

GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD

Regular Meeting Agenda

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

October 13, 2021

6:00 PM

A. Roll Call

B. Agenda Amendments

C. Approval of Minutes: September 8, 2021

D. Rules and Procedures

E. Continuance Requests

F. Old Business

G. New Business

Non-Public Hearing Item:

Public Hearing Items:

CONDITIONAL ZONING CASE #21-07-GCPL-06159: RS-40 & RS-40 MH to CZ-LI 8708 Sherfield Rd

Located on the south side of W Market St, approximately 150 feet west from its intersection of S Bunker Hill Rd, Guilford County Tax Parcel #168713 is approximately 4.67 acres and is owned by Bernice Donathan.

Proposed Conditional Zoning from RS-40 & RS-40 MH to CZ-LI limited to the following **Use Conditions**: Specific uses allowed as shown in table attached to the application: (1) Homeless Shelter, (2) Place of Worship; (3) Vocational, Business or Secretarial School; (4) Daycare Centers in Residence (In-Home) (12 or Less); (5) Daycare Center (Not In-Home); (6) Emergency Services; (7) Government Office; (8) Post Office; (9) Office (General); (10) Medical or Professional Office; (11) Personal Service; (12) Advertising, Outdoor Services; (13) Bank or Finance without Drive-through; (14) Bank or Finance with Drive-through; (15) Boat Repair; (16) Building Maintenance

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Services; (17) Furniture Stripping or Refinishing (including Secondary or Accessory Operations); (18) Insurance Agency (Carriers and On-Site Claims Inspections); (19) Landscape and Horticultural Services; (20) Motion Picture Production; (21) Pest or Termite Control Services; (22) Research, Development or Testing Services; (23) Studios-Artists and Recording; (24) Automobile Rental or Leasing; (25) Automobile Repair Services; (26) Car Wash; (27) Building Supply Sales (with Storage Yard); (28) Equipment Rental and Repair, Light; (29) Garden Center or Retail Nursery; (30) Manufactured Home Sales; (31) Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used); (32) Tire Sales; (33) Wholesale Trade-Heavy; (34) Wholesale Trade-Light; (35) Automobile Parking (Commercial); (36) Automotive Towing and Storage Services; (37) Equipment Rental and Leasing (No Outside Storage); (38) Equipment Rental and Leasing (with Outside Storage); (39) Equipment Repair, Light; (40) Truck and Utility Trailer Rental and Leasing, Light; (41) Truck Tractor and Semi-Rental and Leasing, Heavy; (42) Bus Terminal and Service Facilities; (43) Courier Service, Central Facility; (44) Courier Service Substation; (45) Moving and Storage Service; (46) Railroad Terminal or Yard; (47) Communication or Broadcasting Facility; (48) Wireless Communication Tower – Stealth Camouflage Design; (49) Wireless Communication Tower – Non-Stealth Design; (50) Small Cell Wireless Tower; (51) Radio or TV Station; (52) Utilities, Major; (53) Utilities, Minor; (54) Solar Collectors Principal; (55) Taxi Terminal; (56) Utility Company Office; (57) Utility Equipment and Storage Yards; (58) Warehouse (General Storage, Enclosed); (59) Warehouse (Self-Storage); (60) Welding Shops; and (61) Manufacturing Light, and **Development Conditions:** (1) A consistent 50-foot Type A Planting Yard adjacent to residential zoned properties; (2) Maximum building area as shown on the submitted sketch plan; (3) Setbacks from front property line and along Sherfield Road and railroad ROW as shown on submitted sketch plan attached.

The proposed Conditional Zoning is consistent with the Airport Area Plan land use classification of non-residential, thus if approved, no plan amendment would be required.

The Conditional Zoning sketch plan for **CASE #21-07-GCPL-06159** can be viewed at <https://www.guilfordcountync.gov/home/showpublisheddocument/12392/637681087381562785>.

UDO TEXT AMENDMENTS FOR HOUSEKEEPING, MAINTENANCE, AND ADJUSTMENTS
Case #21-09-GCPL-08327

Please see Attachment 1 for specific information for additional UDO Text Amendments to those presented on Sep. 8, 2021 for housekeeping, maintenance, and adjustments to the UDO adopted Nov. 19, 2020.



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**UDO TEXT AMENDMENTS TO ARTICLE 4 PLANNED UNIT DEVELOPMENTS TO ALLOW GREATER DESIGN FLEXIBILITY INCLUDING MORE HOUSING CHOICES
Case #21-09-GCPL-08340**

Please see Attachment 2 for UDO Text Amendments to Article 4 Planned Unit Developments to allow greater design flexibility including more housing choices.

Evidentiary Hearing Item(s):

SPECIAL USE PERMIT CASE #21-08-GCPL-07160: Special Event Venue 5471 NC Hwy 150 E

Located on the north side of NC Hwy 150 E, approximately 2000 feet west from its intersection of Osceola-Ossipee Rd., this is a portion of Guilford County Tax Parcel #112749 which is approximately 16.37 ac owned by C&R Moseley.

The petitioners are seeking a Special Use Permit to operate a **Special Event Venue** subject to the associated Site Plan.

The associated site plan for **CASE #21-08-GCPL-07160** can be viewed at <https://www.guilfordcountync.gov/home/showpublisheddocument/12390/637681087374687235>.

H. Other Business

- Planning Board's DRAFT 2022 Regular Meeting Schedule

I. Adjourn



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Attachment 1

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

Case #21-09-GCPL-08327

- Clarify **Section 3.5.C.2.b(4) Appeals Generally – Decisions of the Planning Board** to reflect SL1979-282 HB685 from September 6, 2021 recommendation (see last para. page 3) and as presented below:

(4) Road closings and easement closings may be appealed to the Board of Commissioners within thirty (30) days after the decision to close (SL1979-282 HB685 & 1981-59 HB139). ~~The Board of Commissioners shall hear the matter de novo (anew).~~

- **3.5B. ADMINISTRATIVE ADJUSTMENT, Section 4.a.(3)(a)(i).** Amend Section to add “Do not significantly alter the conceptual plan, sketch plan...” and insert a new (iv) ~~Do not alter the general traffic circulation pattern;~~ then enumerate appropriately by changing existing (iv) to (v)
- **3.5S. SUBDIVISIONS, MAJOR, Section 4.e.(2)(iv)** ~~Substantial~~ **Minor** Changes to preliminary plats approved by staff, as applicable.

(iv) ~~Substantial~~ **Minor** Change. ~~Substantial~~ **Minor** changes ~~from to~~ the preliminary plat ~~in accordance with Section 3.5.B.4.a(3) may be approved by staff, as applicable.~~ will require an additional review by the Technical Review Committee to ensure compliance with existing regulations.

- **3.5Q. SPECIAL USE PERMITS, Section 3.m** ~~Administrative Adjustment~~ **Minor Modifications**

(1) ~~Applicable. See Section 3.5.B, Administrative Adjustment.~~

~~(2) In approving such Site Plans, the Planning and Development Director may make minor modifications to the requirements of such Special Use Permit where such modification will result in equal or better performance and provided that the objective and purpose of the requirements and conditions of the~~



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Special Use Permit are maintained and in accordance with NCGS 160D-705. **Minor modifications shall include:**

- 1. Movement of structures, parking areas, or other activity areas provided they are not closer to an existing residence or one under construction;**
- 2. Changes in landscaping types provided such have not been worked out by neighbors or conditions of approval and they meet the requirements in Article 6 and/or development standards for individual uses found in Article 5; and**
- 3. Changes in location of the driveway connection(s) provided it is not closer to an existing residence or one under construction and it meets the requirements in Article 8 and/or development standards for individual uses found in Article 5. If NCDOT requires the change, then this section may not apply.**

n. Amendment of Permit

(1) The Planning Board may change or amend any Special Use Permit subject to the same consideration as provided for in this Ordinance for the original issuance of a Special Use Permit.

- **3.5M. REZONING (CONVENTIONAL & CONDITIONAL) / MAP AMENDMENT, Section 4.d(3) – Amend Section to reflect SL1985-485 HB651**

(3) The Planning Board shall decide the application or forward as a recommendation to the Board of Commissioners **[see Section 3.5M(3).f]** and shall comment on the application's consistency with applicable County adopted Comprehensive Plans. Applications receiving less than seventy-five percent (75%) favorable vote or denial from the Planning Board, the application is forwarded as a recommendation to the Board of Commissioners for review and final decision.

Commentary: SL 1985-485 HB651 authorizes the Guilford County Board of Commissioners to assign authority to rezone property to the Guilford County Planning Board. As such, the Planning Board's decision may serve as a recommendation to the Board of Commissioners or a final decision, unless appealed.



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When conducting a review of proposed map amendment, the Planning Board shall advise and comment on the following:

i. Plan Consistency - Whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable; and

ii. Additional Reasonableness Statement for Rezoning – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved [would be required by the Board of Commissioners if Planning Board's decision goes to the Board of Commissioners as a recommendation or if Planning Board's decision is appealed. See Section 3.5M(3).f]. This statement of reasonableness may consider, among other factors, the size, physical conditions, and other attributes of the area proposed to be rezoned, the benefits and detriments to the landowners, the neighbors, and the surrounding community; the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; why the action taken is in the public interest; and, any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

- 3.5V. TEXT AMENDMENTS, Section 2.d.(3) Planning Board – Amend Section to reflect NCGS 160D-604

(3) A recommendation by the Planning Board shall include the adoption of a statement describing how the Planning Board considers the action taken to be consistent with the Comprehensive Plan that has been adopted and any other officially adopted plan that is applicable, as amended, reasonable and in the public interest.



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Attachment 2

**PROPOSED TEXT AMENDMENT TO THE GUILFORD COUNTY UNIFIED
DEVELOPMENT ORDINANCE TO ALLOW GREATER DESIGN FLEXIBILITY
INCLUDING MORE HOUSING CHOICES**

Case #21-09-GCPL-08340

- **Amend Section 4.2.C. Planned Unit Development Districts** to include a brief description as follows:

A Planned Unit Development (PUD) is an area of land under unified ownership or control and is intended to allow flexibility from typical development standards through innovative site design while not adversely impacting adjacent lands. It is characterized by a plan that incorporates residential housing of different types and densities and may include compatible non-residential uses (as specified in Table 4-4-1).

Planned Unit Development Districts include:

1. PD-RP RURAL PRESERVATION DISTRICT. The PD-RP District is intended to accommodate developments with rural preservation characteristics on land to be developed and improved as a whole under a Unified Development Plan in accordance with the requirements of this Ordinance.
2. PD-R PLANNED UNIT DEVELOPMENT-RESIDENTIAL. The PD-R District is intended to accommodate a variety of housing types developed on large tracts in accordance with a Unified Development Plan. The PD-R District also accommodates neighborhood business and office uses which primarily serve nearby residents.
3. PD-M PLANNED UNIT DEVELOPMENT-MIXED. The PD-M District is intended to accommodate residential, commercial and light industrial uses developed on large tracts in accordance with a Unified Development Plan.
4. See Section 4.4 for Planned Development Standards.

- **Amend 4.4 Planned Unit Development Districts (PD-R, PD-M & RPD)** Intent as follows:

Intent: A Planned Unit Development (PUD) is an area of land under unified ownership or control to be developed and improved as a whole ~~under~~ **according to** a Unified Development Plan (UDP) ~~in accordance with the requirements of this Ordinance.~~ **It** shall be subject to all of the applicable standards,



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procedures, and regulations of this ordinance except as varied or changed by the express terms contained herein **and as approved according to the submitted UDP...**

Planned Unit Developments are permitted under the following zoning district designations:

- **Amend Section 4.4.D. Site Requirements** as follows:

1. PD-R AND PD-M DEVELOPMENT STANDARDS

a. **Dimensional Requirements:** The dimensional **and layout/arrangement** requirements of this ordinance are **may be** waived or **modified** except that:

- **Amend Section 4.4.D.1.a(3) PD-R and PD-M Development Site Standards** as follows and add Commentary:

(3) Density/Use. A minimum 20-foot separation shall be maintained between multi-family buildings and a minimum ten-foot building separation shall be maintained between single-family detached structures. Accessory structure separations from principal structures associated with either multi-family or single-family structures shall be as determined by appropriate building codes.

Commentary: Effective January 1, 2021, the International Building Code does not require an automatic sprinkler system in detached one- and two-family dwellings (Group R-3 building type) of not more than three stories above grade plane in height with a separate means of egress (NCGS 143-136; 143-138).

- **Amend Section 4.4., Section B** as follows:

B. PHASED DEVELOPMENT OF PLANNED UNIT DEVELOPMENTS

If a Planned Unit Development includes phasing provisions, then:



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3. All phases shall be shown with precise boundaries on the Sketch Plan and shall be numbered in the expected order of development;
4. All data required for the project as a whole shall be given for each phase shown on the Sketch plan;
5. Development of the cumulative area of open space in all recorded phases and the total number of dwelling units approved in those phases shall comply with Section 4-6 ~~4.7~~

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**Guilford County
Planning Board
REGULAR MEETING
September 8, 2021**

The Guilford County Planning Board convened on Wednesday September 8, 2021, at 6:00 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

Members Present: Mr. Frankie Jones, Chair; Mr. Apple; Ms. Buchanan; Mr. Donnelly;
Mr. Stalder; Mr. Craft

Members Absent: Mr. Gullick; Dr. Gathers; Ms. McKinley

Staff Present: Mitchell Byers, Planning Technician; Matt Talbott, Sr. Planner/Planner II; 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 AUGUST 11th, 2021 MINUTES

Mr. Donnelly moved to approve the August 11th Meeting minutes, as submitted, seconded by Mr. Apple. The Board voted unanimously (6-0) in favor. (Ayes: Stalder, Craft, 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

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

Chair Jones announced that the Public Hearing was now open.

Leslie Bell explained that because of an irregularity in the notice between the posting and the mail notice for the August Public Hearing, it was determined to be in the best interest to hold another Public Hearing, although no one appeared in opposition during the entirety of the August meeting nor were any comments received in opposition to rename that portion of Birch Creek Road to Old Birch Creek Road [that portion of Birch Creek Road (SR#3175), running 1.25 miles south from the southern property line of the Publix and terminating on Knox Road (SR#3051)]. Thus, this gives anyone that wishes to speak either for or against the staff's recommendation a chance to be heard. This matter concerns a 1.25-mile portion of Birch Creek Road Secondary Road (SR) #3175 running south from the southern property line of the Publix Distribution Center and terminating on Knox Road, SR #3015. In this area from the interstate moving toward Highway 70, there is a portion of Birch Creek Road that with the Publix Distribution Center now under construction,

creates a jump street over Highway 70 where another portion of Birch Creek Road (with two different NCDOT Secondary Road numbers) continues. When the Publix Distribution Center selected this particular site, NCDOT cut off the connection of the southern portion of Birch Creek Road, so it created a jump-street. 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 ideas for renaming that portion of the road. This request appeared before the Technical Review Committee (TRC) after receiving input from the affected property owners. The suggested name for this portion of the roadway thus would be 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.

