

**RULES OF PROCEDURE
TROUTMAN DESIGN REVIEW BOARD**

**ARTICLE I
Design Review Board**

- 1-1 The official name of the Design Review Board shall be the Troutman Design Review Board, hereafter referred to as the DRB.

**ARTICLE II
Objective and Purpose**

- 2-1 The primary objective of the DRB is to review and render recommendations upon the exterior design of commercial, institutional, industrial, mixed use and multi-family (except townhome) structures proposed for development in the Town of Troutman and its Extraterritorial Jurisdiction.
- 2-2 The duties and responsibilities of the DRB are:
- (a) To review submitted building elevation, design, color scheme, renderings, and materials selection;
 - (b) To determine the compatibility and consistency of the proposed designs with:
 - the minimum design requirements as articulated in the Town's Unified Development Ordinance, Strategic Plan, and other applicable adopted Town plans and policies.
 - the prevailing character of the community surrounding the proposed development and of the Town of Troutman,
 - any other applicable discretionary guidelines;
 - (c) To render to the Town Council recommendations as to whether to
 - approve,
 - deny,
 - approve with changes or conditions, or
 - modifythe submitted designs;
 - (d) To keep the Town Council and the general public informed and advised as to these matters; and
 - (e) To perform any other related duties that the Town Council may direct.

**ARTICLE III
Membership**

- 3-1 Members of the DRB shall be appointed for designated and staggered terms of three years. The alternate member (discussed in Section 3-4) shall serve a two year term.
- 3-2 The DRB shall consist of five (5) regular voting members, all of whom must reside within Troutman's planning and zoning jurisdiction (Town limits or Extraterritorial Jurisdiction) .
- 3-3 One (1) member of the above shall be a Design Professional.
- 3-4 In addition to the five (5) members above, the DRB shall consist of one (1) alternate member who shall only have voting privileges in the event of the absence of one of the five (5) voting members. The alternate must be a resident of the Town of Troutman planning jurisdiction.
- 3-5 The DRB membership will also include two non-voting ex-officio members: a Town Council member and the Planning Director or designee.
- 3-6 All DRB members, the alternate, and the ex-officio members are appointed by the Town Council. Wherever possible appointments shall be made in such manner as to maintain a majority of members with training and experience in the field of design and construction.
- 3-6 In the event a vacancy occurs on the DRB by reason of death, resignation, change of residence, or any other case, the unexpired portion of that former member's term may be filled by the governing board that appointed the former member.

**ARTICLE IV
Election of Officers**

- 4-1 A Chair and Vice-Chair shall be elected annually from within the voting DRB membership at their regular meeting held during the month of January. Each officer thus elected shall serve for a one (1) year term, and may be re-elected for successive terms by the DRB. Each officer shall serve until relieved of duties as herein provided.
- 4-2 The Chair shall preside at all meetings of the DRB, appoint all standing and temporary committees, and have the duties normally conferred on such office. The Chair shall have the privilege of discussing all matters before the DRB. In the absence of the Chair, the Vice-Chair shall serve as Chair.
- 4-3 In the event of the absence of both the Chair and Vice-Chair from a meeting of the DRB, the members present may elect a temporary Chair for that meeting and proceed with the order of business.

- 4-4 The Deputy Town Clerk or designee shall serve as the Secretary to the DRB. The Secretary shall keep a record of all business transacted at DRB meetings, and adopted minutes shall be of public record and shall be kept on file at the Troutman Town Hall by the Secretary and shall be available for inspection during regular business hours.

ARTICLE V Meetings

- 5-1 Meetings of the DRB shall be held on an as-needed basis at the convenience of Board members, staff, and the projects' applicants. Meetings shall be held at Troutman Town Hall or elsewhere as needs and conditions dictate. Each Board member shall be notified of each meeting and provided an agenda packet beforehand by the Secretary.
- 5-2 Special meetings may be called only by the Chair or designated Chair, provided that at least a forty-eight (48) hours written notice of time of such meeting shall be given to each member by the Secretary.
- 5-3 A quorum shall consist of a majority of voting DRB members, minus vacant seats. A quorum shall be present before any business is transacted.
- 5-4 If the alternate member is necessary to constitute a quorum, he or she shall be designated as a voting member for that meeting prior to discussion of any agenda items. The alternate member may only vote when a quorum is not met by regular members. Ex-officio members as described under Section 3-5 above shall not be eligible to vote to obtain a quorum.
- 5-5 All meetings of the DRB shall be open to the public. Public notice of all meetings shall be made by posting a DRB agenda in a conspicuous location accessible to the general public within the Troutman Town Hall at least forty-eight (48) hours prior to the meeting. The notice shall remain posted until the meeting has been concluded.
- 5-6 In addition, a sign announcing an upcoming Town meeting to discuss a proposed development will be posted in a conspicuous location on or near the subject property upon which the development is proposed.
- 5-7 Members of the DRB shall not commit themselves on any question scheduled to be considered by the DRB, prior to the consideration of the matter at a duly authorized meeting. DRB members are permitted to listen to comments regarding a pending case but shall refrain from responding with opinions or views; provided, however, that members may receive and/or seek general technical information pertaining to the case from the Zoning Administrator, or Secretary prior to the DRB meeting at which the case is to be heard.

