

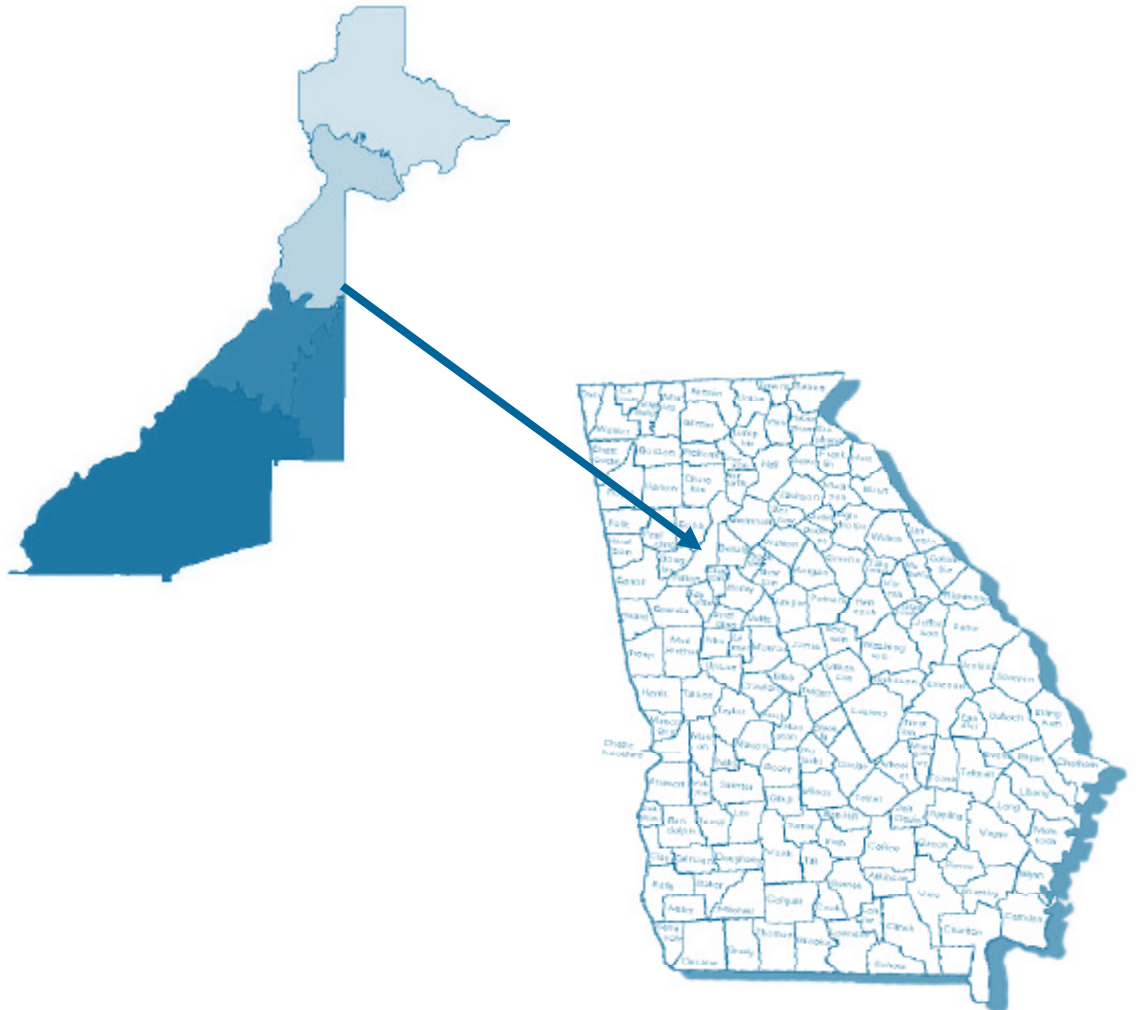


FOCUS Fulton 2025

Comprehensive Plan

Intergovernmental Coordination

Chapter 7





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7.0.0.0. INTERGOVERNMENTAL COORDINATION

Introduction

The Intergovernmental Coordination Element provides local governments an opportunity to inventory existing intergovernmental coordination mechanisms and processes with other local governments and governmental entities that can have profound impacts on the success of implementing the local government's comprehensive plan. The purpose of this element is to assess the adequacy and suitability of existing coordination mechanisms to serve the current and future needs of the community and articulate goals and formulate a strategy for effective implementation of community policies and objectives that, in many cases involve multiple governmental entities.

