



Administrative Services Committee Meeting Commission Chamber - 9/13/2016

ATTENDANCE:

Present: Hons. Hardie Davis, Jr., Mayor; M. Williams, Chairman; D. Williams, Vice Chairman; Davis, member.
Absent: Hon. Lockett, member.

ADMINISTRATIVE SERVICES

1. Discuss Commission Policy for the Drafting of Ordinances and Code Amendments. **(Requested by Commissioner Sias)** **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve recommending to the full Commission that the Mayor's signature block be eliminated on this document and leave the Clerk's attestment in place. Motion Passes 3-0.	Commissioner Dennis Williams	Commissioner Mary Davis	Passes

2. Discuss the authority to discontinue compensation paid to commissioners appointment to the various boards, authorities and commissions. **(Referred from September 6 Commission meeting)** **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Motion to approve referring to the full Commission with no recommendation the matter of the reinstatement			

Approve	of compensation to the ex-officio Commission member who serves on the Planning Commission and receive information regarding which boards have provided such compensation in the past. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes
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| 3. Motion to approve the minutes of the Administrative Services Committee held on August 30, 2016. | Item Action:
Approved |
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Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

- | | |
|---|---------------------------------|
| 4. Discuss random drug testing. (Referred from September 6 Commission meeting) | Item Action:
Approved |
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Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve tasking the Clerk with contacting the governments of Savannah, Macon, Columbus and Athens regarding how they handle their policies for random drug testing and report back to the committee in two weeks. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

- | | |
|---|---------------------------------|
| 5. Discuss the custody and charge of all official records, books and papers belonging to the Augusta Commission. (Requested by Commissioner Ben Hasan) | Item Action:
Approved |
|---|---------------------------------|

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve using the process that all official documents approved by the Commission that was used by former City Attorneys Wall and Shepard regarding documents being returned to the Clerk of Commission's Office for the city's official and permanent file. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

6. Discuss certain elected officials' compensation. **(Requested by Commissioner Bill Fennoy)** **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Delete	Motion to delete this item from the agenda.	Commissioner Mary Davis	Commissioner Dennis Williams	

Unanimous consent is given to delete this item from the agenda.

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**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Attendance 9/13/16**

Department:

Presenter:

Caption:

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

Commission Policy for the Drafting of Ordinances and Code Amendments

1. **Statement of Policy:** Augusta, Georgia is committed to maximizing efficiency with respect to the time and resources spent by city staff drafting ordinances and code amendments. Employees of Augusta, Georgia are prohibited from drafting ordinances or code amendments at the request of members of the Commission, except as provided in this policy.
2. **Process:** The process for a member of the Commission to request the drafting of an ordinance or code amendment shall be as follows:
 - A. Requestor shall place a request on the agenda of one of the committees with an explanation of the ordinance or code amendment he or she wants approved.
 - B. The committee shall consider the request and then forward it to the full Commission with either of the following:
 - (i) A recommendation to approve; or
 - (ii) A recommendation to deny; or
 - (iii) A motion to forward to the Commission with no recommendation; or
 - (iv) A “no action” vote (but the request will still be forwarded to the full Commission).
 - C. If approved by the Commission, the ordinance or code amendment shall be drafted by staff and brought back to the full Commission in accordance with the directions and timeline set by the Commission.
3. **Comprehensive Zoning Ordinance:** This policy shall not apply to the Comprehensive Zoning Ordinance of Augusta, Georgia, as Section 35 of the Zoning Ordinance covers zoning amendments.

Adopted this _____ day of _____, 2016 by the Augusta, Georgia Commission.

Hardie Davis, Jr.
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission
Seal:



**Administrative Services Committee Meeting
9/13/2016 1:20 PM**

Commission Policy for Drafting of Ordinances and Code Amendments

Department: Clerk of Commission

Presenter:

Caption: Discuss Commission Policy for the Drafting of Ordinances and Code Amendments. **(Requested by Commissioner Sias)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

**BYLAWS AND RULES OF PROCEDURE
AUGUSTA, GEORGIA PLANNING COMMISSION
REVISED JULY 2014**

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 and Attorney. 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 and 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 Executive 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. **Adding Items to Agenda** - Any item requiring a vote may be added by the Executive Director at any meeting upon unanimous vote of the Commission members present and provided that all legal requirements are observed.
14. **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.
15. **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.
16. **Absence of Applicant** - If an application for a rezoning, special exception, or variance action which 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. July 7, 2014



ROBERT COOKS
Chairman



MELANIE WILSON
Director Augusta Planning & Development Dept.

AN ORDINANCE BY THE BOARD OF COMMISSIONERS OF RICHMOND COUNTY AND THE CITY COUNCIL OF AUGUSTA ACTING JOINTLY TO ADOPT A COMPREHENSIVE ZONING PLAN, MAPS AND LAND USE REGULATIONS; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES:

WHEREAS, the Board of Commissioners of Richmond County and the City Council of Augusta, Richmond County, Georgia, were authorized by the Home Rule Provision of the Constitution of the State of Georgia of 1983 to: Establish planning commissions; provide for the preparation and amendment of overall plans for the orderly growth and development of municipalities and counties; provide for the regulation of structures on mapped streets, public building sites, and public open spaces; repeal conflicting laws; and for other purposes; and

WHEREAS, the Augusta-Richmond County Planning Commission, created and organized under the terms of the aforementioned Home Rule Provision, has made a study and analysis of the areas of Richmond County and the said study and analysis now are complete and a Comprehensive Zoning Plan consisting of the maps and regulations described herein for the purposes described in the title of this Ordinance are now ready for adoption; and

WHEREAS, the Board of Commissioners of Richmond County and the City Council of Augusta have held a public hearing on the proposed Comprehensive Zoning Plan after giving more than fifteen (15) days notice of the time and place of such hearing by publication in the Augusta Herald as provided by the joint action of the two bodies in creating the present Augusta-Richmond County Planning Commission.

THEREFORE, BE IT ORDAINED by the City Council of Augusta and the Board of Commissioners of Richmond County as follows:

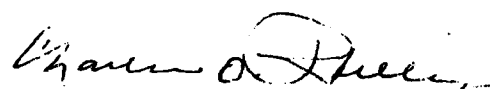
All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Done in Open Council under the Common Seal thereof this 7th day
of November, 1983.

Approved this 7th day of November, 1983.


Mayor, City of Augusta

ATTEST:


Clerk of Council

Done in Open Meeting of the Board of Commissioners of Richmond County, Georgia,
this 15th day of November, 1983

Approved this 15th day of November, 1983



Chairman, of Board of Commissioners of
Richmond County

ATTEST:


County Administrator

Published in the Augusta Herald November 11, 1983.

ORDINANCE NO. 7272

An Ordinance to Amend the Augusta, GA. Code Title One Chapter Four Article Six Sections 1-4-81 through 1-4-94 Relating to the Creation and Duties of the Planning Commission and Zoning Board of Appeals; To Repeal All Code Sections and Ordinances and Part of Code Sections and Ordinances in Conflict Herewith; To Provide an Effective Date and for Other Purposes.

