

Jackson County Comprehensive Plan

INTERGOVERNMENTAL COORDINATION

**A Chapter of the Technical Appendix
Community Assessment**

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INTERGOVERNMENTAL COORDINATION

INTRODUCTION

The intergovernmental coordination element identifies existing coordination mechanisms and further opportunities for such coordination. More and more, effective planning efforts for community facilities, environmental protection, transportation, and land use are increasingly beyond the abilities of individual jurisdictions. This report identifies areas where intergovernmental coordination is ongoing or lacking, as well as, issues that may require intergovernmental cooperation in the future.

The issue of intergovernmental coordination generally appears to have been neglected in the past. Jackson County, in its partial plan update prepared in 2007, identified some significant deficiencies in terms of intergovernmental coordination. It indicates that presently there is little or no interaction between the Jackson County Water and Sewerage Authority, the Jackson County Public Development office, and municipalities. It indicates further that there is currently limited communication or joint action planning between the county and other entities. This is proposed to be addressed with improved and expanded communications. For instance, the partial plan update recommends that, at minimum an annual meeting with all elected officials and managers of all local governments should be held to share information and requirements of importance to all the communities in the county. The partial plan update for Jackson County (2007) also indicates that the County must work specifically with the Jackson County Water and Sewerage Authority to ensure new water and sewer lines are planned only in those future land use areas intended for denser residential and commercial development.

Also, through the Jackson County Service Delivery Strategy Agreement, there is expected to be some additional, ongoing dialogue between the county and municipal water and sewer providers to realign service areas that make better strategic sense.

INTERGOVERNMENTAL FRAMEWORK

Intergovernmental coordination is needed to some degree with many different public and quasi-public agencies, including but not limited to the following:

Adjacent Counties

Certain land use, transportation, environmental protection, and other issues cause the county to coordinate matters of concern with abutting counties.

Municipalities

The cities in Jackson County participate in a variety of activities with Jackson County. Cities (general purpose governments) and their citizens, who are also county residents, are recipients of county services. There are two cities in Jackson County that cross into other counties: Maysville is partially within Banks County, and Braselton extends into three other counties besides Jackson County: Barrow, Gwinnett, and Hall. In some cases, municipalities in an adjacent county may be close enough to Jackson County so as to present some coordination opportunities or issues. For instance, the downstream local governments of Winder and Athens-Clarke County have water supply withdrawal intakes which necessitate environmental protections in Jackson County and certain cities in Jackson County.

Authorities and Special Districts

Within the county, or perhaps extending across county boundaries in some cases, there are special districts and authorities that provide single-purpose facilities or services. These include three public school systems in Jackson County: Jackson County itself, the City of Commerce, and the City of Jefferson.

The Upper Oconee Basin Water Authority is an intergovernmental partnership for water supply. Athens-Clarke, Jackson, Barrow, and Oconee Counties own a share of the Bear Creek Reservoir and its water treatment plant.

Fire protection in Jackson County is provided via volunteer Fire Departments divided into eleven districts, and some cities such as Talmo do not have their own municipal fire departments. Talmo, for example, is served by the North Jackson Fire District which is governed by an elected Board of Directors that establishes a budget and sets a millage rate for the district.

Regional and Metropolitan Agencies

The Northeast Georgia Regional Commission is a service provider and important player in terms of planning in the northeast Georgia region including Jackson County. To the extent that municipalities are partially located in Jackson County but also extend into other counties, as is the case in the Cities of Maysville and Braselton, coordination with other regional commissions (Atlanta Regional Commission with regard to Gwinnett County) and the Georgia Mountains (with regard to Banks and Hall Counties) is also needed from time to time. In addition, various state agencies are involved to varying degrees in actions, programs, regulations and other activities within the county.

In addition to the regional commissions, there are Metropolitan Planning Organizations (MPOs) in Gainesville-Hall County, Athens (which includes parts of Madison and Oconee Counties), and the Atlanta area (Atlanta Regional Commission). To the extent the transportation facilities cross out of the boundaries of these MPOs and into Jackson County, coordination is warranted.

State and Federal Agencies

A variety of state and federal agencies interact with Jackson County on a routine basis, some more than others. Key state agencies include the Georgia Department of Transportation, Georgia Department of Natural Resources, and the Georgia Department of Community Affairs. Federal agencies have relatively little active presence in Jackson County.

However, Jackson County is located within the jurisdiction of the Appalachian Regional Commission, which may be an overlooked source of resources for Jackson County. The current strategic plan for that federal agency is "Moving Appalachia Forward: ARC Strategic Plan, 2005–2010."

REGIONAL PLANNING EFFORTS

The Northeast Georgia Regional Commission (previously Regional Development Center) has over the years prepared various regional plans and studies. While too expansive to review and summarize here, it is important simply to note that Jackson County should be aware of those plans and work to integrate regional planning initiatives and principles into its comprehensive

plan. While some of the review for regional consistency is the responsibility of the Regional Commission, it is important for Jackson County to accept responsibility for researching the applicability of various regional planning initiatives and acknowledging them as appropriate in its comprehensive plan.

Regional Comprehensive Plan, Short-term Work Program

This document covers the time period of 2009 to 2013. Some of the work program items list local governments as a responsible implementing partner. Therefore, it is important that Jackson County anticipate those suggestions and integrate them as appropriate into its comprehensive plan.

Corridor Feasibility Study for the Evaluation of Potential Greenway Networks (2008)

This is an important document which needs to be consulted with regard to greenway opportunities along the North Oconee, Middle Oconee and Mulberry Rivers. It also presents relevant information about the Interstate 85 corridor in Jackson County, as well as rail lines and pipeline easements in the county and region.

Northeast Georgia Regional Bicycle and Pedestrian Plan (2005)

The plan sets forth a regional direction for the development of a regional bicycle and pedestrian network and provides recommendations for achieving a multi-modal transportation system. Bicycle route suitability is evaluated. The plan document has a table which lists the suitability of bike facilities by major road segment in the county, thus providing useful guidance in future plans for bicycle facilities in Jackson County. Based on that suitability analysis, a map of recommended bicycle facilities is provided in the plan for Jackson County (see p. 92). This plan also recommends strategies for regional implementation of the plan. The plan further identifies a desire to construct multi-jurisdictional greenways, including along the Oconee River. There is a regional implementation strategy that includes suggested actions by local governments, including Jackson County, which should be consulted as appropriate and integrated into the county's short-term work program, as appropriate.

Regional Water Resources Study (2004)

This document may be consulted for data and mined for potential issues and opportunities for Jackson County and the region. The natural resources component of this study was utilized in preparing the natural resources chapter of this data appendix for Jackson County's comprehensive plan.

COMPREHENSIVE PLANNING IN JACKSON COUNTY

A principal mechanism to coordinate various programs and services is to prepare a comprehensive plan which includes the county and all of its municipalities in a single, coordinated effort. The comprehensive plan, adopted in 1998, included Jackson County and all of the cities within the county, with the exception of the City of Maysville which participated in the Banks County comprehensive plan.

During this round of comprehensive planning, all municipalities in Jackson County elected to complete their own comprehensive plans, more or less without active participation of the county. Since that is the case, extra efforts are needed to ensure that the Jackson County

comprehensive plan anticipates the coordination issues and opportunities that are presented in the individual municipal comprehensive plans. In order to do so, this report includes an analysis of the most recent plans of municipal governments within or partially within Jackson County.

Arcade

Jackson County's partial plan update identifies the 4-W Farms site, which has been annexed into the City of Arcade, as an area requiring special attention. The 4-W Farms site has been approved by Arcade for 1,000 plus residential unit development. At the present time, the development has not proceeded due to issues regarding water and sewer service and also because of the downturn in the residential development market.

Arcade's community agenda articulates a desire to enhance gateway corridors, which involve entrances to the community from unincorporated Jackson County and also the City of Jefferson. It also articulates a desire for Arcade to construct its own water and sewer systems.

Arcade participated in the Quad Cities Planning Commission, an innovative municipal partnership formed in 2003 between the cities of Arcade, Jefferson, Pendergrass, and Talmo. In 2004, Pendergrass withdrew from the Quad Cities Planning Commission, leaving it with three cities. In 2009, also Arcade withdrew, leaving just Jefferson and Talmo as participants.

Braselton

The Town of Braselton, which has municipal boundaries extending into Barrow, Gwinnett, and Hall Counties, is in the process of preparing its own comprehensive plan. It was initially included in Jackson County's comprehensive plan (1998). The most recently adopted plan document is a 2007 partial plan update. Major findings include the following with regard to Braselton and intergovernmental issues and opportunities:

- **Mulberry River Watershed Protection:** Braselton lies within a 7-mile radius upstream of the City of Winder's public water supply intake on the Mulberry River. This means it is required by the state's environmental planning criteria to implement protection measures within that watershed.
- **SR 53 Corridor:** The SR 53 corridor between Interstate 85 and the Jackson/Hall County line, north of Braselton, is mainly unincorporated and rural in nature but lies within the Town's service area. Future annexation of that corridor by Braselton is a strong possibility, according to the partial plan update. Braselton's plan update identifies the SR 53 corridor as an area of special concern because it is anticipated to undergo rapid land use change in the near future. The county's partial plan update also indicates that the Georgia Department of Transportation has a project under design to widen State Route 53 from Gainesville to its intersection with I-85, which also underscores the need to have this corridor designated as an area requiring special attention.
- **Comprehensive Planning:** Braselton's partial plan update specifically recognizes the need to continue to coordinate and discuss comprehensive planning and service delivery amongst its neighboring municipalities and county governments.

Commerce

Commerce prepared a partial plan update in September 1997. Only one issue jumps out as being significant in terms of intergovernmental coordination, but see also Maysville with regard to water, sewer, and fire service opportunities.

- **U.S. Highway 441 Corridor.** The city's plan update identifies the U.S. Highway 441 corridor between Banks Crossing and SR 334 as an area expected to undergo rapid land use change, with highway commercial along the highway frontage and residential development behind the commercial development. Furthermore, it shows the U.S. Highway 441 corridor through most of Commerce as "highway commercial pressure" on its map of areas requiring special attention. It should be noted that Commerce's city limits do not encompass the entire corridor and that, therefore, both Jackson County and Commerce will regulate this corridor. To ensure that development standards are consistent, there should be a coordinated strategy between Commerce and Jackson County toward U.S. Highway 441 development.
- The Jackson County Water and Sewerage Authority has the ability to, and does from time-to-time, purchase treated water from the City of Commerce in northeast Jackson County. This is done mainly in response to high demands on the system such as water main breaks, severe drought, or other unforeseen circumstances.

Hoschton

A partial plan update for Hoschton was completed in late 2007. It states that Hoschton seeks to improve intergovernmental relationships with neighboring towns as well as with the County and State agencies by identifying projects of mutual interest. It identifies the following intergovernmental coordination issues or opportunities:

- **Rural Character of Maddox Road and SR 332:** Hoschton and Jackson County have common interests in maintaining the residential character of Maddox Road and Highway 332 as "Rural Highways." Hoschton has adopted the Jackson County goal of utilizing Maddox Road as a "Rural Highway" which limits it to two lanes, and does not promote commercialization. East Jefferson Street becomes Maddox Road at Hoschton's city limit line.
- **SR 53 Bypass:** In its partial plan update, Hoschton articulates a preference that any State Route 53 bypass should be located east of the City of Hoschton (implicitly, in unincorporated Jackson County). Jackson County's partial plan update also refers to the need for a bypass around Braselton and Hoschton to address the traffic constraints on State Routes 124 and 53.
- **Parks and Recreation Facilities:** Hoschton has acquired 8 acres of park space from Creekside Village on State Route 53 and has agreed to allow Jackson County Parks and Recreation to add park facilities on this site.
- **Future Land Use:** Hoschton's partial plan update contains a revised future land use map (October 2007), which shows certain designations outside the immediate city limits. Jackson County's land use plan should be reviewed for consistency and compatibility.

- **Utility Systems:** From a map in the partial plan update, Hoschton's water and/or sewer lines appear to extend beyond the city limits into unincorporated Jackson County. To the extent they do, service delivery strategies should ensure that service jurisdictions are clearly adopted.

Jefferson

Jefferson's community agenda articulates a desire to enhance gateway corridors, which involve entrances to the community from unincorporated Jackson County. Gateway corridors include Jett Roberts Road, U.S. Highway 129 Business, Athens Street, and State Highways 11, 15, and 82. Since these corridors also have unincorporated areas, there is a need to coordinate development standards along entrances into Jefferson with Jackson County to ensure compatible and consistent development patterns and quality specifications.

Jackson County airport is located close to, but not within Jefferson. Since Jefferson's land use jurisdiction surrounds much of the airport's airspace, there is a need to coordinate land use in Jefferson with requirements for safe airport operations.

The Curry Creek water supply watershed, which provides water for Jefferson's reservoir, is mostly encompassed within the city limits of Jefferson but also extends into unincorporated Jackson County. Thus, there is a need for joint efforts of the city and county to protect the watershed for public water supply.

Jefferson was a key player in forming the Quad Cities Planning Commission in 2003, along with the cities of Arcade, Jefferson, Pendergrass, and Talmo. Withdrawals by Pendergrass (2004) and Arcade (2009) led to a disbanding of the Quad Cities Planning Commission and reformulation of the planning commission with just Jefferson and Talmo as participants.

Maysville

As noted above, Maysville is only partially located in Jackson County, the larger portion being in Banks County. Maysville completed a community assessment in 2008 and adopted the community agenda part of its plan in August 2008.

- **Development near Maysville in unincorporated Jackson County.** The community assessment notes that parts of Jackson County within close proximity to Maysville have already been identified for proposed developments, including projects large enough to qualify for the Development of Regional Impact (DRI) review process within several miles of Maysville. There is also the likelihood of increasing growth pressures emanating from the Banks Crossing area and Commerce just several miles to the east and south of Maysville; therefore, that area is identified as a corridor expected to undergo rapid development and change in the future.
- **Annexation and Land Use Coordination.** The community assessment indicates that the town is likely to feel some pressure from development to expand boundaries. It suggests planning and coordination as part of the Service Delivery Agreements with Banks and Jackson Counties. Maysville expresses some concern with regard to Jackson County's policies regarding annexation and land use mitigation. The community assessment for Maysville indicates that the Jackson County Service Delivery Agreement

places strict limitations on the ability of the Town of Maysville to annex land in Jackson County, while in turn the Town has marginal means to challenge incompatible land use issues with the County or another municipality. As this part of the region is experiencing strong growth pressures the concern is that these conditions will limit the Town's ability to accommodate future growth and, more importantly, leave it susceptible to development patterns that might adversely impact Maysville.

- **Potential Annexation Area.** As one of its character areas, Maysville identifies a potential annexation area. However, that designation only appears to apply to an unincorporated island in Banks County.
- **Water Source and Water Service Area.** Maysville operates its own public water supply system for service within the town and select areas immediately adjacent to the town, serving approximately 2,000 customers. Water for this service is drawn from a pair of public wells, but the Town can also purchase water from the Banks County Utilities Department or from the City of Commerce.
- **Potential Sewage Treatment by Commerce.** Maysville's community agenda indicates that the proposed expansion of sewage treatment capacity by the City of Commerce provides Maysville with the chance to coordinate systems and provide near complete coverage of sewer service within the area.
- **Fire Services Agreement with City of Commerce.** The Town also has an agreement with the City of Commerce in the event outside support is needed for an emergency.
- **Possible Parks and Recreation Facilities.** Although Maysville's plan emphasizes Banks County, it alludes to the need to coordinate with the County Parks and Recreation Departments in locating appropriate space inside or, most likely, outside of the town limits. The community agenda suggests that Maysville work with Banks County and/or Jackson County to identify land and resources for a new park in or around Maysville.
- **School Services: Maysville Elementary (Jackson County).** Maysville Elementary, a facility of the Jackson County School Board, is the only school within the Town of Maysville. Through an agreement with the Jackson County School Board, the Maysville Elementary School provides education to all elementary-grade students within the Town of Maysville, even those residing within Banks County.
- **Water Supply Watershed for Athens/Clarke County.** Like unincorporated Jackson County around Maysville, all of Maysville within Jackson County and beyond is located within a small water supply watershed for Athens/Clarke County.
- **Possible Bypass around Maysville.** Maysville's community agenda alludes to possible options for a bypass and/or improvements to SR 98 and West Main Street. To the extent that is a possibility, it could bring part of such road improvement outside the town limits into unincorporated Jackson County.

Nicholson

Nicholson prepared a draft partial plan update in May 2009 but it has not yet received approval from the region and state. Like Commerce, Nicholson anticipates that the U.S. Highway 441

corridor will undergo rapid land use change. The same opportunities for coordinating land use and development standards between Commerce and Jackson County also apply to Nicholson and Jackson County. The draft plan update also refers to a Municipal Association of Jackson County which meets every month and is an opportunity to coordinate various issues and opportunities that affect all municipalities in Jackson County. Furthermore, the draft plan update recognizes the need for the Nicholson Water and Sewer Authority to coordinate its activities and programs with Jackson County.

Pendergrass

Pendergrass completed a partial plan update in June 2007. Like other jurisdictions in Jackson County, rapid growth along the U.S. Highway 129 corridor is anticipated. The partial update does not identify specific issues or opportunities that need to be acknowledged here.

Pendergrass initially participated in the Quad Cities Planning Commission, an innovative municipal partnership formed in 2003 for the cities of Arcade, Jefferson, Pendergrass, and Talmo. In 2004, Pendergrass withdrew from the Quad Cities Planning Commission.

Talmo

- **Areas of Rapid Land Use Change.** Talmo's community assessment indicates that the U.S. Highway 129 corridor is anticipated to undergo rapid development and land use change.
- **Facilities and Services.** Talmo lacks its own water and sewer services and is therefore currently served by the Jackson County Water and Sewerage Authority. Also, Talmo does not operate a police force, and is therefore served by the Jackson County Sheriff's Department. In fact, all public safety services to the residents and property owners of Talmo are provided by Jackson County through an intergovernmental agreement.
- **Planning.** Talmo participated in the Quad Cities Planning Commission since its inception in 2003 and has remained in a revamping of that planning commission which now serves just Jefferson and Talmo.
- **Scenic Resources.** The Community Assessment technical report for Talmo indicates that State Route 332, Talmo Trail, U.S. Highway 129 and Pond Fork Church Road are designated scenic road corridors within Talmo. Allen Creek is designated as a scenic corridor. To the extent that these corridors extend outside Talmo's jurisdiction, the county plan should be cognizant of Talmo's desire to protect them as scenic resources.

COMPREHENSIVE PLANNING IN ABUTTING COUNTIES

At the same time, there is also a need to review and understand the major contents of the comprehensive plans of abutting local governments. This is particularly necessary in light of regional quality community objectives, which must be addressed in the community assessment. More specifically, this means opportunities for the regional delivery of facilities and services, quality of place, environmental protection efforts, transportation planning, and land use coordination. Hence, some attention is also given to major planning initiatives identified in the comprehensive plans of counties abutting Jackson County.

Athens-Clarke County

Athens-Clarke County completed its community agenda in April 2008. The community agenda does not appear to specifically mention any coordination issues or opportunities involving Jackson County.

A “guiding principle” has been established to set back buildings and paved parking areas from the North Oconee, Middle Oconee River, McNutt Creek, Cedar Creek, Trail Creek, Sandy Creek corridors a minimum of 200 feet in the rural area and 100 feet in the urban area; set back from tributaries to these rivers 75 feet; and create a non-disturbance area of 50 feet along any flowing water course. These riparian buffers and setbacks are more restrictive than state standards.

Banks County

Banks County’s community agenda does not appear to identify any specific issues or opportunities with regard to intergovernmental coordination with Jackson County. However, the “Banks Crossing” area, which is that area surrounding the interchange of U.S. Highway 441 and Interstate 85, is located in Banks County but extends more or less into the City of Commerce in Jackson County. In the past, certain character improvements have been made to the Banks Crossing area, such as the installation of streetscapes (landscaping, street lighting, and banners). Due to the unique destination character of this area and its location next to Commerce, there are efforts to coordinate planning and development regulations in an effort to meet quality development and character delineation objectives.

Maysville is located in both Banks County and Jackson County. To the extent that Jackson County’s plan involves issues or opportunities surrounding Maysville, it is likely to raise issues or opportunities with Banks County, as well.

Barrow County

Barrow County’s community agenda, which includes all municipalities within (except Braselton) does not appear to identify any specific issues or opportunities for coordination with Jackson County.

Hall County

Hall County adopted an intergovernmental coordination element in 2004 under the state’s minimum planning standards which existed prior to the 2005 standards. Other than a general policy supportive of coordination with abutting local governments, there are no issues or opportunities identified in Hall County’s intergovernmental coordination element that relate to Jackson County or any municipalities within Jackson County. It should also be noted that because Braselton is located partially in Hall County, efforts with regard to that municipality may cross over into the realm of Jackson County as well.

Madison County

Madison County with assistance from the Northeast Georgia Regional Development Center (now Regional Commission) prepared a partial plan update in 2008. That document does not reveal any significant issues or opportunities involving coordination with Jackson County.

SERVICE DELIVERY STRATEGIES

In 1997, the State passed the Service Delivery Strategy Act (HB 489). This law mandates the cooperation of local governments with regard to service delivery issues. Each county was required to initiate development of a service delivery strategy between July 1, 1997, and January 1, 1998. Service delivery strategies must include an identification of services provided by various entities, assignment of responsibility for provision of services and the location of service areas, a description of funding sources, and an identification of contracts, ordinances, and other measures necessary to implement the service delivery strategy.

Changes to service arrangements described in a service delivery strategy require an update of the service delivery strategy and an agreement by all parties. Because of this provision, it is likely that the need for intergovernmental coordination with regard to service delivery strategies will continue into the future. In addition, service delivery strategies must be updated every ten years. The Service Delivery Strategy Act also mandates that land use plans of different local governments be revised to avoid conflicts.