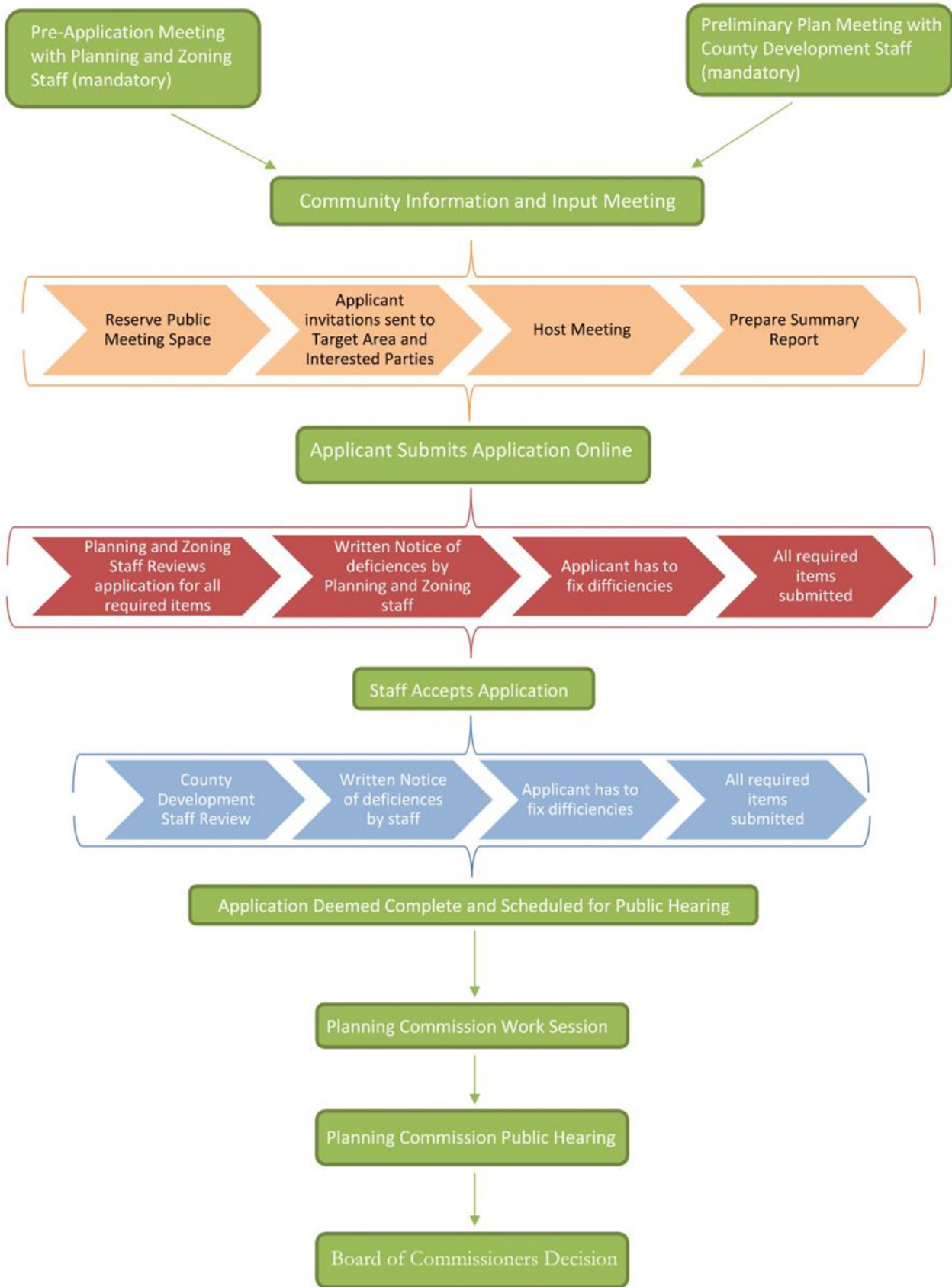




REZONING AND SPECIAL USE PERMIT GUIDE



PROCESS FOR SUBMITTING A REZONING AND SPECIAL USE PERMIT APPLICATION

All applications for a public hearing are reviewed by the Cherokee County Municipal Planning Commission and the Cherokee County Board of Commissioners. The following outline identifies the steps in the process:

1. Pre-Submittal Meetings

- Pre-Application Meeting with Planning and Zoning Staff to review application, required documents, and timeline (Call 678-493-6101)
- Preliminary Review Meeting with County Development Staff to offer comments on the proposed site plan (Call 770-721-7816)

2. Community Information and Input Meeting (if required)

The purpose of this meeting is to ensure early and effective communication with nearby property owners and interested citizens, giving them the opportunity to understand the proposed request and to mitigate any impacts such proposal may have on the community. The applicant will receive a template of the letter and the required mailing list from the Planning and Zoning Department. The letter must be reviewed by staff prior to being mailed.

3. Review of Application

Once an application is submitted online at <https://cityview.cherokeega.com>, then the following steps will occur:

- A. The Planning and Zoning Department will review the application and inform the applicant of missing or deficient items. An application will not be considered “accepted” until all required form(s) have been submitted
- B. Once the application has been “accepted”, the County Development Staff will do their review of the application and the Planning and Zoning Department will inform the applicant of missing or deficient items.
- C. When staff finds no corrections are necessary, all application materials are accepted, and fees have been paid, the application shall be “deemed complete” and a date for public hearing shall be assigned to the application.

4. Public Hearing

Applications shall be limited to NO MORE THAN EIGHT (8) SCHEDULED FOR PUBLIC HEARING PER MONTH on a first come, first served basis. **THE APPLICANT, OR REPRESENTATIVE FOR THE APPLICANT, MUST ATTEND THE PUBLIC HEARING.**

A. Planning Commission

Prior to the regularly scheduled public hearing date, the Planning Commission may schedule a work session at which all items scheduled to come before them at a public hearing are presented. The Work Session is a public meeting however, no presentations or unsolicited comments are heard. The Planning Commission will then conduct a public hearing for the applicant’s request and make a **recommendation** for action on the request to the Board of Commissioners.

B. Board of Commissioners

Upon receiving the recommendation of the Planning Commission, an application will be placed on the agenda of the Board of Commissioners. The Cherokee County Board of Commissioners are the sole authority that can change the zoning of a property or approve a Special Use Permit.

C. Public Notice

- a. Legal Notice in Newspaper. At least fifteen (15) but not more than forty-five (45) days prior to the date of the public hearing, a notice of the hearing stating the time, place and purpose of the hearing, as well as the location of the property, the present zoning classification of the property, the proposed zoning classification of the property and proposed use of the property is published in local legal organ.
- b. Sign Posted on property(ies). A sign containing the information outlined above shall be placed in a conspicuous location on the property not less than thirty (30) days prior to the date of the hearing. The applicant shall make a good faith effort to ensure the notice sign remains in place and visible during the 30 days’ notice period. It shall be the responsibility of the applicant or any person erecting the public notice sign(s) to remove said posted public hearing notice sign(s) no later than 14 calendar days from the day of the Board of Commissioners decision date. Failure to remove public hearing notice sign(s) will constitute violation of the Solid Waste/Litter Control Ordinance.

SUBMITTAL CHECKLIST

Submission of the items in this checklist to the Planning and Zoning Department does not imply the application has been accepted nor that it will appear at the Public Hearing.

One (1) copy of a complete application including:

- Contact Information Page
- Letter of Intent
- Applicant Response Statement(s)
- Property Owner's Authorization
- Campaign Disclosure Statement

Property Deed

A copy of the deed that reflects the current owner(s) of the property. Security deeds are not acceptable.

Legal Description

If there are multiple properties, all properties must be combined into one legal description. For requests of multiple zoning districts, a separate legal description must be submitted for each district requested.

Boundary Survey (required if Site Plan does not include metes and bounds)

One (1) copy of a boundary survey to scale of the subject site, displaying all metes and bounds.

Site Plan

One (1) to-scale copy, prepared by a registered design professional, must be provided. Where an application for a Special Use Permit is proposed, and no exterior modifications to the building or site where the use is to be located are proposed, a building blueprint, tenant suite layout plan, or other plan may be accepted in lieu of a site plan or survey. (All items listed on page 3 of the Rezoning and Special Use Permit Procedures Guide must be identified)

Existing Site Resources Map

One (1) to-scale copy, prepared by a registered design professional, must be provided. (All items listed on pages 4-5 of the Rezoning and Special Use Permit Procedures Guide must be identified)

An Existing Site Resources Map is not required for:

1. Residential development of 5 acres or less;
2. Commercial development 1 acre or less;
3. A development without any new building construction.

Community Information and Input Documentation (if required)

All rezoning applications proposing office, commercial, multi-family residential, industrial, and single family residential of more than seven (7) lots, applications for a Special Use Permit and any non-residential agriculture activity are required to host a community information and input meeting.

Traffic Study (if required)

A traffic impact study, prepared by a registered engineer, will be required if:

1. The proposed subdivision exceeds 150 dwelling units;
2. The non-residential development contains more than 50,000 square feet of floor area;
3. Or is at the request of the County Engineer or his/her designee

Developments of Regional Impact Review Form (if required)

Other (if applicable)

- Proposed Conditions of Zoning
- Sketches/Renderings

SITE PLAN

A site plan prepared by a registered design professional showing the dimensions, acreage and location of the tract(s). The following information should be prepared, if applicable:

1. Location Map. A general location map
2. North Arrow
3. Land Lot Lines
4. Date of plan
5. Graphic scale
6. Bearing and distances
7. Surveyed boundaries of the entire tract and their relationship to adjoining properties, public rights-of-way, and easements.
8. Total land area
9. Limits of 100-year floodplain and acreage of flood plain
10. Lakes and streams, including state or local buffers.
11. Wetlands
12. Amount of any submerged land within the project boundary
13. Topographic contours of no less than 10-foot intervals
14. Utility and access easements
15. Cemeteries
16. Names of owners, existing zone district classification(s), and identification of type/land use of abutting properties
17. Existing Structures or buildings
18. Location of all proposed buildings, their intended use, square footage, setback, range of lot sizes and proposed setback and yard dimensions for typical lots/and or building types.
19. Total ground coverage and floor area of all buildings
20. Total number of dwelling units and gross density by type of land use.
21. Location of existing or proposed right-of-way of streets, roads, alleys, railroads, with lengths and paving widths, road names or designations.
22. Parking Spaces and Loading Areas
23. Proposed impervious area
24. Required zoning buffers or proposed landscape buffers
25. Concept locations of proposed stormwater facilities
26. Concept locations of proposed septic systems
27. Amount of land to be used for recreational or open space.
28. Requested variances indicated, if applicable.
29. Representative architectural sketches or renderings of typical proposed structures, signs, landscaping, screening and/or fencing

EXISTING SITE RESOURCE MAP

For each site resource listed below, indicate the presence or absence of that feature on the property. Information on each feature(s) may be obtained from the source(s) indicated:

(A) Map Information:

- Name and contact information of the registered design professional responsible for preparing the plan;
- Graphic scale (not greater than 1 inch = 200 ft)
- North arrow;
- Approximate tract boundaries, sufficient to locate the tract on a map of the community;
- Location Map;
- Existing right-of-way on and adjacent to the tract
- All easements describing their purpose and depicting their location on the property
- All structures, foundations, walls, wells, trails, and abandoned roads;
- Existing trails that connect the tract to neighboring areas
- Identification of surrounding property type/land use