WHEREAS, on March 30, 2011, the Augusta Georgia Commission approved the Administrator's reorganization plan as described in the Augusta, Georgia Proposed Government Reorganization Draft Project Plan; and

WHEREAS, such Proposed Government Reorganization Draft Project Plan requires the creation of an Augusta, Georgia Planning and Development Department which is to assume certain duties of the Planning Commission; and

WHEREAS, Augusta, Georgia desires to update and amend the Code as related to the duties of the Augusta, Georgia Planning Commission and the Augusta, Georgia Planning and Development Department to be consistent with the Proposed Government Reorganization Draft Project Plan;

WHEREAS, 1997 Ga. Laws p. 4024 designates the name of the consolidated government as "Augusta, Georgia"; and

WHEREAS, Augusta, Georgia seeks to update the Code to reflect the name of the consolidated government.

THE AUGUSTA, GEORGIA COMMISSION, ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Sections 1-4-81 through 1-4-94 as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, are hereby amended by striking these sections in their entirety as set forth in "Exhibit A" hereto and inserting in lieu thereof new Code Sections 1-4-81 through 1-4-94, restated as set forth in "Exhibit B" hereto.

SECTION 2. This ordinance shall become effective the first day of November, 2011.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 30 day of June, 2011.

David S. Copenhaver
David S. Copenhaver
As its Mayor

AGM
6/30/11

Attest:

Lena J. Bonner
Lena J. Bonner, Clerk of Commission

Seal:

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on June 30, 2011 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: July 14, 2011

First Reading June 21, 2011

Second Reading June 30, 2011

Exhibit A

~~Sec. 1-4-81. Creation.~~

~~There is hereby created a planning commission with the membership, powers and duties as set forth herein. The commission created herein shall be known as the Augusta-Richmond County Planning Commission.~~

~~Sec. 1-4-82. Membership, terms of office and compensation.~~

~~(a) The Augusta-Richmond County Planning Commission (hereinafter referred to as the Planning Commission) shall consist of ten (10) members (plus an additional two members should the Richmond County Legislative Delegation choose to appoint two members) to be appointed for the terms of four (4) years; provided, however, the initial appointments shall be made as follows:~~

~~(1) There shall be one (1) member who resides in each of the ten (10) districts of Augusta-Richmond County appointed by the Augusta-Richmond County Commission.~~

~~(2) Except as provided herein, members of the Planning Commission of Richmond County and the City of Augusta who were serving on said boards on January 1, 1997, having had no fixed terms, shall served until their successors are appointed and qualified.~~

~~(3) Members of the Planning Commission serving as of January 1, 1997, shall continue to serve until their successors are appointment by the Commissioner representing the respective District and qualified and are to represent the districts as herein set forth, to wit:~~

		Term Expires
a.	Patricia Jefferson ————— District 1	2/1/99
b.	Thelma Mack ————— District 2	3/31/2000
c.	Nick Dickinson ————— District 3	3/31/98
d.	Richard Colelough ————— District 4	4/1/99
e.	Frank Knapp, III ————— District 5	3/31/98
f.	Appointment TBA ————— District 6	3/31/2000
g.	James Randall Hall ————— District 7	3/31/98
h.	Hugh Fulcher, Jr. ————— District 8	3/31/2000
i.	Margaret Armstrong ————— District 9	3/31/98
j.	Ed Dickerson ————— District 10	2/1/98

- ~~(4) The successor to the member representing District 1 shall serve until March 31, 2002, or until his successor is appointment and qualified.~~
- ~~(5) The successors to the member representing District 4 and 10 shall serve until March 31, 2000, or until their successors are appointed and qualified.~~
- ~~(6) Members of the board appointed by the Commissioner of the respective Districts to succeed those in subsections 3, 4 and 5 hereof shall serve for terms of office of four (4) years and until their successors are appointed and qualified.~~
- ~~(7) Should the Richmond County Legislative Delegation choose to appoint two (2) members as provided in the Consolidation Act, such members shall serve for a term of four (4) years and until their successors are appointed and qualified. In the event the appointed authority of the Legislative Delegation is removed from the Consolidation Act, this subsection shall automatically be repealed.~~
- ~~(8) All terms shall expire on March 31 of the applicable year, and new terms shall begin on April 1 of the applicable year.~~
- ~~(b) In the event of a vacancy by reason of a death, disqualification, resignation or other reason, the Augusta-Richmond County Commission shall appoint a person to serve the remainder of the term of such member.~~
- ~~(c) No vacancy on the Planning Commission shall impair the right of the quorum to exercise all of their rights and perform all of the duties of the Planning Commission.~~
- ~~(d) The Chairman of the Planning Commission shall not be entitled to vote upon any issue, motion or resolution, except where his vote will change the result on said motion, resolution or question.~~
- ~~(e) Members of the Planning Commission shall serve for such compensation as shall be established by the Augusta-Richmond County Commission.~~
- ~~(f) No member of the Planning Commission may be removed from office prior to the expiration of his term except for cause after having been given notice and afforded a hearing before the Augusta-Richmond County Commission. Prior to said hearing, said member shall be served by registered or certified mail addressed to his residence as shown in the files of the Planning Commission, at least ten (10) days before the date set for said hearing with written specifications of the charges against him.~~

Sec. 1-4-83. Organization, rules, staff, finances.

- ~~(a) The Planning Commission shall elect a Chairman and Vice Chairman from its members. The terms of office of the Chairman and Vice Chairman shall be one (1) year with eligibility for reelection to no more than two (2) consecutive terms.~~
- ~~(b) The Planning Commission may appoint a secretary who may be an official or employee of the Planning Commission, or the Augusta-Richmond County Commission.~~
- ~~(c) The Planning Commission shall make its own rules of procedure in accordance with the general provisions of this ordinance and determine its time and place of meeting. All meetings of the Planning Commission, at which official actions are taken, shall be a public record.~~
- ~~(d) The Planning Commission is empowered to appoint such employees, consultants, legal counsel, and staff as it may deem necessary for its work and may contract with municipal planning and other consultants for such services as it may required for the performance of its work.~~
- ~~(e) The Planning Commission may purchase such equipment and supplies as it may deem necessary.~~
- ~~(f) The expenditures of the Planning Commission, exclusive of gifts and grants, shall be within the amounts approved for it by the Augusta-Richmond County Commission.~~

~~Sec. 1-4-84. Principal powers and duties.~~

~~It shall be the function and duty of the Planning Commission to make such careful and comprehensive surveys and studies of existing conditions and probably future developments and to prepare such plans for physical, social and economic growth as will best promote the public health, safety, morals, convenience, prosperity, or the general welfare as well as efficiency and economy in the development of Augusta-Richmond County. In particular, the Planning Commission shall have the power and duty to:~~

- ~~(a) Prepare a master plan or parts thereof for the development of Augusta-Richmond County.~~
- ~~(b) Prepare and recommend for adoption to the Augusta-Richmond County Commission a zoning ordinance and map or maps.~~
- ~~(c) Prepare and recommend for adoption to the Augusta-Richmond County Commission regulations for the subdivision of land within its political jurisdiction.~~

~~Sec. 1-4-85. Miscellaneous powers and duties.~~

~~In addition to the principal powers and duties set forth above, the Planning Commission may:~~

- ~~(a) Cooperate with, contract with, or accept funds from Federal, State or local governments, public or semipublic agencies or private individuals or corporations; expend such funds; and carry out such cooperative undertakings and contracts may be necessary for the performance of its duties and to promote the planning of Augusta-Richmond County, including the authority to enter into agreements with jurisdictions and agencies in adjacent counties and states.~~
- ~~(b) Prepare, publish and distribute maps, plans, reports and recommendations relating to the planning and development of Augusta-Richmond County.~~
- ~~(c) Recommend to the Augusta-Richmond County Commission programs for public improvements and the financing thereof.~~
- ~~(d) Secure, within a reasonable time, from all public officials such available information as it may require for its work.~~
- ~~(e) In the performance of its functions, enter upon land, make examinations and surveys, and place and maintain necessary signs, monuments or markings thereon.~~
- ~~(f) Any other function or duty which may from time to time be delegated to the Planning Commission by order, directive, ordinance or resolution of the Commission of Augusta-Richmond County, or officials thereof.~~

Sec. 1-4-86. Performance of duties — Master Plan.

