



REZONING & USE PERMIT APPLICATION PACKET



APPLICANT'S CHECKLIST

DOCUMENTS AND QUANTITIES REQUIRED

**ALL PERTINENT ITEMS ARE DUE AT THE TIME OF FILING.
NO INCOMPLETE APPLICATION WILL BE ACCEPTED.**

Applications will not be accepted after 3:00 p.m.

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK √
1.	Site Plan Checklist	1 copy	
2.	Application Form	6 copies	
3.	Legal Description (8½ "x 11")	2 copies	
4.	Deed	2 copies	
5.	Letter of Intent (8½ "x 11")	6 copies; plus 1 additional copy if project includes a DRI or MARTA review	
6.	Site Plan	6 copies; plus 1 additional copy if project includes a DRI or MARTA review	
7.	Impact Analysis (8½ "x 11")	6 copies	
THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.			
8.	Traffic Impact Study	2 copies	
9.	Development of Regional Impact Review Form (DRI)	2 copies	
10.	Noise Study Report	2 copies	

REQUIRED ITEMS FOR REZONING/USE PERMIT APPLICATIONS:

- ITEM 1. **PREAPPLICATION REVIEW MEETING:** Prior to submitting an application, all are encouraged to meet with the Planning and Zoning Office who will review the applicant's proposal and site plan. **No pre-application review meeting will be held on the day of the filing deadline.** Applicants are required to bring the site plan and tax parcel identification number(s) to the meeting. Call 770-964-2244 to make an appointment.
- ITEM 2. **SITE PLAN CHECKLIST:** The site plan checklist details the minimum requirements for site plans as specified by Chapter 62, Article V. The Building Process.
- ITEM 3. **APPLICATION FORM:** Original and notarized signatures of the property owner(s) and applicant(s) or a notarized statement by the applicant as to ownership are required. If a contract is used in lieu of the owner's signature, the signature on the contract must be an original and the contract must be valid for the duration of the rezoning process. See the application form for additional details.
- ITEM 4. **LEGAL DESCRIPTION:** The legal description must be a *metes and bounds* description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.
- ITEM 5. **DEED:** A copy of the deed which matches the applicant's name or a copy of the letter indicating a closing and the recordation of a new deed.
- ITEM 6. **LETTER OF INTENT:** The Letter of Intent should state the requested rezoning and use permit(s) and should include factual details about the proposed use(s), such as number and square footages of buildings, number of residential units, minimum heated floor area of residential units, number of fixed seats in places of worship, number of employees and beds in assisted living facilities, personal care homes and nursing homes, number of employees and students in day care facilities, number of classrooms and number of students in schools, hours of operation, and number and use of playing fields. If a rezoning

request is for a PD (Planned Development) district, the Letter of Intent should detail the proposed development standards.

ITEM 7. **SITE PLAN:** Site plans must meet the minimum requirements specified by Chapter 62, Article V. The Building Process of the City of Fairburn Ordinance. Refer to Site Plan Checklist.

OTHER DOCUMENTS THAT MAY BE REQUIRED:

ITEM 8. **IMPACT ANALYSIS:** All rezoning applications must include an Impact Analysis. A Zoning Impact Analysis is not required for Use Permit. Please see the use permit consideration.

ITEM 9. **TRAFFIC IMPACT STUDY:** When a project equals or exceeds the thresholds listed below, a traffic impact study must be submitted. The traffic impact study shall be prepared by a qualified traffic engineer or transportation planner in accordance with professional practices and the guidelines available in the Department of Public Works.

Thresholds for Traffic Impact Study	
Use	Size
Single family residential	500 new lots
Multifamily residential	700 new units
Office	300,000 square feet
Hospital	375 beds
Commercial	175,000 square feet
Hotel/Motel	600 rooms
Industrial	500,000 square feet
Any planned developments that exceeds 500 peak hour trips as based on the standards of the Institute of Transportation Engineers (ITE) Handbook.	

ITEM 10. **DEVELOPMENT OF REGIONAL IMPACT (DRI):** The Department of Community Affairs (DCA) has formulated development thresholds as listed below. When a development meets or exceeds the thresholds, the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) shall review the project concurrently. Applicants shall first file the rezoning/use permit request with City of Fairburn. After the ARC/GRTA findings are complete, the rezoning/use permit will be placed on the next available agenda. It is the applicant’s responsibility to contact and follow all ARC and GRTA review procedures. For details visit the ARC at www.atlantaregional.com and GRTA at www.grta.org/dri/home.htm or call ARC or GRTA at 404-463-3100.

ITEM 11. **NOISE STUDY REPORT:** Any residential rezoning/use permit located within 1,000 feet of an expressway or within 3,000 feet of an active rail line.

Effective March 1, 2014
DEVELOPMENTS OF REGIONAL IMPACT
Tiers and Development Thresholds

Type of Development	Metropolitan Region
Office	Greater than 400,000 gross square feet
Commercial	Greater than 300,000 gross square feet
Wholesale & Distribution	Greater than gross 500,000 square feet
Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Housing	Greater than 400 new lots or units
Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
Hotels	Greater than 400 rooms
Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at either 1,800 square feet per unit or, if applicable, the minimum square footage allowed by local development regulations); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
Airports	All new airports, runways and runway extensions
Attractions and Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
Post Secondary Schools	New school with a capacity of more than 2,400 students; or expansion by at least 25 percent of capacity
Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more
Quarries, Asphalt and Cement Plants	New facility or expansion of existing facility by more than 50 percent
Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50 percent; or community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein
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
Water Supply Intakes/Public Wells/Reservoirs/Treatment Facilities	New facilities
Intermodal Terminals	New facilities
Truck Stops	A new facility with more than three (3) diesel fuel pumps, or containing a half acre of truck parking or 10 truck parking spaces
Correctional/Detention Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Any other development types not identified above (includes parking facilities)	1,000 parking spaces or, if available, more than 5,000 daily trips generated

MEETINGS AND PUBLIC HEARINGS:

- A) **The Planning and Zoning Commission (PZC)** holds a meeting on the first Tuesday of each month at 7:00 PM at Fairburn City Hall, 56 Malone Street, Fairburn, GA 30291. The Planning and Zoning Commission makes recommendations that are forwarded to the Mayor and City Council.
- B) **City Council** holds a public hearing on the second and fourth Monday of each month at 7:00 p.m. at Fairburn City Hill located at 56 Malone Street, Fairburn, GA 30213.

PUBLIC NOTICE:

- A) **Planning and Zoning Commission Meeting (PZC) and Mayor and City Council (MCC) Public Hearing Notice:** Signs posted along the frontages of properties subject to rezonings and/or use permits notify area residents of the Planning and Zoning Commission meeting and City Council public hearing. Applicants are required to post signs in conspicuous places along the property's public street frontage(s) no later than 15 days before the City Council public hearing. Failure to post the signs properly, in accordance with instructions given to applicants at the time of filing, will result in delaying action on the petition until the next available appropriate hearing date. **THERE ARE NO EXCEPTIONS TO PROPERLY POSTING THESE SIGNS.**

If an applicant, prior to advertising, defers a petition, it is the responsibility of the applicant to contact the Planning and Zoning Office at 770-964-2244 to pick up new signs and re-post the property.

When a petition is continued by City Council, posting an updated sign is not required. However, the date on the sign must be changed to reflect the continued hearing date.

Within 30 days of City Council final action the applicant shall remove and properly dispose of all public hearing/meeting signage.

- B) **Adjacent Property Owner Notice:** By U. S. Mail, notices are sent to all property owners within a 500 feet of properties subject to rezonings and/or use permits. Said notices are mailed 15 days prior to the City Council public hearing to property owners of record as shown on the current tax records of Fulton County as retrieved by the Geographic Information System.

STAFF ANALYSIS:

A staff analysis for each petition is available on the Friday before each public hearing after 12 noon. Copies are available at the Planning and Zoning Office at 26 West Campbellton Street and on the City's website at www.fairburn.com.



APPLICATION FOR REZONING & USE PERMIT

City of Fairburn
Community Development Department
26 W. Campbellton Street
Fairburn, GA 30213

DATE: _____

TAX PARCEL IDENTIFICATION NUMBER(S): _____

SECTION I REZONING REQUEST

Office use only:
ZONING CASE #: _____ ROAD FRONTAGE: _____

PROPERTY ADDRESS (if available): _____

The undersigned, having an interest in the property herein described, respectfully petitions that said property be rezoned from _____ to _____
Existing Zoning(s) Proposed Zoning(s)

SECTION II USE PERMIT REQUEST

Office use only:
USE PERMIT CASE # _____ ROAD FRONTAGE: _____

Under the provisions of Chapter 80, Article IV of the Zoning Ordinance, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: _____

USE PERMIT REQUEST: _____

SECTION IV OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

TYPE OR PRINT OWNER'S NAME

Sworn to and subscribed before me this the

_____ Day of _____ 20_____

ADDRESS

NOTARY PUBLIC

CITY & STATE

ZIP CODE

OWNER'S SIGNATURE

PHONE NUMBER

EMAIL ADDRESS

PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME

Sworn to and subscribed before me this the

_____ Day of _____ 20_____

ADDRESS

NOTARY PUBLIC

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER

EMAIL ADDRESS

SECTION V

ATTORNEY / AGENT

Check One: [_____] Attorney [_____] Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

EMAIL ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER



IMPACT ANALYSIS

Applicant: _____

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? _____

2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? _____

3. Does the property to be rezoned have a reasonable economic use as currently zoned? _____

4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? _____

5. Is the zoning proposal in conformity with the policies and intent of the land use plan? _____

6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? _____

7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton? _____

Attach additional sheets as needed.

SITE PLAN CHECKLIST

Site plans for rezoning and use permit must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information:

ITEM #	DESCRIPTION	CHECK √
1	An accurate, up-to-date and certified survey of the property	
2	Name, address, phone number, and fax number of the owner, the developer and the designer who prepared the plan.	
3	Vicinity map with North arrow showing the property in relation to the general area	
4	Acreage of subject property	
5	Location of land lot lines and identification of land lots	
6	Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property; Proposed streets on the subject site	
7	Current zoning of the subject site with required and/or proposed setbacks and adjoining properties	
8	Total are of the site, and the areas of the proposed to be devoted to impervious surfaces	
9	Proposed off-site layout including buildings, drives, parking, walkways, landscaped-areas, tree save area, buffers, easements, utilities and any other features necessary to properly present the development	
10	Layout and minimum lot size of proposed single family residential lots	
11	Topography on subject site.	
12	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	
13	Required and proposed parking spaces; Loading and unloading facilities	
14	Wetlands, lakes, streams and other waters on the site and associated buffers including the 100 year flood-plain, if appropriate.	
15	Proposed stormwater management facilities	
16	Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.	

Office use only:

Application reviewed by: _____

Staff signature: _____ Date: _____

Community Development/
Planning and Zoning

Staff printed name: _____

The undersigned acknowledges that the site plan is submitted in accordance with Chapter 62, Article V - The Building Process of the City of Fairburn Code of Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: _____

Date: _____

Applicant printed name: _____

FEE SCHEDULE	
REZONING	\$350/acre, each rezoning up to \$5K
USE PERMIT	\$500 each

(ALL CHECKS PAYABLE TO THE CITY OF FAIRBURN)

2018 ZONING SCHEDULE

Application Deadline (<u>1st Monday of the month</u>)	Public Hearing Sign Posting Deadline (<u>15 days, no more than 45 days before public hearing</u>)	Meeting Dates for Planning & Zoning Commission (<u>Typically, the 1st Tuesday of the month</u>)	Tentative Dates for Mayor & City Council (<u>Typically, 4th Monday of the month</u>)
November 6, 2017	January 7, 2018	* January 9, 2018	January 22, 2018
December 4, 2017	February 11, 2018	February 6, 2018	February 26, 2018
January 1, 2018	March 11, 2018	March 6, 2018	March 26, 2018
February 5, 2018	April 8, 2018	April 3, 2018	April 23, 2018
March 5, 2018	May 13, 2018	May 1, 2018	May 28, 2018 Cancelled
April 2, 2018	June 10, 2018	June 5, 2018	June 25, 2018 Cancelled
May 7, 2018	July 8, 2018	* July 10, 2018	July 23, 2018
June 4, 2018	August 12, 2018	August 7, 2018	August 27, 2018
July 2, 2018	September 9, 2018	* September 11, 2018	September 24, 2018
August 6, 2018	October 7, 2018	October 2, 2018	October 22, 2018
September 3, 2018	November 11, 2018	November 6, 2018	November 26, 2018
October 1, 2018	November 25, 2018	December 4, 2018	* December 10, 2018
November 5, 2018	January 13, 2019	* January 8, 2019	January 28, 2019
December 3, 2018	February 10, 2019	February 5, 2019	February 25, 2019

City Council and Planning and Zoning Commission (P&Z) Hearings begin at 7:00 p.m. at the Fairburn City Hall, 56 Malone Street, Fairburn, GA 30213

Note: Meeting dates and times are subject to change.

Call 770-964-2244 to verify date and time of meetings.

****Note: Date changed due to a holiday***