

2-1. Planning and Zoning Board.

There is hereby established as a part of the government of Foxfire Village, North Carolina, the Foxfire Village Planning and Zoning Board, with authority to carry out certain functions as hereinafter specified within the corporate limits of the Village, and the extraterritorial planning and zoning jurisdiction (ETJ) beyond the corporate limits, in accordance with G.S. 160D-301 and the provisions of this chapter and any other pertinent statutes, ordinances, and amendments that may be hereinafter enacted.

2-1.1. Composition.

The Planning and Zoning Board shall consist of five members. A quorum shall consist of three members when all five seats are filled or on occasions when there is one vacant seat on the board. On occasions when there are two vacant seats on the Board a quorum shall consist of two members. In accordance with G.S. 160D-307, the membership shall be proportioned between resident property owners from within the corporate limits of the Village, and from resident property owners from the ETJ outside the corporate limits of the Village where zoning jurisdiction is allowed, in accordance with the population ratio. A minimum of one member shall be from the ETJ.

The population ratio between the Village and the ETJ shall be recalculated at least on every federal census, and more often if significant population shifts have occurred, and adjustments shall be made to the Board membership as required; provided, however, changes in membership shall be made only as existing membership terms expire.

The Board member(s) from the ETJ shall have equal rights, privileges, and duties with the other members of the Board, regardless of whether the matters at issue arise within the Village or within the ETJ.

2-1.2 Appointment and terms of members.

The Village Council shall appoint the members from within the corporate limits of Foxfire Village. The county board of commissioners shall appoint the member or members from the ETJ. If the county board fails to make such appointment within 90 days after receiving a resolution from the Village Council requesting that an appointment be made, the Council may make the appointment.

Appointments shall be made for staggered terms of three years, but members may continue to serve until their successors have been appointed. Initially, two members who reside in the Village shall be appointed for three-year terms, one member who resides in the Village and one member who resides in the ETJ shall be appointed for two-year terms, and one member who resides in the Village shall be appointed for a one-year term.

Appointments to fill vacancies created by members who resign or are otherwise unable to complete the terms of their appointments shall be for the unexpired portion of the terms.

2-1.3. Powers and duties.

Pursuant to the provisions of G.S. 160D-301 the Planning and Zoning Board shall have authority to perform certain duties, as follows:

- (1) Prepare, review, maintain, monitor and periodically update and recommend to the Council a comprehensive plan, and such other plans as deemed appropriate, and conduct related research, data collection, mapping and analysis;
- (2) Facilitate and coordinate citizen engagement and participation in the planning process;
- (3) Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means of carrying out plans in a coordinated and efficient manner;
- (4) Advise the Council concerning implementation of plans, including , but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D 604;
- (5) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Council may direct;
- (6) Perform any other related duties that the Council may direct.

2-1.4. Officers.

The Planning and Zoning Board shall elect from its membership a chairperson, a vice-chairperson and a secretary. The chairperson shall preside over the meetings and conduct the business of the Board in such manner as may be appropriate to carry out the functions and duties of the Board. In the Chair's absence, the vice-chairperson shall assume the duties and have the same authority as the chairperson would have.

The secretary shall keep accurate minutes of all meetings of the Board and prepare reports for the Council from time to time where recommendations and reports are made to the Council, all of which shall be filed in the office of the Village Clerk.

2-1.5. Meeting rules.

The Board shall conduct its meetings and affairs in accordance with a set of rules of procedure adopted by the Board and approved by the Village Council.