



DEPARTMENT OF DEVELOPMENT SERVICES

1113 Usher Street

Covington, Georgia 30014

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**CHECKLIST FOR ESTABLISHING, OR
EXPANDING A PLACE OF WORSHIP**

(Revised 11/17/2016)

APPLICABLE STANDARDS

Sec. 105 DEFINITIONS

Place of Worship – A lot or building wherein persons assemble for religious worship and which is maintained and controlled by a non-profit body organized to sustain public worship. The term shall also include any of the following: cathedral, chapel, church, synagogue, temple, mosque, tabernacle and other similar terms.

Sec. 510-480 PLACE OF WORSHIP

- A. If located in a residential district, the site must be a minimum of four (4) acres in size.
- B. Accessory uses include Sunday School facilities, recreational areas, parking, cemetery, caretaker's housing in a separate residential structure, and residential living facilities such as a convent, abbey, or parsonage. All accessory uses must meet the requirements of this ordinance.
- C. When located in a residential district, the following conditions shall apply:
 - 1. Place of worship must be located on a collector or arterial street;
 - 2. A fifty (50) foot buffer or twenty-five (25) foot buffer with opaque screening adjacent to residential zoning is required;
 - 3. Driveways and parking areas must set back twenty-five (25) feet from side property lines;
 - 4. No school, child care, adult day care, gymnasium, homeless shelter, caretaker's housing with the church building, amphitheater, or lighted ballfield shall be allowed without a conditional use.
 - 5. Active recreation fields, such as for baseball, football or soccer, or any amphitheater must be located at least 100 feet from any property line adjacent to a residential district or use.
- D. Parking lot landscaping standards as provided in the Development Regulations shall apply.
- E. The provisions of this section are not intended to impose a substantial burden on the exercise of religion by a person, religious assemble or institution, and such burdening of religious exercise is not allowed except for provisions that serve a compelling government interest. In considering a request for a variance from any term imposed under this section, and if the variance is not warranted under the existing standards, the Planning Staff shall consider the following:
 - 1. Whether the regulation imposes a substantial burden on exercise of a religion.
 - 2. Whether the regulation serves a compelling government interest; and
 - 3. Whether the regulation is the least restrictive means to serve that interest, or whether the request can be granted without harming that interest.

If any provision of this section is found to impose a substantial burden on the exercise of a religion and does not serve a compelling government interest or is not the least restrictive means to serve that interest, the variance shall be granted.

- F. Any Place of Worship proposed for an existing structure shall submit inspection fees for a building inspection and a Fire Marshall inspection prior to issuance of an Administrative Use Permit. Satisfaction of any repairs, changes, upgrades, etc. (and acquisition of any permits) required by either the building inspector or the Fire Marshall shall become conditions of approval of the Administrative Use Permit.

**Sec. 505-015 DEVELOPMENT OF COMMUNITY IMPACT AND ADMINISTRATIVE
USE PERMIT**

- A. Any use designated Administrative Use Permit (AU) in the Use Table shall be permitted in the designated zoning district subject to the approval of the Planning Commission. An application shall be submitted to the Zoning Administrator including a site plan or building plan for the proposed use, showing the size and location of the proposed structure, compliance with any applicable Use Standard, all required buffers,

compliance with any applicable stormwater drainage, landscaping or other development requirements, and any other information required by the Zoning Administrator.

B. When an application is made for a Development of Community Impact or an Administrative Use Permit under the terms and provisions of this section, the following factors shall be considered when assessing for approval or denial:

1. The character of the zoning district, as stated in the Ordinance, and whether the proposed use is consistent with that character;
2. The negative impacts of the proposed use on the surrounding properties and uses, including aesthetics, traffic, health, public services, and safety;
3. Whether the site is adequately sized and contains appropriate terrain and geography for the use;
4. Whether the use will cause unreasonable adverse impacts on adjoining land due to noise, smoke, odor, hours of operation, light pollution or other considerations;
5. Whether the buffers, screening and mitigation measures can ameliorate any negative impact; and

C. If the use is for a place of worship, the criteria of Sec. 620-060(B)(15) shall also be applied before such use is denied.

PROCESS STEPS

STEP ONE: Obtain a Use Permit

New churches and the expansion of existing churches require an Administrative Use Permit. Many ancillary church uses, such as gymnasiums, schools or day care facilities also require Conditional use Permits, which must be approved by the Board of Commissioners. Please contact Judy T. Johnson, Zoning Administrator, at the Development Services Department to schedule a pre-application meeting.

STEP TWO: Apply for a Land Disturbance Permit (if applicable)

This permit allows development of the site, authorizing activity such as clearing, grading, installation of stormwater facilities, parking, landscaping, commercial driveways, deceleration lanes, left turn lanes, and dedication of right-of-way. Please contact Ray Spencer at the Engineering Department for more information.

STEP THREE: Obtain Septic Tank Approval (if applicable)

If the property uses a septic tank, you will need the Environmental Health Department to issue an approval.

STEP FOUR: Obtain a Building Permit (if applicable)

Submit three sets of engineered plans to the Development Services Department for review by Staff and the Fire Marshall. Submit a plan to the State Fire Marshall, too. When Development Services staff receives comments from the State Fire Marshall, staff begins its review. Please contact the Fire Department if you have any questions. Regarding permitting of plans, contact Bob Cart at the Development Services Department.

STEP FIVE: Obtain a Business License (as applicable)

A Business License may be required for some ancillary uses; however, churches are exempt from payment of the tax. Administrative fees for the fire inspection, business license and any applicable impact fees are required and will be collected at this time. Please contact Tracy Hernandez at the Development Services Department for more information (for information on impact fees, please contact Joy Honeycutt).

FEES (Subject to Change)

| | |
|-----------------------------------|--|
| Administrative Use Permit: | \$150.00 |
| Conditional Use Permit: | \$800.00 |
| Land Disturbance Permit Fees: | \$700.00 plus \$100 per disturbed acre |
| Building Permit Fees: | Varies by square foot |
| Fire Inspection: | \$150.00 |
| Business License Application Fee: | \$100.00 |
| Impact Fees: | Varies |
| Building Inspection Fee: | \$50.00 |

Initial Fees due when submitting an application in existing building¹: \$300.00

CONTACTS

| | | | |
|-----------------------------------|--------------|---------------------------------------|--------------|
| Zoning Administrator | 678-625-1656 | Ray Spencer, NPDES Officer | 678-625-1328 |
| Building Dept | 678-625-1659 | Capt. Robert Thomas, Newton Co. Fire | 770-784-2116 |
| State Fire Marshall | 404-656-2064 | Environmental Health Department | 770-784-2121 |
| Tracy Hernandez, Business License | 678-625-1655 | Joy Honeycutt, Impact Fee Coordinator | 678-625-1651 |

NEWTON COUNTY
APPLICANT'S CHECK SHEET

DOCUMENTS AND QUANTITIES REQUIRED FOR
ADMINISTRATIVE USE PERMITS

NO FILING DEADLINE

FEES MAY BE PAID BY CHECK OR MONEY ORDER ONLY

| ITEM | REQUIRED ITEM | NUMBER OF COPIES | CHECK <input checked="" type="checkbox"/> |
|------|-----------------------------|------------------|---|
| 1. | Pre-application Review Form | One (1) copy | |
| 2. | Application Form | One (1) original | |
| 3. | Letter of Intent | One (1) | |
| 4. | Survey Plat | Two (2) | |
| 5. | Written Legal Description | One (1) | |
| 6. | Concept Plan –full size | Two (2) | |
| 7. | Impact Questions | One (1) copy | |

REQUIRED ITEMS FOR ADMINISTRATIVE USE PERMITS:

- ITEM 1. PREAPPLICATION REVIEW MEETING AND FORM: Prior to submitting an application, all applicants must meet with the Zoning Administrator or the Planner who will review your proposal and issue a Pre-application Review Form. Bring to the meeting a site plan. Call 678-625-1656 for an appointment.
- ITEM 2. APPLICATION FORM: The applicant must have a notarized signature of all owners of the subject property authorizing the filing of the application. If the owner is not the petitioner, part 2 of the form must also be completed. The owner's signature of the application may

¹ Additional charges and fees may be required for building permits, state fire marshal review and impact fees.

serve as authorization for the petitioner/applicant or agent to act on their behalf in the filing of the application.

ITEM 3. LETTER OF INTENT: The letter should include factual information such as zoning district, petition number, date of hearing, condition number, and details of the requested modification. (i.e.” to delete the condition ...”, or “to reduce the approved buffer from 100 feet to 50 feet...”)

