



What is Nonconforming?

The most common term associated with nonconforming situations is "GRANDFATHERED". We often hear people say ... "my (lot, sign, use...) is grandfathered." Generally, they are referring to Nonconforming.

The Guilford County Development Ordinance defines nonconforming as:

2-1.7 (BC) A lot, structure, sign or use of land, which is now prohibited under the terms of the Ordinance, but was lawful at the date of this Ordinance's enactment, or any amendment or revision thereto.

Nonconforming Situations may be:

1. Lots
2. Uses
3. Structures
4. Signs

How is a Nonconforming lot, use, structure or sign created?

Generally there are four (4) means by which a nonconforming situation may be created:

1. Establishment or change in zoning
2. Changes in minimum lot size
3. Changes in setback requirements
4. Governmental acquisition

Nonconforming Lots, Uses and Structures

Nonconforming lots, uses and structures are addressed under section 3-14 of the Development Ordinance.

PLEASE REMEMBER: Nonconforming situations must be LEGAL at time of ordinance adoption. Signs, uses, or lots which were not established legally under whatever regulations were in place at the time. Situations that were illegal under old regulations are not considered nonconforming.

CAN A NONCONFORMING USE, STRUCTURE, SIGN OR LOT CONTINUE?

Generally the answer is yes, remembering that uses, lots, structures, and signs must be LEGALLY created.

Nonconforming Lots:

May be built upon assuming all current setbacks can be met. The ordinance does allow for reduction of certain setbacks to yield a building lot of 40% of the lot depth. Where applicable, a septic system and well must also generally fit on the lot.

Uses that were legally established may continue subject to the conditions established in Section 3-14.2 (B).

1. No nonconforming use shall be changed to another nonconforming use unless such use is determined to be of equal or less intensity. In determining whether a nonconforming use is of equal or less intensity, the Board of Adjustment shall consider:
 - a. probable traffic of each use;
 - b. parking requirements of each use;
 - c. probable number of persons on the premises of each use at a time of peak demand;
 - d. off-site impacts of each use, such as noise, glare, dust, vibration or smoke.
2. No such nonconforming use shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance. The number of dwelling units in a nonconforming residential use shall not be increased.
3. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
4. If any nonconforming use of land ceases for any reason for a continuous period of more than one (1) year, any subsequent use of such land shall be a permitted use in the district in which such land is located.
5. The resumption of a nonconforming use of land shall not be permitted if such nonconforming use is superseded by a permitted use for any period of time.
6. No additional structure(s) not conforming to the requirements of this Ordinance shall be erected in connection with such nonconforming use of land.

Nonconforming Structures:

Structures that were legally established may continue subject to the conditions established in Section 3-14.2 (B).

- A. *Conditions for Continuance:* Such nonconforming structures shall be subject to the following conditions:
 1. No nonconforming structure may be enlarged or altered in any way which increases its dimensional deficiencies. Any enlargement of the structure shall conform to the current dimensional requirement.
 2. If greater than 50% damaged due to fire or other event, must be reconstructed to conform with all regulations.
 3. If damage is less than 50%, structure may be reconstructed to pre-damage condition.
 4. No nonconforming structure shall be moved or relocated unless it is made to comply with the dimensional and use requirements of the district in which it is relocated.

(See Planning Bulletin No. P2 – Sign Regulations)

Nonconforming Uses:

GUILFORD COUNTY PLANNING & DEVELOPMENT

Important Dates

September 5, 1961	Planning Board established.
March 3, 1964	Zoning Ordinance adopted.
May 17, 1965	Subdivision Ordinance adopted, lots >5 acres are exempt.
May 20, 1968	Joint water/sewer agreement with the City of Greensboro.
September 15, 1969	Greensboro and High Point watersheds designated.
November 5, 1970	Joint water/sewer agreement with the City of High Point.
July 1, 1972	Greensboro relinquished 1 mile ETJ.
October 16, 1972	ABEQ established.
February 1, 1974	Lots exempt from subdivision regulation increases from >5 acres to >10 acres.
August 19, 1974	Soil Erosion and Sedimentation Control Ordinance adopted.
October 1, 1975	New public roads must be paved.
February 3, 1977	Reidsville and Randleman watersheds designated.
June 18, 1979	Burlington watershed designated.
May 19, 1980	Flood Damage Prevention ordinance adopted.
June 16, 1980	Joint Historic Preservation Commission established.
January 1, 1983	Min. lot size for septic systems increased from 20,000 SF to 30,000 SF (per State).
April 18, 1983	R-20S changed to R-30S outside designated watersheds.
August 9, 1983	First watershed committee meeting.
April 2, 1984	Watershed protection regulations adopted.
September 6, 1984	Hazardous Waste Ordinance effective (adopted August 6, 1984).
May 20, 1985	Hazardous Waste Ordinance amended.
August 25, 1985	Randleman Dam watershed designated by Guilford County Board of Commissioners.
April 21, 1986	Regulations governing Private Lanes adopted.
July 7, 1986	Comprehensive Plan adopted including Airport Area Plan.
January 19, 1987	Scenic Corridors adopted.
April 1, 1987	Watershed Critical Area regulations adopted.
November 2, 1987	Joint water/sewer agreement with the Town of Jamestown.
January 19, 1988	Rock Creek Area Plan adopted.
May 16, 1988	Revised watershed regulations adopted.
December 19, 1988	Guilford County Parks & Recreation Commission established.
May 11, 1989	Waiver of Construction road agreements waived.
July 24, 1989	Southwest Area Plan adopted.
January 2, 1990	Joint water/sewer agreement with Town of Gibsonville.
July 18, 1990	Town of Stokesdale incorporated.
July 13, 1991	Town of Whitsett incorporated.
July 16, 1991	Guilford County Master Parks & Recreation Plan endorsed.
January 1, 1992	Guilford County Development Ordinance effective (adopted November 19, 1990).
August 27, 1992	Solid Waste Ordinance adopted.
January 1, 1994	Guilford County Development Ordinance amended to include watershed regulations.
February 24, 1994	Alamance Creek Area Plan adopted.
September 22, 1994	Oak Ridge Historic District established.
May 5, 1995	Franchise Ordinance for Sanitary Landfills adopted.
May 10, 1996	Town of Summerfield incorporated.
April 1, 1997	Town of Sedalia incorporated.
July 1, 1997	Accessory Manufactured Dwelling rules changed.
July 1, 1997	Agricultural District uses revised.
July 1, 1997	Town of Summerfield Development Ordinance effective (adopted June 3, 1997).
November 7, 1997	Town of Pleasant Garden incorporated.
August 20, 1998	Town of Oak Ridge incorporated.
January 1, 1999	Town of Pleasant Garden Development Ordinance effective (adopted Oct. 13, 1998).
January 1, 2000	Soil Scientist option added to subdivision approval procedures.
January 1, 2000	Town of Sedalia Development Ordinance effective (adopted December 6, 1999).
January 6, 2000	Town of Oak Ridge Development Ordinance effective (adopted January 6, 2000).
July 1, 1998	Town of Stokesdale Development Ordinance effective (adopted December 6, 1999).
June 1, 2000	Northeast Area Plan adopted – Rural Land Policy provisions included.
July 20, 2000	Open Space Report adopted.
September 14, 2000	Summerfield Lighting Ordinance adopted.