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Revised 8/19/97
Revised 1/17/06
Revised 6/20/06
Revised 9/15/09
Revised 4/16/19
Revised 7/20/21

RULES OF PROCEDURES
PLANNING AND ZONING COMMISSION
AND SUBDIVISION REVIEW BOARD
GREENVILLE, NORTH CAROLINA

I. General Rules

The Greenville Planning and Zoning Commission shall be governed by the terms of Chapter 160D, of the General Statutes of North Carolina and applicable ordinances of the City of Greenville.

II. Officers and Duties

A. Chair. The Chair, who is a member of the Greenville Planning and Zoning Commission, shall be elected by the Greenville Planning and Zoning Commission. The Chair shall decide all points of order and procedure subject to these rules. The Chair's term of office shall be for one (1) year and shall run from the first day of July of one year to the last day of June of the succeeding year. The Chair shall be eligible for re-election to one (1) additional term.

B. Vice-Chair. A vice-Chair shall be elected by the Commission in the same manner and for the same term as the Chair. The vice-Chair shall serve as acting Chair in the absence of the Chair and at such times shall have the same powers and duties of the Chair.

C. Secretary. The Director of Planning and Development Services of the City of Greenville or his designee shall serve as secretary to the Commission. The secretary shall keep all records and shall generally perform the clerical work of the Commission.

III. Members and Terms

A. Membership and terms of the Planning and Zoning Commission shall be governed by Title 9, Chapter 2 of the Greenville City Code, as amended.

B. Any alternate member may serve for any regular member without regard to which jurisdiction the alternate or the regular member was originally appointed by.

IV. Orientation of Newly Appointed Members

Prior to participation and/or vote concerning any item before the Commission, each member shall first be required to attend an orientation meeting with the Director of Planning and Development Services or his authorized representative.

Notwithstanding the foregoing, in the event a member's attendance is required to achieve a quorum for a meeting, the member may participate and/or vote concerning any item before the Commission until such time as his attendance is not necessary for the maintenance of a quorum.

Each member shall be provided a copy of the following materials: Zoning Regulations, Subdivision Regulations, Comprehensive Plan, Rules of Procedures and Commissioner's Reference Handbook.

At the first commission meeting following a member's orientation, the Director of Planning and Development Services or representative shall report for the minutes the qualification of new members under this section.

V. Meetings

A. Regular Meetings. Regular meetings of the Commission shall be held on the third Tuesday of each month at 6:00 p.m. in the Council Chambers of City Hall.

B. Special Meetings. Special meetings of the Commission may be called at any time by the Chair. Notice of the time and place of a special meeting shall be given in accordance with the Open meetings Law of North Carolina.

Quorum. Five (5) members of the Greenville Planning and Zoning Commission shall constitute a quorum for a meeting.

D. Voting. All regular members of the Commission shall vote on all matters before the Commission, with the exception of the Chair who may vote only to break a tie. The alternate members shall fill in for vacancies occurring because of regular members being absent in accordance with the provisions on alternate membership. On all matters, a majority vote of those members present and eligible to vote shall be necessary to pass on any motion.

E. Conflict of Interest. No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which a member is prohibited from voting under G.S. 160D-109. A member shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to NCGS, Chapter 160D where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. See N.C.G.S. 160D-109(b). A member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

As soon as possible and at the very latest before the beginning of consideration of a matter before the Commission, any member who has a potential conflict of interest shall seek to notify the Chair of the potential conflict. If a conflict of interest (as defined herein) is determined to exist, then the Chair, in consultation with the City Attorney, may call for a motion and vote of the other members to excuse said member from further participation in the matter, including voting. If an objection is raised to a member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection. (See G.S. 160D-109(e)).

F. Except as provided otherwise in these rules, the City Code or State Law, Roberts Rules of Order current edition shall govern the parliamentary procedure of the Commission.

G. Public Hearing Procedure on all legislative hearings shall be in manner and order listed below. The Chair shall request the City staff to present its report on the item to be heard. The hearing on the item shall not exceed 30 minutes for proponents and 30 minutes for opponents, as follows:

- (1) Applicant or representative presentation (not to exceed 5 minutes)
- (2) Those to speak in favor of the application (not to exceed 3 minutes each)
- (3) Designated representative in opposition (not to exceed 5 minutes)
- (4) Those to speak in opposition to the application (not to exceed 3 minutes each)
- (5) No rebuttal

The Chair shall have the privilege of limiting arguments by both proponents and opponents to avoid redundant, cumulative, or repetitive information or argument.

H. Decisions. The decisions of the Greenville Planning and Zoning Commission as filed in its minutes shall be a public record available for inspection in the office of the Director of Planning and Development Services.

I. Attendance. All appointed members of the various boards and commissions are expected to attend all regular meetings. Whenever a member of any board or commission has missed two or more consecutive regular meetings or fails to attend seventy-five percent of all regularly scheduled meetings in a one year period commencing annually on the month immediately after the month which City Council is regularly scheduled to make an appointment for that board or commission as a result of an expired term, the staff liaison to the board or commission shall notify the City Clerk of the member's attendance record. If a regularly scheduled meeting is cancelled due to a lack of a quorum, a member will be considered as failing to attend the meeting if the member's failure to attend or failure to indicate an intent to attend the meeting contributes to the lack of a quorum. The City Clerk's Office shall send a letter and an email to the member asking to be notified about the person's ability to attend future meetings. A copy of the letter and email shall be sent to the City Council liaison. If, within 15 work

days after the date the letter is mailed and the email is sent, the member responds that he desires to continue serving and will attend future meetings on a regular basis, the City Clerk's Office will notify the City Council liaison, and the attendance will be monitored for the next two regularly scheduled meetings as a probationary period. If the attendance requirements are still not met during the two regularly scheduled meeting probationary period or during the six month period after the two month probationary period or if the person either fails to respond to the letter within 15 work days after the date the letter is mailed and the email is sent, or indicates that he is unable or unwilling to attend, the City Council liaison will be notified by the City Clerk's Office and the vacancy placed on the next possible City Council agenda for replacement or other appropriate action. The appointment shall be for the duration of the unexpired term of the member whose position has been vacated.

VI. Annual Report

The Planning and Development Services Department shall prepare and submit at the end of each calendar year to the Commission an annual report of the Commission's activities for the year. The report shall contain a statement of the number of cases reviewed along with other data deemed appropriate for inclusion in the report.

VII. Subdivision Review Board

A. The Subdivision Review Board as established by Title Chapter 5, of the Greenville City Code is authorized to consider approval off final subdivision plats, minor subdivision plats and soil erosion and sedimentation control plans in accordance with said Title.

B. Membership. The Subdivision Review Board shall consist of the following: the General Manager of the Greenville Utilities Commission, the Director of Planning and Development Services, and the Director of Engineering, or their respective designated appointee. The Director of Planning and Development Services, or his designated appointee shall serve as Chair and Secretary of the Subdivision Review Board. The Secretary shall keep all records and shall generally perform the clerical work of the Board.

C. Meetings. The Subdivision Review Board meeting shall be held on the second and fourth Wednesday of each month at 4:30 p.m. in the City of Greenville, Planning and Development Services Department.

D. Quorum. Three (3) members of the Subdivision Review Board shall constitute a quorum for meeting.

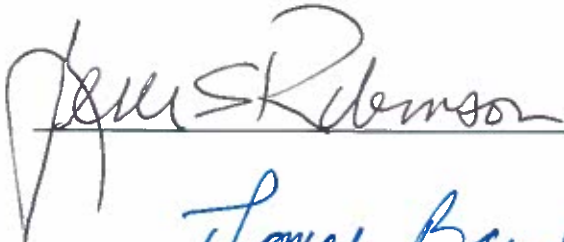
E. Voting. All members of the Subdivision Review Board shall be eligible to vote on any matter. A majority vote of those members present shall be required to pass on any motion.

F. Conflict of Interest. All members of the Subdivision Review Board shall be subject to provisions of G.S. 160D relating to conflicts of interest.

IX. Amendments

These rules may, within the limits allowed by law, be amended by majority vote provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted this 20th day of July, 2021.

 _____ Leslie S. Robinson, Chairman

ATTEST:  _____ Thomas Barnett, Secretary