



CHAPTER 8

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8.00.00 GENERALLY

The committees, boards, and commissions described in Chapter 8 are established for the purpose of implementing the provisions of the UDC. The committees, boards, and commissions described in this chapter shall have the powers and duties described necessary to achieve the purpose of this UDC.

8.01.00 STAFF DEVELOPMENT REVIEW COMMITTEE

8.01.01 Established

The Staff Development Review Committee (SDRC) is hereby established to provide coordinated review and approval or recommendation for approval for several steps in the administration of the ULDC.

8.01.02 Membership

- A. The SDRC may consist of the following members, designated by the County Manager.
 1. Zoning Administrator;
 2. Engineer;
 3. Planner;
 4. Building Official;
 5. Fire Chief or Fire Inspector;
 6. Tifton Tift County Utilities Department;
 7. Tift County Director of Public Works;
 8. Environmental Health Representative;
 9. Henry Tift Meyer Airport Authority.
- B. These positions on the SDRC may be a City or County employee or a consultant under contract to the County or staff of the Southern Georgia Regional Commission under contract to the County.
- C. In addition, the County Manager, or their designees, may serve on the SDRC.

8.01.03 Meetings

The SDRC shall establish a regular meeting schedule.

8.01.04 Rules

- A. The SDRC shall adhere to the provisions of the UDC with regard to the review and approval of site development plans.
- B. The SDRC shall keep a record of its transactions, findings, and determinations, which record shall be a public record.

8.01.05 Duties, Procedures, and Responsibilities

- A. The procedures and duties of the SDRC are established in Section 10.01.04.
- B. The SDRC shall have responsibility for review and preparation of a report for applications to be submitted to the Planning Commission, ZBA, and, as applicable, the Board of Commissioners. See Chapter 10 for requirements for applications for rezoning and development approvals that are subject to SDRC review.
- C. The SDRC shall have the responsibility for recommendations on the following types of applications; to be considered by the Tift County Board of Commissioners.
 1. Development plans;
 2. All subdivision plats;
 3. Amendments to development plans; and other duties as assigned.

8.02.00 GREATER TIFT COUNTY PLANNING COMMISSION**8.02.01 Established**

There is hereby established the Greater Tift County Planning Commission which shall function in accordance with the provisions of this article.

8.02.02 Membership

- A. The Greater Tift County Planning Commission shall consist of seven (7) members. The members shall be appointed as provided below;
 1. One (1) member shall be selected for the City of Ty Ty upon approval from the Ty Ty City Council.
 2. One (1) member shall be selected for the City of Omega upon approval from the Omega City Council.
 3. Five (5) members shall be selected for Tift County upon approval from the Tift County Commission.
- B. The terms of the members shall be for four (4) years. The Tift County members shall be approved by an affirmative majority vote from the Tift County Board of Commissioners. Said members shall be allowed to succeed themselves at the discretion of the respective governing authority.
- C. The respective governing authority shall have the authority to remove any member for cause, on written charges. Three unexcused absences from planning commission meetings may result in removal from the planning commission.

- D. All vacancies in the membership of the planning commission which shall from time to time exist shall be filled for the unexpired term thereof by the respective governing authority which selected the member whose position shall become vacant.
- E. Limitation on service
1. Members of the planning commission shall, notwithstanding their terms of office, serve at the pleasure of the governing authority which selected each such member and each member shall be subject to removal prior to the termination of his term by action of the governing authority which so selected such member.
 2. Upon selection and commencement of his term, each member shall serve, subject to death or resignation and subject to removal, until both the selection of and the commencement of the term of his successor.
- F. Members of the planning commission shall receive no compensation for their services except that they may be reimbursed for any out-of-pocket expenses incurred by them in direct connection with the performances of their services and duties subject to approval thereof by the governing authorities or the governing authority of the governmental entity on behalf of which the member shall function in accordance with such requirements as shall be imposed in connection therewith from time to time by resolutions of the governing authorities or of the governing authority of the governmental entity on behalf of which the member shall function.
- G. Members of the planning commission shall attend planning commission training when available and at the expense of Tift County, Ty Ty or Omega, Ga. Respectively.

8.02.03 Quorum

- A. A quorum of the planning commission shall consist of 51% of regular members. Action by the planning commission shall require a majority vote of 51% and shall be binding.
- B. Decisions of the planning commission as to its recommendations on applications for action shall be rendered by majority vote of members who are present at the planning commission meeting.
- C. In the event that a quorum is not present at a planning commission meeting, the matters under consideration shall be handled as follows;
1. Held for consideration at next regularly scheduled meeting of the planning commission to which public notice has been given to those entitled thereto, or, at the applicant's request, may be forwarded to the Tift County Commissioners without a recommendation.
 2. If there is not a quorum at the next regularly scheduled meeting of the planning commission, only after this second attempt, the matter shall be forwarded to the governing authority without a recommendation from the planning commission.

8.02.04 Officers

- A. The planning commission shall select from among its members a chair who shall preside at meetings of the planning commission.
- B. The planning commission shall select from among its members a vice-chair who shall preside at meetings of the planning commission in the absence of the chair or the disqualification of the chair.
- C. Staff Secretary
 1. The secretary of the planning commission shall be the zoning administrator or such other person or official as shall from time to time be so designated by the manager acting on behalf of the respective governing authorities.
 2. The staff secretary of the planning commission shall provide administrative assistance to the planning commission relative to matters relating to this UDC. The duties shall include:
 - a. Prepare and conduct all correspondence of the planning commission;
 - b. Receive and file all correspondence to the planning commission;
 - c. Receive and file all applications and filings to and with the planning commission;
 - d. Receive and file all transmittals to the planning commission from the zoning administrator of the governmental entity and other public officials;
 - e. Review and evaluate all applications and filings to and with the planning commission for compliance with the rules and regulations of the planning commission and notify those filing the applications and filings of any noncompliance therewith;
 - f. Schedule meetings of the planning commission in accordance with applicable law, ordinances, resolutions and the rules and regulations of the planning commission. Called meeting shall be at the discretion of the planning commission.
 - g. Prepare and maintain a calendar and docket of proposed rezoning actions before the planning commission;
 - h. Prepare and submit to the members at least forty-eight (48) hours prior to a scheduled hearing an agenda therefore as well as copies of all applications and other filings made in connection with each such proceeding;
 - i. Determine all notices to be given in connection with proceedings before the planning commission and cause such notices to be given to those entitled thereto;
 - j. Attend all meetings and hearings of the planning commission;

- k. Cause a mechanical record to be made of all meetings and hearings of the planning commission relative to proposed rezoning actions by use of tape recorder or other appropriate device;
- l. Cause to be retained and maintained a copy or a facsimile of all physical evidence presented in connection with proposed rezoning actions;
- m. Prepare and maintain minutes of proceedings of the planning commission indicating therein all significant information, matters and facts pertaining thereto including specifically all motions, votes and decisions of the planning commission together with the vote of each member upon each such motion, vote and decision including those absent, disqualified or failing to vote thereon together with such other matters as shall be pertinent to the activities of the planning commission;
- n. Cause to be retained and maintained all minutes, records, files and notices of the planning commission;
- o. With respect to proposed rezoning actions, maintain a written record of the name and address of all persons who shall present any evidence, testimony or opinions, make any statement at a hearing of the planning commission; and
- p. Perform such other duties as shall be directed from time to time by the planning commission which is approved by the manager.

8.02.05 Meetings

- A. Meetings of the planning commission shall be held from time to time as necessary for the planning commission to perform its duties and responsibilities.
 - 1. Meetings to be scheduled at least once per month on a regularly scheduled day and at a regularly scheduled time and place.
 - 2. Meetings shall also be held upon call by the chair, the vice-chair in the absence or disability of the chair, or by a majority of the members.
 - 3. All meetings of the planning commission shall be open to the public and shall be held in accordance with the requirements of state law relative to open public meetings.

B. Minutes and records

All minutes, upon approval thereof by the planning commission, and all files, dockets, calendars, physical evidence, notices and records of the planning commission which relate to matters with respect to each governmental entity shall be maintained and made available for public inspection.

8.02.06 Duties and Responsibilities

The planning commission shall;

- A. Function only in an advisory (administrative) capacity to the respective governing authorities.

- B. Subject to the direction, control and instructions of the respective governing authority of each governmental entity, conduct surveys and studies of existing conditions and probable future developments and shall develop plans for physical, social and economic growth which will best promote the public health, safety, morals, convenience, prosperity, general welfare, efficiency and economy in the development of the governmental entity involved and submit the plans to the governing authority of each governmental entity, and
- C. Subject to the direction, control and instructions of the respective governing authority of each governmental entity:
1. Develop and submit to the governing authority of each governmental entity for its consideration a master plan, and amendments thereto, for the development of each governmental entity;
 2. Develop and submit to the governing authority of each governmental entity for its consideration recommendations relative to amendments to or revisions of this UDC, including zoning ordinances, zoning maps and regulations for the subdivision of land within the boundaries of each governmental entity;
 3. Review proposed amendments to or revisions of the zoning ordinances and zoning maps of each of the respective governmental entities which shall be submitted by others, make findings with respect thereto, and make recommendations to the governing authority of the governmental entity involved with respect to the adoption, rejection, modification or conditional adoption of each such proposed amendment or revision;
 4. Develop and submit to the governing authority of each governmental entity for its consideration official maps or plats, and amendments thereto, which designate the exact location of the boundary lines of existing, proposed, extended, widened and narrowed streets, public ways, public open spaces and public buildings and sites together with regulations and amendments thereto for the erection of buildings and other structures to be located therein; and
 5. Perform such additional functions and services for and on behalf of the governmental entity as shall be authorized or directed from time to time by the governing authority thereof.

8.02.07 Rules and Regulations

The planning commission shall adopt such rules, policies, procedures and regulations which shall be consistent with the provisions of this UDC, the zoning ordinances of the governmental entities and applicable law.

8.02.08 Authority

- A. The planning commission shall have no authority or power other than as specifically provided from time to time by ordinance or resolution of the governing authorities, and
- B. Without limiting the generality of the foregoing, shall have no authority, right or power to expend any funds, to direct the activities of any employee or official of any of the governmental entities (except solely the secretaries of the commission

and then only to the extent specifically authorized in this article) or to contract for or on behalf of either itself or any of the governmental entities.

8.02.09 Legal Assistance

- A. With respect to this UDC on matters relative to Tift County, the county attorney shall act as the legal advisor and representative of the planning commission and shall render such legal assistance as shall be necessary.
- B. With respect to the zoning ordinance and other land development regulations of the City of Omega, the city attorney of the City of Omega shall act as the legal advisor and representative of the planning commission and shall render such legal assistance as shall be necessary.
- C. With respect to the zoning ordinance and other land development regulations of the City of Ty Ty, the city attorney of the City of Ty Ty shall act as the legal advisor and representative of the planning commission and shall render such legal assistance as shall be necessary.

8.02.10 Disclosures

D. Financial interest

- 1. A member of the planning commission who:
 - a. Has a property interest in any real property affected by any proposed action pending before the planning commission;
 - b. Has a financial interest in any business entity which has a property interest in any real property affected by any proposed rezoning action pending before the planning commission; or
 - c. Has a member of the family who has any interest described in either subsection (a) or subsection (b) of this section;

shall at or prior to the initial meeting of the planning commission at which the matter is to be considered (but in no event later than immediately following the announcement of the matter for consideration by the commission) disclose the nature and extent of such interest in writing to the applicant and to the commission.

- 2. All such disclosures shall be entered into the minutes of meetings of the planning commission, shall be matters of public record of both the planning commission and the governmental entity involved, and shall be available for public inspection at any time during normal working hours.
- ##### B. Contributions
- 1. When any applicant for any proposed rezoning action has made, within two (2) years immediately preceding the filing of that applicant's application for the rezoning action, gifts having in the aggregate a value of \$250.00 or more to any Tift County elected official, it shall be the duty of the applicant or the attorney representing the applicant to disclose in writing to the planning commission:

- a. The name of member(s) to whom the gift or gifts were made; and
 - b. An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to each such member during the two (2) years immediately preceding the filing of the application for the zoning change.
 2. The disclosures required by subsection (1) above shall be filed within ten (10) days after the application for the proposed rezoning action is first filed.
- C. Relationships
1. Each member of the planning commission who shall have any business or financial relationship with any applicant or with any owner of any property proposed for rezoning action and who, due to the nature or extent of such relationship or relationships, may not be able to objectively act with respect to the proposed rezoning action shall, at or prior to the initial meeting of the planning commission at which the matter is to be considered (but in no event later than immediately following the announcement of the matter for consideration by the commission), disclose the nature and extent of such relationships to the applicant and to the planning commission.
 2. All such disclosures shall be entered into the minutes of the planning commission, shall be matters of public record of both the planning commission and the governmental entity involved and shall be available for public inspection at any time during normal working hours.
- D. Disqualification of members.
1. Any member of the planning commission who shall have;
 - a. A property interest, a financial interest, or a member of the family who has either a property interest or financial interest which is subject to disclosure pursuant to the provisions of this article;
 - b. Any relationship which is subject to disclosure pursuant to the provisions of this article;may disqualify himself from participation in the consideration of the proposed rezoning action in issue or may be disqualified by vote of the planning commission as provided in subsection (2) below.
 2. Any other member, the applicant and any other interested person shall each be entitled at the time of the call for consideration of the matter or at any time prior thereto to raise any issue of possible disqualification of any member whereupon, following such consideration as the planning commission shall deem appropriate, the planning commission shall determine by majority vote of those members who are not subject to potential disqualification in connection with the proposed rezoning action whether the member shall be disqualified.

8.03.00 ZONING BOARD OF APPEALS

8.03.01 Established

There is hereby established an appeals board with the title of "Tift County Zoning Board of Appeals", hereinafter referred to as the "ZBA."

8.03.02 Membership

A. The ZBA shall consist of five (5) members, all of whom shall be residents of Tift County.

1. Members shall be selected by the Tift County Board of Commissioners.
2. The term of office for each member of the ZBA shall be for five (5) years.
3. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.
4. A quorum shall be 51% of the regular members.

B. Officers

1. The ZBA shall elect one (1) of its members as Chairman, who shall serve until he is re-elected or his/her successor is elected.
2. The ZBA shall elect one (1) of its members as Vice-Chairman, who shall serve until he is reelected or his/her successor is elected.

C. The manager/designee shall function as the secretary to the ZBA.

D. The members of the ZBA shall receive no compensation for their service except that they may be reimbursed for out-of-pocket expenditures made in connection with their duties.

E. The members of the ZBA may be removed for cause, upon written charges.

F. Any member of the ZBA shall be disqualified to act upon a matter before the ZBA with respect to property in which the member has an interest.

8.03.03 Rules

A. The ZBA shall have the authority to adopt rules of procedure, or by-laws to govern its operation.

B. By-laws shall not conflict with the requirements of this UDC. In the event of any conflict between the provisions of this UDC and the by-laws, the provisions of this UDC shall control.

C. The following topics may be included in the by-laws:

1. The creation of committees;
2. Code of conduct;
3. Voting procedures;
4. Scheduling of meetings;
5. Order of business;

6. Preparation of minutes.
- D. Meetings of the ZBA shall be scheduled monthly at a regular place and time. Called meetings shall be at the call of the Chairman and at such other times as said ZBA may determine.

The ZBA Chair shall preside over meetings, the Vice-Chair in the absence or disability of the chair.

All meetings of the ZBA shall be "Public Meetings" and shall be held in accordance with the requirements of state law relative to open public meetings.
- E. The Chairman, or in his/her absence, the Vice-Chair, may administer oaths and compel the attendance of witnesses by subpoena, as otherwise permitted by law.
- F. The ZBA shall keep minutes of its proceedings, 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 Manager and shall be a public record.
- G. The decisions of the ZBA shall be by majority vote (51%) which shall be recorded into the minutes of the meeting.
- H. No appeal to the ZBA requesting the same relief in regard to the same property shall be received or heard by the ZBA for a period of twelve (12) months following the date of said resolution, except that this limitation shall not affect the right of said ZBA to grant a rehearing as provided in the rules of procedure adopted by said ZBA.

8.03.04 Administrative Procedures

- A. The procedures and duties of the ZBA are established in Chapter 9, Variances and Chapter 10, Appeals.
- B. The ZBA shall have responsibility for final decision on the following types of applications;
 1. Extension of nonconforming residential uses;
 2. Variances;
 3. Appeal of administrative decisions;
 4. Rural Farm Homesteads;
 5. Security Worker Housing.
- C. The Manager shall provide such technical, administrative, and clerical assistance and office or meeting space as is required by the ZBA to carry out its function under the provisions of these regulations.
- D. All applications submitted for variances and appeals under the provisions of the UDC shall be processed by the Manager/designee which may include a staff recommendation.

8.04.00 TIFT COUNTY AIRPORT AUTHORITY

8.04.01 Established

There is hereby established an airport authority with the title of "Tift County Airport Authority", hereinafter referred to as the "TCAA."