



Application Process for Rezoning and Conditional Use Permits

Main Components of the Process

Prior to Application Submittal for Zoning Review

- A pre-application meeting with planning staff is required for a Master Planned District (MPD) application.
- A pre-application meeting with planning staff and the District Commissioner is required for Mixed-Use Center District (MCD) and Mixed Residential District (MRD) applications.
- Senior housing applicants are strongly encouraged to meet with staff prior to application submittal.
- Applicants must meet with the city or county Water & Sewer Department prior to submitting a rezoning application to identify the availability of sewer capacity and the location, connection and route of sewer lines. See [UDC §8-5.4\(G\)](#) for more information.
- A pre-submittal meeting with the County Arborist is required for any residential use on property of at least 10 acres, excluding Mixed Use Districts. A completed tree survey and site plan must be submitted to the County Arborist a minimum of 10 calendar days prior to the zoning review deadline. The pre-submittal meeting can be scheduled once the required documents have been received.
- Review the Unified Development Code to determine if a variance request is needed, which may necessitate further changes to the application and site plan per [UDC § 8-2.1\(E\)](#).
- Any application necessitating a stream buffer variance is required to submit additional application information including a buffer mitigation plan per [UDC §18-11.3 \(A\)\(4\)\(a-h\)](#). It is strongly suggested that an applicant contact the Forsyth County Engineering Department in advance of the Zoning Review submittal deadline in order to review buffer mitigation plan requirements so that an application will not be deemed incomplete and thereby be delayed.
- Applicants are encouraged to reach out to their district commissioner prior to application submittal. Contact information can be found on the County's website at www.forsythco.com.

Application Submittal for Zoning Review

- See calendar for deadlines.
- Application submittals must include all of the required items from the attached checklist and any applicable supplemental items in order to be deemed complete.
- All applications can be submitted electronically through the Forsyth County online [Customer Self-Service portal \(CSS\)](#). The online CSS portal allows customers to submit applications and revisions and make Visa/Mastercard payments electronically. Visit the [Digital Plan Submission](#) page for more information and details.
- Staff will review the submittal and send a notice of completion or inform the applicant of any missing items 5 business days after the submittal deadline.
- Following the completeness check, staff will review the site plan for all applicable requirements per [UDC § 8-2.1\(E\)](#).
- All subsequent submittals for completed applications should be uploaded through [CSS](#) under the same application number.
- Applications deemed incomplete should be resubmitted in totality as a new application.
- All documents must be uploaded in PDF format.

Main Components of the Process Continued

Zoning Review Meeting

- Zoning Review meetings are held once a month; see calendar for meeting dates. You will be notified in writing of your specific date and time.
- Staff will meet with the applicant to provide a staff review to inform the applicant of additional necessary requirements as well as to provide a recommendation.
- Staff will discuss the procedures for public participation and submittal for board consideration.
- Staff feedback during the application process focuses on administrative and technical compliance to prepare the proposal for a public hearing agenda.
- Public Participation signs will be provided to applicants at Zoning Review meetings.

Public Participation

- A public participation meeting shall be conducted by the applicant Monday through Friday with a start time between 6:00 – 7:30 p.m.
- Meetings shall be held in a location relatively near the subject property, no earlier than 12 days after the Zoning Review Meeting.
- An audio and visual recording of the public participation meeting is required if the application involves a major subdivision or a minimum of 5,000 sq. ft. of non-residential building space.
- Public participation letters are to be mailed using the list provided by staff. Letters should be mailed in enough time to be received before the scheduled date of the public participation meeting.
- Public participation signs are to be posted on the subject property at least 10 days prior to the public participation meeting.
- Sign affidavit shall be submitted within 2 business days after the Zoning Review Meeting.

