

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LOGANVILLE, GEORGIA, SUBPART B, LAND DEVELOPMENT AND RELATED ORDINANCES, ARTICLE II, CHAPTER 119, ZONING, ARTICLE II - ADMINISTRATION AND ENFORCEMENT, TO COMPLY WITH HOUSE BILL 1405 'ZONING PROCEDURES LAW'

THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAINS:

ARTICLE I.

The Code of Ordinances of the City of Loganville, Georgia, Subpart B, Land Development and Related Ordinances, Article II, Chapter 119, Zoning, Article II – Administration and Enforcement, is hereby amended by implementing the below text amendment as follows, underlined sections are added, stricken sections are being removed.

Sec. 119-83. - Public notification.

(a) *Legal notice.* Notice of the public hearing pursuant to this division shall be published in a local paper of general circulation within the city, the legal organ in which are carried the legal advertisements of the city, advertising the application and date, time, place and purpose of the public hearing at least 15 days prior to the first public hearing but no more than 45 days prior to the date of the first hearing conducted by the planning commission. If the application is for amendment to the original zoning map, special use or major variance, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed district of the property.

(b) *Signs posted.* At least 15 days prior to the planning commission public hearing, the city manager or designee shall post on a conspicuous place on the property for which the application has been submitted, a sign that shall:

(1) Be readable from each street or road on which the property fronts, or if the property has no street frontage, from each street from which access will be gained;

(2) Clearly indicate:

- a. The property's present zoning classification;
- b. The proposed zoning classification, special use or major variance;
- c. The date of the hearing; and
- d. The location of the hearing.

e. Be maintained by applicant to prevent removal from property or destruction during the public hearing process.

(c) *Letters to abutting owners.* The city manager or designee shall give notification of the requested application by regular mail to all abutting owners as shown by county tax records. Such notification shall

be mailed at least 15 days prior to the planning commission public hearing and shall include a description of the application, the date, time and place of public hearings.

(d) Notwithstanding any other provision 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 owner to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision shall follow the required notice procedures of O.C.G.A. § 36-66-4(h)(1).

Sec. 119-87. – Appeals process

~~Any person or persons, jointly or severally, aggrieved by any decision by the city council of the city, may take an appeal to the superior court according to procedures outlined in the Ga. Const. art. VI, § IV, ¶ I.~~

Any person or persons who may have a substantial interest in any decision of the Mayor and Council may appeal said final decision to the Superior Court of Walton County, Georgia. Such appeal shall be filed with the Clerk of said Court by filing a notice of appeal in writing, setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such notice of appeal shall be filed within thirty (30) days after the decision of the Mayor and Council is rendered. A copy of the notice of appeal shall be served on the Mayor and Council. Appeals to the Superior Court of Walton County shall comply with the provisions of O.C.G.A. § 36-66-5.1.

ARTICLE II.

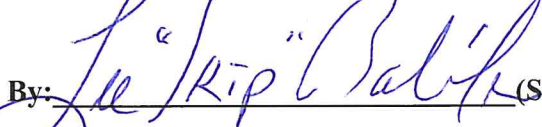
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III.

This ordinance shall take effect from and after its adoption by the Mayor and Council of the City of Loganville, Georgia.

This 8th day of June, 2023.

CITY OF LOGANVILLE, GEORGIA

By:  (SEAL)

Skip Baliles, Mayor

Attest:  (SEAL)

Danny Roberts, City Manager