The General Plan

Where are we?
Where are we going
Where do we want to be?
How do we get there?

Land Development Code
Regulates private development

Capital Improvement Program + Redevelopment
Dictates public investment

After the midterm!
Why do we accept restrictions on what we can do with our own land?

Nicer communities

Protection from neighbors

Quality of life...

Property values...
ZONING
Problems with zoning

• Hard to understand
• Inflexible – but changeable
• Leads to separation of uses
• Links to planning goals not always so clear

“It dawned on me that the wonderful flavors of zoning regulations we have to sample and draw upon... have their strengths, but all have serious blind spots when it comes to sustainable development and sustainable communities... Thus was hatched the idea of what I call the sustainable community development code. The idea is simple: Make sure development codes directly address sustainability issues like energy conservation and production”

- Chris Duerksen, “Saving the World Through Zoning”

See also “Urban Farming Law” and “Greening the Big Apple”
Would you want to smell BBQ all the time?

New York Times, 4/18/15

“But that’s the thing about smells. One person’s putrid is another person’s pleasant, and local governments around the country are having a hard time regulating what’s in the olfaction of the beholder”
Sriracha considers moving factory amid smell complaints
LA Times, 4/16/14

“The Irwindale City Council voted unanimously to designate the factory a public nuisance last Wednesday despite promises from the saucemaker that they would submit an action plan and fix the smell by June 1.”

The 21st Century alternative...

FORM-BASED CODES
The Concept

“A method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations.”

– Form-Based Codes Institute
Basic Elements

- **Regulating Plan.** Locations where different building form standards apply – looks like zoning map.
- **Building Form Standards.** Building height, placement, land uses – in graphic form.
- **Public Space Standards.** Including sidewalks, travel lanes, on-street parking, street trees, signs, etc.
- **Architectural Standards.** Requirements on style and materials – “dress code” optional.

vs. zoning which focuses on land uses allowed
TOWNHOUSE - 2 (TH2)

**LOT OCCUPATION**
- Lot Area (by Unit) 1,500 sq.ft. minimum - 2,500 sq.ft. maximum
- Lot Coverage 70% maximum

**BUILDING SETBACKS**
- Front 10 feet minimum - 15 feet maximum
- Side No required setback except 3 feet minimum setback for lots with side lot line on residential street
- Rear 0 feet minimum - 5 feet maximum

**FRONTAGE**
- 18 feet minimum

**BUILDING HEIGHT**
- Principal Building 35 feet maximum height
- Out Building 25 feet maximum height

**PARKING**
- Spaces maximum 2/unit - minimum 1/unit
- Area 20 feet x 24 feet maximum
- Access Rear access from alley

**USES**
- Residential. First Floor of Principal Building could include Retail or Live-work. Second Floor of Out Building could include Live-work. See Main Street Overlay District for special First Floor requirement.

**DISTRICTS**
- Village Center District, Mixed-Use Village District, Residential District

(Photos are illustrative only)
“In instances where provisions of this Regulating Code and the City of Hercules Zoning Ordinance conflict, the provisions of this Regulating Code shall apply.”

i.e. FBC supersedes zoning
## FBC vs. Zoning

<table>
<thead>
<tr>
<th>Focus on built form - <em>design tradition</em></th>
<th>Focus on land use and intensity - <em>legal tradition</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prescriptive - <em>what you want</em></td>
<td>Proscriptive - <em>what you don’t want</em></td>
</tr>
<tr>
<td>Easy to understand and apply</td>
<td><em>Not easy</em> to understand and apply</td>
</tr>
<tr>
<td>Public involved in creation</td>
<td>Public responsible for enforcement...</td>
</tr>
</tbody>
</table>
Speaker to Address New Planning Approach for Boosting Downtown Vitality

Daniel Parolek is an architect and innovator who has completely changed the way cities carry out planning and zoning. He will be speaking in Davis on Thursday, May 5 at 3:30 PM in the Davis City Council Chambers and at 7 PM in the Davis Community Church, 430 Street. Presentations are free to the public.

Parolek’s work differs dramatically from the standard zoning practice that separates uses into different zones (i.e. single family, multi-family, commercial, retail, etc) – this old-style zoning technique is ill suited to building successful downtowns where people can live, work and play.

Parolek employs a relatively new type of zoning called a form-based code. This planning approach addresses the design of public spaces including the street, looking to achieve “complete streets” that serve pedestrians, bikes and cars. Form-based codes also address the design of the buildings that line the street; but unlike traditional zoning, they do not often dictate the uses of the buildings.
Land Development Code

<table>
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<th>Traditional Approaches</th>
<th>More Recent Approaches</th>
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<td>Form-Based Codes</td>
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</table>

Parcel scale

Parcel = sellable unit of land; a lot
## Land Development Code

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<td>Neighborhood scale</td>
<td>Subdivision Ordinance</td>
<td>Specific Plans</td>
</tr>
</tbody>
</table>
SUBDIVISION ORDINANCES
Subdivisions

Division of a single parcel into multiple parcels that can be separately sold
State Subdivision Map Act – 1893
amended 1929

• Establishes statewide uniformity in local subdivision procedures
• Gives local governments authority to:
  – regulate design and improvement of subdivision
  – require dedications of public improvements or related impact fees - “exactions.”
  – require compliance with objectives and policies of general plan
vs. Zoning

• Applies only to land being subdivided.
• Affects physical design of neighborhood more than zoning does.
  – Neighborhood layout
  – Street design, parks, etc.
Types of Maps
- see textbook -

- Parcel Maps: fewer than 5 lots
- Subdivision Maps or Tract Maps: 5 or more lots
  - Tentative map
  - Final map
What’s already there:
- Topography
- Streets
- Infrastructure
- Easements

What’s proposed:
- Lot boundaries
- Streets
- Infrastructure
- Easements

Easements =
Right to use land for specific purpose
Approval Process
- see textbook -

- City reviews and approves tentative map
- Developer installs or secures funding for required infrastructure
- City approves final map; recorded with county
- Developer sells lots
The Cannery in Davis
83 Tentative Map Conditions of Approval!

- Intersection improvements
- Tree protection and mitigation plan
- Detention pond
- Emergency vehicle access
- Dedication of easements
- Pavement design
- Flood control master plan
- Grading plan
- Accessibility
- And so on...

- Incorporation of historical materials
- Urban farm
- Bike connection:


http://www.davisenterprise.com/forum/opinion-columns/cannery-must-have-better-bike-connectivity/
Approval Process
- see textbook -

• City reviews and approves tentative map
• Developer installs or secures funding for required infrastructure
• City approves final map; recorded with county
• Developer sells lots

Must deny if...

- Environmental damage (tied to CEQA)
- Inconsistency with local general plan
- Physical unsuitability of the site
- Conflict with public easements
- Inadequate water supply (more later)

Public hearing and CEQA review before approval

Vested tentative map means “vested right” to build
“Environmental Damage”
- see textbook -

• City must deny approval of map if “the subdivision’s design or types of improvements are likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause public health problems”
  – Must make written finding of fact supported by substantial evidence to deny

• Approval of developments subject to CEQA review – *more next week!*
  – Map Act used to get exactions to mitigate
Some issues...
Issue 1: Street Connectivity

“The purpose of a street network is to connect spatially separated places and to enable movement from one place to another.”

Source: Handy, et al. 2003
Radburn, NJ, 1928

Fig. 21—Plan of the residential districts, dated November 1929.
Federal Housing Administration Guidelines, 1930s

http://www.nps.gov/nr/publications/bulletins/suburbs/part2.htm
What’s the problem with this...?
Street Connectivity Ordinances

City of Eugene
Maximum Block Size

City of Hercules
Maximum Block Size
“The maximum perimeter of any block shall be no more than 1,600 ft. The minimum dimension of each block face shall be no more than 500 ft. Pedestrian passages leading from the street to the middle of the block shall be provided at intervals no greater than 250 ft.”

Source: Handy, Paterson, and Butler 2003
Street Connectivity Ordinances

A diagram of a neighborhood in Franklin, Tennessee, shows how linked together the community is. The city scores proposed new developments using a numerical connectivity index. Above: Walkers and joggers on the Pinkerton Park Walking Trail in Franklin.

From “Saving the World Through Zoning,” Planning Magazine
The Suburbs Under Siege

Homeowners Love Cul-de-Sacs,
Planners Say They're Perils;
Taking Sides in Minnesota

By AMIR EFRATI
June 2, 2006; Page W1

One of the most popular features of suburbia is under attack.

For many families, cul-de-sac living represents the epitome of suburban bliss: a traffic-free play zone for children, a ready roster of neighbors with extra gas for the lawnmower and a communal gathering space for sharing gin and tonics. But thanks to a growing chorus of critics, ranging from city planners and traffic engineers to snowplow drivers, hundreds of local governments from San Luis Obispo, Calif., to Charlotte, N.C., have passed zoning ordinances to limit cul-de-sacs or even ban them in the future.
MODERN LIFE

Planners go 'round and around over cul-de-sacs

Once a homeowner's dream, the dead-end street is falling out of favor everywhere -- except Southern California.
By Dawn Bonker
Special to The Times

March 24, 2007

CITY planners shun them. New urbanists hate them. Boulder, Colo., all but banned them.

Cul-de-sacs — those once-beloved icons of the suburban good life — have become something of a demonized concept. The growing consensus among urban planners is that these lollipop-shaped streets hurt communities by chopping up neighborhoods, isolating children, intensifying traffic woes and discouraging walking.

Then why are so many still being built here?

Leave it to Southern California to defy the new convention. While cities across the country return to streets laid out on a traditional grid system, cul-de-sacs are springing up from Calabasas to Chula Vista. Yes, homeowners often fall in love with the quiet courts and initial sense of built-in neighborliness. But, experts say, just wait.
“The End of the Road for Cul-de-Sacs?”
dc.streetsblog.org

http://dc.streetsblog.org/2010/02/08/the-end-of-the-road-for-cul-de-sacs/
“The Great Cul-De-Sac Problem And How To Alleviate It”
chrisnorstrom.com

Village Homes, Davis
Davis Greenbelt System
Houten, Netherlands
What I study...

Accessibility = Proximity + Connectivity

Connectivity
(subdivision ordinance)

Proximity
(zoning ordinance)
“The site of the old Naples township was recently sold by the Morehart family, et al to Vintage Communities, an Orange County development company. This property is subject to an antiquated subdivision originating from the 1880s. The County currently recognizes up to 233 buildable lots on this 485 acre beachfront parcel.”
Implications for land value

Santa Cruz property bought for $20M
Old map found with 139 lots
Land sold to land trust one year later for $43M

Issue 3: Lot Line Adjustments
Developer bought 26 parcels in Malibu hills
Used lot line adjustments to add road access
Filed plans to develop homes
Market value of property quadrupled
Sold 626 acres to conservation group
Profit of $12 million plus $7.4 million tax write-off

...Sweeney said he was doing what any good real estate investor would do with property. "When I buy a piece of land, I see what the law allows you to do with it," he said. "I'm really trying to add something of value to the property and getting it in a position where you can sell it -- because you don't know if the state's going to buy it. Who knows if the money is going to run out tomorrow? You'd be waiting forever."

..."I've really slowed down in my real estate acquisitions," Sweeney said. "I don't think I'd be nearly as aggressive as I had been in the past. Before I got married, I was keen on buying as much of California as I could, but after ... I've kind of got different priorities."

http://www.latimes.com/news/science/environment/la-me-corral8apr08,1,6268899,full.story
Issue 4: Colonias

“contract for deed”

http://www.dshs.state.tx.us/chs/gis/Images/border_colonia.jpg
My favorite subdivision
SPECIFIC PLANS
Land Development Code

Traditional Approaches

- Zoning

More Recent Approaches

- Form-Based Codes
- Specific Plans

Parcel scale

- Subdivision Ordinance

 Nbhd scale
Specific Plans

• “A plan addressing land use distribution, open space availability, infrastructure, and infrastructure financing for a portion of the community. Specific plans put the provisions of the local general plan into action” – A Citizen’s Guide

• Replaces or supersedes zoning code and subdivision ordinance in that area
Two types

- Single property owner – developer initiated
- Multiple property owners – city initiated
  - Newly developing an area
  - Redeveloping an area
1 - Vineyard Springs Comprehensive Plan
2 - North Vineyard Station Specific Plan
3 - Florin-Vineyard Community Plan
4 - Elverta Specific Plan
5 - Easton Specific Plan
6 - Cordova Hills Master Plan
Pending Master Plans:
7 - New Bridge Master Plan
8 - Jokson Township Master Plan
9 - West Jackson Highway Master Plan
10 - Northwest Master Plan
11 - Mather South Master Plan

Cities

Urban Services Boundary

http://www.per.saccounty.net/Documents/Maps/Regional%20Projects_ED_0314_Vert.pdf
Mountain House is conveniently situated as the new "gateway" to San Francisco and the surrounding Bay Area—located on the picturesque western edge of San Joaquin County. Mountain House’s uniquely central locale, at the junction of Highways 205 and 580, provides easy access to all major transportation corridors and is less than an hour away from San Francisco and San Jose’s commercial and entertainment districts. Additionally, this peaceful valley location is just minutes away from Tracy, so from day one, great shopping, dining, and recreation will be only a short drive away.

http://www.mountainhouse.net/pages/location/location_main.html
In one of your articles...

“An independent community... in effect, a new town”

http://www.sanjoseca.gov/coyotevalley/index.html
City-initiated specific plans for redeveloping targeted areas...

West Sacramento

A Specific Plan for The Development of Downtown West Sacramento

Adopted June 30, 1993

Triangle Area and its surrounding land uses.
Vision...  ...Progress

http://www.bridgehousing.com/properties/rivermark
Figure 4.1 North River Area

These renderings are for illustrative purposes only and are in no way intended to represent a preferred or recommended development outcome for this area.
Development Agreements
- see textbook -

• Used in conjunction with **Specific Plans**
• Contract between city and developer
  – **Developer gets**: Guaranteed right to build – “vested”
  – **City gets**: Infrastructure beyond what’s required…
• Issues:
  – Locks out citizen groups
  – Can be renegotiated – not set in law
  – “Strong arm tactics” on part of city
BUILDING CODES
LEED standards
Leadership in Energy and Environmental Design
LEED-ND standards

Stapleton project, Denver

http://www.planetizen.com/files/stapleton-d.jpg
The General Plan

Land Development Code
Regulates private development
Responsive...
dev → city

Capital Improvement Program + Redevelopment
Dictates public investment
Proactive...
city → dev
Carrying Out Public Projects

• Public infrastructure: streets, etc.
  – Capital Improvement Program

• Land development: “blighted” areas
  – Used to be the Redevelopment Agency

More after the midterm!
For Thursday

• Readings!
• CEQA!

CEQA
California Environmental Quality Act