

SUSTAINABLE COMMUNITY DEVELOPMENT CODES—THE NEXT WAVE IN LAND USE REGULATIONS

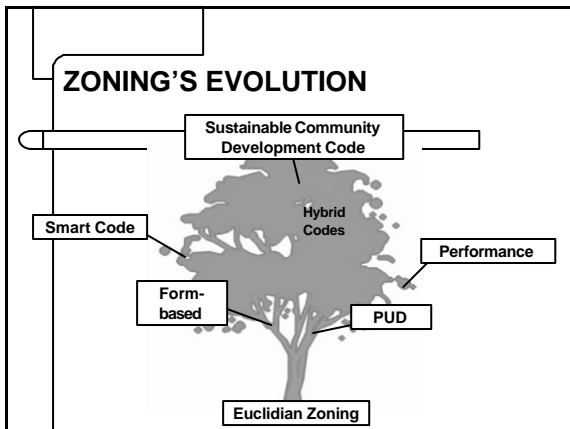
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ZONING'S EVOLUTION



What is a Sustainable Community?

“Then I say the earth belongs to each generation during its course, fully and in its own right, [but] no generation can contract debts greater than can be paid during the course of its own existence.”

- Thomas Jefferson (1789)

Sustainable Communities...

- ...meet the needs of the present while ensuring that future generations have the same or better opportunities.
- ...integrate and balance economic, environmental, and social goals.



How Can a Development Code Support Sustainability?

- Development codes CAN help address critical issues:
 - Health
 - Safety
 - Energy Shortages
 - Natural Resource Protection
 - Agricultural Production
 - Community Character
 - Civic Engagement
 - Housing Choices



How Can a Development Code Support Sustainability?

- Development codes are a powerful tool for local governments to accomplish community goals.
- Timely because of power shift from central government to local government.



How Does A Sustainable Code Compare to Other Types of Codes?

- Traditional Euclidean Zoning:
 - Focus on zone districts and uses
 - Emphasis on separation of use, quality, and procedures
 - Administered by planners and lawyers
 - Examples:
 - Euclid, Ohio
 - Erie, Colorado



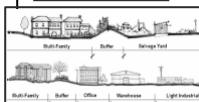
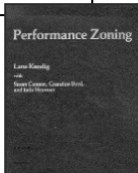
How Does A Sustainable Code Compare to Other Types of Codes??

- PUD Zoning (1960s+)
 - Prevalent form of zoning in fast-growing communities
 - Uses and standards negotiated
 - Highly flexible but uncertain outcomes
 - Often coupled with development agreement
 - Administered by city managers, planners, lawyers
 - E.g., Franklin, TN; Louisville, CO



How Does A Sustainable Code Compare to Other Types of Codes??

- Performance-Based (Kendig c. 1970s)
 - Anything, anywhere--assumes any use can be made compatible
 - Focus on avoiding or mitigating impacts
 - Significant administrative staffing and capability required
 - Administered by land planners and engineers
 - E.g., Fort Collins, CO; Fremont County, ID



How Does A Sustainable Code Compare to Other Types of Codes??

- **Form-Based: (New Urbanists)**

- Regulates **FORM** of built environment. Form over use.
- One-size fits all. Highly prescriptive.
- Few natural resource protection standards
- Administered by architects and urban designers
- E.g., Columbia Pike; Louisville, KY



How Does A Sustainable Code Compare to Other Types of Codes??

- **SMART CODE (Duany)**

- Form over use and highly prescriptive+
- Transect vs. zone districts
- Short on procedures and natural resource protection
- Administered by architects and transectuals
- E.g., None community wide??



KEY FEATURES OF A SUSTAINABLE CODE?

- Broader range of topics (Health, Energy, Safety, Choice + Design, Environment)
- Focus on integration of natural and man-made systems
- Draws on useful features of other code types (design, procedures, etc.)
- Tailored regionally to climate and ecology
- Administered by planners, engineers, resource professionals, Leedites



Sustainable Code: Health

- **Healthy living options**
 - Walkable, bikeable communities
 - Stress relief--recreation and access to open space and public lands
- **Promote clean water and air; protect natural resources**
 - Green infrastructure vs. engineered approaches
 - Natural resource protection regulations



Sustainable Code: Safety

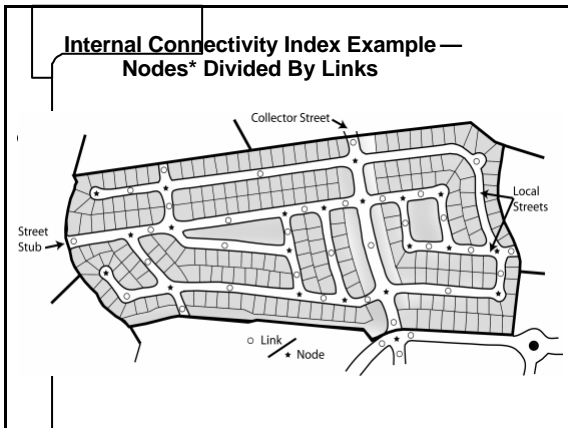
- **Safety and Security**
 - Crime Prevention Through Environmental Design
 - Lighting Standards
 - Natural Hazard Mitigation (Floodplains, wildfires, etc.)



