

meet the criteria as set forth in section 8-5.4 (B) and (C) (1), then the application shall be considered incomplete and shall not be scheduled for a public hearing.

- (D) **Written Evaluation.** All rezoning and conditional use permit applications which involve ten (10) acres or more shall include a written evaluation of the proposed project that considers each of the following factors:
- (1) How the proposed project is in conformance with section 10-1.8 of this Code;
  - (2) The impact on the local population density pattern and public infrastructure, including but not limited to schools, utilities and roads;
  - (3) Whether there are substantial reasons why the property affected cannot be used in accordance with existing zoning;
  - (4) The extent to which the proposed changes are consistent with the Comprehensive Plan; and
  - (5) Any other factors relevant to the balancing of interests in promoting the public health, safety, morality or general welfare and in promoting the public health, safety, morality or general welfare with the right to reasonable use of property.
- (E) **Traffic Study.** All rezoning, conditional use and sketch plat applications shall include a traffic study for any applications containing one hundred and fifty (150) or more residential units unless waived, or for less than one hundred and fifty (150) units if required, by the Director of Engineering.
- (F) **Title Opinion.** All applications for rezoning, ~~and~~ conditional use permit ~~and sketch plat~~ applications, with the exception of conditional use permits that pertain to a use that will be either located in an existing building or on a site that involves an existing business expansion shall provide a title opinion issued by a duly admitted member of the State Bar of Georgia in good standing. In addition to confirming ownership of the subject property, the title opinion shall also identify and provide copies of any covenants, deed restrictions and easements encumbering the property and shall further identify whether any of the identified covenants, deed restrictions and/or easements prohibit the use being sought by the application. The title opinion shall be rendered no more than 120 days prior to the original Application for Zoning Review.
- (A) **Sewage Disposal.** All rezoning and sketch plat applications shall identify and specifically describe a sewage disposal system that conforms to the requirements of this Code. If the project will be served by sewer, a pre-application meeting shall be required prior to submittal with the Forsyth County Water & Sewer Department and/or City of Cumming (whichever has jurisdiction) to identify the availability of sewer capacity and the location, connection and route of sewer lines. If applicant proposal relies upon future outlay of sewer, then a phasing plan shall be required that identifies: (1) how the project coincides or differs from the County Sewer Master Plan and (2) properties affected along the proposed sewer infrastructure, including showing proposed easements required for offsite sewer outfalls. County staff shall assess the implications of sewer access not anticipated by the County Sewer Master Plan, as per 8-5.5 (F) (2) (b) (vii).
- (B) **Disclosure of Campaign Contributions and Gifts to Public Officials.** All rezoning, conditional use permit and sketch plat applications shall include disclosure, pursuant to the Forsyth County Code of Ethics (Forsyth County Resolution and Ordinance #77), of any campaign contributions and gifts equal to or greater than \$100 given to any Forsyth County elected official within two years of the application filing date.
- (C) **Architectural Elevations.** Any rezoning, conditional use permit or sketch plat application that involves residential uses shall include architectural elevation drawings, which shall illustrate the design of all building sides, exterior finish materials and construction details, if necessary, to clarify exterior features.

8-5.5 **Procedures.** All rezonings, conditional use permits and sketch plats, not including county initiated applications, shall comply with the following procedures as set forth in this article.

- (A) **Application for Zoning Review.** All rezoning, conditional use permit and sketch plat applications require an Application for Zoning Review in conformance with the application requirements as set forth in section 8-5.4 of this Article. Each application will be subject to a Review of Application Completeness as specified in section 8-2.1 (A) (1). Upon acceptance of the application, the department shall schedule a Zoning Review Meeting for each application and forward all submittal information to other county staff for review and recommendations. The department will not accept revised or additional submittal materials unless requested by staff.
- (B) **Zoning Review Meeting.** County staff will be available to discuss the rezoning, conditional use permit and sketch plat application and will provide a staff review to inform the applicant of additional necessary requirements as well as to provide a recommendation about the proposed project. If the date, time and

**Table 8.1. Summary of Application Requirements.**

Requirement	Amend Text of this Code	Rezoning	Conditional Use Permits (CUP)	Home Occupation	Mobile Vending	Sketch Plats	Variances	Appeals of Administrative Decisions	Appeals of ZBA Decisions	Zoning Condition Amendments
Application Form		Required	Required	Required	Required	Required	Required	Required	Required	Required
Fee		Required	Required	Required	Required	Required	Required	Required	Required	Required
Legal Description		Required	Required			Required	Required			Required
Boundary Survey		Required	Required	Required	Required	Required	Required			Required
Site Plan		Required	Required	Required if new construction	Required if new construction	Required	Required			Required if request changes approved site plan
Verification of Paid Taxes		Required	Required	Required	Required	Required	Required			Required
Written Evaluation		Required if > 10 acres	Required if > 10 acres				Required	Required	Required	Required
Traffic Study		Required if > 150 residential units	Required if > 150 residential units			Required if > 150 residential units				
Sewage Disposal Agreement/ Affidavit		Required				Required				
Zoning Review Submittal		Required	Required			Required				
Public Participation Plan		Required	Required			Required				Required
Applicant sponsored Public Meeting		Required	Required			Required				
Public Participation Sign		Required	Required			Required				
Public Participation Report		Required	Required			Required				Required
Title Opinion		Required	Required			Required				
Disclosure of Campaign Contributions and Gifts		Required	Required	Required	Required	Required				Required