

AN ORDINANCE TO ESTABLISH A PLANNING BOARD OF PAMLICO COUNTY

WHEREAS the General Statutes of North Carolina, Chapter 153A, Article 18, Parts 1, 2, and 3 provides for the establishment and operation of County Planning Boards; and

WHEREAS it appears to be advantageous to the welfare of the County of Pamlico that a comprehensive and continuous planning program be undertaken; and

WHEREAS the Board of County Commissioners needs the active assistance and constant cooperation of many civic-minded, far-seeing citizens in their efforts to serve the best interests of the people and to direct the County's physical growth along good civic lines; therefore,

BE IT RESOLVED that the Board of County Commissioners hereby establish

THE PAMLICO COUNTY PLANNING BOARD

hereinafter referred to as the "Planning Board," and ordain that it be governed by the following provisions:

SECTION 1. Membership Terms and Vacancies

The Planning Board shall consist of seven members, one from each township in the County and two at large, all to be nominated by the respective Commissioners for each township and at-large position, and appointed by the Board of Commissioners for four-year terms beginning on the first Monday in July following each Commissioner's election. Initially, Planning Board members will be appointed for those terms set out below. Continuity of membership will be established by appointment of existing members residing in townships one through five and two at large positions for the following terms:

Township One	July 5, 1993 through July 4, 1997
Township Two	July 5, 1993 through July 4, 1997
Township Three	July 3, 1995 through July 2, 1999
Township Four	July 3, 1995 through July 2, 1999
Township Five	July 5, 1993 through July 4, 1997
At Large No. 1	July 3, 1995 through July 2, 1999
At Large No. 2	July 3, 1995 through July 2, 1999

Upon the expiration of the above terms, replacements or reappointments will be made for four year terms.

Vacancies occurring prior to the expiration of a member's term will be filled through nominations by the Commissioner for that township or at-large position, and appointments by the Board of Commissioners to complete the remainder of the term of the incumbent to the position.

Notwithstanding the fixed term of members identified herein, the Board of Commissioners shall have the right to remove or replace any member of the Planning Board with cause at any time.

SECTION 2. Organization, Rules, Meetings, and Records

The Planning Board shall meet and elect a chairman, vice-chairman, and create and fill such offices as it may determine necessary. The term of the chairman and other officers shall be one year, with eligibility for re-election. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which shall be a public record. The Board shall hold at least one meeting monthly, and all of its meetings shall be open to the public. There shall be a quorum of four members for the purpose of taking any official action required by this ordinance.

SECTION 3. Staffing

The Chief Building Inspector is assigned as the Secretary to the Planning Board. The staff of the Building Inspections Office will provide clerical and research support as desired by the Planning Board.

SECTION 4. General Powers and Duties

It shall be the duty of the Planning Board, in general:

(1) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;

(2) To prepare and from time to time amend and revise a comprehensive Land Use and Flood Damage Prevention Plans in compliance with the Coastal Area Management Act and other applicable regulations.

(3) To establish principles and policies for guiding action in the development of the area;

(4) To prepare and recommend to the Board of County Commissioners, ordinances promoting orderly development along the lines indicated in the comprehensive plan;

(5) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;

(6) To keep the Board of County Commissioners and the general public informed and advised as to these matters;

(7) To perform any other duties which may lawfully be assigned to it.

(8) A member of the Planning Board shall be excused from voting by a vote of the other members of the Planning Board if, as determined by the County Attorney, said member has a vested interest in, or a conflict of interest in, any matter requiring action by the Planning Board.

SECTION 5. Basic Studies

As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of man-made and natural physical features of the area, statistics on past trends and present conditions, the respect to population, property values, the economic base of the area, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition and adequacy of specific facilities, which may include, but are not limited to, studies of housing; commercial and industrial facilities; parks, playgrounds and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

All county officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

SECTION 6. Comprehensive Plan

The comprehensive plan, with the accompanying maps, plats, charts and descriptive matter, shall be and show the Planning Board's recommendations to the Board of County Commissioners for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, lights, sanitation, transportation, communication, power and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing

ways, buildings, grounds open spaces, property, utilities, or terminals; the most desirable pattern of land use within the area, including areas for residential uses, for farming and forestry, for manufacturing and industrial uses, for commercial uses, for recreational uses, for open spaces, and for mixed uses.,

The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will, in accordance with present and future needs, best promote health, safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

SECTION 7. Zoning Ordinance

The Planning Board shall prepare and submit to the Board of County Commissioners for its consideration and possible adoption, a zoning ordinance for the control of the height, area, bulk, location, and use of buildings and premises in the area, in accordance with the provisions of Article 20B of Chapter 153 of the General Statutes as amended.

The Planning Board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and made recommendations to the Board of County Commissioners concerning all proposed amendments to the zoning ordinance.

SECTION 8. Subdivision Ordinance

The Planning Board shall review, from time to time, the need for regulations for control of land subdivision in the area and submit to the Board of County Commissioners, its recommendations, if any, for adoption or revision of said ordinance.

In accordance with such regulations, the Planning Board shall review and make recommendations to the Board of County Commissioners concerning all proposed plats of land subdivisions.

SECTION 9. Public Facilities

The Planning Board shall review with the county officials and report as recommendations to the Board of County Commissioners upon the extent, location, and design of all public structures and facilities, and on the acquisition and disposal of public

properties; however, in the absence of a recommendation from the Planning Board, the Board of County Commissioners may, if it deems wise, after the expiration of thirty (20) days from the date on which the question has been submitted in writing to the Planning Board for review and recommendation, take final action.

SECTION 10. Miscellaneous Powers and Duties

The Planning Board may conduct such hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any such plan, it shall hold at least one public hearing thereon.

The Planning Board shall have power to promote public interest in and an understanding of its recommendations, and to that end, it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

SECTION 11. Annual Report of Activities and Analysis of Expenditures and Budget for Ensuing Fiscal Year

The Planning Board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the Board of County Commissioners. It may accept and disburse such contributions for special purposes or projects, subject to any specific conditions which it deems acceptable, whether or not such projects are included in the approval budget.

SECTION 12. Advisory Council and Special Committees

The Planning Board may seek the establishment of an unofficial Advisory Council and may cooperate with this Council to the end that its investigations and plans may receive fullest consideration, but the Board may not delegate to such advisory council, any of its official prerogatives. The Planning Board may set up special committees to assist it in the study of specific questions and problems.

SECTION 13. Repeal and Date of Effect

Any ordinance or parts of ordinances in conflict with this resolution and ordinance are hereby repealed, and this resolution and ordinance shall be in full force and effect as an ordinance of Pamlico County from and after the date of its adoption by the Board of County Commissioners.

SECTION 14. Validity

Should any section, paragraph, sentence, clause, or phrase of this resolution and ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.

Adopted on its Second Reading, this 6th day of March, 1995.



PHILLIP M. PRESCOTT, JR., Chairman,
Pamlico County Board of Commissioners