

**PARTIAL MINUTES OF THE
ZONING COMMISSION
September 20, 2021**

PL(P) 21-27: Amending sections 30-4-5 (Map Amendments), 30-4-15 (Plot Plans and Site Plans), 30-4-17 (Subdivisions), and 30-9-3 (Street Access) of the Land Development Ordinance related to Transportation Impact Studies and Cross Access Regulations. (Recommend Approval)

Mr. Kirkman stated the changes before the Commission for consideration did not result in any substantive changes to the actual provisions. Rather some provisions were being moved to different sections of the larger City Code of Ordinances and within the Land Development Ordinance to make them easier to use and ensure the correct authority was assigned with the provisions. He noted the provisions related to cross access would be moved out of Chapter 30, the Land Development Ordinance, and into Chapter 26 of the City Code of Ordinances, dealing with Streets and Sidewalks. The Transportation Impact Study, TIS thresholds provisions would be moved to the Site Plan Review section within the LDO. Nothing will change in terms of what the thresholds and requirements are and the change was being done to ensure it was very clear that a TIS could be required as part of a site plan review, separate from a rezoning request if the uses change after a property is rezoned. The change in the cross access provisions was to confirm that the determination for this public safety aspect of the ordinance is reviewed by a licensed transportation engineer, and any requests related to modifying the conclusions about a cross access will go to the Director of Transportation. That process will move it away from any kind of an appeal from an appointed board with non-licensed individuals since anything under Chapter 30 currently under the LDO will go to the Board of Adjustment. The Planning and Zoning Commission was being asked at this meeting to recommend approval of the changes to Chapter 30 of the City Code of the LDO. In making the recommendation, it will allow those provisions to be moved over to Chapter 26 of the City Code. Mr. Kirkman also noted the Commissioners were provided additional language to be added to Chapter 26 so they could better understand the final version that would be considered by City Council for approval. Mr. Kirkman concluded that the Commission could recommend approval of the text as presented, recommend approval with additional edits if needed for some reason, or recommend denial of the request. City Council would hear the proposed changes to both Chapter 30 and Chapter 26 at their October 19, 2021 meeting.

Ms. Skenes asked how the change would be communicated and if there would be references in the LDO stating "For information on cross parking and TIS, please refer to Chapter 26." Ms. Skenes also asked if there would still be triggers to the TIS that would be presented to Planning and Zoning Commission. Mr. Kirkman responded that was correct. This current request did not change anything in terms of triggering a conversation on a traffic impact study for rezonings and that option would remain the same in the ordinance. It clarifies in the site plan review section, that thresholds in terms of the total amount of traffic in a 24-hour period or the peak hour thresholds could trigger that study. These provisions have always existed and could be triggered as either part of a rezoning or in the site plan review process. By moving the text to the site plan area, it would be clearer that the site plan could trigger a traffic study, separate from the rezoning conversation. It did not change anything from that perspective. He added that cross access will have a note there that it has been moved and a reference will be in the ordinance. A commentary box will probably be added saying the provisions have been moved to Chapter 26. Ms. Skenes thought that would be a good idea because people are used to it being in one place of the code and if it were to disappear, it needs to be understood that it has not been eliminated from being a requirement, but has been moved.

Chair Holston inquired if there were additional suggestions or comments from the Commissioners. Mr. Alford asked if the transportation engineers would need to have separate

licensing; if the engineers became licensed as an engineer and then practiced in transportation. Mr. Kirkman deferred to Hannah Cockburn, Greensboro's Director of Transportation. Ms. Cockburn stated there was a wide range of different engineering practices for licensed engineers. Individuals practicing transportation engineering receive a certification for those specific activities ensuring that someone who is licensed to do transportation design and transportation analysis, would not be doing other types of engineering work that they may or may not be qualified for. When taking the professional engineer test, there could be people taking tests for all types of engineering, not only the kind they intend to practice. Mr. Alford stated this was different than what he remembered and asked if when a person received their license, the license stated they were a transportation engineer or a professional engineer. Ms. Cockburn responded they would be a professional engineer with a license number associated with it. The department goes through a process, if they are involved in their program, to verify that they are licensed to perform those types of services in the state of North Carolina. Mr. Alford asked if in the state of North Carolina there were provision for transportation engineers, electrical engineers, structural engineers and so forth. Ms. Cockburn responded that was correct. Chair Holston inquired if there was anyone to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone to speak in opposition to the request. Seeing none, Chair Holston closed the public hearing. Chair Holston advised the Commissioners had the opportunity to approve as presented, provide some amended updates, or deny. Ms. Skenes made a motion to recommend approval of the text amendment as presented. Second by Mr. Engle. The Commission voted 8-0. (Ayes: Egbert, Skenes, Magid, Bryson, Engle, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the October 19, 2021, City Council meeting.