

Managing Design and Development Downtown

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Managing Design and Development

NLC's Urban Environmental Design Project helps mayors, councilmembers and appointed officials strengthen their city's capability to manage urban design and development. The project works with city officials to raise the quality of design and strengthen people's sense of identity with their city, to build their policy and leadership capacity to improve management and administration of the design and development processes, and to identify the tools, techniques and incentives a city can use to achieve better design.

Bulletins in the Managing Design and Development Series:

Innovative Zoning Tools for Downtowns
Financial Incentives for Better Design
Using Design to Market Your City's Image for Economic Development
Creating Your City's Image
Design in Minority Neighborhoods
Energy Efficiency and Design
Preservation Ordinances and Financial Incentives:
How They Guide Design
Designing Your Waterfronts
Design and Transportation
Streamlining Your Local Development Process



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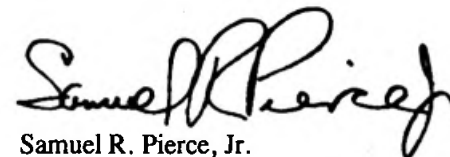
A Message from the Secretary of HUD

The promising development lessons we are passing on in this publication represent successful public/private innovations at the local level. In commending these ideas for wider application, it is important to recognize that our cities are built where people live — at the local level. This is where the real lessons of community and economic development are found.

As President Reagan stated in presenting the 1982 awards for the HUD National Recognition Program for Community Development Partnerships, "We've found that in towns and cities across the country, there are hundreds of examples of local people — government, business, community activists — who are getting together, agreeing on a course of action, and then moving forward to solve long-festered problems."

These lessons are examples which I am confident many more people are now ready to put to the test. With the inventive administrative tools of design, our cities can build upon their existing strengths and create new assets to encourage new jobs and new enterprises through the teamwork of local public/private partnerships.

Sincerely yours,



Samuel R. Pierce, Jr.



Preface

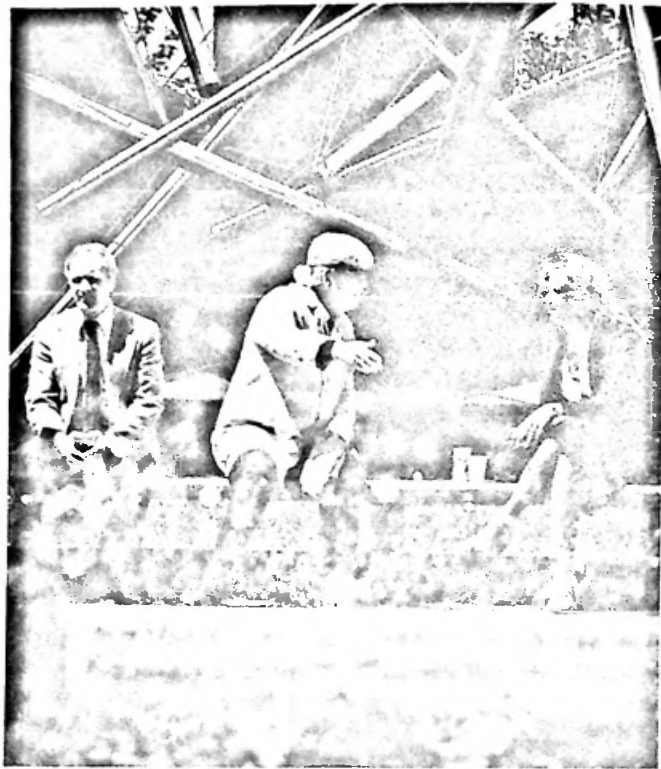
The attention given to the economic revitalization of cities and communities sometimes appears to overshadow the attention given to their improvement and design. But building high quality urban environments and building healthy local economies go hand in hand. America's most successful and attractive cities are prime examples. People are demanding higher quality urban environments with more amenities, and to stay competitive, city officials are finding ways to provide desirable environments and to guide and control the complex dynamics of urban development as well. Significantly, city officials are finding attention to design to be an invaluable asset with many economic, social and environmental benefits. Mounting evidence suggests that without it, a city suffers.

Over the past 15 years, many development tools and techniques, from guidelines to ordinances, have been devised and implemented to shape city form, character and appearance. With these tools city officials have become the brokers, facilitators and negotiators in defining and encouraging higher quality, more sensitive development. Used effectively, they are enabling public officials in large cities and smaller communities to control and relate all public and private investment decisions to some shared vision of what the city ought to be—its functional and visual relationships, its environmental and experiential qualities.

Easier said than done. To achieve this, of course, requires a considerable amount of cooperation between government, business and community interests, and a good bit of give and take, too: partnership.

Development—economic development and physical development—is a two-way street. Local officials want to encourage investment and economic growth and to create comfortable, rewarding places in which people can live, work and play. Private investors want to make a profit and keep risks to a minimum.

Tools that guide design take account of this and are structured to make it possible for government and business to become partners in city building. Among the instruments, for example, are a variety of regulatory controls and incentives that encourage investment by allowing higher densities or more size coverage. Others reduce some of the investors' financial risks in exchange for significant control over the design features of the project. Much in the way of public amenities can be accomplished with very little money from government.



A city should use design and development tools that work to enhance its urban self-image. After deciding on its design policies and development goals and devising strategies to achieve them, a city can begin to manage the quality of its urban development with any combination of these key design and development tools:

- surveys—ways to look at and analyze a city in order to understand it
- guidelines—ways to let people know what is happening or what they can do
- reviews—ways to look at proposed actions and make decisions about them
- incentives—ways to encourage the desired kinds of actions
- controls—ways to require desired actions to take place.

In all there are some 40 techniques in use today. They are making the building and rebuilding of our cities easier and a little more rational. And they are providing economic benefits to urban residents and private developers alike.

The technical bulletin series highlights the essential design and development techniques you can use to improve the design quality of city building downtown and in the neighborhoods.

For more information about the project and its other efforts contact NLC's Urban Environmental Design Program at 1301 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Alan Beals
Executive Director
National League of Cities
Washington, D.C.
1981

INNOVATIVE ZONING TOOLS FOR DOWNTOWNS

Written by
Robert Cook, Esq.
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Chicago

Introduction

In recent years the term "urban environmental design" (or "urban design" hereafter for the sake of brevity) has been used to describe the processes by which government influences or controls the form of development of the public and private built environment of a city. "Urban design" also refers to the qualitative results to those processes; that is, how effectively the processes work to produce "good" urban design.

Zoning is a major tool for influencing the form of private development. Zoning has always been an urban design control because it governs some of the very issues—relationships between buildings and the visual, environmental, and social impacts of buildings on the public domain—that are urban design concerns. Nowhere are those relationships and impacts more important than in downtowns. The high density land use and physical proximity of structures in downtowns offer the opportunity to create functionally and visually desirable units of development that relate well to the whole. Conversely, insensitive design permitted by inadequate controls can disrupt social and functional cohesiveness and other desirable qualities of a downtown.

Much has been written about zoning as it applies to new development away from city centers. Relatively little has been written about zoning in downtowns. This article will explore briefly some zoning techniques that have been

creatively applied to high density central business districts.

This discussion should be preceded by two caveats. The first is that the techniques described here may or may not be easily and effectively implemented in any given city. The extent to which a zoning technique works well in a city depends on the quality and experience of the staff administering it; the tradition (or lack thereof) of cooperation between the city government and the development community; the willingness and jurisdiction of the local board of appeals to serve as a forum for easy relief from the more stringent requirements zoning imposes; and, lastly, the level of public awareness of and concern for the quality and level of development in the city.

The second caveat is that the introduction of new techniques to influence the built form of downtown has relegated zoning to a proportionally lesser, if still important, role as an urban design tool. For example, historic preservation regulations applied on a districtwide basis may influence environmental quality by discouraging new development or may be used in the name of architectural compatibility to influence the exterior appearance and even the bulk of new development. Environmental impact reviews are now applied to sizable new development in some cities; they may influence the form of development by revealing adverse impacts associated with height and/or bulk that necessitate a redesign of the development. Special area legislation, such as coastal management programs, may apply to parts of a downtown, regulating the form of new development more strictly than does zoning.

Zoning and Urban Design

In recent years increased sensitivity to the quality of the built environment has resulted in a new label—"urban design"—being applied to an amalgam of concerns, most of them familiar. It has also resulted in attempts to refashion existing zoning techniques and to create new ones better to address those concerns. Understanding how zoning can be applied as an urban design control presupposes an understanding of the process.

The principal urban design concern in downtowns is the way in which buildings singly and as a whole impact upon the street level public environment—public spaces such as sidewalks, malls, and squares and publicly-accessible private spaces that are extensions of public spaces. The quality of the street level environment depends on the immediate surroundings and is a function of such qualities as adequacy and attractiveness of circulation and social-activity space, continuity and transparency of retail or other frontage, and ease of transition between public and publicly-accessible private spaces. It is also a function of the form of individual and collectively massed structures, and how they affect the perceptual quality of the environment.

Other urban design concerns include shadows and blockage of the sky, which are usually thought to be undesirable; uniform building heights or building wall lines, which may be desired in some locations while a diversity of scale may be

appropriate for others; the desired degree of uniformity or diversity in architectural styles and materials; and the retention of architecturally distinctive or historic structures to preserve a diverse scale and to allow such light access to the street.

Zoning techniques have been used to increase the degree of control over the built form in order to influence those qualities. How those techniques function must be viewed in the context of the purpose of zoning.

Zoning was created to promote public health, safety, and welfare by increasing predictability in land use, by separating incompatible uses, and by limiting the amount of development on a lot. Predictability implies prestatement through fixed rules. In the following discussion it will become apparent that there is an ongoing tension between the need for zoning and the need for flexibility. On one hand, zoning is necessary to preserve predictability of land use. On the other, urban design controls must at times be flexible, less predictable, to permit suitable and imaginative design solutions responsive to the unique qualities of a particular site. A high degree of flexibility implies that public officials are given considerable discretion in determining the design details of development, which can be good or bad. It can lengthen the approval process and force a developer to make costly design changes. On the other hand, when a development is particularly large the public interest in how it is to be integrated into the urban fabric very often necessitates negotiation of the urban design aspects. That interest may outweigh the public interest in a fast, predictable development approval process.

There are many ways of categorizing zoning techniques to influence or control urban design. Since zoning is adapted to the uniqueness of each city, the techniques do not necessarily appear in a pure form nor under the same names. Somewhat arbitrarily, for the purposes of this manual, the techniques will be broken down into those where design review is intentionally invoked, with wide discretion given to government officials in determining what will be required; those where design requirements are predated and the discretion of reviewers is more limited (although the inevitably qualitative judgments will be made); and those where urban design qualities are the by-product of one particular zoning technique, the transfer of development rights.

Discussion of the Techniques

Review with Wide Discretion.

Review by public officials of proposed developments is usually invoked by zoning devices when the level of development exceeds a certain size. This is planned unit development-type zoning in a downtown context. The size threshold may be expressed in terms of the size of the site, the proposed number of dwelling units, or height of buildings. In proposing to exceed those thresholds, the developer implicitly agrees to negotiate many or all aspects of the design, usually with a planning department or commission, with final approval of the plan given by the local legislative body. In conducting its review, the local planning body may have to determine the adequacy of certain aspects of the project, such as traffic circulation and retail or public facilities. These may be set forth in the ordinance and may be supplemented by additional design guidelines that give a developer some advance notice of what will be expected.

San Francisco and Chicago both conduct reviews of large scale developments by such a technique, although Chicago's size threshold is so high that few downtown developments are subject to the review.

Prestated Design Features.

Incentive Zoning. Many people consider this technique to be *the* zoning control for urban design, believing it channels the benefits of development to the improvement of the public environment. Incentive, or bonus, zoning allows a developer to build a larger building in return for some prestated design feature (the "bonused" feature), which is very often a pedestrian facility such as a plaza or sidewalk widening, interior pedestrian space, or transit connection. Incentive zoning is often "as-of-right"; a developer requires no other special permissions to build—he is automatically entitled to the larger building. However, even an as-of-right feature necessitates public review of design features to see that the qualitative objectives of the zoning are met.

New York and San Francisco, the cities that pioneered incentive zoning, are now reevaluating it. The reasons are several. First, in those cities overbuilding is perceived as a problem, one which is exacerbated by the additional floor area incentive zoning encourages. Second, not only are larger buildings created, but the cumulative effect of the additional

floor space may cause overloading of the urban infrastructure. Third, the location of the facilities produced by incentive zoning is not necessarily a function of public need but of the developability of a given site. Finally, even the most stringent design standards can allow facilities that do not serve their intended purpose particularly well. For these reasons, New York has revised its incentive zoning to describe design requirements in more detail. In some cities, incentive zoning may be inappropriate simply because the market is so weak there is no incentive to exceed even very low thresholds. Still, incentive techniques continue to be adopted by and adapted to cities with strong development markets.

Mandated Design Features. The mandating of design features is not new, although the issues addressed have generally been limited in scope. Build-to lines, for example, have been used for years. More recently, to prevent the blank facades that deaden sidewalk space, some cities have made laws requiring facades at street level to be transparent, at least on certain streets. (Transparency can be expressed as a percentage of the area of the building up to a certain height or as a percentage of the length of the frontage). San Francisco and New York are among the cities with such ordinances.

However, cities have been reluctant to extend mandatory requirements very far beyond traditional concerns; the opportunities in doing so should be explored.

Special Districts or Special Review Districts. These districts come in all kinds of combinations and permutations. They are overlay districts, superimposed on one or more existing zoning districts for the purpose of protecting or enhancing the special qualities of the area. Cities should use them sparingly; they are costly to administer because they demand staff time.

The common characteristic of special districts is governmental review of virtually all development, with power to approve design according to standards contained in the ordinance or in a district plan or design guidelines. Public review through advisory boards comprising representatives from the district or through public hearings at which plans are aired is frequently a characteristic of special districts.

Special districts may specify sites where mandatory design features must be built. Some special districts include funding mechanisms under which a developer who proposes to develop to a certain size must contribute to a fund to be used for improvements to public property away from the development site but within the district. This is a form of incentive zoning.

New York has some 38 special districts to protect the quality of such diverse areas as Little Italy and the South Street Seaport and to guide the anticipated development of the Greenwich Street area in lower Manhattan. The Greenwich Street Special District contains, among other features, requirements that development on designated sites include a portion of a second level pedestrian system and that certain levels of development be conditional on contributions to a fund that will be used for the improvement of subway stations in the district. This district may be fruitfully studied for the many urban design techniques built into it. Some of those techniques have been adapted to a much smaller urban center, Rockville, Md.

Seattle has several special review districts that because of their detail are among the more influential design control techniques in existence.

The Capitol Environs Urban Design Plan of Lincoln,

Nebraska is carried out in part by a single purpose special district; its object is to protect the views and physical setting of the state capitol building on the edge of downtown. It is an overlay district establishing height limits along certain view corridors.

Performance Standards. Performance standards have traditionally referred in zoning to limitations on measurable physical phenomena—such as noise, heat, dust, smoke, and vibration—associated with certain land uses. A characteristic of performance zoning is its objective nature. This objectivity has been extended to urban design issues with the Waldrum diagram, a daylighting evaluation technique which permits evaluation of a proposed building's effect on natural street light, which is for some cities a critical urban design issue. The Waldrum diagram takes into account the reflectivity of particular types of cladding materials as well as the orientation of the building, its street wall height, and the height of the existing street wall. Determining compliance is a straightforward matter of making the calculations.

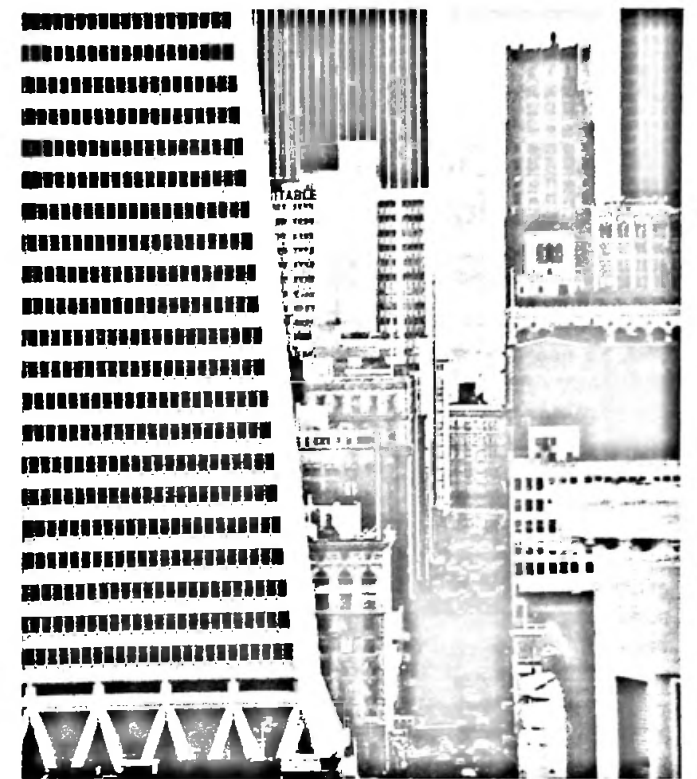
New York City is currently contemplating enactment of the Waldrum daylight evaluation technique as one of two alternative means for governing a building's effect on natural street light in high density commercial areas.

Prescriptive Daylighting Controls. The other technique under consideration by New York is a prescriptive daylighting control system. Its central feature is a method of offsetting portions of a building that extend beyond a line that rises from a point above the street (the "sky exposure curve") with compensating setbacks. A building which does not penetrate the sky exposure curve would not have to include compensating setbacks. This technique, too, has the advantage of being objectively applicable, making it predictable. It also allows for more variation in building shapes than has been possible under New York's present zoning, which favors the "box" design.

Quantified Qualities. A category of zoning techniques exists for which there is no agreed-upon name; it can best be characterized as "quantified qualities." These techniques assign numerical values (points) to various qualities, some of which may be urban design qualities and some of which may relate to other features. Certain design features may be mandatory in all cases. Others may require a minimum point score. Approval of a development would require accumulation of a certain minimum number of points drawn from various categories. The advantage of these systems is that they give some flexibility in design—few or no points might be earned on one feature, many on another—without making the zoning unpredictable to a developer. On the other hand, where the number of options for accumulating points is wide and the mandatory aspects are few, the urban design consequences of the zoning are hard to predict.

New York's Housing Quality zoning is a point system which has a strong urban design component because neighborhood impact is one of the four categories in which a minimum point total must be accumulated.

The Breckenridge, Colorado development code allows development by permit when a developer shows that the proposed development has accumulated enough points to meet the minimum. The total is the result of a computation that includes negative points for undesirable features. The code contains absolute policies that must be complied with, as well as the policies related to the point system. The urban design consequences of any given development may not be



easily predicted because of the variety of ways a developer chooses to accumulate point totals. However, the absolute policies assure that at least minimal design standards will be met.

Transfer of Development Rights.

Some cities treat development rights—the right to develop a zoning lot to a certain density—as a transferable commodity. Usually, the transfer affects the unused portion of those rights on an already developed site. There are several consequences for urban design. Transfer permits the retention of lower scale buildings, thus preserving light access to the street and a diversity of scale and architectural style. On the other hand, if not limited, the transfer of development rights may permit the development of buildings that are vastly larger in scale than others around them.

Although cities have been most generous in permitting the transfer of development rights where landmark buildings are involved, they have also allowed transfers between non-landmark buildings and nearby sites, usually on the same block or across the street. Districtwide transfers are permitted by New York's South Street Seaport Special District and were proposed for Chicago as a means for preserving landmark buildings. In the South Street Seaport, the rights were purchased by banks which resold them to developers at a later date as eligible transferee sites became available.

Issues to Consider in Applying the Techniques

The complexities of the above zoning techniques are many. Each municipality must determine if and how a given technique may be applied. In making that determination, the municipality should consider a number of issues that are more or less common to all the techniques.

Generally, urban design controls involving the exercise of discretion are best administered by trained professionals (architects and planners) in planning departments, provided they are adequate in numbers. The cumulative experience in evaluating results that develop over time as the controls are administered is important. Furthermore, people who take part in establishing plans for an area can bring to the process a sense of how each development fits into those plans. Advisory judgments by lay committees or final approvals by legislative bodies may be important as a check on arbitrariness by staff professionals, but lay participation in the details of design should be discouraged by practice and by formal procedure.

To some extent, arbitrariness will be limited if there is a frame of reference, such as an urban design plan. This plan should articulate general principles and may contain detailed recommendations for important specific sites or areas. Such a frame of reference is important because it establishes limits and sets a context within which isolated design judgments may be made with a sense of how they relate to the whole.

Review techniques should encourage developer-government contacts at the earliest possible point, before the developer is committed to a design scheme that may be found unacceptable. These contacts need not be formalized in the review procedure, but their necessity should be made clear. Maximum time limits for review are less effective than one might predict until the problem issues are resolved. Furthermore, the irregular pattern in which plans are submitted for review may result in overloading the staff at certain times, making fast review impossible. Nevertheless, it is advisable to have a mandatory timetable built into the review process so that proposed projects are not stopped simply by review delays.

The subject matter of urban design controls should be urban design issues as opposed to purely aesthetic issues, the latter of which should be left to the judgment of the architect and developer. The distinction is a subtle one, depending on the context, and is not easily stated. Limiting the scope of issues reviewed depends largely on the self-restraint of the reviewing of staff in not addressing issues which are purely



New York City

aesthetic. Prestatement can also help limit the scope of review issues, but prestatement of some types of urban design qualities is difficult, not only because each site is unique, but also because it is difficult to describe some qualitative aspects of the built environment in words.

Lastly, it should be kept in mind that extensive design review processes, as do other governmental review processes, tend to become more cumbersome and rigid over time. This happens as more parties take part, a frequent phenomenon, and as more fixed rules are introduced and then applied to the next development. While complexity and rigidity may be an inevitable cost of gaining the necessary public input, there are costs to the public as well, such as the loss of tax revenue and the possibility of the development being shifted to another location where procedures are less cumbersome.

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CREATING YOUR CITY'S IMAGE

Written by
Sherry Kafka Wagner

Introduction

Over the past two decades, there has been a steadily growing interest in the way cities present themselves. Today, urban image is recognized as a vital factor in a community's ability to retain old businesses and residents and attract new ones. The purpose of this technical bulletin is to describe effective approaches to building and improving a city's image.

What is Urban Image and Why is it Important?

The urban image is the way a city is *perceived*, both by the citizens and by those outside. Not only is this image a mental picture held in common by a large number of persons, but it also is used as a way of communicating about the city.

Since urban image is based on human perception, it is greatly influenced by sensory elements of the urban form, especially the visual elements, but also many other factors. The quality of the environment, both natural and man-made, plays a primary role in forming urban image. Consider some of the following in thinking of urban image:

- topography (the hills of San Francisco, the lakes of Madison, Wisc.)
- climate (Seattle's rain, Chicago's wind)
- industry (beer in Milwaukee, movies in Los Angeles)
- festivals (New Orleans' Mardi Gras, Louisville's Kentucky Derby)
- buildings and structures (New York's Empire State Building, Houston's Astrodome)
- Monuments (St. Louis's Gateway Arch, Toronto's CN Tower)
- cultural amenities (New York's theater, Washington's Smithsonian)
- history (Boston's Freedom Trail)
- and much more.

New York City's image, from its skyline to neighborhood parks and the bright lights of Broadway, create unforgettable memories for visitors and residents alike.



City Image

Kevin Lynch,
The Image of the City

"Every citizen has had long associations with some part of his city, and his image is soaked in memories and meanings."



How is Urban Image Built?

Creating, improving or revamping an urban image can be a critical task in shaping a strong, healthy city. Remember that while each city has the potential for being and remaining unique, there are powerful social and economic forces constantly at work trying to make every urban area similar to all the others—at least the other thriving ones. In order to maintain its individuality and to shape a strong image, each city must build on its own reality and utilize its own resources. To do that, it is necessary to know what image-building materials a city has available and what methods are useful for building with those materials. In other words, as a first step, the municipality should conduct a city analysis.

Step One: City Analysis

A city analysis has two purposes: one, to diagnose the city's urban image condition; and, two, to prescribe a plan of action to improve or build upon that condition. Most likely this plan will involve efforts in both design and communication.

Take a good hard look at your city and find out what you have to work with. An image must be built on facts. Unlike Gertrude Stein's hometown, of which she said, "When you get there, there is no there, there," if an image is to work, there must be something real to work with.

This city analysis—whether a formal study or an informal effort—should have three parts. The first is an examination of the physical form of the city. Since urban image is greatly influenced by the visual elements of the urban form, it is necessary to have a clear understanding of the qualities of the physical environment. The analysis should determine the city's strengths and weaknesses in terms of these environmental qualities. The visual strengths can be built on; the weaknesses need to be overcome.

The second part of the analysis should investigate people's perceptions of the city: what they like and don't like; how they "read" or understand the city form; how they organize and use the city; how perceptions differ—or coincide—from group to group, neighborhood to neighborhood. The perceptions held by visitors and others should also be considered.

There are a number of ways to conduct such an analysis. A simple method is to gather a group of citizens for an intensive day of brainstorming on these issues. This was done not too long ago in Lima, Ohio, where a cross-section of citizens spent two days reviewing all the aspects of their town as background for a redevelopment and image-building effort. Or, a formal study can be conducted by city departments, a university or a private consulting firm. This was the method used in Dorchester, a town within the Boston metropolitan area, which was anxious to upgrade its image and which brought in planning



Baltimore's Inner Harbor provides a place for year-round activity.

The content of these communications can be designed to informally educate the citizenry by increasing public awareness of the city and its strengths, by helping them to recognize the importance of environmental issues and policies, by acquainting them with opportunities and possibilities, and by reinforcing a positive attitude toward the city.

Wise and effective use of communication methods will increase people's awareness and understanding of the city. In Seattle, the Department of Community Development produced six 30-second public television announcements that portray the richness and diversity of people, styles and environments offered by the city. "Seattle's like America: It's for Everyone," was one of the slogans. These announcements also conveyed the idea that residents must participate in the city by making positive decisions. The Department intended the series "to influence people to stay inside Seattle and thus keep it economically healthy."⁴

The Boston Neighborhood Development Agency undertook a neighborhood marketing/confidence-building project. Its purpose was to encourage residents of three neighborhoods to remain in Boston, to attract homebuyers to these areas, and to build confidence by changing attitudes and

behaviors of bankers, realtors, media staff and city officials. Communication methods used were posters, brochures, television shows, press stories, conferences and neighborhood tours. The first production was a colorful poster about Dorchester, conveying a positive image of the neighborhood. Demand was so great that the poster quickly went through two printings. A report on the project states that "the city planners were amazed to find that so modest an effort on their part aroused so extensive a positive public response."⁵

In Jersey City, N.J., a similar effort, called the Village Resurgency (Risorgimento) Program took place. It included a community mural, storefront designs, displays, street graphics and furniture, posters, a map, promotion, a citizen participation program, and a brochure that describes the project.

⁴ Article in *New York Times*, by Les Ledbetter and material prepared by the Seattle Department of Community Development, 1976.

⁵ "The New Boosterism: Selling America's Neighborhoods and Cities," a report by Bob Hollister, 1977.

Summary

Urban image is important to the strength of a city. This image must be built on reality, on a city's physical attributes and on human perception of those attributes. To build urban image, a city must take stock by analyzing its situation, then diagnose its needs and develop a plan of action. These actions will be in the areas of design and communication. Many options and methods are available in these areas for use in image-building.

Building a strong urban image comes down to this: Decide what your city is and can be—and help it to be that. Decide how you want your city to be seen—and show it that way. Decide what you want to say about your city—and send out that message.

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USING DESIGN TO MARKET YOUR CITY'S IMAGE FOR ECONOMIC DEVELOPMENT

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Boulder, Colorado

Developing a Comprehensive Marketing Program

Defining the Problem

The term economic development, as used in this paper, means strengthening a city's economy by maximizing the volume of goods and services generated locally. The term includes both commercial and industrial development. It also covers nonprofit organizations, associations, and the various levels of government—all providers of goods and services. For the sake of convenience, all of these categories will be referred to as simply "business."

Economic development is something most cities wish they had more of. And therein lies the problem: A relatively large number of cities are trying to market themselves to a more limited number of businesses. Competition for business is keen, and each city must compete as effectively as possible if it is to enjoy the benefits of economic development. Indeed, it must compete to some degree just to counter attempts by other cities to lure away business that already has located within its boundaries.

The real challenge, then, is not only to demonstrate that a city is an attractive home to business, but also to tell business about it—to market the city as a desirable place to do business.

Goal-Setting: Establishing a Cooperative Framework

If economic growth is to be maximized, widespread local support must be enlisted—support that spans the diversity of varying community interests. While many worthwhile goals can readily be associated with economic development, local consensus—even about the effort itself—frequently is not easily reached. Diverse and often short-range community needs unfortunately can translate into opposition to a new or expanded long-range program that will require public attention and resources. Forcefully articulated demand for improved public service can, paradoxically, thwart an economic development program designed to increase tax revenues to improve those very services. First and foremost, then, economic development must be established as a high-priority matter of public policy.

Civic, business and labor leaders, as well as elected and appointed governmental officials, should be encouraged to demonstrate their commitment to economic growth in order to garner community-wide support. Thought should be given to the formation of a broadly based, public-private commission, council, or other body to oversee economic development efforts in behalf of the public at large.

The local media, civic organizations, neighborhood groups, and other sources of influence should be provided with information on what a successful economic development program can do for the city. The general public should be invited to become involved through public meetings where

comments and suggestions are heard, plans shared, and questions answered.

Since the term "economic development" often is misinterpreted, consideration should be given at the outset to terminology more descriptive of the actual results desired. A "job creation program" can have more general appeal in a city where unemployment is high. "Community growth," "economic growth"—a variety of alternative terms may attract widespread support more readily and, at the same time, accurately describe the program.

Economic development is a powerful way to meet a variety of important local needs. However, the program's general goal—often the self-evident reason for the program itself—should be established early and clearly identified in all references to the program. Supporting objectives should be realistically delineated, both generally and specifically, with community-wide input. A simplified illustration will help to summarize this process.

The Mayor of Greentown (a fictitious city) determines that the city is suffering a net loss of 200 jobs annually. The Mayor and his staff meet with a number of key community leaders to discuss the problem, and they decide to supplement various informal civic efforts with a formal economic development program. Identified as "Grow With Greentown," the program's goal is to provide jobs for city residents. Meetings with selected local employers are held to determine their views on the best methods of attaining the goal. From these discussions, three general objectives are established: 1) to retain existing businesses; 2) to help local business expand; and 3) to attract new business.

A broadly based, quasi-public council is formed and schedules public meetings to share information and to help formulate specific objectives.

Of course, there are many variations on the process illustrated here. Frequently the program originator is not an elected official, but rather a Chamber of Commerce or other local organization of civic-minded business people. Other goals—such as tax base expansion—may be established. The various formal and informal groups that serve in an advisory capacity will vary from city to city and will depend upon the existing local political and power structures.

However, knowledgeable individuals at the local level should have little difficulty in defining the process that will work best in their cases—the process that will yield for them realistic goals and objectives that can be widely supported within their cities.

The Activities Audit

The most effective economic development programs are those that are closely coordinated with on-going, related activities—building on them, supplementing them, and avoiding duplication. Once the framework for a program has been established, work can begin on the important process of determining current roles and relationships. As noted earlier, each city already is doing something to market itself for economic development. But exactly who is doing what?

Both public and private organizations involved in economic development should be identified. A determination should be made as to what their roles are, what roles they are actually playing, and what they are doing specifically to promote economic development. Their effectiveness should be evalu-

ated and their activities reviewed for duplication of effort. These groups also should become closely involved in designing the formal economic development program, in coordinating activities, and ultimately in implementing the formal program.

From this point forward, the city should ensure that it has the assistance of experienced specialists. Creating and implementing an effective economic development marketing program requires the expertise of professionals, whether they are staff members or are retained as outside counsel.

Developing a Marketing Strategy

Marketing for economic development traditionally has been the province of Chambers of Commerce, utility companies, and railroads. Following World War II, and increasingly in the 1960s and '70s, additional attention from other quarters was focused on economic development as manufacturing decentralization, population movement, and other significant changes began to have a negative effect on central cities.

Today, a variety of public and private organizations are involved in marketing a city for economic development. Community development agencies, port authorities, revenue bonding agencies, and other public and quasi-public organizations promote development, as do the Chambers, utilities and, increasingly, specially formed private sector organizations.

Since it is not uncommon for 10 or more separate organizations to be promoting economic development within a city, the successful marketing strategy must first address the question of who is to have prime responsibility for this activity. The analysis of roles and relationships mentioned earlier can be a key guide to making this decision.

If the analysis revealed a particularly strong and effective organization currently involved in economic development—and if that organization has the desire and capacity to take responsibility for a formal marketing program—then the choice may be obvious. However, the analysis may well have revealed a set of organizations where jurisdictions overlap, intended roles are not followed, efforts are duplicated, and where independence and autonomy make coordination difficult.

Effective marketing for economic development requires a clearly established leadership position from which one organization coordinates the wide range of efforts undertaken by others. In some instances, it may be advisable to form a new organization to spearhead the formal economic development program. Differing local situations lend themselves to differing approaches.

For example, in Baltimore the Chamber of Commerce has a prime role in marketing that city for economic development. The San Antonio Economic Development Commission is a specially formed, private group which has a lead role; the Philadelphia Industrial Development Corporation is a specially formed, quasi-public organization; and, in the City of St. Louis, the Planned Industrial Expansion Authority, an existing body, now has a major responsibility in coordinating public-sector marketing for economic development.

In addition to specifying who will have the lead role in promoting economic development, the marketing strategy also should specify what the plan of action will include. One or more facets of the marketing campaign should address how

Introduction

In one way or another, your city already is marketing itself for economic development. It may be actively involved in a formal economic development program that comprises a diverse range of marketing activities. Or, in the absence of an organized effort, people may be learning only by word-of-mouth about your city as a place to live, work, and conduct business. Recognizing that *something* is already being done, the question is: Can the marketing effort be more effective?

This paper has been prepared to help you evaluate your city's current marketing efforts by presenting an outline for the development of a comprehensive program aimed at increasing economic development.

each of the program objectives is to be reached. For example, to reach Greentown's objective of retaining existing business, the marketing strategy might include a program of personal visits designed to detect problems and identify corrective measures. To reach its objective of helping local businesses to expand, another facet of the marketing strategy might be a communications program to familiarize local business people with the city's public incentive programs. To reach its objective of attracting new business, a publicity campaign and direct-call program might be established.

The economic development marketing strategy is a plan and philosophy of action. Its creation should be guided by a lead organization that coordinates ideas and suggestions from all quarters—from other economic development organizations, from business, labor and civic leaders, and from the public at large.

Identification of Strengths and Weaknesses

Successfully attracting economic development is more than a matter of boosterism. To convince people that a particular city is a good home to business, a strong case must be created and put forth through the marketing strategy. The advantages of the "product" to be marketed must be clearly delineated and forcefully communicated.

Identifying a city's strengths and weaknesses can provide solid, reliable and convincing documentation of why it is a good place to live, work and do business—why a business should stay, expand, or move there. Information should be collected on attributes of both the city's business climate and quality of life.

Objective statistical indicators should be compiled to describe at least the following pertinent characteristics:

- productivity of workers
- availability of land
- availability of office space
- adequacy of public facilities
- adequacy of public services
- availability of energy supplies
- cost of energy
- availability of labor
- cost of land
- availability of financial incentives
- local property taxes
- water supply
- transportation for materials and products
- proximity to customers
- level of crime
- market demand for products and services
- quality of city schools
- local and state taxes on business and industry
- availability of raw materials/supplies
- local and state personal taxes
- cost of construction
- degree of unionization
- cultural attractions
- cost of financing
- proximity to services

Attributes in which a city excels are prime candidates for use in an economic development marketing program. Weaknesses identified through this process should be closely examined to determine whether they can be overcome. To the greatest extent possible, weaknesses should be mitigated with visible programs aimed at their improvement.

In addition to the compilation of objective statistical information on a city's attributes, it also is helpful to gather subjective information—people's attitudes and opinions about the various business climate and quality of life characteristics that influence business location decisions. Local, regional, and/or national opinion surveys may reveal variations between the actual circumstances—as shown through objective data—and people's perceptions, and a communications program can be designed and implemented to overcome misconceptions.

Comparative Analysis

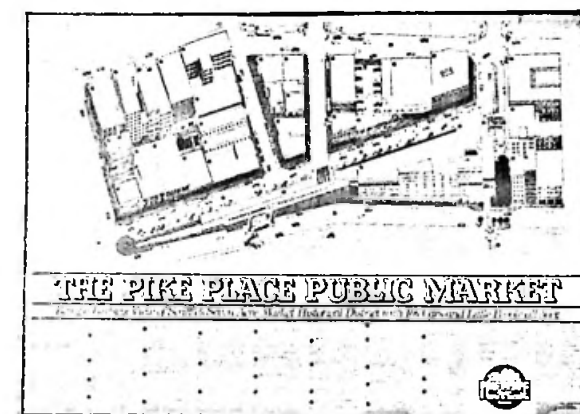
Marketing programs generally have one primary goal—to position a product or service so it receives favorable attention among competing products or services. In the case of marketing for economic development, the object is to determine the importance of a city's strengths in relation to those of competing cities, and then to concentrate exposure on its strongest—even unique—characteristics.

The first step in determining a city's relative strengths is to identify a representative cross-section of major competitors. Here, the size and geographical locale of a city help dictate which other cities compete with it in the field of economic development. For example, to determine the relative strengths and weaknesses of the City of St. Louis vis-a-vis its competitors, the following cities were selected:

- | | | |
|----------------|---------------|---------------|
| • Atlanta | • Little Rock | • Houston |
| • Cincinnati | • Tulsa | • Kansas City |
| • Dallas | • Chicago | • Memphis |
| • Indianapolis | • Columbus | |

While all major cities compete for certain types of business, they frequently face their sharpest competition within broad regional boundaries. (A notable exception might be competition from the Sunbelt). For example, a corporate headquarters relocation may bring competition from throughout the country. On the other hand, competition for a regional office, will, by definition, be confined to cities within the region under consideration—as will be most locational decisions for expansions, branch offices, distribution centers, and other business.

Once representative competitors have been identified, objective data should be gathered on their business climate and quality of life attributes. This data should be analyzed and a comparison drawn between attributes of the city, and each of its competitors. For each attribute, is the city above average, average, or below average as compared with its rivals? Emerging from this analysis will be a list of attributes which will form the basis for many marketing campaign messages.



Establishing Marketing Targets

Once it has been decided who will lead the marketing effort, what general marketing activities will be used to reach the program's objectives, and what demonstrable strengths will form the basis for the marketing campaign, attention should be directed toward defining the classes of business whose needs match the city's strongest attributes.

Potential audiences should be evaluated in a number of ways, including:

- analysis by organization type—manufacturing, warehousing, distribution, retailing, services, and other non-manufacturing
- analysis by type of facility preferred—existing plant, warehouse, office space, industrial park, vacant land, or other
- analysis by size of organization—recent studies indicate the largest overall potential for economic development exists in the small business segment. However, a comprehensive marketing program also should take into account retention of existing large employers and the ramifications of attracting an outside large business
- analysis by current location—target audiences should be defined as internal or external. The important internal audience includes a city's existing businesses from which, according to recent studies, up to one-half of all new jobs will come. The external audience should be further subdivided to at least the levels of regional, national, or international.

- analysis by potential contribution—possible target audiences also should be reviewed to determine whether they would closely mesh with a city's economic development goals and whether they represent growth industries.

Using the federal government's Standard Industrial Classification codes, surveys, and reports on facility location decisions and other resources, a list of primary and secondary marketing targets should be created to give focus to the marketing efforts.

The Promotional Program

Specific activities to be used in carrying out the marketing strategy should be detailed with regard to priorities and budget. Such activities should be professionally designed and supervised by communications specialists, whether they are part of the organization's staff or retained as outside counsel.

Generally, economic development marketing activities can be categorized as either public relations or advertising. Both add measurably to the success of the marketing effort. And, while experience and creativity play significant roles in the development of these activities, there are many standard concepts on which marketing campaigns can be built, including:

- media publicity—favorable reports in both the print and electronic media
- paid advertising—campaigns in the media most likely to reach target audiences



San Antonio, Texas

- direct-call—personal visits to business people
- printed materials—newsletters, posters, flyers, folders, brochures, and books
- testimonials—leaders of existing businesses explaining why the city is a good place to do business
- audio-visual programs—slides, sound-slide, film, and videotape presentations
- speakers' bureaus—knowledgeable spokespersons made available to address groups
- direct-mail—series of letters to targeted audiences

These and many other activities all represent communications tools that are used to develop the tactical approach through which a marketing strategy can be implemented.

Budgeting and Funding

Marketing programs can be tailored to a variety of budgetary levels. While program results are not directly related to the dollars allocated, it should be noted that implementation of such a program basically puts the city in a position of buying communications services and materials. Whether the city hires a staff of communications specialists and produces material in-house, or whether the city contracts with outside agencies, adequate budgets must be available to carry out program activities. In addition, successful marketing for economic development is not a short-term proposition. Long-term communications activities are required in order to establish and reinforce positive perceptions of a city. Determination of an adequate budget involves a series of considerations:

- What already is being done under other budgets?
- What specific activities are essential for reaching primary marketing targets?
- For reaching secondary targets?
- Can certain activities be undertaken as joint ventures with other organizations?
- What needed services or materials might be provided free or at-cost by local businesses interested in the city's economic growth?

If a city is embarking for the first time on a comprehensive marketing program, a more substantial budget will be required in the first year to initiate promotional activities. By the same token, expansion of existing programs—even major changes—can be accommodated by smaller budgets.

A wide range of program budgets has been established for economic development marketing programs throughout the country. These programs range downward from well over \$1 million annually. For example, in 1980 approximately \$1.25 million was budgeted for economic development promotion in San Antonio, with over \$800,000 for advertising alone. However, the competitive and confidential nature of this kind of information makes obtaining it very difficult. In addition, few cities appear to calculate a total from the various budgets that provide funding for this function.

Funds allocated for economic development marketing programs can be viewed as an investment that will return dividends in the form of jobs, tax base expansion, neighborhood revitalization, and other tangible and worthwhile benefits. For this reason, adequate budgets for sound programs can be justified in all but the worst of circumstances.

A variety of funding mechanisms can be used to generate the resources necessary to meet budgetary requirements, including:

- Existing promotional funds spread across several budgets can be combined.
- Local tax revenues can be redirected, in part, to help fund economic growth (and therefore increase those revenues).
- Private funds from corporations and foundations may be sought in support of community development.
- Funds may be derived from a user-fee on selected incentive programs.
- If a city provides for in-lieu-of payments on tax-abated property, a small percentage increase in those payments can generate program funds.
- Depending on the outcome of changes made by the Reagan administration, federal community block grant funds could be an appropriate source of funding.
- A public-private combination of funds might be arranged on a matching basis.

These and other alternatives to program funding can be combined to construct a budget adequate to support comprehensive economic development marketing.

Implementation and Evaluation

The organization identified to take the lead in marketing for economic development should oversee coordination and implementation of specific promotional activities. In addition, consideration should be given to a number of questions:

- Who has the expertise to conduct such a program?
- How can the various program elements be coordinated best?
- What is the most efficient and effective way to operate the program?
- What do other cities do?

Because successful design and implementation of a comprehensive program demands strong experience, capabilities, and resources, serious consideration should be devoted to involving seasoned professionals. Whether retained as advisors or to implement specific activities professionals in economic development, public relations, marketing, and advertising can help to avoid costly pitfalls and program fragmentation, while working to achieve realistic economies in effective communications efforts.

For implementation purposes, all marketing activities should be assigned a priority and priorities should be followed or reevaluated. Comprehensive programs frequently are best implemented in phases, especially where budgets are limited.

Regardless of how the program is implemented, periodic evaluation of the program's success should be undertaken. In the field of marketing for economic development, measurement of results is difficult for a variety of reasons, including the difficulty of:

- establishing program objectives where progress is readily measurable
- gauging the impact of external economic influences
- measuring the secondary effects of development
- gathering meaningful data for comparison
- dealing with a significant timelag effect

Despite the difficulties of precise evaluation, program monitoring is an essential activity if marketing activities are to achieve their maximum impact. Depending on a city's economic development goals, a variety of results may be used to judge the program's success.

For example, success in reaching the goal of tax base expansion may be evaluated by measuring increases in business tax revenues, increases in the number of businesses paying taxes, or increases in the number of pertinent licenses or permits issued. Success in reaching the goal of job creation may be evaluated by measuring increases in the number of jobs available, increases in earnings-tax revenues, or other appropriate data.

Other methods of evaluation include attitude changes as measured through opinion surveys and the number of inquiries received as a result of specific activities.

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STREAMLINING YOUR LOCAL DEVELOPMENT PROCESS

Written by
Douglas R. Porter
of the Urban Land Institute



Illustration from HUD Rehabilitation Guidelines training program by Design Communication. Photography: Michael Bruce.

Introduction

The design and development of our communities is regulated in increasing detail through standards, procedures and requirements adopted by local governments. Regulations now govern far more than the height or structural safety of a building or the size of a lot and number of parking spaces to be provided. In communities throughout the nation, development regulations guide or control the preservation of open space and natural features, the siting of buildings, the kinds of special amenities to be provided, the placement of telephone and electric lines, the quality of signs and even the appearance of structures. At the community scale, newer regulations are now being adopted to stimulate mixed-use development, prohibit development of farmlands and other open space, or restrict development to areas served by existing utility and road systems. Regulation of development is on the upswing, creating more detailed requirements and lengthier procedures for would-be builders to follow.

In fact, many authorities feel that developing the communities in which we live and work has become a process overburdened by regulation. A recent report of the HUD-sponsored public/private Council on Development Choices for the '80s concluded that "... steps must be taken to disentangle the massive array of obsolete regulations that fail to recognize the realities of the development process." In many communities today, development regulations and procedures are so complicated and restrictive that they

restrain needed construction and discourage innovation.

Many communities have already taken steps to streamline their procedures and simplify their requirements. Local officials in these communities have recognized that lengthy, cumbersome procedures can help drive up housing costs, absorb large amounts of administrative time, stimulate unnecessary community controversies and sometimes stifle rather than encourage high quality development. The techniques they have adopted to avoid these problems can be applied in other towns and cities.

This bulletin is intended to suggest ways to identify problems in your community's permitting process. Improvements undertaken elsewhere can provide examples for similar methods in your community.

The Need for Rethinking Regulations

In years past, construction of a building required only a simple one-time permit issued with a minimum of fuss. In most cities and towns today, however, developers and builders face a bewildering array of zoning and re-zoning procedures; subdivision plan and plat approvals, conditional and special-use zoning permits, specific permits for site grading, foundations, sewer and water hook-ups, construction and environmental clearances at several levels of government, and design reviews and approvals by various boards and agencies with special concerns. In some towns the permitting process seems less like a system and more like an obstacle course.

The last decade or two has witnessed an unprecedented expansion of governmental authority over the development process. The growth pressures of the '50s and '60s, added to the environmental concerns of the '70s, have created intense public interest in development. In response, governments have created new regulations and new administrative procedures to gain some control over the rate, quality and location of growth. The most noticeable feature of the recent boom in regulations has been their emphasis on design quality and community amenities. Proposed development is expected to respect environmental conditions, provide desirable facilities and amenities, and create attractive buildings and neighborhoods. To achieve these ends, communities have written finely detailed ordinances, established elaborate review processes, and opened up the permitting process to citizen participation at many points. And many new developments have been improved because of the process.

But with the benefits of these regulations have come costs. For businessmen engaged in development, regulations have raised development costs by prolonging the development process and increasing the risk of finally delivering a marketable product. One result has been that developers and builders have become more cautious and less innovative. For the consumer, regulations can be blamed for part of the alarming increase in the cost of housing. (One study concluded that up to 21 per cent of the price of a new house may be due to the excessive regulation.) Another problem for consumers is that regulations are preventing construction in many areas of the types of housing needed most by today's smaller households. For public officials and the community at large, increased regulation over development has cost untold amounts of time and energy spent in acrimonious hearings and negotiations, and foregone tax revenues from delayed development. Restrictive regulations have also caused leap-frogging of development to less restricted jurisdictions, and less interest in large, comprehensively planned developments.

There is another effect of the current state of development regulation that is only now beginning to be recognized as a critical issue. Many communities regulate development in ways that simply are not relevant to the changing needs of the population and economy. Requirements and standards which may have been useful for guiding development in the past two

or three decades do not fit the trends of the coming years. Indeed, the principal message of the Council on Development Choices for the '80s was that "people's choices about where they want to live, the kind of home they prefer, their shopping patterns, their demands for public services, and many other aspects of community life in the '80s will be different from their preferences in the '60s or '70s because the conditions in which these choices are made will be different." There are growing numbers of one- and two-person households and of elderly households. By 1990, only six out of 10 households will consist of married couples, with or without children. Clearly the "standard" single-family home on a separate lot, in a school-centered neighborhood, will be less the norm in the future.

Energy also will affect lifestyles and living patterns since past energy costs were not as significant a shaper of community growth as they will be in the future. Energy consumption will be reduced by use of better construction techniques, more energy-efficient design, and greater use of mass transit, bicycling and walking.

Other trends and factors, too, will change the course of future development: declining economies in some cities, inflation and competition for development financing, increasing costs of public services, rising competition for land. All of these conditions will call for more compact forms of development, greater mixtures of uses and more affordable housing.

The regulations in place in most cities and towns, however, run counter to these needs. Most zoning and subdivision rules stress the single-family detached house as the norm—and sometimes as the only type of housing permitted. For example, a 1976 survey of 42 growing communities found that only one in twenty permitted anything other than single family homes without special zoning procedures of some kind. Today, almost everywhere, it is easier to build single-family houses than town-houses or apartments. Large lots are encouraged. Mixing uses is prohibited or treated as a special case. Density limits and excessive requirements for facilities and amenities prohibit construction of housing affordable to most people.

Somehow the regulations that may have been appropriate for yesterday's development must be geared to the needs of today and tomorrow. Standards for lot sizes, building sizes, site design, facilities and other aspects of design should be modified to provide a range of costs and options. Limitations on types of development should be relaxed to allow more diverse forms and more mixtures of uses. And, at least as important, procedures must be streamlined to reduce delays and uncertainties.

Diagnosing the Problem

Most cities and towns have worked hard to adopt regulations which seemed fair and necessary at the time. The adoption process usually involved many drafts and revisions, hard-fought political compromises and a meticulously crafted consensus. There were heavy investments of time, energy and ego in the results. No wonder it is difficult to look objectively at them to find faults!

One difficulty is that most regulatory systems are not systems at all. They just grew, and there are few people around who understand the whole process. The entire process should be looked at, all the way from the re-zoning or conditional zoning requests, through subdivision planning and plat approval, to final building and occupancy permits. Later it may be necessary to analyze the system in separate components, such as subdivision procedures, rezoning and conditional zoning, building permits, etc.

Diagnosing the system means looking for symptoms of a process that does not work smoothly, consistently or rapidly. The following kinds of factors should be evaluated:

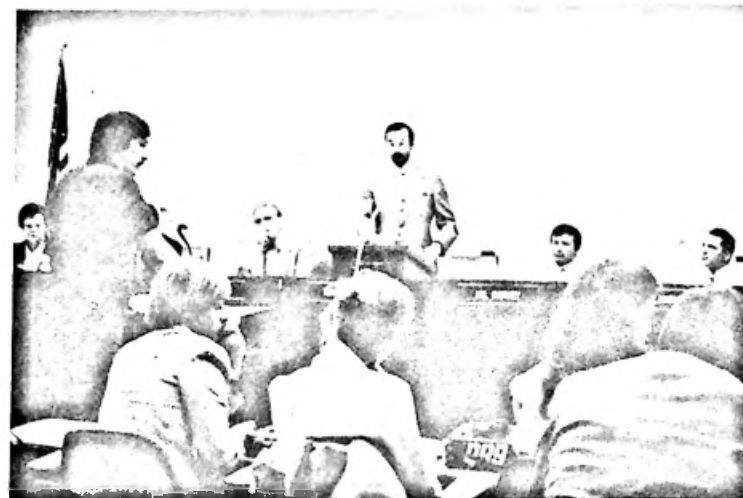
- length of the process from application to approval or issuance of permit;
- number of separate permits, approvals, hearings and administrative reviews necessary for construction and occupancy of a building;
- number of separate agencies, departments, boards and other groups that must review the application;
- types and detail of information, including special plans and designs required for the kinds of approvals sought.

These factors indicate the amount of time, energy and funds that a developer or builder must invest in the process to obtain results. They also determine the length of time during which he is exposed to changes in the market, in regulations and in community attitudes, and the number of personalities and sets of rules that must be satisfied.

Ways to obtain a first indication that improvements are needed in one or more of these factors include asking the people who use the regulations, running a quick check on trends over time, or evaluating what is in the process now.

Perhaps the quickest way to find out whether your system needs streamlining is simply to ask! Start first with your technical staff—they've probably never been gathered together as a group before to discuss the process. To get additional information to make a decision about streamlining, bring in affected parties—public officials, developers, builders, community groups, consultants—who will be able to provide other insights about the rights and wrongs of the system.

A second way to identify problems is to determine if the process now takes longer than it used to. From available records one can determine for several years past how many applications were received and how many were decided upon;

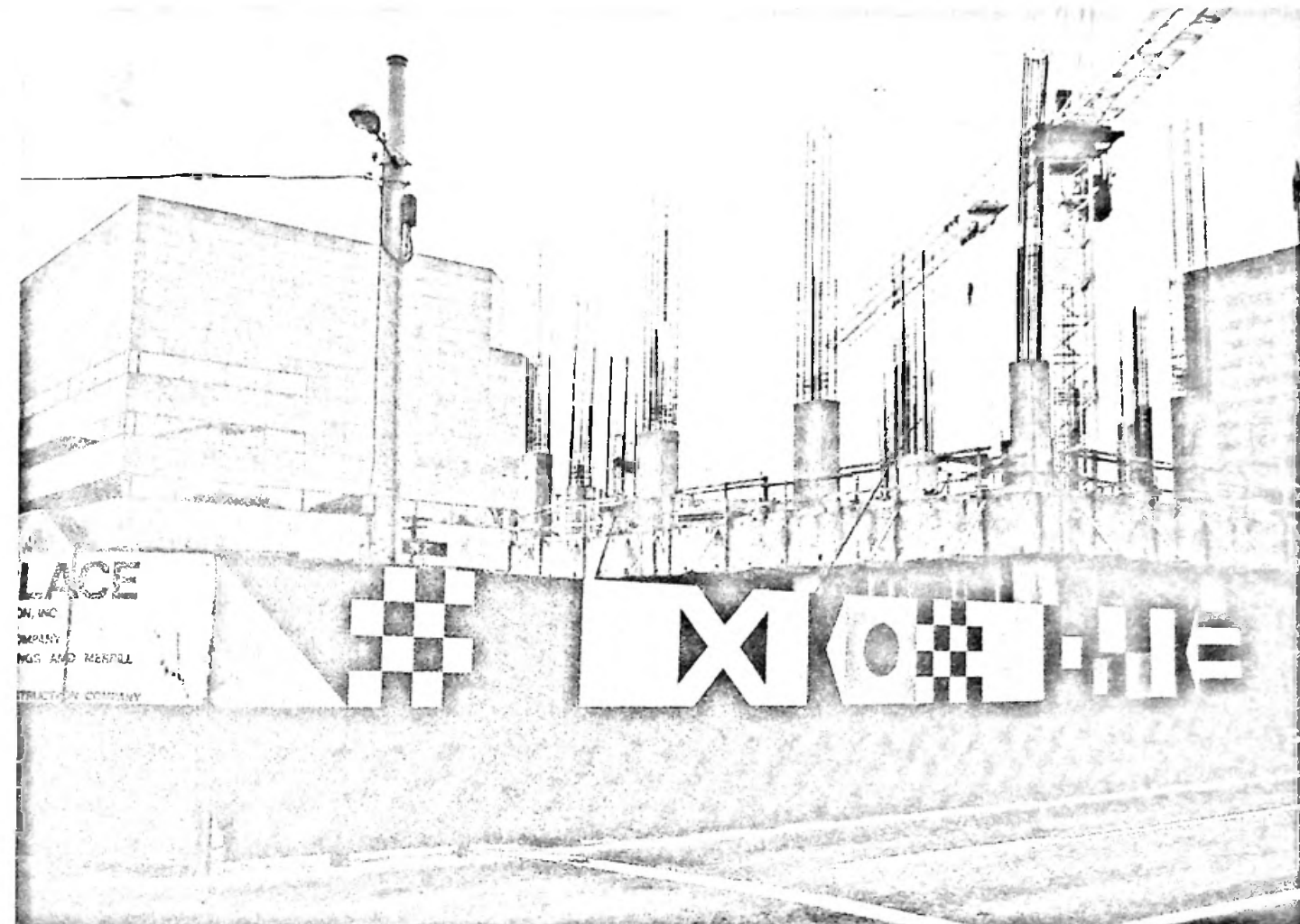


the dates of the applications and approvals will define how long the process took. Moreover, from signatures, permits, certifications or other clues the number of agencies or departments reviewing each application can be determined. (It may be necessary to check the files of each agency or department to track specific projects through the process.)

If this historical comparison reveals a lengthening or bogging down of the process, an increase in paperwork required to be filed with an application, or a decrease over time in the number of building permits issued (when national and local economic conditions would otherwise indicate growth), it may point up problems with your regulatory system.

A third perspective on the working of the permitting process can be gained by taking a cross-section or inventory of items now "in the pipeline." Each agency or department can be requested to report all applications on which action is currently pending, when the application was received, whether actions are being delayed (and, if so, where), and when action is expected. This "snapshot" of the current process will indicate how the system is actually working, and where problems may exist.

From this initial evaluation, it should be possible to determine whether the regulatory process needs fixing, whether improvements lie in the area of ordinance changes, administrative improvements or both, and what parts of the process are especially in need of streamlining.



Techniques for Streamlining

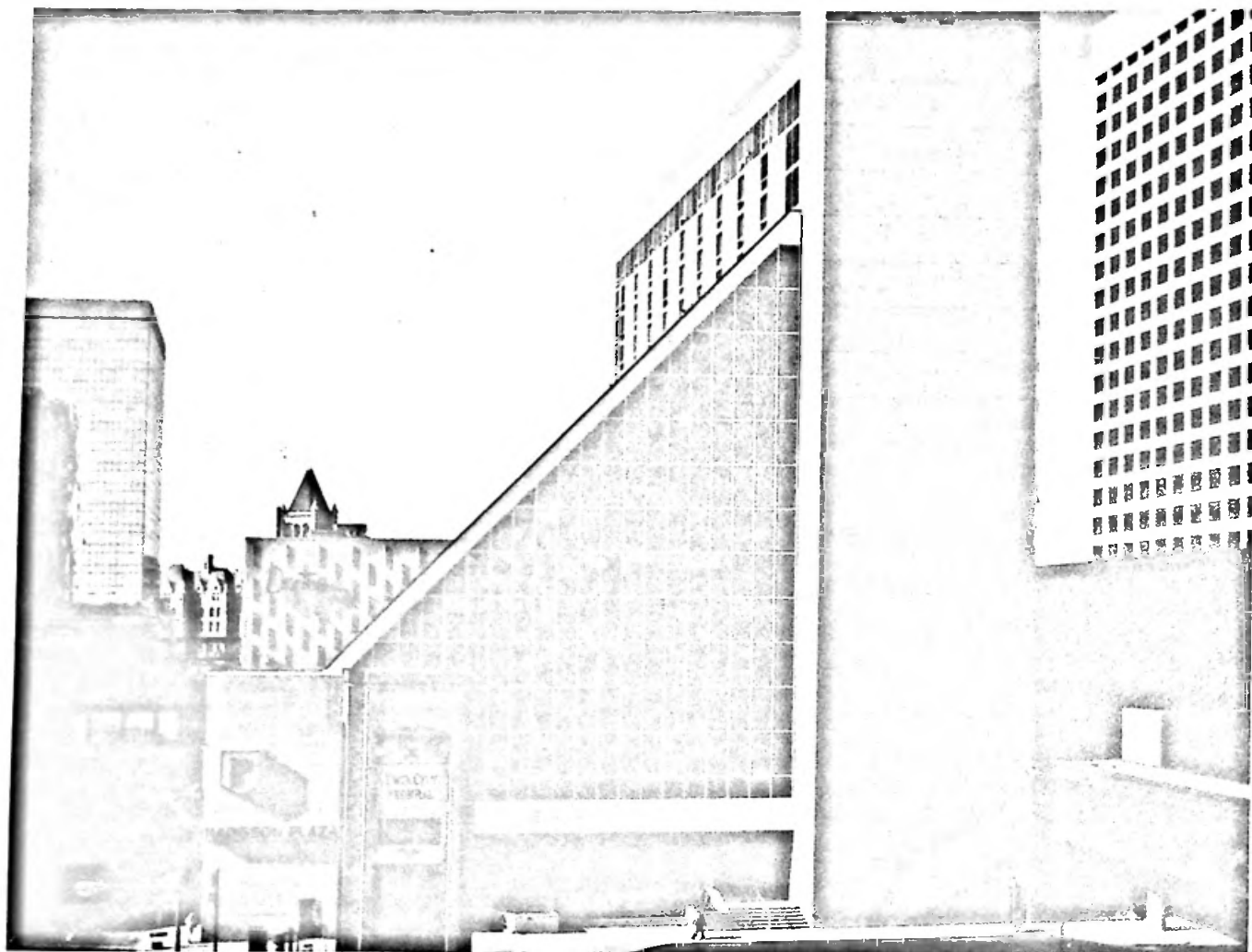
Launching into a streamlining effort should be undertaken with forethought as to who will be responsible for the work, how decisions will be reached, and how much time and effort can be spared for the job. A staff person can be assigned the task, consultants can be employed, a special task force or commission can be formed, or some combination of these can be utilized. Whatever method, it is essential that technical work be competent and that findings be capable of implementation, both financial and political. (If a task force or commission is contemplated, communities have found that smaller groups get more accomplished and reach agreements more easily than large groups; for either consultants or a commission, staff assistance will be necessary.)

As an example, Kane County, Ill., formed a Subdivision Regulation and Procedures Committee in 1977, chaired by the planning director who selected six developers, attorneys

and consultants to serve on the committee. Meeting monthly for a year-and-a-half, the group reviewed, modified and finally recommended a draft subdivision ordinance; planning staff drafted the regulations and assisted the group in its discussions.

A somewhat larger effort was carried out in San Jose, Calif., which formed a city task force of department heads to meet with a special advisory committee of homebuilders organized by a blue ribbon citywide organization. The two groups met weekly for over four months with city staff assistance to document the residential permit process and write procedural guidelines for a revised system.

It is also wise at the outset to recognize the realities of changing the system. Development policy issues that are raised often can only be settled in a political forum. Modifications seen as beneficial by some people are seen as regressive by others. Introducing efficiencies in the system must be balanced with fairness and effectiveness, and must not compromise valid public purposes. Also, remember that the regulatory process involves more than a single governmental entity. Streamlining a local community's system will not resolve problems of regional, state and federal permitting. Finally, there never will be a perfect point of balance between flexibility and predictability. In this regard, public officials and developers alike want to have their cake while eating it, too. They want detailed rules with the maximum flexibility to modify them to meet specific situations. They also want to



Radison Plaza in Town Square, St. Paul, Minn.

leave everything to negotiation as long as the results are predictable and satisfactory to all. Clearly, no process can fully satisfy all these criteria.

Looking for ways to improve the regulatory system should start with a critical evaluation of the regulations themselves, then proceed to a review of the process, from the pre-application stage to staff review and citizen review. Specific techniques are suggested for streamlining in each of these four parts of the system. (Those interested in a complete discussion of the suggested techniques should see the guidebook *Streamlining Land Use Regulation* listed in the references at the end of the bulletin. Many of the methods and examples in this bulletin are drawn from that guidebook.)

1. Improving the Ordinances

One of the best places to begin streamlining is with the ordinances and requirements that spell out the rules of the process. A number of areas of improvement should be considered.

Clarifying the organization and language of ordinances is a housekeeping job that can help everyone understand and use the ordinances more easily. The format of ordinances should be clear and uniform, with helpful diagrams, tables, indexes and illustrations. Plain language should be used, and

definitions provided for all technical words and phrases. Definitions should be similar for all ordinances, and the format and language used should be consistent among all ordinances.

Updating provisions and weeding out unnecessary provisions should be done periodically, so that outmoded passages or unneeded provisions do not clutter the ordinances and cause confusion. Requirements should reflect current conditions, not past ones or conditions that will never exist in the particular community.

Simplifying and clarifying procedures spelled out in the ordinance will make the process more understandable. Procedures at each step of the process should be clearly defined, including the types of information needed, the responsibility of the applicant and the reviewers, and appeal processes. More attention to describing what is done and who does it will pay dividends in reduced confusion and fewer misunderstandings.

Providing procedures for interpreting questions about provisions in the ordinances is a necessary but often overlooked aid to streamlining. Every ordinance, no matter how well written, requires interpretation at some time; this should be done consistently and without unreasonable delay. Communities have used a staff committee meeting at regular intervals, written interpretations by a department head or the city council, or determinations by a designated official such as

the zoning administrator. Such interpretations ultimately should be made part of the ordinances.

Specifying conditions for routine approval of frequent minor applications allows these applications to be reviewed and approved more rapidly. Policies and standards are formulated in advance for specific types of proposals (such as particular uses). In reviewing applications, these guidelines provide a checklist and reference for determining conformance to regulations.

Spelling out standards for discretionary approvals can avoid some of the problems encountered when staff and applicants negotiate agreements for such proposals as planned unit developments, rezoning and conditional zoning. These types of approvals are often reached after weeks or months of discussions guided by almost no written procedures or standards. Criteria specifying standards of design, responsibilities for public facility provision and other factors in development would provide a consistent framework for discussions.

Allowing approvals of applications unless specific deficiencies are cited for disapproval has the advantage of making the process positive rather than negative. Site plans can be approved without further ado, much as in zoning "by right," except when explicit findings are made citing problems, in which case alternative solutions must also be suggested. This system has been used in Rochester, N.Y. for several years with good results.

Establishing a rating system for approving development proposals can improve the review process if used carefully. Points are assigned for meeting established development objectives or standards, and a minimum number is required for approval. The well-known Petaluma, Calif., and Ramapo, N.J., systems use this method overlaid on conventional zoning, while Breckenridge, Colo., has replaced zoning and subdivision ordinances with a single permit based on a point system. While rating can be useful in measuring conformance to development objectives and standards, point systems do not and should not replace subjective judgments about design quality, appropriateness of use, and other development factors. In fact, there is a danger that point systems can be applied too literally, and with too much emphasis on meeting rigid and unnecessarily high standards. They also may be used to disguise subjective judgments by staff with little recourse for the applicant.

2. The Pre-Application Stage

Most likely the initial contact that any developer or builder has with the regulatory process is when a development is still an idea. Information is needed to test the feasibility of a particular course of action: what regulatory steps will be required, how receptive the public, staff and officials are likely to be to the idea, what public actions may be pending that would affect the proposal. Because this is the point where a developer or builder will decide to commit time and money to development, he needs up-to-date information, clearly written regulations, access to public plans and maps, access to personnel who can estimate the time and fees needed to obtain approval, and a guess at the chances for approval. Assistance must be geared both to the amateur or first-time user who may need a considerable amount of help, and to the savvy consultant or developer who simply wants a quick

reaction on specific questions.

Three useful items to consider for this stage are clearly written guidebooks and checklists, a central information counter and a pre-application conference.

Up-to-date, easily understood **written information** available to the potential applicant or interested citizen is essential. Such information—if complete and correct—will reduce confusion about specific procedures, requirements and standards and can save valuable staff time. The material should include simple explanations for newcomers to the process and more technical information for others. It must be regularly updated to be useful. If in doubt about what is needed, solicit suggestions from consultants, developers and others now using the regulations. They will probably request the following types of information:

- lists of permits required for every type of regulation, with summaries of the information needed for each
- explanations of procedures along with official time periods or deadlines and estimates of processing times
- schedules of fees for all permits
- complete copies of official ordinances and regulations
- appeal procedures
- checklists of guidelines and criteria used by staff in the review process, which may be collected in a guidebook or manual
- general information on the local government, including its organization and key personnel, with names and telephone numbers.

Second, a **central information counter** provides an easily-found location for people seeking information about development regulations. Such a service will relieve individual departments of having to steer people to the right office (and can cut overall staffing needs). Types of central counters include:

- a central telephone point where calls can be routed for general information, if only to clarify the nature of the request and re-route it to the correct department
- a referral desk, stocked with written materials and staffed by employees who can answer general questions and refer others to the appropriate person
- an application center, where staff accept and assist with applications, answer questions, route applications and plans to the correct departments, collect approved applications, and issue the final permit
- a central permit office, staffed by interdisciplinary teams drawn from individual departments, which is capable of accepting applications and issuing permits to all but the more complex projects.

Operating these centralized information services requires trained personnel who have some knowledge about the whole process and what is done in each department. The counters are most useful for simple projects and routine questions, rather than extensive negotiations or technical reviews required for large or complex projects. In fact, experienced applicants may bypass the counter for more direct contact with technical staff. Still, the much-publicized Permit Application Center in Salem, Ore., was able to cut staff requirements from six-and-a-half to four persons and to reduce paperwork and time wasted on incorrect applications.

Pre-application conferences furnish another useful device for communicating information, especially for experienced developers with complicated projects in mind. Such conferences can act as "early-warning" forums for both the developer and the public staff, letting each know the possible procedural issues that will have to be avoided or surmounted to accomplish the project.

Conferences also help to establish a basis of understanding and trust between the staff and the applicant. Many subdivision processes already require a preliminary "concept" consultation which establishes the nature of the proposal and the procedures to be followed. Conferences can be arranged at the option of the applicant, or may be set up on a schedule, especially if they involve staff from several departments. Experience shows that whatever agreements are reached should be written down as a reminder to participants.

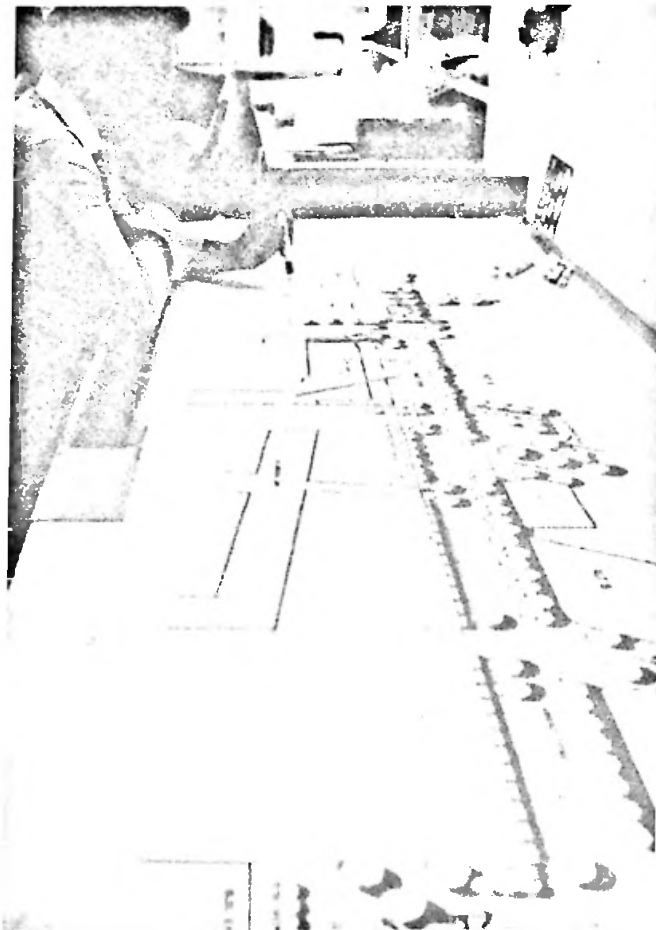
3. The Staff Review Stage

Once an application is submitted for a subdivision, rezoning, building permit or other type of development approval, the technical staff must determine whether it meets the requirements and criteria of the regulations. Typically staff members will spend only a small proportion of the processing time actually reviewing the application; most time will be taken up by delays in routing the applications, disagreements among staff and between staff and applicant, backlogs, and errors or omissions by the applicant. Also, it is not unknown for an application to be stalled to force more favorable terms from the developers, or to be placed behind proposals from developers with the right political connections. Nevertheless, there are many techniques that can be employed to simplify and speed staff review.

The **combined review committee** provides a mechanism for coordinating reviews by several different departments in situations where comments from one department need to be reconciled with comments from others. The committee does not replace a technical review by separate departmental staffs, but serves to mediate differences and provide a more comprehensive perspective. It reduces the number of situations where an applicant is forced to go back and forth between departments to iron out problems. Such committees can be assigned to review one type of application or many, and their decisions may be advisory or final in some routine or minor cases. Baltimore's Site Plan Review Committee, for example, consists of senior staff from five departments who review subdivision plans, zoning changes, conditional use permits and appeals, variances and building permits. In working sessions the committee attempts to improve plans and agree on conformity with regulations.

Fast tracking provides a shortened process for non-controversial projects such as minor subdivisions. Eliminating citizen review and public hearings is one way to speed the process. Other techniques are to give priority to applications requiring the attention of only one or two departments, hold simultaneous hearings for projects requiring hearings by more than one body, and provide for administrative approval of final plans rather than waiting for commission or Council approval. In Lane County, Ore., minor subdivisions are approved by a joint review committee and variances by the director of planning.

Simultaneous review of multi-permit projects can ab-



breviate the permitting process. This method is used in Los Angeles and Phoenix in reviewing subdivision plans which also require rezoning. In Los Angeles concurrent applications can be filed if desired, while in Phoenix the staff will undertake informal reviews of subdivision plans during the rezoning process. In either case, the developer may be faced with changing his subdivision plans if rezoning is not granted.

Establishing mandatory deadlines for reviews is not a new technique, but can be useful for setting a schedule for reviews. Even though deadlines may frequently be missed—and, realistically, there is not much a developer can do about it—review deadlines can be helpful in setting target dates.

Permit expeditors are usually employed in facilitating review of commercial and industrial projects, although some cities assist residential projects as well. Expediting can take the form of a coordinator who keeps track of the progress of applications through the process, or a troubleshooter to iron out permit difficulties and keep pressure on staff to complete reviews expeditiously. The City of Baltimore has assigned staff to log in applications, route them to each department in turn, and keep a record of progress. In addition, a permit expeditor reporting to the mayor is responsible for identifying projects for special attention and resolving problems with their progress.

Setting up a **management information system** to track the flow of applications and provide consistent record-keeping is another technique to streamline the permitting process. Forms should be reviewed for clarity of language, appropriateness of information and consistency of basic data. For instance, use of project numbers in one department, street address in



another, and tax map and lot numbers in a third assures confusion. Also, the requirement of too much data on a form is as bad as too little, and complicated instructions result in mistakes and omissions. One solution is use of a master application form; another is to standardize record-keeping across departmental lines. In this respect, computerization can be very helpful, despite its initial expense. El Paso County, Colo., may have the ultimate system of this type: besides keeping an inventory of information on all parcels, the county also maintains a status record on all applications taken on them.

4. Citizen Review Stages

In recent years, official and unofficial citizen's groups have emerged as powerful influences on the regulatory process. Citizens serving on planning commissions, appeals boards and advisory boards of many kinds, have the ability to help the permitting process run smoothly and rapidly or to totally frustrate it. The process often becomes bogged down in numerous, lengthy hearings marked by poor information, inconsistent procedures and political conflicts. Citizen participation and politics cannot and should not be removed from land use decisions, but citizen involvement can be made to function better and more equitably. Some techniques that have worked are:

Training of citizen members of boards and commissions dealing with development matters is a constant necessity, given the turnover usually experienced. Yet fewer than half of

the planning agencies surveyed recently by the American Planning Association hold orientation sessions for new members of boards and commissions, and relatively few send members to conferences or provide them with handbooks to explain the planning and regulatory process. Consultants can be employed to hold training sessions, or staff can provide information. Better informed members will help to improve the process.

Improving public hearing procedures can assist in keeping the regulatory machinery moving. Much time at public hearings can be lost in wrangling over misunderstandings and non-substantive procedural questions. This could be avoided by adopting fair and consistent rules about who is heard, when and for how long, and how decisions are made. (Courts are also increasingly concerned that proper procedures are followed in public hearings, including adequate notice, a written record and an opportunity for all interests to be heard.) "Regularizing" the procedures followed at public hearings may make them more complex but will provide a consistent process less wasteful of everyone's time.

Combining public hearings when more than one governmental body must consider a proposal is another method of moving more rapidly through the regulatory process. In some areas it is necessary for an application involving re-zoning and subdivision approval to go through as many as six or seven public hearings, even if it is relatively non-controversial. Some duplication may be appropriate to air zoning matters that differ from subdivision design questions, but often these concerns are related enough to warrant joint hearings. Beaumont, Tex., now holds joint hearing of the planning commission and the city council, with subsequent recommendations by the commission and action by the Council. Clearly, reducing the number of hearings is a major time saver.

Redefining the role of the planning commission to relieve it of some of its review and approval tasks can shorten the regulatory process. Shifting some hearings and decisions to a hearing official (see below), to staff or even to another body makes more time available to the commission for broader policy concerns and shortens the time that applications must wait in line to be heard. Multnomah County, Ore., for example, created a separate Hearings Council to review and approve applications, leaving the planning commission to focus on comprehensive planning. While not suitable for communities with a low volume of applications, and requiring additional time commitments from citizens as well as staff, the dual commission might be useful in communities attempting to deal with a steady flow of controversial applications at the same time that major planning policies are being considered.

Appointing a hearing official is one way to channel applications into a more productive and potentially less time-consuming process. A professional hearing officer (or examiner) conducts hearings, makes written findings, and either makes a decision on the application or recommends one to a designated body. The official may hear only certain types of cases (e.g. exceptions, variances, special-use permits) or may hear subdivision and rezoning applications as well. The hearing official system has the advantages of assuring more consistent hearing procedures, shortened time frames and relief of public officials for more policy-oriented concerns. Although considered a new method of dealing with applications, the hearing officer technique is actually used in dozens

of jurisdictions, including San Francisco, Pittsburgh and Tampa, Fla.

Mediation to resolve difficult cases which might otherwise end up in court is another technique for saving time as well as cutting costs. Court processes are long and expensive for all parties involved. Mediation, which brings the parties together with an outside expert to explore and resolve differences, can be an effective alternative. For the mediation process to work, the issues must be serious and the resolution urgent, or the parties will not be compelled to negotiate to a conclusion. Mediation services can provide practiced mediators if local people with the required skills cannot be identified.

Holding informal neighborhood meetings can help to clear the air of misunderstandings and concerns that otherwise might interfere indefinitely with the process. As reluctant as developers are to hold their projects up to public scrutiny, many have found that neighborhood groups can be mollified if consulted in advance of application proceedings, or that relatively simple design changes can satisfy groups before adversarial positions are taken up. Some communities make a point of suggesting early informal neighborhood meetings to developers of potentially controversial projects so that citizen attitudes and interests can be tested and responded to before all the regulatory procedures have been completed.

Review of the selected design for Duncan Plaza in New Orleans.



Conclusion

Clearly there are many techniques for regulatory simplification that have worked in other communities and can work in yours. Getting started at streamlining is half the battle; community leaders must be made aware that simplification is needed and can reward both public and private interests in the development process. The next step is setting up an action process to review and suggest changes to regulations and procedures. With liberal applications of hard work and good sense, the task can be accomplished to the satisfaction of all concerned.

One of the by-products of such an exercise hopefully is a better understanding of the process and of the objectives of various actors within it. There is no better simplification device than mutual trust and goodwill among the public and private interests involved in the process. In such a climate the most elaborate regulations can be made to work smoothly, while in an atmosphere of distrust and adversarial attitudes the simplest regulatory system can prove an impenetrable thicket. With streamlining and a positive regulatory environment, everyone can work within the process to improve the quality of our communities as they grow and change.

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