

**BYLAWS AND RULES OF PROCEDURE
AUGUSTA, GEORGIA PLANNING COMMISSION
REVISED FEBRUARY 2023**

SECTION I. ORGANIZATION STRUCTURE

1. **Membership** - The Augusta, Georgia Planning Commission (hereafter "the Commission") shall be comprised of such members as are appointed under Title Eight of the Augusta, Georgia City Code. A liaison may be appointed by the Augusta Commission who shall be an ex-officio member.
2. **Officers and Terms of Office** - The officers shall be that of Chairman, Vice-Chairman, Secretary. The Chairman of the Commission shall be elected from among the members by the members. The term of the Chairman shall be one year and he shall be eligible for reelection not to exceed one consecutive term of one year. There shall be a Vice-Chairman who shall be elected from among the members by the members for a period of one year and he shall be eligible for reelection not to exceed one term of one year. The Commission shall elect a Secretary who may be the Director of the Augusta Planning and Development Department. The term of the Secretary shall be one year and they shall be eligible for reelection indefinitely. The terms of the Chairman, Vice-Chairman, Secretary, shall run from January 1 to December 31 of each year.
3. **Election Date** - Election of officers shall be held at the first meeting in December of each year. In the event an election is not held as prescribed, duly elected officers shall continue to serve until a successor is elected and installed.
4. **Executive Committee** – The Chairman of the Commission may appoint an executive committee from the membership of the Commission as may be authorized by the Commission to facilitate its work. This committee shall consist of the chairman and three other members appointed by the Chairman. This committee shall act on any matter of such urgency that it cannot await the next regular meeting of the Commission. All action shall be subject to confirmation by the Commission acting body. It shall also act on any matter referred to it by the Commission.
5. **Attendance at Meetings.** Faithful and prompt attendance at all meetings of the Commission, and conscientious performance of the duties required of members, shall be a prerequisite to continuing membership on the Commission. Should a member fail to attend three (3) consecutive regular meetings of the Commission, and should there be no adequate excuse for such absences, the Chair, with the concurrence of a majority of the Commission, shall recommend to the Augusta Commission that a vacancy be declared and that the vacant position be filled in an expeditious manner.
6. **Compensation.** Compensation shall be paid to those members that attend the regular monthly meeting. The amount of compensation shall be the Chairman of the Planning Commission shall be \$250.00 per month. All other members receive \$150.00.

SECTION II. RULES OF PROCEDURE FOR COMMISSION MEETINGS

1. **Regular Monthly Meeting** - The regular monthly meeting of the Commission *may* be held at 3:00 P.M. on the first Monday of the each month at a place designated by the Director. The Commission *may* hold a pre-meeting prior to the regular meeting. Additional meetings may be called as necessary by the Chairman. Notice of the regular meetings and pre-meetings shall be maintained in the Municipal Building. Notice of special meetings shall be posted at least 24 hours prior to the meeting and the Augusta Chronicle shall be notified 24 hours in advance. *The meeting may be canceled by the Chairperson, in the event that the Planning and Development Department Director indicates that there are no agenda items.*
2. **Roberts Rules of Order** – Except as stated in these Bylaws and Rules of Procedure, Roberts Rules of Order shall be followed in the conduct of meetings of the Planning Commission.
3. **Voting** – All matters coming before the Planning Commission for a decision shall be put to a vote and decided by a majority of votes cast. The Chairman shall not vote on matters coming before the Commission except when the chairman's vote would change the result. Ex Officio Members are not voting members.
4. **Quorum** – A quorum shall consist of a majority of the appointed members, excluding ex-officio members.
5. **Presiding Officer** - The presiding officer of all meetings of the Planning Commission shall be the Chairman of the Commission, and in his absence, the Vice-Chairman.
6. **Meetings Deemed Public and Open** - Meetings of the Commission shall be open to the public, except that closed sessions may be held upon order of the Chairman or of the Commission acting as a body subject to the provisions of O.C.G.A. 50-14-4.
7. **Preparation of the Minutes** – A summary of the subjects acted upon and the members present at a meeting shall be made available for public inspection within two business days of adjournment of a meeting. The minutes of each of the meetings of the Commission shall be prepared and distributed to members in time for reading prior to the subsequent meeting. The minutes shall be open for public inspection once approved, but no later than immediately following the next regular meeting.
8. **Deadline for Commission Agenda** - Agenda for the business of the Commission shall be prepared and sent to the Commission at least three work days prior to each meeting of the Commission. Business arising after agendas have been sent out may be added at the discretion of the Director so long as legal requirements are observed and the Commission members unanimously approve the additions by vote. The agenda shall be available upon request and posted at the meeting site.
9. **Presentation Time** – A minimum time of at least ten minutes for the presentation of data, evidence and opinions shall be afforded each side on a rezoning petition or a special exception. In the event more than ten minutes is afforded to one side, then an equal amount of time shall be afforded to the other side.
10. **Public Involvement Encouraged** – Anyone who wishes to address the Planning Commission with regard to a rezoning action under consideration may either submit the desired information in writing prior to the meeting at which the action is to be considered, or address the Commission at the

