

**POLICIES AND PROCEDURES FOR THE
PULASKI COUNTY PLANNING AND ZONING
BOARD**

Adopted July 3, 2006

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Section 1.0 Zoning Policies and Procedures

The following policies and procedures are herein established to provide guidelines for the following activities:

1. The establishment of the Pulaski County Planning and Zoning Board.
2. Procedural regulations for the conduct of Planning and Zoning Board Hearings.

Section 1.1 Establishment of the Planning and Zoning Board

Section 1.1.1 Creation and Appointment

There is hereby established a Pulaski County Planning and Zoning Board. The Planning and Zoning Board shall be composed of five (5) members who shall be residents of Pulaski County and who shall be appointed by the Sole County Commissioner. Members of the Planning and Zoning Board shall be appointed for overlapping terms of three (3) years and shall serve until their successors are appointed. Original appointments may be made for a lesser number of years so that the terms of said members would be staggered.

The Sole County Commissioner shall set the compensation of the members to be one hundred dollars (\$100) per member, per meeting. This compensation shall not exceed five hundred dollars (\$500) total for each month and six thousand dollars (\$6,000) total for an entire calendar year.

Any vacancy in the membership of the Planning and Zoning Board shall be filled for the unexpired term in the same manner as the original appointment. The Sole County Commissioner may remove any member of the Planning and Zoning Board for due cause after written notice and a public hearing.

Section 1.1.2 Organization, Rules, Staff, and Officers

The Planning and Zoning Board shall elect one (1) of its appointed members as chairman who shall serve for one (1) year or until he or she is reelected or his or her successor is elected. A second appointed member shall be elected as vice chairman, and he or she shall serve for one (1) year or until he or she is reelected or his or her successor is elected. The Planning and Zoning Board shall appoint a secretary who may be an officer of the Planning and Zoning Board or an employee of Pulaski County. At least three (3) members must be present and voting to constitute a quorum.

Section 1.1.3 Meetings

The Planning and Zoning Board shall set a regular monthly meeting time and place and meet at such other times as the chairman or commissioner may determine; provided, however, that this provision shall not be construed as requiring the Planning and Zoning Board to meet when it has no regular business to transact.

Section 1.1.4 Records

The Planning and Zoning Board shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, determinations, and recommendations, which shall be a public record.

Section 1.1.5 Functions and Duties

The Planning and Zoning Board is hereby vested with the following powers and duties. The mere authorization to undertake these functions shall not be considered a mandate for the Planning and Zoning Board to perform all of these functions, nor shall it prohibit the discretion of the Sole County Commissioner, by law or resolution, from assigning one (1) or more of these functions to a staff member of the local government, or to another agency or commission.

The mission of the Planning and Zoning Board shall be to make such careful and comprehensive surveys and studies of existing conditions and probable future developments and to prepare such plans for the physical, social, and economic growth as will best promote the public health, safety, morals, convenience, prosperity, and/or general welfare, including efficiency and economy in the development of its jurisdiction. In particular, the planning commission shall have the power and duty perform the following.

1. Cooperate with the Federal, State, or local, public or semi-public agencies or private individuals or corporations, and carry out cooperative undertakings with said agencies, individuals, or corporations.
2. Prepare a comprehensive plan or parts thereof, or cause to be prepared such plan or parts thereof, for the development of the local jurisdiction or parts thereof, which shall be subject to the approval of the Local Governing Body in accordance with the Georgia Planning Act of 1989, as may be applicable.
3. Prepare and recommend for adoption by the Sole County Commissioner a zoning ordinance or resolution, regulations for the subdivision of land, and any other land use regulations appropriate to manage development in the jurisdiction.
4. Administer zoning and other land use regulations in whatever role is delegated to it by the Sole County Commissioner. To this end, the planning commission may review applications for zoning map amendments or applications for land use approval and provide a recommendation to the Sole County Commissioner. However, the Planning and Zoning Board shall not be delegated any legislative authority such as the final approval of zoning map amendments or conditional or special uses.
5. Review and approve subdivision plats; provided, however, that if the Planning and Zoning Board is given authority to grant approval of final plats, said approval shall not constitute acceptance of public improvements which is a power reserved by the Sole County Commissioner.

6. Prepare and recommend for adoption to the Sole County Commissioner, a plat or plats, or a corridor map or maps, showing the location of the boundary lines of existing, proposed, extended, widened or narrowed streets and linear open spaces and recreational areas, together with regulations to control the erection of buildings or other structures within such lines, within the local jurisdiction or a specified portion thereof.
7. Make, publish, and distribute maps, plans and reports and recommendations relating to the planning and development of the local jurisdiction to public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens.
8. Exercise, in general, such other powers as may be necessary to enable it to perform its functions and promote the planning of the unincorporated areas of Pulaski County.

