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# City of Canton

## Public Hearing Filing Procedures And Application

**City of Canton**  
**Department of Planning and Zoning**  
**110 Academy Street**  
**Canton, Georgia 30114**  
**(770) 704-1530**

Dear Applicant:

## Welcome to the City of Canton!

We welcome your interest in the City of Canton and want to take this opportunity to introduce you to our public hearing process with every effort to make your experience as fluid as possible. The attached Public Hearing Filing Procedures and Application package is designed to provide you with the information you will need in order to complete your submittal.

### APPLICATION PROCESS:

In order to prepare your application within City parameters, the Department suggests that all Applicants research applicable City Ordinances. A copy of the City's ordinances may be obtained in the Planning and Zoning Department or found online at [www.municode.com](http://www.municode.com). In conjunction with this research, we suggest that you request a **Pre-Application Meeting** with the Planning and Zoning Department to discuss specific aspects of the application and how it relates to our City codes and the City of Canton Comprehensive Plan. The applicant is responsible for requesting this meeting.

A determination must also be made as to whether the proposal requires an additional submittal for the Developments of Regional Impact (DRI) review by the Georgia Regional Transportation Authority (GRTA). Thresholds for DRI applicability are provided in the attached Application Checklist and Supporting Documents Guide. Further information may be found at GRTA's website, [www.grta.org](http://www.grta.org). The Applicant is responsible for all submittal materials. The City of Canton is then responsible for submitting all required documentation to GRTA.

**Applications are due by the close of business on the first working day of each month.** The Applicant is responsible for scheduling a **Submittal Meeting** with a Planning and Zoning representative in order to submit their application. **Applications will not be accepted unless a Submittal Meeting is scheduled, the application is complete and is accompanied by all required Supporting Documents, and all application fees are paid in full.**

Note: In order to preserve your legal rights, if you allege that the property as currently zoned by the City of Canton constitutes a violation of the Federal Constitution and/or State Constitution as to amount to a taking of property without due process of law, you are required to raise said objections before the City of Canton Mayor and City Council. It is advised that said constitutional challenge be included with the application. If you have any questions concerning this provision, please contact the City Attorney .

Upon receipt of a completed application, the Planning and Zoning Department staff will conduct an analysis and provide a technical report to the Mayor and City Council. The report will be discussed with the Applicant prior to the Mayor and City Council meeting. Factors that will be considered during the application process include:

- A. Whether the proposal would allow a use that is generally suitable for the site compared to other possible uses and the uses and zoning of adjacent and nearby properties.
- B. Whether the proposal would adversely affect the economic value or the uses of adjacent and nearby properties.
- C. Whether the property to be affected by the proposal can be used in its current state and/or as its current zoning.
- D. Whether the proposal, if adopted, would result in a use which should or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities.
- E. Whether the proposal, if adopted, is in conformity with the policy and intent of the City of Canton Comprehensive plan.
- F. Whether there are other conditions or transitional patterns affecting the use and development of the subject property, which give ground for either approval or disapproval of the proposed action.



For all Annexation, Master Plan, Master Plan Amendment, Conditional Use, Rezoning, Zoning Condition Amendment and Variance cases the Planning and Zoning Department will post a public hearing notice, on or near the right-of-way of the nearest public street no more than 45 days and no less than 15 days prior to the public hearing. Planning and Zoning Department Staff will inspect the subject property to verify that signs are posted throughout the advertising period. The Planning and Zoning Department will also advertise a Notice of Public Hearing in the Cherokee Tribune no less than 15 days and no greater than 45 days prior to the public hearing. Applicants for Annexation, Rezoning, Zoning Condition Amendment, Master Plan, Master Plan Amendment, Conditional Use Approval and/or Variance shall notify adjacent properties owners as required by the City of Canton Unified Development Code Section 5.10.03. **Such notification shall be forwarded to all contiguous property owners and their respective homeowner's association utilizing the City of Canton formatted notification letter available from the City of Canton Department of Community Development, Planning and Zoning Division. The City of Canton Planning and Zoning Division will be responsible for confirming that each contiguous property owner and their respective homeowner's association is listed and hence notified. One Copy of each forwarded notification letter and one copy of a certified certificate of mailing form from the United States Postal Service shall be required to be submitted to the City of Canton Community Development Department, Planning and Zoning Division no less than 15 days prior to the meeting scheduled by the City of Canton Board of Appeals in which the particular request is to be heard. The required letter template is provided in the Supporting Documents Guide.**

Late summer of 2004, the Cherokee County Board of Commissioners and the City of Canton City Council signed a Growth Boundary Agreement. For those properties lying within the City of Canton Growth Boundary, notification of intent to annex shall be sent to the Cherokee County Commissioners. All other annexations are subject to review by Cherokee County as a stipulation of the Annexation Dispute Resolution signed between the City of Canton and Cherokee County. During this process, the County is given an opportunity to review the proposed annexation and its associated rezoning and master plan requests. The County is charged with either enacting the Dispute Resolution or allowing the annexation to proceed. In the event of an enactment of the Dispute Resolution, the application process may be delayed for an undetermined period of time. All Applicants' will be notified by the Department Staff of the progress of the Dispute Resolution process.

All Variances will be heard by the Board of Appeals (BOA). Anyone aggrieved by the decision of the BOA must appeal the decision to the Mayor and City Council within ten (10) days of the Boards decision. If the Mayor and Council decides to hear the appeal it will be placed on their next meeting date that allows sufficient time to provide notice with State law and the City of Canton Unified Development Code for the conduct of a public hearing. A denial of review by the City Council shall be an affirmation of the decision made by the BOA. Should the applicant wish to appeal this decision he/she must do so within thirty (30) days of the decision made by the City Council.

Applications for all other requests shall be heard by the Mayor and City Council. These matters are scheduled as a public hearing on the first Thursday of the third month following submission. The matter will then be placed on the City Council work session meeting the third Thursday of the month for possible action. (See calendar dates) If the application is approved by the City Council, the applicant can proceed with the development permitting process within the parameters of the application approval. Annexations become affective the first (1<sup>st</sup>) working day of the month following the vote of final approval. Permit submittals may not be made, nor permits granted on any property which is not officially annexed into the City of Canton.

Note: The applicant or applicant's authorized agent must attend all public hearings. This includes the City of Canton Board of Appeals meeting, as well as, the City of Canton City Council meeting(s). Failure to appear at these meetings constitutes abandonment and dismissal of the case(s) unless the applicant shows just cause by reason of illness or health or other emergency within a reasonable time, in writing, and accompanied by new costs for re-advertisement and hearing(s) (Article 18, Section 18.3-9(e).)

An aggrieved party to the final decision of the City of Canton City Council may appeal the final decision to the Cherokee County Superior Court. This appeal must be filed within thirty (30) days of the final decision.

**The City of Canton has adopted a City Roadmap for Success. This is a plan to help guide the city for success until the year 2035. In addition the city has adopted a Housing Needs Assessment and Market Study. Within this application you will find a page that you must sign acknowledging that you have read both the Roadmap and Market Study. Your Letter of Intent must contain language as to how you have incorporated these into your project. Applications submitted without this acknowledgement WILL NOT be accepted and your submittal will be rejected.**

If you have any questions regarding the public hearing and/or application process, please contact the City of Canton Planning and Zoning Department at (770) 704-1530.

Thank you,



Again, Welcome to the City of Canton – More Than A City!

# APPLICATION FILING PROCEDURES

## INSTRUCTIONS

1. **The deadline for completed applications is the FIRST working day of the month.**
2. Applications shall be submitted through the City’s online portal system. Paper copies may be requested.
3. **Application fees must be paid at time of submittal and are non-refundable.**
4. Taxes must be paid in-full on the subject property prior to the public hearings.
5. Outstanding code violations on the property must be addressed prior to the public hearings.
6. The City of Canton allows the applicant two (2) requests for extensions beyond the scheduled public hearing. If the request for extension is received after the Notice of Public Hearing is published, a \$500.00 readvertising fee will be assessed for each extension.
7. An application may be withdrawn without prejudice (*no waiting time to re-file*) at any time prior to the public hearing (*see Public Hearing Flow Chart*). A request for withdrawal without prejudice must be made in writing.
8. **The applicant or his/her representative *MUST* attend the hearing(s) to present the proposal. If a representative is not present at the hearing(s), the case will be tabled and readvertising fees shall apply.**

## Fees For Public Hearing Applications

<u>TYPE</u>	<u>BASE FEE</u>	<u>PER ACRE</u>	<u>ADVERTISING</u>
A. Annexation	\$1,000.00+	\$25.00	\$ 500.00
B. Rezoning	\$500.00+	\$25.00	\$ 500.00 (\$0 if heard
C. Master Plans	\$800.00+	\$25.00 Single-Family Detached & Open Space, \$50.00 all others	with Annexation) \$500.00
D. Master Plan Revisions	\$500.00+	\$25.00 Single-Family Detached & Open Space, \$50.00 all others	\$500.00
E. Conditional Use Permit	\$500.00		\$500.00
F. Land Use Modification:	\$800.00		
G. Zoning Condition Amendment	\$500.00 Per Amendment		\$500.00
H. Density Transfer within Master Plan	\$500.00 Per Transfer Type		
I. Temporary Use Permit	\$200.00		
J. Zoning Ordinance Text Amendment	\$500.00		\$500.00
K. Variance:			
Pre-Construction or Land Disturbance	\$500.00		\$500.00
Post-Construction or Land Disturbance	\$750.00		\$500.00



# Public Hearing Dates and Submittal Deadlines – 2024

The Mayor and City Council meet on the first and third Thursday of each month (holidays may affect meeting dates). The first Thursday of the month will be the public hearing. The third Thursday will be the action meeting (unless the application is tabled or deferred).

The Board of Appeals meets on the fourth (4<sup>th</sup>) Monday of the month in which the application was submitted at 6:00 p.m. for a work session. The following month the Board meets on the second (2<sup>nd</sup>) Monday for the public hearing at 6:00 P.M. These meetings are held at Canton City Hall, located at 110 Academy Street. Hearing dates are subject to change. Please call (770) 704-1530 to confirm. Following are currently scheduled dates and deadlines.

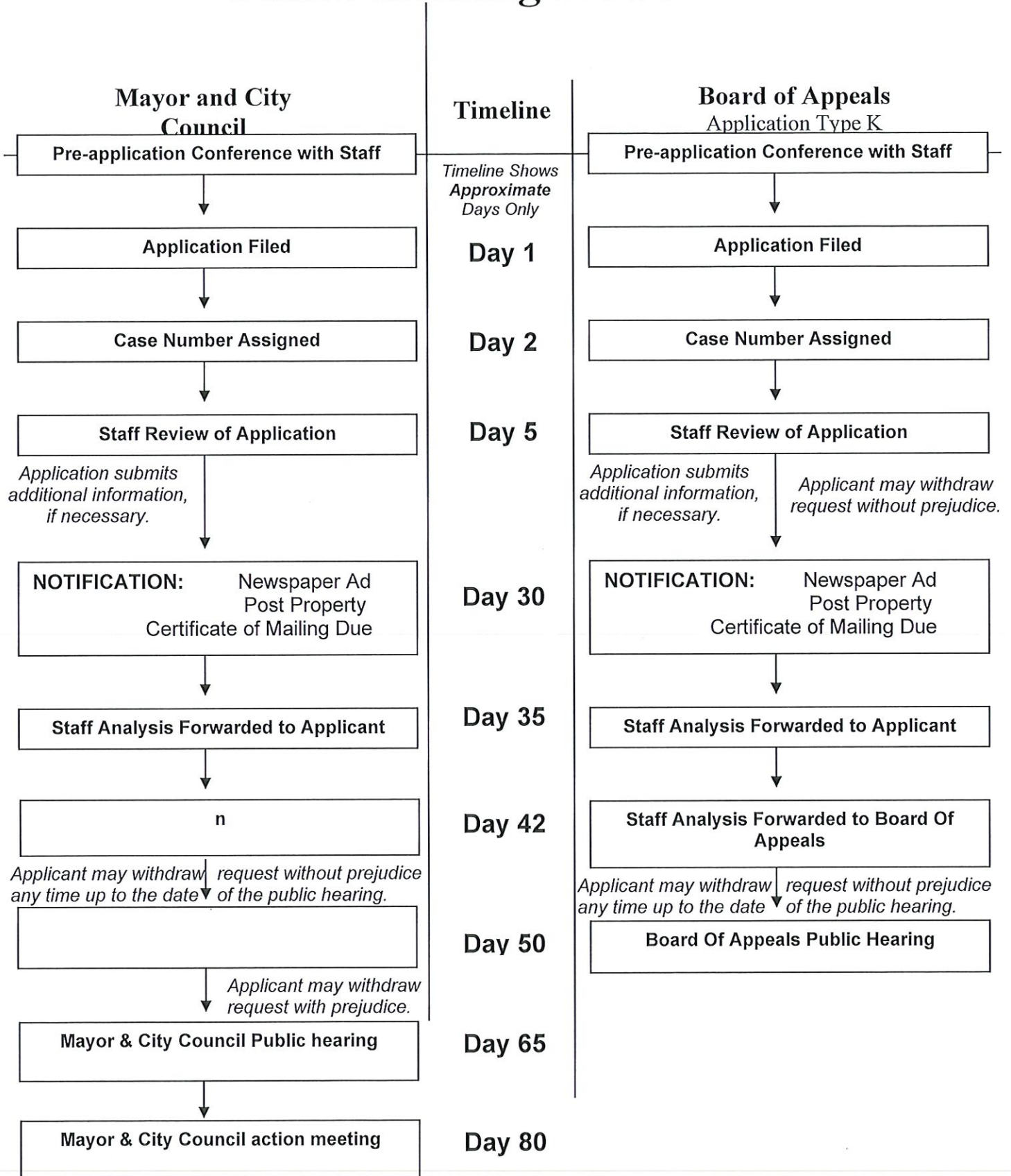
## City of Canton Mayor and City Council

