OVERVIEW

The Unified Development Ordinance (UDO) contains legislative hearing procedures whereby any person who resides or owns property within the zoning jurisdiction of Guilford County may request to rezone property.

TYPES OF REQUESTS

The Unified Development Ordinance (UDO) provides a variety of residential, commercial, office, and industrial zoning districts from which to choose. A conventional rezoning request requires the Planning Board to consider all uses permitted in the requested zoning district.

CONSIDERATION OF REQUESTS

The decision to approve or deny a request rests with the Guilford County Planning Board requisite majority vote. 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 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)
- Thoroughfare Plans
- Small Area Plan
- 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-Filing Conference

A pre-filing 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 a rezoning requires:

- A completed and signed Application Form
- Application Fee, see Guilford County Planning Fee Schedule
- 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. 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 or emailed.

Refer to the Planning Board Meeting Schedule for meeting dates and deadlines.

Notice

Notification of a legislative hearing is required under state law. This consists of:

- Notice published electronically on the Guilford County website, approx. ten (10) to twenty-five (25) days before the legislative hearing.
- Notice by mail to adjoining and contiguous property owners approx. ten (10) to twenty-five (25) days before the legislative hearing.
- Notice by posting of a sign on the subject property approximately 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 prepares 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. A Hearing Notice is mailed to the applicant between ten (10) and twenty-five (25) days prior to the legislative hearing notifying 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, his/her 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 a total of 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.

Outcomes

The Planning Board must find that the request is reasonable to approve. A favorable 75% vote on a request constitutes final approval, unless appealed. A favorable vote of less than 75% constitutes a favorable recommendation of the request, which is automatically forwarded for a legislative hearing before the Board of County Commissioners. A tie vote on any motion constitutes denial of the request, unless appealed.

Appeals

A decision of the Planning Board may be appealed to the Board of County Commissioners by any interested party, including the applicant. The appeal form, available from the Planning Department, and the appeal fee must be submitted to the Planning Department within fifteen (15) days of the Planning Board decision. Decisions of the Board of Commissioners may be appealed to State Superior Court within two (2) months of the Board's decision.

This document is intended for public information purposes only. It summarizes and omits some provisions. It is not to be construed or used as an official interpretation of the Unified Development Ordinance (UDO) in any legal proceeding.