At the time of submission of the 2025 Comprehensive Plan, there are a number of governmental changes potentially facing Fulton County. During the 2005 session of the Georgia General Assembly, House Bills 36 and 37 were passed that allowed for the creation of the City of Sandy Springs. The Governor signed these bills on April 15, 2005 and the bills have been submitted to the United States Department of Justice by the Attorney General of Georgia for pre-clearance, as required by the 1965 Voting Rights Act. A referendum on the incorporation of Sandy Springs is scheduled for June 21, 2005. Were the referendum on incorporation to pass, the City of Sandy Springs would hold an election to select its first governing authority on November 8, 2005 who would take office on December 1, 2005.

Senate Resolution 376, which was passed by the State Senate on March 22, 2005, creates a study committee to examine the idea of creating two counties-Milton County and Atlanta County-from the existing Fulton County. The 5 member committee will meet during the legislative interim and make any reports of its findings by December 31, 2005.

In addition, there are two pieces of legislation that are pending action by the Georgia General Assembly during the second year of the 2005-2006 term that may also alter the governmental structures in Fulton County. House Bill 924 would create a charter for a City of Milton which would encompass the northwest portion of Fulton County. Senate Resolution 295 is a constitutional amendment that would divide the county into 2 counties and create a new governing authority for each county.

7.1.0.0. Existing Conditions

7.1.1.0 Adjacent Local Governments

Fulton County is the most populous county in Georgia and home to a diverse citizenry and a diverse geography. Fulton County ranges from highly populated dense cities to sparsely populated rural areas. Located in north central Georgia, Fulton County is bounded on the north by Forsyth and Cherokee Counties, on the west by Cobb, Douglas and Carroll Counties, on the south by Coweta and Fayette Counties and on the east by Clayton, and Gwinnett Counties. Fulton County contains 10 municipalities, including the capital city of Atlanta. Fulton County's 10 municipalities are Alpharetta, Atlanta, College Park, East Point, Fairburn, Hapeville, Mountain Park, Palmetto, Roswell, and Union City.





At the regional level, Fulton County lies in the center of the 10-county regional planning area including Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry and Rockdale counties. As a member of the Atlanta Regional Commission (ARC), the regional planning and intergovernmental coordination agency, Fulton County participates in the collective process of planning for future of the Atlanta metropolitan area. Fulton County's Board of Commissioner's chair and Mayors of two Fulton County municipalities serve on the ARC Board.

7.1.1.1 Inventory

This section will detail some of the many formal and informal coordination mechanisms that exist between Fulton County and local adjacent governments. The Fulton County Manager hosts meetings with the chief administrator of each city on an as needed basis. During the comprehensive planning process, the County Manager met with the chief administrators to discuss Fulton County's Service Delivery Strategy (SDS). The SDS is a State mandated intergovernmental agreement between all local governments within a county that provides a strategy for the future provision of local services that promotes effectiveness, cost efficiency, and funding equity. The SDS will be further described in Section 7.2.1.0 of this element.

At the department level, the Director of the Fulton County Department of Environment and Community Department hosts regular meetings with the planning department staff of the cities in Fulton County. During the comprehensive planning process, these meetings were held on a bi-monthly basis and focused on completing this element, coordination of land use maps and other comprehensive plan requirements. The Transportation Division of the Fulton County Department of Public Works meets quarterly with the cities and the Community Improvement Districts (CID's) to discuss any planning issues that they may have and to avoid duplication of projects, improvements that create bottlenecks and unnecessary gaps. Community Improvement Districts will be described in Section 7.1.3.1 of this element. Other Fulton County departments work cooperatively and meet with their respective local government counterparts for the purposes of coordination on an as needed basis.

In addition to regular meetings, adjacent County and City planning directors are notified of rezoning applications and use permit applications located along jurisdictional boundaries. Fulton County staff also interacts with other cities and counties through the ARC and their review procedures. Fulton County staff participates in several standing ARC coordinating committees including the Land Use Coordinating Committee and the Transportation Coordinating Committee. In addition to committee meetings, Fulton County staff is able to coordinate planning with other local governments through ARC's regional review of comprehensive plans, Short Term Work Programs, Solid Waste Plans, and Developments of Regional Impact (DRI). Fulton County staff also participate in ARC sponsored conferences and forums.

7.1.1.2 Assessment

Fulton County has been very successful at establishing formal and informal mechanisms to insure coordination between itself and other local governments. In addition to the monthly zoning process, these standing coordination mechanisms have been important in the development of the comprehensive plan and the Service Delivery Strategy. In the future, Fulton County will work to continue to work and plan cooperatively with local governments.





7.1.2.0 School Boards

7.1.2.1 Inventory

Fulton County Board of Education

Fulton County has an ongoing relationship with the Fulton County Board of Education (BoE). The Fulton County BoE oversees Fulton County Public Schools (FCPS). FCPS serves the area of Fulton County outside the city limits of Atlanta, including the cities of Alpharetta, Roswell, and Mountain Park in the north, and College Park, East Point, Fairburn, Hapeville, Union City, Palmetto in the south and all of the unincorporated portions of Fulton County.

Through this relationship, Fulton County Environment and Community Development (E&CD) staff and FCPS staff work together to coordinate planning activities. First, E&CD and FCPS staff meet on a regular basis to discuss common areas of concerns including demographic data, impacts of pending developments and new school locations. Second, FCPS staff is notified and has the opportunity to comment on all re-zoning applications. Third, E&CD staff facilitates meetings with developers to discuss joint concerns and on some occasions to facilitate discussions about new school locations within developments. Also with regard to school construction, E&CD has a special team in development permitting to fast track school construction projects.

Atlanta Board of Education

The Atlanta Board of Education (BoE) establishes and approves the policies that govern the Atlanta Public School system. The Atlanta Public School System serves students within the city limits of Atlanta. Fulton County does not have a formal nor an informal coordination relationship with the Atlanta BoE.

7.1.2.2 Assessment

As a part of the planning process for this Comprehensive Plan update, FCPS staff presented information to the steering committee and participated in all meetings. In the future, Fulton County will continue to work cooperatively with the FCPS and coordinate on joint planning issues. Improvements should be made however relating to new school location. In some cases new schools have been located in areas with inadequate infrastructure causing challenges for both agencies.

7.1.3.0 Independent Special Districts

7.1.3.1. Inventory

Community Improvement Districts (CID)

A CID is a geographic area whose property owners establish a Board of Directors who vote to assess additional property tax dollars to accelerate transportation and infrastructure improvement





projects. CIDs are comprised of private properties usually zoned for non-residential uses. A CID is a private business organization, not a government entity.

A CID is created when a simple majority of the commercial property owners agree to establish the district. This simple majority must also represent at least 75% of the taxable value of the commercial property located within the proposed CID. The Tax Commissioner must certify that these requirements are satisfied and the County must approve legislation authorizing the CID.

The resolution establishing the CID includes a provision for a board of directors and the services to be provided. Specific joint planning or service agreements are entered into on a case by case basis. Fulton County has several Community Improvement Districts: the North Fulton CID, the South Fulton CID, the Perimeter CID, the Buckhead CID, the Midtown CID and the Downtown CID.

Staff from the Department of Public Works, Transportation Division and the Department of Environment and Community Development, are the primary liaisons with the CIDs in Fulton County outside the Atlanta City limits. Staff members coordinate directly with the CID Administrator and meet quarterly to discuss planning issues that they may have with the purpose of avoiding duplication of projects, improvements that create congestion and unnecessary gaps. In addition, the Tax Commissioner's office has an ongoing role to collect and transfer the taxes.

Atlanta Fulton County Water Resources Commission

The Atlanta Fulton County Water Resources Commission (AFCWRC) was established by the Board of Commissioner at a special call meeting in May 1986. The Commission oversees issues relating to a contract signed between the City of Atlanta and Fulton County for the provision of water to the residents of North Fulton County, including the North Fulton municipalities, and the majority of residents in Sandy Springs. More information about the services provided by the AFCWRC can be found in Community Facilities Element of this Plan.

The Commission consists of seven members; the Mayor of Atlanta, the President of the Atlanta City Council, one Atlanta City Council member as selected by the President of the City Council and approved by the Mayor, the Chair of the BoC, two commissioners from the BoC as selected by the BoC and finally a Chairperson elected by the Commission itself. The Fulton County Department of Public Works is the department with responsibility for coordinating with the AFCWRC.

7.1.3.2 Assessment

As the County continues to grow and the infrastructure demands increase, CID's will play a larger role in meeting infrastructure needs. As the County strives to meet the basic infrastructure needs of residents and businesses, CID's will provide much needed funds and allow business leaders and residents to complete projects in their distinct geographic districts. Fulton County will continue to support the work of the CID's and coordinate planning. Similarly as the County grows, the water needs will continue to grow. To best meet the needs of the residents, Fulton County will continue to coordinate with the Atlanta Fulton County Water Resources Commission.





7.1.4.0 Independent Development Authorities

7.1.4.1 Inventory

Fulton-Atlanta Land Bank Authority

The Fulton-Atlanta Land Bank Authority (LBA) was established pursuant to Georgia House Bill 1620, O.C.G.A Section 48-4-60. Local legislation creating the authority was adopted by the Fulton County Board of Commissioners on June 12, 1991 per item #91-FM-107. The Authority was created to acquire tax delinquent properties in unincorporated Fulton County and/or the City of Atlanta, inclusive of the portion of Atlanta in Dekalb County, for the purpose of restoring them for productive public use.

