



GEORGIA PLANNER

Newsletter of the Georgia Planning Association, A Chapter of the American Planning Association
APRIL 2003

INSIDE THIS ISSUE:

Legislative Update March 21, 2003

By Dan Reuter
Vice President for Legislative Affairs

Legislative Update 1

Letter From The
President2

Cherokee's Impact
Fees Upheld in
Court3

DCA Update3

Speakers Ideas
Contradict County's
Land-Use Plan4

Blueprints Partners
News & Notes7

Job
Announcements7

The following are planning related excerpts from Georgia Municipal Association (GMA) and Association County Commissioners of Georgia (ACCG) Legislative Updates.

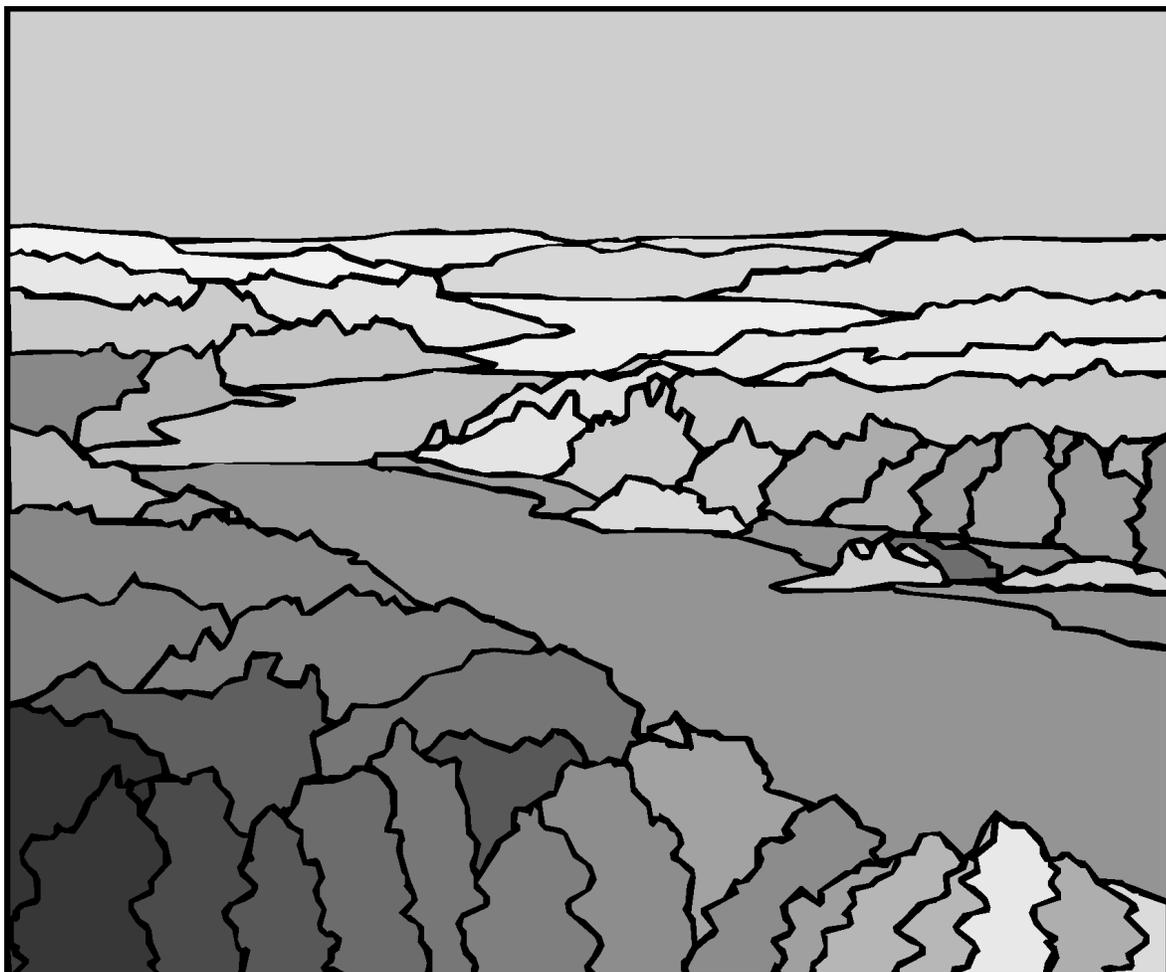
State Water Planning Legislation/Interbasin Transfers

The Senate Natural Resources Water Subcommittee held three hearings on House Bill 237, Rep. Bob Hanner (D-Parrott), State Water Plan/Interbasin Transfer legislation. This past Tuesday, Savannah City Manager Michael Brown and a number of members of the conservation community expressed their concerns over the permit trading provisions of the bill.

