

REZONING APPLICATION

TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

A COMPLETE REZONING APPLICATION MUST BE SUBMITTED TO THE PLANNING AND ZONING DEPARTMENT BY 12:00 NOON ON THE FIRST DAY OF THE MONTH

If the first day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day (see Rezoning Application checklist on page 10.)

Yield Plan: The Conservation Subdivision (C-S) and Estate Residential District (EST) zoning districts require a Yield Plan to be submitted prior to the Rezoning Application. The Yield Plan must be submitted to the Planning and Zoning Department by 12:00 noon on the first day of the month. If the first day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day. (See Yield Plan checklist on pages 11, 12 & 13.)

Fayette County Planning and Zoning Department
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214
Phone: 770-305-5421
Fax: 770-305-5258
E-mail: dsdutton@fayettecountyga.gov

REZONING APPLICATION FILING FEES

(based on number of acres to be rezoned)

0 to 5 Acres	\$250.00*
6 to 20 Acres	\$350.00*
21 to 100 Acres	\$450.00*
101 or more Acres	\$550.00*

*An additional \$20.00 deposit is required (per public hearing sign posted on property). If the sign frame(s) is returned to the Planning and Zoning Department within five (5) working days of the last applicable public hearing, the sign deposit will be reimbursed to the applicant. **The application filing fee and sign deposit may be combined on one (1) check made payable to Fayette County.** Application filing fees may be refunded ONLY when an application request is withdrawn in writing by the applicant PRIOR TO placement of the legal advertisement for said public hearing request (at least 15 days before scheduled Planning Commission public hearing).

Number of copies to submit:

Boundary Survey: 1

Conceptual Plan: 20 (if larger than 11" x 17")

HEARING SCHEDULE FOR 2015 REZONING APPLICATIONS

(Dates are subject to change with notice. If a hearing falls on a holiday, a different hearing date will be scheduled.)

Deadline for application is the first of the month by noon. If the first day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day. Rezoning applications require a total of two (2) public hearings: one by the Planning Commission (first Thursday of the month) and another public hearing by the Board of Commissioners (fourth Thursday of the month). The Meeting Schedule reflects adjustments for holidays. Both public hearings are held at the Fayette County Administrative Complex at Stonewall (located at the southwest corner of SR 54 and SR 85 in downtown Fayetteville) on the first floor in the Public Meeting Room (near the fountain) and hearings begin at 7:00 p.m.

<u>APPLICATION FILING DEADLINE (noon)</u>	<u>PLANNING COMMISSION HEARING DATE (1st Thurs.)</u>	<u>BOARD OF COMMISSIONERS HEARING DATE (4th Thurs.)</u>
January 1, 2015	February 5	February 26
February 1	March 5	March 26
March 1	April 2	April 23
April 1	May 7	May 28
May 1	June 4	June 25
June 1	July 2	July 23
July 1	August 6	August 27
August 1	September 3	September 24
September 1	October 1	October 22
October 1	November 5	December 10 (2 nd Thursday)
November 1	December 3	January 14, 2016 (2 nd Thursday)
December 1	January 7, 2016	January 28, 2016

**APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA**

PROPERTY OWNERS: _____

MAILING ADDRESS: _____

PHONE: _____ **E-MAIL:** _____

AGENT FOR OWNERS: _____

MAILING ADDRESS: _____

PHONE: _____ **E-MAIL:** _____

PROPERTY LOCATION: LAND LOT _____ LAND DISTRICT _____ PARCEL _____
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: _____

EXISTING ZONING DISTRICT: _____ **PROPOSED ZONING DISTRICT:** _____

ZONING OF SURROUNDING PROPERTIES: _____

PRESENT USE OF SUBJECT PROPERTY: _____

PROPOSED USE OF SUBJECT PROPERTY: _____

LAND USE PLAN DESIGNATION: _____

NAME AND TYPE OF ACCESS ROAD: _____

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: _____

Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

Received from _____ a check in the amount of \$ _____ for application filing fee, and \$ _____ for deposit on frame for public hearing sign(s).

Date Paid: _____ Receipt Number: _____

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Please Print Names

Property Tax Identification Number(s) of Subject Property: _____

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) _____ of the _____ District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to _____ to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Signature of Property Owner 1

Signature of Notary Public

Address

Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

NAME: _____ PETITION NUMBER: _____

ADDRESS: _____

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

_____ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) _____ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$_____ to cover all expenses of public hearing. He/She petitions the above named to change its classification to _____.

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or

Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____,

NOTARY PUBLIC

APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, _____, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this _____ day of _____, 20_____.

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- [] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this _____ day of _____, 20_____.

APPLICANT'S SIGNATURE

Developments of Regional Impact

Tiers and Development Thresholds

Type of Development	Metropolitan Regions	Non-metropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300 000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500 000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt &, Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels
(16) Water Supply, Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or spaces.	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces

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DISCLOSURE STATEMENT

Please check one:

Campaign contributions - **No** **Yes (see attached disclosure report)**

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

CHECKLIST OF ITEMS REQUIRED TO BE SUBMITTED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- _____ 1. Application form and all required attachments completed, signed, and notarized, as applicable.
- _____ 2. Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- _____ 3. Boundary Survey (1 copy if separate from Conceptual Plan), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor. The Boundary Survey and Concept Plan may be combined.
- _____ 4. Conceptual Plan (20 copies if larger than 11" x 17"). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey, however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- _____ 5. A letter of intent for a non-residential rezoning request, including the proposed use(s).

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

(Items marked with * are missing or deficient)

Planning & Zoning

- _____ 1. Show name of subdivision, scale of plat (not to exceed 1" = 100'), north arrow, date, and vicinity map.
- _____ 2. Show name, address, and telephone number of owner and/or developer.
- _____ 3. Show name, address, and telephone number of the design professional.
- _____ 4. Provide registration number, seal, and signature of an engineer, surveyor, or architect license in the State of Georgia.
- _____ 5. Show property lines with bearings and distances of subject property. Provide a matching legal description of property (this will be used to advertise the property during the rezoning process).
- _____ 6. Provide total acreage of tract, acreage in lots, acreage in right-of-way and acreage used for stormwater management. Calculate net density (units/acre) using the total area less the area for R/W and stormwater.
- _____ 7. Indicate current zoning and proposed zoning of property. Provide zoning of all adjacent properties.
- _____ 8. Identify all existing structures and label as "to remain" or "to be removed". Structures to remain must be shown on individual lots and meet all applicable zoning requirements. Provide a note if there are no existing structures on the property.
- _____ 9. Show location, purpose, and width of any easements of record. Provide a note if there are no existing easements associated with the property.
- _____ 10. Provide the area of each lot and contiguous area (see Sub Regs, Section 104-597) to the 1/100th acre; label the lot numbers; and show the dimensions of all lot lines.
- _____ 11. Show front, side, and rear setback lines as dashed lines. Show minimum lot width at the building line.

Comments:

Planning & Zoning Department Resubmit

Planning & Zoning Department Approval

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

(Items marked with * are missing or deficient)

Environmental Management

- _____ 1. Show existing land contour lines at ten (10) foot intervals. Label the contours. Indicate source of topographic data.
- _____ 2. Delineate soil type boundaries per Soil Conservation Service Maps. Include a soil legend. For clarity, this information may be provided on a separate sheet.
- _____ 3. Delineate and label all state waters requiring watershed protection buffers and setbacks on the property and adjacent to the property where any watershed buffers and/or setbacks extend onto the property. Provide a note if there are no state waters requiring a watershed buffer. Label as “Watershed Protection Buffer,” and “Watershed Protection Setback.”
- _____ 4. Delineate FEMA 100-year floodplain, the Future Conditions Floodplain (available through Stormwater Management) and the 100-year flood elevation for any ponds, lakes or other man-made flood hazards on the property. Provide a note if there is no floodplain on the property. Reference the FIRM panel number.
- _____ 5. Identify all wetlands per the latest U.S. Department of the Interior, Fish and Wildlife Service National Wetland Inventory Map. Field delineation in accordance with Army Corps of Engineers guidance may be required in select areas. Provide a note if there are no wetlands on the property.
- _____ 6. Indicate if the property is in a Groundwater Recharge Area
- _____ 7. Clearly delineate drainage basins across the project area.
- _____ 8. For each basin, provide the drainage area, existing and proposed CN values, and required storage to attenuate the 100-yr storm. Detailed studies are not required; reasonable approximations are sufficient.
- _____ 9. Show offsite area and peak flow (Q_{10} and Q_{100}) for drainage areas passing through site.
- _____ 10. Delineate and label areas to be used for stormwater management – areas should be consistent with the hydrologic data provided above.
- _____ 11. Provide a narrative describing how water quality, stream channel protection, overbank and extreme flood protection criteria would be satisfied.
- _____ 12. All stormwater management control structures shall be on common property.

Comments:

Environmental Management Department Resubmit

Environmental Management Department Approval

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

(Items marked with * are missing or deficient)

Public Works/Engineering

- _____ 1. Corner Lots – Fillet (20 foot radius) or chamfer corner property lines at street intersections.
- _____ 2. Street Length – Indicate the length of each street in the subdivision.
- _____ 3. Entrances – Subdivision entrances shall meet sight distance requirements and minimum distance between intersection requirements (both sides of street.) Provide appropriate data on the yield plan.
- _____ 4. Show all existing and proposed streets on and adjacent to property. Label R/W widths; provide R/W dedication, as needed.

Comments:

Public Works/Engineering Department Resubmit

Public Works/Engineering Department Approval

DEVELOPMENT PLAN CHECKLIST FOR C-S AND EST

- _____ 1. Delineation of the attributes of the site which will be preserved;
- _____ 2. A delineation of the Residential Area and the Conservation Area including the acreage within each area;
- _____ 3. Indicate individual lot sizes; including acreage inside/outside of the floodplain;
- _____ 4. Uses and improvements planned for the Conservation Area with the acreage devoted to each;
- _____ 5. Indicate and label existing structures to remain;
- _____ 6. Trails and paths (impervious trails and paths are limited to five percent of the Conservation Area and trails and paths must comply with the Watershed Protection Ordinance in terms of impervious surface requirements);
- _____ 7. Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic Areas are required to be setback 50 feet from any residential property line and are limited to five percent of the Conservation Area;
- _____ 8. Community gardens for the use of the residents of the subdivision only;
- _____ 9. Horse stables, animal containment areas and training/riding facilities for the use of the residents of the subdivision only are required to be setback 50 feet from any residential property line;
- _____ 10. The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
- _____ 11. The maintenance of existing pastures including the harvesting of hay;
- _____ 12. The maintenance of existing farm fields used for row crops including the harvesting of crops. Said fields must be outside of watershed protection areas as described in the Watershed Protection Ordinance. All areas within a watershed protection area can no longer be used for row crops;
- _____ 13. Indicate and label existing residential structures to remain and be used for a community facility;
- _____ 14. Indicate and label existing residential structures used for a community facility to remain;
- _____ 15. Percentage of the Conservation Area not withstanding the yield plan (at least 40%). This area must be described by metes and bounds.