

Amendment & Special Land Use Permit Application Packet



Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
dunwoodyga.gov

The requirements of this application apply to comprehensive plan land use map amendments, zoning map amendments, zoning ordinance text amendments, major amendments to one or more conditions attached to previously approved zoning map amendments, and special land use permits. If an applicant needs to further relax the dimensional standards of the Zoning Ordinance for a specific property for the purpose of construction, they can request a concurrent variance to the text of the Zoning Ordinance. Such a request might seek to modify the strict terms of the building placement, setback yard, transitional buffer, landscape strip, parking and loading or other regulations, and the approval of one does not indemnify the approval of the other. The City Council, following recommendation by the Planning Commission, shall determine whether the proposed amendment meets the applicable requirements.

Application Requirements:

Item #	Required Item	Number of Copies
1	Amendment Application (See Page 7)	1 electronic copy
2	Property Owner(s) Notarized Certification (See Page 8)	1 electronic copy
3	Campaign Disclosure Statement (See Page 10-11)	1 electronic copy
4	Traffic Impact Study (If necessary, see Page 12)	1 electronic copy
5	Development of Regional Impact (If necessary, see Page 12)	1 electronic copy
6	Environmental Impact Report (If necessary, see Page 13)	1 electronic copy
7	Summary Report (See Page 5)	1 electronic copy
8	Site plan and elevations (See Page 5)	1 electronic copy
9	Written legal description/survey of the property (See Page 5)	1 electronic copy
10	Site photos (See Page 5)	1 electronic copy
11	Letter of Intent (See Page 5)	1 electronic copy
12	Overall Development Plan (For Planned Developments)	1 electronic copy
13	Payment	Pay with cash, check or credit card

Please submit the entirety of your application electronically, saved as a single PDF. The submittal deadline, to be placed on the soonest Planning Commission agenda, is the first Tuesday of the month by 4 PM.

Detailed Process and Instructions

- Applicant Responsibility
- Staff Responsibility

Before the First Pre-Application Review Meeting

- Review the application packet.
- Consult the Dunwoody Zoning Ordinance at library.municode.com/ga/Dunwoody
- Fill out the amendment application (page 7).
- Prepare a preliminary site plan.
- Contact a Planner to schedule a Pre-Application Review Meeting. Contact information is online at dunwoodyga.gov.

First Pre-Application Review Meeting

- The purpose of the Pre-Application Review is to establish an expectation on the part of both staff and the applicant for the amendment process, as well as discuss the preparation of the Required Items (listed on page 1) in order to ensure a complete and quality application at the time of submittal.
- For a productive meeting, you should
 - display any preliminary site plans and/or other illustrative documents
 - detail an overview of the proposed application
 - provide reasoning for why the application is necessary
- Staff will
 - inform you of the City's process to effect the change proposed
 - offer a preliminary analysis of the feasibility of the proposal
 - discuss ways upon which the proposal may need improvements or revisions
- At this meeting, a tentative date for the Applicant Initiated Meeting will be set.

Applicant-Initiated Meeting

- *No application for an amendment to the land use plan, amendment to the official zoning map, a major amendment/modification to a condition of zoning, or special land use permit shall be filed and/or accepted for filing until such time as the applicant has conducted an applicant-initiated meeting in accordance with [Chapter 27, Section 27-306](#).*
- The purpose of applicant-initiated meeting requirements is to help educate applicants for development approvals and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests, and to identify unresolved issues.
- The applicant-initiated meeting must be held between the hours of 6 PM and 8 PM, Monday through Thursday, or between the hours of 12 PM and 9 PM, Saturday and Sunday, for a period of no less than one (1) hour, at a public location within the City of Dunwoody.
- The meeting must be advertised in two ways:
 - Written notice
 - You or your representative is responsible for completing this requirement.
 - Must be mailed at least 20 days before the date of the applicant-initiated meeting.
 - Written notice, i.e. letter or postcard, must be sent via first class mail to the owners of all residentially zoned property within 1,000 feet of the boundaries of the subject property and to the city planner at the current address of City Hall. Staff will provide you with this list.
 - At a minimum, written notices must indicate the nature of the application, the street address of the subject property, and the date, time, place and purpose of the meeting.
 - Must provide contact information, including phone number and email.
 - At your request, staff can provide a letter template.
 - Notice must be published in the official legal organ of the city
 - Applicant will submit this to the Dunwoody Crier

- Must be published at least seven days before but not more than 30 days before the date of the applicant-initiated meeting.
- At the meeting:
 - Have a sign-in sheet for attendees
 - Take detailed notes
 - Provide visuals, i.e. conceptual plans and elevations
 - Prepare a short presentation about your proposal
 - Reserve a portion of time to field questions and/or concerns
- After the meeting, prepare the summary report (a required item)
- The summary report must include
 - Efforts to notify neighbors about the meeting date, time, and location (how and when notification occurred, and who was notified)
 - Meeting location, date and time
 - Who was involved in the discussions
 - Suggestions and concerns raised by neighbors
 - What specific changes to the proposal were considered and/or made as a result of the meeting

Filing

- Prepare and compile all the Required Items, subject to what was discussed with staff.
- Contact a Planner prior to filing.
- Submit a complete Application to the Planning and Zoning Division.
- The Application deadline is the first Tuesday of every month, by 4:00 pm.
- Staff will initiate a review and ask for more information if necessary, at which point the application may be put on an administrative hold until the application is determined complete and compliant—i.e. providing quality materials for all required items.
- Once it is determined that the application is acceptable, the applicant will be sent a Complete and Compliant Letter and the process will be officially initiated.
- The amendment or special land use permit case will be added to an upcoming Planning Commission (PC) meeting.

Before the Planning Commission Meeting

- Once the application is filed, Planning and Zoning staff will
 - Prepare a legal notice for the newspaper
 - Mail written notice to property owners within 500 feet
 - Order and post signage on the subject property
 - Prepare and post the staff memorandum, typically one week in advance of the meeting
- You should review the staff memorandum, which details the staff's recommendation to the Planning Commission (PC) and Mayor and City Council (Council).

At the Planning Commission Meeting

- A Planner will provide a brief presentation to the PC and present the staff recommendation.
- You will present your case to the PC.
- There will be a public hearing with 10 minutes allotted to those speaking in favor of the case and 10 minutes allotted to those speaking in opposition.
- The PC will discuss and render its recommendation. The PC may recommend to approve, approve with conditions, or deny the request. The PC may also defer the case to another regularly scheduled meeting.

Before the 1st Mayor and City Council Meeting

- Planning and Zoning staff will
 - Prepare a legal notice for the newspaper
 - Mail written notice to property owners
 - Update the staff memorandum, typically one week in advance of the meeting

- You should review the staff memorandum, which details the staff's recommendation to the PC and Mayor and City Council (Council).

1st Mayor and City Council Meeting

- The 1st Council meeting will be a public hearing.
- The public hearing typically takes place at the first Council meeting of the month.
- A Planner will provide a brief presentation to the Council and present the staff recommendation.
- You will present your case to the Council.
- There will be a public hearing with 10 minutes allotted to those speaking in favor of the case and 10 minutes allotted to those speaking in opposition.
- A decision is typically rendered at the Council meeting the following month, or the case could be deferred to another future meeting to allow an applicant to gather and present additional information.

2nd Mayor and City Council Meeting

- A decision is typically rendered without additional presentations, unless additional information was requested.

After Final Mayor and City Council Meeting

- Remove signage within 48 hours of the Council's decision.
- Staff will prepare an official action letter stating the Council's decision.
- Once in receipt of the action letter, you can proceed with obtaining any necessary permits.
- Please be aware that approval of your amendment or special land use permit does not equate to approval of a permit. During the permitting process, you may be asked for additional information to ensure your compliance with all applicable zoning, building, stormwater, and fire safety regulations.

Required Items

Summary Report

- The summary report must include
 - Efforts to notify neighbors about the meeting date, time, and location (how and when notification occurred, and who was notified)
 - Meeting location, date and time
 - Who was involved in the discussions
 - Suggestions and concerns raised by neighbors
 - What specific changes to the proposal were considered and/or made as a result of the meeting

Site Plan

- Site Plan and elevations must be to scale.
 - 'To scale' means the drawing is proportional to the real life element, i.e. one inch on paper represents 20 feet on the actual ground.
- The site plan needs to
 - accurately show all property lines
 - accurately represent the improvements that are proposed
 - at the discretion of staff, include topography, the location of any trees, and/or any other information deemed necessary for thorough analysis of the variance request
- The elevations, if necessary, must accurately represent the final product of what will be constructed.

Survey/Legal Description

A legal description is the written description of the property lines. A survey is a to-scale graphic representation of the existing conditions on the property. The survey must show existing site conditions, signed and sealed by a surveyor or engineer licensed in the State of Georgia.

Site Photos

The site photos should demonstrate the existing conditions of the lot, help illustrate any challenges specific to the property, and show the location of any proposed improvements.

Letter of Intent

The Mayor and City Council use a pre-determined set of criteria as a guide when deciding whether to approve or deny an amendment or special land use permit request. Any application for an Amendment must be supported by written verification, a letter of intent, pursuant to those criteria, which are listed in [Section 27-335](#) of the zoning ordinance. Any application for an Special Land Use Permit must be supported by written verification, a letter of intent, pursuant to those criteria, which are listed in [Section 27-359](#) of the zoning ordinance.

Note: When granting an amendment or special land use permit, the Mayor and City Council may impose requirements and conditions to protect adjacent properties and the public interest.

Application Form



Purpose of Application (check all that apply):

- Comprehensive Plan Land Use Map Amendment
- Zoning Ordinance Text Amendment
- Zoning Map Amendment
- Special Land Use Permit
- Major Modification of Zoning Conditions

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Application Information

Company Name: _____
Contact Name: _____
Address: _____
Phone: _____ Email: _____
Pre-Application Conference Date: _____

Owner Information Check here if same as applicant

Owner's Name: _____
Owner's Address: _____
Phone: _____ Email: _____

Property Information

Property Address(es): _____
Parcel ID #(s): _____
Total Acreage: _____ Current Zoning Classification: _____ Current Use: _____

Project Information

Proposed Zoning Classification: _____ Proposed Use: _____
Project Details: _____

Applicant Affidavit

I hereby certify that to the best of my knowledge, this amendment application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: _____
Applicant's Signature: _____ Date: _____

Notary:

Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public: _____
Signature: _____
My Commission Expires: _____

Property Owner(s) Notarized Certification

Property Owner:

Owner Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Property Owner:

Owner Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Property Owner:

Owner Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Applicant Notarized Certification



I hereby certify that to the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

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Applicant:

Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Applicant:

Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Applicant:

Name: _____

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting an amendment.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

(Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.

Campaign Disclosure Ordinance



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Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? [] YES [] NO

Applicant/Owner

Signature: _____ Date: _____

Address: _____

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Thresholds for Additional Studies, Reports, & Forms



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Traffic Impact Study: When a project equals or exceeds the thresholds listed below, a Traffic Impact Study must be submitted. The Traffic Impact Study shall be prepared by a qualified traffic engineer or transportation planner in accordance with professional practices.

Thresholds for Traffic Impact Study	
Use	Size
Single family residential	500 units
Multi-family residential	700 units
Office	300,000 square feet
Hospital	375 beds
Commercial	175,000 square feet
Hotel / Motel	600 rooms
Industrial	500,000 square feet
Any mixed-use development that exceeds 500 peak hours trips as based on the standards of the Institute of Transportation Engineers (ITE) Handbook.	

Development of Regional Impact (DRI): The Department of Community Affairs (DCA) has formulated development thresholds as listed on the next page. When a development meets or exceeds the thresholds, the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) shall review the project concurrently. Applicants shall first file the rezoning/use permit request with the City of Dunwoody. After the ARC/GRTA findings are complete, the rezoning/use permit request will be placed on the next available appropriate agenda. It is the applicant's responsibility to contact and follow all ARC and GRTA review procedures. For details, contact the ARC at www.georgiaplanning.com/planners/dri/ and GRTA at www.grta.org/dri/home/htm or at 404-463-3000.

Development of Regional Impact – Tiers and Development Thresholds	
Type of Development	Metropolitan Region
Office	Greater than 400,000 square feet
Commercial	Greater than 300,000 square feet
Wholesale & Distribution	Greater than 500,000 square feet
Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Housing	Greater than 400 new lots or units
Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
Hotel	Greater than 400 rooms
Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1,800 sq. ft. per unit toward the total gross sq. ft.); or covering more than 120 acres; or if any of the individual uses meet or exceed a threshold as identified herein
Airports	All new airports, runways and runway extensions
Attractions and Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
Post Secondary Schools	New school with a capacity of more than 2,400 students; or expansion by at least 25% of capacity
Waste Handling Facilities	New facility or expansion of use of existing facility by 50% or more
Quarries, Asphalt and Cement Plants	New facility or expansion of existing facility by 50%
Wastewater Treatment Facilities	New facility or expansion of existing facility by 50%
Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise storage capacity greater than 200,000 barrels
Water Supply Intakes/Reservoirs	New facilities
Intermodal Terminals	New facilities
Truck Stops	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces
Any other development types not identified above (includes parking facilities)	1,000 parking spaces

Environmental Impact Report: Projects having any appreciable impact on the environment --either on site or in the region-- as a result of this proposed action may be required to submit an Environmental Impact Report detailing the impact as a result of the proposed project, and the attenuation measures (Erosion/Sediment Control Plan, water quality devices, noise & lighting barricades, etc.) proposed.

Environmental Site Analysis (ESA) Form

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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. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

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
- 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

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 impacts 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