to read as follows:

~~(8) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F): (Reserved)~~

Street Setback

(12) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1)b).

Section 10. That Table 7-5 in Subsection 1) of Section 30-7-3.2 (E), RM-8 Residential Multi-family 8, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (8) to (12).

Section 10. That Table 7-5 in Subsection 1) of Section 30-7-3.2 (E), RM-8 Residential Multi-family 8, is hereby amended by amending Footnote (8) and by adding a new Footnote (12) to read as follows:

~~(8) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F). (Reserved)~~

Street Setback

(12) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1)b).

Section 11. That Table 7-6 in Subsection 1) of Section 30-7-3.2 (F), RM-12 Residential Multi-family 12, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (8) to (10).

Section 12. That Table 7-6 in Subsection 1) of Section 30-7-3.2 (F), RM-12 Residential Multi-family 12, is hereby amended by amending Footnote (8) and by adding a new Footnote (10) to read as follows:

~~(8) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F). (Reserved)~~

Street Setback

(10) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1)b).

Section 13. That Table 7-7 in Subsection 1) of Section 30-7-3.2 (G), RM-18 Residential Multi-family 18, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (8) to (10).

Section 14. That Table 7-7 in Subsection 1) of Section 30-7-3.2 (G), RM-18 Residential Multi-family 18, is hereby amended by amending Footnote (8) and by adding a new Footnote (10) to read as follows:

~~(8) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F). (Reserved)~~

Street Setback

(10) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1b).

Section 15. That Table 7-8 in Subsection 1) of Section 30-7-3.2 (H), RM-26 Residential Multi-family 26, is hereby amended by changing the footnote reference in the rows for “Street setback – Front, Side and Thoroughfare” for the columns “Single-family Detached and Zero Lot Line” and “Traditional House” from (8) to (10).

Section 16. That Table 7-8 in Subsection 1) of Section 30-7-3.2 (H), RM-26 Residential Multi-family 26, is hereby amended by amending Footnote (8) and by adding a new Footnote (10) to read as follows:

~~(8) Minimum setback requirements may be established in accordance with Sec. 30-7-3.4(F)-(Reserved)~~

Street Setback

(10) Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1b).

Section 17. That Subsection 1) of Section 30-7-3.4(F), Setbacks, is hereby amended to read as follows:

1) Street Setback

a) Single Family Detached Dwellings

Minimum setback requirements shall be established in accordance with Sec. 30-7-1.4(A)1b).

b) Nonresidential Uses and Multifamily Dwellings

Minimum setback requirements may be established in accordance with Sec. 30-7-1.4(A)4a).

- ~~a) Under the contextual infill development option, the contextual street setback may be determined by calculating the average (mean) setback that exists on the 2 lots on either side of the subject lot.~~
- ~~b) If one or more of the lots included in the contextual (average) calculation is vacant, the vacant lot will be deemed to have a setback equal to the minimum street setback of the underlying zoning district.~~
- ~~c) Lots with buildings oriented to a different street than the subject lot or that are separated from the subject lot by a street or alley may not be used in computing the average street setback.~~

- d) ~~When the subject lot is a corner lot, the average street setback will be computed on the basis of the nearest 2 lots occupied by buildings oriented to the same street as the subject lot.~~
- e) ~~When the subject lot abuts a corner lot occupied by a building oriented to the same street, the average street setback will be computed on the basis of the abutting corner lot and the nearest 2 lots occupied by buildings oriented to the same street as the subject lot.~~
- f) ~~The average street setback calculated in accordance with these requirements is the minimum front contextual setback that applies to the subject lot.~~

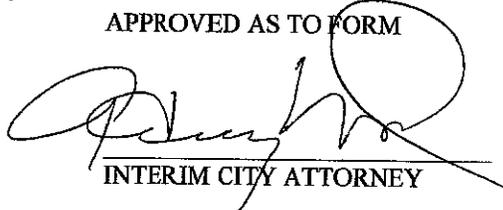
Section 18. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 19. This ordinance shall become effective on April 4, 2014.

THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF GREENSBORO
ON THE 4TH DAY OF MARCH, 2014 AND WILL
BECOME EFFECTIVE ON APRIL 4, 2014.

ELIZABETH H. RICHARDSON
CITY CLERK

APPROVED AS TO FORM



INTERIM CITY ATTORNEY