Northeast Georgia

MULTIMODAL CORRIDOR PROTECTION STUDY

Northeast Georgia Regional Commission
Planning & Government Services Division

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NEGRC
NORTHEAST GEORGIA REGIONAL COMMISSION

Introduction

The Northeast Georgia Regional Commission (NEGRC), founded in 1963 as the Area Planning and Development Commission, serves the county and municipal governments of Barrow, Clarke, Elbert, Greene, Jackson, Jasper, Madison, Morgan, Newton, Oconee, Oglethorpe, and Walton Counties (see Image 1 of the Northeast Georgia region within the State of Georgia at right). The NEGRC is a focal point for regional solutions concerning these local governments in planning, economic development, grant preparation, workforce training, and aging services.

The Regional Commission identified the need for a Multimodal Corridor Protection Study for Northeast Georgia as part of the Regional Plan (2018). The document provides an overview of corridor protection techniques and best management practices. It also identifies major corridors that could benefit from implementing corridor protection within the Northeast Georgia region. Local governments should utilize corridor protections to execute effective planned growth and development for their respective jurisdictions.

The governing principle of these recommendations is to enhance the long-term prosperity, quality of life, and resilience of residents and communities in the Northeast Georgia region. Specifically, this report will offer an analysis of available data and recommend policy items geared toward helping communities preserve and protect their transportation corridors for their residents.

The methodology includes an analysis of current transportation infrastructure conditions and future development patterns at the regional and local levels. A 12-county regional overview is provided to identify corridors between jurisdictions. Following the regional overview, an individual brief of protection strategies is included. The attributes identified in these analyses, combined with current best management practices seen at the state and national level, inform the Policy Recommendations section to provide a list of options for the various types of corridors in the region and for regionally important corridors identified in this study.

Policy recommendations are not written to provide draft-ready ordinances for local adoption. Instead, they are a set of launching points for the kinds of policies that would enhance the regulatory framework of each community. The Planning & Government Services (PGS) Division of the Northeast Georgia Regional Commission is available to provide technical assistance to any local government in the region. Furthermore, a local attorney should be consulted before enacting local policy changes.

Image 1: Northeast Georgia Regional Commission within the state of Georgia

Previous NEGRC Studies

In addition to this study, the NEGRC has performed several analyses related to corridor development and transportation planning, referred to below. These studies provided context and guidance for the Multimodal Corridor Study. They also provide further insight into various focus topics and on development trends of the region.

Corridor Feasibility Study, 2008

Contains an inventory and analysis of various corridors for their potential to serve as greenway conduits in the Northeast Georgia region. Corridor types examined include major riparian, interstates and major highways, scenic byways, the State Bicycle Network, railroads, and utility lines.

Regional Greenways Study, 2009

Classifies greenway corridors that are appropriate for bicycle and pedestrian facilities. Part of the base from which NEGRC identified those best suited for multi-use transportation paths.

Northeast Georgia Plan for Bicycling and Walking, 2010

Guides local decision-makers in developing infrastructure and policy solutions to increase the safety and prevalence of walking and bicycling and to enhance connectivity between homes and regionally important destinations.

Multi-Region River Corridor Study, 2011-2012

Compilation of case studies and best practices for multi-purpose infrastructure improvements to maximize positive impacts of public investment (such as multi-use trails within utility easements).

A Complete Streets Guide, 2020

The best practices guide to increase community appeal and safety and to provide access to all users. The document also developed Complete Streets design guidelines for various settings (neighborhood- and community-level).

Transportation Planning & Prioritization: A Guide for Local Governments, 2020

A feasibility study and guide for cities and counties to develop transportation prioritization and management processes, including a step-by-step Suggested Transportation Prioritization Process.

Northeast Georgia Regional Housing & Transportation Analysis, 2020

A brief local analysis of the Northeast Georgia region's housing and transportation sectors. Offers an analysis of available data and recommends policy items geared toward helping communities lower the cost of housing and transportation for their residents.

Corridors

For this study, corridors are seen as conduits of development connecting the various municipalities of the region. These corridors are regionally significant, heavily trafficked, rapidly developing, critical to the local economy or transit systems, or expected to be in the next few decades. These corridors do not include transportation corridors used mainly used for recreational purposes (e.g., riparian or greenways) while these types of corridors do serve a critical role in the region, protection for these corridors are in line with conservation and preservation practices. The practices described in this study are best suited for corridors with the main function of supporting the transportation of goods, services, or people.

Road

Bus Rapid Transit (BRT)

Is a "bus-based transit system that delivers fast and efficient service that may include dedicated lanes, busways, traffic signal priority, off-board fare collection, elevated platforms, and enhanced stations (Federal Transit Administration, 2015)." While not currently utilized in the region, potential BRT routes have been identified in this study.

Rail

High-speed Rail

Is a form of rapid transit. Currently, there are no high-speed rail lines in the region; however, the Georgia Department of Transportation (GDOT) has proposed the creation of a High-Speed Rail going through the northern counties of the region as part of the State's Atlanta to Charlotte Passenger Rail Corridor Investment Plan (PRCIP) and the Southeast High Speed Rail (SEHSR) corridor.

Freight Rail

This type of railroad makes up most of the rail lines in the region; they are used to ship cargo as opposed to passengers.

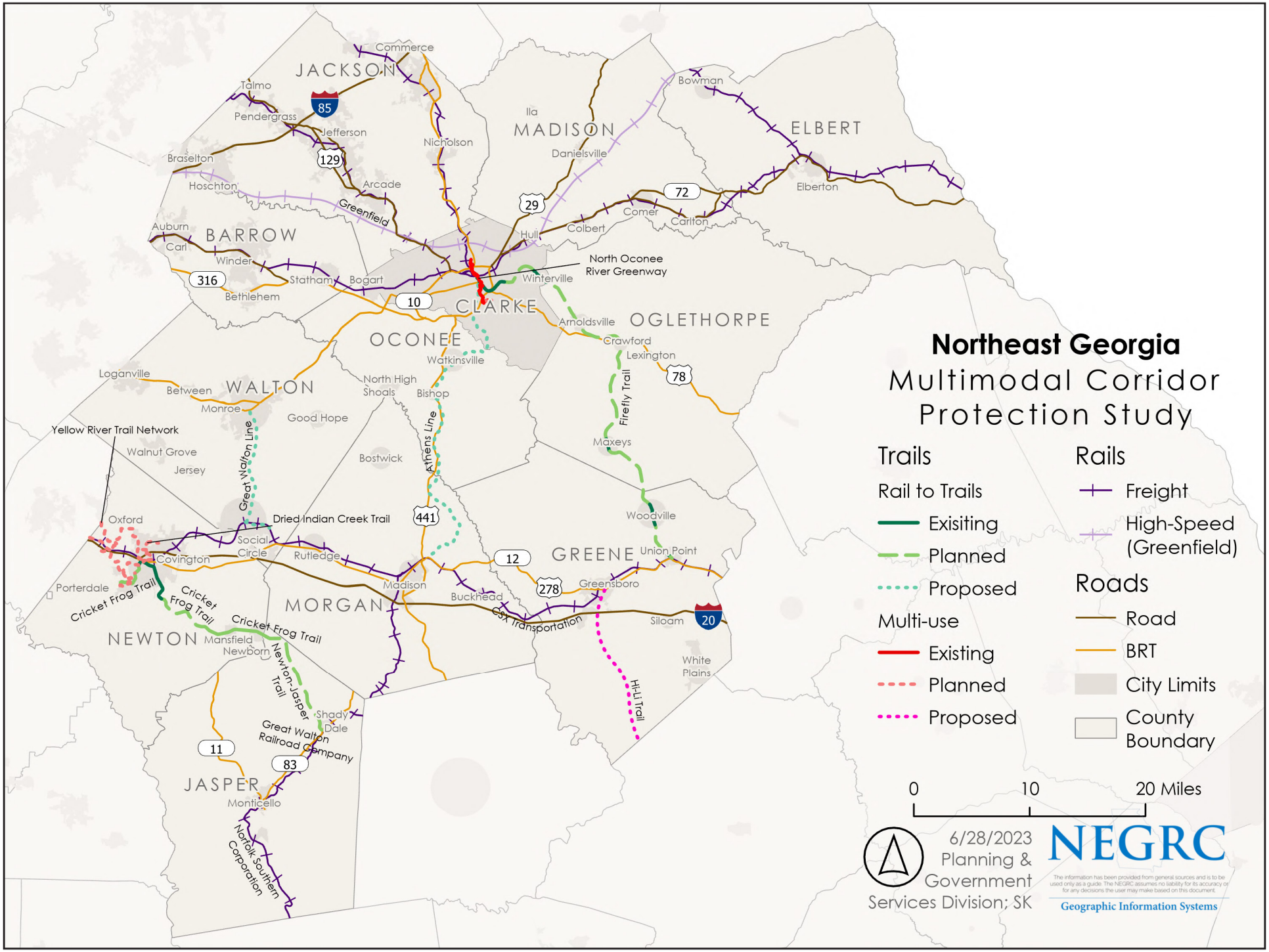
Trail

Multi-use Trails

Refers to trails that allow for multiple uses of non-motorized traffic (e.g., bicycle and pedestrian).

Rail-to-Trails

These are a type of multi-use trail that follow the path of abandoned or historic railbeds.


Northeast Georgia
Multimodal Corridor Protection Study
Trails
Rail to Trails
Exisiting
Planned
Proposed
Multi-use
Existing
Planned
Proposed
Rails
Freight
High-Speed (Greenfield)
Roads
Road
BRT
City Limits
County Boundary
0
10
20 Miles
6/28/2023
Planning & Government Services Division; SK
NEGRC
Geographic Information Systems
JACKSON
BARROW
MADISON
ELBERT
OCONEE
CLARKE
OGLETHORPE
WALTON
GREENE
MORGAN
NEWTON
JASPER
Commerce
Talmo
Pendergrass
Jefferson
Nicholson
Braselton
Hoschton
Arcade
Greenfield
Auburn
Carl
Winder
Statham
Bogart
Bethlehem
Ila
Danielsville
Bowman
Elberton
Comer
Carlton
Colbert
Hull
North Oconee River Greenway
Winterville
Arnoldsville
Crawford
Lexington
Watkinsville
Loganville
Between
Monroe
North High Shoals
Bishop
Good Hope
Yellow River Trail Network
Walnut Grove
Jersey
Great Walton Line
Bostwick
Athens Line
Firefly Trail
Maxeys
Woodville
Oxford
Dried Indian Creek Trail
Social Circle
Covington
Rutledge
Madison
Buckhead
Union Point
Greensboro
Siloam
White Plains
Porterdale
Cricket Frog Trail
Mansfield
Newborn
Newton-Jasper Trail
Shady Dale
Great Walton Railroad Company
Monticello
Norfolk Southern Corporation
CSX Transportation
Hi-Li Trail
85
129
316
10
29
72
78
441
12
278
20
11
83

Regional Corridors Table

Corridor	Type	Description
Interstate 85	Road	Interstate west-east connecting Atlanta, GA, Greenville, SC, and Charlotte, NC. 48 miles of the interstate runs through Jackson County. The interstate also passes through the cities of Braselton, Pendergrass, and Commerce.
Interstate 20	Road	Interstate west-east connecting Atlanta, GA, Augusta, GA, and Columbia, SC. 114 miles of the interstate runs through Newton, Morgan, and Greene Counties. The interstate also passes through the cities of Covington, Social Circle, Madison, Greensboro, and Siloam.
US Highway 441	BRT	The north-south highway connects Jackson County, Athens-Clarke County, Oconee County, and Morgan County. It is a concurrent road (shares a right-of-way) with Hwy 129 from Athens-Clarke County southward. The highway also passes through the cities of Commerce, Nicholson, Bishop, and Madison.
US Highway 129	Road	The north-south highway connects Jackson County, Athens-Clarke County, Oconee County, and Morgan County. It is a concurrent road with Hwy 441 from Athens-Clarke County southward. The highway also passes through the cities of Braselton, Pendergrass, and Commerce.
US Highway 29	Road	The west-east highway connects Barrow County, Athens-Clarke County, and Oglethorpe County. It is a concurrent road (shares a right-of-way) with State Route 316 in Barrow County and with Hwy 441 in Athens-Clarke County. The highway also passes through the cities of Auburn, Carl, Winder, Statham, and Danielsville.
US Highway 78	BRT	The west-east highway connects Barrow County, Athens-Clarke County, and Oglethorpe County. It is a concurrent road (shares a right-of-way) with Hwy 29 and State Route 316 in Barrow and Athens-Clarke County. The section east of Athens passes through the cities of Winterville, Crawford, and Lexington.
US Highway 278	BRT	The west-east highway connects Newton, Morgan, and Greene Counties. Has a similar route to I-20. The highway also passes through the cities of Covington, Social Circle, Rutledge, Madison, Greensboro, and Union Point.
State Route 72	Road	The route runs west to east connecting Athens-Clarke County, Madison County, and Elberton County. The state route also passes through the cities of Hull, Colbert, Comer, and Elberton.

Regional Corridors Table (Cont.)

