



# TOWN OF FARMVILLE

## CODE OF ORDINANCES

### CHAPTER 17 – PLANNING BOARD

#### **Section 1 PLANNING BOARD CREATED**

The Planning Board of Farmville and its environs, hereinafter referred to as the PLANNING BOARD, is hereby established pursuant to the North Carolina General Statutes, Chapter 160A, Article 19, and shall be governed by the following provisions.

#### **Section 2 MEMBERSHIP AND VACANCIES**

##### **2.1 Membership**

The Planning Board shall consist of nine members. If at the time this ordinance becomes effective membership is greater than nine, attrition will be allowed to correct the situation; however, at no time should extraterritorial representatives fall below the minimum of two.

##### **2.2 Town Representative**

Not less than five or more than seven members shall reside within the corporate limits of the Town of Farmville. Each member shall be appointed in accordance with the procedures set forth in Section 2.2 of Chapter 1 of the Farmville Code of Ordinances. The members shall be appointed for staggered three year terms. Each member shall hold office until his/her successor has been appointed and qualified. Any vacancy in the membership shall be filled for the unexpired term. Vacancies for the unexpired terms shall be promptly filled; The Board of Commissioners may remove any member for incapacity, unfitness, misconduct, or neglect of duty. A member shall forfeit membership on the Planning Board if he/she is absent without excuse for more than three consecutive meetings or more than half of the board's meetings in any twelve month period. Members shall serve without compensation, except for reimbursement for official travel expenses to conferences and workshops.

Section Amended 10/05/2010

##### **2.3 Extraterritorial Representatives**

Not less than two nor more than four members may reside outside the corporate limits of the Town of Farmville, but within the extraterritorial jurisdiction of the Town of Farmville. Members shall be nominated by the Mayor and approved by the Board of Commissioners by resolution, and the resolution forwarded to the Pitt County Board of Commissioners, who shall choose from these resolutions and appoint members who shall serve for one, two, or three year terms. If the County Board of Commissioners takes no action within thirty days after receiving the Resolution from the Town Board, then the Mayor may nominate persons and the Town Board of Commissioners may confirm the appointments. The same procedure shall be used for filling vacancies.

2.4 Compensation

All members will serve without compensation.

2.5 Removal

Any members may, after a public hearing, be removed by the Town Board of Commissioners for inefficiency, neglect of duty, or malfeasance in office. The Town Board of Commissioners shall file a written public report stating the reasons for such removal. Any member who does not attend at least half the meetings in a calendar year shall automatically forfeit membership.

2.6 Voting

All members shall have equal voting rights on all matters whether within or without the corporate limits of the Town of Farmville.

**Section 3 ORGANIZATION, RULES, MEETINGS, AND RECORDS**

3.1 Meetings

The Planning and Zoning Board shall meet at a time and place as is designated by the Chairman.

(Amended March 2, 1999 - December 05, 2006)

3.2 Officers

The Planning Board shall elect a Chairman and such other officers as they choose in January of each year. Officers' terms shall be for one year or until their successors have been elected and taken office. All officers may be re-elected.

3.3 Procedures, Records

The Planning Board shall adopt its own rules of procedure and keep a record of attendance, its resolutions, discussions, findings, and recommendations.

3.4 Open Meetings

All meetings and records of the Planning Board shall be open to the public.

3.5 Special Meetings

Special meetings may be called by the Chairman or by a majority of the membership of the Board by mailing written notices of the time and place of the meeting to the last known address of each member at least seventy-two hours before meeting time. Notice of meetings may be waived by signing the minutes of such meeting.

**Section 4 GENERAL POWERS AND DUTIES**

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

4.1 Planning Information

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

4.2 Comprehensive Plan

To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area.

4.3 Development Guides

To establish principles and policies for guiding action in the development of the area.

4.4 Ordinances

To prepare and recommend to the Town Board ordinances promoting orderly development along the lines indicated in the comprehensive plan.

4.5 Development Review

To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area.

4.6 Planning Communication

To keep the Town Board and the general public informed and advised of these matters.

4.7 Other Duties

To perform any other duties which may lawfully be assigned to it by the Town Board of Commissioners.