- ~~(a) It shall be the duty of the Planning Commission to make a master plan of Augusta-Richmond County and to perfect it from time to time.~~
- ~~(b) Such master plan may show, among other things, the following:~~
 - ~~(1) Existing and proposed streets, highways, expressways, bridges, tunnels and viaducts and approaches thereto; routs of railroads and transit lines; terminals, ports and airports.~~
 - ~~(2) Parks, playgrounds, forests and other public open spaces.~~
 - ~~(3) Sites for public buildings, structures and facilities.~~
 - ~~(4) Land areas for residential, business, industrial, recreational, agricultural, forestry, and special purposes and uses.~~
 - ~~(5) Limited development areas for purposes of conservation, water supply, sanitation, drainage, historic preservation, protection against flooding and similar environmental considerations.~~

- ~~(6) Areas for housing development, slum clearance, and urban renewal and redevelopment.~~
- ~~(7) Location of public utilities whether publicly or privately owned, including but not limited to sewerage and water supply systems.~~
- ~~(8) Zoning districts and other planning features.~~
- ~~(9) Time and priority schedules and cost estimates for the accomplishment of the proposals.~~
- ~~(c) The master plan shall be based upon and include appropriate studies of the location and extent of present and anticipated other pertinent data.~~
- ~~(d) Such plan may be adopted, added to and changed from time to time by the Augusta-Richmond County Commission. It shall be a public record, but its purpose and effect shall be solely to aid the Planning Commission in the performance of its duties.~~

Sec. 1-4-87. Performance of duties — Zoning ordinance and maps.

- ~~(a) It shall be the duty of the Planning Commission to prepare and recommend for adoption to the Augusta-Richmond County Commission a zoning ordinance and map or maps. The purpose of such ordinance and map or maps shall be to regulate:~~
 - ~~(1) The location, height, bulk, number of stories, and size of buildings and other structures.~~
 - ~~(2) The percentage of lot which may be occupied, the sizes of yards, courts, and other open areas.~~
 - ~~(3) The density and distribution of population and dwelling units.~~
 - ~~(4) Land areas designated for business and industrial use, residences, recreation, agriculture, forestry, conservation, historic preservation, water supply, sanitation, protection against floods, governmental activity and other special purposes.~~
- ~~(b) The map or maps shall divide Augusta-Richmond County into districts of such number, shape and size as the Planning Commission may determine; and within such districts it may regulate the erection, construction, reconstruction, alteration, and use of buildings and structures and uses of land. All such regulations shall be uniform for each class or kind of building throughout each district, but the regulations in one district may differ from those in other districts.~~
- ~~(c) At such time the Commission of Augusta-Richmond County deems it necessary to enact an entirely new zoning ordinance and map or maps, the governing bodies shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be published in a newspaper of general circulation in Augusta-Richmond County. All procedural standards set forth in the Official Code of Georgia shall be complied with.~~

- ~~(1) No change or departure from the text or maps, as certified by the Planning Commission, shall be made unless such change or departure is first submitted to the Planning Commission for review and recommendation.~~
- ~~(2) The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within a thirty day period, it shall be deemed to have approved the change or departure.~~
- ~~(d) The zoning ordinance, including the map or maps, may be amended from time to time; but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation.~~
- ~~(1) The Planning Commission shall conduct, on behalf of the Augusta Richmond County Commission, at public hearings on proposed amendments to the zoning ordinance and maps.~~
- ~~(2) Policies and procedures as specified by the Official Code of Georgia shall be followed by the Planning Commission in considering such public hearings.~~

Sec. 1-4-88. Zoning board of appeals.

- ~~(a) The City Council of Augusta and the Board of Commissioners of Richmond County has heretofore created and appointed a Zoning Board of Appeals for Augusta-Richmond County. Said Board is hereby continued and shall be known as the Augusta Richmond County Board of Zoning Appeals and is hereinafter referred to as the Appeals Board as is hereinafter provided. At their discretion, the Augusta-Richmond County Commission may, by ordinance, designate the Planning Commission to act as the Appeals Board of Augusta-Richmond County.~~
- ~~(b) If the Planning Commission is designated to act as the Appeals Board of Augusta-Richmond County, then:~~
 - ~~(1) Such authority shall be in addition to the powers and duties of the Planning commission set forth herein and shall be carried out in accordance with the provisions of this Section; and~~
 - ~~(2) Section 1-4-82 of this article shall apply to the membership, terms of office and compensation and section 1-4-83 of this article shall apply to the organization, rules, staff and finances of the Appeals Board in the event that the Planning Commission is designated by ordinance to act as the Board of Zoning Appeals.~~
- ~~(c) If said Appeals Board is separate from the Planning Commission, then said Appeals Board shall consist of ten (10) members (plus an additional two members should the Richmond County Legislative Delegation choose to appoint two (2) members) to be~~

~~appointed for terms of four (4) years, provided, however, the initial appointments shall be made as follows:~~

~~(1) There shall be one (1) member who resides in each of the ten (10) districts of Augusta-Richmond County appointed by the Augusta-Richmond County Commission.~~

~~(2) Except as provided herein, members of the Planning Commission of Richmond County and the City of Augusta who were serving on said boards on January 1, 1997, having had no fixed terms, shall served until their successors are appointed and qualified.~~

~~(3) Members of the Planning Commission serving as of January 1, 1997, shall continue to serve until their successors are appointment by the Commissioner representing the respective District and qualified and are to represent the districts as herein set forth, to wit:~~

~~Term Expires~~

a.	Jacqueline Fason	District 1	3/31/98
b.	Dr. I. E. Washington	District 2	4/4/98
c.	Jewell Childress	District 3	3/31/98
d.	Emmerstine Mackie	District 4	3/31/2000
e.	George Mitchell	District 5	3/31/98
f.	Appointment TBA	District 6	3/31/2000
g.	K. Glenn Watson	District 7	3/31/98
h.	Hardie Davis, Jr.	District 8	3/31/2000
i.	Thelonius Jones	District 9	3/31/98
j.	Don Grantham	District 10	3/31/1000

~~(4) The successor to the member representing District 2 shall serve until March 31, 2000, or until his successor is appointment and qualified.~~

~~(5) Members of the board appointed by the Commissioner of the respective Districts to succeed those appointed in subsections 3 and 4 hereof shall serve for terms of office of four (4) years and until their successors are appointed and qualified.~~

~~(6) Should the Richmond County Legislative Delegation choose to appoint two (2) members as provided in the Consolidation Act, such members shall serve for a term of four (4) years and until their successors are appointed and qualified. In the event the appointed authority of the Legislative Delegation is removed from the Consolidation Act, this subsection shall automatically be repealed.~~

