



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

**Regular Meeting Agenda**

NC Cooperative Extension – Agricultural Center  
3309 Burlington Road, Greensboro, NC 27405

**September 11, 2024**

6:00 PM

- I. **Roll Call**
- II. **Agenda Amendments**
- III. **Approval of Minutes:** August 14, 2024
- IV. **Rules and Procedures**
- V. **Continuance Requests**
- VI. **Old Business**  
  
None
- VII. **New Business**

**A. RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #24-08-PLBD-00090: 1458 NC HWY 61 S**

Request to adopt a Resolution of Intent to schedule a legislative hearing for October 9, 2024, as presented herein, to close approximately 0.67 acres of a water quality control easement, located on Lot 2 as shown on Plat Book 185, Page 85 and located in Rock Creek Township on Guilford County Tax Parcel #106945, approximately 1.5 miles south-southwest of the overpass of NC Highway 61 South over Interstate 85 North / 40 East.

Information for **RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #24-08-PLBD-00090** can be viewed by scrolling to the September 11, 2024 Regular Meeting Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the Easement Removal Site Plan and Easement Removal Coordinates Map is also included under the **MEETING CASE INFORMATION** section at the link above.

**Legislative Hearing Item(s)**

**A. CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING–LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING–LIGHT BUSINESS: 4710 HICONE ROAD**

This is a request to amend the conditional zoning of the property located at 4710 Hicone Road (Guilford County Tax Parcel #126901 in Monroe Township) approximately 250 feet east of the intersection of Hicone Road and Rankin Mill Road. The subject parcel comprises approximately 1.59 acres.

**Use Conditions** – All uses permitted in the LB District, excluding: (1) Billiard Parlors (Other Indoor Uses Not Listed); (2) Fortune Tellers (Personal Service); (3) Astrologers (Personal Service); (4) Kennels or Pet Grooming Services; (5) Veterinary Services (Animal Services); (6) and Land Clearing and Inert Debris Landfills, Minor (Same use conditions as the reference case save that convenience stores will be allowed.)

**Development Conditions** – 1) Building materials on fascia of any building shall be brick or masonry. 2) Any outside lighting shall be directed away from adjoining residential property. 3) Along the adjacent property line with residential property, an opaque fence and/or earth berm shall be constructed and maintained. 4) Within any planting area along the adjacent property line of any residential property, the plantings shall be evergreen vegetation to provide a buffer. 5) One monument sign shall be permitted at the street.

The purpose of the request is to add Convenience Stores as a use. All other existing use and development conditions will remain.

The proposed rezoning is consistent with the Guilford County Northeast Area Plan recommendation of Light Commercial. If the request is approved, no land use plan amendment will be required.

Information for **CONDITIONAL REZONING CASE #24-07-PLBD-00089** can be viewed by scrolling to the September 11, 2024 Regular Meeting Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

**B. CONDITIONAL REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION ORIGINAL ZONING**

This is a County-initiated rezoning due to de-annexation from the Town of Summerfield under Session Law 2024-20, House Bill 909, effective June 30, 2024. At the Planning Board's August 21, 2024 meeting, the Planning Board voted to delay zoning action assigning General Business (GB) zoning to 11 parcels previously within the Summerfield Town limits until its September 11, 2024 regular meeting and following further consideration. The parcels affected by the de-annexation for which the Board will re-consider at its September 11, 2024 regular meeting are Guilford County Tax Parcels #149642, 149643, 149645, 149651, 149653 149688, 149658,

150130, 217566, 149659, and 149662. The parcels are located within Summerfield Township and comprise approximately 148.58 acres. The parcels are generally located adjacent to the US I-73 and Oak Ridge Road interchange.

The parcels were zoned AG, Agricultural; RS, Residential; OI, Office/Institutional; and BN, Business by the Town of Summerfield. The town development regulations and powers of enforcement shall remain in effect until (i) the county has adopted such development regulations or (ii) a period of 60 days has elapsed following the action by which the town relinquished jurisdiction, whichever is sooner. The parcels subject to this case were omitted from the approval of case #24-07-PLBD-00088. This is a proposal to zone the subject parcels CZ-GB, Conditional Zoning-General Business, with the following conditions:

**Use Condition** – All uses permitted in the GB District, except: (1) Homeless Shelter; (2) Country Club with Golf Course; (3) Fraternity or Sorority (University or College Related); (4) Cemetery or Mausoleum; (5) Truck and Utility Trailer Rental and Leasing, Light; (6) Bus Terminal and Service Facilities; (7) Taxi Terminal; (8) Construction or Demolition Debris Landfill, Minor; (9) Land Clearing & Inert Debris Landfill, Minor; (10) Electronic Gaming (Other Indoor Uses Not Listed); (11) Psychiatric Facilities (Hospital).

The Planning Board is not limited to the proposed zoning of these parcels and may consider substantial changes to the proposed zoning.

The property owners may initiate a zoning map amendment (rezoning) at any time after the County establishes the original zoning.

The properties are not currently subject to any of Guilford County's area plans. If the request is approved, a land use plan amendment to the Northwest Area Plan will be required to extend the Moderate Commercial (MC) land use classifications to the subject parcels.

