OVERVIEW

The Unified Development Ordinance (UDO) contains legislative hearing procedures whereby the property owner or anyone with the written consent of the owner may request to conditionally rezone property.

Conditional Zoning

Each zoning district has a companion conditional district. These districts are designed to ensure the compatibility of a proposed use with the surrounding area. A conditional zoning request permits the applicant to condition or limit the uses allowed on the site and offer development standards that exceed those found in the Unified Development Ordinance (UDO). The application may include a Zoning Sketch Plan.

CONSIDERATION OF REQUESTS

The decision to approve or deny a request, with the requisite vote, rests with the Guilford County Planning Board. Actions of the Planning Board are final, unless appealed. Appeals are heard by the Guilford County Board of Commissioners.

The administration, amendment, and enforcement of the Unified Development Ordinance (UDO) and Official Zoning Map are accomplished within the framework of the Guiding Guilford Moving Forward Together Comprehensive Plan and its supporting documents:

- The County Future Land Use Map (FLUM)
- Transportation Plans
- Small Area Plans
- Parks, Recreation and Open Space Plans
- Capital Improvement Plans
- Watershed Management Plans

These documents and the policies they represent are essential in the evaluation of the impact and appropriateness of each request.

PROCEDURES

Pre-Application Conference

A pre-application conference is required for anyone planning to file an application. This informal meeting allows staff to provide guidance in identifying the most appropriate zoning district for the proposed use, share applicable land use plans, and indicate a likely recommendation to the Planning Board. This should be scheduled in the weeks prior to the submission deadline.

Discussion with Interested Parties

It is highly recommended that the applicant discuss their plans with adjoining property owners, neighborhood associations, and other interested parties prior to submitting an application. A neighborhood meeting is strongly encouraged prior to application submittal.

Filing

Filing for conditional rezoning requires:

- A completed and signed Application Form
- Application Fee, see Guilford County Planning Fee Schedule
- A Zoning Sketch Plan, if applicable
- Legal description of the property and/or map, if required
- Public water and sewer approval letter, if required

These items must be submitted by the submittal deadline date listed in the Planning Board Meeting Schedule. Failure to submit the required items on time may delay the processing of the application and scheduling of the legislative hearing.

It is recommended that applications be hand-delivered to the Planning and Development Department.

Notice

Notification of legislative hearings required under state law consists of the following:

- Notice published on the County's Legal Notice website for two (2) successive weeks, at least ten (10) days before the legislative hearing.
- Notice by mail to adjoining and contiguous property owners approximately at least ten (10) to twenty-five (25) days before the legislative hearing.
- Notice by posting of a sign on the subject property at least ten (10) to twenty-five (25) days before the legislative hearing.

Public inquiries often result from the notification process. The applicant may contact staff to inquire about citizen comments prior to the legislative hearing.

BEFORE THE MEETING

Staff Report

Staff prepare a report (which includes the staff recommendation) for each case. The report is available three or four days prior to the legislative hearing, and anyone may request a copy.

Withdrawals

A request to withdraw must be made in writing, signed by the applicant and submitted to planning staff. If the withdrawal request is submitted prior to any public notification, a refund may be made and attendance at the meeting is not required. If public notification has already been made, a withdrawal may only be granted by the Planning Board. Attendance at the meeting is required, and the applicant is not eligible for a refund.

Continuances

A continuance of a request may only be granted by the Planning Board. Attendance at the meeting is required. If granted, the Planning Board will set a new date for the legislative hearing. The Planning Board may only continue a request for a total of two (2) months unless a greater time period is agreed upon by the applicant and the Planning Board.

THE MEETING

The applicant or their representative must be present for the legislative hearing.

Planning Board meetings are generally held on the second Wednesday of each month, in the Guilford County Old County Courthouse – Carolyn Q. Coleman Conference Room, 301 W. Market Street, Greensboro, NC 27401, unless otherwise noticed. A Hearing Notice is mailed to the applicant between ten (10) and twenty-five (25) days prior to the legislative hearing, notifying them of the exact date, time, and place.

Meeting Format

At the beginning of each meeting, the Chair of the Planning Board reviews the meeting and voting procedures. Following an approval of minutes, the Chair calls a case, the staff report is presented, and the legislative hearing is opened.

During the legislative hearing, the applicant, their representative, or anyone in favor of the request will have a total of twenty (20) minutes to address the Planning Board. Next, anyone in opposition to the request will be given twenty (20) minutes to speak.

Maps, photographs, diagrams, and other presentation materials may be incorporated into legislative hearing presentations. Any materials presented to the Planning Board remain with the case file, so duplicates should be provided. This includes written petitions, which should list the address for each signatory.

GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board Conditional Rezoning Application

Fees: < 1 acre: $750.00; 1-4.99 acres: $1,200.00; 5-24.99 acres: $1,500.00; 25+ acres or Planned Unit Development: $2,000.00

Date Submitted: _____ Receipt # _____ Case Number _____

Provide the required information as indicated below. *Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Guilford County Planning & Development Department.*

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the _____ zoning district to the _____ zoning district.

Said property is located at _____

in _____Township; Being a total of: _____ acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # _____ Tax Parcel # _____

Tax Parcel # _____ Tax Parcel # _____

Tax Parcel # _____ Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One: (*Required*)

☐ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.

☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One: (*Required*)

☐ Public services (i.e. water and sewer) are not requested or required.

☐ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

☐ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information may be included for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).

☐ Zoning Conditions. At least one (1) use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

1)

2)

3)

4)

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

1)

2)

3)

4)

A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND YOU OR SOMEONE REPRESENTING YOU IS ENCOURAGED TO BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Property Owner Signature	Owner/ Representative/Applicant Signature (if applicable)
Name	Name
Mailing Address	Mailing Address
City, State and Zip Code	City, State and Zip Code
Phone Number Email Address	Phone Number Email Address

Additional sheets for conditions and signatures are available upon request.