TODAY’S LEARNING OBJECTIVES

• Understand the reasons communities plan;
• The benefits of having and using a land use plan;
• The law and authority to conduct land use planning;
• The law and authority to implement a plan;
• Role of parties involved in the planning process;
• Importance of a meaningful conversation about land use planning in your community
• Importance of permitting and inspection development

“A hundred years after we are gone and forgotten, those who never heard of us will be living with the results of our actions.”

Oliver Wendell Holmes

Why Do Communities Plan?

• Visualize the future
• Prevent future problems
• Respond to state or regional changes
• Choreograph public investment, given scarce resources
• Maximize community strengths
• Address community weaknesses
• Create a sense of place
What is Public Planning? *

- Developing a Community Vision to guide future actions and decisions.
- Orchestrating resources and events to achieve a desirable vision of the built environment
- An organized way of determining community needs and setting goals and objectives to address them
- Bridging the gap between where we are and where we think we want to go

What Community Plans Do

- Protect existing & future public investments
- Reflect community values
- Guide physical development, location and timing
- Provide a legal basis and context for land use decisions

Why Plan? There are Benefits to Planning! *

- Saves money
- Sets expectations
- Improves economic development and quality of life
- Provides a forum for reaching consensus
- Connects people to the community
- Protects property values
- Reduces environmental damage and conserves water, energy, and other natural resources
Why Manage Land Use?

- Some growth will come to your county whether you want it or not
- Some growth won’t come to your county no matter what you do
- Then there is a middle ground you can impact
  - This part will decide your fate

Source: J. Dorfman

Some Economic Growth Facts Related

- Green Space
- The Impact of Development Types
- Southeastern US Results
- Jobs and Housing
- Break-even Home Values
- The Effect of Development Patterns

Source: Dr. Jeff Dorfman

Economic Benefits of Green Space

- Green spaces increase property values of surrounding land
- Green and open spaces can provide environmental amenities for free
- If green spaces contribute to quality of life, you attract people and jobs to community
Many counties and cities think that growth and development mean an increasing tax base and better financial health for the local government.

Unfortunately a growing tax base is not enough to guarantee financial health, you must get revenue to grow faster than expenditures.

Source: Dr. Jeff Dorfman

Different land uses have different tax revenues and different level of services

Source: Dr. Jeff Dorfman

American Farmland Trust
Assessing the Cost of Community Services

Some Southeastern US Results
Revenue: Expenditure Ratios

Source: Dr. Jeff Dorfman
Jobs and Planning

In Georgia, consistently following a county long range comprehensive plan leads to an expected 17% increase in employment over 5 years.

Source: Dr. Jeff Dorfman

Development Patterns

- Development patterns have an impact on the cost of service delivery: sprawl is expensive to service.
- Cost of service goes down by 50% of land savings (use half the land, save 25%).
- If you have responsibility for infrastructure and utility systems, the savings can be even more.

Source: Dr. Jeff Dorfman

Why Plan? It's part of our democracy!

- Fosters community input
- Informs government of citizens' wishes
- Means of arbitrating disputes between landowners and communities
  - Property Rights vs. Community Values
  - Property Rights vs. Property Rights
The Georgia Constitution Says…

Article IX, Section II, Paragraph 4. Planning and Zoning.

“The governing authority of each county and of each municipality may adopt plans and may exercise the power of zoning. This authorization shall not prohibit the General Assembly from enacting general laws establishing procedures for the exercise of such power.”

Planning

Georgia Planning Act, 1989

Qualified Local Government Status

Local Planning Requirements
History of Comprehensive Planning

1983: Georgia Constitution: local governing authorities may adopt plans and exercise power of zoning
1989: Georgia Assembly passes The Georgia Planning Act
2012: DCA passes revised Local Planning Requirements
2018: DCA passes revised Local Planning Requirements

What is a Plan?

Elements of a Comprehensive Plan:
- Community Goals – broad vision for what the community wants for its future
- Community Needs & Opportunities – immediate challenges faced by the community
- Community Work Program – to do list for addressing the challenges you identified and moving toward the vision you created

Work Plans must be updated every 5 years.

Plans must be reviewed, revised, or rewritten every 10 years.