Steve Lindahl attended the meeting with his wife, Toni. They live at 5406 Birch Creek Road. He stated that they are not opposed to a renaming of the road, but certainly hope that it will be something close to the original name, so it will be easier to change their personal return address for banks, invoices, et cetera. They would be very amenable to it being changed to Old Birch Creek Road. They also would like to be able to keep their street number. Leslie Bell stated that [based on the Board's action this evening] the Address Administrator would manage that.

There being no one to speak in opposition to the request, the Public Hearing was closed for further discussion by unanimous vote of the Board members.

Mr. Craft moved to approve the renaming of [that portion of] Birch Creek Road [as described in the Resolution] to **Old Birch Creek Road** with adoption of the Resolution as presented for Case #21-06-GCPL-04996 and seconded by Mr. Apple. The Board voted 6-0 in favor of the motion (Ayes: Apple, Stalder, Buchanan, Donnelly, Craft and Jones. Nays: None.)

CASE #21-06-GCPL-04996 Resolution

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 (SR#3175), running 1.25 miles south from the southern property line of the Publix and terminating on Knox Road (SR#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.

OTHER BUSINESS:

Case #21-08-GCPL-07440 UDO TEXT AMENDMENTS FOR HOUSEKEEPING, MAINTENANCE, AND ADJUSTMENTS

Leslie Bell reminded the Board that when the UDO was adopted on November 18, 2020, the Board of Commissioners adopted the UDO with the Steering Committee's, Planning Board's, and Staff's recommendation that it be effective immediately with the previous Land Development Ordinance also effective for a period of one (1) year in case there were any inadvertent omissions, errors or mistakes that would impact development and allowing staff to revert to the previous Land Development Ordinance in such instances to keep development moving forward. He stated that one set of text amendments were presented and approved earlier this spring and staff presents this second set for further housekeeping, maintenance and adjustments to the UDO. Mr. Bell also indicated that the Staff Reports should include

compliance with NCGS 160D. He went through each text amendment and there are two (2) parts. Copies of these text amendments are included in the Planning Board packet [and attached herein].

During the presentation by Mr. Bell of Part 1 some of the Board members also pointed out some clerical errors to be added to the amendments. Mr. Bell also noted proposed changes to the Solar Collector, Principal development standards. Following discussion, the Board agreed to add item 5 (Decommissioning) to the Development Standards eliminating from item 5.b. the removal of access drives as part of decommissioning; eliminating a portion of item 5.e., specifically, eliminating the land owner as being ultimately responsible for decommissioning; and eliminating item 5.g., in its entirety which required the decommissioning obligation to be updated with any change in ownership and re-recorded with the Register of Deeds. This was eliminated because the proposed item 5 additional development standard and its subparts includes recording the decommissioning plan as part of the recorded Special Use Permit and it was added that if the decommissioning plan is changed or updated then this shall require re-approval by the Planning Board.

The Planning Board elected to re-visit at a later date the three (3) discussion items listed as For Further Consideration...once staff has an opportunity to do additional research.

Oliver Bass went over Part 2 which was the Permitted Use Schedule [Table] changes that are proposed and some of the Board members also pointed out some clerical errors (i.e., spacing in Permitted Uses Table) to be added and/or addressed as part of the amendments.

There being no speakers the Public Hearing was closed by unanimous vote of the Board.

Mr. Bell stated that this would go to the County Commissioners for final approval.

Mr. Donnelly moved to approve the proposed text amendments and incorporate those changes indicated by the Board which was seconded by Mr. Craft. The Board voted 6-0 in favor of the motion. (Ayes: Apple, Stalder, Buchanan, Donnelly, Craft and Jones. Nays: None.)

Subsequent to the Board's motion, staff requests that the Board also include a recommendation to clarify Section 3.5.C.2.b(4) pertaining to road closings and easement closings as presented herein that adds "after the decision to close" and add a sentence to same Section as follows "The Board of Commissioners shall hear the matter de novo (anew)." Thus, "(4) Road closings and easement closings...may be appealed within thirty (30) days after the decision to close... The Board of Commissioners shall hear the matter de novo (anew)." While a commentary could be added to reflect the 1979 local legislative bill (SL1979-282 HB685), the aforementioned reflects the bill's text be included in the associated UDO provision.

SESSION LAW 2021-35 HOUSE BILL 812

Leslie Bell stated that there is a recently-adopted House Bill 812 passed by the NC General Assembly (included in the packet) which does amend the statute authorizing the use of remote meetings during certain states of emergency. Before, when there was a virtual component to the meetings which included a Public Hearing, there has been Wednesday and Thursday meeting because the Board had to provide a minimum 24-hour period for comments after the Public Hearing before taking action. That is no longer required after the Hearing, but a period between the required publication of any required notice and 24 hours prior to the scheduled time of the Public Hearing to receive written comments is required and the Board may take action just after the Public Hearing. Thus, this eliminates the second meeting should there be a remote (virtual) meeting with a Public Hearing component and the Board can make a decision on Public Hearings for rezonings or text amendments on that same evening.

In response to a question posed by Chair Jones, Mr. Bell stated that because of the situation with COVID-19, it would be up to the Board members as to whether to have an in-person only meeting or virtual meeting or in-person meeting with a remote (virtual) component. A decision has to be made no less than six (6) hours prior to the official meeting with an amended notice of remote meeting.

Mr. Craft thanked staff for all the hard work they have done and stated that they have done a fabulous job working on all the text amendments, et cetera. Mr. Bell thanked staff each of their contributions to this effort.

ADJOURNED:

There being no further business before the Board, the meeting was adjourned at 7:14 pm.

DRAFT

PROPOSED TEXT AMENDMENTS (#2) TO GUILFORD COUNTY UNIFIED DEVELOPMENT ORDINANCE (adopted Nov. 19, 2020)
Items in Cyan Reflect Planning Board Sep. 8, 2021 Comments

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 sequences follows: **C. B. UTILITY STANDARDS...D. G. 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 **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.
 - Amend to correct spacing errors throughout the UDO document.

8.5 MAJOR SUBDIVISIONS

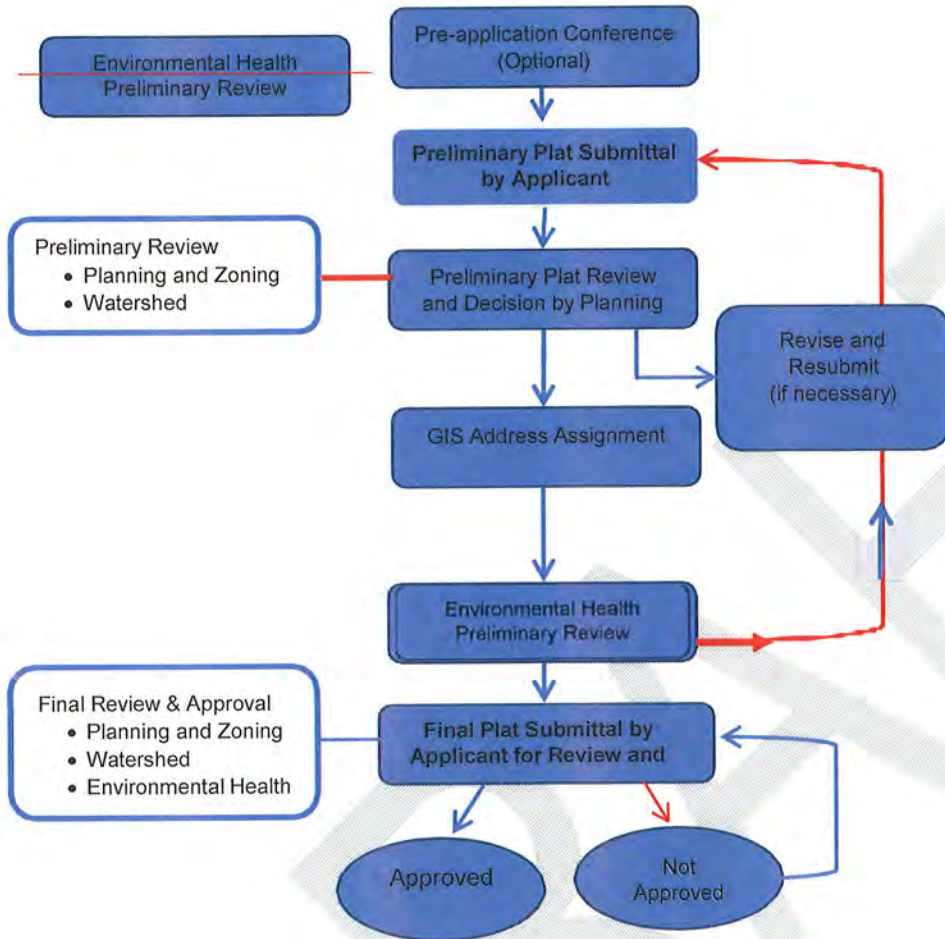
Major Subdivisions are all divisions of land into six (6) or more lots **[See Subdivision (Major-Residential) in Table 4-3-1 Permitted Uses Table].**

- Amend chart in Section 8.4, Minor Subdivisions, **to note reference to Table 4-3-1 Permitted Uses Table and add missing connector line [as shown in red lines], reposition lines that are not properly aligned in the graph, delete duplicate Environmental Health preliminary review, and note reference to Table 4-3-1 Permitted Uses 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.~~ **see** 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 after the decision to close (SL1979-282 HB685 & 1981-59 HB139). The Board of Commissioners shall hear the matter de novo (anew).

- 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:

1. 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. Decommissioning plan shall be recorded in the Guilford County Register of Deeds with the Special Use Permit. Any changes or updates to the decommissioning plan shall be approved by the Planning Board.~~

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	R	R	R
	Board of Commissioners	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	R	R	•
	Board of Commissioners	R	R	•
Variance	Varies ^{[4][5]}	R	R	R
Vested Rights	Varies ^{[4][5]}	R	R	R

¹ Application 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

APPLICATION OR PROCESS	SECTION REFERENCE	PUBLIC NOTICE LEVEL ¹	PRE-APPLICATION CONFERENCE	ADMINISTRATIVE		REVIEW AUTHORITIES				
				PLANNING AND DEVELOPMENT DIRECTOR (PD) ²	TECHNICAL REVIEW COMMITTEE (TRC)	HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BOC)	BOARD OF ADJUSTMENT (BOA)	
Administrative Adjustment	3.5.B	▪	▪	D	▪	▪	▪	▪	▪	A
Appeal ³	3.5.C	1,2	▪							
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	▪	▪	▪	▪	▪	▪

Refer to individual procedures in Section 3.5 for appropriate process and Table 3.1 for appellant body.

TABLE 3.1 - DEVELOPMENT REVIEW PROCEDURES

APPLICATION OR PROCESS	SECTION REFERENCE	PUBLIC NOTICE LEVEL ¹	PRE-APPLICATION CONFERENCE	ADMINISTRATIVE		C = Comment R = Recommend / Advisory OR = Optional Review D = (Decision) L = (Legislative) A = (Administrative)	REVIEW AUTHORITIES				
				PLANNING AND DEVELOPMENT DIRECTOR (PD) ²	TECHNICAL REVIEW COMMITTEE (TRC)		HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BC)	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/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 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

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	ADMINISTRATIVE		REVIEW AUTHORITIES			
		PLANNING AND DEVELOPMENT (PD) 2	TECHNICAL REVIEW COMMITTEE (TRC)	HISTORIC PRESERVATION COMMISSION (HPC)	PLANNING BOARD (PB)	BOARD OF COUNTY COMMISSIONERS (BCC)	BOARD OF ADJUSTMENT (BOA)
		PUBLIC NOTICE LEVEL 1	PRE-APPLICATION CONFERENCE				
Text Amendment	3.5.V	1,2	M	R	▪	R	▪
Variance ^{8,9}	3.5.W	1,2,3	M	▪	▪	Q	R ^{8,9} Q
Vested Rights	3.5.X	1,2,3	▪	D	D	▪	▪
Easement Closings, Street Name Changes, Right-of-Way Vacations, Road Closings ^{9,10} and Easement Removals for Public Roads		▪	▪	R	R	D	▪
		1,3					

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 SB2685.

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

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

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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 Z = Overlay Zoning Required S = Individual Development Standards per Article 5 & Special Use Permit Required per Section 3.5.Q Z = Overlay Zoning Required "X" = 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	R		R	L	M	N	L	G	H	C	L	H	C	L	H										
			G	S	S	S	S	S	S	S	S	S	S	S		S	O	X	B	B	B	B	B	P	I	I	* *	* *	* *	* *								
	Caretaker Dwelling (Accessory)																																					
	Multifamily Dwelling (including Condominium)*																																					
	Family Care Facility																																					
	Live/Work Home Occupation																																					
	Mfr.(HUD)/Mobile Home Dwelling (Class A & B)																																					
	Mfr.(HUD)/Mobile Home Dwelling (Class-C)																																					
	Mfr.(HUD)/Mobile Home Dwelling Park																																					
	Accessory Apartments/ Dwelling Units																																					
	Subdivision (Minor) – Residential																																					
	Subdivision (Major) – Residential (6 or more lots)																																					

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-DRPD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit Required per Section 3.5.Q Z = Overlay Zoning Required
 D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply per Article 5 & Special Use
 *** = Additional District Requirements, See Section 4.5 or 4.

