

Smart Growth Summit

Marketplace-Driven Development Trends Drive Success

Reference Bundle

Clustering Options

For each of these techniques, the reference material (CD and website) will provide the applicable Comp Plan/Code section, examples, and any related info.

This will be squeezed into 5 minutes.

Need to compile a list of districts that would allow generic clustering; see also interpretation memo regarding conservation subdivisions.

Changes to the Lake Protection future land use category and zoning district clustering should be noted.

Point out that the Board is considering to extend clustering option to the rural zoning district. DWT has 3 power point slides (?) related to varieties of clustering.

1. Lake Protection clustering (§10-919, *Land Development Code*)
2. Urban Fringe and Lake Talquin Recreation/Urban Fringe clustering (§10-913 & §10-921, et al, *Land Development Code*)
3. Generic clustering provision (§10-952, *Land Development Code*)
4. Conservation subdivision (§10-1429, *Land Development Code*)
5. On-site transfers of density rights to protect environmental features (§10-973 & §10-974, *Land Development Code*)

	Allowable Zoning Districts	Density Benefits	Layout Benefits	Area Set Aside Requirements	Cluster Perimeter Requirement
LP Clustering	LP	Increases potential overall site density from 1 unit per 2 acres to 0.8 units per acre, an 160% increase. Density in developed portion of the site increased to 2 units per acre.	Yes	60% of the site must be set aside in perpetuity.	No
UF Clustering	UF, LTRUF	Increases potential overall site density from 1 unit per 3 acres to 1 unit per acre, a 300% increase. Density in developed portion of the site increased to 2 units per acre (septic tank); 4 units per acre on sewer.	Yes	75% of the site must be set aside until the site is included within the urban services area.	No
Generic Clustering	UF, LTRUF, RC	Overall site density neutral. Allows reallocation of density so that some portions of the site are developed more densely than the district standard and others are less densely developed.	Yes	No	Yes
Conservation Subdivision		Slight – Code specifies that overall site is density neutral, but a slight increase in density is provided.		50% of the site must be set aside.	Yes?
On-Site Transfers	Conservation Overlay, Preservation Overlay	Overall site density neutral. Allows potential density from environmental areas to be transferred (added) to non-sensitive areas.	Yes	Conservation and preservation features set aside in perpetuity, typically via easement to Leon County	No

Lake Protection clustering (§10-919, *Land Development Code*)

Lake Protection zoning district clustering allows 40% of the development site to be developed to a maximum density of 2 dwelling units per acre; this yields an equivalent of a net density of 0.8 dwelling units per acre for the total site acreage. Half-acre lots are the minimum sized lots allowed.

This form of clustering requires that the most environmentally sensitive 60% of the site be set aside as open space in perpetuity.

Sec. 10-919. Lake protection. This district allows residential uses of one unit per two acres or two units per acre if clustered on 40 percent of the property, leaving the remaining 60 percent of the property as undisturbed open space in perpetuity.

Urban Fringe and Lake Talquin Recreation/Urban Fringe clustering (§§10-913, 10-921, 10-1203, 10-1211, *Land Development Code*)

Lake Protection zoning district clustering allows 25% of the development site to be developed to a maximum density of 4 dwelling units per acre (or, if sewer is not available, 2 dwelling units per acre); this yields an equivalent of a net density of 1 dwelling units per acre for the total site acreage. Half-acre lots are the minimum sized lots allowed.

To achieve the maximum density of 4 dwelling units per acre, the site would require access to central sewer utility service and need to be developed with duplex residential units. The Comprehensive Plan was recent amended to allow central sewer to be extended within areas designated Urban Fringe on the Future Land Use Map ([but not to the LTRUF?](#))

This form of clustering requires 75% of the site to be set aside as undisturbed open (green) space until such time as these sites are included in the urban service area. Subsequent to these sites inclusion in the urban service area, review by the Board of County Commissioners may be requested to authorize development of these undisturbed open (green) spaces. [Staff is not aware of any instance where the Board authorized development of the designated undisturbed open \(green\) space area prior to inclusion in the urban service area.](#)

Sec. 10-913. Urban fringe zoning district. Residential development will also be allowed a net density of one unit per acre if clustered on 25 percent or less of the site (allowing a gross density of up to four units per acre on the developable portion of the site). The remaining undeveloped portion of cluster sites shall be preserved as undisturbed open (green) space until such time as these sites are included in the urban service area. Subsequent to these sites inclusion in the urban service area, review by the Board of County Commissioners may be requested to authorize development of these undisturbed open (green) spaces.

Sec. 10-921. Lake Talquin recreational/urban fringe. The purpose and intent of the Lake Talquin recreational urban fringe district is to allow the same density as the urban fringe district through required clustering to protect environmentally sensitive areas.

Generic clustering provision (§10-952, Land Development Code)

Provides a “generic opportunity to cluster” not specific to any particular district, except for specific prescriptions for clustering in the Lake Protection zoning district.

We look at the development regulations and standards set out in each zoning district; in those districts that include provisions for clustering, this option of clustering is available. Essentially, this clustering option is available in the Urban Fringe (UF), Lake Talquin Recreation/Urban Fringe (LTRUF), and Rural Community (RC) zoning districts. If applied within the Lake Protection zoning district, it requires clustering to default to the standard Lake Protection zoning district clustering (2 dwelling units per acre on 40% of the development site; equivalent to a net density of 0.8 dwelling units per acre for the total site acreage).

Unlike some of the other clustering provisions, this clustering provision does not allow any increase in overall density or intensity, but does allow a development with a variety of lot sizes, shapes, widths, depths, and building setbacks. This option allows the developer to create portions of a new development with greater density than the minimum for non-clustered development, so long as the overall balance of development is no more dense than allowed in that zoning district.

This clustering option is very similar to the approach used in on-site transfers of density rights to protect environmental features (provided by Sections 10-973 and 10-974 in the Land Development Code) except that it does not require setting aside significant areas of environmental features and it does require establishment of a cluster perimeter setback area.

Sec. 10-952. Cluster development.

1. *Purpose and intent.* The purpose and intent of the cluster development is to encourage creative and efficient design through a concentration of residential, commercial and office uses. **Cluster development permits a variation in lot size, shape, width, depth, and building setbacks without an increase in overall density or intensity, while providing compatibility with adjacent development and surrounding neighborhoods.** The intent of the cluster development is to provide savings in infrastructure costs, environmental resources, and energy use.

Clustering of residential uses is permitted in the Lake Protection zoning district, consistent with the comprehensive plan.

2. *Allowable land uses and density.* The uses permitted in a cluster development are limited to the uses in the underlying zoning district. The overall density of development permitted in a cluster development is that permitted by the underlying zoning district.

3. *Development standards.*

- A. Cluster development and shall comply with all applicable standards as defined in the appropriate zoning district.

Perimeter setbacks for cluster development shall comply with the schedule of minimum development standards pursuant to Division 5 of this article.

Cluster developments shall be reviewed either as Type A, B, or C Reviews pursuant to sections 10-1478, 10-1479 and 10-1480 of this Code.

- B. Clustering in the Lake Protection zoning district allows for the development of dwelling units at a density of two units per net acre clustered on 40 percent of the property, leaving the remaining 60 percent of the property as undisturbed open space in perpetuity. The intent of clustering is to provide for a large degree of open space in areas adjacent to or in the general vicinity of sensitive environmental resources.

Conservation subdivision (§10-1429, Land Development Code)

Conservation subdivisions are allowed in the Urban Fringe (UF) and areas designated *rural residential* in the Bradfordville Sector Plan [Conservation subdivisions are not allowed within the Lake Talquin Recreation/Urban Fringe]. This style of development is intended to protect environmentally sensitive lands by requiring at least 50% of the site to be set aside in perpetuity within a reserve area.

Reserve area shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), or environmental purposes, but may contain accessory structures such as barns or utility sheds, provided they are not habitable.

Reserve areas can be used for agriculture provided that the area is not classified as a naturally forested area, conservation or preservation area. Existing agricultural, grazing, and horticultural uses of the property may continue. Reclaiming planted forested sites not classified as "naturally forested" to fields, pastures, orchards, groves, and turning open sites to forests is allowed.

The reserve area must be contiguous in location and configuration and reserved permanently by easement for natural open space, passive recreation, or environmental purposes. Environmentally sensitive features on site are required to be located within the reserve area to the greatest extent possible; consequently, the development area is required to be located within the least environmentally significant portions of the site.

In the UF, this form of development provides a maximum density of 1 unit per every 1.33 gross acres of the parcel(s) being developed.

Example 1: If you had a 66.5-acre tract of land, you could develop 50 residential units on 33.25 acres (or a smaller area), setting aside the 33.25+ acre balance as reserve area.

Example 2: If you had a 100-acre tract of land, you could develop 75 residential units on 50 acres (or a smaller area), setting aside the 50+ acre balance as reserve area.

In areas designated rural residential in the Bradfordville Sector Plan, this form of development provides a maximum density of 1 unit per every 3 gross acres of the parcel(s) being developed when located in urban fringe and 1 unit per every 10 gross acres in the rural land use category. An additional ten percent density bonus may be applied to conservation subdivisions in the rural residential areas of the Bradfordville Sector Plan.

Example 1: If you had a 30-acre tract of land designated rural residential in the Bradfordville Sector Plan located in the Urban Fringe Future Land Use Category, then you could develop 11 residential units on 15 acres (or a smaller area), setting aside the 15+ acre balance as reserve area.

Example 2: If you had a 100-acre tract of land designated rural residential in the Bradfordville Sector Plan located in the Rural Future Land Use Category, then you could develop 11 residential units on 50 acres (or a smaller area), setting aside the 50+ acre balance as reserve area.

Sec. 10-1429. Conservation subdivision.

(a) *Purpose and intent.* Conservation subdivision design is encouraged to advance environmental resource protection or restoration by analyzing the development parcel so as to locate and coordinate appropriate areas for development and conservation. Such development shall permanently preserve features and canopy road protection zones and, to the greatest extent practicable, other functional open space and sensitive natural resources. In addition, conservation subdivisions shall allow for a diversity of lot sizes, housing choices, and building densities.

(b) *Eligibility.* Conservation subdivision provisions, no matter the form of ownership, may be applied at the request of a landowner in the urban fringe area, and they shall apply to all clustered development proposed in areas designated rural residential in the Bradfordville Sector Plan. The provisions herein shall be applied to all conservation subdivisions, regardless of the form of ownership.

(c) *Procedures and review.*

(1) Conservation subdivisions shall be reviewed and authorized pursuant to the site and development plan review and approval procedure provisions of division 4, article XI of chapter 10 of the Leon County Code. In addition to submittals required for appropriate review under other provisions of the Leon County Code, the following submittals shall also be required:

- a. A land preservation plan, showing all existing vegetation and proposed changes and new planting, if any.
- b. A geographic features and land use map of all land within 500 feet of the site that shall indicate floodplains, area hydrography, publicly or privately managed parks or preserves, and adopted or proposed greenways.

The required plans and maps shall be prepared and sealed by a licensed architect, engineer, or landscape architect, as appropriate.

(2) *Pre-application meeting.* Applicants shall be required to participate in a pre-application meeting with all necessary and appropriate local government departments prior to submission of an application for a conservation subdivision. At least five working days prior to the meeting, the applicant shall provide the land preservation plan and the site's geographic features and land use map as described above.

(d) *Minimum lot size.* The minimum lot size shall be one-half-acre in urban fringe areas. In areas designated as rural residential in the Bradfordville Sector Plan, the minimum lot size shall be one acre, unless the board finds that provisions have been made to adequately address wastewater treatment and disposal, and that the superior design of the site using smaller lots strengthens the rural character of the developed and open space areas.

(e) *Density.* Conservation subdivisions, no matter the form of ownership, shall be density neutral. In UF, the maximum density in the development area of a conservation subdivision shall be one dwelling unit per 1.33 gross acres of the total parcel.

In areas designated rural residential in the Bradfordville Sector Plan, the maximum density shall be one dwelling unit per three gross acres of the total parcel in urban fringe and one unit per ten gross acres in the

rural land use category. Up to a ten percent density bonus may be applied to conservation subdivisions in the rural residential areas of the Bradfordville Sector Plan, subject to a type "C" review process.

(f) *Design standards.* Conservation subdivisions shall be made up of two distinct areas, the reserve area and the development area, which combined comprise the total conservation subdivision parcel. The total parcel shall be contiguous in location and configuration, except that roads, utility easements or other similar linear infrastructure features may traverse it.

(1) *Reserve area.*

- a. The acreage that comprises the reserve area shall comprise no less than 50 percent of the total parcel; shall be designated as permanent open space via easement; shall be continuous and contiguous to the greatest extent practicable with other portions of the site including the reserve area; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to accommodate authorized uses and ensure the protection of all critical on-site resources that are to be preserved.
- b. Preservation areas and viewshed areas within designated protection zones for canopy roads shall be incorporated into the reserve area; conservation areas, archaeological sites, agriculture and silviculture, rural roads as designated in the Bradfordville Sector Plan, and other open space shall be incorporated into the reserve area to the greatest extent practicable.
- c. The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan.
- d. Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), or environmental purposes, but may contain accessory structures such as barns or utility sheds, provided they are not habitable.
- e. Reserve areas can be used for agriculture provided that the area is not classified as a naturally forested area, conservation or preservation area. Existing agricultural, grazing, and horticultural uses of the property may continue provided that all such activities be designed to prevent soil erosion; to protect water quality and wetlands; and to maintain the scope of traditional or existing agricultural activities under best management practices thereof. Reclaiming planted forested sites not classified as "naturally forested" to fields, pastures, orchards, groves, and turning open sites to forests is allowed. Usage on open, nonforested sites may be rotated, i.e., cropland may be put into pasture or planted with pine, preferably longleaf pine.
- f. If a reserve area is to be used for agricultural purposes, the applicant shall establish a type "D" buffer between common pastures, animal enclosure areas or croplands and residential lots adjacent to but not part of the conservation subdivision. Such buffers may be considered as part of the reserve area for purposes of meeting the minimum relative size requirement of the reserve area. The applicant may also be required to establish appropriate easements to address common impacts of the normal agricultural operations (e.g., noise, dust or odors).

- g. Reserve areas can be used for silviculture provided that the area is not classified as a naturally forested area, a conservation area, or a preservation area. Selective thinning of existing planted pines shall be permitted in conservation and preservation areas on a case-by-case basis if managed to promote a native forest stand. All other existing silviculture operations in proposed reserve areas shall employ all best management practices (BMPs) as may be adopted or updated by the Florida Division of Forestry from time to time.
- h. The reserve area shall be placed under a permanent easement that runs with the land. Subject to approval by the county, the easement may be assigned to the local government or to an existing land trust that is a 501(c)(3) organization for which conservation of resources is a principal goal and which can provide reasonable assurance it has financial and staff resources to monitor and manage the easement. Development easements on agricultural or open space land shall be encouraged in order to protect the reserved land in perpetuity and to afford maximum state and federal tax incentives, deductions and credits to the landowner.
- i. Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, and meet one of the following two standards:
 - 1. Wet detention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.
 - 2. Retention ponds shall have side slopes of 4:1 or flatter with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area.
 - i. All applicants for a conservation subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.

(2) *Development area.* The development area shall include that portion of the parcel proposed for development at the density established for the land use category and base zoning applicable to the subject property. The development area shall; be located on the least environmentally or otherwise significant portions of the total conservation subdivision parcel in accordance with subsection (f)(1) above; comprise no more than 50 percent of the total conservation subdivision parcel; be contiguous, and configured in such a manner as to not adversely interfere with continued farming or silviculture uses in the reserve area; and allow maximum open space to be easily maintained in the reserve area. Design of the development area shall follow the procedural steps set forth below.

- a. Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection (f)(1) above;
- b. Determine the number of allowable lots desired;

- c. Locate potential development sites on the area of the tract not delineated as reservation areas, with due consideration for topography, soil suitability for construction and septic system use, and efficient service by public or central water and/or sewerage systems, as applicable;
- d. Align streets to serve house sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned; and
- e. Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets.
- f. Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.
(Ord. No. 00-31, § 4, 7-11-00; Ord. No. 05-09, § 2, 3-22-05)

On-site transfers of density rights to protect environmental features (§§10-973 & 974, Land Development Code)

Sec. 10-973. Conservation areas.

(a) *Purpose and intent.* The purpose and intent of the conservation area is protect areas identified in the comprehensive plan which require special consideration for development due to significant environmental constraints. The conservation area applies to the following:

- (1) Floodplains and floodways.
- (2) Altered watercourses.
- (3) Closed basins.
- (4) Severe grade areas (ten percent to 20 percent).
- (5) High quality native successional forests.
- (6) Areas exhibiting active karst features and a high potential for aquifer recharge.
- (7) Habitats of species of special concern.

Best management practices shall be applied to development in the conservation area to protect sensitive areas and to ensure continued functioning of the ecosystem.

(b) *Allowable land use.* The allowable uses permitted in the conservation area shall be those permitted in the underlying zoning district.

(c) *Land use development criteria.* Development shall be limited to the portion of the site that is outside the environmentally sensitive areas. Development density may be transferred to the nonenvironmentally sensitive areas consistent with the overall density or intensity permitted by the underlying zoning district. In no case shall development exceed the allowable density or intensity on the developable portion of the site. The density or intensity transferred to nonsensitive portions of the site may be limited by other applicable requirements, including but not limited to stormwater retention, open space, landscaping, buffers, setbacks, parking and any concurrency requirements. If there is no area on the site suitable for transfer, development may be allowed at one unit per acre. Where open space is required for development, a 50 percent credit may be granted for protection of conservation areas.

The following development criteria shall be applied to the respective environmentally sensitive areas:

- (1) Altered floodplain and floodways. Development will be permitted only if it does not impede water flow or displace volume.
- (2) Altered watercourses and improved elements of the primary drainage system. Development shall not permitted in these areas.
- (3) Closed basins. Development shall be permitted only to the extent that there is sufficient stormwater capacity within the basin.
- (4) Significant grade areas (ten percent to 20 percent) where soil type presents a threat of erosion. Development will be permitted with the following conditions:

- a. Minimize any topographical changes. Minimal grade changes typically associated with site development include those necessary for the safety of a building, parking area, road right-of-way, handicapped access, or associated utilities, including stormwater management system.
 - b. Use best management practices such as off-grade construction and design the building or adjustment of the site plan to take advantage of the slope.
 - c. Fifty percent of the site must be left natural (inclusive of the grade areas and shall be best placed to provide downhill buffers, protect forested areas, and buffer more protected features such as wetlands).
- (5) High quality successional forest. Development in high quality successional forests shall be subject to the following requirements:
- a. If the entire site is high quality successional forest, the site may be developed at the permitted density of the underlying zoning district. However, no more than 20 percent of the site shall be disturbed.
 - b. **Development density may be transferred to nonenvironmentally sensitive areas of the site at the permitted density or intensity of the underlying zoning district.**
 - c. The development density or intensity of subsections (5)a. and b. of this section may be limited. The density or intensity transferred to nonsensitive portions of the site may be limited by other applicable requirements, including, but not limited to stormwater retention, open space, landscaping, buffers, setbacks, parking and any concurrency requirements.
 - d. If the transfer option is not exercised, development will be limited to a maximum density of one unit per two acres.
- (6) Areas exhibiting active karst features (sink holes). No untreated stormwater will be allowed to enter active karst features. Stormwater discharged to active karst features must meet the following criteria:
- a. Runoff must be treated to comply with F.A.C. § 17-25.700(2).
 - b. Discharge rates and volume shall not exceed predevelopment rate and volume.
 - c. The area within the uppermost contour of an active sink, as determined by standard geotechnical evidence in consideration of soil types, slopes, vegetation, topography and geologic features, shall remain natural. Topography and geologic features shall remain natural. A transitional buffer from the uppermost contour may also be required.
 - d. There will be no discharge of water to an active karst feature from any land use which uses, produces or generates as waste any listed Resource Conservation and Recovery Act material or listed Environmental Protection Agency priority pollutant.

(d) *Development standards.* All development within a conservation area shall be subject to review and approval by the Board of County Commissioners. Specific design standards shall be reviewed pursuant to the planned unit development requirements (sections 10-958 and 10-915). Development shall be compatible with the environmental conditions of the site and shall provide appropriate setbacks and buffers to protect the environmentally sensitive areas.
(Ord. No. 92-10, § 2(5.9(B)), 3-10-92; Ord. No. 97-12, § 13, 7-8-97)

Sec. 10-974. Preservation areas.

(a) *Purpose and intent.* The purpose and intent of preservation areas is to protect environmentally sensitive areas that would be severely impacted by development. Preservation areas apply to the following:

- (1) Water bodies.
- (2) Lands within or lying under wetlands.
- (3) Land within or lying under natural watercourses.
- (4) Lands impacted with severe grades over 20 percent.
- (5) Lands with native forests.
- (6) Lands within the undisturbed/undeveloped portion of the 100-year floodplain.
- (7) Areas of exceptional environmental significance; including the habitats of endangered, threatened species, or species of special concern.

These areas are unsuitable for all but extremely-low-density development.

(b) *Allowable land uses and activities.* Development in this preservation area shall be limited to residential uses at a density of no greater than one dwelling unit per 40 acres and passive recreational activities designed to be compatible with site features.

(c) *Land use development criteria.*

Preservation Areas	Transfer	Development
Wetlands, waterbodies, watercourses	Density per land use	1 unit per 40 acres
Severe grades	Density per land use	1 unit per 40 acres
Native forest	Density per land use	1 unit per 40 acres
Areas of environmental significance	Density per land use	1 unit per 40 acres
Undisturbed/undeveloped 100-year floodplains	Density per land use	1 unit per 40 acres
Habitat of endangered, threatened, or species of special concern	Density per land use	1 unit per 40 acres, management plan

(d) *Development standards.* All development within the preservation area shall be subject to the above listed criteria and review by the Board of County Commissioners.
(Ord. No. 92-10, § 2(5.9(C)), 3-10-92)

Quality Development Program

LEON COUNTY QUALITY DEVELOPMENT PROGRAM*

Sec. 10-2102. Intent.

The intent of this article is to encourage land development which has been thoroughly planned in order to ensure implementation of the goals and policies of the comprehensive plan, to ensure the protection of the county's natural environment, and to ensure and preserve the quality of life of the citizens of the county. It is further intended that applicants be afforded, through cooperative and coordinated efforts, expeditious and timely reviews of proposed developments which are in compliance with the provisions of this article. Finally, it is the intent of the board to encourage land development consistent with the provisions of this article by publicly recognizing those developments which comply with the provisions herein.
(Ord. No. 01-07, § I, 3-13-01)

Sec. 10-2103. Qualification.

(a) With the exception of those types of development projects noted in (b), below, any land development proposal in the unincorporated county may apply for quality development designation. The ability of a specific development proposal to qualify for designation shall be contingent upon compliance with the criteria established in this article.

(b) Due to the nature of the land use that they represent, the following types of development shall not be allowed to apply as quality developments: Heavy and light infrastructure land uses, mining operations, or other land uses as determined by the county administrator or designee.
(Ord. No. 01-07, § I, 3-13-01)

Sec. 10-2104. Quality development criteria.

(a) The Leon County Quality Development Program shall consist of two tiers or levels based on the project's size in acres. The determination of a proposed project's tier or level shall be used in determining the prioritization of desired criteria for quality development designation. Applicants with proposed projects larger than ten acres shall be required to comply with three of the criteria from Tier One as well as four of the criteria from Tier Two in order to qualify for quality development designation. Applicants with smaller development proposals (less than ten acres) would be required to demonstrate compliance with either two of the criteria from Tier One and two of the criteria from Tier Two or one of the criteria from Tier One and six of the criteria from Tier Two. The satisfaction of the criteria outlined below shall not demonstrate compliance with the intent of the Leon County Quality Development Program, unless the applicant can demonstrate that the proposed project enhancement is substantially beyond minimum code requirements.

- (1) For the purpose of determining eligibility, the following shall be considered as Tier One criteria:
 - a. The provision of affordable housing either onsite or payment in lieu of onsite provision. This criterion shall not be satisfied by compliance with the minimum standards of an inclusionary housing ordinance.
 - b. The infill development of unimproved property or a redevelopment project inside the Urban Service Area, except for the conversion of existing residential uses to nonresidential uses.

- c. The enhancement and encouragement of economic development as reflected in the anticipated creation of employment opportunities with estimates average annual wages at or above the median annual wage for the county as identified in the Tallahassee-Leon County Planning Department's annual statistical digest.
 - d. The provision of stormwater management facilities to provide for enhanced treatment of the quantity and quality of offsite discharge.
 - e. Conveyance of property in fee simple title or lesser interest to the county as appropriate for greenways or parks. With approval by the Board of County Commissioners, this provision may be satisfied by payment in lieu of conveyance of property interest.
 - f. The proposed development project will be located in the southern strategy area as identified in the comprehensive plan.
- (2) For the purpose of determining eligibility, the following shall be considered as Tier Two criteria:
- a. The provision of an enhanced level of protection for on-site environmentally sensitive features.
 - b. The provision of an enhanced level of onsite landscaping or natural area preservation.
 - c. Project design that includes pedestrian oriented design features such as, but not limited to, the following:
 - 1. The provision of internal sidewalks to provide interconnection to off-site pedestrian access ways.
 - 2. The provision of bikeways or pedestrian access ways or foot paths internal to the development.
 - 3. The planting of shade trees along rights-of-way to encourage pedestrian traffic.
 - 4. The orientation of buildings closer to the street.
 - 5. The incorporation of on-site roadway design features that would result in traffic speeds being maintained at a level that is compatible with the surrounding land uses. Such design features would include, but not be limited to, roadway design based on lower design speeds, horizontal and vertical geometry that discourages inappropriate speeds, and roadway configurations that do not include areas that would otherwise encourage inappropriate speeds. The use of speed humps, tables, or other roadway obstructions will not be considered to meet this criterion.
 - d. A commitment to the provision of residential units that are compliant with the U.S. Housing and Urban Development (HUD) guidelines for "Marketable Affordable Durable Entry-Level Homes."

- e. A commitment to off-site and on-site traffic impact mitigation strategies including but not limited to:
 - 1. The fee simple donation of proposed or planned transit sites to provide transportation options.
 - 2. A commitment to a reduction in off-site project traffic impacts by encouraging internal trip capture, which is anticipated to be greater than 20 percent of the peak hour of generation by developing an appropriately planned mixed-use development.
 - 3. A commitment to the implementation of transportation demand management techniques such as, but not limited to, ride-sharing, van or car pooling, and flexible working hours.
 - 4. The provision of shared access or shared parking for nonresidential developments, especially for projects located on major and minor arterials or major collector roadways.
- f. The design and development of on-site stormwater management facilities as public amenities by decreasing pond side slopes and constructing irregular shaped ponds to mimic natural water bodies, increasing the stormwater management facility's perimeter landscaping and eliminating fencing.
- g. A commitment to on-site construction that meets the U.S. Environmental Protection Agency's Energy Star Standards.
- h. The use of central sewer service, or if on-site septic systems are proposed and determined to be consistent with the county's land development regulations, that the applicant provide on-site utility easements for future connection to central sewer service.
- i. Utilization of project design considerations that ensure the incorporation of secure areas and spaces into the design and development of the project by complying with the HUD criteria for "Defensible Space."
- j. Other appropriate planning and design criteria that are specific to the site or proposed project and which can be demonstrated by the applicant to further a specific goal, objective or policy of the comprehensive plan, and also substantially exceed the minimum standards established by the county's land development regulations. For development proposals located in areas designated target planning areas or critical planning areas in the comprehensive plan, the criteria for designation shall be developed and formalized during the conceptual master plan development and rezoning process for the property under consideration.

(Ord. No. 01-07, § I, 3-13-01)

Sec. 10-2105. Quality development application process.

(a) Prospective applicants for the Leon County Quality Program shall submit an application to the county administrator or designee that outlines and demonstrates how the proposed development project will comply with the criteria in this section. Upon receipt of a completed application for designation as a Leon County Quality Development, the county administrator or designee shall provide the applicant with a determination within 14 calendar days. Subsequent to a preliminary determination that the proposed development may qualify as a quality development, the applicant shall enter into an agreement with the county that outlines the commitments that are proposed for compliance with the provisions of this section.

The agreement shall establish the proposed project's site and development plan review level and an anticipated time frame for project approval. The project review level and time frame for approval shall reflect an expedited process and shall incorporate such items as a reduction in the proposed project's level of site and development plan review, concurrent review and processing of all required approvals and permits, and a commitment to reduce the review times associated with all land use and permitting requests. The agreement shall be approved as to form by the county attorney, signed by the county administrator or designee and the applicant.

(b) During the development and completion of the agreement as noted above, the applicant shall file a formal pre-application meeting with the county's technical staff. Notification of the pre-application meeting shall be provided to all property owners and registered homeowners and neighborhood associations within 500 feet of the proposed development. Public comment on the proposed project shall be accepted at the pre-application meeting, and shall be considered in the development of the agreement between the applicant and the county as noted above in (a).

(c) A party with standing to initiate an appeal as outlined in section 10-1623 shall have 15 days to file an appeal of the agreement with the county attorney's office.

(d) An appeal of a proposed project's eligibility as a Leon County Quality Development shall be considered by the Board of County Commissioners within 30 days after the appeal is filed with the county administrator or designee. They shall conduct the appeal hearing consistent with the formal proceedings and other criteria outlined in Division 9 of Article XI.

(e) Subsequent to the completion of the appeal period, the quality development agreement shall be recorded in the Official Record Books of the County.
(Ord. No. 01-07, § I, 3-13-01)

Sec. 10-2106. Quality development recognition.

Subsequent to the final approval of a development approved under the provisions of this article, the Board of County Commissioners shall formally recognize the development as a project that incorporates the planning and design considerations consistent with the intent of this article. After recognition by the Board of County Commissioners as a Leon County Quality Development, the applicant shall have the right to promote and advertise the development as a Leon County Quality Development.
(Ord. No. 01-07, § I, 3-13-01)

Green Development

Lakewood Ranch Development Plan
<http://www.lakewoodranch.com/>



<http://www.usgbc.org/docs/LEEDdocs/BREbusiness%20benefits%20summary.pdf>

http://www.gbapgh.org/GBBasics_Benefits_community.asp (text below from this web page)

A green building makes a good neighbor and a good citizen. The best green building strategies have multiple advantages, and one of the most important is building or strengthening the community through:

- Locating the building close to existing infrastructure and multiple types of transportation, which encourages people to drive less, connecting them to activities and resources in the immediate neighborhood
- Locating buildings in mixed-use areas, which provides amenities to employees and the possibility of living close to work
- Clustering to maximize density, which conserves green space
- Creating shared green spaces and public areas that improve the character of the neighborhood and allow input from the community on issues or concerns that affect them

Green building practices support good regional development. As sprawl becomes a national crisis, these practices are starting to receive incentives and become the focus of policy:

- Reusing previously developed areas
- Avoiding uncontrolled and unplanned growth
- Utilizing local workers and businesses that implement green principles (staying local reduces energy spent in transporting workers and goods, and it also boosts the local economy)

In fact, Pennsylvania is one of the first states to recognize the value of green building practices in encouraging good development. [Pennsylvania Governor's Green Government Council](#), has incorporated green building into the state's administrative budgeting process in order to drive the greening of state buildings, declaring: "If you don't do green, you won't get green." And they mean it. The Commonwealth has already used green building as criteria for funding projects—the \$149 million in support the state allocated to the expansion of the [Pittsburgh's new, green David L. Lawrence Convention Center](#), is contingent on it being a green project.

<http://www.usgbc.org/> [The material below is from this web site]

Why Build Green?

The built environment has a profound impact on our natural environment, economy, health and productivity.

In the United States, buildings account for:

- 36% of total energy use/65% of electricity consumption
- 30% of greenhouse gas emissions
- 30% of raw materials use
- 30% of waste output/136 million tons annually
- 12% of potable water consumption

More industry statistics are available on our [Research](#) page.



Rinker Hall at the University of Florida, Gainesville, Florida

Voted one of AIA/COTE Top Ten Green Projects for 2005.

Breakthroughs in building science, technology and operations are available to designers, builders and owners who want to build green and maximize both economic and environmental performance.

Environmental benefits:

- Enhance and protect ecosystems and biodiversity
- Improve air and water quality
- Reduce solid waste
- Conserve natural resources

Economic benefits:

- Reduce operating costs
- Enhance asset value and profits
- Improve employee productivity and satisfaction
- Optimize life-cycle economic performance

Health and community benefits:

- Improve air, thermal and acoustic environments
- Enhance occupant comfort and health
- Minimize strain on local infrastructure
- Contribute to overall quality of life

LEED[®], the "Leadership in Energy & Environmental Design" Green Building Rating System, is the nationally accepted standard for green buildings developed by the USGBC membership.



Casa Verde, WCI - Venetian Golf and River Club, Sarasota, Florida

<http://wci.wcicomunities.com/default.asp?pageID=home&siteID=40&vid=1000>

“This Ultra-Green Home at Venetian boasts one of the greenest homes in Florida by the Florida Green Coalition. With energy-efficient features throughout the home, both the resident and the environment enjoy the benefits of green living.”

For More Detailed Information

USGBC Introductory Presentation: If you are new to the USGBC, LEED[®] or green building, or want quick access to convincing statistics, we recommend viewing this presentation and its speaker notes. The slideshow introduces the Council and the benefits of green building, and acts as a primer on the LEED Rating System. Feel free to use it for briefing yourself, your colleagues and clients. Right-click on the links below to save the presentation on your computer. [Download](#) Introductory Powerpoint Presentation (English - PDF - 1.4MB)

Our [Research Page](#) includes detailed statistics on building industry impacts, green building benefits, and more.

The [LEED Reference Guide](#) discusses environmental, economic and community issues for each credit in the LEED Rating System.

<http://www.epa.gov/greenbuilding/> [The info below is from this text site]

The buildings in which we live, work, and play protect us from Nature's extremes, yet they also affect our health and environment in countless ways. The design, construction, operation, maintenance, and removal of buildings takes enormous amounts of energy, water, and materials, and generates large quantities of waste, air and water pollution, as well as creating stormwater runoff and heat islands. Buildings also develop their own indoor environments, which present an array of health challenges. Where and how they are built affects wildlife habitat and corridors and the hydrologic cycle, while influencing the overall quality of human life.

As the environmental impact of buildings becomes more apparent, a new field called **green building** is gaining momentum. Green or sustainable building is the practice of creating healthier and more resource-efficient models of construction, renovation, operation, maintenance, and demolition. Research and experience increasingly demonstrate that when buildings are designed and operated with their lifecycle impacts in mind, they can provide great environmental, economic, and social benefits. *Elements of green building* include:

[Energy Efficiency and Renewable Energy](#)

[Water Stewardship](#)

[Environmentally Preferable Building Materials and Specifications](#)

[Waste Reduction](#)

[Indoor Environment](#)

[Smart Growth and Sustainable Development](#)

Highlights

[EPA administrator Steve Johnson signs Memorandum of Understanding with the American Institute of Architects](#)

[EPA's Office of Site Remediation Enforcement Seeking Partners in the Environmentally Responsible Redevelopment and Reuse \(ER3\) Initiative](#)

Additional Green Building Resources: <http://www.epa.gov/greenbuilding/resources.htm>

http://www.greentrends.org/Presentations/2005_Presentations/6A2-SustainabilityShowcase_Sarsota.pdf

<http://www.aiatopen.org/hpb/overview.cfm?ProjectID=286>

<http://www.pathnet.org/si.asp?id=1627>

<http://www.harmonyfl.com/>

The Whole Building Design Guide (WBDG), The Gateway to Up-To-Date Information on Integrated 'Whole Building' Design Techniques and Technologies <http://www.wbdg.org/>

The WBDG is the only web-based portal providing government and industry practitioners with one-stop access to up-to-date information on a wide range of building-related guidance, criteria and technology from a 'whole buildings' perspective. Currently organized into two major categories—Design Guidance and Project Management—at the heart of the WBDG are Resource Pages, reductive summaries on particular topics.

Development of the WBDG is a collaborative effort among federal agencies, private sector companies, non-profit organizations and educational institutions. Its success depends on industry and government experts contributing their knowledge and experience to better serve the building community.

The WBDG web site is offered as an assistance to building professionals by the [National Institute of Building Sciences \(NIBS\)](#) through the funding of the [NAVFAC Engineering Innovation and Criteria Office](#), the [U.S. General Services Administration \(GSA\)](#), the [Department of Energy](#) (through the [National Renewable Energy Laboratory \(NREL\)](#)), and the assistance of the [Sustainable Buildings Industry Council \(SBIC\)](#). A Board of Direction and Advisory Committee, consisting of representatives from over 25 participating federal agencies, private sector companies, and non-profit organizations, guide the development of the WBDG.

EPA Energy Star

ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency.

Results are already adding up. Americans, with the help of ENERGY STAR, saved enough energy in 2005 alone to avoid greenhouse gas emissions equivalent to those from 23 million cars — all while saving \$12 billion on their utility bills.


For the Home

Energy efficient choices can save families about a third on their energy bill with similar savings of greenhouse gas emissions, without sacrificing features, style or comfort. ENERGY STAR helps you make the energy efficient choice.

ENERGY STAR qualified homes are independently verified to be at least 30% more energy efficient than homes built to the 1993 national Model Energy Code or 15% more efficient than state energy code, whichever is more rigorous.* These savings are based on heating, cooling, and hot water energy use and are typically achieved through a combination of:

- building envelope upgrades,
- high performance windows,
- controlled air infiltration,
- upgraded heating and air conditioning systems,
- tight duct systems and
- upgraded water-heating equipment.

These features contribute to improved home quality and homeowner comfort, and to lower energy demand and reduced air pollution. ENERGY STAR also encourages the use of energy-efficient lighting and appliances, as well as features designed to improve indoor air quality.

***Please note that ENERGY STAR has implemented [new performance guidelines and a new national builder option package](#) that utilize the 2004 International Energy Conservation Code (IECC) and the new HERS rating system.** These new guidelines and new HERS rating system must be used to qualify homes for the ENERGY STAR label that are not [enrolled in a utility or state-based efficiency program](#)  (63KB) before December 31, 2005 or permitted before July 1, 2006.

Here are some questions commonly asked about ENERGY STAR qualified homes:

How does a home earn the ENERGY STAR label?

The ENERGY STAR label is earned only after the home's energy efficiency is verified, either by an independent third-party such as an accredited home energy rater or [Builder Option Package \(BOP\) verifier](#), or by adhering to the quality control procedures established for [HUD-code manufactured homes](#).

What types of homes can earn the ENERGY STAR label?

Any single-family or multi-family residential home that is three stories or less in height can qualify to receive the ENERGY STAR label. This includes traditional site-constructed homes as well as modular, systems-built (e.g., insulated concrete forms, structurally insulated panels), and HUD-code manufactured homes.

Can existing homes earn the ENERGY STAR?

Yes. Existing homes can be qualified for the ENERGY STAR label if they meet ENERGY STAR's performance guidelines. However, it is not always practical or cost-effective to bring an existing home to this level of efficiency. Nevertheless, the energy efficiency of existing homes can often be greatly improved using cost-effective retrofit techniques. Visit [Home Improvement](#) to learn how.

Do energy-efficient homes look different?

No, builders and developers constructing ENERGY STAR qualified new homes do not have to alter their architectural designs. An ENERGY STAR qualified new home can be built in whatever style the consumer prefers or is most popular in a particular geographic region.

Does an energy-efficient home cost more?

No. An ENERGY STAR qualified new home actually **costs less** because you will spend less on your new home's utility bill each month. These energy savings can more than offset any increase in mortgage payments needed for the improved energy features and can result in a positive monthly cash flow. Further, ENERGY STAR financing partners offer special mortgage packages for buyers of ENERGY STAR qualified new homes.

How will I know if a home is labeled ENERGY STAR?

Look for the ENERGY STAR label, which should be prominently displayed on the circuit breaker box. You can also ask your builder for the home's ENERGY STAR certificate. This optional certificate indicates that the home has been verified to meet EPA's ENERGY STAR qualified new homes performance guidelines.

How can I participate in ENERGY STAR as a home industry professional?

ENERGY STAR currently partners with four main types of home industry professionals: [homebuilders, home energy raters, utilities and other sponsoring organizations, and home lenders](#). After completing and signing a partnership agreement, partners can take advantage of the widely recognized ENERGY STAR name, logos, and a variety of other marketing resources. Other home industry professionals can [promote ENERGY STAR](#) as well.

[Features of ENERGY STAR Qualified New Homes](#)

Traditional Neighborhood Design/New Urbanism

USING TRADITIONAL NEIGHBORHOOD DESIGN (TND) IN LEON COUNTY

1. All new developments can not and should not be designed as *Traditional Neighborhood Design* (“TND”) developments. On the other hand, very few developments in Leon County provide the option of TND.
2. And although not for everyone, many consumers seek out TND neighborhoods because they value the ability to walk within their neighborhood, get to know their neighbors, and enjoy quality design housing, as opposed to simply having big houses on big lots.
3. In TND designed developments, the design emphasis does not favor the automobile; rather, these developments seek to strike a balance between pedestrian activities and the acknowledgement that most residents will be dependent on their car. Therefore, the development must adequately accommodate automobiles but do so in ways that respect the pedestrian.
4. TND-designed developments recognize the “public realm,” the “semi-public realm,” and the “private realm.” Most of our subdivisions now devote substantial area to front yards (semi-public area) that would likely be more valuable to residents within private backyards. Setting houses back from the street and from neighboring houses means that you will be creating front and side yards that provide little functional space of value, except as separation from the street and neighbors, and as a storage space for vehicles and appliances. This is an area that provides little of the benefit of proximity to the public realm and little of the benefits of the private backyard area; however, the homeowner or renter is still obligated to maintain this area.
 - TND-designed developments use layout/design features that create public and semi-public spaces that enable positive social interaction and communication
 - Successful TND-designed layout/design also creates private space for enjoyment by the property owner
5. TND-designed developments are often denser and more compact than conventional suburban design (“CSD”) developments. TND-designed neighborhoods make higher density residential “work” by using more modest footprints, reducing auto usage, reducing land consumed by street rights-of-way, and facilitating compatibility through (architectural) design standards.

6. In TND-designed developments, streets are recognized not just as transportation facilities but as public spaces with multiple functions. In TND-designed developments, streets should be safe, comfortable, and interesting to the pedestrian, encouraging walking within and beyond the subdivision; and enabling neighbors to know each other and protect their communities. TND-designed developments have a higher a greater degree of connectivity to surrounding property/development than CSD developments. Pedestrian-friendly street design includes bringing buildings closer to street; using porches, windows & doors as opportunities for connection with the public realm and conversation with neighbors; creating tree-lined streets; using on street parking; de-emphasizing “automobile-dominated architectural features,” by removing parking and garages from the front to the side and of buildings, and by utilizing narrow, slow-speed street design.
7. TND-designed developments feature buildings with a modest scale that facilitates/promotes compatibility with residential use, regardless of the actual use of the structure
8. TND-designed developments feature structural design allows for re-use (including with different kinds of use). This is particularly important for commercial and mixed use centers; allowing economically viable reuse, regardless of tenant, or even in event of change of use.
9. Orthodox TND requires strong adherence to vernacular architecture in terms of style(s) and materials
10. TND-designed developments emphasize **QUALITY** of development over size of development or price point.
11. TND-designed developments often provide affordable housing opportunities to extended family members, or other renters, by including accessory units. This provides the property owner with the ability to obtain a revenue stream from a renter, and by requiring the owner to live on site, facilitates “compatibility” through the owner’s “self-policing” of the tenant.
12. TND-designed developments often use privately-drawn deed restrictions and covenants to establish the detailed standards to control the look and function of the development, as opposed to relying on the local government land development regulations. Orthodox TND-designed developments are typically based on a pattern book, require strict adherence to an established (vernacular) architectural style, and often establish an architectural committee to ensure consistent application and interpretation of deed restrictions and architectural standards.
13. What techniques are available to help you create a TND-designed development?
 - Deviations to Development Standards
 - Planned Unit Development
 - Proposed TND ordinance

Charter of the Congress for the New Urbanism:

We assert the following principles to guide public policy, development practice, urban planning, and design:

The region: Metropolis, city, and town

1. Metropolitan regions are finite places with geographic boundaries derived from topography, watersheds, coastlines, farmlands, regional parks, and river basins. The metropolis is made of multiple centers that are cities, towns, and villages, each with its own identifiable center and edges.
2. The metropolitan region is a fundamental economic unit of the contemporary world. Governmental cooperation, public policy, physical planning, and economic strategies must reflect this new reality.
3. The metropolis has a necessary and fragile relationship to its agrarian hinterland and natural landscapes. The relationship is environmental, economic, and cultural. Farmland and nature are as important to the metropolis as the garden is to the house.
4. Development patterns should not blur or eradicate the edges of the metropolis. Infill development within existing urban areas conserves environmental resources, economic investment, and social fabric, while reclaiming marginal and abandoned areas. Metropolitan regions should develop strategies to encourage such infill development over peripheral expansion.
5. Where appropriate, new development contiguous to urban boundaries should be organized as neighborhoods and districts, and be integrated with the existing urban pattern. Noncontiguous development should be organized as towns and villages with their own urban edges, and planned for a jobs/housing balance, not as bedroom suburbs.
6. The development and redevelopment of towns and cities should respect historical patterns, precedents, and boundaries.
7. Cities and towns should bring into proximity a broad spectrum of public and private uses to support a regional economy that benefits people of all incomes. Affordable housing should be distributed through out the region to match job opportunities and to avoid concentrations of poverty.
8. The physical organization of the region should be supported by a framework of transportation alternatives. Transit, pedestrian, and bicycle systems should maximize access and mobility through out the region while reducing dependence upon the automobile.
9. Revenues and resources can be shared more cooperatively among the municipalities and centers within regions to avoid destructive competition for tax base and to promote rational coordination of transportation, recreation, public services, housing, and community institutions.

The neighborhood, the district, and the corridor

10. The neighborhood, the district, and the corridor are the essential elements of development and redevelopment in the metropolis. They form identifiable areas that encourage citizens to take responsibility for their maintenance and evolution.
11. Neighborhoods should be compact, pedestrian-friendly, and mixed-use. Districts generally emphasize a special single use, and should follow the principles of neighborhood design when possible. Corridors are regional connectors of neighborhoods and districts; they range from boulevards and rail lines to rivers and parkways.
12. Many activities of daily living should occur within walking distance, allowing independence to those who do not drive, especially the elderly and the young. Interconnected networks of streets should be designed to encourage walking, reduce the number and length of automobile trips, and conserve energy.
13. Within neighborhoods, a broad range of housing types and price levels can bring people of diverse ages, races, and incomes into daily interaction, strengthening the personal and civic bonds essential to an authentic community.
14. Transit corridors, when properly planned and coordinated, can help organize metropolitan structure and revitalize urban centers. In contrast, highway corridors should not displace investment from existing centers.
15. Appropriate building densities and land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.
16. Concentrations of civic, institutional, and commercial activity should be embedded in neighborhoods and districts, not isolated in remote, single-use complexes. Schools should be sized and located to enable children to walk or bicycle to them.
17. The economic health and harmonious evolution of neighborhoods, districts, and corridors can be improved through graphic urban design codes that serve as predictable guides for change.
18. A range of parks, from tot-lots and village greens to ballfields and community gardens, should be distributed within neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods and districts.

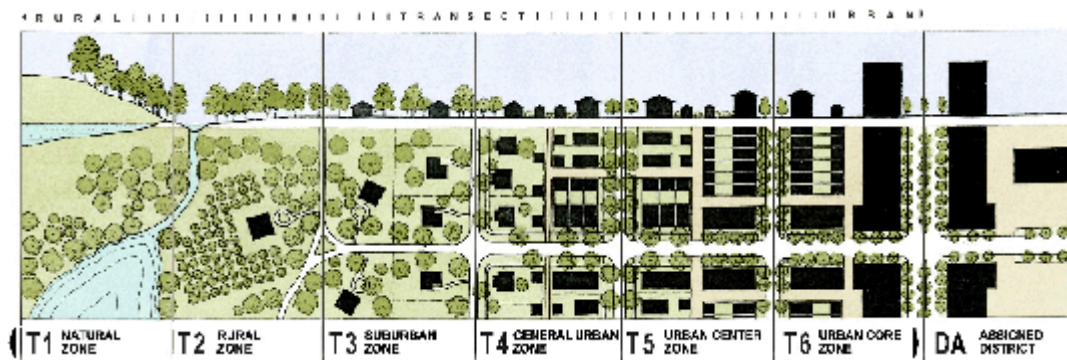
The block, the street, and the building

19. A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use.
20. Individual architectural projects should be seamlessly linked to their surroundings. This issue transcends style.
21. The revitalization of urban places depends on safety and security. The design of streets and buildings should reinforce safe environments, but not at the expense of accessibility and openness.
22. In the contemporary metropolis, development must adequately accommodate automobiles. It should do so in ways that respect the pedestrian and the form of public space.
23. Streets and squares should be safe, comfortable, and interesting to the pedestrian. Properly configured, they encourage walking and enable neighbors to know each other and protect their communities.

24. Architecture and landscape design should grow from local climate, topography, history, and building practice.
25. Civic buildings and public gathering places require important sites to reinforce community identity and the culture of democracy. They deserve distinctive form, because their role is different from that of other buildings and places that constitute the fabric of the city.
26. All buildings should provide their inhabitants with a clear sense of location, weather and time. Natural methods of heating and cooling can be more resource-efficient than mechanical systems.
27. Preservation and renewal of historic buildings, districts, and landscapes affirm the continuity and evolution of urban society.

*For information: Congress for the New Urbanism; 140 S. Dearborn St., Suite 310, Chicago, IL 60603; 312 551-7300 phone; www.cnu.org
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The TND transect: This urban-to-rural transect hierarchy has appropriate building and street types for each area along the continuum:



The Transect

DEVIATION FROM DEVELOPMENT STANDARDS

Sec. 10-1601. Authority.

An applicant may request the entity with the authority to approve, approve with conditions, or deny a site and development plan application under these regulations, to deviate from the development standards of this chapter. Such deviation shall be granted only upon demonstration and a finding of consistency with the comprehensive plan and no adverse impact to the general health, safety, and welfare of the public. Requests for deviations pursuant to this section shall be processed concurrently with an application for site and development plan approval.

(Ord. No. 96-02, § 17, 2-27-96)

Sec. 10-1602. Application/process.

An applicant requesting a deviation under this section shall file such request in writing, stating the explicit standard from which a deviation is requested and the proposed standard to be applied to the project. Such a request shall contain sufficient information to demonstrate compliance with the standards for granting a deviation as provided under section 10-1603, Criteria for Granting a Deviation from Development Standards, below.

(Ord. No. 96-02, § 17, 2-27-96)

Sec. 10-1603. Criteria for granting a deviation from development standards.

The entity with the authority to approve, approve with conditions, or deny a site and development plan may grant a deviation under this section only upon demonstration that:

- (i) The deviation will not be detrimental to the public's health, safety, or welfare or to the surrounding properties; and
- (ii) There are exceptional topographic, soil, or other environmental conditions unique to the property; or
- (iii) There are unusual conditions which are not ordinarily found in the area; or
- (iv) The deviation requested would provide a creative or innovative design alternative to substantive standards and criteria; or
- (v) The strict application of the requirements of this ordinance will constitute a substantial hardship to the applicant; and,
- (vi) The granting of the deviation is consistent with the intent and purpose of this ordinance and the comprehensive plan.

(Ord. No. 96-02, § 17, 2-27-96)

[Smart Code](#)—Smart codes are based upon the New Urbanist concept of transect planning. The smart code sets up different "ecozones" on a continuum from rural to urban. These zones range in scale and intensity from T-1 (the natural zone) to T-6 (The Urban Core). Each transect has a different set of rules for building height, setbacks, street design, etc.

RESOURCES

[The Congress for New Urbanism](#)—The 27 principles that guide policy to make a city more livable on a regional, neighborhood, and building scale

[Land Use Law Center](#)—Pace University Land Use Law Center

[National Highway Traffic Safety Administration](#)—National Traffic Safety Facts

[Overcoming Obstacles to Smart Growth through Code Reform](#)—Local Government Commission

[Pathways in American Planning History](#)—A Thematic Chronology, by Albert Guttenberg, FAICP

[Physical Activity and Good Nutrition: Essential Elements to Prevent Chronic Diseases and Obesity](#)—National Center for Chronic Disease Prevention and Health Promotion

[Policy Guide on Planning for Sustainability](#)—American Planning Association

[Policy Guide on Smart Growth](#)—American Planning Association

[Smart Growth America](#)—What is Smart Growth?

[Unified Development Ordinance](#)—City of Apex, NC

Organizations/Associations

[American Planning Association](#)

[Congress for New Urbanism](#)

[Federal Transit Administration](#)

[Local Government Commission](#)

[Smart Growth America](#)

Publications

[Accessory Dwelling Units: Model State Act and Local Ordinance](#) by Rodney L. Cobb, American Planning Association, and Scott Dvorak. American Planning Association, April 2000.

[Codifying New Urbanism: How to Reform Municipal Land Development Regulations](#) by Congress for the New Urbanism. Chicago, IL: American Planning Association, Planners Advisory Service Report Number 526, 2004.

[Contemporary Urban Planning](#) by John Levy. Upper Saddle River, NJ: Prentice Hall Publications, 2003.

[Form Based Zoning](#) in *Zoning Practice*, May 2004.

[The Natural Step for Communities - How Cities and Towns can Change to Sustainable Practices](#) by James and Lahti. Gabriola Island, BC, Canada: New Society Publishers, 2004.

[A Planners Dictionary](#) ed. Michael Davidson and Fay Dolnick. Chicago, IL: American Planning Association, Planners Advisory Service Report Number 521/522, 2004.

[Practice Good Lighting](#) in *Zoning Practice*, July 2004.

Younger Buyers Want Better, Not Bigger

The New York Times, May 7, 2006



Tami Chappell for The New York Times

Thanks to large porches and conveniently located parks, the Prospect development in Longmont, Colo., fosters interaction with neighbors.

By GRACE LICHTENSTEIN

Published: May 7, 2006

AFTER their marriage nearly four years ago, Kathryn and Dan Drury decided to move out of their condominium in an Atlanta suburb and build a house. It was "the kind you think you're supposed to," as Ms. Drury described it, "a home you could live in, raise a family and compete with the Joneses."



Tami Chappell for The New York Times

Families enjoy living in a color-splashed environment where no two houses look alike. Development in the neighborhood continues.

But after they moved into their new 4,000-square-foot home, they realized it was not what they really wanted. "It was a big beige box in a typical subdivision," said Ms. Drury, 29, who has a degree in architecture and interior design. "We got tired of maintaining a big home, cleaning it, keeping up the yard." One monthly electric bill was \$300, she said, "and we are two professional people and a dog!"

The Drurys decided to sell the house and find something more suitable. They wound up with a house half the size, yet offering more of what mattered to them: high-quality architecture with high-tech touches, a neighborhood feeling, hiking trails nearby and a diverse population with whom they could feel connected.

Their latest home is in Tributary, a master plan community in Douglasville, 14 miles from downtown Atlanta and 12 miles from the airport. The Drurys think it is the perfect location, especially because Mr. Drury, 36, is a product marketing manager who often travels for business. Tributary home prices range from around \$200,000 to \$800,000. The Drurys paid \$280,000 for their house, less than their previous home.

Reach Advisors, a market-research firm in Boston, would argue that the Drurys are not alone in their thinking, and that there is a disconnect between affluent "Generation X" home buyers and the home builders and land developers who are supposed to be catering to them.

James Chung, president of Reach Advisors, said he believes there is a "generational shift," with buyers ages 25 to 39 demanding features that are different from what their parents, the baby boomers, have sought. "Yet, most home builders are reluctant to change the formula that made them so profitable over the past 10 years," Mr. Chung said.

Based on 6,800 interviews conducted for five different studies on 25- to 39-year-olds, Mr. Chung contends that affluent members of that generation, despite household incomes of \$100,000 and up, are determined to spend thoughtfully rather than embrace living large. He says they are less interested in the bragging rights over large spaces and more involved in family time. The younger buyers prefer layouts that

emphasize family space rather than humongous master suites and are more attuned to the concept of neighborly interaction fostered by dog parks and sidewalks.

The demands of people born in the 1970's and late 60's are important because even though they make up only 26.8 percent of total American households, they are more mobile. More than 42 percent moved last year, and they are at "the 'high migration' ages builders are eyeing," said William H. Frey, a demographer for the Brookings Institution.

The top four destinations for this group are Atlanta, Denver, Dallas and Phoenix, Mr. Frey said, whereas baby boomers, those born in 1946-64, were prone at the same age to be drawn to "pricey, cosmopolitan coastal areas." The younger generation, Mr. Frey said, is more practical, less attracted by glittering, expensive cities. "While serious about their decisions, they will not be as uptight as boomers were about their one big purchase," he said.

They see buying a house more in the way boomers saw buying a car, he added, as "a utilitarian purchase they need for shelter and long-term investment, with the prospects of many trade-ins."

One of the elements of Prospect, a "new urbanist" development in Longmont, Colo., that most appeals to Tom and Christie Evenson is the easy interaction with neighbors from their front porches, backyards, sidewalks and children's play dates.

Such preferences make adults in the late 20's and 30's prime clients for the "new urbanism," Mr. Chung said. Defined as a return to traditional neighborhood design, these communities are built to resemble, in spirit, older, more varied and more connected residential areas and to seem less like suburban subdivisions.

The Evensons, both software engineers, paid \$450,000 for their three-story house in Prospect in 2000, when they were newlyweds. Now, with a 4-year-old daughter and 2-year-old son, they continue to be delighted about living in a color-splashed environment where no two houses look

alike. And they appreciate that it was also designed to encourage social interaction.

"My mom didn't want to live that close to her neighbors," said Ms. Evenson, 36, whereas she and her husband were attracted to Prospect in part because of that.

When the Evensons take weekend walks, they contrast their own neighborhood with a typical suburb next door to Prospect. "They have yards two or three times bigger than ours," Ms. Evenson said. "But you never see anyone unless they're mowing the lawn."

At least one major luxury home builder, Toll Brothers, believes there are "seeds of truth" in Mr. Chung's findings. Toll builds for every demographic, said Kira McCarron, chief marketing officer, but the company realizes that many young adults are seeking "more of a sense of value than 'splash and flash.' "

An executive for the Centex Corporation, a nationwide builder based in Dallas, acknowledged the demands of such buyers for smaller homes in more neighborhoodlike cluster was a "really strong niche" not yet addressed by his company. "We haven't been as quick to adapt to the market as we should have been," said the executive, who requested anonymity to avoid being seen as critical of his company.

Options aimed at that age group were deliberately built into the Village, the first phase of Tributary, where the Drurys live near Atlanta. Richard Mildner, chief operating officer of Douglasville Development, the developer, had spent "25 years marketing almost exclusively to baby boomers," but now he aims for a share of the next generation. "I have basically done a three-year crash course in understanding these people," he said.

In surveys and focus groups, the younger home buyers told the company that they wanted the latest technological innovations, alongside amenities on a smaller scale than a huge community pool or a golf course. Mr. Mildner said he listened.

One buyer told him, "I want to have a reasonably good chance that I will know the people in the chairs next to me." Thus, the Village has a scaled-down pool with a simple clubhouse and a fire pit — plus wireless Internet in all public spaces.

The sense of connectedness — both human and technological — was a facet of Tributary that won over the Drurys. Indeed, shortly after moving in, Ms. Drury quit her previous job, got a real estate license and became a sales agent for the developer. She is especially pleased that buyers represent diverse ages, races, ethnic backgrounds and sexual orientation.

"We didn't want to raise our kids in a place where everyone is the same," said Ms. Drury, who is part Cuban. "We wanted a melting pot."

She says she hears her lifestyle choices echoed in the comments of the buyers she has met and the residents who get to know one another around the fire pit, on the hiking trails or at the gym. "It's like, let us get back to the grass roots, what you should be doing on a Saturday instead of hanging out at a mall for six hours," she said.

Current Preferences and Future Demand for Denser Residential Environments

by Dowell Myers, Elizabeth Gearin, Tridib Banerjee, Ajay Garde

June 4, 2001

http://www.fanniemaefoundation.org/programs/hpd/pdf/HPD_1204_myers.pdf

New Community Design to the Rescue Fulfilling Another American Dream

By Joel S. Hirschhorn and Paul Souza

<http://www.nga.org/cda/files/072001NCD1.pdf>

<http://www.nga.org/cda/files/072001NCD2.pdf>

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5. The Market for New Community Design: Demand, Incentives, and Barriers

The level of NCD construction in recent years is a miniscule fraction of total housing construction. Yet market analysis shows the problem is not insufficient consumer demand but, rather, extremely little supply. Two factors largely preclude NCD from entering the marketplace. The first is local zoning codes, which favor sprawl. Designers and developers seeking to complete NCD projects must acquire numerous variances from local governments, significantly increasing costs. The second factor is financing. Financial institutions tend to favor sprawl because of its familiarity and lack of complexity. NCDs are perceived to have higher risk and are therefore more difficult to finance.

The barriers to NCDs are just beginning to fall. Some communities are adopting parallel zoning codes that facilitate NCDs, eliminating one of the primary barriers. This helps level the playing field. In addition, some developers are finding creative ways to finance NCDs. This chapter discusses the market demand for NCDs, along with the institutional barriers in place that limit entry of NCD into the marketplace. In addition, this chapter explains innovative methods that states, communities, and industry are using to overcome barriers.

Market Demand for NCD

A March 2001 survey of 1,000 voters nationwide by the National Association of Realtors⁴⁹ revealed strong support for many NCD benefits and features.

- For open space preservation, 89 percent supported preserving land being used for farming or agricultural purposes; 88 percent supported preserving natural areas such as forests, wetlands, or deserts; 88 percent supported preserving stream corridors; 83 percent supported preserving true wilderness areas remote from human settlement; and 85 percent supported preserving historic landscapes, such as battlefields.
- For their local areas, 90 percent wanted neighborhood parks they could walk to; 86 percent wanted walking trails, bike paths, and horse trails; and 77 percent wanted town squares or village greens for gatherings.
- On the key issue of adopting zoning laws that allow builders to build homes on smaller lots in return for preserving large amounts of open space in the housing development, 60 percent supported it. As for compact development, 52 percent favored encouraging new homes to be built on small lots grouped together so other land can be saved as open space.

A 1999 survey of San Antonio residents found that 91.2 percent agreed that development should focus on a pattern of traditional neighborhoods, which have a center, a variety of housing types, and retail and recreation within a five-minute walk; 85 percent thought that building high-quality and affordable housing within walking distance of a retail or commercial center and transit stop was important.⁵⁰

Robert Charles Lesser and Company, one of the nation's leading real estate advisory firms, has conducted consumer studies for some NCD-type projects. Studies in Atlanta, Phoenix, Denver, Provo, Albuquerque, Boise, and Chattanooga suggest that 25 percent to 33 percent of respondents would seriously consider buying a home in these settings.⁵¹ Todd Zimmerman, managing director of the market research firm Zimmerman Volk and Associates, said: "I think the average [demand for NCD] is actually something north of 50 percent, but I don't have any statistics to back that up."

A study of four mature NCD projects in California, Maryland, North Carolina, and Tennessee, compared them with nearby suburban housing and found that buyers are willing to pay an average of \$20,000 more for homes in NCD communities, although the figure is location-specific.⁵² The study controlled for many factors, such as house size, lot size, and age of dwelling. Raw data on sale prices for six NCD places found that, on average, home buyers were willing to pay \$67,000 more to reside in NCD places than in typical suburban subdivisions. One financial factor that favors NCD living is that automobile costs can be reduced. But higher prices for NCD homes can also be explained by high consumer demand relative to supply and not necessarily because NCD projects cost more to build, although that may be true in some cases.

In Belmont, a new village in northern Virginia, two small builders were willing to follow specifications such as front porches and alley-served garages. But a large national builder built a standard garage-front product. After 18 months on the market, one small builder sold 30 homes, and the other sold 14 homes. The large national builder sold one home.⁵³

A study of 15 diverse NCD-type projects found that home sales increased 34 percent from 1999 to 2000. In the 12 projects where sales were up, the average increase was 47 percent.⁵⁴

One way to assess market demand is by examining the escalation of sales prices over time in NCD-type neighborhoods. High appreciation rates may signal an imbalance in supply and demand, driving up prices for NCD projects. According to New Urban News "it is not unusual for popular New Urbanist projects to experience rapid appreciation, and in many of the selected projects, prices have soared. This is evident even in the most affordable communities."⁵⁵ The base price for a single-family home in Park DuValle in Louisville, Kentucky, for example, jumped from \$75,000 to \$90,000 during 2000. Prices in Seaside, Florida, a development with many NCD characteristics, show dramatic annual appreciation rates. Seven different lot-types appreciated at annual rates ranging from 8.8 percent to 87.3 percent from the mid 1980s to the mid 1990s. The high-end appreciation rate saw a lot sold for \$15,000 in 1982 sell for \$187,000 in 1995.⁵⁶

A recent study of three NCD communities, each at least three years old, compared them to nearby conventional subdivisions.⁵⁷ It found that home appreciation in the NCD places was 16.7 percent, compared to 14.2 percent for the conventional places. Also, buyers in the NCD communities initially paid about 28 percent more on a dollar-per-square-foot basis than did their neighbors in the comparable conventional places. A major builder did the study. The results were explained by the "continued acceptance of the [NCD] concept by the home buying public and the added consumer appeal as these communities mature." An important observation was that the NCD communities were receiving fewer realtor visits than conventional places with comparable locations and price ranges, and even that some realtors actually steered customers away from NCD communities because of a perception that they had poor appreciation potential. This suggests that realtors need to be better informed about NCD.

Consumer Preferences

A 1998 survey for the real estate industry of 440 recent home-buyers in five states (Arizona, California, Colorado, Florida, and Texas) provided important insights.⁵⁸ The survey focused on testing the interest in NCD design principles versus conventional sprawl places.

- 72 percent favored neighborhoods clustered around a town center with a village green surrounded by shops, civic buildings, churches, and similar facilities; 29 percent favored having no single community center and having shopping and civic buildings distributed along commercial strips and malls.
- 64 percent preferred a town with less automobile orientation, parking structures instead of large lots, and higher-density development with walking and biking paths to encourage people to get around without a car; 29 percent preferred an automobile-oriented suburb with lots of land used for parking around commercial and public areas, and with places so far apart that driving was necessary, especially for shopping.
- 78 percent favored traditional house styles with garages hidden behind them, front porches to encourage neighborly interactions, and shade trees along the street; 30 percent favored contemporary house styles with yards set back from the street, garages facing the street, no porches, and shade trees only in yards.
- About two-thirds agree that they would rather see neighborhoods grouped into towns, rather than homes marching to the horizon.
- 75 percent want a town with a rich mixture of housing styles and a variety of people and lifestyles.
- 53 percent favor preservation of historic sites and are surprisingly receptive to a little authenticity and local flavor in their communities, in contrast to places that could be plopped down anywhere and look alike.
- 73 percent preferred many smaller parks and green spaces throughout a community, rather than just one, centralized park.

The Local Code Barrier

Zoning codes are typically the purview of local governments. Originating in the industrial age, the purpose of zoning was to isolate polluting industries, separating them from where people live. In the last 50 years, zoning has helped to perpetuate sprawl. Rather than encouraging mixed uses, local zoning ordinances often require strict separation of residential, commercial, and other land uses. Other requirements for residential areas promote isolation and dependence on cars. NCDs require a set of time-consuming, costly variances from local governments. This report has not focused on comprehensive plans and similar tools used by local government, mainly because they generally do not have the force of law that zoning ordinances do. However, it is recognized that comprehensive plans provide a legal foundation for zoning ordinances, which implement to a large degree the goals, objectives and vision expressed in plans. All too often, however, comprehensive plans are ignored or become outdated.

A benefit of the national “smart growth” movement is that some local governments are adopting parallel NCD codes, allowing developers to use either the new code or the old one. It is important to emphasize that local governments should keep the old codes, because a significant part of the marketplace desires conventional development. By adopting the NCD code, however, local governments help level the playing field. The marketplace will then sort out the success of NCDs without having them prescribed by

government. A number of communities have adopted parallel codes, such as Austin, Texas; Belmont, North Carolina; Fort Collins, Colorado; and Portland, Oregon.⁵⁹

The table below lists examples of communities that have adopted NCD-type codes.⁶⁰ In addition, Wisconsin is requiring all counties with populations greater than 12,500 to adopt an NCD code by 2002.⁶¹ Wisconsin uses the term “traditional neighborhood development” and defines it as a “compact, mixed use neighborhood where residential, commercial and civic buildings are within close proximity to each other.” Its model ordinance requires at least 20 percent of the gross acreage to be open space, at least 25 percent of the open space to be common parkland, and 90 percent of the homes to be within a quarter-mile or five-minute walk from common open space. Minnesota, Maryland, Oregon, Rhode Island, and Utah have developed codes that localities may consider, and New Jersey has created guidance on community planning and design techniques, including town and village centers.⁶² Note that zoning “overlays” can be supportive of NCD, because they can supersede the underlying regulation under specific conditions. For example, Barberton, Ohio, adopted an overlay code to support NCD,⁶³ minimizing the uncertainty of case-by-case review.