Submittal for Board Consideration

- See calendar for deadlines.
- The following is required to submit for board consideration (all documents should be uploaded to [CSS](#) under the correct application number):
 - Application fee; see fee schedule.
 - Revised site plan, PDF format (if applicable).
 - Revised application and any revised or additionally requested submittal materials (if applicable).
 - Public Participation Reports, including an audio and visual recording in MP4 format (if applicable).
- Staff will review the submittal and send a notice of completion or inform the applicant of any missing items 5 business days after the submittal deadline.
- If the application is deemed complete, the staff will provide public hearing signs to be posted 21 days prior to the Public Hearing meeting.

For further information on the zoning application process, please call 770-886-2780.

The Unified Development Code (UDC) can be accessed by visiting www.forsythco.com and choosing Unified Development Code from the “What Can We Help You With” menu at the top of the page. Application requirements may be found in [Chapter 8, section 8-2.1 \(A – H\)](#) and [section 8-5.4 \(A – I\)](#).

Application Process

Key Deadlines

Application Submittal

See calendar for deadline

Applicant will be notified of completeness status 5 business days after submittal deadline

Zoning Review

Meeting with staff to review revisions and public participation meeting procedures

Applicant to post public participation sign and submit sign affidavit within 2 days after zoning review meeting

Applicant Work Time

Time allowed to finalize application proposal

Maximum of 180 days after zoning review meeting

Public Participation Meeting

Applicant to host meeting and send public participation letters

Meeting to be held a minimum of 12 days after zoning review meeting

Board Consideration Submittal

Complete applications will be placed on a public hearing agenda
See calendar for deadline

Approximately 2 weeks after zoning review meeting public participation report and site plan revisions must be submitted
Applicant will be notified of completeness status 5 business days after submittal deadline

Planning Commission Work Session

Case is informally discussed, finalized staff report reviewed
Attendance is optional, but encouraged

See calendar for meeting dates

Planning Commission Public Hearing

Public hearing for rezonings and conditional use permits; recommendation made to the Board of Commissioners
Attendance is optional, but encouraged

Applicant to post public hearing signs and submit sign affidavit 21 days prior to the public hearing

Board of Commissioners Meeting

Final decision on application request may result in approval with or without conditions, withdrawal with or without prejudice, or denial
Attendance is optional, but encouraged

3rd Thursday of the month in the month following the Planning Commission public hearing; postponement of decision to a subsequent meeting may occur



Checklist for Rezoning and Conditional Use Permits

Unified Development Code

Zoning and Application Procedures
Residential Districts
Commercial and Office Districts
Industrial and Mining Districts
Agricultural Districts
Supplementary Regulations for Specific Uses
Parking and Loading Regulations
Subdivisions and Land Development
Overlay Districts (If Applicable)

Chapter Reference Guide

Chapter 8
Chapter 11
Chapter 12
Chapter 14
Chapter 15
Chapter 16
Chapter 17
Chapter 18
Chapter 21

Requirements for all applications

Application Form	<ul style="list-style-type: none">Signed and notarized by Applicant and Property Owner(s)Electronic Submittal Contact Form	<input type="checkbox"/>
Legal Description	<ul style="list-style-type: none">Must be a written metes and bounds legal description establishing a point of beginning and from the point of beginning give each dimension bounding the property, calling the directions, which the boundary follows around the property returning to the point of beginning. If there are multiple properties, all properties shall be combined into one legal description	<input type="checkbox"/>
Boundary Survey	<ul style="list-style-type: none">1 PDFShall be prepared by a registered land surveyor<ul style="list-style-type: none">A survey plat approved by the department may be downloaded from the Forsyth County Clerk of Courts website (resolution.forsythco.com)	<input type="checkbox"/>
Site Plan	<ul style="list-style-type: none">1 PDFShall be prepared by a land surveyor, professional engineer, landscape architect or architect licensed to practice in the state of Georgia if over 10 acresSee §8-2.1(E) for site plan requirements and/or attached check list	<input type="checkbox"/>
Confirmation of Paid Property Taxes	<ul style="list-style-type: none">May be downloaded from the Forsyth County Tax Assessor's website (https://tax.forsythcountypay.com/)	<input type="checkbox"/>
Title Opinion (not required for CUPs that pertain to a use that will be either located in an existing building or on a site that involves an existing building expansion)	<ul style="list-style-type: none">Rendered no more than 120 days prior to application submittalIssued by a duly admitted member of the State Bar of Georgia in good standingThe title opinion shall confirm ownership of the subject property and 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	<input type="checkbox"/>
Public Participation Letter or Plan	<ul style="list-style-type: none">See attached sample lettersSee §8-5.4(B) for full requirements	<input type="checkbox"/>
Disclosure of Campaign Contributions	<ul style="list-style-type: none">Documentation of all contributions of \$100 or more	<input type="checkbox"/>
Water and Sewer Pre-Application Meeting Letter (Rezoning Applications only)	<ul style="list-style-type: none">County or city service area determines appropriate departmentSee §8-5.4(G) for requirements	<input type="checkbox"/>

