ZONING AMENDMENT APPLICATION
AND FILING PROCEDURES

City of Smyrna
Community Development Office
3180 Atlanta Road
Smyrna, GA 30080
(770) 319-5387
SUBMITTAL AND PUBLIC HEARING INFORMATION

Zoning Amendment applications are due Friday by 4:00 pm, approximately 30 days prior to the Mayor and Council meeting. A copy of the zoning amendment package can be downloaded from the Community Development Section of the City of Smyrna Website (www.smyrnacity.com). Appointments are required to submit an application to the Community Development Office located at 3180 Atlanta Road. Please call Joey Staubes at (678) 631-5355 to schedule an appointment.

The City of Smyrna Mayor and Council meet on the third Monday of each month beginning at 7:30 pm. The Mayor and Council meet in the Council Chambers in City Hall at 2800 King Street. *Under COVID Protocol, meetings will be held at the Community Center Gymnasium at 200 Village Green Circle. Applicant will be notified of the current meeting location by Community Development. Please call (678) 631-5355 to confirm dates. The following are currently scheduled dates and deadlines.

<table>
<thead>
<tr>
<th>Deadline</th>
<th>Mayor and Council</th>
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<tbody>
<tr>
<td>Dec. 11, 2020</td>
<td>Jan. 19, 2021</td>
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<tr>
<td>Jan. 8, 2021</td>
<td>Feb. 15, 2021</td>
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<tr>
<td>Feb. 12, 2021</td>
<td>Mar. 15, 2021</td>
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<tr>
<td>Mar. 12, 2021</td>
<td>Apr. 19, 2021</td>
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<td>Apr. 9, 2021</td>
<td>May 17, 2021</td>
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<td>May 14, 2021</td>
<td>June 21, 2021</td>
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<tr>
<td>June 11, 2021</td>
<td>July 19, 2021</td>
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<tr>
<td>July 9, 2021</td>
<td>Aug. 16, 2021</td>
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<tr>
<td>Aug. 13, 2021</td>
<td>Sept. 20, 2021</td>
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<tr>
<td>Sept. 10, 2021</td>
<td>Oct. 18, 2021</td>
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<td>Oct. 8, 2021</td>
<td>Nov. 15, 2021</td>
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<tr>
<td>Nov. 12, 2021</td>
<td>Dec. 20, 2021</td>
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</table>

*** Dates are subject to change due to holidays.

Visual Presentations
Visual materials must be submitted to the City Clerk’s office the Thursday preceding the Mayor and Council hearing. Equipment is available for the following presentations: PowerPoint Presentations.

Handouts are not permitted during the meeting or large renderings and plats that require use of an easel.

Any questions regarding presentations can contact: Heather Corn, City Clerk at 770-319-5303
INSTRUCTIONS AND REQUIRED DOCUMENTS

INSTRUCTIONS

1. The Community Development office will accept no application unless completely filled out and submitted with all required documents.

2. Please call (678)631-5355 for current Zoning and Land Use information before completing the application.

3. Appointments are required to submit an application to the Community Development Office. Please call Joey Staubes at (678)631-5355 regarding application questions and to schedule an appointment for submittal.

4. Revisions to the application must be received no later than seven (7) calendar days prior to the Mayor and Council hearing.

5. The City will provide and post signs on or near the right-of-way of the nearest public street, fifteen (15) days before the Mayor and Council meeting. It is the responsibility of the applicant for the signs to remain posted throughout the advertising period.

6. Applicant or agent for applicant must attend the Mayor and Council hearing, or the case will not be heard. If the applicant wishes to table or withdraw a zoning amendment request, notification must be presented in writing to the Community Development Office and the City Clerk’s Office no later than five (5) business days prior to the Mayor and Council meeting.

APPLICATION FEES:

<table>
<thead>
<tr>
<th>Property Size</th>
<th>Single-Family (≤ 4.5 units/acre)</th>
<th>Medium/High Density Residential (&gt;4.5 units/acre)</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 5 Acres</td>
<td>$500.00</td>
<td>$700.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>5 - 10 Acres</td>
<td>$700.00</td>
<td>$1,200.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>10 - 20 Acres</td>
<td>$1,000.00</td>
<td>$1,500.00</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>20 - 100 Acres</td>
<td>$1,500.00</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
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</tbody>
</table>

**Sewer Capacity Analysis Fee:** $1,000.00
REQUIRED DOCUMENTS

1. One (1) completed original application with all required supplemental documentation (items #5 - #15 below). The signatures of all titleholders and applicant are required on original rezoning application.

