

**HIGH POINT PLANNING AND ZONING
COMMISSION**

RULES OF PROCEDURE



Adopted: August 24, 1993
Amended: July 23, 1996
Amended: October 24, 2000
Amended: July 24, 2001
Amended: February 10, 2004
Amended: June 27, 2006

RULES OF PROCEDURE

I. General Rules

The Planning and Zoning Commission of the City of High Point, North Carolina, hereinafter referred to as the "Commission," shall be governed by Chapters 160A-361 and 160A-362 of the General Statutes of North Carolina and Title 9 of the Code of Ordinances of the City of High Point, North Carolina, adopted by the City Council on January 7, 1992 and effective on March 1, 1992, and subsequent amendments thereto.

II. Officers and Duties

- A. Chair. The Chair shall be elected by the Planning and Zoning Commission from among its members for a one (1) year term of office. A subsequent term of office by the same Commission member shall not be permitted for a period of one (1) year. The Chair shall decide all matters of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time. The Chair shall appoint any committees found necessary to investigate any matters before the Planning and Zoning Commission or to perform any of its duties.
- B. Vice-Chair. A Vice-Chair shall be elected by the Planning and Zoning Commission from among its members for a one (1) year term of office. A subsequent term of office by the same Commission member shall not be permitted for a period of one (1) year. The Vice-Chair shall serve as acting Chair in the absence of the Chair and at such times the Vice-Chair shall have the same powers and duties as the Chair.
- C. Method of Election. Annually, at the first regular meeting in the month of July, the Commission shall elect a Chair and Vice-Chair. If such a regular meeting is cancelled or a quorum lacking, then the election shall be held within 36 days thereafter at a regular or special meeting. The Chair shall call for nominations for Chair which shall be verbal and seconded by Commission members. Any number of members may be nominated. -The Chair shall close nominations and call for a show of hands on each nominated member unless a member moves that a written and secret ballot be used. This alternative method of election shall be used if such motion passes by a simply majority of all taken, or counted by the Chair in the event of a secret ballot, the Chair shall declare the member who has been elected. A quorum shall be present for election. The newly elected member shall immediately assume the Chair. The same procedure shall be followed for the election of the Vice-Chair. Whenever the office of Chair

or Vice-Chair becomes vacant during the twelve-month term of office, the same procedure shall be used to fill the vacancy occurs, provided at least two-thirds of the entire membership of the Commission is present.

- D. Executive Secretary. The Director of Planning and Development shall serve as Executive Secretary of the Commission. The Secretary, subject to the direction of the Chair and the Commission, shall keep all records, shall supervise the correspondence and other clerical work of the Commission. The Secretary shall insure that minutes of each Commission meeting are recorded. These shall include all important facts pertaining to every meeting and hearing, every resolution acted upon by the Commission, and all votes of members of the Commission upon any resolution or other matter, indicating the names of members absent or abstaining from voting.

III. Meetings

- A. General. Meetings shall be conducted in accordance with Article 33C of Chapter 143 of the General Statutes of North Carolina.
- B. Regular meetings. Regular meetings of the Commission shall be held on the fourth Tuesday of every month at 6:00 p.m.. Regular meetings may be established at some other time and date at the discretion of the Commission. The meetings shall be held in the Municipal Building or any other location within the City or the area of its extraterritorial jurisdiction.
- C. Special meetings. Special meetings of the Commission may be called at any time by the Chair. Notice of the time and place of special meetings shall be given by the Executive Secretary to each member of the Commission at least 48 hours in advance of any such meeting.
- D. Cancellation of meetings. Whenever there is no business for the Planning and Zoning Commission, the Chair may cancel a regular meeting.
- E. Conduct of meetings. Meetings shall be conducted in accordance with Robert's Rules of Order Newly Revised. The order of business at meetings shall be:
- (1) Call to order and determination of quorum.
 - (2) Approval of minutes of previous meetings(s).
 - (3) Discussion and recommendation of matters which public hearings were held, or previously held and continued, in a working session.
 - (4) Public hearings pertaining to zoning map amendments or other matters requiring such hearings.
 - (5) Reports of committees.

- (6) Other unfinished business.
- (7) Other new business
- (8) Director's report
- (9) Adjournment

F. Zoning Map and Development Ordinance Text Amendments. The procedure for considering such amendments shall be:

- (1) Applications for zoning map amendments and Development Ordinance text amendments shall be submitted to the Planning and Development Department at least forty-three (43) days prior to a regular Commission meeting.
- (2) The administrative procedures for review and consideration of zoning map and Development Ordinance text amendments are specified in Section 9-9-1 of the Development Ordinance. In addition to the notice and posting requirements stated therein, a retail advertisement shall be published in a local newspaper of general circulation once prior to the Commission meeting at which such amendment is scheduled to be considered. The advertisement shall be no less than seven (7) calendar days before the date of the Commission meeting.
- (3) The recommendations of the planning staff shall be delivered to Commission members at least 72 hours prior to the meeting at which such amendments will be considered.
- (4) At the conclusion of the public hearing regarding such amendment, the Commission shall determine whether:
 - (a) to recommend that City Council approve the requested amendment;
 - (b) to recommend that City Council deny the requested amendment;
 - (c) to recommend that City Council approve an amended request;
 - (d) to defer its recommendation; or
 - (e) to refer the request to City Council without recommendation in the event of a tie vote.

- (5) The voting procedures which govern the conduct to the Commission are specified in Section 9-3-12(9) of the Development Ordinance. The vote of an abstained member is not counted with either the minority or majority of voting members.
- G. Other requests. The procedures outlined above shall govern the Commission's consideration of special use permits, the establishment of vested rights and street names.
- H. Contacts outside public hearings. The public hearing is the primary place where petitioners, opponents, and others interested in matters considered by the Commission should present information concerning such matters. Contact between interested parties and Commission members outside of public hearings is discouraged. When such contact occurs, members should disclose the content of the contact at the next regular meeting.
- I. Quorum Determination. A majority of the Commission membership, excluding vacancies, shall constitute a quorum. A quorum shall be present for the Commission to take any official action.
- J. Conflict of Interest. If any Commission member has a financial interest in a matter before the Commission, that member shall ask the Chair to be recused from participating in the hearing, discussion, and voting on the matter. Recused members shall vacate their seats while the matter is being considered. No Commission member should accept any gift, meal, or any other thing of value from any party involved in a matter before the Commission. Commission members should not indicate their positions regarding matters before the body prior to receiving all the evidence presented at the public hearing.
- K. Absence and Attendance. It shall be the duty of all Planning and Zoning Commission members to inform the Planning and Development Department of any anticipated absence and notification shall be immediately after receipt of the agenda. A regular member who misses three (3) consecutive regular meetings or 33% or more of the regular meetings in a calendar year loses his status as a voting member of the Commission until reinstated or replaced by the City Council, or the Guilford County Board of Commissioners if an extraterritorial member. Absences due to sickness, death or other emergencies of like nature shall be regarded as proved absences and shall not affect the member's status on the Commission; except, that in the event of a long illness or other such case for prolonged absence the member may be replaced.

- L. Resignation. If a member of the Commission moves outside the zoning jurisdiction, or the extraterritorial member moves outside the extraterritorial area, that shall constitute a resignation from the Commission effective upon the date a replacement is appointed.

IV. Standing Committees

- A. General. In addition to ad hoc committees the Chair finds necessary to appoint from time to time for investigating matters that come before the Planning and Zoning Commission, the following standing committees are established:
- (1) Comprehensive Planning Committee: This Committee shall advise the Commission regarding the development of a Comprehensive Plan, or element thereof, small area plans or other policy documents pertaining to the physical development of the city's planning area.
 - (2) Ordinance Review Committee: This Committee shall advise the Commission regarding amendments to the Development Ordinance.
 - (3) Street Name Committee: The Street Name Committee shall advise the Commission on matters relating to the names for existing or proposed roadways and on policies relating to such street namings.
- B. Appointment. The Chair shall appoint at least three Commission members to each standing committee.
- C. Meeting. The standing committees shall meet as necessary to advise the Commission concerning matters referred to committee by the Chair and/or Executive Secretary.

V. Amendments.

These rules may within the limits allowed by law be amended at any time by an affirmative vote of the majority of those present, provided a quorum of seven (7) members of the Commission is present and provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.