**Checklist for Rezoning and Conditional Use Permits****Supplemental Materials for Specific Application Proposals****General**

All proposals over 10 Acres	• Written evaluation	<input type="checkbox"/>
Cell Tower	• Fee for 3rd party review; see fee schedule • Supporting documentation	<input type="checkbox"/>
Coal Mountain Town Center Overlay	• Fee for 3rd party review; see fee schedule	<input type="checkbox"/>
Master Planned District (MPD)	• Supplemental application and Master Development Handbook	<input type="checkbox"/>
Mixed-Use Center District (MCD)	• Master Development Handbook	<input type="checkbox"/>
Mixed Residential District (MRD)	• Master Development Handbook	<input type="checkbox"/>
Senior Housing	• Supplemental application and supporting documentation	<input type="checkbox"/>
State Waters	• Buffer and impervious setback locations	<input type="checkbox"/>
Stream Buffer Variance	• Additional documentation	<input type="checkbox"/>
Water & Sewer Variance	• Memo from the Water & Sewer Department that provides a preliminary recommendation regarding the variance and additional documentation	<input type="checkbox"/>

Supplemental Materials for Specific Application Proposals**Commercial & Industrial**

Airport or Heliport/Helipad	• Affidavit	<input type="checkbox"/>
Large Scale Retail (over 40,000 s.f.)	• Traffic Study	<input type="checkbox"/>
Commercial Outdoor Recreational Facility	• Additional documentation	<input type="checkbox"/>
Heavy Industrial District (M2)	• Impact Statement	<input type="checkbox"/>
Mining Operations District (MINE)	• Additional documentation	<input type="checkbox"/>
Transportation / Utility Facility	• Impact Statement	<input type="checkbox"/>
Waste Facility: Landfill, Transfer Station, Recycling, Solid Waste Handling, etc.	• Staff will contact the Solid Waste Department for any additional, required documentation	<input type="checkbox"/>

Residential

All proposals	• Architectural Elevation Drawings	<input type="checkbox"/>
All proposals 150 or more units	• Traffic Study or Signed Waiver Form	<input type="checkbox"/>
Single Family Residential District (RES4)	• Proof of sewer capacity availability	<input type="checkbox"/>
Multi-Family Residential District (RES6)	• Proof of sewer capacity availability	<input type="checkbox"/>

Environmental

Metropolitan River Protection Act (MRPA)	• Additional documentation for all development within 2,000 feet of the Chattahoochee River	<input type="checkbox"/>
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Public Participation Process for Rezoning and Conditional Use Permits

Public Participation Meeting:

The purpose of the public participation meeting is to:

- Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
- Ensure that the citizens and property owners of Forsyth County have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process;
- Facilitate ongoing communication between the applicant, interested citizens and property owners, county staff and elected officials throughout the application review process;
- The public participation meeting is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

Sample Public Participation Letters: ([UDC § 8-5.4\(B\)\(2\)\(a\)](#))

Rezoning Sample Letter (information regarding meeting location, date, and time should be left blank to be filled in at a later date)

Name

Address

Phone Number

Application Number

Dear Neighbor,

We would like to inform interested property owners that a Rezoning (ZA) application has been submitted to Forsyth County regarding property located at _____. We are proposing to rezone from _____ to _____ for the purpose of _____.