<u>Submittal Deadline</u>	<u>Public Hearing</u>	<u>Final Vote</u>
Jan. 2, 2024	Mar. 7, 2024	Mar. 21, 2024
Feb. 1, 2024	Apr. 4, 2024	Apr. 18, 2024
Mar. 1, 2024	May 2, 2024	May 16, 2024
Apr. 1, 2024	June 6, 2024	June 20, 2024
May 1, 2024	July 11, 2024	July 18, 2024
June 3, 2024	Aug. 1, 2024	Aug. 15, 2024
July 5, 2024	Sept. 5, 2024	Sept. 12, 2024
Aug. 1, 2024	Oct. 3, 2024	Oct. 17, 2024
Sept. 3, 2024	Nov. 7, 2024	Nov. 21, 2024
Oct. 1, 2024	Dec. 5, 2023	Dec. 19, 2024
Nov. 1, 2024	Jan. 2, 2025	Jan. 16, 2025
Dec. 2, 2024	Feb. 6, 2025	Feb. 20, 2025

## Canton Board of Appeals

<u>Submittal Deadline:</u>	<u>Work Session</u>	<u>Public Hearing</u>
Jan. 2, 2024	Jan. 22, 2024	Feb. 12, 2024
Feb. 1, 2024	Feb. 26, 2024	Mar. 11, 2024
Mar. 1, 2024	Mar. 25, 2024	Apr. 8, 2024
Apr. 1, 2024	Apr. 22, 2024	May 13, 2024
May 1, 2024	May 20, 2024	June 10, 2024
June 3, 2024	June 24, 2024	July 8, 2024
July 5, 2024	July 22, 2024	Aug. 12, 2024
Aug. 1, 2024	Aug., 26, 2024	Sept. 9, 2024
Sept. 3, 2024	Sept. 23, 2024	Oct. 14, 2024
Oct. 1, 2024	Oct. 28, 2024	Nov. 18 2024
Nov. 1, 2024	Nov. 25, 2024	Dec. 9, 2024
Dec. 2, 2024	Dec. 23, 2024	Jan. 13, 2025

# Public Hearing Flowchart



Type A – Annexation

Type B – Rezoning

Type C – Master Plans

Type D – Master Plan Revisions

Type E – Conditional Use Permit

Type F – Land Use Modification

Type G – Zoning Condition Amendment

Type H – Density Transfer within Master Plan

Type I – Temporary Use Permit

Type J – Zoning Ordinance Text Amendment

Type K – Variance

APPLICATION CHECKLIST AND SUPPORTING DOCUMENTS GUIDE



1. \_\_\_ Complete pre-application research and obtain application forms.
2. \_\_\_ Schedule Pre-application meeting with Planning and Zoning Department
- 3 \_\_\_ Complete application.

The following supporting documents must be submitted as attachments to the primary application forms:

- a. \_\_\_ Current property **Deed**,  
Deed must document the current property owner.
  - b. \_\_\_ Current **Legal Description** of the subject property,  
No legal description should include more property than what is being requested for zoning. The legal description must match the boundary survey in its entirety.
  - c. \_\_\_ Current **Boundary Survey**.  
The boundary survey must match the legal description in its entirety.
  - d. \_\_\_ Copy of current paid **Tax Receipt**,
  - e. \_\_\_ **Letter of Intent** (See below for content guide),
  - f. \_\_\_ **Location Map** of subject property,
  - g. \_\_\_ **Master Plan** or **Site Plan**, as required (See below),
  - h. \_\_\_ **Developments of Regional Impact (DRI)** submittal package, as required. Refer to page **viii.** for DRI required thresholds of development. The City of Canton is a Metropolitan Region,
  - i. \_\_\_ **Traffic impact study, a hydrology study, and a water/wastewater study** prepared by a registered engineer if the proposed development exceeds 100,000 net square feet or 200 dwelling units. Proposed developments less than 100,000 net square feet or 200 dwelling units may be required to submit one or all of the above studies upon request by the effective department. A final decision by the City of Canton Mayor and Council may not be made without these exhibits,
4. \_\_\_ Schedule **Submittal Meeting** with Planning and Zoning Department.
  5. \_\_\_ Submit application by the 1<sup>st</sup> working day of the month.
  6. \_\_\_ Send Adjacent Property Owner notification letters. Submit copy of letters and Certificate of Mailing to Planning and Zoning Department no later than 15 days prior to public hearing.
  7. \_\_\_ All application types: Attend the public hearing conducted by the City of Canton Municipal Planning Commission / Board of Appeals.
  - 8 \_\_\_ Type A-J applicants: Attend the City of Canton City Council meeting at which a final decision will be made.

## LETTER OF INTENT

**Letter of Intent** - A narrative, in executive form, which describes the proposed development/variance request in detail. The content of the Letter of Intent should support and expand upon the Master Plan / Site Plan contents.

The following information should be included in the Letter of Intent, but should not be construed as an exhaustive list of information:

- (1) Describe the overall development (including ownership)
- (2) General history of the parcel
- (3) Traffic Analysis (Contact the Planning and Zoning Department for a guidelines package)
  - a. How the traffic from the proposed development will impact, or not impact, the adjoining land uses (peak hour, average daily trips, trip generation by use)
  - b. Impacts to the existing roadway network
  - c. Proposed improvements to the existing roadway network
- (4) Impact and/or enhancements of the proposed development on the adjoining land uses
- (5) Proposed Land Use (On a pod-by-pod basis, when relevant, describe the land use activity in each) primary and permissible uses for each use/pod/area
- (6) Indicate any phasing of the proposed development and the timing of the phases (duration of temporary uses)
- (7) Acres within each proposed use
- (8) Indicate maximum net density of the proposed development in units per acre or square feet per acre
- (9) Where minimum area requirements are not stated in the current City of Canton Zoning Ordinance, establish the following:
  - a. Maximum building height (by feet and stories)
  - b. Maximum building coverage (square feet, acres, and percent)
  - c. Percent of impervious surface
  - d. Amount of open space (acres and percent)
  - e. Minimum lot size(s)
  - f. Front, side, corner side and rear yard setbacks
  - g. Minimum parking requirements per use (must adhere to minimum parking regulations)
- (10) General landscaping requirements
- (11) Specify requirements (size, height and material) for signs when they are more restrictive than City regulations. If same as City regulations, state so. If Signage is proposed to be less restrictive than City regulations, said signage will require application for a Variance.



## MASTER PLAN / SITE PLAN REQUIREMENTS

Plans must be drawn to scale by a registered engineer, architect, landscape architect or land surveyor in accordance with applicable state laws.

**Master Plan** - Multi-Use Site Plan using the Pod or Nodal concept for design purposes. It is suggested that for these types of developments the Letter of Intent be combined with the Master Plan. See **Page viii.** for an example of a Pod format Master Plan.

Master Plans shall provide the following. This should not be construed as an exhaustive list of information:

- (1) Name of development
- (2) Graphic scale and North arrow
- (3) Name, address, phone and fax number of Owner, Developer and Design Professional
- (4) Correct property boundary lines
- (5) Total acres
- (6) Topographic contours
- (7) Existing conditions (including infrastructure)
- (8) Surrounding property owners and zonings
- (9) Proposed lay out of
  - a. Road system/ Transportation Network(s)
  - b. Proposed Pods (uses)
  - c. General open space and recreational areas
  - d. Drainage
- (10) Notes detailing:
  - a. Total acres of each Pod (use)
  - b. Uses allowed within each Pod (use)
  - c. Maximum density per Pod (use) in both Gross and Net
  - d. Total number of residential units or square feet of commercial use for each Pod
  - e. Acres within public rights-of-way
  - f. Amount of open space (acres and percent) on a Pod by Pod basis and overall
  - g. Maximum building coverage ( square feet, acres, and percent)
- (11) Area requirements
  - a. Building setbacks (front, side, corner side and rear yard setbacks)
  - b. Maximum building height (by feet and stories)
  - c. Minimum parking requirements per use (must adhere to minimum parking regulations)

**Site Plan** - Single-Use Site Plan providing a detailed concept for design purposes.

Site Plan(s) shall provide the following. This should not be construed as an exhaustive list of information:

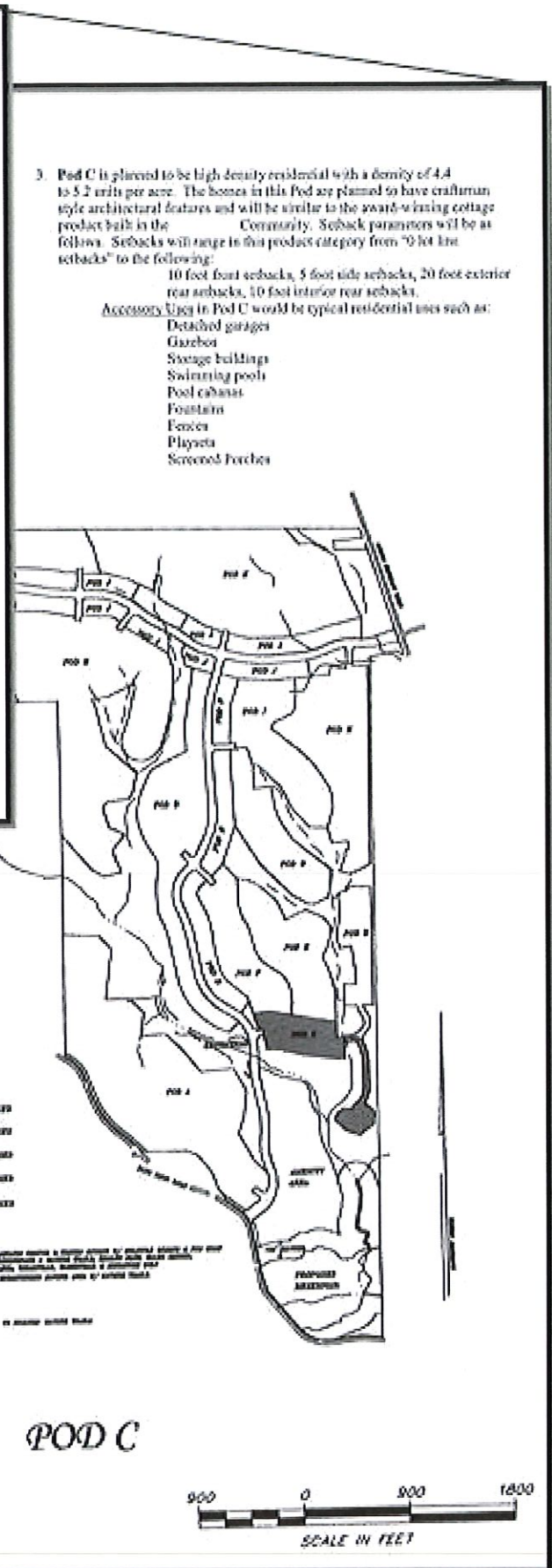
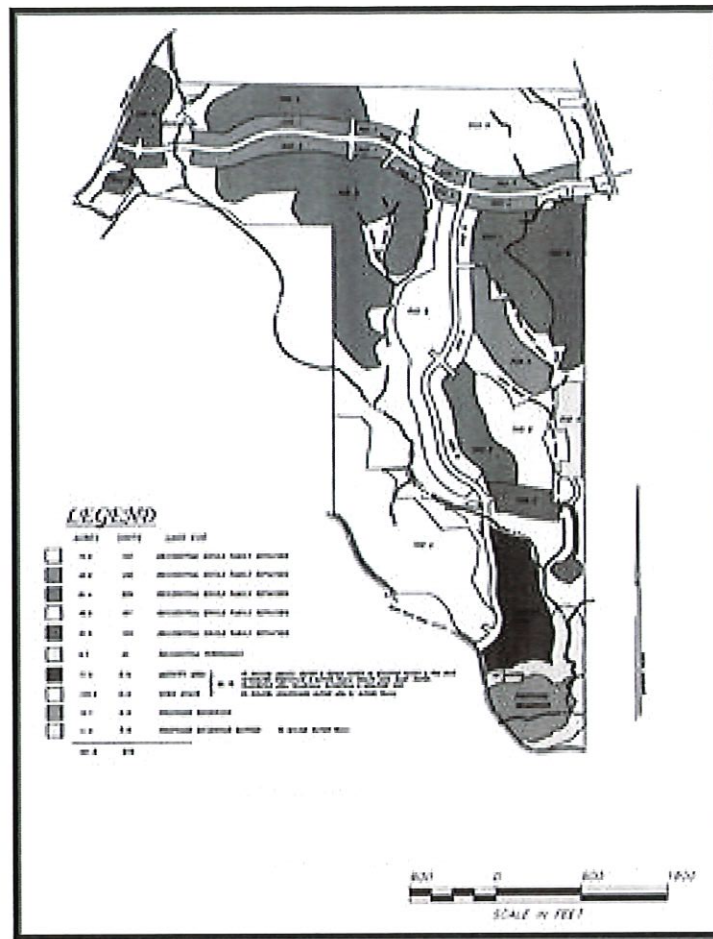
- (1) Name of development
- (2) Graphic scale and North arrow
- (3) Name, address, phone and fax number of Owner, Developer and Design Professional
- (4) Correct property boundary lines
- (5) Total acres
- (6) Topographic contours
- (7) Existing conditions (including infrastructure)
- (8) Surrounding property owners and zonings
- (9) Proposed lay out of
  - a. Road system/ Transportation Network(s)
  - b. Pedestrian and Transit Circulation
  - c. Proposed Uses (graphically indicate buildings)
  - d. Landscape areas, buffers, open space and recreational areas
  - e. Drainage
  - f. Easements (existing and proposed)
  - g. Lakes, streams and limits of 100 year floodplain;
- (10) Notes detailing:
  - a. Total acres
  - b. Uses allowed.
  - c. Total number of residential units or square feet of commercial use
  - d. Maximum density in both Gross and Net
  - e. Acres within public rights-of-way
  - f. Amount of open space (acres and percent)
  - g. Maximum building coverage or impervious surface ( square feet, acres, and percent)
- (11) Area requirements
  - a. Building setbacks (front, side, corner side and rear yard setbacks)
  - b. Maximum building height (by feet and stories)
  - c. Minimum parking requirements per use (must adhere to minimum parking regulations)
- (12) Road and Circulation components:
  - a. Adjoining street with existing and proposed rights-of-way
  - b. Curb cuts (existing and proposed)
  - c. Proposed road improvements (indicate pavement widths)
  - d. Deceleration lanes and other entrance improvements

### **ARCHITECTURAL DESIGN**

Architectural design and renderings with color schemes are required for all development(s). Architectural Design submittal shall provide the following. This should not be construed as an exhaustive list of information:

- (a) Elevation of building from all directions
- (b) Proposed colors to be used
- (c) Type of materials





The Letter of Intent, in combination with a Pod format Master Plan, should serve to express the plans intent on a Pod-by-Pod basis. Describe all proposed parameters of Pod use as listed in the Letter of Intent outline.

**POD C**

**NOTIFICATION LETTER TEMPLATE**

(DATE)

(PROPERTY OWNER)

**Re: Case #(s)**

Dear (PROPERTY OWNER):

(APPLICANT) has filed a (TYPE OF APPLICATION) request with the City of Canton on (#) acres of land located at (ADDRESS). The property is located in Land Lot (#) of the (#)<sup>th</sup> District, (#) Section and being more particularly described in Map Book (#) and Parcels (#).

Our request is to (annex / rezone) the property (and rezone the property) from (ZONING) zoning classification to (ZONING) zoning classification.

**OR**

Our request is to obtain approval of a (Master Plan / Master Plan Amendment) in order to (PROJECT INTENT).

**OR**

Our request is to obtain a Variance to (CODE SECTION) in order to (PROJECT INTENT).

A public hearing will be held on (DATE), at (TIME) p.m. in the Canton City Hall, 110 Academy Street, Canton, Georgia 30114. (APPLICATIONS FOR THE BOARD OF APPEALS WILL HAVE ONLY ONE PUBLIC HEARING. ALL OTHERS WILL HAVE TWO PUBLIC HEARINGS, ONE BEFORE THE PLANNING COMMISSION AND ONE BEFORE THE MAYOR AND CITY COUNCIL. BE SURE TO CHECK THE PUBLIC HEARING DATE CALENDAR FOR THE CORRECT DATES).

Anyone wishing to speak in opposition must file a disclosure form with the City of Canton on or before five (5) days prior to the date of the hearing. The hearing on this matter is open to the public and the application is on file in the offices of the Planning and Zoning Department located at 110 Academy Street, Canton, Georgia and may be viewed Monday through Friday 9:00 a.m. to 4:00 p.m.

Sincerely,

(APPLICANT)



Development of Regional Impact Development Thresholds – Atlanta Regional Commission

Type of Development	Notification Only	Rural and Developing Rural	Maturing Neighborhoods, Established Suburbs, Developing Suburbs and other places not mentioned in this table	Regional Centers and Regional Employment Corridors	Region Core
(1) Office	400,000 gross square feet	400,000 gross square feet	500,000 gross square feet	600,000 gross square feet	700,000 gross square feet
(2) Commercial	Greater than 300,000 gross square feet	300,000 gross square feet	400,000 gross square feet	500,000 gross square feet	600,000 gross square feet
(3) Wholesale & Distribution	Greater than 500,000 gross square feet	500,000 gross square feet	500,000 gross square feet	500,000 gross square feet	500,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	300 new beds	400 new beds	500 new beds	600 new beds
(5) Housing	Greater than 400 new lots or units	400 new lots or units	500 new lots or units	600 new lots or units	700 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers
(7) Hotels	Greater than 400 rooms	400 rooms	500 rooms	600 rooms	700 rooms
(8) Mixed Use	Gross square feet of 400,000 or more (with residential units calculated at either 1,800 square feet per unit or, if applicable, the minimum square footage allowed by local development regulations); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	400,000 gross square feet (with residential units calculated at 1,800 square feet per unit, or the minimum allowed by the host local government	500,000 gross square feet (with residential units calculated at 1,500 square feet per unit, or the minimum allowed by the host local government	600,000 gross square feet (with residential units calculated at 1,000 square feet per unit, or the minimum allowed by the host local government	700,000 gross square feet (with residential units calculated at 1,000 square feet per unit, or the minimum allowed by the host local government
(9) Airports	All new airports, runways and runway extensions	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000	1,500, seating capacity of 6,000+	1,500, seating capacity of 6,000+	1,500, seating capacity of 6,000+	1,500, seating capacity of 6,000+
(11) Post-Secondary School	New school with a capacity of more than 2,400 students; or expansion by at least 25 percent of capacity	New school with 2,400 students or expansion of at least 25%	New school with 2,400 students or expansion of at least 25%	New school with 2,400 students or expansion of at least 25%	New school with 2,400 students or expansion of at least 25%
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(14) Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50 percent; or community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels	50,000 barrels if within 1,000 ft. of water supply	50,000 barrels if within 1,000 ft. of water supply	50,000 barrels if within 1,000 ft. of water supply	50,000 barrels if within 1,000 ft. of water supply
(16) Water Supply Intakes/Public Wells/Reservoirs/Treatment Facilities	New Facilities	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(17) Intermodal Terminals	New Facilities	New Facilities	New Facilities	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three (3) diesel fuel pumps, or containing a half acre of truck parking or 10 truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces
(19) Correctional/ Detention Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
(20) Any other development types not identified above (includes parking facilities)	1,000 parking spaces or, if available, more than 5,000 daily trips generated	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips



## **CANTON COMMUNITY INPUT MEETING POLICY**

### **105.10.03 Community Information and Input Meeting**

a. Applicability. This requirement for a Community Information and Input meeting applies only to public hearing applications for any annexation application, zoning/rezoning application, master plan/master plan amendment application, or conditional use/conditional use amendment application. Failure to comply with the Community Information and Input requirements herein will result in a request by staff to postpone the case until such time as the applicant demonstrates compliance.

b. Purpose. Applicable applicants as defined above, shall host a Community Information and Input meeting after the proposed project has been presented in both a Pre-Application meeting and a Preliminary Review meeting. The purpose of the meeting is to ensure early and effective communication with nearby property owners and interested citizens, giving them the opportunity to understand the proposed request for a change of zoning or proposed Conditional, and to mitigate any impacts such proposal may have on the community. Community Information and Input is intended to facilitate fair, open, and honest discussions between an applicant for annexation, zoning/rezoning or a conditional use, and citizens. Emerging out of these discussions should be a better understanding of the issues and an atmosphere for informed decision making. The desired outcome is for citizens and the applicant to work together to refine the proposal to mitigate any impacts the proposal might have on the surrounding community.

Scheduling. Community Information and Input meetings shall be scheduled by the applicant outside of a schedule of holidays available from the City.

c. Notification Letters, Area for Mailing, and Timing. Notification Letters shall be mailed at least ten (10) days prior to the scheduled meeting. The applicant must include certificates of mailing for the Notification Letters and shall include said certificates with the rezoning or Conditional application. At a minimum, the Notification Letters must be sent to property owners within the following notification target area:

- i. All properties that lie within 1,000 feet of the legal boundary of the subject property.
- ii. Any homeowners associations that represent subdivisions or properties, that lie within the 1,000 feet of the legal boundary of the subject property.



iii. Other interested parties who have requested that they be placed on the Interested Parties Notification List, as such is maintained by the Community Development Office. These notification requirements shall apply, in addition to the formal notification provisions required by 105.10.01. The basis for this target area is to provide an expanded notification area beyond the legal notification required for rezoning requests (adjacent properties) to enhance Community Information and Input opportunities.

d. Contents of Community Information and Input Notification Letter. The notification letter shall meet the requirements as set forth by the Department, but at a minimum shall include:

i. Applicant name.

ii. Contact information.

iii. Details regarding the date, time and location of the required Community Information and Input meeting and any additional proposed meetings.

iv. Statement of what type of application will be / was submitted to the City.

v. Brief description of the project and/or scope of proposed development (including the impacted acreage) and where more information may be obtained, e.g., via the City's Web site.

vi. A legible 8.5 x 11" copy of the site plan.

vii. Current zoning and current use of property; and viii. Proposed zoning of property and proposed use of property, to include the number of residential units proposed if for a residential rezoning.

e. Meeting Protocol.

i. The meeting location shall be held at a public facility near the community for which the applicant is seeking the rezoning request or Conditional Permit. The meeting location should be within the City of Canton city limits. If no such facility is available, the applicant may propose an alternate location to be approved by the Community Development Director, or designee, prior to making such arrangements.

ii. The applicant or authorized representative shall be available to answer questions of the public for at least thirty (30) minutes and is

encouraged to make a short presentation of the project to those present.

iii. The meeting shall not begin prior to 6:30 pm nor later than 8:30 pm on the evening the meeting is to be held.

iv. The applicant or authorized representative shall provide the following material for the public to view at the meeting:

1. Canton Future Development Map.
2. Proposed Site plan.
3. Contact Information (name and phone number and/or email address) for the applicant or authorized representative.
4. Procedure and contact information provided by Canton Community Development Department

f. Community Information and Input Meeting Summary. The applicant shall prepare a written summary report on the results of the Community Information and Input meeting to the Community Development Department for submission with the application. At a minimum, the meeting summary shall include the following information:

- i. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.
- ii. A copy of all Notification Letters mailed as required by subparagraph (d) above, with Certificates of Mailing for each such Notification Letter (to include verification of date each was mailed), and any additional letters, meeting notices, newsletters and other publications concerning notice of the Community Information and Input Meeting or any additional meeting.
- iii. The number of people that participated in the process.
- iv. A summary of concerns, issues and problems expressed during the process, including:
  1. The substance of the concerns, issues and problems.
  2. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
  3. Concerns, issues, and problems the applicant is unable or unwilling to address and why.



**SAMPLE PUBLIC INPUT MEETING NOTIFICATION LETTER**  
(Put on company letterhead or include your name and return address here.)

[Date]

**NOTIFICATION OF PUBLIC HEARING APPLICATION**

Dear Property Owner:

This letter is to inform you that [APPLICANT] has applied to the City of Canton for [REZONING, ANNEXATION, CONDITIONAL USE PERMIT, MASTER PLAN] for the property located at [ADDRESS AND/OR PARCEL NUMBERS]. [APPLICANT] is proposing to [INSERT BRIEF NARRATIVE OF PROPOSED PROJECT]. You are receiving this notice because you own property within 1,00' of the proposed project.

You are invited to attend a Public Input Meeting to learn more about the proposal. The public input meeting will be held on [DATE], beginning at 6:00 p.m., at [LOCATION]. This will be an informal meeting that will allow the Applicant to tell you about the proposal and to answer any questions you may have about the project. A copy of the proposed site plan is enclosed with this notice.

There will be a public comment opportunity for this case:

Canton City Council - Thursday, [DATE], at 6:00 p.m.

This hearing will be held at the City of Canton, City Hall located at 110 Academy Street, Canton, Ga. 30114.

If you are unable to attend the public input meeting and would like additional information, please contact me at [PHONE NUMBER AND/OR EMAILADDRESS].

Please contact staff at the City of Canton Community Development Department (770-704-1500), if questions about the case should arise.

Sincerely,

[APPLICANT'S SIGNATURE AND PRINTED NAME]

PUBLIC INPUT REPORT

Applicant: \_\_\_\_\_

Contact: \_\_\_\_\_

Subject Property Address/Parcel No.:  
\_\_\_\_\_

Public Input Meeting date, time, location: \_\_\_\_\_  
\_\_\_\_\_

- I. Summary of concerns:
  
- II. How the applicant addressed concerns:
  
- III. Concerns the applicant was unable or unwilling to address and why:
  
- IV. Concerns or topics of discussion unrelated to the proposal:
  
- V. Agreements made by the applicant to property owners at the meeting:

Sign-in Sheets from the meeting are attached.

Applicant's Signature: \_\_\_\_\_







Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Public Hearing Application

Project # \_\_\_\_\_

- 1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, \_\_\_\_\_, have received and thoroughly read the Public Hearing Procedures.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Applicant: \_\_\_\_\_ Print Name: \_\_\_\_\_

Applicant Information:

Name: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_
Telephone: \_\_\_\_\_
Fax Number: \_\_\_\_\_
Email Address: \_\_\_\_\_

Owner Information:

Name: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_
Telephone: \_\_\_\_\_
Fax Number: \_\_\_\_\_
Email Address: \_\_\_\_\_

This Application For (Check Only One):

- A Annexation
B Rezoning
C Master Plans
D Master Plan Revisions
E Conditional Use Permit
F Land Use Modification
G Zoning Condition Amendment
H Density Transfer within Master Plan
I Temporary Use Permit
J Zoning Ordinance Text Amendment
K Variance : Pre-Construction
K Variance : Post-Construction
Appeal
Adjustment
Special Exception

Fee Schedule:

Application Type \_\_\_\_\_
Base Fee \_\_\_\_\_ + (#Acres \_\_\_\_\_ x \$25.00 = \_\_\_\_\_) = \_\_\_\_\_
+ (#Acres \_\_\_\_\_ x \$50.00 = \_\_\_\_\_) = \_\_\_\_\_
Advertising Fee \_\_\_\_\_ = \_\_\_\_\_

Staff Use Only

Amount Due: \_\_\_\_\_
Amount Due: \_\_\_\_\_
Total Fee: \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Amount Paid: \_\_\_\_\_





Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

# Authorization Of Property Owner

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Owner Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton:

- A Annexation
- B Rezoning
- C Master Plans
- D Master Plan Revisions
- E Conditional Use Permit
- F Land Use Modification
- G Zoning Condition Amendment
- H Density Transfer within Master Plan
- I Temporary Use Permit
- J Zoning Ordinance Text Amendment
- K Variance

Sworn To and Subscribed Before Me This \_\_\_\_\_ Day Of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)



Community Development Department  
 110 Academy Street, Canton, Georgia 30114  
 770-704-1500

## Authorization Of Applicant

This form is to be executed under oath. I, \_\_\_\_\_, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Owner Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- |   |  |
|---|--|
| <input type="checkbox"/> A Annexation             | <input type="checkbox"/> G Zoning Condition Amendment          |
| <input type="checkbox"/> B Rezoning               | <input type="checkbox"/> H Density Transfer within Master Plan |
| <input type="checkbox"/> C Master Plans           | <input type="checkbox"/> I Temporary Use Permit                |
| <input type="checkbox"/> D Master Plan Revisions  | <input type="checkbox"/> J Zoning Ordinance Text Amendment     |
| <input type="checkbox"/> E Conditional Use Permit | <input type="checkbox"/> K Variance                            |
| <input type="checkbox"/> F Land Use Modification  |  |

Name of Authorized Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Applicant Status:

- Owner
- Option to Purchase
- Leasee
- Area Resident
- Other (Explain): \_\_\_\_\_

This Authorization of Applicant Form has been completed and the property owner's signature is Sworn To and Subscribed Before Me This \_\_\_\_\_ Day Of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)





# Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

## Disclosure Form

***O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Community Development.***

1. Name of Applicant/Opponent: \_\_\_\_\_ *Please Type Or Print All Responses*

### Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?  
 YES  NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?  
 YES  NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?  
 YES  NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?  
 YES  NO

### Section 2

- 1. Name and the official position of the Canton Official to whom the campaign contribution was made *(Please use a separate form for each official to whom a contribution has been made in the past (2) years):*  
 \_\_\_\_\_

- 2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

	<b>Description</b>
\$	_____
\$	_____
\$	_____

Note: Complete a separate form for each authorized applicant.



Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

Property Information:

Address: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_ Map #: \_\_\_\_\_ Parcel #: \_\_\_\_\_

- City
- County

Existing Zoning Of Property: \_\_\_\_\_ Total Acreage Of Property: \_\_\_\_\_

Proposed Zoning Of Property: \_\_\_\_\_ Existing Use(s) Of Property: \_\_\_\_\_

Directions to property from Main Street in downtown Canton:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Adjacent Property/Owner Information:** Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	<u>OWNER NAME/ADDRESS</u>	<u>CURRENT ZONING</u>	<u>CURRENT LAND USE</u>
NORTH	_____	_____	_____
SOUTH	_____	_____	_____
EAST	_____	_____	_____
WEST	_____	_____	_____
OTHER	_____	_____	_____

UTILITY INFORMATION

How is sewage from this development to be managed? \_\_\_\_\_

Proposed managing jurisdiction: \_\_\_\_\_

How will water be provided to the site? \_\_\_\_\_

Proposed managing jurisdiction: \_\_\_\_\_ Size Limit: \_\_\_\_\_





# Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

## PUBLIC SCHOOL POLICY STATEMENT

The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School Board and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the applicant and the appropriate school board representative. Therefore, developers whose projects consist of 25 or more residential units shall contact the Cherokee County School Board and communicate with a school board representative to discuss their intent. The applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken. (Section 8-8-B-37) (Amended: 12/07/00)

County Schools serving this development:

HIGH \_\_\_\_\_

MIDDLE \_\_\_\_\_

ELEMENTARY \_\_\_\_\_

## TRAFFIC INFORMATION

Road/Street providing access: \_\_\_\_\_

Width at property: (Road) \_\_\_\_\_ (Right-of-way) \_\_\_\_\_

Distance to nearest major thoroughfare: \_\_\_\_\_ Thoroughfare Name: \_\_\_\_\_

Description of Road accessing property (Classification): \_\_\_\_\_

**In support of this request, I submit the following items, which are attached and made a part of this application:**

Boundary Survey

Legal Description

Letter of Intent

Traffic Analysis Report

Master Plan / Site Plan

Location Map

Hydrology Study

(Guidelines available from Planning & Zoning Dept.)

Board of Appeals Review Criteria Response

Elevation Plans

Petition Requesting Annexation

Other (please explain) \_\_\_\_\_



Community Development Department

110 Academy Street, Canton, Georgia 30114  
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(Application Type A : ONLY)

Address of Property to be Annexed: \_\_\_\_\_

Land Lot(s): \_\_\_\_\_ District: \_\_\_\_\_ Section: \_\_\_\_\_ Map #: \_\_\_\_\_ Parcel #: \_\_\_\_\_

*Please answer the following questions to meet and comply with the United States Department of Justice, Civil Rights Division, Voting Section, Section 5 of the Voting Rights Act.*

1. Intended Use of the Land:

- Residential
- Commercial
- Vacant
- Other (Specify) \_\_\_\_\_
- Existing Structures \_\_\_\_\_

2. Number of persons currently residing on the property: \_\_\_\_\_; Number 18 years or older: \_\_\_\_\_;  
Number registered to vote: \_\_\_\_\_

3. The number of all residents occupying the property:

- \_\_\_\_\_ American Indian
- \_\_\_\_\_ Alaskan Native
- \_\_\_\_\_ Asian
- \_\_\_\_\_ Pacific Islander
- \_\_\_\_\_ Black, not of Hispanic Origin
- \_\_\_\_\_ Hispanic
- \_\_\_\_\_ White, not of Hispanic Origin

4. Please attach the following information as Exhibit "C". The Atlanta Regional Commission requires this information so that they can provide Population Estimates.

- (1) Number of Existing Housing Units
- (2) List of addresses for each housing unit in the annexed area at the time of the annexation
- (3) Disposition of existing structures (e.g. to be Demolished, Moved, or Converted)
- (4) Names of affected subdivision
- (5) Names of affected multi-family complex.
- (6) Names of group quarters (such as school dormitories, nursing homes or jails)
- (7) Names of affected duplexes
- (8) Names of Mobile Home Parks

I/We the undersigned, being the owner(s) of real property of the territory described herein, respectfully request that the Mayor and City Council of the City of Canton, Georgia annex this property into the City and extend the City boundaries to include the same.

\_\_\_\_\_  
Property Owner's Signature                      Date

\_\_\_\_\_  
Property Owner's Printed Name

Sworn To and Subscribed Before Me This \_\_\_\_\_ Day Of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Signature: \_\_\_\_\_ (Seal)





Community Development Department

110 Academy Street, Canton, Georgia 30114  
770-704-1500

# Review Criteria

(Applications Type A – J : ONLY)

How will this proposal be compatible with surrounding properties? \_\_\_\_\_

\_\_\_\_\_

How will this proposal affect the use and value of surrounding properties? \_\_\_\_\_

\_\_\_\_\_

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

\_\_\_\_\_

\_\_\_\_\_

What would be the increase to population and traffic if the proposal were approved? \_\_\_\_\_

\_\_\_\_\_

What would be the impact to schools and utilities if the proposal were approved? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How is the proposal consistent with the Comprehensive Land Use Plan, particularly the Future Land Use Map?

\_\_\_\_\_

Are there existing or changing conditions which affect the development of the property and support the proposed request? \_\_\_\_\_

\_\_\_\_\_

Provide a Letter of Intent, which provides the necessary information to support your application.



Community Development Department  
110 Academy Street, Canton, Georgia 30114  
770-704-1500

# Canton Board of Appeals Review Criteria

*Article H, Section 8-8-H-195 empowers the Board of Appeals to authorize variances from provisions of the Zoning Code pursuant to a finding based in the criteria listed below. Please respond to the following.*

(Applications Type K : ONLY)

Are there any extraordinary and exceptional conditions pertaining to the subject property because of its size, shape or topography? \_\_\_\_\_

\_\_\_\_\_

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? \_\_\_\_\_

Has the condition from which relief or variance is sought been a result from action by the applicant? \_\_\_\_\_

\_\_\_\_\_

Are there conditions peculiar to the subject property? \_\_\_\_\_

\_\_\_\_\_

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare or the inhabitants or the City? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Provide a Letter of Intent, which provides the necessary information to support your application for Variance.