Section 1.2 Procedures for Conducting Public Hearings

This section establishes procedures that shall, unless the context specifically indicates otherwise, be applicable to the Planning and Zoning Board of Pulaski County (hereafter referred to as the "Public Hearing Body") in the conduct of all public hearings. Public hearings as are herein required shall be governed by the following policies and procedures for conducting public hearings, and the Public Hearing Body shall follow such policies and procedures for the conduct of public hearings, except in cases where it is prudent to dispense with formalities in such cases where due process of the applicant or interested parties will be unaffected. Nothing contained herein shall be construed as prohibiting the Public Hearing Body from conducting the public hearing in an orderly and decorous manner to assure the public hearing on a proposed application is conducted in a fair and orderly manner. These rules shall be public record and shall be made available at the public hearing.

Section 1.2.1 Call of Hearing

The presiding officer of the Public Hearing Body shall indicate that a public hearing has been called for the consideration of said applications. Thereupon, the Public Hearing Body shall consider each application on an individual basis in the order of the published agenda or as otherwise called by the presiding officer.

Section 1.2.2 Report by the Zoning Administrator

The presiding officer shall call upon the Zoning Administrator or other appropriate staff to make a report, if any, concerning the proposed application. The Zoning Administrator or other appropriate staff shall then give the report, if any, for said application.

Section 1.2.3 Presentation by Applicant

The presiding officer shall call on the applicant or applicant's agent who shall present and explain his application. It shall be the duty of the applicant to carry the burden of

proof that the proposed application promotes public health, safety, morality, and/or general welfare.

Section 1.2.4 Determination of Interested Parties

Following the applicant's presentation, the presiding officer may ask for a show of hands of those persons who wish to appear in support of or opposition to the petition. If it appears that the number of persons wishing to appear in support of or opposition to the petition is in excess of that which may reasonably be heard, the presiding officer may request that a spokesperson for the group be chosen to make presentations. Proponents and opponents of each decision shall have ten (10) minutes to present data, evidence and opinions on the proposed application.

Section 1.2.5 Public Testimony

Prior to speaking, each speaker will identify him or herself and state his or her current address. Each speaker shall speak only to the merits or liabilities of the proposed application under consideration and shall address his or her remarks only to the Public Hearing Body. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed application under consideration. The presiding officer may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate these procedures.

Section 1.2.6 Applicant's Rebuttal

After public testimony, the applicant or applicant's agent shall be allowed a short opportunity for rebuttal and final comment.

Section 1.2.7 Close of Public Hearing

After the above procedures have been completed, the presiding officer will indicate that the public hearing is formally closed, and the public hearing shall not be reopened except upon formal vote of the Public Hearing Body; provided, however, that this provision shall not require the closure of a public hearing where at the discretion of the Public Hearing Body the hearing should be continued at a later time or date.

Section 1.2.8 Recess of Hearing

The Public Hearing Body, for any reason it deems necessary or desirable, may recess or continue a hearing. Upon recessing or continuing a hearing, the Public Hearing Body shall announce the time, date and place when the hearing or hearings will be resumed and such public announcement shall be considered sufficient notice thereof to all persons.

Section 1.2.9 Vote

After the public hearing is closed, the Public Hearing Body may vote upon the proposed application. Prior to voting, the Public Hearing Body shall consider evidence and public testimony presented at the public hearing, and the Public Hearing Body shall apply the evidence to the applicable criteria specified in this code for said application. It will not be required that the Public Hearing Body consider every criteria contained in this code, except for variances where all criteria for approving variances must be met. At such

public hearings as herein required to be held by the Planning and Zoning Board, the Planning and Zoning Board may by motion deny the application at the conclusion of the public hearing, or within a specified time thereafter. If the Planning and Zoning Board determines from the evidence presented that the applicant has shown that the proposed application is consistent the applicable criteria for said application, the application shall be granted and such approval may be subject to those reasonable conditions as may be imposed by the Planning and Zoning Board.

Section 1.3 Effective Date

These Regulations will take effect and be in force the _____ day of _____, 20____.

BE IT ORDAINED, by the Sole Commissioner of Pulaski County that the foregoing Policies and Procedures for the Planning and Zoning Board of Pulaski County be ordained, adopted, and enacted for the unincorporated areas of Pulaski County, Georgia, pursuant to the Home Rule Power of Pulaski County granted under the Laws and Constitution of Georgia.

ADOPTED this ____ day of _____, 20____.

ATTEST:

Sole County Commissioner

Date

Pulaski County Clerk

Date