**Section 5 COMPREHENSIVE PLAN**

5.1 As background for its comprehensive plan and any other 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 with respect to population, property values, the economic bases of the community, 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.

5.2 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 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.

- 5.3 All Town 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 duties, enter upon land and make examinations or surveys and maintain necessary monuments thereon.

## **Section 6 COMPREHENSIVE PLAN**

- 6.1 The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the Town Board 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, light, sanitation, transportation, communication, power, and other purposes, and 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.
- 6.2 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 Town and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development, including among other things, adequate provisions for traffic, promotion of safety from fire and other dangers, adequate provisions 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**

- 7.1 The Planning Board is hereby designated as the Zoning Commission for the Town of Farmville and its environs. The Planning Board may initiate, from time to time, proposals for amendments of the Zoning Ordinance, based on its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Commissioners concerning all proposed amendments to the Zoning Ordinance.
- 7.2 In the event it is deemed necessary, the Planning Board may, at the request of the Board of Commissioners, or upon its own initiative, prepare and submit to the Town board 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 19 of Chapter 160A of the General Statutes of North Carolina or other applicable sections of the General Statutes.

**Section 8 SUBDIVISION REGULATIONS**

- 8.1 The Planning Board may at the request of the Town Board or upon its own initiative prepare and submit to the Town Board for its consideration and possible adoption, subdivision regulations in accordance with the provisions of North Carolina General Statutes 160A.371-380 or other applicable sections of the General Statutes.
- 8.2 If adopted, the Planning Board shall review from time to time such regulations for the control of land subdivision in the area and submit to the Town board of its recommendations, if any, for the revision of said regulations. Also, if subdivision regulations are adopted, the Planning Board shall review and make recommendations to the Town Board concerning all proposed plats of land subdivision in accordance with said regulations.

**Section 9 PUBLIC FACILITIES**

The Planning Board may, if requested, review with Town officials and report as recommendations to the Board of Commissioners upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, on the establishment of building lines, mapped street lines, and proposals to change existing street lines. However, in the absence of a recommendation from the Planning Board, the Town Board may, if it deems it wise, after the expiration of thirty days from the date on which the question has been submitted in writing to the Planning Board for review and recommendations, take final action.

**Section 10 ANNEXATION PROPOSALS**

The Town Board shall refer all petitions or proposals for annexation of areas to the municipal corporate limits to the Planning Board for study. Within 60 days after such referral or within such other period as the Town Board may set, the Planning Board shall report to the Town Board on the following aspects of the proposed annexation:

- The legal eligibility of the area for annexation
- The municipal need for the proposed annexation, including the application of municipal ordinances, extension of the revenue base, and effect upon citizen participation
- The need, feasibility and costs of the extension of municipal services to the area
- Any other factors requested examined by the Town Board

The report shall include a recommendation regarding the overall advisability of the proposed annexation. If the Planning Board does not report within the required period, the Town Board may proceed to further consideration of the annexation.

**Section 11 MISCELLANEOUS POWERS AND DUTIES**

- 11.1 The Planning Board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting such plan, it shall hold at least one public hearing thereon.
- 11.2 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.
- 11.3 Members or employees of the Planning Board, when duly authorized by the Planning Board, may attend Planning conferences or meetings of the planning institutes or hearings upon pending planning legislation, and the Planning Board may, by formal and affirmative vote, pay, within the Planning Board's budget, the reasonable traveling expenses incident to such attendance.

**Section 12 ANNUAL REPORT**

- 12.1 The Planning Board shall, in May of each year, submit to the Board of Commissioners a written report of its activities, and analysis of the expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.
- 12.2 The Chairman of the Planning Board, with the consent of the Board, may appoint such committee and employees as it may deem necessary for its work. The Planning Board may also contract with city planners, engineers, architects, and other consultants for such services as it may require, with the concurrence of the Town Board. The Planning Board is authorized to make such expenditures, as it may see fit, subject to the limitations of the funds provided for the Planning Board by the Town Board in the Town's annual budget.

**Section 13 SPECIAL COMMITTEES**

The Chairman of the Planning Board, with the consent of the Board, may appoint special committees to assist it in the study of specific questions and problems.

Amended by the Board of Commissioners:  
December 05, 2006  
February 04, 1997  
March 02, 1999  
October 05, 2010