



City of Greensboro

Melvin Municipal
Office Building
300 W. Washington Street
Greensboro, NC 27401

Agenda Report

File Number: 2021-486

Agenda Item# H.5.

Agenda Date: 12/21/2021. **Department:** Planning

Meeting Type: Council Meeting **Category:** Public Hearing Agenda

Title: 2021-486 - Public Hearing for the Adoption of a Land Development Ordinance Text Amendment - Amending Section 30-12-8.1 (Drainageway Open Space for Subdivisions)

Council Priority: Place an 'x' in the box.

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

Council District: All Districts

Public Hearing: Yes

Advertising Date/By: December 9 & 16, 2021/by City Clerk

Contact 1 and Phone: Sue Schwartz, Ext 2149

Contact 2 and Phone: Mike Kirkman, Ext 4649

PURPOSE:

The purpose of the text amendment is to amend the Land Development Ordinance to allow the option for vehicular access across dedicated drainageway and open space to adjacent property under a narrow set of circumstances.

As this request is a text amendment, the City Council will conduct a public hearing to consider and take action on this request at its December 21, 2021 meeting.

BACKGROUND:

City staff were requested to evaluate the option to allow limited vehicular access to property across dedicated drainageways and open spaces. Dedicated drainageways and open spaces are dedicated to the City of Greensboro as part of the subdivision process for land development. These areas are often located along public streets to ensure easy access for public maintenance and public access. Drainageway and open space is dedicated to the City for the purpose of managing the flow of water

and to ensure open space for public benefit. Currently only limited recreational facilities such as trails, greenways and bikeways are allowed in these spaces.

This ordinance text amendment, developed in conjunction with multiple City departments, would also allow vehicular access to adjacent property in dedicated drainageway and open spaces if the following parameters are met:

1. The vehicular access to adjacent property must be necessary to enhance public safety to and from the adjacent property and there is no other practicable method to achieve the same level of access
2. The vehicular access does not change the function of the drainageway for benefit as open space and recreational space
3. The vehicular access does not create adverse drainage impacts to other properties or increase downstream flooding through design or with mitigation measures.

Staff feels these provisions provide the appropriate amount of protection for these spaces dedicated to the City specifically for public benefit while creating the opportunity for enhanced development opportunities where it makes sense to do so.

Since it is charged with evaluating property to be accepted as drainageway and open space, the Greensboro Parks and Recreation Commission discussed this proposed text amendment at their November 10, 2021 meeting. After a good bit of discussion the Parks and Recreation Commission determined it could not recommend in favor of the text amendment (see minutes of November 10, 2021 Parks and Recreation Commission meeting).

The Greensboro Planning and Zoning Commission reviewed the text amendment at their November 15, 2021 meeting and recommended approval of the amendment as presented (see minutes of November 15, 2021 Planning and Zoning Commission meeting). There were no speakers in favor or against the amendment.

BUDGET IMPACT:

This item will have no budget impact.

ACCOUNT NUMBER:

N/A

RECOMMENDATION / ACTION REQUESTED:

It is recommended that City Council hold a public hearing on this proposed ordinance change and approve the amendment as presented.