

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #23-09-PLBD-00064: AN AMENDMENT TO ARTICLE 2 (ADMINISTRATION), ARTICLE 3 (PERMITS AND PROCEDURES), ARTICLE 4 (ZONING DISTRICTS), ARTICLE 5 (DEVELOPMENT STANDARDS FOR INDIVIDUAL USES) ARTICLE 6 (GENERAL DEVELOPMENT STANDARDS), ARTICLE 8 (SUBDIVISIONS AND INFRASTRUCTURE STANDARDS), ARTICLE 9 (ENVIRONMENTAL REGULATIONS), ARTICLE 12 (DEFINITIONS) OF THE UDO TO ADJUST ASSIGNED ADMINISTRATIVE DUTIES AND PROCEDURES FOR DEVELOPMENT REVIEW CONSISTENT WITH NC GENERAL STATUTES 160D FOR LEGISLATIVE, QUASI-JUDICIAL, AND ADMINISTRATIVE DECISIONS

Description

Staff prepared text amendments to the Guilford County Unified Development Ordinance (UDO) to Article 2, Article 3, Article 4, Article 5, Article 6, Article 8, Article 9, and Article 12 (Referenced as Subsection 2, Subsection 3, Subsection 4, Subsection 5, Subsection 6, Subsection 8, Subsection 9, and Subsection 12 respectively, in the County Code of Ordinances) that aligns the administrative duties of the Planning Board and Technical Review Committee (TRC) in accordance with current practice and NCGS 160D. These revisions maintain and support the multi-disciplinary TRC review process, supporting thoroughness of development reviews while improving efficiency and adding clarity in the development review process. Additionally, the amendment includes revisions to terminology (e.g., changing substantial change to major change) for consistency with NCGS 160D.

The underlined text is text to be added, the ~~strike-through~~ text is text to be removed.

A summary of the amendments is presented below:

- Amend Section 2.3 to remove the Board of Commissioners as the appellant body for Subdivision, Major Preliminary Plat in accordance with the amendment to Section 2.4 and 2.7 and note appeals heard as designated by special legislation.
- Amend Section 2.4 to remove the Planning Board as the appellant body for decisions of the Technical Review Committee (TRC). The Planning and Development Director is assigned the relevant administrative authority as amended.
- Amend Section 2.5 to adjust the duties of the Technical Review Committee and remove the TRC's decision-making authority. The TRC will serve an advisory role to the Planning and Development Director as established by the UDO for administrative procedures.
- Amend Section 2.7 to add the Board of Adjustment as the appellant body for decisions of Site Plans – Minor and Major and Subdivisions – Minor and Major.
- Amend Sections 3.1 and 3.2 to adjust administrative procedures to align with recent text amendments, NCGS 160D, and Special Legislation regarding procedural requirements for legislative, quasi-judicial, and administrative decisions.
- Amend Section 3.3.J to add the UDO section that details the procedures for appeals.
- Amend Section 3.5.C to modify the decision-making bodies to remove TRC from approving, conditionally approving, or denying applications.
- Amend Section 3.5.O to assign the TRC an advisory role to the Planning and Development Director's decision-making authority for Major Site Plan approvals as reflected in the proposed amendment to Section 3.1. Additionally, this section will identify Appendix 2, Map

Standards, instead of the Guilford County Procedural Manual, as the source for information regarding Major Site Plans to update to current document titles.

