

# Why are you talking to us about ZONING? It's not even part of our jobs!



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# Inner Loop in-fill concept. Rochester NY



2016



2019





2023



Reclaimed area zoned for mixed housing, retail, & commercial; with required bicycle & pedestrian infrastructure.



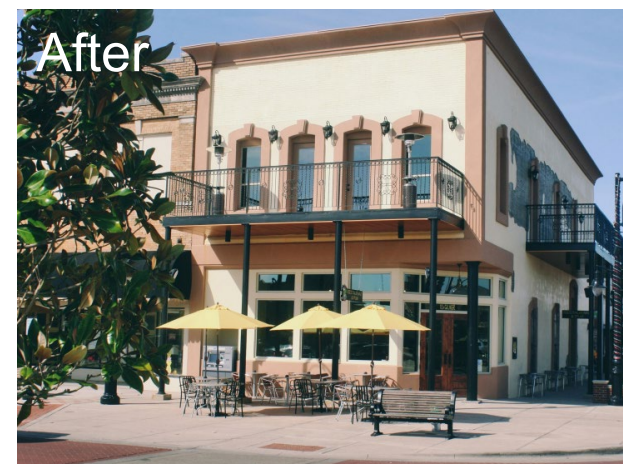
[cityofrochester.gov/  
InnerLoopEast/](http://cityofrochester.gov/InnerLoopEast/)





## Supportive policies & environments for active transportation yield *economic benefits* . . .

1. Greater walkability & bike-ability.
2. Better air quality.
3. Fewer vehicle miles traveled.
4. More small business development.
5. Lower building vacancy rates. >
6. Boosts property values, tax revenues.
7. More affordable housing opportunities.
8. Higher retail sales.
9. Higher employment rates.
10. Longer & healthier lives.



*Journal of  
Physical Activity &  
Health, 2021, 18,  
1088-1096.*

### **Priorities and Indicators for Economic Evaluation of Built Environment Interventions to Promote Physical Activity**

Angie L. Cradock, David Buchner, Hatidza Zaganjor, John V. Thomas, James F. Sallis, Kenneth Rose, Leslie Meehan, Megan Lawson, René Lavinghouze, Mark Fenton, Heather M. Devlin, Susan A. Carlson, Torsha Bhattacharya, and Janet E. Fulton

## Do you know if your community has a master (growth, comprehensive, development) plan?

1. No, I'm not sure.
2. Yes; they don't have one.
3. Yes they have one but I've never looked at it.
4. Yes, and I'm even a bit familiar with it (e.g. seen the executive summary).
5. Yes, and I'm very familiar with our master planning document.

**CLAY COUNTY · TOWN OF BLUFFTON  
CITY OF FORT GAINES**



**2019 COMPREHENSIVE PLAN UPDATE**

# Land use, planning, & zoning

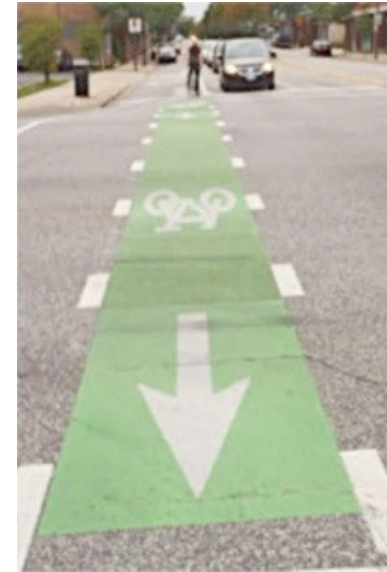
- A. Healthy design
- B. Planning roots in health
- C. Opportunity areas
  - Plan development
  - Zoning ordinance
  - Permitting practices
- D. Creative approaches & recommendations.



# 3. Four elements support active transportation



Land Use Mix



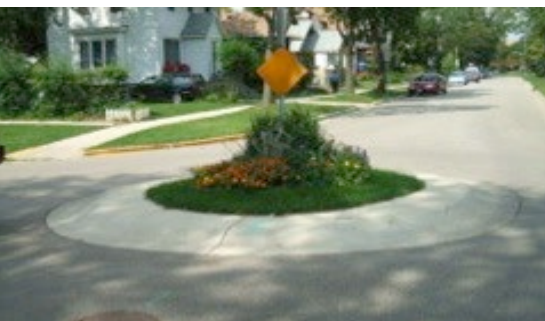
Network



Safety & Access



Site Design



# PA support occurs on three scales.



1. Variety of destinations in proximity.

## Circulation

**AHA POLICY STATEMENT** (*Circulation*, 2020;142:e167–e183.)

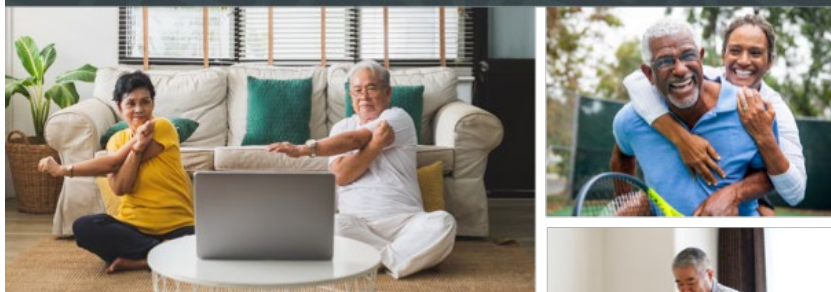
**Creating Built Environments That Expand Active Transportation and Active Living Across the United States**

A Policy Statement From the American Heart Association

2. Linking network of ped, bike, & transit facilities.



3. Safe, functional, & accessible, & for all.

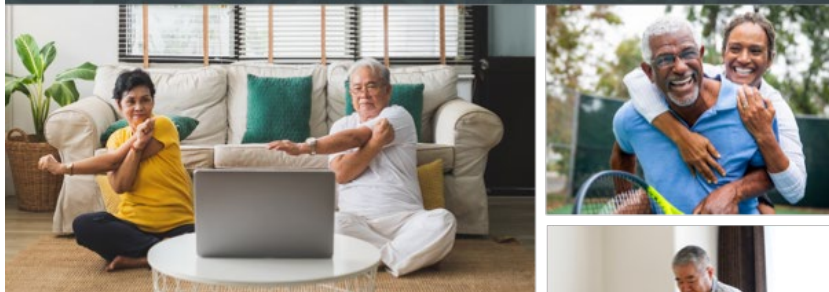


## Key findings:

It's **never too late** to start being physically active & gain major health & longevity benefits.

Regular physical activity supports older adults to **live independently, improve quality of life, & reduce need for medical care.**

**Community leaders & policy makers can assist** in increasing physical activity through support for active community design elements.



## PSE strategies:

Built environment attributes:

- **Walkability** (e.g., residential density, land use mix, street connectivity);
- **Sidewalk/curb/intersection** quality control; and
- **Variety, availability, & easy access to destinations**, e.g. parks & recreational facilities

Impacts walking for transport, for recreation, moderate-vigorous PA, total PA, & meeting the PA Guidelines.

## B. Environmental health roots: Dr. John Snow – 1854 London

- Mapped cholera deaths.
- Suspected contaminated water as a source.
- Removed Broad St. pump handle . . .

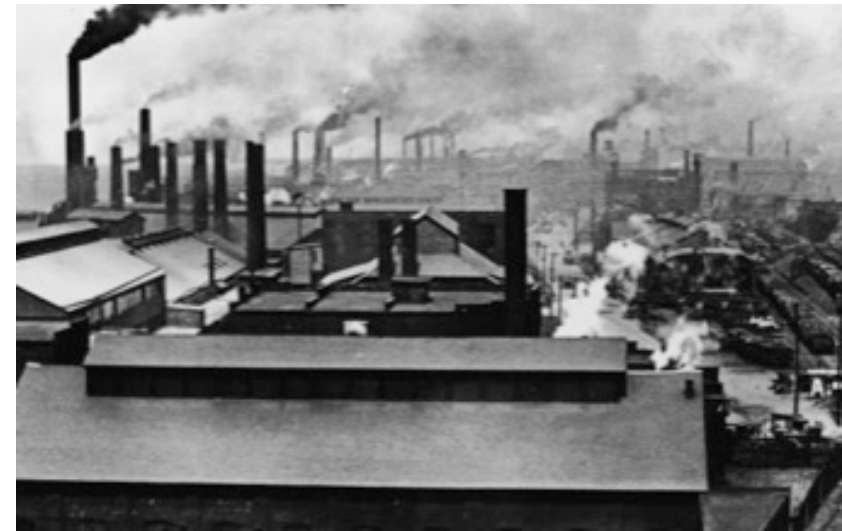


MMWR 54(34); 783; Sep. 2004



# Planning: Deep roots in public health

- Lowering overcrowding in tenements (which contributed to ~675,000 US deaths in the 1918 flu epidemic).
- Separate “incompatible” uses & activities. (e.g. factories - homes)
  - Clean water, sanitation.
  - Air quality.
- Provide green, open space. (Frederick Law Olmsted: Central Park & US Sanitary Comm.)
- Public safety.



# Zoning Enabling Legislation

- Rules governing the subdivision, preservation, & uses of land.
- For the *health, safety, & welfare* of residents.
- Village of Euclid OH vs. Ambler Realty, 1926

**Whereas, It is the Desire of the Citizens of Said Village, and the Council thereof, to preserve the present character of said Village and the public improvements therein, to prevent congestion, and to promote and provide for the health, safety, convenience, comfort, prosperity, and general welfare of the citizens thereof, for which reason the subject matter hereof constitutes an emergency as hereinafter specifically provided:**

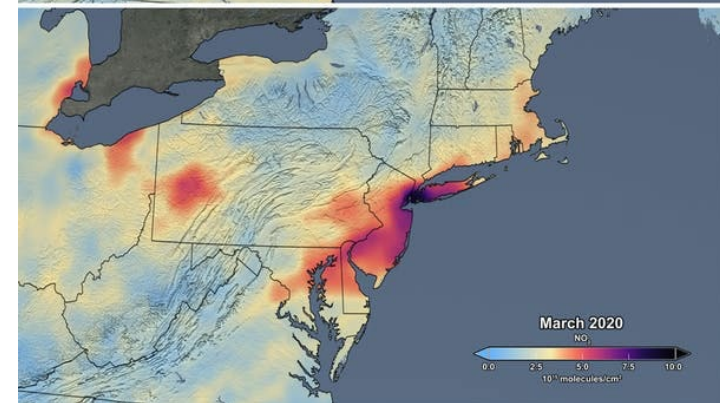
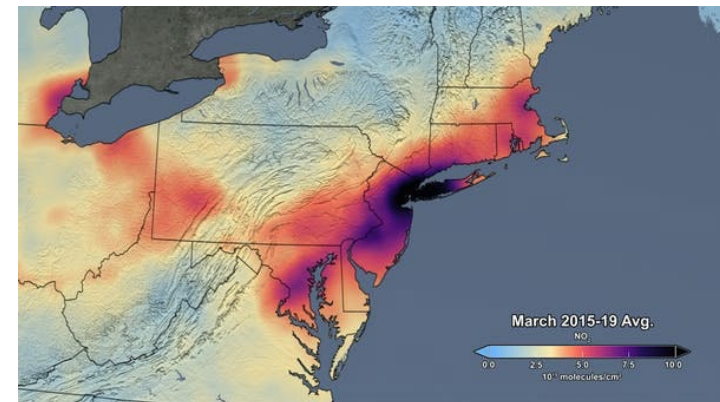
# Are active routes to everyday destinations beneficial to *health, safety, & welfare*?

- Can support active transportation, physical activity, reduced chronic disease risk & vulnerability.
- Environmental health; water & air quality.
- Access to essential goods & services.
- Public safety; reduce crash injuries & fatalities.



# Also infectious disease; lessons from the pandemic

- Desire for safe settings for walking, biking, outdoor activity.
- Demand for nearby essential goods & services.
- Significant air quality improvements. >



## C. Three notable influence opportunities

- **Comprehensive planning:** Community vision, goals, aspirations; social justice.
- **Zoning ordinance:** Land uses, intensity & density, parking, landscape, etc.
  - Subdivision guidelines.
  - Roadway design guidelines.
- **Permitting practices,** site plan reviews; change of use (e.g. agriculture to housing, retail); impacts; waivers.



# Comprehensive (Master, Growth) Plan

- Opportunity to develop a vision & identify community priorities.
- Substantial & diverse input & community engagement.
- Not just focused on one particular project or issue.
- Typical chapters, elements:
  - Land use, Housing,
  - Open Space, Recreation
  - Transportation, Infrastructure
  - Economics, Development
  - History, Culture,
  - Resilience, Sustainability
  - **Health?**



**Inclusive community input?**



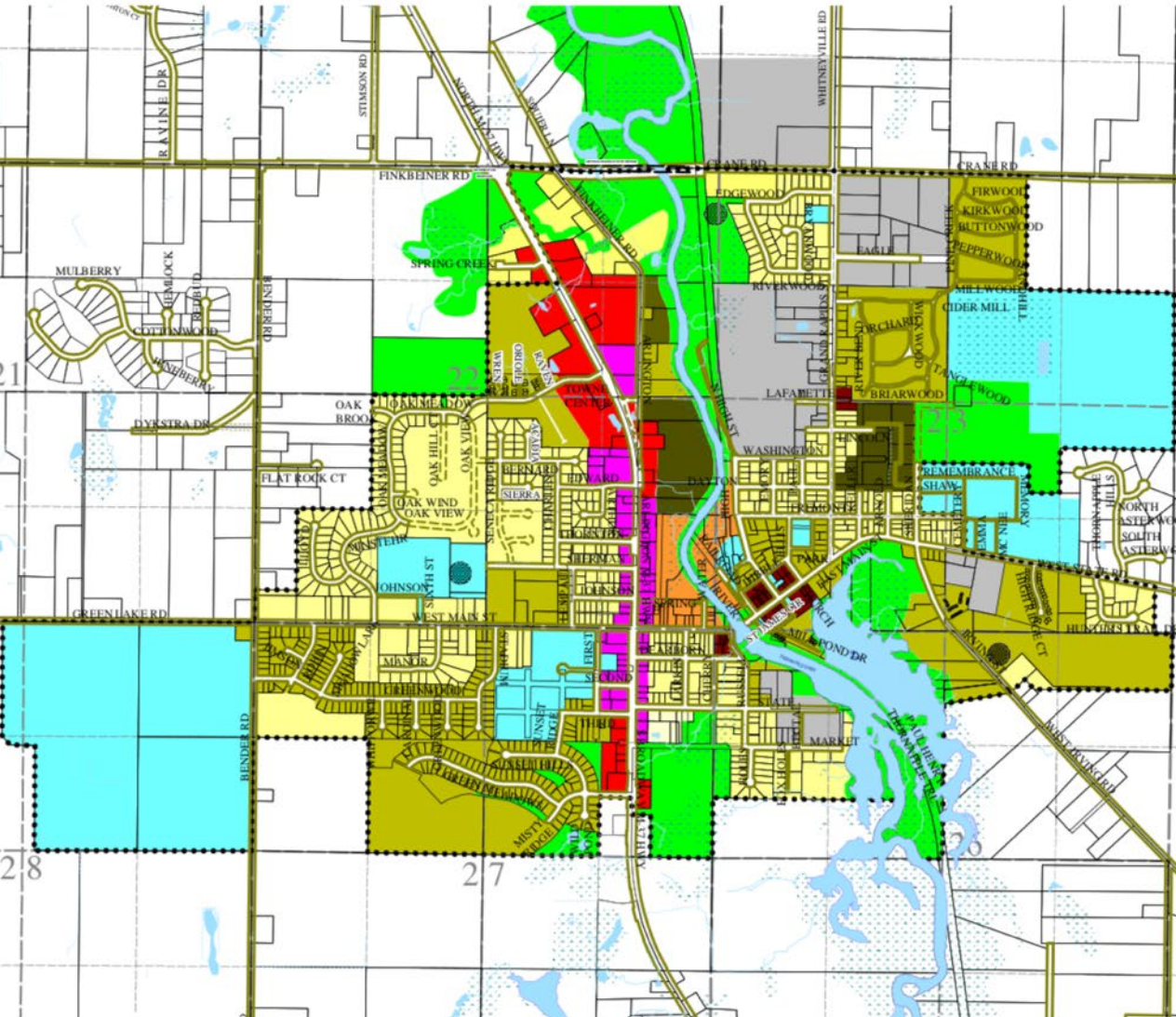
# Zoning ordinance

- Makes vision into law.
- Land use map: Identifies areas (zones) for types of development, open, & agricultural areas.
- Detailed development requirements for zones: building sizes & setbacks, utilities, roadways, parking, furnishings sidewalks.
- Specific subdivision guidelines – housing mix?



# Typical Zoning Map

- Illustrates "segregated" land uses.
- Likely equity impacts?



## VILLAGE OF MIDDLEVILLE

BARRY COUNTY, MICHIGAN



### MAP 9-1 FUTURE LAND USE PLAN

**Legend:**

- A - Agriculture (1.5 acre/du)
- AR - Agriculture-Residential (1.5 acre/du)
- RR - Rural Residential (1.5 acre/du)
- VR - Very Low Density Residential (1-2 du/acre)
- LR - Low Density Residential (3-4 du/acre)
- MR - Medium Density Residential (4-8 du/acre)
- HR - High Density Residential (8-12 du/acre)
- HC - Highway Commercial
- SDC - Special Designation Commercial
- CBD - Central Business District
- SC - Service Commercial
- I - Light Industrial
- PA - Planned Redevelopment Area
- PF - Public Facility
- Open Water
- National Wetlands Inventory
- OS - Public Open Space or Natural Area Needing Protection
- Well Head Protection Area
- Arterial Roadway with Bridge

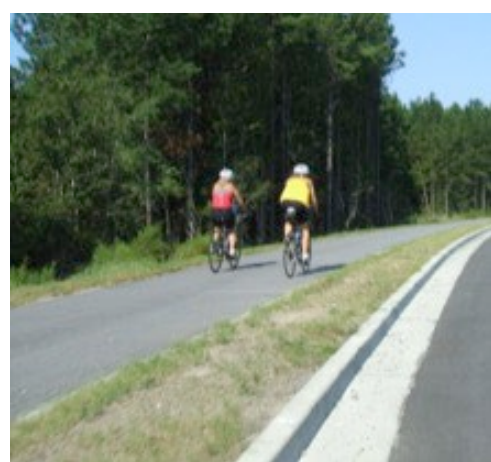


SCALE 1:15000  
BARRY COUNTY LAND  
INFORMATION SERVICE

SOURCE: VILLAGE OF MIDDLEVILLE  
OCTOBER 2012



# Subdivision Guidelines



Accessory dwelling units



1.0 Fenton setback





# Permitting/Site Plan Review

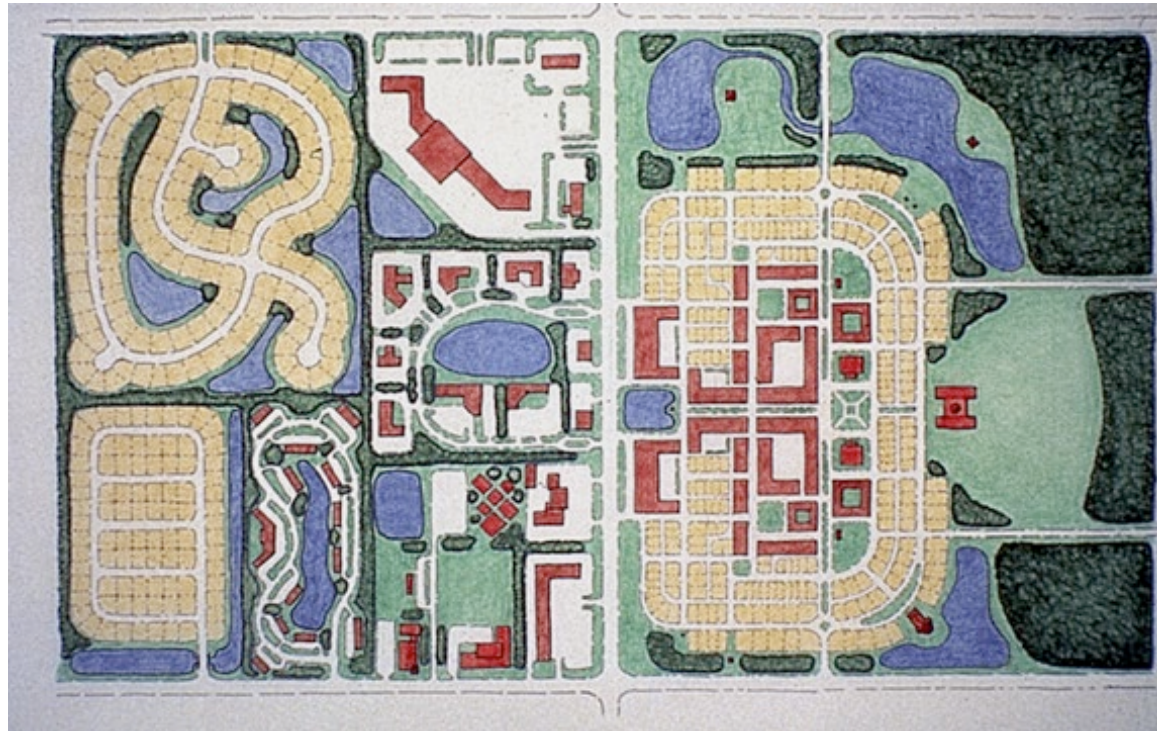
**A common question:**  
“Why require sidewalks if  
they don’t connect to  
anything on the main road?”

**Answer:**  
“It may be the only way to  
create a network over time!”



# Current norms

- *Euclidian* zoning; segregated land uses.
- Auto-oriented. Vehicle access, big roads, parking requirements.
- Building density, size, bulk, placement.
- Development driven. Boards respond to applications.
- Waivers, variances routinely granted.



~10 trips/day

~5 trips/day



## How does it often happen in the real world?

- **Comprehensive plans.** Tend to be aspirational, suggest laudatory goals; not always forged into code & practice.
- **Zoning ordinance.** Frequently large, cumbersome documents; sometimes understood better by developers than boards. Can be tedious & costly to change/update.
- **Permitting practices.** Many boards wish to simplify processes, not burden development with time & financial costs. Each project is a new discussion, debate.



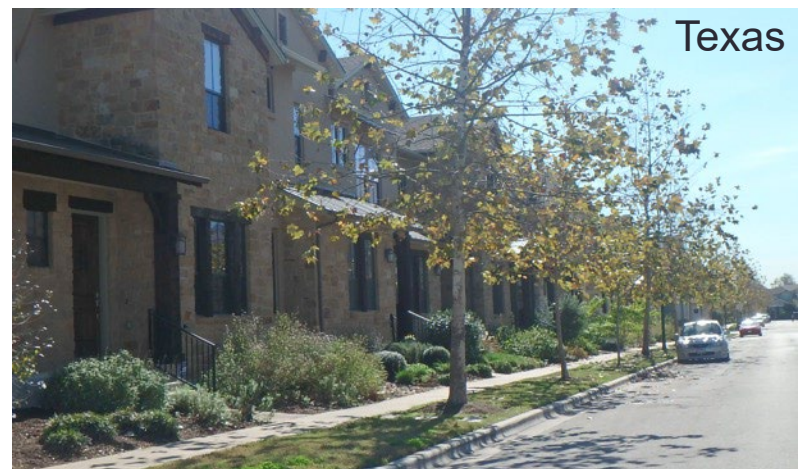
< What we  
say we want.

What we  
permit. >



## D. Opportunities: E.g. housing policies to anticipate & reduce gentrification, displacement; support mix & affordability ...

- Inclusionary zoning (required affordable %).
- Mix of rental & ownership.
- Mix styles & sizes; townhomes, row houses, cottage clusters, mini-homes; shared housing.
- Accessory dwelling units (e.g. garden & garage apartments).
- First right of refusal for tenants.
- Provide the *missing middle*.

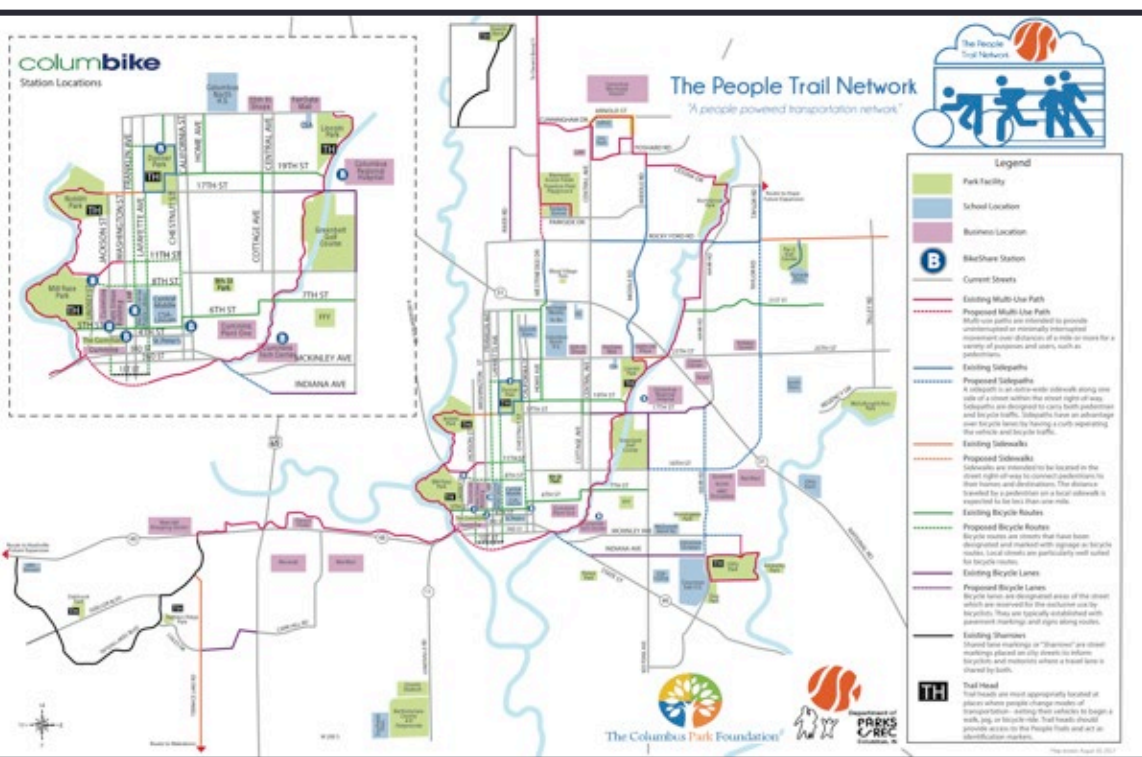


# *Journal of Urban Health* (2023) 100:151-180

**Table 1** Typology of displacement prevention and mitigation strategies

Category	Definition	Examples
1. Preservation	Preserve existing affordable rental units	<ul style="list-style-type: none"> <li>• Right to purchase laws</li> <li>• Demolition control</li> </ul>
2. Protection	Help long-time residents who wish to stay in the neighborhood	<ul style="list-style-type: none"> <li>• Employer assisted housing</li> <li>• Rent skewing</li> </ul>
3. Inclusion	Ensure that a share of new development is affordable	<ul style="list-style-type: none"> <li>• Inclusionary zoning policy</li> <li>• Density bonuses</li> </ul>
4. Revenue generation	Harness growth to expand financial resources for affordable housing	<ul style="list-style-type: none"> <li>• Tax Increment Financing (TIF)</li> <li>• Housing trust funds</li> </ul>
5. Incentives/disincentives	Create incentives for developers of affordable housing, and/or discourage developers from increasing rents	<ul style="list-style-type: none"> <li>• Anti-speculation taxes</li> <li>• Impact fees</li> </ul>
6. Property acquisition	Facilitate acquiring sites for affordable housing	<ul style="list-style-type: none"> <li>• Expropriation</li> <li>• Community land trusts</li> </ul>
7. Stabilization	Stabilizing long time/historical residents by securing long-term housing	<ul style="list-style-type: none"> <li>• Individual development accounts</li> <li>• Down payment assistance</li> </ul>
8. Community engagement/education	Educate and engage with community members on factors related to affordable housing and displacement	<ul style="list-style-type: none"> <li>• Coalition building</li> <li>• Awareness campaigns</li> </ul>
9. Cross-cutting	Overarching thematic approaches related to displacement or affordable housing	<ul style="list-style-type: none"> <li>• Health in all policies</li> <li>• Community planning</li> </ul>

# E.g. Columbus, IN bicycle & pedestrian plan.



The People Trail Network; "A people powered transportation network"

# Form Based Code

- Focus on building form, structure, & public realm; not land uses.
- Has a regulatory plan (may include some land use restrictions.)
- Provides specific regulatory requirements to make it *easier* for developers/builders.
- Actually a faster permitting process.
- Requires . . .
  - More up-front community engagement
  - Consensus & agreement on a vision
  - More detailed plans & imagery





# Opportunities & recommendations:

- **Planning** . Bring **public health data & social justice considerations** to the forefront of process. **Research**: How do we create truly inclusive public engagement?
- **Zoning ordinances**. Assure that they **actually reflect the vision**. Target housing affordability & variety; open space conservation; network design for active transportation. **Research**: Do ordinances reflect vision? Do they lead to increases in active transport? In PA attainment?
- **Permitting practices**. Help developers & policy-makers see the **growing demand & market value** of “healthy” design. **Research**: What is most effective in shifting policy priorities? In creating systematic (not episodic) change?

# Steps for community success . . .

1. Assess current status:
  - Does community have any planning staff, support?
  - Any existing plans?
  - Existing zoning, permitting?
2. Help update/develop community vision w/ health.
3. Develop/update plan if needed; assist w/ truly inclusive engagement.
4. Update zoning & permitting!



# Questions, thoughts, arguments, your own experiences?



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# The “housing transect” & missing middle.



\* Much of suburban development has single family homes (segregated by price) and multi-family apartments, but few (or no) other housing options.

# FBC elements – Building form standards

- Size, mass, type, style, street orientation, density.
- Can define districts/zones with distinct characters.

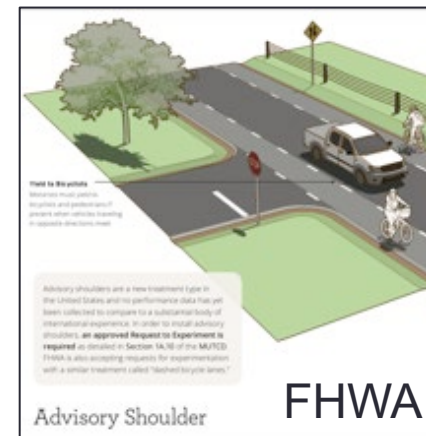


# FBC elements – Public realm/street standards

- Street design details – lanes, widths, ped & bike facilities; block length, grid connectivity.
- Public space requirements – trees & plantings, impervious surface, street furnishings, shared public space.

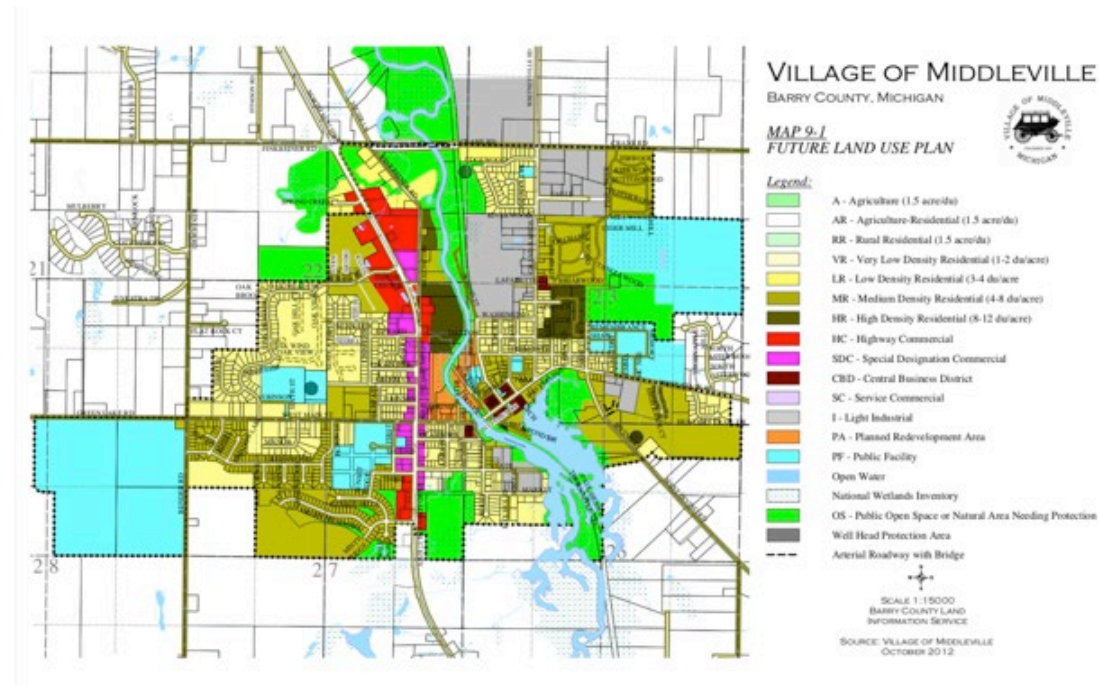


NACTO



# FBC elements – Overall regulatory plan

- Dictates where each **building form** and **public realm/street** design is to be applied in the community.
- Is not just restricted to urban areas. Can also require low-intensity use areas, open & agricultural space.

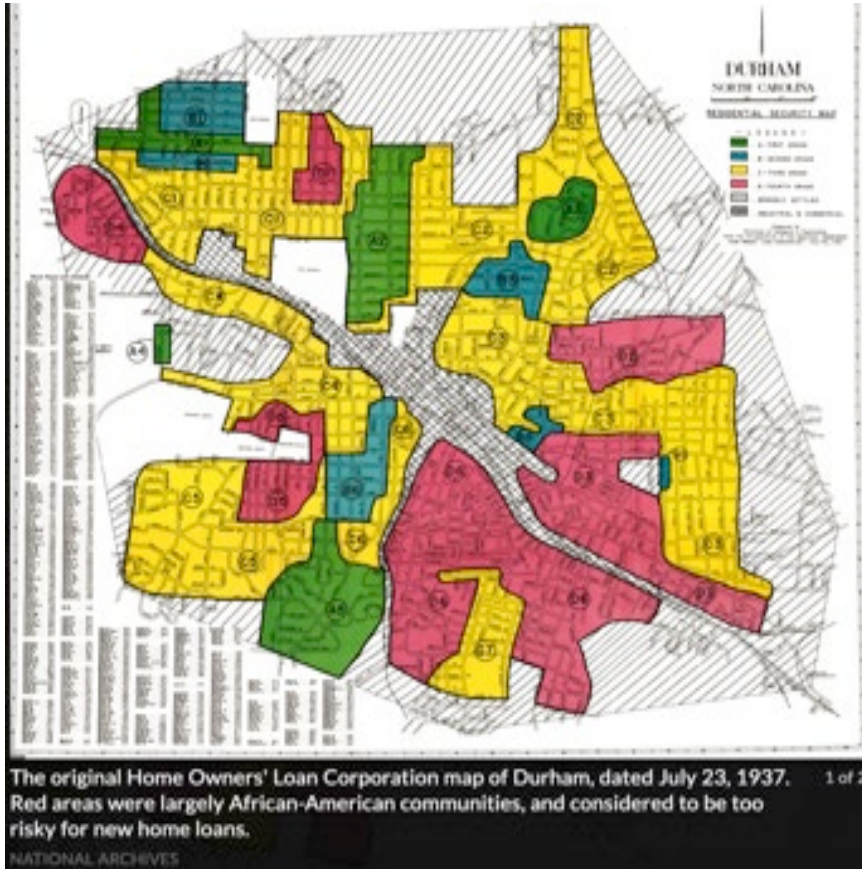


[formbasedcodes.org](http://formbasedcodes.org)



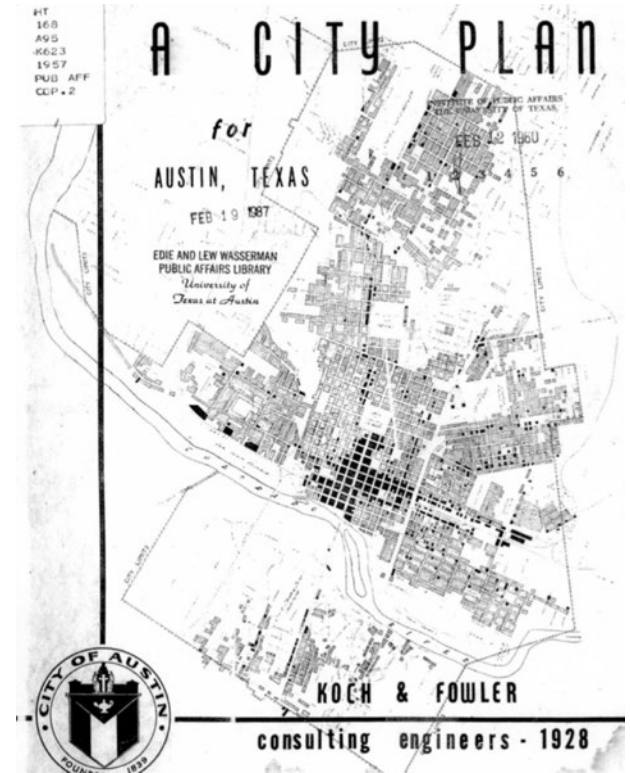
# Red-lining in home mortgages.

(Home Ownership Loan Corp.)



*The Color of Law: A Forgotten History of How Our Government Segregated America (R. Rothstein)*

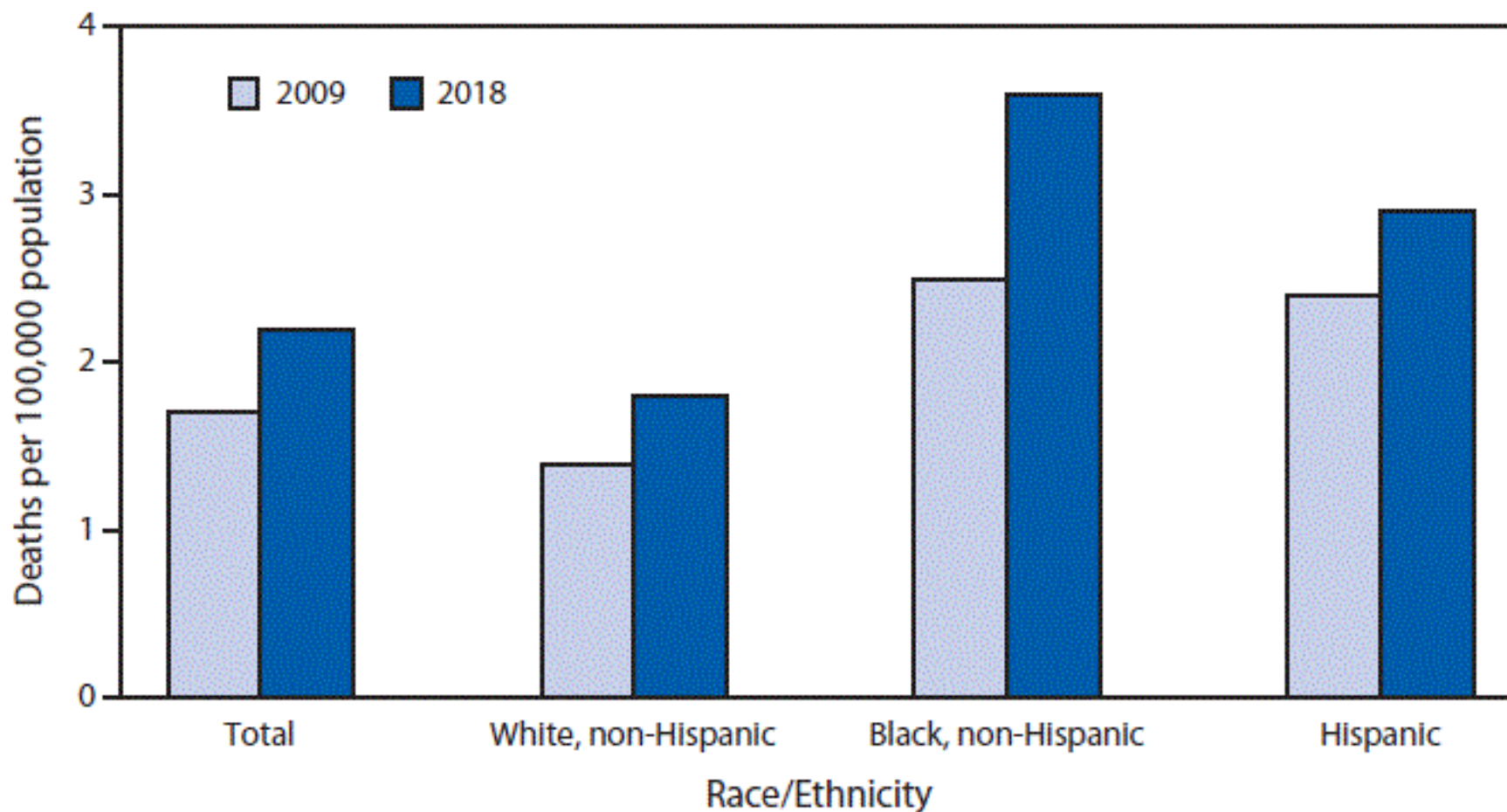
Austin TX,  
1928 City  
Plan.



Cemetery. This area seems to be all negro population. It is our recommendation that the nearest approach to the solution of the race segregation problem will be the recommendation of this district as a negro district; and that all the facilities and conveniences be provided the negroes in this district, as an incentive to draw the negro population to this area. This will eliminate the necessity of duplication of white and black schools, white and black parks, and other duplicate facilities for this area. We are recommending that sufficient area be

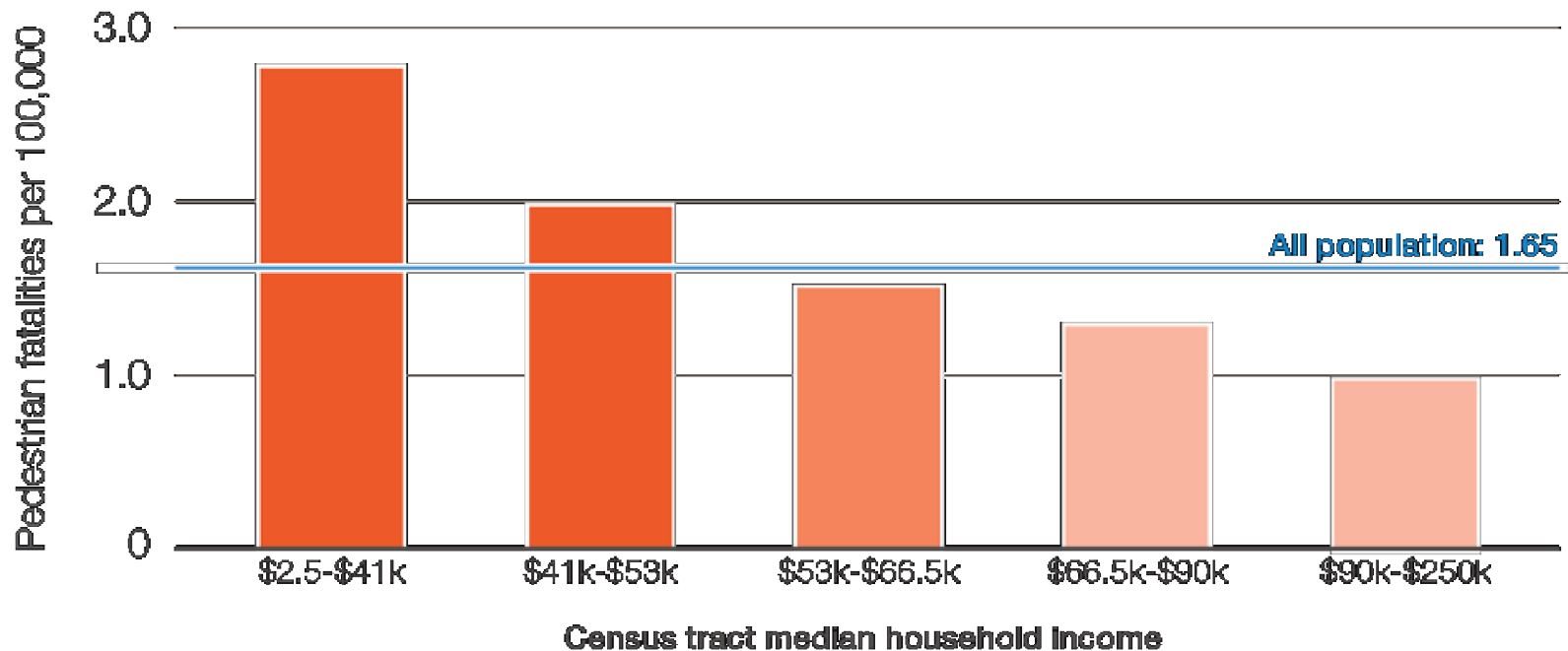
# People of Color are disproportionately injured and killed as pedestrians.

Age-Adjusted Pedestrian Death Rates, by Race/Ethnicity — National Vital Statistics System, United States, 2009 and 2018. *MMWR* 2020;69:1434.



# People in lower-income neighborhoods are more likely to be killed as pedestrians

Pedestrian fatalities per 100,000 people by census tract MHI (2010-2019)



From: *Dangerous by Design*, Smart Growth America, 2021.

San Francisco  
Hwy 101



Embarcadero Freeway  
1989 Loma Prieta  
earthquake damage!





## Embarcadero Boulevard

