

## Disclosure of Campaign Contributions

The official code of Georgia (36-67A-3) requires that when any **applicant** for, or **opponent** of, a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250 or more to local government official of the local government which will consider the application, it shall be the duty of the applicant/opponent to file a disclosure with the governing authority of the respective local government showing:

- The name and official position of the local government official to whom the campaign contribution was made; and
- The dollar amount and description of each campaign contribution made by the applicant/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.

The disclosure required by this Code section shall be filed:

- By the **applicant** within 10 days after the application for the rezoning action is first filed.
- By the **opponent** at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

Any person knowingly failing to comply with or otherwise violating the above disclosure requirements shall be guilty of a misdemeanor (OCGA 36-67A-4).

## Town of Braselton Zoning Districts

For the purpose of regulating development, Braselton has divided its jurisdictions into the following zoning districts\*:

- RI – Single Family Detached Residential
- RII – Single Family Detached Residential
- RIII – Single Family Detached/Attached Residential
- RM – Residential Multifamily
- MHD – Manufactured Housing
- OI – Office and Institutional
- NC – Neighborhood Commercial
- GC – General Commercial

- DD – Downtown District
- BP – Business Park
- MD – Manufacturing and Distribution
- II – Industrial District
- PUD – Planned Unit Development
- TND - Traditional Neighborhood District

### Overlay Zones

- SR 211 Commercial Corridor District
- Downtown Overlay District

\* This list is current as of September 2006. However, it is subject to revision as the zoning regulations are amended.

Each zoning district differs from all other districts as to

- which land uses are allowed;
- what standards and restrictions apply; and
- what approvals are necessary.

For each district, the Braselton Development Code provides a description of permitted land uses and other requirements (minimum lot size, setbacks, frontage, etc.).

Requirements and permitted uses are subject to change with new amendments to the regulations. Always make sure you have the latest version of requirements and permitted land uses.

Legal Representation: This information sheet is not, and should not be considered, a substitute for sound legal advice. Because of the importance of all zoning matters, the Braselton Mayor and Council Members encourage you to seek legal advice from an attorney of your choice.

For information on the Town of Braselton:

Go to  
[www.braselton.net](http://www.braselton.net)

or contact  
Braselton Planning and Development Department  
Kevin Keller, Director 706-654-3915

Or write  
The Town of Braselton  
P.O. Box 306  
Braselton, GA 30517

# Citizen's Guide To Public Hearings on Zoning Changes



The Town of Braselton  
Department of Planning and  
Development  
P.O. Box 306  
Braselton, GA 30517

## Application Process for Zoning Change

The zoning change process begins by arranging a preliminary meeting with a planner to determine what items are to be provided by the applicant. Required items include:

- Completed Application Form
- Boundary Survey and Plat
- Legal Description of Property
- Notarized Signature from Property Owner and Applicant
- Disclosure of Campaign Contributions
- Letter of Intent
- Application fee (to be paid upon filing)

Application items that may be required include:

- Site Plan of Proposed Development
- Written report
- Traffic Study
- Annexation Petition (if annexation is requested)

A complete application must be filed in the Planning and Development Department and accepted by the Director at least 45 days prior to the Planning Commission meeting (60 days if a Development of Regional Impact is required), and a legal advertisement is published at least 15 days prior to both Planning Commission and Mayor and Council public hearings.

Signage must be posted on the subject property at least 15 days prior to public hearings by the Planning Commission and Mayor and Council, listing hearing dates and times.

A copy of the application and Planning and Development staff report are provided to the Planning Commission.

A public hearing on the application is held by the Planning Commission, which meets at 7:00 p.m. in the Braselton Police and Municipal Court Building Courtroom (unless otherwise posted) on the fourth Monday of each month. At the hearing, comments are heard from the applicant and any other concerned citizens, and the Planning Commission provides a recommendation to the Mayor and Council as to whether the application should be approved, denied, approved with conditions or tabled.

The Braselton Mayor and Council will hold a public hearing on the application during its regularly scheduled work session, held in the Braselton Police and Municipal Court Building Courtroom on the Thursday preceding the second Monday of each month at 4:00 p.m. At their regular meeting, held at 7:00 p.m. on the second Monday of each month, the Town Council will take action on the application. The Town Council may vote to approve, deny, approve with conditions, table or refer back to the Planning Commission. The decision is final unless appealed to the Superior Court of Jackson County within 30 days following action by the Braselton Town Council.

### Criteria for Planning Decisions

Planning Commissioners and Council members study the need and justification for a requested zoning change, based on a determination of the facts applicable to each request and on the following criteria:

- a. Will the rezoning requested permit a use that is suitable in view of the existing use and development of adjacent and nearby property?
- b. Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby property?
- c. Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?
- d. Is the subject property suitable for the zoned purposes?
- e. Will the rezoning requested result in a use that could cause an overcrowding condition with respect to the existing streets, transportation facilities, utilities or schools?
- f. Does the rezoning requested conform to the Town of Braselton Future Land Use Map?
- g. Does the hardship imposed upon the individual property owner under the current zoning conditions outweigh the benefits to the public in maintaining those zoning conditions?
- h. Will the rezoning request significant adverse impact on the environment, including, without limitation, soil erosion and sedimentation, flooding, air and water quality and water quantity?
- i. Will the rezoning request have a significant adverse impact on the aesthetics of the property or the surrounding area?
- j. Are there other existing or changing conditions regarding the use and development of the property which give support for approval or disapproval of the rezoning request?

## Public Hearing procedures

Before acting on a proposed amendment, the Planning and Commission and Mayor and Council each hold a public hearing, which:

- ➔ Is held separately from the regular meeting of the Town Council, with published notice of time and place.
- ➔ Is conducted by the hearing officer.
- ➔ Is convened when the hearing officer reads the published notice of proposed zoning amendments before the Town. Proposals are considered in order listed in the publication notice.
- ➔ Continues with the hearing officer stating the proposed zoning amendment and the party initiating the proposal. Staff is then called on to report the Planning Commission's recommendation and summarize its written report.
- ➔ Provides an opportunity to persons both favoring and opposing the proposed amendment to address the Town officials.
- ➔ When addressing the Town
  - Each speaker must first state his or her name and address.
  - Comments are accepted first from the party proposing the amendment, followed by persons speaking in its favor and then from those in opposition. The party proposing the zoning amendment may then offer rebuttal.
  - The hearing officer may place reasonable limits on the number of persons who may speak for or against the proposal; on the time allowed for each speaker; and on the total time allowed for comment, with a minimum of 10 minutes per side.
  - Comments must pertain only to the merits of the proposed zoning amendment, and must be directed to the Town officials. Comments are not allowed which may be construed as personal attacks on any other speaker, or as irrelevant to the proposed zoning amendment. Violators will be first cautioned and then prevented from making further comment.
  - Petitions, studies, letters and other material should be submitted prior to the hearing, allowing ample time for study by the Town Council. Materials submitted at the hearing may or may not be accepted by the Council, and if presented orally are subject to time limitations.

The Planning Commission or Mayor and Council:

- ➔ May, if necessary, call on previous speakers for clarification.
- ➔ May, if necessary, continue the hearing at a later date.
- ➔ May call for additional views, studies or information from any source considered necessary to making a sound decision.