- Amend Section 3.5.P to update terminology used to align with current document titles and to update the included flow chart detailing the process for Minor Site Plan approval.
- Amend Section 3.5.S to assign the TRC an advisory role to the Planning and Development Director's decision-making authority for Major Subdivision approval as reflected in the proposed amendment to Section 3.1.
- Amend Section 3.5.T to require preliminary plat review for minor subdivisions only when new improvements (e.g., street improvements) are being constructed and retitle the section heading.
- Amend Section 3.5.U to remove Subdivision Waivers as a relief to the minimum requirements of the subdivision regulations and reserve for future amendments as reflected in the proposed amendment to Section 3.1.
- Amend Section 3.5.X to amend the approval body of plans that qualify for vesting rights.
- Amend Section 4.4 to modify the approval process related to Planned Unit Developments by allowing the decision to require certain technical items to be made by the Planning and Development Director instead of the TRC.
- Amend Section 5.4 to modify the approval body from the TRC to the Director of Planning and Development for site plans related to mobile home/manufactured home parks.
- Amend Section 5.14 to modify the approval body from the TRC to the Director of Planning and Development for technical requirements related to stealth tower site access.
- Amend Section 6.1.D to modify the review process for required alternative parking plans when commercial uses exceed specified percentages of minimum parking requirements to allow for approval by the Planning and Development Director instead of the TRC.
- Amend Section 6.2.E to modify the review process for the location of required plantings to allow for approval by the Planning and Development Director instead of the TRC.
- Amend Section 6.3.G to modify the review process for alternate lighting plans or fixtures to allow for approval by the Planning and Development Director instead of the TRC.
- Amend Section 8.2 to modify the review process for exempt subdivisions as defined by NCGS 160D-802 and NCGS 29, Intestate Succession. Preliminary plat review of exempt subdivisions will no longer be required, expediting the review process.
- Amend Section 8.3.B to change the approving authority for Flag Lots from the Technical Review Committee to the Planning and Development Director.
- Amend Section 8.3.C to change the approving authority for street and utility off-site connections from the TRC to the Planning and Development Director and to remove the reference to Section 3.5.U – Subdivision Waiver.
- Amend Section 8.4 to reflect the revised review process for minor subdivisions that apply with new infrastructure improvement and simplify the review process when no infrastructure improvements (e.g., street improvements) are required as described in the proposed amendment to Section 3.5.T described above.
- Amend Section 8.5 to reflect the revised review process for major subdivisions as described in the proposed amendment to Section 3.5.S described above.
- Amend Section 8.7 to assign the TRC an advisory role to the Planning and Development Director's decision-making authority for cluster development approval.
- Amend Section 9 to remove TRC as the designated approval body on specified decisions.

- Amend Section 12.04 to change the definition of “Waiver” to modify the approval body.
- Amend terminology used to align with current document titles.

SEE ATTACHED

Consistency Statement

Consistency with Adopted Plans:

Proposed Text Amendment Case #23-09-PLBD-00064, is consistent with the Guiding Principles under the Future Land Use Framework for Sensible Growth under Guilford County’s Guiding Guilford Moving Forward Together Comprehensive Plan. The Vision states that “In order to house this growth, the County needs to begin implementing measures, policies, and regulations to ensure that future development patterns are reflective of the community’s Vision.” This text amendment aligns the Unified Development Ordinance (UDO) with this statement to streamline County procedures for reviewing development applications.

Additionally, this proposal aligns Policy H1 of the Attainable Housing Planning Theme in the Guiding Guilford Moving Forward Together Comprehensive Plan. Policy H1 states that Guilford County “Enable the creation of new housing units that will provide a mix of housing types that meet the needs of residents.”

Staff Recommendation

Staff Recommendation: Approval.

The recommended action is consistent with the Guiding Guilford Moving Forward Together Comprehensive Plan (effective September 4, 2025). The proposed text amendment is consistent with Policy H1 of the Attainable Housing planning theme which states that Guilford County “Enable the creation of new housing units that will provide a mix of housing types that meet the needs of residents.” These proposed revisions generally is a housekeeping task for UDO transparency and maintaining the current collaborative review structure of the TRC while simplifying approval processes. The proposed text amendment also seeks to reduce administrative burden on applicants and streamline application and approval processes, and in turn enable the creation of new housing, development, and redevelopment. The proposed action also adjusts procedural requirements and updates terminology used within the Guilford County Unified Development Ordinance (UDO) to be consistent with NCGS 160D.