



REZONING, USE PERMIT & CONCURRENT VARIANCE APPLICATION

APPLICANT'S CHECKLIST

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK √
1	Pre-Application Review Form	1 original and 17 copies	
2	Site Plan with Form "F"	17 copies; plus 1 additional copy if petition includes a concurrent variance; plus 1 additional copy if project includes a DRI	
3	Application Form	1 original and 17 copies; plus 1 additional copy if petition includes a concurrent variance; plus 1 additional copy if project includes a DRI	
4	Legal Description (8 1/2 "x 11")	17 copies; plus 1 additional copy if petition includes a concurrent variance	
5	Letter of Intent (8 1/2 "x 11")	17 copies; plus 1 additional copy if petition includes a concurrent variance; plus 1 additional copy if project includes a DRI	
6	Environmental Site Analysis with Form "A"	17 copies	
7	PDF of Site Plan	Send Via E-mail or CD	
8	Impact Analysis (8 1/2 "x 11")	2 copies	
9	Disclosure Form(s)	2 copies	
10	Public Participation Plan	17 copies	
11	Public Participation Report	2 copies (due 7 business days prior to Planning Commission meeting and revised public participation report due 7 business days prior to Milton City Council meeting)	

THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.

12	Adjacent Property Owner List (if outside county boundaries)	1 copy	
13	Traffic Impact Study (required at application submittal)	3 copies	
14	Development of Regional Impact Review Form (DRI)	3 copies	
15	Noise Study Report (if applicable)	3 copies	
16	Environmental Impact Report	3 copies	

ALL APPLICABLE ITEMS ARE DUE AT THE TIME OF FILING. AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

- ITEM 1. **PREAPPLICATION REVIEW MEETING AND FORM:** Prior to submitting an application, all applicants are required to meet with a current planner who will review the applicant's proposal and site plan and complete a Pre-application Review Form. Applicants are required to bring the site plan and tax parcel identification number(s) to the meeting. Call 678-242-2540 to schedule an appointment.
- ITEM 2. **SITE PLAN CHECKLIST:** The site plan checklist (Form F) details the minimum requirements for site plans as specified by Article 28.5.2 of the Zoning Ordinance. Prior to submitting an application, a review of the site plan and signoff by Plan Review of Form F is required.
- 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. **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 concurrent variances are requested, the Letter of Intent should clearly state the requested variances and include explanations of hardships and any other reasons why the development standards cannot be met. If a rezoning request is for a CUP, NUP or MIX district, the Letter of Intent should detail the proposed development standards.
- ITEM 6. **ENVIRONMENTAL SITE ANALYSIS (ESA):** All rezoning and/or use permit applications must include an Environmental Site Analysis (ESA) identifying environmental conditions on the site to determine if the proposed use may be considered environmentally adverse. Refer to Environmental Site Analysis (Form A) for specific instructions.
- ITEM 7. **PDF:** Electronic file of the site plan is required via e-mail or CD.
- ITEM 8. **IMPACT ANALYSIS:** All rezoning applications must include an Impact Analysis (Form B). An Impact Analysis is not required for Use Permits.
- ITEM 9. **DISCLOSURE FORM:** If the owner, applicant and/or applicant's representative has made a campaign contribution to the Mayor or any member of the City Council for \$250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form (Form C) must be completed. If no contributions have been made, *No* should be circled and Section 4 of the form completed.
- ITEM 10. **PUBLIC PARTICIPATION PLAN:** The Public Participation Plan is to ensure that applicants pursue early and effect public participation in conjunction with their petitions, ensure that the citizens of the City of Milton have an adequate opportunity to learn about petitions that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, environmentally stressed communities, community associations and other organizations, elected officials and City staff. Applicants are required to submit a Public Participation Plan (Form D) at the time of the filing of the rezoning/use permit application.
- ITEM 11. **PUBLIC PARTICIPATION PLAN REPORT:** A Public Participation Plan Report must be completed on Form E and filed no later than 7 business days before the Planning Commission meeting and an updated Public Participation Report is due no later than 7 business days before the Mayor and City Council hearing.
- ITEM 12. **ADJACENT PROPERTY OWNER LIST:** If the subject property is within 300 feet of an adjacent city or county, the petitioner must furnish the names and addresses of all property owners in the adjacent city or county that are within 300 feet of the subject property.

ITEM 13. TRAFFIC IMPACT STUDY: All Rezoning / Use Permits require a traffic study. Please contact the City of Milton Traffic Engineer at 678-242-2559 to set up a scoping meeting.

ITEM 14. 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 the City of Milton. After the ARC/GRTA findings are complete, the rezoning/use permit will be placed on the next available appropriate agenda. It is the applicant's responsibility to contact and follow all ARC and GRTA review procedures. For details contact the ARC at www.georgiaplanning.com/planners/dri/ and GRTA at www.grta.org/dri/home.htm or at 404-463-3000.

Effective January 1, 2005 DEVELOPMENTS OF REGIONAL IMPACT Tiers and Development Thresholds	
Type of Development	Metropolitan Region
Office	Greater than 400,000 square feet
Commercial	Greater than 300,000 square feet
Wholesale & Distribution	Greater than 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
Hotel	Greater than 400 rooms
Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1,800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meet or exceed 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 facility or expansion of existing facility by more than 50 percent
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/Reservoirs	New facilities
Intermodal Terminals	New facilities
Truck Stops	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces

Any other development types not identified above (includes parking facilities)	1,000 parking spaces
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ITEM 15. **NOISE STUDY REPORT (if applicable):** Any rezoning/use permit located in an area exceeding a DNL of 65dBA; within 500 feet of a principal arterial and/or expressway; or within 750 feet of an active railroad line.

ITEM 16. **ENVIRONMENTAL IMPACT REPORT:** Any rezoning to M-1A, M-1 or M-2 or specific use categories identified in Article 19.4 of the Zoning Ordinance, as may be deemed environmentally adverse, shall include an Environmental Impact Report as part of the rezoning/use permit process.

OTHER RELEVANT INFORMATION:

1. If a project is located in any watershed, it may be subject to the Standards for Protection of Public Water Supply Watersheds.

PUBLIC HEARINGS:

- A) **The Planning Commission** holds a public hearing on the fourth Tuesday of each month at 7:00 PM at City Hall. The Planning Commission makes a recommendation that is forwarded to the Mayor and City Council.
- B) **The Mayor and City Council** hold public hearings for zoning items on the third Monday of each month at 6:00 PM at City Hall.

PUBLIC NOTICE:

- A) **Community Zoning Information Meeting (CZIM):** Signs posted along the frontages of properties subject to rezonings and/or use permits notify area residents of the Community Zoning Information Meeting (CZIM). This meeting is open to all interested citizens and applicants are required to attend. This meeting is held on the 4th Wednesday of the month.
- B) **Planning Commission and Mayor and City Council Public Hearing Notice:** Signs posted along the frontages of properties subject to rezonings and/or use permits notify area residents of the Planning Commission and Mayor and City Council public hearings. Applicants are required to post signs in conspicuous places along the property’s street frontage(s) no later than 20 days before the Planning Commission 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.

If an applicant, prior to advertising, defers a petition, it is the responsibility of the applicant to contact the Community Development Director at (678) 242-2534 to pick up new signs and re-post the property.

If the Planning Commission or Mayor and City Council defer a petition, it is the applicant’s responsibility to contact the Community Development Director at (678) 242-2534 to pick up new signs and re-post the property 20 days prior to the next hearing date. When a petition is deferred by the Mayor and City Council for less than 20 days, posting an updated sign is not required.

- C) **Adjacent Owner Notice:** By U. S. Mail, notices are sent by the City to all property owners within 500 feet of properties with a minimum of 75 residents subject to rezonings and/or use permits. Said notices are mailed 14 days prior to the Community Zoning Information Meeting (CZIM) hearing to property owners of record.

STAFF ANALYSIS: Prior to the public hearings, the Department of Community Development will publish its findings, recommendations and comments in the staff analysis. Please contact the Department at (678) 242-2534 for additional information.



APPLICATION FOR REZONING, USE PERMIT & CONCURRENT VARIANCE

DATE: _____

TAX PARCEL ID. NO. _____

SECTION I

REZONING REQUEST

Office use only

Zoning Case #: _____ Road Frontage: _____

Property Address (if available) _____

Existing Zoning _____ Proposed Zoning _____

SECTION II

USE PERMIT REQUEST

Office use only

Use Permit Case #: _____ Road Frontage: _____

Under the provisions of Article XIX of the City of Milton Zoning Ordinance, application is hereby made to obtain a Use Permit as follows:

Current Zoning _____

Use Permit Request _____

SECTION III

CONCURRENT VARIANCE REQUEST(S)

Office use only

Variance Case #: _____

Request 1) _____

Ref. Article _____ Section _____

Request 2) _____

Ref. Article _____ Section _____

Request 3) _____

Ref. Article _____ Section _____

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

ADDRESS

CITY & STATE ZIP CODE

OWNER'S SIGNATURE PHONE NUMBER

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

NOTARY PUBLIC

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 OWNER'S NAME

ADDRESS

CITY & STATE ZIP CODE

PETITIONER'S SIGNATURE PHONE NUMBER

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

NOTARY PUBLIC

SECTION V**ATTORNEY / AGENT**

Check One: [] Attorney [] Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

CITY & STATE ZIP CODE

PETITIONER'S SIGNATURE PHONE NUMBER



ENVIRONMENTAL SITE ANALYSIS (ESA) FORM A

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission.

ESA Revision Number: _____

Applicant: _____

Phone Number: _____

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://www.fws.gov/wetlands/Data/Mapper.html>)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- Field observation and verification

c. Streams/stream buffers

- Field observation and verification

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

- United States Geologic Survey Topographic Quadrangle Map
- Field observation and verification

e. Vegetation

- United States Department of Agriculture, Nature Resource Conservation Service
- Field observation

f. Wildlife Species (including fish)

- United States Fish and Wildlife Service
- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program

- Field observation
- g. Archeological/Historical Sites
- Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification
- h. Specimen trees
- Identify all specimen trees as defined by the City of Milton Tree Preservation Ordinance

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats



IMPACT ANALYSIS FORM B

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 the City of Milton? _____

Attach additional sheets as needed.



DISCLOSURE REPORT FORM C

Office use only

Rezoning Petition #: _____ Mayor and Council Hearing Date _____

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

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 rezoning 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
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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

The 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 (Form D) which is required with all rezoning and/or use permit applications. The plan must be filed simultaneously with the application. The minimum standards for the plan are as follows:

- Identification of all property owners within a quarter mile 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 (Form E) is due no later than seven (7) business days prior to the scheduled Planning Commission meeting and the applicant(s) must turn in a revised copy of the Public Participation Report no later than seven (7) business days prior to the Mayor and City Council hearing. 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 FORM D

Applicant:

1. The following individuals (property owners within a quarter mile of the property), homeowners associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Zoning Ordinance:

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 FORM E

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 FORM F

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	Key and/or legend and site location map with North arrow	
2	Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning	
3	Acreage of subject property	
4	Location of land lot lines and identification of land lots	
5	Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property	
6	Proposed streets on the subject site	
7	Posted speed limits on all adjoining roads	
8	Current zoning of the subject site and adjoining properties	
9	Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property	
10	Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 400 feet of the subject site based on aerial photography from an acceptable source as determined by the Director of Community Development	
11	Location of proposed buildings (except single family residential lots) with total square footage	
12	Layout and minimum lot size of proposed single family residential lots	
13	Topography (surveyed or County) on subject site and adjacent property within 200 feet as required to assess runoff effects	
14	Location of major overhead and underground electrical and petroleum transmission/conveyance lines	
15	Required and/or proposed setbacks	
16	100 year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps	
17	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	
18	Required and proposed parking spaces; Loading and unloading facilities	
19	Lakes, streams and other waters on the site and associated buffers	
20	Proposed stormwater management facilities	
21	Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access	
22	Availability of water system and sanitary sewer system	
23	Tree lines, woodlands and open fields on subject site	
24	Locate all specimen trees on the site, as defined by the City of Milton Tree Preservation Ordinance	
25	Entrance site distance profile assuming the driver's eye at a height of 3.5 feet (See Subdivision Regulations)	
26	Wetlands shown on GIS maps or survey	

Office use only

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the City of Milton Zoning Ordinance.

Staff signature:

Date:

Community Development

Staff printed name:

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the City of Milton Zoning 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 _____