RULES
OF
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

CHAPTER 110-12-1
MINIMUM STANDARDS AND PROCEDURES FOR LOCAL COMPREHENSIVE PLANNING

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CHAPTER 110-12-1-.01
PURPOSE

110-12-1-.01 Purpose. These rules become effective October 1, 2018. The purpose of the Minimum Standards and Procedures is to provide a framework for the development, management and implementation of local comprehensive plans at the local, regional and state government level. They reflect an important state interest: healthy and economically vibrant cities and counties are vital to the state's economic prosperity.

Statewide benefits of comprehensive planning

City and county comprehensive planning should be conducted in the context of Georgia's strong and vibrant intergovernmental system that clearly recognizes the important role cities and counties play in fostering the state's image as an attractive place to invest, conduct businesses and raise a family. City and county comprehensive planning enhances coordination at many levels.

Local benefits of comprehensive planning

The highest and best use of comprehensive planning for local governments is to show important relationships between community issues. A local comprehensive plan is a fact-based resource for local constituents that tracks implementation of community-based policies. Furthermore, local comprehensive planning creates an environment of predictability for business and industry, investors, property owners, tax payers and the general public. In addition, the plan helps local governments to recognize and then

implement important economic development and revitalization initiatives. For these reasons, the state finds that well-planned communities are better prepared to attract new growth in a

highly competitive global market.

In short, local planning should recognize that:

- Assets can be **accentuated** and **improved**;
- Liabilities can be **mitigated** and **changed** over time; and
- Potential can be **sought after** and **developed**.

These minimum standards and procedures for city and county comprehensive planning reflect the principles of partnership and the unique needs, conditions and aspirations of each city and county.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

CHAPTER 110-12-1-.02
REQUIREMENTS

110-12-1-.02 Requirements. O.C.G.A. 50-8-1 et seq. gives the Department authority to establish standards and procedures for comprehensive planning by all local governments in Georgia. Those standards and procedures, embodied herein, emphasize preparation of plans that help each local government address its immediate needs and opportunities while moving toward realization of its long-term goals for the future. In order to maintain qualified local government certification, and thereby remain eligible for selected state funding and permitting programs, each local government must prepare, adopt, maintain, and implement a comprehensive plan as specified in these standards.

(1) Required and Optional Plan Elements. Each community's comprehensive plan must include the required plan elements specified in the "Required for" column below. Each community is encouraged to go beyond these minimum required elements and supplement its comprehensive plan with other plan elements (refer to the list of optional plan elements in the Supplemental Planning Recommendations for suggestions) to make the overall plan a good fit for the community.

Plan Element	Required for	Recommended for	Specifics at
Community Goals	All local governments		110-12-1-.03(1)
Needs and Opportunities	All local governments		110-12-1-.03(2)
Community Work Program	All local governments		110-12-1-.03(3)
Broadband Services Element	All local governments		110-12-1-.03 (4)
Capital Improvements Element	Governments that charge impact fees		110-12-1-.03(5)
Economic Development Element	Communities included in Georgia Job Tax Credit Tier 1	Communities seeking improved economic opportunities for their citizens	110-12-1-.03(6)
Land Use Element	Communities with zoning or equivalent land development regulations that are subject to the Zoning Procedures Law	Communities that: • Are considering new land development regulations • Include Target Areas in their comprehensive plan • Wish to improve aesthetics of specific areas or protect the character of specific parts of their community	110-12-1-.03(7)

Transportation Element	Local governments that have territory included in a Metropolitan Planning Organization	Communities: • With automobile congestion problems in selected areas • Interested in adding alternative transportation facilities for bicyclists, pedestrians, public transportation users • That may have too much or too little parking in specific areas	110-12-1-.03(8)
Housing Element	HUD CDBG Entitlement Communities	Communities with: • Concentrations of low-quality or dilapidated housing • Relatively high housing costs compared to individual/family incomes • A jobs-housing imbalance	110-12-1-.03(9)

(2) Community Involvement. Each element of the comprehensive plan must be prepared with opportunity for involvement and input from stakeholders and the general public, in order to ensure that the plan reflects the full range of community needs and values. The three steps for involving stakeholders and the general public in developing the comprehensive plan are listed below.

(a) Identification of Stakeholders. Compile a list of stakeholders who need to have a voice in the development of the plan. Refer to the list of suggested stakeholders provided in the Supplemental Planning Recommendations for suggestions. Members of the governing authority must be included among the selected stakeholders and be actively involved in plan preparation, such as serving on the steering committee that guides development of the plan. This will help ensure that the plan will be implemented, because leadership that is involved in plan development is likely to become committed to seeing it through.

(b) Identification of Participation Techniques. Review each of the recommended community participation techniques identified in the Supplemental Planning Recommendations to select those to be used locally for involving the selected stakeholders in the process of developing the plan. At minimum, your community must form a steering committee to oversee and participate in development of the plan that includes some of the stakeholders identified in section (a) above, members of the governing authority, local economic development practitioners, and local government staff.

