ANNEXATION APPLICATION



City of Fayetteville

Planning & Zoning Department

210 Stonewall Avenue West

Fayetteville, Georgia 30214

ANNEXATION PROCESS FLOW CHART

210 Stonewall Avenue West
Fayetteville, GA 30214
770-719-4177
WWW.FAYETTEVILLE-GA.GOV

Petition

- An Annexation can be requested by either 100% of property owners or by a petition signed by both property owners of 60% of total annexation area AND 60% of registered voters
- Property must meet State Annexation Law requirements of being contiguous with the current City boundary and not creating an unincorporated island.

Pre-Application Meeting

- With Planning Department staff
- Not required, but highly recommended

Step One Application

- Application complete and fees submitted
- City Staff reviews for completeness and compliance with State Annexation Law
- City provides courtesy notification to County

Step One City Council Review

- City Council reviews application
- Review based on compliance with the City's adopted Comprehensive Plan
- Makes recommendation to applicant to proceed or not with official Step Two Annexation request

Step Two Application

- Step One review required
- Application complete and fees paid
- Must be within one year of Step One application. One extension available with City Council approval

County Notification

- City notifies County pursuant to OCGA 36-36-111
- County has 30 days to register an objection
- If the County objects, the State-mandated arbitration process begins

Step Two Public Hearings

- Held before the Planning Commission and the City Council
- If approved, annexation effective first day of the following month
- Rezoning to increase intensity not permitted within one year of approved annexation

STEP ONE ANNEXATION APPLICATION

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Date Filed ____ / _____ / _____
Date Accepted ___ / ____ / ____
Notification Sent___ / ___ / ___
Office Use Only

Overview: The Annexation Review Process is a two-step process to evaluate annexation requests into the City of Fayetteville. Step One is a review of how the existing and/ or proposed development may or may not be compatible with the established goals within the City of Fayetteville Comprehensive Plan. City Council shall evaluate the application and determine if they recommend the applicant to proceed with a Step Two application. Step Two requires the submittal of detailed information as identified in the established rezoning process and the State Annexation Law. The recommendation that the annexation request continue to Step Two does not imply that the City Council will approve the annexation application.

Instructions: All items identified below must be provided before a Step One application is deemed complete. If the answer to any question is "No," a written explanation must be provided to explain the negative response. Once staff has deemed the application is complete and complies with the State Annexation Law, the request shall be considered in a Public Hearing at the next available City Council meeting.

SUBMITTAL REQUIREMENTS:

		YES	NO
1	A completed and signed Step One application	☐	☐
2	Application fee paid	☐	☐
3	**Legal Description:** An electronic version (.doc) of the full legal description of the subject tract(s) being considered for annexation	☐	☐
4	**Boundary Survey:** One electronic (.pdf) copy of a survey prepared by a licensed and registered land surveyor that shall identity the extent of the property being considered for annexation. Must be scale no greater than 1"=50' and include:	☐	☐
(a)	Parcel Tax ID number and owner name for each annexation parcel	☐	☐
(b)	Existing lot lines, easements, rights-of-way, including the area in acres and abutting land uses or zoning district categories	☐	☐
(c)	A clear delineation of the existing and proposed city limits boundary	☐	☐
5	**Property Deeds:** One (1) copy of the property deed(s) for each parcel	☐	☐
6	**Supporting Narrative**: one (1) electronic (.pdf) document stating how the proposed annexation meets the vision, goals and policies of the City's adopted Comprehensive Plan	☐	☐
7	**DRI:** See DRI website at https://cdn.atlantaregional.org/wp-content/uploads/lu-dri-alternative-requirements-arc.pdf (page 8) to determine if this rezoning request warrants a DRI study. (For further assistance contact ARC at 470-378-1531.	☐	☐
	***Note: City Engineer may require a traffic study.*		

With the signing and submittal of this application, the applicant authorizes the City of Fayetteville Staff to enter onto the subject property to collect data in order to prepare reports for review by the City Council. By signing below, I hereby certify that the listed information and the accompanying materials as requested are accurate.

Applicant Signature: _____ Date: _____

** (If you are acting as project representative, property owner's authorization must be submitted.)

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ANNEXATION METHOD

☐ 100% Methodology	☐ 60% Methodology
• Application requires signatures or signed letters of approval of all current property owners.	• Required signatures or signed letters of approval by property owners of at least 60% of the total annexation acreage. • Requires signed petition by 60% of registered voters in the annexation area. Signatures must include the address and be dated within one (1) year of the Step Two application submittal.

ANNEXATION PARCEL(S)

Parcel ID#:	Address:	Signature:	Indicate signee's role at the address:		Date:
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	

You may attach a separate list of parcels/ signatures, or provide a copy of individual signed and dated letters

APPLICANT OR PROJECT REPRESENTATIVE

Name _____
Address _____
Phone # _____
Email _____

ATTORNEY

Name _____
Address _____
Phone # _____
Email _____

OWNERS

Name _____
Address _____
City, State, Zip _____
Phone # _____
Email _____

PROPOSED DEVELOPMENT

Potential Zoning Category Request:

Brief Description:

City of Fayetteville Comprehensive Plan Goal Statements

Your project should align with the goals of the city of Fayetteville's Comprehensive Plan Goals. A summary of the adopted Comprehensive Plan goals is provided below. Further details and policies are included in the full document, which is available on the City's website.

(Provide responses in a narrative on a separate page)

Transportation

Explain how the proposed annexation and any proposed development may impact existing traffic patterns and roadways. How will these impacts be mitigated? How will the property be interconnected with the City's future multi-use paths and/or sidewalk system? What measures will be implemented to reduce traffic congestion associated with proposed development?

Housing

Identify the type and number of residential units that are proposed, current and projected on-site and adjacent zoning and densities, amenities, etc.

Economic Development

How will the proposed annexation impact the existing population, employment, and improve tax revenue/tax base?

Land Use

What type of land use would be proposed for development and how would this be compatible with the existing land use patterns in the general vicinity? How will it impact density and zoning? Is the development/redevelopment in accordance with the Future Land Use Map?

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STEP TWO ANNEXATION APPLICATION

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Date Filed ____ / _____ / _____
Date Accepted ___ / ____ / ____
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Office Use Only

Overview: The Annexation Review Process is a two-step process to evaluate annexation requests into the City of Fayetteville. Once the City Council has voted on an applicant's Step One application, a Step Two application can be submitted. The recommendation that the annexation request continue to Step Two does not imply that the City Council will approve the annexation application. The Step Two application must be submitted within one (1) year of City Council's vote on the Step One request. Step Two requires the submittal of detailed information as identified in the established rezoning process and the State Annexation Law.

Per State Law, once the application has been submitted to the City, nothing can be altered. The annexation property area and the requested zoning category may not be changed during the review process. In addition, if the annexation is approved, the development intensity may not be increased for one year after the approval date. For example, if a density of 2 units per acre is requested and approved in the Annexation application, the property cannot be rezoned or developed at a density greater than 2 units per acre within one year of approval. It may, however, be developed at a lesser density.

Instructions: All items identified below must be provided before a Step Two application is deemed complete. If the answer to any question is "No," a written explanation must be provided to explain the negative response. Once staff has deemed the application is complete and complies with the State Annexation Law, the annexation request and rezoning shall be heard together in two public hearings. The first required public hearing is with the Planning Commission, where they will make a recommendation to the City Council. The second public hearing is before the City Council, who will vote to approve/deny the request.

SUBMITTAL REQUIREMENTS:

		YES	NO
1	A completed and signed Step Two application.	☐	☐
2	Application fee paid (Additional fees may be charged for an Applicant tabling a request)	☐	☐
3	**Legal Description:** One (1) electronic version (.doc) of the full legal description of the subject tract(s) being considered for annexation	☐	☐
4	**Boundary Survey:** One electronic (.pdf) copy of a survey prepared by a licensed and registered land surveyor that shall identity the extent of the property being considered for annexation. Must be scale no greater than 1"=50' and include:	☐	☐
(a)	Parcel Tax ID number and owner name for each annexation parcel	☐	☐
(b)	Existing lot lines, easements, rights-of-way, including the area in acres or square feet, and abutting land uses or zoning district categories	☐	☐
(c)	A clear delineation of the existing and proposed city limits boundary	☐	☐
(d)	Seal of the surveyor who prepared the survey	☐	☐
(e)	All natural, geological, and/or cultural resources that are on or within 200 feet of the property.	☐	☐

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		YES	NO
5	**Property Deeds:** One (1) copy each of the property deed(s) for tract(s) of land.	☐	☐
6	**Documentation of Annexation Methodology:** state which annexation method is being used, and provide supporting documentation that complies with the State Annexation Law requirements.	☐	☐
7	**Utility Verification:** One (1) copy of each letter from the utility service providers indicating that their services can support the development of the proposed zoning intensity.	☐	☐
8	**Conceptual Site Plan:** one (1) electronic version (.pdf) of the master plan showing land uses/zoning within the overall development, buffers, open space, setbacks, and density.	☐	☐
9	**Written Narrative:** a description of how the proposal relates to the comprehensive plan and the adopted goals and policies. (See attached Written Narrative Reference page.) It should also include the following information:	☐	☐
(a)	General description of the proposed development and how it relates to the City's Comprehensive Plan and annexation policy	☐	☐
(b)	How the development will minimize and mitigate impacts on the natural environment.	☐	☐
(c)	Provide proposed density and the projected population/ employment figures at build-out.	☐	☐
(d)	How the development will tie into the City's street network.	☐	☐
(e)	An analysis of how the proposed annexation will affect the City's tax base, public education system, police and fire protection services, emergency medical services and utilities.	☐	☐
10	**Campaign Disclosure:** signed disclosure statements from the Applicant.	☐	☐
11	**Supporting Documentation:** Please provide any further information you wish to be considered in the Annexation and rezoning application.	☐	☐
12	***DRI**:* See DRI website at https://cdn.atlantaregional.org/wp-content/uploads/2017/03/lu-dri-alternative-requirements-arc.pdf (page 8) to determine if this rezoning request warrants a DRI study. (For further assistance contact ARC at 470-378-1645.	☐	☐
13	***Note: City Engineer may require a traffic study.*		

By signing the application, the Applicant is certifying that the information is current and correct to the best of their knowledge, and that they are granted permission by the property owners to submit this annexation application. Signee grants City Staff and representatives access to the properties in order to gather information to review the application. I understand that all materials and fees submitted as a part of the application will become public property and will not be returned once the application is accepted.

Applicant Signature: _____ Date: _____

****** (If you are acting as project representative, property owner's authorization must be submitted.)

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• Application requires signatures or signed letters of approval of all current property owners.	• Required signatures or signed letters of approval by property owners of at least 60% of the total annexation acreage. • Requires signed petition by 60% of registered voters in the annexation area. Signatures must include the address and be dated within one (1) year of the Step Two application submittal.

ANNEXATION PARCELS

Parcel ID#:	Address:	Signature:	Indicate signee's role at the address:		Date:
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	
			Owner ☐	Voter ☐	

You may attach a separate list of parcels / signatures, or individual signed and dated letters
Signatures from Step One may be used if dated within one (1) year of the Step Two application submittal.
The list of properties cannot be altered once the application is submitted.

APPLICANT OR PROJECT REPRESENTATIVE

Name _____

Address _____

Phone # _____

Email _____

ATTORNEY

Name _____

Address _____

Phone # _____

Email _____

UTILITIES

	Existing	Proposed
Water		
Sewer		
Fire/ EMS		
Police		
Electricity		

PROPOSED DEVELOPMENT

Zoning Category Request:

Brief Description:

WRITTEN NARRATIVE REFERENCE

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Instructions: The written narrative is a description of how the proposal relates to the comprehensive plan and must also address the evaluation criteria in Section 104.13.E.1 of the City of Fayetteville Zoning Ordinance listed below:

The following factors, where relevant, shall be considered in evaluating a proposed change to the zoning map:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
5) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan; and
6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS & GIFTS

The undersigned below, making application for rezoning action, has complied with the City of Fayetteville Code Section 3.05, and with the Official Code of Georgia Section 36-67A-1, et. seq. *Conflict of Interest in Zoning Actions*, and has submitted or attached the required information on this form as provided.

All individuals, business entities[1], or other organizations[2] having a property interest, financial interest, or other interests[3] in property subject of this application are as follows (attach additional if necessary):

_____

_____

Have you as applicant or anyone associated with this application or property, within the last two (2) years immediately preceding this application, made campaign contributions aggregating $250 or more to a member of the City of Fayetteville Planning Commission or the City of Fayetteville Mayor and City Council? Please circle your response:

YES **NO**

IF YES: Please complete the following section (attach additional sheets if necessary).

Name and Official Position of Government Official	Contribution Description and Dollar Amount	Date of Contribution

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

_____ _____
Signature of Applicant Type/Print Name and Title

_____ _____
Signature of Applicant's Representative Type/Print Name and Title

_____
Signature of Notary Public *(Affix Seal Here)*

[1] Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust.

[2] Other organization means non-profit organization, labor union, lobbyist, or other industry or casual representative, church, foundation, committee, club, charitable organization, or educational organization.

[3] Property interest means the direct ownership of real property and includes any percentage of ownership. Financial interest means direct ownership of 10% or more of the total assets or capital stock of a business entity.