

10.0 IMPLEMENTATION

10.1 OVERVIEW

Comprehensive Plans are turned into reality by concerted, consistent attention to implementation. This requires that the City administration, departments and present and future City Councils use the Comprehensive Plan as a key reference for all decisions and actions, consistent with the strategic initiatives and policies contained herein. The City's present comprehensive zoning ordinance and other development regulations evolved over time without the significant benefit of a community consensus or defined set of long-term goals and policies for the City's economic development, land use and development pattern. The City's present Capital Improvement Program (CIP) is not presently structured to reflect Comprehensive Plan policies, strategies, and priorities for major public investments. If the City is to exert the necessary leadership in addressing problems and seizing opportunities, it must create the necessary internal organization, secure the necessary resources, and commit to 'staying the course' in making such adjustments called for by the policies, strategies, and actions incorporated in this document.

The individual elements of the Comprehensive Plan call for specific strategies and actions to bring about the positive change reflected in the Comprehensive Plan Vision Statement, as articulated by the public and the Comprehensive Plan Steering Committee. The strategies and actions range from revised development standards and regulations to bold initiatives in open space and resource protection; from enhanced flexibility and incentives to major capital investments to promote re-investment and desired forms and patterns of development. While the Plan calls upon the City to pursue revenue enhancement and increased attention to the fiscal implications of development decisions, it is only prudent to establish a highly focused and realistic staged implementation program. This program sets priorities regarding the sequence in which the strategies and actions contained in the Plan are to be carried out. It is carefully designed to acknowledge fiscal and staff limitations and to pair incentives and cost reduction policies with those having increased cost implications. The program also incorporates a process and protocol for ensuring the compliance of City actions and policies to the Comprehensive Plan, as well as for monitoring implementation progress and incorporating plan revisions and updates.

This chapter describes an implementation program for the Comprehensive Plan, comprised of the following elements:

- A protocol for the application of, ***and compliance with the Comprehensive Plan in development review and approvals***, particularly regarding rezonings;

- A protocol for **adopting, monitoring, amending, and updating** the plan, indicating how it is to be used, tracked, updated and revised; and
- An **action plan** that identifies short-term (1 year), mid-term (2-3 years), and long-term (4-10 years) priorities for implementation.

10.2 BASIC PRINCIPLES FOR COMPREHENSIVE PLAN IMPLEMENTATION

The State of North Carolina gives local governments wide discretion in comprehensive planning. The language of the enabling statutes provides as follows:

Zoning regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city. N.C. Gen. Statutes 160A-383

The references to many considerations on which zoning regulations and comprehensive plans may be based, including factors related to health, overcrowding, provision of public facilities, “character,” conserving value, and the “most appropriate use of land,” embraces the full range of policy considerations contained in the Greensboro Comprehensive Plan.

The City of Greensboro has been engaged in planning for its future for a number of decades. Greensboro has a city-wide comprehensive zoning ordinance which has served as its Comprehensive Plan according to State law. Likewise, Greensboro has in place many of the tools necessary to carry out plans and policies; including subdivision and other development ordinances and standards, a Capital Improvement Program, as well as focused planning for specific issues such as transportation, infrastructure and parks and recreation. What the City has lacked has been a consolidated plan document that articulates a vision for the City’s future along with integrated policies and strategies to achieve the vision. Upon adoption, the Greensboro Comprehensive Plan will become the City’s key policy document, separate and distinct from zoning, but to which future zoning and development regulations must be made consistent, as per state law. The following are more specific principles to be followed in ensuring compliance, as well as in amending, monitoring and updating the Comprehensive Plan.

10.3 REGULATORY COMPLIANCE

Principle: Zoning and related development standards and ordinances shall be revised to maintain consistency with the Comprehensive Plan.

The various Comprehensive Plan elements identify both specific revisions to standards and ordinances (such as for stream buffers and open space), as well as broader provisions to raise standards of quality and increase flexibility to adjust land use mixes and intensities. This principle **does not** suggest that, upon plan adoption, the zoning map, ordinance and its various zoning districts must undergo a wholesale revision. The Future Land Use Map is not intended to become or replace the zoning map. Rather, the Future Land Use Map conceptually depicts relatively broad categories of land use, as well as development policies.

Principle: Development applications shall be reviewed for consistency with the Comprehensive Plan and shall not be approved if found to be contrary to the Comprehensive Plan, unless the Plan is amended.

Because the Future Land Use Map and its policies are considerably broader than present zoning and development regulations, most development applications that are consistent with present zoning will also be consistent with the Comprehensive Plan. In fact, in many cases, particularly those involving rezoning, the Comprehensive Plan review process will add considerable additional flexibility in the development review process. This will be true particularly in areas designated for redevelopment, infill or mixed use, where underlying zoning is more rigid or limited than that provided for in the Comprehensive Plan. However, in cases where a proposed development is in clear conflict with the Comprehensive Plan, such approvals may not be granted until and unless the Comprehensive Plan is amended. Such amendments shall be made by the City Council based on designated criteria or by non-appealed action for unanimous approval or any denial by the Zoning Commission on zoning map amendments associated with a Plan amendment as outlined in Section 10.4.2, Plan Amendments, Specific Provisions. (CP-04-03, Ord.No.04-124, 7-20-04; CP-08-14, Ord.No. 08-173, 6-17-08)

The Planning Director can approve minor modifications to the GFLUM outside city limits and inside the WSSA when equal or better performance can be demonstrated. A minor modification is considered a change within the same use category that is necessary to achieve compatibility with the surrounding area. For example, if a residential subdivision is proposed in an established area that is well below the 3 dwelling unit/acre (du/ac) minimum requirement of the Connections 2025 Comprehensive Plan, then a minor modification to allow the density to go below the 3 du/ac minimum may be allowed in order to maintain compatibility with the surrounding area if equal or better performance can be demonstrated.

In this case equal or better could be: exceeding the environmental requirements, open space preservation, or accommodation of roads or public facilities.

A major modification to the GFLUM outside the city limits and inside the WSSA would occur if a proposed development were to meet any of the following criteria:

- There is a clear change in the GFLUM category, such as from residential to non-residential or vice versa; or
- If a proposed development is in clear conflict with the goals and policies of the Plan. (CP-07-15, Ord. No. 07-99, 6-19-07)

SPECIFIC PROVISIONS

The following is a recommended checklist for the development of a more specific protocol and task list for Comprehensive Plan compliance, to be established within three months of Comprehensive Plan adoption.

1. Identify specific task schedules, resources and responsibilities to enact revisions to the zoning ordinance, subdivision regulations, and associated development standards to be in conformance with the Comprehensive Plan, consistent with the priorities and timeframes in the Action Plan.
2. Establish provisions for the review of all development applications, rezonings and plats to be consistent with the Comprehensive Plan.
3. Establish provisions to expand and modify the Capital Improvement Program to reflect policies, strategies, and priorities established in the Comprehensive Plan.
4. Establish procedures to revise City departmental strategic/master plans to reflect policies, strategies, and priorities established in the Comprehensive Plan.

10.4 PLAN ADOPTION, AMENDMENTS, MONITORING, AND UPDATING

10.4.1 PLAN ADOPTION

The Greensboro Comprehensive Plan shall be adopted, or amended, by the City Council or by non-appealed action for unanimous approval or any denial by the Zoning Commission on zoning map amendments associated with a Plan amendment as outlined in Section 10.4.2, Plan Amendments, Specific Provisions. The Comprehensive Plan shall be adopted by ordinance (or alternatively by resolution) following a public hearing. (CP-08-14, Ord.No. 08-173, 6-17-08)

10.4.2 PLAN AMENDMENTS

Comprehensive Plan amendments can be made without limit. Plan amendments shall be approved by a majority vote of City Council or by non-appealed action for unanimous

approval or any denial by the Zoning Commission on zoning map amendments associated with a Plan amendment as outlined in Section 10.4.2, Plan Amendments, Specific Provisions. However, the following shall NOT be considered to require plan amendments:

- Emergency situations requiring immediate actions or development approvals necessary to protect public health or welfare;
- Corrections of errors, clarifications of intent and updating of data which do not substantially alter plan policies, or which rectify unintentional negative impacts;
- Requests associated with rezoning cases that do not involve a significant physical change resulting in new or expanded structures;
- Requests associated with rezoning cases of less than one acre;
- Requests associated with rezoning cases of no more than 10 acres located within two or more land use classifications, if at least 60% of the site lies within compatible land use classification(s);
- Requests associated with rezoning cases if the proposed residential density is within 10% of the maximum or minimum residential density for the existing future land use classification; and
- Requests associated with rezoning cases for neighborhood-oriented commercial uses in residentially designated areas if limited to the Neighborhood Business (NB), Limited Business (LB) or Limited Office (LO) zoning districts and the site is compatible with and includes direct pedestrian connections to adjacent residential areas.