2. Five (5) copies of the original application and all supplemental documentation described below.

3. Submit one (1) disc containing copies of all documents in either PDF or Word format (as appropriate). The legal description must be submitted digitally in Word Format.

4. Completed zoning amendment application with the signatures of all titleholders and applicants.

5. A copy of the deed that reflects the current owner(s) of the property. If the application consists of several tracts, a deed of each tract is required.

6. The property address and tax parcel identification of the subject property. If the application consists of several tracts, the property address and tax parcel identification of each tract is required.

7. A copy of the paid tax receipts (City and County) for the subject property or a statement signed by an official in the Tax Commissioner’s Office. If the application consists of several tracts, a copy of the paid tax receipts of each tract is required.

8. For residential developments with less than 10 units, the applicant will provide a sewer availability letter from Smyrna’s Public Works. **For Commercial or Mixed Use Developments, and Residential Developments of 10 units or more, a sewer capacity analysis is required at a fee of $1,000.00. Contact Frank Martin, Public Works Director, at 678-631-5431.

9. If the property is or will be on a septic tank, contact the Cobb County Health Department. Approval must be obtained prior to the filing of the application for rezoning.

10. Provide a set of elevations and floor plans, along with a description of exterior wall coverings and finishes to be used. These shall be either 8 ½” x 11” or 11” x 17”.

11. Provide a full-size scaled plat and a 11” x 17” copy of plat by a registered engineer, architect, land planner, or land surveyor currently registered in accordance with applicable state laws. Plans must be stamped and folded (full sized scaled plans shall be engineer folded).
****The plot plans must show dimensions, adjoining streets with right-of-way (present and proposed), paving widths, the exact size and location of all buildings along with the intended use, buffer areas, parking spaces, stormwater management facilities, lakes, streams, utility easements, limits of 100-year flood plain, adjoining property owners, zoning of adjoining property, street address, location of all curb cuts inside & outside the development (including curb cuts on all adjacent and adjoining properties) and distance to the nearest street intersection. **Plans which are rolled (instead of individually folded) will not be accepted.**

12. Sub-division plats must have a legend showing lot density for the total acreage, minimum lot size, average lot size and maximum lot size. In addition, provide a table listing the square footage of each proposed lot.

13. Submit a full-size scaled Tree Protection Plan and a 11” x 17” copy of the Tree Protection Plan. **A registered landscape architect must prepare the Tree Protection Plan.** The Tree Protection Plan shall meet the City’s requirements under Section 106-36 of City Ordinance 2003-8. **Plans must be stamped and folded (full sized scaled plans shall be engineer folded).** **Plans which are rolled (instead of individually folded) will not be accepted.**

14. A preliminary hydrology study for the proposed tract(s).

15. A development that exceeds 100,000 net square feet or 75 dwelling units will be required to submit a traffic, water, sewer, and school impact statement with the rezoning application. A development that is less than 100,000 net square feet or 75 dwelling units may be required to submit one or all of the above statements upon request. A final decision, by the Mayor and City Council, may not be made until these statements are received with the rezoning application. For impact information about traffic, contact Eric Randall, City Engineer at 678-631-5381. For School System information, contact the Cobb County Board of Education.

16. Any office development which exceeds 400,000 gross square feet, commercial development in excess of 300,000 gross square feet, mixed use covering more than 120 acres or exceeding 400,000 gross square feet, industrial proposal in excess of 400 acres, employing 1,600 persons or exceeding 500,000 gross square feet, housing proposal in excess of 400 units, hotel proposal in excess of 400 rooms, or hospital proposals in excess of 300 beds or generating more than 375 peak hour vehicle trips per day, must undergo a Development of Regional Impact (DRI) review.