Corridor	Type	Description
State Route 316	BRT	The route runs west-east connecting Barrow County and Athens Clarke County. It is a concurrent road (shares a right-of-way) with US Highway 29 and Highway 78 in Barrow and Athens-Clarke County. It also passes through the cities of Bethlehem and Statham.
State Route 11	BRT	A scenic highway in Jasper County. While State Route 11 connects Barrow, Walton, Newton, and Jasper Counties, only the section from the border of Jasper County to the City of Monticello is designated as a scenic highway.
State Route 83	BRT	A scenic highway in Jasper County. While State Route 83 connects Walton, Morgan, and Jasper Counties, only the section from the border of Jasper County, through the City of Shade Dale, to the City of Monticello is designated as a scenic highway.
GDOT Green Corridor	High-Speed Rail	The Greenfield Corridor is a proposed 274-mile high-speed passenger rail between Charlotte, NC and Atlanta, GA. A portion of the rail's alignment will go through Jackson, Clarke, and Madison Counties.
CSXT Elbert Co-Barrow Co	Freight Rail	The railroad goes through Barrow, Athens-Clarke, Madison, and Elbert Counties. The line also passes through the cities of Auburn, Carl, Winder, Statham, Bogart, Hull, Colbert, Comer, Carlton, and Elberton.
CSXT Greene Co - Newton Co	Freight Rail	The railroad goes through Newton, Walton, Morgan, and Greene Counties. Also passes through the cities Covington, Social Circle, Rutledge, Madison, Buckhead, Greensboro, and Union Point.
CSXT Jackson Co - ACC	Freight Rail	The railroad goes through Jackson and Athens-Clarke Counties. It also passes through the cities of Talmo, Pendergrass, Jefferson, Arcade.

Regional Corridors Table (Cont.)

Corridor	Type	Description
Norfolk Southern Corporation Jackson Co - ACC	Freight Rail	The railroad goes through Jackson and Athens-Clarke Counties. It also passes through the cities of Maysville (a municipality of the Georgia Mountains Region), Commerce, and Nicholson.
Norfolk Southern Corporation Jasper Co - Morgan Co	Freight Rail	The railroad goes through Jasper and Morgan Counties. It also passes through the cities of Monticello, Shady Dale, and, ending in, Madison.
Firefly Trail	Rail to Trail	The north-south multi-use trail connects Athens-Clarke , Oglethorpe, and Greene Counties. It also passes through the cities of Winterville, Arnoldsville, Crawford, Maxeys, and Union Point. The trail follows the historic Athens Branch of the Georgia Railroad.
Athens Line	Rail to Trail	The proposed north-south multi-use trail connects Athens-Clarke County, Oconee County, and Morgan County. It would also pass through the cities of Watkinsville, Bishop, and Madison. The trail follows the historic Athens Line.
Cricket Frog Trail	Rail to Trail	Trail in Newton County following a historic railroad line and connecting with in with the Yellow River Trail Network.
Great Walton Line	Rail to Trail	The trail follows the Great Walton Line, a railroad connecting the cities of Monroe and Social Circle in Walton County.
Hi-Lo Trail	Multi-use Trail	The proposed west-east trail connects the Firefly Trail to Savannah, GA. The exact path of the trail is yet to be determined but is expected to go through Greene County and pass through the cities of Greensboro and Union Point.
Yellow River Trail Network	Multi-use Trail	Proposed trail system in Newton County following the Yellow River system and connecting the cities of Covington, Oxford, and Porterdale.
Dried Indian Creek Trail	Multi-Use Trail	Trail in Oxford, GA, following Dried Indian Creek and will eventually tie into the Yellow River Trail Network.
North Oconee River Greenway	Multi-use Trail	Trail in Athens-Clarke County, following the North Oconee River and connected to the Firefly Trail.

Methods of Corridor Protection

What is corridor protection?

Corridor protection is an action local governments can take to identify and protect land required to deliver future infrastructure (Infrastructure Australia, 2017). Corridor protection intends to encourage local governments to take a proactive approach rather than a reactive approach to infrastructure planning. Proper planning and strategies can minimize the future cost of building new infrastructure and limit disruption when infrastructure is added to a developed area. Adding bus lanes, multi-use trails, and rail lines to developed areas will have a much higher cost or may not be possible, but planning those improvements ahead of time allows the local government to have a better chance at implementation. This document outlines two types of protection measures, Passive Protection and Active Protection.

Passive protection measures can be implemented by strengthening preservation and environmental ordinances and strategically identifying areas or corridors that could be utilized for infrastructure improvements in the future.

Active protection measures are strategies that take a direct approach, such as the acquisition of land for future infrastructure improvements, implementation of strategies identified in local planning documents, and maintenance of corridors that are planned for future use.

Both approaches allow local governments to be proactive in infrastructure planning and ease the burden of costs in the future.

Types of Protection Measures

Passive (Regulatory)

Passive approaches to infrastructure planning are the ideal starting points for local governments interested in planning for future improvements. A passive approach enables local leaders to identify areas of interest, implement protection measures, and make more informed decisions. Localities should consider three methods of passive intervention: local and regional planning, partnerships, and legislation.

Local and Regional Planning

Local and regional planning is the starting point for effective multimodal corridor protection. Planning can identify future transportation corridors, establish design guidelines to maintain an area's specific look, feel, and aesthetic, and regulate how a corridor or area will develop over time. These elements are crucial to establishing legislation that can effectively protect the corridors identified in local plans and this document and identify active approaches that will be discussed later.

All local governments in Georgia are required to have a Comprehensive Plan in place. There is an opportunity to include a transportation element in the Comprehensive Plan that considers future infrastructure needs in conjunction with a Future Development Map. Not all localities in Georgia have the budget to develop a Corridor Management Strategy, but actions can still be pursued by utilizing a Comprehensive Plan as a resource. The comprehensive planning process enables local government staff, elected officials, stakeholders, and local leaders to think collaboratively about the future of their community and identify multimodal corridors that align with local needs.

The Future Development Map (FDM) within a Comprehensive Plan is also an opportunity for local governments to identify future multi-modal corridors. A FDM is a long-term vision for development within a community, and it is important to note that FDMs are not the same as a zoning map. A local government could categorize specific areas for transportation corridors within its FDM, demonstrating to local leaders, stakeholders, residents, and businesses that those designated areas of land are planned to be the site of future infrastructure without changing the land use or zoning of the existing land. A FDM will also allow local leaders to understand that developments should be limited in areas categorized for future infrastructure improvements. If a business or member of the public requests to rezone a parcel categorized as a future transportation corridor, the local government would be able to require certain provisions as part of the rezone process.

Localities with access to more resources could hire a contractor to perform a detailed study identifying future multimodal corridors throughout the jurisdiction. A regional example is Athens-Clarke County's Corridor Management Strategy (2006). The strategy explains different corridor types identified in the plan, outlines design guidelines for the corridors, and establishes implementation strategies for the future. The Corridor Management Strategy developed a framework for ACC staff and elected officials to make informed policy decisions.

Another opportunity local governments should utilize are the State and Regional transportation studies and plans produced by the Georgia Department of Transportation, Regional Commissions, Community Improvement Districts (CID), Metropolitan Planning Organizations (MPO), and other affiliated organizations. These large-scale plans usually include multiple areas of interest and can identify potential partnerships with other jurisdictions and agencies.

Partnerships

Transportation planning and corridor management can be difficult, but establishing partnerships between public and private organizations can set realistic goals and outcomes. Natural partnerships will be identified throughout the process, but thinking strategically about the goals of a plan or project could provide an opportunity for innovative partnerships. An example of innovative partnerships can be found in Covington, Georgia, with the 278 Community Improvement District (CID) (2017). The 278 CID group naturally partnered with the City of Covington, Newton County, and GDOT. However, the group took an innovative approach with additional partnerships with the Atlanta Regional Commission, Select Newton, and local businesses affected by the project. These partnerships provided funding, knowledge, and ideas that allowed the 278 CID to transform into a plan now in the implementation process. Strategic partnerships are a necessity when planning for multimodal corridors, and every locality has the potential to create similar partnerships.

Most, if not all, of the corridors identified in this document can benefit from a Public-Private Partnership or Public-Public Partnership. Working with multiple agencies, such as surrounding neighbors, the Georgia Department of Transportation, and the Georgia Department of Economic Development, could create accountability and generate a realistic outcome.

Legislation

The most cost-efficient approach to protecting infrastructure corridors is to use the tool of legislation and regulation that all local governments should have at their disposal. However, ordinances and legislation should align and reference previous transportation corridor plans, Comprehensive Plans, and other relevant planning documents. Athens-Clarke County developed an ordinance that allows land to be dedicated to the government by a property owner when new developments meet certain criteria (Appendix A). Those criteria include the following:

- The development requires a planning action, partition, or subdivision that takes place on the owner's property; and
- The development results in increases in the traffic that is generated in the areas, by some measure; and
- The property contains a future transportation corridor on the official Future Corridor Concept Map
- Additional right-of-way may be required on streets which do not meet the standards of the existing subdivision regulations.

This ordinance is a perfect example of a local government using new developments to its advantage. Combining future developments with transportation planning allows local leaders to make efficient and effective decisions while reducing the cost of future transportation projects.

Another tool local governments could utilize is the Protection of Corridors and Rights-Of-Way Model Ordinance from the State of Florida (Appendix B). This ordinance is designed to carry out the local government's Comprehensive Plan, but the user must ensure their Comprehensive Plan has an adequate planning foundation for the proposed regulations. This model ordinance is more detailed than the Athens-Clarke County Corridor Preservation Ordinance, but it is designed to be retrofitted to fit the needs of any local government. If this model ordinance is referred to, be mindful that a local attorney should be consulted prior to its official use to ensure the ordinance is in compliance with Georgia law.

Active (Implementation)

An active approach to multimodal corridor protection occurs after the methods outlined in the passive approach have been achieved. Local governments need plans, partnerships, and legislation as prerequisites before acquiring easements for transportation corridors. This is because the passive approach assists with outlining the corridors and legislation needed to implement an action plan successfully. Once a passive approach has been achieved, local governments should consider three methods of active implementation: acquisition, maintenance of corridors, and implementation of corridor projects.

Acquisition

Local governments can utilize the tool of acquisition to preserve or develop multimodal corridors. An acquisition can occur through various methods, including fee simple, easements, or eminent domain. Although, the latter option should be utilized sparingly due to the public relations implications of using eminent domain.

A fee simple transfer gives the local government complete and total ownership of a piece of land and all properties on it. This type of transfer would be the ideal approach for local governments looking to acquire property from a landowner. The reason is the security behind fee simple transfers instead of quit claim deeds. It is imperative that local governments take the precautions needed to acquire and use the land in a manner that aligns with its goals and objectives. Another acquisition method local governments could use is acquiring easements from property owners. This would allow the local government to only take a portion of land instead of an entire parcel. Utility companies and local governments have utilized this method to implement trails throughout the State and the Northeast Georgia region. Another consideration local governments should be aware of is the public Right-of-Way (ROW). The amount of ROW each road has may require detailed research and consultation with local engineers and the Department of Transportation. However, State and Federal routes typically have more ROW than local roads, which can be helpful for multijurisdictional projects and partnerships.

Ideally, all property owners will either sell or provide an easement to the local government, but that is rarely the case. In certain circumstances, eminent domain is required to obtain the land needed for infrastructure improvements. Eminent domain is an effective form of acquisition, but it should only be utilized in scenarios where all other options have been exhausted. This method can only be used in Georgia for public use, which aligns with implementing multimodal corridors in many cases.

Maintenance of Proposed Corridors

Planning and implementing a multimodal corridor may have scalable timelines. In some scenarios, a project may occur rapidly after the needed land is acquired, and at other times the project may take years to begin. In both cases, the project area will require maintenance to ensure the site is ready for use. If a project area is left vacant for years, it could require more funding to clear and prepare the site for its intended use. However, annual or bi-annual maintenance could make it easier for the local government to implement a project since the project site will require little preparation and maintenance. A local government could partner with a non-profit organization to perform annual clean-ups of the project area, use public works to trim back trees and unwanted brushes, and start planning for obstacles that could appear in the future. If a corridor is not maintained, the site could become subject to illegal dumping and illegal activities or become a hazard due to fallen trees, limbs, and debris. Spending money or acquiring land for future infrastructure projects only makes sense if the local government plans to maintain the project area.

Recommended Protections

By Corridor Type

Road

Road corridor protection strategies should focus on the existing or expected development along the corridor and at major intersections. As the roadways are already well established, passive strategies such as local & regional planning and legislation should also be established and updated as needed. Such protections ensure that infrastructure expansion and upgrades are in pace with development and growth.

Expanding a road, road network, or finding traffic solutions may be necessary in some communities. In these situations, the local governments should create a strategic plan and seek partnerships. As GDOT manages the roads in the regional corridors listed, they are a natural partner for projects but adjacent, impacted communities and private partners should also be considered. After establishing a plan, land acquisition strategies should be pursued. Ideally, land acquisition should be avoided by utilizing the existing Right-of-Way.

BRT

Road corridors that are good candidates for a BRT have the same recommended protection strategies as road corridors but with added protections to support future BRT infrastructure. This could include creating a BRT system and developing a BRT implementation plan. Coordinating and seeking partnerships with adjacent jurisdictions would be incredibly effective when developing a BRT system. This enables local governments to link up systems and provide the community access to a larger public transportation network. Once a plan has been established, land acquisition can be pursued. Infrastructure for BRTs can include bus stations or added dedicated bus lanes. Similar to roads, ideally, the land in the right-of-way should be utilized; however, it may be necessary to obtain an easement or purchase land from a private entity.

High-Speed Rail

As the Greenfield Corridor is a state and federal project, GDOT and other federal agencies are inadvertently implementing passive protection strategies through regional corridor planning. Local governments can also begin taking proactive measures for the development of the rail through passive protection strategies. This would include creating, updating, and implementing comprehensive transportation plans and passing legislation to prime the corridor for future development and infrastructure needs. Doing so will ensure policies are in place to support the high-speed rail's construction and assist with planned, smart growth in the corridor. This is essential as the more proactive a community is in planning and strategizing for development, the more effective and less costly infrastructure expansion becomes in the long term.