Information for **CONDITIONAL REZONING CASE #24-08-PLBD-00093** can be viewed by scrolling to the September 11, 2024, Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the Proposed Zoning Map, Summerfield Zoning Map (before de-annexation), Comparative Zoning and Future Land Use Table and Map ID, and Table of Permitted Uses also are included under the **MEETING CASE INFORMATION** section at the link above.

- C. **UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #24-08-PLBD-00092: AN AMENDMENT TO MODIFY ARTICLE 3 (PERMITS AND PROCEDURES), SECTION 3.5.V TO ADJUST NOTICE AND HEARING REQUIREMENTS AND TERMINOLOGY REGARDING "TEXT AMENDMENTS" AND MAKE A GLOBAL ADJUSTMENT TO TERMINOLOGY USED FOR PUBLIC HEARINGS FOR LEGISLATIVE AND QUASI-JUDICIAL DECISIONS TO ALIGN WITH LANGUAGE ADOPTED UNDER TEXT AMENDMENT CASE #23-06-PLBD-00053 TO MODIFY ASSOCIATED NOTIFICATION REQUIREMENTS**

The Planning staff prepared amendments to Article 3 (Permits and Procedures) of the Guilford County Unified Development Ordinance (Referenced as Subsection 3 in Chapter 15 of the County Code of Ordinances). The amendment will modify Section 3.5.V regarding hearing and public notification procedures and terminology specific to Text Amendments. Also, it will amend the UDO to globally change the nomenclature for “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and “Evidentiary Hearing” in reference to quasi-judicial decisions as established under the UDO and consistent with NCGS 160D. The purpose of the amendment is to align with modifications to Section 3.2.D, Public Notice Procedures, and Table 3.2, Public Notification Requirements, under Text Amendment Case #23-06-PLBD-00053, adopted by the Guilford County Board of Commissioners on May 16, 2024. That amendment changed the public notice requirements for the Planning Board’s review of text amendments after a legislative hearing from “Required” to “Optional” to reflect its advisory role in decisions on text amendments established under the UDO and by NCGS 160D. Additionally, it changes the nomenclature for “Public Hearings” on legislative decisions, such as Text Amendments, to “Legislative Hearings,” and on quasi-judicial decisions, such as “Special Use Permits” to “Evidentiary Hearings.” The following amendments are proposed.

- Amend Section 3.5.V.2.d(1) to change the wording in the first sentence as follows: “...the Guilford County Planning Board ~~shall~~ may hold a ~~public~~ legislative hearing to consider the proposed amendment.”
- Amend Section 3.5.V to change the nomenclature for “public hearing” to “legislative hearing” in reference to legislative decisions on Text Amendments.
- Amend Section 3.5.V.2.c(1) to revise text as follows: “The Planning and Development Director shall review the application, prepare a staff report, and notice set a legislative public hearing (if provided) per Section 3.2 and Table 3.2, Public Notification Requirements, and provide a recommendation to the Planning Board.”
- Amend Section 3.5.V.2.c(2) to revise text as follows: Necessary research may be required for an application for a text amendment. Presentation of an application and recommendation to the Planning Board The public hearing may be delayed to account for research ...
- Amend Section 3.5.V.2.d(2) to revise text as follows: “Recommendations of the Planning Board shall be reported to the Guilford County Board of Commissioners for a legislative public hearing and final action according to the process set forth in this Ordinance. The Guilford County Board of Commissioners shall schedule the legislative public hearing subsequent to receiving the Planning Board’s report and recommendation. The legislative public hearing shall be scheduled as provided by the Board of Commissioners.”
- Amend Section 3.5.V.2.e(1) to revise text as follows: “Following the receipt of the Guilford County Planning Board's action on a proposed amendment, the Guilford County Board of Commissioners shall hold a legislative public hearing to consider the proposed amendment. Notice of the legislative public hearing shall be provided per Table 3.2, Public Notification Requirements.”
- Amend Section 3.5.V.2.e(2) to revise text as follows: “Before acting on any proposed amendment, the Board of Commissioners shall consider any recommendations made by the Guilford County Planning Board and/or the County

Planning and Development Department, comments made at the legislative ~~public~~ hearing, and other relevant information.”

- Amend Sec. 15-56, Unified Development Ordinance in the Guilford County Code of Ordinance to globally change the term “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and to “Evidentiary Hearing” in reference to quasi-judicial decisions as established by the UDO and pursuant to NCGS 160D.

Text underlined indicates text to be added to the current ordinance. Text to be deleted is shown with a ~~striketrough~~.

Information for **UDO TEXT AMENDMENT CASE #24-08-PLBD-00092** can be viewed by scrolling to the September 11, 2024 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the proposed text amendment also is included under the **MEETING CASE INFORMATION** section at the link above.

## **VIII. Other Business**

### **A. Comprehensive Plan Update**

## **IX. Adjourn**

*Information may be obtained for any of the aforementioned cases by contacting the Guilford County Planning and Development Department at 336.641.3334 or visiting the Guilford County Planning and Development Department at 400 West Market Street, Greensboro, NC 27402.*