Use Category	Use Type	WCA Prohibited Uses	Residential											Institutional	Commercial						Industrial																
			A	R	R	R	R	R	R	R	R	R	R		R	L	M	N	L	G	H	C	L	H	L	C	L	H									
Recreation and Entertainment	Shooting Range, Indoor																																				
	Shooting Range, Outdoor	S																																			
	Swim and Tennis Club	D	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Civic, Educational, and Institutional	Theater (Outdoor)																																				
	Theater (Indoor)																																				
	Place of Worship	P	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	D	D	D	D	D	D	D	D	
	College or University																																				
	Vocational, Business or Secretarial School																																				
	Elementary School	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	D	D	D	D	D	D	D	D	D	

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-DRPD-R, PD-M & RPD) - Refer to Section 4.4

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

Use Category	Use Type	WCA Prohibited Uses	Residential												Institutional	Commercial						Industrial					
			A	R	S	30	20	3	5	7	8	18	26	R		R	R	L	M	N	L	G	H	C	L	H	
	Secondary School		D	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
	Daycare Center (Not In-Home)		S													D	D	D	D	D	D	D	D	D	D	D	D
Civic, Educational, and Institutional	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
	Community or Social Service Agencies															P	P	P	P	P	P	P	P	P	P	P	P
	Fraternity or Sorority (University or College Related)															P											P
	Government Office															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
	Museum or Art Gallery															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

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-DRPD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right Permit Required per Section 3.5.Q Z = Overlay Zoning Required S = Individual Development Standards 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	S	S	S	S	3	5	7	8		18	26	L	M	N	L	G	H	L	C	H	C	L	H																	
			G	S	S	S	S	S	S	M	M	M	I		O	X	B	B	B	B	B	B	I	I	*	*	*	*	*	*	*	*	*	*	*										
Business, Professional, and Personal Services	Furniture Stripping or Refinishing (including Secondary or Accessory Operations)	X																																											
	Insurance Agency (Carriers and On-Site Claims Inspections)																																												
	Kennels or Pet Grooming																																												
	Landscape and Horticultural Services																																												
	Laundromat or Dry Cleaner																																												
Motion Picture Production																																													
Pest or Termite Control Services																																													
Payday Loan Services																																													

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-DRPD-R, PD-M & RPD) - Refer to Section 4.4
 P = Use by Right Permit Required per Section 3.5.Q Z = Overlay Zoning Required
 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
 "M" = Additional District Requirements, See Section 4.5 or 4.6

Use Category	Use Type	WCA Prohibited Uses	Residential											Commercial						Industrial																				
			A	R	R	R	R	R	R	R	R	R	R	R	L	M	N	L	G	H	L	C	H																	
	Research, Development or Testing Services																																							
	Studios-Artists and Recording																																							
	Animal-Slaughter-or-Rendering	X																																						
Lodging	Bed and Breakfast Home for 8 or Less Guest Rooms		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Hotel or Motel																																							
	Retail (General)																																							
	A B C Store (Liquor)																																							
Retail Trade	Auto Supply Sales																																							
	Automobile Rental or Leasing	X																																						
	Automobile Repair Services	X																																						

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 D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards 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	L	M	N	L	G	H	L	L	M	N	L	G	H	L	L	M	N	L	G	H	L	
	Car Wash	X																																	
	Building Supply Sales (with Storage Yard)																																		
Retail Trade	Convenience Store (with Gasoline Pumps)	X																																	
	Equipment Rental and Repair, Heavy	X																																	
	Equipment Rental and Repair, Light																																		
	Fuel Oil Sales	X																																	
	Garden Center or Retail Nursery																																		
	Manufactured Home Sales																																		
	Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)	X																																	
	Pawnshop or Used Merchandise Store																																		

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

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-DRPD-R, PD-M & RPD) - Refer to Section 4.4

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

Use Category	Use Type	WCA Prohibited Uses	Residential										Institutional	Commercial				Industrial											
			A	G	R	S	S	S	S	S	R	R		R	R	R	R	L	M	N	L	G	H	C	L	H			
Transportation, Warehousing, and Wholesale Trade	Truck and Utility Trailer Rental and Leasing, Light	X																											
	Truck Tractor and Semi-Rental and Leasing, Heavy	X																											
	Truck Washing	X																											
	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		
	Bus Terminal and Service Facilities	X																							P	P	P		
	Courier Service, Central Facility																												
	Courier Service Substation																									P	P	P	
	Heliport	X																									S	S	S
Moving and Storage Service																													
Railroad Terminal or Yard	X																												

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 D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards 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													Commercial					Industrial				
			Residential													Commercial					Industrial				
			A	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	L	M	N	L	G	H	C
Transportation, Warehousing, and Wholesale Trade	Taxi Terminal	X																							
	Trucking or Freight Terminal	X																							
Utilities and Communication	Communication or Broadcasting Facility																								
	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	D
	Wireless Communication Tower - Non-Stealth Design		D																						
	Small Cell Wireless Tower																								
	Radio or TV Station																								
	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																							
Taxi Terminal		X																							

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 D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards 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																Commercial						Industrial
			Residential																Commercial						
			A	R	R	S	S	S	S	S	S	R	R	R	R	R	M	L	N	L	G	H	H	L	
Utilities and Communication	Utility Company Office																								
	Utility Equipment and Storage Yards		G	S	S	S	S	S	S	S	M	M	M	M	I										
Waste-Related Uses	Construction or Demolition Debris Landfill, Major		40	30	20	3	5	7	8	18	26														
	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	D	D	D
	Junk/Salvage Yard																								
	Land Clearing & Inert Debris Landfill, Major	X																							
	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	D	D	D
	Refuse and Raw Material Hauling	X																							
	Recycling Facilities, Outdoors																								
	Resource Recovery Facilities																								

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 D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards 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												Commercial						Industrial								
			A	R	R	R	R	R	R	R	R	R	R	R	L	M	N	L	G	H	L	C	H						
			G	S	S	S	S	S	S	S	S	S	S	S	S	O	X	B	B	B	B	X	B	B	B	B	P	I	I
			40	30	20	3	5	7	8	1	8	26																	
	Waste Transfer Stations																												
Waste-Related Uses	Septic Tank Services	X																											
	Sewage Treatment Plant	X																											
	Solid Waste Disposal (Non-Hazardous)	X																											
	Hazardous and Radioactive Waste (Transportation, Storage and Disposal)	X																											
General Industrial	Trucking or Freight Terminal	X																											
	Warehouse (General Storage, Enclosed)																												
	Warehouse (Self-Storage)																												
	Laundry or Dry Cleaning Plant	X																											

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Rezoning
Application**

Date Submitted: 7/14/2021

Fee \$500.00 Receipt # 158057

Case Number 21-07-GCPL-06159

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 Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

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 RS-40 & RS-40 MH zoning district to the LI zoning district. Said property is located 8707 Sherfield Road, Colfax, NC 8708 Sherfield Road, Colfax NC in Deep River Township; Being a total of: 4.67 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 6 8 7 1 3

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Check One:

- 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:

- 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.

Check One:

- The applicant is the property owner(s)
- The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).
- The applicant has no connection to the property owner and is requesting a third-party rezoning.

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.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by

Sandra Neugent, Trustee

 Property Owner Signature
Sandra Neugent, Trustee

 Name
8403 Quail Creek Drive

 Mailing Address
Colfax NC 27235

 City, State and Zip Code
336.580.8417 Sandi.neugent@icloud.com

 Phone Number Email Address

Thomas E. Medlin Jr

 Representative/Applicant Signature (if applicable)
THOMAS E MEDLIN JR

 Name
HABAN BARRETT PLLC 300 N. GREENE ST. SUITE 200

 Mailing Address
GREENSBORO NC 27401

 City, State and Zip Code
336-232-0658 TMEDLIN@HABANBARRETT.COM

 Phone Number Email Address

Additional sheets for tax parcels and signatures are available upon request.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Amended Planning Board
Conditional Zoning
Application**

Date Submitted: 7/14/21 & 7/28/21

Fee **\$500.00** Receipt # 15805

Case Number 21-07-GCPL-06159

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 Enforcement Officer.

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 **RS-40 & RS-40MH** zoning district to the **CZ-LI** zoning district. Said property is located at 8708 Sherfield Road, Colfax, NC in Deep River Township; Being a total of: 4.67 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 6 8 7 1 3

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- 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:

- 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 is required 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.** 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).



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Amended Planning Board
Conditional Zoning
Application**

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) Group Living/Social Service; Civic, Educational, Institutional; Business, Professional, & Personal Services; Retail Trade; Transportation, Warehousing, & Wholesale Trade -- but eliminating Beneficial Fill Area and Heliport from this group; Utilities and Communications; General Industrial; and Manufacturing Light. Specific uses allowed in each group as listed on attached Table.

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) A consistent 50 ft. Type A Planting Yard adjacent to residential zoned properties; maximum building area as shown on submitted sketch plan; Setbacks from front property line along Sherfield Road and railroad ROW as shown on submitted sketch plan.

- 2) _____
- 3) _____
- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST 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

Name

Mailing Address

City, State and Zip Code

Phone Number

Email Address

Owner / Representative / Applicant Signature (if applicable)

Thomas E. Medlin, Jr., Attorney for South Atlantic Holdings III LLC

Hagan Barrett, PLLC, 300 North Greene St, Suite 200
Mailing Address

Greensboro, NC 27401
City, State and Zip Code

336-232-0658 tmedlin@haganbarrett.com
Phone Number Email Address

Additional sheets for conditions and signatures are available upon request.

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

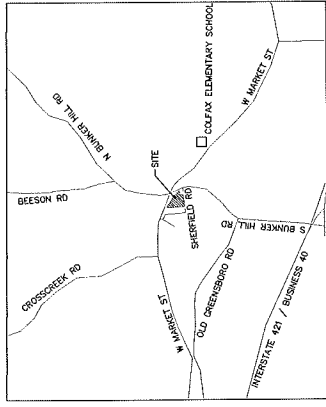
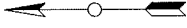
For PUD Zoning Districts (P-DR, PD-M & RPD) - Refer to Section 4.4

P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply & Special

	Prohibited Uses	LI	
Agriculture/Animal Services	Animal Services (Livestock)	P	
	Animal Services (Other)	P	
	Horticultural Specialties	P	
Group Living/Social Service	Homeless Shelter	D	
Recreation and Entertainment	Outdoor Recreation	D	
	Amusement or Water Parks, Fairgrounds	D	
	Athletic Fields	P	
	Auditorium, Coliseum or Stadium	P	
	Country Club with Golf Course	D	
	Go-cart Raceway	P	
	Golf Course	D	
	Physical Fitness Center	P	
	Public Park (including Public Recreation Facility)	D	
	Shooting Range, Indoor	D	
	Swim and Tennis Club	D	
Civic, Educational, and Institutional	Place of Worship	P	
	Vocational, Business or Secretarial School	P	
	Daycare Centers in Residence (In-Home) (12 or Less)	D	
	Daycare Center (Not In-Home)	D	
	Emergency Services	P	
	Fraternity or Sorority (University or College-Related)	P	
	Government Office	P	
	Post Office	P	
	Office (General)	P	
	Medical or Professional Office	P	
Business, Professional, and Personal Services	Personal Service	P	
	Advertising, Outdoor Services	P	
	Bank or Finance without Drive-through	P	
	Bank or Finance with Drive-through	P	
	Boat Repair	X P	
	Building Maintenance Services	P	
	Furniture Stripping or Refinishing (including Secondary or Accessory Operations)	X P	
	Insurance Agency (Carriers and On-Site Claims Inspections)	P	
	Kennels or Pet Grooming	P	
	Landscape and Horticultural Services	X P	
	Motion Picture Production	P	
	Pest or Termite Control Services	X P	
	Research, Development or Testing Services	P	
	Studios-Artists and Recording	P	
	Automobile Rental or Leasing	X P	
	Automobile Repair Services	X P	
	Car Wash	X P	
	Retail Trade	Building Supply Sales (with Storage Yard)	P
		Convenience Store (with Gasoline Pumps)	X P
		Equipment Rental and Repair, Light	P
		Fuel Oil Sales	X P
		Garden Center or Retail Nursery	P
		Manufactured Home Sales	P
Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)		X P	
Service Station, Gasoline		X P	
Tire Sales		P	
Restaurant (Without Drive-thru)		P	
Funeral and Intermment Services	Cemetery or Mausoleum	D	
Transportation, Warehousing, and Wholesale Trade	Wholesale Trade-Heavy	S	
	Wholesale Trade-Light	P	
	Automobile Parking (Commercial)	P	
	Automotive Towing and Storage Services	X D	
	Equipment Rental and Leasing (No Outside Storage)	P	
	Equipment Rental and Leasing (with Outside Storage)	P	
	Equipment Repair, Light	P	
	Truck-Stop	X P	
	Truck and Utility Trailer Rental and Leasing, Light	X P	
	Truck Tractor and Semi-Rental and Leasing, Heavy	X P	
	Beneficial-Fill Area	D	
	Bus Terminal and Service Facilities	X P	
	Courier Service, Central Facility	P	
	Courier Service Substation	P	
	Helipport	X S	
	Moving and Storage Service	P	
	Railroad Terminal or Yard	X P	
	Communication or Broadcasting Facility	P	
	Wireless Communication Tower	Wireless Communication Tower - Stealth Camouflage Design	D
Wireless Communication Tower - Non-Stealth Design		D	
Small Cell Wireless Tower		S	
Radio or TV Station		P	

Utilities and Communication	Utilities, Major		S
	Utilities, Minor		P
	Solar Collectors Principal		S
	Taxi Terminal	X	P
	Utility Company Office		P
	Utility Equipment and Storage Yards		P
Waste-Related Uses	Construction or Demolition Debris Landfill, Minor		D
	Land Clearing & Inert Debris Landfill, Minor		D
	Recycling Facilities, Outdoors		P
	Septic Tank Services	X	P
	Trucking or Freight Terminal	X	P
General Industrial	Warehouse (General Storage, Enclosed)		P
	Warehouse (Self-Storage)		P
	Laundry or Dry-Cleaning Plant	X	P
	Laundry or Dry-Cleaning Substation	X	P
	Welding Shops	X	P
Manufacturing	Manufacturing Light		P
Airport	Temporary Events/Uses		D

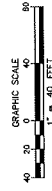
Uses with strike-through are to be eliminated as possible uses.



VICINITY MAP (NOT TO SCALE)

GENERAL NOTES:

- DEVELOPER: JM BUCKER
- ADDRESS OF SITE: 8708 SHERFIELD ROAD
PARCEL ID: 001483-00171
- DEED BOOK / PG: 187-20 / 187-20
- APPLICABLE ZONING: RS-40 (RESIDENTIAL SINGLE FAMILY)
- CURRENT ZONING: RS-40 (RESIDENTIAL SINGLE FAMILY)
- PROPOSED ZONING: CU-1 USES
- PLANNING COMMISSION: 02-11-2007
- BOUNDARY INFORMATION TAKEN FROM GIS DATA. NO SURVEY BY DMP.
- BOUNDARY INFORMATION TAKEN FROM GIS DATA. NO SURVEY BY DMP.
- THIS PROJECT IS NOT LOCATED WITHIN A DETAILED FLOOD HAZARD AREA AS SCALED FROM MAPS BY FEMA DATED 06/18/2007.
- SETBACKS: 5' (SHERFIELD RD)
INTERIOR: 5' (RESIDENTIAL ZONING)
- MAX BUILDING FOOTPRINT (R/W NOT VERIFIED)
INTERIOR: 5' (RESIDENTIAL ZONING)
- LANDSCAPE PLANTING YARD:
INTERIOR: 5' (RESIDENTIAL ZONING)
INTERIOR: 5' (UNDEVELOPED OR U ZONING)



SHEET NO. 07-1

REZONING EXHIBIT
8708 SHERFIELD ROAD
COLFAX, NORTH CAROLINA
GUILFORD COUNTY

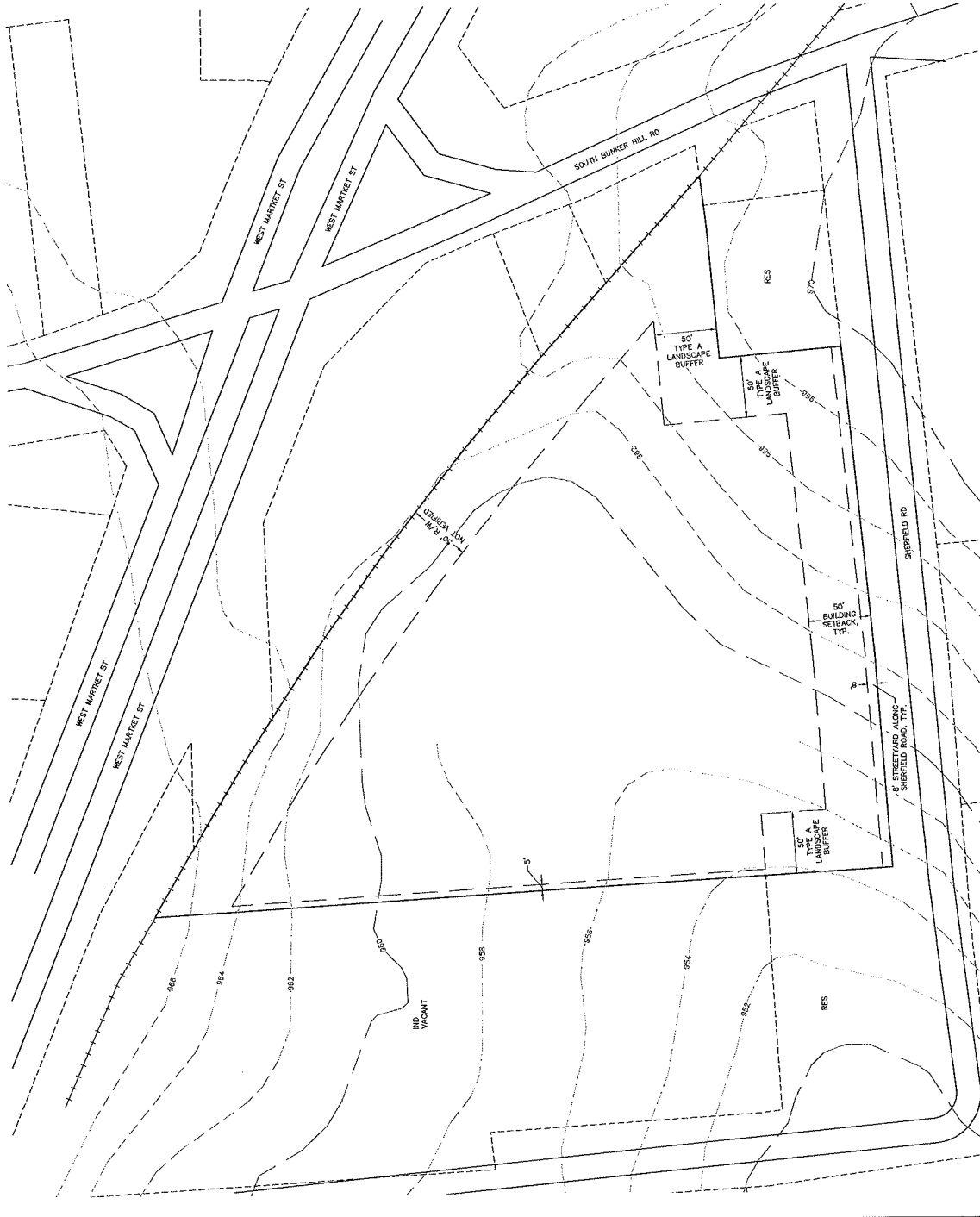
PRELIMINARY
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

DAVIS • MARTIN • POWELL
ENGINEERS & SURVEYORS
415 COLUMBIAN RD. HIGH POINT, NC 27601 | TEL: 866-648-1111 | WWW.DMP-NC.COM | LICENSE #4095



THE SCALE BAR
INCLUDES ONE
HEADERS ONE
FOOT
DRAWING.

NO.	DATE	DESCRIPTION	BY	PROJECT	ZONING
1	9-7-07	UPDATE SETBACK/LANDSCAPING		8708 SHERFIELD ROAD	CU-1
2		DESIGNED			
3		DRAWN			
4		CHECKED			
5		SCALE	AS NOTED		
6		SURVEYED	N/A		





REALTOR® North Carolina Association of REALTORS®

AGREEMENT FOR PURCHASE AND SALE OF IMPROVED REAL PROPERTY

THIS AGREEMENT, including any and all addenda attached hereto ("Agreement"), is by and between South Atlantic Holdings III, LLC, a(n) NC LLC ("Buyer"), and Bernice James Donathan Irrevocable Trust, Sandra D Neugent, Trustee, a(n) Individual ("Seller").

(NOTE: If the Buyer or Seller is an entity, in order to form a binding agreement and complete a transaction, the entities listed as Buyer or Seller in this Agreement should be validly formed and in good standing with the Secretary of State in the State of formation of the entity.)

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) "Property": (Address) 8708 Sherfield Road, Colfax, NC

Plat Reference: Lot(s) , Block or Section , as shown on Plat Book or Slide at Page(s) , County, consisting of acres.

[X] If this box is checked, "Property" shall mean that property described on Exhibit A attached hereto and incorporated herewith by reference,

(For information purposes: (i) the tax parcel number of the Property is: 168713 and, (ii) some or all of the Property, consisting of approximately 4.67 acres, is described in Deed Book 001493 , Page No. 00171 , Guilford County.)

together with all buildings and improvements thereon and all fixtures and appurtenances thereto and all personal property, if any, itemized on Exhibit A.

\$ [redacted] (b) "Purchase Price" shall mean the sum of [redacted] Dollars,

payable on the following terms:

\$ [redacted] (i) "Earnest Money" shall mean [redacted] Dollars or terms as follows:

The Earnest Money shall be deposited in escrow with HAGAN BARRETT, PLLC (name of person/entity with whom deposited- "Escrow Agent") within five (5) calendar days of the Contract Date, to be applied as part payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Section 10 herein. Should Buyer fail to deliver the Earnest Money by the date required hereunder, or should any check or other funds paid by Buyer be dishonored, for any reason, by the



This form jointly approved by: North Carolina Bar Association North Carolina Association of REALTORS®, Inc.

STANDARD FORM 580-T Revised 7/2020 © 7/2020

BUYER:

Individual

Date: _____

Date: _____

Business Entity

South Atlantic Holdings III, LLC
(Name of Entity)

By: JMR
James G. Rucker Jun 17, 2021 16:04 EDT
Name: James G. Rucker
Title: Manager
Date: Jun 17, 2021

SELLER:

Individual

Sandra D Neugent, Trustee
Bernice James Donathan Irrevocable Trust, Sandra D Neugent, Trustee
~~Bernice James Donathan~~
Date: Jun 18, 2021

Date: _____

Business Entity

(Name of Entity)

By: _____
Name: _____
Title: _____
Date: _____

WIRE FRAUD WARNING

To Buyers: Before sending any wire, you should call the closing agent's office to verify the instructions. If you receive wiring instructions for a different bank, branch location, account name or account number, they should be presumed fraudulent. Do not send any funds and contact the closing agent's office immediately.

To Sellers: If your proceeds will be wired, it is recommended that you provide wiring instructions at closing in writing in the presence of the closing agent. If you are unable to attend closing, you may be required to send an original notarized directive to the closing agent's office containing the wiring instructions. This directive may be sent with the deed, lien waiver and tax forms if those documents are being prepared for you by the closing agent. At a minimum, you should call the closing agent's office to provide the wire instructions. The wire instructions should be verified over the telephone via a call to you initiated by the closing agent's office to ensure that they are not from a fraudulent source.

Whether you are a buyer or a seller, you should call the closing agent's office at a number that is independently obtained. To ensure that your contact is legitimate, you should not rely on a phone number in an email from the closing agent's office, your real estate agent or anyone else.

The undersigned hereby acknowledges receipt of the Earnest Money set forth herein and agrees to hold said Earnest Money in accordance with the terms hereof.

(Name of Escrow Agent)
Date: _____ By: _____

Escrow Agent's contact/notice information is as follows:

e-mail address: _____ fax number: _____
except as same may be changed pursuant to Section 12.

ZONING ADDENDUM

Bernice James Donathan Irrevocable Trust, Sandra D Neugent, Trustee

THIS ADDENDUM is made and entered into by and between SOUTH ATLANTIC HOLDINGS III, LLC, as Buyer, and ~~BERNICE J. DONATHAN~~, as Seller, to amend and modify that certain Agreement for Purchase and Sale of Improved Real Property made by Seller and Buyer for the real property described as 4.67 acres, and being identified by the Guilford County Tax Dept. as Parcel No. 168713 and located at 8708 Sherfield Road, Colfax, NC, for the purchase price of [REDACTED]. The Agreement for Purchase and Sale of Improved Real Property, together with any other Amendments and Addendums, as amended by this Addendum shall hereinafter be referred to collectively as the "Contract". To the extent the terms of this Addendum modify, alter, or conflict with the Agreement for Purchase and Sale of Improved Real Property, or any other Amendments or Addendums thereto, the terms and provisions of this Addendum shall control.

ZONING. Buyer intends to use the Property for warehousing operations (the "Intended Use"). If Buyer determines that the Property needs to be rezoned for its Intended Use, then Buyer may elect to cause the Property to be rezoned under the applicable zoning ordinance of the County of Guilford, North Carolina. To make said election, Buyer shall give Seller written notice of its election. Upon said election, Buyer shall promptly file an application for the rezoning and shall pursue the application with the reasonable diligence. Seller shall cooperate by executing any such re-zoning applications and other reasonable documents necessary to prosecute such applications for the Intended Use.

Buyer, at its sole expense, shall have sixty days after the Contract Date to submit any rezoning application, and an additional sixty days (for a total of one-hundred twenty (120) days after the Contract Date, the "Re-zoning Period") to gain approval of any rezoning application. The Re-zoning Period will run concurrently with the Examination Period. Buyer shall be responsible for all costs associated with the re-zoning process. At any time during the Re-zoning Period, Buyer reserves the right to cancel or withdraw the Application should it determine the rezoning is not appropriate for its Intended Use.

If Buyer fails to submit a rezoning application within sixty (60) days after the Contract Date, then \$5,000.00 of the Earnest Money Deposit shall become non-refundable to Buyer. If an application is subsequently filed and the re-zoning is not approved by Guilford County or any other applicable governmental authorities on or before the end of the Re-zoning Period, Buyer may elect to terminate the Agreement by giving written notice of such decision to Seller on or before the expiration of the Re-zoning Period, and Escrow Agent shall return the Earnest Money Deposit less the non-refundable portion to Buyer and the parties shall have no further rights or obligations hereunder, except for those which expressly survive any such termination.

If the rezoning application is filed within said sixty (60) days referenced above, then the Earnest Money Deposit shall remain fully refundable under the terms of this Contract. If the rezoning is not approved by Guilford County or any other applicable governmental authorities on or before the end of the Re-zoning Period, Buyer may elect to terminate the Agreement by giving written notice of such decision to Seller on or before the expiration of the Re-zoning Period, and Escrow Agent shall return the full amount of the Earnest Money Deposit to Buyer and the parties


shall have no further rights or obligations hereunder, except for those which expressly survive any such termination.

Failure to provide notice of termination to Seller on or before the expiration of the Re-zoning Period shall be deemed a waiver of the Buyer's termination rights. If the Re-zoning is approved prior to the expiration of the Re-zoning Period, as determined by Buyer, in its sole discretion (the "Re-zoning Approval"), Buyer shall notify Seller within five (5) days of Buyer's receipt of notice of such approval.

If at any time before the end of the Re-zoning Period the rezoning is approved by Guilford County or any other applicable governmental authorities, then Buyer agrees to waive Buyer's termination rights under this Zoning provision which may be in effect on said date, and agrees to proceed to closing within thirty (30) days. If Buyer terminates the agreement after the rezoning is final or after the Inspection Period, then the Earnest Money Deposit shall be non-refundable, and Escrow Agent shall be authorized to disburse said sums to Seller and the parties shall have no further rights or obligations hereunder, except for those which expressly survive any such termination.

BUYER:

SOUTH ATLANTIC HOLDINGS III, LLC

By: 
James G. Rucker (Jun 17, 2021 18:04 EDT)
Name & Title: James G. Rucker
Date: Jun 17, 2021 Manager

SELLER:

Sandra D Neugent (MAY 21)

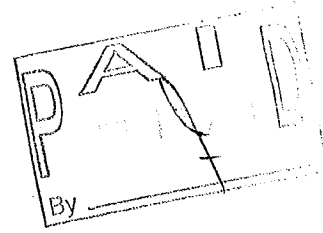
Bernice James Donathan Irrevocable Trust, Sandra D Neugent, Trustee

~~XXXXXXXXXXXXXXXXXXXX~~
~~Bernice J. Donathan~~

Date: Jun 18, 2021



GUILFORD COUNTY RECEIPT



Planning & Development
400 West Market Street
Greensboro, NC 27402
336-641-3334 - Planning
336-641-3707 - Permitting

Environmental Health
400 West Market Street
Greensboro, NC 27402
336-641-7613

RECEIPT INFO

<u>Receipt #</u>	<u>Receipt Date</u>	<u>Payor</u>	<u>Payment Method</u>	<u>Check/CC #</u>	<u>Receipt Amount</u>
158057	07/19/2021		Billed		\$500.00

Cashier ID: LJIMENEZ

<u>Fee Item Description</u>	<u>Account Code</u>	<u>Amount</u>
Rezoning Fees	160110 45134	\$500.00
		<u>Total</u> \$500.00

APPLICATION INFO

<u>Application #</u>	<u>Application Type</u>	<u>Application Name</u>
21-07-GCPL-06159	Building/Guilford County/Planning/Rezoning-Special Use Permit	8707 Sherfield Rd

PROPERTY INFO

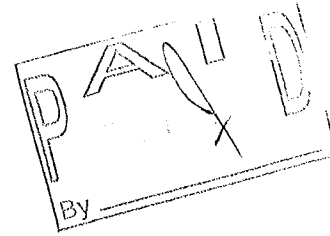
<u>Property Address</u>	<u>Property Owner</u>	<u>Parcel #</u>
8707 Sherfield RD NC 27235	Sandra Neugent Nc	168713

CONTACT INFO

<u>Contact Name</u>	<u>Contact Type</u>

LICENSED PROFESSIONAL INFO

<u>Primary</u>	<u>License #</u>	<u>License Type</u>	<u>Licensed Prof</u>	<u>Business Name</u>	<u>Lawson #</u>



GUILFORD COUNTY RECEIPT

Planning & Development
400 West Market Street
Greensboro, NC 27402
336-641-3334 - Planning
336-641-3707 - Permitting

