

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND DIVISION II, PART 8, PLANNING AND
REGULATION OF DEVELOPEMNT, CHAPTER 3, ZONING, ARTICE 3.0,
SECTION 3.2 PUBLIC NOTICE; TO REPEAL ALL OTHER ORDINANCES
IN CONFLICT HEREWITH AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Division II, Part 8, Planning and Regulation of Development, Chapter 3, Zoning, Article 3.0, Section 3.2 (Effective September 1, 2019) of the Code of the City of Savannah, Georgia hereinafter be referenced as “code”, be amended to read as follows:

*Note: Text and/or figures to be enacted shown in red and underlined.
Text and/or figures to be stricken shown in strikethrough.*

3.2.5 Published Notice

a. Publishing of Public Notice

When required, as shown in Table 3.2-1, public notice shall be published in accordance with the standards established by the O.C.G.A. §36-66-1 et seq. and this Ordinance.

b. Preparation of Notice Content and Publishing Responsibility

The Planning Director or Governing Body, as applicable, shall prepare the content of the notice and be responsible for publishing the notice in a local newspaper of general circulation within the boundaries of Chatham County.

c. Timing of Published Notice

i. Public Hearings

1. ~~For all~~ All applications that require published notice, except as hereinafter provided, except those provided in 3.2.5.c.1 (2) the notice shall be published at least 15, but no more than 45 days prior to the public hearing.
2. For applications to designate a local historic district or to designate a local historic property, notice of the public hearing shall be published at least 10 but not more than 20 days prior to the public hearing as provided in O.C.G.A. §44-10-26 (“Georgia Historic Preservation Act”), or as amended. Notice of the public hearing shall be published on at least three (3) occasions prior to the public hearing.
3. 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.

4.(1) Notwithstanding any other provisions of this chapter to the contrary, when a proposed zoning decision relates to an 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:

(A) 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

(B) 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:

- (i) 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
- (ii) 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.

SECTION 2: That the requirements of Section 3.2 of the Zoning Ordinance effective the 1st of September 2019, and the law in such cases made and provided has been satisfied. An opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 9th of May 2023, a copy of said notice being attached hereto and made a part hereof.

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

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

ADOPTED AND APPROVED: _____ day of _____ 2023.

Van R. Johnson, II
Mayor

ATTEST:

Mark Massey
Clerk of Council