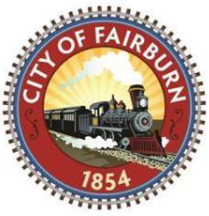




USE PERMIT APPLICATION



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	1 original and 1 copy	
3.	Survey	2 copies	
4.	Legal Description (8½ "x 11")	2 copies	
5.	Deed	2 copies	
6.	Letter of Intent	5 copies; plus 1 additional copy if project includes a DRI or MARTA review	
7.	Site Plan	5 copies; plus 1 additional copy if project includes a DRI or MARTA review	
8.	Disclosure Form(s)	2 copies	
9.	Public Participation Program	2 copies of the Report and Plan	
THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.			
10.	Use Permit Considerations	5 copies	
11.	Traffic Impact Study	2 copies	
12.	Development of Regional Impact Review Form (DRI)	2 copies	
13.	Noise Study Report	2 copies	

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.

REQUIRED ITEMS FOR USE PERMIT APPLICATIONS:

- ITEM 1. **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 2. **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 3. **SURVEY:** An accurate, to scale, up-to-date certified survey of the property shown with metes and bounds must be submitted with the Use Permit Application. The survey should include existing thoroughfares;

existing drainage areas; existing buildings, structures and facilities; existing utilities on or adjacent to the property; and ownership, zoning and uses of all property adjacent to or within 200 feet of the property.

- 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 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.
- 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.
- ITEM 8. **DISCLOSURE FORM:** If the owner, applicant and/or applicant’s representative has made a campaign contribution to any member of City Council for \$250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form must be completed. If no contributions have been made, *No* should be circled and Section 4 of the form completed.
- ITEM 9: **PUBLIC PARTICIPATION PROGRAM:** Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development, Part 1: The Public Participation Plan and Part 2: The Public Participation Report.

OTHER DOCUMENTS THAT MAY BE REQUIRED:

- ITEM 10. **IMPACT ANALYSIS:** The application must include an Impact Analysis.
- ITEM 11. **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 12. **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 13. **NOISE STUDY REPORT:** Any proposed use 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

Effective March 1, 2014 DEVELOPMENTS OF REGIONAL IMPACT Tiers and Development Thresholds	
Type of Development	Metropolitan Region
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 the use permit(s). 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 USE PERMIT

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

Date Received: _____

USE PERMIT #: _____
(Office Use Only)

APPLICANT INFORMATION

Applicant Name: _____
Address: _____
Phone: _____ Cell: _____ Fax: _____
Email Address: _____

OWNER INFORMATION (If different from Applicant)

Owner Name: _____
Address: _____
Phone: _____ Cell: _____ Fax: _____
Email Address: _____

PROPERTY INFORMATION

Address: _____
Parcel ID#: _____ Land Lot: _____ District: _____

SECTION 1

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 II

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

 ADDRESS

 CITY & STATE ZIP CODE

 OWNER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____

 NOTARY PUBLIC

 PHONE NUMBER

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

 ADDRESS

 CITY & STATE ZIP CODE

 PETITIONER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20____

 NOTARY PUBLIC

 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [] Agent

 TYPE OR PRINT ATTORNEY / AGENT NAME

 SIGNATURE OF ATTORNEY / AGENT

 ADDRESS

 CITY & STATE ZIP CODE

 EMAIL ADDRESS

 PHONE NUMBER

 PETITIONER'S SIGNATURE



USE PERMIT CONSIDERATIONS

Applicant: _____

Analyze the impact of the proposed use permit with the following questions:

1. Whether the proposed use is consistent with the comprehensive land use plan adopted by the City Council? _____

2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed? _____

3. Whether the proposed use may violate local, state, and/or federal statutes, ordinances or regulations governing land development? _____

4. The effects of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets? _____

5. The location and number of off-street parking spaces? _____

6. The amount and location of open spaces? _____

7. Protective screening? _____

8. Hours and manner of operation? _____

9. Outdoor lightning? _____

10. Ingress and egress to the property? _____

Attach additional sheets as needed.



DISCLOSURE REPORT

Office use only:

USE PERMIT PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CIRCLE ONE: YES NO

If the answer is *YES*, proceed to sections 1 through 4.
 If the answer is *NO*, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
 If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) _____

Signature: _____ Date: _____



PUBLIC PARTICIPATION PROGRAM

Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

Part 1 of the process is the Public Participation Plan which is required with all rezoning and/or use permit applications. The plan must be filed simultaneously with the application and implemented before the first public hearing. The minimum standards for the plan are as follows:

- Identification of all property owners within 500 feet of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the applicant and the current planner at the time of the pre-application review
- Explanation of how interested parties will be informed of rezoning/use permit applications
- Methods for providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties, as identified above of the purpose, place and time of the meeting.
- Applicant's schedule for completion of the Public Participation Plan

Part 2 of the Public Participation Program is the Public Participation Report which is due per the attached schedule. The minimum standards for the Report are as follows:

- Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
- Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (Attach meeting notices, letters, etc.)
- Provide the number of people who participated in meetings held to discuss an application. (Attach sign-in sheets)
- A summary of concerns and issues expressed by interested parties.
- A summary of the applicant's response to concerns and issues.

PUBLIC PARTICIPATION PLAN

Applicant: _____

1. The following individuals (property owners within 500 feet of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified:

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

Attach additional sheets as needed.

PUBLIC PARTICIPATION PLAN REPORT

Applicant: _____ Petition No. _____

Date: _____

1. The following parties were notified of the requested rezoning/use permit:

2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)

3. The following issues and concerns were expressed:

4. The applicant's response to issues and concerns was as follows:

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

Attach additional sheets as needed.

SITE PLAN CHECKLIST

Site plans for use permit petitions 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	
USE PERMIT	\$500 each
PUBLIC HEARING SIGN	\$31 each

Methods of payment: Cash, Money Order and Credit Cards (except American Express)

(MAKE CHECKS PAYABLE TO THE CITY OF FAIRBURN)