HB 237 contains restrictions on interbasin transfers of water, and would allow water withdrawals permits to be brokered between a permit holder and an applicant for a water withdrawal permit in areas with water withdrawal moratoriums. The bill would also create the Comprehensive Statewide Water Management Planning Act which would require EPD to develop a plan within three years to document statewide water policies and guide river basin management plans, regional water planning and local water plans.

The Subcommittee intends to mark-up the bill and send it to the full Committee next week.

Continued on Page 6



From the President...

I hope you attended the APA National Conference in Denver this week. If you couldn't make it, you missed a really great show in the Mile High City! Some of our members even found time to see the sights from the slopes of Winter Park, a ski resort nearby. As for me, I found myself in more meetings than brew houses or downhill - but I guess that was my "reward" for being your President!

The Chapter President's Council had a really great session this year, reviewing and improving the Communications Plan being prepared by your APA leadership. It was a great opportunity to engage in the give-and-take about the message APA communicates to you, the members, and what we want our professional organization to communicate to the rest of the world.

Have you ever thought about how non-APA members see you and the APA? To some, the APA is merely a "trade organization" with nothing better to do than to protect the interests of its members. For instance, this view probably has been legitimized in the past when APA or its member chapters speak out against budget cuts that threaten our jobs, yet fail to speak out as clearly about the ways budget cuts affect workforce housing or environmental quality. This self-serving message weakens our professional credibility if we want people to believe that we truly care about our cities and our natural resources.

What should our "message" be through GPA, and how can APA help us speak it with a stronger voice as a professional organization? Why is planning important in the lives and quality of life of people on the streets of Georgia? If we have a message worth proclaiming, we need to identify our target audiences, and find the media that will reach them. This is about more than market spin - it is about our commitment to promoting the public interest, offering professional service in the community, and our credibility as an organization of planners devoted to these ideals.

There was much discussion of these questions in Denver, and a variety of opinions to hear from the planners from states as diverse as Hawaii, Alaska, New Mexico and Massachusetts. However, we agreed on some basic themes that would also inform our GPA membership:

1. There needs to be a Communication Plan in our Chapter Work Program through which we come together to define our message as planners, identify our target audiences and then devote the necessary resources of time and money to put the message into all the local media.
2. Planners in GPA need to make partnerships with other like-minded groups and build coalitions to publicly communicate the messages that matter. Here in Georgia we have GMA, ACCG, affiliated professional organizations like the Georgia Conservancy, ULI, AIA, and the planning faculty and students at our universities. We also have ready-made communicating partners in our neighboring APA chapters in Florida, South Carolina, Alabama, and Tennessee.
3. We need to build our membership. Many Planning Directors and most Planning Commissioners in our state are not members of APA or GPA. We would have a stronger 'voice' and more people would listen to us if we truly represented everyone in our profession.
4. We need to do a better job with diversity. I noticed it in Denver, and it is true in GPA. We could have more credibility to the outside world if our membership more nearly represented all the ages, races, and cultures in the community.

Finally, I have to share my pride in attending the induction of five of our members to the College of Fellows of AICP. In all, five of 37 new members inducted into the College of Fellows on March 29 were from this Chapter. That is an outstanding achievement for them and for us. Congratulations to Carl, Paul, Randy, Myles, and John! (Here's a challenge - if you don't know their last names, see me in Athens on April 17 or check last month's newsletter).

P.S. Plan Ahead The 2004 APA National Planning Conference will be in Washington D.C. on April 24-28, 2004. For more information visit www.apa2004dc.info.



