

ORDINANCE NUMBER 7

AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR SCOTLAND
COUNTY

WHEREAS, the General Statutes of North Carolina, 1943, Chapter 153, Section 9 (40) provides for the establishment and operation of County Planning Boards; and

WHEREAS it appears to be advantageous to the welfare of the County of Scotland that a comprehensive and continuous planning program be undertaken; and

WHEREAS the Board of County Commissioners needs the active assistance and constant cooperation of many civic-minded, far-seeing citizens in their efforts to serve the best interests of the people and to direct the county's physical growth along good civic lines; therefore, BE IT RESOLVED, that the Board of County Commissioners hereby establish

THE SCOTLAND COUNTY PLANNING BOARD

hereinafter referred to as the "Planning Board", and ordain that it be governed by the following provisions:

SECTION 1. Membership and Vacancies

The Planning Board shall consist of seven (7) members, two (2) of the initial members shall be appointed for a term of two (2) years; three (3) for four (4) years; and two (2) for six (6) years. Their successors shall be appointed for terms of six (6) years. The seven (7) members of the Board will consist of one (1) representative from Williamson Township, Spring Hill Township and Laurel Hill Township, three (3) from Stewartville Township and one (1) member-at-large. Any member who fails to attend three (3) consecutive meetings of this Planning Board, without good cause, shall be considered as having asked the board of County Commissioners to make a new application to the board in his place.

SECTION 2. Organization, Rules, Meetings, and Records

Within thirty days after appointment the Planning Board shall meet and elect a chairman and create and fill such offices as it may determine. The term of the chairman and other officers shall be one year, with eligibility for re-election. The Board shall adopt rules for transaction of its business and shall keep a record of its member's attendance and of its resolutions, discussions, findings,

and recommendations, which record shall be a public record. The Board shall hold at least one meeting monthly and all of its meeting shall be opened to the public. There shall be a quorum of four members for the purpose of taking any official action required by this ordinance. The secretary to the Scotland County Planning Board shall be named by the current Planning Board chairman.

SECTION 3. General Powers and Duties

It shall be the duty of the Planning Board, in general:

- (1) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.
- (2) To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area;
- (3) To establish principles and policies for guiding action in the development of the area;
- (4) To prepare and recommend to the Board of County Commissioners ordinances promoting orderly development along the lines indicated in the comprehensive plan;
- (5) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;
- (6) To keep the Board of County Commissioners and the general public informed and advised as to these matters;
- (7) To perform any other duties which may lawfully be assigned to it.

SECTION 4. Basic Studies

As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of man-made and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the area, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

All county officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

SECTION 5. Comprehensive Plan

The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the Board of County Commissioners for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; the most desirable pattern of land use within the area, including areas for residential uses, for farming and forestry, for manufacturing and industrial uses, for commercial uses, for recreational uses, for open spaces, and for mixed uses.

The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditures of public funds, and the adequate provision of public utilities, services, and other public requirements.

SECTION 6. Zoning Ordinance

The Planning Board shall prepare and submit to the Board of County Commissioners for its consideration and possible adoption of a zoning ordinance for the control of the height, area, bulk, location, and use of buildings and premises in the area, in accordance with the provisions of Article 20B of Chapter 153 of the General Statutes of 1943, as amended.

The Planning Board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the board of county commissioners concerning all proposed amendments to the zoning ordinance.

SECTION 7. Subdivision Regulations

The Planning Board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the Board of County Commissioners its recommendations, if any, for adoption or revision of said regulations.

The Planning Board shall review and make recommendations to the Board of County Commissioners concerning all proposed plats of land subdivision.

SECTION 8. Public Facilities

The Planning Board shall review with the county officials and report as recommendations to the Board of County Commissioners upon the extent, location, and design of all public structures and facilities, and on the acquisition and disposal of public properties. However, in the absence of a recommendation from the Planning Board, the board of County Commissioners may, if it deems wise, after the expiration of thirty (30) days from the date on which the question has been submitted in writing to the Planning Board for review and recommendation, take final action.

SECTION 9. Miscellaneous Powers and Duties

The Planning Board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any such plan it shall hold at least one public hearing thereon.

The Planning Board shall have power to promote public interest in, and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

Members or employees of the Planning Board, when duly authorized by the Planning Board, may attend planning conference or meetings of planning institutes or hearings upon pending planning legislation, and the Planning Board may, by formal and affirmative vote, pay, within the Planning Board's budget the reasonable traveling expenses incident to such attendance.

SECTION 10. Annual Report of Activities and Analysis of Expenditures And Budget Request for Ensuing Fiscal Year.