(CP-04-03, Ord.No.04-124, 7-20-04; CP-05-14, Ord.No.05-186, 9-20-05; CP-07-38, Ord.No.07-233, 10-16-07; CP-08-14, Ord.No. 08-173, 6-17-08)

Specific Provisions

The following is a checklist for Comprehensive Plan amendments:

1. Plan amendments that are not part of a rezoning request should be packaged for review by the Planning Board, and their recommendations forwarded to City Council for their consideration following a public hearing.
2. In cases where a Plan amendment is associated with a rezoning application, the rezoning case shall be presented to the Zoning Commission. The rezoning case and Plan Amendment will then be forwarded to City Council for their consideration, unless there is non-appealed action for unanimous approval or any denial by the Zoning Commission on zoning map amendments associated with a Plan amendment (CP-07-38, Ord.No.07-233, 10-16-07; CP-08-14, Ord.No. 08-173, 6-17-08)
3. In cases where a major modification is needed in the WSSA outside of the city limits, the amendment shall be taken to the Planning Board for review and recommendation following a public hearing and then forwarded to the City Council for final action.

This process will not be required for situations considered to be minor modifications. The rezoning for the subject property shall be processed through the County. (CP-07-15, Ord. No.07-99, 6-19-07)

4. Plan amendments may include modifications to goals, objectives, strategies and actions; or modifications to the Generalized Future Land Use Map. The amendments can be made in conjunction with rezoning applications that are contrary to the Comprehensive Plan.
5. Amendments should not be made without an analysis of immediate needs and consideration of the long-term effects. In considering amendments to the Comprehensive Plan, the City should be guided by factors that include, but are not limited to:

- the need for the proposed change;
- the effect of the proposed change on the need for city services and facilities;
- the implications, if any, that the amendment may have for other parts of the plan; and
- unforeseen circumstances or the emergence of new information (e.g. significant economic opportunity in Tier 2 or 3).

(CP-04-03, Ord.No.04-124, 7-20-04; CP-05-14, Ord.No.05-186, 9-20-05; CP-08-14, Ord.No. 08-173, 6-17-08)

10.4.3 PLAN MONITORING AND UPDATING

If a Comprehensive Plan is to have value and usefulness over time, it is important to develop ways of monitoring its effectiveness and approaches for keeping it current as new information becomes available and as circumstances change. The Plan should not be adopted with the thought that it will, without care and maintenance, provide a tool to guide growth, development change for more than 5 years. This supports the notion that planning is an on-going process. A Comprehensive Plan is not an end in itself. Without the evaluation and feedback loop, a Plan can soon become irrelevant: it needs to be able to respond to changing needs and conditions. Therefore, the City will monitor plan implementation progress annually and update the Comprehensive Plan at least every five (5) years.

SPECIFIC PROVISIONS

The following is a recommended checklist for the development of a more specific protocol and task list for comprehensive plan monitoring and updating, to be established within three months of Comprehensive Plan adoption.

Monitoring

1. At each anniversary of plan adoption the Planning Department shall submit to the Planning Board and City Council an annual report indicating actions taken and progress made toward plan implementation, along with requests for plan amendments due to altered circumstances or in response to citizen requests.
2. Develop benchmarks as part of an overall Plan monitoring program, to evaluate the effectiveness of implementation efforts and adherence to the Plan.
3. Include policies to provide a process for monitoring implementation progress and adopting plan amendments, including consideration of an on-going role for a Comprehensive Plan Steering Committee. The monitoring committee will include some members of the current Comprehensive Plan Steering Committee in addition to representatives from other community stakeholder groups.
4. Maintain a two-way dialogue with the public, developers, groups, associations, and agencies on an on-going basis throughout the year, in order to monitor the effectiveness of the Plan.
5. Before amendments are considered for adoption, citizens should be provided with effective ways for participating in the decision-making process.