Other Plans

General Styles:
- District or Neighborhood Plans
- Transportation Plans
- Recreation Plans

Specific Styles:
- Greenprint Plans - natural resources
- Blue Print Plans - housing
Implementation Tools

Policies
Incentives
Investments
Regulations

Implementation Tools

Capital Improvement Plan
Zoning
Form-Based Codes
Overlay Districts
Planned Unit Development Districts

Implementation Tools

Development Standards
• Utilities location
• Subdivision requirements
• Stormwater management
• Road construction standards
• Sidewalk requirements
• Grading standards
Implementation Tools

Lot Size Averaging  
Site Plan Approvals  
Sign Ordinances  
Natural Features Preservation  
  • Agricultural Overlay  
  • Ridgeline / Steep Slope Protection  
  • Stream Corridor Protection  
  • Tree Preservation

Planning is not Zoning

The Georgia Constitution Says…

Article IX, Section II, Paragraph 4. Planning and Zoning.
“The governing authority of each county and of each municipality may adopt plans and may exercise the power of zoning. This authorization shall not prohibit the General Assembly from enacting general laws establishing procedures for the exercise of such power.”
The sovereign power of the state to regulate and control private behavior in order to protect and promote greater public welfare.

&/or

The sovereign power of the state to provide for the health, safety, morals, convenience, and general welfare.

Zoning & The Police Power

Limitations on Police Power

“...This authorization shall not prohibit the General Assembly from enacting general laws establishing procedures for the exercise of such power.”

“No person shall be deprived of life, liberty or property except by due process of law.”

– GA Constitution
What is Zoning?

The power of local governments to provide within their respective territorial boundaries for the zoning or districting of property:

• for various uses and the prohibition of other or different uses
• for the regulation of development and the improvement of real estate

What is Not Zoning?

This definition encompasses only regulation of uses and development by means of zones or districts. So what about nuisance abatement ordinances and building codes? What about sign ordinances?

Differences between Planning & Zoning

• Planning focuses on future and establishes community vision
• Planning identifies where and how development will occur
• Planning is a process that helps community prepare for change
**Differences between Planning & Zoning**

- Zoning is a tool to implement the community’s vision
- Zoning is for protection of public health, safety & welfare of citizens
- Zoning divides community into districts imposing land use controls/restrictions on each

**Regulation is a Balancing Act!**

Community values, and protecting the health safety and welfare

Vs.

Private property and personal liberty

**The Planning Commission**
1. Remember what the purpose of “zoning” really is:
   - maintain and enhance property values
   - stabilize and maintain the character of neighborhoods
   - provide for uniform and consistent regulations within each district
   - move traffic quickly and safely
   - equitably regulate competition
   - control nuisances
   - maintain architectural standards

2. Act as an arbiter
3. Review projects in view of standards and technical criteria
4. Work within the legal framework and requirements of state and local law
5. Effectively deal with the local political environment

The Elected Official’s Role is to...
- Set planning in motion
- Create a capable board
- Establish policy
- Change policies/ordinances
- Give sense of direction
- Make final decisions
Clients of Planning and Zoning

- The Public
- Individuals/Citizens/Voters
- Neighborhood Groups
- Special Interest Groups

Development Community *

- Real estate agents and brokers
- Land developers and speculators
- Residential and commercial builders
- Apartment developers and landlords
- Lawyers
- Engineers & Architects
- Surveyors
- Bankers
- Consultants
- Trade groups/special interest organizations

Other Citizen Boards?

What other boards do you deal with?
- Code Enforcement?
- Historic Preservation?
- Others?
Plans are only good intentions unless they immediately degenerate into hard work.

~Peter Drucker

An Effective Plan…

Gets Off the Ground!

Exercise:

Which of your communities’ plans influence your work?
Quality Growth

Issues Addressed by Quality Growth

- Community Quality of Life
- Design
- Economy
- Environment
- Health
- Housing
- Transportation

10 Principles of Quality Growth *

1. Create a Range of Housing Choices
2. Create Walkable Neighborhoods
3. Encourage Community Collaboration
4. Foster Distinctive, Attractive Communities
5. Make Development Decisions Predictable
10 Principles of Quality Growth *

6. Mix Land Uses
7. Preserve Open Space, Farmland
8. Provide Transportation Choices
9. Strengthen Existing Communities
10. Take Advantage of Compact Building Design

Principle: Create Range of Housing Choices
Principle:
Create Range of Housing Choices
Walkable Neighborhoods

I think heroic deeds were all conceived in the open air.”

