

ARTICLE 10 AMENDMENTS

The regulations, restrictions, and boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed by the City Council. Prior to any such action by City Council the Planning Commission, as established under Article 6 of the City Code, shall conduct studies, hold public hearings, and make recommendations in accordance with the following procedures.

Section 10:1 Action by the Applicant

The following action shall be taken by the applicant for an amendment to this Ordinance or any map adopted hereunder.

10:1.1 Initiation of Amendment

Proposed changes or amendments to the Ordinance text may be initiated by City Council, City Planning Commission, Board of Zoning Appeals, or by petition of any interested property owner or resident of the City of Mauldin.

Proposed changes or amendments to the zoning district map may be initiated by City Council, City Planning Commission, Board of Zoning Appeals, or by petition of any interested property owner with a property interest in the parcel of property being petitioned for a map change in accordance with the following procedures.

10:1.2 Application

An application for any change or amendment shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be changed, and the names and addresses of the owner or owners of the property. Such application shall be filed with the City Clerk not later than forty days prior to the Planning Commission meeting at which the application is to be considered.

10:1.3 Fee

When a proposed amendment is initiated by an individual or parties other than the City Council, Planning Commission, or Board of Zoning Appeals, a fee shall be paid for each application for administrative and advertising expenses as set forth in the following table (see next page).

Section 10:2 Action by the Planning Commission

The Planning Commission shall, upon receipt of a request for an amendment to the zoning Ordinance or map, hold and chair a public hearing consistent with Section 10:3.3 of this Ordinance. Following the public hearing the Planning Commission shall review the findings and make written

recommendations to City Council concerning the request. The Planning Commission shall have thirty days within which to submit its report to City Council.

REZONING FEE SCHEDULE										
Category Requested	Acreage									
	1	2	3	4	5	6	7	8	9	Greater than 10
Single-Family Residential Districts R-20, R-15, R-12, R-10	\$50	\$75	\$100	\$125	\$150	\$175	\$200	\$225	\$250	\$250
Multifamily Residential Districts R-M, RM-1	\$150	\$175	\$200	\$225	\$250	\$275	\$300	\$325	\$350	\$350
Nonresidential Districts O-D, POD, C-1, C-1N, C-2, S-1, I-1	\$200	\$225	\$250	\$275	\$300	\$325	\$350	\$375	\$400	\$400
Planned Development Districts PD-R, PD-C	\$250	\$275	\$300	\$325	\$350	\$375	\$400	\$425	\$450	\$450
Test Amendments	\$75									

Section 10:3 Action by the City Council

10:3.1 City Council Consideration

The City Council may consider proposed zoning amendments at any meeting of Council.

10:3.2 Public Hearing

No amendment shall be adopted by the City Council until after public notice and hearing.

10:3.3 Notice of Hearing

One notice of a public hearing shall be published in a newspaper of general circulation. The notice shall be published at least thirty days prior to the public hearing. The notice shall be blocked in, carry an appropriate descriptive title, and shall state the time, dates, and place of the hearing. Following any request for amendments to the zoning map, the City shall properly post and maintain on the

subject property a Notice of Public Hearing at least ten days prior to the date of the public hearing. Such signs must be placed in a conspicuous place or places on the affected premises, and posted at the City Hall.

10:3.4 Action by City Council

Before any map amendment is approved by City Council, the Planning Commission and City Council must find that one or more of the following apply, and such findings shall be recorded in the minutes and records of the Planning Commission and City Council:

- A. That the original zoning classification given to the property is inappropriate or improper.
- B. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the city's Comprehensive Plan and which have substantially altered the basic character of such area.

Before taking such lawful action, as it may deem advisable, the City Council shall consider the recommendation of the Planning Commission on each proposed zoning amendment. If no recommendation is received from the Planning Commission within thirty days from the date of public hearing, it shall be deemed to have approved the proposed amendment.

If the Planning Commission fails to recommend approval of a request for an amendment, the City Council may reject the recommendation of the Planning Commission by a favorable vote of five members of the Council, including the mayor.

10:3.5 Protests

In case of a protest against any proposed zoning change signed by the owners of twenty percent or more of the lots included in the proposed change, or of those immediately adjacent to, in the rear, or on either side extending 100 feet, or of those directly opposite extending 100 feet from the street frontage of such opposite lots, any amendment shall not become effective except by favorable vote of five members of the City Council, including the mayor.

No protest petition shall be valid unless it is: (1) written, (2) bears the actual signatures of the requisite number of property owners and states that they protest the proposed amendment, and (3) is received by the Building Inspector in time to allow at least two normal work days (excluding weekends and legal holidays) prior to the public hearing on the amendment, so as to allow time for municipal personnel to check the accuracy and sufficiency of the petition.

10:3.6 Reconsideration of Request for Amendment

When an application for an amendment is withdrawn at the request of the applicant after such time as the application has been legally advertised for public hearing, it shall not be considered for an amendment affecting the same property for six months from the date of withdrawal.

When the City Council shall have denied a request for an amendment, it shall not consider the same

reclassification for an amendment affecting the same property until one year from the date of the previous denial.

10:3.7 Effective Date of Changes in Zoning Ordinance or Map

Any Ordinance affecting a change in the text of the Zoning Ordinance or Zoning Map shall not become effective until one day after final approval.