



CONDITIONAL USE PERMIT APPLICATION

Instructions:

A properly completed application to include all required supplemental documents and payment of fees are due at the time of submittal. Original signatures are required. Incomplete applications will not be accepted nor further processed.

Applicant Name: _____ **Date:** _____

Tax Map & Parcel #(s): _____

Physical Address (if applicable): _____

Conditional Use Requested: _____

Checklist:

- 1. Fee (1-Public Notice Sign is included with the application fee. Additional signs as required by law will be at the expense of the applicant. Failure to pay additional fees for required signs will prevent further processing of the application). _____
- 2. Completed Application Form including Campaign Disclosure Form _____
- 3. Metes and bounds legal description of the property _____
- 4. Copy of recorded plat of the property _____
- 5. Letter of Intent _____
- 6. Site Plan of property (3-Full-Size Paper Copies, 1-8 ½" x 11" Copy & 1 Digital copy) _____
- 7. Traffic Study (if applicable-3 copies required) _____
- 8. Colored Building Elevations _____
- 9. Other Information as may be required by the Zoning Administrator _____
 - Traffic Impact Study _____
 - Metropolitan River Protection _____
 - Environmental Impact Report _____
 - Noise Study _____
 - Environmental Site Analysis _____



APPLICATION MATERIALS- DESCRIPTIONS:

APPLICATION FORM: Original and notarized signatures of the property owner(s) and applicant(s) or notarized statement by the applicant as to ownership are required.

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. If no contributions have been made, *No* should be circled and form signed.

METES AND BOUNDS 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.

RECORDED PLAT: A copy of the most recent plat on record with the Jackson County Superior Court Clerk for the property, to include the date/time stamp of recording and book and page number where the plat can be located.

LETTER OF INTENT: The Letter of Intent should describe the proposed use of the property, include an analysis of how the proposed action compares to decision criteria specified for rezoning decisions (UDC Sec. 13-210), and a description of any special conditions voluntarily made a part of the request.

SITE PLAN: Site plans should be no larger than 30" x 42" (one should be 8 1/2" x 11") and drawn to scale, plus one digital copy.

All items must be included on the Site Plan; separate Site Plans may be necessary to address all items

1. Name, address, telephone number and e-mail address of the property owner, and of the applicant if different from the property owner;
2. If drawn on a boundary survey, the date of survey and source of data;
3. Date of sketch plan drawing, and revision dates, if applicable;
4. North arrow and graphic engineering scale;
5. Location (land district, address, and tax map and parcel number) and size of the property in acres (or in square feet if less than an acre);
6. Vicinity map, showing the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Vicinity maps may be drawn in freehand and at a scale sufficient to show clearly the information required. U.S. Geological Survey maps at a scale of 1-inch equals 2,000 feet may be used for vicinity maps;
7. Zoning district classification of the subject property and all adjacent properties;
8. Man-made features within and adjacent to the property, including existing streets and names, city and city limit lines, and other significant information such as location of bridges, major utility lines, existing buildings and structures to remain, and other features as appropriate to the nature of the request;
9. The proposed project layout, including the approximate location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas, driveways, and approximate location of proposed storm water detention facilities;
10. Proposed use or uses of the property;
11. A statement from the utility provider(s) as to the source of water supply and the provision for sanitary sewage disposal;
12. Statistics regarding the proposed development and shown spatially on plan if applicable:
 - Minimum lot size
 - Minimum lot width
 - Building Coverage
 - Maximum building height
 - Structure(s) Heated floor area / total under roof area
 - Principle Building Setbacks
 - Percentage of Landscaped Open Space
 - Zoning Buffers
 - Stream Buffers



THRESHOLDS FOR ADDITIONAL STUDIES, REPORTS AND FORMS:

TRAFFIC IMPACT STUDY: A traffic impact study prepared by a professional engineer registered in Georgia shall be required to be submitted for applications for proposed developments that generate 1,000 or more average daily vehicle trips based upon the latest edition of Trip Generation published by the Institute of Transportation Engineers. If a traffic study calls for certain improvements the owner/developer shall provide all recommended improvements unless the project is located on a state route in which case the Georgia Department of Transportation must approve the project's transportation improvements. A traffic study, a hydrology study, and/or other studies of the impact of the proposed zoning district or development implied in the rezoning application may be recommended by the Zoning Administrator or required by the Planning Commission or the Commerce City Council as they may deem necessary for adequate consideration and a fully informed decision on an application for rezoning

A Traffic Impact Study may also be required at the discretion of the Zoning Administrator where site conditions indicate:

- Existing traffic problems or congestion,
- Negative impacts on adjacent developments,
- The development proposes a deviation from City of Commerce standards, or
- Other local issues that may be present.

OCONEE RIVER PROTECTION: If the property is within 2,000 linear feet of the natural riverbank of the Oconee River, it is part of the Oconee River Corridor and subject to a River Protection Act Review. Applicants must complete the appropriate documentation and submit it with all rezoning/use permit applications. For more information or questions, please contact the Planning & Development Department at 706-335-3359.



PROPERTY INFORMATION:

TAX MAP & PARCEL #(S): _____

ADDRESS OF PROPERTY: _____

CONDITIONAL USE REQUESTED: _____

PROPOSED DEVELOPMENT: _____

CURRENT ZONING DISTRICT(S): _____ REQUESTED ZONING DISTRICT: _____

WARD #: _____ # OF LAND LOT(S): _____ TOTAL ACREAGE: _____

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units: _____

Dwelling Unit Size (Sq. Ft.): _____

Density: _____

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: _____

Total Building Sq. Ft. _____

Density: _____

CONCURRENT VARIANCES REQUESTED: YES* NO

*If Yes, a separate Variance Application and Fee(S) will be required.

- VARIANCE(S) REQUESTED:



OWNER/APPLICANT/AGENT INFORMATION:

APPLICANT / ATTORNEY / AGENT INFORMATION:

Check One: Applicant Attorney Agent

Name: _____

Address: _____

City, State _____ Zip _____

Phone Number(s): _____

Email Address _____

PROPERTY OWNER INFORMATION:

If more than one property owner, add additional pages as needed for each property owner.

Property Owner Name: _____

Mailing Address (if different from above): _____

City, State _____ Zip _____

Phone Number(s): _____

Email Address _____

Property Owner Name: _____

Mailing Address (if different from above): _____

City, State _____ Zip _____

Phone Number(s): _____

Email Address _____



APPLICANT'S CERTIFICATION:

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.

Signature of Applicant / Attorney / Agent

Date

Type or Print Name

Notary Seal

Signature of Notary Public

Date



PROPERTY OWNER'S CERTIFICATION: _____

Signature page required for each/every owner.

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Jackson County, Georgia, of the property identified below, which is the subject of the attached application before the City of Commerce, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning, Use Permit, & Concurrent Variance in request of the items indicated below.

I, _____, authorize, _____,
(Property Owner) (Applicant)

to file for _____, at _____,
(RZ, CUP, VAR) (Address)

on this day _____ of _____, 20_____

- I understand that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the City Council.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the City of Commerce Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Signature of Property Owner

Date

Type or Print Name

Notary Seal

Signature of Notary Public

Date



CONDITIONAL USE ANALYSIS FORM: [REDACTED]

Analyze the impact of the proposed Conditional Use and provide a written point-by-point response to the following questions. Use additional pages if necessary.

1. Describe how the proposed conditional use be consistent with the stated purpose of the zoning district in which it will be located.

2. How is the proposed conditional use compatible with the goals, objectives, purpose and intent of the comprehensive plan?

3. Will the establishment of the conditional use impede the normal and orderly development of surrounding property for uses predominant in the area?

4. How is the location and character of the proposed conditional use consistent with a desirable pattern of development for the locality in general?

5. How is or will the type or functional classification of street providing access to the use be adequate to serve the proposed conditional use?

6. How is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

7. How are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the conditional use?



8. How are or will refuse service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, or odor?

9. Will the hours and manner of operation of the conditional use have one or more adverse effects on other properties in the area? Please explain.

10. How will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?



ENVIRONMENTAL SITE ANALYSIS (ESA) FORM :

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

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

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://wetlands.fws.gov/downloads.htm>)
 - 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
 - Photos

 - 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
 - Photos



ENVIRONMENTAL SITE ANALYSIS (ESA) FORM (CONTINUED):

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 impact 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



CAMPAIGN CONTRIBUTIONS:

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 THE CITY COUNCIL.

CIRCLE ONE: YES NO

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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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: _____

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