Environmental Health
400 West Market Street
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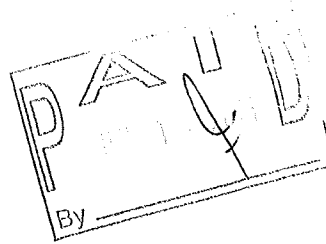
<u>Primary</u>	<u>License #</u>	<u>License Type</u>	<u>Licensed Prof</u>	<u>Business Name</u>	<u>Lawson #</u>
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Invoice Detail

Permit ID #: 21-07-GCPL-06159
Invoice #: 171660
Invoice Date: 07/19/2021 08:02:34

Period	Fee Item	Qty	Fee
BUILDING	Rezoning Fees	1	\$500.00

Total Fee: \$500.00



CONDITIONAL ZONING CASE #21-07-GCPL-06159 RS-40 & RS-40 MH to CZ-LI
8708 Sherfield Rd

Property Information

Located on the south side of W Market St, approximately 150 feet west from its intersection of S Bunker Hill Rd, approximately 4.67 acres, Guilford County Tax Parcel #168713 owned by Bernice Donathan.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This proposed request is to Rezone property from **RS-40 & RS-40 MH** to **CZ-LI** with following proposed conditions:

Proposed Conditional Zoning from RS-40 & RS-40 MH to CZ-LI limited to the following Use Conditions: Specific uses allowed as shown in table attached to the application: (1) Homeless Shelter, (2) Place of Worship; (3) Vocational, Business or Secretarial School; (4) Daycare Centers in Residence (In-Home) (12 or Less); (5) Daycare Center (Not In-Home); (6) Emergency Services; (7) Government Office; (8) Post Office; (9) Office (General); (10) Medical or Professional Office; (11) Personal Service; (12) Advertising, Outdoor Services; (13) Bank or Finance without Drive-through; (14) Bank or Finance with Drive-through; (15) Boat Repair; (16) Building Maintenance Services; (17) Furniture Stripping or Refinishing (including Secondary or Accessory Operations); (18) Insurance Agency (Carriers and On-Site Claims Inspections); (19) Landscape and Horticultural Services; (20) Motion Picture Production; (21) Pest or Termite Control Services; (22) Research, Development or Testing Services; (23) Studios-Artists and Recording; (24) Automobile Rental or Leasing; (25) Automobile Repair Services; (26) Car Wash; (27) Building Supply Sales (with Storage Yard); (28) Equipment Rental and Repair, Light; (29) Garden Center or Retail Nursery; (30) Manufactured Home Sales; (31) Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used); (32) Tire Sales; (33) Wholesale Trade-Heavy; (34) Wholesale Trade-Light; (35) Automobile Parking (Commercial); (36) Automotive Towing and Storage Services; (37) Equipment Rental and Leasing (No Outside Storage); (38) Equipment Rental and Leasing (with Outside Storage); (39) Equipment Repair, Light; (40) Truck and Utility Trailer Rental and Leasing, Light; (41) Truck Tractor and Semi-Rental and Leasing, Heavy; (42) Bus Terminal and Service Facilities; (43) Courier Service, Central Facility; (44) Courier Service Substation; (45) Moving and Storage Service; (46) Railroad Terminal or Yard; (47) Communication or Broadcasting Facility; (48) Wireless Communication Tower – Stealth Camouflage Design; (49) Wireless Communication Tower – Non-Stealth Design; (50) Small Cell Wireless Tower; (51) Radio or TV Station; (52) Utilities, Major; (53) Utilities, Minor; (54) Solar Collectors Principal; (55) Taxi Terminal; (56) Utility Company Office; (57) Utility Equipment and Storage Yards; (58) Warehouse (General Storage, Enclosed); (59) Warehouse (Self-Storage); (60) Welding Shops; and (61) Manufacturing Light, and Development Conditions: (1) A consistent 50-foot Type A Planting Yard adjacent to residential zoned properties; (2) Maximum building area as shown on the submitted

sketch plan; (3) Setbacks from front property line and along Sherfield Road and railroad ROW as shown on submitted sketch plan attached.

Type A Planting Yard between LI and RS-40 districts allows a minimum width of 40 feet, but the average width shall be no less than 50 feet between LI and RS zoned properties. Under the proposed conditions, the minimum 40 feet allowance would not apply. The new UDO requires a minimum 15-foot setback from adjacent non-residentially zoning districts. The applicant proposes a minimum 5-foot setback from adjacent LI zoned property, which was the minimum under the previous ordinance. However, the UDO allows reverting to the previous ordinance expires on November 18, 2021 in limited circumstances.

The proposed Conditional Zoning is consistent with the Airport Area Plan land use classification of non-residential, thus if approved, no plan amendment would be required.

District Descriptions

The RS-40 district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 sq. ft. Conservation subdivisions may be developed in this 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 of the Unified Development Ordinance.

This LI district accommodates limited, small-scale manufacturing, wholesaling, warehousing, research and development, and related commercial activities that have little adverse effect, through noise, odor, or visual distraction, on neighboring properties. Development shall provide adequate screening and buffers and be located where there are adequate public utilities and access to arterial streets and highways.

The CZ, Conditional Zoning District, is hereby established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process, also apply.

Character of the Area

This request is in a mix of single-family residential uses and undeveloped industrial and commercial properties. Sherfield Road provides street access to both the residential lots and nonresidential lots. Access from W. Market Street and S. Bunker Hill is restricted by the railroad tracks to the north.

Existing Land Use(s) on the Property: Undeveloped land

Surrounding Uses:

North: Railroad right-of-way, undeveloped commercial (LB zoning)

South: Single-family dwellings

East: Railroad right-of-way, Single-family home

West: Vacant industrial (LI district), Single-family home

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities:

Not applicable, no anticipated impact

Emergency Response:

Fire Protection District: Colfax

Miles from Fire Station: Approximately 0.12 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: N/A

Transportation:

Existing Conditions: Local/Residential (Sherfield Rd)

Proposed Improvements: Subject to NCDOT driveway permit

Projected Traffic Generation: Not available

Environmental Assessment

Topography: Gently sloping.

Regulated Floodplain/Wetlands:

There is no regulated floodplain on the property. There are no mapped wetlands on the property.

Streams and Watershed:

The property is in the High Point (West Fork Deep River WS-IV) Water Supply Watershed in the General Watershed Area. There are no mapped streams on the property.

Land Use Analysis

Land Use Plan: Airport Area Plan

Plan Recommendation: Nonresidential

Consistency:

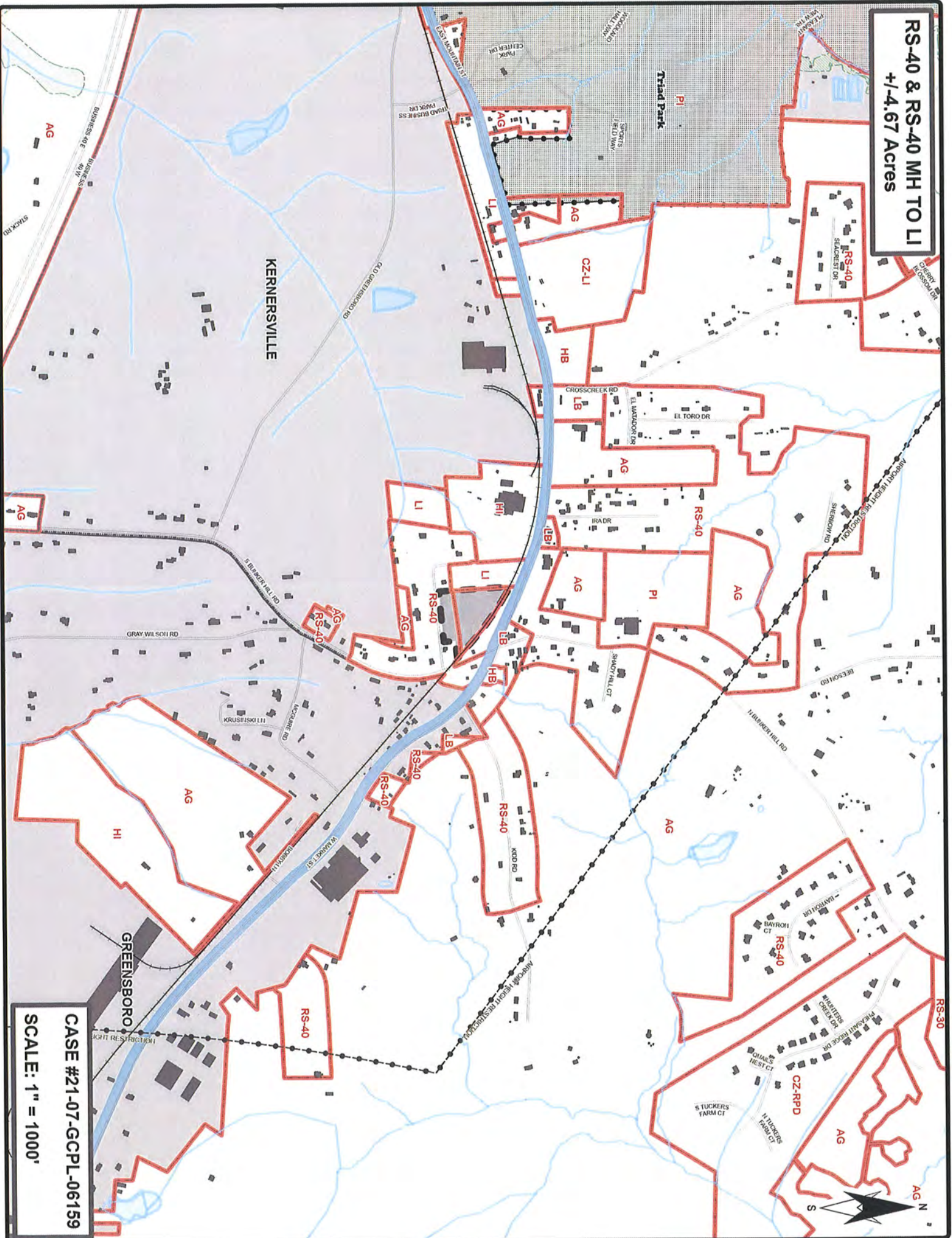
The requested action is consistent with the recommendation of the Airport Area Plan. The area plan recommends this area for nonresidential uses. The LI zoning district is primarily intended to accommodate primarily nonresidential uses.

Recommendation**Staff Recommendation:** Staff recommends approval

The requested action is reasonable and in the public interest. It will provide employment and service opportunities to the area. It is consistent with the Airport Area Plan recommendation of Nonresidential. The applicant proposes a consistent 50-foot Type A planting yard adjacent to RS-40 zoned residential properties. Type A planting yard standards are designed to reduce lighting and noise which would otherwise intrude upon adjacent uses. The property is adjacent to railroad right-of-way along W. Market Street and S. Bunker Hill Road. The 5-foot minimum setback shown on the submitted sketch plan is adjacent to undeveloped LI zoned property. If approved, the use and development conditions listed above and submitted with the amended application will mitigate certain impacts on adjacent properties.

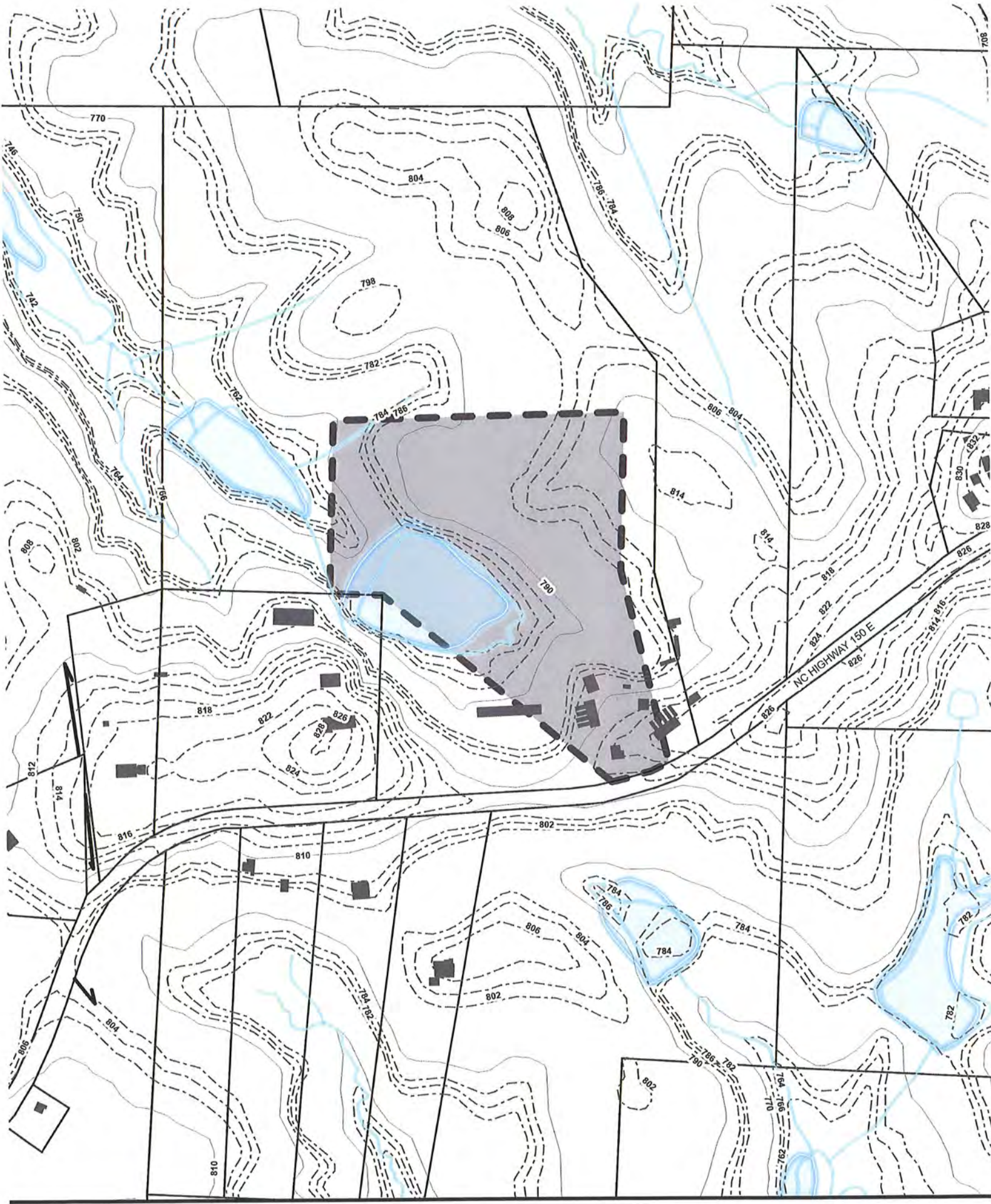
Area Plan Amendment Recommendation: The proposed Rezoning is consistent with the Airport Area Plan land use classification of Non-Residential, thus if approved, no plan amendment would be required.

