



Fulton County Board of Commissioners
Agenda Item Summary

14-0839

BOC Meeting Date
10-15-14

Requesting Agency

Planning and Community Services

Commission Districts Affected

1, 2, 7,

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of notification to the City of Chattahoochee Hills on the County's position regarding the annexation of approximately 9400 acres into Chattahoochee Hills.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Section 36-36-113 of the Official Code of Georgia requires the Board of Commissioners to notify the annexing municipality of any intent to object within 30 days of receiving the notice of intent to annex from the municipality, as well as provide a basis for the objection. Objections shall be made by majority vote of the Board of Commissioners.

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

No

Is this a purchasing item?

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The City of Chattahoochee Hills is requesting to annex approximately 9400 acres of property in Unincorporated South Fulton County. The area proposed for annexation contains property zoned AG-1 (Agricultural), CUP-CHC (Community Unit Plan – Chattahoochee Hill Country), MIX (Mixed Use), C-1 (Community Business District), C-2 (Commercial District), R-1 (Single Family Dwelling), R-6 (Two Family Dwelling), and M- 2 (Heavy Industrial). The Fulton County 2030 Comprehensive Plan designates the area as Agricultural Neighborhood, Rural Neighborhood, South Fulton Parkway Transitional, Regional Mixed Use and Local Mixed Use.

Pursuant to O.C.G.A. § 36-36-111, upon receipt of a petition of annexation, a municipal corporation shall notify the governing authority of the county and such notice shall include a copy of the annexation petition which shall include the proposed zoning and land use for such area. Fulton County received a notice of annexation letter dated September 30, 2014. The notice letter did not include the required copy of the annexation petition and did not fully describe the proposed zoning and land use for the area proposed for annexation. The notice letter states that there are no proposed changes to the zoning or land use of the property to be annexed. However the city of Chattahoochee Hills has their own Zoning Resolution and Comprehensive Plan that is not the same as Fulton County, so by keeping the same zoning and land use designations it is a proposed change in zoning and land use.

O.C.G.A. § 36-36-113 provides that Fulton County may by majority vote object to an annexation within 30 days of receipt of the notice of proposed annexation. O.C.G.A. § 36-36-113 further

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

establishes the grounds upon which Fulton County may object to a proposed annexation. Fulton County may object to an annexation because of a material increase in burden upon the County directly related to any one or more of the following:

- (1) The proposed change in zoning or land use;
- (2) Proposed increase in density; and
- (3) Infrastructure demands related to the proposed change in zoning or land use.

Fulton County staff finds that the letter of notice submitted by the City of Chattahoochee Hills is deficient and based upon the proposed change in zoning and land use, staff recommends that the Board of Commissioners has grounds to file a valid objection and seeks the Board's approval to notify the City of Chattahoochee Hills accordingly.

Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>
--	--

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

14-0839

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	.			
Total M/FBE Values	.			
Total Prime Value	.			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> The fiscal impact of this proposed annexation has yet to be determined.				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1: City of Chattahoochee Hills Proposed Annexation Exhibit 2: City of Chattahoochee Hills Proposed Annexation – Current Zoning Exhibit 3: Annexation Notice Letter				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Michelle Macauley, Assistant Director, Planning and Community Services, 28052				

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Continued

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.**FINANCIAL SUMMARY**

Total Contract Value:	MBE/FBE Participation:
Original Approved Amount: .	Amount: . %: .
Previous Adjustments: .	Amount: . %: .
This Request: .	Amount: . %: .
TOTAL: .	Amount: . %: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
-----------------------------	-----------------------------	-----------------------------	-----------------------------

KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Beck, Randy	Date: 10/8/2014
.	County Attorney:	.	Date: .
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
X	County Manager:	O'Connor, Patrick	Date: 10/9/2014