- ~~(7) All terms shall expire on March 31 of the applicable year, and new terms shall begin on April 1 of the applicable year.~~
- ~~(8) Thereafter, members appointed by the Commission of Augusta-Richmond County shall serve a term of four (4) years.~~
- ~~(9) All members shall be eligible for reappointment to said Appeals Board upon expiration of their terms.~~
- ~~(10) Any vacancy in membership shall be filled for the unexpired term by the Augusta-Richmond County Commission.~~
- ~~(11) Any member may be removed for cause, on written charges, after a public hearing by the Augusta-Richmond County Commission.~~
- ~~(12) All members of the Appeals Board shall serve for such compensation as shall be established by the Commission.~~
- ~~(13) None of the members shall hold any other public office or position with Augusta-Richmond County, except that one (1) member may also be a member of the Planning Commission.~~
- ~~(d) The Board of Zoning Appeals shall elect one (1) of its members as chairman, who shall serve a one (1) year term or until reelected or a successor is elected.~~
 - ~~(1) The Chairman shall have the power to vote on matters before the Appeals Board only where his vote will change the result.~~
 - ~~(2) The Appeals Board shall appoint a secretary who may be an official or employee of Augusta-Richmond County or of the Planning Commission.~~
 - ~~(3) The Appeals Board shall adopt rules in accordance with the provisions of this ordinance.~~
 - ~~(4) Meetings of the Appeals Board shall be held at the call of the Chairman and at such other times as the Appeals Board may determine.~~
 - ~~(5) The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses by subpoena.~~
 - ~~(6) The Appeals Board shall keep minutes of its proceeding, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which~~

shall be immediately filed in the office of the secretary of the Appeals Board and shall be a public record.

- ~~(e) Appeals to the Board of Zoning Appeals may be taken by any person aggrieved, or by any official, department head, board or bureau of Augusta-Richmond County affected by a decision of an administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the Appeals Board, by filing with the secretary of the Appeals Board a notice of appeal specifying the grounds thereof.~~
- ~~(1) Upon notice by the secretary of a filing of appeal, the official from whom the appeal is taken shall forthwith transmit to the Appeals Board all papers constituting a record upon which the action appealed was taken.~~
- ~~(2) An appeal stays all legal proceedings in furtherance of action appealed from, unless the official from whom the appeal is taken certifies to the Appeals Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Appeals Board or by a court on application, on notice to the officer from whom the appeal is taken, and on due cause shown.~~
- ~~(3) Upon receipt of notice of appeal in a form prescribed by the Appeals Board, the Board of Zoning Appeals shall:~~
 - ~~a. Fix a reasonable time for the hearing of the appeal or other matter referred to it.~~
 - ~~b. Publish once in a newspaper of general circulation in Augusta-Richmond County a notice of public hearing on the appeal. Such notice shall be published at least fifteen (15) days prior to the date of the hearing and shall indicate the time and place of the hearing and the nature of the appeals to be considered by the Appeals Board.~~
 - ~~c. Send postal cards or letters to property owners of record whose property lies within a 300-foot radius of the property subject to the appeal, giving notice of the time, place and nature of appeal.~~
- ~~(f) The Appeals Board shall have the following powers:~~
 - ~~(1) To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the~~

~~enforcement of the zoning ordinance adopted by Augusta-Richmond County pursuant to this division;~~

~~(2) To hear and decide special exceptions to the terms of the zoning ordinance upon which the Appeals Board as required to pass under such ordinance.~~

~~(3) To authorize upon appeal in specific cases such variance from the terms of the zoning ordinance as will not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of the zoning ordinance will, in an individual case, result in an unnecessary hardship, so that the spirit of the zoning ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon finding by the Appeals Board that:~~

~~a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and~~

~~b. The application of the zoning ordinance to this particular piece of property would create an unnecessary hardship; and~~

~~c. Such conditions are peculiar to the particular piece of property involved; and~~

~~d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance; however, no variance may be granted for the use of land or building or structure which is prohibited by the zoning ordinance.~~

~~(4) In exercising the above powers, the appeals board may, in conformity with the provisions of this section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination; and to that end, the board shall have all of the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.~~

~~(g) Any person or persons severally or jointly aggrieved by any decision of the Appeals Board or with any official charged with the enforcement of any order, requirement or decision of said board may take an appeal to the Superior Court of Richmond County, Georgia. Said appeal shall be the same as an appeal to the superior court from any decision made by the probate court, except that said appeal shall be filed within thirty (30) days from the date of the decision of the Appeals Board or of any official charged with the enforcement of any order, requirement or decision in connection therewith; and upon failure to file said appeal within thirty (30) days, the decision of the Appeals Board shall be final.~~

Sec. 1-4-89. ~~Performance of duties, subdivision regulations.~~

- ~~(a) From and after the time that the Augusta Richmond County Planning Commission established in accordance with this article shall have prepared and adopted a master plan or at least the major street portion of such master plan and shall have recommended to the governing body of Augusta Richmond County regulations for the subdivision of land within Augusta Richmond County, which regulations shall have been adopted by the governing bodies, then no plat of subdivision of land within Augusta Richmond County shall be filed or recorded in the office of the Clerk of the superior court of the county until it shall have been submitted to and approved by the Planning Commission and such approval entered in writing on the plat by the secretary of the Planning Commission. The clerk of the superior court shall not file or record a plat of a subdivision which does not have the approval of the Planning Commission as required by the division.~~
- ~~(b) The Planning Commission shall prepare and recommend to the Augusta Richmond County Commission for adoption regulations governing the subdivision of land within Augusta Richmond County. At their discretion, the Commission may readopt such subdivision regulations, along with any amendments, which may have been adopted prior to and were superseded by the ratification of the home rule provisions of the Constitution of the State of Georgia; however, such regulations shall generally conform to the provisions of this division.~~
- ~~(c) Subdivision regulations prepared by the Planning Commission and recommended to the Augusta Richmond County Commission for adoption may provide, in whole or in part, for:~~

 - ~~(1) The harmonious development of Augusta Richmond County;~~
 - ~~(2) The coordination of streets within subdivisions with other existing or planned streets;~~
 - ~~(3) The size of blocks and lots;~~
 - ~~(4) The dedication or reservation of land for streets, school sites, and recreation areas and easements for utilities and other public services and facilities; and~~
 - ~~(5) A distribution of population, dwelling units and traffic control which will tend to create conditions favorable to health, safety, convenience, prosperity or general welfare.~~
- ~~(d) Such regulations may include requirements as to the extent to which and the manner in which streets shall be graded, surfaced and improved; and water, sewers, septic tanks and other utility mains, piping, connections, or other facilities shall be installed as a condition precedent to the approval of a subdivision plat. Such regulations may provide that, in lieu of the completion of such work and installations previous to the final approval of a plat, the Augusta Richmond County Commission may accept a bond, in an amount and with surety and conditions satisfactory to it or a valid contract~~

for the performance of the work and installations along with a letter of guarantee for the subdivider, providing for and securing to Augusta-Richmond County the actual construction and installation of improvements and utilities within a period specified by the Planning Commission and expressed in the bond or letter of guarantee.

