

INFORMATION IS POWER!!!

Know where to find the answers to your questions!

We are fortunate to have a county with an exceptional website. All zoning information is available at www.gwinnettcounty.com. You can familiarize yourself with the county zoning guidelines such as the Unified Development Ordinance (UDO), the 2040 Unified Plan (Comprehensive Plan or Comp Plan), and the 2020 Land Use Plan Map (LUP). These documents are the framework for the zoning process.

BE PROACTIVE!

Appoint someone to monitor applications as they are submitted to the county or do it yourself. Routinely checking applications and red flagging upcoming cases gives you an edge on the process. Waiting for the yellow rezoning sign to go up limits the amount of time you have to lobby for conditions to better the development or the timeline to rally opposition to kill the rezoning completely.

Go to www.gwinnettcounty.com. There is a bar across the top. Choose Departments, then click on Planning and Development. Next Click on Land Use Planning. Choose Applications Received from the bottom of the bar to the left side.

Scan the applications by address for listings in your area. Click on cases that have local addresses. You can download the Application Package for further study.

The three Rs of Reactivity are:

Read Up

Rationalize Objections

Rally Troops

Print a site plan from the Application Package large enough to be able to read the details. The applicants will have a 24 x 36 inch site plan and you may want to spend the money at Office Depot or Kinko's for one as well. An 8.5 x 11 inch site plan is impossible to decipher. I urge you to get an 11.5 x 17 inch printed at the very least. It will help you in evaluating the strengths and weaknesses of the plan.

DO THE MATH!

Check the applicant's calculations for density, green space, common space, buffers, etc. They sometimes fudge the numbers and it is impossible to catch these details on the 8.5 x 11 inch site plan.

Formulate a list of concerns for denial or conditions should it be approved.

At this point, most vacant land in Gwinnett is still vacant for a reason and that reason is that it has developmental difficulties that increase the cost to build. Mainly, those include wetlands, streams, or sharp drops in elevation.

Highlight the flaws in the plan and environmental concerns like a dam breach zone, etc.

The yellow rezoning signs are required to be posted on the subject property a minimum of 14 days prior to the case being heard. Cases are first heard by Municipal-Gwinnett County Planning Commission. They routinely meet the 1st and 3rd Tuesdays of the month. The Planning Commission may add a Wednesday meeting for a total of three in one month when faced with an unusually large number of cases. (Holidays may alter this schedule.)

The posting of zoning signs usually correlates with the posting of the Agenda Package on the county website. This can be found on the page with the Planning Commission Public Hearing Schedule. The Planning Department's staff analysis will be included in that package. They are our paid planners and they critique the application on its merit, or lack thereof.

Go to gwinnettcountry.com. Click on Departments, choose Planning and Development, then click on Land Use Planning Menu, then Planning Commission and finally click on dark blue bar labeled View Notices, Agendas, and Meetings.

This information is excellent to use in your argument and presentation. Staff will cite the 2040 Unified Plan, the Unified Development Ordinance and the 2030 Comprehensive Plan. Approximately \$1 Million of our taxes go toward the preparation of these documents. Use that and what is found in them to make your case.

Gwinnett County uses Standards Governing Zoning or the "Steinbergs" to evaluate a zoning request. This is Georgia Zoning Law. They are called the Steinbergs after Representative Cathey Steinberg of DeKalb County, who sponsored the Steinberg Act passed in 1985. The Planning Department uses them to recommend whether the Commissioners approve or deny a request and you should also use them in your argument. Ironically, the way the Applicant answers the same questions regarding those standards in their application directly contradicts the Planning Department's Analysis generally.

School overcrowding is just one factor in creating a burden on infrastructure and cannot be used solely as an argument in denying a rezoning. Cite multiple ways the zoning will place hardships on infrastructure and safety.

Research the applicant's history. Check out the quality of their other developments. If they are requesting to relocate their business near you it is a good idea to see what their current location looks like. If their current location looks junky then that is what you can expect of their new location.

Take photos of existing locations or developments for your presentation. Highlight historical flaws and shortcomings in the applicant's other developments. This is particularly useful in applications for Special Use Permits. Car repair and used car sales locations consistently look like a junk yard and junk yards belong in another zoning classification.

Email your Planning Commissioners the week prior to the Public Hearing. Write to all nine of them. They each have a vote.

It shouldn't have to be said not to be threatening but as a Planning Commissioner I received numerous emails threatening not to vote for me if I didn't deny that rezoning. (Planning Commissioners are appointed, not elected.) County Commissioners get the same threatening emails. Advise your group against doing this!

Email guidelines:

Reference the Zoning Case Number in the subject line.

Use logic and zoning law. Reference staff's negative comments from the Analysis in the Agenda Package. Cite whether or not the zoning meets the Standards Governing Zoning, the UDO, the 2030 Comp Plan or the Land Use Map.

Keep it brief if you want your entire message to be read.

Be respectful. They are our advocates, not our adversaries.

Thank them for their time and commitment to our county. It is basically a thankless job that pays very little.

Reach out to others around you and encourage them to write and attend the Public Hearing(s). Use Facebook, Nextdoor and your HOA email list if you have one to get your message out to as many people as possible.

There is a chance that the applicant will reach out to you and request a meeting if you have a lot of people contacting the commissioners. I encourage you to meet and to see if there is any middle ground. Many times they will make concessions to your group prior to the hearing. They will barter with changes to their plan in exchange for your support. Generally, they have asked for the moon in their request and expect to have to give up something to get it passed. SO ask for the moon as well!

Both the applicant and the opposition have 10 minutes each for their presentation. It is important to coordinate with others who may wish to speak at the microphone. Try to cover different arguments so that you are not repeating each other and wasting the little time you have to make your case.

People within 1000 feet of the subject property are the only ones who receive written notification of the zoning request. Homeowners whose property abuts the subject property are the only ones with legal standing to sue over the zoning should it adversely affect the value of their property.

Homeowners with property adjacent to the rezoning should be given deference at the microphone. Try to coordinate to divide the 10 minutes. I strongly urge you to practice your statements with a timer so you are sure how much time you need to make your points. 10 minutes goes quickly. Remember that you are sharing the 10 minutes with other concerned residents.

Use photos and visual traffic examples in your presentation. A good picture IS worth a thousand words! Ask someone to assist you in displaying the photos in front of the podium on the overhead camera while you speak. This helps make the most of your time at the microphone.

HOA's and groups like Mountain Park Community Association give you more bargaining power. Try to enlist larger groups in your effort for the strength in numbers scenario. MPCA has successfully used online surveys to compile large numbers in opposition to a townhome project.

Some folks believe in wearing red to the Public Hearings to denote you are there in opposition. If all opposition is wearing red it makes it impossible for the commissioners to determine which case the red shirts are there to oppose. That can work in your favor. If you want your specific group recognized then another color such as green is helpful. People associate green with saving trees and most zonings eliminate a large number of them.

The chairperson will ask if there is opposition for a case and at that point you raise your hand or stand. I suggest that you enlist others in the auditorium to raise their hands for your case in exchange for you doing the same for them. We may all be in different communities but we are all in the same boat in the zoning process. Every quality development benefits the county at large.

The Chairperson will ask that you not clap or create a disturbance after a vote has been taken. Be respectful of the Public Hearing process.

Each of the four district County Commissioners appoints two Planning Commissioners and the Chairman/Chairwoman appoints one for a total of nine. It takes a majority to pass or kill a zoning.

It is your job to lobby for those votes by presenting a valid and convincing argument against the zoning! The applicants generally hire attorneys who are professionals in the process. We can be professionals too!!!

You will learn something new with each zoning battle that will help with the next one. And there WILL be a next one. Each time your circle of community advocates will widen. You'll even make new friends along the way. People who care about their community are the kind of people with whom you choose to spend time.

Planning Commissioners

Chairwoman's Appointment

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Rich.Edinger@gwinnettcountry.com (Vice-Chairman)

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District 4- Fosque

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After the Planning Commission has heard and voted on the case it is time to repeat the process with the Board of Commissioners. I encourage emails over phone messages. They provide a paper trail and permanent record. A lot of email on a case can spark pre-hearing discussion among commissioners prior to the hearing.

Gwinnett County Commissioners

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The Gwinnett County Board of Commissioners holds Public Hearings on the 4th Tuesday of the month for the purpose of hearing zoning cases. Occasionally, the votes will be delayed for further information gathering and deliberation to the following 2:00 PM Business Meeting on the 1st Tuesday of the month. You can continue to email and plead your case during the time before the vote.

Remember that our County Commissioners and Planning Commissioners are homeowners just like us. Many of them started out as the president of their HOA like District 2's Ben KU.

We recently fought a townhome rezoning on Five Forks Trickum and Chairwoman Hendrickson had to recuse herself due to living within 1000 feet of the zoning. Yes, the County Commissioners are our neighbors! Appeal to them on that level.

Having been involved in zoning battles for over 20 years in Gwinnett, I can tell you that homeowners have never had a better place at the table than we have now with the current Planning Commission and Board of Commissioners.

The Highway 78 Corridor is one of the first densely developed areas of the county. Back then all development was considered good development. We have years of bad zoning and development to attempt to retrofit. Every zoning application gives us an opportunity to raise the bar over the past.

The groundwork that Kate Pittman and Mountain Park Community Association have laid is important. We need energetic and dedicated folks to continue the momentum. They say that you get the government you deserve. The same thing can be said of your community. What kind of community do you want? Are you willing to be a contributor for positive change in your area of the county?

Margaret Mead said, "Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it's the only thing that ever has."