The Planning Board shall, in May of each year, submit in writing to the Board of County Commissioners a written report of its activities, an analysis of the expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.

The Planning Board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the Board of County Commissioners. It may accept and disburse such contributions for special purposes or projects, subject to any specific conditions which it deems acceptable, whether or not such projects are included in the approved budget.

The Planning Board is authorized to appoint such committee and employees and to authorize such expenditures, as it may see fit, subject to limitations of funds provided for the Planning Board by the Board of County Commissioners in the County's annual budget.

SECTION 11. Advisory Council and Special Committees

The Planning Board may seek the establishment of an unofficial Advisory Council and may cooperate with this Council to the End that its investigations and plans may receive fullest consideration, but the Board may not delegate to such advisory council any of its official prerogative.

The Planning Board may set up special committees to assist it in the study of specific questions and problems.

SECTION 12. Repeal and Date of Effect

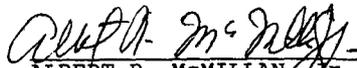
Any ordinance or parts of ordinances in conflict with this resolution and ordinance are hereby repealed, and this resolution and ordinance shall be in full force and effect as an ordinance of Scotland County from and after the date of its adoption by the Board of County Commissioners. Should any section, paragraph, sentence, clause, or phrase of this resolution and ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.

Originally adopted by the Scotland County Board of Commissioners on August 10, 1966, and recorded in Minute Book 8, Page 129, 130, 131, and 132.

Amended by the Scotland County Board of Commissioners on November 23, 1970, and recorded in Minute Book 8, Pages 271 and 272.

Amended by the Scotland County Board of Commissioens on May 1, 1975, and recorded in Minute Book 8, Page 538.

Amendments to May 1, 1975, reflected in this typing.


ALBERT R. McMILLAN, Jr., Chairman
Scotland County Board of Commissioners

Witness:


Clerk to the Board

Approved as to form:


B. Craig Ellis, County Attorney

Amended By the Scotland County Board of Commissioners by a reading on August 6, 1979 and a second reading on September 4, 1979. (See page 74)

AMENDING ORDINANCE # 7

AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR SCOTLAND COUNTY

Amendment # 3

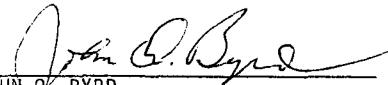
The Scotland County Planning and Zoning Board shall consist of seven members. Not more than two alternate members may be appointed to serve in the absence of regular members. All members and alternates shall be appointed to serve by the Scotland County Board of Commissioners. Members and alternates shall serve for such terms as are directed and authorized by the Scotland County Board of Commissioners.

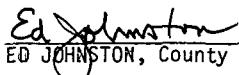
The above amendment was adopted by the Scotland County Board of Commissioners by a reading on August 6, 1979 and a second reading on September 4, 1979.


ALBERT R. MCMILLAN, JR., Chairman
Scotland County Board of Commissioners

ATTEST:

Approved as to form:


JOHN Q. BYRD
Clerk of the Board


ED JOHNSTON, County Attorney

AMENDING ORDINANCE # 2

MOBILE HOME PARK DEVELOPMENT ORDINANCE, SCOTLAND COUNTY

AMENDMENT # 1

ARTICLE III. Procedure for Securing approval of Mobile Home Parks

Section 2. Mobile Home Park Construction Permit - 2.2 (a) Add:

Provided that the name of the mobile home park or development shall not duplicate or be similar to names of existing subdivisions or mobile home parks or developments in either Scotland County or any municipality in Scotland County.

The above amendment was duly advertised and a public hearing was held in accordance with appropriate General Statutes, and the Board of County Commissioners officially adopted this amendment at a Regular Meeting held on September 4, 1979, with all members present.


ALBERT R. MCMILLAN, JR., Chairman
Scotland County Board of Commissioners

ATTEST:

Approved as to Form:


JOHN Q. BYRD, Clerk of the Board


ED JOHNSTON, County Attorney

AMENDING ORDINANCE # 3

SUBDIVISION REGULATIONS, SCOTLAND COUNTY

AMENDMENT # 1

Section 3.2-2 Preparation and Content (13) Add:

Provided that the subdivision name shall not duplicate or be similar to names of existing subdivisions or mobile home parks or developments in either Scotland County or any municipality in Scotland County.

The above amendment was duly advertised and a public hearing was held in accordance with appropriate General Statutes, and the Board of County Commissioners officially adopted this amendment at a Regular Meeting held on September 4, 1979, with all members present.