

Town Council Legislative Policy Initiative to Increase Revenues

REGULATORY REVIEW AND MARKET ANALYSIS

Zoning Audit

July 20, 2015

Agenda

- Goals and Objectives
- Summary from Stakeholder Interviews
- Demographic Trends and Zoning Implications
- Draft Zoning Audit
 - Highlights
 - Best Practices
 - Potential Strategies
- Next steps
- Market Analysis (Camoin Associates)

Goals and Objectives

- “Less is more”
- User friendly: clear, concise, graphically supported
- Simplified approval process
- Predictability
- Incentives to meet economic development objectives
- Recognize “Best Practices”
- Consistent with Town’s Plan of Conservation and Development
- Recognize trends relative to development types and land use patterns
- Protect existing neighborhood fabric/appropriate infill scale
- Easily visualized development controls

Audit Focus Areas

- Organization/Inefficiencies
- Streamlining
- User-friendliness
- Innovative practices
- Best management practices
- Consistency with state statutes

What we heard

Summary of Stakeholder Interviews

- Town Council: use zoning to increase land value and tax revenue
- Current regulations:
 - Cumbersome, outdated, inconsistent
 - “Get in the way”; hinder development
- Capitalize on Town assets to promote development:
 - waterfront location
 - regional access
 - schools, parks, museums, and destinations
- Multiple Committees and Commissions create complexities – opportunities to streamline
- Complacency due to past success
- Redundancies of multiple jurisdictions and districts
- Kudos to the “can do” attitude of current planning and economic development staff

**Demographic Trends
&
Zoning Implications**

TRENDS

Aging population



IMPLICATIONS FOR ZONING

Demand for new residential models:

- Decreased setbacks
- Smaller lot sizes
- Mix of housing types/models
- Adapting existing – “Granny flats”
- Aging in place
- Connectivity

TRENDS

IMPLICATIONS FOR ZONING

Millennials



- Increased demand for rental housing
- Increased density – live, work, play proximity
- Reduced parking
- Increased demand for biking, walking, and public transportation

TRENDS

Desire for
live/work/play
opportunities



live. work. play.

IMPLICATIONS FOR ZONING

- Demand for mixed use & proximity to services: traditional neighborhood development model
- Locating new development adjacent to transportation nodes
- Transportation impacts:
 - Interconnected streets
 - “Complete Streets”
 - Sidewalks/crosswalks/bikeways

Draft Zoning Audit

Highlights of Audit

■ General

- Organizational improvements (structure, consolidation, improved graphics). “If you can put it in a table, do it!”
- Update definition section
- Simplify table of permitted uses
- Rethink dimensional standards
- Consistency with Plan of Conservation and Development

Highlights of Audit

- **Districts (in general)**

- Consolidate and reorganize

- **Waterfront Design District:**

- Clarify permitted uses
- Reconsider special permit thresholds
- Height standards are difficult to understand
- Consider performance standards to address neighborhood/tourism issues

- **Nautilus Memorial Design District:**

- Has it served its intended purpose?
- Modify/update to be consistent with Town's Plan of Conservation and Development
- Clarify permitted uses: by right and by special permit; minimum lot size

Highlights of Audit

- **Water Resource Protection District:**
 - Clarify boundaries
 - Make consistent with EPA standards, i.e., non-permitted uses
 - Zoning from a watershed perspective
 - Comply with CT Stormwater Manual and local health standards
- **Mixed Use Zones:**
 - No predictability
 - Define “Mixed Use”
 - Redo illustrative maps
 - Streamline permitting process
 - Update design standards supported by improved graphics

Highlights of Audit

■ **Parking:**

- Update standards (25 years old)
- Consider relaxing parking standards to be consistent with changing demographics
- Consider establishing minimums and maximums
- Consider shared parking metrics
- Consider reduced parking dimensional standards in special districts
- DDD allows a 10% reduction in parking requirements when parking is accommodated in an onsite structure – consider increasing percentage and allowing this in all districts

Highlights of Audit

- **Subdivision Regulations Audit:**

- Support with graphics
- Bring into conformance with standards of Complete Streets
- Consider establishing thresholds for staff approvals of “simple subdivisions” (i.e. 5 lots or less if legal under state law)
- Consider integrating subdivision regulations and zoning into one document

Zoning Best Practices

Process & Approval

- Expand staff level administrative approvals
- Implement/expand “by-right” zoning
- Simplify category approval tracks: tie process to type and complexity of proposed development

Zoning Best Practices

Simplify Zone Categories

- Consolidate number of base zones
- Limit number of overlay zones
- Apply Form Based Code elements to “special areas”?
- Modernize and simplify development/performance standards
(administrative approvals and by right)

Zoning Best Practices

Mixed Use

- Apply in appropriate places where market is supportive
- Development standards should provide options in order to adjust to market change
- Integrate/incentivize residential, commercial, employment and civic uses
- Create a network of public spaces and require connectivity
- Standards should support creating human scale buildings that fit with context

Zoning Best Practices

Development Standards

- Illustrate standards with graphics and diagrams – reduce words
- Organize development standards in one place

Zoning Best Practices

Promoting Redevelopment

- Provide incentives (i.e. density bonuses, streamlined review, reduced parking)
- Provide flexibility – use and parking standards
- Provide by-right zoning

PROBLEM	POTENTIAL STRATEGIES
Complex & lengthy approval process	Streamline approval process “Fast Lane” approach

EXAMPLE

City of Leesburg, Florida. 2014. Code of Ordinances. Chapter 7, Buildings and Building Regulations; Article XII, Expedited Permitting Program. Available at https://www.municode.com/library/fl/leesburg/codes/code_of_ordinances

Establishes a fast-track site plan review and building permit process for projects that will create at least 10 jobs or projects in Community Redevelopment Areas that will create at least 10 jobs.

PROBLEM

Unclear/Difficult to understand
"Too many words"

POTENTIAL STRATEGIES

Use illustrations & diagrams

EXAMPLE

Old Sever / Scottish Pike <i>Reinforcing what is already there</i>	River Road / Goose Creek Road / Island Home Avenue <i>Initiating a new pedestrian experience</i>	Waterfront <i>Initiating a new pedestrian experience</i>	City View / Campus Cove / Quay Village <i>Encouraging development on the water's edge</i>	Bell Tower Walk <i>Defining a new civic space</i>	Henley Gateway <i>Creating a gateway to downtown</i>	Waterfront Marketplace <i>Establishing a waterfront presence</i>
Diagrams 	Diagrams 	Diagrams 	Diagrams 	Diagrams 	Diagrams 	Diagrams
Streetscape 	Streetscape 	Streetscape 	Streetscape 	Streetscape 	Streetscape 	Streetscape
 Old Sever / Scottish Pike	 River Road / Goose Creek Road / Island Home Avenue	 Waterfront	 City View / Campus Cove / Quay Village	 Bell Tower Walk	 Henley Gateway	 Waterfront Marketplace

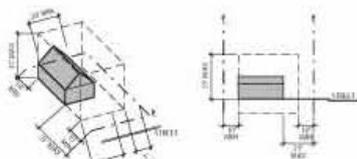
Reinforcing what is already there

Initiating a new waterfront experience

Building on the historic neighborhood "Water Street"

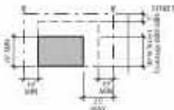
Encouraging development on the water's edge

Diagrams



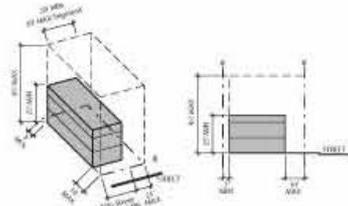
Axonometric Diagram

Section Siting



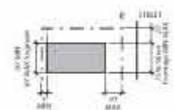
Plan Width and Siting

Diagrams



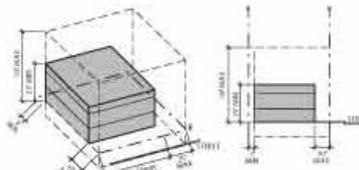
Axonometric Diagram

Section Height and Siting



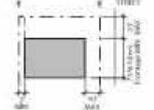
Plan Width and Siting

Diagrams



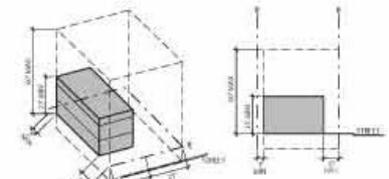
Axonometric Diagram

Section Height and Siting



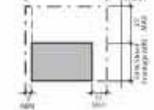
Plan Width and Siting

Diagrams



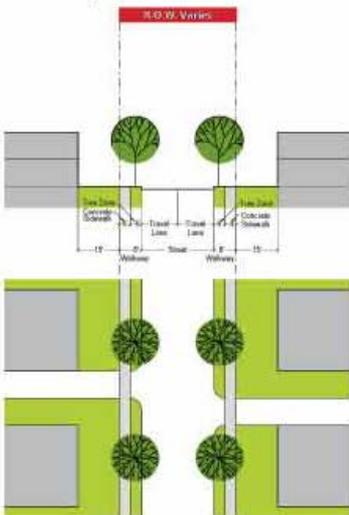
Axonometric Diagram

Section Height and Siting

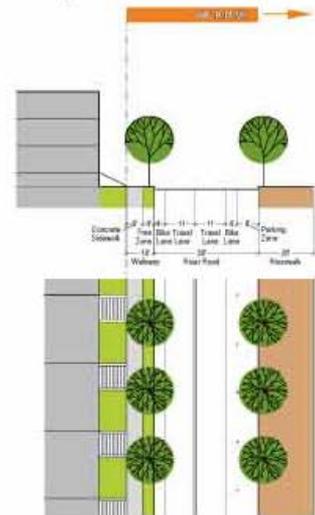


Plan Width and Siting

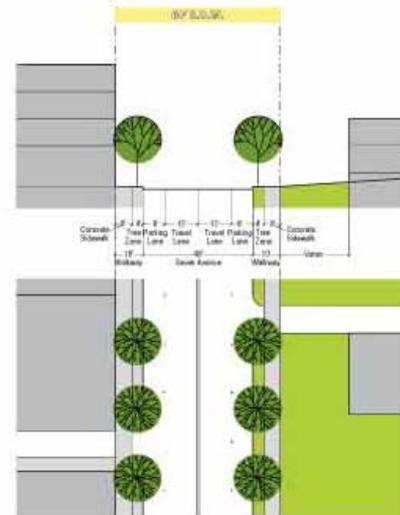
Streetscape



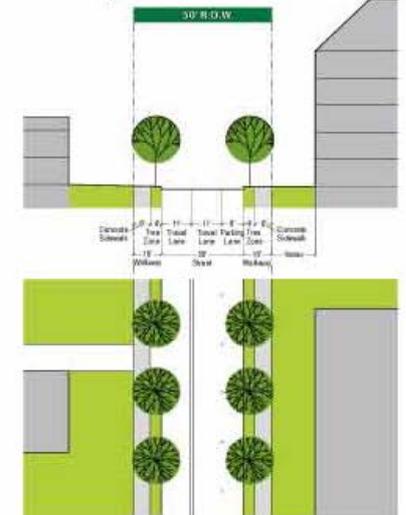
Streetscape



Streetscape



Streetscape



Old Sevier
Scottish Pike



River Road
Goose Creek Row
Island Home Avenue



Swain Avenue



City View
Campus Cove
Quay Village

PROBLEM	POTENTIAL STRATEGIES
Too many zones/ layers of approval	Simplify organization

EXAMPLE

City of Philadelphia, Pennsylvania. 2011. The Philadelphia Code 10th Edition. Available at <http://www.phila.gov/CityPlanning/projectreviews/Pages/Zoning.aspx>

On August 22, 2012, the City of Philadelphia completed the first comprehensive zoning rewrite in 50 years. In the process the number of base zoning districts was reduced from 55 to 36 and the number of overlay districts from 33 to 17.

PROBLEM	POTENTIAL STRATEGIES
Desired development has not occurred	Introduce incentives

EXAMPLE - 1

Town of Pulaski, Virginia. 2011. Code of Ordinances. Chapter 34, Community Development; Article III, Enterprise Zone; Section 34-64, Local Enterprise Zone Incentives. Available at

<http://www.municode.com/Resources/gateway.asp?pid=12067&sid=46>

Incentives offered by the town for applications within the designated Enterprise Zone include business loans, fee waivers, utility improvements support, tax abatements, business license fee rebates, fast-track permitting, design assistance, and economic development stimulus programs.

EXAMPLE - 2

City of Tacoma, WA – De-zoning initiative

- **Intent: To simplify use regulations and development standards**
- **Core attributes:**
 - Flexible use regulation
 - Flexible development standards
 - Stringent design standards and incentives
- **Use regulations outline use categories in terms of:**
 - Preferred
 - Allowable
 - Prohibited
- **Development/Design Standards govern the following:**
 - FAR to incentivize mixed use (i.e., 3.0 for residential vs. 6.0 for mixed use)
 - FAR to incentivize “good design” (i.e., enhanced pedestrian environment, architectural expression of the building base or crown, addition of sidewalk oriented shops/restaurants, public accessible plaza/parks)
 - Screening of rooftop equipment
 - Perimeter landscaping of surface parking lots if facing a street
 - Pedestrian friendly facades of parking garages
 - Requirements of certain uses along roads designated as “Primary Pedestrian Streets”

Zoning Code Types

■ Euclidean Zoning

Conventional single-use zoning where different land uses are classified and separated from each other and where land uses of the same type are grouped together.

ADVANTAGE

- Segregates industrial and commercial uses from residential uses
- Predictable land use
- Administrative consistency and accountability

DISADVANTAGE

- Exclusionary
- Inflexible to innovative zoning concepts
- Contributes to sprawl
- Impedes mixed use development

Zoning Code Types

■ Modified Conventional Zoning

Combining basic use and dimensional regulations with overlay zones, floating zones, or similar adaptations that supplement the basic regulations.

ADVANTAGE

- Protection
- Plan consistency
- Project customization
- Familiarity
- Effectiveness
- Adaptability

DISADVANTAGE

- Scope
- Lengthy processes
- Unclear outcomes
- Uneven bargaining power

Zoning Code Types

■ Form Based Code

Focusing principally on the built form of streets, buildings and the “public realm” that provide the nucleus of civic life.

ADVANTAGE

- Predictable outcomes
- Appearance and scale
- Streamlining
- Simplicity
- Customization
- Encouraging redevelopment

DISADVANTAGE

- Resistance from neighborhoods and developers
- Administration
- Expense
- Narrow scope

Zoning Code Types

- Hybrid

Establishing a design template for different types of building forms or building-site design typologies and assigning these patterns to various zoning districts by right or through a discretionary process.

ADVANTAGE

- Incentive based
- Predictability and streamlining
- Completeness
- Constituency

DISADVANTAGE

- Complexity

