Plan-Making and Implementation

AICP Exam Review
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Outline of AICP Exam Content

• Visioning and goal setting
• Quantitative and qualitative research methods
• Collecting, analyzing, and reporting data and information
• Demographics and economics
• Natural and built environment
• Land use and development regulations
• Application of legal principles
• Environmental analysis
• Growth management techniques

• Budgets and financing options
• GIS/ spatial analysis and Information systems
• Policy analysis and decision making
• Development plan and project review
• Program evaluation
• Communication techniques
• Intergovernmental relationships
• Stakeholder relationships
• Project and program management
Role of Comprehensive Plan

- Provides a framework for
  - Specific plans
  - Natural resource protection
  - Public improvement plans
  - Private investment decisions

- Manages spillover impacts
  - Public improvements
  - Natural resource mgmt.
  - Property Values

- Provides predictability

- Provides a basis for coordination/cooperation
**Plan Implementation Process**

**Visioning**

**Comprehensive Plan = Overall Framework**
- Inventory and Assessment of Existing Conditions
- Goals, Objectives, and Policies
- Land Use Plan
- Implementation Strategies
- Short-Term Work Program

**Plan Elements**
- Population
- Economic Development
- Infrastructure
- Community Services
- Natural and Cultural Resource Preservation
- Land Use/Zoning
- Quality of Life

**Functional Plans**
- Transportation
- Water Supply
- Wastewater Treatment
- Solid Waste Management
- Stormwater Management
- Parks And Recreation
- Public Safety

**Sector Plans**
- Activity Center
- Corridor
- Neighborhood
- Historic District
- Watershed
- Waterfront

**Implementing Ordinances**
- Zoning Ordinances
- Development Regulations
- Adequate Public Facilities
- Building Codes
- Fees

**Capital Improvements Program**
- Financial Capacity Analysis
- Capital Budget

**Administration**
- Plan Reviews
- Permits
- Building Codes
- Operating Budget

Public Participation
What is Visioning?

APA Says

Vision is the overall image in words that describes what the local government wants to be and how it wants to look at some point in the future, and that has been formulated with the involvement of citizens.

A Vision

Describes shared desires
Reflects highest standards
Includes multiple perspectives
Emphasizes community uniqueness
Depends on commitment of many to achieve
Provides a springboard for action

From The Civic Index, National Civic League, 1999, pp. 33-3
Starting Point – A Circle of Stakeholders

Consumer/Residents

A Profitable Project

Producer/Builder

No New Taxes!

Less time in the car!

Government/Community

Clean Water, Healthy Air!

Other/Special Interests
Visioning Tools

- Website
- Keypad Voting
- Visioning Charrettes
- Photo Contest
- Strategic Planning Workshops
- Social Networks
  - Facebook
  - Google Groups
Possible, Probable and Preferred Futures

Outcome

Possible

Preferred

Probable

Time

Glenn Heimstra
The Ideal Stakeholder Outcomes

- Flexible Zoning
- Mixed-Use Community
- Focus on Activity Centers
- Walkable Community
- Other/Special Interests
- Consumer/Residents
- Government/Community
- Producer/Builder
Benchmarks for Sustainable Quality of Life

Measurable indicators of future performance for each factor that contributes to Quality of Life

Example:

Economic development:
- Net gain in jobs
- Jobs/household ratio
- Value of 1 mil of tax digest

Setting goals doesn’t guarantee results.
But Vision is impossible to achieve without goals.
Scenario Building

Build Out: Trend Continuation

Continuation of 1/2 acre lots
Area wide sewer expansion
New bypass and arterial system
14 new schools
6 new firestations

Compact Village Centers

Incentives to develop and redevelop small communities around the county
Allow greater density in nodes where services are focused
Combination of PDR and TDR program

Rural Preservation

Requires urban service boundary to absorb most of growth
Limit expansion of future urban services
Minimum 10 acre lots in rural areas

Economic Development

1.25 jobs-housing balance
Aggressive campaign to attract new employers
Incentives for mixed-use
Greater sewer and transportation investment along freeway
Scenario Evaluation

Acres of Land Consumed

A: 6,566
B: 8,244
C: 2,469
D: 2,173

0, 5,000, 15,000, 25,000
Implementing Your Plan

Development Management Program

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

D. Godschalk, 2000
Implementing Your Plan

Types of Implementation Strategies:
Are you Rich, Strong or Beautiful?

