

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #26-03-PLBD-00016: AN AMENDMENT TO SUBSECTION 10.06 (CIVIL PENALTIES – ASSESSMENT AND PROCEDURES) TO ESTABLISH SPECIFIC CIVIL PENALTY AMOUNTS FOR VIOLATIONS OF UDO REGULATIONS

Description

The proposed text amendment to Guilford County Unified Development Ordinance (UDO) Subsection 10.06: Civil Penalties – Assessment and Procedures, establish specific civil penalties (monetary) for violations of the UDO that do not currently have a specified civil penalty amount.

The UDO establishes specific civil penalties (monetary) for some violations, including parts of Subsection 9.1: Stormwater Management and Watershed Protection Districts (see Subsection 9.1.F.5(d)(iv)(5)), Subsection 9.2: Soil Erosion and Sedimentation Control (see Subsection 10.07), and Subsection 9.4: Illicit and Illegal Discharges (see Subsection 9-4.12). This text amendment would apply specific civil penalties (monetary) for all other violations of the UDO including, but not limited to, all zoning and subdivision violations.

UDO Subsection 10.06.A currently refers to G.S. 160D-404(c), which enables counties to enforce development regulations by any of the remedies provided in NCGS 153A-123. NCGS 153A-123 enables counties to assess civil penalties for ordinance violations.

Per this text amendment, civil penalties are proposed as follows: \$50.00 for the first offense, \$100.00 for the second offense, \$200.00 for the third offense, and \$500.00 for the fourth and each succeeding offense.

NOTE: UDO Subsection 10.03.C specifies that “every calendar day an offense is not remedied after being served a Notice of Violation shall be considered a separate offense.”

Staff conducted a review of the civil penalty amounts assessed by neighboring jurisdictions of comparable size (table attached). The proposed amounts are consistent with the civil penalties assessed by both the City of Greensboro and the City of High Point.

The Board of Commissioners is not limited to the proposed language of the text amendment. It may consider substantial changes to the proposed text amendment.

SEE ATTACHED TEXT AMENDMENT

Consistency: Comprehensive Plan

Comprehensive Plan: Guiding Guilford Moving Forward Together (adopted September 4, 2025)

Consistency: The proposed text amendment is consistent with the following elements of the Comprehensive Plan:

- **Planning Theme:** Community Character
 - **Goal Statement:** Celebrate Guilford County’s unique sense of place by balancing agricultural preservation with desired development patterns, context-sensitive site design and placemaking.

- **Planning Theme:** Attainable Housing
 - **Policy 4:** Encourage the preservation, maintenance, and development of high-quality and safe housing.

The proposed text amendment is consistent with Comprehensive Plan goals related to preserving community character and emphasizing safe neighborhoods as it furthers the County's ability to ensure compliance with the UDO and obtain correction of violations. Additionally, the purpose of the UDO is to promote the health, safety, and general welfare of the residents of Guilford County and the proposed text amendment aligns with this purpose.

Staff Recommendation

Staff Recommendation: Approval

DRAFT