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## **EXPANDING THE OPPORTUNITY FOR VARIANCES IN LOCAL COMPREHENSIVE PLANNING DEADLINES AND EXTENSION OF QUALIFIED LOCAL GOVERNMENT STATUS FOR COMMUNITIES IMPACTED BY COVID-19 RESPONSE**

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**WHEREAS,** The Georgia Department of Community Affairs (DCA) is charged with setting minimum standards and procedures for local comprehensive planning [O.C.G.A. § 50-8-7.1(b)(1)]; and,

**WHEREAS,** A local government's inability to complete the process of updating its comprehensive plan according to DCA's minimum standards and within DCA's deadlines results in the local government's disqualification from accessing a large set of state-administered grants, loans, and other programs associated with Qualified Local Government "QLG" status [O.C.G.A. § 50-8-2(a)(18(A))]; and,

**WHEREAS,** Due to the particular nature of local comprehensive planning processes which necessitate a highly structured program of public meetings and hearings, community engagement, document production and revision, submittal, state and regional review, and local adoption; and,

**WHEREAS,** Unexpected interruption or disruption of local comprehensive planning processes can prevent the timely execution of those processes resulting in loss of "QLG" status; and,

**WHEREAS,** The Rules of the Georgia Department of Community Affairs, "Minimum Standards and Procedures for Local Comprehensive Planning" [Chapter 110-12-1-.04(3)(b)] permit DCA to grant requests for variances to planning deadlines, "If events beyond the local government's control have occurred (e.g. a natural disaster that affects the local government's jurisdiction...) and the local government is under extraordinary stress in coping with this compelling situation..."; and,

**WHEREAS,** Governor Kemp has issued a series of Executive Orders declaring a Public Health State of Emergency across Georgia; and,

**WHEREAS,** The Governor's orders have instructed all resources of the State of Georgia be made available to assist in activities designed to address this emergency, control the spread of COVID-19, and aid in recovery efforts; and,

**WHEREAS,** Necessary local, regional, and state-level responses to the COVID-19 pandemic are creating and will continue to create such extraordinary stress resulting in interruptions and disruptions in local planning processes as to prevent some local governments from satisfying DCA-set planning deadlines as they originally intended; and,

**WHEREAS,** The Commissioner of Community Affairs has and exercises the power and authority to, among other things, make, promulgate, enforce, or otherwise require compliance with any and all rules, regulations, procedures, or directives necessary to perform any local government services, to carry into effect the minimum standards and procedures for coordinated and comprehensive planning, and the power and authority to certify municipalities and counties as qualified local governments [O.C.G.A. § 50-8-5]; and,

**WHEREAS,** On June 8, 2020, the Commissioner of Community Affairs ordered the provision of local comprehensive planning deadline variances for communities with February 28, 2021 deadlines.

**NOW THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME AS COMMISSIONER OF COMMUNITY AFFAIRS, IT IS HEREBY**

**ORDERED,** Any chief elected official or city/county manager of any Georgia county or city, the local planning deadline for which falls on June 30, 2021, which has not already been rescheduled from February 28, 2021 may provide DCA with a written request for a variance of said deadline. Such request shall include a statement describing the manner in which local planning processes were disrupted or interrupted by the COVID-19 response and/or its associated effects. **IT IS FURTHER**

**ORDERED,** That, upon receipt of such a request, DCA's Office of Planning & Research shall apply a variance to the requesting local government's comprehensive planning deadline extending that local government's Qualified Local Government status through October 31, 2021 and resetting the government's local planning deadline to fall on that date. **IT IS FURTHER**

**ORDERED,** That DCA's Office of Planning & Environmental Management will honor any requests made pursuant to this order that are received by DCA on or before June 1, 2021. **IT IS FURTHER**

**ORDERED,** That, if any county-level government requests a local comprehensive planning deadline variance pursuant to this order, when such a comprehensive planning deadline is also a trigger for a concurrent update of the countywide Service Delivery Strategy pursuant to O.C.G.A. § 36-70-28(b)(1), the variance to the comprehensive planning deadline will also effect an extension in the deadline for updating the countywide Service Delivery Strategy.

This 2 day of Feb, 2021.



Commissioner of Community Affairs