ARTICLE VI
Attendance

- 6-1 In order for the DRB to successfully carry out its duties and responsibilities, it is necessary for all members to regularly attend scheduled meetings. Any DRB member or alternate member may be removed by the Town Council, or have a recommendation for removal be transmitted by the Town Council to the Iredell County Board of Commissioners, for failure to attend three (3) consecutive meetings unless such member is absent for good cause at any of such meetings. Should the member/alternate member proposed for removal make a request for appeal, the Town Council may hold an appeal hearing before taking formal action for removal.

ARTICLE VII
Order of Business

- 7-1 All DRB meetings shall be open to the public. The order of business shall generally be as follows:
- (a) Roll call and determination of quorum
 - (b) Approval of previous minutes
 - (c) Old business
 - (d) New business
 - (e) Other business
 - (f) Adjournment

ARTICLE VIII
Conflict of Interest

- 8-1 No member of the DRB shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the DRB when that member believes that he or she has a conflict of interest related to a specific matter.
- a. When a member believes he or she, or another member, has a conflict of interest related to a specific matter, he or she shall declare it prior to any consideration of the matter. Conflicts of interest shall include, but are not limited to, (a) a close familial, business or other associational relationship with a person affected by the matter before the DRB, or (b) a financial interest in the outcome of the matter.
 - b. The member shall state the nature of the conflict to the DRB, and the DRB shall take action by a majority vote in determining whether or not to excuse the member from participation during consideration of and voting on that matter.

- c. The excuse of a member due to a conflict of interest shall not constitute an absence in accordance with Section 9.3 and shall not affect the determination that a quorum is present.
- d. An excused member may remain in the meeting room; but shall not participate in the formal discussion among the remainder of the DRB, and shall not vote on the matter. However, an excused member may participate as a non-DRB member in presentation of and/or public comment on matters for review by the DRB.

- 8-2 A challenge of the existence of a conflict of interest or a challenge of an undisclosed conflict of interest may be filed with the DRB by any interested party. Any challenge made to the DRB shall be supported by competent evidence and shall be submitted at a properly convened meeting of the DRB. The DRB shall hear all evidence and shall, by majority vote of the remaining members, make the final determination as to the existence of a conflict of interest.
- 8-3 Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of considerations because of the business or profession with which a Committee member is associated.

ARTICLE IX
Action by Design Review Board

- 9-1 All actions of the DRB shall have been put before the DRB members in the form of a motion, duly seconded, and voted upon by all unexcused members present for a quorum.
- 9-2 Voting shall only be done by a show of hands or by voice, as directed by the Chair. Only members present at the time a vote is taken shall be eligible to vote.
- 9-3 All members of the DRB must vote on all matters except as specified in Article VIII. If a person who has not been excused from voting abstains from voting on a matter, that member shall be counted as having voted "yes" on said matter.
- 9-4 DRB votes shall be in the form of recommendations to the Town Council which retains final approval authority, with the exception of actions taken as described in Article IV (election of officers), Article VII (order of business), and Article VIII (conflict of interest).
- 9-5 Appeals to the decisions and recommendations rendered by the DRB shall be filed within 30 days of the DRB and shall reviewed and decided upon by the Town Council.

ARTICLE X
Adoption and Amendment

- 10-1 These Rules of Procedure shall be reviewed for re-adoption annually in January by a majority vote of the DRB membership, and shall be recommended to the Town Council for approval.

- 10-2 The Rules of Procedure, within the limits set by law, may be amended by an affirmative vote for recommendation to the Town Council of the membership present at a duly convened meeting, provided that such proposed amendment shall have first been submitted to all members in writing at least seven (7) days prior to the meeting at which the vote is taken.

ADOPTED/AMENDED: October 14, 2021

Teross W. Young, Jr., Mayor

Kimberly H. Davis, Town Clerk

ADOPTION/AMENDMENTS:

Adopted: May, 2021
Amended: October, 2021