Once a completed rezoning package is received by Smyrna’s Community Development Office, an Initial DRI Information form will be prepared by the office and submitted to the Atlanta Regional Commission, Georgia Regional Transportation Authority, and Georgia Department of Community Affairs to determine whether or not the proposed development should be processed as a DRI. If the proposed development is determined to be a DRI, then a DRI Review Initiation Request form shall be prepared by Smyrna’s Community Development Office and submitted
along with any requested information. No rezoning action can be taken by the City until all state agencies have completed their review and comments.
APPLICATION FOR ZONING AMENDMENT
TO THE CITY OF SMYRNA

Please Type or Print Clearly

(To be completed by City)

Ward: __________

Application No: ________

Hearing Date: ________

APPLICANT: ______________________________________________________________

Name: ________________________________________________________________

(Representative’s name, printed)

Address: ______________________________________________________________________

Business Phone: ______________ Cell Phone: ______________ Fax Number: ______________

E-Mail Address: ______________________________________________________________________

Signature of Representative: ______________________________________________________

TITLEHOLDER:

Name: ____________________________________________

(Titleholder’s name, printed)

Address: ________________________________________________________________

Business Phone: ______________ Cell Phone: ______________ Home Phone: ______________

E-mail Address: ______________________________________________________________

Signature of Titleholder: ________________________________________________________

(Attach additional signatures, if needed)

(To be completed by City)

Received: _____________________

Heard by P&Z Board: __________

P&Z Recommendation: __________

Advertised: ____________________

Posted: _______________________

Approved/Denied: ____________
ZONING:

________________________________________
Present Zoning

LAND USE:

________________________________________
Present Land Use

For the Purpose of ________________________________________________________________

Size of Tract ________________________________________________________________

Location ________________________________________________________________

(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) _____________________________ District _______________________________

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no ____ there are ____ such assets. If any, they are as follows:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

DESCRIPTION OF PROPOSED ZONING AMENDMENT:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________
CONTIGUOUS ZONING

North: ________________________________________________________________

East: _________________________________________________________________

South: ________________

West: ________________________________________________________________

CONTIGUOUS LAND USE

North: ________________________________________________________________

East: _________________________________________________________________

South: ________________________________________________________________

West: ________________________________________________________________
INFRASTRUCTURE

WATER AND SEWER

A letter from Frank Martin, Director of Public Works Department is required stating that water is available and the supply is adequate for this project.

A letter from Frank Martin, Director of Public Works Department is required stating that sewer is available and the capacity is adequate for this project.

- If it is Cobb County Water, Cobb County must then furnish these letters.

Comments:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

TRANSPORTATION

Access to Property? _____________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Improvements proposed by developer? ______________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Comments:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
ZONING DISCLOSURE REPORT

Has the applicant* made, within two years immediately preceding the filing of this application for zoning amendment, campaign contributions aggregating $250 or more or made gifts having in the aggregate a value of $250 or more to the Mayor or any member of the City Council who will consider this application?

______________________________________________________________________________

If so, the applicant* and the attorney representing the applicant* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

Please supply the following information, which will be considered as the required disclosure:

The name of the Mayor or member of the City Council to whom the campaign contribution or gift was made:

______________________________________________________________________________

The dollar amount of each campaign contribution made by the applicant* to the Mayor or any member of the City Council during the two years immediately preceding the filing of this application, and the date of each such contribution:

______________________________________________________________________________

An enumeration and description of each gift having a value of $250 or more by the applicant* to the Mayor and any member of the City Council during the two years immediately preceding the filing of this application:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

Does the Mayor or any member of the City Council have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property?

______________________________________________________________________________

If so, describe the natural and extent of such interest:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

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ZONING DISCLOSURE REPORT (CONTINUED)

Does the Mayor or any member of the City Council have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

If so, describe the nature and extent of such interest:

______________________________________________________________________________

Does the Mayor or any member of the City Council have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

______________________________________________________________________________

If so, describe the relationship and the nature and extent of such interest:

______________________________________________________________________________

If the answer to any of the above is “Yes”, then the Mayor or the member of the City Council must immediately disclose the nature and extent of such interest, in writing, to the Mayor and City Council of the City of Smyrna. A copy should be filed with this application**. Such disclosures shall be public record and available for public inspection any time during normal working hours.

We certify that the foregoing information is true and correct, this____day of ______________, 20___.

____________________________________
(Applicant’s Signature)

____________________________________
(Attorney’s Signature, if applicable)

Notes
* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for zoning action.

** Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.
ZONING AMENDMENT ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Mayor and Council when considering a zoning amendment request. Please provide responses to the following using additional pages as necessary. **This section must be filled out by the applicant prior to submittal of the zoning amendment request.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

6. 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.

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________
ZONING AMENDMENT ANALYSIS (CONTINUED)

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
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____________________________________________________________________________
____________________________________________________________________________