

## MEMORANDUM

To: POCD Steering Committee  
From: M. Davis AICP, Manager of Planning Services  
Date: April 29, 2013  
Subject: Build Out Analysis versus Buildable Area Regulation

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With regard to the above referenced, staff would like to offer some information for your consideration, which we hope will be helpful in clarifying some apparent misunderstandings expressed by certain members of the POCD Steering Committee at their 4/18/13 meeting.

This information includes:

1. References (links) to general descriptions of “build out” analysis.
2. Guidance with regard to use of this tool in the 2002 POCD.
3. Discussion of build out analysis as to the current POCD update.
4. Discussion of “buildable land” in the context of a regulation (versus policy analysis)

### I. Build Out Analysis and Buildable Land Regulation Generally

The general information is being provided to give members a sense of the broad range of potential uses a build out analysis can serve. In addition, this general background also describes the limitations of build out analysis. Please refer to the following links:

[http://www.planning.org/zoning\\_practice/2006/pdf/mar.pdf](http://www.planning.org/zoning_practice/2006/pdf/mar.pdf)

<http://clear.uconn.edu/webinars/CLEARseries12/buildouts.htm>

[http://nemo.uconn.edu/publications/about\\_buildouts.pdf](http://nemo.uconn.edu/publications/about_buildouts.pdf)

### II. 2002 POCD

With regard to the 2002 POCD, the prior consultants undertook a build out analysis in order to simply provide an estimation of potential population at “full build out.” As with any build out analysis, it necessarily included assumptions with regard to resource attributes used in the

model (slopes, wetlands, etc.). However, this analysis did not go further and tie findings to market or temporal conditions.

For instance, the 2002 POCD's analysis resulted in an adjusted potential build out population of "about 60,000 people." In addition, that same plan suggested that Groton's population by 2012 would not exceed 47,000 persons. In fact, our population in 2012 is roughly the same as it was in 2002 and certainly does not approach the 47,000 suggested as a maximum in the 2002 POCD. It should be apparent that a Build Out analysis is not "predictive."

In addition, to place population data in perspective, between 1940 and 1970, Groton's population grew by roughly 27,000 persons (10,910 to 38,244). During the next 30 year period, Groton's population grew by only about 1,700 persons (38,244 to 39,907). The peak (1990) was about 45,000 persons.

Therefore, with regard to the 2002 "build out," if one assumes the potential of 60,000 persons and extrapolates a general and constant rate of 1,500 persons per decade, adding another 20,000 persons would take well over 100 years. Even adding 3,000 persons per decade (unlikely) it would take until the year 2080 to reach our hypothetical "build out."

Furthermore, regional and national trends have demonstrated that population growth is shifting south and west and there is no reason to suggest those trends will change (reverse) in the near term to any substantive degree. In fact, between 2010 and 2012 alone, New England lost over 420,000 persons, while the southern US gained over 765,000 persons. This is why project staff have designed the POCD's build out methodology to reflect market realities.

### III. 2012 POCD Update Program

As noted by the project consultants and staff at the 4/18/13 Steering Committee meeting, the use of build out as to the POCD update is to develop and illustrate potential outcomes, in order to inform a dialogue regarding the implications of those possible outcomes with respect to relevant POCD elements (i.e. housing, economic development, transportation, the MCP, energy and sustainability, etc.).

In addition, the methodology developed by project staff and approved by the Steering Committee will attempt to tie the analysis to actual experience. In this way, the analysis can be put into a temporal and market context, as opposed to simply being a hypothetical "picture" of some possible future state at some distant point in time, which may never actually occur. Refinements to the analytical approach have helped communities avoid excessive, time consuming debates on theoretical end states and focus discussion on more probable near term outcomes that might possibly be managed through the use of implementation tools that can actually be deployed and applied during a POCD's ten year horizon.

#### IV. Buildable Land Regulation

A build out analysis is quite different from a “buildable land” regulation. A buildable land/area regulation limits physical development to land that has certain characteristics, based on a definition of “buildable land” and/or “buildable area.” Typically, development is excluded from inland wetlands, steep slopes, ledge and other areas. Often some level of “development” is permitted in these areas, in order to allow (for instance) access, utilities, and other such ancillary uses. As with all land use regulations, the approach should be consistent with and supportive of, the Town’s comprehensive plan, including recommendations included in the POCD.

Development and implementation of a rational and equitable buildable area regulation is complicated by various factors including the presence or absence of utilities, the rights and prerogatives of other land use authorities (i.e. inland wetland agencies, FEMA, etc.), the nature of proximal development, as well as economic development, housing, transportation, community facility and other legitimate goals and objectives.

At the 4/18/13 Steering Committee meeting, references were made to “spreadsheets” and the conservation subdivision model developed with Lane Kendig. The current POCD ‘build out’ is not the draft conservation subdivision regulation discussed during the recent land use regulation amendment process. The intent of that regulatory initiative was clearly to develop a more rational form based approach to conservation subdivision, implementing “buildable land” concepts in a way that would be consistent with the POCD’s residential density framework and nodal form recommendations.

The resource attributes and other parts of the POCD update build out analysis were necessarily developed by staff after our review of the 2002 POCD’s methodology, the weighted factors used in the Kendig Keast “model” and our own professional experience. Project staff felt that it was completely appropriate to cross reference these in order to avoid proposing a POCD build out methodology that was substantively different from past practice and experience. In fact, the rationale behind any such substantive deviation would have to be explained and justified.

For those who are interested in learning more about the complexity of these types of regulations and more specifically, the potential implications of a poorly designed “buildable area” regulation, I refer you to staff’s analysis of zoning regulation amendment file #07-01 (withdrawn 5/2/07). In that the Zoning Commission is currently pursuing development of a “buildable area” regulation (apparently under the 2002 POCD), staff has asked that they review this information and consider it in their discussions. The Zoning Commission Chair has placed the Steering Committee’s approved Build Out methodology on the Zoning Commission’s May 1 meeting agenda (see attached email dated 5/25/13), with a request for any additional relevant material, so a copy of this memo will be provided to the Zoning Commission.

Copies (w/attachments):

POCD Steering Committee Members

Zoning Commission (for 5/1/13 meeting, item VI-1)

Planning Commission

POCD Project Consultants

M. Oefinger, AICP, Town Manager

M. Murphy AICP, Director OPDS

POCD Update Project File