Sustainable Code: Mobility

- **Increase mobility for people and goods...not just cars.**
 - Sidewalks & bike lanes
 - Right-sized, friendly streets
 - Block standards
 - Connectivity (limit cul-de-sacs, connectivity indexes)





Sustainable Code: Mobility

- Encourage mass transit
 - Mixed use development
 - Focused density
 - "Right-sizing" streets
- Transportation Demand Management
- Universal design and accessibility for all ages and populations

Mixed Use Development Design Manual

Sustainable Code: Economic Benefits

- Wide range of opportunities for jobs, entrepreneurial activities
 - Preserve land for key economic uses (airports, industrial, agriculture, etc.)
 - Home-based businesses
- High Quality of Life = Attract High Quality Job
 - Design standards
 - Mobility vs. congestion
- Efficient development review
 - Clear development standards
- Allow for changing uses and incorporating new technology (cell towers, wireless communication infrastructure, wind turbines)

Wind Turbine

Sustainable Code: Natural Resources and the Environment

- **Conserve energy and natural resources**
 - Solar access
 - Wind power
 - Green development
- **Protect the environment**
 - Natural resource protection standards (e.g. riparian setbacks, steep slopes, views, open space, wildlife habitat protection)
 - Exotic species



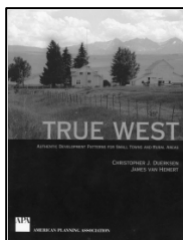
Sustainable Code: Conserve Resources and the Environment

- **Water Quality/Conservation**
 - Green infrastructure storm water management
 - Floodplain and riparian protection regulations
 - Tree and vegetation protection
 - Green roofs
- **Local agriculture production**
 - Agricultural/forest land protection zones
 - Community gardens and open space



Sustainable Code: Community Character and Livability

- **Respect existing positive aspects of a community's character**
 - Building and site design standards
 - Tailored zone district approach
 - Conservation and historic preservation districts
 - Community arts and culture in public spaces
- **Design will support other community goals (safety, mobility, health, etc.)**



Sustainable Code: Create Housing and Lifestyle Choices

- Wide range of neighborhood types and design--CHOICE

- Variety of zone districts and tailored dimensional standards:

- Mixed-use
- Suburban
- Traditional Neighborhood Development



Sustainable Code: Housing and Lifestyle Choices

- Wide range of housing types and affordability

- Accessory housing provisions
- Affordable housing linkage programs
- Mandatory housing mix (models and types)



Sustainable Code: Overall Efficiency

- Efficient use of resources and infrastructure (i.e., roads, water, sewer)

- Urban growth boundaries
- Adequate public facilities ordinances
- Coordination of development code districts/ uses/ preservation areas with capital investment
- Encourage infill/brownfield development



Sustainable Code: Overall Efficiency

- **Development review streamlining**

- Delegation of minor development review/modification to staff
- Clear procedures/processes



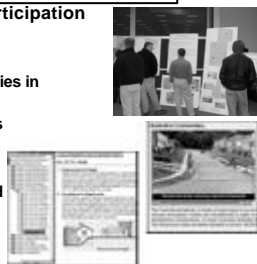
Sustainable Code: Civic Engagement

- Encourage civic engagement through form and pattern of developments – helps to counter the “bowling alone” syndrome
 - Provide public gathering places and promotes good neighborhood design to encourage citizen interaction
 - Prohibit gated communities and signed subdivisions
- Sensitive to private property interests
 - Administrative “takings” provisions to protect legitimate property interests



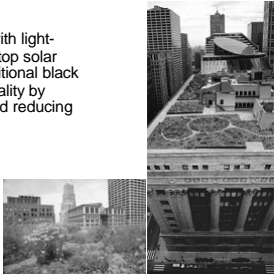
Sustainable Code: Civic Engagement

- Promote effective citizen participation without needlessly stalling development reviews
 - Citizen involvement opportunities in planning and comprehensive zoning code drafting/revisions
 - Clear standards to reduce case-by-case negotiation
 - Predevelopment neighborhood meetings for major projects
 - Accessible and understandable codes



Sustainable Communities: Leaders

- Chicago, IL
 - Rooftop gardens, along with light-colored coatings and rooftop solar panels, are replacing traditional black tar roofs to improve air quality by lowering temperatures and reducing air pollution
- Pitkin County, CO
 - Habitat Conservation
 - Growth Management
 - Transfer of Development Rights System



Sustainable Communities: Leaders

- Portland, OR
 - LEED certification **required** for all public and publicly-financed commercial projects
 - Portland-LEED is a regionally-focused supplement to national standards
 - Innovative stormwater management and erosion control standards
- Seattle, WA
 - Overlay district provides additional design standards for "pedestrian zones"
 - Residential districts encourage variety of housing / innovative forms (small lot, live-work, tandem housing, cottage housing, etc.)
- Boulder, CO
 - Density bonuses and incentives for mixed-use/infill development
 - Integrated parks, floodway, and multi-modal transportation planning

Sustainable People:

