

**CITY OF HENDERSONVILLE  
PLANNING BOARD**

**RULES OF PROCEDURE**

As Originally Adopted 18 December 1995

With Amendments Through: 12 June 2017

**Article I. Name**

The name of this organization is the City of Hendersonville Planning Board, hereinafter referred to as the "Board."

**Article II. Purpose and Powers**

The purpose of the Board is to function as the planning agency for the City of Hendersonville and to exercise all powers and duties specified by Section 40-39 of the Code of Ordinances of the City of Hendersonville, as such may be amended from time to time, and to fulfill such other responsibilities as may otherwise be delegated to the Board by City Council.

**Article III. General Rules**

The Board shall be governed by the Ordinances of the City of Hendersonville, the Laws of the State of North Carolina and these rules of procedure. The Chair may from time to time refer to rules set forth in the current edition of *Suggested Rules of Procedure for Small Local Government Boards* to assist in the running of orderly meetings.

**Article IV. Jurisdiction**

The Board's jurisdiction shall apply equally within the City limits and the City's area of extraterritorial jurisdiction.

**Article V. Organization**

**Section 1. Membership.** The Board shall consist of ten members, seven of whom shall be residents of the City of Hendersonville; the other three shall be residents of the City's extraterritorial jurisdiction. The members who reside in the extraterritorial jurisdiction shall be entitled to equal rights, privileges and duties with other members of the board regardless of where the matters at issue arise.

**Section 2. Officers.** At its January meeting each year, the Board shall elect a chair and vice-chair for the coming year. The chair and vice chair shall hold office for one year and shall be eligible for reelection. The chair shall preside over all meetings of the Board. The vice-chair shall assist the chair and shall serve as acting chair in the absence of the chair. If the chair is vacated the vice-chair shall become the chair for the remainder of the vacated term.

**Section 3.** Attendance at Meetings. Any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year shall by that fact cease to be a Board member. A vacancy created under this Section 3 shall be treated as any other vacancy for purposes of filling the vacated seat.

**Section 4.** Conflict of Interest. No Board member shall take part in the hearing, consideration, or deliberation of any case or matter before the Board in which the Board member, or any member of the Board member's family, either directly or indirectly, is a party or has any financial interest.

**Section 5.** Committees. The Board shall have such standing committees as it finds necessary and convenient. In addition the chair may create ad hoc committees.

The chair shall designate the membership of all committees. The chair shall be either an active or ex officio member of all committees.

## **VI. Meetings**

**Section 1.** Regular Meetings. The Board shall hold a regular meeting on the second Monday of each month or at such other time as it may find convenient.

**Section 2.** Special Meetings. The chair may call special meetings. A majority of the Board may by written demand of a majority of its members call a meeting. Written notice of a special meeting shall be provided to all members at least one week in advance of the meeting.

**Section 3.** Cancellation of Meetings. Whenever there is no business for the Board the chair may cancel a meeting, by giving notice to all members not less than twenty-four hours before the time set for the meeting. In the event of severe weather or other sufficient cause the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. In the case of a meeting called by a majority of the Board the chair may cancel the meeting only upon the concurrence of a majority of the Board.

**Section 4.** Quorum. A majority of members shall constitute a quorum for the conduct of business of the Board or of any committee.

**Section 5.** Conduct of Meetings. All meetings shall be noticed and open to the public as provided by law. Any person who may be substantially affected by final action in any matter that comes before the Board may appear in person or by agent or attorney to make presentations respecting any such matter. The Chair may impose reasonable restraints on presentations.

**Section 6.** Voting. Members must be present to vote on any matter. Except as may be otherwise required by these rules or other prevailing law, any motion to be carried must have the vote of the majority of members actually voting. The chair shall be eligible to vote as any other member.

**Section 7.** Electronic notice. Notice to a member conforms to a requirement of these rules to be in writing if sent by electronic mail to an electronic address provided by the member and not returned to the sender with an error message.

**Article VII. Public Hearings**

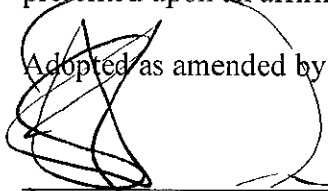
**Section 1.** Conduct of Hearings. The Board may conduct public hearings to fulfill its responsibilities as specified in Section 40-40 of the Code of Ordinances of the City of Hendersonville. The chair shall preside at all hearings and unless overruled by a majority of the board shall have plenary power to limit presentations in the interest of brevity, clarity, fairness or other considerations. "Limit" in this sense shall be construed broadly, and shall include the power to provide for the representation of groups by spokespersons.

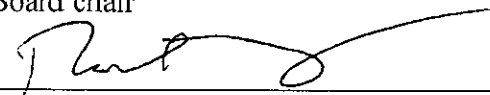
**Section 2.** Review of Zoning Amendments. The Board shall advise and comment on whether any proposed zoning amendment is consistent with the 2010 Comprehensive Plan, any other comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Board shall provide a written recommendation to City Council that addresses plan consistency and other matters as deemed appropriate by the Board.

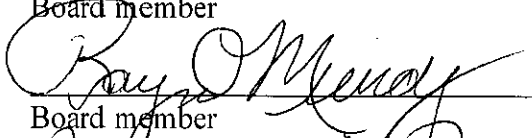
**Article VIII. Amendments**

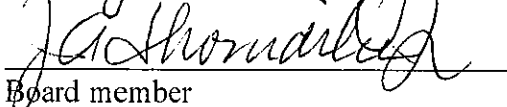
These rules may be amended at any meeting after the meeting at which the amendment is first presented upon an affirmative vote of not fewer than six members of the Board.

Adopted as amended by at least six members of the Board this 12<sup>th</sup> day of June 2017.


  
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Board chair

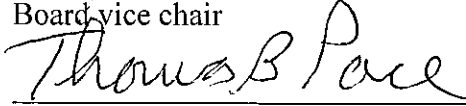
  
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Board member

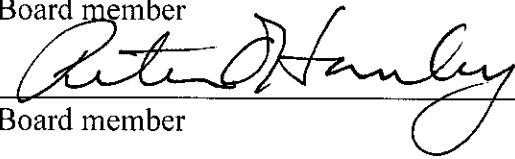
  
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Board vice chair

  
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