

SPECIAL LAND USE PERMIT (SLUP) APPLICATION CHECKLIST

for Personal Care Home or Child Care Institution for (4) to (6) Persons, with no new construction

Submit application through our online portal www.epermits.dekalbcountyga.gov

You must also email your application number and one (1) copy of your application as one (1) PDF file to plansustain@dekalbcountyga.gov and copy lahill@dekalbcountyga.gov.

- _____ 1. Schedule a mandatory, virtual **Pre-Application Conference** with Planning & Sustainability staff, by appointment. Please email lahill@dekalbcountyga.gov for appointment.
 - _____ 2. Hold a **Pre-Submittal Community Meeting** with nearby neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets, recording if it is virtual**).
 - _____ 3. *Submit **Application** through portal www.epermits.dekalbcountyga.gov and email Staff the application number to the Plansustain email address and to lahill@dekalbcountyga.gov
- Please assemble materials in the following order:**
- _____ 4. **Application form** with name and address of applicant and owner; and the subject property address.
 - _____ 5. **A. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting.
 - _____ 6. **B. Letter of application** identifying a) the reason for the Special Use request, b) the existing and proposed use of the property, c) detailed characteristics of the proposed use (e.g., floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation). See Page 3.
 - _____ 7. **C. Impact Analysis** of the anticipated effect of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance. (See Page 4.)
 - _____ 8. **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property.
 - _____ 9. **E. Campaign disclosure statement** (required by State law).
 - _____ 10. **F. Building Form Information**. Photos of existing building, property and parking area. Floor plans of structure showing bedrooms, bathrooms and living space.
 - _____ 11. **G. Completed, signed Pre-Application Form** (Provided after pre-application meeting).
 - _____ 12. **I. Confirm the property is over 1,000 feet from any other group care home.** The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the group personal care homes are located.

Confirm at: forms.dch.georgia.gov/HFRD/GaMap2Care.html Use this map Use the map to search for identify other "Personal Care Homes" (PCH) and/or "Child Care Institution" (CCI) ". Select both of those types on the left-hand side and then click "search".

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

You must also email your application number and one (1) copy of your application as one (1)

*PDF file to plansustain@dekalbcountyga.gov and copy lahill@dekalbcountyga.gov.



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION for PCH or CCI (with no new construction)

Amendments will not be accepted after 5 working days after the filing deadline.

SLUP Request for: OVER 18 _____ or UNDER 18 _____ years of age (check one)

Subject Property Address: _____

Distance to the closest Personal Care Home/Child Care Institution: _____

Parcel ID Number(s): _____

Acreage: _____ Commission District(s): _____ Super District: _____

Zoning District(s): _____ Land Use: _____

Applicant Name: _____

Applicant Email Address: _____

Applicant Mailing Address: _____

Applicant Phone Number: _____

Owner Name: _____

(If more than one owner, attach list of owners and contact information.)

Owner Email Address: _____

Owner Mailing Address: _____

Owner Phone Number: _____

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: _____ Agent: _____

Signature of Applicant: _____

LETTER OF APPLICATION

Please provide the following details, as well as any other information that will be useful to the staff evaluation of your application:

- The reason for the Special Land Use Permit (SLUP) request.
- What are your qualifications?
- Please list a three (3) key functions in order for you to operate your business successfully:
- What will the impact be on neighbors? How will you ensure that concerns are addressed?
- Detail characteristics of the proposed use, for example:
 - Number of rooms?
 - Number of persons to be served?
 - Number of employees?
 - Residents' needs (e.g. special needs, elderly, school-age, etc.)?
 - Manner of operation (e.g., internal or external education/instruction, recreational needs, food service, etc.) and
 - Hours of operation?
 - Will there be cameras/surveillance/security?
 - How many off-street parking spaces?

IMPACT ANALYSIS

Criteria: Sec 27-7.4.6 The following criteria shall be considered by the Department of Planning and Sustainability, the Planning Commission and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and unless the application is in compliance with all applicable regulations in Article 4.

- A. Is the size of the site adequate for the use contemplated and is adequate land area is available for the proposed use, including provision of all required yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located?
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.
- C. Are public services, public (or private) facilities, and utilities adequate to serve the proposed use?
- D. Is the public street on which the use is proposed to be located adequate and is there sufficient traffic- carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area?
- E. Is the ingress and egress adequate to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency?
- F. Will the proposed use create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use?
- G. Is the proposed use otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located?
- H. Is the proposed use consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan?
- I. Is there adequate provision of refuse and service areas?
- J. Should the length of time for which the SLUP is granted be limited in duration?
- K. Is the size, scale and massing of proposed buildings appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and will the proposed use create any shadow impact on any adjoining lot or building as a result of the proposed building height?
- L. Will the proposed use adversely affect historic buildings, sites, districts, or archaeological resources?
- M. Does the proposed use satisfy the requirements contained within the supplemental regulations for such special land use permit?
- N. Will the proposed use be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process?

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: _____

TO WHOM IT MAY CONCERN:

I/WE: _____
Name of Owner(s)

being owner(s) of the subject property described below or attached hereby delegate authority to:

Name of Agent or Representative

to file an application on my/our behalf.

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes: _____ No: _____*

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant /Date

Check one: Owner _____ Agent _____

Expiration Date/ Seal

***Notary seal not needed if answer is "No".**

Building Form Information (photos of property and floor plans):

DEPARTMENT OF PLANNING & SUSTAINABILITY

ADDITIONAL CRITERIA FOR SPECIFIED USES:

No application for a Special Land Use Permit for the uses specified below shall be granted by the Board of Commissioners unless it is determined that, in addition to meeting the requirements contained within the zoning district in which such property is located and the criteria contained in section 7.4.6 and complying with applicable regulations in Article 4, satisfactory provisions and arrangements have been made concerning each of the following criteria:

- A. ***Child day care facility.*** In determining whether to authorize a special land use permit for a child day care facility, the board of commissioners shall also consider each of the following criteria:
1. Whether the proposed off-street parking areas and the proposed outdoor play areas can be adequately screened from adjoining properties so as not to adversely impact any adjoining land use.
 2. Whether there is an adequate and safe location for the dropping off and picking up of children at the child day care facility.
 3. Whether the character of the exterior of the proposed structure will be compatible with the residential character of the buildings in the zoning district in which the child day care facility is proposed to be located, if proposed for a residential zoned district.

Sec. 4.2.41. - Personal care homes and child caring institutions. Read the code in full [HERE](#).

A. ***Personal care homes, general requirements.***

1. Each personal care home must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
2. No personal care home may display any exterior signage that violates the sign ordinance in [chapter 21](#) of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
3. Personal care homes may apply for an FHA Accommodation Variance as provided for in [section 7.5.9](#) of this chapter.

B. ***Personal care home, group (four (4) to six (6) persons).***

1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any applicable requirements in [article 6](#).
3. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within one thousand (1,000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the group personal care homes are located.

C. ***Child caring institutions, general requirements.***

1. Each child caring institution must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
2. No child caring institution may display any exterior signage that violates the sign ordinance in [chapter 21](#) of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.

D. ***Child caring institution, group (four (4) to six (6) children).***

1. Two (2) copies of complete architectural plans for the subject group child caring institution, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group child caring institution must provide at least four (4) parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in [article 6](#).

Expiration and Limits of SLUPS:

Sec. 7.4.11. - Limitations of special land use permits.

- A. *Development of an approved special use.* The issuance of a special land use permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required by any applicable law or regulation.
- B. *Expiration of a special land use permit.* Unless a building permit or other required approval(s) is applied for within twelve (12) months of the board of commissioners' approval, and construction pursuant to such building permit is promptly begun and diligently pursued thereafter, the special land use permit shall expire automatically, unless the permit is extended upon application to the board of commissioners in accordance with subsection C. of this section.
- C. *Time extension of a special land use permit.* A time limitation imposed on special land use permits by the board of commissioners and the expiration date established pursuant to subsection B. of this section may be extended once for twelve (12) consecutive months upon written request by the applicant and approval by the planning director. Any further time extensions shall be by the board of commissioners upon written request by the applicant and approval of the board of commissioners after compliance with the public notice provisions of section 7.2.4.C. In considering a request to extend, the planning director and the board shall consider the criteria described in [section 7.4.6](#).
- D. *Limitations on approvals for special land use permits.* A special land use permit shall expire automatically and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of twelve (12) consecutive months.
- E. *Modifications to a special land use permit.* Changes to an approved special land use permit, including changes to approved conditions, expansion of the approved use, or expansion of building square footage, shall be subject to the same application, review and approval process as a new application, including the payment of relevant fees.

FILING FEES

At the time of submittal, a filing fee shall accompany each Special Land Use Permit application as follows:

SPECIAL LAND USE PERMIT \$400.00

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. Applications deferred "full cycle" do not require additional fees. An application that is withdrawn and later re-filed will be treated as a new case and will require a new fee.