

Chapter 13: Planning Board

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Section 13.1 Purpose

The Iredell County Planning Board was created by the Board of Commissioners. The purpose of the Planning Board is to serve as an advisory Board to the elected Board of Commissioners and provide comprehensive, technical advice to the Commissioners on an array of land use, development, growth, and other related issues.

Section 13.2 Powers and Duties of the Planning Board

The Planning Board is responsible for the following:

- A. Make studies and recommend to the Board of Commissioners plans, goals and objectives relating to the growth, development and redevelopment of the County;
- B. Develop and recommend to the Board of Commissioners policies, Ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;
- C. Make recommendations to the Board of Commissioners concerning proposed Zoning Map and Land Development Code text changes (per 160D-604); enlargement of non-conforming uses; vested rights requests; and,
- D. Perform any other duties assigned by the Board of Commissioners.

Section 13.3 Appointment and Terms of Office

The Planning Board shall consist of nine (9) members. Appointed members must be Iredell County residents. Appointed members must be Iredell County residents. Terms have been staggered so that NOT more than four (4) terms expire at one time. Members may be reappointed whose terms have expired. All terms shall be four (4) years. Vacancies occurring for reasons other than expiration shall be filled as they occur for the period of the unexpired term. The Planning Staff shall have an orientation meeting with newly appointed board members and present them a copy of these Policies and Procedures, ordinances, and other pertinent documents.

The Iredell County Board of Commissioners may appoint two (2) alternate members to serve on the Planning Board in the absence of any regular members. Each alternate member, while attending any meeting of the Planning Board and serving in the absence of any regular members, shall have and may exercise all the powers and duties of a regular member.

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(amended 9/1818, TA-2018-02)

Section 13.3.1 Officers

The Planning Board shall elect a Chairman, Vice-Chairman, and Secretary each July. The term of the chairman and other officers shall be one (1) year with eligibility for re-election.

A. Chairman

The Chairman shall preside at all meetings and public hearings of the Planning Board; shall decide on all matters of order and procedure; shall speak for the Board regarding Board actions, policies and recommendations, shall appoint any committees found necessary to investigate any matters before the Planning Board or to perform any of its duties; shall authorize special meetings of the Board, and shall have authority to cancel regular meetings pending no business to be considered.

B. Vice Chairman

The Vice-Chairman shall assume the duties of the Chairman in his/her absence. In the event of the absence of both the Chairman and Vice Chairman from a meeting of the Planning Board, the members present may elect a temporary Chairman for that meeting and proceed with the order of business.

C. Secretary

The Secretary shall keep a record of its members' attendance and shall maintain a copy of the official minutes of the Planning Board, which are public record and open to public inspection in accordance with the Open Meeting Law and County Policy. The Secretary shall send out agenda packages to the Board within a reasonable time in advance of the meeting in order for the Board to have time to review the materials prior to the meeting.

Section 13.3.2 Attendance

Faithful attendance at the regular monthly meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. Failure to attend at least seventy-five (75) percent of all regular meetings in a twelve-month period, without prior approval of the chairman, may be cause for removal from the Planning Board.

Section 13.4 Meetings

A. Regular Meetings

Regular meetings of the Board shall be held on the first Wednesday of each month at 7:00 p.m. in the Commissioners Meeting Room in the Iredell County Government Center (Old Courthouse), 200 S. Center Street, Statesville, North Carolina, provided that the meeting may be held at any other convenient time and/or place in the county, when business needs to be acted upon; if directed by the chairman in advance of the meeting.

B. Special Meetings

Special meetings of the Board may be called at any time by the Chairman. A written notice of the time and place of the special meeting shall be delivered by the planning staff to each board member at least forty-eight (48) hours prior to the scheduled meeting.

C. Cancellation of Meetings

Whenever there is no business for the Planning Board, the Chairman may dispense with a regular meeting and the planning staff will give written notice to all members NOT less than forty-eight (48) hours prior to the time set for the meeting.

D. Public Access

All regular and special meetings of this Board shall be open to the public as provided in the North Carolina Open Meeting Law.

Section 13.4.1 Quorum/Voting

Five (5) members of the board constitute a quorum and a simple majority of the voting members is required to carry a vote. A member must be excused from a vote if they have a financial or personal interest. All members present must vote unless they have a conflict of interest. All members abstaining from voting will be counted as a "yes" vote in favor of the motion.

Section 13.4.2 Conflict of Interest

A. Participation Prohibited

No member of the Board shall seek to influence a decision, participate in any action, or cast a vote involving any matter that is before the Board which may result in a conflict of interest as provided by State law. A conflict of interest is deemed where the outcome of a matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Furthermore, a member shall not vote on any zoning amendment the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship (GS 160D-109).

A Board Member who determines that there exists a conflict of interest shall declare the existence of a conflict and shall refrain from any participation, deliberation or vote on the matter. In addition, the Board Member shall leave the meeting room.

Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises.

B. Contact With Parties Involved in Applications

The public meeting is the primary place where petitioners, opponents, and others interested in requests for zoning ordinance amendments should present opinions and information concerning the requests. Contact between interested parties and Board members prior to the public meeting should be avoided.

Board members shall NOT accept any gift, meal, or any other thing of value from any party involved in a request. Board members should NOT indicate their positions regarding requests prior to receiving all information presented at the public hearings.

Section 13.4.3 Order of Business

- Call to order
- Consideration of rezoning requests
- Consideration of text amendments
- Other business
- Consideration of minutes of previous meeting
- Committee assignments
- Adjourn

Section 13.4.4 Procedures

A. Rezoning

Rezoning items on the agenda shall follow the below format:

1. Chairman announces the request for consideration
2. Staff reviews the request and provides any comment and/or recommendation
3. Board questions to staff on the report, if needed
4. Chairman requests applicant comments regarding the request
5. Chairman requests public comments regarding the request
6. At the close of the public comments, the Board deliberates
7. Motion for Board action, with second
8. Board discussion on the motion, if needed
9. Board vote on the motion.

In the event the applicant (or representative) fails to appear in person, the request shall be tabled at the discretion of the Board.

B. Text Amendments

Text Amendments on the agenda shall follow the below format:

1. Chairman announces the request for consideration
2. Chairman requests applicant comments regarding the request
3. Staff reviews the request and provides any comment and/or recommendation
4. Board questions to staff on the report, if needed
5. Chairman requests public comments regarding the request
6. At the close of the public comments, the Board deliberates
7. Motion for Board action, with second
8. Board discussion on the motion, if needed

9. Board vote on the motion.

In the event the applicant (or representative) fails to appear in person, the request shall be tabled or dismissed at the discretion of the Board.

Text Amendments are heard as “information only” at first meeting then followed with a “recommendation” at the second meeting.

The Board will follow in general the procedures outlined in Roberts Rules of Order, as the outlined for the general conduct of the meeting.

Section 13.4.5 Committee Assignments

A. Site Visit

Two or Three Board Members meet with the Planning Staff to visit the site of an upcoming rezoning case and provide input at the meeting.

B. TRC Meeting

Two Board Members attend meeting to review proposed subdivisions.