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### Sec. 7.2.2. Applications.

- A. *Applications for city action that require a public hearing.* Applications for city action that require a public hearing shall be filed with the director of planning, along with a fee as set by the city council and the campaign disclosure required by O.C.G.A. § 36-67A-3. Applications and procedures shall be made available to the public in the offices of the planning department.
- B. *Processing of said applications.* The processing of said applications shall be based upon an annual calendar adopted by the city council. This calendar shall be made available to the public in the offices of the planning department.
  - 1. The director of planning shall be authorized to establish application submittal requirements necessary to obtain sufficient information to allow for a compliance review of the application as well as forms and instructions for each application type or petition.
  - 2. No application shall be processed by the planning and zoning director unless it complies with the procedural requirements of this division and is found to be a complete application.
  - 3. A change to a site plan or proposed condition of zoning associated with an application, which change has been accepted and allowed to be part of the application by the director of planning, may be deferred by the city council for a full-cycle review if the city council determines such review is reasonably necessary as a result of the change. The amended application shall be treated as if it were a new application, for the purposes of publication, review, notice and hearings, as required under this article, including review by the planning commission. An amendment to an application shall not change the original filing date of that application. An amended application shall not require a new application fee. However, in the case of a deferral requested by the applicant, the applicant shall pay a required re-advertising fee.
- C. *Application fees.* The application fees for special land use permits, amendments to the official zoning map and comprehensive plan map amendments shall be as established by the city council.
- D. *Site plan preparation.* The director of planning shall publish a checklist of requirements for site plans submitted pursuant to this zoning ordinance. All site plans submitted pursuant to this zoning ordinance shall be submitted with the applications to which they apply and shall comply with the checklist requirements.
- E. *Notice of applications filed.* The secretary of the planning commission shall provide the city council with a list of all applications and amendments filed. The listing of applications shall be reasonably made available to the public.
- F. *Withdrawal of application by applicant.* Applications may not be withdrawn without permission of the city council after they have been filed for advertising for public hearing, except as otherwise provided herein.
- G. *City clerk to provide signed copy of final actions taken by the city council to director of planning to be noted on official zoning maps.* The clerk shall, after any final action taken by the city council, provide to the director of planning a signed, certified copy of each such action. The director of planning shall cause all relevant documents to be amended accordingly to reflect the final action approved by the city council.
- H. *Resubmittal of rejected or denied applications.*
  - 1. *Rezoning.*
    - a. If an application for rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of 24 months from the date of the city council's final decision.

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- b. Notwithstanding subsection H.1.a. of this section, the city council may by resolution reduce the 24-month time restriction between applications to a period no less than the minimum required by the O.C.G.A. § 36-66-1 et seq., as it now exists and may be amended hereafter, which currently is six months as of the date of adoption of the ordinance from which this division is derived.
  - c. An applicant may request that the city council allow withdrawal of an application without prejudice, in which case, if approved, no minimum time period need expire before a subsequent application for rezoning of the property may be accepted by the director of planning.
2. *Variance.*
- a. An application for a variance affecting all or a portion of the same property for which an application for variance for the same regulation was denied shall not be submitted before 24 months have passed from the date of final decision by the zoning board of appeals on the previous variance.
  - b. The zoning board of appeals may reduce this 24-month time restriction by resolution, provided that the time restriction between the date of said denial and any subsequent application affecting the same property shall be no less than six months.
  - c. An applicant may request that the zoning board of appeals allow withdrawal of an application without prejudice, in which case, if approved, no minimum time period need expire before a subsequent application for rezoning of the property may be accepted by the director of planning.
3. *Special land use permit.*
- a. An application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before 24 months have passed from the date of final decision by the city council on the previous special land use permit.
  - b. Notwithstanding section a. above, the city council may by resolution reduce the 24-month time restriction between applications to a period no less than the minimum required by the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., which is six months as of the date of adoption of the ordinance from which this division is derived.
  - c. An applicant may request that the city council allow withdrawal of an application without prejudice, in which case, if approved, no minimum time period need expire before a subsequent application for rezoning of the property may be accepted by the director of planning.

(Ord. of 8-2-2017, § 1(7.2.2); Ord. No. 2022-01-01 , § 1(Exh. A), 1-10-2022)