

Sec. 8-3182. Procedure for Amendment

All city zoning petition application forms shall be submitted in duplicate, and all applications for a map amendment shall include a scaled or dimensioned map or sketch of the property referred to and all adjoining lots or parcels of land which are in the same ownership as the site(s) in question. All applications for a map amendment require a statement of the existing use and the proposed use of the land in question.

(a) *Generally.*

(1) *Application required.* Applications for an amendment to this chapter may be in the form of proposals for amendments of the text of this chapter or proposals for amendments to the zoning map. Application for amendment shall be submitted to the mayor and aldermen, in duplicate, on the 8-3132 [8-3182] application form. Such applications shall give the reasons for requesting change of the text and/or zoning map which would support the purposes of the zoning program. A property owner shall not file a rezoning petition for a map amendment affecting the same parcel within one year from the date of denial by the mayor and aldermen of any rezoning request for the same property, or, where a petition has not been acted on by the mayor and aldermen, one year from the date a recommendation of denial on an application affecting the same parcel has been made by the planning commission. All previous applications for a text or map amendment affecting the same premises shall be listed.

(2) *Conflict of interest in zoning actions.*

a. *Definitions.* For the purposes of this section, the following words or terms used herein shall be defined as follows:

1. *Applicant* means any individual or business entity applying for rezoning action.
2. *Business entity* means any corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.
3. *Financial interest* means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is ten percent or more.
4. *Local government* means the City of Savannah.
5. *Local government official* means any member of the city council or any member of the Chatham County-Savannah Metropolitan Planning Commission.

6. *Member of the family* means the spouse, mother, father, brother, sister, son or daughter of a local government official.
 7. *Property interest* means the direct or indirect ownership of real property and includes any percentage of ownership less than total ownership.
 8. *Real property* means any tract or parcel of land, and, if developed, any buildings or structures located on the land.
 9. *Rezoning action* means action by local government adopting an amendment to a zoning ordinance which has the effect of rezoning real property from one zoning classification to another.
- b. *Disclosure of financial interests.* A local government official involved in the hearing and/or decision of a zoning action shall immediately present in writing a financial interest statement addressing the nature and extent of such interest in the zoning action, to the mayor and aldermen of the City of Savannah, when the local government official has the following involvement:
1. A property interest in any real property affected by a rezoning action upon which that official is authorized to vote;
 2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action upon which that official is authorized to vote; or
 3. A member of the family who is an applicant or part of a business entity involved in the zoning action.

Such disclosure shall become public record and be available for public review at any time during normal working hours.

- c. *Disclosure of campaign contributions.* When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the applicant and the attorney representing

the applicant to file a disclosure report within ten days after the application for the rezoning action is first filed, with the clerk of council for the mayor and aldermen of the City of Savannah listing the following:

1. The name of the local government official to whom the campaign contribution or gift was made;
 2. The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each contribution; and
 3. An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of the application for the zoning change.
- d. *Penalties for violation.* Violation of the provisions of this subsection or failure to comply with any of its requirements shall constitute a violation of this chapter. Any person who violates this subsection or fails to comply with any of its requirements shall, upon conviction thereof, be punished in accordance with section 1-1013 of the city Code, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Savannah from taking such other lawful action as is necessary to prevent or remedy any violation.
- e. *Cumulative nature of provisions of subsection.* The provisions of this subsection shall be cumulative and not exclusive of other provisions of the city Code, the ordinances of the city, or statutes of the State of Georgia.
- (b) *Signature of applicant.* All applications shall be signed and shall state the name and address of the applicant, who must be the owner of the property or the authorized agent or attorney of the owner of the property. If the applicant is the agent of the owner, the agent shall file, simultaneously with the petition, a notarized letter signed by the owner, authorizing the agent to file on his behalf. No application shall be accepted which fails to meet these requirements.
- (c) *Application for text amendment.* In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.

- (d) *Application for map amendment.* An application for a map amendment shall include the following information and a scaled dimensioned map, plat or sketch which shall be attached to each of the application forms required. The map, plat or sketch shall show the property referred to in the application and all adjoining lots or parcels of land which are also under the same ownership. Such properties shall also be indicated in respect to the nearby public roads in common use.
- (1) The community or area in which is located the land proposed to be reclassified and the street number, if any, or if none, the location with respect to the nearby public roads in common use.
 - (2) A legal description of the land by lot, block, and subdivision designations, or if none, by metes and bounds.
 - (3) The property identification number from the tax records of Chatham County.
 - (4) The present zoning classification and the classification proposed for such land.
 - (5) The name and address of the owners of the land.
 - (6) The area of the land proposed to be reclassified stated in square feet if less than one acre and in acres if one or more.
 - (7) The present and proposed land uses of the property petitioned for rezoning and all adjoining properties if under the same ownership.
 - (8) The names, addresses and ZIP codes of owners of properties (and of occupants of such properties if different from owners) within 200 feet of any property line of property to be rezoned or for which a special use is requested. The names, addresses, and ZIP codes shall be as recorded on the Chatham County tax assessor's web site as of the date of filing. The applicant shall provide such information on stamped, addressed number 10 envelopes (approximately 4 1/8 inches by 9 1/2 inches).
- (e) *Referral to MPC.* Within five days after acceptance for filing of any application for an amendment, the mayor and aldermen shall transit two copies thereof to the MPC for its review and recommendation. The MPC shall submit its findings to the mayor and aldermen. The MPC shall have 30 days within which to submit its report to the mayor and aldermen. If the MPC fails to submit a report within a 30-day period, it shall be deemed to have approved the requested change or special use approval.

- (f) *Public Notification.* For public notification requirements, see Article M. (Public Notification).

[Sec. 8-3182(f) amended October 3, 2013 (13-003067-ZA)]