(c) Conduct Participation Program. Invite each of the stakeholders identified in section (a) above to participate in the activities and events identified in section (b). Use these participation events to solicit specific input on the content of the plan. Hold regular meetings of the steering committee to provide input and feedback to the plan preparers as the plan is developed.

(d) **Documentation of Community Involvement Activities.** Include an appendix to the comprehensive plan which assembles documentation showing that the activities discussed, above, occurred. This documentation must include: a list of stakeholders who were specifically identified to provide input on the plan; an overview of the participation techniques used to gather community input; and a list of the members of the steering committee that specifically identifies the governing authority and economic development practitioner representatives. Additionally, documentation of the community involvement activities and events undertaken in preparing the plan must be provided. The breadth and types of documentation may vary based upon community dynamics and the nature of the specific activities the community has undertaken. Acceptable types of documentation of includes, but is not limited to: sign-in sheets from meetings/workshops/etc.; photographs of community involvement events; survey questions and results; records/agendas/minutes of meetings; copies of published advertisements of events; and/or copies of published social media posts.

(3) Consideration of the Regional Water Plan and the Environmental Planning Criteria. During the process of preparing its comprehensive plan, each community must review the Regional Water Plan(s) covering its area and the Rules for Environmental Planning Criteria (established and administered by the Department of Natural Resources pursuant to O.C.G.A. 12- 2-8) to determine if there is need to adapt local implementation practices or development regulations to address protection of these important natural resources. The community must certify via a cover letter signed by its chief elected official that it has considered both the Regional Water Plan and the Rules for Environmental Planning Criteria when it transmits the plan to the Regional Commission for review.

(4) Review of the Comprehensive Plan. Upon completion, the comprehensive plan must be transmitted to the Regional Commission for review. Both the Regional Commission and the Department will review the plan and respond to the local government with findings and recommendations. Once approved by the Department as being in compliance with the Minimum Standards and Procedures, the local government may adopt the plan. Specific details for this review process are covered in section 110-12-1-.04.

(5) Official Listing of Planning Requirements and Deadlines. The Department maintains and makes available on its website a recertification schedule identifying the deadlines for comprehensive plan updates, and the specific plan elements that must be included in each update, for all counties and municipalities in Georgia.

(6) Alternative Planning Requirements. Any Regional Commission may apply to the Department for approval of alternative planning requirements for a particular community if both the community's leadership and Regional Commission agree that an alternative to the planning standards provided herein is more appropriate for the community. Communities interested in pursuing alternative planning requirements should consult with their regional commission for ideas and guidance prior to beginning their local planning process. Specific details about applying for this exemption are covered in section 110-12-1-.04(3).

(7) Planning Resources and Support.

(a) The Department's Supplemental Planning Recommendations provide ideas and suggested best practices to assist communities as they prepare their plans and address these Minimum Standards and Procedures.

(b) The community's Regional Commission is available to prepare the four core elements of the comprehensive plan (i.e., the Community Goals, Needs and Opportunities, Broadband Element, and Community Work Program), or an alternative plan of similar or lesser complexity agreed upon under the alternative planning requirements specified in section (5) above, at no additional cost for any interested community.

(c) To help ensure the ongoing efficacy of the comprehensive plan, the community's Regional Commission will meet with each community's leadership regularly to:

- review the plan;
- identify any needed changes or updates;
- discuss the community's recent plan implementation accomplishments;
- prioritize plan implementation activities for the upcoming year; and
- offer Regional Commission assistance with plan implementation.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

CHAPTER 110-12-1-.03
PLAN ELEMENTS

110-12-1-.03 Plan Elements. This chapter provides guidance for completing each element of the comprehensive plan. Communities should refer to section 110-12-1-.02(1) of these rules or the Department's recertification schedule to determine which plan elements are required for their jurisdiction. For any of these plan elements, it is certainly acceptable and encouraged to draw from a previously prepared plan that addresses the guidance below into the comprehensive plan in lieu of preparing a new plan element. Each community is also encouraged to add optional elements to their comprehensive plan to address specific local needs (refer to the list of optional plan elements in the Supplemental Planning Recommendations for suggestions).

(1) Community Goals. (Required for all local governments, updates at local discretion.) The purpose of the Community Goals element is to articulate a long-term strategy for creating the set of conditions judged, by the community, to be best suited to maximizing the collective wellbeing of its residents. The Community Goals element details the overarching concepts which should guide local day-to-day decision-making for five, ten, even twenty years into the future. As such, the Community Goals shall be developed through a very public process of involving community leaders and stakeholders. The Community Goals are intended to generate local pride and enthusiasm about the future of the community, thereby leading citizens and leadership to act to ensure that the plan is implemented. The result must be an easy-to-use document readily referenced by community leaders as they work toward achieving this desired future of the community. Regular update of the Community Goals is not required, although communities are encouraged to amend the goals whenever appropriate.