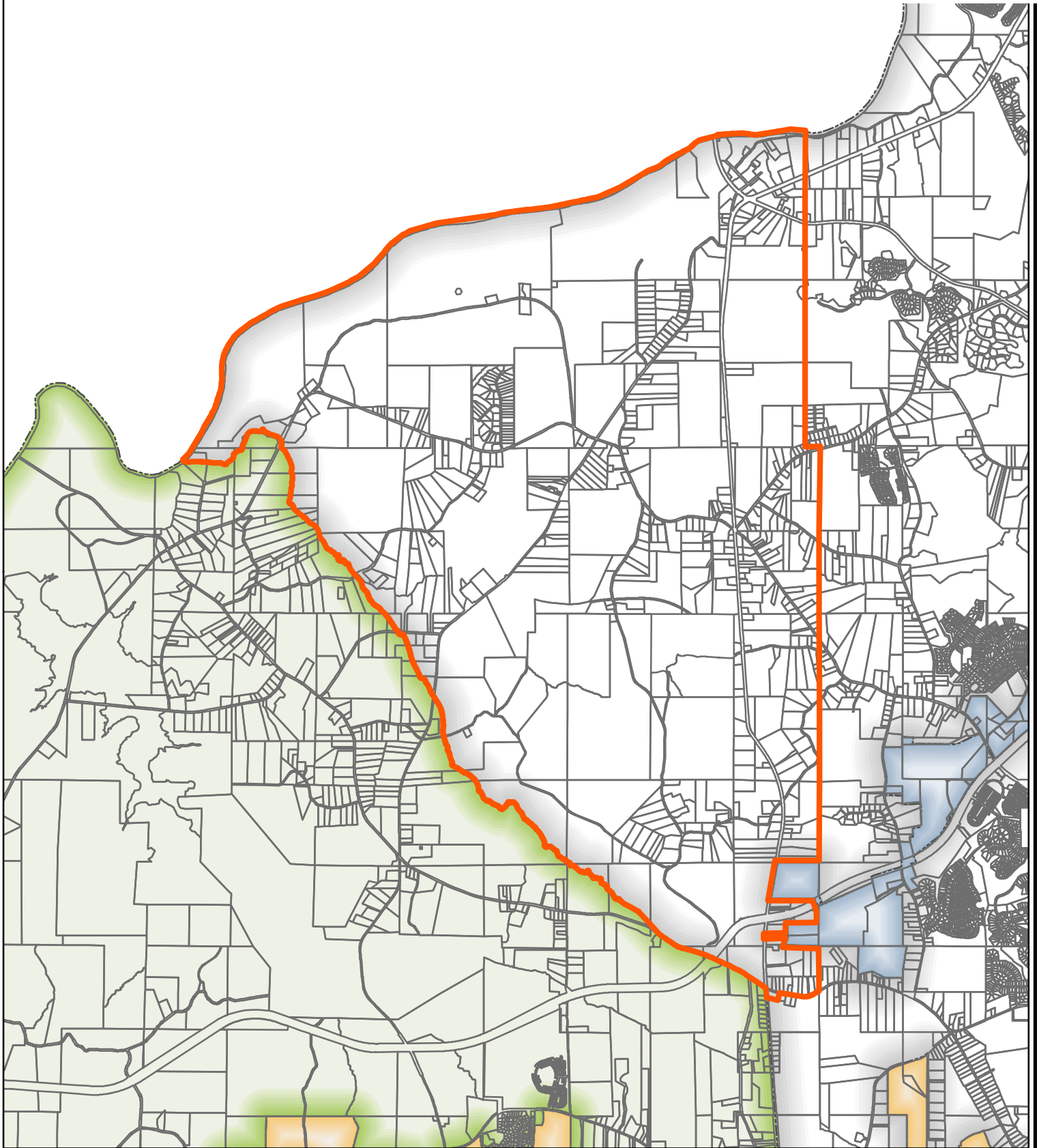
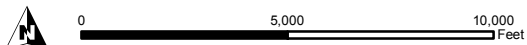








Exhibit 1: Chattahoochee Hills Annexation

October 2014

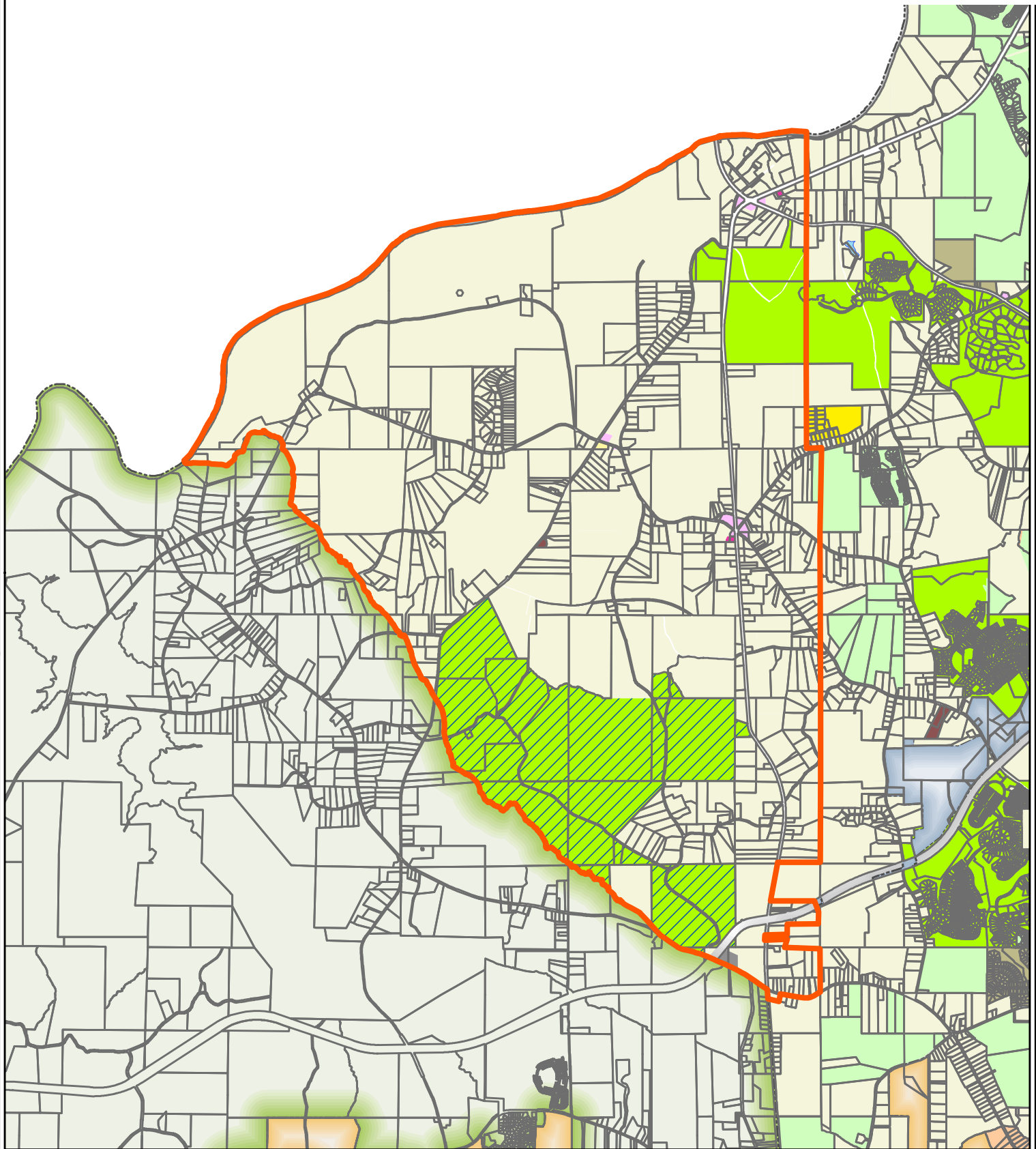


-  AnnexationShape
-  Parcels
-  Chattahoochee Hills
-  Fulton County (unincorporated)
-  Palmetto
-  Union City

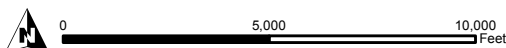
I:\GIS\WorkSpace\DoIT\GIS\Annexations\Enterprise\ChattahoocheeHills20141003\Working\Data\ChattahoocheeHills.mxd



Date: 10/06/2014 RWM



**Exhibit 2: Chattahoochee
Hills Annexation
Current Zoning October 2014**



- | | | |
|--|--|----------------------------------|
| AnnexationShape | MIX (Mixed Use) | R-6 (Single Family Dwelling) |
| AG-1 (Agricultural) | CHC-MIX (Chattahoochee Hill Country - Mix) | SUB-A (Single Family Dwelling) |
| C-2 (Commercial) | MHP (Mobile Home Park) | SUB-C (Single Family Dwelling) |
| C-1 (Community Business) | R-1 (Single Family Dwelling) | A (Medium Density Apartment) |
| O-1 (Office & Institutional) | R-2 (Single Family Dwelling) | A-O (Apartment-Office) |
| M-1 (Light Industrial) | R-2A (Single Family Dwelling) | A-L (Apartment Limited Dwelling) |
| M-1A (Industrial Park) | R-3 (Single Family Dwelling) | A-1 (Apartment Dwelling) |
| M-2 (Heavy Industrial) | R-3A (Single Family Dwelling) | TR (Townhouse Residential) |
| Cemetery | R-4 (Single Family Dwelling) | Unzoned |
| CUP (Community Unit Plan) | R-4A (Single Family Dwelling) | Water |
| DUP-CHC (Community Unit Plan - Chattahoochee Hill Country) | R-5 (Single Family Dwelling) | R-O-W |
| NUP (Neighborhood Unit Plan) | R-5A (Single Family Dwelling) | |



Date: 10/06/2014 RWM

I:\GIS\Workspace\DoITGIS\Annexations\Enterprise\ChattahoocheeHills_20141003\Working\Maps\ChattHillsFc04271.mxd



County ^{Monroe} # 14-0839

6505 Rico Road Chattahoochee Hills Georgia 30268

MAYOR
Tom Reed

CITY COUNCIL
John Taylor
Richard Schmidt
Claire Williams
Faye Godwin
Don Hayes

CITY MANAGER
James Williams

www.chatthillsga.us

(770) 463-8881

Fax (770) 463-8550

September 30, 2014

Chairman John H. Eaves
Fulton County Board of Commissioners
141 Pryor Street, S.W., Suite 10000
Atlanta, GA 30303

Dear Chairman Eaves,

The City of Chattahoochee Hills, Georgia, has received a petition to annex approximately 9400 acres of unincorporated Fulton County into the city of Chattahoochee Hills. The Mayor and the Council of the City of Chattahoochee Hills, Georgia, are considering the annexation of the property by the authority vested in them by Article 3 of Chapter 36, Title 36, of the Official Code of Georgia Annotated.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of a petition for annexation by the City of Chattahoochee Hills, in accordance with O.C.G.A. § 36-36-6 and O.C.G.A. § 36-36-9.

The property description and a map are enclosed. There are no proposed changes to the zoning or land use of the property in the proposed annexation territory.

Pursuant to O.C.G.A. § 36-36-7 and O.C.G.A. § 36-36-9, you must notify the Mayor and City Council of the City of Chattahoochee Hills, in writing and by certified mail, return receipt requested, of any county facilities or property located within the area to be annexed within five (5) business days of the receipt of this letter.

Pursuant to O.C.G.A. § 36-36-4 a public hearing on zoning of the property to be annexed will be scheduled shortly. The city will notify you of the scheduled hearing no less than 15 days in advance. If the county has an objection under O.C.G.A. § 36-36-113, in accordance with the objection and resolution process, you must notify our City Clerk, Cindy Hanson, within thirty (30) calendar days of the receipt of this notice.

I would be happy to discuss the matter further at your convenience. If you have any questions, please call me at 770-463-6578.

With highest regards,

Mike Morton
City Planner



CITY OF CHATTAHOOCHEE HILLS**NOTICE OF ANNEXATION BY 60 PERCENT METHOD**Area of Annexation is as follows:

BEGINNING on the border of the City of Chattahoochee Hills at the congruence of Little Pea Creek and Chattahoochee River, thence Northeastward along the banks of the Chattahoochee River to the intersection of the eastern border of Land Lot 09C0038 and the Chattahoochee River, thence directly South along the eastern border of Land Lots 09C0029, 09C0017, and 09C0008 to the northern border of Land Lot 07 0080, thence East along the northern border of Land Lot 07 0080 to its intersection with the northwestern corner of Land lot 07 0081 at the southern border of Land Lot 09C0009, thence South along the eastern border of Land Lots 07 0080, 07 0079, 07 0078, 07 0077, and 07 0076 to exactly 50' from the northern border of the City of Union City, thence west within the bounds of Land Lot 07 0076 and 07 0075, parallel a distance of 50' from the north border of Parcel 07 130000751057, thence south paralleling the western border of the City of Union City at a distance of 50' from the western border of Parcel 07 130000751057, and thence east paralleling the southern border of Parcel 07 130000751057 at a distance of 50' from the southern border of Parcel 07 130000751057, to a point 50' west of the border of the City of Union City, thence Southeast parallel a distance of 50' from the border the City of Union City and following that line to a point 50' to the west of the western border of Union City, thence South parallel a distance of 50' westward of that border to a point 50' north of the northern boundary of the City of Union City, thence west paralleling the northern, western, and southern boundaries of the City of Union City at a distance of 50' from the northern, western, and southern boundaries of Union City as formed by Parcels 07 130100750066 and 07 130100750082, to a point 50' south of the congruence of Land Lots 07 0075, 07 0086, 07 0074 and 07 0087, thence South along the eastern borders of Land Lots 07 0074 to it's intersection with the centerline of Rivertown Road, thence west along the centerline of Rivertown Road until intersecting the extended eastern property line of 07 190000740484, thence south to the southeast corner of 07 190000740484, thence west along the south property line of 07 190000740484 extending to its intersection with the eastern border of the City of Chattahoochee Hills, thence North along the Eastern border of the City of Chattahoochee Hills to the intersection of Cascade Palmetto Highway (State Road 154) and Rivertown Road, thence northwest following the eastern and northern borders of the City of Chattahoochee Hills to the POINT OF BEGINNING, containing approximately 9,013.87 acres.

Perimeter Boundaries for Area of Annexation:

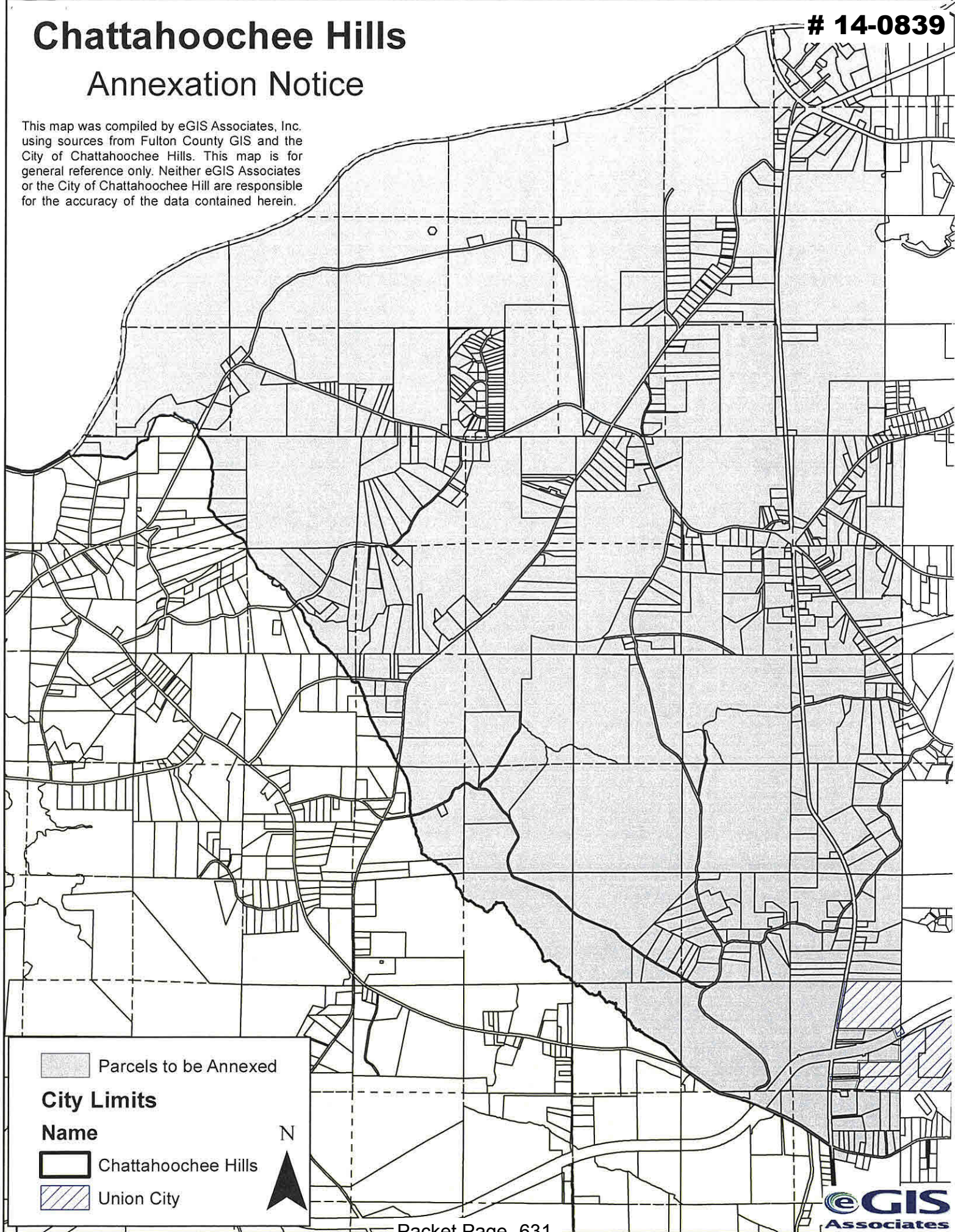
River to Ridge Rd to Ridge Rd to Rivertown to 154 33,420.7 feet
Chatt Hills city limits - Rivertown to River 31,694.6 feet
City limits at River to River at 154/92 26,937.4 feet
Total External Boundaries of proposed annexation 92,052.7 feet
Required external boundary contact with city limits is 1/8th of total or 12.5%.
Actual city limit boundary contact shown above is 31,694.6 feet or 34.43%

Chattahoochee Hills

14-0839

Annexation Notice

This map was compiled by eGIS Associates, Inc. using sources from Fulton County GIS and the City of Chattahoochee Hills. This map is for general reference only. Neither eGIS Associates or the City of Chattahoochee Hill are responsible for the accuracy of the data contained herein.



14-0839

Chattahoochee Hills

Annexation Notice Area Near City of Union City Limits

This map was compiled by eGIS Associates, Inc. using sources from Fulton County GIS and the City of Chattahoochee Hills. This map is for general reference only. Neither eGIS Associates or the City of Chattahoochee Hill are responsible for the accuracy of the data contained herein.