ITEM 4. SURVEY PLAT: The survey of the property must be prepared and sealed by a professional engineer or land surveyor registered in the State of Georgia, and includes the following

1. The complete boundaries of the subject property and all buildings and structures existing thereon;
2. Notation as to whether or not any portion of the subject property is with the boundaries of the 100-year floodplain; and
3. A notation as to the total acreage or square footage of the subject property.

ITEM 5. WRITTEN LEGAL DISCRPTION: Must be a “metes and bounds” description. Must match the survey and the concept plan. If property is within a recorded subdivision, lot number(s) and book and page of recorded plat may be sufficient, if a copy of the recorded plat is provided.

ITEM 6. CONCEPT PLAN – FULL SIZE: Must be drawn to scale. Include existing and proposed conditions, and anything useful to demonstrate a hardship like shape of property, easements, topography, parking, driveways, buffers, landscape areas, streams, and other features.

ITEM 7. IMPACT ANALYSIS: Complete the form answering all questions regarding the impact of the proposed use with respect to each standard and factor

PETITION FOR ADMINISTRATIVE USE PERMIT

Date: _____ Tax Map and Parcel Number(s): _____

Commission District Number: _____

SECTION I USE REQUEST

SUBJECT PROPERTY ADDRESS/STREET NAME: _____

Under provisions of Section 505 of the Newton County Zoning Ordinance, application is hereby made to obtain an Administrative Use Permit as follows:

CURRENT ZONING: _____

ADMINISTRATIVE USE PERMIT REQUEST:

SECTION II OWNER/PETITIONER

NOTICE: Parts 1 and/or Part 2 below must be signed and notarized when petition is submitted. Please complete Section II as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application. Please indicate applicable map and parcel numbers for each owner.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application. The owner also states under oath that the petitioner below is authorized to act on their behalf in the filing of this application.

_____ Sworn to and subscribed before me this
 TYPE OR PRINT OWNER'S NAME _____ Day of _____ 20____

_____ ADDRESS _____
 _____ NOTARY PUBLIC

_____ CITY & STATE ZIP CODE MAP & PARCEL NUMBER(S) _____

_____ OWNER'S SIGNATURE _____ PHONE NUMBER _____

Part 2.

_____ Sworn to and subscribed before me this
 TYPE OR PRINT PETITIONER'S NAME _____ day of _____ 20____

_____ ADDRESS _____
 _____ NOTARY PUBLIC

_____ CITY & STATE ZIP CODE _____

_____ PETITIONER'S SIGNATURE _____ PHONE NUMBER _____

SECTION III ATTORNEY/AGENT

Check One: Attorney Agent

_____ TYPE OR PRINT ATTORNEY / AGENT NAME _____

_____ ADDRESS _____ SIGNATURE OF ATTORNEY / AGENT _____

_____ CITY & STATE ZIP CODE _____

_____ PHONE NUMBER _____

IMPACT ANALYSIS FOR ADMINISTRATIVE USE PERMITS

Pursuant to Newton County Zoning Ordinance Sec. 505-015 B.

When an application is made for an Administrative Use Permit under the terms and provisions of this section, the following factors shall be considered when assessing for approval or denial:

1. **Is this use compatible with adjacent properties and with other properties in the same zoning district?** _____

2. **Is the public street on which the use is proposed to be located adequate and there sufficient traffic-carrying capacity for the use proposed?**

Does the proposed site plan allow for satisfactory ingress and egress, with particular reference to pedestrian and automotive safety, traffic flow and emergency access?

Are there any potential negative impacts of the proposed use on the surrounding properties and uses, including aesthetics, health, public services, and safety?

3. **Is the size of the site for the use contemplated adequate land area and contains the appropriate terrain and geography for the proposed use?**

4. **Will this use create unreasonable adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use?**

Will the proposed use create any unreasonable adverse impacts upon any adjoining land use by reason of the manner of the hours of operation of the proposed use?

Will the proposed use create unreasonable adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use?

5. Whether the buffers, screening and mitigation measures can ameliorate any negative impact?

6. For proposals for a Place of Worship which do not meet the above criteria, whether the regulation imposes a substantial burden on the exercise of a religion and does not serve a compelling government interest or is not the least restrictive means to serve that interest.