- (e) ~~The subdivision regulations may be amended from time to time; but no amendment shall become effective until it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation.~~
- (1) ~~The Planning Commission shall conduct, on behalf of the Augusta-Richmond County Commission all public hearings on proposed amendments to the subdivision regulations.~~
- (2) ~~The Planning Commission shall hold such hearings after giving at least fifteen (15) days' notice of the time and place in a newspaper of general circulation in Augusta-Richmond County. The Planning Commission shall have thirty (30) days within which to submit its report; and, if the planning commission fails to submit a report within the thirty (30) day period, it shall have deemed to approve the proposed amendment.~~
- (3) ~~The Planning Commission is hereby given the authority to give tentative approval or disapproval to preliminary plats and to approve or disapprove final plats, but in each case their action shall be taken within thirty (30) days after such submission thereof, otherwise, such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Planning Commission on demand; however, the applicant for the Planning Commission's approval may waive this requirement and consent to the extension of such period. The ground for disapproval of any plat shall be stated upon the records of the Planning Commission.~~
- (f) ~~The approval of a plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by Commission or the public of the dedication of any street or other ground upon the plat.~~
- (g) ~~From and after the time Augusta-Richmond County have adopted subdivision regulations in accordance with this article:~~
 - (1) ~~Unless provided for by exemption within said regulations, an owner or agent of an owner of any land to be subdivided who transfers or sells or agrees to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Planning Commission and recorded in the office of the clerk of Superior Court in Richmond County shall be in violation of this division; and the Augusta-Richmond County Commission, through the Augusta-Richmond County attorney, may enjoin or set aside such transfer, sale or agreement by appropriate action.~~
 - (2) ~~The Augusta-Richmond County Commission or other public authority shall not accept, lay out, open, improve, grade, pave or light any street or lay or authorize the~~

~~laying of any water mains, sewers, connections, or other facilities or utilities in any street within Augusta-Richmond County unless such street shall have been accepted or opened as, or shall otherwise have received the legal status of, a public street prior to the adoption of said subdivision regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission or on a street plat prepared for and adopted by the Planning Commission.~~

- ~~(3) No building permit shall be issued for and no building or other structure shall be erected on any lot within Augusta-Richmond County unless the street giving access to the lot shall be accepted or opened as, or shall otherwise have received the legal status of, a public street prior to that time, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Planning Commission or on a street plat prepared for and adopted by the Planning Commission or with a street located and accepted by the governing body of Augusta-Richmond County. Any building erected in violation of this division or the duly adopted subdivision regulations shall be deemed an unlawful structure; and the chief building inspection official, Augusta-Richmond County attorney, or other official designated by the governing body may bring appropriate action to enjoin such erection or cause it to be vacated or removed.~~

~~Sec. 1-4-90. Cumulative powers.~~

~~All powers and authority granted by this division to the Augusta-Richmond County Planning Commission shall be cumulative and in addition to all other powers and authority said Planning Commission now has or may later have under other laws.~~

~~Sec. 1-4-91. Amendments to zoning ordinance, map and subdivision regulations.~~

~~Any amendments to the Augusta-Richmond County Comprehensive Zoning Ordinance, the zoning maps, and any amendments to the subdivision regulations of land shall only require the approval of the Augusta-Richmond County Commission when the property is located in Augusta-Richmond County and does not lie within the incorporated area of City of Hephzibah or the Town of Blythe. The Commission of Augusta-Richmond County may make amendments to the comprehensive zoning ordinance and subdivision regulations of land when the governing body of Augusta-Richmond County determines that such a change would be in the best interest of their respective political subdivision.~~

~~Secs. 1-4-92 - 1-4-94. Reserved.~~

Exhibit B

Sec. 1-4-81. Creation.

There is hereby created a planning commission with the membership, powers and duties as set forth herein. The commission created herein shall be known as the Augusta, Georgia Planning Commission.

Sec. 1-4-82. Membership, terms of office and compensation.

- (a) The Augusta, Georgia Planning Commission (hereinafter referred to as the Planning Commission) shall consist of ten (10) members (plus an additional two members should the Augusta, Georgia Legislative Delegation choose to appoint two members) to be appointed for the terms of four (4) years; provided, however, the initial appointments shall be made as follows:

- (1) There shall be one (1) member who resides in each of the ten (10) districts of Augusta, Georgia appointed by the Augusta, Georgia Commission.
- (2) Except as provided herein, members of the Planning Commission of Richmond County and the City of Augusta who were serving on said boards on January 1, 1997, having had no fixed terms, shall served until their successors are appointed and qualified.
- (3) Members of the Planning Commission serving as of January 1, 1997, shall continue to serve until their successors are appointment by the Commissioner representing the respective District and qualified and are to represent the districts as herein set forth, to wit:

		<u>Term Expires</u>
a.	<u>Patricia Jefferson</u>	<u>District 1</u>
b.	<u>Thelma Mack</u>	<u>District 2</u>
c.	<u>Nick Dickinson</u>	<u>District 3</u>
d.	<u>Richard Colclough</u>	<u>District 4</u>
e.	<u>Frank Knapp, III</u>	<u>District 5</u>
f.	<u>Appointment TBA</u>	<u>District 6</u>
g.	<u>James Randall Hall</u>	<u>District 7</u>
h.	<u>Hugh Fulcher, Jr.</u>	<u>District 8</u>
i.	<u>Margaret Armstrong</u>	<u>District 9</u>
j.	<u>Ed Dickerson</u>	<u>District 10</u>

- (4) The successor to the member representing District 1 shall serve until March 31, 2002, or until his successor is appointment and qualified.

- (5) The successors to the member representing District 4 and 10 shall serve until March 31, 2000, or until their successors are appointed and qualified.
- (6) Members of the board appointed by the Commissioner of the respective Districts to succeed those in subsections 3, 4 and 5 hereof shall serve for terms of office of four (4) years and until their successors are appointed and qualified.
- (7) Should the Augusta, Georgia Legislative Delegation choose to appoint two (2) members as provided in the Consolidation Act, such members shall serve for a term of four (4) years and until their successors are appointed and qualified. In the event the appointed authority of the Legislative Delegation is removed from the Consolidation Act, this subsection shall automatically be repealed.
- (8) All terms shall expire on March 31 of the applicable year, and new terms shall begin on April 1 of the applicable year.
- (b) In the event of a vacancy by reason of a death, disqualification, resignation or other reason, the Augusta, Georgia Commission shall appoint a person to serve the remainder of the term of such member.
- (c) No vacancy on the Planning Commission shall impair the right of the quorum to exercise all of their rights and perform all of the duties of the Planning Commission.
- (d) The Chairman of the Planning Commission shall not be entitled to vote upon any issue, motion or resolution, except where his vote will change the result on said motion, resolution or question.
- (e) Members of the Planning Commission shall serve for such compensation as shall be established by the Augusta, Georgia Commission.
- (f) No member of the Planning Commission may be removed from office prior to the expiration of his term except for cause after having been given notice and afforded a hearing before the Augusta, Georgia Commission. Prior to said hearing, said member shall be served by registered or certified mail addressed to his residence as shown in the files of the Planning Commission, at least ten (10) days before the date set for said hearing with written specifications of the charges against him or her.

