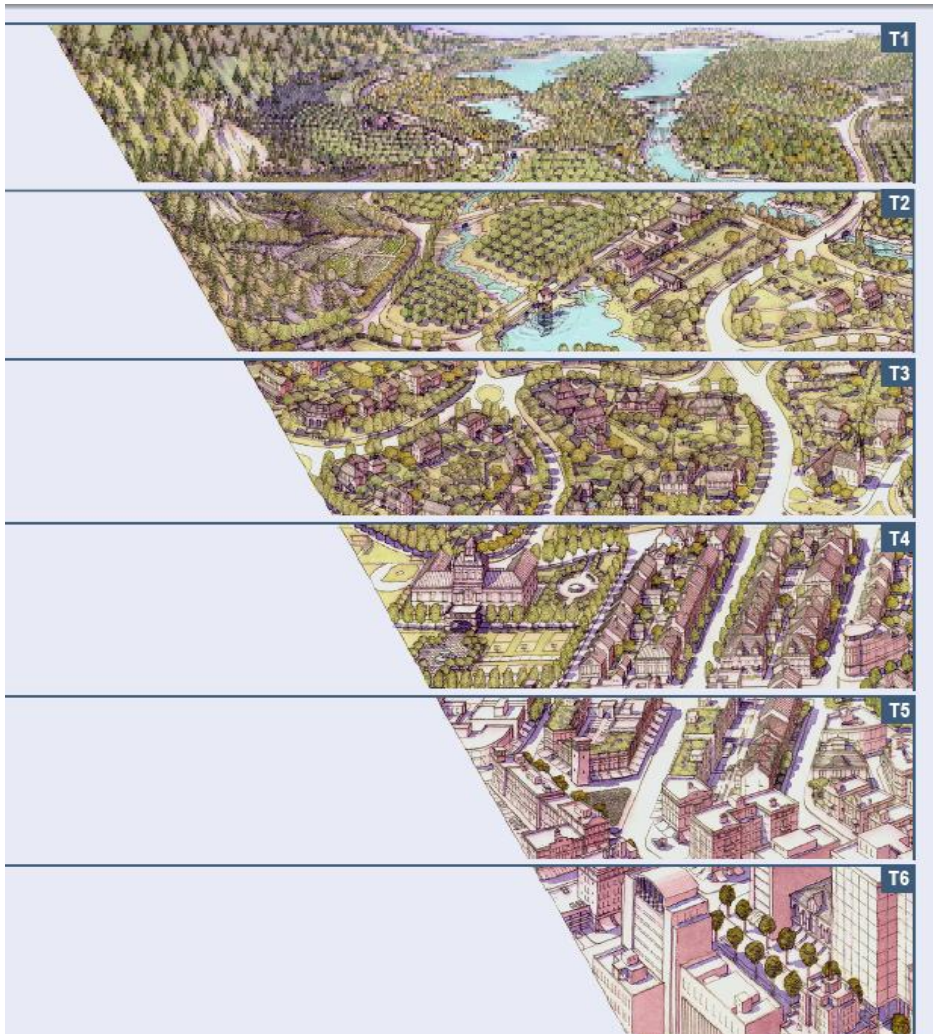


GROUP 1: THE SMARTCODE IN WALTON COUNTY



Group Members: J.P. Alexander, Elise Barrella, Jaimye Bartak, Ashley Masset and Tracy Starr

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Introduction

As a growing, mostly rural area, Walton County is in a good position to shape growth and manage resources by designating concentrated areas for future development. A form-based code such as Andres Duany's SmartCode could be instrumental as a growth management tool. As a form-based code, SmartCode promotes physical form of buildings and developments over the use and density and establishes standards for mixed-use and walkable neighborhoods following the Traditional Neighborhood Development (TND) philosophy. It is also a transect-code which means it designates "zones" of human habitats ranging from rural to urban environments and sets standards at the regional, community, and block/building scales. In transect design, uses are restricted to appropriate zones based on height, density, and other form restrictions.¹ SmartCode does not entirely exclude a particular land use but instead provides a spatial/temporal plan for its development.

By adopting SmartCode or another form-based code, the County would be making mixed-use, sustainable development legal "by right." There is precedence in Georgia for alternative codes that allow mixed-use development, but for the most part they are optional (Planned Unit Developments are one example). SmartCode further deviates from Euclidean (single-use) zoning because it provides elements of zoning, subdivision, *and* noise ordinances while guiding comprehensive planning. The comprehensive planning element encourages communities to consider infrastructure limitations, environmental protection, and staged development.²

Pursuing SmartCode is a viable option for the County and can preserve the county's character and sense of place while managing growth. However, its success will require careful calibration and an extensive public participation process that involves intermunicipal coordination.

¹ "SmartCode." *PlaceMakers*. 28 February 2007. See <http://www.placemakers.com/info/SCdownloads.html>.

² SmartCode requires communities to establish a separate building code.

Section I: The Current Situation in Walton County - Demographics and Land Use Patterns

Traditionally a rural, agricultural area, Walton County has seen remarkable changes and growth over the past three decades that have greatly altered its composition in terms of population, housing, and land use. This section will describe the current situation in Walton County in these areas, including some comparisons with conditions in the past where appropriate.

Walton County – Population Information

Created by the Lottery Act of 1818 and formally organized in 1819, Walton County encompasses approximately 330 square miles in northeast Georgia. The population as of the 2000 U.S. Census was 60,687; this is a 57.3% increase from the end of the previous decade. As shown in Exhibit 1, the basic population shifts reveal that Walton County saw most of its growth during the 1990s, though there were also substantial increases in the 1980s (23.6% for the entire county). It is interesting, however, to note that many municipalities experienced population loss in the 1980s—notably the small towns of Between, Good Hope, and Jersey—while the county as a whole continued to grow. This could reflect both an expansion of the more “urban” areas of Monroe and Social Circle (which grew 10.22% and 6.33% in the 1980s, respectively), but also new homeowners building in unincorporated areas as well.

Basic demographics describe 9.6% of the county’s 2000 population as 65 or older (consistent with Georgia’s county averages) and 28.4% as 18 years or younger—that leaves 59.4% in their earning years. In terms of households, Walton County had 21,307 households in 2000, 79.8% of which are families with children under 18 years. There is a significant amount of non-family households as well, 4,312 (20.2% of all households); 16.6% of the latter number is householders living alone. Such numbers obviously have direct implications for the county’s housing stock.

According to Census Bureau projections, in 2005 Walton County's population would have already grown to 75,647 people, a 24.7% increase. A total of 7.6% of that rate can be attributed to natural increase, but 34.8% is due to net migration.³ By 2005, the Census Bureau estimated number of occupied housing units/households was projected to have increased by 4,673, to 25,980 (29,050 according to the University of Georgia). Estimates for the percentage of elderly for 2005 remain the same at 9.6% (10.5% according to UGA); however, the estimated percentage of children under 18 decreased to 20.2%. The Georgia Office of Planning and Budget estimates that Walton County will have 89,688 residents by 2010 and 106,451 by 2015.⁴

Based on the decrease of natural population increases but the high rate of general population increases, people are clearly moving into Walton County from elsewhere at a rapid pace.

Walton County – Housing Profile

Walton County had 21,307 occupied housing units in 2000. Of these, 17,533 (77.9%) were single-family, detached homes; another 2,675 (11.9%) were mobile homes, and the rest were various forms of two- to multi-family housing units.⁵ Reflecting population influxes, approximately 77% of all homes in Walton County were built after 1977; the mean year of their construction is 1985. The county's density is approximately 184 people per square mile; in unincorporated areas that translates into 2.4 acres per household (in 2002).⁶ The majority of single-family homes are found in the western third of the county—where, incidentally, there are no sewer systems. Low-density development has also taken hold along Highways 316 in the northern part of the county, and along Interstate 20, indicating that, as expected, transportation to

³ See Exhibit 2. The Georgia County Guide. (2007) Center for Agribusiness and Economic Development, UGA. Athens, GA. www.georgiastats.uga.edu and www.caed.uga.edu.

For a general comparison, between 1980 and 1990, 36.62% of the 7,375 population increase could be attributed to natural increase; for the 22,101 increase between 1990 and 2000, only 19.54% was due to natural increase.

⁴ *Id.*

⁵ U. S. Census 2000. See www.census.gov.

⁶ *Walton County Comprehensive Plan 2003*. Available at <http://www.negrdc.org/counties/walton/comprehensive-plans/Chapter%207%20-%20Land%20Use%20FINAL.pdf>.

Atlanta and Athens is a driver behind low-density development in the area. The eastern third of the county is still predominantly rural. When viewed within the context of the surrounding region, it becomes more obvious that growth has spilled over the edges of denser, more urban neighbors, such as Gwinnett County.⁷

The “urbanized” areas in Walton County—described in the comprehensive plan as the cities of Monroe, Loganville, Walnut Grove, and Between—contain the highest concentrations of multi-family housing. However, as shown in Exhibit 4, the amount of multi-family housing is significantly lower than state levels—in 2000, for instance, 20.8% of Georgia’s housing was multi-family residential; Walton County’s was only 8.9%—in fact, of all the housing built in the county between 1990 and 2000, nearly 80% was single-family residential, and mainly located in the western part of the county. Conversely, 72.5% of the county’s multi-family housing in 2000 was located in Monroe.⁸

The density of the western portion of the county can be significantly attributed to commuters to the Atlanta-metro region. As illustrated in Exhibit 5, the percent of workers commuting outside of Walton County increased approximately 5% between 1990 and 2000, while those working within the county decreased by approximately the same percent. Planning officials in Walton County know that approximately 40% of these commuters are headed to neighboring Gwinnett County; yet ironically, those residing along the border of Gwinnett experience some of the longest commute times in Walton.⁹ Clearly any form-based code implemented within the county would need to account for this significant (and growing) daily outflow. With its emphasis on cluster development, SmartCode could increase the efficiency of

⁷ See Exhibit 3.

⁸ *Walton County Comprehensive Plan 2007 Draft. Technical Addendums: Housing*. Electronic document available at <http://www.negrdc.org/counties/walton/comprehensive-plans/Housing.pdf>.

⁹ See Exhibit 6.

public transportation, or, better yet, attract businesses closer to where workers reside in Walton County.

Walton County – Land Use

In its early days, Walton County was a predominantly agricultural community, up until the 1950s. As of 2002, 60.5% of Walton County’s land (191,228 acres) was categorized as agricultural/forested land, though there are few farms remaining. Another 9.4% remains as “undeveloped.” Exhibit 7 illustrates that a 6% loss in agricultural/undeveloped land turned into a 6% gain for developed land between 1996 and 2002. The majority of this development took place in unincorporated areas, and totaled 5,570 acres. If the current comprehensive plan were to be followed resolutely, most of that unincorporated land would reach build-out by 2023.

The comprehensive plan for Walton County identifies three major categories of land use: “urbanized” areas, “transitional urban” areas, and “rural” areas. According to the plan, urbanized areas account for 37.9% of county acreage, and includes incorporated areas such as Monroe, Loganville, and Walnut Grove. Yet a majority of Walton’s population, 64.5%, live in unincorporated “urbanized” areas—again, much of it in the western portion, in single-family housing (24% of the county’s total land is comprised of residential housing). The county’s comprehensive plan of 2003 recognized that higher-density and newer multi-family housing was necessary outside of Monroe, while acknowledging that such development is limited to the outreach of sewer systems.

Part of the current comprehensive plan is a future land-use map¹⁰ that, while still in effect, officials recognize is outdated. Notions to protect greenspace, for instance, are general and basically focus on the tool of conservation subdivisions: “Walton County presently anticipates preserving the majority of its greenspace through greenspace dedications in new

¹⁰ See Exhibit 8.

subdivisions.”¹¹ However, “density” in unincorporated Walton County is not what would be considered as such in many places: for instance, “high density” means one unit per acre, while “low density” corresponds with 1 unit per 2 acres or greater. Currently this categorization system encompasses a vast amount of Walton’s land.¹²

According to the future land-use plan, much of what is now considered agriculture/forest land will be converted to low-density residential areas by 2023—59.2% is slated to become residential, while agriculture/forest land would comprise 25.8% of land area, a basic reversal of the current land use.¹³ Park or conservation areas would be relegated to stream buffers and watershed corridors, but notably fragmented from each other. Finally, multi-use commercial centers are all but absent from the future land use projections. In sum, the comprehensive plan now guiding Walton County’s land usage into the future is “business as usual.”

¹¹ *Walton County Comprehensive Plan: 2007 Technical Addendum: Natural Resources*. Available at <http://www.negrdc.org/counties/walton/comprehensive-plans/Chapter%204A%20-%20Natural%20Resources%20FINAL.pdf>

¹² See Exhibit 9.

¹³ See Exhibit 10.

Section II: The SmartCode

Why was The SmartCode Created?

Prior to World War II, cities and towns evolved as compact, walkable, mixed-use places largely due to the limits of the economic situation and technological circumstances of the time.¹⁴ As the economy boomed and technology improved, these places have spread along highways and formerly rural land, enabled by the widespread use of the automobile. The zoning scheme that began with *Euclid*¹⁵ separated homes from offices, shops, churches and schools and rendered the automobile a necessity which enabled travel between distant locations. Strip shopping centers with large parking lots, deserted downtowns and homogeneous subdivisions carved from pastoral land are the trademarks of modern-day development. The prevalence of automobiles and cross-town freeways has pushed walkers and cyclists aside. Neighborhood character and open space have succumbed to sprawl. Yet, Euclidean zoning¹⁶ has made it nearly illegal to mix uses to create the compact, traditional neighborhoods from the pre-World War era.¹⁷ The SmartCode was created to provide an alternative to conventional zoning, and attack the problems associated with sprawl.¹⁸

What is The SmartCode?

The SmartCode is the model integrated development code created by Duany Plater-Zyberk and Company (DPZ), a land planning and urban design firm, as an alternative to conventional, use-based zoning. DPZ designed it for municipalities, planners and developers as

¹⁴ Andrés Duany, William Wright and Sandy Sorlien, "SmartCode & Manual," New Urban Publications, Inc., pg. 11, http://www.placemakers.com/smartcode/3000-01-Commentary_8.0.pdf.

¹⁵ *Village of Euclid v. Amber Realty Company*, 272 U.S. 365 (1926).

¹⁶ Euclidean zoning is based on the Standard State Zoning Act and typically authorizes the adoption of a zoning ordinance to regulate and restrict the construction, alteration, use, etc. of buildings or land to promote the health, safety, morals or the general welfare of the public. It results in isolating different uses of land from each other.

¹⁷ Chad Emerson, "Making Main Street Legal Again: The SmartCode Solution to Sprawl," Paper 954, pg. 2, ExpressO Preprint Series, The Berkeley Electronic Press, 2006. *See* <http://law.bepress.com/cgi/viewcontent.cgi?article=4607&context=expresso>.

¹⁸ Andrés Duany, William Wright and Sandy Sorlien, "SmartCode & Manual," New Urban Publications, Inc., pg. 11, http://www.placemakers.com/smartcode/3000-01-Commentary_8.0.pdf.

a growth management tool which maximizes choice, quality-of-life, economic opportunity, environmental stewardship and adaptability over time.¹⁹ Simply put, it is touted as a practical solution to the challenges of municipal growth.

The SmartCode is a unified land development ordinance for planning and urban design. As such it incorporates Smart Growth, New Urbanism²⁰ principles, transect-based planning, environmental and zoning regulations into one scheme, and addresses development patterns at the sector/regional, community and block/building scales.²¹ The principles of the SmartCode support communities that are town-centered and transit and pedestrian-oriented, with a mix of housing, commercial and retail uses, while preserving natural lands and encouraging environmental protection.²² Although unified, it is not a one-size-fits-all code. Rather, the SmartCode is meant to be ‘calibrated’ to the local community vision by coding specific outcomes that are desired in specific places.²³ Thus, it allows different approaches in different areas within the community. The calibration aspects are intended to overcome the failings of conventional land development codes, the inflexibility of which failed to entice buy-in from the variety of stakeholders involved.²⁴

How Does The SmartCode Work?

More specifically, the SmartCode is a ‘form-based’ code. Conventional zoning codes are based primarily on use and density – neither of which requires any particular physical form. Alternatively, the SmartCode concentrates on the physical *form* of building and development,

¹⁹ See www.smartcodecomplete.com/learn/workshop.html.

²⁰ Note: New Urbanism is a design-oriented movement; Smart Growth is a policy driven movement.

²¹ These are the three levels of organization: Sectors (regional or county-wide areas for growth and non-growth), Community Designations (activity centers or community types) and Transects (within community level designations). See Andrés Duany, William Wright and Sandy Sorlien, “SmartCode & Manual,” New Urban Publications, Inc., pg. 7, http://www.placemakers.com/smartcode/3000-01-Commentary_8.0.pdf.

²² *Id* at pg. 16.

²³ See www.smartcodecomplete.com/learn/facts.html.

²⁴ *Id*.

and, thus, encourages a certain physical outcome.²⁵ It is a tool that guides development to create cities and towns that are compact, walkable and mixed-use and meant to be comfortable, safe and environmentally sustainable.²⁶ The change from conventional zoning gets away from the problems rooted in separated uses, making mixed-use and walkable neighborhoods legally incompatible with the form-based system.²⁷

The SmartCode is also a ‘transect-based’ code. Typically, a ‘transect’ is described as a continuous cross-section of natural habitats for plants and animals, ranging from shorelines to wetlands to uplands.²⁸ The SmartCode changes that terminology and applies the ‘transect’ concept to the human habitat, organizing the natural, rural, suburban and urban landscape into categories of density, complexity and intensity ranging from the most rural to the most urban environments.²⁹ SmartCode classifies the greater environment into six transect zones, each having its own nature: T-1 Natural, T-2 Rural, T-3 Sub-Urban, T-4 General Urban, T-5 Urban Center and T-6 Urban Core.³⁰

The central idea of the transect system is that each environment (or transect zone) is comprised of elements that support and intensify its character (i.e. certain forms belong in certain environments). Planners are to use the transect tool to specify different urban contexts that have the function and intensity appropriate to the character of the locations.³¹ For example, an apartment building is more appropriate for an urban neighborhood, as are narrow streets and

²⁵ Chad Emerson, “Making Main Street Legal Again: The SmartCode Solution to Sprawl,” Paper 954, pg. 5, ExpressO Preprint Series, The Berkeley Electronic Press, 2006. *See* <http://law.bepress.com/cgi/viewcontent.cgi?article=4607&context=expresso>.

²⁶ Andrés Duany, William Wright and Sandy Sorlien, “SmartCode & Manual,” New Urban Publications, Inc., pg. 11, http://www.placemakers.com/smartcode/3000-01-Commentary_8.0.pdf.

²⁷ *See* www.smartcodecomplete.com/learn/facts.html.

²⁸ Andrés Duany, “A New Theory of Urbanism,” *Scientific American*, December 2000, Vol. 283. *See* http://www.placemakers.com/library/Transect_Scientific_American.pdf.

²⁹ *See* Exhibit 11. *See also* Andrés Duany, William Wright and Sandy Sorlien, “SmartCode & Manual,” New Urban Publications, Inc., pg. 12, http://www.placemakers.com/smartcode/3000-01-Commentary_8.0.pdf.

³⁰ *See* Exhibit 12. *See also* www.smartcodecomplete.com/learn/facts.html.

³¹ Andrés Duany, “Transect Introduction,” *Journal of Urban Design*, ‘The Transect Today’ Section, August 26, 2002. *See* http://www.placemakers.com/library/Transect_Journal_of_Urban_Design.pdf.

raised curbs, while a ranch house on an uncurbed street is fitting in more rural areas. The transect does not eliminate the standards in present zoning codes. Rather, it assigns them to the sections of the transect where they belong.

Once the main character of a place is determined, development may be calibrated to reinforce the local character and even enhance it with desired practices which are missing. The six zones contain fixed identifiable characteristics. Thus, as a village evolves into a city over time, increasing in density and intensity of character, it retains its desired nature as it passes from one transect type to another. The outcome is intended to avert sprawl by finding a locally-based balance between rural and urban elements within every level of the transect zone continuum.³²

What Does The SmartCode Accomplish?

Ultimately, developing under The SmartCode can result in a higher quality of life for citizens. The SmartCode provides an alternative to sprawl that not only allows for new development, but also encourages infill and redevelopment. However, the Code's benefits stretch farther than mere urban revitalization. The transect regime incorporates and orders the regulation of building and block form into the larger overall built environment context, thus promoting compact, mixed-use, pedestrian-oriented and socially cohesive neighborhoods. It also creates an environment where daily living can and does occur within walking distance of the home. Errands may be accomplished on bicycle or on an effective local transit system, thereby reducing the length and number of automobile trips. Buildings and landscaping are used to create a community atmosphere. Moreover, unlike traditional zoning, environmental protection, open space conservation and water quality are integrated into the development scheme at every transect level. Overall, commute times are lower, there is more time to spend with family and on

³² Andrés Duany, "A New Theory of Urbanism," *Scientific American*, December 2000, Vol. 283. See http://www.placemakers.com/library/Transect_Scientific_American.pdf.

recreation, air and water pollution are highly regulated and there is more green space.

Consequently, the population is healthier and has a higher quality of life.

The SmartCode also has advantages for developers. Form-based codes are written to fulfill a specific physical vision for a place. Of course, building a consensus takes time and resources, but when a vision is determined, precise and objective codes may be created. These codes, in turn, generate an ‘up-front agreement’ that can remove much of the uncertainty and politics from the development approval process.³³ Additionally, clear and concise rules create predictability for developers and can expedite the approval process. In turn, developers waste less time and money on projects that are ultimately rejected by the community or that require multiple variances or discretionary approvals.³⁴

³³ Mary E. Madden and Bill Spikowski, “Place Making with Form-Based Codes,” *Urban Land*, September 2006, pgs. 177 – 78. See http://www.formbasedcodes.org/images/UrbanLand_Sep06.pdf.

³⁴ *Id.*

Section III: Implementing the SmartCode in Walton County

Physical Implementation – The Land Use Plan

When adopting the SmartCode, the existing land use map found in the Comprehensive Plan is replaced by a series of regulating maps that designate development patterns at the regional and community levels. But before the maps can be developed, a cohesive and comprehensive vision for Walton County must be developed. The visioning process should involve citizens extensively and could be completed through a community charette (discussed more in Section V). Once the vision has been established, a new land use plan can be pursued.

The new land use plan should begin by designating areas for future activity centers and establishing growth boundaries around existing activity centers. This step is accomplished with the Sector Plan Map. Exhibit 14 is a conceptual illustration of how growth and open space sectors could be designated county-wide. In establishing activity centers, environment, infrastructure availability, and proposed developments should be considered.³⁵ Growth should be concentrated around major transportation routes to limit the amount of driving between different land uses and control commute times. Proximity to existing water and sewer service is also important for easy future connections. In fact, sewer availability could be used to guide the initial placement of growth boundaries around existing activity centers. (To support the growth boundaries, the County could consider a minimum public facilities requirement.) Nodes designated for intended growth or infill were in areas that are already served by sewer or that could reasonably receive sewer connection in the near future. The areas around Walnut Grove and Jersey and southwest of Loganville are designated Restricted Growth (G1) and Controlled Growth (G2) because they are already experiencing development, but are not yet

³⁵ A GIS land suitability analysis could be used to eliminate environmental lands and steep slopes and prioritize lands areas with sewer and water service and proximity to transportation corridors. Due to lack of data, GIS was only used to map environmental suitability (see Exhibit 13). Infrastructure maps provided in the Walton County Comprehensive Plan were used to guide land suitability.

connected to sewer and so should be strictly monitored. These are prime locations for moderate density, mixed-use development, but this depends on the availability of sewer service.

Exhibit 13 shows the distribution of environmentally sensitive lands and water recharge areas throughout the county. Considering the County's concerns about water supply, and the fact that groundwater is currently the major source in Walton County, it will be important to limit future development (impervious surfaces) in recharge areas. As a result, the initial sector plan (shown in Exhibit 14) does not designate significant amounts of growth in recharge or areas. Further, the plan designates environmentally sensitive lands as preserve open space, meaning they will not allow any future development. In this way, Preserve Open Space (O1) represents the Rural Boundary Line, a permanent growth boundary. The Reserve Open Space (O2) designates an Urban Growth Boundary, which is more flexible and can be adjusted to respond to growth demands.

After the Sector-Level plan has been developed, each growth sector is designated as one of four community types, or a combination thereof, based on desired intensity of development (see Section II for descriptions of communities). To be consistent with previously stated goals, more intense development was designated in areas with infrastructure availability (or good potential for it). As shown in Exhibit 15, Loganville and Monroe are designated as Regional Centers with opportunities for TOD along the 78 Corridor. While mass transit is not currently planned along that corridor, with future development (thus higher densities) bus rapid transit could be justified for commuters into Gwinnett, Atlanta, and Athens. The area southeast of Social Circle is also designated as a regional center due to its proximity to Stanton Springs and I-20. Traditional Neighborhood Developments are proposed for Good Hope, Social Circle, and several new communities. The remaining communities, which include Walnut Grove and Jersey, are designated as Clustered

Developments because lack of infrastructure does not make them suitable for higher density or mixed-use development at this time.