The Community Goals must include at least one or a combination of any of the four components listed below:

(a) General Vision Statement. Include a general statement that paints a picture of what the community desires to become, providing a complete description of the development patterns to be encouraged within the jurisdiction.

(b) List of Community Goals. Include a listing of the goals the community seeks to achieve. Review the suggested community goals in the Supplemental Planning Recommendations for suggestions.

(c) Community Policies. Include any policies (such as, "New development will be encouraged to locate on infill sites closer to town, whenever possible.") the local government selects to provide ongoing guidance and direction to local government officials for making decisions consistent with achieving the Community Goals. Refer to suggested policies listed in the Supplemental Planning Recommendations for suggestions.

(d) Character Areas and Defining Narrative. This option lays out more specific goals for the future of the community by community sub-areas, districts, or neighborhoods, and may be prepared using the guidance provided for the Land Use Element at 110-12-1-.03(6)(a).

(2) Needs and Opportunities. (Required for all local governments, updates required every five years.) This is the locally agreed upon list of Needs and Opportunities the community intends to address. In contrast to the long-term focus of the Community Goals element, the Needs and Opportunities element conveys the relatively short-term imperatives which will require direct

attention from the community in the following five years. The list must be developed by involving community stakeholders in carrying out a SWOT (strengths, weaknesses, opportunities, threats) or similar analysis of the community. The community may opt to designate specific needs or opportunities as "high priority" indicating that they must be followed-up with corresponding implementation measures in the Community Work Program. The following resources may also be enlisted to help stakeholders identify local Needs and Opportunities:

(a) Supplemental Planning Recommendations. Review the list of typical needs and opportunities provided in the Supplemental Planning Recommendations and select those that are applicable for the community.

(b) Analysis of Data and Information. Check for potential needs and opportunities by reviewing and evaluating demographic, economic, housing, transportation and other data and information about the community. When evaluating this data and information, focus on:

- Whether it verifies needs or opportunities identified previously;
- Whether it uncovers new needs or opportunities not previously identified;
- Whether it indicates significant local trends that need to be considered in the planning process.

In order to ensure a concise and readable comprehensive plan, it is not recommended to include the data and information provided on the Department's website in your plan, nor is it required to include evaluations, data, or maps to substantiate or illustrate the identified needs or opportunities. However, if the community finds it worthwhile, it may include charts, graphs, and/or tables illustrating the data-points which are most critical to its planning process in an appendix to the plan.

(c) Analysis of Consistency with Quality Community Objectives. Evaluate the community's current policies, activities, and development patterns by comparing with the Department's Quality Community Objectives and the supporting Best Practices available on the Department's website. Use this analysis to identify any community needs and opportunities for adapting local activities, development patterns and implementation practices to the Quality Community Objectives.

(3) Community Work Program. (Required for all local governments, updates required every five years.) This element of the comprehensive plan lays out the specific activities the community plans to undertake during the five years following adoption of the plan as provided at section 110-12-1-.04(1)(j) to address its Needs and Opportunities while steadily moving toward the realization of its Community Goals. This includes any activities, initiatives, programs, ordinances, administrative systems (such as site plan review, design review, etc.) to be put in place to implement the plan. (Note that general policy statements should not be included in the Community Work Program, but instead should be included in the Community Goals element, perhaps in a section devoted specifically to Community Policies.) The Community Work Program must include the following information for each listed activity:

- Brief description of the activity;
- Timeframe for initiating and completing the activity;
- Responsible party for implementing the activity;
- Estimated cost (if any) of implementing the activity; and

- Funding source(s), if applicable.

(4) Broadband Services Element. (Required for all local governments, updates at local discretion.) Each local government must include in its Local Comprehensive Plan an action plan for the promotion of the deployment of broadband services by broadband service providers into unserved areas within its jurisdiction. The action plan must describe steps for the promotion of reasonable and cost-effective access to broadband to parts of the local government's jurisdiction designated by the Department as unserved areas. The local action plan required pursuant to this element may include, but shall not be limited to, any assessments, studies, ordinances, and/or goals to achieve certification as a Broadband Ready Community or designation of facilities and developments as Georgia Broadband Ready Community Sites. Each local comprehensive plan should contemplate and seek to implement this element in a manner which stresses the importance of broadband deployment across this state, and that broadband services should be considered as important as other necessary utilities.

(5) Capital Improvements Element. (Required for local governments that charge impact fees, optional but encouraged for all other local governments. Updates required every year.) For communities that charge development impact fees, a detailed Capital Improvements Element prepared to meet the Development Impact Fee Compliance Requirements (DCA Rules 110-12-2) is required. As such, it is not necessary to embed this element directly into the comprehensive plan document; however, it must be consistent with and reflective of the other components of the comprehensive plan.

(6) Economic Development Element. (Required for local governments included in Georgia Job Tax Credit Tier 1, optional but encouraged for all other local governments. Updates at local discretion.) Identify community goals, needs, and opportunities related to economic development and vitality of the community, and Community Work Program activities for addressing these needs and opportunities, considering such factors as diversity of the economic base, quality of the local labor force, effectiveness of local economic development agencies, programs and tools. The analysis produced for the Comprehensive Economic Development Strategy (CEDS) for the region or a similar local economic development plan may be substituted for this element's analytic requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan.

