Overcoming Obstacles to Smart Growth through Code Reform

An Executive Summary of Smart Growth Zoning Codes: A Resource Guide

It is widely acknowledged that one of the major barriers to smart growth is local regulation. Our codes and practices either discourage developers from carrying out the smart growth vision, or they actually prohibit it. Mixed-use, mixed-income neighborhoods are seldom allowed. Pedestrians and bicyclists are overlooked in an environment where the priority is granted to motorized vehicle flow. In many places, the benefits of public spaces and appealing streetscapes have been forgotten.

The Local Government Commission's *Smart Growth Zoning Codes: A Resource Guide* is intended to help local officials improve community livability through code reform. It is meant for jurisdictions that already have developed a broad vision for making their communities more livable.

Local Government Commission

The Guide's Approach

Rather than producing a model code, we searched the country for good examples of codes that have already been adopted and implemented. In the process, we reviewed more than 250 codes. The guide highlights language, requirements, incentives, formats and project review processes that can be useful to other jurisdictions. Specific language of the codes referenced in the guide can be accessed using the accompanying compact disc, which contains digital copies of many codes and Internet links to those available online.

What's in the Resource Guide

The key strategies are traditional neighborhood development, mixed use, transit-oriented development and the critical areas of streets and parking design. Also included are administrative techniques for encouraging smart growth projects.

Traditional Neighborhood Development

Traditional neighborhood in Kentlands, MD.

Traditional Neighborhood Development (TND) refers to a style of development that was once the norm in America, and is still found in older neighborhoods built before World War II. TND encompassed the full range of uses and housing types needed to form a complete neighborhood. TND development has seen a revival in the last decade and more than 200 TND projects across the nation have been completed or are currently under construction.

While traditional neighborhoods are complex areas, their many features can be compressed into two major objectives – walkability and diversity.

Walkability is characterized by:

➤ Neighborhood size that allows residents to walk from edge to center in 5 to 10 minutes.

➤ An interconnected grid of narrow streets with blocks under 500 feet long.

➤ Appealing streetscapes with trees, sidewalks and pedestrian amenities.

➤ Streets bordered by porches, patios, plazas and shopfronts, not parking lots.

➤ Creative parking strategies and lower parking requirements.

➤ Easy views into and out of commercial buildings, and onto residential streets.

Diversity is characterized by:

➤ A variety of housing types, commercial and civic uses.

➤ Small-scale commercial uses integrated into mixed-use retail centers and residential areas.

➤ Prominent public features, which also serve as navigation points.

TND – Where It's Happening

Austin, TX adopted an optional TND code that applies to new residential development. The requirements are clearly spelled out in two simple tables with the desired mix of land use types expressed in percentages. A smart growth map of the city outlines four greenfield areas where the City prefers TNDs, though it is optional, not required. Several small projects have already been approved under the TND codes.

Davidson, NC has a TND-based planning ordinance that was applied citywide after several years of success with a similar TND code that was optional. After a few years with the optional approach, the code was revised and adopted as the only code. It provides for a 30% reduction in transportation fees charged to the developer in return for pedestrian-oriented design features, and another possible 30% cut for transit-friendly design.

Hercules, CA adopted a "form-based code" that guides the development of their new walkable, mixed-use town center by focusing on the design of façades and streetscapes, rather than the uses of the buildings.

Kentlands, MD is an innovative single-developer new community built with a code that fits on both sides of a single sheet of oversized paper. The approach of using simple requirements subject to approval by the City Architect works well in this circumstance.

Mixed-Use and Live/Work Codes

ixed use districts provide housing and retail options that offer business-owners and residents – including seniors, youth and the working poor – the opportunity to meet some of their daily needs by walking or bicycling. While the concept of mixing uses in close proximity to one another is similar to TNDs, mixed use codes usually call for more density, and often lack the single-family areas found at the edge of a TND. From an urban design perspective, they also help to provide a transition from one single-use zone to another. In general, mixed use districts and live/work buildings are characterized by multi-story construction that uses the ground floor for retail, service or office space, while upper floors are usually residential.

Live/work zoning codes support artists and micro-enterprises by providing small adaptable spaces for service or retail activity within a residential project. Mixed-use and live/work codes generally focus on development in already urbanized areas. Some codes attempt to protect an existing mixed-use area from incompatible auto-oriented development. Others aim to intensify and diversify uses in an already developed area, for example, transforming a conventional, suburban, single-use commercial environment to a more walkable, 24-hour district with residential uses.

Mixed use buildings in Redmond, WA.

Communities That Are Mixing It Up

Brea, CA is a suburban community in Orange County with a dying town center dominated by a busy regional thoroughfare intersection that completely eliminated the possibility of a relaxed streetside environment. The solution was to adopt urban design guidelines and architectural control criteria that guide the conversion of the backside of an older shopping mall into a vibrant main street that includes housing. The documents specify streetscape features and dimensions as well as façade design.