meeting. There is no restriction on who may address the Commission and no prior registration as an opponent or proponent is necessary, except as noted under Section 14 entitled Disclosure. When the caption of an item of interest is read, interested persons may respond when the chairperson asks for opponents or proponents to come forward. When called upon a proponent or opponent shall state his name and address and as briefly as possible present his opinion. Presentation of duplicate and excessive information should be avoided.

11. **Deadline for Withdrawal of Petition** - Any petitioner shall have the right to voluntarily withdraw a petition for a change of zoning or a special exception by 12 o'clock Noon on the Wednesday prior to the hearing date without Commission approval for resubmission. Any zoning request withdrawn after this time for any reason must have the consent of the Commission by proper resolution.
12. **Withdrawal Without Prejudice** - The Commission at its discretion may by unanimous vote allow a petitioner to withdraw a petition without prejudice at the public hearing when unusual circumstances warrant such actions. When this is done no further approval by the Commission is required for resubmittal.
13. **Postponements** – Hearings on any petition may be postponed one time upon written request of the applicant or the applicant's representative and by Commission approval. The applicant shall pay all fees for re-advertising for the next available Commission meeting. The petition may be heard at the next hearing date. At the conclusion of the hearing, the matter may be continued to the next following Commission meeting if the Commission finds that unusual circumstances warrant such action.
14. **Adding Items to Agenda** - Any item requiring a vote may be added by the Director at any meeting upon unanimous vote of the Commission members present and provided that all legal requirements are observed.
15. **Disclosure** – The various disclosures required at O.C.G.A. 36-67A shall be made prior to, or at all hearings conducted by the Augusta, Georgia Planning Commission. This Code Section requires the following disclosures:
 - Applicant for rezoning – must disclose all individual and business entities that have a financial interest in the rezoning and contributions of \$250.00 or more to Planning Commissions or local elected officials within two years of the application date.
 - Local Government Officials – must disclose financial interest they or family members have in rezoning proposals and must abstain from voting or attempting to influence the decision on subject property; and
 - Opponents – anyone who would speak in opposition to a rezoning proposal must disclose contributions totaling \$250.00 or more to Planning Commissioners and local elected officials. Disclosure must be made in writing at least five days before the hearing.
16. **Zoning Amendment Procedures** – The regulations for accepting, processing, notifying the public, and hearing rezoning and special exception requests and proposals for text amendments are found in Chapter 35 of the Comprehensive Zoning Ordinance for Augusta-Richmond County.

- 17. Absence of Applicant** – The absence of the applicant or a representative of the applicant at the advertised hearing date, time, and place shall be considered to be the applicant's consent to a withdrawal with prejudice. The Commission may accept the withdrawal or, in the alternative, allow a postponement of the application by proper motion. A withdrawal with prejudice due to absence may be vacated by the Commission upon proof by the applicant, the applicant's representative, or the Director that the absence of the applicant or applicant's representative was due to a medical emergency, equally serious condition, or unusual circumstances beyond the control of the applicant. If an application for a rezoning, special exception, or variance action that requires a public hearing is filed with the Planning Commission and the applicant fails to appear at the designated time and place, then an additional fee equal to half of the amount of the original fee may be required in order to continue the application to the next meeting. Such additional fee may be waived by the Director upon a finding that the absence of the applicant was due to a medical emergency or equally serious condition beyond the control of the applicant. In no case shall an agenda item be carried over more than one time due to the absence of the applicant.

SECTION III. AMENDMENTS TO BYLAWS AND RULSE OF PROCEDURES

These Bylaws and Rules of Procedure for the Commission may be altered or amended at any regular of called meeting by a two-thirds vote of the Commission members present after prior written notice of the general nature of the proposed change has been given.

ADOPTED THIS DATE. _____, **2023**

SONNY PITTMAN
Chairman

CARLA DELANEY
Director Augusta Planning & Development Dept.