

ASHE COUNTY, N.C. ORDINANCE

CHAPTER 153: PLANNING

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***153.01 SCOPE OF PLANNING.**

Every action and program of every component of the county involves planning, in a broad sense of the term. For the purposes of this chapter, the term is restricted to activities and programs involving physical, economic, and social development of the county.

(Ord. Passed 10-20-93)

***153.02 PLANNING AGENCIES.**

The following are designated as planning agencies assigned responsibilities under this chapter: the Board of County Commissioners, the Planning Board, the Planning Department, the Inspection Department, the Airport Authority and the Economic Development Commission.

(Ord. Passed 10-20-93)

***153.03 BOARD OF COUNTY COMMISSIONERS.**

In its legislative capacity the Board adopts policies, chapters, and amendments; appropriates funds; approves acquisition, construction, and disposition of public facilities; and oversees administration of the county. In its quasi-judicial or administrative capacity it serves as the appellate board for Planning Board decisions.

(Ord. Passed 10-20-93)

***153.04 COUNTY PLANNING BOARD.**

The Planning Board of the county is hereby created, in accordance with the following provisions.

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- (A) *Membership and vacancies.* The Planning Board shall consist of five members. All members shall be citizens and residents of the county and shall be appointed by the County Commissioners. Two of the initial members shall be appointed for a term of one year; two for two years; and one for three years. Their successor shall be appointed for terms of three years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the un-expired term. Members may be removed for cause by the County Commissioners. If any member shall miss three (3) consecutive meetings without good excuse, this shall be deemed cause for dismissal. (Effective date of this change is 9/08/03).
- (B) *Organization, rules, meetings, and records.* Within 30 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 reelection. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, which shall be public record. The Board shall hold at least one meeting monthly, and all of its meetings shall be open to the public. For the purpose of taking any official action three members will constitute a quorum.
- (C) *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 identify needs and problems growing out of those needs;
 3. To determine objectives to be sought in development of the county;
 4. To establish principles and policies for guiding action in development of the county;
 5. To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical, social, and economic development of the county;
 6. To prepare and recommend to the County Commissioners ordinances promoting orderly development along lines indicated in the comprehensive plan and advise them concerning proposed amendments of such ordinances;
 7. To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of

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the area and ordinances adopted in furtherance of such plan;

8. To keep the County Commissioners and the general public informed and advised as to these matters;
9. To perform such quasi-judicial functions as: administering the county mobile home park ordinance, the county floodplain ordinance, and the county junk car ordinance; and
10. To perform any other duties that may lawfully be assigned to it.

(D) Basic studies.

1. As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of physical features of the county; statistics on past trends and present conditions with respect to population, property values, the economic base of the county, and 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.
2. In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, the condition, and the adequacy of specific facilities, which may include, but are not limited to, studies of housing; commercial and industrial facilities; parks, playgrounds, and other recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.
3. 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 agent may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

(E) Comprehensive plan.

1. The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the 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,

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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; and the most desirable pattern of land use within the area, including areas for farming and forestry, for manufacturing and industrial uses, for commercial uses, for recreational uses, for open spaces, and for mixed uses.

2. The plan and any chapters 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 that 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 expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

(F) *Public facilities.* The Planning Board shall review with the County Manager and other officials and report its recommendations to the County Commissioners concerning the location and design of all proposed public structures and facilities; the acquisition and disposition of public properties; and the establishment of building lines, mapped street lines, and proposals to change existing streets. It shall also make recommendations concerning other matters referred to it by the County Commissioners.

(G) *Miscellaneous powers and duties.*

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

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2. 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 elect.
3. Members or employees of the Planning Board, when duly authorized by the Board, may attend planning conferences, meetings of planning associations, or hearings on pending planning legislation, and the Planning Board may by formal and affirmative vote authorize payment within the Board's budget of the reasonable traveling expenses incident to such attendance.
4. *Annual report and budget request.* The Planning Board shall, in May of each year, submit in writing to the County Commissioners a report of its activities, an analysis of its expenditures to date for the current physical year, and its requested budget of funds needed for the ensuing fiscal year.
5. *Special committees.* The Planning Board may from time to time establish special committees to assist it in studying questions and problems. The Board, however, may not delegate to such a committee any of its official powers and duties.
(Ord. Passed 10-20-93)

***153.05 PLANNING DEPARTMENT.**

Under the direction of the County Manager, the Planning Department shall assist the County Commissioners, the Planning Board, the Inspection Department, the Airport Authority, and the Economic Development Commission with studies, advice, and preparation of plans.

(Ord. Passed 10-20-93)

***153.06 INSPECTION DEPARTMENT.**

The Inspection Department carries out the responsibilities set forth in G.S. Chapter 153, Article 18, Part 4 with regard to enforcement of the State Building Code and other laws

relating to construction. In addition, it enforces the other ordinances listed

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in *153.04(C) of this chapter, as well as other ordinances as assigned by the County Commissioners and the Manager. Normally, it is responsible for issuing permits, making inspections of both new construction and existing structures, CHAPTER 153: PLANNING issuing certificates of compliance, issuing orders to correct violations, initiating legal actions against violators, and keeping records.

(Ord. Passed 10-20-93)

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***153.07 ECONOMIC DEVELOPMENT COMMISSION.**

The Economic Development Commission formulates economic development projects and promotes economic development of the area, pursuant to G.S. Chapter 158, Article 2.

(Ord. Passed 10-20-93)