

SECTION 22 Planning Board

A) *Composition of the Planning Board Pursuant to N.C.G.S. 160A-361.*

1) Board Membership.

There shall be a planning board consisting of seven members. Five regular members shall reside within the [corporate limits](#) of the Town and be appointed by the Town's Board of Commissioners (BOC). Two members shall reside within the Town's [extraterritorial jurisdiction](#) (ETJ) and be appointed by the Carteret County Board of Commissioners (CC BOC). If despite good faith efforts, enough residents of the ETJ cannot be found to fill the seats reserved for such residents, the CC BOC may appoint other residents of the county to fill these seats. If the CC BOC fails to appoint ETJ members needed within ninety days after receiving a resolution requesting such action from the Town, the BOC may make the necessary appointments.

2) Terms Limits.

Planning board members shall be appointed to serve a three year staggered term and members may continue to serve until their successors have been appointed. Members may be reappointed to successive terms without limitations. Vacant seats or unexpired terms shall be filled by the BOC or the CC BOC as necessary.

3) Removal from Board.

- a) Planning board members may be removed by the BOC at any time for failure to attend three consecutive meetings or for failure to attend seventy-five percent (75%) of the meetings within any twelve month period or for any other good cause related to performance of duties. Such failure will constitute a voluntary resignation of the member. Upon the request of the member proposed for removal, the BOC shall hold a hearing on the removal before it becomes effective.
- b) If an in-town member or if an ETJ member moves outside its planning jurisdiction it shall constitute a resignation of said member from the board.
- c) If for reasons other than mentioned herein a member resigns from the board, a written notice shall be delivered to the Town Clerk at the member's earliest convenience.
- d) The BOC may remove any member of the board for malfeasance while in office.

B) *Meetings of the Planning Board.*

- 1) The planning board shall establish a [regular meeting schedule](#) and shall meet frequently enough so it may take action on the issues for which they are appointed.
- 2) All meetings of the planning board shall be open to the public and whenever feasible, the agenda for each board meeting shall be made available to the public at least three business days in advance of the meeting.
- 3) The planning board shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.
- 4) Minutes shall be kept of all board proceedings by the board secretary or his/her designee and all minutes shall be a public record once adopted by the planning board.
- 5) The chairman of the planning board shall have the authority to cancel a meeting of the board if the Planning Department advises him there is no business to be conducted at the meeting.

C) ***Quorum and Voting.***

1) Quorum Requirements.

- a) A majority of the members of the planning board in attendance shall constitute a quorum at all meetings of the planning board.
- b) All actions of the planning board shall be taken by majority vote, a quorum being present.

2) Withdrawal from Meeting.

Any member who has withdrawn from the meeting without being excused shall be counted as present for the purposes of determining whether a quorum is present.

3) Roll Call Vote.

A roll call vote shall be taken upon the request of any member.

4) ETJ Members Rights.

ETJ members shall have equal rights, privileges, and duties as town members and may vote on all matters considered by the board regardless of whether or not the property affected lies within the ETJ planning jurisdiction.

5) Notification of Absences.

Members shall promptly notify the board secretary if they are unable to attend or participate in for any reason an upcoming meeting.

A) ***Planning Board Officers.***

1) Election of Officers.

Officers will be elected during the February meeting of the planning board by majority vote of its membership (excluding vacant seats). One member will be elected to serve as chairperson (chair) and preside over the board's meetings and one member will be elected to serve as vice-chairperson (vice-chair). The persons so designated shall serve in these capacities for a one year term. The planning board shall appoint other officers, as it may deem necessary and appropriate. Vacancies and unexpired terms of the chair or vice-chair may be filled by majority vote of the board membership (excluding vacant seats).

2) Chairpersons Rights.

The chair and vice-chair may take part in all deliberations and vote on all issues.

3) Rules of Order.

All points of order and procedure shall be determined by the *Beaufort Planning Board Handbook of Rules of Procedures* as updated, and the modified version of *Roberts Rules of Order* as updated.

E) ***Powers and Duties of the Planning Board.***

1) Duties of the Planning Board.

The planning board may:

- a) Make studies and recommend to the BOC plans, goals, and objectives relating to the growth, development, and redevelopment of the Town and the surrounding ETJ planning area.
- b) Develop and recommend to the BOC policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.

- c) Make recommendations to the BOC concerning development proposals, and proposed zoning map changes.
- d) Review all special use permit applications and make recommendations as necessary to the BOC.
- e) Perform any other appropriate duties as assigned by the BOC.

2) Adoption of Rules and Regulations.

The planning board may adopt rules and regulations governing its procedures and operations consistent with the provisions of this section as determined by the *Beaufort Planning Board Handbook of Rules of Procedure* as revised.

F) ***Public Notice of Hearings of the Board.***

- 1) Whenever the board is called upon to make recommendations concerning a zoning amendment proposal, planning staff shall post on or nearby the subject property one or more signs within ten working days after the application for the zoning amendment has been filled with the Town. Such sign(s) shall be at least eighteen inches by twenty-four inches (18"x24") in dimension to be located on or adjacent to the subject property of the zoning proposal. The sign should be sufficiently conspicuous in terms of location and content to provide reasonably adequate notice to potentially interested persons of the matter which will appear on the board's agenda at the specified date and time. The sign shall contain the following message:

NOTICE

Zoning Amendment Proposal

Contact Town Hall for more information at 252-728-2141.

Such sign may include additional information deemed relevant by the administrator of this Ordinance. If more than one contiguous lot or parcels of land are included in the zoning amendment proposal, the Town may nonetheless post only one sign.

- 2) A public hearing shall be held by the planning board for the issue of a zoning amendment. A notice of the public hearing shall be given once a week for two successive calendar weeks and published in a newspaper having general circulation in Town. The notice shall be published the first time not less than ten days or not more than twenty-five days before the date affixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- 3) The owner of the parcel of land subject to the public hearing as shown on the county tax listings, and the owners of all parcels of land as shown on the county tax listings abutting or adjacent to the parcel of land within one hundred feet (100') of the rear, either side, or those directly opposite thereto extending one hundred feet (100') from the street frontage of the opposite lots shall be mailed, by the Town, a notice of the public hearing on the proposed zoning amendment by first class mail at the last address listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least ten days but not more than twenty-five days prior to the date of the public hearing. The person or persons mailing such notice shall certify to the planning board the proper notice has been provided and such certificate shall be deemed conclusive in the absence of fraud.

If the zoning amendment directly affects more than fifty properties owned by a total of at least fifty different property owners in lieu of the first class mail notice required, the Town may issue notice pursuant to [N.C.G.S. 160A-364](#).

G) *Deadlines for Applications to the Board.*

All applications and supporting materials shall be submitted to Town's Planning and Inspections Department staff fifteen business days prior to the next regularly [scheduled planning board meeting](#). Informational packets shall be delivered to board members seven days prior to the next scheduled meeting.