(7) Land Use Element. (Required for local governments with zoning or equivalent land development regulations that are subject to the Zoning Procedures Law, optional but encouraged for all other local governments. Updates required every five years.) The Land Use Element, where required, must include at least one of the two components listed below:

(a) Character Areas Map and Defining Narrative. Identify and map the boundaries of existing or potential character areas (see definition in Chapter 110-12-1-.05) covering the entire community, including existing community sub-areas, districts, or neighborhoods. Refer to the list of recommended character areas provided in the Supplemental Planning Recommendations for suggestions. Note that community improvement districts, tax allocation districts, Livable Centers Initiative planning areas, designated redevelopment areas

and the like are good candidates for delineation as character areas.

For each identified character area, carefully define a specific vision or plan that includes the following information:

- Written description and pictures/illustrations that make it clear what types, forms, styles, and patterns of development are to be encouraged in the area. Refer to recommended development patterns listed in the Supplemental Planning Recommendations for suggestions.
- Listing of specific land uses and/or (if appropriate for the jurisdiction) zoning categories to be allowed in the area.
- Identification of implementation measures to achieve the desired development patterns for the area, for example: more detailed sub-area planning, new or revised local development regulations, incentives, public investments, and infrastructure improvements. Refer to recommended plan implementation measures listed in the Supplemental Planning Recommendations for suggestions.

(b) Future Land Use Map and Narrative. Prepare a Future Land Use Map that uses conventional categories or classifications to depict the location (typically parcel by parcel) of specific future land uses. If this option is chosen, prepare the Future Land Use Map using either of the land use classification schemes described below and include a narrative that explains how to interpret the map and each land use category within the context of the community producing the plan.

1. **Standard Categories.** More detailed categories used by communities must be able to be grouped into one of the following industry-standard categories:

- **Residential.** The predominant use of land within the residential category is for single-family and multi-family dwelling units organized into general categories of net densities.
- **Commercial.** This category is for land dedicated to non-industrial business uses, including retail sales, office, service and entertainment facilities, organized into general categories of intensities. Commercial uses may be located as a single use in one building or grouped together in a shopping center or office building. Communities may elect to separate office uses from other commercial uses, such as retail, service or entertainment facilities.
- **Industrial.** This category is for land dedicated to manufacturing facilities, processing plants, factories, warehousing and wholesale trade facilities, mining or mineral extraction activities, or other similar uses.
- **Public/Institutional.** This category includes certain state, federal or local government uses, and institutional land uses. Government uses include government building complexes, police and fire stations, libraries, prisons, post offices, schools, military installations, etc. Examples of institutional land uses include colleges, churches, cemeteries, hospitals, etc. Do not include facilities that are publicly owned, but would be classified more accurately in another land use category. For example, include publicly owned parks and/or recreational facilities in the park/recreation/conservation category; include landfills in the industrial category; and include general office buildings containing government offices in the commercial category.
- **Transportation/Communication/Utilities.** This category includes such uses as

major transportation routes, public transit stations, power generation plants, railroad facilities, radio towers, telephone switching stations, airports, port facilities or other similar uses.

- **Park/Recreation/Conservation.** This category is for land dedicated to active or passive recreational uses. These areas may be either publicly or privately owned and may include playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, recreation centers or similar uses.
- **Agriculture/Forestry.** This category is for land dedicated to farming (fields, lots, pastures, farmsteads, specialty farms, livestock production, etc.), agriculture, or commercial timber or pulpwood harvesting.
- **Undeveloped/Vacant.** This category is for lots or tracts of land that are served by typical urban public services (water, sewer, etc.) but have not been developed for a specific use or were developed for a specific use that has since been abandoned.
- **Mixed Use.** For a detailed, fine-grained mixed land use, or one in which land uses are more evenly balanced, mixed land use categories may be created and applied at the discretion of the community. If used, mixed land use categories must be clearly defined, including the types of land uses allowed, the percentage distribution among the mix of uses (or other objective measure of the combination), and the allowable density of each use.

(c) Land Based Classification Standards (LBCS). As an alternative to the standard classification system, local governments may, at their discretion, utilize the LBCS developed by the American Planning Association. The full implementation of this alternative system includes five dimensions to describe land uses, including activity, function, site development character, structural character, and ownership. Local governments electing to employ this system must at a minimum identify the function dimension of land uses in the analyses, assessments, mapping, and other land use requirements of this chapter.

