



Plan Implementation

AICP Exam Review

GPA Fall Conference

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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**

Traditional Approach to Community Goals



Collaboration





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**.*

From American Planning Association, *Growing Smart Legislative Guide Book*,
Model Statutes for Planning and the Management of Change, 2002, p 7-25

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. 33-34

Visioning should reflect...



Clear sense of past

Positive thinking

Big picture

Community values

Points of pride

Visual descriptions (layman's language)

Long time frame

Aspirations

*Based in part on The Community Visioning & Strategic Planning Handbook,
NCL, 2000, pp. 37-38*

Visioning Initiates the Planning Process



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



Public Involvement Tools

Sunshine laws and public records.

**Public access to Public Information, Notices,
Agendas, Minutes, Opinion Surveys**

Citizen Advisory Committees

Steering Committees

Public Meetings/ Speakers' Bureau

Newsletters, Public TV channels, Video

Email, websites, Face Book, blogsites

- Visual Preference/ Multi-voting**
- 3-D Visualization**

Implementing Your Plan

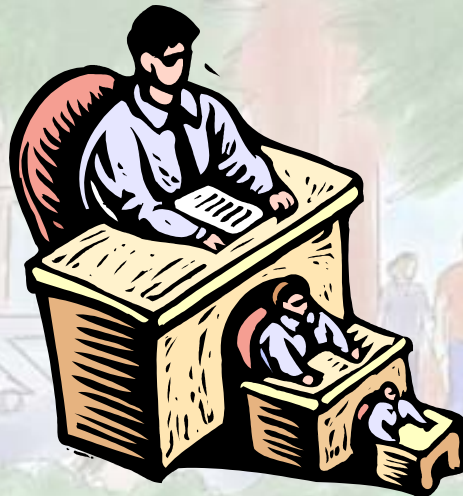
Types of Implementation Strategies:

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
- 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

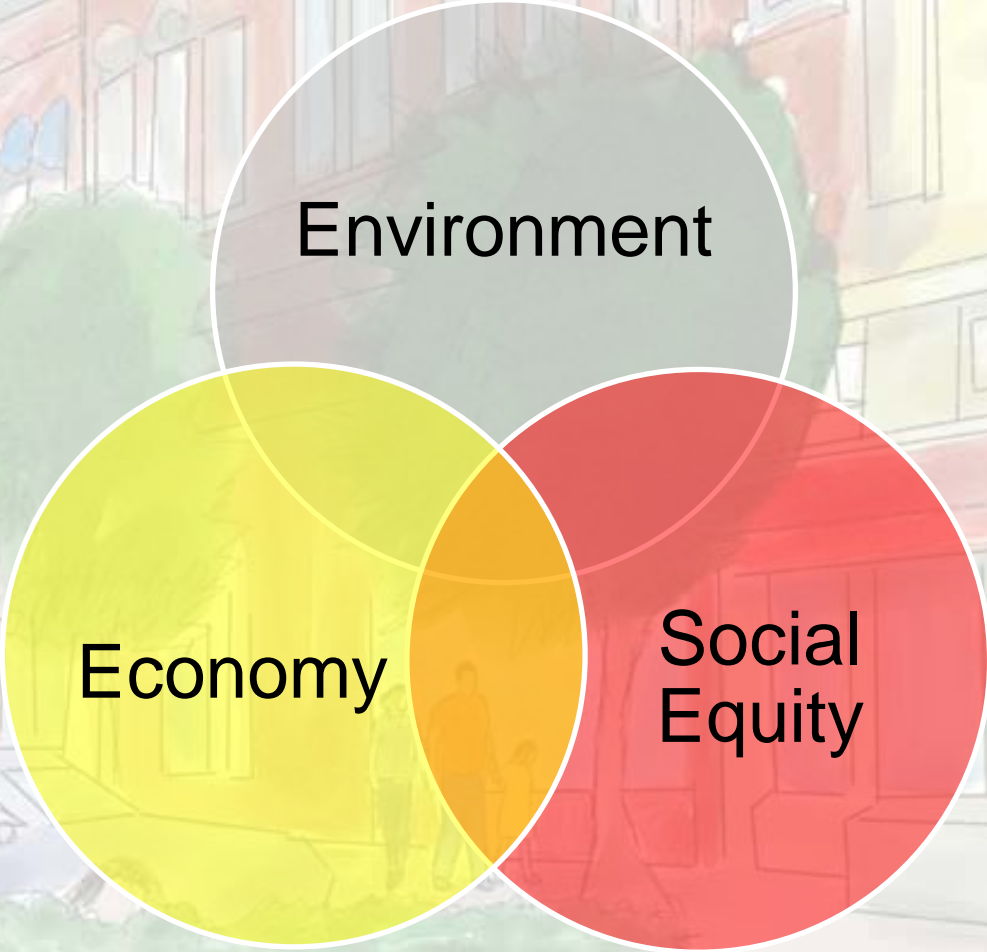


Budgets and Financing Strategies

- Level of service (LOS) standards.
- Concurrency – enforces (LOS) standards
- Life – cycle costing (capital, operating, maintenance)
- Planning Programming Budgeting Systems (PPBS) – performance-based budgeting.
- Zero based budgeting (ZBB) – from the ground up each year.
- Generally accepted accounting principles (GAAP)
- Cutback management (across the board or triage)

Comprehensive Planning Process

SUSTAINABILITY MASTER PLAN



A Venn diagram consisting of three overlapping circles. The top circle is grey and labeled 'Environment'. The bottom-left circle is yellow and labeled 'Economy'. The bottom-right circle is red and labeled 'Social Equity'. The circles overlap in the center, creating a central orange area where all three pillars intersect.

Environment

Economy

Social
Equity

Growth Management

WHAT IS GROWTH MANAGEMENT?

A system of studies, policies, programs and regulations that guide the type, intensity, location, and timing of growth consistent with a Comprehensive Plan

Growth Limits or Growth Stimulus?

Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

Smarter, more
efficient growth

Community
revitalization to optimize
use of existing
infrastructure

Can avoid major cost

Growth in planned
areas vs. Leapfrog

Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

Allocation of scarce resources

- Land supply
- Water supply
- Air quality

Growth areas can be sized to conform to limits of water supply or wastewater treatment

Land forms to avoid (e.g. steep unstable slopes or carbonate geology sinkholes)



Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

**Economic
Development**

Comprehensive planning to
delineate Growth Areas

Jobs/Housing Balance

Proactive zoning to permit
higher intensity uses in the
right places and attract new
jobs

Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

Protection of natural resources

- Coast
- Mountains & Scenic Resources
- Habitat – streams and rivers
- Natural and Wild Areas

Protection of designated historic and cultural resources

- National or State Historic Sites and Landmarks
- Locally-designated Historic Districts

Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

Hazard management

- Flood damage
- Hurricane damage and evacuation capacity
- Earthquake damage
- Fire risk reduction
- Erosion/ avalanche avoidance



Growth Management

WHAT IS THE RATIONALE FOR GROWTH MANAGEMENT?

Agricultural production

Historic preservation

Infrastructure capacity
limitations

Fiscal Impacts





Growth Management

TOOLS AND TECHNIQUES

Growth boundaries
and urban service
areas

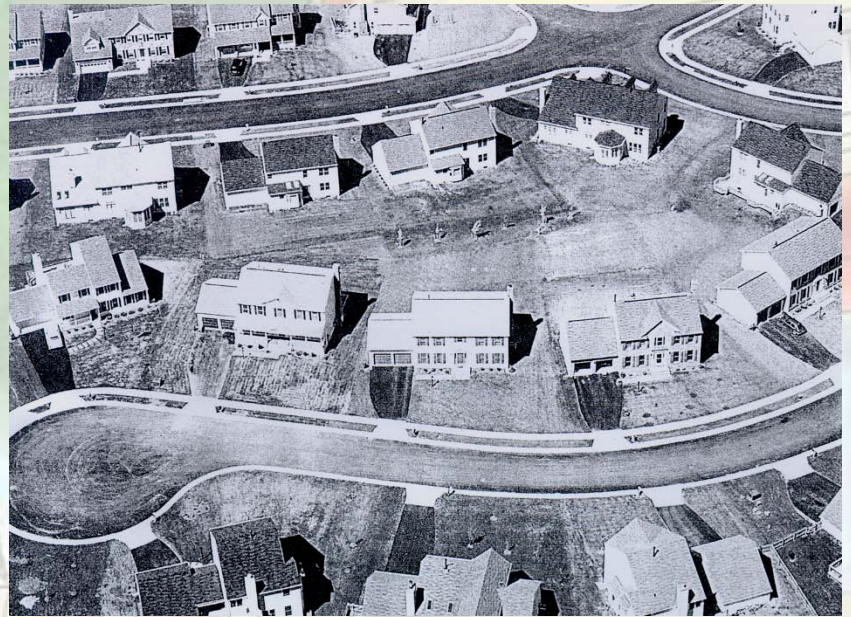
Strategic Capital
Improvements Program
designed to enhance
Growth Area capacity

Growth Management

TOOLS AND TECHNIQUES

Permit caps

Timed Growth
Ordinance, Ramapo,
NY



Growth Management

TOOLS AND TECHNIQUES

Impact Fees



Manheim Township,
Lancaster County, PA
example

Off-site public
infrastructure
improvements cost-
sharing

Growth Management

TOOLS AND TECHNIQUES

Fair-share Housing - Mt. Laurel court case.



Growth Management

TOOLS AND TECHNIQUES

Jobs/ Housing
Linkage



Growth Management

CONCERNS ABOUT GROWTH MANAGEMENT

Equity/ social justice

Impact on housing
prices

Economic decline

Legal challenges

Administrative cost

Regional Impacts

Cumulative Impacts

Cost-sharing for all

development vs.

charges based on

only major

developments

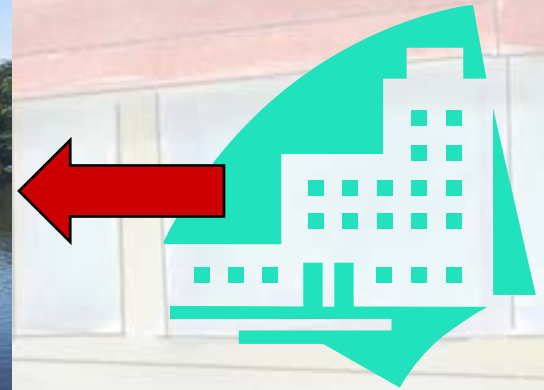
Zoning & Land Development Regulations

The DNA of your Community



Origins of Zoning

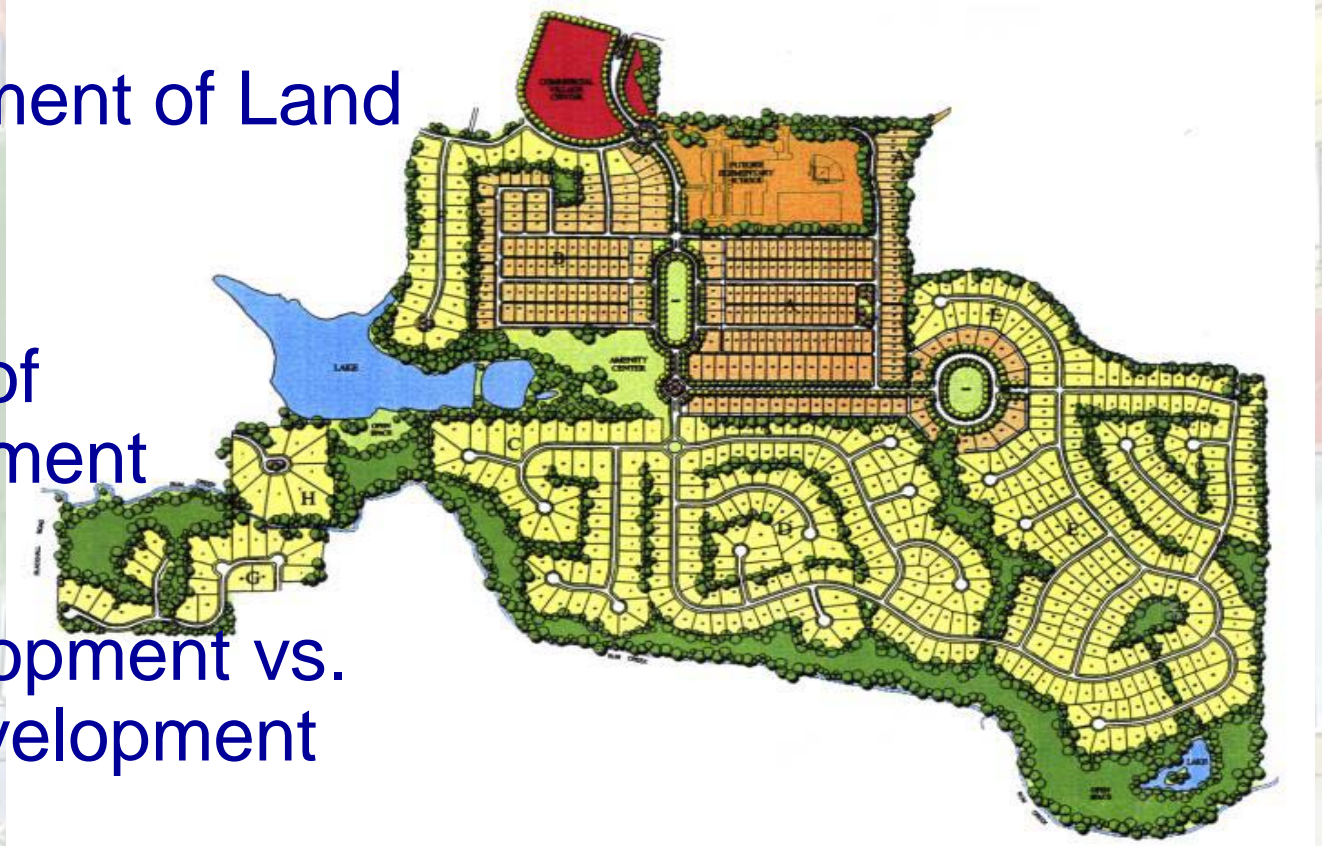
- 19th Century Nuisance laws
- 1916 - First Zoning Ordinance (NYC)
- 1924 - Standard Zoning Enabling Act
- 1926 - Supreme Court: Euclid v. Ambler



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

3. 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

4. Quality of New Development
5. Timing of Development
6. Fiscal Considerations for a Healthy Tax Base



Zoning & Land Development Regulations

Legal Issues

State/ Federal Constitution and Statutory Authority

- State Enabling Act
- Dillon Rule/ Home Rule

Police Powers

Takings

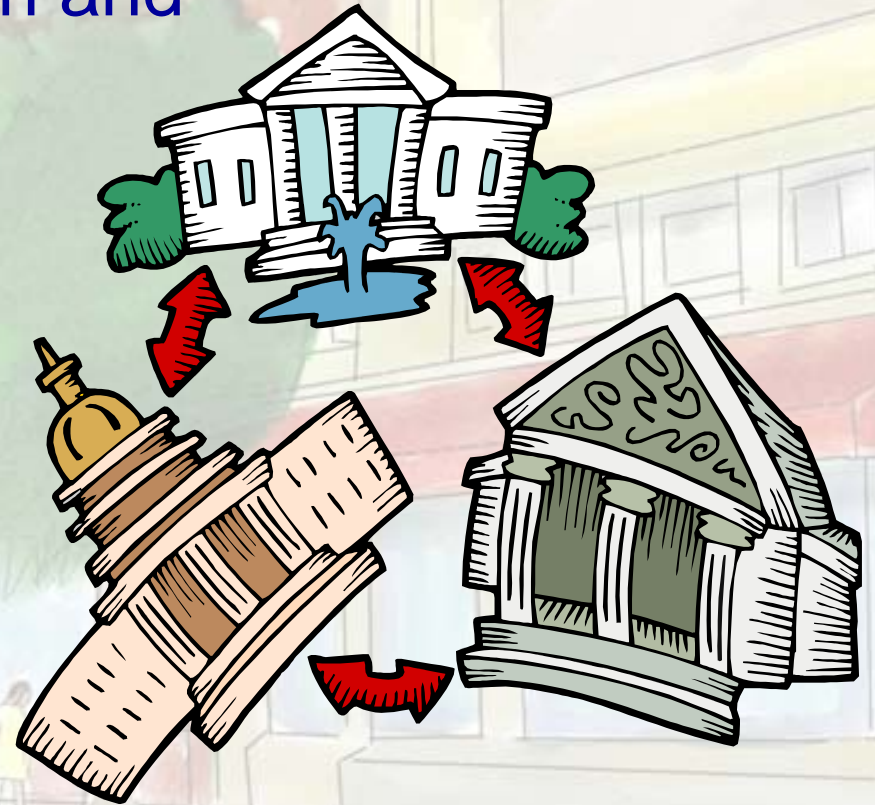
- Balancing Test

Equal Protection

Due Process

- Zoning Procedures Act

Comprehensive Plan Consistency



Zoning & Land Development Regulations

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



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

Role of Planning Commission

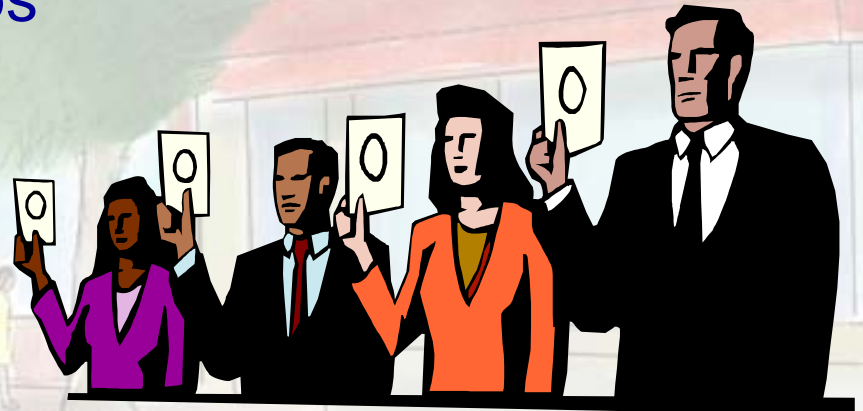
- Appointed by City Council or County BOC
- Recommending Body
- Public Hearings and fact-finding
 - Comprehensive Plan
 - Zoning text and map amendments
 - Conditional Use Permits



Zoning & Land Development Regulations

Role of Board of Appeals

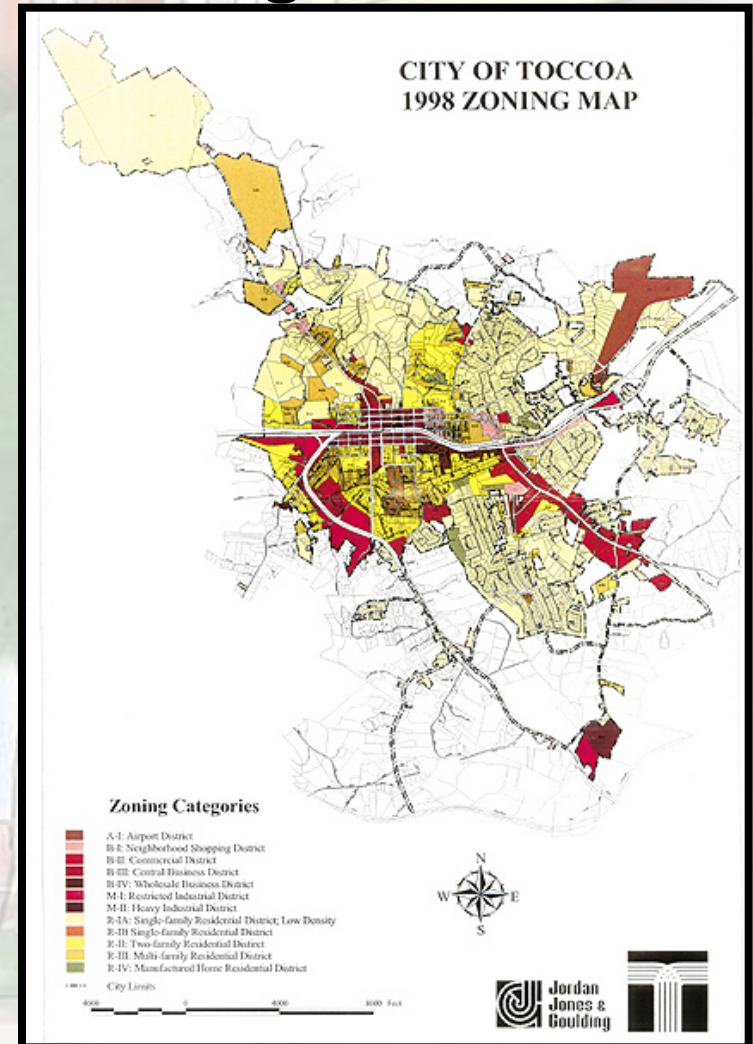
- Appointed by City Council or BOC
- Quasi-Judicial Body
- Public Hearings and fact-finding
 - Appeals of Administrative Decisions
 - Variances and hardships
 - Special exceptions



Zoning & Land Development Regulations

Zoning Basics – What's in a Zoning Ordinance?

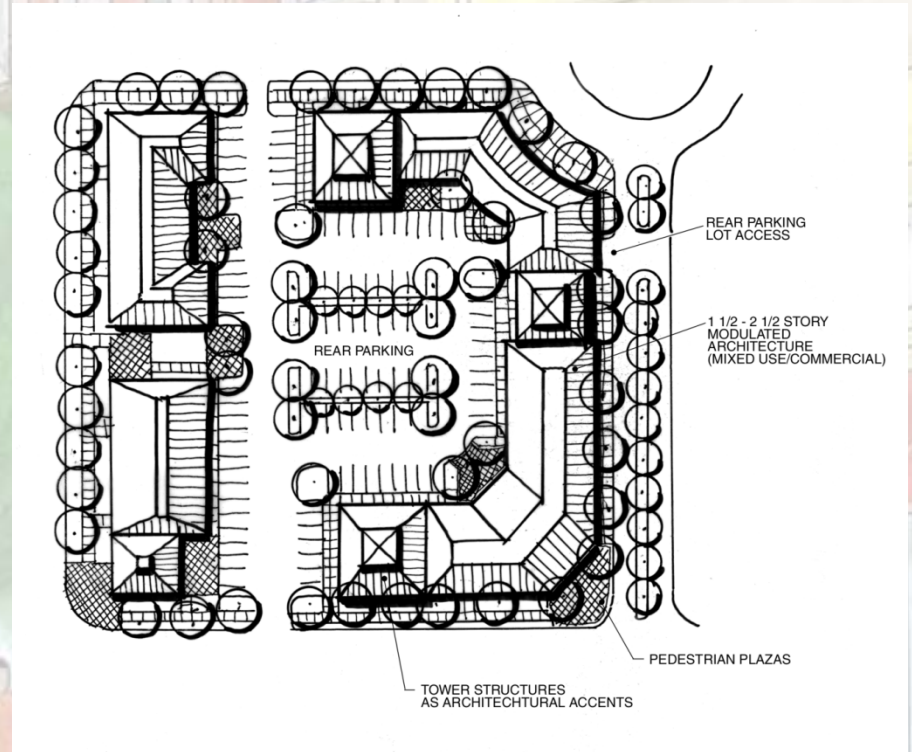
1. Zoning Map
2. Zoning Districts
 - Uses
 - Density/ lot area
 - Lot dimensions
 - Setbacks and open space
 - Lot coverage and impervious surface
 - Building height limits
 - House size



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



Zoning & Land Development Regulations

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

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

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



Innovative Land Use Controls

Planned Unit Development

Open Space Conservation Subdivisions



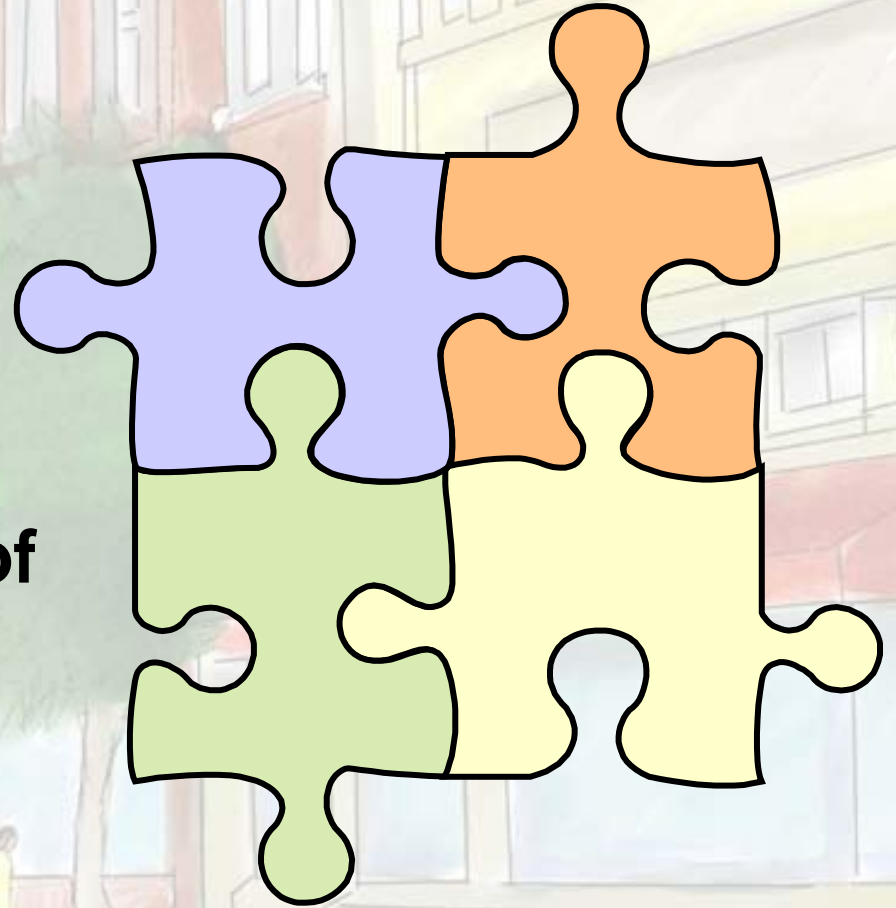
Smart Growth Toolkit: www.atlantaregional.com

Mixed-Use Development



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

- ✓ 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



Transferable Development Rights

Development rights are separated from one parcel & sold for use on another parcel.

Landowner enters into conservation easement permanently restricting development on original parcel.

Property is a Bundle of Rights that May be sold separately



Transferable Development Rights



Development Rights

Sending Area
(Farmland, natural area, historic site)

Receiving Area



Transferable Development Rights

WHY USE TRANSFERABLE DEVELOPMENT RIGHTS?

- Protects resources such as:
 - Agricultural land
 - Wetlands
 - Woodlands and greenspace
 - Endangered species habitat
 - Areas of historical & cultural significance

- Directs growth to areas
- where infrastructure exists
- Saves \$\$ on cost of servicing the preserved land



Questions ? Comments?