- Capital Expenditures
- Regulation
- Luck?
Implementing Your Plan

Growth management through Expenditures

• Capital Improvements:
  – Transportation
  – Water, Sewer
  – Public Safety, Libraries,
  – Schools
  – Parks, Hospitals
  – Stormwater Management

• Operating Expenditures

• Financial Capacity
Capital Improvements Program

- Rolling 5 year list of capital improvement projects
- Current year moves into the annual budget and new projects are added in the out year
- Annual program of projects and revenues:
  - Project list
  - Responsible department
  - Priority/ project ranking criteria
  - Cost of land, engineering, construction
  - Multi-year phasing, funds allocation
  - Sources of capital funds
Implementing Your Plan

Capital Finance Tools
Pay as you go vs. Capital debt
• General Obligation Bonds
• Revenue Bonds

Taxation
• Property Tax
• Sales Tax
• Tax Abatement
• Special Tax Districts

Fees
• Impact Fees
• Tolls/ User charges

Federal and State Grants
Special Tax Districts and Tax Increment Finance
Budgets and Financing Strategies

- Level of service (LOS) standards.
- Concurrency – enforces (LOS) standards
- Life – cycle costing (capital, operating, maintenance)
- Zero based budgeting (ZBB) – from the ground up each year.
- Generally accepted accounting principles (GAAP)
- Cutback management (across the board vs. triage)
Zoning and Land Development Regulations

The DNA of your Community

What are we talking about?

What’s going to happen here?
Legal Foundations

State/ Federal Constitution and Statutory Authority
  – State Enabling Act
  – Dillon Rule/ Home Rule

Police Powers

Takings
  – Balancing Test

Equal Protection

Due Process
  – Zoning Procedures Act

Comprehensive Plan Consistency
Zoning & Land Development Regulations

Land Development Process

1. Comprehensive Plan Consistency
2. Zoning Conformance or Rezoning
3. Subdivision / Plat Review
4. Recording/ Lot Sale
5. Site Engineering/ Land Development Review/ Permitting
6. Installation /Approval of Public Improvements/ Inspections
7. Building Codes/ Plan Review
8. Building Permits/ Inspection
9. Certificate of Occupancy
Zoning & Land Development Regulations

Consistency with Goals of Comprehensive Plan

1. Mix and arrangement of Land Uses
2. Density of Development
3. Redevelopment vs. New Development
Zoning & Land Development Regulations

Consistency with Goals of Comprehensive Plan

4. Location of Development
   - Comprehensive Plan
     Future Land Use Map
   - Natural Resource Protection
   - Coordination of Land Use and Public Facilities
Zoning & Land Development Regulations

Consistency with Goals of Comprehensive Plan

5. Quality of New Development

6. Timing of Development

7. Fiscal Considerations for a Healthy Tax Base
Zoning & Land Development Regulations

Environmental Issues

• Declining air and water quality
• Loss of farmland and green space
• Increasing risks from natural hazards
• Overburdened natural resources
• Equity- Environmental Justice
• Sustainability – Climate Change
Natural Resource Protection

State and Federal Regulations

Clean Water Act
Clean Air Act
Endangered Species Act
NEPA and little NEPAs
RCRA
Coastal Zone Management
Flood Insurance (FIRM)

Environmental Permits
- Federal Wetlands
- NPDES (Point/ Non-Point/TMDL)
- Soil Erosion and Sedimentation Controls
- Stream buffers
Environmental Impact Assessment

- NEPA - National Environmental Policy Act applies to federal projects
- Analytic process that determines the impact that a project or action will have on various environmental systems (Alternatives)
- May or may not require that those impacts be mitigated
- FONSI – Finding of No Significant Impact - shorter process - NEPA process satisfied
- CATEX – Categorical Exclusion – small project – no impact study warranted
Zoning & Land Development Regulations

Financial Implications

Land Use Controls Affect the Cost of Development and the Value of Land

- to the City
- to property developer
- to future consumers
- to Taxpayers

![Graph showing % Change in Population vs. % Change in City Budget](image-url)
Zoning & Land Development Regulations

Political Issues

The Actors
  – City Council
  – Planning Commission
  – Board of Appeals
  – Property Owners
  – Developers and Attorneys
  – Neighbors and Neighborhoods
Zoning & Land Development Regulations

Political Issues

Developers and Attorneys

– Property owner’s investment and development expectations
  (Property as a commodity)

– Property rights
  (Property as a right)
Zoning & Land Development Regulations

Fears of NIMBYs and Other Neighbors

Developers in Control of City Hall
Impacts on Property Values
Impacts on Quality of Life

- Traffic, schools, environmental quality, history, aesthetics
Zoning & Land Development Regulations

Role of Planning Commission
• Appointed by City Council or County BOC
• Recommending Body
• Public Hearings and fact-finding
  – Comprehensive Plan
  – Zoning text and map amendments
  – Conditional Use Permits
Zoning & Land Development Regulations

Role of Board of Appeals

• Appointed by City Council or BOC
  Quasi-Judicial Body
• Public Hearings and
  fact-finding
  – Appeals of Administrative Decisions
  – Variances and hardships
  – Special exceptions
Zoning & Land Development Regulations

Zoning Basics – What’s in a Zoning Ordinance?

1. Zoning Map
2. Zoning Districts
   - Uses
   - Density/ lot area
   - Lot dimensions
   - Setbacks and open space
   - Lot coverage and impervious surface
   - Building height limits
   - House size
Land Development Regulations

Zoning Basics – What’s in a Zoning Ordinance?

3. Standards for Special Uses
4. Buffers
5. Parking
6. Sign Controls
7. Design Guidelines
8. Administrative procedures
Subdivision Process

• Regulatory process that controls the creation of new land parcels for development and sale.

• Based on the *administrative authority* to record property plats and deeds

Factors Regulated

✓ Lot Layout and Configuration
✓ Street and Intersection Design
✓ Utility Easements
✓ Public Improvements Design/Construction
✓ Maintenance of Improvements
Zoning & Land Development Regulations

Role of Development (Subdivision) Regulations

1. Lot Design Standards
2. Public Improvements Standards
3. Environmental Standards
4. Permits and Inspections
5. Administrative Procedures
Development Plan & Project Review

Development processes/Terminology

- Rezoning, Special Use Permits, Subdivision, Variances, Boards of Adjustment, Special Use/Special Exception, Conditional Approvals, Appeals, Design Review, Site plan review, Development Review, Historic Preservation review.

Discretionary (legislative) vs. ministerial actions

Site plan review process

- Consistency with zoning, special use/conditions of zoning, lot size, frontage, setbacks, parking, signs
- Consistency with development requirements-subdivision, public facilities and dedication, drainage, tree protection, ROW, grading, engineering, architectural standards
- Development terms: PUDs, development agreements, subdivision plats (preliminary, final); performance bonds, maintenance bonds
Zoning R-1
Min. Lot Size 5000 sq. ft.
Side Setback 30 ft.
The Challenge: Urban Sprawl

Auto-dominated landscapes

Spreading out the functions of living
Single purpose land uses
Low-density
No open space
Vast parking lots
Euclidean Zoning: Problem Statement

Traditional zoning with use-separated districts:

• Emphasizes use separation
• Encourages auto-oriented development
• Is not pedestrian-oriented
• Does not allow mixed-use development
• Forces homogeneous development
• In-flexible prescriptive standards
• Weak tools for quality of design
Mixed Use Development
Use Incentives for Redevelopment
Offer more flexibility
Make Connectivity improvements
Add public places and green spaces
Overcome Surface Parking Barriers
Transit-oriented development
Form-Based Codes

Goal: Break the economic cycle of disinvestment in cities
**Redevelopment - Recasting Urban Sprawl**

**Benefits of Redevelopment**

- Less land consumption
- Better use of Existing Infrastructure and Public Transportation
- Jobs-housing balance
- Reduced commuting
- More Housing Choices
- Renewed Neighborhoods
- Economic development
- Fiscal Benefits
Incentives for Redevelopment

A continuum from easy to hard:

- Streamlining the permitting process
- Added flexibility in codes
- Density increase
- Fee waiver
- Tax relief/abatement
- Public finance for infrastructure
- Public land purchase/writedown
- Public finance for construction
- Turnkey construction
Innovative Land Use Controls

Planned Unit Development
Open Space Conservation Subdivisions

Smart Growth Toolkit: www.atlantaregional.com
Mixed-Use Development

24-Hour Day

Home
- Sleep: 8 hours
- Preparation: 1 hour
- 9 Hours

Work
- Travel: 1-1.5 hours
- 1-1.5 Hours
- 8-9 Hours

School
- Travel: 1-1.5 hours
- 8-9 Hours

Home
- Travel: 3-5 hours
- 3-5 Hours

Parks

Other

Shops
What is Mixed-Use Development?

Combination of Complementary uses
Horizontal or Vertically Integrated
Significant proportions of each use
Internally-connected
Externally-connected
Benefits of Mixed Use Development

✓ Jobs-Housing Balance
✓ Increases convenience
✓ Provides alternatives to car trips
✓ More efficient use of land (no buffers)
✓ More efficient use of public infrastructure
✓ Reduced traffic demand
✓ Shared parking
Innovative Land Use Controls

Power of the Grid

Same number of lane miles

Greater Capacity

All trips concentrated on one road
Strategy #3: **Power of the Grid**

Hawthorne Traffic Equation

Paths(A,B) = \(\frac{(m+n)!}{m! \times n!}\)

A 4x4 grid has 10 possible paths from A to B

A 8x8 grid has 12,870 possible paths from A to B
Power of the Grid

Highway Strip
6 Lanes of Capacity - 1 Access Point

Grid Network
8 Lanes of Capacity
4 Access Points!
Design-Based Zoning Strategies

1. Overlay Districts
2. Transit Oriented Development
3. Incentive-Based Zoning
4. Form Based Codes

Taking Your Zoning Ordinance to the Next Level
Design-Based Zoning Trends

Include more significant public space standards- open space, sidewalks, landscaping, signage, bicycle routes and facilities
Design-Based Zoning Trends

Transit-Oriented Development

Taking Your Zoning Ordinance to the Next Level
Incentive Based Zoning
Design-Based Processes

“A picture says 1,000 words” - use photos and graphics to build consensus and illustrated desired outcomes.

Taking Your Zoning Ordinance to the Next Level
Form-Based and "Smart" Codes

The Transect
Questions? Comments?

...gotta run!