Walt Whitman

Principle:
Create Walkable Neighborhoods

One-mile walk in Suburban N’hood

One-mile walk in Compact N’hood

Pedestrian and Bicycle Information Center: www.pedbikeimages.org/ Dan Burden
Principle:
Foster Distinctive, Attractive Communities
Principle:
Foster Distinctive, Attractive Communities

Principle:
Make Development Decisions Predictable

“We are easy to work with because we know what we want.”

Bryan Thompson, former Mayor, City of Brunswick
Principle: Mix Land Uses

Principle: Preserve Open Space, Farmland

Principle: Provide a Variety of Transportation Choices
Principle:
Provide a Variety of Transportation Choices

Principle:
Provide a Variety of Transportation Choices

Principle:
Strengthen Existing Communities
Principle:
Take Advantage of Compact Building Design
Principle:
Take Advantage of Compact Building Design

- Work with a planning department employee on a regular basis
- Show planning department areas that you are concerned about
- Review the planning documents
- Participate in the planning process if possible
Planning for Quality Growth

Code Enforcement is an essential component in achieving planning goals!

Traditional Neighborhood Planning Scenario

You have been asked to serve on a planning committee to develop a strategy to plan for future development within a traditional neighborhood adjacent to other development types in order to protect the historic integrity and feel of the city.

Review the map and photos for additional details, but the neighborhood should be based on the principals of quality growth that developed over time with the city. It should be much like the traditional neighborhoods that many of you have lived in. Use the experience and knowledge you have of your own community as you consider the plan for this area.
Traditional Neighborhood Planning Scenario

The long-term goals for the area include:

• Protect the existing character and ensure future renovations, infill development and redevelopment in the neighborhood is compatible including design, appearance, scale and use;
• Maintain appearance of streets and rights-of-way;
• Improve pedestrian and bike mobility and safety within the neighborhood and between adjacent areas;
• Improve pedestrian and bike connections to nearby schools;
• Improve traffic safety/calming and parking, both on street and off; and
• Allow for an appropriate mix of uses: home occupations/offices, neighborhood stores, secondary residential units (for example, mother-in-law suites, garage apartments...etc).

Your task is to develop an implementation strategy for this traditional neighborhood area with the others at your table.

Identify at least 3 potential issues or obstacles that may impede the community’s vision and goals for the area.

Identify the various implementation strategies (practices, policies, ordinances, incentives, etc.) that may help to ensure the implementation of the community’s vision.
I Need a Permit for What?

New Construction

Most permits for New Construction cover a wide area of requirements that will help insure the safety of the occupants and many years of life for the building itself.

Permit Process will Cover:

- Is it a Commercial or Residential Build?
- Who is the contractor and are they Licensed?
- Will they be doing all the work? Framing, Electrical, Plumbing, HV/AC, etc.
- What Building Plans are required?
- How many sets of plans are needed?
- How long will it take to do a plan review?

- Will the site need clearing and how many acres will it cover?
- What utilities will need to be relocated for connection? Water, sewage, power, etc.
- Will the location need a driveway installed?
- Will it need a 911 Address?
- What is the Zoning?
- What are the Set Backs?
Is it in a Flood area? If so what are the requirements?

How many and at what stages are Inspections required?

What is and when will the C.O. be issued?

What will the Fee be for Construction?

Alteration of Existing Structures

Complete Alteration or just an update of Elect, Plumbing, HV/AC or Structural changes?

What Plans are needed?

Who is the Contractor and they Licensed?

Commercial Jobs - will a Fire inspection be needed?

Will Additions meet the Set Backs?

Will the Alteration change the Zoning? Ex. Commercial to Industrial

What are the most common Alterations? Elect, Plumbing or structural changes etc.

What Inspections will be required and at what stage of work?

What are the Fees?
General Permits

- Mobile Home Set-up and/or Relocation.
- Out Buildings
- Pools
- Septic
- Water Wells

- Do State and Federal Buildings require a local permit?

Mandated State Codes *

- International Building Code
- International Fire Code
- International Plumbing Code
- International Swimming Pool and Spa Code

Optional State Code

- International Property Maintenance Code

Adopting & Enforcing Codes *

- Can a local government charge for permits and inspect without adopting mandatory codes?
- Can a local government code requirement be less stringent than state requirements?
- Do local governments have to enforce Mandatory State Minimum Codes?
- Do local builders have to follow Mandatory State Building Codes if local governments do not enforce the codes?