



CURRITUCK COUNTY PLANNING BOARD RULES OF PROCEDURE

I. GENERAL RULES

- (A) The Planning Board shall be governed by the terms and provisions of Chapter 153A, Article 18 of the General Statutes of North Carolina, the Currituck County Code of Ordinances and the Currituck County Unified Development Ordinance (UDO). All members of the board shall familiarize themselves with these laws and ordinances. In cases where the Rules of Procedure conflict with any Federal or North Carolina State Statute, said statutes shall govern.
- (B) The Planning Board shall be held to the same standards found in the Currituck County Code of Ordinances, Article II. Board of Commissioners, Division 3. Code of Ethics.
- (C) To the extent not provided for in this division and to the extent that the reference does not conflict with the spirit of this division or North Carolina law, the board shall refer to Robert's Rules of Order Newly Revised to resolve procedural questions.

II. POWERS AND DUTIES OF THE PLANNING BOARD

- (A) The Planning Board may:
 - (1) Make studies and recommend to the Board of Commissioners plans, goals and objectives relating to the growth, development and redevelopment of the county;
 - (2) 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;
 - (3) Make recommendations to the Board of Commissioners concerning proposed Zoning Map amendments; and,
 - (4) Perform any other duties assigned by the Board of Commissioners.
- (B) The Planning Board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of the UDO.

III. APPOINTMENT AND TERMS OF PLANNING BOARD MEMBERS

- (A) There shall be a Planning Board consisting of seven (7) members that shall reside within Currituck County and will be appointed by the Board of Commissioners.

- (B) Planning Board members shall be appointed for two (2) year staggered terms and members will continue to serve until their successors have been appointed. Terms shall be on a calendar year basis (January 1 through December 31). Vacancies shall be filled by the Board of Commissioners for the unexpired terms only.
- (C) Members may be appointed to a maximum of two (2) successive terms.
- (D) Planning Board members may be removed by the Board of Commissioners at any time for failure to attend three (3) consecutive meetings or for failure to attend thirty percent (30%) or more of the meetings within any twelve (12) month period or for any other good cause related to performance of duties. Upon request of the member proposed for removal, the Board of Commissioners shall hold a hearing on the removal before it becomes effective.
- (E) If a Planning Board member changes their residence to a location outside of Currituck County, this shall constitute a resignation from the Planning Board effective upon the date a replacement is appointed by the Board of Commissioners.

IV. MEETINGS OF THE PLANNING BOARD

- (A) The Planning Board shall establish a regular meeting schedule and shall meet frequently enough as to take action in conformity with the Unified Development Ordinance. The regular monthly meeting shall be held at the Historic Currituck Courthouse on the second Tuesday of each month at 6:00 p.m. In the event of a conflict with a holiday, another event or no business to be conducted, the chairman may suspend or set a different day in which to hold the meeting.
- (B) The Planning Board need not conduct its meetings strictly in accordance with the quasi-judicial procedures. It shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.
- (C) Minutes shall be kept of all board proceedings.
- (D) All board meetings shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.
- (E) All board meetings shall adhere to the following speaker time limitations per case:
 - 20 minutes (Total time for applicant and persons in support of the request.)
 - 20 minutes (Total time for persons in opposition of the request.)
 - 05 minutes (Applicant rebuttal)
- (F) Special meetings may be called by the chairman upon 48 hour advance notice to members of the board. It shall be the duty of the chairman to call a special meeting when, in their judgement, such meeting is necessary.

- (G) No case shall be heard by the board unless either the applicant or his authorized representative is in attendance at the meeting. In the event an applicant or his authorized representative does not appear at the meeting, after being duly notified, the case will be tabled to the next meeting.
- (H) The order of business for regular meetings of the board shall be as follows:
 - (1) Call to Order
 - (2) Pledge of Allegiance and moment of silence
 - (3) Ask for disqualifications
 - (4) Announce quorum being met
 - (5) Approval of Agenda
 - (6) Approval of Minutes
 - (7) Old business
 - (8) New business
 - (9) Announcements
 - (10) Adjournment
- (I) Planning Board meetings shall not extend post 10:00 p.m. If the Planning Board wishes to hear items past 10:00 p.m. then a majority vote is required to continue the meeting in 15 minute intervals.

V. QUORUM AND VOTING

- (A) A quorum for the Planning Board shall consist of four (4) members. A quorum is necessary for the board to take official action.
- (B) All actions of the Planning Board shall be taken by majority vote, a quorum being present.
- (C) A roll call vote shall be taken upon the request of any member.
- (D) No member shall take part in the hearing or in the consideration of or the determination of any case in which they are personally or financially involved and shall voluntarily excuse him or herself, vacate his/her seat and refrain from discussing and voting on said items as a Planning Board member.
- (E) Any member of the Planning Board who shall feel that he or she has a conflict of interest on any matter that is on the Planning Board agenda shall voluntarily excuse him or herself, vacate his/her seat and refrain from discussing and voting on said items as a Planning Board member.
- (F) No member, present and voting, shall abstain from voting. Should a member elect not to vote on a particular item, then that shall be recorded as an affirmative vote in the minutes.
- (G) If a motion to approve a request receives a tied vote, then the motion fails as it did not receive the majority of the votes and the request is denied. Likewise, if a motion to deny a request receives a tied vote, then the request is denied as it did not receive approval by a majority vote.

VI. PLANNING BOARD OFFICERS

- (A) At its first meeting in January of each year, the Planning Board shall elect one of its members to serve as chairman to preside over the board's meetings and one member to serve as vice-chairman. The persons so designated shall serve in these capacities for a term of one (1) year. Vacancies in these offices may be filled for the unexpired terms only.
 - (1) The chairman shall preside at all meetings, appoint standing and temporary committees and shall decide all points of order and procedure, unless otherwise directed by a majority of the board in session at the time.
 - (2) The vice-chairman shall perform the duties of the chairman in the absence of the chairman.
 - (3) A temporary chairman shall be elected by a majority of those present and voting in the absence of the chairman and vice chairman.
- (B) The chairmen and vice-chairman may take part in all deliberations and vote on all issues.
- (C) Nominations shall be made from the floor and election of officers shall follow immediately. Officers shall immediately take office upon their election.
- (D) The nomination and election of a chairman shall precede the nomination and election of a vice-chairman.
- (E) A candidate receiving a majority vote of those present and voting shall be declared elected.
- (F) Vacancies in office shall be filled immediately by regular election procedures.

VII. PLANNING ISSUE ADVISORY COMMITTEES

- (A) From time to time, the Board of Commissioners may appoint one (1) or more individuals to assist the Planning Board to carry out its planning responsibilities with respect to a particular subject area. By way of illustration the Board of Commissioners may appoint advisory committees to consider Thoroughfare Plans, Housing Plans, Economic Development Plans, etc.
- (B) Members of such advisory committees shall sit as nonvoting members of the Planning Board when such issues are being considered and lend their talents, energies, and expertise to the Planning Board. However, all formal recommendations to the Board of Commissioners shall be made by the Planning Board.
- (C) Nothing in this section shall prevent the Board of Commissioners from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the board.

VIII. COURTESY HEARINGS

- (A) Courtesy hearings may be called by the Planning Board on any matters of interest to the Planning Board.
- (B) A quorum shall not be required for conducting a courtesy meeting.

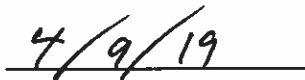
IX. AMENDMENTS

- (A) The rules of procedure may be amended by a majority vote of the board provided the proposed change was submitted in writing at the previous regular meeting of the Planning Board.

The Rules of Procedure were amended by the Currituck County Planning Board on April 9th, 2019 and shall be in effect from and after this day.



Shay Ballance, Planning Board Chairman



Date