Plan Implementation Tools

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Purpose of the Comprehensive Plan

Provide a guide for individual decisions
Assure the efficient provision of public services
Protect common property resources
Limit “spillover” effects (externalities)
Facilitate cooperation among competing interests
Comply with state mandates
Implementing the Plan

Comprehensive Plan → Implementation Techniques

Long Range Goals → Mid-Range Objectives → Current Management Actions
Development Management Program

Program designed to influence the amount, type, location, design, rate and/or cost of private and public development to achieve public interest goals.

Godschalk, 2000
Development Management Program

Should include

Type, mix and density of land uses
Location of uses
Timing of development
Cost of public facilities
Design standards and review processes
Management tools and regulations
Implementation responsibility
Implementation Techniques

- Regulation
- Acquisition
- Taxation
- Expenditure
Regulation

Zoning
Subdivision
Environmental Impact Analysis
Housing Ordinances
Sign Ordinances
Tree Ordinances
Grading Ordinances
Building Codes
Zoning

Regulatory process that controls the location and intensity of specific land uses

It is based on the POLICE POWER

POLICE POWER is the authority of government to regulate private actions to promote health, safety and welfare
# Zoning

**Factors Regulated**

- Type of Land Use
- Lot Size (Density)
- Lot Coverage (Floor Area Ratio)
- Setbacks
- Building Height
- Parking Requirements
Zoning

Key Concepts

Conditional Use Permit
Variance
Board of Zoning Appeals
Planned Unit Development (PUD)
Floating Zone
Performance Zoning
Exclusionary Zoning
Zoning

Legal Background

Euclid vs. Ambler Realty (1926)
Petaluma (1975)
First English Evangelical Lutheran Church (1987)
Subdivision

Regulatory process that controls the creation of new land parcels

Based on the administrative authority to record property plats and deeds
Subdivision

Factors Regulated

Lot Layout and Configuration
Street and Intersection Design
Utility Easements
Infrastructure Construction
Infrastructure Finance
Zoning R-1
Min. Lot Size 5000 sq. ft.
Side Setback 30 ft.
Environmental Impact Assessment

Analytic process that determines the impact that a project or action will have on various environmental systems

May or may not require that those impacts be mitigated
Environmental Impact Assessment

Required for all federal actions by the National Environmental Policy Act (NEPA, 1969)

Several states have similar requirements (e.g. CEQA)
Environmental Impact Assessment

NEPA requires a comparison of multiple alternatives including a “no build” alternative

FONSI – Finding of No Significant Impact
Environmental Impact Assessment

Impact = \Delta \text{Environmental Factor with and without proposed project}

\text{Environmental Factor (without project)}

- \text{Environmental Factor (with project)}

\text{Environmental Impact}
Acquisition

Fee Simple Purchase
Dedications
Exactions
Conservation Easements
Eminent Domain
Acquisition

In Kelo vs. City of New London (2005) U.S. Supreme Court held that the city could use its power of eminent domain for any legitimate public purpose, including taking land for redevelopment.
Taxation

Property Tax
Sales Tax
Tax Abatement
Conservation Use Taxation
Community Improvement Districts
Tax Increment Financing (TAD in GA)
Taxation

What is the largest source of revenue for most local governments?

Property Tax
Taxation

Is an Impact Fee a tax?

No, it is a form of user fee. Projects are asked to pay for the capital facilities needed to serve them.
Expenditure

Capital Improvements
Roads, Water, Sewer
Storm Sewer, Schools
Police Stations, Fire Stations, Libraries
Operating Expenditures
Expenditure

Capital Improvements Program

Typically a rolling five or six year list of planned capital improvement projects.

Current year moves into the annual budget and new projects are added in the out year.
Expenditure

Bonds

General Obligation
Revenue
Industrial Development
Budgeting

Determines Revenues and Expenditures

Capital Budgeting

Planning Programming and Budgeting Systems (PPBS)

Zero Based Budgeting (ZBB)

Management by Objectives (Peter Drucker)
Local Revenue Sources

Property Tax
Sales Tax
Transient Occupancy Tax
Licenses
User Fees
Intergovernmental Transfers
Implementing Your Plan

Let comprehensive plan guide decisions
Consider the impacts of development
Use the full range of tools
Look for tools that reinforce each other
DO NOT rely solely on regulation