The final designation needed to complete land use planning is the Transect Level. As described in Section II, the six transects provide the most detailed regulations and standards for developed and undeveloped lands. Because of the amount of detail incorporated, the Transect Maps should be developed for each municipality and proposed development (see Exhibit 16 for an example transect map of Monroe). At this level, transects can be intermixed within a community to create the desired character, and therefore transect designation should involve the local governments and citizens. As an important note, T6 (Urban Core) is not mapped in Exhibit D because it is not yet appropriate for Walton County. T1 (Natural) is also not mapped in Monroe because based on the available maps and GIS data, it was not clear where untouched land is located. Special Districts, by definition, can be used to designate areas that do not conform to one of the six Transect Zones – for Walton, these will be especially useful in designating industrial zones and golf-course communities.

It is important to remember that SmartCode is intended to allow staged growth – the authors of SmartCode recommend re-evaluating the regulating maps every 10-20 years, but with the current growth rate and development pressures from outside the County, a 5-10 year timeframe would be more reasonable. During re-evaluation, transect zones can be upgraded as needed. For example, if sewer were extended to Walnut Grove, a portion of the community could be upgraded to T-4 (and TND). A 20-year waiting period is recommended for re-evaluating the growth boundaries – a shorter time period could lead to over-development and discourage concentrated development.

A Five-Step Implementation Process

In order to incorporate the new land use plan into current planning and legal documents, there are five general steps that must be followed to implement a SmartCode in Walton County.³⁶ The first is choosing a format, either exclusive (the code is mandatory for all development) or parallel (developers receive incentives to use the code). Both exclusive and parallel formats require adoption of sector, developments and transect regulating maps (analogous to a land use map for traditional zoning) that graphically represents the SmartCode. A third option is floating zone, which means SmartCode is included in the zoning ordinance as an option but is applied only after a developer or landowner petitions for it. Floating zone is used on a project-by-project basis, and typically for greenfield development. Due to its lack of comprehensive land use planning, floating zone format is not being considered for Walton County. Unless the county’s political, legal, and development climates are entirely favorable to the SmartCode, initially adopting it as a parallel code is recommended to avoid excessive challenges.

Walton County should initially pursue the parallel format county-wide, with the goal of adopting an exclusive and mandatory version in the near future. As stakeholders observe the benefits of SmartCode it can gradually replace the existing zoning and subdivision ordinances by changing the old code from being “by right” to “by special use permit” (this allows the old code to still be available in case of challenge).³⁷ (See ‘Section IV, Adoption - Parallel Code and Calibration’ for a legal justification of this process.) When the County decides to enact a mandatory SmartCode, Sections 1.5 (Variances) and 1.6 (Incentives) of the Code will become more important for avoiding legal challenges from developers (See ‘Section IV, Incentives—Economic and Logistical.’ Because of the

³⁶ Chad Emerson, “Making Main Street Legal Again: The SmartCode Solution to Sprawl,” Paper 954, ExpressO Preprint Series, The Berkeley Electronic Press, 2006. See <http://www.placemakers.com/info/infoClear.html>.

³⁷ Slone, Daniel. *The Legal Context for the SmartCode*. See <http://www.smartcodecomplete.com/learn/links.html#articles> (Last visited April 17, 2006).

infrastructure challenges facing Walton County and the importance of concentrating future development in existing cities, the County should work with the municipalities of Monroe, Loganville, and Social Circle to develop customized exclusive SmartCodes and Transect Maps for each municipality (though still consistent with the County's overall SmartCode and Regulating Maps).

The second step is to determine which parts of the code to adopt. In this case, all seven sections should be adopted –

1. General – addresses implementation, authority, purpose, and procedure
2. Sector-Scale Plans – establishes the jurisdiction-wide regulating plan
3. New Community-Scale Plans – sets guidelines and requirements for Greenfield development
4. Existing Community-Scale Plans – regulates infill plans
5. Building-Scale Plans – codifies regulatory standards for landscaping, signage, building function, et cetera for each transect zone at the block, street, or building
6. Standards and Tables – summarizes and illustrates the standards established throughout the SmartCode
7. Definition of Terms.

Articles 1, 6, and 7 are mandatory regardless of the format selected, and the remaining sections should be adopted under the parallel or exclusive formats. All sections of the annotated SmartCode can be easily customized to local conditions.

In order to customize the SmartCode, the federal and state laws that affect adoption must be identified (Step 3). Further, implementation must ensure that other local laws (like zoning and subdivision ordinances) are consistent with the goals of SmartCode (Step 4). (See 'Section IV, Adoption—Parallel Code and Calibration' for a discussion of making the existing Code consistent with the SmartCode). The county's comprehensive plan will have to be revised to be consistent with the goals of the SmartCode and the land use element of cities' comprehensive plans will then have to be updated as well. The three regulating maps discussed earlier should be incorporated into the Comprehensive Plan to allow for their use with the SmartCode. The consistency between the Comprehensive Plan and the Code of Ordinances (and thus of both with the SmartCode) is an

important consideration for DCA approval. In general, DCA requirements are favorable to the goals of SmartCode and so a carefully calibrated code should receive approval. Relevant federal, state, and local laws are discussed in more detail in Section IV.

The final step is to complete local legal calibration based on the laws and issues addressed above. A major strength of the SmartCode is that it can be easily calibrated to local issues like flood plains, historical sites, and environmentally sensitive areas (which would be regulated by DCA and DNR). From a legal perspective, the SmartCode must be consistent with the standards of other government bodies. For example, the Code should be closely calibrated to GDOT's roadway standards. Because of Georgia's status as a home rule state, the county has the flexibility to adopt a transect-based code (*See* Section IV for legal analysis). However, the autonomy of the county's incorporated areas is a concern – future conflicts should be avoided by involving the cities extensively in the code writing process. The annotated code provided as a template indicates with blue text which words, phrases, or whole sections must be customized, and contains commentary to guide changes.³⁸

As mentioned earlier, part of the SmartCode preparation will require updating Walton County's land use plan to designate future activity centers and create growth boundaries around existing activity centers. However, the County must also carefully consider existing planned developments – vested rights and takings claims are two important legal challenges that may arise (*See* 'Section IV, Takings and Vested Rights—Concerns' for a discussion of these issues.) As a result of this complication, two options could be used to avoid challenges – adoption as a parallel code or inclusion of a Transferable Development Rights (TDR) program. As a parallel code is already recommended, a TDR program could be used to further encourage use of the SmartCode. From a planning perspective, in establishing TDR as part of Section 1.6, the county can designate its proposed

³⁸ *SmartCode & Manual* (including *Annotated SmartCode v8.0*) is available for download at www.placemakers.com/learn/downloads.html.

activity centers (G3 areas in Exhibit 14) as receiving areas for proposed developments that do not fit with the new land use plan (those located in O1 or O2 sectors). Legal explanation of a TDR program in Walton County is provided in ‘Section IV, Takings and Vested Rights—Concerns.’ Unless land is designated by the SmartCode as a conservation area that denies even recreational use, there will be some economic use of the land. In general, the SmartCode will not exclude already planned developments, but rather establish new standards for their design – requiring mixed-use over single-use would therefore not constitute a taking. In addition, the SmartCode allows for staged growth, so that an area not initially designated for development may be opened up in the future.

Section IV: Legal Analysis

Authority—Home Rule and The Comprehensive Land Development Ordinance

Georgia is a “home rule” state and confers all zoning rights to the local governments that are not expressly reserved by the state.³⁹ In this approach, the counties retain broad discretionary power in zoning at the local level. In fact, the counties are mandated to prepare and implement comprehensive planning.⁴⁰ Walton recently passed the “Comprehensive Land Development Ordinance and Subdivision Regulations” which applied to all unincorporated areas within Walton County.⁴¹

Walton County’s newly adopted “Comprehensive Land Development Ordinance,” (hereinafter, “CLDO”) provides for land use development in keeping with outlined principles. These principles outlined in the CLDO call for retaining Walton County’s historical and cultural character, reducing and preventing congestion, economic growth, efficient utilization of the land, preservation of open spaces, affordable housing, aesthetics, and controlling growth in relation to available resources.⁴² The CLDO was created and implemented to be an effective planning tool, and as such, the policies outlined in the CLDO are formulated to allow for flexibility and practicality in order to respond to new opportunities and changing conditions.⁴³ In this way, Walton County is in an excellent position to take advantage of the benefits the SmartCode offers with limited interference to its recently adopted CLDO.

³⁹ Georgia Constitution, Art. 9 §2, ¶1.2.4, OCGA §36-66. Contrast this with “Dillon’s Rule,” which reserves all zoning rights to the state which is not expressly granted to the counties.

⁴⁰ Georgia Planning Act of 1989.

⁴¹ Comprehensive Land Use Ordinance for Walton County, (CLDO) adopted June 6, 2006.

⁴² *Id.* §110.

⁴³ *Walton County Comprehensive Plan 2003*. Available at <http://www.negrdc.org/counties/walton/comprehensive-plans/Chapter%207%20-%20Land%20Use%20FINAL.pdf>.

Adoption—Parallel Code and Calibration

As introduced in Section III, because the SmartCode is a “model code,” it must be legally customized for adoption in Walton County.⁴⁴ As discussed above, it is recommended that Walton County adopt the SmartCode as a parallel code—one that is an alternative to, and not replacement of, the existing CLDO. To accomplish this, Walton County would need to “tweak” its CLDO to allow for SmartCode development techniques to be in conformity with its CLDO. We recommend that Walton County amend its CLDO to include SmartCode-type zoning as overlay districts. The CLDO already provides for overlay districts for a multitude of uses, including residential, greenspace subdivision (GS), and open space conservation (OSC).⁴⁵ The residential neighborhood development overlay district (RND) is a notable example of Walton’s anticipated flexibility in zoning.⁴⁶ The RND allows for a district classification that is intended to encourage quality residential environment in close proximity to a major employment center, diversity in residential patterns, creative and innovative planning, attractive and cohesive design, respect for natural and environmental constraints, conservation of open space, adequate public services, and social, educational and cultural amenities for a self-sufficient community. This overlay district shares a number of the same principles that the SmartCode espouses.

Amending the CLDO to include SmartCode zoning within the purposes and goals of the CLDO would not be a difficult endeavor. Part 4, §100 of the CLDO allows for amending the CLDO by proposed ordinance from any board member, the planning commission as a whole, or from landowners, subject to public notice and hearing. By amending its CLDO to include text, map, and conditional uses, the SmartCode becomes a viable option for developers in Walton County. By creating a parallel code that developers can access through an overlay district, the SmartCode does not

⁴⁴ Chad Emerson, “Making Main Street Legal Again: The SmartCode Solution to Sprawl,” Paper 954, ExpressO Preprint Series, The Berkeley Electronic Press, 2006. See <http://www.placemakers.com/info/infoClear.html>.

⁴⁵ CLDO, Art. 4, Part 2, §110, 120, and 130.

⁴⁶ *Id.* §140.

infringe on any legal rights created by the CLDO. Developers and landowners have the option to develop under the original code without facing any mitigated rights. To comprehensively and fairly replace the existing zoning system might take years and set in motion political and legal battles, dooming the SmartCode and postponing TND projects. By implementing the SmartCode as an overlay, no rights are lost and choices are expanded. Later, if all stakeholders are comfortable with the change, the old code may be moved from “by-right” to “by-special use permit.”⁴⁷

Because the long-term goal is to adopt the SmartCode as Walton County’s exclusive zoning plan, Walton County should calibrate the SmartCode to conform to federal, state, and local ordinances now, rather than calibrating the SmartCode later. As a home rule state, the zoning enabling legislation does not preclude transect based zoning, and thus the major hurdle in adopting SmartCode is met. Walton also has already adopted a single ordinance that integrates both subdivision regulations and land ordinances. However, there are several calibration issues that still need to be addressed.⁴⁸

As Steps 3 and 4 in the implementation process, a thorough analysis of federal, state, and local laws that might preempt the SmartCode is in order. Examples include federal regulations such as flood plains under FEMA, air traffic noise under FAA, and cellular phone towers under the Telecommunications Act. These federal laws preempt local zoning ordinances and the SmartCode adopted must be calibrated within these federal mandates. Calibration at the state level includes schools⁴⁹ and thoroughfares, both of which are regulated through state departments. It is imperative that the SmartCode either be formatted to adopt the regulatory

⁴⁷ Slone, Daniel. *The Legal Context for the SmartCode*. See <http://www.smartcodecomplete.com/learn/links.html#articles> (Last visited April 17, 2006).

⁴⁸ Chad Emerson, “Making Main Street Legal Again: The SmartCode Solution to Sprawl,” Paper 954, ExpressO Preprint Series, The Berkeley Electronic Press, 2006. See <http://www.placemakers.com/info/infoClear.html>.

⁴⁹ Walton County CLDO comports with the DOE’s minimum requirements; however, the DOE does allow for school acreage to be less than the minimums set forth where there is public need and it is justified based on available land and need. This mimics the SmartCode’s flexibility. www.doe.k12.ga.us/schools/facilities. Last visited April 15, 2007.

minimums set by these departments or exempt these areas from the SmartCode. Further, the local regulations must be incorporated and calibrated into the SmartCode. Walton County's CLDO includes these regulations, such as noise, landscaping, and tree ordinances. The SmartCode adopted by Walton County must incorporate these ordinances and modify the model ordinances set forth. Finally, the SmartCode must coordinate and standardize its legal definitions (Section 7 of *SmartCode version 8.0*) with the definitions already in use by the county, else face ambiguity and uncertainty in their implementation. By following these calibration steps, Walton County can create a legally enforceable SmartCode zoning plan that can be easily adopted and replace the CLDO.

Incentives—Economic and Logistical

Because the SmartCode would at first be an option, and not a mandated use, we recommend that Walton County introduce an incentive based plan to developers to choose SmartCode zoning over the traditional zoning outlined in the CLDO. The SmartCode itself provides several incentives, both economic and logistical.

Economic incentives could be coordinated with the Georgia Regional Transportation Authority (GRTA), the Atlanta Regional Commission (ARC), the Department of Community Affairs (DCA), and other regional development authorities. GRTA and DCA are especially suited to economic incentives. DCA, pursuant to the Land Planning Act, must approve the land use ordinances. DCA has already shown strong support for SmartCode-type zoning ordinances. Further, through the Living Centers Initiative (LCI), the DCA has apportioned funding through the ARC to fund smart growth studies and has access to nearly \$350 million dollars to fund smart growth

initiatives.⁵⁰ There are significant funding sources for SmartCode development that both the county and individual developers can access.

There is also significant economic benefit inherent in SmartCode development. By revitalizing central downtown areas through infill, mixed use, and greater transportation options, developers and landowners benefit from rising property values and the county benefits from a rise in property taxes. These economic benefits should be trumpeted to developers as an incentive to choose SmartCode development. Walton County itself could create economic incentives through tax relief and tax incentives to developers. One such option could be tax breaks for developers who develop under the SmartCode. The County could justify these tax cuts against the increased fiscal and economic benefits that accrue to the county through smart growth.

In addition to the economic benefits available through agency funded initiatives and the created economic benefit, developers and landowners should be incentivized through the logistical ease that choosing SmartCode offers. The SmartCode offers expedited review process, greater flexibility of uses, and more maneuverability for the siting of infill development. By creating a consolidated review process, the different permitting and planning elements are reviewed more quickly, bureaucratic red tape is avoided, and developers and landowners have clear determinations of the zoning process.

One legal concern in this incentive is that it apparently runs counter to the public notice and hearing requirements outlined in the CLDO. However, one of the important features in the SmartCode is the use of the charette, a community based approach to determining zoning and planning through community involvement. By creating the SmartCode overlay through public notice and hearing, pursuant to the CLDO, and then utilizing the charette for targeted implementation of

⁵⁰ Georgia Department of Community Affairs (GDCA) website, *See* www.dca.state.ga.us/toolkit/ProcessExamplesSearch.asp?GetExample=22. Last visited April 16, 2007.

SmartCode development, Walton County should avoid legal challenges to the SmartCode overlay and the expedited review process.

These incentives, both economic and logistical, provide a strong background for implementing the SmartCode as a parallel overlay without encountering legal challenges.

Takings and Vested Rights—Concerns

Georgia is a strong property rights state. Since the Supreme Court’s decision in *Pennsylvania Coal v. Mahon*, landowners have been protected from regulations that “go too far” and thus become a “taking.”⁵¹ Though case law mandates that for a regulation to be a taking it must deprive the landowner of *all* economic value⁵², recent Georgia legislation has restricted the government’s ability to take land under eminent domain and there has been significant pressure in the Georgia legislature to expand those restrictions to regulatory takings, mandating compensation to landowners when they are prevented from using their land to maximize profits in any way they see fit.⁵³ Recent legislation around the country has shown that takings challenges under zoning laws can result in gutting the land use ordinances or making the land use ordinances prohibitively expensive.⁵⁴ As discussed above however, by implementing the SmartCode as a parallel code there is small likelihood of facing a viable takings challenge under the SmartCode.

Nor does the parallel code create concerns about vested rights possibly created under the CLDO, because, as a parallel code any rights that were created are not infringed upon.

Developers can still develop under the CLDO; they are merely offered incentives to develop

⁵¹ *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393 (1922).

⁵² See *Lucas v. South Carolina Coastal Commission*, 505 U.S. 1003 (1992), *Threatt v. Fulton County*, 266 Ga. 466 (1996).

⁵³ “SR 1040 ‘Inverse Condemnation’ Talking Points,” http://www.georgiaplanning.org/news.php?news_id=176&start=0&category_id=3&parent_id=0&arcyear=&arcmonth=. Last visited April 17, 2006.

⁵⁴ See Oregon’s Measure 37 (ORS 197.352), which has to date resulted in claims of almost \$5.7 billion. In response, Oregon has been forced to waive or repeal some of its strongest land use ordinances.

under the SmartCode. As the gradual shift to the exclusive format takes place, developers would have notice and warning that those regulations will be in place.

Transferable Development Rights (TDR) is a tool that Walton is highly interested in using to protect against both takings claims and vested rights. TDRs are allowed under OCGA §36-66A-1 and provide that “sending property” be defined as lots or parcels that are environmentally, historically, or culturally sensitive and which the county wishes to protect from development. By taking the value of the maximum development allowed and transferring those rights to receiving areas where the county wishes to encourage development, Walton is able to protect property rights, focus development, and create a viable economic market that benefits Walton County landowners (Section III describes the TDR program from a planning perspective).

Section V: The SmartCode as a Brand

Perhaps one of the greatest threats to the implementation of the SmartCode is simply not the idea itself—nor the principles from which the code is grounded—but rather the absence of a strong marketing campaign. Many members on the Walton County Quality Growth Committee are familiar with the culture and the principles of the SmartCode—many other stakeholders in the community—other residents, county leaders and officials, and developers—are not familiar with the code. Therefore, in presenting the SmartCode, it is important to develop a strong marketing campaign to educate and inform all. A strong marketing campaign will achieve many of the goals of the SmartCode—and its attempts to create high-quality, prosperous communities.

The greatest challenge lies in paving broad, sweeping avenues to inform citizens, county officials, and other stakeholders. A strong marketing campaign begins with understanding that marketing is defined as the process of planning and executing the production, pricing, promotion, and distribution of ideas, goods, and services to create exchanges that satisfy individual and organizational goals. In the case of the SmartCode, the code is a product—and while the discussion should not focus on price—much dialogue should occur when considering the promotion and distribution of the SmartCode.

A strong marketing campaign for Walton County must focus heavily upon transforming the perception of the code from an idea that is a law, a policy, or a political construct into an idea that is essentially brand oriented. Many consumers can easily identify with such major institutions such as Starbucks Coffee Company or Home Depot because these firms spend a tremendous amount of time, investment, and financial resources to reinforce their reputation, products, and services. Such should also be the case for the SmartCode. Citizens should be able to easily identify with the culture, the goals, and the principles of the SmartCode. While

language should not focus on the actual branding or the creation of a trademark for the SmartCode in general—branding should be considered in this context as a method to develop a strong identification of the code. This identification—or the branding, will take time to evolve, however, as identification of an idea takes a great deal of time to register among consumers. The individuals familiar with SmartCode language, are in essence pioneers, and should be used as a catalyst for implementing change through the code. Reinforcing the ideas of the code to these parties should take place through website development, community outreach, and the development and implementation of a strong communications program.

Website development is paramount to the success of a strong branding program because more and more Americans are turning to the internet as a major source for information, news, and research. Understanding this trend in regards to internet usage—presents a priceless tool for reinforcing the SmartCode. As of recent days, the county website for Walton—makes no mention whatsoever in regards to new urbanism, smart growth, or the Walton County Quality Growth Committee—a committee appointed by the county commissioners. Moreover, the website is dull and lacks the pizzazz needed to draw residents to the site other than to find contact numbers, government personnel, and other county information.⁵⁵

This presents an excellent opportunity for branding the SmartCode and assisting the county government in providing an avenue to offer information on the SmartCode and other new urbanism initiatives. Montgomery County in Maryland, developed and designed an excellent website in which Walton County should consider modeling their website after. Trendy and highly stylized, the website is informative, attractive, and provides a strong liaison between the community and the county government.⁵⁶

⁵⁵ See www.waltoncountyga.org

⁵⁶ See www.montgomerycountymd.gov

Consequentially, modeling Walton County’s website after that of Montgomery County will prove quite useful in terms of increasing awareness of the SmartCode. The website upgrade should include an attractive and post modern design providing not only important county notices and contact information for government personnel, but also include information on the SmartCode. Moreover, the website should also include information on the Walton County Quality Growth Committee, provide links to jurisdictions actively encouraging usage of the SmartCode, and provide an area for community feedback. Website development dramatically increases the probability of resident exposure to the SmartCode. Furthermore, this reinforces the county’s commitment to the SmartCode and the continued partnership between the county and the Walton County Quality Growth Committee.

Community outreach is also paramount in terms of developing a strong brand management plan. Community outreach is effective in terms of delivering information to others who may not have access to the internet, live in remote corners, and serve as an excellent incubator for bringing communities together. The community outreach program is in essence the “physical website.” The community outreach program will be more involved in nature than the website. The cities of Loganville, Monroe, Social Circle, and Walnut Grove will serve as centers of SmartCode exchange. These centers of exchange will allow for citizens residing in all corners of the county to meet in a nearby city and greet each other—thusly developing a sense of community and commitment—and in essence create an environment conducive to SmartCode discussions. These centers will also serve as areas for “think tanks,” allow for question and answer sessions on the code, and most importantly provide classroom space for SmartCode clinics and workshops. Workshops are excellent opportunities to allow residents to think as developers do and actually participate in planning and designing the community. These charettes

are only one of many methods to pique stakeholder interest in the SmartCode and to also provide for active participation among community residents. The importance of these centers, as it can not be stressed enough, is to offer a meeting place for citizens to actually discuss the code in person. The goal is that through discussions those who are more informed will mingle with those who are less informed and bring a greater understanding of the code to the community as a whole.

Additionally, another outcome of the community outreach program is the fact that all socio-economic groups are encouraged to mingle together. It is one thing to discuss the SmartCode among those who are informed or not informed—it is yet another when individuals of different socio-economic levels mingle together to discuss how the code can be beneficial to the community presently and in the future. Commentary is important from all groups because Walton County is diverse in terms of race, education, faith, and attitudes. All of these values and differences are crucial to implementing the SmartCode—as the code impacts all. Commentary is also increased through providing opportunities to bring in SmartCode experts and smart growth organizations within the county to prepare presentations and to conduct round table discussions with other concerned stakeholders.

Finally, the communications plan is the last component to the branding strategy. The SmartCode document is a time consuming and in some instances a difficult read. It is important that the SmartCode is presented in terms that all can understand. It is also important that the code is offered in major venues so that all can have access to the code as well.

Therefore, highlighting only the major principles of the code will provide an expeditious manner for those who dearly value time to read. These principles can be listed in pamphlets or leaflets and then distributed in high activity corridors and pedestrian nodes throughout Walton

County. Moreover, this provides an exceptional opportunity for the county government to take a proactive stance towards the SmartCode. The county can introduce the SmartCode through the website as mentioned earlier, increase the number of public meetings, and sponsor major advertisements in widely distributed publications.

In essence, branding is achieved through providing for website development, a community outreach program, and a strong communications program. In turn, what happens is that branding allows for the marketing strategy to unfold. The SmartCode turns from a policy oriented code into a branded code identified with smart growth principles. The code achieves several objectives.