(8) Transportation Element. (Required for the portions of a local government's jurisdiction that are included in a Metropolitan Planning Organization, optional but encouraged for all other local governments. Updates at local discretion.) The analysis provided in the Metropolitan Planning Organization's transportation strategy for the region or a similar local transportation plan may be substituted for this element's analytical requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan. If, rather than using the analysis prepared in a separate plan, a new Transportation Element is prepared, it must include the following components:

(a) Evaluate the adequacy of the following major components of the local transportation system for serving needs of the community throughout the planning period:

- **Road Network.** Identify roads, highways and bridges. Also identify any significant issues with the road network, including connectivity, signalized intersections or inadequate signage.
- **Alternative Modes.** Identify bicycle, pedestrian facilities and public transportation or other services for populations without automobiles. Also identify areas of the community

where mode choice is limited. Evaluate how effectively mobility needs of the community are met by these alternative transportation modes.

- **Parking.** Identify areas with insufficient parking or inadequate parking facilities (e.g., downtown, busy commercial areas), excess or obsolete surface parking facilities in need of retrofitting or redevelopment.
- **Railroads, Trucking, Port Facilities and Airports.** Identify freight and passenger rail lines, major rail intermodal facilities, non-rail freight operations, seaports, harbors, and commercial and general purpose air terminals. Evaluate the impact of these on the overall transportation network.
- **Transportation and Land Use Connection.** The transportation element should recognize that transportation policies, programs, and projects should be planned in alignment with local land use development policies. Future transportation investments should similarly be matched with appropriate land use policies.

(b) Develop a strategy for addressing any needs or opportunities identified above and integrate this strategy into the Local Comprehensive Plan's community goals, needs and opportunities and, community work, as provided in sections (1) through (3), above.

(9) Housing Element. (Required for Community Development Block Grant Entitlement Communities, optional but encouraged for all other local governments. Updates at local discretion.) Use the following factors to evaluate the adequacy and suitability of existing housing stock to serve current and future community needs. Factors to consider include: housing types and mix, condition and occupancy, local cost of housing, cost-burdened households in the community, jobs-housing balance, housing needs of special populations, and availability of housing options across the life cycle. The analysis provided in the Consolidated Plan or similar local housing plan may be substituted for this element element's analytical requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

CHAPTER 110-12-1-.04
PROCEDURES

110-12-1-.04 Procedures.

(1) Preparation, Transmittal and Review of the Comprehensive Plan. All required hearings should be handled in a manner that is consistent with any locally-adopted ordinances or other customary processes regarding the conduct of public hearings. The Department recommends that any community which must include a Land Use Element in its plan pursuant to section 110-12-1-.03(7) should comply with the Zoning Procedures Law (O.C.G.A. § 36-66-1, et seq.). Failure to handle public hearings appropriately may undermine the legal validity of the local comprehensive plan. Documentation of the required public hearings (e.g., a copy of the "tear sheet" advertising the hearing in the local newspaper, a sign-in sheet from the hearing, etc.) must be included in the appendix of community involvement activities discussed in section 110-12-1-.02(2)(d).

(a) First Required Public Hearing. A first public hearing must be held at the inception of the local planning process. The purpose of this hearing is to brief the community on the process to be used to develop the plan, opportunities for public participation in development of the plan, and to obtain input on the proposed planning process. Once public comments have been addressed, the community may begin the process of developing the plan.

(b) Developing the Plan - Community Involvement. Each element of the plan must be prepared with considerable opportunity for involvement and input from stakeholders, local leadership, and the general public, following the process specified in section 110-12-1--.02(2). This will help ensure that the plan reflects the full range of community needs and values and that the plan will be implemented, because citizens and leadership that are involved in plan development are likely to become committed to seeing it through.

(c) Second Public Hearing. A second public hearing must be held once the plan has been drafted and made available for public review, but prior to its transmittal to the Regional Commission for review. The purpose of this hearing is to brief the community on the contents of the plan, provide an opportunity for residents to make final suggestions, additions or revisions, and notify the community of when the plan will be submitted to the Regional Commission for review. Once public comments have been addressed, the plan must be transmitted to the Regional Commission with the cover letter provided at section 110-12-1-.02(3).

(d) Submittal for Review. Upon completion, the local government must transmit its plan to the Regional Commission for review. Once received, the Regional Commission shall immediately forward the plan to the Department for review, indicating the date the plan was received from the local government. This date of submittal for review is the beginning of the plan review process.

(e) Notification of Interested Parties. Once the Regional Commission has accepted the plan for review, it shall immediately notify interested parties of the availability of the plan for review and comment, providing the name of the local government, the general nature of the plan and a deadline by which comments must be returned to the Regional Commission. At minimum, interested parties shall include:

- Local governments inside or outside the Regional Commission's region that are contiguous to the submitting local government, and other local governments that are likely to be affected by the plan;
- Any local authorities, special districts, or other entities identified in evaluating intergovernmental coordination mechanisms and processes (if applicable);
- Regional Commissions that are contiguous to the local government or that are likely to be affected by the plan; and
- Affected state agencies, including the Department of Transportation, the Department of Natural Resources, the Georgia Environmental Facilities Authority, and the Department.

The Regional Commission may (at its sole discretion) conduct a hearing at which any local government, Regional Commission or other local, regional, or state agency may present its views on the plan. The rules for conducting such hearings shall be as approved and adopted by the Council of the Regional Commission.

(f) Regional Commission Review. The Regional Commission shall review the plan for potential conflicts with plans of neighboring jurisdictions, opportunities for interjurisdictional/regional solutions to common issues, and consistency with the adopted regional plan for the region.

(g) Department Review. The Department shall review the required elements of the plan for compliance with the Minimum Standards and Procedures. This review may result in identification of deficiencies that must be resolved before the plan can be approved. The Department may also provide advisory comments to the community and/or the plan preparer (if the plan was prepared by some other party) which are intended to improve the usefulness of the submitted plan and other, future plans. Such advisory comments shall not prevent a local government from adopting an otherwise compliant local comprehensive plan. The Department's findings and recommendations resulting from its review shall be transmitted to the Regional Commission for inclusion in the final report within 35 days after submittal for review.

(h) Report of Findings and Recommendations. Within 40 days after submittal for review, the Regional Commission must transmit a report of findings and recommendations to the local government and a copy of which shall be provided to the Department. This report must include:

- Comments submitted by interested parties that reviewed the plan and (if applicable) a summary of the regional review hearing, detailing any significant issues raised;
- The Regional Commission's findings from its Intergovernmental and Consistency review of the plan and its recommendations for addressing these findings; and
- A copy of the Department's findings and recommendations resulting from its review of the plan.

(i) Plan Revisions. If the Report of Findings and Recommendations indicates that the plan is not yet in compliance with the Minimum Standards and Procedures, the local government must address any requested changes by revising the plan and resubmitting it

to the Regional Commission for review. Once the plan is resubmitted for review, both the Department and the Regional Commission will complete their review and respond to the local government as soon as possible. This process of revision and review can be repeated until the plan is found to be in compliance with the Minimum Standards and Procedures.

(j) Adoption of the Plan. Once the plan has been found by the Department to be in compliance with the Minimum Standards and Procedures, the local governing body may adopt the approved plan. In order to maintain Qualified Local Government certification, the local government must adopt the approved plan. If the local government fails to adopt the plan within one year after the plan is found to be in compliance with the Minimum Standards and Procedures, it will be necessary to resubmit the plan for review as provided at 110-12-1-.04(1)(d).

(k) Notification of Local Adoption. Within seven days of local adoption of the approved plan, the local government must provide an executed copy of the adoption resolution and an as-adopted version of the plan to the Regional Commission. Within seven days of receipt of this written notice, the Regional Commission must forward these documents to the Department.

(l) Qualified Local Government Certification. Once the Department has been notified by the Regional Commission that a local government has adopted the approved plan, the Department will notify the local government that Qualified Local Government certification has been extended.

(m) Publicizing the Plan. Once adopted by the local government, the availability of the plan must be publicized by the local government for public information. This requirement may be met by providing notice in a local newspaper of general circulation, posting notice on the local government's website, or using similar means to notify the public of plan adoption and directing them where a complete copy of the plan may be reviewed.

(2) Maintaining the Plan. Local governments are responsible for maintaining their plans to accurately reflect current community conditions and the community's goals and priorities for the future. Maintenance of the plan includes plan amendments and regular updates of the plan.

(a) Plan Amendments. The local government determines when a plan amendment is necessary to address changing circumstances that may have detracted from the usefulness of the plan as a guide to local decision-making. Any amendment which, in the judgement of the Department, may impact the compliance of any comprehensive plan component within these standards may be required to follow the submittal and review procedures outlined in section 110-12-1-.04(1). Guidance on the applicability of this requirement may be sought from the appropriate regional commission and/or the Department.

(b) Plan Updates. The elements of the comprehensive plan identified in Chapter 110-12-1-.03 as requiring 5-year updates must be updated every five years in accordance with the recertification schedule maintained by the Department. If significant changes have occurred in community conditions (e.g., if the data upon which the plan is based has become significantly outdated, or the community's goals have changed), a more

extensive update of other elements of the plan may be called for. A comprehensive plan update shall include update of all elements specified for five-year update in Chapter 110-12-1-.03 plus:

- A new Community Work Program (which includes the project which are included in the Capital Improvements Element) covering the five-year period beginning at the time the plan update is adopted as provided at section 110-12-1-.03(1)(j). And,
- A report of accomplishments that describes the current status of each activity in the previous Community Work Program (which includes the Capital Improvements Program). At a minimum, local governments must indicate which activities that:
    - Have been completed;
    - Are currently underway (including a projected completion date);
    - Have been postponed (explaining why and when it will be resumed); or
    - Have been cancelled and are no longer activities the local government intends to undertake (explaining why).

  Any activities reported as "underway" or "postponed" must be reflected in the new Community Work Program or elsewhere in the comprehensive plan update, as appropriate.

(c) Submittal and Review Procedures for Plan Updates. Plan Updates and, when necessary, Plan Amendments shall be reviewed following the submittal and review procedures outlined in section 110-12-1-.04(1).

(d) Service Delivery Strategy Review. The update schedule for required five-year updates to each county comprehensive plan required by paragraph (b) of this section shall serve as the basis for a ten-year update schedule for the review of service delivery strategy agreements required by Code Section 36-70-28 (b)(1) such that each service delivery strategy agreement shall be reviewed after every other five-year county comprehensive plan update beginning with the most recent update.

(3) Variances. A request for alternative planning requirements or a variance from particular requirements in these rules must be submitted to the Department in writing by the local government and its Regional Commission, and must provide sufficient documentation to substantiate the request.

Variance requests specifically asking only for time extensions to complete plans or plan updates will be granted only under the following conditions:

(a) If the preparation of a plan or plan update is substantially complete at the time revised Minimum Standards and Procedures take effect and the local government desires to change its plan or major plan update to conform to the new requirements. Generally, such variance will only be granted if the local government's recertification date falls within 12 months after the effective date for the revised Minimum Standards and Procedures.

(b) If events beyond the local government's control have occurred (e.g., a natural disaster that affects the local government's jurisdiction or a fire that substantially damages the local government's planning or administrative offices, etc.) and the local government is

under extraordinary stress in coping with this compelling situation.

(4) **Mapping Requirements.** If either a Character Areas Map or Future Land Use Map is included in the plan, this must be submitted to the appropriate regional commission and the Department in a GIS digital vector data format simultaneously with the comprehensive plan. To facilitate the preparation of these and other maps that may be included in the plan. It is recommended that plan preparers use these maps, but if other maps are used, they must meet the following requirements:

(a) Digital Format. Maps submitted in digital form must be provided as digital vector map products, using the shapefile format via a Department-approved exchange media or electronic transfer method.

(b) Base Maps. Base or reference maps must equal or exceed the scale, accuracy, precision, and feature content of the equivalent map made available by the Department. They must use the Georgia Coordinate System of 1985 as defined in the O.C.G.A. 44-4-20 through 44-4-31, or use latitude and longitude coordinates based on the North American Datum of 1983.

(c) Boundaries. All administrative or political boundaries on maps submitted to the Department must include the latest available boundaries from the U.S. Census Bureau. In the event that the U.S. Census boundary map provided on the Department's website does not represent current municipal boundaries, due to recent annexations or de-annexations that have not yet been reported through the official U.S. Census Boundary and Annexation Survey update process, the plan preparer must use the most accurate representation of boundaries available. However, in cases where it is necessary to submit such alternate boundaries to the Department, the affected municipality is advised that O.C.G.A. 36-36-3 requires cities to report all annexations to the Department. Consequently, the municipality will be expected to participate in the next annual U.S Census Boundary and Annexation Survey to reconcile these differences in their boundary map.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

CHAPTER 110-12-1-.05
DEFINITIONS

110-12-1-.05 Definitions. For the purpose of these rules, the following words shall have the meaning as contained herein unless the context does not permit such meaning. Terms not defined in these rules but defined in O.C.G.A. 50-8-1, et seq., or O.C.G.A. 50-39-1 shall have the meanings contained therein. Terms not defined in these rules, nor in O.C.G.A. 50-8-1, et seq., or O.C.G.A. 50-39-1 shall have ascribed to them the ordinary accepted meanings such as the context may imply. For the purpose of these rules, the terms "shall" and "must" have the same meaning, are mandatory in nature, and are indicative of a requirement. The following terms and definitions shall be used to guide the implementation of the comprehensive planning process.

(1) 'Character Area' means a specific geographic area or district within the community that:

- has unique or special characteristics to be preserved or enhanced (such as a downtown, a historic district, and arts district, a neighborhood, or a transportation corridor);
- has potential to evolve into a unique area with more intentional guidance of future development through adequate planning and implementation (such as a strip commercial corridor that could be revitalized into a more attractive village development pattern); or
- requires special attention due to unique development issues (rapid change of development patterns, economic decline, etc.).

Each character area is a planning sub-area within the community where more detailed, small-area planning and implementation of certain policies, investments, incentives, or regulations may be applied in order to preserve, improve, or otherwise influence its future development patterns in a manner consistent with the Community Goals.

(2) 'Community' means the local jurisdiction (county or municipality) or group of local jurisdictions (in the case of a joint plan) that are preparing a local plan.

(3) 'Comprehensive Plan' means plan meeting these Minimum Standards and Procedures. The comprehensive plan must be prepared pursuant to the Minimum Standards and Procedures for preparation of comprehensive plans and for implementation of comprehensive plans, established by the Department in accordance with O.C.G.A. 50-8-7.1(b) and 50-8-7.2.

(4) 'Comprehensive Planning Process' means planning by counties or municipalities in accordance with the Minimum Standards and Procedures.

