

**Pre-Application Conference**

At the pre-application conference, the applicant will be informed of a preliminary determination of which review authorities will examine the application if it is to be approved. Each application is unique and special circumstances may come to light later over the course of processing the application that will require the involvement of additional review authorities.

Date: \_\_\_\_\_

Scheduled by: \_\_\_\_\_

**Completed Application Form**

- Response to standards for approval
- The names and addresses of the owners of the subject property and their agents if any
- Notarized consent of owner if applicant is not owner
- Present and proposed zoning classification for the subject property
- Campaign contribution disclosure report by the applicant and the applicant's attorney, if applicable, in accordance with O.C.G.A. 36-67A
- Application fee based on acreage and proposed zoning description (see pg. 10 for zoning fees) plus additional \$25.00 per sign.

**Required Documentation & Supplemental Information**

- Letter of Intent
- Legal Description of the property
- A map of the property sought to be rezoned showing its location and the City and its relationship to abutting properties, public facilities, and public services including the zoning classification of all abutting properties
- 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. Physical and Digital copies required - digital copy no larger than 11 x 17 (see page 9 for survey requirements).
- Proof that all City, County, and State ad valorem taxes due upon the property have been paid in full
- 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 (see page 9 for traffic study requirements), school enrollment, drainage, traffic, and utility facilities

The City of Douglasville Unified Development Ordinance (Article 12) regulates the Rezoning Application process in the following manner:

### A. Pre-Application Conference

At the pre-application conference, the applicant will be informed of a preliminary determination of which review authorities will examine the application if it is to be approved. Each application is unique and special circumstances may come to light later over the course of processing the application that will require the involvement of additional review authorities.

### B. Application Requirements

1. An application for rezoning approval shall be submitted to the Planning and Zoning Division on official forms. A non-refundable fee shall accompany the application when applicable.
2. An application for rezoning approval must include the following:
  - a. Letter of Request
  - b. The applicant's response to each of the standards for approval for the rezoning;
  - c. A legal description of the property proposed to be used (deed, warranty deed);
  - d. The names and addresses of the owners of the subject property and their agents if any;
  - e. Notarized consent of the owner if applicant is not owner;
  - f. The present and proposed zoning classification for the subject property;
  - g. A map of the property sought to be rezoned showing its location in the City and its relationship to abutting properties, public facilities, and public services including the zoning classification of all abutting properties;
  - h. 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;
  - i. 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;
  - j. Proof that all City, County, and State ad valorem taxes due upon the property have been paid in full;
  - k. Campaign contribution disclosure report by the applicant and the applicant's attorney, if applicable, in accordance with O.C.G.A 36-67A-1.
  - l. Traffic study: a written report for specified property prepared and stamped by a professional engineer for any developments over 90 units.

### C. Withdrawal

1. An Applicant may withdraw an application for a zoning change at any time prior to final action by the City Council.
2. Refund of filing fees shall be guided by the following:
  - a. If the request for withdrawal is received by the Community Development 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.
  - b. If the request for withdrawal is received by the Community Development 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.

## **D. Amendment to the Zoning Map of this UDO**

### **1. Initiation and Hearing of Text or Zoning Map Amendment**

- a.** The city council by resolution, the mayor individually, the Planning Commission by majority vote, or any city official designated by the Mayor and City Council may initiate an amendment to the text or zoning map of this UDO, including the adoption of a new ordinance or zoning map to replace this UDO in whole.
- b.** Before the city council may take final action on a proposed text or map amendment, the Planning Commission shall hold a public hearing on the proposal.
- c.** Construction of any use, building, structure, or other improvements for which a development permit or building permit has been issued in conformity with this UDO prior to the effective date of a text amendment may continue to completion as though no change had occurred as long as the permit remains valid.

### **2. Public Notice**

At least 15 days but not more 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.

### **3. Planning Commission Public Hearing**

The public hearing held by the Planning Commission for an amendment shall be conducted in the following manner:

- a.** The public hearing shall be convened at the scheduled time and place by the chairperson, the vice-chairperson or the Planning Commission's designee, who shall act as the presiding official.
- b.** The presiding official shall call for each proposed amendment to be presented to the Planning Commission.
- c.** No person in attendance shall speak unless first formally recognized by the presiding official.
- d.** At the public hearing concerning the amendment, any parties in support of or in opposition to the amendment shall be allowed to present testimony.
- e.** For each amendment, the proponents of the amendment shall have no less than 10 minutes for presentation of data, opinions and evidence at the public hearing, and opponents of the amendment shall likewise have a minimum of 10 minutes for presentation. The proponents of each amendment shall have a collective maximum of 20 minutes for their presentations, and the opponents of each amendment likewise shall have a collective maximum of 20 minutes for their presentations, unless these time limitations are waived at the discretion of the presiding official.
- f.** Hearsay testimony shall not be considered and shall be ruled out of order.
- g.** At the public hearing on the amendment or at their next regular meeting, the Planning Commission shall make its recommendation or take such other action as it may deem appropriate.
  - 1)** A motion to recommend approval or denial of an amendment must be approved by an affirmative vote of a quorum of a majority of those members present and voting for the motion to be approved.
  - 2)** If a motion to recommend approval of an amendment fails, the amendment is automatically recommended for denial. If a motion to recommend denial of an amendment fails, another motion would be in order.
  - 3)** The chairman shall not be a voting member of the board. However, in the case of a tie vote on any motion, the chairman shall have a vote to break the tie.
  - 4)** If no action is taken on an amendment, it will go forward to the city council with no recommendation.

#### **4. City Council Public Hearing**

- a.** The city council shall consider a proposed amendment at their first or second scheduled meeting following the recommendation of the Planning Commission.
- b.** The presiding official shall call for each proposed amendment to be presented to the city council.
- c.** No person in attendance shall speak unless first formally recognized by the presiding official.
- d.** At the public hearing concerning the amendment, any parties in support of or in opposition to the amendment shall be allowed to present sworn testimony.
- e.** For each amendment, the proponents of the amendment shall have no less than 10 minutes for presentation of data, opinions and evidence at the public hearing, and opponents of the amendment shall likewise have a minimum of 10 minutes for presentation. The proponents of each amendment shall have a collective maximum of 20 minutes for their presentations, and the opponents of each amendment likewise shall have a collective maximum of 20 minutes for their presentations, unless these time limitations are waived at the discretion of the presiding official.
- f.** Hearsay testimony shall not be considered and shall be ruled out of order.
- g.** For each application, the applicant or his representative shall speak first. The applicant and proponents of the application shall have no more than 30 minutes collectively for presentation of data, opinions and evidence at the public hearing, unless these time limitations are waived at the discretion of the presiding official, and the applicant may speak for the entire time allotted to the proponents, leaving no time for other proponents to speak. Opponents of the application shall likewise have no more than 30 minutes collectively for their presentations, unless these time limitations are waived at the discretion of the presiding official. Each individual, other than the applicant or the applicant's representative or witness, at a public hearing shall have not more than ten minutes to speak, unless these time limitations are waived at the discretion of the presiding official. No speaker may yield his speaking time to another person, and no person may reserve the right to speak a second time. Any time spent speaking in response to a question by an elected official shall not count against the speaker's allotted speaking time.
- h.** After the public hearing and presentation by the Community Development Department, action shall be considered by vote of the city council.
  - 1)** A motion to approve or deny an amendment must be approved by an affirmative vote of city council as established in the city charter.
  - 2)** If a motion to approve an amendment fails, the amendment is automatically denied. If a motion to deny an amendment fails, another motion would be in order.
  - 3)** In the event of a tie vote, the mayor may cast a vote. If there is a tie vote with the mayor's vote, or in the absence of the mayor on a motion for approval of an amendment shall be deemed a denial of the amendment. A tie vote on any other motion shall be deemed to be no action, and another motion would be in order.
  - 4)** If no action is taken on an amendment, it shall be considered tabled and action deferred to the next regular meeting of the city council.
- i.** In taking action on an amendment, each city council may:
  - 1)** Approve, approve with changes, or deny the proposal; or,
  - 2)** Table the proposal for consideration at a later meeting; or,
  - 3)** Refer the amendment back to the Planning Commission for further consideration.
- j.** No request shall be tabled more than twice, nor tabled for a cumulative period exceeding 45 days.



Case No.

**Project**

Project Name \_\_\_\_\_

Property Address/Location \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Land Lot \_\_\_\_\_ District \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Property ID \_\_\_\_\_ Property Size \_\_\_\_\_ Acres

Current Zoning \_\_\_\_\_ to \_\_\_\_\_ Proposed Zoning \_\_\_\_\_

**Adjacent Zoning:**

\_\_\_\_\_ North City County  
 \_\_\_\_\_ South City County  
 \_\_\_\_\_ East City County  
 \_\_\_\_\_ West City County

**Overlay District:**

Historic Overlay District  
 Quality Growth Development Overlay  
 None

**Applicant/Owner**

Applicant \_\_\_\_\_

Company \_\_\_\_\_ E-mail Address \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Representative**

Agent or Attorney Name \_\_\_\_\_

Company \_\_\_\_\_ E-mail Address \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Applicant Signature**

*I hereby certify that all information provided herein is true and correct.*

Applicant/Owner or Representative Signature \_\_\_\_\_ Date \_\_\_\_\_

**Application Approved for Staff Review**     **Application Rejected**    **Fee: \$** \_\_\_\_\_

Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_

**Property Owner**

The property owner shall read the following carefully and complete the consent form below:

- \_\_\_\_\_ I understand that failure to supply all required information per the rezoning checklist provided and requirements of the City of Douglasville Unified Development Ordinance will result in rejection of application
  
- \_\_\_\_\_ I understand that preliminary approval of my plans does not authorize final approval of my rezoning request, and all subsequent applications and permits, including but not limited to land disturbance, building, sanitary sewer, and signs, may not be issued until rezoning approval is obtained
  
- \_\_\_\_\_ I understand that representation associated with this application on behalf of the property owner (i.e. project coordinator, potential property owner, agent, or other such representative) shall be binding
  
- \_\_\_\_\_ I have read the provisions of O.C.G.A. 36-67A as required regarding Campaign Disclosures; my signed Campaign Disclosure report is included with this application

*I, \_\_\_\_\_, as property owner, respectfully petition that this property as described in this application be considered for a change in zoning from \_\_\_\_\_ to \_\_\_\_\_. I acknowledge and fully understand all above statements made by the City of Douglasville. I hereby certify that all information provided herein is true and correct.*

\_\_\_\_\_  
Property Owner Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Phone

**Representative (if applicable)**

\_\_\_\_\_  
Attorney/Agent Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Phone

Sworn and subscribed before me  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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

Applicants are required to respond to the following criteria pursuant to the Unified Development Ordinance Section 12.08.A.5.

1. Is the proposed amendment consistent with the purpose and intent of this UDO as stated under Article I, Introductory Provisions?
2. Does the proposed amendment further or is it compatible with the purpose and intent of the most recent Comprehensive Plan?
3. Is the proposed amendment required to adequately address new or changing conditions or to properly implement the most recent Comprehensive Plan?
4. Does the proposed amendment reasonably promote the public health, safety, or general welfare?

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 the Douglasville Mayor or member of the City Council or Planning Commission who will consider the application?

YES       NO

If YES, you and the attorney representing you must file this disclosure report with the Zoning Division at least five (5) days prior to the scheduled public hearing.

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

Date	Government Official	Position	Description	Amount

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

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Attorney

### **Survey Requirements**

- Survey of the complete site done by a professional surveyor
- Minimum size of 8.5x11, but no larger than 11x17
- Must include:
  - Date of survey
  - North point
  - Graphic scale
  - Source of datum
  - Date of plan drawings
  - Existing streets and rights-of-way
  - Locations of any easements
  - Existing streams

### **Traffic Study Requirements**

A traffic study is required for the following development projects:

- Residential projects with over 90 dwelling units
- Industrial projects with a floor area of 500,000 SF or more

The traffic study must be a report prepared and stamped by a professional engineer, and include:

- A vicinity map showing the location of the proposed development in relation to the transportation system
- A description of proposed development including size and nature of the entire proposed development and proposed site access points
- A proposed site plan
- A description of adjacent land uses and roadway network including road names, classifications, lane configurations, traffic control and pedestrian, bicycle and transit facilities
- Traffic volumes on existing roads at proposed access point measured within the last 12 months
- 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)
- Accident data summary and analysis (data may be obtained from the City)
- Safety analysis of proposed site access including stopping sight distance, intersection sight distance, and operational characteristics
- Growth factor based on historical count data in the area
- Future no build base year volumes and performance evaluation
- Future no build horizon year (5 year beyond base year) volumes and performance evaluation;
- Any assumptions including pass-by and internal capture;
- Trip generation from ITE latest edition;
- Trip distribution show distribution percentages and volumes;
- Access location and spacing;
- Turn lane warrants and analysis;
- Driveway analysis including lane configuration, queue lengths, throat length and channelization;
- Future build base year volumes and performance evaluation;
- Future build conditions horizon year (5 year beyond base year) volume and performance evaluation;
- Parking needs, required and provided spaces;
- Description and analysis of mitigation measures; and
- Appendix to include applicable raw count data, calculation sheets, computer software output of performance evaluation, and warrant worksheets.