(B) Site Resource Information

Site Resource	Source of Information
The 100-year floodplain	http://www.fema.org http://gis.cherokeega.com/html5viewer/?viewer=taxparcels
Streams running on or adjacent to subject property within 200 ft. of existing boundary	Field observation and verification http://gis.cherokeega.com/html5viewer/?viewer=taxparcels
Riparian zones of at least 50 ft. width on either side along all perennial and intermittent streams	Field observation and verification
Non-impervious surface zone of at least 75 ft. in width on either side of a stream	Field observation and verification
Riparian zones of at least 150 ft. width on either side of the Etowah River Corridor or the Little River Corridor	Field observation and verification http://gis.cherokeega.com/html5viewer/?viewer=taxparcels
Wetlands that meet the definition used by state and/or federal regulations	https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
Topographic contours of no less than 10-foot intervals	http://gis.cherokeega.com/html5viewer/?viewer=taxparcels
Vegetation characteristics	USDA, Natural Resource Conservation Service Field observation and verification
Existing healthy, native forests of at least one acre contiguous area	Field observation and verification
Individual existing healthy trees 24 inches and greater caliper measured at dbh identified by species and size	Field observation and verification http://www.arboday.org/Trees/TreeGuide http://www.gatrees.org/resources/education/native-trees/index.cfm
Significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads	Field observation and verification

Other features including fields, pastures, meadows, wooded areas, hedgerows and other significant vegetation, rock outcrops, ponds, ditches, drains, dumps, storage tanks	Field observation and verification
Groundwater recharge areas	https://www.cherokeega.com/Recycling-Center/_resources/documents/CherokeeCountySolidWasteManagementPlan2007-2018.pdf
Populations of endangered or threatened species, or habitat for such	https://www.fws.gov/ https://georgiawildlife.com/ Field observation and verification
Historic, archeological, and cultural features including: <ol style="list-style-type: none"> 1. Archaeological sites, cemeteries and burial grounds. 2. Site identified in any State or local historic site survey. 3. US Geological Service survey control monuments. 	https://www.dca.ga.gov/georgia-historic-preservation-division Field Observation and verification https://www.gnahrgis.org
General soil types	http://gis.cherokeega.com/html5viewer/?viewer=taxparcels

COMMUNITY INFORMATION AND INPUT PROCESS

The responsibility lies with the applicant to schedule and hold the Community Information and Input meeting prior to submitting a complete application.

1. Community Information and Input Notification

Notification letters must be sent to the mailing list of the notification target area provided to the applicant by the Planning and Zoning Department. The letters must be **MAILED NO LATER THAN 10 DAYS PRIOR** to the scheduled Community Information and Input Meeting date. The applicant shall use the Community Information and Input Meeting Notification letter template and the Project Fact Sheet as provided by the Planning and Zoning Department. In addition, the applicant shall enclose a copy of the site plan with the meeting notification letter.

Certificate of Mailing: The applicant will be required to submit a Certificate of Mailing, signed and stamped by the local postmaster, for each notification letter sent submitted with their application.

2. Hold the Meeting

At the Meeting:

- The applicant or authorized representative shall be available to answer questions for at least 30 minutes
- The meeting locations shall be held at a public facility within a 5-mile radius from the location of the subject property. If no such facility is available, the applicant may propose an alternate location to be approved by the Planning and Zoning Department prior to making such arrangements.
- A meeting shall not be scheduled from the Monday prior to Thanksgiving Day to the following Sunday, or from December 20th to January 3rd. A meeting shall not be scheduled on a weekend, on a regularly scheduled Planning Commission or Board of Commission meeting date, or on a holiday recognized in the Board of Commissioner's Holiday Schedule.
- The meeting shall not begin prior to 6:00 PM nor later than 8:30 PM on the evening the meeting it to be held.
- The applicant is encouraged to make a short presentation
- The applicant must provide the proposed concept site plan, and information regarding the Cherokee County Future Development Designation for the site for the general public to view.

Sign-In Sheet: The applicant will be required to submit a Sign-In Sheet from the meeting with their application.

3. Meeting Summary Report

The applicant shall submit a written report on the results of the meeting with their application. At a minimum, the report shall include the following information:

- Dates and locations of the meeting;
- A copy of the notification letter mailed as required and any additional letters, meeting notices, newsletters, and other publications concerning notice of the meeting or any additional meeting;
- The number of people that participated in the process;
- A summary of concerns, issues and problems expressed during the process, including:
 - The substance of the concerns, issues and problems;
 - How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
 - Concerns, issues, and problems the applicant is unable or unwilling to address and why.

4. Subsequent Community Information and Input Meeting Triggers

- a. Pre-Application Submittal
 - i. If the applicant has not submitted an application to the county for review within 6 months from the date of the Community Information and Input Meeting (CIIM), another one shall be conducted.
 - ii. All subsequent CIIMs shall adhere to the requirements found in Section 18.3-5(A)(3) of the Cherokee County Zoning Ordinance.
- b. Post-Application Submittal
 - i. If the application is not deemed accepted by County Staff within six (6) months of the CIIM date, another CIIM shall be conducted pursuant to the requirements found in Section 18.3-5(A)(3) of the Cherokee County Zoning Ordinance.

- ii. If a substantial change to the application is made following the CIIM, as described in the following section, another CIIM shall be conducted pursuant to the requirements found in Section 18.3-5(A)(3) of the Cherokee County Zoning Ordinance.
- iii. If a minor change is made to the application following the CIIM, as described in the following section, the applicant shall be required to re-send a copy of the revised concept plan and notification letter to an updated list of properties within 1,000 feet, provided by the Planning and Zoning Department, and to the applicable interested parties list.
- iv. Changes to request
 - 1. A substantial change may consist of but not be limited to the following:
 - a. A more intensive zoning district is proposed;
 - b. A more intensive land use is proposed;
 - c. A Special Use Permit is now proposed;
 - d. A Conservation Subdivision is now requested;
 - e. A project without any construction proposed initially but is now proposing construction;
 - f. An increase in acreage by more than 10%;
 - g. An increase in number of proposed lots/units by more than 10%.
 - 2. A minor change may consist of but not be limited to the following:
 - a. A variance to entrance, setback, buffer, or use standards is now requested;
 - b. An increase in acreage by 10% or less;
 - c. An increase in number of proposed lots/units by 10% or less;
 - d. A less intensive zoning district is proposed;
 - e. A change of project layout;
 - f. A use is proposed where one was not proposed initially.
- v. If the request for an additional CIIM comes from the Planning Commission or Board of Commissioners by way of a motion, the subsequent CIIM shall adhere to the requirements found in Section 18.3-5(A)(3). The BOC or Planning Commission may approve a motion to waive certain requirements for conducting the subsequent CIIM.

Meeting Locations. Listed below are public facilities within the community. This list is provided for information purposes only. Information in this list may change without notice. It is the responsibility of the applicant to secure a public facility for their Community Information and Input Meeting.

A. Cherokee County

Conference Center

- a. Phone: 770-721- 7800
- b. Web: <http://nccc.cherokeega.com>

B. Cherokee County Fire Station Community Rooms

- a. Phone: 770-924-7768
- b. Web: <https://www.playcherokee.org>
 - i. Airport Industrial Park - 1190 Evenflo Drive Ball Ground, Georgia 30107
 - ii. BridgeMill - 9550 Bells Ferry Road Canton, Georgia 30114
 - iii. Freehome - 9253 Freehome Highway Canton, Georgia 30115
 - iv. Hickory Flat - 7625 Vaughn Road Canton, Georgia 30115
 - v. Oak Grove - 100 Ridgemill Court Acworth, Georgia 30102
 - vi. Waleska - 9081 Fincher Road Waleska, Georgia 30183

C. Cherokee Recreation and Parks Agency

- a. Phone: 770-924-7768
- b. Web: <https://www.playcherokee.org>
 - i. Recreation Center – 7545 Main Street Woodstock, Georgia 30189
 - ii. Union Hill Community Center – 1780 A J Land Road Canton, Georgia 30115
 - iii. L.B. “Buzz” Ahrens Jr. Recreation Center – 7345 Cumming Highway Canton, Georgia 30115
 - iv. The Hickory Flat Gym – 4835 Hickory Road Canton, Georgia 30115

D. Sequoyah Regional Library System:

- a. Web: <https://www.sequoyahregionallibrary.org>
 - i. Ball Ground – 435 Old Canton Road Ball Ground, Georgia 30107 - 770-735-2025
 - ii. Hickory Flat – 2740 East Cherokee Drive Canton, Georgia 30115 - 770-345-7565
 - iii. Rose Creek – 4476 Towne Lake Parkway Woodstock, Georgia 30189 - 770-591-1491
 - iv. R.T. Jones – Headquarters – 116 Brown Industrial Parkway Canton, Georgia 30114 - 770-479-3090
 - v. Woodstock – 7735 Main Street Woodstock, Georgia 30188 - 770-926-5859

Development of Regional Impact

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). Please refer to the Thresholds Table that is attached to this application to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a Development of Regional Impact Review **MUST** be conducted prior to the Planning Commission Hearing. The rules and procedures for a DRI REVIEW are available from the Atlanta Regional Commission or the Georgia Department of Community Affairs respective websites.

DEVELOPMENTS OF REGIONAL IMPACT DEVELOPMENT THRESHOLDS					
Type of Development	Notification Only	Rural and Developing Rural	Maturing Neighborhoods, Established Suburbs, Developing Suburbs and other places not mentioned in this table	Regional Centers, and Regional Employment Corridors	Region Core
(1) Office	400,000 gross sf	400,000 gross sf	500,000 gross sf	600,000 gross sf	700,000 gross sf
(2) Commercial	Greater than 300,000 gross sf	300,000 gross sf	400,000 gross sf	500,000 gross sf	600,000 gross sf
(3) Wholesale & Distribution	Greater than 500,000 gross sf	500,000 gross sf	500,000 gross sf	500,000 gross sf	500,000 gross sf
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	300 new beds	400 new beds	500 new beds	600 new beds
(5) Housing	Greater than 400 new lots or units	400 new lots or units	500 new lots or units	600 new lots or units	700 new lots or units
(6) Industrial	Greater than 500,000 gross sf; or employing more than 1,600 workers; or covering more than 400 acres	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers
(7) Hotels	Greater than 400 rooms	400 rooms	500 rooms	600 rooms	700 rooms
(8) Mixed Use	Gross sf or 400,000 or more (with residential units calculated at either 1,800 sf per unit or, if applicable, the minimum sq 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	400,000 gross sf (with residential units calculated at 1,800 sf per unit, or the minimum allowed by the host local government)	500,000 gross sf (with residential units calculated at 1,500 sf per unit, or the minimum allowed by the host local government)	600,000 gross sf (with residential units calculated at 1,000 sf per unit, or the minimum allowed by the host local government)	700,000 gross sf (with residential units calculated at 1,000 sf per unit, or the minimum allowed by the host local government)
(9) Airports	All new airports, runways, and runway extensions	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or seating capacity of more than 6,000	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+
(11) Post-Secondary Schools	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity

(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50% or more	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of use of an existing facility by 50% or more	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(14) Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50%; 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	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 ft of any water supply; otherwise, storage capacity greater than 200,000 barrels	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply
(16) Water Supply Intakes / Public Wells / Reservoirs / Treatment Facilities	New Facilities	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(17) Intermodal Terminals	New Facilities	New Facilities	New Facilities	New Facilities	New Facilities
(18) Truck Stops	New facility with more than 3 diesel fuel pumps, or containing a half acre of truck parking or 10 truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces
(19) Correctional / Detention Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
(20) Any other development types not identified above (includes parking facilities)	1,000 parking spaces or, if available, more than 5,000 daily trips generated	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips