

PURPOSE OF CONDITIONAL USE PERMIT (CUP)

Pursuant to Sec. 23-1501, a conditional use permit (CUP) is to allow the establishment of uses which may be suitable only in certain locations in a zoning district or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses enumerated as conditional uses in a particular zoning district shall be authorized as conditional uses. The CUP application must be accompanied by a site plan drawn to scale depicting how the proposed conditional use will conform to all space limits, buffers, parking and loading provisions, and other provisions of the Code of Ordinances.

Application process:

- 1) Pre-application meeting with City staff. Prior to submitting the application, the applicant shall meet with the planning department to discuss the zoning proposal and the application submittal requirements.
- 2) Submittal of the application. The applicant or property owner should submit **all** items as listed on the conditional use permit application.
- 3) Review by City staff. The planning department will process the CUP. Staff may contact the applicant or owner for additional information during the review period.
- 4) Presentation to Planning Commission. The Planning Commission shall review the application and hear any presentation which the Applicant may wish to make. The Planning Commission shall make a recommendation to the City Council for approval, denial, or approval with conditions to the City Council.
- 5) Notification of public hearing. Staff will notify the applicant of the date of the public hearing. A legal notice is also sent to the local newspaper for publication.
- 6) Posting of signs on property for zoning notification. As required by ordinance, the applicant will be responsible for the cost of posting the zoning notification signs on the property for which the change in zoning has been requested prior to the public hearing in accordance with the Georgia Zoning Procedures Law.
- 7) City Council public hearing. A public hearing is required for a conditional use permit application. During the public hearing, staff will present a summary of the proposed development to the Mayor and Council. Persons in support of the proposed request and persons in opposition to the proposed request may speak during the public hearing. The applicant, property owner, and/or their representative, may be present at the meeting and should be prepared to discuss the conditional use permit and answer any questions that arise.
- 8) City Council decision. After hearing the evidence and reviewing the application as well as any staff comments, the City Council considers the proposed CUP.
- 9) Conditions. The City Council may require such modifications in the proposed use and attach such conditions to the CUP as they deem necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the ordinance. Conditions and modifications may include, but are not limited to: limitation of building size or height, increased open space, limitations on impervious surfaces, enhanced loading and parking requirements, additional landscaping, curbing, sidewalk, vehicular access and parking improvements, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, duration of the permit, and hours of operation.

Applications are accepted at City Hall, Monday through Friday between 8:30 a.m. and 4:30 p.m.

Schedule may be subject to change, please check the meeting agendas webpage to confirm meeting dates:

<http://doravillecityga.iqm2.com/Citizens/Default.aspx>

Application Deadline	Planning Commission Meeting at 6pm	Newspaper Advertisement Deadline	Property Sign Posting Deadline (15 days prior to hearing)	City Council Public Hearing at 6:30pm
December 8, 2017	January 3, 2018	January 10	January 21	February 5, 2018
		January 24	February 5	February 20, 2018
January 5, 2018	February 7, 2018	February 7	February 19	March 5, 2018
		February 21	March 5	March 19, 2018
February 2, 2018	March 7, 2018	March 7	March 19	April 9, 2018
		March 21	April 1	April 16, 2018
March 9, 2018	April 4, 2018	April 11	April 23	May 7, 2018
		April 25	May 7	May 21, 2018
April 6, 2018	May 2, 2018	May 9	May 21	June 4, 2018
		May 23	June 4	June 18, 2018
May 11, 2018	June 6, 2018	-	-	No meetings in July
June 8, 2018	July TBD, 2018	July 11	July 23	August 6, 2018
		July 25	August 6	August 20, 2018
July 6, 2018	August 1, 2018	August 8	August 20	September 4, 2018
		August 22	September 3	September 17, 2018
August 10, 2018	September 5, 2018	September 5	September 17	October 1, 2018
		September 19	September 30	October 15, 2018
September 7, 2018	October 3, 2018	October 10	October 22	November 5, 2018
October 5, 2018	November 7, 2018	November 7	November 18	December 3, 2018
November 2, 2018	December 5, 2018	-	-	January 2019 TBD
December 7, 2018	January 2, 2019	-	-	February 2019 TBD

Rezoning, zoning text amendments, conditional use permits (CUP), and variances go to the Planning Commission and the Doraville City Council.

Appeals go to the Doraville City Council only.

Last updated: March 2018



CONDITIONAL USE PERMIT APPLICATION
Community Development Department

Application # _____

DATE RECEIVED

APPLICANT

Name: _____
Mailing Address: _____ Suite/Unit # _____
E-mail: _____ Daytime Phone: _____ Fax: _____

PROPERTY OWNER

Name: _____
Mailing Address: _____
E-mail: _____ Daytime Phone: _____ Fax: _____

SUBJECT PROPERTY

Street Address: _____
Tax ID Parcel No.: _____ Council District: _____
Current Zoning Category: _____ Future Land Use Character Area: _____

Conditional Use Requested _____

Application Submission Requirements (one copy of application materials & 3 copies of drawings if larger than 8 1/2" x 11").

SUBMIT ALL MATERIALS NOTED BELOW:

- ____ 1) Cover letter describing the requested conditional use and an overview of the business establishment. The letter should identify the proposed use and how you will operate the business, and should also include the following information:
 - a. Proposed Use (description of the business establishment) and Square Footage
 - b. List all services to be provided by the business
 - c. Proposed Manners of Operation (Business hours, anticipated number of employees and employee shifts, and general job descriptions)
 - d. Business manager experience
 - e. Trash/waste disposal method (e.g. identify the private company hired to remove trash and how often it is removed)
 - f. Other uses (businesses) within the shopping center/property and also on adjacent properties
- ____ 2) Letter responding to each of the eight (8) "Standards" criteria. List each criterion before each response.
- ____ 3) Property Survey (prepared within the last 10 years) showing property lines, building footprints and parking layout.
- ____ 4) Full site plan, drawn-to-scale, for projects with any proposed construction and/or site development work other than interior or façade renovations or uses with special requirements as per zoning requirements such as screening, etc. (see site plan check list for plan requirements).
- ____ 5) Floor plan, drawn-to-scale, for proposed use for projects involving adaptive reuse or interior renovations;
- ____ 6) Notarized property owner (or owner representative) authorization and applicant campaign contributions disclosure using the attached forms.
- ____ 7) Photographs of existing site. Renderings and/or building elevations for new construction.
- ____ 8) CD or USB flash drive of drawings submitted in digital PDF format.
- ____ 9) Additional information: may be required by the City based upon the initial application meeting with staff.

Application #: _____

PRE-APPLICATION MEETING WITH STAFF

Prior to submitting the CUP application, applicants shall meet with staff to discuss all application submittal requirements.

DATE RECEIVED

DATE OF MEETING: _____

SUBJECT PROPERTY

Street Address: _____

Tax ID Parcel No.: _____

Conditional Use Requested _____

APPLICANT

Name: _____

Mailing Address: _____ Suite/Unit # _____

E-mail: _____ Phone: _____ Fax: _____

PROPERTY OWNER

Name: _____

Mailing Address: _____

E-mail: _____ Phone: _____ Fax: _____

Applicant's Signature: To the best of my knowledge, this Pre-application review is correct and complete. Applicant will submit documentation for the application pursuant to the Zoning Ordinance of the City of Doraville.

Applicant signature: _____ Date: _____

Staff signature: _____ Date: _____

Staff name printed: _____

Signature of Staff only represents that the required pre-application for a CUP application has been held and does not indicate the position of the Community Development Department on any proposal.



Community Development Department
Application #: _____

DATE RECEIVED

NOTARIZED AUTHORIZATION OF PROPERTY LANDOWNER

I, _____ SWEAR THAT I AM THE **PROPERTY LANDOWNER**
Printed owner(s) name

OF SUBJECT PROPERTY: _____

WITH PARCEL ID NO.: _____

AS SHOWN IN THE RECORDS OF **DEKALB COUNTY**, GEORGIA WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION. I ALSO HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY.

NAME OF APPLICANT (PRINT CLEARLY):

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Personally Appeared
Before Me

Signature of Property Landowner

Print Name of Property Landowner

Print Name

Who Swears That The Information Contained
In this Authorization Is True and Correct
To The Best of His or Her Knowledge and Belief.

Signature of Notary Public

Date



Community Development Department
Application #: _____

DATE RECEIVED

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A. Ch 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes _____ No _____

If the answer is Yes, you must file a disclosure report with the governing authority of the City of Doraville showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and date of each such contribution.

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____

Subject Property Street Address:



Community Development Department
Application #: _____

DATE RECEIVED

APPLICANT SIGNATURES

SUBMISSION: REQUIRED FOR SUBMITTAL FOR REVIEW BY STAFF, PLANNING COMMISSION AND CITY COUNCIL:

- **ONE (1) COMPLETED SET OF APPLICATION FORMS and**
- **15 STAPLED SETS OF COLLATED DRAWINGS. DRAWINGS MUST BE LEGIBLE. DRAWINGS LARGER THAN 11" x 17" MUST BE FOLDED TO APPROXIMATELY 9" X 12" IN SIZE.**

APPLICATION FEE: See current City Fee Schedule. Sec. 2-261. - Zoning processing fees:

- CUP Application: \$450.00
- Concurrent Variance Request: \$150.00/variance request
- Telecommunications: see separate CUP application.

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before it will be accepted. It must include all required attachments and filing fees. **An application which lacks any of the required attachments or information shall be deemed incomplete and shall not be accepted.**

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____

Subject Property Street Address:

STANDARDS for a Conditional Use Permit (CUP)

In addition to the cover letter, applicant shall submit a letter listing each standard and providing a written response to each standard.

Pursuant to Sec. Sec. 23-1501, when considering an application for a CUP, the Planning Staff, Planning Commission, Mayor, and City Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

- 1) The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan;
- 2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- 3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent developments and neighborhoods;
- 4) The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- 5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- 6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and the proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and neighborhoods.
- 7) The proposed use is based on the site plan in conformity with all space limits, buffers, parking and loading provisions, and other provisions of this article.
- 8) The proposed use applicant has agreed to any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.

SITE PLAN REQUIREMENTS (Survey may replace site plan if it matches the existing site conditions and no improvements or new construction are proposed):

The site plan shall be clearly drawn at a scale of not less than 100 feet per inch on a sheet size not to exceed 24" x 36". The Director may approve other sheet sizes as deemed appropriate.

The following information shall be depicted on the site plan if applicable:

- _____ Project name;
- _____ Project owner and address (both local and permanent if different), telephone numbers and e-mail address;
- _____ Date, scale and north arrow;
- _____ Site location / vicinity map;
- _____ Proposed use of property;
- _____ Required yard setbacks;
- _____ Project acreage including breakdown of pervious / impervious area, and/or dedicated greenspace;
- _____ Total number of lots and minimum lot sizes (if applicable);
- _____ Names, locations, and right-of-way widths of adjoining existing streets or access drives and proposed right-of-ways and roadways;
- _____ Topography with contour interval no greater than 10 feet;
- _____ Sewage disposal method (note);
- _____ Property lines with bearings and distances; location of utility and private easements;
- _____ All proposed development features and layout;
- _____ Location of floodplains, lakes, ponds, water courses, conservation areas, and environmental areas of concern;
- _____ Building heights;
- _____ Proposed buffers, landscape development, sidewalks and other hardscape;
- _____ Land lot and district;
- _____ General development data in tabular form;
- _____ Name of person or company preparing the site plan;
- _____ Any other data requested by the Planning Director necessary for an understanding and evaluation of the project.