



C H A T H A M C O U N T Y - S A V A N N A H

---

# METROPOLITAN PLANNING COMMISSION

*"Planning the Future - Respecting the Past"*

---

M E M O R A N D U M

---

**DATE:** May 2, 2023

**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

**FROM:** METROPOLITAN PLANNING COMMISSION

**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

Text Amendment to the City of Savannah Zoning Ordinance

**Re:** Amendment to Article 3 Sec 3.2 Public Notice

**Petitioner:** Bridget Lidy, City of Savannah

**File No.** 23-001583-ZA

**MPC ACTION:**

**Approval** of the request with the proposed amendments to Sec 3.2 Public Notice to address changes in the state Zoning Procedures Law.

**MPC STAFF RECOMMENDATION:**

**Approval** of the request with the proposed amendments to Sec 3.2 Public Notice to address changes in the state Zoning Procedures Law.

**MEMBERS PRESENT:** 10 + Chairman

Dwayne Stephens, Chairman  
Travis Coles  
Laureen Boles  
Joseph Ervin  
Karen Jarrett  
Michael Kaigler  
Jay Melder  
Wayne Noha

Jeff Notrica  
Joseph Welch  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (11-0)

<b>APPROVAL</b> Votes: 11	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>
Coles Boles Ervin Notrica Jarrett Kaigler Melder Noha Stephens Welch Woiwode		Coleman Epstein Watkins

Respectfully submitted,



Melanie Wilson  
Executive Director

/sh

Enclosure

cc: Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Zarina Davis, Department of Inspections  
Bridget Lidy, Department of Inspections





C H A T H A M   C O U N T Y - S A V A N N A H

---

# METROPOLITAN PLANNING COMMISSION

*“Planning the Future - Respecting the Past”*

---

M E M O R A N D U M

**TO:** The Mayor and Aldermen, City of Savannah

**FROM:** The Metropolitan Planning Commission

**DATE:** May 2, 2023

**SUBJECT:** Text Amendment to the City of Savannah Zoning Ordinance  
Re: Amendment to Article 3 Sec 3.2 Public Notice.

**Applicant / Petitioner:** City of Savannah

**Marcus Lotson, Director of Development Services**

**MPC FILE NO:** 23-001583-ZA

**ISSUE:**

Proposed amendments to the Public Notice section of the Savannah Zoning Ordinance to address recent changes in State Law.

**BACKGROUND:**

During the 2022 legislative session the Georgia State Legislature adopted HB 1405 which resulted in changes to the Zoning Procedures Law that are applicable to local governments. The City of Savannah engaged an outside land use attorney to review the amended rules and apply them to the city ordinance. The proposed text in **red** and underline is in addition to the existing public notice section. While these proposed additions address the immediate need to be consistent with recent state level changes, a comprehensive review of public notice procedures is also needed.

**FINDINGS:**

1. There are two proposed additions to the ordinance that reflect changes to the Zoning Procedures Law that are related to published notice requirements. The first change affects (Sec 3.2.5 c. 3.) and is related to the timing of published notice requirements. The new language (below) requires certain applications to have a published notice at least 30 days prior to the date of the public hearing. This change will require revisions to internal procedures related to the applications identified below.

Except as provided hereinafter, all Zoning Board of Appeals, Savannah Downtown Historic District Board of Review, and Historic Preservation Commission applications for variances, special administrative permits, special exceptions, conditional use permits, other similar permits not enumerated in the Zoning Procedures Law. O.C.G.A .§36-66-1 et seq., applications for appeal of

administrative decisions, and Planning Commission review of Development Plans provided in Sec. 3.8.3.b. ii. shall require at least 30 days published notice prior to the public hearing which shall include the time, place, and purpose of the public hearing. In addition, notice shall be mailed to the owner of the property that is the subject of the application. Notwithstanding any provision to the contrary, where the grant or denial of a variance or condition concurrent is considered in conjunction with a decision to adopt or deny an amendment to the zoning ordinance to rezone property or in conjunction with the decision to grant or deny a special use permit, only one public hearing is required and notice of the public hearing shall be published at least 15 but not more than 45 days prior to the date of the hearing which shall state the time place and purpose of the hearing.

2. The second change relates to required notice when municipalities propose a zoning change from a single-family residential zoning district to a district that allows multifamily zoning, or when single family zoning is proposed to be eliminated. These provisions do not apply to zoning applications submitted by a property owner or their representative but do apply to certain zoning actions that are initiated by the City of Savannah. This provision will not require MPC procedural changes.

1. Notwithstanding any other provisions of this chapter to the contrary, when a proposed zoning decision relates to a n amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single- family residential zoning, such zoning decision must be adopted in the following manner:

The zoning decision shall be adopted at two regular meetings of the local government making the zoning decision, during a period of not less than 21 days apart; and

Prior to the first meeting provided for in subparagraph (A) of this paragraph, at least two public hearings shall be held on the proposed action. Such public hearings shall be held at least three months and not more than nine months prior to the date of final action on the zoning decision. Furthermore, at least one of the public hearings must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by this paragraph shall be in addition to any hearing required under O.C.G. A. §36-66-4(a). The local government shall give notice of such hearing by:

Posting notice on each affected premises in the manner prescribed by O.C.G.A. §36-66- 4(b); provided, however, that when more than 500 parcels are affected, in which case posting notice is required every 500 feet in the affected area; and

Publishing in a newspaper of general circulation within the territorial boundaries of the local government a notice of each hearing at least 15 days and not more than 45 days prior to the date of the hearing.

Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the city clerk or the recording officer of the City of Savannah, GA, and in the office of the clerk of the Chatham County Superior Court for the purpose of examination and inspection by the public. The city clerk will furnish anyone, upon written request, a copy of the proposed amendment, at no cost.

(2) The provisions of paragraph (1) of this subsection shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of the City of Savannah or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of the City of Savannah to multifamily residential uses of property.

(3) This subsection shall not apply to zoning decisions for the rezoning of property from a single-family residential use of property to a multifamily residential use of property when the rezoning is initiated by the owner or authorized agent of the owner of such property.

**RECOMMENDATION:**

The Planning Commission recommends **approval** of the proposed amendments to Sec 3.2 Public Notice to address changes in the state Zoning Procedures Law.

Note: This recommendation could change subject to new information provided at the meeting. Final decisions will be made by the Commission at the public hearing based on information provided at the meeting.