



# Synopsis of Revised Changes to DCA's Minimum Standards for Local Comprehensive Planning

Draft rules at <https://tinyurl.com/y8qx5r4n>

The Georgia Planning Act (O.C.G.A. 50-8-2, et seq.), passed by the General Assembly in 1989, charged the Georgia Department of Community Affairs with administering the State's comprehensive planning program. That legislation assigned DCA the responsibility of creating and maintaining administrative rules to govern the day-to-day conduct of the programs created in the Act. These rules have been amended a number of times since their original inception to reflect changes in technology, advancement in the practice of community planning, and amendments to statute.

The most recent session of the General Assembly saw the passage of the "Achieving Connectivity Everywhere (ACE) Act" as SB 402. One provision of this new law requires the incorporation of a "Broadband Services Element" in the Local Comprehensive Plan of each local government in the state. This new legal requirement necessitates amendments to the minimum standards that DCA uses to implement the statute.

DCA intends to phase this requirement in over time as local governments are otherwise due for regularly scheduled updates of their comprehensive plans. When every local government's comprehensive plan next comes due for update, the document produced at that time will be required to meet the amended standards.

The Department will take the opportunity provided by this amendment to the minimum standards to improve their overall clarity. The 2013 and 2014 amendments to the comprehensive planning standards were structured to incorporate an exceptional level of adaptability and flexibility for local governments. In doing so, however, some areas were so overly vague or ambiguous as to generate confusion for local governments and increase the potential for inconsistent application by the Department. DCA will provide more sufficient guidance in those sections in these amendments.

PROPOSED REVISIONS	PAGE
<b>Chapter 110-12-1-.01</b> A new effective date has been provided.	1-2
<b>Chapter 110-12-1-.02</b>	3-6
<i>(1) Required and Optional Plan Elements</i> A "Broadband Services Element" has been added to the table of Required and Optional Elements. Clarifying grammatical changes are made. Elements in the table have been renumbered.	3-4
<i>(2) Community Involvement</i> The standards specifying how community involvement is conducted were comprehensively revised in the last set of amendments. However, they failed to include any guidance explaining how local governments could acceptably demonstrate their compliance with this section of the standards. Here, a subsection is added providing a variety of options that cities and counties can use to document their community involvement activities.	5



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<p><b>(3) Consideration of the Regional Water Plan and the Environmental Planning Criteria.</b> Greater specificity has been provided to explain how local governments can provide the required certification.</p>	5
<p><b>(7) Planning Resources and Support</b> A broadband element has been incorporated into the core elements of a comprehensive plan.</p>	6
<p><b>Chapter 110-12-3-.03</b> Subsections, here, have been renumbered to incorporate the Broadband Services Element.</p>	7-13
<p><b>(1) Community Goals</b> The intent and purpose of this plan element has been clarified.</p>	7
<p><b>(2) Needs and Opportunities</b> The intent and purpose of this plan element has been clarified. Further guidance regarding potential sources of information has been provided. Options for the treatment of data and analysis within the plan document has been clarified.</p>	8
<p><b>(3) Community Work Program</b> The timing of updates of this element has been clarified. The intent and purpose of this plan element has been clarified. A requirement which caused confusion and was rarely enforced has been removed.</p>	8-9
<p><b>(4) Broadband Services Element</b> This section has been added.</p>	9
<p><b>(5) Capital Improvements Element</b> The relationship between the Minimum Standards for Local Comprehensive Planning and the Development Impact Fee Compliance Requirements (DCA Rules 110-12-2) has been clarified.</p>	9
<p><b>(6) Economic Development Element</b> The relationship between this element and the Community Goals, Needs and Opportunities, and Community Work Program has been clarified. More specific guidance has been provided regarding the manner in which other topic-specific plans can be used to satisfy the requirements for this element of the comprehensive plan.</p>	9
<p><b>(7) Land Use Element</b> Clarifying grammatical changes have been made.</p>	10-11
<p><b>(8) Transportation Element</b> The relationship between this element and the Community Goals, Needs and Opportunities, and Community Work Program has been clarified. More specific guidance has been provided regarding the manner in which other topic-specific</p>	11-12



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plans can be used to satisfy the requirements for this element of the comprehensive plan.	
<p><b>(9) Housing Element</b> The relationship between this element and the Community Goals, Needs and Opportunities, and Community Work Program has been clarified. More specific guidance has been provided regarding the manner in which other topic-specific plans can be used to satisfy the requirements for this element of the comprehensive plan.</p>	12
<b>Chapter 110-12-3-.04</b>	13-18
<p><b>(1) Preparation, Transmittal, and Review...</b> Clarifying grammatical changes have been made. Recommendations regarding the conduct of public hearings has been included. Modifications have been made to ensure internal consistency within the minimum standards. Enhanced explanation of the nature and purpose of DCA-issued "advisory comments" is provided. The manner in which DCA is to be notified of local plan adoption has been clarified.</p>	13-15
<p><b>(2) Maintaining the Plan</b> (a) The nature of a Plan Amendment and how it is distinguished from a Plan Update has been clarified. (b) This section has been streamlined by eliminating a virtually unused option (which has been present for more than 15 years), the inclusion of which generated local confusion. The time horizon of the Community Work Program is clarified. The relationship between the Report of Accomplishments and the Community Work Program has been clarified. Clarifying grammatical changes have been made.</p>	15-17
<p><b>(4) Mapping Requirements</b> DCA provision of map resources which are generally available in more updated forms from other sources has been removed. The manner in which map data is provided to DCA has been revised to require use of the industry-standard "shapefile" format which has been in general use for over 30 years.</p>	17-18
<p><b>Chapter 110-12-3-.05</b> The "Definitions" section has been modified to include reference to the "ACE Act" and to include a "Broadband Element" among the "Core Elements".</p>	19-22