**BRUNSWICK PLANNING & APPEALS COMMISSION (PAC)**

By-Laws and Rules of Procedure

1. PURPOSE

To establish procedures for selection of Planning & Appeals Commission (PAC) officers, for conduct of meetings and other business of the PAC, andfor processing applications for planning and appeals actions for: (1)recommendations on Comprehensive Plan; (2) recommendations on annexation, rezoning, and Conditional Use applications; (3) recommendations on Zoning text amendments; (4) initiation of rezoning applications and text amendments; (5) decisions on variances; (6) decisions on administrative appeals; and (7) other powers assigned to it by the governing body, explicitly assigned by the Zoning Code, or reasonably implied by the Code.

1. GENERAL RULES

The Brunswick PAC shall be governed by the terms of the Brunswick PAC Ordinance as contained in the Code of Ordinances for the City of Brunswick and by the terms of Georgia Code as they may be amended or revised. The PAC is an appointed body that has no political affiliation or connection. The PAC shall complete its purpose free of political influences. The PAC functions like a consultant to the governing body in recommending effective ways to accomplish the general community goals requested by the City Commissioners. The PAC uses its specialized background and expertise to make recommendations to the governing body.

The Brunswick PAC should annually review the By-Laws to consider changes that will impact the development of the city. The PAC will hold a public forum annually to invite stakeholders for input on the existing rules and procedures.

1. MEMBERS, OFFICERS, AND DUTIES
	1. *General.* The PAC shall be composed of five (5) members and two (2) alternates, who shall have demonstrated special experience or knowledge in the fields of planning, land development, historic preservation, architectural design, landscape architecture, building construction, real estate, or a similar profession.
	2. *Chairperson.* A chairperson shall be elected by the entire membership od the PAC to include the alternates. The term of office shall be for one year, and no more than two consecutive terms. The chairperson shall decide all points of order and procedure, subject to these rules, unless otherwise directed by a majority of the PAC in session at the time. The chairperson shall appoint any committees found necessary to investigate any matters before the PAC. Nominations shall be in May. Elections shall take place in June. Term starts July 1.
	3. *Vice-Chairperson.* A vice-chairperson shall be elected by the PAC from among its members in the same manner as the chairperson and shall be eligible for re-election for one term. The vice-chairperson shall serve as acting chairperson in the absence of the chairperson, and at such times shall have the same powers and duties as the chairperson. Nominations shall be in May. Elections shall take place in June. Term starts July 1.
	4. *Alternates.* Alternates to the PAC shall be considered PAC members. Alternates may participate in all discussion on planning and zoning matters brought before the PAC and shall vote in the absence of regular members. The Alternate shall have the right to vote only when s/he is designated by the Chairperson to replace a regular member for a specific reason and only for a specific meeting date. Alternates shall be chosen in order of arrival at the PAC meeting in question. If the seat of a regular member is vacated prior to the completion of his/her term, an Alternate member may be appointed to a regular seat for the duration of the vacated members’ term. An Alternate does not have term limits.
	5. *Secretary.* The Director of the Planning, Development & Codes Department or his or her designee shall serve as Secretary for the PAC. The secretary shall keep all records, shall conduct all correspondence of the PAC, and shall generally supervise the clerical work of the Board. The secretary shall not be eligible to vote upon any matter.
	6. *Elections.* Terms for officers shall be July 1st - June 30th. Members shall be notified in writing of the election of officers at least thirty (30) days prior to the July meeting.
	7. *Terms of Appointments.* Terms of appointment for PAC members shall be three years from date of appointment to the PAC. Nomination shall be in May. Confirmation by election shall take place in June. Term starts July 1.
	8. *Attendance at Meetings.* If a member of the PAC is absent for more than three (3) successive called or regular meetings or at six (6) such meetings in a calendar year, the governing body may remove the member from the PAC. Absent emergency conditions or the written opinion of a physician or other health professional that reasons of health prevent a member's physical presence, no member shall participate by teleconference pursuant to this subsection more than twice in one calendar year.
	9. *Applications Involving Members.* No PAC member shall take part in the hearing, consideration, or determination of any case in which the member has personal or financial interest.
2. MEETINGS
	1. *Regular Meetings.* Meetings of the PAC shall be held on the second Wednesday of the month at 5:15 p.m. in Old City Hall, provided that meetings may be held at some other convenient place and time if directed by the chairperson in advance of the meeting.
	2. *Special Meetings.* Special meetings of the PAC may be called at any time by the Director. At least twenty-four (24) hour notice of the time and place of special meetings shall be given, by the secretary or by the Director, to each member of the PAC, provided that this requirement may be waived by action of a majority of all the members.
	3. *Cancellation of Meetings.* Whenever there is no business for the PAC, the chairperson may dispense with a regular meeting by giving notice to all the members not less than twenty-four (24) hours prior to the time set for the meeting.
	4. *Quorum.* A quorum shall consist of three (3) members of the PAC.
	5. *Conduct of Meetings.* All meetings shall be open to the public. The order of business at regular meetings shall be as follows: (a) roll call; (b) applications. Procedures may be modified by concurrence of all parties and the PAC itself. In the event conflicts and/or questions of procedures shall arise PAC shall reference Robert‘s Rules of Order for a resolution.
	6. *Consideration of Applications*: Any party may appear in person or by agent or attorney at the meeting. The order of business for consideration of applications shall be as follows:
		1. The chairperson, or such person as he or she shall direct, shall give a preliminary statement concerning the application;
		2. Staff shall present the application with recommendations to the PAC considering the Zoning Code, Brunswick’s Comprehensive Plan, and any other Ordinance applicable to the application. If there is a conflict of interest by any members of the PAC, the member should disclose conflict of interest as early as possible. The member should complete the proper form stating the conflict of interest to be included into the applicate file;
		3. The applicant shall present the arguments in support of his or her application;
		4. Persons supporting or opposed to granting the application shall present arguments against the application and shall be granted 3-5 minutes each to speak, at the discretion of the chairperson;
		5. Statements of arguments submitted by any official, commission, or department of the City of Brunswick, any state agency, or any local historical, preservation or neighborhood association shall be presented as directed by the chairperson;
		6. The chairperson, or such person as he or she shall direct, shall summarize the evidence which has been presented giving all parties an opportunity to make objections or corrections;
		7. The board shall thereafter proceed to deliberate whether to grant the application or to deny;
		8. Procedures may be modified by concurrence of all parties and the PAC itself.

