



# Georgia Planning Officials Newsletter

September 2006

## You're Invited

Please join us for the first ever Planning Official's track at the Georgia Planning Associations Annual Conference, held at Sea Palms Hotel and Resort on St. Simons Island  
Thursday, October 12 2006  
8:30 am – 4:00 pm

The fee for the one day course is \$125, which includes all course materials and a ticket to the Planner's Award Lunch on Friday, October 12. For information about the hotel or to register for the entire GPA conference visit: [www.regonline.com/GPAFall06](http://www.regonline.com/GPAFall06).

There are a **limited number** of spaces still available, so please make sure you sign up today!

## Out of the Pressure Cooker: *Excerpted from Planning Commissioner's Journal Spring 2006 issue*

Think of a planning commission local governing body hearing on a big controversial project. The room can be like a pressure cooker, with angry neighborhood residents and on-edge developers trying to make their case before decision makers caught in the glare of TV cameras.

"Public hearings on controversial projects are not settings conducive for compromise," notes California attorney Julian Gross. Many planning commissioners would concur. But is there any way of avoiding this all-too-common scenario? "Yes" says Gross, who with others has been exploring the use of "community benefit agreements" to resolve controversial development proposals.

What's a "community benefit agreement"? As Gross explains, "a community benefit agreement, or 'CBA,' is a legally enforceable contract, signed by community groups and by a developer, setting forth a range of community benefits that the developer agrees to provide as a part of a development project."

CBAs can deal with a wide range of community concerns. For example, a CBA negotiated for a 33-acre industrial park in the Sun Valley section of Los Angeles includes, among other things:

### Resource Spotlight: Smart Growth Codes

Through funding from the U.S. Environmental Protection Agency, the American Planning Association (APA) has been able to "continue and expand upon its research work" in regard to smart growth land development regulations.

The first phase of this project has led to the establishment of 11 model ordinances, complete with commentary from APA staff. These codes, seek to provide assistance to planning officials by providing key information on how to amend town/city/county ordinances so they can allow for the advancement of smart growth. The APA states that "it is work that goes well beyond promoting the concepts of smart growth and moves into fundamental repair of the regulatory system."

Ordinances included in the first phase of this project cover issues such as a Model Town Center, a Unified Development Permit Review Process, Pedestrian Overlay District (POD), among several others.

Another benefit is that the APA will be producing an expanded program, which will cover a range of additional topics from traffic calming to minimum standards for public participation.

These ordinances are free, and available for download. To find out more, please visit: [www.planning.org/smartgrowthcodes/index.htm](http://www.planning.org/smartgrowthcodes/index.htm)

limitations on truck traffic; space for a youth center; financial contribution by the developer (matched by the city) to a neighborhood improvement fund; and a goal that 70 percent of the jobs in the development be at a "living wage."

Gross has detailed the CBA process in a recent report (co-authored with Greg LeRoy and Madeline Janis-Aparicio), "Community Benefits Agreements: Making Development Projects Accountable" (available to download from [www.goodjobsfirst.org](http://www.goodjobsfirst.org); search "cba"). The Report includes an assessment of the pros and cons of CBAs, and examples of how they've been used to resolve several major projects.

Having an agreed-upon CBA does not avoid the need to comply with public hearing requirements. Indeed, Gross advises that it is essential for developers and community representatives, as they negotiate the CBA, to keep city staff informed and make sure the project (as negotiated) will be acceptable and meet municipal requirements. However, as he not surprisingly adds, "if the developer and community groups are happy, the city usually will be."

We want to hear from you! Please send us your thoughts, experiences and advice on being a Planning Official. E-mail or fax your submissions to Robbie Hayes at [rhayes@atlantaregional.com](mailto:rhayes@atlantaregional.com) or 404.463.3105