

ORDINANCE O2023-5.E

AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES APPENDIX A – ZONING, ARTICLE V - PROCEDURES FOR ADMINISTRATION AND ENFORCEMENT, SECTION 5, PUBLIC NOTICE AND CHAPTER 62 - PLANNING, ARTICLE II -PLANNING AND ZONING COMMISSION -SECTION 62-34 TO AMEND LANGUAGE RELATED TO PUBLIC NOTICE REQUIREMENTS AND PUBLIC HEARING PROCEDURES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That Appendix A - ZONING, Article V. PROCEDURES FOR ADMINISTRATION AND ENFORCEMENT, Section 5 – Public Notice, be amended by deleting the strikethrough text and adding the underlined text as follows:

Section 5. Public notice.

- (C) ~~Supplemental~~ Notification to adjacent property owners. At least seven days prior, but not more than 45 days before, the date of the public hearing, a notice setting forth the date, time, and place for such public hearing shall be sent by mail by the applicant to the property owner (if not the applicant) and all owners of property located adjacent to or across a public right-of-way from the property being proposed for a zoning action. The applicant shall make all reasonable efforts to notify any resident(s) of the property of such proposed zoning action when the owner does not reside on the property. The notice will be provided to the applicant by the zoning administrator and shall also include the location of the property, its present zoning classification, and the proposed zoning action. The names and addresses of owners of such properties to be notified shall be provided by the applicant as set forth herein; provided, however, where a zoning action is initiated by the city, such names and addresses of owners of property located adjacent to or across a public right-of-way from property being proposed for rezoning shall be provided by the zoning administrator. Failure to send notices or failure of the property owner to receive mailed notification shall not affect the validity of any zoning action. This procedure exists as a supplement to the legally required notification procedures.

II

That CHAPTER 62 - PLANNING, Article II. PLANNING AND ZONING COMMISSION, Section 62-34 - Organization; purpose; rules; staff; finances, be amended by deleting the strikethrough text and adding the underlined text as follows:

Sec. 62-34. Organization; purpose; rules; staff; finances.

- (a) Organization. The chairperson of the planning and zoning commission is the ~~city planner~~ Director of Planning and Development. The chairperson may appoint a secretary, who may be an officer or employee of the city. Should the chairperson be unable to attend a meeting, or the position of

~~city planner~~ Director of Planning and Development is not filled, the ~~eCity Planner zoning administrator~~ may serve as chairperson pro tern.

III

All ordinances or parts of ordinances in conflict with the ordinance are hereby repealed.

IV

If any section, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

V

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

1st Reading: 6/5/23

2nd Reading: 6/20/23

This 20TH day of JUNE, 2023.

CITY OF POOLER, GEORGIA

Rebecca C Benton

Rebecca C. Benton, Mayor

Attest:

Kiley Fusco

Kiley Fusco, City Clerk

Date: 6/20/23

