



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

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

September 8, 2021

6:00 PM

A. Roll Call

B. Agenda Amendments

C. Approval of Minutes: August 11, 2021

D. Rules and Procedures

E. Continuance Requests

F. Old Business

G. New Business

Non-Public Hearing Item:

Public Hearing Items:

ROAD RENAMING CASE #21-06-GCPL-04996: Portion of Birch Creek Rd

A 1.25-mile portion of Birch Creek Rd SR #3175 running south from the southern property line of the Publix Distribution Center and terminating on Knox Rd SR #3051.

UDO TEXT AMENDMENTS FOR HOUSEKEEPING, MAINTENANCE, AND ADJUSTMENTS

CASE #21-08-GCPL-07440

8/25/2021 Please see the attached for specific information regarding the UDO Text Amendments for housekeeping, maintenance, and adjustments.

H. Other Business

SESSION LAW 2021-35 HOUSE BILL 812

I. Adjourn

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**Guilford County
Planning Board
REGULAR MEETING
August 11th, 2021**

The Guilford County Planning Board held its Regular August meeting on Wednesday August 11th, 2021, at 6:00 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

Members Present: Mr. Apple; Ms. Buchanan; Mr. Donnelly; Ms. McKinley; Mr. Stalder; Dr. Gathers, and Chair, Frankie Jones

Members Absent: Mr. Gullick and Mr. Craft

Staff Present: Mitchell Byers, Planning Technician; J. Leslie Bell, Guilford County Planning Director; Robert Carmon, Fire Inspections Chief; and Oliver Bass, Sr. Planner/Planner II.

Chair Jones called the meeting to order and welcomed everyone in attendance.

AGENDA AMENDMENTS:

Mr. Bell stated that there were no amendments to the agenda.

APPROVAL OF JUNE 21ST, 2021 SPECIAL MEETING, and JULY 15TH, 2021 REGULAR MEETING MINUTES

Mr. Donnelly stated that there were some things in the discussions during the July 15th meeting [Special Use Permit Case #21-06-GCPL-05148] that were not included in the minutes. He also presented some corrections to the minutes he would like incorporated.

Chair Jones stated that the minutes are done in a summary manner, with the capability of providing verbatim minutes for quasi-judicial cases by a Court Reporter. Usually, the summary minutes will suffice for clarification of the record, unless there should be a controversial case and on appeal a need for verbatim minutes can be prepared.

Mr. Donnelly further stated that on page 4, 2nd paragraph should state “parking congestion concerns” and not “noise concerns”.

After a short discussion, Ms. McKinley moved to approve the June 21st Special Meeting and the July 14th and 15th, 2021 Regular meeting(s) minutes, as amended and submitted respectively, seconded by Mr. Apple. The Board voted unanimously (7-0) in favor. (Ayes: Stalder, Gathers, McKinley, Buchanan, Donnelly, Apple and Jones. Nays: None.)

RULES OF PROCEDURE:

Chair Jones explained the rules of procedures to be followed during the meeting.

NEW BUSINESS:
Public Hearing Items:

**ROAD RENAMING CASE #21-06-GCPL-04996 Birch Creek Road (Portion of)
 (APPROVED)**

Leslie Bell explained that this matter concerns a 1.25-mile portion of Birch Creek Road SR #3175 running south from the southern property line of the Publix Distribution Center and terminating on Knox Road SR #3051. In this area from the interstate moving toward Highway 70, there is a portion of Birch Creek Road from its southern boundary that crossed over Highway 70 until construction of the Publix Distribution Center. Then there was another portion of Birch Creek Road, and although they are named the same, they had two different secondary road numbers with NC DOT. When Publix selected this site for its Distribution Center, the NC DOT closed off the southern portion of Birch Creek Road at the Publix site, so it created a jump-street that now does not cross Hwy 70 and terminates at the Publix site. Currently, you cannot go across Highway 70 from the southern portion of Birch Creek Road, to the northern portion of Birch Creek Road. The Address Administrator contacted property owners that would be affected to solicit input for renaming that southern portion of the Birch Creek Road. This request appeared before the Technical Review Committee (TRC) and from the input of the property owners, the suggested name for that southern portion of the roadway that received overwhelming support is Old Birch Creek Road. With the approval of the Resolution, staff asks that this suggested name be approved.

Chair Jones asked if there were any questions for staff and there were none. Chair Jones then asked if there was anyone present wishing to speak in favor of or in opposition to this matter, and no one came forward.

At this time, the Public Hearing was closed without further discussion and by unanimous vote of the Board members.

There being no one to speak in opposition to the request, Ms. McKinley moved to approve the renaming of that 1.25-mile portion of Birch Creek Road SR #3175 to **Old Birch Creek Road** and adopt the Resolution for Road Renaming Case #21-06-GCPL-04996 as written below, seconded by Mr. Donnelly. The Board voted 7-0 in favor of the motion (Ayes: Apple, Stalder, Buchanan, Donnelly, Gathers, McKinley and Jones Nays: None.)

RESOLUTION FOR CASE #21-06-GCPL-04996

WHEREAS, pursuant to NCGS 153A-239.1, notices were posted that a public hearing would be held before this Board on August 11, 2021 on a request that the official name of a portion of a certain road be established or changed.

NOW, THEREFORE, BE IT RESOLVED, that the official name is hereby established for the following road(s) as indicated: **PREVIOUS NAME:** Birch Creek Road (SR #3175) **ESTABLISHED NAME:** Old Birch Creek Road **LOCATION:** A portion of Birch Creek Road (Secondary Road #3175), running 1.25 miles south from the southern property line of the Publix and terminating on Knox Road (Secondary Road #3051), in Jefferson Township.

STAFF COMMENT: This renaming is in response to a government action due to the construction of the Publix Greensboro Distribution Center.

[SUBSEQUENTLY DUE TO AN IRREGULARITY IN THE NOTICE, THIS ROAD RENAMING CASE WAS RESCHEDULED FOR ANOTHER PUBLIC HEARING ON SEPTEMBER 8, 2021 AT 6 PM AT

THE NC COOPERATIVE EXTENSION-AGRICULTURAL CENTER, 3309 BURLINGTON ROAD, GREENSBORO, NC.]

REZONING CASE #21-07-GCPL-06257 CD PUD (Greensboro) to AG 610 & 612 Cabernet Road (APPROVED)

Oliver Bass stated that as an update for the record, the applicable Area Plan that was presented in the Public Notice has been updated from Northern Lakes to the most appropriate Northeast Area Plan.

Oliver Bass stated that this property is located at the south side of Cabaret Road, approximately 200 feet south of the intersection with Longleaf Road, Tax Parcels #90061 and #90062. This property is referenced in NC House Bill 164 as plat book 104, page 61, of the Guilford County Register of Deeds. The property is owned by Donald Brann. This is a County-initiated zoning for property that was de-annexed from the City of Greensboro by the General Assembly under Session Law 2021-17, HB 164, with an effective date of June 30, 2021. Per the Guilford County UDO, the County has sixty (60) days to establish initial zoning for de-annexed property for any reason from date of discovery. The property owner may request a rezoning any time after initial zoning is established. The property was voluntarily annexed in June 2007. At that time, it was zoned CD-PD-R (PUD under current Greensboro regulations). This request is to zone subject parcels to AG, Agricultural.

District Descriptions - The Agriculture (AG) District is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales “agritourism” may be permitted. The minimum lot size of this district is 40,000 square feet.

Character of the Area The subject parcels are at the terminus of a low-density residential subdivision street in the unincorporated area of Guilford County.

