

Revised

Summary

To: Planning and Zoning Board
From Micah Maxwell, Town Manager
Subject: Role of the Planning and Zoning Board
Date: 03/6/2014

Summary: As part of the Commission's annual review of its policies and procedures, staff is reviewing the role of citizen boards as it relates to town business and looking to make changes if needed.

Previous Board Action: None

Background/Problem Discussion: The town has not recently reviewed the roles and duties of the different citizen boards in the town. Staff is attempting to do that now. Unlike most boards in the town, the Planning and Zoning Board is a charter board and therefore may only be eliminated by referendum. However, the charter does not define the role of the board, just its existence. Instead, the land development code is where the role of the board is spelled out. Generally in 66-42, and more specifically in sections 66-93 and 66-316.

66-42 – This section of the code covers both of the boards that have administering powers within the land development code, the Planning and Zoning Board and the Board of Adjustment and Appeals. This section speaks less to actual duties of the board and more to the administrative rules governing these boards.

66-93 – This section of the code gets more into the role of the Planning and Zoning Board and identifies 5 specific duties of the board.

1. Oversight of the Land Development Code with the ability to look at the code and study its effectiveness and make any recommendations to the commission on amendments are believed necessary; **The board has recommended amendments in the past, but usually in a reactive manner to the commission. Staff believes that the board could be the catalyst for a amendment if it so desired.**
2. Advisory role to the commission about specific land use issues and policies; **An example of this activity would be variances and vacations.**
3. Board is to conduct public hearings on the drafting, establishment, amendment, and maintenance of the comp plan, zoning map, and land development code; **The board has recently done this in discussion about RM-10, the size of the H district, and will see, likely in April, a mixed use category.**
4. Conduct or obtain special studies on the location, condition, and adequacy of facilities of the town such as housing, commercial and industrial facilities, parks, playgrounds, beaches and other recreational facilities, and transportation and parking. **Historically, this has not been done. No budget has been identified for such studies in the current year's budget.**

5. Review of redevelopment plans **Such as the 2008 redevelopment plan for the Biltmore.**

The section also identifies that the board's decision in no way obligates the town in any way.

66-316 – This section further defines the role of the board in amendments to the land development code and zoning map.

Resolution 95-13 – This resolution identifies the role of the board advisor to the commission.

1. Serve as Chair pro-tem when necessary;
2. Keep the Board informed of Town matters that are related to the duties and responsibilities of the Board;
3. Is the instrument through which the Board asks for assistance or guidance from the Commission;
4. Shall not vote, hold office nor actively participate in the decision making process of the Board.

Alternative/Options:

1. Recommend changes to the land development code or charter on the role of the board to the commission
2. Recommend non-codified duties or rules for the board to the commission
3. Do nothing

Financial Implications: N/A

Proposed Motion: None