

**The Zoning Department shall review the application for completeness within five (5) days of submission. Incomplete or improper applications, as determined in the sole discretion of the City Official, will be returned to the applicant.**

**I. APPLICATION REQUIREMENTS -**

Anyone wishing to apply for any of the following:

***Property Change of Zoning***

- A. An application for rezoning approval shall be submitted to the planning and zoning department on the department's forms. A non-refundable fee shall accompany the application when applicable. (See attached zoning fees)
- B. An application for rezoning approval must include the following:
  - 1. Letter for Request
  - 2. The applicant's response to each of the standards for approval for the Special Land Use Permit (Attached to application).
  - 3. A legal description of the property proposed to be used(Deed, warranty Deed);
  - 4. The names and addresses of the owners of the subject property and their agents if any; (See application)
  - 5. Notarized consent of the owner if applicant is not owner; (See application)
  - 6. The present and proposed zoning classification for the subject property; (See application);
  - 7. A map of the property sought to be rezoned showing its location in the city and its relationship to adjoining properties, public facilities, and public services including the zoning classification of all adjoining properties;
  - 8. A recent survey plat showing the dimensions and location of the subject property prepared by a land surveyor whose state registration is current and valid and whose seal is affixed to the plat;

9. Information regarding the demand that will be placed on public facilities and services by any contemplated development, including but not limited to increased population density, traffic volume, school enrollment, drainage, traffic, and utility facilities; (See Section IV. B. 3.)
10. Proof that all city, county, and state ad valorem taxes due upon the property have been paid in full;
11. Campaign contribution disclosure report by the applicant and the applicant's attorney, if applicable, in accordance with O.C.G.A. 36-67A-1 *et seq.* (Attached to application)

## **II. CONCEPT PLAN –**

### *A. Preparation:*

1. An application for a zoning change related to a design concept development must be accompanied by a concept plan if any new construction or alteration of the site is proposed or if prior conditions of approval are proposed to be changed.
2. The concept plan shall be binding as a condition of approval of the rezoning by the city council or as a part of an application for a design concept development, to the extent that the concept plan is consistent with the provisions and requirements of this zoning ordinance and all other codes and ordinances adopted by the city. A concept plan may be accompanied by a development standards text, which may be approved as a condition of zoning, providing development standards and uses for the project which vary, augment or limit the requirements of this zoning ordinance and the development code.

### *B. Preparation:*

1. A concept plan may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development activities.
2. The concept plan shall be a map or other graphic representation drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.

### *C. Contents.* The concept plan shall show the following, as appropriate to the zoning requested:

1. Name and address of the property owner.

2. Name, address, and telephone number of applicant.
3. Date of survey; north point and graphic scale; source of datum; date of plan drawing; and revision dates, as appropriate.
4. Proposed density and use of the property, with each area (other than open space areas; recreation and amenities areas; dedicated space; utilities, streets and the like) designated for development consistent with the uses and standards prescribed for one of the zoning districts, other than DCD; authorized by this zoning ordinance. The development standards, density, and land uses for each such area shall be those prescribed for the zoning district shown, except as varied, augmented, or limited by an approved development standards text incorporated as a condition of zoning in the DCD. For DCD's of 500 acres or less containing any residential use, concept plans shall additionally show sufficient data to verify compliance with the requirements listed below. (See section D.)
5. Location (Land Lot, District, Section, Parcel Number); size of the property in acres (or in square feet if less than an acre); and the acreage of each land use area.
6. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Location sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location sketch.
7. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries as appropriate.
8. Man-made features within and adjacent to the property, including existing streets and names, city and county political boundary lines, and other significant information such as location of bridge, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
9. The proposed project layout including driveways, means of ingress and egress, open space, recreation areas and amenities.
10. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

D. *Maximum area and density for residential uses in a DCD development.*

1. Except as provided in paragraph 2. of this subsection, no concept plan shall be approved for any DCD development of 500 acres or less which exceeds the following limits for residential use:
  - a. Maximum acreage area for residential use: 75 percent of total land area.
  - b. Maximum acreage area for multi-family (attached residential units at R-6 density or greater) residential use: Ten percent of total land area.
  - c. Maximum overall residential density (calculated based on property designated for residential bas zones): Five and three-tenths units per acre.
  - d. Maximum residential density within the multi-family (attached units at R-6 density or greater) land use area: 14 units per acre.
2. **Exception:** The Council may waive the requirements of this subsection upon an express finding of special circumstances where any DCD adjoins property of equal or greater acreage which is developed as commercial, office, industrial or any combination thereof.
3. A traffic study if required by section 3.03.07. Subsection 8.197.01.a. of Appendix A – the Zoning Ordinance of the City of Douglasville is hereby enacted to read as follows:

Traffic Study: a written report for specified property prepared and stamped by a professional engineer including the following:

  - a. A vicinity map showing location of the proposed development in relation to the transportation system;
  - b. A description of proposed development including size and nature of the entire proposed development and proposed site access points;
  - c. A proposed site plan
  - d. A description of adjacent land uses and roadway network including road names, classifications, lane configurations, traffic control and pedestrian, bicycle and transit facilities;
  - e. Traffic Volumes on existing roads at proposed access point measured within the last 12 months;
  - f. Operational analysis including average delay, level of service, volumes/capacity ratios, and queue length analysis of intersection of site access and main road and any additional study intersection(s);
  - g. Accident data summary and analysis(data may be obtained from the City);

- h. Safety analysis of proposed site access including stopping sight distance, intersection sight distance, and operational characteristics;
- i. Growth factor based on historical count data in the area;
- j. Future no build base year volumes and performance evaluation;
- k. Future no build horizon year (5 years beyond base year) volumes and performance evaluation;
- l. Any assumptions including pass-by and internal capture;
- m. Trip generation from ITE last edition;
- n. Trip distribution to show distribution percentages and volumes;
- o. Access location and spacing;
- p. Turn lane warrants and analysis;
- q. Driveway analysis including lane configuration, queue lengths, throat length and channelization;
- r. Future build base year volumes and performance evaluation;
- s. Future build conditions horizon year (5 years beyond base year) volumes and performance evaluation;
- t. Parking needs, required and provided spaces;
- u. Description and analysis of mitigation measures; and
- v. Appendix to include applicable raw count data, calculation sheets, computer software output of performance evaluation, and warrant worksheets.

### **III. PUBLIC HEARING –**

A public hearing is required before either of the request enumerated in Section I may be granted. The Douglasville Zoning Board holds public hearings on the first Tuesday of the month at 6:00 p.m. in the Douglasville Conference Center Auditorium, 6700 Church Street. After hearing each case, the board will make its recommendation for the disposition of that case to the Douglasville’s City Council. See City website [www.douglasvillega.gov](http://www.douglasvillega.gov) for checking Zoning Board meeting schedule for next available dates. All applications must be received by the last working day of each month to be scheduled for the Zoning Board hearing **30** days ahead.

### **IV. PROCESS FOR REZONING APPROVAL –**

Before the city council may take final action on a proposed zoning change, the zoning board shall hold a public hearing on the proposal.

#### **A. Public Notice**

At least 15 days but not more than 45 days prior to each public hearing, notice shall be published in a newspaper of general circulation within the city. The Community Development Department shall prepare such notice, which shall state the time, place and purpose of the hearing.

B. A zoning change initiated by a party other than the city council shall be heard at a public hearing only upon:

1. *Published notice:* In addition to the requirements above, notice shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property;
2. *Sign posting:* The Community Development Department shall require a sign or signs to be posted at least 15 days prior to the public hearing, stating the date, time and place for the public hearing, the present zoning classification and the nature of the proposed zoning change. One such sign shall be placed in a conspicuous location along each street frontage of the property for which the zoning change has been requested. If the property has no street frontage, the sign shall be placed on each street from which access will be gained to the property. Unauthorized tampering with any zoning sign shall constitute an offense, punishable by the municipal recorder's court;
3. *Impact statements:* The following public agencies that may be affected if the application is approved are contacted by the Community Development Department and informed of the applicant's intent. (Police department, fire department, school board, water and sewer authority, tax assessor's office and health department) Each agency will submit impact statements detailing the effects the request will have on the services they provide if it is approved. These impact statements are used to help evaluate the merits of the request;
4. *Mailed notice:* As a courtesy to the adjoining landowners, each will be notified by mail of the applicants request for rezoning or special land use permit.

**V. COUNCIL ACTION –**

- A. Council action is required for the resolution of all requests following their hearing before the Zoning Board.
- B. Regularly scheduled council meetings are held on the first and third Mondays of each month at 6:00 p.m. in the Douglasville Conference Center Auditorium at 6700 Church Street. In preparation for the Council's regular meeting, a working legislative meeting is held at 6:00 p.m. the Thursday before each regular council meeting to give members of the council the opportunity to acquaint themselves with each case.

- C. Zoning applicants or their representatives must be present at the public hearing held before the Zoning Board, the legislative meeting of the Council, and the regular meeting of the Council to ensure that their requests will be heard and acted upon.
- D. For planning purposes, all applicants should allow approximately two (2) months to complete the entire process from submission of the application to the Council's vote. This varies slightly depending on when the application is filed.

**VI. WITHDRAWAL –**

- A. An applicant may withdraw an application for a zoning change at any time prior to final action by the city council.
- B. Refund of filing fees shall be guided by the following:
  - 1. If the request for withdrawal is received by the Community Development Department Director prior to publication of the public notice for the application (or when publication is irrevocably set), all fees paid for filing such application shall be returned to the applicant.

If the request for withdrawal is received by the Community Development Department Director after publication of the public notice for the application (or after such publication is irrevocably set), all fees paid for filing such application shall be retained by the city

**REZONING APPLICATION CHECKLIST**

<b><u>REZONING APPLICATION CHECKLIST</u></b>	
Application:	<b>Check <input checked="" type="checkbox"/></b>
The present and proposed zoning classification for the subject property	
The names and addresses of the owners of the subject property and their agents if any	
Notarized consent of the owner if applicant is not owner	
The applicant's response to each of the standards for approval for the rezoning	
Campaign contribution disclosure report by the applicant and the applicant's attorney, if applicable, in accordance with O.C.G.A. 36-67A-1 et seq.	
Application fee plus Sign fee \$25.00 per sign	
Additional Documents:	
A legal description (deed) of the property proposed to be rezoned	
A recent survey plat showing the dimensions and location of the subject property prepared by a land surveyor whose state registration is current and valid and whose seal is affixed to the plat	
Proof that all city, county, and state ad valorem taxes due upon the property have been paid in full	
Letter for Request	



Date: \_\_\_\_\_, 20\_\_

Case No. \_\_\_\_\_

The undersigned respectfully requests zoning consideration for the property at \_\_\_\_\_  
\_\_\_\_\_

Summary of the project: \_\_\_\_\_  
\_\_\_\_\_

**Legal Description:**

Land Lot \_\_\_\_\_ District \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_

The undersigned having interest in the property herein described, respectfully petitions that said property be rezoned from:

\_\_\_\_\_ to \_\_\_\_\_  
Existing Zoning(s) Proposed Zoning(s)

Property is located in:  City or  Unincorporated County

Proposed use of the property: \_\_\_\_\_  
\_\_\_\_\_

Current Use(s): \_\_\_\_\_

Existing Structure(s): \_\_\_\_\_

Property Size (Acres or Square Feet): \_\_\_\_\_

Zoning Adjacent to Property: Front \_\_\_\_\_ Rear \_\_\_\_\_

Side \_\_\_\_\_ (Circle N, S, W, E) Side \_\_\_\_\_ (Circle N, S, W, E)

Future Land Use Designation:  City or  Unincorporated County

Utilities currently available to site:  Sewer  Gas  Water  
 Septic  Fire Hydrants  
 Electric & Telephone Poles

Is this project in the Historic District?  Yes  No

The above described property is owned by the following:

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_ Email \_\_\_\_\_

Fax \_\_\_\_\_ Email \_\_\_\_\_

Applicant (s) (if separate from owner):

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_ Email \_\_\_\_\_

Fax \_\_\_\_\_ Email \_\_\_\_\_

I \_\_\_\_\_, hereby attest the above information is true and correct.

Owner's Signature

\_\_\_\_\_

Sworn and subscribed before me  
this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Staff Use Only	
Fees (basic) _____	Submittal Date _____
Other _____	Total _____
Receipt # _____	Check # _____
Hearing Date _____	Staff _____

**Standards for Zoning Changes**  
(Applicant's Response)

1. Is the proposed use or development consistent with the stated purpose of the zoning district?

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2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

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3. Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

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4. Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

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5. Are there substantial reasons why the property cannot or should not be used as currently zoned?

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6. Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

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7. Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

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8. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use property?

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CERTIFICATE CONCERNING CAMPAIGN CONTRIBUTIONS

Have you made, within 2 years immediately preceding the hearing for rezoning, campaign contributions aggregating \$250 or more or made gifts having an aggregate value of \$250 or more to a member of the Mayor, City Council or Zoning Board who will consider the application?

\_\_\_\_\_

If so, you and the attorney representing you must file a disclosure report with the Planning Department at least five (5) days prior to the scheduled public hearing.

Please supply the following information, which will be considered as the required disclosure:

The name of a member of the Mayor, City Council or the Zoning Board to whom the campaign contribution or gift was made.

\_\_\_\_\_

\_\_\_\_\_

The dollar amount of each campaign contribution made by you to a member of the Mayor, City Council or Zoning Board during the 2 years immediately preceding the hearing for rezoning, and the date of each such contribution.

\_\_\_\_\_

\_\_\_\_\_

An enumeration and description of each gift having a value of \$250 or more made by you to a member of the Mayor, City Council or the Zoning Board during the 2 years immediately preceding this hearing.

\_\_\_\_\_

\_\_\_\_\_

I/We certify that the foregoing information is true and correct, this \_\_\_day of\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_

Signature

Your Attorney, if any