Freight Rail

Freight rail corridors can pose more of an obstacle than an advantage for some local communities. While the freight rail can provide economic benefits, it can also be a nuisance, producing noise pollution or interrupting traffic flow at road junctions. Protection strategies for freight rail should be implemented to optimize the potential of the corridors. This may include creating FDMs prioritizing industry and manufacturing land uses near the rail line over residential or commercial use. Or it can include passing legislation to minimize interference with the activities of the rail line. In some cases, it may include developing alternative routes to address traffic issues related to rail activity. Such actions would require extensive planning. Railway corridor protection is unique in that planning and implementation often works around the railroad rather than with it. Compared to roads, where there is some flexibility in addressing traffic issues and infrastructure expansion, railroads, once established, rarely, if ever, change.

Multi-use Trail

Regarding multi-use trails, there are various protection strategies to consider depending on the status of the trail's development. For existing trails, strategies would include continued trail maintenance and implementation of established plans and legislation to control development along the trail corridor. Utilizing design guidelines or conservation requirements should be considered to protect the aesthetic environment of a multi-use trail.

Passive and active approaches must be considered for planned or proposed trails. For passive approaches, developing and implementing plans identifying the trail, and establishing funding strategies are vital. Planning can also lead to natural partnerships as invested parties are identified. An example of private-public partnerships is encouraging developers to build multi-use trails as part of housing developments with the long-term plan for these trails to connect eventually.

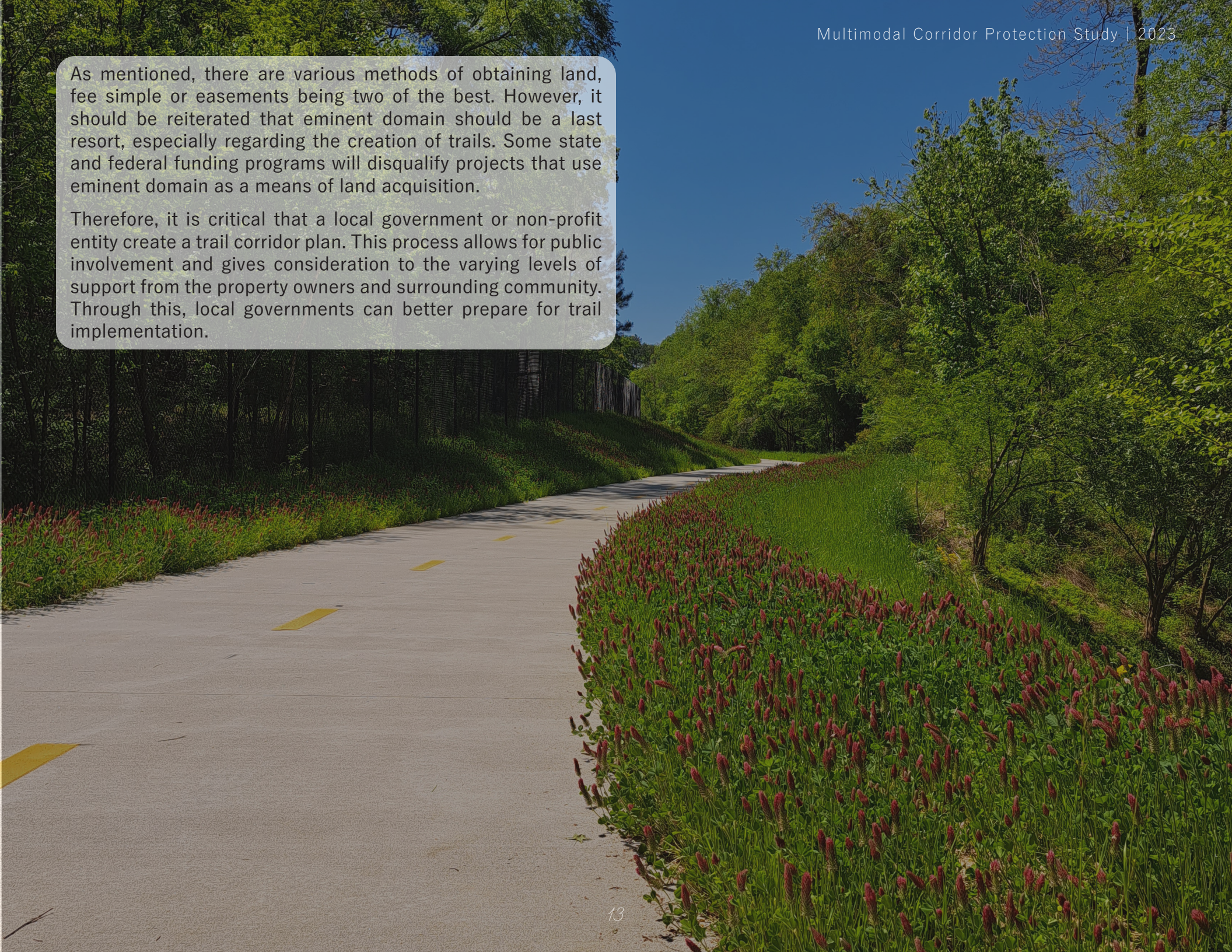
For active strategies, land acquisition and maintaining the corridor are important and, in some cases, vital. Depending on the trail's location (e.g., along a waterway or a road), the establishment of a Right-of-Way may be required, and obtaining land from private owners may be necessary. If the land is already acquired, then corridor maintenance is important to ensure lower costs when the time comes for trail construction.

Rail to Trail

Rail-to-Trails corridors follows similar protection strategies as multi-use trails, but the main difference is that these corridors may require more land acquisition. The unique characteristic of rail-to-trail corridors is that they follow an abandoned or historic railbed. Depending on the railroad, property ownership can vary greatly. In some cases, after the railroad was abandoned, private property owners re-obtained the land, or another private entity bought the land. In other cases, the land is still owned by the rail company. Either way, knowing the current landowners is important as it can affect the ease of land acquisition.

As mentioned, there are various methods of obtaining land, fee simple or easements being two of the best. However, it should be reiterated that eminent domain should be a last resort, especially regarding the creation of trails. Some state and federal funding programs will disqualify projects that use eminent domain as a means of land acquisition.

Therefore, it is critical that a local government or non-profit entity create a trail corridor plan. This process allows for public involvement and gives consideration to the varying levels of support from the property owners and surrounding community. Through this, local governments can better prepare for trail implementation.



Regional Corridors Recommendations Table

Corridor Protection Recommendations	Type	Local and Regional Planning	Partnerships	Legislation	Acquisition	Maintenance of Proposed Corridors
Interstate 85	Road	X		X		
Interstate 20	Road	X		X		
US Highway 441	BRT		X		X	
US Highway 129	Road		X		X	
US Highway 29	Road	X	X		X	
US Highway 78	BRT		X		X	
US Highway 278	BRT		X		X	
State Route 72	Road				X	
State Route 316	BRT		X		X	
State Route 11	BRT		X		X	
State Route 83	BRT		X		X	
GDOT Green Corridor	High-Speed Rail	X	X	X	X	X
CSXT Elbert Co- Barrow Co	Freight Rail	X		X		
CSXT Greene Co - Newton Co	Freight Rail	X		X		
CSXT Jackson Co - ACC	Freight Rail	X		X		
Norfolk Southern Corporation Jackson Co - ACC	Freight Rail	X		X		
Norfolk Southern Corporation Jasper Co - Morgan Co	Freight Rail	X		X		
Firefly Trail	Rail to Trail	X	X		X	X
Athens Line	Rail to Trail	X	X	X	X	X
Cricket Frog Trail	Rail to Trail	X	X		X	X
Great Walton Line	Rail to Trail	X	X		X	X
Hi-Lo Trail	Multi-use Trail	X	X		X	X
Yellow River Trail Network	Multi-use Trail	X	X	X	X	X
Dried Indian Creek Trail	Multi-Use Trail	X	X		X	X
North Oconee River Greenway	Multi-use Trail	X	X	X	X	X

Conclusions

Actively developing multimodal corridors into their intended use is the best way to preserve and protect the corridor. Taking the steps of passive and active approaches allows local leaders to be proactive in planning and implementing infrastructure improvements. Local leaders are often forced to react and implement infrastructure improvements due to unintended consequences, unwanted circumstances, or lack of preparedness. By developing plans, establishing partnerships, and creating legislation paired with acquiring land and corridor maintenance, local governments are better prepared to deliver the infrastructure required to support their local communities, now and in the future.

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Appendix

A. Athens-Clarke County Corridor Preservation Ordinance

To provide timely and orderly improvement and enlargement of Athens-Clarke County transportation corridors through the dedication of land by property owners upon development of their land.

Land will be dedicated by a property owner for the construction of a transportation corridor according to the procedures outlined in section 7-3-36 when:

A.

A development requiring a planning action, partition, or subdivision takes place on the owner's property; and

B.

The development will result in increases in the traffic generated (pedestrian, bicycle, auto) in the area, by some measure; and

C.

The property contains a future transportation corridor on the official map adopted pursuant to section 9-29-5.

D.

Athens-Clarke County may require additional right-of-way on streets which do not meet the standards of Chapter 9-26, Subdivisions, or for necessary realignments of intersections or street sections. These do not have to be shown on the official map.

The construction of permanent structures is prohibited in the right-of-way and associated setback areas, where applicable, of a future transportation corridor. "Future street" includes the standard right-of-way width for an existing street classification as determined by the department of transportation and public works.

The property owner is not required to dedicate land for the construction of an Athens-Clarke County transportation corridor when it has been proven, to the satisfaction of the hearing authority that the planned use will not increase in any way, the automobile, pedestrian or bicycle traffic generated in the area. The owner is still prohibited from building in the right-of-way or associated setbacks, where applicable, of the future transportation corridor.

A.

Future transportation corridor right-of-way dedications are to be shown on the official transportation corridor concept map adopted by the Athens-Clarke County Mayor and Commission. Said map, entitled "The Official Transportation Corridor Concept Map of Athens-Clarke County, Georgia," dated April 25, 2013 and adopted June 4, 2013, is on file in the office of the Clerk of Commission, City Hall, Room 204, 301 College Avenue, Athens, Georgia and available for public inspection at said office. Said map is made a part of this title by reference and incorporation as if fully set forth herein. This map supersedes "The Official Transportation Corridor Concept Map adopted July 6, 2010.

A. Athens-Clarke County Corridor Preservation Ordinance

B.

The hearings board may modify the location of a required transportation corridor right-of-way dedication to account for practical difficulties in implementing this title, as long as the general intent of providing safe transportation from one point to another is ensured.

A.

Dedication of the future right-of-way for a transportation corridor is required prior to final action on a partitioning, subdivision, or development requiring a planning action.

B.

If a plat is required for final action, the dedication shall be indicated on the plat as dedicated to Athens-Clarke County.

C.

If no plat is required, a deed with the dedication described by a registered surveyor shall be granted to Athens-Clarke County. Said deed shall be provided with adequate title insurance or other assurance necessary to ensure that the title is free of all encumbrances, back taxes or liens.

B. Model Ordiance Protection of Corridors and Right-Of-Way

MODEL ORDINANCE
PROTECTION OF CORRIDORS AND RIGHTS-OF-WAY

Notes to Users:

General:

This model ordinance is provided for adoption, in whole or in part, into the local land development code. Florida's local governments represent a range of size, character, and unique local situations. Thus, local governments should modify standards or procedures for consistency with local conditions and practice. Text in parentheses and italics is intended to be replaced with appropriate local terminology, such as the name of the jurisdiction, citations of plan policies, and so forth.

The model ordinance begins with general provisions and then provides the user with two options – the first option is intended for system wide application and the second option is a corridor protection overlay district. The system wide option includes numbered sections for consistency of proposed development with the long-range transportation map, right-of-way dedication, right-of-way preservation, and right-of-way acquisition. These are followed by an alternative option for designation of a corridor protection overlay district. Although a numbering system is provided here for the purposes of the model, the user should use a numbering system and format consistent with the local land development code, or other local land development regulations.

Relationship to the comprehensive plan:

This ordinance is intended to carry out the local government comprehensive plan. The user should examine the comprehensive plan to determine that an adequate planning foundation has been established for these regulations. If additional plan language is desirable, model plan language is provided as guidance for a plan amendment.

Issues related to access to corridors:

This model ordinance does not specifically address access management. The user is directed to the Model Land Development & Subdivision Regulations that Support Access Management.[1] *In adopting corridor preservation regulations, the user should consider the CUTR/FDOT model access management regulations together with other regulations of this model ordinance.*

Administrative procedures:

Separate administrative procedures are not specified in this model ordinance. The local government should integrate the regulations of this model ordinance into existing review and approval procedures for developments, because the preservation and protection measures are "triggered" by a development application in or near a protected corridor. For additional assistance on administrative procedures, the user is directed to the Model Land Development Code for Florida Cities and Counties,[2] *Article XII, or Section 23 of the Model Land Development Regulations That Support Access Management.*

The user should review variance procedures for the jurisdiction. Separate variance procedures are not included in this model ordinance, under the assumption that the opportunity would be available for variance from these provisions.

SECTION I. GENERAL PROVISIONS

1.1 *FINDINGS*

A. The *(city/county)* has adopted within the *(comprehensive plan)* a Future Transportation Map, a Long-Range Traffic Circulation Map, *(and/or)* a Thoroughfare Corridor and Right-Of-Way Protection Map to assure *(city/county)*-wide continuity of the transportation system.