Sec. 1-4-83. Organization, rules, finances

- (a) The Planning Commission shall elect a Chairman and Vice-Chairman from its members. The terms of office of the Chairman and Vice-Chairman shall be one (1) year with eligibility for reelection to no more than two (2) consecutive terms.
- (b) The Director of Planning and Development may appoint a secretary who may be an official or employee of Augusta, Georgia.
- (c) The Planning Commission shall make its own rules of procedure in accordance with the general provisions of this ordinance and shall determine the time and place of Planning Commission meetings. All meetings of the Planning Commission shall be public meetings in accordance with the Georgia Open Meetings Act.
- (d) The expenditures of the Planning Commission, exclusive of gifts and grants, shall be within the amounts approved for it by the Augusta, Georgia Commission.
- (e) Staff functions for the Planning Commission shall be performed by the Planning and Development Department. The Secretary appointed by the Planning Commission shall be the liaison to the Planning and Development Department.

Sec. 1-4-84. Principal powers and duties.

- (a) It shall be the duty of the Planning Commission to review and formulate a recommendation on all amendments to the text of the Comprehensive Zoning Ordinance that are proposed by the Augusta, Georgia Planning and Development Department. The Planning Commission shall hold a public hearing on each proposed text amendment after proper notice per Georgia law and the Augusta, Georgia Code has been given. The recommendation of the Planning Commission shall be submitted in writing to Augusta, Georgia, along with the recommendation of the Planning and Development Department, within thirty (30) days after such hearing has been held. No changes to the text of the Comprehensive Zoning Ordinance shall be made unless such changes are first submitted to the Planning Commission for review and recommendation.
- (b) It shall be the duty of the Planning Commission to review and formulate a recommendation on all amendments to the zoning map and Special Exceptions. Such map amendments and/or Special Exceptions may be proposed by private property owners or the Planning and Development Department. The Planning Commission shall hold a public hearing on each proposed map amendment after proper notice per Georgia law and the Augusta, Georgia Code has been given. The recommendation of the Planning Commission, along with the recommendation of the Planning and Development Department, shall be submitted in writing to the Augusta, Georgia Commission within thirty (30) days after such hearing has been held. No change to the zoning maps shall be made unless such change is first submitted to the Planning Commission for review and recommendation.

- (c) It shall be the duty of the Planning Commission to perform certain activities specifically assigned to it by the Augusta, Georgia Commission. Such duties shall include, but are not limited to, making decisions regarding certain types of determinations and variances. Such decisions shall be made after a public hearing has been held on each proposed issue after proper notice per Georgia law and the Augusta, Georgia Code has been given. Notice of such decisions shall be given in writing to the Planning and Development Department.
- (d) The Planning Commission shall conduct such public hearings as are required in the development of or revision to Master Plans, Comprehensive Plans, or similar planning processes. Input on such planning processes shall be provided by the Planning Commission in consultation with the Planning and Development Department, to the Augusta, Georgia Commission.
- (e) The Planning Commission may initiate such text or map amendments to the Comprehensive Zoning Ordinance as it deems necessary in consultation with the Planning and Development Department.

Sec. 1-4-85 through 1-4-87. Reserved.

Sec. 1-4-88. Zoning board of appeals.

- (a) The City Council of Augusta and the Board of Commissioners of Richmond County has heretofore created and appointed a Zoning Board of Appeals for Augusta, Georgia. Said Board is hereby continued and shall be known as the Augusta, Georgia Board of Zoning Appeals and is hereinafter referred to as the Appeals Board as is hereinafter provided. At their discretion, the Augusta, Georgia Commission may, by ordinance, designate the Planning Commission to act as the Appeals Board of Augusta, Georgia.
- (b) If the Planning Commission is designated to act as the Appeals Board of Augusta, Georgia, then:
 - (1) Such authority shall be in addition to the powers and duties of the Planning commission set forth herein and shall be carried out in accordance with the provisions of this Section; and
 - (2) Section 1-4-82 of this article shall apply to the membership, terms of office and compensation and section 1-4-83 of this article shall apply to the organization, rules, and finances of the Appeals Board in the event that the Planning Commission is designated by ordinance to act as the Board of Zoning Appeals.
- (c) If said Appeals Board is separate from the Planning Commission, then said Appeals Board shall consist of ten (10) members (plus an additional two members should the Augusta, Georgia Legislative Delegation choose to appoint two (2) members) to be

appointed for terms of four (4) years, provided, however, the initial appointments shall be made as follows:

- (1) There shall be one (1) member who resides in each of the ten (10) districts of Augusta, Georgia appointed by the Augusta, Georgia Commission.
- (2) Except as provided herein, members of the Augusta, Georgia Planning Commission who were serving on said boards on January 1, 1997, having had no fixed terms, shall served until their successors are appointed and qualified.
- (3) Members of the Planning Commission serving as of January 1, 1997, shall continue to serve until their successors are appointment by the Commissioner representing the respective District and qualified and are to represent the districts as herein set forth, to wit:

Term Expires

a.	<u>Jacqueline Fason</u>	<u>District 1</u>	<u>3/31/98</u>
b.	<u>Dr. I. E. Washington</u>	<u>District 2</u>	<u>4/4/98</u>
c.	<u>Jewell Childress</u>	<u>District 3</u>	<u>3/31/98</u>
d.	<u>Emmerstine Mackie</u>	<u>District 4</u>	<u>3/31/2000</u>
e.	<u>George Mitchell</u>	<u>District 5</u>	<u>3/31/98</u>
f.	<u>Appointment TBA</u>	<u>District 6</u>	<u>3/31/2000</u>
g.	<u>K. Glenn Watson</u>	<u>District 7</u>	<u>3/31/98</u>
h.	<u>Hardie Davis, Jr.</u>	<u>District 8</u>	<u>3/31/2000</u>
i.	<u>Thelonius Jones</u>	<u>District 9</u>	<u>3/31/98</u>
j.	<u>Don Grantham</u>	<u>District 10</u>	<u>3/31/1000</u>

- (4) The successor to the member representing District 2 shall serve until March 31, 2000, or until his successor is appointment and qualified.
- (5) Members of the board appointed by the Commissioner of the respective Districts to succeed those appointed in subsections 3 and 4 hereof shall serve for terms of office of four (4) years and until their successors are appointed and qualified.
- (6) Should the Augusta, Georgia Legislative Delegation choose to appoint two (2) members as provided in the Consolidation Act, such members shall serve for a term of four (4) years and until their successors are appointed and qualified. In the event the appointed authority of the Legislative Delegation is removed from the Consolidation Act, this subsection shall automatically be repealed.
- (7) All terms shall expire on March 31 of the applicable year, and new terms shall begin on April 1 of the applicable year.

- (8) Thereafter, members appointed by the Commission of Augusta, Georgia shall serve a term of four (4) years.
 - (9) All members shall be eligible for reappointment to said Appeals Board upon expiration of their terms.
 - (10) Any vacancy in membership shall be filled for the unexpired term by the Augusta, Georgia Commission.
 - (11) Any member may be removed for cause, on written charges, after a public hearing by the Augusta, Georgia Commission.
 - (12) All members of the Appeals Board shall serve for such compensation as shall be established by the Commission.
 - (13) None of the members shall hold any other public office or position with Augusta, Georgia, except that one (1) member may also be a member of the Planning Commission.
- (d) The Board of Zoning Appeals shall elect one (1) of its members as chairman, who shall serve a one (1) year term or until reelected or a successor is elected.
- (1) The Chairman shall have the power to vote on matters before the Appeals Board only where his vote will change the result.
 - (2) The Appeals Board shall appoint a secretary who may be an official or employee of Augusta, Georgia.
 - (3) The Appeals Board shall adopt rules in accordance with the provisions of this ordinance.
 - (4) Meetings of the Appeals Board shall be held at the call of the Chairman and at such other times as the Appeals Board may determine.
 - (5) The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses by subpoena.
 - (6) The Appeals Board shall keep minutes of its proceeding, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the secretary of the Appeals Board and shall be a public record.

(e) Appeals to the Board of Zoning Appeals may be taken by any person aggrieved, or by any official, department head, board or bureau of Augusta, Georgia affected by a decision of an administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the Appeals Board, by filing with the secretary of the Appeals Board a notice of appeal specifying the grounds thereof.

(1) Upon notice by the secretary of a filing of appeal, the official from whom the appeal is taken shall forthwith transmit to the Appeals Board all papers constituting a record upon which the action appealed was taken.

(2) An appeal stays all legal proceedings in furtherance of action appealed from, unless the official from whom the appeal is taken certifies to the Appeals Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Appeals Board or by a court on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(3) Upon receipt of notice of appeal in a form prescribed by the Appeals Board, the Board of Zoning Appeals shall:

a. Fix a reasonable time for the hearing of the appeal or other matter referred to it.

b. Publish once in a newspaper of general circulation in Augusta, Georgia a notice of public hearing on the appeal. Such notice shall be published at least fifteen (15) days prior to the date of the hearing and shall indicate the time and place of the hearing and the nature of the appeals to be considered by the Appeals Board.

c. Send postal cards or letters to property owners of record whose property lies within a 300-foot radius of the property subject to the appeal, giving notice of the time, place and nature of appeal.

(f) The Appeals Board shall have the following powers:

(1) To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning ordinance adopted by Augusta, Georgia pursuant to this division.

- (2) To hear and decide special exceptions to the terms of the zoning ordinance upon which the Appeals Board as required to pass under such ordinance.
- (3) To authorize upon appeal in specific cases such variance from the terms of the zoning ordinance as will not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of the zoning ordinance will, in an individual case, result in an unnecessary hardship, so that the spirit of the zoning ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon finding by the Appeals Board that:
- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and
 - b. The application of the zoning ordinance to this particular piece of property would create an unnecessary hardship; and
 - c. Such conditions are peculiar to the particular piece of property involved; and
 - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance; however, no variance may be granted for the use of land or building or structure which is prohibited by the zoning ordinance.
- (4) In exercising the above powers, the appeals board may, in conformity with the provisions of this section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination; and to that end, the board shall have all of the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.
- (g) Any person or persons severally or jointly aggrieved by any decision of the Appeals Board or with any official charged with the enforcement of any order, requirement or decision of said board may take an appeal to the Superior Court of Richmond County, Georgia. Said appeal shall be the same as an appeal to the superior court from any decision made by the probate court, except that said appeal shall be filed within thirty (30) days from the date of the decision of the Appeals Board or of any official charged with the enforcement of any order, requirement or decision in connection therewith; and upon failure to file said appeal within thirty (30) days, the decision of the Appeals Board shall be final.

Sec. 1-4-89. Performance of duties, subdivision regulations.

- (a) From and after the time that the Augusta, Georgia Planning Commission established in accordance with this article shall have prepared and adopted a master plan or at least the major street portion of such master plan and shall have recommended to the governing body of Augusta, Georgia regulations for the subdivision of land within Augusta, Georgia, which regulations shall have been adopted by the governing bodies, then no plat of subdivision of land within Augusta, Georgia shall be filed or recorded in the office of the Clerk of the Superior Court of the county until it shall have been submitted to and approved by the Augusta, Georgia Commission and such approval entered in writing on the plat by the Director of the Planning and Development Department. The Clerk of the Superior Court shall not file or record a plat of a subdivision which does not have the approval of the Augusta, Georgia Commission as required by the division.
- (b) The Planning Commission shall prepare and recommend to the Augusta, Georgia Commission for adoption regulations governing the subdivision of land within Augusta, Georgia. At their discretion, the Commission may readopt such subdivision regulations, along with any amendments, which may have been adopted prior to and were superseded by the ratification of the home rule provisions of the Constitution of the State of Georgia; however, such regulations shall generally conform to the provisions of this division.
- (c) Subdivision regulations prepared by the Planning Commission and recommended to the Augusta, Georgia Commission for adoption may provide, in whole or in part, for:
 - (1) The harmonious development of Augusta, Georgia;
 - (2) The coordination of streets within subdivisions with other existing or planned streets;
 - (3) The size of blocks and lots;
 - (4) The dedication or reservation of land for streets, school sites, and recreation areas and easements for utilities and other public services and facilities; and
 - (5) A distribution of population, dwelling units and traffic control which will tend to create conditions favorable to health, safety, convenience, prosperity or general welfare.
- (d) Such regulations may include requirements as to the extent to which and the manner in which streets shall be graded, surfaced and improved; and water, sewers, septic tanks and other utility mains, piping, connections, or other facilities shall be installed as a condition precedent to the approval of a subdivision plat. Such regulations may provide that, in lieu of the completion of such work and installations previous to the final approval of a plat, the Augusta, Georgia Commission may accept a bond, in an amount and with surety and conditions satisfactory to it or a valid contract for the performance of the work and installations along with a letter of guarantee for the subdivider, providing for and securing to Augusta, Georgia the actual construction and installation of improvements

and utilities within a period specified by the Planning Commission and expressed in the bond or letter of guarantee.

- (e) The subdivision regulations may be amended from time to time; but no amendment shall become effective until it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation.
 - (1) The Planning Commission shall conduct, on behalf of the Augusta, Georgia Commission all public hearings on proposed amendments to the subdivision regulations.
 - (2) The Planning Commission shall hold such hearings after giving at least fifteen (15) days' notice of the time and place in a newspaper of general circulation in Augusta, Georgia. The Planning Commission shall have thirty (30) days within which to submit its report; and, if the planning commission fails to submit a report within the thirty (30) day period, it shall have deemed to approve the proposed amendment.
 - (3) The Planning and Development Department is hereby given the authority to give tentative approval or disapproval to preliminary plats and the Augusta, Georgia Commission is hereby given the authority to approve or disapprove final plats, but in each case their action shall be taken within thirty (30) days after such submission thereof, otherwise, such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Director of the Planning and Development Department on demand; however, the applicant for the Director of Planning and Development Department or the Augusta, Georgia Commission's approval may waive this requirement and consent to the extension of such period. The ground for disapproval of any plat shall be stated upon the records of the Augusta, Georgia Commission.
- (f) The approval of a plat by the Augusta, Georgia Commission shall not be deemed to constitute or effect an acceptance by Commission or the public of the dedication of any street or other ground upon the plat.
- (g) From and after the time Augusta, Georgia have adopted subdivision regulations in accordance with this article:
 - (1) Unless provided for by exemption within said regulations, an owner or agent of an owner of any land to be subdivided who transfers or sells or agrees to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Augusta, Georgia Commission and recorded in the office of the Clerk of Superior Court in Richmond County shall be in violation of this division; and the Augusta, Georgia Commission, through the Augusta, Georgia attorney, may enjoin or set aside such transfer, sale or agreement by appropriate action.
 - (2) The Augusta, Georgia Commission or other public authority shall not accept, lay out, open, improve, grade, pave or light any street or lay or authorize the laying of

any water mains, sewers, connections, or other facilities or utilities in any street within Augusta, Georgia unless such street shall have been accepted or opened as, or shall otherwise have received the legal status of, a public street prior to the adoption of said subdivision regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Augusta, Georgia Commission or on a street plat prepared for and adopted by the Augusta, Georgia Commission.

- (3) No building permit shall be issued for and no building or other structure shall be erected on any lot within Augusta, Georgia unless the street giving access to the lot shall be accepted or opened as, or shall otherwise have received the legal status of, a public street prior to that time, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Augusta, Georgia Commission or on a street plat prepared for and adopted by the Augusta, Georgia Commission or with a street located and accepted by the governing body of Augusta, Georgia. Any building erected in violation of this division or the duly adopted subdivision regulations shall be deemed an unlawful structure; and the chief building inspection official, Augusta, Georgia attorney, or other official designated by the governing body may bring appropriate action to enjoin such erection or cause it to be vacated or removed.

Sec. 1-4-90. Cumulative powers.

All powers and authority granted by this division to the Augusta, Georgia Planning Commission shall be cumulative and in addition to all other powers and authority said Planning Commission now has or may later have under other laws.

Sec. 1-4-91. Amendments to zoning ordinance, map and subdivision regulations.

Any amendments to the Augusta, Georgia Comprehensive Zoning Ordinance, the zoning maps, and any amendments to the subdivision regulations of land shall only require the approval of the Augusta, Georgia Commission when the property is located in Augusta, Georgia and does not lie within the incorporated area of City of Hephzibah or the Town of Blythe. The Commission of Augusta, Georgia may make amendments to the comprehensive zoning ordinance and subdivision regulations of land when the governing body of Augusta, Georgia determines that such a change would be in the best interest of their respective political subdivision.

Secs. 1-4-92 – 1-4-94. Reserved.



**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Compensation Boards Authorities**

Department:

Presenter:

Caption: Discuss the authority to discontinue compensation paid to commissioners appointment to the various boards, authorities and commissions. **(Referred from September 6 Commission meeting)**

Background:

Analysis:

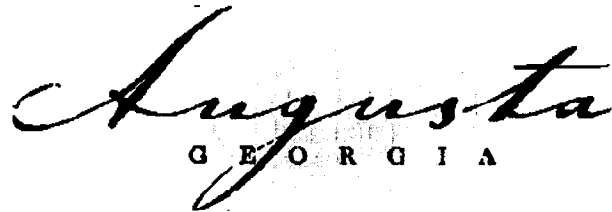
Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting Commission Chamber - 8/30/2016

ATTENDANCE:

Present: Hons. Hardie Davis, Jr., Mayor; M. Williams, Chairman; D. Williams, Vice Chairman; Lockett and Davis, members.

ADMINISTRATIVE SERVICES

1. A motion to approve the award of the RFP for Dental Services (RFP #16-199) to MetLife for a period of 2 years with the option to extend 1 year under a 5% rate cap. **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner William Lockett	Commissioner Dennis Williams	Passes

2. Discuss the bid process for the Central Services Department. (Requested by Commissioner Marion Williams) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Mr. Lockett out. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

3. Motion to approve the minutes of the Administrative Services Committee held on August 9, 2016. **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Mr. Lockett out. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

4. Authorize amendments to the health and wellness contract designed to improve overall employee health conditions through wellness initiatives while managing the cost of healthcare services. **Item Action:** Rescheduled

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Defer	Motion to refer this item to the full Commission with no recommendation. Motion Passes 4-0.	Commissioner William Lockett	Commissioner Dennis Williams	Passes

5. Discuss random drug testing. (Requested by Commissioner Marion Williams) **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Mr. Lockett out. Motion Passes 3-0.	Commissioner Dennis Williams	Commissioner Mary Davis	Passes



**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Minutes**

Department: Clerk of Commission

Presenter:

Caption: Motion to approve the minutes of the Administrative Services Committee held on August 30, 2016.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Random Drug Testing**

Department: Clerk of Commission

Presenter:

Caption: Discuss random drug testing. (Referred from September 6 Commission meeting)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

bond and security in the sum of ten thousand dollars for the faithful performance of his duties.

Sec. 1-2-61. Duties—Generally.

The duties of the Clerk of Commission shall be as follows:

(a) To attend every meeting of the Commission, regular or special, and all committee meetings;

(b) To record regularly and fairly all the proceedings of the Commission, in a book to be kept by him for that purpose;

(c) To have the custody and charge of all records, books and papers belonging to the Commission;

(d) To carefully record in a book to be kept by him for that purpose all ordinances of the Commission, within ten days after the adoption thereof;

(e) To carefully preserve the original ordinances of the Commission, and not allow them to leave his custody unless so directed by the Commission or the Mayor;

(f) To issue, in the name of the Commission, or its appropriate committee, all summonses, subpoenas, writs, executions or processes required or permitted by this Code or by the Commission to be issued, and not specifically required to be issued by some other officer;

(g) To notify the Augusta-Richmond County attorney, the Administrator and the reporters of all daily newspapers published in Augusta-Richmond County, of the meetings of the Commission, including all committees thereof, regular or special, and to notify each member of the Commission, for his information and guidance, of all meetings of the various committees of the Commission;

(h) To perform such other duties as are required of him by this Code or by the Mayor and Commission.

Sec. 1-2-62. Deputy clerk of commission.

The Commission shall elect an officer to be known as the deputy clerk of Commission. It shall be the duty of the deputy clerk, in the absence of the Clerk of Commission, to discharge the duties

now required of the Clerk of Commission as defined by the preceding section, and to perform such other duties as may be required of him by the Mayor and Commission. The deputy clerk shall receive such compensation as the Commission may from time to time provide.

Sec. 1-2-63. Clerk pro tem.

If the Clerk of Commission shall be absent from any meeting of the Commission and his deputy shall be also absent, the Commission shall appoint a clerk pro tem.

Sec. 1-2-64. Records, files, etc., in office or custody of clerk.

(a) It shall be unlawful for any person to remove from the office or custody of the Clerk of Commission any record or document of any nature that the Commission has made it the duty of the Clerk of Commission to preserve or that by its nature requires preservation, without the consent of the Mayor and Commission.

(b) It shall be unlawful for any person to change or mutilate in any way any record or document of any nature that the Commission has made it the duty of the Clerk of Commission to preserve or that by its nature requires preservation, without the consent of the Mayor and Commission.

(c) Nothing herein shall prohibit the clerk from delivering any such record or document to any employee or official of Augusta-Richmond County for their official use, provided a record is maintained by the Clerk of the person to whom such record or document is delivered and the date same was delivered.

Secs. 1-2-65—1-2-92. Reserved.

**ARTICLE 5 AUGUSTA-RICHMOND
COUNTY PROPERTY**

Sec. 1-2-93. Commission office hours.

All Augusta-Richmond County offices shall be open for the transaction of business with the public from 8:30 a.m. until 5:00 p.m. daily Monday through Friday and for such other hours as



**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Custody of Official Records**

Department: Clerk of Commission

Presenter:

Caption: Discuss the custody and charge of all official records, books and papers belonging to the Augusta Commission. **(Requested by Commissioner Ben Hasan)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Administrative Services Committee Meeting
9/13/2016 1:20 PM
Elected Officials' Compensation**

Department: Clerk of Commission

Presenter:

Caption: Discuss certain elected officials' compensation. **(Requested by Commissioner Bill Fennoy)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:
