



DEPARTMENT OF DEVELOPMENT SERVICES

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CHECKLIST FOR ESTABLISHING, OR EXPANDING A PLACE OF WORSHIP

(Revised 11-18-14)

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.

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

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 needed)

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

STEP FOUR: Obtain a Building Permit

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 must be obtained; 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 Pamela Maxwell at the Development Services Department for more information (for information on impact fees, please contact Carol Callwood).

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:	\$100.00
Business License Application Fee:	\$100.00
Impact Fees:	Varies
Building Inspection Fee:	\$50.00
Initial Fees due when submitting application in existing building¹:	\$250.00

CONTACTS

Judy T. Johnson, Zoning Administrator	678-625-1656	Ray Spencer, NPDES Officer	678-625-1328
Bob Cart, Senior Building Inspector	678-625-1673	Robert Thomas, Newton Co. Fire	770-784-2116
State Fire Marshall	404-656-2064	Environmental Health Department	770-784-2121
Pamela Maxwell, Business Lic. Supv.	678-625-1655	Carol Callwood, Impact Fee Coord	678-625-1659

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