Note: The *local government must have the Future Transportation Map pursuant to various provisions of* 9J-5. *It may choose to have a separate map for identifying corridors and rights-of-way to be protected, with a longer range time period than the Future Transportation Map. Each community may have a different name for the above maps. The appropriate maps should be referenced in this finding. However, it should be noted that the courts refer to the "Thoroughfare Map*".

B. It is in the best interests of the public and citizens of *(city/county)* to anticipate future needs in areas where right-of-way does not exist, in order to establish harmonious, orderly, efficient development of *(city/county)* and ensure a safe and efficient transportation system.

C. The preservation, protection, or acquisition of rights-of-way and corridors is necessary to implement coordinated land use and transportation planning, to provide for future planned growth, and to ensure that the transportation system is adequate to meet future needs, and complies with the concurrency requirements of the *(comprehensive plan)* and this land development code.

D. The interim use of land in future rights-of-way provides a means for economic use of land until that land is needed for transportation purposes.

E. Future corridors and rights-of-way must be protected from permanent encroachment to ensure availability consistent with long-range plans for the *(city/county)*.

Note: The user should include any additional findings that are appropriate to the local circumstances.

[1] Williams, Kristine M., Daniel E. Rudge, Gary Sokolow, and Kurt Eichin, *Model Land Development and Subdivision Regulations That Support Access Management for Florida Cities and Counties,* CUTR and FDOT, 1994.

[2] McPherson, John, David Coffey, and Gail Easley, 1989. Model Land Development Code for Florida Cities and Counties. Florida Department of Community Affairs, Tallahassee.

B. Model Ordiance Protection of Corridors and Right-Of-Way (Cont.)

1.2 *INTENT AND PURPOSE*

The intent of this ordinance is to preserve, protect, and/or acquire rights-of-way and transportation corridors that are necessary to provide future facilities and facility improvements to meet the needs of growth projected in the *(city/county)* comprehensive plan and to coordinate land use and transportation planning. These rights-of-way and corridors are part of a network of transportation facilities and systems, which provide mobility between and access to businesses, homes, and other land uses throughout the jurisdiction, the region, and the state. The *(governing body of city/county)* recognizes that the provision of an adequate transportation network is an essential public service. The plan for that transportation network is described in the *(city/county)* comprehensive plan, and implemented through a capital improvements program, other policies and procedures, and through regulations on land use and development as well as regulations to preserve and protect the corridors and rights-of-way for the transportation network. The purpose of this ordinance is to foster and preserve public health, safety, comfort, and welfare and to aid in the harmonious, orderly, and beneficial development of the (*city/county)* in accordance with the comprehensive plan.

1.3 *RELATIONSHIP TO COMPREHENSIVE PLAN, OTHER PLANS, REGULATIONS, LAND STATUTES*

A. The adoption of this ordinance implements the following goals, objectives, and policies of the *(city/county)* comprehensive plan. In addition, this ordinance is a part of the land development code for *(city/county).*

Note: The user should specify those objectives and policies of the local comprehensive plan which support this ordinance, including those contained in the future land use, transportation, and capital improvements elements.

B. This ordinance is consistent with policies of the *(name)* Metropolitan Planning Organization and the policies of the Florida Department of Transportation set forth in the Florida Transportation Plan.

Note: The user should specify the MPO by name; if the local government is not within an MPO area, none of the references to MPO should be used. In addition, the user may wish to cite specific statutory authority for corridor designation as support for this implementing ordinance.

1.4 *APPLICABILITY*

This ordinance shall apply to all land within the jurisdiction of *(city/county)* which abuts or is located within existing or future corridors and rights-of-way as identified in *(insert name of appropriate plan, map, or other document that identifies applicability, such as the Future Transportation Map, Long Range Traffic Circulation Map, a Major Thoroughfare Map, or other document).*

1.5 *SEVERABILITY*

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions of this ordinance shall continue in full force and effect.

1.6 *EFFECTIVE DATE*

This ordinance shall be effective on *(date).*

OPTION ONE

SECTION 2. CONSISTENCY OF PROPOSED DEVELOPMENT WITH LONG RANGE TRAFFIC CIRCULATION MAP

A. All development shall be consistent with the Major Thoroughfare Map or Future Transportation Map.

B. Conceptual, preliminary, and final site plans and preliminary or final subdivision plats submitted for review shall include information regarding the location of any corridors designated on the *(city/county)* Major Thoroughfare Map or Future Transportation Map which cross, abut, or are within 1000' of the property of the proposed project. During the review process, the *(name of reviewing body, such as Technical Review Committee, Development Review Committee, or Planning Commission)* shall consider the proximity of the proposed project to future corridors for purposes of assessing the impact, if any, of the project on future corridors.

C. Either preliminary or final approval shall include findings regarding the consistency of the proposed project with the future corridor, and shall note any impacts that may be anticipated from the proposed project, along with recommendations for mitigating such impacts. If the proposed project is inconsistent with the future corridor location, it may be necessary for the applicant to modify the proposed project or to propose an amendment to the *(city/county)* comprehensive plan. However, it is intended that corridor locations shall have some flexibility so as to be compatible with proposed development, so long as the basic intent to provide continuity of the corridor is met.

Note: This section is concerned primarily with corridors where studies have not yet been done to establish the alignment. Most jurisdictions have within their development review process requirements to identify specific and detailed information regarding existing roads and planned improvements [within the TIP and/or the CIE]. Therefore, such information is not presented herein. The user is directed to such documents as the Model Land Development Code from DCA or the Model Land Development Regulations that Support Access Management from the Center for Urban Transportation Research for additional assistance in the latter situation.

It is suggested that this language, or a modification of this language, be included in the section of the local government land development code which deals with development review, whether site plan review, major development review, or subdivision plat review.

B. Model Ordiance Protection of Corridors and Right-Of-Way (Cont.)

SECTION 3. RIGHT-OF-WAY DEDICATION

A. Projects proposed adjacent to or abutting a right-of-way for which improvements are shown in the current five-year Capital Improvements Program, shall, as a condition of approval, dedicate lands within the project site which are necessary for that right-of-way to *(city/county)*. Such dedication shall occur by recordation on the face of the plat, deed, grant of easement, or other method acceptable to *(city/county)*. Land to be dedicated shall be only that shown by engineering study and/or design to be necessary for the planned improvements. The amount of land required to be dedicated also shall not exceed the amount that is roughly proportionate to the transportation impacts to be generated by the proposed project unless the landowner is to be compensated in some fashion for any additional dedicated land.

Note: This section provides for the mandatory dedication of right-of-way for projects proposed adjacent to roads with planned improvements within the next five years [the time period of the adopted Capital Improvements Element]. The local government may prefer to use three years to coincide with the time period used for concurrency determinations. The important feature is that the planned improvement be considered imminent, as opposed to long range and therefore potentially less certain.

Local governments must tailor their dedication requirements to comply with Dolan v. City of Tigard, 1994 WL 276693 (June 24, 1994). *In* Dolan, *the United States Supreme Court held that mandatory dedications of land as a condition of development approval must be related both in nature and extent to the impact of the proposed development. Although the Court stated that no precise mathematical calculation is required, it held that the amount of the dedication must be roughly proportionate to the project's impacts.*

B. The value of dedicated right-of-way shall be a credit against transportation impact fees assessed to the proposed project. In the event that the impact fees calculated for the proposed project are greater than the lands within the project site (the site prior to any dedication or other set-aside) needed for future right-of-way, only the amount of land representing a value approximately equal to the impact fee shall be required to be dedicated.

Note: Generally, credits for right-of-way donations are offered only when the impact fee ordinance included right-of-way costs in the computation of the impact fee structure.

C. The *(reviewing agency)* may consider the transfer of development rights, based on the gross density or intensity allowable on the site prior to any set-aside for future right-of-way. The transfer will be from land to be dedicated to other portions of the site. Approval of transfer of development rights may include consideration of variances from site design standards necessitated by the increased net density or intensity of the portions of the site receiving the transfer of development rights.

Note: The provision for transfer of development rights is based upon a transfer within the site, rather than to another parcel of land. Should the local government have a TDR program that allows parcel-to-parcel transfer or the issuance of TDR certificates, paragraph (C) should be modified for consistency.

D. The *(reviewing agency)* may grant approval of transportation capacity (for concurrency purposes) based upon the approved density or intensity for the project. Such preliminary approval of transportation concurrency and capacity shall be specified as a total number of vehicle trips allowable for the site. The preliminary concurrency approval shall be valid for three years, and eligible for renewal for a period of two years.

Note: The concurrency approved should be expressed in the same terms as the concurrency calculations in use by the local government, which may or may not be vehicle trips. In addition, there should be a specific expiration date, consistent with the concurrency management system in place for the local government.

SECTION 4. RIGHT-OF-WAY AND CORRIDOR PRESERVATION

4.1 *PROTECTION FROM ENCROACHMENT*

A. Corridors designated in the *(city/county)* comprehensive plan shall be protected from encroachment by structures, parking areas, or drainage facilities except as otherwise allowable in this ordinance and the comprehensive plan.

B. Where an alignment has been established by engineering study and/or design, the setbacks of section *(cross-reference to that portion of the local government land development regulations which identify setbacks from roads and rights-of-way)* shall be considered sufficient for preservation of the right-of-way.

C. Where an alignment has not been established, the following techniques shall be considered for protecting the corridor from encroachment:

(1) The applicant may propose and *(city/county)* shall establish an approximate alignment, consistent with the need to provide continuity of the corridor as well as to meet conceptual site planning needs of the project.

(2) The approximate alignment shall be the basis for applying normal setbacks as specified in section *(cross-reference number)*. When the specific alignment is later established through engineering study and design, the setback may be reduced through administrative approval up to, but not exceeding, 10.0% of the otherwise required setback, provided that such reduction is necessitated solely by the final alignment of the right-of-way.

Note: It is the intent that corridors through vacant land be compatible with the proposed development, and that the specific alignment have flexibility, so long as the intent to provide continuity of the corridor as well as the ability of the future facility to function are both met.

B. Model Ordiance Protection of Corridors and Right-Of-Way (Cont.)

(3) Clustering of structures may be allowable in order to retain full development rights while sitting structures, so as to avoid encroachment into the corridor. Clustering of structures under this provision of *(local government code)* may include administrative approval to reduce setbacks between buildings within a project site, reduction of buffers within a project site, or variation of other site design requirements. This provision is not intended to reduce perimeter bufferyards designed to ensure compatibility of adjacent uses.

Note: This provision should be used where clustering is not already allowable in the site design standards of the local government. This ensures that clustering, which may reduce standards for space between buildings within a site, or result in a greater net density on the portion of the site developed, is allowable.

(4) Reduction of required setbacks, other than adjacent to the corridor, may be considered, in order to ensure that the location of structures does not encroach into future corridors. A reduction of up to, but not exceeding, 10.0% of the otherwise required setback may be approved administratively, provided such reduction is necessitated solely by the proposed alignment of the corridor. Greater reductions must be reviewed by the *(name of reviewing agency which considers variances).*

4.2 *INTERIM USES TO BE RELOCATED*

A. The purpose of this section is to allow certain uses for a specified period of time within portions of a site designated as future right-of-way, or within a future corridor. The allowance of uses on an interim basis allows the property owner to make economic use of the property until such time as the right-of-way is needed for facilities or improvements.

B. The following uses, directly related to the primary use of the project site, may be allowable on an interim basis:

(1) Stormwater retention, wet or dry, to serve the project site.
(2) Parking areas to serve the project.
(3) Entry features for the project such as signage, gatehouses, architectural features, fountains, walls, and the like.
(4) Temporary sales or leasing offices for the project site.

C. The following conditions shall apply to the approval of interim uses specified in section 4.2.B:

(1) As a condition of preliminary or final development order, the applicant agrees to relocate these uses elsewhere on the project site. A developer's agreement shall specify the terms and conditions, including timing, of the relocation required by this section.

(2) Relocation of approved interim uses shall be beyond the setback area, subject to the provisions of section 4.1.C (2) above.

(3) Relocation sites shall be identified on the development plans submitted with the preliminary or final development order application. Sites identified for future relocation shall be reserved for that purpose.

D. The stormwater retention facility may, at the discretion of *(city/county and/or FDOT)*, be incorporated into the design of the future transportation facility retention facilities. Should this option be chosen by the *(city/county and/or FDOT),* the developer need not relocate the storm water retention facility.

4.3 *INTERIM USES TO BE DISCONTINUED*

A. The following interim uses, not necessarily directly related to the principal use of the site, may be allowable:

(1) Recreational facilities such as playgrounds, ball fields, outdoor courts, exercise trails, walking paths, bridal paths, and similar outdoor recreational uses.
(2) Produce stands, produce markets, farmers markets, and the like.
(3) Periodic uses such as boat shows, automobile shows, RV shows, "tent" sales, and the like.
(4) Periodic events such as festivals, carnivals, community fairs, and the like.
(5) Plant nurseries and landscape materials yards.
(6) Agricultural uses, such as pasture, crop lands, tree farms, orchards, and the like, but not including stables, dairy barns, poultry houses, and the like.
(7) Storage yards for equipment, machinery, and supplies for building and trades contractors, and similar outdoor storage.
(8) Outdoor advertising.
(9) Golf driving ranges.
(10) RV or boat storage yards.

Note: It is the intent in this section to list those uses that have a relatively low investment in structural improvements to the site. However, the local government may wish to include other uses - such as mini-storage facilities or other warehousing - where the investment in structural improvements is amortized over a relatively short period of time. If such uses are included, additional language in the developer's agreement should specify that the eventual acquisition of the land for right-of-way does not include acquisition of the structures, nor does the future value of the land include value of the structures. The intent is to recognize that a potentially wider range of uses may be allowable provided that the developers agreement recognizes the discontinuance, and that the government is not willing to pay for the structures, but is willing to allow a long enough interim use period for the owner to amortize the investment.

B. Model Ordiance Protection of Corridors and Right-Of-Way (Cont.)

B. The following conditions shall apply to interim uses specified in section 4.3.A:

(1) As a condition of preliminary or final development order, the applicant agrees to discontinue these uses on the project site by a specified date. A developer's agreement shall specify the terms and conditions of both the approval of interim uses pursuant to this section and the discontinuance of interim uses as required in this section.

Note: It may be desirable to include a time period within the ordinance. Such period should be sufficient to allow economically feasible use of the site. Time periods may be as long as 10 or more years for new corridor locations. The designation of a date for discontinuance is most likely a negotiable issue and should be capable of being extended.

(2) Bufferyards shall be provided, consistent with provisions of section *(cross-reference buffer section of the local land development code),* in order to ensure compatibility of interim uses with other uses adjacent or nearby.

(3) Interim uses shall meet site design requirements for setbacks for the district.

(4) Impervious surface ratios for interim uses shall not exceed 20.0% of the specified interim use site.

Note: Because the list of interim uses includes a wide range of intensities and impact, it may be desirable to specify a buffer rather than to rely on existing bufferyard standards. It may also be desirable to include conditions regarding locations of access drives, percent of the site to be devoted to the interim use, parking standards, lot area, and so on.

SECTION 5. RIGHT-OF-WAY ACQUISITION

5.1 *VOLUNTARY DEDICATION OF FUTURE RIGHT-OF- WAY*

A. The provisions of this section apply to projects proposed adjacent to or abutting a future corridor or right-of-way for which improvements are anticipated beyond the five-year period of the Capital Improvements Program. A property owner may, at any time during the application process for preliminary, conceptual, or final approval of a project, voluntarily dedicate lands within the project site that are in the future corridor or right-of-way.

B. Where an alignment has been established by engineering study or design, lands to be dedicated shall be within the designated future right-of-way.

C. Where an alignment has not been established, an approximate alignment shall be established.

Note: It is the intent that corridors through vacant land be compatible with the proposed development, and that the specific alignment have flexibility, so long as the intent to provide continuity of the corridor as well as the ability of the future facility to function are both met.

5.2 *PURCHASE OF FUTURE CORRIDORS AND RIGHTS-OF- WAY*

A. The *(city/county/other agency)* may enter into an agreement to purchase, in fee simple, the lands designated as a future corridor or right-of-way.

B. The *(city/county/other agency)* may enter into an agreement to purchase the development rights to lands designated as a future corridor or right-of-way. Development rights are defined as either the number of residential units allowable on the portion of the site designated, or as the total floor area allowable in non- residential use of the portion of the site designated.

Note: If the local government has a program to purchase development rights, it should be referenced in this section. If no program exists, and the local government wishes to establish one for this purpose, the following issues should be addressed: method of establishing fair market value, timing of purchase, whether or not the rights purchased are available for purchase by other developers in other parts of the jurisdiction, and approval processes for the purchase.

C. The *(city/county/other agency)* may enter into an agreement to purchase a perpetual easement including lands designated as a future corridor or right-of- way. Land included within the easement shall be either that land designated through engineering study or design as necessary for future right-of-way, or that land established as an approximate right-of-way. An approximate right-of-way shall be consistent with the need to provide continuity of the corridor as well as to meet conceptual site planning needs of the project.

Note: The *agreement should specify the uses granted with the easement to the local government and the interim uses remaining with the property owner. If this section is to be used, the local government should establish a method for determining the value of the easement.*

OPTION TWO

SECTION 2. CREATION OF A CORRIDOR PROTECTION OVERLAY DISTRICT

2.1 *PURPOSE*

The purpose of the corridor protection overlay district is to impose special development regulations on areas of *(city/county)* which have been designated in the *(city/county comprehensive plan)* as future transportation corridors. The general location of these corridors has been established through inclusion on the Future Transportation Map of the *(city/county)* comprehensive plan. In order to ensure the availability of lands within the corridor to meet

B. Model Ordiance Protection of Corridors and Right-Of-Way (Cont.)

needs as shown in the comprehensive plan, additional review is required of proposed development which potentially lies within or adjacent to the designated corridor.

2.2 *PERMISSIBLE AND PROHIBITED USES*

The underlying uses, as determined by the applicable land use district on the Future Land Use Map and the *(zoning code or other use regulation)* remain undisturbed by the creation of this overlay district.

2.3 *DENSITY AND INTENSITY OF DEVELOPMENT*

The gross density and intensity of development shall be that allowable by the underlying land use and zoning district. However, as a condition of approval of the development, such density and intensity shall be transferred to portions of the site that lie outside the corridor. Such transfer may result in a greater net density on the developed portion of the project. This section is not intended to grant approval to the location of development in environmentally sensitive or otherwise protected lands within the project site. It is intended to allow approval of the transfer of development rights within the contiguous lands of the project, without additional review procedures beyond the review for a preliminary or final development order.

2.4 *SITE DESIGN REQUIREMENTS*

A. In order to protect the future corridor from potential encroachment by structures, parking areas, or drainage facilities, setbacks will be required from the approximate alignment. This approximate alignment shall be consistent with the need to provide continuity of the corridor as well as to meet conceptual site planning needs of the project. The normal setbacks shall be as required by the underlying land use *(or zoning district - specify cross-reference to the appropriate section of the code).* When the final alignment is established through engineering study and design, the setback may be reduced through administrative approval up to, but not exceeding, 10.0% of the otherwise required setback, provided that such reduction is necessitated solely by the final alignment of the corridor.

B. Clustering of structures may be allowable in order to retain full development rights while sitting structures so as to avoid encroachment into the corridor. Clustering of structures under this provision of the *(local government code)* may include administrative approval to reduce setbacks between buildings within a project site, reduction of buffers within a project site, or variation of other site design requirements. This provision is not intended to reduce perimeter bufferyards designed to ensure compatibility of adjacent uses.

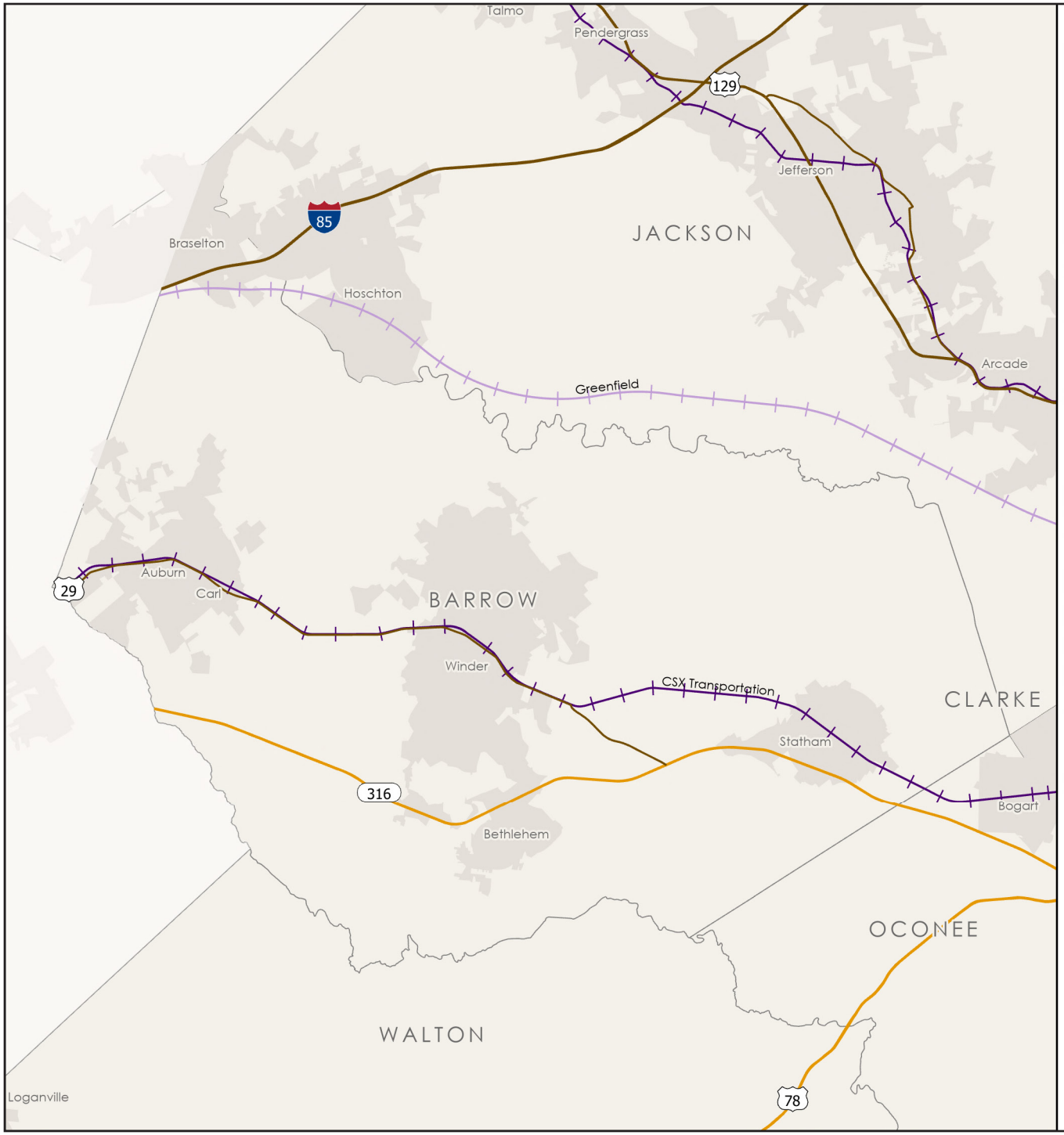
2.5 *REVIEW OF PROPOSED DEVELOPMENT FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN*

A. Conceptual, preliminary, and final site plans and preliminary or final subdivision plats submitted for review shall include information regarding the location of any corridors designated on the *(city/county)* Major Thoroughfare Map or Future Transportation Map which cross, abut, or are within 1,000 feet of the property of the proposed project. During the review process, the *(name of reviewing body, such as Technical Review Committee, Development Review Committee, or Planning Commission)* shall consider the proximity of the proposed project to future corridors for purposes of assessing the impact, if any, of the project on future corridors.

B. Either preliminary or final approval shall include findings regarding the consistency of the proposed project with the future corridor, and shall note any impacts that may be anticipated from the proposed project, along with recommendations for mitigating such impacts. If the proposed project is inconsistent with the future corridor location, it may be necessary for the applicant to modify the proposed project or to propose an amendment to the *(city/county)* comprehensive plan. However, it is intended that corridor locations shall have some flexibility so as to be compatible with proposed development, so long as the basic intent to provide continuity of the corridor is met.

Note: If the local government chooses to use the Overlay District Option, it may nevertheless use this section alone. It may also use Section 3 (R.O.W. Dedication). If Section 4 is used, some modification may be necessary to acknowledge differences between the underlying land uses and the interim uses.

Source: Prepared by Hennigar &Ray, Inc., Hamilton Smith & Associates, and Apgar, Pelham, Pfeiffer & Theriaque, for the Florida Department of Transportation, as amended 12/1/01.



Barrow County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

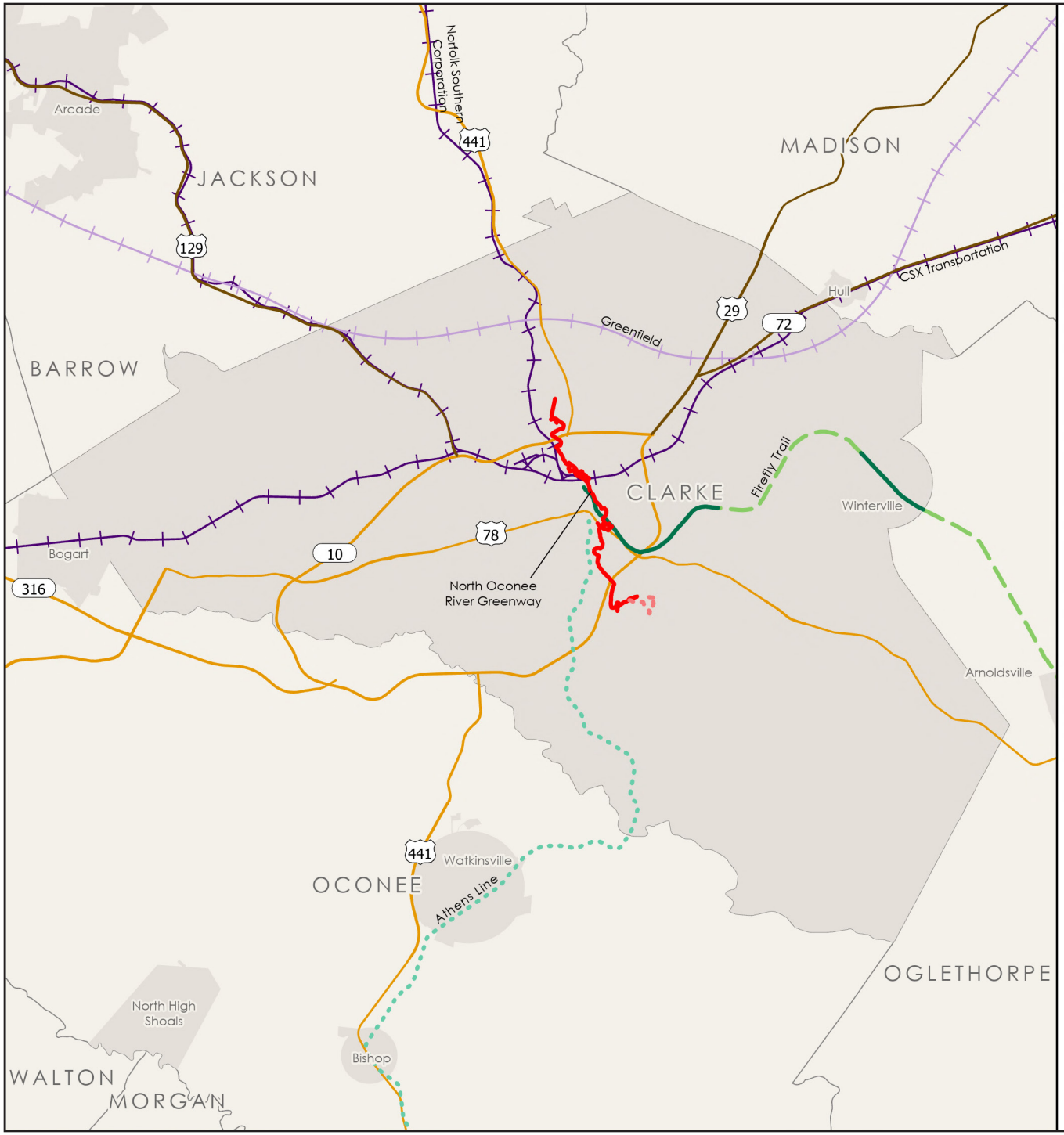
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Clarke County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

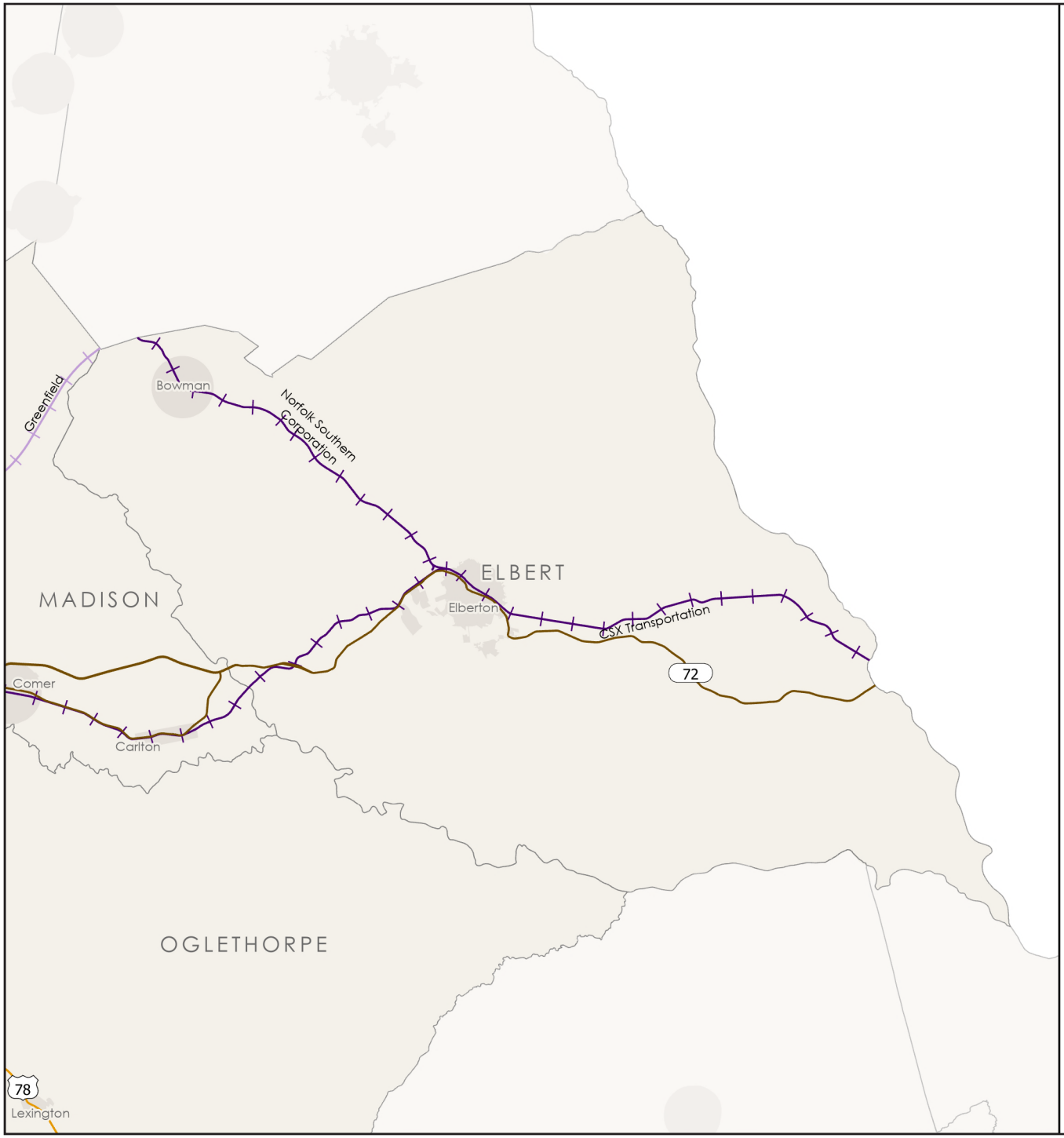
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Elbert County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

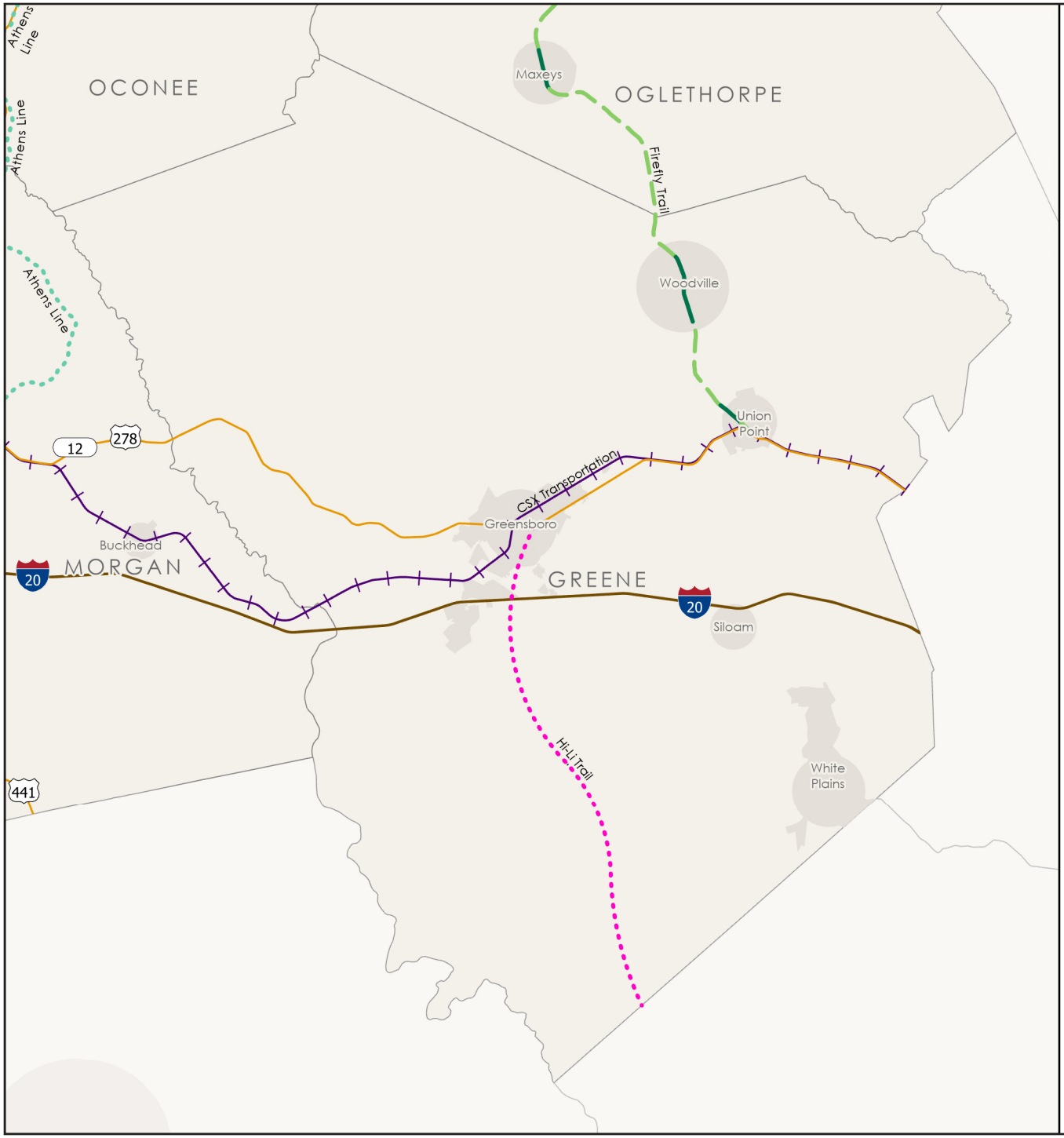
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Greene County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

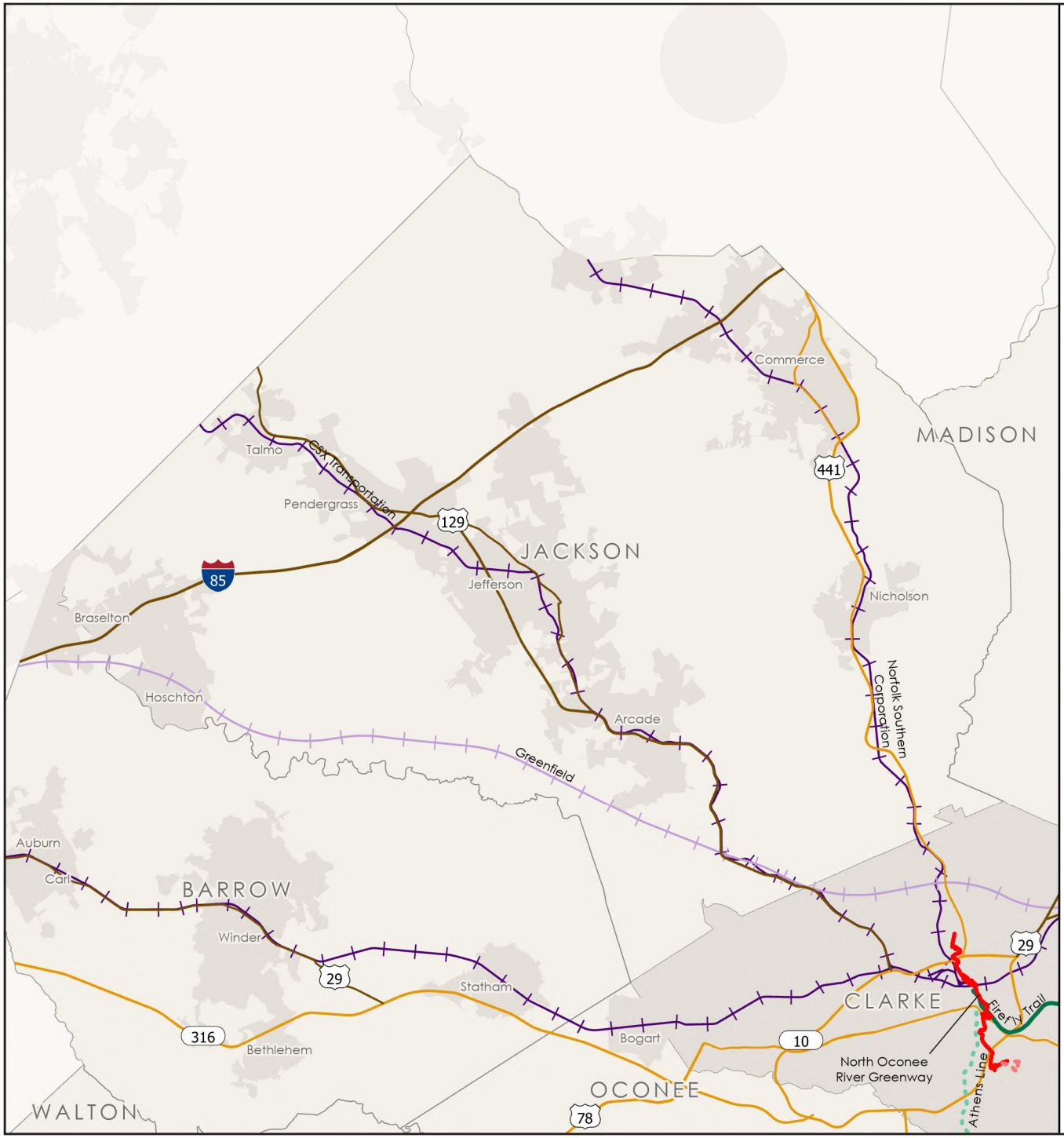
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Jackson County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

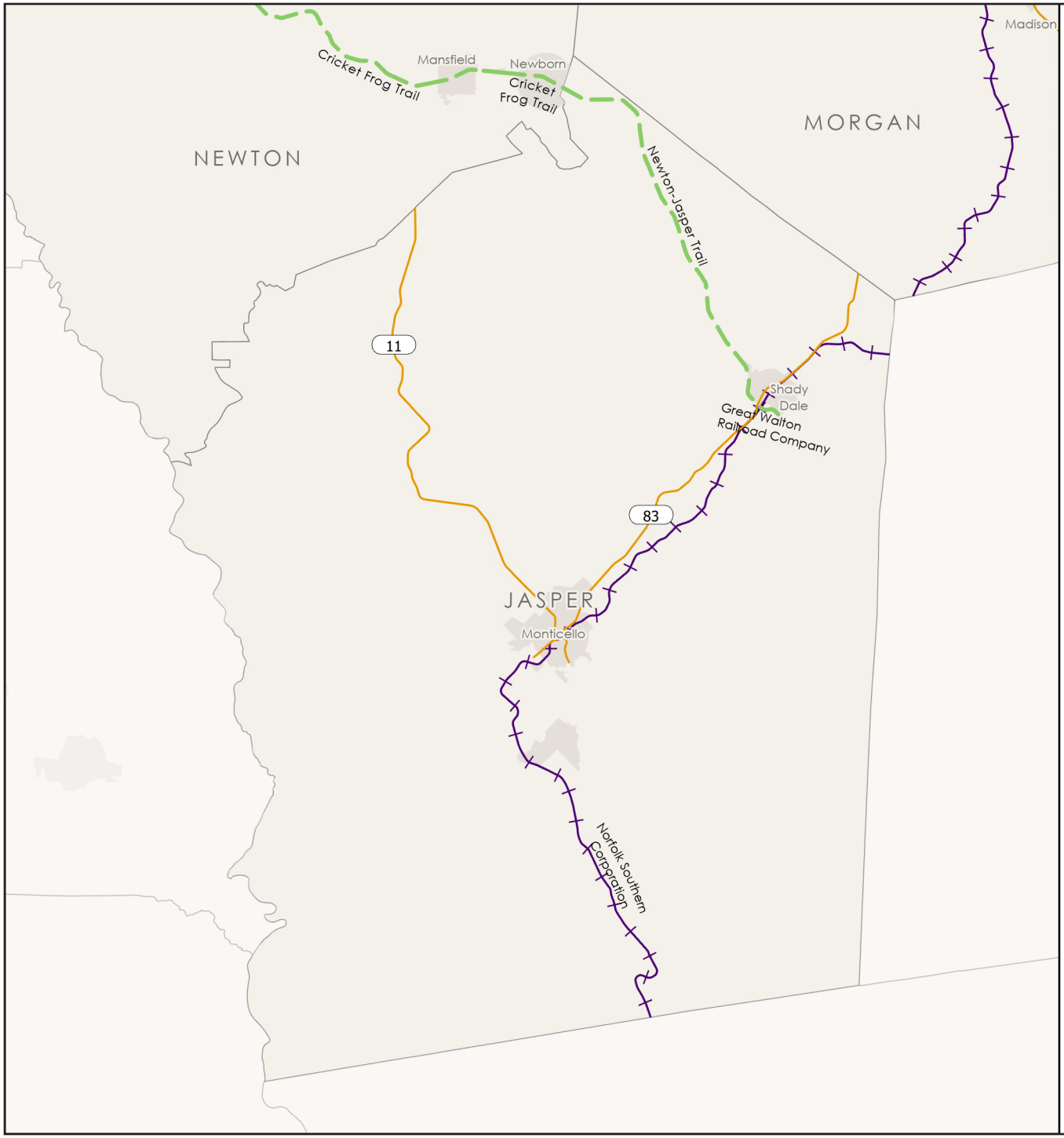
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Jasper County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

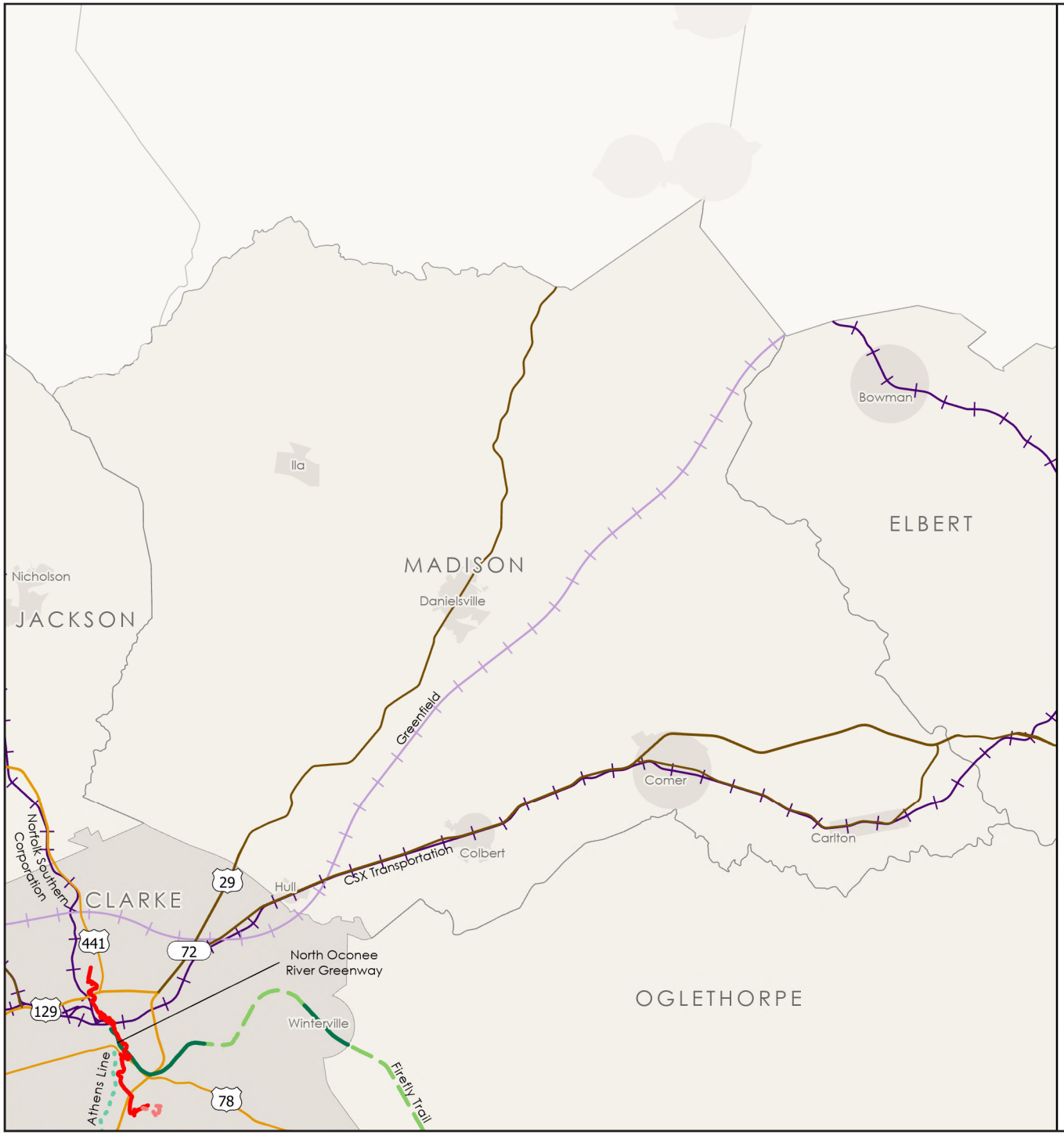
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Madison County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

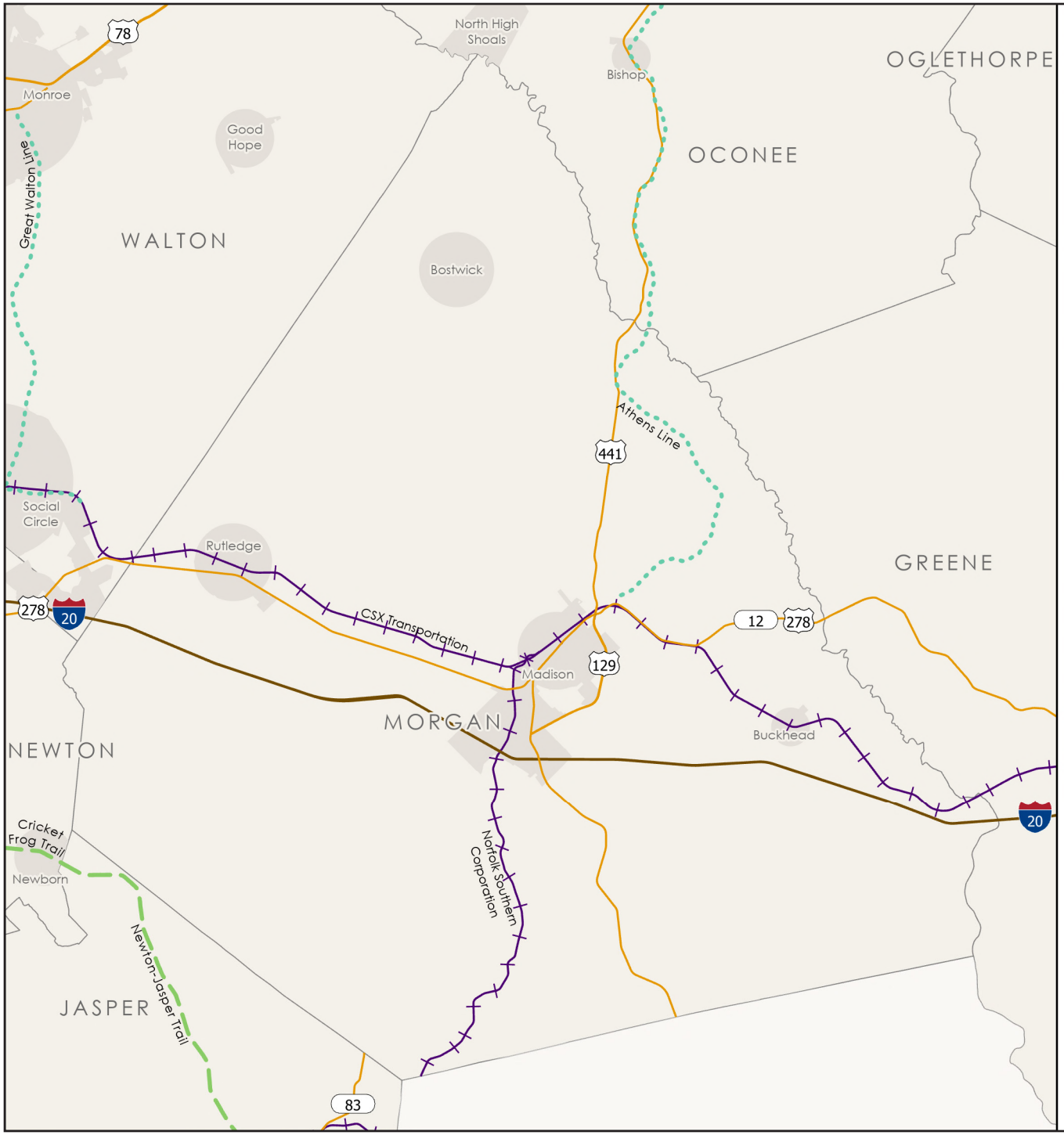
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Morgan County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

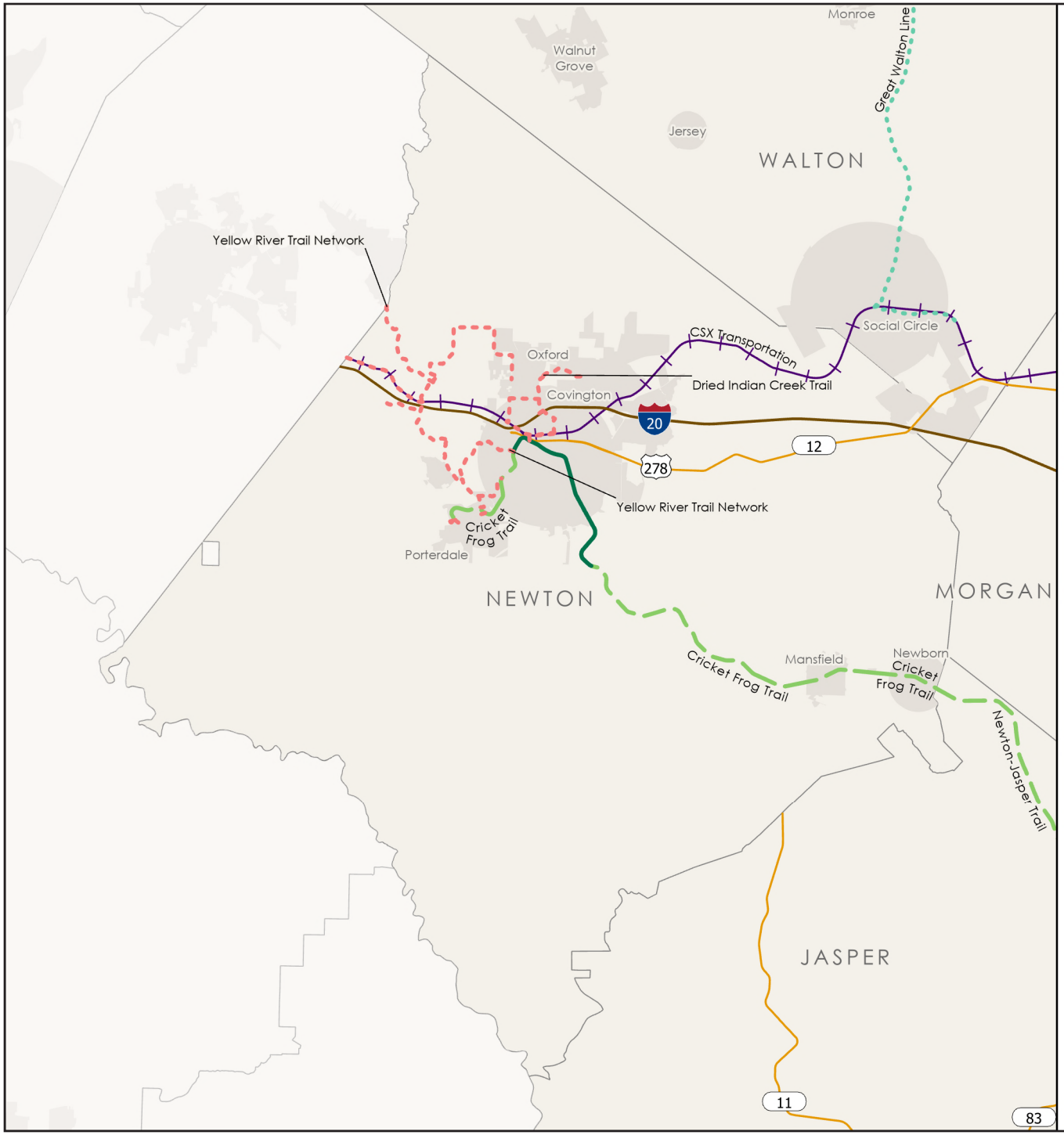
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Newton County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

