

**IF A MEETING IS REQUIRED, THE PLANNING AND ZONING COMMISSION
MEETS ON THE 4TH TUESDAY OF THE MONTH**

ARTICLE 1.1300 PLANNING AND ZONING COMMISSION

Sec. 1.1301 -Organization

There is hereby created and established a planning and zoning commission for the town consisting of seven (7) members appointed by the town council. In addition to the seven (7) regular members, two alternate members of the planning and zoning commission will be appointed to serve in the absence of one or more regular members when requested to do so by the mayor or chairman of the planning and zoning commission.

Sec. 1.1302 - Qualifications of Members

Each regular and alternate member shall be a resident of the town, shall be qualified to vote, and shall forfeit his office should he cease to reside in the town during his term of office. Each regular and alternate member must have been, as of his date of appointment, a resident of the town for a continuous period of not less than six (6) months, hold no other paid, incompatible, or elected public office for the town, and shall not be in arrears in the payment of taxes or any liability due the town.

Sec. 1.1303 - Responsibilities

The planning and zoning commission shall be responsible for the development and implementation of plans for the future growth, development and redevelopment of the town. The commission shall also be responsible for the review and consideration and recommendation for approval or rejection to the town council of all development plans and proposals, zoning requests, subdivision plats and replats, site plans and zoning regulations and ordinances. The commission shall further be responsible for the review and consideration of the adoption, updating, and revision of land use assumptions.

Sec. 1.1304 - Powers and Authority

The planning and zoning commission shall have the following powers:

(1) -To conduct, after notice as required by law, hearings required by the zoning ordinance and the laws of this state; to recommend to the town council the boundaries of the various districts and appropriate regulations to be enforced therein; to recommend to the town council the approval or denial of zoning changes sought under the zoning ordinance or initiated by the commission on its own motion or by the town council under its own motion.

(2) - To hear, recommend, or determine any matter relating to zoning, planning, or subdivision control, as may be specified or required under this article, other ordinances of the town, or the laws of the state.

(3) - To exercise such duties and powers as may be now or hereafter conferred by this article, other ordinances of the town, or the laws of the state.

(4) - Except in the case of a joint public hearing, the town council shall not hold a public hearing or take action on a zoning change or change to boundaries of the zoning districts or the regulation of a zoning district until it receives the final report of the planning and zoning commission. However, any public hearing required to be held by the planning and zoning commission or the town council by the zoning ordinance or the laws of the state, may be held jointly by the town council and the planning and zoning commission. The town council shall not, however, take any action at such joint hearing until it has received the final report of the planning and zoning commission.

(5) - Notice of public hearings (See [Chapter 14, Exhibit A, Section 24](#)).

Sec. 1.1305 Terms of Office

(a) - The term of office of regular and alternate members of the commission shall be for two (2) years. Three (3) regular members and one (1) alternate member shall be appointed to two-year terms beginning on October 1 in even-numbered years and four (4) regular members and one (1) alternate member shall be appointed for two-year terms beginning on October 1 in odd-numbered years. The town council shall make appointments to the planning and zoning commission at its second regular monthly meeting in August of each year or as soon thereafter as possible.

(b) - In the event of a vacancy on the commission, the alternate member with the longest tenure shall, without further formal action, become a regular member until the expiration of the term of the office assumed by the alternate member. In the event of a vacancy in two (2) offices, the alternate member with the longest tenure shall assume the office of the member with the longest remaining term of office. In the event of any vacancy on the commission, the town council shall appoint new members to fill the vacant offices as soon as practicable to fill such vacancies for the remainder of the unexpired terms of office.

(c) - Members of the commission may be removed from office by the town council by majority vote following written notice citing cause and a public hearing.

Sec. 1.1306 - Meetings of the Commission

(a) - Meetings of the commission shall be held as often as necessary to conduct the business of the commission at the call of the chairman and at such other times as the commission may determine. All meetings of the planning and zoning commission shall be public and the commission shall keep minutes of the proceedings showing the vote of each member upon each question coming before the commission. The minutes of the commission shall be public record.

(b) - A majority of four (4) members of the commission, whether regular or alternate, shall constitute a quorum to do business. Alternate members may vote on matters before the commission only in the absence of regular members when requested to do so by the mayor or presiding officer of the planning and zoning commission.

(c) - The planning and zoning commission shall select one of its regular members to serve as the chairman, and one of its regular members to be vice chairman to serve in the absence of the chairman, at the first regular meeting following October 1 of each year.