



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Conditional Use Rezoning Procedures
And
Rezoning Application**

OVERVIEW

The Guilford County Development Ordinance contains public hearing procedures whereby anyone may request to rezone or conditionally rezone property, and contains quasi-judicial procedures whereby a property owner may request a special use permit.

Conditional Use Rezoning

Each zoning district has a companion conditional use district. These districts are designed to insure the compatibility of a proposed use with the surrounding area. A conditional use zoning request permits the applicant to condition or limit the uses allowed on the site and offer development standards that exceed those found in the Development Ordinance. A zoning sketch plan must accompany a conditional use rezoning request.

CONSIDERATION OF REQUESTS

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

The administration, amendment and enforcement of the Development Ordinance and Official Zoning Map are accomplished within the framework of the Guilford County Comprehensive Plan and its supporting documents:

- The County Land Use Plan
- Thoroughfare Plans
- Area Plans
- Parks, Recreation and Open Space Plans
- Capital Improvement Plans
- Watershed Management Plans

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

PROCEDURES

Pre-Filing Conference

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

Filing

Filing for a rezoning, conditional use rezoning or special use permit requires:

- A completed and signed Application Form;
- Application fee;
- A Zoning Sketch Plan, Special Use Permit Site Plan or legal description of the property, if required; and
- Public water and sewer approval letter, if required.

These items must be submitted by noon on the submittal deadline date listed below. Failure to submit the required items on time may delay the processing of the application and scheduling of the public hearing. It is recommended that applications be hand-delivered to the Planning and Development Department.

2011 Planning Board Meeting Schedule

Application Submittal Deadline 12:00 pm	Planning Board Meeting 7:00 pm	Decision Appeal Deadline 5:00 pm
December 15, 2010	January 12, 2011	January 27, 2011
January 12, 2011	February 9	February 24
February 9	March 9	March 24
March 16	April 13	April 28
April 13	May 11	May 26
May 11	June 8	June 23
June 15	July 13	July 28
July 13	August 10	August 25
August 17	September 14	September 29
September 14	October 12	October 27
October 12	November 9	November 24
November 16	December 14	December 29



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Notice

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

- Notice by posting of a sign on the subject property approximately twelve (12) days prior to the public hearing.
- Notice by newspaper advertisement in the Legal Section of a local newspaper. The ad is published twice - approximately twelve (12) days and seven (7) days prior to the meeting.
- Notice by first class mail, to all adjoining and contiguous property owners approximately twelve (12) days before the meeting.

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

BEFORE THE MEETING

Discussion with interested parties

It is recommended that the applicant discuss his/her plans with adjoining property owners, neighborhood associations and other interested parties prior to the public hearing.

Staff Report

Staff prepares a report for each case, which includes the staff recommendation. The report is available three or four days prior to the public hearing and anyone may request a copy. No recommendation is made on Special Use Permits, because the Planning Board will use specific findings of fact in their decision.

Withdrawals

A request to withdraw must be made in writing, signed by the applicant and submitted to planning staff. If the withdrawal request is submitted prior to any public notification (usually four days after the submission deadline), a refund can be made and attendance at the meeting is not required.

If public notification has already been made, a withdrawal may only be granted by the Planning Board. Attendance at the meeting is required, and the applicant is not eligible for a refund.

Continuances

A continuance of a request may only be granted by the Planning Board. Attendance at the meeting is required. If granted, the Planning Board will set a new date for the public hearing. The Planning Board may only continue a request for a total of sixty (60) days.

THE MEETING

The applicant or his /her representative **must** be present for the public hearing. Planning Board meetings are held on the second floor of the Old County Courthouse, 301 West Market Street, Greensboro, NC. The Planning Board typically consists of seven (7) seated members.

Meeting Format

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

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

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

Outcomes

A favorable 5/7ths vote on a request constitutes final approval, unless appealed. A majority favorable vote of less than 5/7ths constitutes a favorable recommendation of the request, which is automatically forwarded for a public hearing before the Board of County Commissioners. Requests receiving less than a majority favorable vote, an unfavorable vote to deny, or a tie constitute a denial unless appealed.

Appeals

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

YOUR REQUEST TIMELINE

Date Submitted: _____

Date of Hearing: _____

End of Appeal Period: _____

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



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Date Submitted: _____ Fee/Receipt #: \$500.00/ _____ Case Number: _____

Provide the required information as indicated below. Pursuant to the Guilford County Development Ordinance, 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 3-12 of the Guilford County Development Ordinance, the undersigned hereby requests Guilford County to rezone the property described below from the _____ zoning district to the _____ zoning district.

Said property is located _____
in _____ Township; Being a total of: _____ acres.

Further referenced on the Guilford County Tax Maps as:

- Tax Map # _____ -- _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____
- Tax Map # _____ -- _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____
- Tax Map # _____ -- _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____
- Tax Map # _____ -- _____ -- _____ -- _____ Block # _____ -- _____ 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 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 Use Rezoning Requirements

- Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional use rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Guilford County Development Ordinance.
- Zoning Conditions. Use and/or development conditions must be provided. Complete Part Two of this application. Refer to uses as listed in Table 4-3-1 of the Guilford County Development Ordinance.



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Case #: _____

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article IV, Table 4-3-1 of the Guilford County Development Ordinance:

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

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Guilford County Development Ordinance:

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

A Conditional Use Rezoning 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.

(YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING.)

Respectfully Submitted,

Property Owner Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Representative Signature (if applicable)

Name

Mailing Address

City, State and Zip Code

Phone Number



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Additional Tax Map References

Further referenced on the Guilford County Tax Maps as:

Case #: _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

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Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Tax Map # _____ -- _____ -- _____ Block # _____ -- _____ Parcel # _____

Additional Signatures

I herby 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.)

Applicant Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Applicant Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Applicant Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Applicant Signature

Name

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Phone Number



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Case #: _____

Use and Development Conditions

Uses of the property shall be limited to the following uses as listed in Article IV, Table 4-3-1 of the Guilford County Development Ordinance. Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Guilford County Development Ordinance:

5) _____

6) _____

7) _____

8) _____

9) _____

10) _____

11) _____

12) _____

13) _____

14) _____

15) _____