(5) 'Conflict' means any conflict, dispute, or inconsistency arising:

- Between or among plans, or components thereof, for any counties or municipalities, as proposed, prepared, proposed to be implemented, or implemented;
- Between or among plans for any regions, as proposed, prepared, proposed to be implemented, or implemented;
- Between or among plans, or components thereof, for any counties or municipalities and plans for the region which include such counties or municipalities, as such plans are proposed, prepared, proposed to be implemented, or implemented;

- With respect to or in connection with any action proposed to be taken or taken by any county, municipality, or other local government relating to or affecting regionally important resources, as defined by the Department; or
- With respect to or in connection with any action proposed to be taken or taken by any county, municipality, or other local government relating to or affecting developments of regional impact, as defined by the Department.

(6) 'Core Elements' means the Community Goals, Needs and Opportunities, Broadband Element, and Community Work Program. These are the primary elements that must be included, at a minimum, in each community's Comprehensive Plan.

(7) 'County' means any county of this state.

(8) 'Days' means calendar days, unless otherwise specified.

(9) 'Density' means an objective measurement of the number of people or residential units allowed per unit of land, such as dwelling units per acre.

(10) 'Department' means the Department of Community Affairs established under O.C.G.A. 50-8-1.

(11) 'Governing Body' means the board of commissioners of a county, sole commissioner of a county, council, commissioners, or other governing authority of a county or municipality.

(12) 'Infrastructure' means those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

(13) 'Local Government' means any county, municipality, or other political subdivision of the state.

(14) 'Metropolitan Planning Organization' means the federally designated agencies created in urban areas containing more than 50,000 people that are charged with conducting comprehensive, coordinated planning processes to determine the transportation needs of their respective constituencies, and prioritizing and programming projects (including bicycle and pedestrian projects) for federal funding.

(15) 'Minimum Standards and Procedures' means the Minimum Standards and Procedures, including the minimum elements which shall be addressed and included, for preparation of comprehensive plans, for implementation of comprehensive plans, for updates of comprehensive plans including update schedules, and for participation in the coordinated and comprehensive planning process.

(16) 'Mediation' means the process to be employed by the Department and Regional Commissions for resolving conflicts which may arise from time to time in the comprehensive planning process. Procedures and guidelines to govern mediation are as established by the Department pursuant to O.C.G.A. 50-8-7.1(d).

(17) 'Municipality' means any municipal corporation of the state and any consolidated government of the state.

(18) 'Plan' means the comprehensive plan for any county or municipality.

(19) 'Plan amendment' means a change to the adopted plan that occurs between plan updates. Amendments of the adopted plan are appropriate when the conditions, policies, etc., on which the plan is based, have significantly changed so as to materially detract from the usefulness of the plan as a guide to local decision making, or when required by the Department as a result of changes to the Minimum Standards and Procedures.

(20) 'Plan update' means a more or less complete re-write of the plan, which shall occur approximately every five years, in accordance with the recertification schedule maintained by the Department.

(21) 'Planning' means the process of determining actions which state agencies, Regional Commissions, and local governments propose to take.

(22) 'Qualified Local Government' means a county or municipality that adopts and maintains a comprehensive plan as defined in these Minimum Standards and Procedures.

(23) 'Regional Commission' means a Regional Commission established under O.C.G.A. 50-8-32.

(24) 'Regional Plan' means the comprehensive plan for a region prepared by the Regional Commission in accordance with the standards and procedures established by the Department.

(25) 'Rules for Environmental Planning Criteria' means those standards and procedures with respect to natural resources, the environment, and vital areas of the state established and administered by the Department of Natural Resources pursuant to O.C.G.A. 12-2-8, including, but not limited to, criteria for the protection of water supply watersheds, groundwater recharge areas, wetlands, protected mountains and protected river corridors.

(26) 'Service Delivery Strategy' means the intergovernmental arrangement among municipal governments, the county government, and other affected entities within the same county for delivery of community services, developed in accordance with the Service Delivery Strategy law. To ensure consistency between the plan and the agreed upon strategy: (1) the services to be provided by the local government, as identified in the plan, cannot exceed those identified in the agreed upon strategy and (2) the service areas identified for individual services that will be provided by the local government must be consistent between the plan and Strategy. As provided in Code Section 36-70-28 (b)(1), Service Delivery Strategies must be reviewed, and revised if necessary, in conjunction with county comprehensive plan updates.

(27) 'Supplemental Planning Recommendations' means the supplemental recommendations provided by the Department to assist communities in preparing plans and addressing the Minimum Standards and Procedures. The plan preparers and the community are encouraged to review these recommended best practices where referenced in the Minimum Standards and Procedures and choose those that have applicability or helpfulness to the community and its planning process.

(28) 'Update Schedule' means: the schedule or schedules for updating comprehensive plans on an annual or five-year basis as provided for in paragraph (2)(b) of Section 110-12-1-.04 of these Rules. The term "Update Schedule' also means an additional schedule for the review of Service Delivery Strategy agreements by counties and affected municipalities on a ten-year basis in conjunction with comprehensive plan updates.

Statutory Authority; O.C.G.A. 50-8-7.1(b)

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