

**GUILFORD COUNTY PLANNING AND DEVELOPMENT
PLANNING BOARD REGULAR MEETING MINUTES**

Old County Courthouse – Carolyn Q. Coleman Conference Room
301 W. Market Street, Greensboro, NC 27401

January 08, 2025

6:00 PM

Call to Order

Chair Donnelly called the meeting to order at 6:00 p.m.

I. Roll Call

The following members were in attendance in person for this meeting:

James Donnelly, Chair; David Craft, Vice Chair; Jason Little; Dr. Nho Bui; Ryan Alston; Cara Buchanan; and Sam Stalder

The following members were absent from this meeting:

Rev. Gregory Drumwright and Guy Gullick

The following Guilford County staff members were in attendance in person for this meeting:

Erris Dunston, Assistant County Manager; J. Leslie Bell, Planning and Development Director; Oliver Bass, Planning and Zoning Manager; Avery Tew, Planner II; Troy Moss, Planning Technician; and Matthew Mason, Chief Deputy County Attorney

II. Agenda Amendments

None

Leslie Bell stated that he wished to introduce Erris Dunston, who is the Assistant County Manager for Strong Communities.

III. Approval of Minutes: November 13, 2024

Chair Donnelly stated that there were small corrections to the minutes that have been sent to Mr. Bass. He asked if there were any other questions or comments on the meeting minutes.

Ms. Buchanan moved to approve the minutes for the November 13, 2024, meeting, as amended, seconded by Dr. Bui. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Craft, Little, Alston, Bui, Buchanan and Stalder. Nays: None.)

IV. Rules and Procedures

Chair Donnelly provided information to everyone present regarding the Rules and Procedures followed by the Guilford County Planning Board.

V. Continuance Requests

None

VI. Old Business

None

VII. New Business

Legislative Hearing Item(s)

A. UDO TEXT AMENDMENT CASE #23-05-PLBD-00048: AMEND ARTICLE 4 (ZONING DISTRICTS) TO ADD SECTION 4.10, SPECIAL PURPOSE LOTS AND AMEND SUBSECTION 5.14.A.2.C WITH THE CORRECT CORRESPONDING SECTION REFERENCE FOR WIRELESS COMMUNICATION TOWERS (APPROVED)

Oliver Bass stated that on June 14, 2023, the Planning Board recommended approval of UDO Text Amendment Case #23-05-PLBD-00048 to the Guilford County Board of Commissioners to add provisions (Section 4.10) for Special Purpose Lots. Special Purpose Lots are intended to allow sites for family or church cemeteries, mail kiosks (in subdivisions or group developments), sewer lift stations, radio, television, and communication towers, off-site sewage treatment, and other similar utility uses (there is a trend toward relatively larger solar farms as the market develops) that are supportive and ancillary to the surrounding development. Additionally, this includes Section 5.14.A.2.c., which establishes individual development standards for wireless communication towers. With this revision, the Special Purpose Lot shall be permitted when it is determined by the Director of Planning and Development, after considering comments from the Technical Review Committee (TRC), that the proposed lot dimensions accommodate the intended use and planting yards if required per the Ordinance. An application which includes a Special Purpose Lot shall not be deemed complete until it provides the Director with sufficient detail to allow the Director to make this calculation. Text to be deleted from the June 14, 2023 recommended draft version is shown with a single or double strikethrough. Copies of the proposed text amendment were provided to each Board member for review.

In response to a question posed by Chair Donnelly, Oliver Bass stated that the proposed text amendment is important because it would give an applicant standards to develop by and certainty in submitting a plan.

Mr. Craft asked if this type of decision-making by the Planning Director or staff is consistent with other decisions pertaining to setbacks and buffers and different things. Mr. Bell responded that in this particular instance where these types of uses are listed, it precludes an applicant from having to seek relief by going to the Board of Adjustment, for example, to get a reduction in the lot size

if they don't need that. It is not unusual to find in an Ordinance that supports these types of uses are provided some relief in terms of lot size.

Chair Donnelly added that the yellow text seen is different from what had been adopted before. However, if you went out and looked at the Ordinance today, none of this text is in the Ordinance because it was never adopted by the County Commissioners. All of this text will be new in the Ordinance.

Chair Donnelly opened the public hearing and asked if anyone wished to speak on this item. No one came forward.

Mr. Little moved to close the public hearing, seconded by Ms. Buchanan. The Board moved unanimously, 7-0 in favor of the motion. (Ayes: Donnelly, Craft, Little, Bui, Buchanan, Stalder and Alston. Nays: None.)

Mr. Craft asked if the Ordinance addresses whether the Planning Director can make a decision in the absence of that position being filled. Is there a mechanism for others to make the decision in the absence of the Director. Mr. Bell stated that the Ordinance already speaks to that, by saying "the Planning Director or his/her designee" under Section 2.2(a) Administration, "The County Planning and Development Director or his/her designee has the primary responsibility for administering and enforcing this Ordinance unless expressly stated otherwise."

Chair Donnelly asked if anyone would like more discussion on this matter or to make a motion.

Mr. Craft moved to approve the proposed text amendment is consistent with the development review function of the Technical Review Committee, and the proposed text amendment supports Future Land Use Element Goal #1 of Guilford County Comprehensive Plan, effective October 1, 2006, which states that, "Guilford County shall position itself to accommodate new growth and redevelopment that is efficient and cost-effective, improves the quality of life for residents, enhances economic vitality, introducing language from the UDO for moderated reviews of low-intensity ancillary uses will ensure continued growth of the principle use that drives economic vitality and enhances quality of life, seconded by Mr. Stalder.

The Board moved unanimously, 7-0 in favor of the motion. (Ayes: Donnelly, Craft, Little, Bui, Buchanan, Stalder and Alston. Nays: None.)

VIII. Other Business

A. Comprehensive Plan Update

Leslie Bell stated that this Plan is being revised based on the public comments received. He discussed the results of the public comment period. There were 433 public comment responses. Mr. Bell stated that the top three highlights from the public comments were (1) preservation of rural character, agricultural heritage and environmental spaces, (2) comprehensiveness in the planning

approach, and (3) support for affordable housing. The full survey results will be available and will be reflected in later revisions.

Chair Donnelly stated that if any member did not receive a packet from the December meeting, they can get that information so they will have a copy of the Executive Summary from the consultant.

B. Legislative Update (SB 382)

Counsel Mason stated that on December 11th, a bill was passed by the General Assembly involving limitations on down-zoning property. A one-page handout was given to each member for their review. Previously, the County could bring a petition to down-zone property or adopt a text amendment which had the effect of down-zoning property without having to get the property owner's permission. That option is no longer available following the passage of Senate Bill 382. Also, the definition of down-zoning was expanded. Previously, if something decreased the development density or decreased the permitted uses of the property, that was down-zoning. In addition, now, if some sort of amendment to the zoning map or a text amendment causes a non-residential property to be nonconforming, even if it is grandfathered, that is still a down-zoning within this definition and you have to have the owner's permission. Senate Bill 382 applies retrospectively for six (6) months, so there is a six (6) month look-back period from December 11, 2024, for any zoning map amendments or text amendments that might constitute a down-zoning, if they were not consented to by the property owner.

IX. Adjourn

There being no further business before the Board, Chair Donnelly declared the meeting adjourned at 6:31 p.m.

Mr. Bass stated that for the February 2025 meeting, there are currently two (2) rezoning cases scheduled to be heard.

The next regular meeting will take place February 12, 2025.