RS-40 & RS-40 MH TO LI
+/-4.67 Acres



CASE #21-07-GCPL-06159
SCALE: 1" = 1000'





CASE #21-08-GCPL-07160

Scale: 1" = 400'

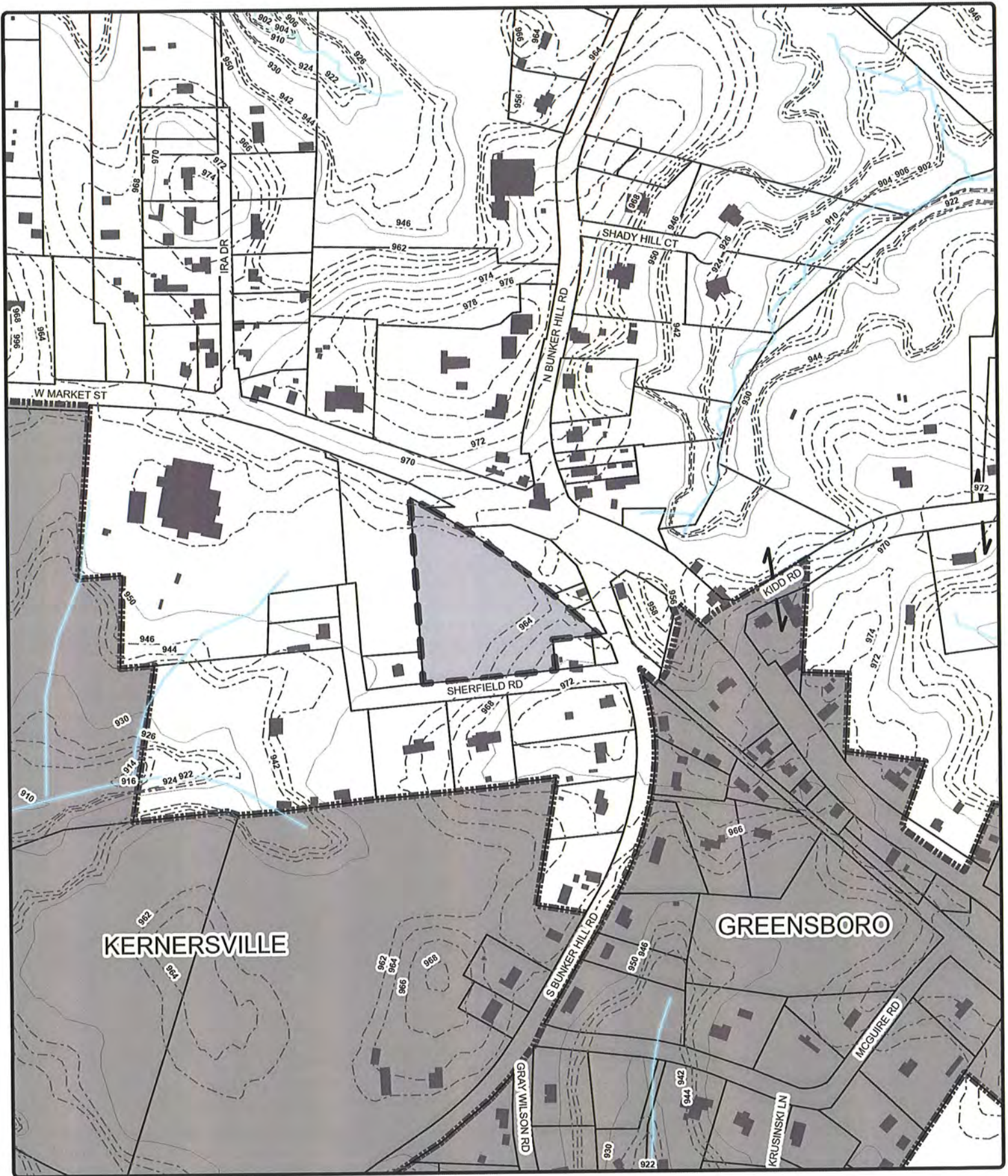




CASE #21-07-GCPL-06159

Scale: 1" = 400'





CASE #21-07-GCPL-06159

Scale: 1" = 400'



CONDITIONAL CASE #21-07-GCPL-06159 RS-40 & RS-40 MH to CZ-LI 8708 Sherfield Rd

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #**168713**, from **RS-40 & RS-40 MH** to **CZ-LI** because:

- 1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

- 2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #168713, from **RS-40 & RS-40 MH** to **CZ-LI** because:

- 1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

- 2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #**168713**, from **RS-40 & RS-40 MH** to **CZ-LI**.

- 1. This approval also amends the **Airport Area Plan**. [Applicable element of Comp Plan]
- 2. The zoning map amendment and associated **Airport Area Plan** amendment are based on the following change(s) in condition(s) in the **Airport Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

- 3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #168713, from **RS-40 & RS-40 MH** to **CZ-LI** because:

- 1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

- 2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

TEXT AMENDMENT CASE #21-09-GCPL-08327 Unified Development Ordinance
Text Amendment Items for Housekeeping, Maintenance, Adjustments, &
Compliance with NCGS 160D

Description

The new Unified Development Plan (UDO) was reviewed by Planning staff for housekeeping, periodic maintenance, adjustment purposes, and compliance with NCGS 160D. 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, compliance with NCGS 160D, 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.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**PROPOSED TEXT AMENDMENTS TO THE GUILFORD COUNTY
UNIFIED DEVELOPMENT ORDINANCE (adopted Nov. 19, 2020)
Case # 21-09-GCPL-08327**

- Clarify **Section 3.5.C.2.b(4) Appeals Generally – Decisions of the Planning Board** to reflect SL1979-282 HB685 from September 6, 2021 recommendation (see last para. page 3) and as presented below:

(4) Road closings and easement closings may be appealed to the Board of Commissioners within thirty (30) days after the decision to close (SL1979-282 HB685 & 1981-59 HB139). **The Board of Commissioners shall hear the matter de novo (anew).**

- **3.5B. ADMINISTRATIVE ADJUSTMENT, Section 4.a.(3)(a)(i).**, Amend Section to add “Do not significantly alter the conceptual plan, **sketch plan...**” and insert a new **(iv) Do not alter the general traffic circulation pattern;** then enumerate appropriately by changing existing (iv) to **(v)**
- **3.5S. SUBDIVISIONS, MAJOR, Section 4.e.(2)(iv) Substantial Minor** Changes to preliminary plats approved by staff, as applicable.

(iv)) **Substantial Minor** Change. **Substantial Minor** changes from **to** the preliminary plat **in accordance with Section 3.5.B.4.a(3) may be approved by staff, as applicable.**
~~will require an additional review by the Technical Review Committee to ensure compliance with existing regulations.~~

- **3.5Q. SPECIAL USE PERMITS, Section 3.m Administrative Adjustment Minor Modifications**

(1) Applicable. See Section 3.5.B, Administrative Adjustment.

~~(2) In approving such Site Plans, the Planning and Development Director may make minor modifications to the requirements of such Special Use Permit where such modification will result in equal or better performance and provided that the objective and purpose of the requirements and conditions of the~~



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

Special Use Permit are maintained and in accordance with NCGS 160D-705. **Minor modifications shall include:**

- 1. Movement of structures, parking areas, or other activity areas provided they are not closer to an existing residence or one under construction;**
- 2. Changes in landscaping types provided such have not been worked out by neighbors or conditions of approval and they meet the requirements in Article 6 and/or development standards for individual uses found in Article 5; and**
- 3. Changes in location of the driveway connection(s) provided it is not closer to an existing residence or one under construction and it meets the requirements in Article 8 and/or development standards for individual uses found in Article 5. If NCDOT requires the change, then this section may not apply.**

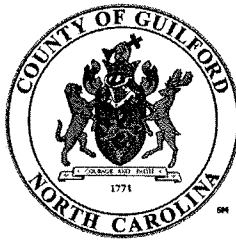
n. Amendment of Permit

(1) The Planning Board may change or amend any Special Use Permit subject to the same consideration as provided for in this Ordinance for the original issuance of a Special Use Permit.

- **3.5M. REZONING (CONVENTIONAL & CONDITIONAL) / MAP AMENDMENT, Section 4.d(3) – Amend Section to reflect SL1985-485 HB651**

(3) The Planning Board shall decide the application or forward as a recommendation to the Board of Commissioners **[see Section 3.5M(3).f]** and shall comment on the application's consistency with applicable County adopted Comprehensive Plans. Applications receiving less than seventy-five percent (75%) favorable vote or denial from the Planning Board, the application is forwarded as a recommendation to the Board of Commissioners for review and final decision.

Commentary: SL 1985-485 HB651 authorizes the Guilford County Board of Commissioners to assign authority to rezone property to the Guilford County Planning Board. As such, the Planning Board's decision may serve as a recommendation to the Board of Commissioners or a final decision, unless appealed.



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

When conducting a review of proposed map amendment, the Planning Board shall advise and comment on the following:

i. Plan Consistency - Whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable; and

ii. Additional Reasonableness Statement for Rezonings – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved [would be required by the Board of Commissioners if Planning Board's decision goes to the Board of Commissioners as a recommendation or if Planning Board's decision is appealed. See Section 3.5M(3).f]. This statement of reasonableness may consider, among other factors, the size, physical conditions, and other attributes of the area proposed to be rezoned, the benefits and detriments to the landowners, the neighbors, and the surrounding community; the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; why the action taken is in the public interest; and, any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

- 3.5V. TEXT AMENDMENTS, Section 2.d.(3) Planning Board – Amend Section to reflect NCGS 160D-604

(3) A recommendation by the Planning Board shall include the adoption of a statement describing how the Planning Board considers the action taken to be consistent with the Comprehensive Plan that has been adopted and any other officially adopted plan that is applicable, as amended, reasonable and in the public interest.

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GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD

TEXT AMENDMENT CASE #21-09-GCPL-08340 Unified Development Ordinance
Text Amendment Items to Allow Greater Design Flexibility Including More
Housing Choices

Description

The proposed text amendment is intended to promote more innovative design flexibility associated with Planned Unit Developments. The proposed text amendments, as presented herein, are intended to allow for more housing choices through the provision of such (dwelling) types as single-family rentals on a single tract and is consistent with planned development codes already implemented in the Cities of High Point, Greensboro and Winston-Salem. Within the unincorporated area of Guilford County, there are limited opportunities where both public water and sewer exist and that do not required annexation for such services.

SEE ATTACHED

Consistency Statement

Consistency with Adopted Plans: The proposed text amendment is consistent with the following goals of the *Guilford County Comprehensive Plan*:

Future Land Use Element Goal #1 "to accommodate new growth and redevelopment that is efficient and cost-effective; improves the quality of life for residents; enhances economic vitality; is respectful to citizen-based Area Plans; supports creativity and innovative design and protect and preserves the natural. . . resources of the County."

Housing Element Goal #1 to "provide current and future residents of GC with a variety of housing options and opportunities."



GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD

Staff Recommendation

Staff Recommendation: Staff recommends approval.

The recommended action is reasonable and in the public interest given that the proposed amendments will provide for a wider variety of housing options for citizens and facilitates the provision of community-based amenities (potentially from among those such as open space, preserved natural areas, enhanced landscaping and/or architectural design, increased walkability and/or interconnectivity).



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**PROPOSED TEXT AMENDMENT TO THE GUILFORD COUNTY UNIFIED
DEVELOPMENT ORDINANCE TO ALLOW GREATER DESIGN FLEXIBILITY
INCLUDING MORE HOUSING CHOICES
Case #21-09-GCPL-08340**

- Amend Section 4.2.C. Planned Unit Development Districts to include a brief description as follows:

A Planned Unit Development (PUD) is an area of land under unified ownership or control and is intended to allow flexibility from typical development standards through innovative site design while not adversely impacting adjacent lands. It is characterized by a plan that incorporates residential housing of different types and densities and may include compatible non-residential uses (as specified in Table 4-4-1).

Planned Unit Development Districts include:

1. PD-RP RURAL PRESERVATION DISTRICT. The PD-RP District is intended to accommodate developments with rural preservation characteristics on land to be developed and improved as a whole under a Unified Development Plan in accordance with the requirements of this Ordinance.
2. PD-R PLANNED UNIT DEVELOPMENT-RESIDENTIAL. The PD-R District is intended to accommodate a variety of housing types developed on large tracts in accordance with a Unified Development Plan. The PD-R District also accommodates neighborhood business and office uses which primarily serve nearby residents.
3. PD-M PLANNED UNIT DEVELOPMENT-MIXED. The PD-M District is intended to accommodate residential, commercial and light industrial uses developed on large tracts in accordance with a Unified Development Plan.
4. See Section 4.4 for Planned Development Standards.

- Amend 4.4 Planned Unit Development Districts (PD-R, PD-M & RPD) Intent as follows:

Intent: A Planned Unit Development (PUD) is an area of land under unified ownership or control to be developed and improved as a whole under ~~accordance with the requirements of this Ordinance.~~ **according to** a Unified Development Plan (UDP) ~~in accordance with the requirements of this Ordinance.~~ The Plan shall be subject to all of the applicable



GUILFORD COUNTY PLANNING AND DEVELOPMENT PLANNING BOARD

standards, procedures, and regulations of this ordinance except as varied or changed by the express terms contained herein **and as approved according to the submitted UDP.**

Planned Unit Developments are permitted under the following zoning district designations:

- **Amend Section 4.4.D. Site Requirements** as follows:

1. PD-R AND PD-M DEVELOPMENT STANDARDS

a. **Dimensional Requirements:** The dimensional **and layout/arrangement** requirements of this ordinance are **may be** waived or **modified** except that:

- **Amend Section 4.4.D.1.a(3) PD-R and PD-M Development Site Standards** as follows and add Commentary:

(3) Density/Use. A minimum 20-foot separation shall be maintained between multi-family buildings and a minimum ten-foot building separation shall be maintained between single-family detached structures. Accessory structure separations from principal structures associated with either multi-family or single-family structures shall be as determined by appropriate building codes.

Commentary: According to Section 903.2.8.5 of the International Building Code (effective January 1, 2021), "an automatic sprinkler system is not required in the following Group R-3 building types of not more than three stories above grade plane in height with a separate means of egress: 5.1. detached one- and two-family dwellings and 5.2. attached one- and two-family dwellings separated with fire walls complying with Section 706 and containing no other occupancy classification."



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

- **Amend Section 4.4., Section B** as follows:

B. PHASED DEVELOPMENT OF PLANNED UNIT DEVELOPMENTS

If a Planned Unit Development includes phasing provisions, then:

3. All phases shall be shown with precise boundaries on the Sketch Plan and shall be numbered in the expected order of development;
4. All data required for the project as a whole shall be given for each phase shown on the Sketch plan;
5. Development of the cumulative area of open space in all recorded phases and the total number of dwelling units approved in those phases shall comply with Section 4-6 ~~4.7~~;

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Special Use Permit
Application

Date Submitted: 8/11/21

Fee \$526.00 Receipt # 158944
(includes \$26 recording fee)

Case Number 21-088-GCPL-07160

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 Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

Pursuant to Section 3.5.Q of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to authorize a Special Use Permit for the property described as being located AT 5471 NC HWY 150 EAST in BROWN SUMMIT Township; Being a total of: ± 16.37 acres. The property is in the AG Zoning District. The proposed use(s) is (are) SPECIAL EVENT VENUE.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 112749

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- The property requested for a Special Use Permit is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requested for a Special Use Permit 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 with dimensions and bearings.

Check One:

- 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.

Check One:

- The applicant is the property owner(s)
- The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).

Special Use Permit Requirements:

- Site Plan.** A site plan illustrating conditions related to the request and compliance with applicable development standards must be attached for all Special Use Permit requests. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- Special Use Conditions.** Development conditions may be provided, list on following page. Refer to uses as listed in Table 4-3-1 of the Guilford County Development Ordinance. If conditions are not proposed, indicate 'not applicable'.
- Review Factor.** Applicant must demonstrate that the review factors listed in section 3.5.Q.3(g) of the UDO are adequately addressed.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

Please address the following and be prepared to present as sworn or affirmed testimony and evidence for the scheduled quasi-judicial hearing:

- 1. A written application was submitted and is complete in all respects.
- 2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based the following:
See Conceptual Site Plan. The proposed special event venue meets or exceeds the parking,
landscaping and setback requirements of the Guilford County UDO. The proposed building location
is in the interior of a large acreage tract with adequate drives, access and parking as shown.

- 3. The use, a Special Event Venue, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on the following:
Special Event Venue is a permitted use in the AG District.
Use separation from property lines exceeds the requirements.
The proposed site exceeds the minimum area requirements.
Proposed parking exceeds the minimum requirement.

- 4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the Jurisdiction and its environs. This is based on the following:
Special Event Venue is a permitted use in the AG District. There are multiple existing AG-SP
properties in this general area, including other special event venues.
This proposed Special Event Venue is in is harmony with the area.

- 5. The use will not substantially injure the value of adjoining or abutting property or the use is a public necessity. This is based on the following:
Given the nature and zoning of surrounding tracts, along with the setbacks and other site specific
details shown on the Conceptual Site Plan, this project will not injure values of abutting properties.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

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) NONE PROPOSED
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____
- 7) _____
- 8) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE EVIDENTIARY HEARING

A Special Use Permit Application must be signed by the 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,

CHR MOSELEY, INC % Robin Moseley LAND SOLUTIONS % BILL GRELO

Property Owner Signature

Robin Moseley

Owner/Representative/Applicant Signature (if applicable)

[Signature]

Name

5471 NC HWY 150 E

Name

PO BOX 347

Mailing Address

BROWN SUMMIT, NC 27214

Mailing Address

OAK RIDGE NC 27310

City, State and Zip Code

253-1076 ROBINMOSELEY14@

City, State and Zip Code

605-0322 BILL@LANDSOLUTIONSPE.

Phone Number

Email Address EMAIL.COM

Phone Number

Email Address

COM

Additional sheets for conditions and signatures are available upon request.

Property Information

Located on the north side of NC Hwy 150 E, approximately 2000 feet west from its intersection of Osceola-Ossipee Rd., this is a portion of Guilford County Tax Parcel #112749 which is approximately 16.37 ac owned by C&R Moseley.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This request is to consider granting a Special Use Permit for a **Special Event Venue** subject to the associated Site Plan which was reviewed by TRC on September 7, 2021.

Character of the Area

This request is in an area of low-density single-family residential lots and farm uses.

Existing Land Use(s) on the Property: There is a single-family home and numerous farm accessory structures on the property.

Surrounding Uses:

North: Vacant

South: Vacant/Single-family home

East: Vacant/Single-family home

West: Vacant

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Emergency Response:

Fire Protection District: Northeast

Miles from Fire Station: Approximately 2.6 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Major thoroughfare; 3,900 ADT (NCDOT, 2019)

Proposed Improvements: Subject to NCDOT driveway permit approval

Projected Traffic Generation: Not available

Environmental Assessment

Topography: Gently sloping, and moderately sloping.

Regulated Floodplain/Wetlands:

There is no regulated floodplain on site. There are no mapped wetlands on site.

Streams and Watershed:

There are multiple mapped streams and ponds on site. The property is in the Haw River (WS-IV) Water Supply Watershed in the General Watershed Area.

Land Use Analysis

Land Use Plan: Northeast Area Plan

Plan Recommendation: AG Rural Residential

Consistency: This plan is consistent with the Northeast Area Plan, it is compatible with the surrounding uses and zoning and is permitted in the AG district with an approved Special Use Permit.

Review Factors: Article 3.Q.G from the Guilford County UDO

The applicant shall demonstrate that the review factors listed below have been adequality addressed.

1. Circulation: Number and location of access points to the property and the proposed structures and uses, with particular reference to automotive, pedestrian safety, traffic flow and control, and access in case of emergency: **Per the associated sketch plan in this application, access will be from NC Highway 150 E. NCDOT commercial driveway permit will be required during the official commercial site plan review process.**
2. Parking and Loading: Location of off-street parking and loading areas: **Parking for a Special Event Venue is subject to Article 6.E. "USES WITH FLEXIBLE PARKING DEMAND CHARACTERISTICS"** which regulates uses that reference Table 6-1-1, that have widely

varying parking and loading demand characteristics, making it difficult to establish a single off-street parking or loading standard. Upon receiving a plan review application for a use subject to this Subsection, the Planning & Development Director is authorized to apply the off-street parking standard in the table that is deemed most similar to the use, or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association.

3. Service Entrances and Areas: Locations of refuse and service areas with adequate access for services vehicles: **Locations of service areas will be reviewed to allow for adequate access for all service vehicles when the official site plan is submitted for review by TRC per 6.1 in the Guilford County UDO.**

4. Lighting: Location of lighting with reference to spillage & glare, motorist & pedestrian traffic safety, and compatibility with other property in the area: **A lighting plan is required and will be reviewed at TRC when the official site plan is submitted for review per 6.3 of the Guilford County UDO.**

5. Utilities: Location and availability of utilities (public or private): **Septic evaluation will be conducted by the Guilford County Environmental Health Department upon site plan review by TRC. Utility easements will be reviewed at TRC.**

6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable): **A Landscaping plan will be required and reviewed at TRC per Article 6.2 of the Guilford County UDO.**

7. Environmental Protection: Provisions to protect floodplains, stream buffers, wetlands, watersheds, open space and other natural features: **Environmental regulations will be reviewed by Guilford County's Watershed/Stormwater Division at TRC to meet all environmental regulations per Article 9 of the Guilford County UDO.**

8. Landscaping, Buffering & Screening: Installation of landscaping, fencing or berming for the purpose of buffering and screening where necessary to provide visual screening where appropriate: **A Type A planting yard is required between single-family uses and the event venue per Article 5.6 (L) in the Guilford County UDO.**

9. Effect on Nearby Properties: Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic: **A Lighting plan will be required and reviewed at TRC per Article 6.3 of the Guilford County UDO.**

10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties: **The surrounding area is a low-density rural setting with large acreage tracts with similar agricultural uses.**

Staff Comments

During consideration of a Special Use Permit, the Planning Board must determine that the following Findings of Fact have been satisfied based upon relevant and credible evidence presented during the hearing:

1. A written application was submitted and is complete in all respects;
2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
3. The use, **Special Event Venue** subject to the associated Site Plan, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications;
4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the Jurisdiction and its environs; and
5. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

After reviewing the proposed development plan for this request, staff offers the following for Planning Board consideration:

1. The development of the parcel shall comply with all regulations as specified in the Guilford County Development Ordinance (GCDO).
2. The development shall proceed in conformity with all amended plans and design features submitted as part of the Special Use Permit Application and kept on file by the Guilford County Planning and Development Department.
3. The development shall proceed upon approval of plan and design features by the Technical Review Committee (TRC), illustrating conditions related to the request and applicable development standards.
4. Added conditions, if applicable.
5. If the specified conditions addressed in this Special Use Permit are violated, the permit shall be revoked, and the use will no longer be allowed. Only by reapplying to the Planning Board for another Special Use Permit and receiving its approval can the use be again permitted.



GUILFORD COUNTY

MEMORANDUM

TO: Bill Greco, Land Solutions

FROM: Guilford County Planning and Development Department
Matt Talbott, 336-641-3591

DATE: June 16, 2021

SUBJECT: Sketch Plan Case #21-06-GCPL-04958: 5615 Church Road for
Special Event Venue

On September 7, 2021, the Technical Review Committee reviewed the above referenced special use permit sketch plan for general compliance with the Guilford County UDO. TRC provided the following advisory comments.

Planning Comments: (Matt Talbott, 641-3591)

1. Detailed landscape plan.
2. Driveway to be paved first 10 feet into property.
3. Label required handicap parking spaces.

Building Comments: (Jim Lankford, 641-3321)

1. Show location, details and elevations of HC parking signage.

Watershed Comments: (Brent Gatlin, 641-3753)

1. [Advisory Comment]: The following items will be required for Watershed Section review and approval with Site Plan submission and prior to issuance of Grading Permit by the Erosion Control Section.
 - a. Grading & Drainage Plan with complete Stormwater Conveyance System design and limits of disturbance.
 - b. Stormwater Conveyance System Calculations Report.
 - c. Buffer Authorization for impacts to riparian buffers. (if required)
2. [Advisory Comment]: The following will be required prior to issuance of Certificate of Occupancy:
 - a. Plat to be recorded with drainage easements and buffers.

Community Services Comments: (Clyde Harding, 641-3792)

No comments (out of office)

Environmental Health Comments: (John Nykamp, 641-4807)

1. Correct Tax Parcel number in Agenda. It is #112749.
2. Show existing wells & septic systems.

3. Contact Jason Shelton (336-641-4773) regarding Soil Evaluation for the septic systems.

Fire Marshal: (Michael Townsend, 641-6541)

1. Drawing not to scale. Unable to verify measurements to accurately review Sketch Plan.

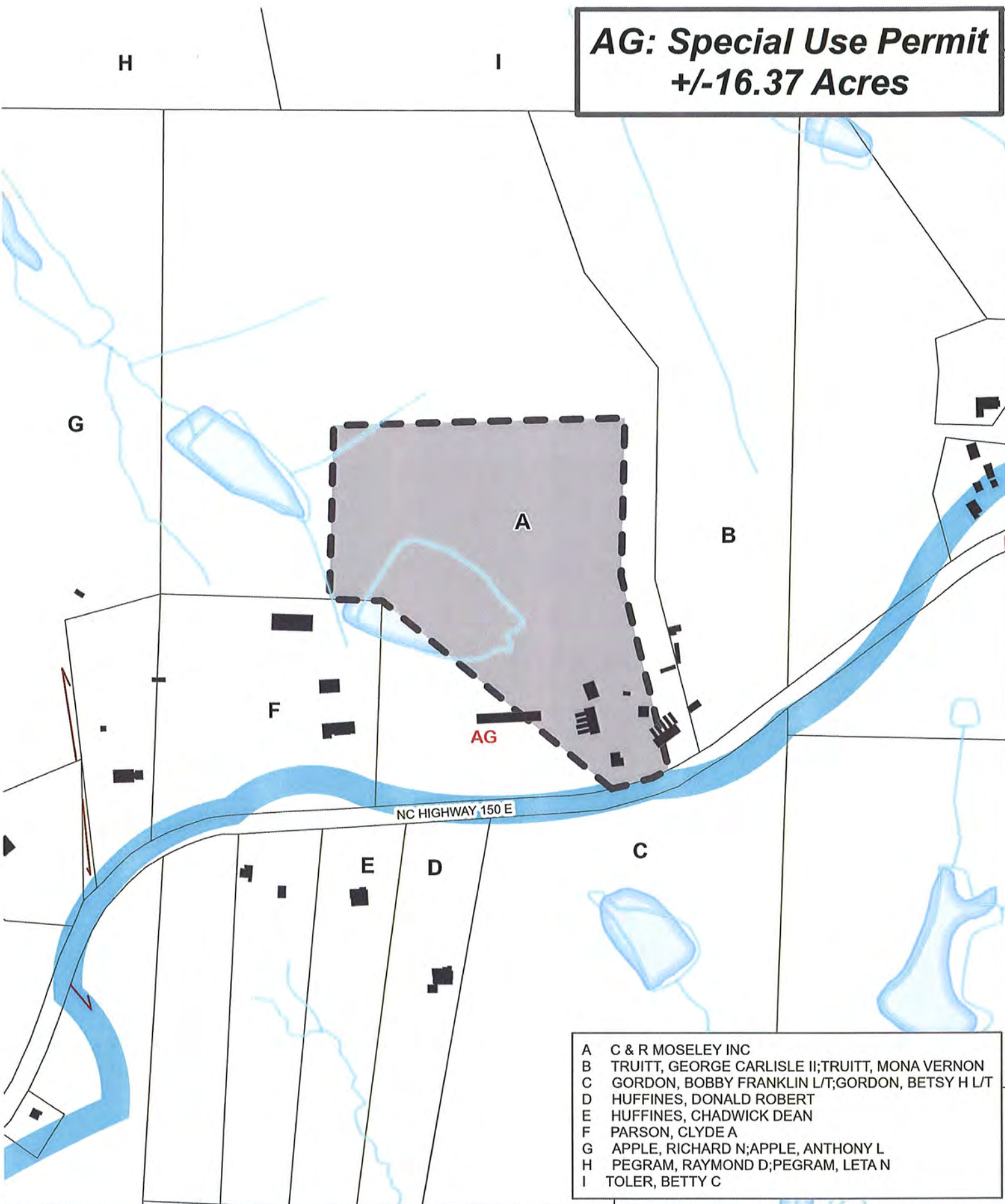
NCDOT Comments: (Bobby Norris, 487-0100)

1. Driveway permit will be required.

GIS Comments: (Martine Kamabu, 641-2337)

1. No comments.

**AG: Special Use Permit
+/-16.37 Acres**



- A C & R MOSELEY INC
- B TRUITT, GEORGE CARLISLE II;TRUITT, MONA VERNON
- C GORDON, BOBBY FRANKLIN L/T;GORDON, BETSY H L/T
- D HUFFINES, DONALD ROBERT
- E HUFFINES, CHADWICK DEAN
- F PARSON, CLYDE A
- G APPLE, RICHARD N;APPLE, ANTHONY L
- H PEGRAM, RAYMOND D;PEGRAM, LETA N
- I TOLER, BETTY C



