



Zoning Procedures

Douglas County, Georgia

Applications will be received on business days between 9:00 AM and 3:00 PM

The Douglas County Planning & Zoning Department processes zoning applications for unincorporated areas of Douglas County only. To file an application for property located within the city limits of Douglasville, please contact the City of Douglasville at (770) 920-3000 for details.

Applications should be typed or clearly written in black or dark blue ink. Illegible applications will not be accepted. Applications, including all required application fees must be submitted to the Douglas County Planning & Zoning Department in person. All applications will be reviewed and determined complete within five (5) working days of the application deadline. Incomplete applications will be returned. **PLEASE NOTE: APPLICATION FEES ARE NON-REFUNDABLE (After the application is determined complete).** In addition, the Planning & Zoning Department has ten (10) working days to determine if an application is consistent with the Future Land Use Map. A schedule of hearing dates and application deadlines is attached. No application will be accepted for a meeting after the deadline for submission has passed. **No exceptions!**

After the application has been accepted, the Planning & Zoning Department will advertise the proposed rezoning in the Douglas County Sentinel and notify all adjacent property owners of the details of the proposed rezoning. Various departments – including: Douglas County Board of Education, Code Enforcement, Engineering, Douglas County Board of Health/Center for Environmental Health, Fire Department, Sheriff's Department, USDA, Soil Conservation Service, Tax Assessor, Department of Transportation and the WSA - will complete a thorough evaluation (Impact Study) of the requested rezoning taking into consideration existing County ordinances, polices and Future Land Use Plan.

The results of the evaluations completed by these various departments will be consolidated into the Staff Report and will become a part of the public record.

A public hearing is held by the Douglas County Planning Commission and the Douglas County Board of Commissioners on the first Tuesday of each month at 6:00 PM in Citizens Hall on the second floor of the Douglas County Courthouse, 8700 Hospital Drive. A decision on the application may be made at this meeting or if additional information is required the application may be tabled.

All applications accepted, will be required to pay a \$20.00 fee for each double-sided sign. Douglas County Planning & Zoning will post signs every 300 feet and not more than 20 feet from the road in open view on each public road fronting the property under consideration for rezoning. All signs must remain posted for a minimum of 15 days prior to the public hearing. The signs will be removed by Douglas County Planning & Zoning once a decision has been made regarding the rezoning.

After the decision has been made, the applicant will receive a letter of confirmation and a copy of the applicable ordinance.

After an approval has been granted by the Board of Commissioners for a zoning change, the applicant, agent or property owner has 24 months to vest the zoning change approval. To vest a zoning change approval and forego its expiration, the applicant must record a final plat, receive project approval of a preliminary plat or site plan, obtain a building permit or lawfully initiate the use, whichever occurs first

Please understand that no work should begin on any site before proper permits are obtained, including, but not limited to, grading permits, building permits and sign permits.

An application for zoning change may only be withdrawn upon a written request of the property owner. A request to withdraw without prejudice must be received by the Development Services Department at least 10 days prior to the public hearing. If a request to withdraw is received by the Development Services Department less than 10 days prior to the public hearing, or is allowed to be withdrawn at the public hearing with prejudice, the application shall be withdrawn and any portion of the same property may not again be considered for a zoning change for a period of 6 months from the date of the withdrawal.

Rezoning Application

Douglas County Board of Commissioners
Douglas County, Georgia

All information must be provided in order for an application to be submitted.

Date of Application: _____ Application #: _____

I hereby request that the property described in this application be rezoned from:

Zoning District Designation: _____ to Zoning District Designation: _____

Is this request consistent with the Douglas County Comprehensive Plan and Future Land Use Map?

Yes _____ No _____ (Must be verified by P&Z Staff)
(If No, a Plan Amendment will be required)

Address of Property:

Land Lot: _____ District: _____ Section: _____ Parcel: _____

Area: _____ Acres or _____ Square Feet

Current Use of Property: _____

Proposed Use of Property: _____

If existing property/structure is vacant or not in use, how long has it been vacant or not in use?

Owner of Property: _____

Mailing Address:

Telephone Number (Daytime): _____

Applicant: _____

Mailing Address:

Telephone Number (Daytime): _____

Email address: _____

ITEMS THAT MUST ACCOMPANY APPLICATION

- A. **Owner's Signature or Affidavit** - If the owner and applicant are not the same, the owner must sign the application or complete the attached affidavit.
- B. **Plat/Survey** – Submit **one(1) full size, one(1) 11 x 17 and one (1) digital copy of a plat in JPG format**, drawn by an engineer or land surveyor, describing in detail the tract, parcel or lot of land proposed to be rezoned. The plat must include the following information:
1. A current boundary survey and plot plan, dimensioned and to scale, prepared by a registered surveyor, architect or engineer showing the seal of such surveyor, architect, or engineer.
 2. This survey shall be a plat of the land in question, or a description by metes and bounds, bearings and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of Douglas County, then, the lot, block, and subdivision designations with appropriate plat reference.
 3. A description of existing land uses on adjacent and surrounding property.
- C. **Concept Plan** – Submit **one (1) full size copy, one (1) 11x17 copy and one (1) digital copy in JPG format** of a concept plan, including but not limited to all items listed on the attached checklist for such plan.
- D. **Impact Analysis** –
1. If the zoning change has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration attached to this application.
 2. For proposed developments with 300,000 square feet of nonresidential floor area or 300 dwelling units, or more, a traffic study and a hydrology study, prepared by professional engineers registered in Georgia under the direction of the County at the applicant's expense, must be submitted along with the application for a zoning change.
 3. For proposed developments with less than 300,000 square feet of nonresidential floor area or 300 dwelling units, a traffic study and a hydrology study, prepared by professional engineers registered in Georgia under the direction of the County at the applicant's expense, shall be required unless waived by the Development Services Director.
 4. A traffic study, a hydrology study and other studies of the impact of the proposed development may be required by the Planning & Zoning Commission or the Board of Commissioners as deemed necessary for adequate consideration and a fully-informed decision on the proposed zoning change. The studies shall be prepared under the direction of the County at the applicant's expense.
- E. **Warranty Deed** – A copy of the recorded warranty deed to the property must accompany each application. **The owner on the deed must be the same as the owner listed on the application.**
- F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Checks should be made payable to “Douglas County Board of Commissioners”. **Fees are non-refundable.**
- I. **Property Value Disclosure Form** – The applicant must provide the information listed or sign the affidavit stating this information is not required in order to evaluate the property for zoning.

- J. **Development of Regional Impact** – If your application meets the following criteria, you will be required to submit additional information to the Atlanta Regional Commission (Application submitted by Planning & Zoning).

Type of Development	Thresholds
Office	Greater than 400,000 gross square feet
Commercial	Greater than 300,000 gross square feet
Wholesale & Distribution	Greater than 500,000 gross square feet
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	Greater than 400,000 gross square feet; or covering more than 120 acres

Note: Other types of development may also meet the Development of Regional Impact criteria and require the submittal of an application.

- K. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- L. Any other information required by the Planning & Zoning Department or any other County departments which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Planning staff to inspect the premises that are the subject of this rezoning application.

Signature of Applicant

Date

FOR OFFICE USE ONLY

Date Received: _____ Hearing Date: _____

Received by: _____

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of-way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

AFFIDAVIT

Authorization by Property Owner

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Douglas County, Georgia.

I authorize the persons named below to act as applicant in the pursuit of the obtaining the Rezoning for this property.

Name of Applicant: _____

Address:

Telephone Number: _____

Owner (Printed Name)

Signature of Owner

Date

Personally Appeared Before Me:

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

Notary Public

Date

CERTIFICATE CONCERNING CAMPAIGN CONTRIBUTIONS

Has the applicant (individual, corporation, partnership, firm, enterprise, franchise, association or trust) made, within two years immediately preceding the filing of this application for a **Rezoning**, campaign contributions aggregating \$250.00 or more or made gifts having in aggregate a value of \$250.00 or more to a member of the Board of Commissioners or Planning Commission who will consider the application?

YES _____

NO _____

If so, the applicant and the attorney representing the applicant must file a disclosure report with the Board of Commissioners of Douglas County, within ten (10) days after this application is first filed.

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

1. **Member:** The name of the member(s) of the Board of Commissioners or Planning Commission to whom the campaign contribution or gift was made.
2. **Contribution:** The dollar amount of each campaign contribution made by the applicant to the member of the Board of Commissioners or Planning commission during the two years immediately preceding the filing of this application, and the date of each such contribution.
3. **Gift:** An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to a member of the Board of Commissioners or Planning Commission during the two years immediately preceding the filing of this application.

<u>Member</u>	<u>Contribution</u>	<u>Date</u>	<u>Gift</u>
	\$		
	\$		
	\$		
	\$		
	\$		

We certify that the foregoing information is true and correct, this _____ day of _____
20____.

Applicant

Applicant's Attorney (if any)

Property Value Disclosure Form

 OPTION 1:

The following information must be included (except under Section 0, below):

1. A description of the extent to which the property value of the subject property is diminished by the existing zoning district classification;
2. The existing value of the property contained in the petition for rezoning under the existing zoning classification;
3. The value of the property contained in the application for rezoning under the proposed zoning classification;
4. A description of any existing use of the property, including a description of all structures presently occupying the property;
5. The length of time the property has been vacant or unused as currently zoned; and
6. A detailed description of all efforts taken by the property owners to use the property or sell the property under the existing zoning classification.

As an alternative, the applicant may submit the following stipulation, knowingly and willingly executed before any notary of the state:

 OPTION 2:

"I do not regard the application information requested under Section 1 of the Douglas County Unified Development Code, as necessary or relevant to the Board of Commissioners in its consideration of my petition for a zoning change. I stipulate that such information shall not be relevant to the Board of Commissioners in its deliberations or to any court in its review of the decision on my petition."

Applicant Signature

Applicant (Printed Name)

Sworn before me this _____ day of _____, 20____.

Notary Public:_____

Criteria & Standards for Considering a Rezoning Application

All amendments to the zoning map shall be viewed in light of the following standards used to interpret the balance between an individual's unrestricted right to the use of his or her property and the public health, safety, morality or general welfare of the community. Emphasis may be placed on those criteria most applicable to the specific use proposed:

1. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?
2. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
3. Will the proposed use not adversely affect the existing use, value or usability of adjacent or nearby property?
4. Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?
5. Are there substantial reasons why the property cannot or should not be used as currently zoned?
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 facilities and police or fire protection?
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?
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 of property?