Redmond, WA has adopted a community development guide that adds residential and service uses to suburban employment districts, commercial areas and downtowns by specifying densities, development standards and parking reductions.

Sonoma, CA recently adopted a development code that allows live/work units in virtually every district in the city, and exempts them from density calculations.

Transit Area Codes

Codes for transit-supportive land uses can take different forms, including: transit-oriented development (TOD), transit corridor, station area zone and transit district. Such codes can support a variety of transit types – bus service, bus rapid transit, light rail, or heavy rail – by supporting higher residential and non-residential densities, as well as uses at or near stops, stations or transfer nodes that will produce high volumes of transit riders. These codes also require good pedestrian access to the transit stops.

Overlay codes are very common in transit districts, because they are often in developed areas. These codes overlay new requirements without changing the requirements of the existing code. Usually, there is a phrase in the overlay code that says that in the case of a conflict, the more restrictive requirement will apply.

The most critical features of a transit area code include increased density, density minimums, reduced parking requirements, mixed use and pedestrian access to transit.

On the Right Track

Eugene, OR has adopted a nodal development overlay zone specifying design guidelines, street pavement sections and densities for bus service and bus rapid transit. The code is implemented with specific plans prepared for individual transit-served neighborhoods.

Mountain View, CA uses precise plans to function as zoning codes for underutilized industrial property near the San Jose metropolitan area's expanding light rail system. Projects built under these plans include a mix of small and medium lot single-family housing and low and medium density townhomes.

Seattle, WA is using a station area interim overlay district to transition to transit-supportive uses within 1/4 mile of proposed light rail stations. The code has two simple provisions to protect the opportunity for more intense land uses once light rail arrives: First, new uses such as warehouses, heavy commercial and auto sales that are not transit supportive are prohibited. Second, on an interim basis, the parking standard of the neighborhood commercial zones, which are more restrictive, will apply.

Townhomes at Whisman Station in Mountain View, CA.

Streets and Blocks

Traditional neighborhood development in Hercules, CA.

As our most commonly used public spaces, the layout and design of streets play a significant role in determining the mobility choices of an area's residents. A wide, treeless residential collector in a subdivision with separated uses may move automobile traffic quickly through a neighborhood, but is less likely to allow seniors to walk safely to the grocery store, or provide kids a safe environment to walk or ride a bicycle to school. Likewise, many Main Streets have suffered when on-street parking is sacrificed to accommodate larger traffic volumes at faster speeds. A properly designed street system can provide the foundation for mobility, commerce, community and play.

Jurisdictions often address street design through subdivision standards or guidelines set by the public works or engineering department. Since quality public spaces and walkable and transit-supportive communities are central to livability, smart growth zoning codes tend to incorporate street design and layout standards which differ widely from those in common practice. Whether in the zoning code or other documents like sub-division ordinances, it is crucial that the street design standards support the goals of a walkable, mixed-use community. These would consider:

➢ Street and block pattern
➢ Street hierarchy
➢ Pavement width
➢ Streetscape features
➢ Building façades that face the streets.

If the decision is made to include street standards in the zoning code itself, care must be taken to avoid typical suburban standards with wide streets, long blocks and culs-de-sac. Good codes will specifically accommodate pedestrians and bikes and will include street trees and street furniture.

Driving Good Street Design

Fort Collins, CO elected to prepare a side document titled "Street Master Plan and Street Width Standards" after smart growth code revisions highlighted the need to change existing street standards. Unlike the more focused TND-like portions of the Fort Collins zoning code, these street standards are applied citywide.

Hercules, CA included street standards in the Regulating Code for the Central Hercules Plan, where even the higher-level streets are narrow. Block lengths are limited to 500 feet, and pedestrian passage-ways at 250-foot intervals are required.

Washington Township, NJ prepared the Town Center Zoning and Design Regulations, which specify 11 street types ranging from small lanes and alleys to the state highway. This code notes that "the streets have been specifically designed to provide a sense of enclosure, enhance neighborhood character, visually terminate in specific locations, and provide physical and visual access to public places."

Winter Springs, FL has a town center district code with a street hierarchy that determines building types, development standards and uses. Pavement widths are quite narrow compared to typical modern development. The urban boulevard has two 18-foot pavement sections separated by a landscaped median; and the town center street is 36 feet with no median. The neighborhood lane has 26 feet of pavement.

Parking

The absence of huge, unsightly parking lots facing the street is the most obvious visual sign that smart growth neighborhoods are different. In a smart growth neighborhood, parking is located in shared structures or lots behind buildings, or at curbside almost everywhere along the street. This curbside parking slows traffic, protects pedestrians on sidewalks from moving cars, and reduces the need for off-street parking. Many of the codes reviewed for this guide allow developers to use curbside parking spaces when calculating off-street parking requirements. When land prices are high, parking can be located in multi-level garages or underground structures with retail or active uses on the ground floor.

Smart growth codes also require much less parking than typical post-war suburban parking standards, use innovative strategies to share spaces, and often place limits on the number of parking spaces to prevent an oversupply of parking from disrupting the fabric of a neighborhood. Some critical parking issues include:

➢ How much parking is required or allowed;

➢ Where the parking is located in relation to the street; and

➢ Innovative methods of meeting peak parking needs with fewer on site spaces.

Codes that address parking can also address environmental quality impacts of conventional parking arrangements with methods such as pervious paving, bio-swales and parking lot shade trees that address urban runoff and reduce the urban heat-island effect.

Parking lot with bio-swales in Portland, OR.

Park It Here

Dade County, FL requires 75% of parking to be behind buildings in their traditional neighborhood district. Off-street parking that is within 600 feet of the use may also be counted.

Concord, NC allows an initial across-the-board reduction for parking in the TND zone. No parking is required for uses under 2,500 square feet if parking is available within 600 feet.

Orlando, FL allows for innovative approaches in the Southeast Orlando sector plan that include orchard parking and permeable paving in addition to shared parking, on-street parking and smaller parking lots.

San Diego, CA has adopted parking standards for intensive commercial zones that are a break from past practice. The code allows curbside spaces and shared spaces within 600 feet to be counted in the requirement, and allows further reductions in off-street parking for mixed use projects and those with good transit access.

Design

The design of streetscapes, façades, roof lines, landscaping and other details are critical to an environment that supports safety, enjoyment, social interaction and pride in one's community.

Consolidating design regulations into the zoning code creates a user-friendly code more likely to produce a consistent result. Each district within a community may have its individual design requirements, but all should include:

- ➢ **Building design.** Once districts are established, design details should cover each block and building in the area.
- ➢ **Streetscape design.** The street is the visual foundation of the neighborhood, and the best codes have graphic examples detailing the appearance of the streetscape in each district.
- ➢ **Public and private realms.** It is in the public interest to address the design of the street frontage of buildings to define the critical relationship of a building to the street. The provision of front porches is one example.
- ➢ **Safety and security.** Design for safe public and semi-private spaces by providing adequate lighting, eliminating obstructive landscaping, and making sure windows overlook shared outdoor spaces.
- ➢ **Signage.** The seemingly minor detail of signage can have a big impact on the feel of a neighborhood. Sign standards should limit type, size and brightness as appropriate for the community and district.

Farmers' market (below) and sidewalk cafe (right) liven up the streetscape in downtown Brea, CA.

Designing Community

Some jurisdictions that have incorporated design in their code:

Apex, NC
Ashland, OR
Belmont, NC
Columbus, OH
Gresham, OR
Kendall, FL
Locust, NC
Winter Springs, FL

Residential courtyard and pedestrian paseo in Kentlands, MD.

Administration

Code administration is an often-overlooked area that can play a critical role in determining the success of implementing smart growth projects. Many good projects have been delayed, chased away, or killed off due to a burdensome review process. Application fees, review periods, environmental analysis, process steps, service fees and hearings should all be designed to help good projects gain easy, quick approval at a reduced cost to the developer.

Local governments that engage citizens in developing a vision can simplify the process with a development approval procedure that allows projects that meet certain community-developed criteria to be reviewed administratively by the planning director or zoning administrator. This is a big incentive for developers to design projects consistent with the code.

While some jurisdictions require smart growth development, others rely on incentives such as accelerated processing or reduced fees. Other bonuses, such as increased density or reduced parking, are often offered in exchange for desired public amenities – senior housing, ground-floor retail, public plazas and pedestrian amenities, for example. The communities listed here have adopted codes with a review process that removes barriers to smart growth.

Finally, it is important to use the opportunity for code revisions to address the formatting of the code to support expedient and clear code administration. Many elegantly formatted new codes use a few pages to address what some older codes need hundreds of pages to accomplish. Simplicity and clarity will encourage use of a code and its process.

Making It Work

Hercules, CA has a code that allows administrative approval for projects that meet zone and code criteria, and clear criteria for variances and use permits.

Kendall, FL has a code that gives broad approval authority to the planning director for projects that meet clear approval criteria specified in the code.

Orlando, FL uses inter-agency coordination in the Parramore Heritage District plan to focus public agency programs one street at a time, thus reducing the time required to bounce plans from agency to agency.

Codes for **Columbus, OH**; **Concord, NC**; **Knoxville, TN**; and **Winter Springs, FL** offer excellent examples of user-friendly formats.

Get Your Copy Today!

Smart Growth Zoning Codes: A Resource Guide can be ordered through the Local Government Commission's online bookstore at www.lgc.org/bookstore or the publications department at (916) 448-1198 x307. The guide includes a CD of digital copies of the referenced codes and links to those available on the Web.

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