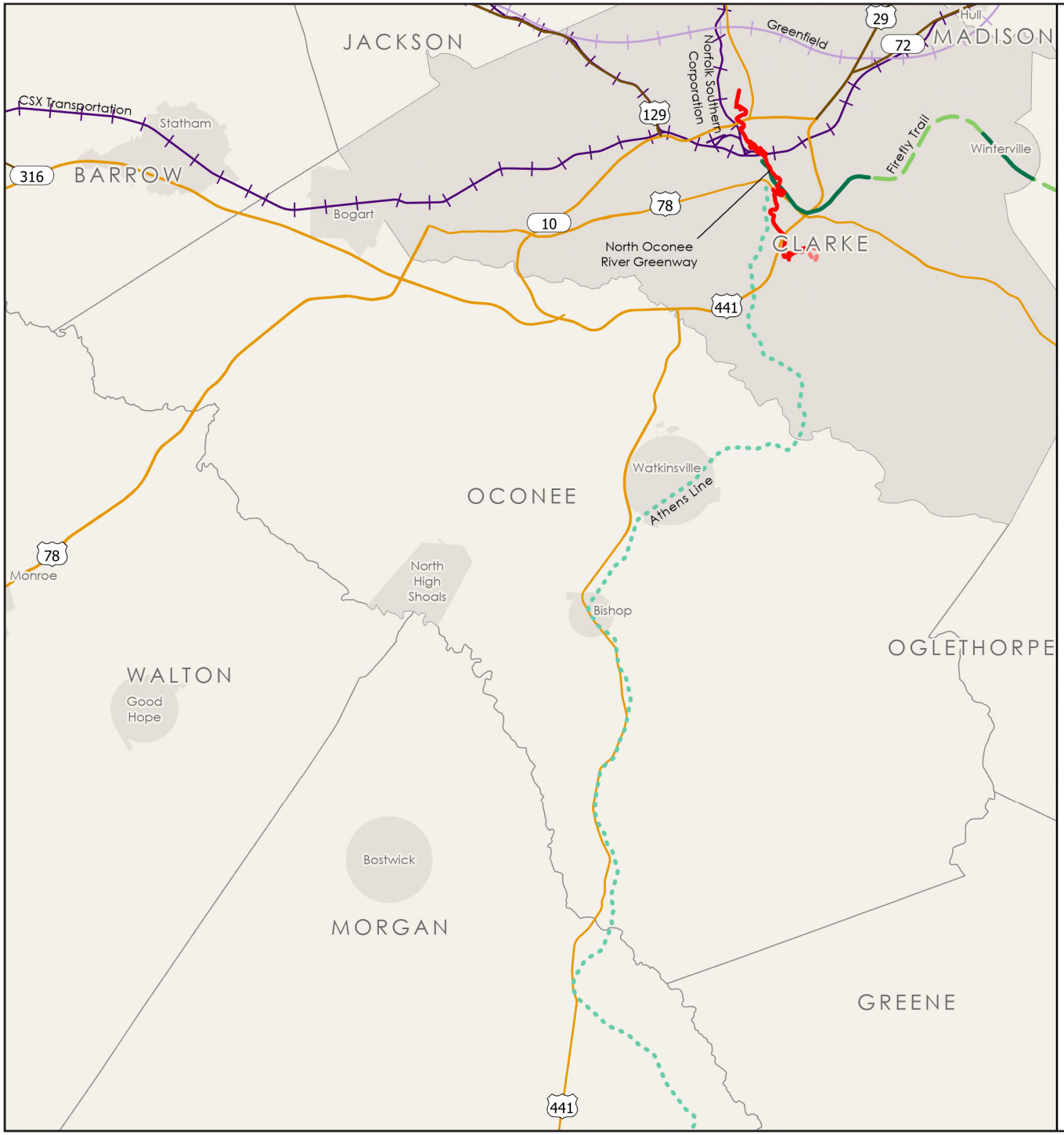
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Oconee County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

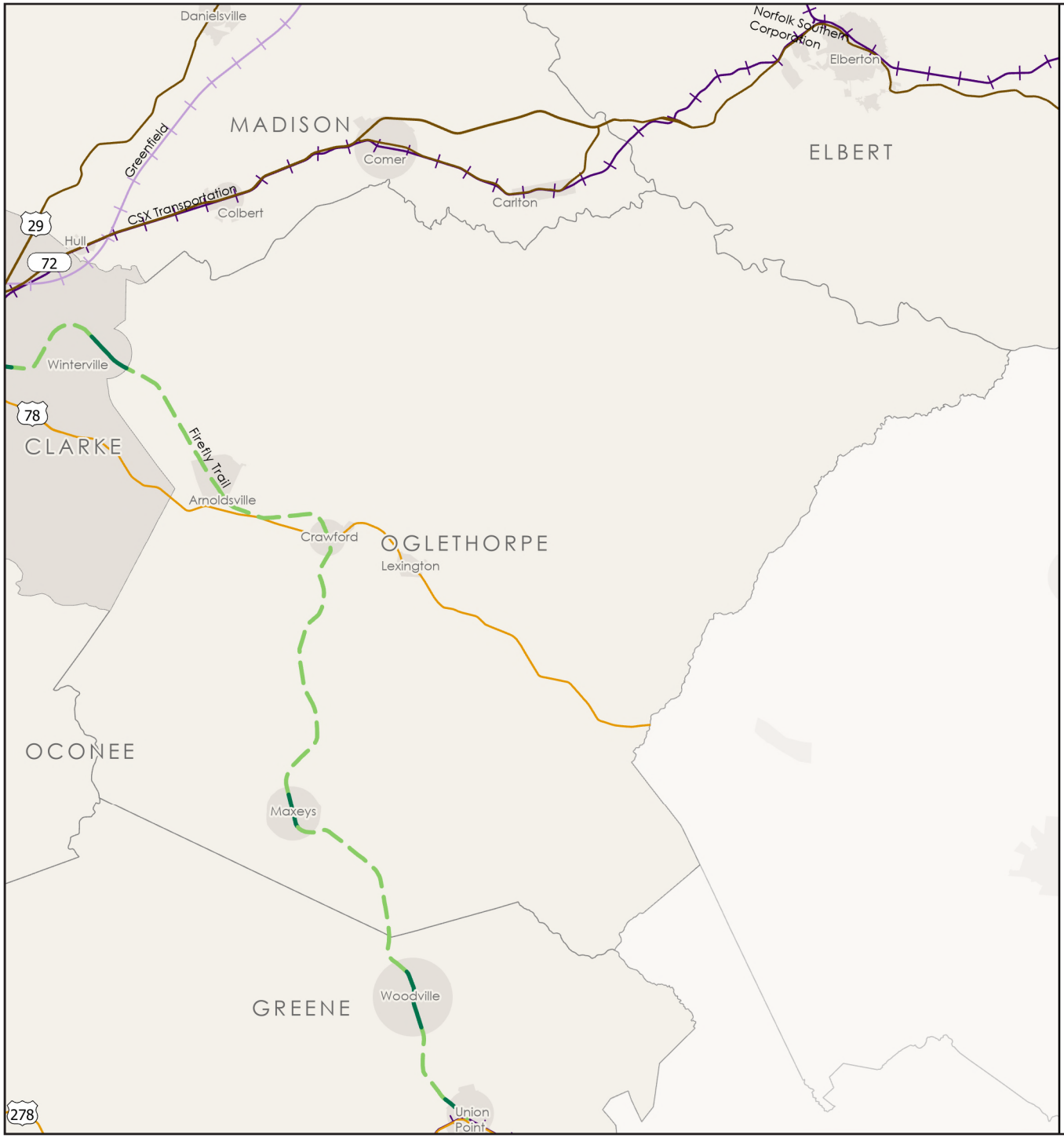
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Oglethorpe County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

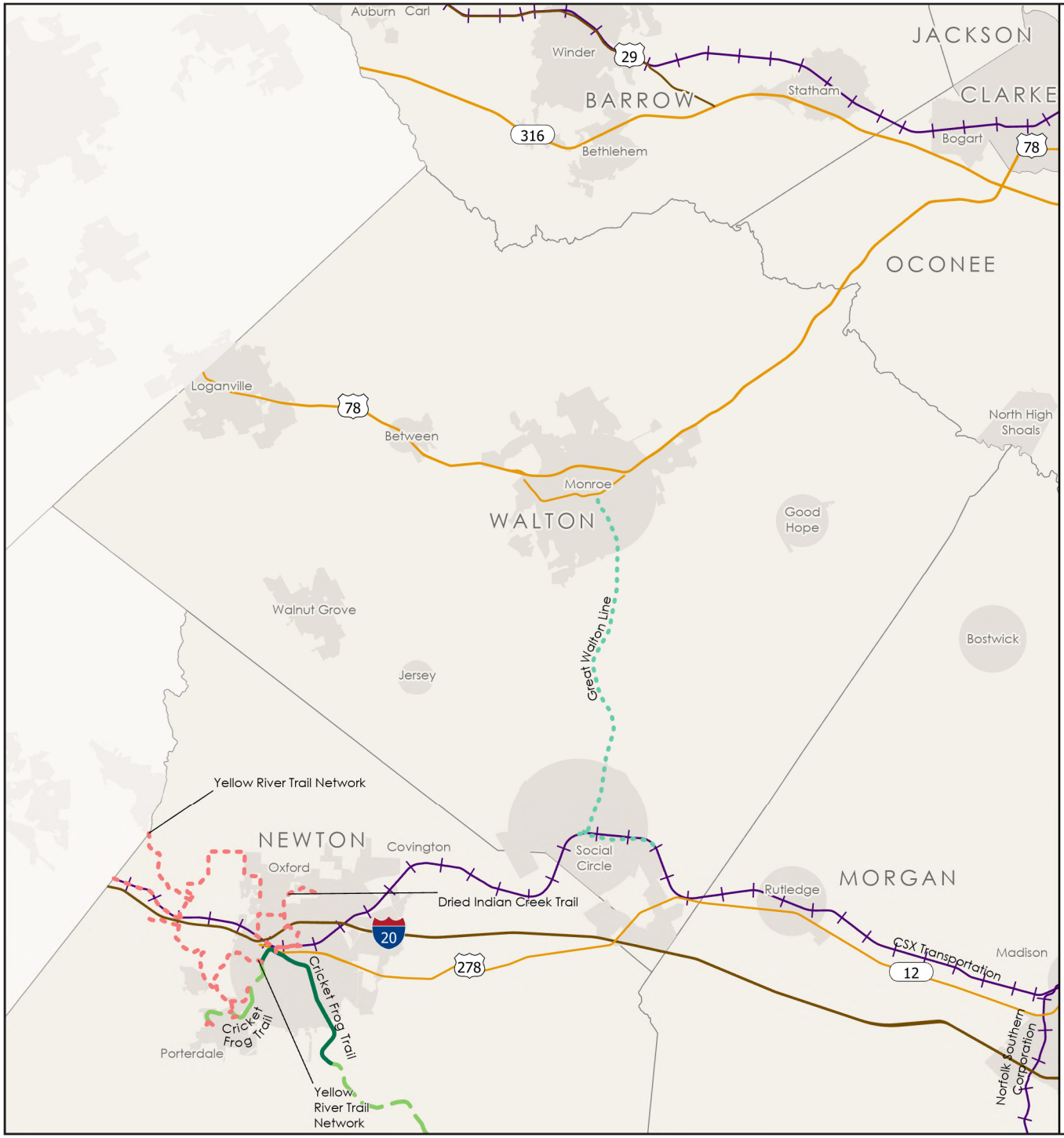
Rails
- Freight
- High-Speed (Greenfield)

Roads
- Road
- BRT
- City Limits
- County Boundary

0 2 4 Miles

6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems



Walton County

Multimodal Corridor Protection Study

Trails

Rail to Trails
- Exisiting
- Planned
- Proposed

Multi-use
- Existing
- Planned
- Proposed

Rails
- Freight
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Roads
- Road
- BRT
- City Limits
- County Boundary

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6/28/2023
Planning & Government Services Division; SK

NEGRC
Geographic Information Systems

NEGRC

NORTHEAST GEORGIA
REGIONAL COMMISSION