

- I. **Application.** Projects that propose new land disturbance or the creation of impervious surface within two-thousand feet of the Chattahoochee River must first be approved by Forsyth County and GMRC for compliance with MRPA and the Chattahoochee Corridor Plan. This approval must be obtained before any permit for construction or land disturbance is issued. Please note that requests that are under a subdivision plan that has gone through the approval process and is still 'on track' may proceed without subsequent approval on a lot by lot basis by GMRC; subdivisions that went 'off track' per their previously approved plans, must be submitted to GMRC in addition to staff review. Projects that propose no additional land disturbance or additional impervious surface must be verified by county staff before issuance of any permit.

(A) **Submittal.** Applications for MRPA approval are to be submitted to county staff for review and subsequent GMRC review, if required.

1. **Submittal Requirements:**

- a. GMRC Application if no previous MRPA approvals have been granted.
- b. Plan or survey showing proposed land disturbance and impervious surface with MRPA delineations as certified by the applicant.
- c. Documentation relating to previous and proposed transfer of credits, if applicable.

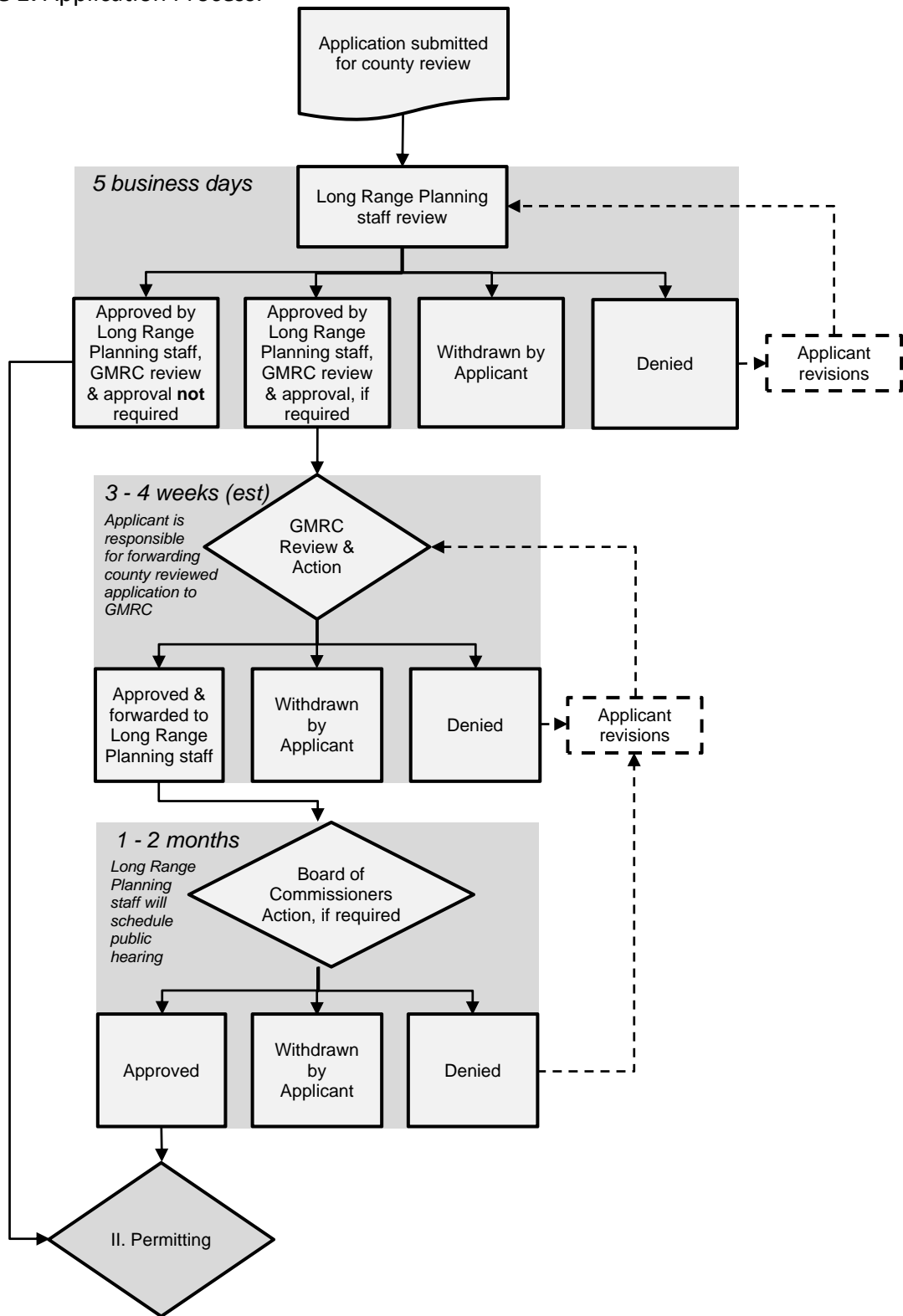
2. **County Review.** The county will review the application within five (5) business days and notify the applicant upon completion.

3. **GMRC Review.** Review by GMRC is required when no previous MRPA approvals exist for a project plan area or when a previous approval was not adhered to per staff analysis of compliance status. County staff will notify GMRC that an application has been reviewed and will forward an electronic copy of the site plan with MRPA delineations identified. The applicant will be required to submit their application to GMRC upon completion of the county's review, if applicable.

(B) **Approval.** For new applications involving areas that have not obtained previous MRPA approval, the governing boards of GMRC and Forsyth County must grant approval before the applicant may proceed for a permit. Applications not requiring GMRC review may be approved by county staff for subsequent permitting.

1. **Forsyth Board of Commissioners.** When required, a project that has been approved by the GMRC board will be placed on the next available Board of Commissioners public hearing agenda for review.

Figure 1: Application Process.



- II. **Permitting.** Applications that are approved for MRPA and Chattahoochee Corridor Plan compliance may then be approved for county construction permits, which will entail proper review and approval by the appropriate county departments.
- (A) **Monitoring.** County inspectors will monitor all construction activities for compliance with the approved MRPA application, then notify long range planning division staff of any issues or deviations.
- (B) **Deficiencies.** Projects that create MRPA credit deficiencies must be remediated by one of the following methods at the director's discretion before construction can proceed or any certificate of occupancy, certificate of completion or other form of final approval is granted:
1. **Revegetation.** A revegetation plan shall be submitted and reviewed by the county arborist and long range planning division staff. This plan, at minimum, shall reduce impervious surface to acceptable limits and reforest or regrade improperly disturbed land to its original state as is reasonably possible.
 2. **Credit Transfer.** Credits are transferred per county guidelines.
- III. **Completion and Post Completion.** Prior to the issuance of any certificate of occupancy, certificate of completion or other form of final approval, the applicant shall submit a report or survey detailing actual MRPA credit usage, MRPA credit differences from the approved application, and MRPA credit balances for each MRPA category.
- (A) **Plat Recording.** Where a final or minor plat is required, the plat shall note the used and remaining MRPA credits for all parcels being recorded.
- (B) **Surplus Credits.** Surplus MRPA credits for a project plan area may be reserved in one of the following ways as chosen by the developer and approved by the county:
1. **Equal Division.** Surplus credits shall be split evenly amongst all platted parcels within the project plan area. The developer shall note these allocations on the final plat and shall submit documentation to the long range planning division. Each parcel owner is responsible for maintaining their credit balance when applying for construction permits henceforth.
 2. **Privately Held.** Surplus credit shall be retained by one parcel within the project plan area and managed by a homeowners association or the developer. These credits may then be transferred to other parcels as needed. Transferred credits shall be noted on each subsequent construction permit application for all parcels involved in the transfer.
 3. **Unallocated.** Surplus credit shall remain unallocated and may be used on an unrestricted first-come, first-serve basis by parcels within the project plan area. The surplus credits shall be listed on the final plat and any subsequent development within the project plan area requires submission with their application the proposed use of these credits and overall neighborhood balances both pre- and post-construction. The county will maintain a record and balance of credits for the overall project plan area.
- (C) **Credit Transfers.** MRPA credits may be transferred within a project plan area per GMRC rules and regulations. Credits may only be transferred between separate project plan areas with expressed GMRC permission.
1. **Documentation.** Transfers shall be documented with the county. Documentation requirements, at minimum, shall include a written record of the transfer and a

- report or survey of each property's MRPA balance before and after the transfer as certified by the applicant and notarized.
2. Terms. The county shall not manage or dictate the terms between transferring parties. Property owners are responsible for verifying their legal authority to transfer credits.
 3. Expiration. Credit transfers shall not automatically expire. Credits may be returned to the original parcel only by repeating the transfer process.

