2017 Spring AICP Exam Review

AREAS OF PRACTICE, PART 1

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American Planning Association
Georgia Chapter
Making Great Communities Happen

Areas of Practice, Part 1

Overview of Presentation

- Comprehensive and sectoral planning (e.g., spatial planning, growth management, long range planning, general planning, regional planning, fiscal impact analysis, capital improvement planning, tribal planning)
- Community, subarea, corridor, and neighborhood planning
- Current planning (zoning, plan review, design review, site planning)
- Rural and small town planning (e.g., rural economic development, main streets, natural resource protection, tourism, multi-jurisdictional relations, rural character and scale)

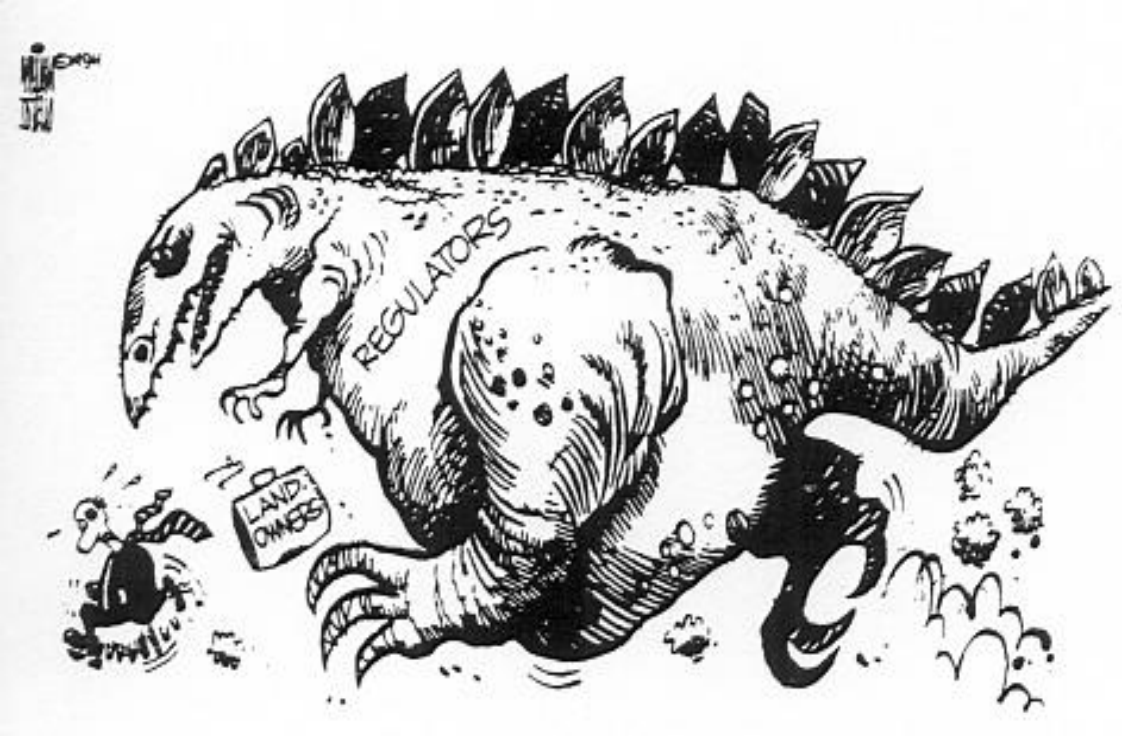
Land Use and Growth Management Planning

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 management is explicit and proactive.
- The goal of growth management can be to encourage or incentivize growth in some areas while discouraging it in others.
- Growth management is not just about regulation - strategic capital investment for public infrastructure is part of a Growth Management Plan.



Land Use and Growth Management Planning

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

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)

Land Use and Growth Management Planning

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

Protection of natural resources

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

- 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)

Land Use and Growth Management Planning

What is the Rationale for Growth Management?

Protection of designated historic and cultural resources

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

Hazard management

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

Land Use and Growth Management Planning

What is the Rationale for Growth Management?

Other Reasons

- Agricultural production
- Infrastructure capacity limitations
- Fiscal Impacts

Land Use and Growth Management Planning

Tools and Techniques

Early attempts

- "No Growth" ordinances – Referenda in California
- Holding Zone- Extensive use of Agricultural Zoning Districts or Industrial Zoning Districts
- Large Lot Zoning (10 acres – 40 acres/ house)
- Right to Farm Ordinances
- Conservation Tax Districts
- Bucks County, PA
  - Urban Service Area Limits For Public Facilities
  - Performance Zoning (Impervious Surface, Density)
  - Holding Zone (large lot zoning) outside USA

Land Use and Growth Management Planning

Tools and Techniques

Impact Fees

Manheim Township, Lancaster County, PA

- Building permits require one-time fee to cover the proportionate impact on off-site public infrastructure improvements

(See Fiscal Impact Analysis, below)

Land Use and Growth Management Planning

Tools and Techniques

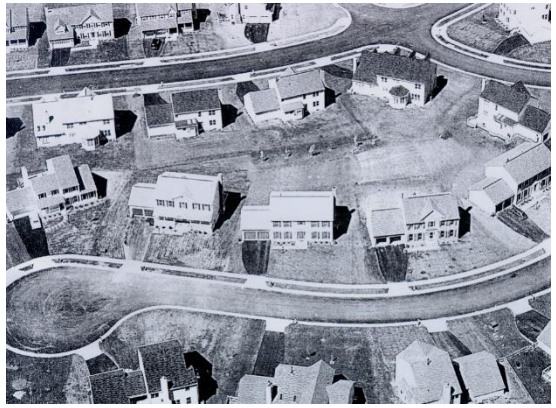
Fair-share Housing - Mt. Laurel Supreme Court case.

Land Use and Growth Management Planning

Tools and Techniques

Timed growth, growth boundaries and urban service areas – Golden v. Ramapo Supreme Court Case:

Strategic Capital Improvements Program designed to protect quality of life and fiscal health



Boulder, CO: Permit Cap - 500/ yr.

Pasadena, CA: Growth Limited By Referendum

"to *ensure through the exercise of the right to vote that the citizens of Pasadena rather than a small number of developers establish the growth policy for the City*."

Land Use and Growth Management Planning

Tools and Techniques

Jobs/ Housing Linkage – requires developers to provide new housing for workers in proposed new commercial development and developers must build new workplaces/employment opportunities in proportion with proposed new housing development

Land Use and Growth Management Planning

Growth Management at State Level

State Of Hawaii – First state in U.S. to use growth management

- Agriculture and Conservation districts controlled by State Commission

Oregon – 1000 Friends of Oregon

- Urban Growth Boundaries
- Emphasis on protection of shorelines, estuaries
- Policies encourage dense infill and redevelopment of cities

New Jersey – densest state in the U.S.

- Uses state grants for infrastructure to enforce state plan
- In Hackensack Meadowland – commission overrides local zoning

Maryland – Priority Growth Areas - targeted state grants and tax breaks limited to:

- Existing Municipalities
- Inside Baltimore Beltway or Washington D.C.
- Enterprise zones, neighborhood revitalization areas, heritage areas and industrial areas

Land Use and Growth Management Planning

Concerns about Growth Management in Practice

William Fischel: Do Growth Controls Really Matter?

- Growth management in small, affluent communities:
  - raises the value of existing housing – supply side constraint reduces competition without adding amenities
  - forces growth to go to rural fringes anyway
  - may also decentralize employment locations
  - increases commuting due to leap-frog development
  - has long-run effect of lower standard of living for most – equity issue

Fiscal Impact Analysis

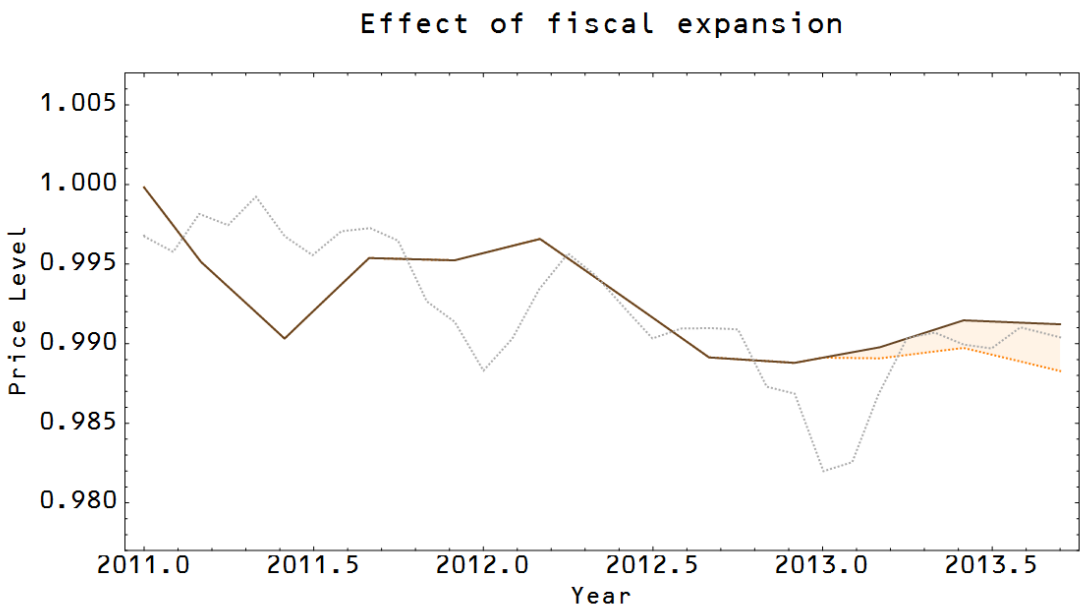
Difference Between Municipal Revenues And Municipal Expenses

Municipal Revenues

- Property taxes
- Sales taxes, excise taxes
- Income taxes, excise taxes
- Business license and other fees
- Impact fees (if applicable)

Municipal Expenses

- Operating/Maintenance expenses of municipal agencies
  - personnel (70-80%), materials, supplies
- Capital costs/ Financing costs



Fiscal Impact Analysis

Impacts of Infrastructure & Services

1. Types of Impacts

- Schools
- Public Works
- Solid Waste Management
- Transportation
- Stormwater
- Water and Sewer
- Parks and Recreation
- Public Safety
- Schools
- Libraries
- Health Care
- Social Services
- General Administration

2. Allocation of Costs and Revenues to Current Development Patterns

- Existing homes and neighborhoods
- Existing commercial/ industrial development
- Existing public/ institutional property
- New housing development
- Existing commercial/ industrial development
- Vacant land and buildings

Challenges of Fiscal Impact Analysis

3. Estimate Current & Future Revenues

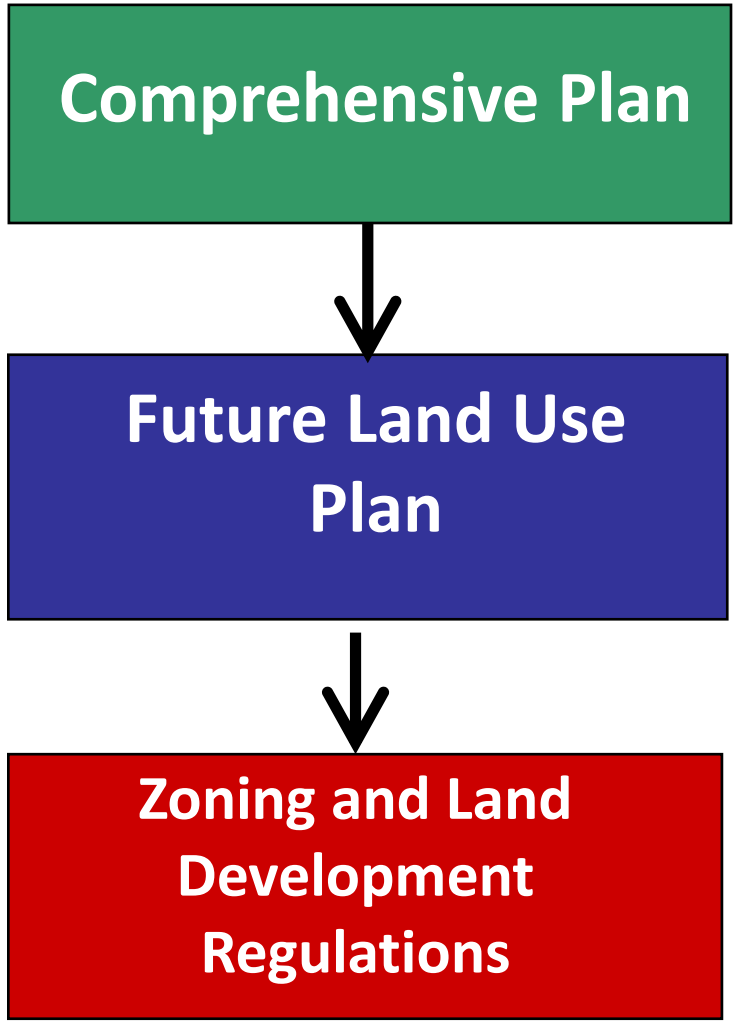
- What are revenues for existing land uses?
- What will be mix of future land uses?
- What will be revenues from future development?
- How will tax & fee structure change in the future?

5. Cost projections – with and without growth

Allocation of "average" cost to land use/ development is very hard

- Fixed costs vs. marginal costs
- Estimate unit costs for each land use/service type
- What is remaining capacity of exising infrastructure and services?
- When, and by how much do you need to expand/improve infrastructure?
- Depends on Level of Service
- How many outsiders use City facilities?
- Dynamics of growth change the economics of municipal services over time
  - Average costs vary by city size/ LU mix
  - Demographics/ socioeconomics impact service costs
  - Aging process of infrastructure

Zoning and Land Development Regulations



- ***The Comprehensive Plan** is the overall framework for a community's future development.*

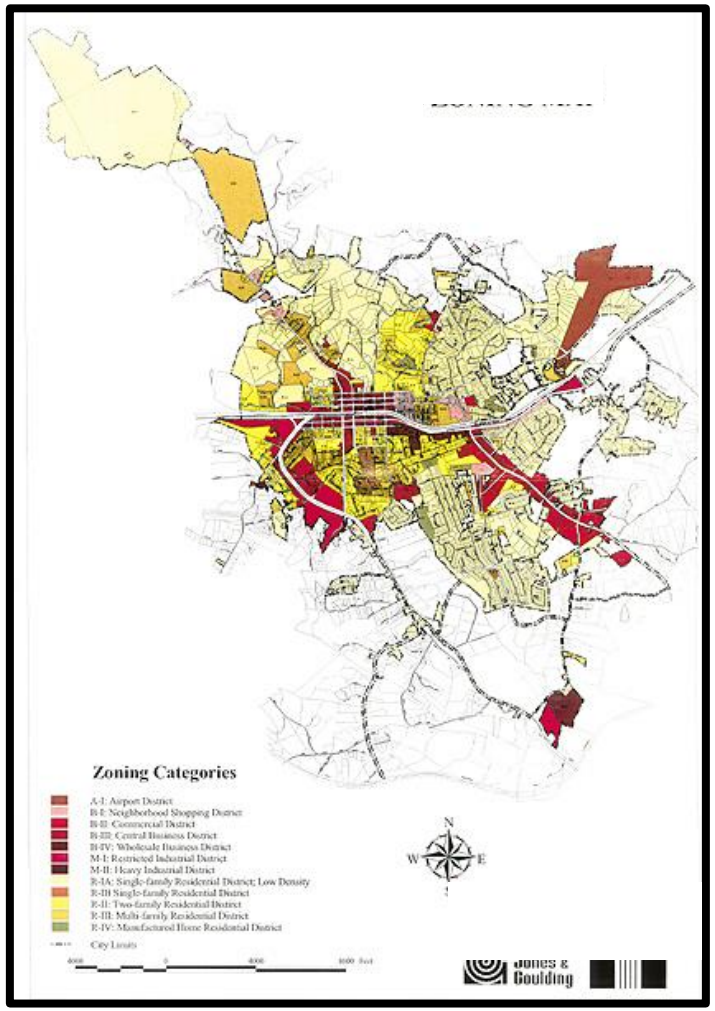
- ***The Future Land Use Plan** is a component of the Comprehensive Plan that illustrates the desired form of the community and outlines policies for guiding the relationship between land use change, environmental features and public improvements.*

- ***Zoning and Land Development Regulations** are the regulatory tools for implementing the form and policies of the Future Land Use Plan. They address the standards of use, intensity and design at the site level for lots, buildings, landscaping, signage, parking, streets, drainage, and environment.*

Zoning and Land Development Regulations

Zoning Basics – What's In a Zoning Ordinance?

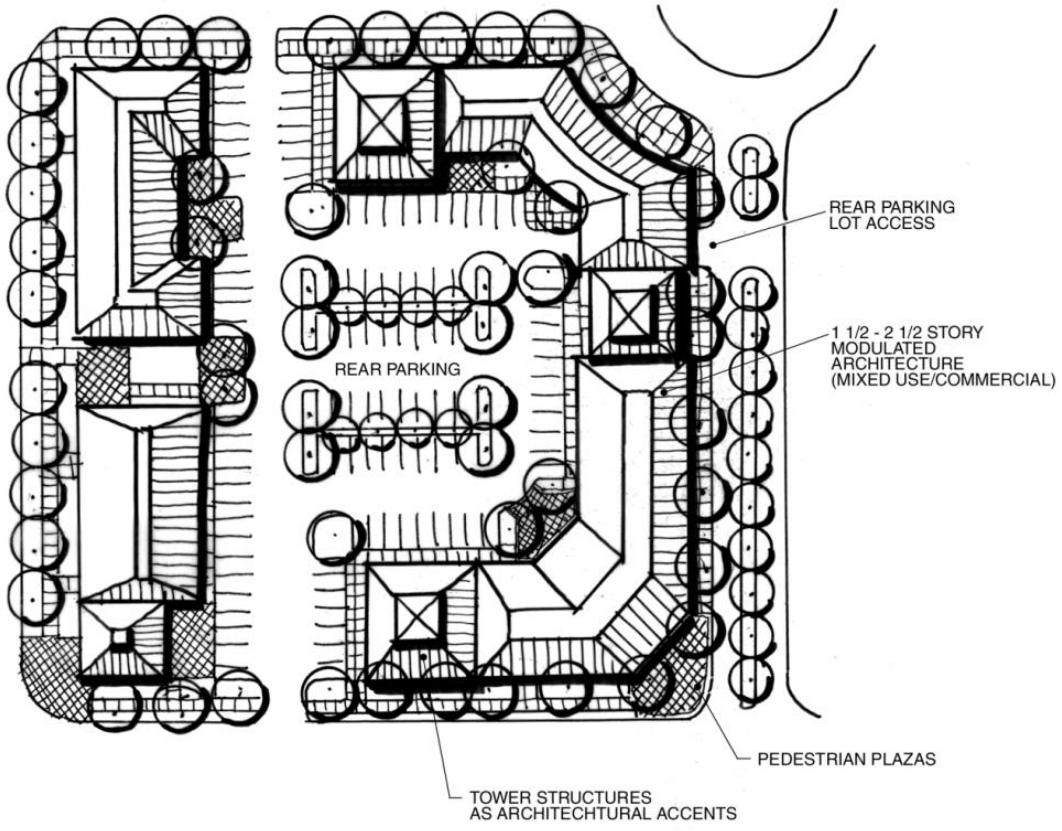
1. Zoning Map
2. Zoning Districts
   - Uses
   - Density/ lot area
   - Lot dimensions
   - Setbacks and open space
   - Lot coverage and impervious surface
   - Building height limits
   - Minimum house size



Zoning and Land Development Regulations

Zoning Basics – What's In a Zoning Ordinance?

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



Zoning and Land Development Regulations

What is the Role of the Planning Commission?

- Appointed by Elected Officials
- Recommending Body
- Conducts Public Hearings and fact-finding for
  - Comprehensive Plan
  - Zoning text and map amendments
  - Conditional Use Permits

Zoning and Land Development Regulations

What is the Role of the Board of Appeals?

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

Zoning and Land Development Regulations

What is the Role of the Design Review Board?

- Appointed by City Council or County BOC
- Advisory Role – make recommendations to Planning Director or Planning Commission
- Usually consists of design professionals
- Rules on consistency of plan with specific design standards or design guidelines (applied to downtown, corridors, neighborhoods, and other special geographic areas)
- Meetings may or may not include public comment

Building facades should be articulated with canopies, porches, cornices, roof lines and window details to avoid monotonous blank facades.

Zoning and Land Development Regulations

Role Of Development (Subdivision) Regulations

1. Lot Design Standards
2. Public Improvements Standards
3. Environmental Standards
4. Standards for Plan Review, Permits and Inspections
5. Administrative Procedures

Zoning and Land Development Regulations

Euclidean Zoning: Problem Statement

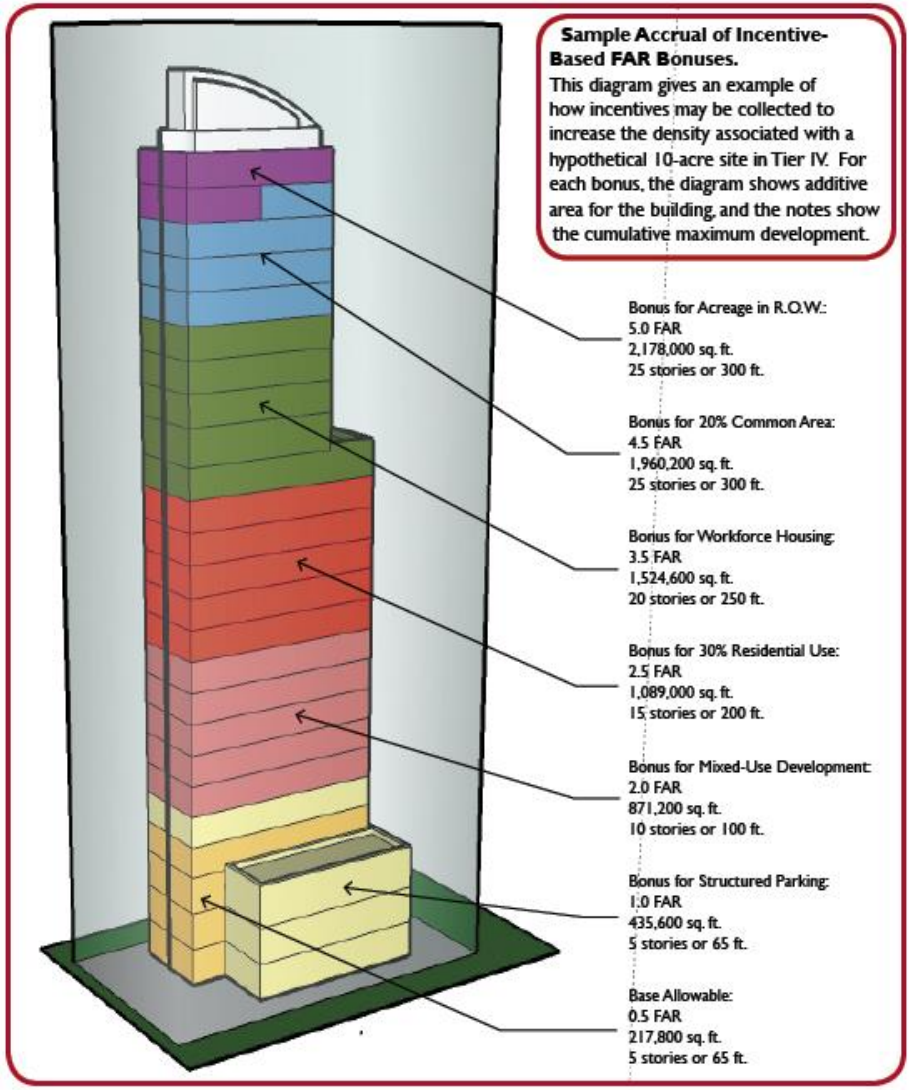
Traditional zoning with use-separated districts:

- 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

Zoning and Land Development Regulations

Innovative Land Use Controls

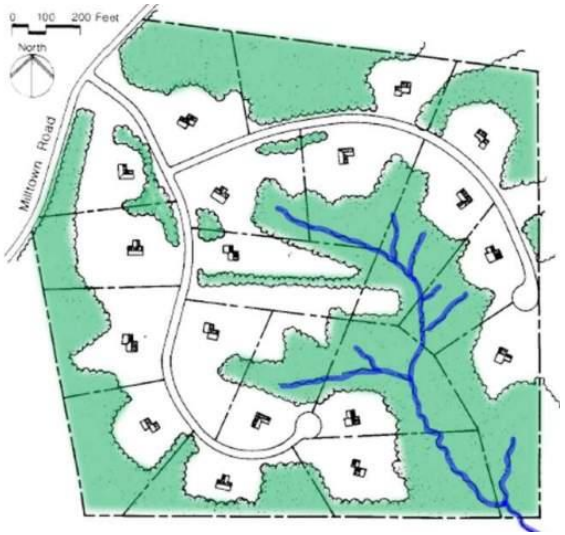
- Planned Unit Development
- Open Space Conservation Subdivisions
- Performance-based land use controls
- Incentive Zoning
- Transferable Development Rights
- Overlay zoning districts
- Corridor management / design controls
- Mixed-use development
- Transit-Oriented Development
- Form-Based Coding



Site Planning Objectives

- Seek maximum yield based on zoning and market
  - Permitted Use, density, height, setbacks/buffers
- Respect the land- seek a close fit
  - Follow site topography
  - Preserve / capitalize on natural features
  - Conservation Subdivision
- Respect the public realm
  - Access comes first - design from outside-in, not inside-out
  - Seek interparcel connections where possible
- Respect the neighbors- seek compatibility and connectivity with the surrounding property and its uses (good connectivity provides synergy)
  - In urban areas, buildings should front the street (parking in the rear) and site should be designed for maximum connectivity and pedestrian access/ walkability
  - In suburban areas provide suitable transitions between residential and commercial/ industrial property

Conventional Subdivision



Conservation Subdivision

See “Better Site Design: A Handbook for Changing Development Rules in Your Community”, Center for Watershed Protection. 1998.

Plan Review -The Devil is in the Details!

Standards for Site Plan Review (Develop a checklist)

- Consistency with Zoning District Standards (may include an Overlay District)
  - Permitted Use, lot size, frontage, setbacks, buffers, open space, height, density/FAR, parking
  - Conditions of zoning approval, if any
- Consistency with Environmental Standards
  - Stream buffer, floodplain, wetlands, impervious cover, stormwater management
  - Tree protection
- Consistency with Public facilities/ infrastructure standards
  - ROW dedication, streets, sidewalks, driveways/access management, water & sewer, fire
- Consistency with Design Standards/ Architectural Controls
  - Building facades, Building materials, Streetscapes, Landscaping, Signs
- Consistency with Historic Preservation Standards

Process for Plan Review (What process applies to different types of plan?)

- Administrative (staff) Review
- Design Review Board
- Historical Preservation Commission (Certificate of Appropriateness)
- Planning Commission
- City Council/ County Commission
- Variance and Appeals process

See: Hinshaw, Design Review, PAS Report 454

Regional Planning

Why Regional Planning?

- Scale of the problems are too big for a city
- Politics of competition between local governments in the same region
- Need for consensus building and cooperation among local governments
- State and federal government requires it and grants pay for it

Regional planning functions

- Growth Management – A-95 Review
- Economic Development
- Transportation planning
- Water resource planning
- Air quality
- Solid Waste – landfill siting
- Parks, Recreation and Open Space
- Economic Development
- Affordable Housing
- Public Health/ Hospital Planning
- Criminal Justice/ Prison

Regional Planning

History of Metropolitan Area Planning

Big City Origins

- 1909 Chicago Plan (Transportation and Open Space
- 1920s - Regional Plan Association of New York (10 million people on 5,000 sq. mi. in 3 states)
- Auto era spawns 15 more by 1929

Regional Councils of elected officials

- Councils of Government (450 today)
- Metropolitan Planning Organizations
  - Set regional priorities for federal funding
  - Provide coordination of local and state plans

Regional Planning

Evolution in Minneapolis-St. Paul – Twin Cities

- **1957** -Formed Metropolitan Planning Commission (MPC)
- Planning but no implementation powers
- **1971**- Tax base sharing to eliminate competition for economic development
- **1975** – Metropolitan Framework Law
  - Urban Service Area for high density housing
  - Commercial/ Agriculture areas – no subdivisions
  - Rural Development zones – no urban services

Issues:

- Shared use /concerns over use and water quality of Mississippi River
- Want to avoid duplication of services

Accomplishments:

- Regional cooperation for
- Sewer system
- Highways, transit, bicycles
- Parks and recreation
- Solid waste disposal
- Open space

Benefits:

- Economic health
- High quality public services
- New light rail system

Regional Planning

Edge Cities – Spread-out form with all the functions of a city

Definition of Edge City :

- 5 million sq. ft. of leasable office space
- 600,000 sq. ft. of leasable retail space
- More jobs than bedrooms
- Identity - Perceived as one place
- Well outside the central city
- A freeway runs through it
- More efficient than the suburbs
- Was farmland 30 years ago

Examples

- Route 128 outside Boston
- Schaumberg outside Chicago
- Perimeter Center outside Atlanta
- Irvine in Orange Co., CA
- Galleria outside Houston, TX
- Fairfax, VA
- You name it!

Joel Garreau, Edge City: Life on the New Frontier, 1991

Regional Planning

Sub-State Special Purpose Authorities

- Autonomous boards that issue tax-exempt revenue bonds and other independent sources of funds (tolls) for projects and often pre-empt powers of local governments
- Created by States or Congress to have one purpose and work at a sub-state or multi-state scale

Examples:

- Port Authority of New York
- Tri-borough Bridge Authority (Robert Moses)
- Tennessee Valley Authority
- Savannah Port Authority

Planning for Special Areas

Purpose of Corridor Studies

- Transportation Corridors – locate/design new highways and/or transit lines
- Integration of modes (highway, transit, bike, pedestrian)
- Traffic safety/ operations – intersection improvements, signal timing
- Access management – reduce driveways/curb cuts, improve connectivity
- Land Use/ Design – encourage mixed uses, sign controls, landscaping
- Commercial/residential edges - discourage incompatible development
- Economic development - Redevelopment incentives
- Parking management – on-street parking/ public parking reservoirs

Planning for Special Areas

Neighborhood Plans

Defined by development history or demographics/ culture

Common concerns:

- Traffic
- Access to parks, schools
- Greenspace/ trails
- Community services, litter
- Demographic changes
- Design, use and character of infill
- Code enforcement

Planning for Special Areas

Downtown Planning

Issues

- Access/ Traffic movement
- Development/Redevelopment
- Jobs/ Housing Balance
- Vitality of streets/ sidewalks
- Parking Management
- Urban Goods Movement
- Design Guidelines

Lots of Special Districts/ Stakeholders

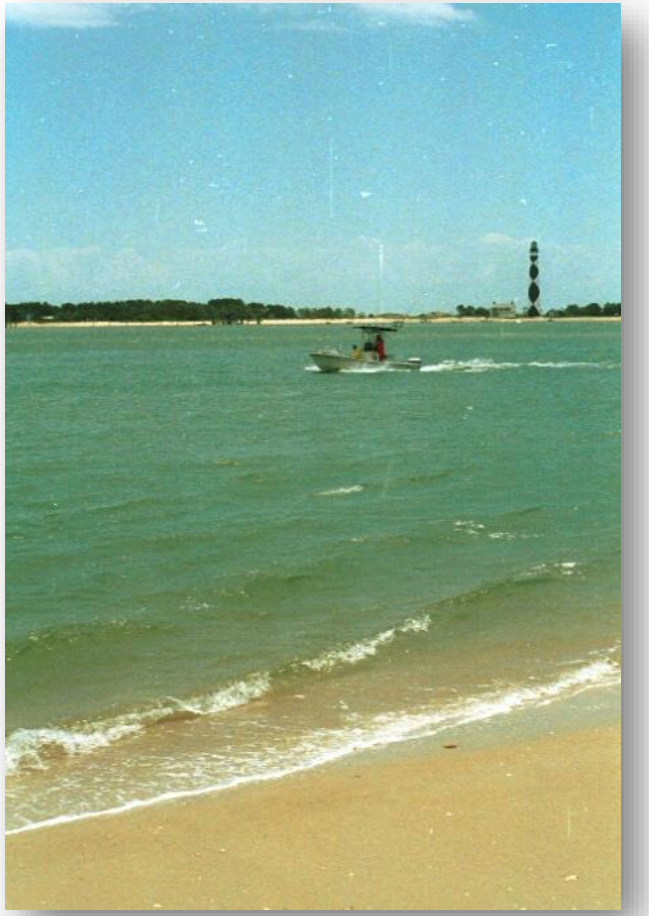
- Chamber of Commerce
- Downtown Merchants Association
- Downtown Development Authority
- Parking Authority
- Business Improvement District
- Main Street organizations
- Historic Districts

Planning for Special Areas

Waterfront & Coastal Areas

Key issues include

- Tourism/ hospitality marketing
- Seasonal traffic congestion
- Housing affordability
- Beach re-nourishment
- Ports/ shipping
- Military installations
- Environmental quality
- Off-shore facilities
- Hurricane evacuation



Planning for Special Areas

Small Towns

Consider small towns that are growing as well as those that are losing population/ jobs

- Transition from farm to urban economy
- Expansion of suburban ring
- Invasion of big boxes
- Viability of commercial retail core
- Protecting small town character
- Historic districts and structures
- Sewer availability vs. septic tanks
- Truck traffic

Planning for Special Areas

Rural/ Agricultural Areas

Concerns

- Agricultural land preservation vs. suburban expansion
- Loss of family-owned industries e.g. crops, cattle & forestry
- Economic viability/ poverty
- Lack of community services, e.g. hospitals
- Poor quality of schools
- LULU's: Landfills, Prisons, Billboards, strip comm'l

Opportunities

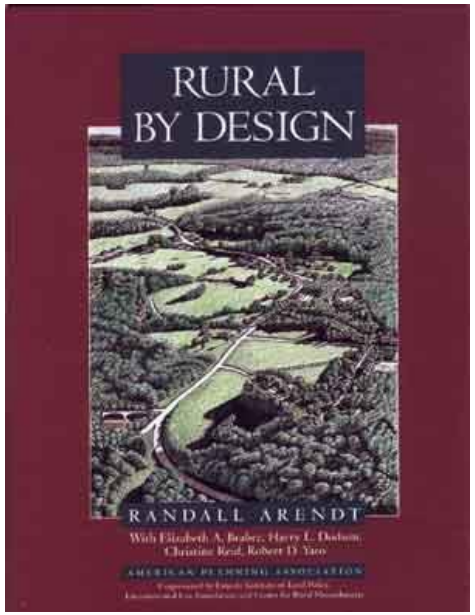
- Scenic Highways, Vistas and Corridors
- Greenways, Wildlife corridors, Aquifer Recharge
- Rural clusters
- Transferable Development Rights

Planning for Special Areas

Strategies for Rural/ Agricultural Areas

- Follow the principles of the Farmland Preservation Policy Act of 1981

  (See: https://www.nrcs.usda.gov/wps/portal/nrcs/detail/?cid=nrcs143_008275)
- Avoid introducing urban services, infrastructure, and urban uses that would promote leapfrog development
- Use Smart Growth principles for land development that clusters development and preserves "critical mass" of agriculture lands
- Consider Conservation Taxation methods
- Include "Right to Farm" provisions in agricultural land preservation programs
- Provide state funds for Purchase or Transferable Development Rights

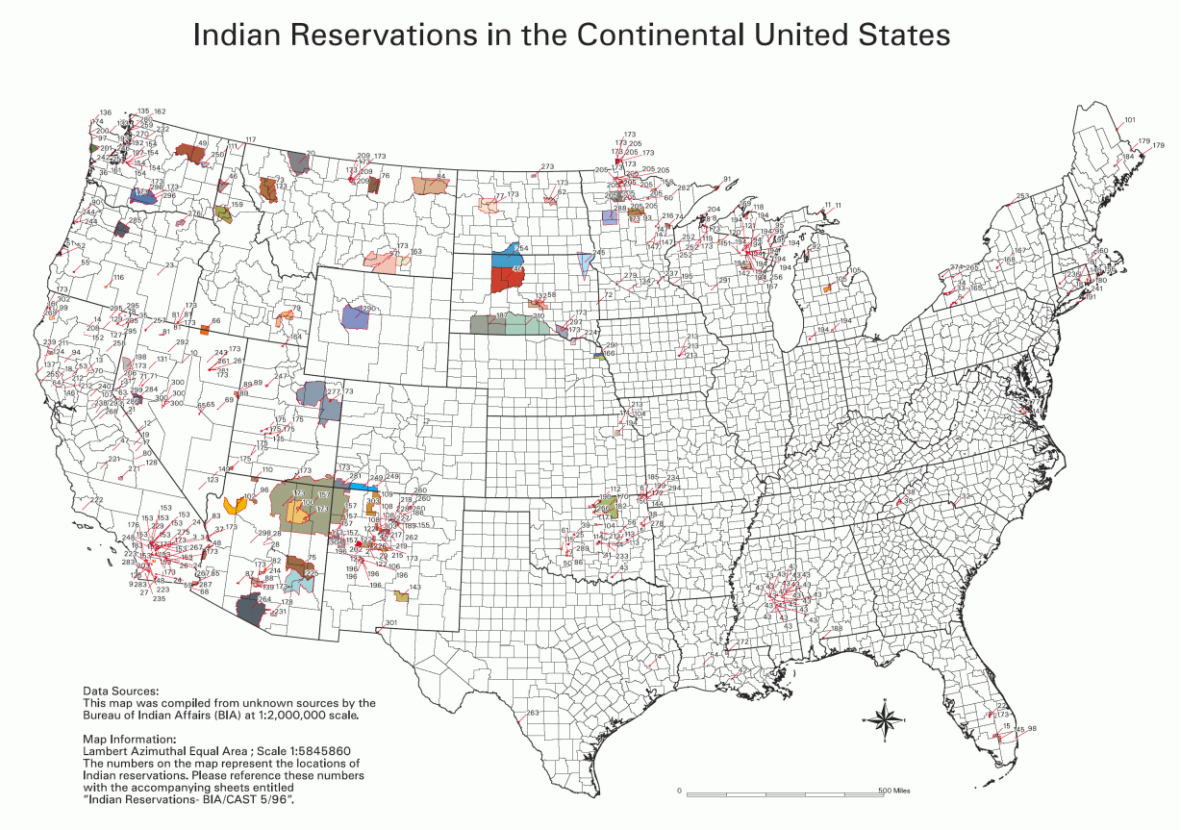


See: "APA Policy Guide on Agricultural Land Conservation",
and Randall Arendt: Rural by Design, 1991.

Tribal Planning

Native American Governance

- 527 Native American tribes with 326 reservations covering 87,800 sq. miles
- 22% of Native Americans live in reservations
- Native American Tribes are “domestic dependent nations” with right to self-government, law enforcement, taxation, licenses, business regulations, and zoning regulation through elected Tribal Councils.
- In reality the reservation is governed by a combination of the Tribal Council and federal and state agencies for each reservation



Tribal Planning

The Federal Role

- Bureau of Indian Affairs under U.S. Dept. of Interior is lead federal agency with 4 Offices

1. Office of Indian Services – general assistance, child welfare, Indian Reservation Roads Program
2. Office of Justice Services – law enforcement, courts and detention
3. Office of Trust Service – land management
4. Office of Field Operations – 12 regional offices administer federal assistance at tribal level

- Bureau of Indian Education provides education services to 48,000 Native Americans
- Indian Health Service under U.S. Dept. of Health and Human Services provides health care
- Special consideration in federal projects and programs through NEPA and U.S. DOT

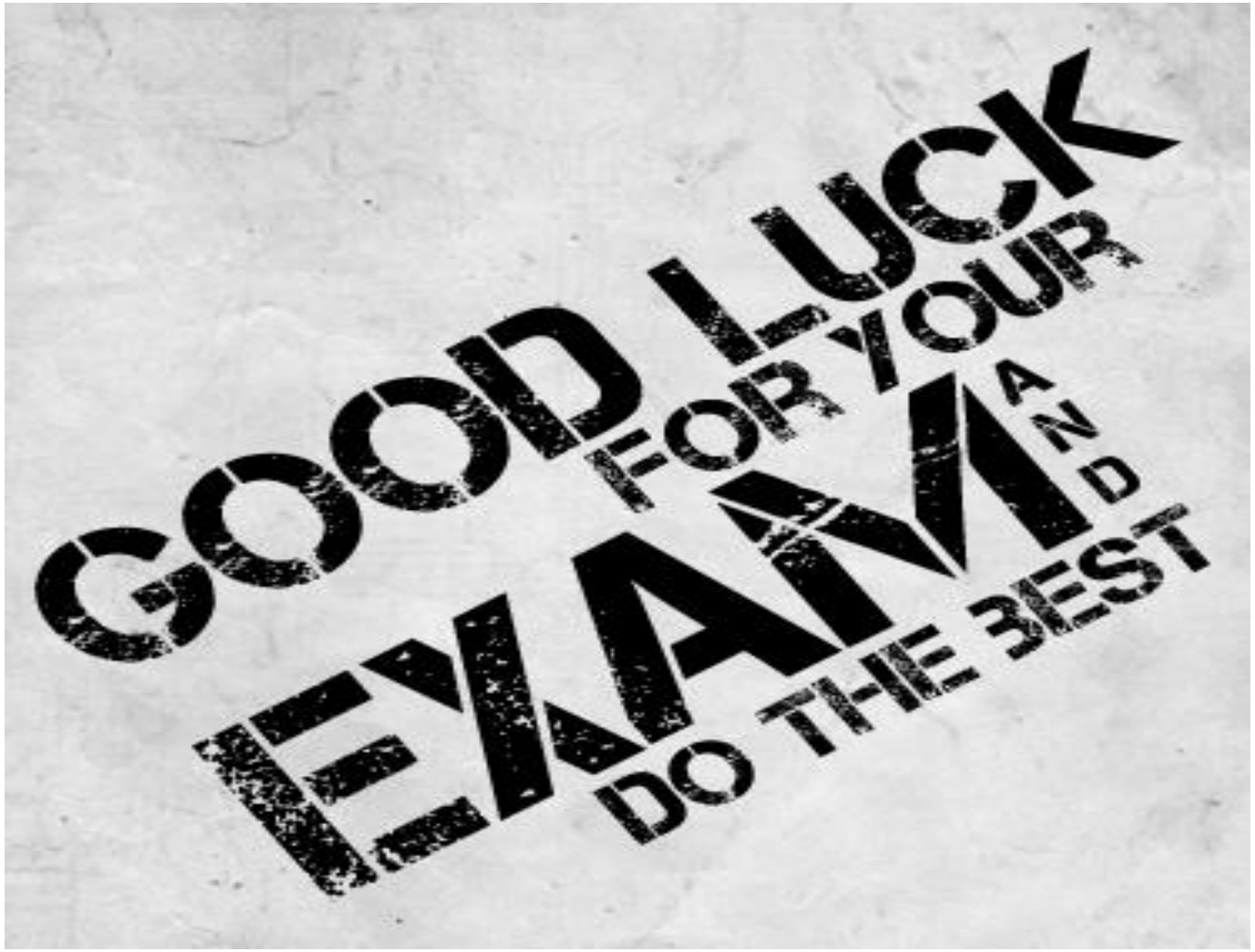
Tribal Planning

Planning Issues

- **Sovereignty/ control** over land, water, fishing and mineral rights- Who is in charge?

  Example: Dakota Access Pipeline
- **Poverty / Racial discrimination**
- **Health** – highest rates of alcoholism, drug dependency, teen pregnancy, and suicide
- **Education** - highest high school dropout rate; conflict over appropriate curriculum
- **Economic Development** – isolated location, shortage of capital, transportation, leadership
- **Dependency on federal funds**

There are 460 casinos and gaming operations run by 240 tribes that generate revenues of $27 billion/ year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FOR YOUR
EXAM
AND
DO THE BEST