

**Proposed Text Amendment
Case #24-06-PLBD-00092**

V. TEXT AMENDMENT

1. Purpose and Intent

- a. This Section provides a uniform means for amending the text of this Ordinance wherever the public necessity, changed conditions, convenience, general welfare, or appropriate land use practices require doing so. A text amendment may be initiated by Guilford County or an applicant.

2. Procedure

a. Pre-Application Conference

- (1) Before submitting an application for an amendment, the applicant shall meet with the Planning and Development Department to discuss the proposed amendment and to receive information regarding the approval requirements and procedures.

b. Application Submittal

- (1) An application for an amendment shall be filed with the Guilford County Planning and Development Department on a form provided by the Department or found on the County Website. Any fees, as designated by the Guilford County Board of Commissioners, shall be due and payable at the time the application is submitted.

- (2) All information required on the application form shall be contained on or accompany the application.

c. Planning and Development Director Review and Recommendation

- (1) The Planning and Development Director shall review the application, prepare a staff report, and notice set a legislative public hearing (if provided) per Section 3.2 and Table 3.2, Public Notification Requirements, and provide a recommendation to the Planning Board.

- (2) Necessary research may be required for an application for a text amendment. Presentation of an application and recommendation to the Planning Board. The public hearing may be delayed to account for...



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Commentary: SL 2017-210 SB181 authorizes Guilford County to publish legal notices electronically via the Guilford County website in lieu of publishing in a newspaper having general circulation in the area. The Board of Commissioners adopted such an Ordinance authorizing this procedure on March 1, 2018.

d. Planning Board Review and Recommendation

- (1) Following the receipt of the report regarding the Director's recommendation on a proposed amendment, the Guilford County Planning Board shall **may** hold a **legislative** public hearing to consider the proposed amendment. The hearing shall be scheduled as provided by the Planning Board's Rules of Procedures.
- (2) Recommendations of the Planning Board shall be reported to the Guilford County Board of Commissioners for a **legislative** public hearing and final action according to the process set forth in this Ordinance. The Guilford County Board of Commissioners shall schedule the **legislative** public hearing subsequent to receiving the Planning Board's report and recommendation. The **legislative** public hearing shall be scheduled as provided by the Board of Commissioners.
- (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.
- (4) If no action is taken, the petitioner may take the rezoning application to the Board of Commissioners without a recommendation from the Planning Board. A record of the Planning Board's comments regarding the proposed amendment shall accompany the application.

e. Board of Commissioners Review and Decision

- (1) Following the receipt of the Guilford County Planning Board's action on a proposed amendment, the Guilford County Board of Commissioners shall hold a **legislative** public hearing to consider the proposed amendment. Notice of the **legislative** public hearing shall be provided per Table 3.2, Public Notification Requirements.
- (2) Before acting on any proposed amendment, the Board of Commissioners shall consider any recommendations made by the Guilford County Planning Board and/or the County Planning and Development Department, comments made at the **legislative** public hearing, and other relevant information.
- (3) Upon reviewing all pertinent information, the Board of Commissioners may adopt the proposed amendment, reject the proposed amendment, refer the proposed amendment back to the Planning Board for further consideration, or modify the proposed amendment.
- (4) Approval by the Board of Commissioners shall include adoption of a statement describing how the Board of Commissioners considers the action taken to be consistent with the Comprehensive Plan, reasonable and in the public interest.

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- (5) All amendments and changes must be in the form of an ordinance. Copies of adopted ordinances shall be kept on file at the office of the Clerk of the Board of Commissioners and with the Planning and Development Department.

Sec. 15-56 Unified Development Ordinance

Amend Sec. 15-56, Unified Development Ordinance in the Guilford County Code of Ordinance to globally change the term "Public Hearing" to "Legislative Hearing" in reference to legislative decisions and to "Evidentiary Hearing" in reference to quasi-judicial decisions as established by the UDO and pursuant to NCGS 160D.