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Cherokee's Impact Fees Upheld in Court

By Diane R. Stepp
The Atlanta Journal-Constitution

Cherokee County's groundbreaking development impact fee program, which metro home builders strongly challenged, has effectively been upheld by the state's highest court.

In a decision announced Tuesday, the Georgia Supreme Court declined to hear an appeal by the Greater Atlanta Homebuilders Association to a Cherokee ordinance that allows impact fees collected from developers to be applied anywhere in the county for upgrading infrastructure.

The decision means Cherokee can start spending the roughly \$8 million it has collected since the fee program started in April 2000. Home builders had challenged the practice, freezing all collected fees until the court case was settled.

The court ruling clears the way for other counties and cities - reluctant to have impact fees until the Cherokee case was resolved - to set up their own fee collections.

"It basically provides a blueprint for other jurisdictions for how they wish to set up impact fees," said County Attorney Mark Mahler. "I'm sure there will be plenty who want to take advantage of it, especially now that state funding is scarce."

Cherokee's impact fee program is unique in the state in that it allows the county to spend the money collected on projects anywhere in the county. Metro area home builders maintained the county should be limited to spending the fees to improve roads,

bridges, sewer lines, parks and libraries, for instance, near their developments.

In recent months, representatives from the home builders association have been speaking with Cherokee officials on possible changes to the program, said Sandra Cathy, director of government affairs for Greater Atlanta Homebuilders Association.

"We're very confident the Cherokee County Commission will move forward with a more responsible impact fee program," she said Tuesday, in reaction to the court decision. She said the dialogue with the county and a model program adopted by the city of Canton were positives that had come out of the litigation.

County commissioners in recent weeks have signaled their intention to lower the impact fee in order to encourage commercial growth in the heavily residential county.

"I'm glad it's over. I always thought we'd win," said County Commissioner J.J. Biello. "Now we're working from a position of strength to tweak the impact fee program as we see fit."

Cherokee has been losing land in aggressive annexations by cities such as Woodstock and Holly Springs, which do not levy impact fees.

Canton last year implemented impact fees, earmarking the funds for public safety and park improvements, including a community center.

DCA Update

By Deborah Miness

PlanBuilder II

DCA is updating PlanBuilder to incorporate the new minimum planning standards. PlanBuilder II offers the same features as the current program. Many Georgia planners are familiar with PlanBuilder, some through updating Short Term Work Programs using the STWP Tool. Others have downloaded planning data or maps from DataViews or MapViews. Georgia's RDC planners have used PlanBuilder to upload existing plans (see Plans Online).

The PlanBuilder II Knowledge Base guidelines are being revised to accommodate the new planning levels. The first three tabs - Description, Instruction, and Examples - are being replaced in the new

version with Basic, Intermediate and Advanced. The fourth tab, More (For More Information), like the Innovations tab, offers web sites and helpful references. A new feature, "Georgia Success Stories," will be available as a menu item. The "Resources" menu item is still available, but has been upgraded to include links to model plan elements. PlanBuilder II will be available in time for the local workshops DCA will hold this summer.

DCA Contact: Dan Basso (404) 679-3119;
dbasso@dca.state.ga.us.
Access PlanBuilder at DCA's planning web site,
www.georgiaplanning.com.

Posted on Wed, Feb. 12, 2003

Speaker's Ideas Contradict County's Land-Use Plan Oregon's Randal O'Toole to discuss problems with Town and Country proposal at seminar

By *MIKE RAMSEY*
Staff Writer

Randal O'Toole says that zoning could be eliminated in most cases and that "smart growth" principles don't work, make some problems worse and cost taxpayers more money.

O'Toole, director of the Thoreau Institute in Oregon, is the keynote speaker at the Property Rights and Land Use Seminar today at Seawell's in Columbia.

His ideas fly in the face of theories for smart growth planning found in Richland County's Town and Country plan. The county plan calls for higher-density development with access to public transportation, higher design standards, mixed-use development and interconnected streets. Most of the ideas are aimed at cutting car travel.

O'Toole thinks anti-car sentiment is misdirected. "We are not dependent on the automobile, we are liberated by it," he said. O'Toole said government officials should try to solve traffic congestion by charging user fees to build more roads.

Earl McLeod, director of the Greater Columbia Homebuilders Association, said it is important to have an open mind about O'Toole's ideas.

But McLeod and other home builders have problems with many smart growth ideas, which they say will drive up housing costs and add more bureaucracy to the process.

From O'Toole's understanding of the proposed changes in Richland County's land development codes, the biggest change is that it reduces housing densities in rural areas, driving up the costs for housing closer to town. O'Toole, an economics and forestry expert, said Portland,

Ore., the model for smart growth development, is more congested, expensive and unlivable than places such as Houston or Atlanta, which often are denounced as sprawl nightmares.

In Portland, which has limited the amount of land that can be developed, land values have skyrocketed, and automobile traffic has increased greatly, he said. But Atlanta and Houston still have affordable housing, and congestion levels in recent years have stayed about the same.

O'Toole said congestion can't be addressed by increasing housing density, hoping people will use public transportation instead of cars.

He proposes state governments toll roads to cover the costs of building and maintaining roads. That way, people are paying the full cost needed to build roads instead of relying on inadequate gasoline tax revenues or fruitless efforts to get people to take trains or the bus to cut congestion.

"I think Randal provides a very compelling argument for why what is happening in Portland is not smart," McLeod said.

Michael Criss, deputy director of planning for Richland County, said O'Toole's assault on Portland has been refuted by a number of planning experts.

Criss pointed to a 10-year study by the Georgia Institute of Technology that found Portland's tax rates and air pollution warning days had dropped, while Atlanta's had grown dramatically from the mid-1980s to mid-1990s. Meanwhile, Portland's job growth and income growth outpaced Atlanta's.



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WORKING TO BETTER OUR COMMUNITIES AND ENVIRONMENT

Legislative Update, Continued from Page 1

Georgia Greenspace Program

The House Appropriations Committee voted to fully fund the Greenspace Program at \$30 million, however, the Senate Appropriations Committee voted to reduce funding to eliminate Greenspace Program funding, which would effectively kill the program. Last week, the Senate and House Conference Committee began working out the differences in their respective budget proposals. The Senate version of the amended FY 2003 budget is \$90 million less than the House version.

Transfer of Development Rights; sending property; revise procedure

Senate Bill 86 (Sen. Ralph Hudgens, 47th). The Bill would revise procedures to minimize public hearing requirements during transfers. Bill passed the Senate and is pending in the House Judiciary Committee.

Local Regulatory Authority To Enforce Conservation Ordinances

Senate Bill 207/House Bill 244 (Senator Don Balfour and Rep. Sharon Beasley-Teague) This bill would provide that local governments, which are currently prohibited from requiring permits for timber harvesting, to enforce local conservation ordinances, tree ordinances or stream buffer ordinances. The bill is intended to ensure that local tree protection ordinances remain effective especially in metro and fast growing areas of Georgia. Bill was favorably reported by Senate Natural Resources and Environment Committee and pending in Senate Rules Committee.

Erosion & Sedimentation Act Amendments Proposed

House Bill 285 by Rep. Jim Stokes (D-Covington) proposes amendments to the Erosion & Sedimentation Act that would bolster the ability of the Environmental Protection Division

(EPD) to efficiently handle the review of erosion and sedimentation control plans. Under the proposed amendments, local governments that want to continue to issue permits for land disturbing activities would be required to adopt an ordinance that duplicates the states general permit standards and requirements. HB 285 would also require local government employees involved in the regulation of land disturbing activities to pass a certification exam prior to 2007.

Additionally, the state would be required to develop a permit fee system to implement the State General Permit Program. A maximum fee of \$80 per disturbed acre could be accessed with half, \$40, going to the local issuing authority. Local governments would still be allowed to charge local fees prior to the issuance of the permit and could continue to exceed state-minimum stream buffer distances. Passed House and pending assignment to Senate Committee.

Repeal of Service Delivery Strategy Law

Senate Bill 35 Sen. Eric Johnson (R-Savannah) SB 35 would repeal the provisions of the Service Delivery Strategy Law for Local Governments, which was originally enacted by the General Assembly in the 1997 Session. GPA has sent a letter to ACCG and GMA supporting retention of the Service Delivery Strategy Act.

No Rezoning Permitted Between General Election and January

House Bill 509, (Rep Jan Jones) would bar county commissioners from making any rezoning decisions during the approximately two-month period of time beginning with the date of the general election on which members of the county commission are elected and ending with the date that the members take office following the election. Pending in House State Planning and Community Affairs Committee.

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Blueprints Partners News & Notes

By Bill Ross the younger

In February the Blueprints Partners participated in an innovative exchange program. Participants in the Blueprints Sandfly project traveled to Atlanta to meet with participants in the Blueprints Home Park project. This exchange followed observations that the Sandfly neighborhood (in the Savannah area) shared many characteristics with the Home Park community. Home Park was an early Blueprints for Successful Communities project; Sandfly is in the initial stages of creating a master plan through the Blueprints program. Susan Kidd, with the Georgia Conservancy, was quoted as saying that "When I was in Sandfly the second time, I thought, 'This is just like Home Park, just in a different set of clothes.'" In addition, both are facing pressure from new development encroaching on their communities.

The intention of the visit was to let the participants from both projects share stories and swap information about the master planning process. Home Park participants had a great deal of advice for their Sandfly counterparts. Tim State, President of the Home Park Community Improvement Association, was quoted as saying that "the minute you stop planning is the minute you stop doing. It is your plan that articulates your vision."

More coverage of this visit is available at www.the-stories.com.

Inga Kennedy, has joined Bill Ross ty as a representative to the Blueprints Partners Steering Committee. In addition, she is participating in the planning of the Blueprints Partners' upcoming public participation seminar. Inga can be contacted at inga@bellsouth.net, or 770-306-0100; Bill can be reached at theyounger@planross.com, or 706-602-4486.

GPA is participating in the Blueprints Partners' Rockdale County project. This project is focusing on strip-mall redevelopment/re-use and greyfields development. The contact at the Georgia Conservancy for this project is Brad Calvert. He is available at 404-876-2900, extension 31.

Blueprints for Successful Communities began in 1995 when The Georgia Conservancy partnered with the Urban Land Institute (Atlanta District Council) and the Greater Atlanta Home Builders Association to host its first symposium. The original partners were joined by: Georgia Tech, the Atlanta Neighborhood Development Partnership, the American Institute of Architects (Atlanta Chapter), the American Society of Landscape Architects, the Homebuilders Association of Georgia, the Institute of Transportation Engineers, the American Council of Engineering Companies of Georgia, the Georgia Planning Association, the Georgia Trust for Historic Preservation and the National Association of Industrial and Office Properties.



J ♦ O ♦ B
ANNOUNCEMENTS

Planner Position

Georgia Dept. of Community Affairs Middle Georgia RDC

The Middle GA RDC is seeking a Planner to be responsible for plans development, local technical assistance, and other duties as assigned. This is a professional position involving the application of considerable knowledge of research and planning in matters of government, public administration, urban design, transportation, housing, economics or related matters. Master's degree in city, urban or regional planning from an accredited college or university required, and sufficient experience to understand the basic principles relevant to the major duties of the position. Job descriptions are available. Send a resume, and at least three (3) references to:

Middle Georgia Regional Development Center
175-C Emery Highway
Macon, GA 31210

Planner Position

Seeking Planner knowledgeable in city planning at local, regional and state levels. Masters in Planning, Public Admin. or related field and two years professional experience required. Beginning salary mid-to upper-\$30's. Send resume and salary requirement:

Ilona Rutherford,
Personnel Office,
60 Executive Park South,
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Membership Department
APA National Headquarters
122 South Michigan, Suite 1600
Chicago, Illinois 60603-6107

Membership Information: If you are interested in joining GPA or the American Planning Association, contact the national headquarters at the address above or call (312) 431-9100.

Submission: The Georgia Planning Association welcomes articles, letters to the editor, photos of planning events or state happenings, calendar listings, job notices, planners on the move, etc. We are always interested in publishing items you think may be of interest to others throughout the state. Graphics are especially welcome. Articles may be edited for space. Articles printed in any issue of The Georgia Planner are not the expressed opinion of the Chapter.

Deadline: The deadline for the next issue is May 31, 2003.

Send Items for the newsletter to:

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