Staff Recommendation:

Staff recommends AG, Agricultural. This action is reasonable and in the public interest because the property will revert to its original zoning before it was annexed. The development status of the parcels remains substantially unchanged since annexation. The applicant may initiate a rezoning at any time after the initial zoning is established. The zoning is consistent with the recommended area plan land use classification of AG Rural Residential.

Area Plan Amendment Recommendation:

Staff recommends that the Northeast Area Plan be amended to include the subject parcels. The land use recommendation is AG Rural Residential.

Chair Jones asked if there were any questions for staff and there were none. Chair Jones then asked if there was anyone present wishing to speak in favor of or in opposition to this matter; no one came forward.

At this time, the Public Hearing was closed for further discussion by unanimous vote of the Board members.

There being no one to speak to the request, Mr. Donnelly moved to approve the rezoning for Guilford County Rezoning Case #21-07-GCPL-06257 for 610 & 612 Cabaret Road, as submitted by staff. for the property located on Guilford County Tax Parcel #90061 & #90062 from CD-PD-R (PUD) to AG. This approval also amends the Northeast Area Plan. The Zoning Map Amendment and associated Northeast Area Plan Amendment are based on the following change in conditions: This property is now a part of the unincorporated area of Guilford County because of the de-annexation action taken by the General Assembly of North Carolina, and this property is in essentially the same condition that it was when it was voluntarily annexed in June 2007. This Amendment is reasonable and in the public interest because it reverts the property to its original zoning status and will have no bearing on public health and safety, the character of the area, or any of the associated uses. Motion seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Stalder, Buchanan, Donnelly, Gathers, McKinley and Jones. Nays: None.)

OTHER BUSINESS:

Leslie Bell stated that the people in the hallway that he had spoken with were in favor of the potential Old Birch Creek Road name for that approx.. 1.25-miles of Birch Creek Road that was discussed earlier in the meeting.

Leslie Bell explained that to help the Board members gain more information regarding Area Plans, there is now a tool that is available on the Guilford County website. Mr. Bell walked the Board members through the use of this tool while Mitchell Byers followed along with a short demonstration on the access and use of this website for the Board members' review.

Leslie Bell stated that there are tablets available for the Board members' use. Members are not required to get one, but staff is working on a policy to make mobile devices available to Board members to obtain packet information for the meetings.

Chair Jones asked for a show of hands of Board members that would like to get a tablet for use during the meetings. Dr. Gathers, Mr. Stalder, Mr. Jones, Ms. McKinley, Mr. Donnelly, and Mr. Apple indicated their interest in using t tablets. These same Board members also were in favor of receiving the Board packet information as an attachment.

ADJOURNED:

There being no further business before the Board, the meeting was adjourned at 6:33 pm.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Road Renaming Petition
Initiated by Government Action

Date Submitted: 6/4/2021

Case Number 21-06-6CPL-04996

Pursuant to Section A-8 of the Guilford County Development Ordinance, the undersigned hereby request the Guilford County Planning Board to consider renaming a portion of a public road, presently known as Birch Creek Road, Secondary Road #3175 in Jefferson Township, and running 1.25 miles south from the southern property line of the Publix and terminating on Knox Rd, Secondary Road #3051.

Proposed Street Name:

Name	Suffix
Old Birch Creek	Road

Proposed street name shall be consistent with standards set forth in A-6 Street Names

Application submitted along with:

Map(s)

Mailing Labels in duplicate

Submitted By:

Martine Kamabu

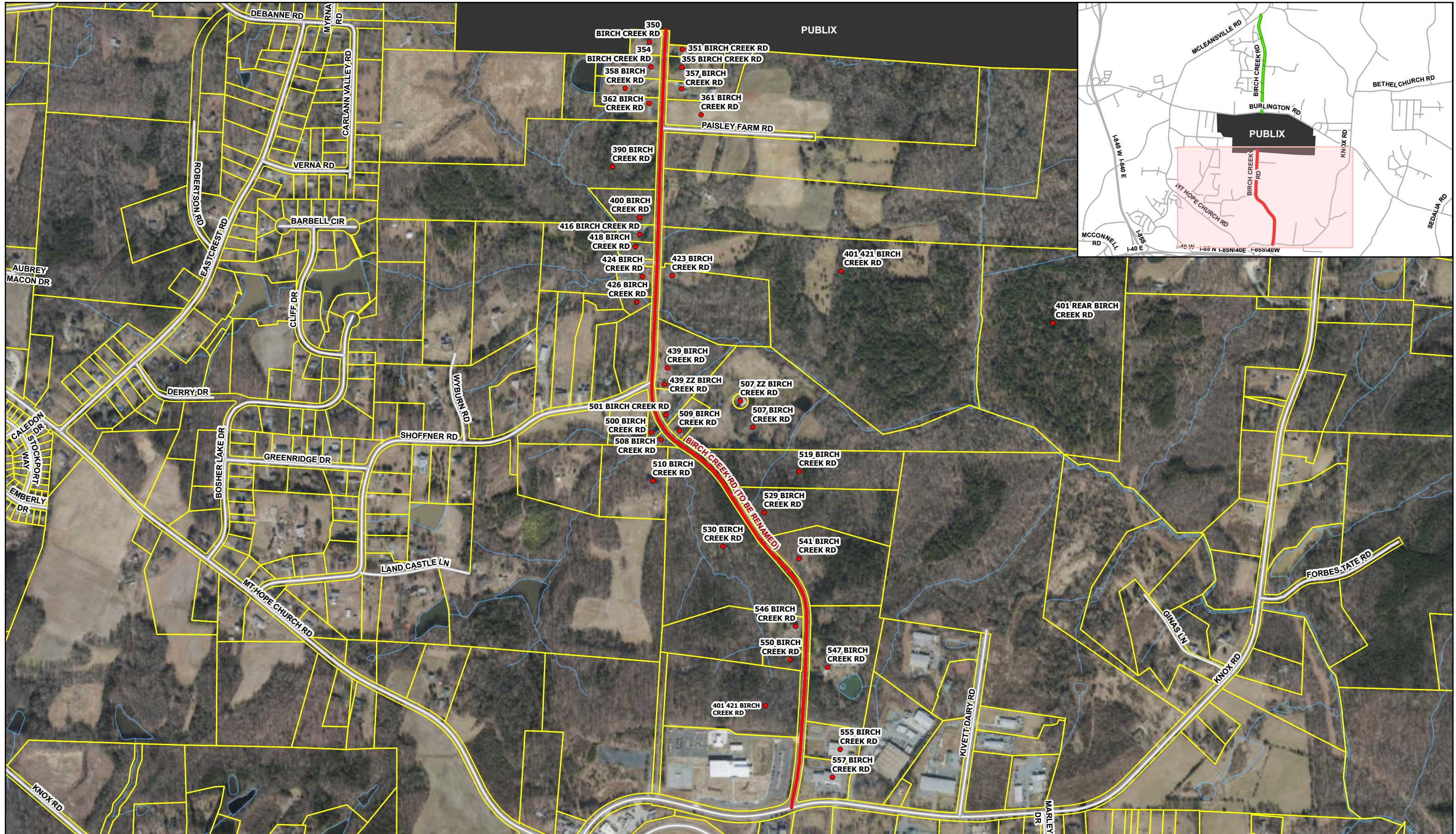
336-641-5611

Contact Name

Address

Contact Phone #

BIRCH CREEK ROAD RENAMING





**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
RESOLUTION FOR ROAD RENAMING**

CASE #21-06-GCPL-04996

WHEREAS, pursuant to NCGS 153A-239.1, notices were posted that a public hearing would be held before this Board on September 8, 2021 on a request that the official name of a portion of a certain road be established or changed.

NOW, THEREFORE, BE IT RESOLVED, that the official name is hereby established for the following road(s) as indicated:

PREVIOUS NAME: Birch Creek Road (SR #3175)

ESTABLISHED NAME: Old Birch Creek Road

LOCATION: A portion of Birch Creek Road (Secondary Road #3175), running 1.25 miles south from the southern property line of the Publix and terminating on Knox Road (Secondary Road #3051), in Jefferson Township.

STAFF COMMENT: This renaming is in response to a government action due to the construction of the Publix Greensboro Distribution Center.

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**TEXT AMENDMENT CASE #21-01-GCPL-07440 Unified Development Ordinance
Text Amendment Items for Housekeeping, Maintenance, and Adjustments**

Description

The new Unified Development Plan (UDO) was reviewed by Planning staff for housekeeping, periodic maintenance, and adjustment purposes. Additionally, staff considered issues that arose from the administration of the UDO and inquiries from the public to prepare possible amendments to the UDO. As a result, staff proposes the following:

SEE ATTACHED

Consistency Statement

Consistency with Adopted Plans: The proposed Unified Development Ordinance (UDO) was prepared to reflect the goals of the comprehensive plan and is consistent with the most recent 2016 updates of the following 7 Area Plans that canvass the unincorporated areas of Guilford County: 1) Rock Creek, 2) Southern, 3) Southwest, 4) Northeast, 5) Alamance Creek, 6) Northern Lakes, 7) Northwest and the Liberty Road/Woody Mill Small Area Plan. The proposed text amendments were prepared to provide guidance and clarity to users and further support the goals of the comprehensive plan.

Staff Recommendation

Staff Recommendation: Staff recommends approval.

The recommended action is reasonable and in the public interest because the proposed amendments provide minor adjustments, housekeeping, and maintenance of the UDO that will provide clarity and guidance based on staff review and comments that arose through the administration and implementation of the UDO since the date of adoption.

PROPOSED TEXT AMENDMENTS (#2) TO GUILFORD COUNTY UNIFIED DEVELOPMENT ORDINANCE (adopted Nov. 19, 2020)

CLERICAL

- **Amend to make clerical correction to expression of percentages where necessary.** Example: Change “fifty (50%) percent” to “fifty percent (50%)” or Change “twenty (20) percent” to “twenty percent (20%)” throughout the document, as necessary.

- **Amend Section 2.4.C.1 commentary under items e and f as indicated below.**

e. Road Name Changes

*Commentary: SL 1979-283 HB686 allows the Guilford County Board of Commissioners to delegate Road Naming authority to the Guilford County Planning Board. **Modifies requirements of NCGS 239.1.***

f. Road Closings

Commentary: SL 1979-282 SB285 HB685 authorizes the Guilford County Board of Commissioners to delegate the Guilford County Planning Board as the authority to close a public road or easement.

Intent to close a public road or easement need only be published once a week for two successive weeks.

- **Amend Section 3.5B.4.a.(3), Administrative Adjustment, to correct enumeration and include sentence as a part of paragraph (3). Correct/change also the succeeding enumeration from (2) to (4).**

(3) The Planning and Development Director shall have the authority to approve an Administrative Adjustment to an approved conditional zoning district conceptual plan, or to the conditions without the requested change having to be approved as a new application in accordance with this Ordinance.

~~(a)~~ Such Administrative Amendments shall include only those changes that:

~~(2)~~(4) Any request for an administrative amendment shall be in writing, signed by the property owner(s), and it shall detail the requested change.

- **Amend 4.2A. Zoning Districts Transition to make clerical correction and ensure column headings in the table carry over to the next page.**

“The Zoning Transition Table identified.... the County, the AG: RS-40...”

- **Amend Section 4.4D to add subparagraph number as follows:**

2. RURAL PRESERVATION DISTRICT (RPD) DEVELOPMENT STANDARDS

- Amend Article 4.2E – OVERLAY DISTRICTS to add “Overlay” in Overlay District Titles and change Scenic Corridor acronym to SC.

- f. SR **SC**- SCENIC CORRIDOR **OVERLAY** DISTRICT. The **SC** Overlay District is intended to set forth regulations which will enhance the attractiveness of major thoroughfares which enter and/or pass through Guilford County. These regulations are specified in Section 4.12 – Overlay Districts.
- g. AR - AIRPORT OVERLAY DISTRICT. The AR Overlay District is intended to prohibit the erection of structures which would, by virtue of their height, interfere with operations at Piedmont Triad International Airport (PTIA). The District also is intended to keep residential densities near the Airport very low so as to minimize the negative effects of aircraft noise on homes. Regulations for the AR Overlay District are specified in Section 4.12 - Overlay Districts.
- h. MH - MANUFACTURED HOUSING OVERLAY DISTRICT. The MH Overlay District is intended to set forth regulations governing the development of subdivisions for manufactured housing in certain areas of Guilford County. These regulations are specified in Section 4.12 – Overlay Districts.

- Amend Zoning District Table 4.2.16 HB – HIGHWAY BUSINESS to remove unnecessary phrase in Section A. Intent.

A. Intent

This district is primarily meant to accommodate auto-oriented retail service and other commercial uses typically located along major thoroughfares. ~~high visibility from the roadway.~~ These highly visible establishments are characterized by large parking lots in front of the structures, anchor tenants, and outparcels. Attention should be paid to landscaping, site and architectural design.

- Amend 4.4D.1.g.(2) to add italics and add commentary to clarify open space requirements, and make clerical corrections; change numbering 6 through 9 under (%) to roman numeral i.through iv.

g. Open Space and Common Recreational Facilities:

(2).....No more than twenty-five **percent** (25%) ~~percent~~ of the total **required** open space for the planned unit development may be used to accommodate off-site septic systems.

Commentary: Open space that is provided in excess of the required acreage may be utilized to accommodate additional off-site septic. Example: 100 ac. gross land area x 5 % =5 ac of required open space; 5 ac x 25% allowed for off-site septic systems=1.25 ac for off-site septic systems.

(5) The following minimum amount of open space is required:

- ~~(6)~~ **i.** Two (2) acres or five **percent** (5%) ~~percent~~ of the total land area of the property seeking PD-R designation, whichever is greater.
- ~~(7)~~ **ii.** **Open shall be at ten percent** (10%) ~~percent~~ of the gross land area for commercial and industrial uses.
- ~~(8)~~ **iii.** Open space requirements may be reduced depending upon the nature and extent of active recreation facilities provided.
- ~~(9)~~ **iv.** Open space shall be provided within each phase of the planned unit

development in sufficient amounts to serve the expected population of that phase or the gross land area devoted to nonresidential land uses.

- Amend incorrect enumeration in 8.5 MAJOR SUBDIVISIONS headings that are out of sequence as follows: **C. B. UTILITY STANDARDS...D. C. PUBLIC OPEN SPACE & SITES FOR PUBLIC USE...E. D. COMMON AREAS**
- Amend all section references to the Rock Creek Corporate Park Overlay Requirements from 4.12.E to **4.9.E.**

CLARIFICATION / PROCEDURAL / STATUTORY

- Amend Section 3.5.S.a.(2), Final Plat—Approval Process, to remove review by North Carolina Department of Environment and Natural Resources since that entity does not review Preliminary Plats for Environmental Health purposes.
5. Final Plat
- a. Approval Process
 - (1) Submission. Upon approval of the Preliminary Plat and other required plans, the applicant may submit for approval of a Final Plat prepared by a Professional Land Surveyor in accordance with the Guilford County Procedural Manual. The Final Plat mylar and prints and the current specified number of prints shall be submitted to the Planning and Development Department.
 - (2) Environmental Health Division Review. ~~Preliminary Plats may be reviewed by either the Environmental Health Division or the North Carolina Department of Environment and Natural Resources. Subsequently, and prior~~ to Final Plat approval, a copy of the Final Plat shall be reviewed by the Environmental Health Division. The Environmental Health Division...
- Amend Section 8.5 Major Subdivisions by adding reference to Table 4-3-1 Permitted Uses Table.

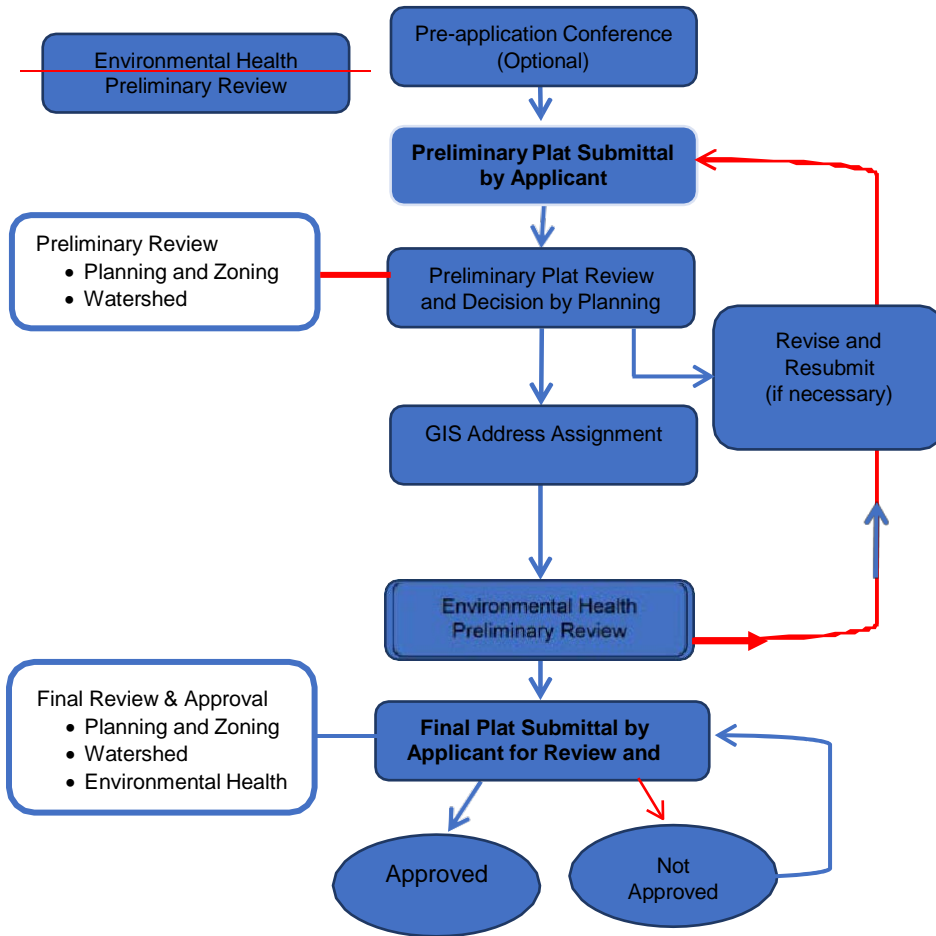
8.5 MAJOR SUBDIVISIONS

Major Subdivisions are all divisions of land into six (6) or more lots **[See Subdivision (Major-Residential) in Table 4-3-1 Permitted Uses Table].**

- Amend chart in Section 8.4, Minor Subdivisions, to add missing connector line, reposition lines that are not properly aligned in the graph, delete duplicate Environmental Health preliminary review, and note reference to Table 4-3-1 PermittedUses Table.

8.4 MINOR SUBDIVISIONS

Minor subdivisions are all divisions of land that do not qualify as Exempt Subdivisions (per G.S. § 160D-802 and G.S. § 29) into no more than five (5) lots. **See Subdivision (Minor –Residential) in Table 4-3-1 Permitted Uses Table.**



- Amend Section 3.2C.1., LEVEL 2 – PUBLISHED NOTICE PROCEDURES, to add commentary to clarify what abutting properties will receive public hearing notices.

C. LEVEL 2 – MAILED NOTICE

1. In accordance with G.S. § 160D-602, the applicant as shown on the County tax listing or authorized agent of the owner, and the owners of all parcels of land abutting that parcel of land as shown on the County tax listing, residing in the County or not, shall be mailed a notice of a public hearing on the proposed application or amendment by first class mail at the last addresses listed for such owners on the latest County tax listings. This notice must be deposited in the mail at least ten (10) but not more than twenty-five (25) days prior to the date of the public hearing. The same mailed notice requirement is applicable to evidentiary (quasi-judicial proceedings.)

Commentary: For the purpose of this section, properties are “abutting” even if separated by a street, railroad, or other transportation corridor (per 160D-602).

- **Amend Section 3.5S.3.c.(1) Review and Comments for clarity.**

- c. Review and Comments

- (1) After review of the sketch plan, the Technical Review Committee shall **determine** if the plan is in conformance ~~to~~ **with** the UDO **standards and regulations.** ~~to the Planning and Development Director.~~

- **Amend Section 3.5T., Subdivision (Minor-Residential) Paragraph 2, to specify subdivision type and adding reference to section 8.4.**

- 2. Minor Subdivision Procedure **(See Section 8.4)**

- **Amend Section 4.4C., Amendments to the UNIFIED DEVELOPMENT PLAN, to clarify rezoning requirements.**

Approval of the rezoning application establishes the maximum density and use of each tract or area shown on the Sketch Plan. Any request for change in land use (e.g., residential to commercial or increase in land use intensity) or increase in density shall ~~be considered a change in zoning~~ **require a new zoning application for the PUD,** and shall be subject to all applicable procedures.

- **Amend Section 3.5Q.3.b. Application Submittal to advise how to file for a Special Use Permit.**

- (1) An application for a Special Use Permit may be filed by the owner or owner's authorized agent with the Guilford County Planning and Development Department, ~~on a form provided by the Planning and Development Department or available on the County website.~~

- (2) The application shall, at a minimum, require a ~~conceptual~~ **sketch** site plan. Some applications may require additional information.

- **Amend Section 3.5.C.2.b.(1), Decision of Planning Board to remove unnecessary wording; List specific appeal responsibility per special local legislation and/or NCGS 160D**

- (1) Applicants whose Special Use Permit has been denied by the Planning Board **see Section 3.5.C. Appeals, subsection 1.a Applicability for quasi-judicial decisions.** ~~regarding a Special Use Permit may request a de novo hearing to be held by the Board of Commissioners.~~

- (2) ~~Other decisions of the Planning Board may be appealed to the Board of Commissioners.~~ **Road naming/renamings may be appealed to the Board of Commissioners within ten (10) days of the Planning Board's decision (SL1979-283 HB686).**

- (3) ~~Such appeals shall be made within thirty (30) days of the decision by filing with the Clerk to the Board of Commissioners a written notice.~~ **Rezoning may be appealed to the Board of**

Commissioners within fifteen (15) days of the Planning Board’s decision (SL1985-485 HB651).

(4) Road closings and easement closings may be appealed to the Board of Commissioners within thirty (30) days (SL1979-282 HB685 & 1981-59 HB139)

- Amend Section 4.2.1B to add dimensional requirements for duplexes in the AG zoning district.

B. Lot Standards

Dimensional Requirements – AG

Dimensional Requirement	Single-Family Detached	Duplex	Note
Min. Lot Size (ft. ²)	40,000	60,000	
Min Lot Width (ft) @ Building Line			
Interior Lot (ft.)	150	200	
Corner Lot (ft.)	150	200	
Min. Street Frontage (ft.)	50	50	
Min Street Setback (ft.)			[1]
Local or Collector, Front or Side	40	40	
Minor Thoroughfare	45	45	
Major Thoroughfare	50	50	
Min. Interior Setbacks (ft.)			
Side Yard (ft.)	15	15	
Rear Yard (ft.)	30	30	
Max. Structure Height (ft.)	50	50	[2]
Max. Building Coverage (% of Lot)	30	30	
Accessory Structures			[3]
Setbacks (ft.)	Same as above.		
Height (ft.)	N/A		
Maximum Size (% of Floor Area)	N/A		

¹ Setback measured from right-of-way line or property line of parcel(s).

² No more than three (3) full or partial stories entirely above grade.

³ Accessory structures may be located in front of the ~~principle~~ principal structure when the lot is a minimum of two (2) acres. If the accessory building is less than or equal to 600 square feet in area, side and rear setbacks may be reduced to five (5) ft. See Section 4.8 for additional requirements for Accessory Uses.

- Amend Section 4.4D., SITE REQUIREMENTS Table 4-4-1, to add exceptions to Planned Dev. Mixed (PD-M)

Table 4-4-1 – Planned Unit Development Zoning Districts			
	Planned Development Residential PD-R	Planned Development Mixed PD-M	Rural Preservation District RPD
Min. Size (Acres)	25	25	Refer to Section 4.4.A.2
Uses Allowed	All uses in any Residential District, Neighborhood Business (NB) & Limited Office (LO) Districts	All uses in any Zoning District, Except HI or AG	All uses in the Residential Single-Family (RS), Residential Multi-Family (RM), NB & LO Districts
% Commercial Acreage Allowed	20%	No Max.	10%
Parking	Refer to parking requirements in Article 6 – Development Standards for the same use or uses of similar intensity. The Technical Review Committee may reduce the parking spaces if the Unified Development Plan provides convenient pedestrian and/or bicycle access among uses. ¹		
Signage	The size, height setback, location, design, illumination, and number of signs shall be specified in the Unified Development Plan. All signs shall use a coordinated color, style, and lettering scheme. ²		
¹ For the RPD PUD, the minimum number of parking spaces may be reduced by twenty-five percent (25%) for non-residential uses if the Unified Development Plan provides convenient pedestrian and/or bicycle access among uses. ² For the RPD PUD, street signs not installed by the Jurisdiction must be approved by the Technical Review Committee (TRC) and shall contain reflective lettering.			

- Amend Section 5.5E to add development standards for “Caretaker Dwelling”.

5.4(E). CARETAKER DWELLING (WHERE REQUIRED: AG and all non-residential districts as an accessory use.

- 1. Operation: A building permit for the principal building must be obtained or principal use must be engaged, prior to occupancy.**
- 2. Number: No more than one (1) caretaker dwelling unit shall be permitted**

- Amend 6.2D.Table 6-2-2: PLANTING YARD CHART to specify planting yard requirement for nonresidential use.

Notes:

- A proposed nonresidential use **in an AG Zoning District** locating next to vacant property shall be required to install a Type D planting yard. Where a proposed non-residential use (i.e., a change in Use Category per Table 4-3-1 – Permitted Use Schedule) in a residential zoning district (includes Agricultural Zoning District) abuts a single-family or two-family dwelling along any property line, a Type B planting yard is required.

- Amend Section 11.07(C) for technical correction to require non-conforming structures damaged by fifty percent (50%) or more of its value prior to damage to be permitted to rebuild only in compliance with the dimensional requirements of the UDO.

A. DAMAGE OR DESTRUCTION

1. In the event of damage by fire or other causes to the extent causing fifty (50) percent or less more of its value prior to such damage as established by the County Tax Department, reconstruction of a nonconforming structure shall be permitted only in compliance with the dimensional provisions of this Ordinance.

DEFINITIONS

- Amend Article 12, Definitions to change definition of SUBDIVISION, MINOR to read as follows. A subdivision involving not more than five (5) lots. ~~not requiring extension of public sewer or water line.~~
- Amend Article 12, Definitions to add definition for Horticultural Specialties

HORTICULTURAL SPECIALTIES - Generally, fruits, vegetables, tree nuts, nursery crops and floricultural crops are all considered to be horticultural crops. However, "specialty crops" are more narrowly defined in statute as "fruits and vegetables, tree nuts, dried fruits, horticulture, and nursery crops (including floriculture)" as part of the Specialty Crops Competitiveness Act of 2004, as amended (P.L. 108-465, 7 U.S.C. 1621 note). The statutory definition of specialty crops ties to program eligibility and funding allocations for a number of U.S. Department of Agriculture (USDA) programs providing marketing and research assistance to eligible producer groups.

SOLAR COLLECTORS, PRINCIPAL CONSIDERATIONS

- **Amend Section 5.14D to add requirements for decommissioning Solar Collectors, Principal when use is discontinued or abandoned.**
 - A. **SOLAR COLLECTORS, PRINCIPAL (WHERE REQUIRED: AG, PI, LI, HI)**
 1. **Use Separation:** No solar collectors shall be located within one hundred (100) feet of any residential structure.
 2. **Maximum Height:** Twenty-five (25) feet, as measured from grade at the base of the structure to the apex of the structure.
 3. **Screening:** Solar collectors and associated outside storage shall be completely screened with a vegetative buffer from view from all streets and adjacent residential uses. Required screening shall be at a Type B Planting Yard, except understory-trees may be substituted for canopy tree requirements.
 4. **Parking Minimum:** Minimum number of spaces associated with use or maintenance of facility, shall be determined at two (2) per three (3) employees at largest shift plus one for vehicle operation on site.
 5. **Decommissioning:** A decommissioning plan shall be submitted with the Special Use Permit application. Decommissioning includes removal of, but not limited to, solar panels, buildings, cabling, electrical components, and any other associated facilities. All disturbed earth must be graded and reseeded. The decommissioning plan shall address the following:
 - a. Define conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, abandonment, etc.).
 - b. Removal of all non-utility owned equipment, conduit, structures, fencing, access drives, and foundation.
 - c. Estimated decommissioning cost and the method for ensuring funds will be available for decommissioning and restoration.
 - d. Timeframe for completion of decommissioning activities. Activities must be complete within 12 months of defined conditions described in item 5a above.
 - e. Description of any agreement or lease with landowner regarding decommissioning, including the party or parties responsible for decommissioning. The landowner ultimately shall be responsible for decommissioning.
 - f. Before building permit issuance, provide evidence decommissioning plan was recorded in the Guilford County Register of Deeds.
 - g. Decommissioning obligation shall be updated with any change in ownership and re-recorded in the Guilford County Register of Deeds.

For Further Consideration (If approved by Planning Board, in whole or in part, format and incorporate appropriately)

- The owner of the solar energy system shall provide a bond, cash escrow, or irrevocable letter of credit in favor of the County in an amount equal to 1.25 times the estimated decommissioning cost prior to the issuing of a zoning permit.
- The decommissioning plan and estimated cost of removal shall be updated every five (5) years or upon change of ownership of either the property or the project's owner. Any changes or updates to the plan shall be recorded in the County's Register of Deeds.
- The full amount of the bond, certified check, or letter of credit must remain in full force and effect until the solar farm is decommissioned and any necessary site restoration is completed.

NOTIFICATION REQUIREMENTS, DEVELOPMENT REVIEW PROCEDURES & PERMITTED USES TABLE

- Amend Table 3.2 to change Street Name to Road Name and make Road Name a separate application.

Table 3.2 – Public Notification Requirements

Application Type ⁵¹	Decision-Making Body	Type of Public Notification “R” = Required, [1] = see note below, • = not applicable		
		Electronic Notice ¹²	Mailed Notice ²³	Posted Notice ³⁴
Appeal	Varies ^{[4][5]}	R	R	R
Certificate of Appropriateness (Major)	Historic Preservation Commission	R	R	R
Rezoning	Planning Board Board of Commissioners	R R	R R	R R
Easement Closings, Street Name Changes , Right of Way Vacations, Road Closings, and Easement Removals for Public Roads	Planning Board	R	R	R
Road Name Changes	Planning Board	•	R	R ^[6]
Special Use Permit	Planning Board	R	R	R
Text Amendment	Planning Board Board of Commissioners	R R	R R	• •
Variance	Varies ^{[4][5]}	R	R	R
Vested Rights	Varies ^{[4][5]}	R	R	R

¹Application types not listed do not require public notification.

² See Subsections B., C., D., & E. of this Section for **electronic** notice requirements specific to Guilford County.

³ Mailed notice must be deposited no less than 10 and no more than 25 days before hearing.

⁴ Posted notice on site must be placed on property no less than 10 days before hearing.

⁵ An appeal, variance, or vested right may be heard by multiple Boards. Specific public notice requirements also can be found in Table 3.1. Detailed appeal, variance, and vested right procedures are located within each procedure to specific applications, if applicable.

⁶ At least 10 days before public hearing, a notice shall be posted in at least 3 locations along the road involved (see SL1979-283 HB 686).

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Amend Table 3.1, Development Review Procedures, to change Street Name Changes to Road Name Changes and move to separate row and add footnote describing appeal period for road name changes under SL 1979-283 HB 686 & Change SL1979-292 SB285 to SL279-282 HB685. Add “Work” to Certificate of Appropriateness levels.

Table 3.1 - Development Review Procedures									
TABLE KEY		M = Mandatory ▪ = Not Applicable ¹ = Notes	C = Comment R = Recommend / Advisory OR = Optional Review D = (Decision) L = (Legislative) A = (Administrative)	P = Public Hearing Q = Quasi-Judicial (Evidentiary) Hearing A = Appeal					
APPLICATION OR PROCESS	SECTION REFERENCE	PUBLIC NOTICE LEVEL ¹	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
				ADMINISTRATIVE		DECISION-MAKING BODIES			
				PLANNING AND DEVELOPMENT DIRECTOR (PD) ²	TECHNICAL REVIEW COMMITTEE (TRC)	HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BCC)	BOARD OF ADJUSTMENT (BOA)
Administrative Adjustment	3.5.B	▪	▪	D	▪	▪	▪	▪	A
Appeal ³	3.5.C	1,2	▪	Refer to individual procedures in Section 3.5 for appropriate process and Table 3.1 for appellant body.					
Certificate of Appropriateness, Major Work	3.5.D	1,2,3	M	R	▪	Q	▪	▪	A
Certificate of Appropriateness, Minor Work	3.5.D	▪	▪	D ²	▪	▪	▪	▪	▪
Certificate of Erosion Control Performance	3.5.E	▪	▪	D	▪	▪	▪	▪	▪
Certificate of Floor Elevation/Floodproofing	3.5.F	▪	▪	D	▪	▪	▪	▪	▪
Certificate of Occupancy	3.5.G	▪	▪	D	▪	▪	▪	▪	▪
Temporary Event/ Use Permit	3.5.H	▪	▪	D	▪	▪	▪	▪	▪
Floodplain Development Permit	3.5.I	▪	▪	D	▪	▪	▪	▪	A
Grading Permit	3.5.J	▪	▪	D	▪	▪	▪	▪	▪

TABLE 3.1 - DEVELOPMENT REVIEW PROCEDURES

TABLE KEY									
	M = Mandatory ▪ = Not Applicable ¹ = Notes	C = Comment R = Recommend / Advisory OR = Optional Review D = (Decision) L = (Legislative) A = (Administrative)	P = Public Hearing Q = Quasi-Judicial (Evidentiary) Hearing A = Appeal						
APPLICATION OR PROCESS	SECTION REFERENCE	PUBLIC NOTICE LEVEL ¹	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
				ADMINISTRATIVE		DECISION-MAKING BODIES			
				PLANNING AND DEVELOPMENT DIRECTOR (PD) ²	TECHNICAL REVIEW COMMITTEE (TRC)	HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BCC)	BOARD OF ADJUSTMENT (BOA)
Historic Landmark Designation (Local)	3.5.L	1,2,3	M	C	▪	R	▪	D	▪
Rezoning, Conventional & Conditional ⁴	3.5.M	1,2,3	M	R	C	▪	D/R ⁵	D/A ⁵	▪
Road Name Changes		1,3	▪	R	R	▪	D	A ⁶	
Sign Permit	3.5.N	▪	▪	D	▪	▪	▪	▪	A
Site Plan, Major	3.5.O	▪	M	R	D	▪	A		▪
Site Plan, Minor	3.5.P	▪	▪	D	O/R	▪	A	▪	▪
Special Use Permit	3.5.Q	1,2,3	M	▪	▪	▪	Q		▪
Subdivision Exempt	3.5.R	▪	▪	D	▪	▪	▪	▪	▪
Subdivision, Major Preliminary Plat	3.5.S	▪	M	R	D	▪	A		▪
Subdivision, Major Final Plat	3.5.S	▪	▪	D	O/R ⁶⁷	▪	A	▪	
Subdivision, Minor Preliminary Plat	3.5.T	▪	▪	D	O/R ⁷⁸	▪	A	▪	▪
Subdivision Waiver	3.5.U	▪	▪	R	D	▪	A	▪	▪

Table 3.1 - Development Review Procedures

TABLE KEY									
M = Mandatory ▪ = Not Applicable ¹ = Notes		C = Comment R = Recommend / Advisory OR = Optional Review D = (Decision) L = (Legislative) A = (Administrative)				P = Public Hearing Q = Quasi-Judicial (Evidentiary) Hearing A = Appeal			
APPLICATION OR PROCESS	SECTION REFERENCE	PUBLIC NOTICE LEVEL ¹	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
				ADMINISTRATIVE		DECISION-MAKING BODIES			
				PLANNING AND DEVELOPMENT DIRECTOR (PD) ²	TECHNICAL REVIEW COMMITTEE (TRC)	HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BCC)	BOARD OF ADJUSTMENT (BOA)
Text Amendment	3.5.V	1,2	M	R	▪	▪	R	D	▪
Variance	3.5.W	1,2,3	M	▪	▪	▪	Q	R ⁶	Q
Vested Rights	3.5.-X	1,2,3	▪	D	D	D	▪	▪	▪
Easement Closings, Street Name Changes, Right-of-Way Vacations, Road Closings ^{9,10} and Easement Removals for Public Roads		▪ 1,3	▪	R	R	▪	D	A	▪

¹See also Section 3.3 and Table 3.2 for public notification procedures.
²Planning and Development Director (or his/her designee) or other County staff authorized by the Board of Commissioners or the North Carolina General Statutes (e.g., Building Inspector, Fire Marshal).
³Appeal of administrative decisions are quasi-judicial.
⁴Rezoning may be conventional or conditional. Conditional zoning may be a part of planned unit developments – See Article 4.
⁵See Section 3.5.M.4.f – Voting and SL1985-485 HB651 for rezonings.
⁶Per SL 1979–283 HB 686 – Notice of appeal shall be filed within 10 days of Planning Board decision. Affected party shall notify Planning Director within 10 days of decision. Board of Commissioners shall hear appeal at a regular meeting within 30 days of Notice of Appeal.
⁷Should the Planning Department Director determine that there is more than a major deviation from the approved preliminary plat, the final plat may be forwarded to the TRC for optional review for efficiency and/or compatibility among regulatory review agencies' requirements.
⁸The Planning Development Director, in exercising his/her duties, may forward a preliminary plat on a Minor Subdivision to the TRC for an optional review for efficiency and/or compatibility among regulatory review agencies' requirements.
⁹For the types of variances heard and appropriate decision-making body, see Section 3.5.W. Major buffer and watershed variances that require Environmental Management Commission decision require a recommendation from the Board of Commissioners.
¹⁰For on-system NCDOT roads, the BCC may adopt a resolution to abandon maintenance at the request of NCDOT and close the public road in certain instances. Otherwise, the Guilford County Planning Board will exercise its delegated authority to close said public road per SL 1979-2982 SHB2685.

ARTICLE 4 – TABLE 4-3-1 PERMITTED USE SCHEDULE

- Amend Table 4-3-1 Permitted Use Schedule (as presented); Renumber Pages and Format Accordingly

ARTICLE 4 – TABLE 4-3-1 PERMITTED USE SCHEDULE

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TABLE 4-3-1 PERMITTED USE SCHEDULE

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
 For PUD Zoning Districts (P-DR, PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit Required per Section 3.5.Q D = Individual Development Standards Apply - See Article 5 Z = Overlay Zoning Required S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use
 "" = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential									Institutional	Commercial						Industrial				
			A	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H	
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
Household Living	Caretaker Dwelling (Accessory)		D										D	D	D	D	D	D	D	D	D	D	
	Multifamily Dwelling (including Condominium)*								P	P	P				P	P	P	P	P				
	Family Care Facility		P	P	P	P	P	P	P	P	P	P	P	P	P	P							
	Live/Work Home Occupation		D	D	D	D	D	D	D	PD	PD	PD		D	PD	PD	P	P	P				
	Mfgr.(HUD)/Mobile Home Dwelling (Class A & B)		P	Z	Z							Z	Z										
	Mfgr.(HUD)/Mobile Home Dwelling (Class C)																						
	Mfgr.(HUD)/Mobile Home Dwelling Park									S	S	S											
	Accessory Apartments/ Dwelling Units		D	D	D	D	D	D	D	D	D	D	D		D	D							
	Subdivision (Minor) – Residential		P	P	P	P	P	P	P	P	P	P	P		P	P	P						
	Subdivision (Major) – Residential (6 or more lots)			P	P	P	P	P	P	P	P	P	P		P	P	P						

TABLE 4-3-1 PERMITTED USE SCHEDULE

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 For PUD Zoning Districts (P-DR, PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit D = Individual Development Standards Apply - See Article 5 Required per Section 3.5.Q Z = Overlay Zoning Required S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use "***" = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial						Industrial						
			A	R	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H			
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I				
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*				
Household Living	Tiny Housing House Developments										D	D	D													
	Temporary Family Healthcare Structures		D	D	D	D	D	D	D	D	D	D	D		D	D	D									
Group Living/Social Service	Boarding House, 3 - 8 Residents		S									P	P		P	P										
	Rooming House, 9 or More Residents											S	S		S	P										
	Congregate Care Facility										D	D	D	D		D										
	Group Care Facility											S	S	D		D										
	Single Room Occupancy (SRO) Residence										S	S	S	D		D										
	Nursing and Convalescent Home											S	S	P		P			P	P						
	Temporary Shelter											P	P	P												

TABLE 4-3-1 PERMITTED USE SCHEDULE

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 "*" = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential									Institutional	Commercial						Industrial			
			A	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*
Group Living/Social Service	Homeless Shelter												D		D			D	D		D	D
Recreation and Entertainment	Adult-Oriented Establishments																					S
	Indoor Recreation															P	P	P	P	P		
	Outdoor Recreation		S																D	D	D	
	Amusement or Water Parks, Fairgrounds																		D	D		
	Athletic Fields		S	S	S	S	S	S	S	S	S	S	P	D	P	D	P	P	P	P	P	P
	Auditorium, Coliseum or Stadium												P						P	P		
	Club or Lodge		S	S	S	S	S	S	S	S	S	S	P	S	P	S	P	P	P	P		
	Country Club with Golf Course		D	S	S	S	S	S	S	S	S	S	D		S			D	D	D	D	
	Equestrian Facility		S	S									S									

TABLE 4-3-1 PERMITTED USE SCHEDULE

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For PUD Zoning Districts (P-DR, PD-R, PD-M & RPD) - Refer to Section 4.4**

P = Use by Right Permit **D = Individual Development Standards Apply - See Article 5 Required per Section 3.5.Q** **Z = Overlay Zoning Required** **S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use** ***** = Additional District Requirements, See Section 4.5 or 4.6**

Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial						Industrial				
			A	R	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H	
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I		
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	→	
Recreation and Entertainment	Go-cart Raceway																				P		P	P
	Golf Course, Miniature																P	P	P					
	Golf Course		P	S	S	S	S	S	S	S	S	S	D							D	D	D		
	Physical Fitness Center														P		P	P	P	P	P			
	Private Club or Recreation Facility, Other		S																					
	Public Park (including Public Recreation Facility)		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
	Recreational Vehicle Park or Campsite																			D				
	Special Event Venue		S										P						P	P	P			

TABLE 4-3-1 PERMITTED USE SCHEDULE

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Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial						Industrial			
			A	R	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
Recreation and Entertainment	Shooting Range, Indoor																	D	D		D	D	
	Shooting Range, Outdoor		S										S										
	Swim and Tennis Club		D	S	S	S	S	S	S	S	S	D		D			D	D	D	D			
	Theater (Outdoor)															D	D	D	D				
	Theater (Indoor)																	P	P				
Civic, Educational, and Institutional	Place of Worship		P	D	D	D	D	D	D	D	D	P		P	P	P	P	P	P	P	P	P	
	College or University											P					P						
	Vocational, Business or Secretarial School														P		P	P	P	P	P	P	
	Elementary School		D	D	D	D	D	D	D	D	D	D		D									

TABLE 4-3-1 PERMITTED USE SCHEDULE

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 For PUD Zoning Districts (P-DR, PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use
 Required per Section 3.5.Q Z = Overlay Zoning Required *** = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential									Institutional	Commercial						Industrial									
			A	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H						
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I						
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*						
Civic, Educational, and Institutional	Secondary School		D	D	D	D	D	D	D	D	D	D	D	D	D													
	Correctional Institution													S														S
	Daycare Centers in Residence(In-Home) (12 or Less)		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
	Daycare Center (Not In-Home)		S								D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
	Emergency Services		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Community or Social Service Agencies													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Fraternity or Sorority (University or College Related)													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Government Office													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Library													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Museum or Art Gallery													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post Office													P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

TABLE 4-3-1 PERMITTED USE SCHEDULE

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
 For PUD Zoning Districts (P-DR, PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit D = Individual Development Standards Apply - See Article 5 Required per Section 3.5.Q S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use Permit Required per Section 3.5.Q Z = Overlay Zoning Required *** = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential									Institutional	Commercial						Industrial				
			A	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H	
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
Civic, Educational, and Institutional	Hospital											P			P			P	P				
	Office (General)													P	P	P	P	P	P	P	P		
Business, Professional, and Personal Services	Medical or Professional Office													P	P	P	P	P	P	P	P		
	Personal Service													P	P	P	P	P	P	P	P		
	Advertising, Outdoor Services																	D	D	P	P	P	
	Bank or Finance without Drive-through														D		P	P	P	D	P		
	Rural Residential Occupation		S																				
	Bank or Finance with Drive-through														P		P	P	P	P	P		
	Boat Repair		X																P	P		P	P
	Building Maintenance Services																		P	P		P	P

TABLE 4-3-1 PERMITTED USE SCHEDULE

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
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P = Use by Right Permit D = Individual Development Standards Apply - See Article 5 Required per Section 3.5.Q S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use
 Z = Overlay Zoning Required *** = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial						Industrial			
			A	R	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
Business, Professional, and Personal Services	Furniture Stripping or Refinishing (including Secondary or Accessory Operations)	X																P	P		P	P	
	Insurance Agency (Carriers and On-Site Claims Inspections)															P		P	P	P	P	P	
	Kennels or Pet Grooming		P													D		D	D	D	D	P	P
	Landscape and Horticultural Services	X	S																	P		P	P
	Laundromat or Dry Cleaner	X															P	P	P	P			
	Motion Picture Production																		P	P	P	P	
	Pest or Termite Control Services	X																	P	P		P	P
	Payday Loan Services																			P			

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P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use Permit Required per Section 3.5.Q Z = Overlay Zoning Required *** = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial						Industrial			
			A	R	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
	Research, Development or Testing Services																				P	P	P
	Studios-Artists and Recording														P	P	P	P	P	P		P	
	Animal Slaughter or Rendering	X																P	P				
Lodging	Bed and Breakfast Home for 8 or Less Guest Rooms		S	S	S	S	S	S	S	D	D	D				D	D	D	P	P			
	Hotel or Motel															S			P	P	P		
Retail Trade	Retail (General)																P	P	P	P			
	A B C Store (Liquor)																		P	P			
	Auto Supply Sales																		P	P			
	Automobile Rental or Leasing	X																	P	P		P	P
	Automobile Repair Services	X																	P	P		P	P

TABLE 4-3-1 PERMITTED USE SCHEDULE

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
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 "*" = Additional District Requirements, See Section 4.5 or 4.6

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			A	R	R	R	R	R	R	R	R	R	P	L	M	N	L	G	H	C	L	H
			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*
Retail Trade	Service Station, Gasoline	X														P	P	P		P	P	
	Tire Sales																P	P		P		
Food Service	Bakery														P	P	P	P				
	Bar Private Club/Tavern																	D	D		P	
	Microbrewery, Private Club/Tavern																	D	D			
	Restaurant (With Drive-thru)																P	P				
	Restaurant (Without Drive-thru)															P	D	P	P	P	P	
Funeral and Internment Services	Cemetery or Mausoleum		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
	Funeral Home or Crematorium											S			P		P	P				

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			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*
Transportation, Warehousing, and Wholesale Trade	Wholesale Trade-Heavy																			S	P	
	Wholesale Trade-Light																	P	P	P	P	
	Automobile Parking (Commercial)											S					P	P	P	P	P	
	Automotive Towing and Storage Services	X															D	D		D	D	
	Equipment Rental and Leasing (No Outside Storage)																P	P		P	P	
	Equipment Rental and Leasing (with Outside Storage)																			P	P	
	Equipment Repair, Heavy	X																			P	
	Equipment Repair, Light																	D	D		P	P
	Tire Recapping																					P
	Truck Stop	X																	D		P	P

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			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I							
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*							
Transportation, Warehousing, and Wholesale Trade	Truck and Utility Trailer Rental and Leasing, Light	X																							P	P			
	Truck Tractor and Semi-Rental and Leasing, Heavy	X																									P	P	
	Truck Washing	X																										P	
	Beneficial Fill Area		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
	Bus Terminal and Service Facilities	X																								P	P	P	
	Courier Service, Central Facility																										P	P	
	Courier Service Substation																									P	P	P	
	Heliport	X												S												S	S	S	P
	Moving and Storage Service																											P	P
	Railroad Terminal or Yard	X																									P	P	P

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			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I			
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*			
Transportation, Warehousing, and Wholesale Trade	Taxi Terminal	X																			P	P	P	P	
	Trucking or Freight Terminal	X																						P	P
Utilities and Communication	Communication or Broadcasting Facility															P				P	P	P	P	P	
	Wireless Communication Tower – Stealth Camouflage Design		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
	Wireless Communication Tower – Non-Stealth Design		D													D				D	D	D	D	D	
	Small Cell Wireless Tower												S	S	S	S	S	S	S	S	S	S	S	S	
	Radio or TV Station														P				P	P	P	P	P	P	
	Utilities, Major		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
	Utilities, Minor		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Solar Collectors Principal		S										S										S	S	
	Taxi Terminal	X																				P	P	P	P

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			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I	
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*	
Utilities and Communication	Utility Company Office														P				P	P	P	P	P
	Utility Equipment and Storage Yards																					P	P
Waste-Related Uses	Construction or Demolition Debris Landfill, Major																						S
	Construction or Demolition Debris Landfill, Minor		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
	Junk/Salvage Yard																						P
	Land Clearing & Inert Debris Landfill, Major	X	S																				S
	Land Clearing & Inert Debris Landfill, Minor		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
	Refuse and Raw Material Hauling	X																					P
	Recycling Facilities, Outdoors																					P	P
	Resource Recovery Facilities																						P

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			G	S	S	S	S	S	S	M	M	M	I	O	X	B	B	B	B	P	I	I
				40	30	20	3	5	7	8	18	26			U	*	*	*	*	*	*	*
Waste-Related Uses	Waste Transfer Stations																				P	
	Septic Tank Services	X																		P	P	
	Sewage Treatment Plant	X																			P	
	Solid Waste Disposal (Non-Hazardous)	X																			S	
	Hazardous and Radioactive Waste (Transportation, Storage and Disposal)	X																			S	
	Trucking or Freight Terminal	X																		P	P	
General Industrial	Warehouse (General Storage, Enclosed)																D	D	P	P	P	
	Warehouse (Self-Storage)																D	D		P	P	
	Laundry or Dry Cleaning Plant	X															P	D	P	P	P	

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**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-35
HOUSE BILL 812**

AN ACT TO AMEND THE STATUTE AUTHORIZING THE USE OF REMOTE MEETINGS
DURING CERTAIN STATES OF EMERGENCY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 166A-19.24 reads as rewritten:

"§ 166A-19.24. Remote meetings during certain declarations of emergency.

(a) Remote Meetings. – Notwithstanding any other provision of law, upon issuance of a declaration of emergency under G.S. 166A-19.20, any public body within the emergency area may conduct remote meetings in accordance with this section and Article 33C of Chapter 143 of the General Statutes throughout the duration of that declaration of emergency. Compliance with this statute establishes a presumption that a remote meeting is open to the public.

...

(b1) If a public body has provided notice of an official meeting and one or more of the members of the public body desire to participate remotely after the issuance of the notice, the public body may amend the notice of the meeting to include the means whereby the public can access the remote meeting as that remote meeting occurs. Such amended notice of remote meeting shall comply with all of the following:

- (1) Be issued no less than six hours prior to the official meeting.
- (2) Be distributed in accordance with G.S. 143-318.12(b)(2) and (b)(3), as applicable.
- (3) Be posted in accordance with G.S. 143-318.12(e).

...

(e) Public Hearings. – A public body may conduct any public hearing required or authorized by law during a remote meeting, and take action thereon, provided the public body allows for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours ~~after~~ prior to the scheduled time for the beginning of the public hearing.

...

(i) ~~{Definitions.}~~ Definitions. – For purposes of this section, the following definitions apply:

- (1) Official meeting. – As defined in G.S. 143-318.10(d).
- (2) Public body. – As defined in G.S. 143-318.10(b) and (c).
- (3) Remote meeting. – An official meeting, or any part thereof, with between one and all of the members of the public body participating by simultaneous communication.
- (4) Simultaneous communication. – Any communication by conference telephone, conference video, or other electronic means."



SECTION 2. This act becomes effective July 1, 2021, and applies to remote meetings held on or after that date.

In the General Assembly read three times and ratified this the 8th day of June, 2021.

s/ Bill Rabon
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 3:36 p.m. this 16th day of June, 2021