

RESOLUTION 2014-47

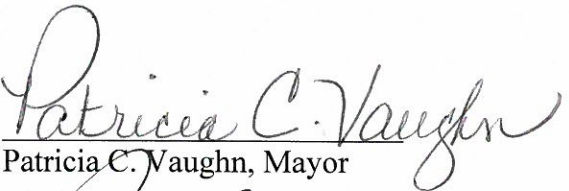
A RESOLUTION APPROVING BYLAWS PROPOSED BY THE CITY OF POWDER SPRINGS PLANNING AND ZONING COMMISSION; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council for the City of Powder Springs (the "City") previously authorized the Planning & Zoning Commission (the "P&Z Commission") to adopt bylaws to govern its operations and rules of procedures, subject to approval of the Mayor and Council;

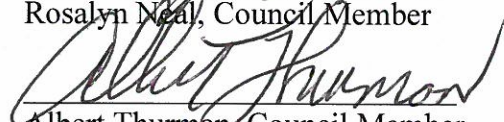
WHEREAS, the P&Z Commission has prepared draft bylaws for consideration by the City, and the City has reviewed and desires to approve said bylaws;

NOW THEREFORE, be it resolved by the Mayor and Council of the City of Powder Springs that the draft bylaws prepared by the P&Z Commission and attached hereto are hereby approved for adoption by the P&Z Commission.

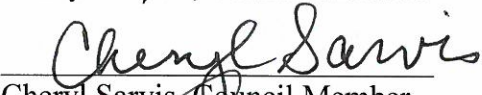
SO RESOLVED this 5th day of May 2014.

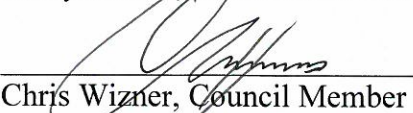

Patricia C. Vaughn, Mayor


Rosalyn Neal, Council Member


Albert Thurman, Council Member

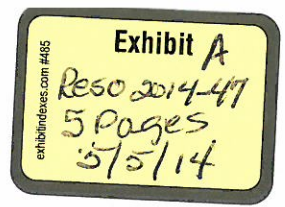

Nancy Hudson, Council Member


Cheryl Sarvis, Council Member


Chris Wizner, Council Member

ATTEST:


Dawn Davis, City Clerk



BYLAWS FOR THE CITY OF POWDER SPRINGS PLANNING COMMISSION

SECTION 1 -TITLE; ADOPTION; AMENDMENT

1.1 These rules may be cited as the City of Powder Springs Planning Commission Rules of Procedure.

1.2 These Rules of Procedure, and amendments thereto, shall be adopted by the City of Powder Springs Planning Commission at a regularly scheduled meeting of the City of Powder Springs Planning Commission.

1.3 These Rules of Procedure shall become effective upon adoption by the City of Powder Springs Planning Commission and approval by the City Council/County Mayor and Council..

SECTION 2 - MEMBERSHIP; TERMS OF OFFICE; OFFICERS; AND VACANCIES

2.1 The Planning Commission shall consist of Seven (7) members, appointed by the City of Powder Springs Mayor and Council to serve for two (2) year terms. Initially four (4) persons shall be appointed for a two-year term and three (3) shall be appointed for a one-year term. 2.2 The Planning Commission shall elect one of its members as chairperson and Vice-chairperson, who will serve for one year or until the chairperson or vice-chairperson is re-elected or a successor is elected. The Mayor and Council shall appoint a secretary or a staff person to take minutes of the Planning Commission's meetings, recording all motions and votes thereon as well as any other business of the Planning Commission conducted in a Public Forum. The Planning Commission shall maintain rules of procedure in accordance with the Unified Development Code and state law. The Mayor and Council shall approve the Planning Commission's Rules of Procedure or any amendment before they become effective.

2.3 Resignation shall be in writing and delivered to the chair of the City of Powder Springs Planning Commission. Any member who is absent from two (2) consecutive regular meetings of the commission automatically vacates the position and shall be replaced by the Mayor and Council in accordance with Section 15-6, . The Mayor and Council may reappoint the member if it deems the absences to be excusable.

2.4 Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be compensated as determined by the Mayor and Council.

SECTION 3-DUTIES OF PLANNING COMMISSION

3.1 It shall be the responsibility of the Planning Commission to review and recommend to the Mayor and Council its approval, disapproval or approval with conditions on all requests for rezoning and text amendments in accordance with Sections 11-2 and 11-13 of the Unified Development Code.

3.2 It shall be the responsibility of the Planning Commission to review and make a recommendation to the Mayor and Council in regard to all requests for special uses in accordance with Section 11-3 of the Unified Development Code.

3.3 It shall be the responsibility of the Planning Commission to review and make a recommendation to the Mayor and Council in regard to all requests for a variance in accordance with Section 11-14 of the Unified Development Code.

3.4 It shall be the responsibility of the Planning Commission to review and make a recommendation to the Mayor and Council in regard to the adoption of a Comprehensive Plan or amendment thereto.

3.5 The City of Powder Springs Planning Commission does not have the power to amend any Ordinance, to rezone land, to declare the Unified Development Code for City of Powder Springs, Georgia or any amendment thereto invalid, or to allow any use not permitted by the same.

SECTION 4 - DUTIES OF PLANNING COMMISSION OFFICERS

4.1 The chairperson shall preside over meetings and shall be responsible for conduct and decorum of the meeting. The chairperson shall have the responsibility to ensure that all parties receive a full and fair hearing before the Planning Commission, enforcement of the rules herein and applicable state laws.

4.2 The chairperson shall be responsible for calling special called meetings and notifying the secretary of the Planning Commission so notice can be provided in accordance with Georgia Law.

4.3 The vice- chairperson shall preside over meetings and assume the duties of the chairperson in the absence of the chairperson.

4.4 The chairperson shall have the power to appoint sub-committees of the Planning Commission if he or she finds such committee necessary to carry out the functions of the Planning Commission.

4.5 The secretary shall be responsible the maintenance of the Planning Commission's minutes and records.

SECTION 5 - MEETINGS

5.1 A quorum of four (4) members shall be required to conduct business; an affirmative vote of four (4) members voting on a question shall be sufficient for the adoption of the question. Members abstaining shall not be considered "members voting" in determining whether a question has been adopted.

5.2 The regularly scheduled agenda meeting of the Planning Commission shall be held the second Thursday of each month at 7:00 PM, and public hearing shall be held at 7:30 pm on the last Monday of each month unless there is no cause to hold such meeting, in which case, the secretary shall inform the members of the Planning Commission at least twenty-four hours in advance of the regularly scheduled time. An annual schedule of regular meetings shall be adopted, published and posted at the entrance to the City of Powder Springs Community Development Department in December of each year, this annual schedule may vary slightly from the regularly scheduled dates described above.

5.3 Special called meetings may be called by the chairperson provided at least Twenty-four hours notice of such meeting is given.

5.4 Conduct of meetings.

5.4.1 All meetings shall be open to the public and may only be closed in accordance with Georgia Law.

5.4.2 Order of Business

5.4.2.1 Roll Call

5.4.2.2 Approval of Minutes

5.4.2.3 Hearing on Rezoning, Text Amendments, Map Amendments, Special Uses and Variances.

5.4.2.4 Committee Reports

5.4.2.5 Old Business

5.4.2.6 New Business

5.4.3 Procedures for Hearing Rezoning, Text Amendments, Map Amendments, Special Uses and Variances shall be those procedures provided in Article 11 of the Unified Development Code for the City of Powder Springs, Georgia.

5.4.4 The Planning Commission may adjourn a regular meeting if a business cannot be disposed of on the day set, and no further notice shall be necessary for rescheduling such meeting if the time and place of its resumption is stated at the time of adjournment and is not changed after adjournment.

SECTION 6- STANDARDS OF CONDUCT

6.1 Conflicts of Interest: A Planning Commissioner shall have a conflict of interest if said Planning Commissioner or his/her family, has a property interest in any real property affected by action on an application before the Planning Commission or has a financial interest in any business entity that has a property interest in any real property affected by action on an application before the Planning Commission. Any Planning Commissioner having a conflict of interest shall immediately disclose the nature and extent of such interest in writing to the Planning Commission Chair. These disclosures shall be made a public record. No Planning Commissioner shall vote or participate on a matter in which he or she has a conflict of interest. If the Planning Commission chair has a conflict of interest, he or she shall disclose the nature and extent of such interest in writing to the Commission and to the council liaison, which shall be made a public record. The chair may not vote on a matter in which he or she has a conflict of interest.

6.2 No Planning Commissioner shall represent an applicant before the Planning Commission.

6.3 No Planning Commissioner shall discuss any matter pending before the Planning Commission with anyone outside a public hearing. All letters or other material personally received by a Planning Commissioner shall be provided to each Planning Commissioner at the public hearing on the item in question.