(CP-04-03, Ord.No.04-124, 7-20-04)

Updating

No less than every five (5) years the City shall initiate a process to revise the Comprehensive Plan. The revision process will include the following:

- Creation of a Comprehensive Plan Steering Committee (representative of all segments of the community);
- Updating of the Comprehensive Plan City Data Book;
- Preparation of an evaluation and appraisal report, documenting Comprehensive Plan effectiveness and implementation efforts, identifying constraints upon implementation, and summarizing conditions and trends which have changed in the period since plan adoption; and
- Revision of goals, objectives, policies and actions to reflect changing circumstances, emerging needs and opportunities, and **expressed citizen priorities**.

10.5 ACTION PLAN

Table 10.1 presents an **Action Plan** for implementing new Comprehensive Plan initiatives according to timeframe and relative priority. Three types of actions are included, defined as follows:

- **Program:** entails detailed, focal area-level planning or additional studies necessary to implement concepts and strategies contained in the Comprehensive Plan.
- **Regulations and Standards:** involves revising development standards, zoning regulations and protocols for development review, approvals and appeals. Numerous individual recommendations for ordinance changes are presented in the various Plan elements.
- **Capital Investment:** require significant financial commitment to a capital project or projects.

All actions assigned to one or more of three timeframes, as follows:

Short-Range Actions (within one year from plan adoption)

Actions that are designated to occur within one year from plan adoption are generally those which are high priorities and for which minimal additional study is needed, and which can be accomplished with existing staff and financial resources. Examples include relatively straightforward changes to development standards and ordinances, such as those pertaining to fringe area annexation criteria and open space, tree protection, and stream corridor requirements. Also included among the immediate action priorities are initial "study" components necessary to better define needs, resources and priorities for such initiatives as scenic corridor enhancement, heritage tourism, historic preservation and the expansion of land resources suitable for business development.

Mid-Range Actions (within 2-3 years from plan adoption)

Actions designated to be carried out in Years 2-3 generally fall into two categories. First, are high priority items that will require significant additional study or more detailed planning, or those for which sufficient resources may not be immediately available. Examples include the creation of various new funding mechanisms for open space acquisition, re-vegetation, capital improvements, and affordable housing. A second category includes items that require coordination or actions by other entities, such as the adoption of a more detailed City-County Fringe Area Plan and requests for state legislative authorizations for additional redevelopment tools and for extra-territorial jurisdiction.

Long-Range Actions (within 4-10 years from plan adoption)

Actions designated to be carried out four or more years from plan adoption are generally those which are likely to require at least three years to precisely define needs and opportunities, create programs and partnerships and establish funding resources. Hence, many of these actions are described as "carrying out" programs and strategies defined in the mid-range. Likewise, in this timeframe are actions which are less urgent, or which require

sizable long range investment commitments, such as initiatives for mass transit and for expansion of water, wastewater and solid waste system capacities.

In many cases actions are carried out in several increments, staged over a number of years. For example, Policy 7C.1, which calls on the City to ensure the adequacy of land suitable for business development, would be implemented by specific actions in each of the three time periods. First, in the short range, within one year of plan adoption, an inventory of suitable land and development capacity would be documented by initial research. Second, in the mid-term, 2-3 years following plan adoption, zoning adjustments would be made and capital improvement (CIP) priorities would be set, in order to expand the supply of developable land. Finally, in the long term, 4-10 years from plan adoption, actual expansion of business development will be expected as a result of capital improvements, business recruitment and other long range initiatives such as a Technology Development Zone.

The *Action Plan* is not intended to be a definitive prescription or a rigid formula. Rather, it is suggested as a framework to guide decision-making and allocation of resources; a "task list" to ensure steady progress in carrying out the policies and strategies of the Comprehensive Plan. While the Comprehensive Plan incorporates reasonable flexibility, the degree of success in implementing the Plan will be a reflection of the City's ability to consistently act in accordance with the *Action Plan*.

The *Action Plan* does not preclude certain actions from being implemented earlier or later than indicated, subject to the availability of resources. In carrying out the tasks indicated in the table, city staff must make a good faith effort to achieve a balance between actions that place additional restrictions on development and those that provide additional flexibility, consistent with the plan goals and policies.