Slide 1

Zoning and Other Tools for Implementation

Slide 2

Tools of Planning

- Local Planning Tools
- Comprehensive Plan
- Zoning, Subdivision Regulations
- Other ordinances & codes

Slide 3

Comprehensive Plan

The comprehensive plan provides a framework for growth policy and legal basis for regulations.

Menu of Plan Elements

REQUIRED for all

REQUIRED for some communities
The Local Planning Context

Comprehensive Plan
Special Studies
Development Regulations

= COMMUNITY GOALS
= LAND USE

Goal 3: Create attractive, vibrant activity centers and corridors

• Policy 3.2: Revitalize and enhance existing commercial corridors and developments.
  • Strategy 3.2.1: Revalue and redevelop underutilized, under-performing commercial corridors.
  • Strategy 3.2.2: Where appropriate - revalue, redevelop, under-performing commercial corridors with walkable, mixed use development.

Goals/Policies help to guide land use and zoning decisions

Future Land Use Map

• Map provides outline for how the jurisdiction intends to grow
• Map should be realistic image of future

Future Development Map

Map provides outline for how the jurisdiction intends to grow
Map should be realistic image of future
Zoning

- "The legal power of government to regulate the use of private property for the purpose of protecting the public health, safety, morals, and general welfare."
- Includes zoning map and zoning ordinance
- Zoning regulates what can go where

Zoning Ordinance

- The ordinance text, zoning map and records of rezoning decisions (often with conditions).
- District requirements –
  - Uses, lot size, size of structures, special uses, parking, etc.
- Site design
  - Other requirements such as setbacks, lot coverage, height, FAR, etc.

Why Zoning?
National Model Created in 1921

Zoning is Constitutional

- Georgia Constitution – 1983 – Article 9

- 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.
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Benefits of Zoning

- Minimizes incompatible land uses
- Increases predictability
- Protects property values

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Drawbacks of Zoning

Following WWII, planners kept adding more zoning categories, further segregating daily needs

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What scale is your community?
Slide 19

What kind of place are we creating?

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Improper use of Zoning can kill a city through Vertical & Horizontal Overexpansion

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Rezoning

- Changing property permanently from one zone to another:
  - Zoning Map
  - Records of Zoning Decisions
  - District Requirements
    - Uses, Lot Size, Parking, Land Use
  - Site Design
    - Density
    - Lot Coverage
    - Setbacks
    - Building Height
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Zoning Conditions

- Conditional Use –
- Requires special permission for certain uses within a specific zoning classification

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Variance

- Permission to deviate from usual zoning regulations (setback, height, etc.) because of unusual and unnecessary hardship

- Zoning Board of Appeals (GMA, 6PA, etc.)
  - Decision-making body for variances and administrative appeals
  - Quasi-judicial actions
  - Appeals are to Georgia Superior Court
Other Tools/ Design Regulations
- Planned Unit Development regulations (PUD)
- Subdivision regulations
- Overlay Ordinances
- Form Based Codes

Planned Unit Development (PUD)
- A designed grouping of varied and compatible land uses within one contained development
  - Can include housing, recreation, office and commercial components
- Flexibility
- More difficult to manage
- Decreases predictability

Subdivision Regulations
- Supported by GA Plat Act (O.C.G.A 15-6-67)
- Administrative requirements
  - Preliminary plat
  - Final draft/ infrastructure design review
- Final plat
  - Legal creation of lots
- Hearing requirements
- Minor subdivisions
Subdivision Regulations

Sign Ordinance
- Regulations for signs – permanent, temporary, etc.
- First Amendment issues
- Can regulate based on reasonable time, place, and manner
- Size, shape and location restrictions on signs upheld by Supreme Court

Design Regulations
Regulate how things look
- Architectural style
- Historic Character
- Streets, sidewalk, furniture
- Landscaping
- Parking
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**Overlay Districts**

- Provides additional regulations distinct from (or in lieu of) existing zoning districts
- Ability to cater standards to unique situations
  - May be more restrictive
  - May require specific features
  - Design Regulations
  - Workforce housing
  - Mixed use

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![Diagram of Overlay Districts](https://www.clearzoning.com)

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**The Local Planning Context**

- Comprehensive Plan
- Special Studies
- Development Regulations
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**Special Studies**

- Detailed Plan
- Clearly defined boundaries
- Subset of the larger community
- Relates to the broader Comprehensive Plan / planning framework
  - Existing conditions
  - Issue identification
  - Vision/goals, action plan

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**Special Study Benefits**

- Provides:
  - Need & justification for land use changes
  - Details to prepare ordinances
  - More certainty for developers
- Identifies specific infrastructure needs & costs
- Establishes
  - Public support for plan and
  - Acceptance of new developments
- More informed and supportive elected officials
**Form Codes or Smart Code**

- A method of regulating development to achieve a specific character.
- Seeks to create a predictable “public realm” by controlling building types/streets with a lesser focus on land use.
- Address the relationship between buildings and streets/parks (public realm), types of streets and blocks.
- Presented in both diagrams and words, keyed to a regulating plan that designates the appropriate form and scale of development.

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**Form Based Codes**

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**Building Placement**

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Parking Location and Access

Slide 47

Parking Location and Access

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The Bottom Line

• Plans are a guide, codes are the law
• Staff, Boards and Commissions must be:
  • objective
  • consistent
  • rely upon plans, codes, and the facts
• Working Sessions vs. Hearings
• Plans and Codes are living documents and must adjust to changing conditions
• Implementation and enforcement are vital