The PAC may, in its discretion, view the site from the public Right of Way and obtain additional facts concerning any application before arriving at a decision. All decisions of the PAC shall be supported by appropriate findings of fact, and, where necessary to effectuate the purposes of the ordinance, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances.

In considering applications, witnesses may be called and factual evidence may be submitted, but the PAC shall not be limited to consideration of such evidence as would be admissible in a court of law.

* 1. *Vote.* The vote of a majority of those members present shall be sufficient to decide matters before the PAC, provided a quorum is present. No PAC member shall participate in the decision of any matter in which the member has a personal or financial interest.
1. APPLICATION PROCEDURES
	1. An application for a planning or zoning action shall be filed on an official application form with the Planning, Development & Codes Department at least thirty (30) work days prior to the meeting at which the application can be considered.
	2. All information called for in the application shall be furnished by the applicant as prescribed in the Code.
	3. The City of Brunswick Department of Planning, Development & Codes staff shall post a sign on the premises for which the planning or zoning action is requested at least 15 days but not more than 45 days prior to the public hearing. The applicant shall not remove the sign until a decision on the application has been rendered by the PAC.
	4. The applicant and affected property owners shall be given an opportunity to be heard at the publicmeeting at which the application is presented.
	5. The PAC must make a recommendation or decision on planning and zoning actions within sixty-five (65) calendar days from the date of its public hearing within which to submit its recommendation on the rezoning or conditional use permit application after the filing of the completed application, except when the time limit has been extended by mutual agreement between the applicant and the PAC.
	6. After a recommendation is made, the secretary for the PAC shall transmit the decision, in writing, to the governing body, clearly describing the recommendation. The secretary shall attach a copy of the minutes of the meeting at which approval was granted.
	7. When a decision is made on a variance application, a copy of the minutes of the meeting and written reasons for approval or denial shall be transmitted to the applicant.
2. AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than three-fourths (3/4) of the members of the PAC, provided that such amendments shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.