

# REZONE INFORMATION

FEE: Type I - \$1300; Type II - \$650 (*Cash/card/check – make check payable to ACC*)

## Quick Checklist for Planning Commission Applications

- Completed pre-application conference
- Application form with original signatures and one copy
- 20 copies of application report
- 20 copies of professionally sealed survey (6 to scale no larger than 2' x 3', 14 reductions of 11" x 17"), collated & folded
- 1 conceptual Tree Management Plan, if required, per Sec. 8-7-17 (see site plan requirements above for voluntary binding TMP condition)
- Digital (PDF) versions of signed application, report, and survey
- Stamped, blank envelopes of a number sufficient to address all property owners within 400 feet of property for which request is being made. (Planning Department to provide the number of needed envelopes)
- Application fee

## Pre-Application Conference

All applicants shall have completed a pre-application conference for the proposal within a two-week to six-month time period preceding the application date.

## Application Report

An application report must be prepared and submitted by the applicant detailing how the application meets the following approval criteria.

**If the proposed use does not conform to the current Future Land Use Map designation for the subject property**, it is considered a Type I application and the report should address the following considerations:

1. How the proposed rezoning will conform to the Future Land Use Map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
2. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
3. Public facility elements of the Comprehensive Plan and how the proposed change will affect the provision of the services anticipated in the plan.
4. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
5. The existing land use pattern surrounding the property in issue.
6. The possible creation of an isolated district unrelated to adjacent and nearby districts.
7. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.
10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment;
12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

**If the rezoning conforms to the current Future Land Use Map designation for the subject property,** it is considered a Type II application and the report should address the following considerations:

1. The proposed rezoning conforms to the Future Land Use Map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
2. The proposed rezoning meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.
4. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
5. Existing land use pattern surrounding the property in issue.
6. Possible creation of an isolated district unrelated to adjacent and nearby districts.
7. Population density pattern and possible increase or over-taxing of the load on public facilities, including, but not limited to, schools, utilities, and streets.
8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
9. The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.
10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property as currently zoned is less than its economic value if rezoned as requested will not alone constitute a significant detriment.
12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

### **Survey, Property Description, or Site Plan**

At a minimum, a rezoning application shall include a legal description by survey or metes and bounds description from a record deed of the subject property. The applicant has the option of providing a concept site plan or offering a binding site plan as a voluntary zoning condition. A binding site plan should include all of the information required for a site plan associated with a Special Use Permit application.

## **After Submittal Deadline**

- The Planning Department will send letters by regular mail giving notice of the public hearing and proposal to all property owners of parcels lying in whole or in part within a distance of 400 feet as measured from the subject property lines. The Planning Department will also post notice on or near the subject property.
- ACC staff will review the application and prepare a recommendation report for the Planning Commission. These reports are e-mailed to applicants or their authorized agents, as well as made available to the general public, following distribution of the staff reports to the Planning Commission. With a typical agenda, applicants will receive the reports by the Friday or Monday preceding the Thursday Planning Commission meeting.
- The Planning Commission meets the first Thursday of every month at 6 p.m. in the Planning Department Auditorium.
- The day after the Planning Commission meeting, Staff will contact the applicants if additional application document copies are needed for forwarding to the Mayor and Commission for their consideration. If the Planning Commission recommends conditions of approval, then the applicant may choose to revise the submittal documents to address the conditions prior to Mayor and Commission consideration. Whether revised or not, sufficient application copies must be available by noon on the Monday following the Planning Commission meeting for the proposal to be considered at the next Mayor and Commission meeting.

If you have any questions regarding the application or procedures, please call the Planning Department at (706) 613-3515, e-mail at [planning@accgov.com](mailto:planning@accgov.com), or write to 120 W. Dougherty Street; Athens, GA 30601.