

RULES OF PROCEDURE MOUNT PLEASANT PLANNING BOARD

I. GENERAL

- A.** The Mount Pleasant Planning Board (hereinafter referred to as the “Board”) shall be governed by the terms of Chapter 160D-3-1 (formerly 160A, Article 19, Part 3) of the General Statutes of North Carolina and by the Town of Mount Pleasant Unified Development Ordinance. All members of the Board shall thoroughly familiarize themselves with these laws.
- B.** The primary objective of the Planning Board is to develop and maintain a continuing, cooperative planning program to benefit the people of the Town of Mount Pleasant and its extraterritorial area.
- C.** The purposes of the Planning Board are:
 - 1. To make studies of the Town and its extraterritorial areas;
 - 2. To determine the objectives to be sought in the development of the areas under study;
 - 3. To prepare and adopt plans for achieving these objectives;
 - 4. To develop and recommend policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;
 - 5. To keep the Town Board and general public informed and advised as to these matters; and
 - 6. To perform any other related duties that the Town Board may direct.

II. OFFICERS AND DUTIES

A. Elections

A Chairman and Vice Chairman shall be elected by the full membership (including alternate and extraterritorial members) of the Board annually at the first regular meeting of the Board held after July 1. These officers shall be elected for terms of up to one (1) year in length and may be re-elected for successive terms to the same office. Each officer shall serve until relieved of his duties as herein provided.

B. Officer’s Duties

The Chairman shall decide upon all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The Vice Chairman shall serve as acting Chairman in the absence of the Chairman, and at such times he shall have the same powers and duties as the Chairman.

C. Secretary and Town Clerk Duties

A Secretary shall be appointed by the Chairman of the Board, either from within or outside its membership, to hold office during the term of the Chairman and/or until a successor Secretary shall have been appointed. The Secretary shall be eligible for reappointment. The Secretary shall be responsible for taking minutes at all Board meetings. These minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board and all votes of members of the Board upon any resolution or upon any final determination of any question, indicating the names of members absent or failing to vote. The Secretary, subject to the direction of the Chairman and the Board, shall conduct all correspondence of the Board, shall arrange for all public notices required to be given, shall notify members of pending meetings and their agenda, shall notify parties to cases before the Board of its decision on such cases and shall generally supervise the clerical work of the Board. A copy of the minutes of all Planning Board meetings shall be maintained in the office of the Town Clerk.

III. RULES OF CONDUCT FOR MEMBERS

- A.** Members of the Board may be removed for cause, including violation of the rules stated below.
- B.** In order for the Board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. If any regular member is absent for two (2) consecutive regular meetings, the Chairman may direct the Secretary to notify such member in writing of his absence and if such member fails to attend the next regular meeting, the Town Board of Commissioners (or County Commissioners for ETJ members) may vote to remove and replace said member.
- C.** Should any member of the Board be financially or otherwise closely associated with any issue that comes before the Board, said member shall disqualify himself from participating in considering the issue and shall not sit with the Board during such consideration. A member of the Board may raise the question of conflict of interest of another member regarding a specific issue that is before the Board. A majority vote of those members without such conflict shall determine if such conflict does exist.

IV. MEETINGS

A. Regular Meetings

Regular meetings of the Board shall be held on the fourth Monday of each month at 6:00PM in the Committee Room of the Town Hall. Meetings may be held at any other convenient place in the Mount Pleasant area if directed by the Chairman in advance of the Meeting. The Secretary shall notify all Board Members when the location of a meeting has been changed from the regular venue.

B. Special Meetings

Special meetings of the Board may be called at any time by the Chairman or set by a majority vote of the Board during a regular meeting. Notice of the time and place of special meetings called by the Chairman shall be given by the Secretary to each member of the Board at least forty-eight (48) hours in advance.

C. Cancellation of Meetings

Whenever there is no business before the Board, or whenever so many members notify the Secretary of their inability to attend that a quorum will not be available, the Chairman may dispense with a regular meeting by having the Secretary give notice to all members not less than twenty-four (24) hours prior to the time set for the meeting. Other meetings may be cancelled by a majority vote of the Board during a regular meeting.

D. Quorum

Three (3) members of the Planning Board shall constitute a quorum. A quorum shall be present before any business is transacted.

E. Alternate Member Participation

The alternate member shall sit with the Planning Board and have the right to ask questions and participate in discussions on all matters, but may not vote. The alternate member may participate as a regular (voting) member if there is an absence or disqualification of a regular member.

F. Voting

All regular members shall vote on each issue unless they have disqualified themselves due to a conflict of interest regarding the specific case before the Board.

G. Conduct of Meetings

All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

1. Call to Order
2. Determination of Quorum
3. Approval of Minutes of Previous Meetings
4. Approval of Agenda
5. Public Comment Period
6. Planning Board Cases (Map Amendment Public Hearings)
 - i) *Open Hearing (Chairman)*
 - ii) *Receive Staff Report*
 - iii) *Receive Petitioner Comments*
 - iv) *Receive Citizen Comments*
 - v) *Discuss Case*
 - vi) *Close Hearing*
 - vii) *Vote to Approve, Approve with Conditions, Deny or Table Request with any required statements of consistency and/or reasonableness*

7. New Business (Text Amendments, Major Subdivision Preliminary Plats, Other)
8. Reports
9. Planning Board Comment Period
10. Adjournment

V. MAP AMENDMENTS

A. Public Hearing

A public hearing conducted by the Board shall be required to hear and decide all matters upon which it is required to make a final decision involving the Town of Mount Pleasant Unified Development Ordinance. A public hearing shall not be required to elect officers or to conduct similar administrative duties.

B. Decisions

1. Form

The final decision of the Board shall be shown in the record of the case as entered in the minutes of the Board and signed by the Secretary and Chairman upon approval of the minutes by the Board.

2. Voting at Hearings

A concurring vote of three-fourths (3/4) of the Board shall be required to approve zoning map amendments which the Board is vested with approval authority. Any vote resulting in less than a three-fourths (3/4) majority of the Board in favor of the request shall result in a recommendation being forwarded to the Town Board of Commissioners. A simple majority in favor or a tie vote shall constitute a recommendation of approval. Otherwise the recommendation from the Planning Board is for denial of the request. Voting on any issue shall be done by a show of hands.

3. Public Record of Decision

The decisions of the Board, as filed in its minutes, shall be of public record, available for inspection at the Town Clerk's office during normal business hours.

VI. TEXT AMENDMENTS

A. Review

The Planning Board shall review the report and proposed text amendments prepared by staff. The Chairman may allow citizens present to make comment on proposed text amendments.

B. Recommendation

The Planning Board shall vote to recommend Approval, Approval with Changes, or Denial to the Town Board of Commissioners, who will hold the public hearing on the request.

VII. MAJOR SUBDIVISION PRELIMINARY PLATS

A. Review

The Planning Board shall review the proposed subdivision and report prepared by staff. The Chairman may allow citizens present to make comment on the proposed subdivision.

B. Decision

The Planning Board’s review of a Major Subdivision Preliminary Plat is an administrative function as set forth in the Unified Development Ordinance. If the Board finds that all town, state, and federal regulations are met, based on the comments and recommendations of the Technical Review Committee, the subdivision shall be approved. Conditions may be applied to meet the minimum standards of the UDO or to mitigate exceptions granted by the Board as permitted by the UDO. The Planning Board shall vote to Approve, Approval with Conditions, or Deny the Major Subdivision Preliminary Plat.

VIII. AMENDMENTS TO RULES OF PROCEDURE

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four (4) members of the Board, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is to be taken.

To the extent not provided for in these rules and to the extent that the reference does not conflict with the spirit of these rules, the board shall refer to Robert’s Rules of Order, Revised, for unresolved procedural questions.

ADOPTED ON: _____
DATE

CHAIRMAN

SECRETARY