Definitions

Applicant. Named individual responsible for documents submitted to the county for the purpose of MRPA and Chattahoochee Corridor Plan compliance. Applicants must submit plans authored by a registered engineer, land surveyor or landscape architect unless a homeowner is acting as their own contractor as allowed by state law.

Chattahoochee Corridor Plan. Document governing the use of land within two thousand (2000) feet of the Chattahoochee River for the preservation and protection of water quality, protection of recreational values including scenic views, historic and other unique areas, and controlled public access and use, protection of private property rights of landowners, prevention of activities which contribute to floods and flood damage, control of erosion and siltation, control of the intensity of development and the location and design of land uses in such a way as to minimize the adverse impact of development on the Chattahoochee River and flood plains.

Credit: The amount of area measured in square feet in which land may be disturbed and impervious surface constructed per the Chattahoochee Corridor Plan.

Georgia Mountains Regional Commission (GMRC). Governing body of the thirteen-county region which includes Forsyth County.

Metropolitan River Protection Act (MRPA). 1973 Law that established a 2000-foot Corridor along both banks of the Chattahoochee River and its impoundments to protect the region's primary source of drinking water and its major recreation area.

Project Plan Area. The parcel or collection of parcels in which land disturbance and the creation of impervious surface is being proposed in applicant submittal.

Construction within 2000 feet of the Chattahoochee River must comply with the regulations of the Metropolitan River Protection Act (MRPA).

The following items must be shown on all plan(s) that are partially or wholly within the 2000-foot river corridor:

- MRPA category boundary lines.** The river corridor is separated in to six (6) categories based on vulnerability (A, B, C, D, E, and F). The Georgia Mountains Regional Commission (GMRC) maintains the official map of these category boundaries; a copy of the maps is located on the S drive and may be forwarded to any applicant that needs them for MRPA category determination. All category boundary lines existing on a lot must be shown and labeled on the plan.
- All limits of existing and proposed Land Disturbance and Impervious Surfaces.**
- MRPA calculations for each category present.** Each MRPA category has a limit on how much land disturbance and impervious surface is allowed:

Category	Percent Maximum Land Disturbance	Percent Maximum Impervious Surface
A	90%	75%
B	80%	60%
C	70%	45%
D	50%	30%
E	30%	15%
F	10%	2%

MRPA category calculations are based on which group the lot falls within. All lots within the river corridor fall in to one of three groups based on location:

Bridleton, Patrick Circle, Winchester on the River: The percentage allowed is calculated based on the total area of the MRPA category within the entire subdivision as platted. Patrick Circle's minor plat paperwork is in division MRPA files. Excel spreadsheets are to be used for Bridleton and Winchester on the River to track category totals for each application (located on the S drive).

Chattahoochee River Club, Grand Cascades, Olde Atlanta Club, Windermere: The percentage allowed is calculated based on the total area of the MRPA category within the individual lot only.

Rivermist: Credits for each lot are shown on the final plat; each lot must be reviewed on a case by case basis as inconsistencies on the final plats have been found as it relates to MRPA credits.

All other lots: If the lot falls outside any of the subdivisions listed above, please contact county staff for further instruction.

Per former staff analyses, the following is indicated for specific subdivisions as it relates to their previously approved plan and development activity, but these subdivisions are now being assessed on a lot by lot basis for MRPA. Therefore, staff must work with each individual applicant to

determine if any disturbance or construction is possible based on development activity that has occurred on individual parcels. Applications involving these subdivisions require GMRC review.

Chattahoochee River Club:

- No additional land disturbance is allowed in any MRPA category.

Grand Cascades:

- No additional land disturbance is allowed in MRPA categories "D", "E" and "F."

Olde Atlanta Club:

- No additional land disturbance is allowed in MRPA categories "D", "E", and "F."
- No additional impervious surface is allowed in MRPA categories "E" and "F."

Calculations for MRPA categories must be represented on or accompanying the plan(s) in the following format for each MRPA category:

LAND DISTURBANCE (in Square Feet)	MRPA Category ____
Category percentage allowed:	
Total area within category on lot:	
Total area previously disturbed:	
Total additional area to be disturbed:	
Total disturbed area post-construction:	

IMPERVIOUS SURFACE (in Square Feet)	MRPA Category ____
Category percentage allowed:	
Total area within category on lot:	
Total impervious area previously constructed:	
Total additional impervious area to be constructed:	
Total impervious area post-construction:	

Example MRPA plan requirements:

