



Part I

Section 2

Planning Commission



PART I, SECTION 2:

PLANNING COMMISSION

A. INTENT

The purpose of the Planning Commission, hereby created, shall be to review all land use applications before submission of same to the Board of County Commissioners and make formal recommendations based on the terms of the Elbert County Zoning Regulations, as well as any related regulations or plans.

B. POWERS OF THE PLANNING COMMISSION

The Planning Commission shall have power, except otherwise provided by law:

1. To make and recommend a County Master Plan.
2. To review and approve conceptual plans, when applicable.
3. To review and make recommendations to the Board of County Commissioners for amendments to the Elbert County Zoning Regulations.
4. To review and make recommendations to the Board of County Commissioners for rezoning of land.
5. To review and make recommendations to the Board of County Commissioners for preliminary plans.
6. To review and make recommendations concerning any other matters which may be submitted to it by the Board of County Commissioners.

C. GENERAL PROVISIONS

1. The Board of County Commissioners of Elbert County shall appoint a Planning Commission consisting of nine (9) voting members. Each member of the Planning Commission shall be a resident of the County. The term of appointed members of the Planning Commission shall be three (3) years, and until their respective successors have been appointed. The terms of office shall be staggered, by making the appointments so that approximately one-third (1/3) of the member's terms expire each year. A quorum shall consist of five (5) members, with a majority or simple vote to carry.
2. Any member of the Planning Commission may be removed for non-performance of duty or misconduct by the Board of County Commissioners. Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments.
3. The Planning Commission shall receive reasonable compensation by Elbert County, not to exceed thirty dollars (\$30.00) per meeting and reimbursement for mileage for attending official and special meetings.



4. The Planning Commission shall elect from its members a Chairperson and Vice-Chairperson whose terms shall be for one (1) year. Other positions may be created by the Planning Commission when needed.
5. The Planning Commission shall adopt such rules and regulations governing its proceedings as it may consider necessary or advisable. Such rules and regulations shall be consistent with the guidelines of this Section and appropriate State Statutes.
6. The Planning Commission shall meet at least once each month to review and process applications and other requests submitted to the Planning Commission. All meetings shall be open to the public. An agenda of items shall be made available to the public at the Elbert County Community and Development Services Offices before the meeting.
7. The Planning Commission may call special meetings for special projects or other important topics for review, discussion or recommendation. Alternate hearing dates due to weather conditions or other scheduling difficulties may be considered by the Chairperson of the Planning Commission.
8. A quorum shall be five (5) members of the Planning Commission. No meetings shall be held unless a quorum is present. In the absence of a quorum, any convened meeting shall be terminated by the presiding members within a reasonable time after gathering.

A majority vote of the voting members present is required for a recommendation or determination. In the event of a dissenting vote by one (1) or more members of the Planning Commission, a roll call vote shall be recorded in the minutes of the meeting.

9. A secretary to the Planning Commission shall be appointed by the Community and Development Services Director from Community and Development Services to be present at all regular and special meetings of the Planning Commission. The secretary shall take the minutes of the meetings in an appropriate manner approved by the Planning Commission. The minutes shall be made a matter of public record within a practical time after the official meeting of the Planning Commission and will be available at Community and Development Services. Anyone wishing to have a transcript of the proceedings may have a court reporter present at their own expense.
10. The Community and Development Services Director shall serve as advisor to the Planning Commission on all planning and zoning matters brought to their attention, and be responsible for scheduling all Planning Commission meetings in accordance with the guidelines established by the Planning Commission. The Community and Development Services Director or his authorized representative, shall represent the Planning Commission at official meetings at which the Planning Commission's recommendation(s) or opinions are so solicited, inclusive of, but not limited to, meetings before the Board of County Commissioners, regional planning advisory meetings and at such other times as approved by the Planning Commission.



The Community and Development Services Director shall conduct research, report preparation or other tasks as assigned by the Planning Commission on land use matters or contract for technical assistance in the preparation of information for use by the Planning Commission or the Board of County Commissioners in the review and processing of land use and zoning requests.

The Community and Development Services Director shall serve as the administrative office for the Planning Commission and be available for assisting any Planning Commission member in provision of secretarial or other services as needed.

#### D. REVIEW AND RECOMMENDATION PROCEDURE

1. The Planning Commission shall review responses from referral agencies, staff comments and recommendations and the proposal submitted by the applicant on planning or zoning matters and recommend one of the following:

- a. Approval of the proposal without conditions.
- b. Conditional Approval of the proposal indicating for the record what condition(s).
- c. Denial of the proposal indicating for the record the reason(s) for the recommendation of denial.
- d. Continuing the Request until a further regularly scheduled meeting in order to obtain more information and help clarify the request before them.

No continuance shall exceed six (6) months unless a written request is received and approved by the Planning Commission prior to the expiration of this continuance.

2. The Board of County Commissioners shall review the application proposal, responses from referral agencies, staff comments and the Planning Commission recommendation and shall make one of the following decisions regarding the application:

- a. Approval of the proposal without conditions.
- b. Conditional Approval of the proposal indication for the record what condition(s).
- c. Denial of the proposal indicating for the record the reason(s) for denial.
- d. Continuing the request until a further regularly scheduled meeting in order to obtain more information and help clarify the request before them.

The Board of County Commissioners may continue the matter for submission of additional information if they determine that additional information is required or remand the matter to the Planning Commission for further review if the Board of County Commissioners makes any recommendation toward substantial change in the proposal as submitted by the Planning Commission.