The Authority is operated by a four member Board. Two members are appointed by the Board of Commissioners and two by the Mayor of the City of Atlanta. The LBA works closely with the Tax Commissioner's office, which maintains a current inventory of the properties in tax arrears.

LBA's effort to restoring properties to the tax rolls enhance Fulton County's tax collection and helps improve communities by working with community-based redevelopment efforts and developers to take often blighted properties and restore them as productive properties. In addition, the LBA has worked with local greenspace efforts to turn tax delinquent properties into permanently protected greenspace.

Residential Care Facilities for the Elderly Authority of Fulton County

The Board of Commissioners established this Authority in a special meeting in December 1980 in order to insure the adequacy of residential care facilities for citizens of Fulton County. The Authority works with private non-profit organizations which construct residential care facilities. Seven directors are appointed to the Authority by the Board of Commissioners to six year staggered terms.

Development Authority of Fulton County

The Development Authority of Fulton County was established by Georgia law in 1973. The primary purpose of the Development Authority of Fulton County is to issue revenue bonds to help businesses finance relocations and expansions. The authority works to attract high quality development to the County while stimulating and diversifying economic development. The Authority serves the unincorporated area and all ten municipalities including the City of Atlanta. The Authority works closely with the Atlanta Development Authority, area chambers of commerce, and other local development organizations. Fulton County does not provide an appropriation for this authority, however staff assistance is provided by the Fulton County Economic Development Department.





Table 7-1 shows the economic impact the Authority has had in Fulton County in the recent past. Bond Inducements reflect total amounts authorized for bond issue by the Authority, while Bond Issues reflect the total amount of bonds actually issued.

Table 7-1: Development Authority Bond Inducements and Bond Issues		
Year	Total Bond Inducements	Total Bond Issues
1999	\$1,600,000,000	\$249,246,000
2000	\$3,346,800,000	\$966,800,518
2001	\$1,129,500,000	\$779,175,827
2002	\$564,200,000	\$975,985,000
2003	\$785,000,000	\$553,260,000

Source: Development Authority of Fulton County Activity Report 1999 - 2003

Metropolitan Atlanta Rapid Transit Authority (MARTA)

The Metropolitan Atlanta Rapid Transit Authority (MARTA) Act was enacted by the General Assembly in 1965 and was subsequently approved in four counties and the City of Atlanta. MARTA is a public authority and includes the City of Atlanta and the counties of Fulton, DeKalb, Clayton and Gwinnett for the purposes of planning, constructing, financing and operating a public transportation system.

In 1968, Fulton and Dekalb county voters approved a referendum to levy a 1% sales tax for financing MARTA operations and construction. In 1972 with the purchase of the Atlanta Transit System, MARTA took control of the region’s main bus system. In the 1970s, MARTA started planning, design, land acquisition and construction of a rapid rail system. MARTA also operates Para-transit service for persons with disabilities who are unable to ride the regular bus or rail system.

MARTA is an agency governed by a board of 18 members from City of Atlanta, Fulton County, DeKalb County, Gwinnett County, and Clayton County, as well as representatives from the State Properties Commission, the Georgia Building Authority, the Georgia Regional Transportation Authority, the Georgia Department of Revenue, and the Georgia Department of Transportation. There are three Fulton County representatives on the MARTA Board. Each representative is appointed to a four year term by the Fulton County Board of Commissioners.

The primary agreement between Fulton County and MARTA concerns its revenue source. MARTA sales tax revenue comes from a 1% sales tax levied in the City of Atlanta and the counties of Fulton and DeKalb. MARTA’s two largest revenue sources (roughly 85% combined) are sales tax and fare revenue. Under the law authorizing the levy of the sales and use tax, MARTA is restricted as to its use of the tax proceeds. Sales tax provides 64% of revenue.

In terms of transportation planning, MARTA and Fulton County are formally linked by the Atlanta Regional Commission and its specific role as the “federally designated Metropolitan Planning Organization” (MPO). The MPO role is to coordinate local governments, agencies such as MARTA





and other parties in order “to plan a diverse system capable of moving people and goods efficiently and safely.”

The MARTA Office of Government and Community Relations provides the Fulton County Board of Commissioners with quarterly briefings. The primary Department within Fulton County for coordination is the Public Works Department, Transportation Division which is done on an-as-needed basis.

South Fulton Municipal Regional Water and Sewer Authority

On April 19, 2000, the Governor of the State of Georgia signed into law HB 1421 to create the South Fulton Municipal Regional Water and Sewer Authority. Member cities include Fairburn, Palmetto and Union City. The Authority was created for the purpose of acquiring and developing adequate sources of water supply, including, but not limited to, the construction of reservoirs; the treatment of such water, and the transmission of such water within the Chattahoochee River Basin to member cities; and the treatment of waste water from the member cities. The Authority is overseen by a Board consisting of the Mayors of each member city, a representative of each member city as approved by their governing authority and one member as appointed by a majority vote of the members of the General Assembly whose legislative districts include all or any part of a member city.

Fulton County is not a member of this authority and no formal or informal coordination mechanisms exist.

7.1.4.2 Assessment

Fulton County has relationships with all of the authorities mentioned above, with the exception of the South Fulton Municipal Regional Water and Sewer Authority. Fulton County’s successful implementation of the Comprehensive Plan is closely linked to the successful coordination with all of these independent development authorities as these authorities help Fulton County leverage its efforts. Partnering with the Land Bank Authority provides Fulton County with another tool to transform existing communities and promote the redevelopment of existing centers. Working with the Residential Care Facilities for the Elderly Authority of Fulton County, Fulton County can leverage efforts to insure adequate affordable housing for the aging population. Coordinating with MARTA will help meet the transportation goals of reducing traffic congestion and promoting transportation choices to residents, visitors and the workforce. Collaborating with the Development Authority of Fulton County helps the County spur economic development activities consistent with the Comprehensive Plan.

With regard to the South Fulton Municipal Water and Sewer Authority, establishing a relationship is crucial. As natural resources become more limited, the efficient provision of water to the citizens of Fulton County is crucial. Fulton County does not supply the water to unincorporated South Fulton and many residents are forced to rely on wells. The Authority has plans to construct a water supply reservoir in an unincorporated portion of south Fulton but this reservoir will only supply water to the member city residents. Furthermore, to serve their member cities, the Authority will be running lines through unincorporated Fulton and bypass residents that currently do not have water service. The water supply reservoir will further impact future development and land use planning in unincorporated south Fulton. The environmental regulations relating to a





water supply reservoir place strict development limits on areas upstream of the intake. Fulton County must meet these strict standards even though Fulton County does not participate or coordinate with the Authority.

7.1.5.0 Other Units of Local Government Providing Services

The following units of Fulton County government are overseen by elected officials, however each of the budgets are approved by the Board of Commissioners and their facilities are provided by the Board of Commissioners.

7.1.5.1 Inventory

Sheriff

The Sheriff is by state law, the Chief Law Enforcement Officer of Fulton County. This office is responsible for acting as a protector of the peace and protects the lives, health and property of all citizens of the county. The Sheriff has total administration and operational responsibilities for the Fulton County Jail, the principal detention facility of the county. Security is also provided to all courtrooms and judges as required by law.

The Sheriff's office serves writs, summons and subpoenas. It also places levies on and sells confiscated properties, collects fines imposed by the courts, and is the custodian of large sums of trust fund money assigned from Superior Court. The Sheriff or a designated deputy must approve all appearance bonds and some types of civil bonds.

The Sheriff is responsible for the safe transport of prisoners to penal institutions inside or outside the State of Georgia from the Fulton County jail, and for the transfer of mental patients to the Georgia Regional Hospital and Central State Hospital.

Tax Assessors

The Fulton County Board of Assessors was established by state law to appraise and assess all real and tangible business personal property on an annual basis. The five member Board of Assessors creates and maintains a fair and equitable tax digest. To maintain the accuracy and integrity of this property tax digest, the Board of Assessors conducts annual assessments. Appeals of these assessments are resolved by the Board of Assessors, by further appeal to the Board of Equalization, arbitration, or as the final step, appeal to the Superior Court.

Tax Commissioner

The Tax Commissioner is required by law and contract to collect current year and delinquent taxes on all real and personal property. Taxes to be collected are levied by the cities of Atlanta, Mountain Park, East Point, Fulton County, Atlanta Board of Education, Fulton County Board of Education and the State of Georgia. The Commissioner sells state motor vehicle license tags, collects the ad valorem tax on these vehicles, and processes motor vehicle title registrations and transfers. Motor vehicle taxes are collected for all municipalities in the county.





7.1.5.2 Assessment

Although these departments of Fulton County government are overseen by elected or appointed officials who are not under the direction of the Board of Commissioners, their roles in the successful implementation of the Comprehensive Plan is crucial. Fulton County works closely with these departments and will continue to plan cooperatively.

7.1.6.0 Utility Companies with Condemnation Powers

7.1.6.1 Inventory

The U.S. Code Title 16, Chapter 12, Federal Regulation and Development of Power, establishes the right of utility companies engaged in interstate commerce for the development of water power resources to use eminent domain to acquire land. Utilities (natural gas and electric generating companies) are also governed by the Federal Regulatory Commissions and state law.

The Georgia Codes, Title 32, 22 and Title 46-5-1, O.C.G.A., provide the procedures for the exercise of the power of eminent domain for the State and its political subdivisions, the Board of Regents, municipalities, as well as utility companies. Eminent Domain may be exercised in Georgia by persons or companies who may be engaged in construction or operation of pipelines for the transportation or distribution of natural or artificial gas; and by telephone and telegraph companies for its services; and private companies for waterworks with contracts for supplying water for public purposes.

Substitute condemnation theory may be applied for exchange of properties with utilities to meet the condemner's public purposes for providing utilities and other public purposes. For example, although MARTA does not have the power of eminent domain, it may call on local government to exercise such power where there is a public necessity.

Title 22-3-160 establishes procedures for companies using eminent domain to construct and expand electrical transmission lines of 115 kilovolts or greater for a length of a mile or more. These procedures apply to all uses of eminent domain for power companies beginning on or after June 1, 2004 and are as follows. First, at least one public meeting shall be held in each county where the proposed route is located. Notice of such meetings shall be posted in a newspaper of general circulation and shall include the date, time and location of the meeting; purpose of the meeting; and a description of the project including the proposed route and affected properties. Where eminent domain would be used to condemn land from more than fifty property owners, two or more meetings shall be held. Local governments have the right to participate in these meetings.

Chapter 62 of the Fulton County Code of Laws includes Article IV Rights-of-Way Utilization and Accommodation Ordinance which dictates the use of County rights-of-way by utilities for above and below ground lines and poles for the transmission of power and services. The following list is a compilation of most of the utilities which provide services in Fulton County: Georgia Power, Georgia EMC, Sawnee EMC, Cobb EMC, MEAG, Greystone Power, Atlanta Gas Light, Oglethorpe Power, Georgia Transmission Corp., Bell South, Colonial Pipeline, and Plantation Pipeline Company.





7.1.6.2 Assessment

The subject of Eminent Domain, as it relates to utility companies is quite complex, involving Federal and State Constitutions, Federal and State statutory procedures, and regulatory commissions. All such governing sources must be reviewed in planning and the providing of services for the public. Such regulations and statutes are constantly evolving through the legislative process not only affecting the geography and procedures, but budgeting considerations. Local governments also in their planning must be aware of cable within railroad rights of way and easements and must consider cell tower demands and requirements by the various communication companies¹. Fulton County has a limited ability to control the use of eminent domain by utilities with condemnation powers.

7.2.0.0 Inter-related State Programs and Activities

7.2.1.0 Service Delivery Strategy

The Service Delivery Strategy Act was signed into law in 1997. The Act required each county and its municipalities to adopt a Service Delivery Strategy by July 1, 1999. The intent of the legislation was to require local governments to take a closer look at their delivery of services they provide in order to identify overlaps or gaps in service provision and develop a more rational approach to allocating delivery and funding of these services. The legislation also required local governments to look at their land use plans in order to minimize conflicts between county and city plans.

7.2.1.1 Inventory

On October 28, 1999, the Georgia Department of Community Affairs verified Fulton County's Service Delivery Strategy for Fulton County and its ten cities. The Strategy identified the service arrangements for 54 government services.

7.2.1.2 Assessment

The Service Delivery Strategy Act requires Fulton County and its local municipalities to review their service provision to insure the most efficient and coordinated provision of services. Fulton County is reviewing and revising, as necessary, the Strategy and it will be presented concurrently with this Plan.

7.2.2.0 Governor's Green Space Program

Signed into law in April 2000, the Georgia Community Greenspace Program was designed to help Georgia's urban and rapidly developing counties preserve at least 20% of their geographic area. Counties with approved Greenspace plans were then eligible for funds to acquire land.

¹ **Bibliography:** "Georgia Eminent Domain", by Daniel F. Hinkel, U.S. Constitution 5th Amendment, 1983 Georgia Constitution, Art. I, Sec. III, Par. III, Official Code of Georgia, sections cited above. Section prepared by Beryl H. Weiner, Associate Fulton County Attorney.





Municipalities were eligible for funds by participating cooperatively in the county's plan. On April 14th, 2005 the Georgia Community Greenspace Program was repealed when Governor Perdue signed into law the Georgia Land Conservation Act. The new program allows local cities and other agencies to participate in the program independent of the counties.

7.2.2.1 Inventory

Fulton County with the cooperative participation of all 10 municipalities drafted community greenspace plans in FY-01 and FY-03. This joint planning effort was managed by staff in the Fulton County Department of Environment and Community Development. As a result of the approval of these plans, Fulton County received a total of \$2,972,235 for use in unincorporated Fulton County. Each Fulton County municipality also received funds based on a proportional population basis. With these funds, Fulton County was able to permanently protect 257 acres of land distributed throughout unincorporated Fulton County. This land, managed by the Fulton County Department of Parks and Recreation, will remain in its natural undeveloped state in perpetuity.

7.2.2.2 Assessment

The new Georgia Land Conservation Program has just gone into effect and its impact on land conservation has yet to be determined. The new program does not require local governments to coordinate their greenspace/conservation land planning. Natural areas and environmentally sensitive land, especially water resources do not fit neatly into jurisdictional bounds. Without the requirement of cooperative greenspace planning, local governments may no longer work together for the purposes of preserving and protecting land. Fulton County, however, is dedicated to promoting the continued protection of greenspace/conservation land and will continue to work with adjacent local governments to insure consistency along jurisdictional boundaries.

7.2.3.0 Coastal Management

Not Applicable

7.2.4.0 Appalachian Regional Commission

Not Applicable

7.2.5.0 Water Planning Districts

7.2.5.1 Inventory

In response to significant current and projected water demands, the Metropolitan North Georgia Water Planning District was established on April 5, 2001 (2001 S.B. 130). The general purposes of the District are to establish policy, create plans, and promote intergovernmental coordination for all water issues in the district; to facilitate multi-jurisdictional water related projects; and to enhance access to funding for water related projects among local governments in the district area. The District develops regional and watershed-specific plans for storm water management, waste-water treatment, water supply, water conservation, and the general protection of water quality. These plans will be implemented by local governments in a 16-county area.





In October 2002, the district adopted model ordinances to give local governments tools that effectively addressed storm water management issues. Local governments in the district are required to implement the model ordinance or similar ordinances that are as effective. Local governments must make significant progress on all these ordinances by May 2004 with the exception of the stream buffer ordinance which has a deadline of April 2005. The model ordinances are as follows:

- Post-Development Storm-water Management for New Development and Redevelopment,
- Floodplain Management/Flood Damage Preservation,
- Stream Buffer Protection,
- Conservation Subdivision/Open Space Development,
- Discharge and Illegal Connection, and
- Litter Control.

7.2.5.2 Assessment

Fulton County's review of the model ordinances found that with the exception of the conservation subdivision ordinance and the litter control ordinance, Fulton County's existing ordinances needed only minor amendments to make them as effective as the model ordinance. With regard to the conservation ordinance, Fulton County adopted an ordinance as an amendment to the Subdivision Regulations in April 2004. Fulton County's Litter Control Ordinance was more restrictive than the model ordinance and no changes were made. Amendments were drafted to the Stormwater Management Ordinance, the Floodplain Management Ordinance and the Stream Buffer Ordinance to make them as effective as the model ordinance. The Stream Buffer Ordinance was approved by the Board of Commissioners in May 2005. The requirement for Discharge and Illegal Connection were included in the amendments to the Stormwater Management Ordinance. These amendments are still in the public review stage.

7.2.6.0. Transportation for Non-Attainment Areas

Please refer to the Transportation Element

7.2.7.0 Other Organizations

7.2.7.1 Inventory

Georgia Regional Transportation Authority (GRTA)

Created in 1999 by the General Assembly under Title 50, Article 32, the Georgia Regional Transportation Authority's (GRTA) mission is to combat air pollution, traffic congestion and poorly planned development in the metropolitan Atlanta region. Most of GRTA's activities pertain to the transportation, land use and economic development elements of the plan.

GRTA's initial jurisdiction included the territory of every county which was designated by the United States Environmental Protection Agency (USEPA) in the Code of Federal Regulations as of December 31, 1998, as a county included in whole or in part within a non-attainment area under the Clean Air Act and which, through regulation, as a county having excess levels of ozone, carbon monoxide, or particulate matter. GRTA's territory also extends to counties designated by





the USEPA in the Code of Federal Regulations after December 31, 1998. Currently, there are thirteen counties in the metropolitan Atlanta area which are non-attainment jurisdictions for ozone levels. The counties include Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale.

GRTA's authority includes:

- Assisting the Georgia Governor's office to develop transportation policies,
- Partnering with state and regional agencies to prioritize transportation plans and programs and cooperatively establishes investment priorities and resource allocations to accomplish GRTA's mission,
- Measuring effectiveness in improving air quality, mobility, accessibility and land use practices, and in reducing congestion,
- Encouraging land use practices which promote efficient use of transportation investments,
- Cooperatively develop transit plans for areas within its jurisdiction,
- Coordinating transit services to provide seamless and accessible connections within the areas of its jurisdiction, and
- Implementing transit services through a combination of entities including local transit authorities, cities, counties and private operators.

GRTA's legislation requires that it review Developments of Regional Impact (DRI) within its jurisdiction. Developments of Regional Impact (DRI's) are large-scale developments likely to have effects outside of the local government jurisdiction in which they are located. The Georgia Planning Act of 1989 authorizes the Department of Community Affairs (DCA) to establish procedures for intergovernmental review of these large-scale projects. These procedures are designed to improve communication between affected governments and to provide a means of assessing potential impacts of large-scale developments before conflicts relating to them arise.

GRTA's review operates concurrently with the review performed by the Regional Development Centers (RDC) required by DCA. Fulton County is required by State Law to participate in the review process for developments of regional impact. Fulton County amended the Zoning Resolution and adopted the State procedures and guidelines for the review.

The purpose of GRTA's review is to approve or disapprove the use of state and federal funds to create transportation services and access that may be required as a result of a DRI. The goals of the review are protecting and efficiently allocating limited state and federal resources, promoting compliance with regional transportation plans and air quality standards, and furthering GRTA's mission and goals.

The Fulton County Departments of Public Works (Transportation Planning) and Environment and Community Development (Planning Division) coordinate with GRTA on all projects within unincorporated Fulton County. This includes attending meetings, providing information, and any other assistance and information requested by GRTA.

Georgia Department of Transportation (GDOT)

The Georgia Department of Transportation (GDOT) plans, constructs, maintains and improves the State of Georgia's roads and bridges. In addition, GDOT provides planning and financial support for other modes of transportation, including mass transit and airports. GDOT also has two





agencies administratively attached to it, the State Road and Tollway Authority and the Georgia Rail Passenger Authority.

On all transportation projects with Federal funding, Fulton County has to comply with Federal Guidelines which require a contract between Fulton County and GDOT. These contracts take two forms, the Local Government Project Agreements (LGPA) which document the responsibilities of both parties for the project and second the Project Management Agreements (PMA) which are more detailed agreements for each phase of the project. The primary department within Fulton County for coordination is the Public Works Department, Transportation Division.

Georgia Department of Natural Resources (DNR)

In 1972, under the Executive Reorganization Act of 1972, Governor Jimmy Carter reorganized more than thirty state agencies to form the Department of Natural Resources (DNR). The mission of the Department of Natural Resources is to sustain, enhance, protect, and conserve Georgia's natural, historic, and cultural resources for present and future generations, while promoting the development of commerce and industry that use sound environmental practices.

DNR provides technical assistance in the areas of water conservation, environmental protection, wildlife preservation, parks and recreation and historic preservation. Georgia DNR coordinates with Fulton County Parks and Recreation Department and Fulton County Environment and Community Development Department. Fulton County staff coordinates with the Historic Preservation Division for compliance with Section 106 of the National Historic Preservation Act and for compliance with NEPA regulations.

Georgia Department of Human Resources (DHR)

Georgia Department of Human Resources (DHR) is responsible for the delivery of health and social services. The department is one of the largest agencies in state government and serves all Georgia citizens through regulatory inspection, direct service and financial assistance programs. The Fulton County department with primary coordination with Georgia DHR is the Fulton County Department of Health and Wellness.

Georgia Department of Community Affairs (DCA)

The Georgia Department of Community Affairs (DCA) was created in 1977, to serve as an advocate for local governments. DCA serves as the state's lead agency in housing finance and development; promulgates building codes to be adopted by local governments; provides comprehensive planning, technical and research assistance to local governments; and serves as the lead agency for the state's solid waste reduction efforts. DCA reviews all local comprehensive plans and solid waste plans for compliance with Georgia's minimum planning standards. The Fulton County departments with primary coordination with Georgia DCA are the Fulton County Department Environment and Community Development Department and the Public Works Department.





Atlanta Regional Commission

The Atlanta Regional Commission (ARC) is the regional planning and intergovernmental coordination agency for the 10-county area including Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry and Rockdale counties, as well as the City of Atlanta. ARC was created by the local governments in the Atlanta Region pursuant to legislation passed by the Georgia General Assembly. Georgia law stipulates a mandatory annual local funding formula. These funds from local governments are used to match federal and state funding dollars. The Atlanta Regional Commission (ARC) Board is composed of officials of political subdivisions and private citizens representing districts of approximately the same population within the 10-county, 63-city Atlanta Region. The Fulton County Chairman is a member of the ARC Board. Fulton County staff attend many of ARC the committees.

ARC performs regional planning and coordination in the areas of: aging services, community services, environmental planning, government services, job training, land use and public facilities planning, transportation planning, and data gathering and analysis.

7.2.7.2 Assessment

Fulton County will continue to work cooperatively with these other organizations to further implement Fulton County's Comprehensive Plan.