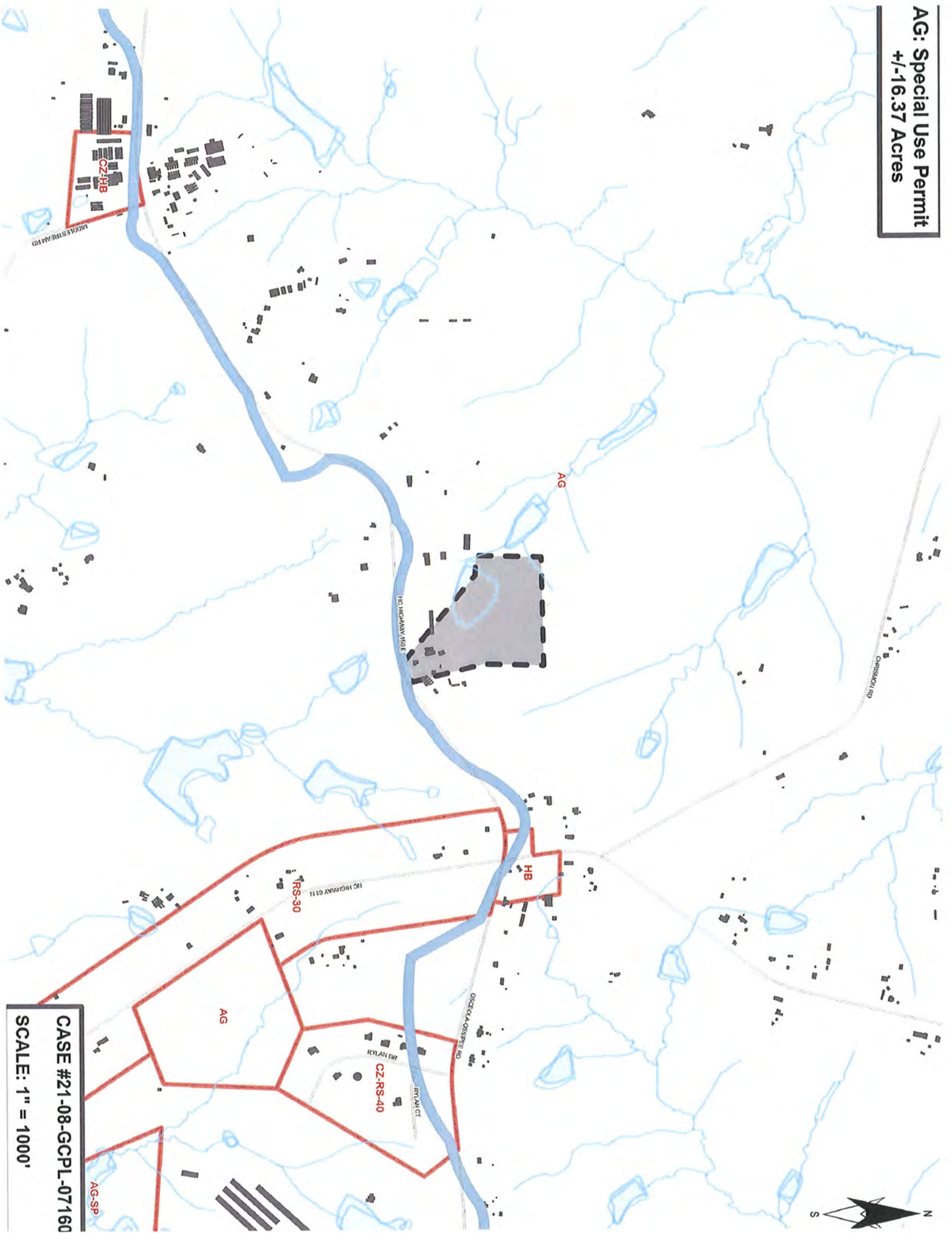
JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-08-GCPL-07160
Scale: 1" = 400'

Map:
 112749



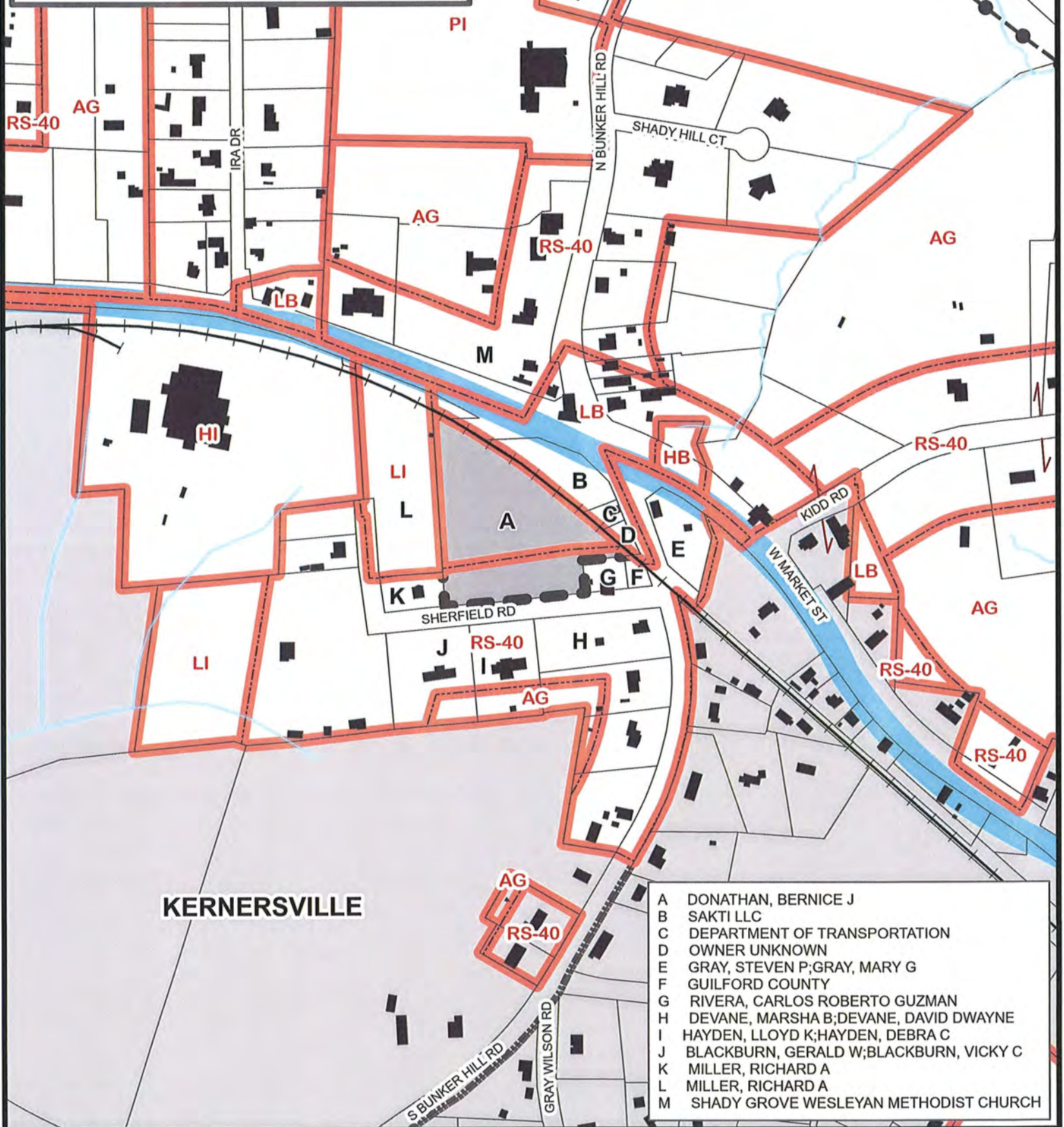
AG: Special Use Permit
+/-16.37 Acres



CASE #21-08-GCPL-07160
SCALE: 1" = 1000'



**RS-40 & RS-40 MH TO LI
+/-4.67 Acres**

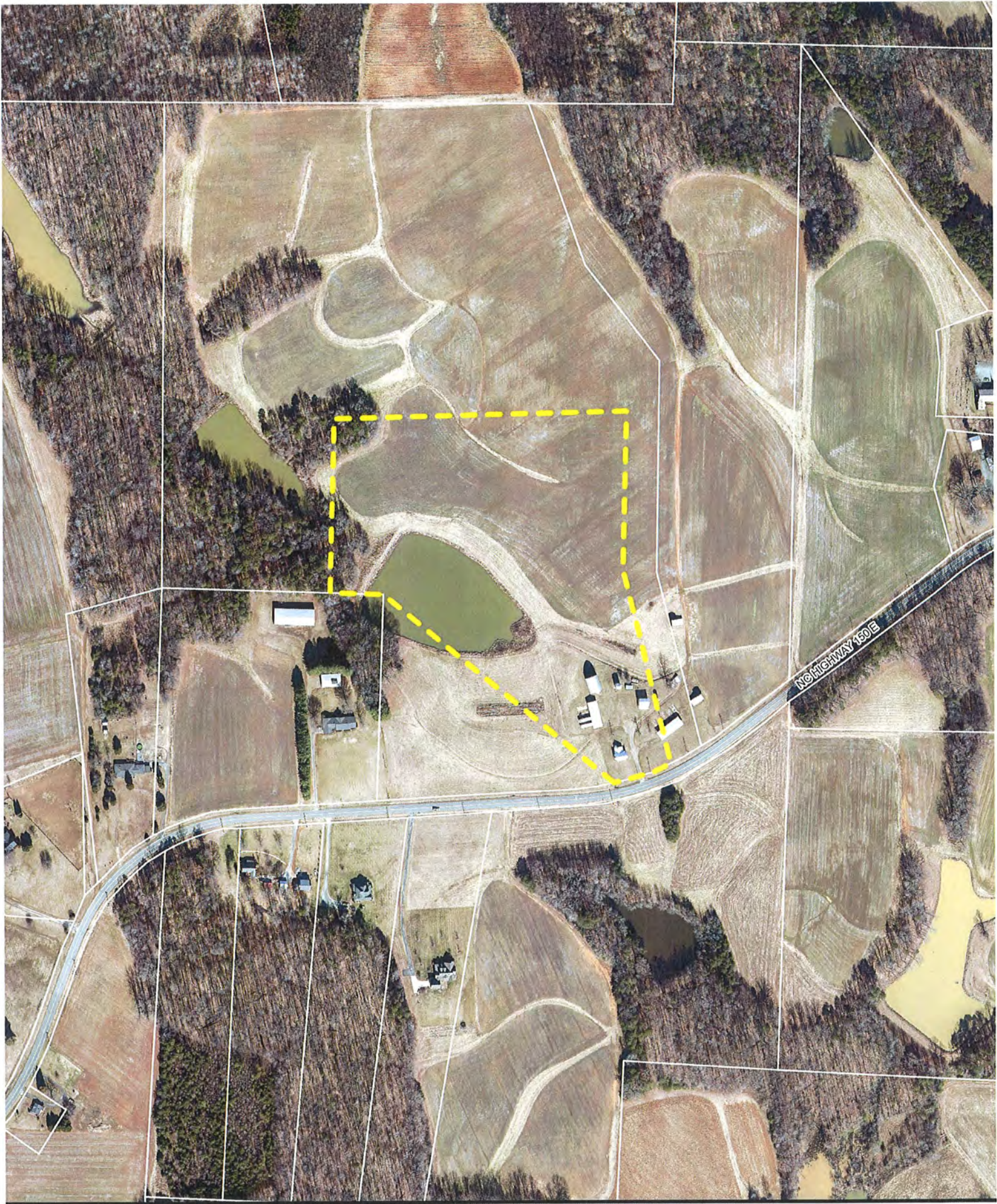


JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-07-GCPL-06159
Scale: 1" = 400'

Map:
 168713





CASE #21-08-GCPL-07160

Scale: 1" = 400'



**GUILFORD COUNTY PLANNING BOARD
ORDER (GRANTING/DENYING) A SPECIAL USE PERMIT**

The Guilford County Planning Board, having held an Evidentiary Hearing on October 13, 2021 to consider a request for a Special Use Permit for a **Special Event Venue** subject to the submitted Site Plan, for the property located on the north side of NC Hwy 150 E, approximately 2000 feet west from its intersection of Osceola-Ossipee Rd. Being a portion of Guilford County Tax Parcel #112749, approximately 16.37 ac, and owned by C&R Moseley, and having heard all of the evidence and arguments presented at the Evidentiary Hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

1. A written application was submitted and **[is/is not]** complete in all respects.
2. That the use **[will/will not]** materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

3. The use, **Special Event Venue**, for which the Special Use Permit is sought, **[is/is not]** in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

4. That the location and character of the use, if developed according to the plan submitted, **[will/will not]** be in harmony with the area in which it is to be located and **[is/is not]** in general conformity with the plan of development of the Jurisdiction and its environs. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

5. The use **[will/will not]** substantially injure the value of adjoining or abutting property, or the use is a public necessity. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a SPECIAL USE PERMIT for a **Special Event Venue** be **[denied/granted]** subject to the following:

1. The development of the parcel shall comply with all regulations as specified in the Unified Development Ordinance (UDO).
2. The development shall proceed in conformity with all amended plans and design features submitted as part of the Special Use Permit Application and kept on file by the Guilford County Planning and Development Department.
3. The development shall proceed upon approval of plan and design features by the Technical Review Committee (TRC), illustrating conditions related to the request and applicable development standards.
4. Added conditions, if applicable.
5. If the specified conditions addressed in this Special Use Permit are violated, the permit shall be revoked and the use will no longer be allowed. Only by reapplying to the Planning Board for another Special Use Permit and receiving its approval can the use be again permitted.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
2022 Meeting Schedule

PLANNING BOARD Regular Meeting Schedule 6:00 PM NC Cooperative Extension-Agricultural Center 3309 Burlington Road Greensboro, NC 27405				
Application Submittal Dates	Meeting Dates (2 nd Wednesday of Month)	End of Appeal Period		
		Rezoning	Road Naming/ Renaming	Road / Easement Closing
December 8, 2021	January 12, 2022	January 27, 2022	January 22, 2022	February 11, 2022
January 9, 2022	February 9	February 24	February 19	March 11
February 9	March 9	March 24	March 19	April 8
March 9	April 13	April 28	April 23	May 13
April 13	May 11	May 26	May 21	June 10
May 11	June 8	June 23	June 18	July 8
June 8	July 13	July 28	July 23	August 12
July 13	August 10	August 25	August 20	September 9
August 10	September 14	September 29	September 24	October 14
September 14	October 12	October 27	October 22	November 11
October 12	November 9	November 28*	November 19	December 9
November 9	December 14	December 29	December 27**	January 13, 2023
December 14	January 11, 2023	January 26, 2023	January 21, 2023	February 10, 2023
TIME: BY 12:00 NOON				

* Date changed due to County observance of Thanksgiving holiday.

**Date changed due to County observance of Christmas holiday.

Guilford County Planning and Development Department
400 W. Market Street, Independence Center, 5th floor
Greensboro, NC 27401
336.641.3334