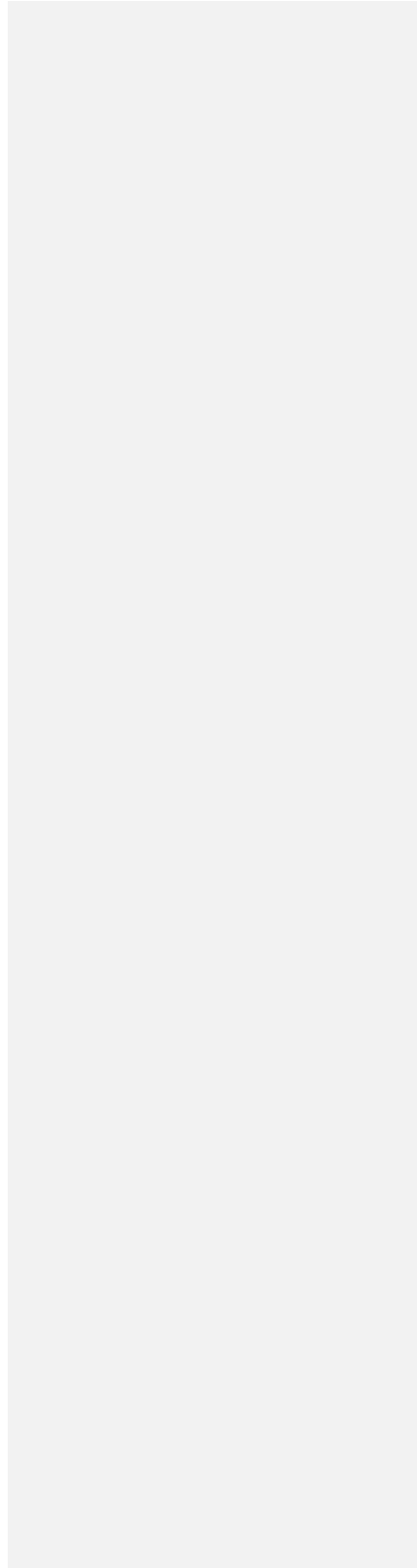
1. Facilitates greater interaction between the county government, citizens, developers, and other stakeholders consequentially allowing for increased SmartCode based development to occur.
2. Facilitates market segmentation—in other words forcing developers to construct their plans according to the principles of the SmartCode and to the architectural standards of the community.
3. Allows for easy identification of the code among residents—thusly enabling residents to realize that the power to transform the community is in their hands and more importantly the community has a voice in growth and prosperity in the county.
4. Provides for loyalty to the SmartCode—in essence all stakeholders realize that benefits of the SmartCode and an improved quality of life for the entire region.

As Chad Draper, a member of the Walton County Quality Growth Committee commented, “The SmartCode is about change. It is about doing things right.” Draper’s comment illustrates the end result of a strong marketing plan. Many suggest that the best way to implement change is to provide funding for change. However, change is best brought about through developing a sound marketing strategy. The marketing strategy for the SmartCode is quite simple — transform the code from a policy oriented idea into a brand symbolizing new urbanism, manageable growth, and long-lived prosperity. From this, citizens can truly delve into the SmartCode and take an even greater appreciation for the code. Consequentially, the county government can now consider setting a budget

Growth Management Group Project

Group 1: SmartCode in Walton County

to fund the clinics, workshops, provide for incentives to developers actively engaging in SmartCode culture, and from this create many more innovative programs derivative of the SmartCode.



Conclusions and Recommendations

Walton County is poised for economic growth and the corresponding land use which inevitably comes with such growth. By adopting the SmartCode as a parallel code to the CLDO, Walton County may shape its growth to avoid urban sprawl and encourage the rural and small town characteristics the county values. The ordinance already allows for overlay districts. With minimal tweaking, it could be amended to allow the SmartCode as an overlay district and enable the incentives which encourage developers to use the new alternative. Similarly, the comprehensive plan would then require minor tweaking to funnel SmartCode projects into the identified growth patterns and locations. Moreover, county, city and public interest groups will need to work together to communicate the game plan to citizens and developers and garner support and acceptance. Fortunately, the initial adoption of the SmartCode as a parallel code minimizes the threat of legal challenges. However, as Walton County increasingly migrates from its current land use practices to the SmartCode, it will need to remain mindful of takings and vested rights issues, and mitigate the possible effects with such tools as TDRs.

On a final note, implementing the following recommendations will help Walton County facilitate the road ahead:

- conduct a survey to determine the public priorities for improvements;⁵⁷
- hold a community charette as part of the land use plan revision;
- use sewer and water service availability and environmentally sensitive lands to enforce growth boundaries, possibly through a Minimum Public Facilities ordinance;
- allow for staged growth by developing conservative regulating maps and re-evaluating them at 5-10 year intervals and 15-20 years for growth boundaries; and
- develop a Transfer of Development Rights (TDR) program.

⁵⁷ The survey from Newton County, GA is a potential model.

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Introduction

- Written By: Elise Barrella

Section I: The Current Situation in Walton County

- Researched By: Jaimye Bartak
- Written and Presented By: Jaimye Bartak

Section II: The SmartCode

- Researched By: Ashley Masset and Tracy Starr
- Written and Presented By: Tracy Starr

Section III: Implementing the SmartCode in Walton County

- Researched By: Elise Barrella
- Written and Presented By: Elise Barrella

Section IV: Legal Analysis

- Researched By: Ashley Masset and Tracy Starr
- Written and Presented By: Ashley Masset

Section V: The SmartCode as a Brand

- Researched By: J.P. Alexander
- Written and Presented By: J.P. Alexander

Conclusions and Recommendations

- Written By: Elise Barrella and Tracy Starr

Exhibits

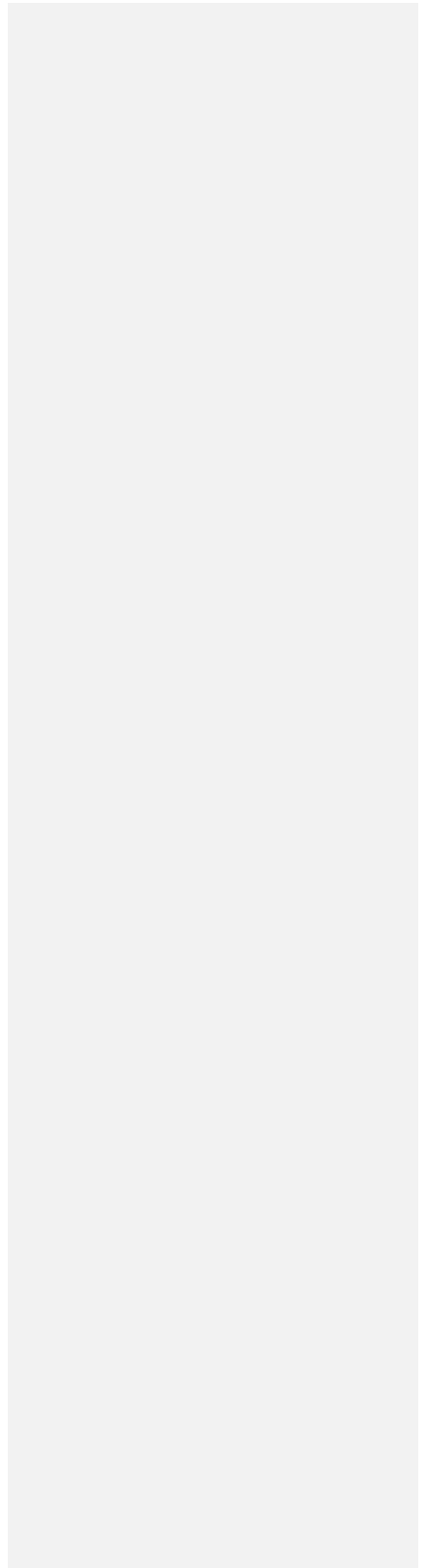
- Elise Barrella
- Jaimye Bartak
- Tracy Starr

Paper Editor

- Tracy Starr

EXHIBITS

(See following page)



Section I: The Current Situation in Walton County

Exhibit 1

Population for Walton County 1960 to 2000 Census

Area Name	Census 2000	Census 1990	Census 1980	Census 1970	Census 1960	Change 90-00	Change 80-90	Change 70-80	Change 60-70
Walton County	60,687	38,586	31,211	23,404	20,481	57.3%	23.6%	33.4%	14.3%
Between	148	82	87	94	80	80.49%	-5.75%	-7.45%	17.50%
Good Hope	210	181	200	202	165	16.02%	-9.50%	-0.99%	22.42%
Jersey	163	149	201	180	170	9.40%	-25.87%	11.67%	5.88%
Loganville	5,435	3,180	1,841	1,318	926	70.91%	72.73%	39.68%	42.33%
Monroe	11,407	9,759	8,854	8,071	6,826	16.89%	10.22%	9.70%	18.24%
Social Circle	3,379	2,755	2,591	1,961	1,780	22.65%	6.33%	32.13%	10.17%
Walnut Grove	1,241	458	387	175	119	170.96%	18.35%	121.14%	47.06%

Source: U.S. Bureau of the Census and Georgia Institute of Technology State Data and Research Center

Exhibit 2

Components of Change

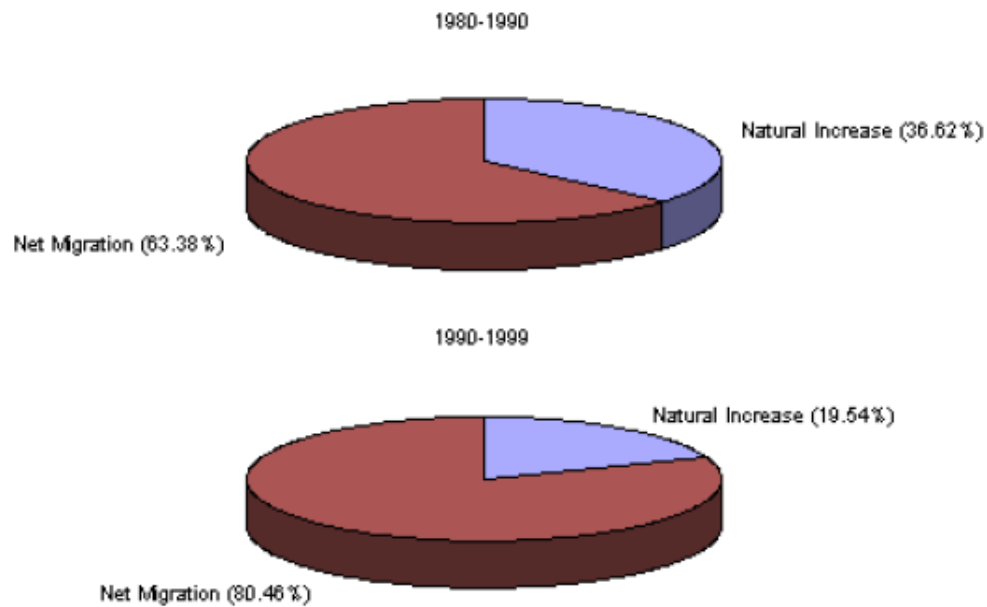


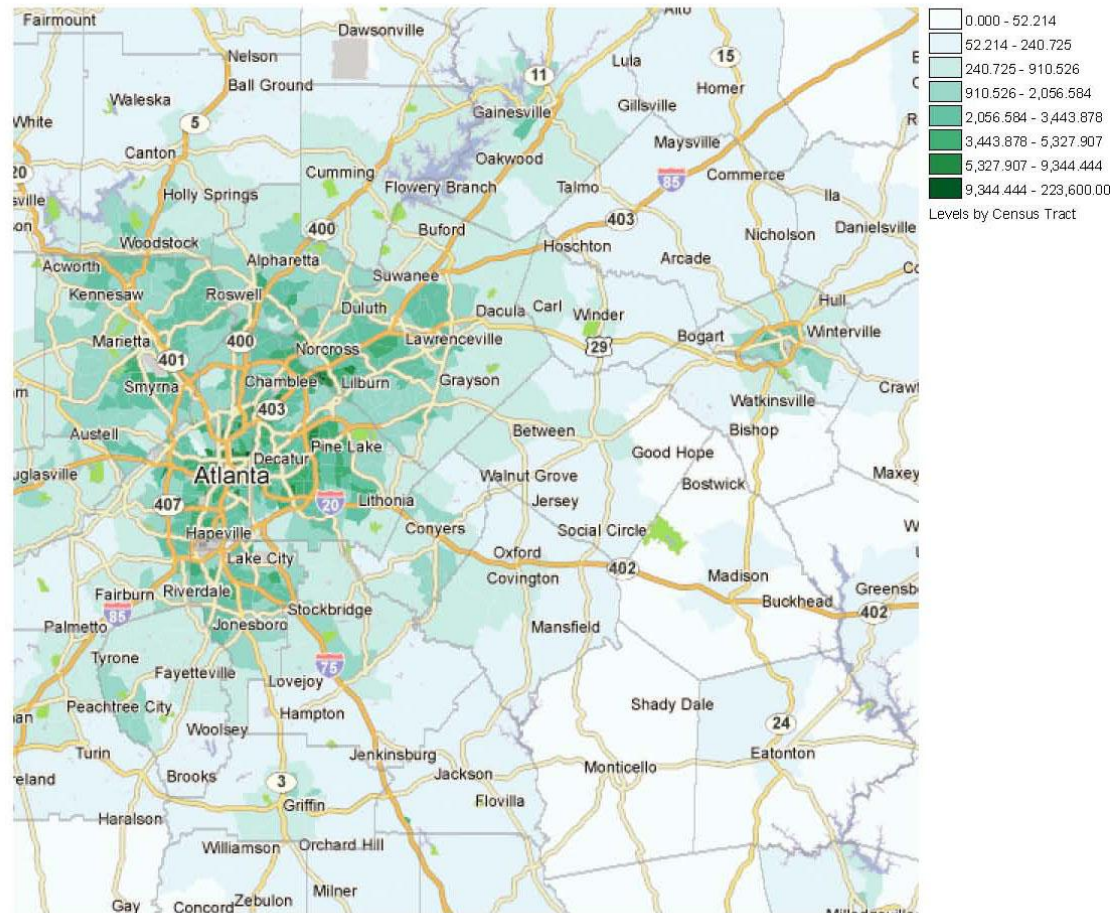
Figure 3. Components of Change in Walton County. Data are from the Georgia County Guide, 2001. Data are not yet available from the 2000 Census.

t 2

Source: *Walton County Comprehensive Plan 2003*.

Exhibit 3

Map of Population density (people per square mile)2000 in Georgia



(c) 2007 Fannie Mae Foundation. Printed from DataPlace -- www.dataplace.org

Source: www.datasource.org; Extracted from *Walton County Comprehensive Plan 2003*.

Exhibit 4

Mix of Household Types								
	1980		1990		2000		1980-1990	1990-2000
Jurisdiction	Total	Percent	Total	Percent	Total	Percent	% Change	% Change
Walton	10441	100.0	14514	100.0	22500	100.0	39.0	55.0
Single Family	7962	76.3	10370	71.4	17813	79.2	30.2	71.8
Multi-Family	1025	9.8	1652	11.4	2004	8.9	61.2	21.3
Mobile Home	1448	13.9	2346	16.2	2675	11.9	62.0	14.0
Other	5	0.0	147	1.0	7	0.0	2840.0	-95.0
Georgia	2012640	100.0	2638418	100.0	3281737	100.0	31.1	24.4
Single Family	1525070	75.8	1712259	64.9	2201467	67.1	12.3	28.6
Multi-Family	334622	16.6	598271	22.7	681019	20.8	78.8	13.8
Mobile Home	152948	7.6	327888	12.4	399251	12.2	114.4	21.8
Seasonal/Recreational	NA		33637		50064	1.5		48.8

Source: *Walton County Comprehensive Plan 2007. Draft: Technical Addendums.*

Exhibit 5

Table 39: Walton County Worker Flow		
Commuting Category	1990	2000
Employed residents of Walton County	17,814	29,031
Number of Residents Commuting Outside County	10,064	17,827
Percent of Residents working in County	43.51	38.59
Percent of Residents working outside Walton County	56.49	61.41
Workers employed in Walton County	10,367	16,018
Workers employed in Walton County who reside in County	7,750	11,204
Workers employed in Walton County who reside outside County	2,617	4,814
Commuter flow ratio	0.26	0.27

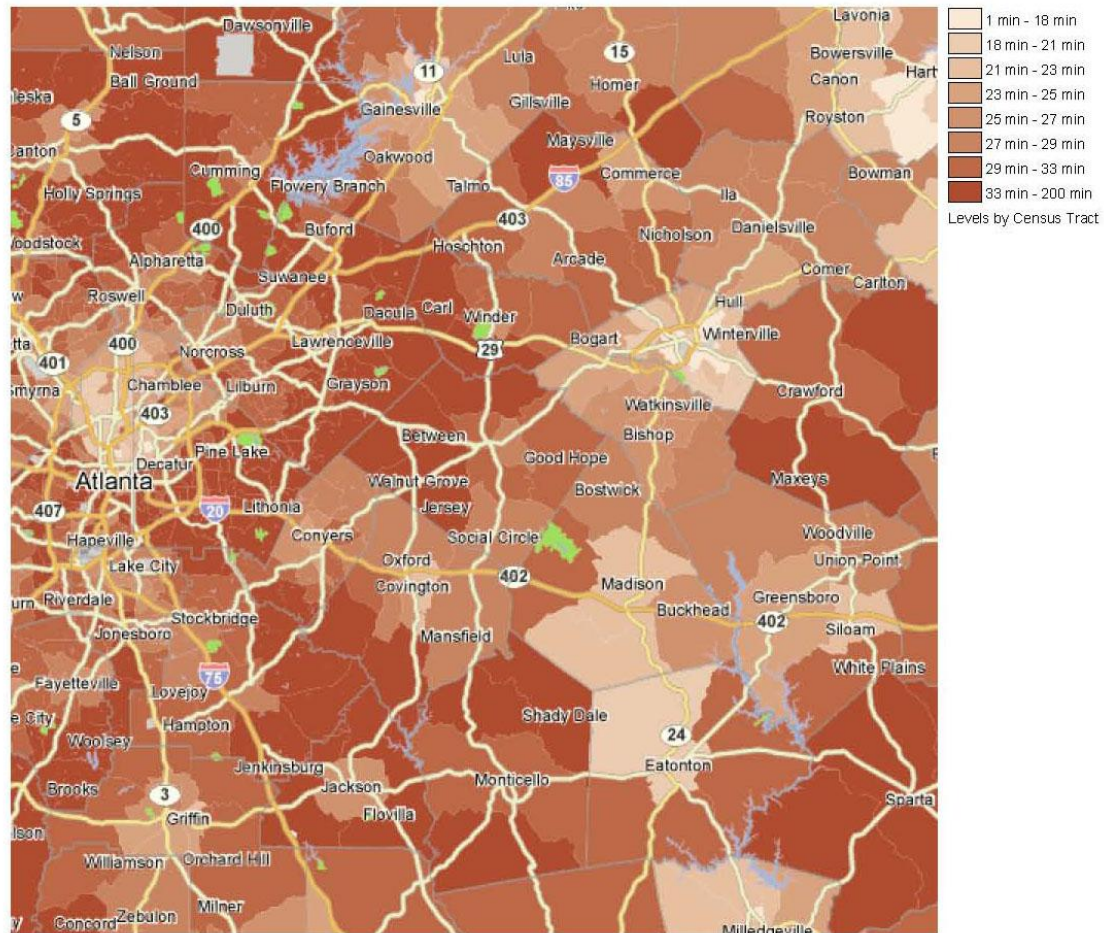
Source: *U.S. Census Bureau - 2000 County-To-County Worker Flow Files.*

Source: *Walton County Comprehensive Plan 2007. Draft: Technical Addendums.*

Exhibit 6

Walton County is located at the center of the map.

Map of Average travel time to work (minutes)2000 in Walton County, GA

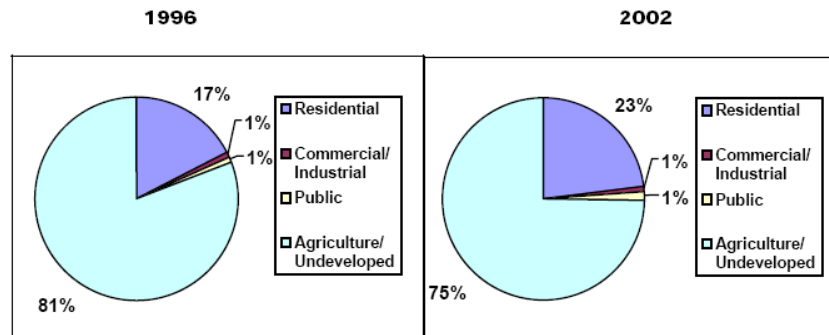


(c) 2007 Fannie Mae Foundation. Printed from DataPlace -- www.dataplace.org

Source: www.datasource.org

Exhibit 7

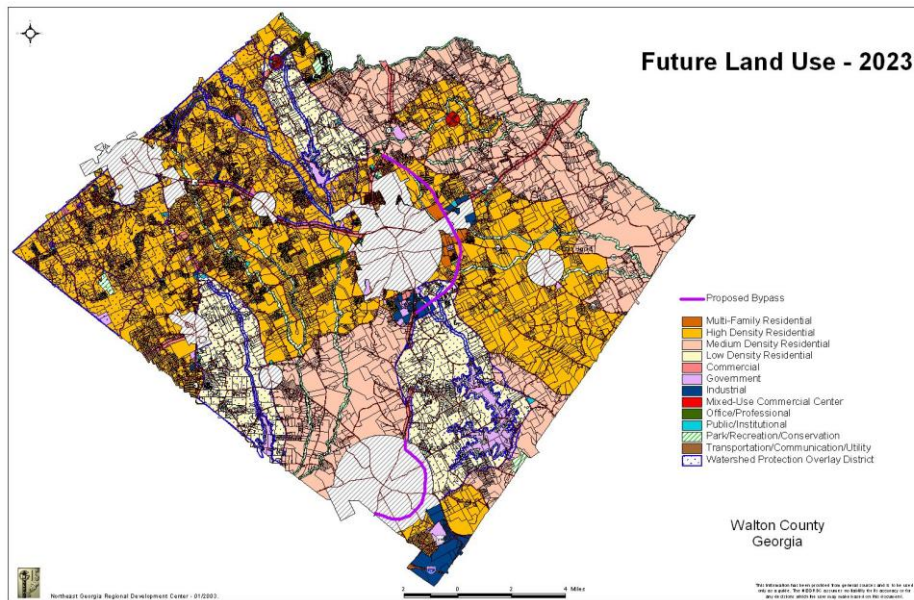
Figure 1
1996-2002 Comparison



*Public includes transportation/communication/utilities and agriculture/undeveloped includes parks/recreation/conservation.

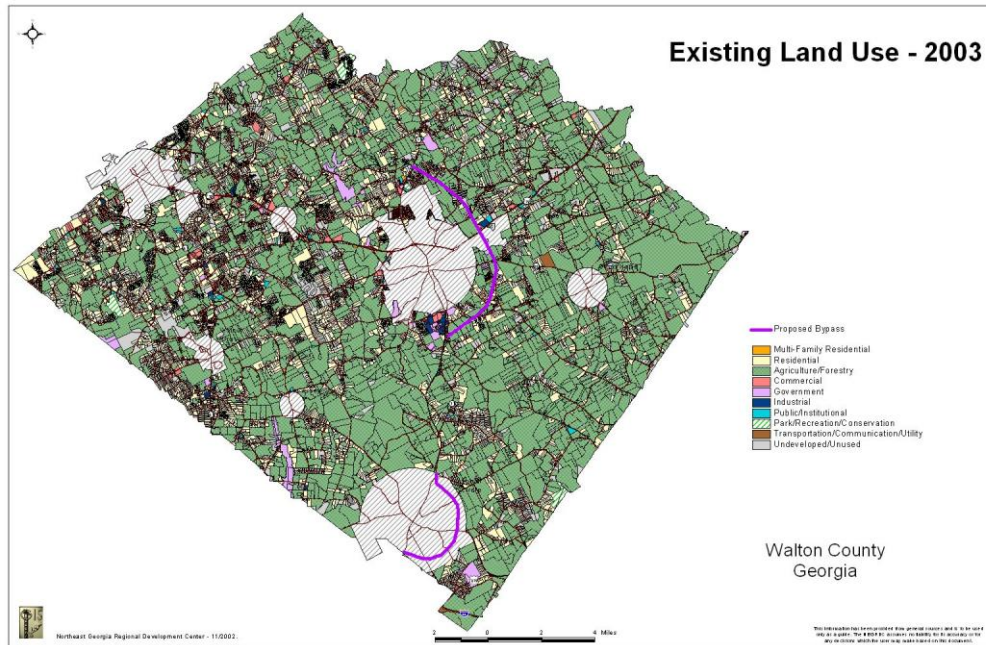
Source: *Walton County Comprehensive Plan 2003.*

Exhibit 8



Source: *Walton County Comprehensive Plan 2003.*

Exhibit 9



Source: *Walton County Comprehensive Plan 2003.*

Exhibit 10

Table 4
2022 Future Land Use Acreage - Unincorporated County

Land Use	Acres	% of Total
Total Residential	113,826	59.2
High Density (H/D)	83,003	43.4
Multi-Family (M/F)	662	0.4
Low-Density (L/D)	29,499	15.4
Agriculture/Forestry/Medium Density Residential	49,362	25.8
Commercial	3,736	2.0
Office/Professional (O/P)	695	0.4
Industrial	2,716	1.4
Mixed-Use Community Center	278	0.1
Government	3,746	1.9
Public/Institutional (P/I)	748	0.4
Parks/Recreation/Conservation (P/R/C)	10,327	5.4
Transportation/Communication/Utilities (T/C/U)	6,456	3.4
Totals	191,228	100

Source: *Walton County Comprehensive Plan 2003.*

Section II: The SmartCode

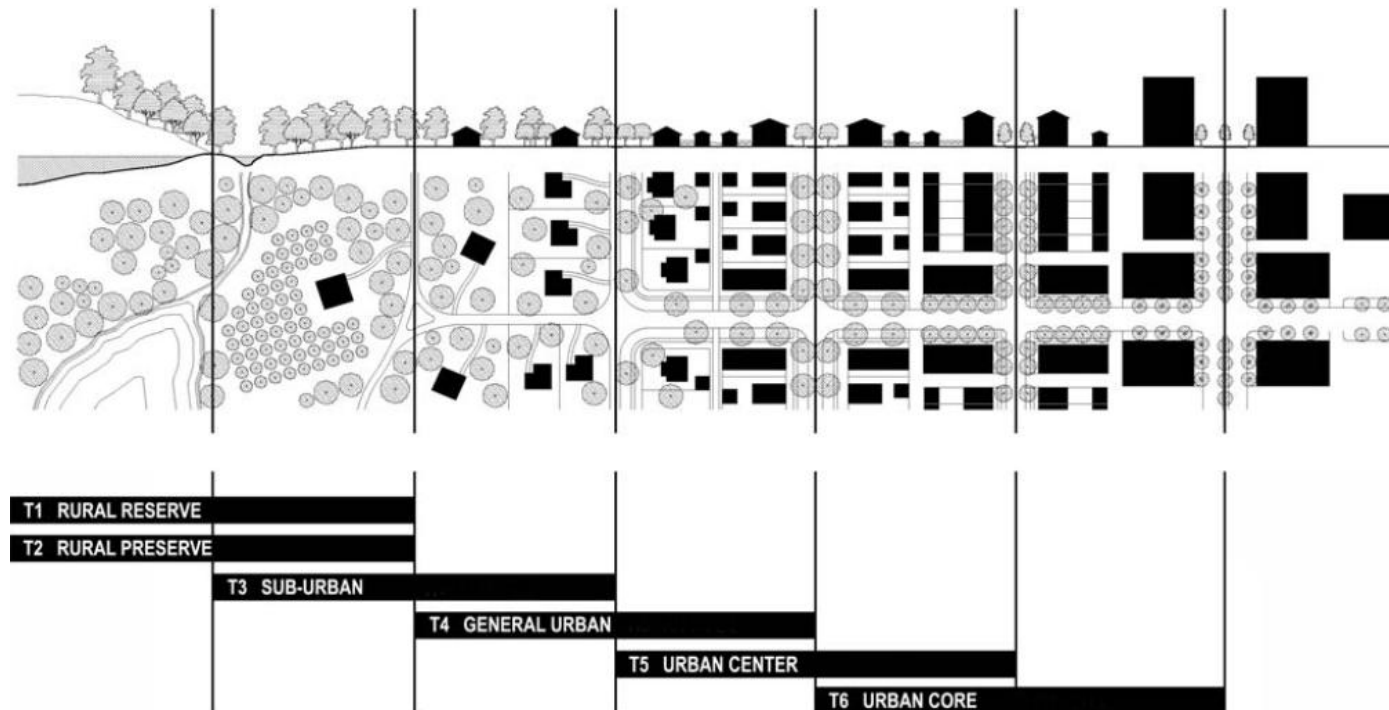
Exhibit 11

Sectors

- Preserve Open Land (O-1): no future development
- Reserve Open Land (O-2): transitional space that can be transferred to preserve or to growth sectors in the future
- Restricted Growth (G-1): area designated for low growth
- Controlled Growth (G-2): area that can and should support mixed-use development
- Intended Growth (G-3): non-urbanized area designated for a new community
- Infill Growth (G-4): existing urbanized area prioritized for higher-density, mixed-use infill development– urban growth

Communities

- Cluster Land Development (CLD): a Hamlet; appropriate in G1 and G2 sectors
- Traditional Neighborhood Development (TND): a Village or an Urban Neighborhood; appropriate in G2, G3, and G4 sectors
- Regional Center Development (RCD): a Town or a Downtown; appropriate in G3 and G4 sectors
- Transit-Oriented Development (TOD): an RCD with Transit existing or planned; permitted in G3 and G4 sectors

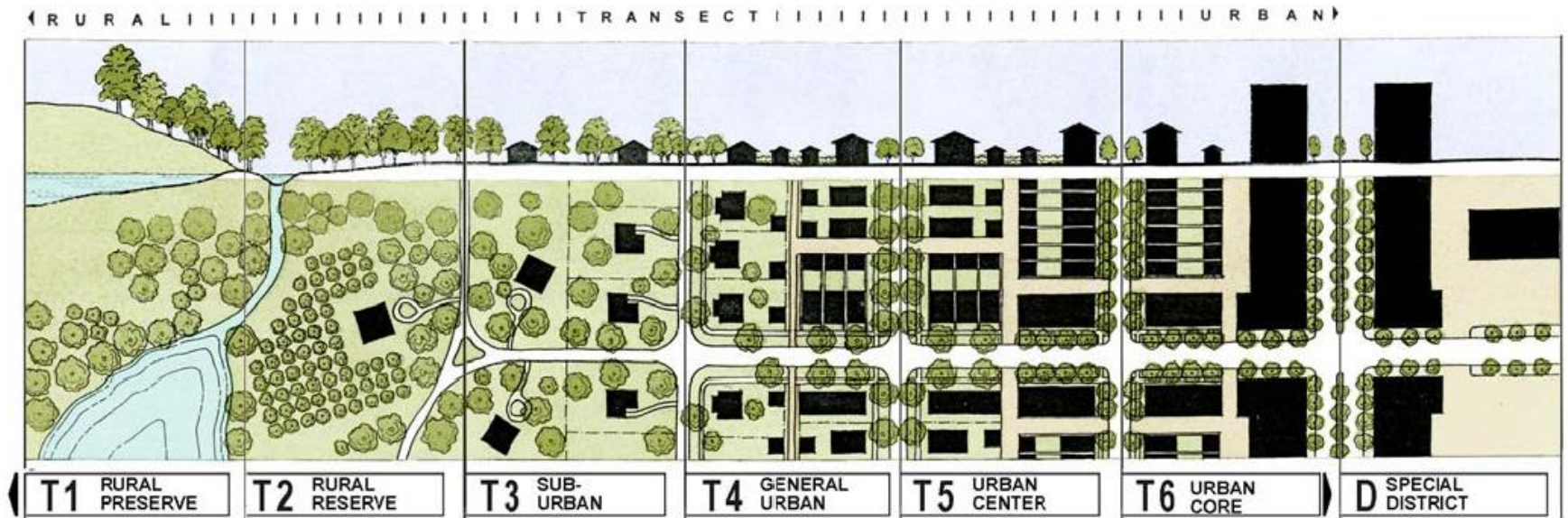


Source: Andrés Duany, “Transect Introduction,” *Journal of Urban Design*, ‘The Transect Today’ Section, August 26, 2002.

Exhibit 12

- *T-1 Natural Zone:* lands approximating a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- *T-2 Rural Zone:* lands in open or cultivated state or sparsely settled, including woodlands, agricultural land, and grasslands.
- *T-3 Sub-Urban Zone:* low-density suburban residential areas; naturalistic planting and relatively deep setbacks; blocks may be large and roads irregular to accommodate natural conditions.
- *T-4 General Urban Zone:* mixed-use but primarily residential urban fabric with a wide range of building types (single, sideyard, and rowhouses), variable setbacks and landscaping, and medium-sized blocks.
- *T-5 Urban Center Zone:* higher density mixed-use zone that accommodates retail, offices, rowhouses and apartments with a tight network of streets, wide sidewalks, street tree planting and shallow front-yard setbacks.
- *T-6 Urban Core Zone:* highest density area with the greatest variety of uses (including civic buildings of regional importance), larger blocks, streetscaping, and shallow front-yard setbacks.
- *Special Districts:* areas with buildings that by their function, disposition, or configuration cannot conform to one of the six normative Transect Zones.
- *CS:* Civic Space, like a park or courtyard
- *CB:* Civic Building

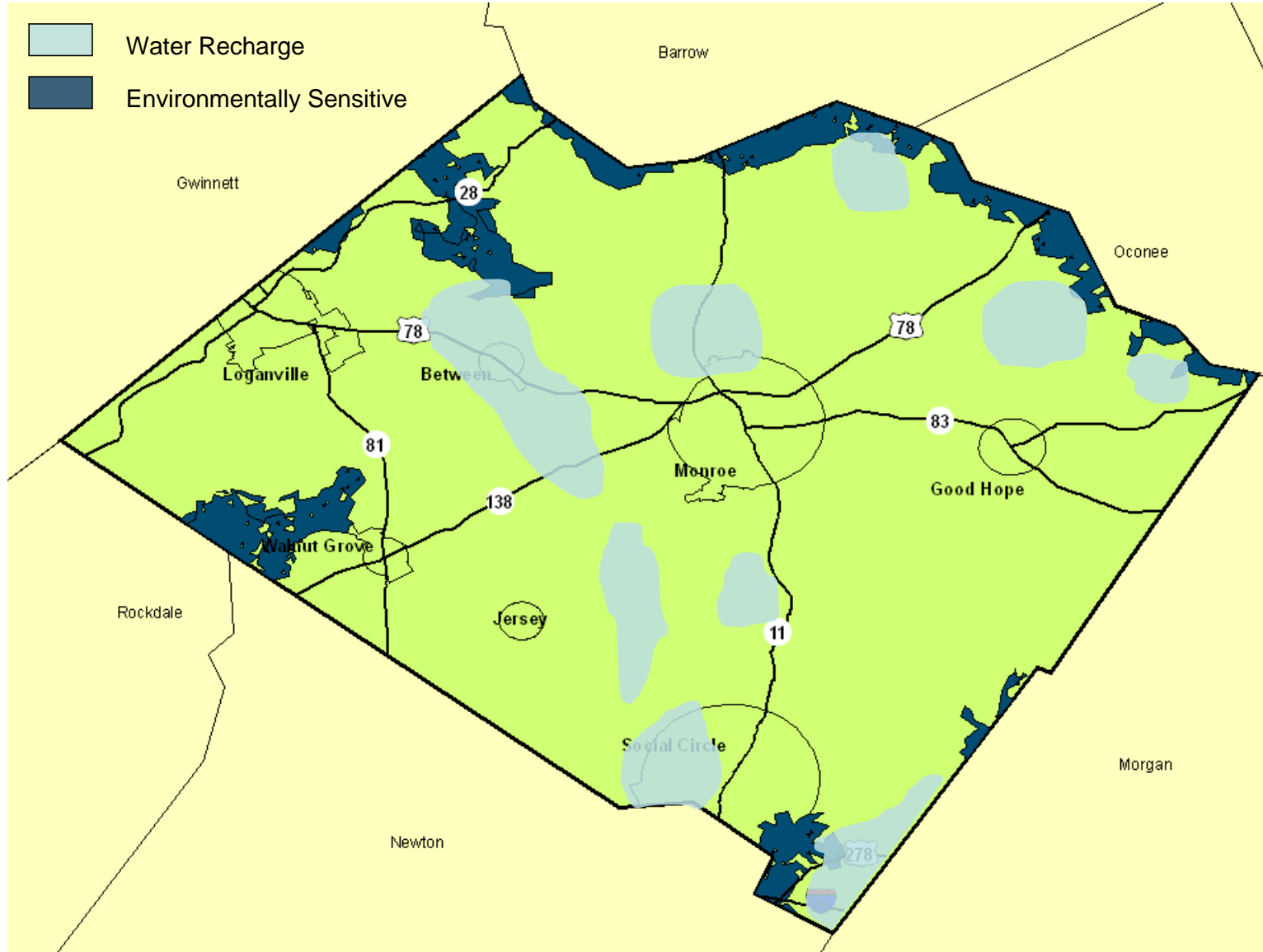
ILLUSTRATION 1: VARIOUS PHYSICAL CHARACTERISTICS OF THE TRANSECT



Source: Andrés Duany, "Transect Introduction," *Journal of Urban Design*, 'The Transect Today' Section, August 26, 2002.

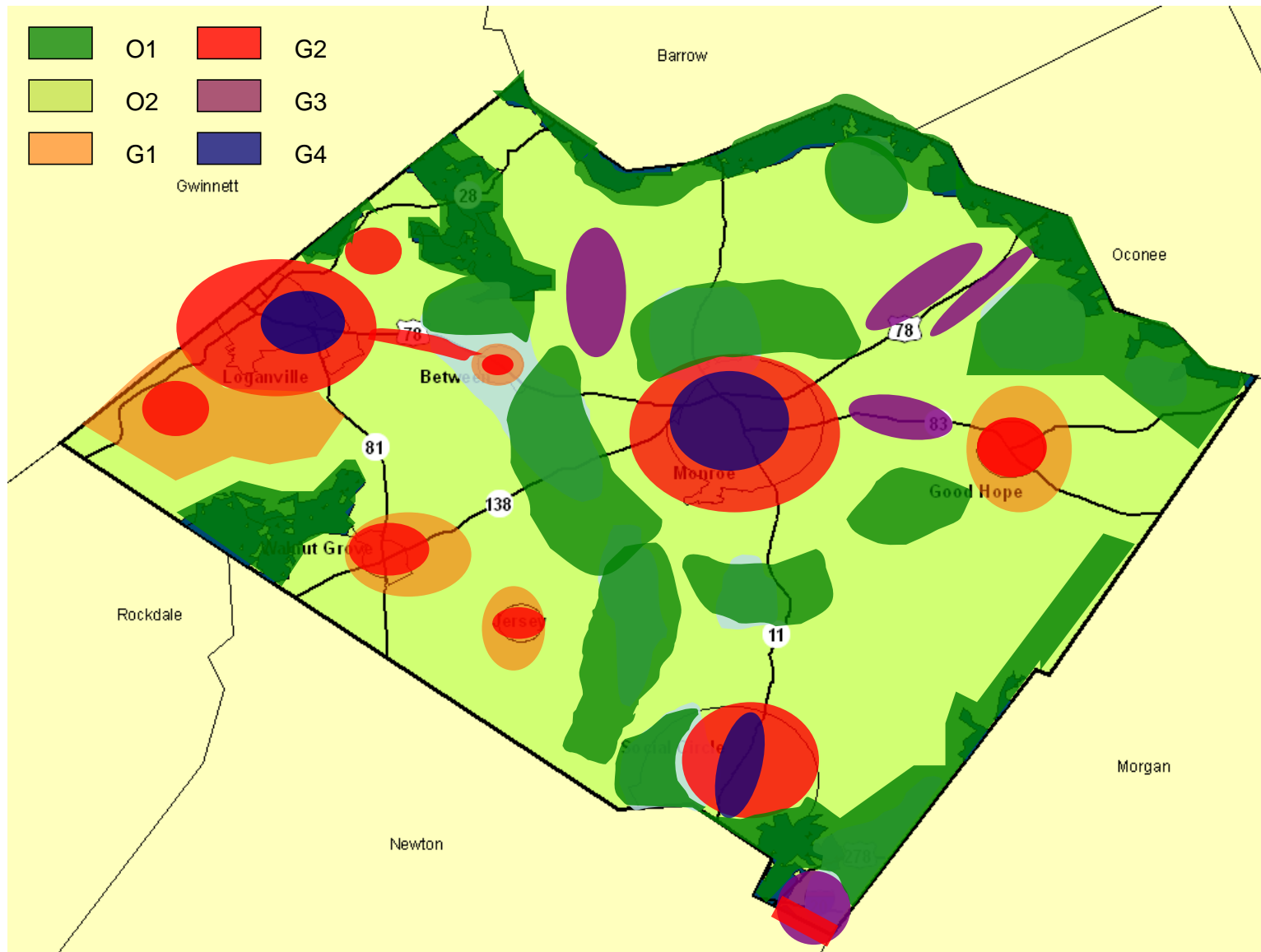
Section III: Implementation in Walton County

Exhibit 13: Environmental Suitability



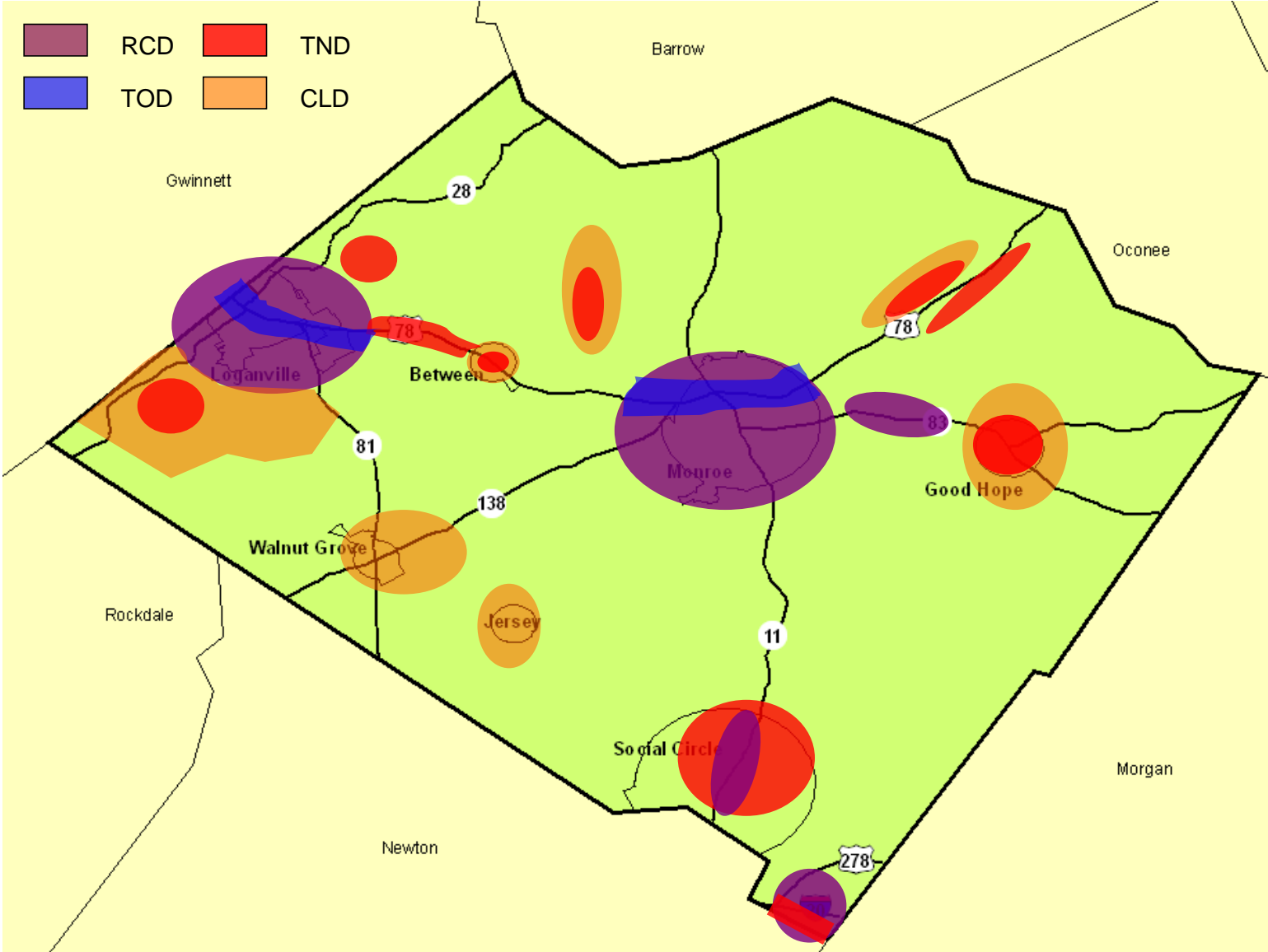
Created by: Elise Barrella

Exhibit 14: Sector Level Map



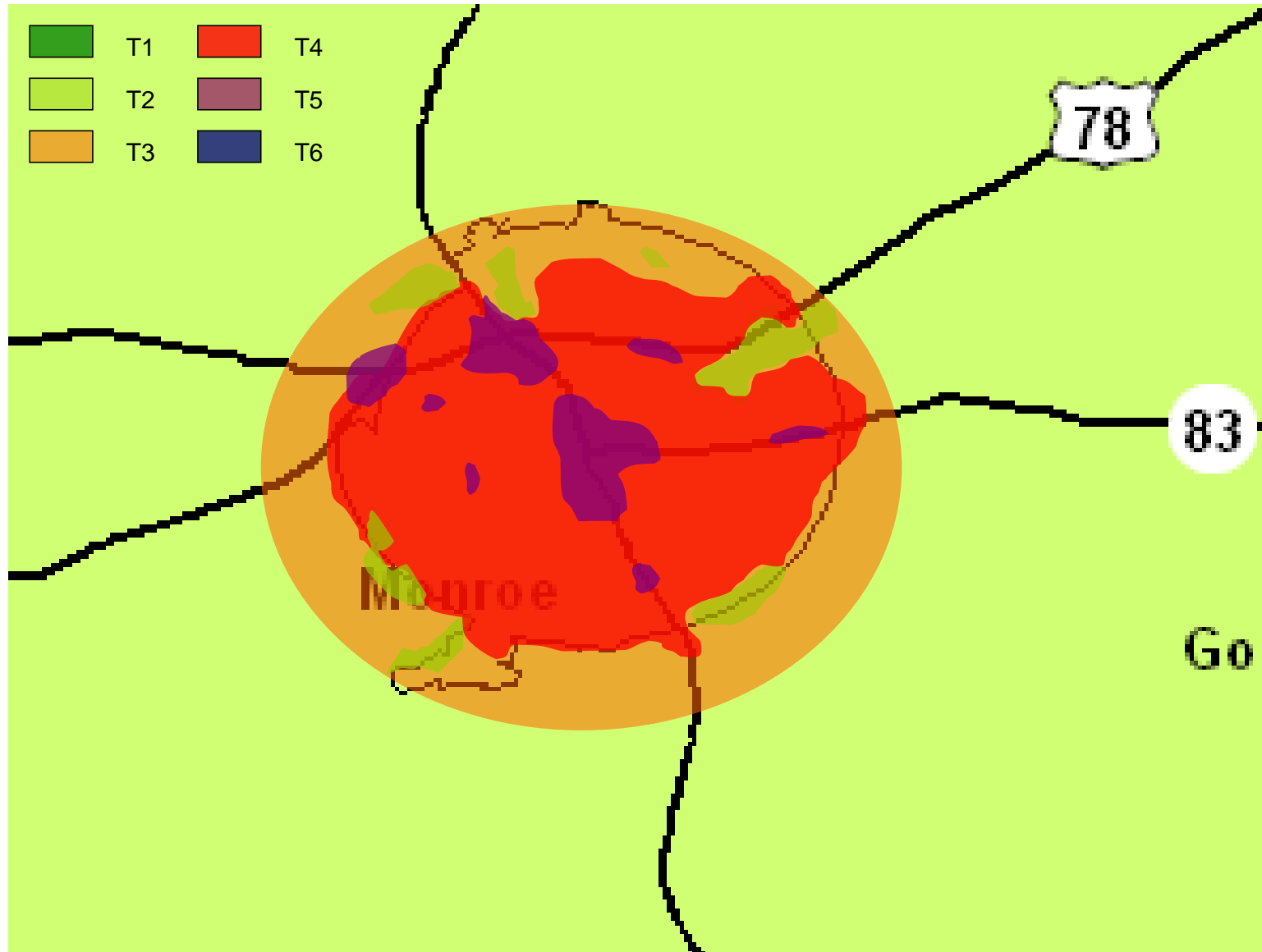
Created by: Elise Barrella with Jaimye Bartak

Exhibit 15: Community Level Map



Created by: Elise Barrella with Jaimye Bartak

Exhibit 16: Example Transect Map – City of Monroe



Created by: Elise Barrella with Jaimye Bartak