We are requesting the following variances:

1.

A public participation meeting will be held on _____ at _____ p.m. at _____.

This meeting is not the public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the applicant, ask questions and voice concerns regarding this application.

Enclosed is a copy of the conceptual site plan depicting the subject property and the proposed project.

Additional information about this application may be obtained at https://css.forsythco.com/EnerGov_Prod/SelfService/#/home.

If you have any questions, comments or concerns, please contact me at _____.

Sincerely,

Name

Enclosure

Conditional Use Permit Sample Letter (information regarding meeting location, date, and time should be left blank to be filled in at a later date)

Name

Address

Phone Number

Application Number

Dear Neighbor,

We would like to inform interested property owners that a Conditional Use Permit (CUP) application has been submitted to Forsyth County regarding property located at _____ . We are proposing to _____ .

A public participation meeting will be held on _____ at _____ p.m. at _____. This meeting is not the public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the applicant, ask questions and voice concerns regarding this application.

Enclosed is a copy of the conceptual site plan depicting the subject property and the proposed project. Additional information about this application may be obtained at https://css.forsythco.com/EnerGov_Prod/SelfService/#/home.

If you have any questions, comments or concerns, please contact me at _____.

Sincerely,

Name

Enclosure

Public Participation Report

The Public Participation Report shall include a written explanation of the results of the implementation of the public participation plan. The report shall be submitted at the time of filing for board consideration per the department's deadline schedule.

Minimum Requirements: (UDC § 8-5.4(C)(1))

- | | |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Executive Summary | <ul style="list-style-type: none">• Summary of public participation meetings including dates, times, locations of all meetings that occurred• List of parties that were notified, including homeowner associations• Summary of attendee concerns per meeting• Composite summary of all concerns that will be addressed on the site plan or via applicant requested zoning conditions• Composite summary of all concerns that will not be addressed and the reasons why |
| <input type="checkbox"/> Applicant Requested Zoning Conditions | <ul style="list-style-type: none">• List of all applicant requested zoning conditions• List of all applicant requested modifications to recommended staff zoning conditions and reasons for requested change |
| <input type="checkbox"/> Supporting Documentation | <ul style="list-style-type: none">• Meeting sign-in sheets from all citizen meetings• Signed official USPS Certificate of Mailing forms• Public participation letter that was sent to required contacts• Letters, notices, newsletters or any other publication used for public participation efforts• An audio and visual recording of the Public Participation Meeting is required if the application involves a major subdivision or a minimum of 5,000 square feet of non-residential building space.• Recordings in MP4 format are required |

SITE PLAN CHECK LIST

This document is provided as a resource for the applicant to assist in the preparation of site plans to be submitted in support of applications. The items listed below reflect the minimum information that shall be included on all site plans submitted as part of the public hearing process. Additional performance standards may apply.

<input type="checkbox"/>	Proposed layout of streets, alleys, lots, and pedestrian circulation systems
<input type="checkbox"/>	Lot or tract dimensions with required setbacks shown. Reference UDC §10-1.5 and §10-1.15 for exemptions
<input type="checkbox"/>	Required and proposed buffers
<input type="checkbox"/>	Required and proposed landscape areas, common areas, and open space
<input type="checkbox"/>	Proposed structures with square footages (except for single family residential subdivisions)
<input type="checkbox"/>	Existing and proposed zoning districts of the subject property and abutting property
<input type="checkbox"/>	Existing and proposed location and use of all structures on the subject property
<input type="checkbox"/>	Existing and proposed right-of-way locations and dimensions and names of all roads and streets bounding the subject property
<input type="checkbox"/>	Driveways and parking areas with number of provided parking spaces
<input type="checkbox"/>	Loading and unloading facilities
<input type="checkbox"/>	Preliminary and existing locations of storm drainage and structures
<input type="checkbox"/>	Preliminary and existing locations and point of access for major utility lines (e.g. water, gas, electric, etc.)
<input type="checkbox"/>	Preliminary and existing wastewater facilities including areas reserved for drain fields and septic tanks or point of access, sewer easements and manholes
<input type="checkbox"/>	Tax map/parcel number and owner name of subject property and all abutting property owners as shown on current county tax map records
<input type="checkbox"/>	Existing tree canopy (general location of existing canopy as indicated on the county GIS aerial photography)
<input type="checkbox"/>	Preliminary locations of environmental conditions (e.g. streams, wetlands, flood hazard areas, river corridor boundaries)



Public Engagement

What is Public Engagement?

Public engagement affords residents an opportunity to have their voices heard when land use changes are proposed in the county. It is a required and integral part of the zoning process.

Through use of notifications and public meetings, we strive to keep citizens informed of pending applications and upcoming public meetings and hearings.

The Process

Most applications begin the public engagement process one month after initial submittal.

The following items are required to be submitted:

- Application form
- Concept plan
- Public participation plan
- Other documentation as indicated in the Forsyth County Unified Development Code

Types of Applications

Alternate Design: A request for a design plan not meeting all of the non-numerical standards of the applicable Overlay District and requires approval through the public hearing process.

Conditional Use Permit: A request for land use that is not allowed by right within the current zoning district and requires approval through the public hearing process.

Home Occupation Permit: A request to allow a business to operate from a residence and requires approval through the public hearing process.

Mobile Vending Permit: A request to allow the operation of mobile vendors on parcels of land permitted for such use and requires approval through the public hearing process.

Rezoning: A request to change land use from one zoning district to another and requires approval through the public hearing process.

Sketch Plat: A request for review of a detailed site plan of a proposed development prior to construction in order to ensure development compliance with county ordinances and regulations and requires approval through the public hearing process.

Zoning Condition Amendment: A request to modify approved zoning conditions and requires approval through the public hearing process.

Be Informed

Application documentation may be accessed online via our Customer Self Service Portal: [CSS Portal](#)

Mailed Notification: Letters notifying surrounding neighbors located within 500 ft. of the subject property boundary are required to be mailed by the applicant prior to the public participation meeting. Planning staff provides the list of individuals and subdivisions to be contacted.

Legal Advertisement: Public hearings are advertised in the Forsyth County News at least 15 days prior to the hearing for Rezoning, Conditional Use Permits, and Zoning Condition Amendments and at least 30 days prior to the hearing for Alternate Design, Home Occupation Permits, Mobile Vending Permits, and Sketch Plats.

County Website: Agendas for public hearings are posted on the county's website approximately two weeks prior to the meeting.

Contact Your Officials: Additional contact information can be found on the county website: forsythco.com

How to Get Involved

There are several ways to be involved in the process: Attend meetings, speak at Planning Commission public hearings, Board of Commissioners meetings, and contact your elected and appointed officials.

Meetings and Hearings

Public Participation Meeting: The applicant is required to hold a meeting locally to allow adjacent property owners to learn about the proposal, ask questions and have their concerns documented. Staff neither conducts nor appears at this meeting, but the applicant is required to submit a report on what occurred during the meeting.

Planning Commission Public Hearing: Open to the public. This meeting is to address pending applications via the public hearing process. The Planning Commission will make a recommendation to the Board of Commissioners for approval or denial. Public hearings are required by state law.

Board of Commissioners Meeting: Open to the public. There is an opportunity for public comment for rezonings or Conditional Use Permits twice during the meeting when the public may address any county-related issues. Ten speakers are permitted to address the board for up to three minutes each. The commissioners are at liberty to make a final decision on each application on the agenda during the meeting.

Public Signage

Signs advertising public meetings are posted along each public street bordering the subject property. The following information can be found on each sign:

Public Participation Meeting

- Application number
- Description of the proposal
- Date, time and location of the meeting

Public participation meeting signs are posted a minimum of 10 days prior to the meeting.

Public Hearing

- Application number
- Description of the proposal
- Date, time and location of the meeting

Public hearing signs are posted a minimum of 21 days prior to the hearing for Conditional Use Permits, Rezoning, and Zoning Condition Amendments.

Public Hearing signs are posted a minimum of 30 days prior to the hearing for Alternate Design, Home Occupation Permits, Mobile Vending Permits, and Sketch Plats.

Details related to the application number noted on the signage may be accessed online via our Customer Self Service Portal: [CSS Portal](#)

For inquiries on the public engagement process, contact:

Forsyth County Department of Planning & Community Development
110 E. Main Street, Suite 100
Cumming, GA 30040
770-886-2780
forsythco.com

If there is interest in contacting an official on a particular application, the recommended step is to email the Planning Commission after a public participation meeting has been held:
planningcommission@forsythco.com

PUBLIC NOTICE for PLANNING COMMISSION MEETINGS 2024

Below are the scheduled meeting dates. Dates and times are subject to change. Please visit www.forsythco.com for the latest information.

ZONING REVIEW SCHEDULE

Application for Zoning Review Filing Deadline – 5:00 p.m.	Zoning Review Meeting
November 3, 2023	December 6, 2023
December 8, 2023	January 3, 2024
January 5, 2024	February 7, 2024
February 9, 2024	March 6, 2024
March 8, 2024	April 3, 2024
April 5, 2024	May 1, 2024
May 3, 2024	June 5, 2024
June 7, 2024	July 3, 2024
July 5, 2024	July 31, 2024
August 2, 2024	September 4, 2024
September 6, 2024	October 2, 2024
October 4, 2024	November 6, 2024
November 8, 2024	December 4, 2024
December 6, 2024	January 8, 2025

PUBLIC HEARING & DECISION SCHEDULE

Board Consideration Filing Deadline – 5:00 p.m.	Planning Commission Work Session 6:30 p.m.	Planning Commission Public Hearing 6:30 p.m.	Board of Commissioners Meeting for Final Decision
December 22, 2023	January 23, 2024	January 30, 2024	February 15, 2024
January 19, 2024	February 20, 2024	February 27, 2024	March 21, 2024
February 23, 2024	March 19, 2024	March 26, 2024	April 18, 2024
March 22, 2024	April 16, 2024	April 23, 2024	May 16, 2024
April 19, 2024	May 14, 2024	May 21, 2024	June 20, 2024
May 17, 2024	June 18, 2024	June 25, 2024	July 18, 2024
June 21, 2024	July 16, 2024	July 23, 2024	August 15, 2024
July 19, 2024	August 20, 2024	August 27, 2024	September 19, 2024
August 16, 2024	September 16, 2024	September 17, 2024	October 17, 2024
September 20, 2024	October 15, 2024	October 22, 2024	November 21, 2024
October 18, 2024	November 18, 2024	November 19, 2024	December 19, 2024
December 20, 2024	No December Meeting	No December Meeting	February 20, 2025
December 20, 2024	January 21, 2025	January 28, 2025	February 20, 2025
January 24, 2025	February 18, 2025	February 25, 2025	March 20, 2025

Note: This schedule is for Rezoning (ZA) and Conditional Use Permit (CUP) applications only.

The Planning Commission Public Hearing is held in the Commissioners Meeting Room on the 2nd Floor, Suite 220 of the Forsyth County Administration Building, 110 East Main Street, Cumming GA 30040 and starts at 6:30 p.m.

The Planning Commission Work Session is typically held one week prior to the Public Hearing in the Forsyth County Administration Building 110 East Main Street, Cumming GA 30040 and starts at 6:30 p.m. The room location can be found at www.forsythco.com. The public may attend the Work Session but is not allowed to speak or ask questions.