
 American Planning Association  
**Texas Chapter**  
 Making Great Communities Happen

# Basics of Planning and Development Review

A Historical Perspective on planning and development regulation

2015 Central Texas Elected & Appointed Officials Planning Workshop

Sponsored By  
 Texas Chapter of American Planning Association

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Based on *A Guide to Urban Planning in Texas Communities* of the Texas Chapter of American Planning Association.

## Why Planning is Important

### National Survey (APA, 2000)

Likely voters want:

- Professional planners in their community (81%)
- Adequate schools and educational facilities (76%)
- Availability of public services (74%)
- Create and protect parks and recreation areas (67%)
- Preserve farmland and open space (67%)
- Protect wetlands and other natural areas (65%)
- Create affordable housing options (64%)

### Statewide Survey (TXAPA, 2002)

Likely voters want:

- Important to have community planner (85%)
- Protect open spaces, coastal areas and parkland (88%)
- Provide incentives for affordable housing (85%)
- Create transportation options like light rail, bus transit and bicycle trails (81%)
- Support right of local communities to make decisions for private property (81%)

These are all planning issues!

## Planning in America: Perceptions and Priorities, June 2012

1300 respondents nationwide interviewed by Harris for American Planning Association and Collective Strength

Prepared to update 2000 survey, to measure support for planning, and determine strength of attacks on planning, such as Agenda 21

Summary report available at

<http://www.planning.org/policy/economicrecovery/>

**QUESTION**

Some people believe that community planning is a necessary part of improving the U.S. economy and encouraging job growth, while others believe that "market forces" alone will help the economy and bring more jobs. Which of the following statements comes closest to your belief?

**ANSWER**

66% believe that both community planning and market forces are necessary for economic growth and job creation

SEGMENT	SUB-SEGMENT	% MARKET FORCES ALONE ENOUGH
Political Affiliation	Democrat	6%
	Republican	22%
	Independent	14%
Race/Ethnicity	White	15%
	African American	8%
	Hispanic	15%
Type of Community	Urban	13%
	Suburban	14%
	Rural	23%
	Small Town	9%

Source: APA, 2012

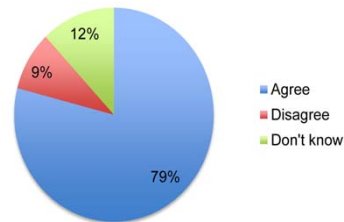
**QUESTION**

Generally, do you agree or disagree that your community could benefit from a community plan as defined as "Community planning is a process that seeks to engage all members of a community to create more prosperous, convenient, equitable, healthy and attractive places for present and future generations"?

**ANSWER**

79% agree that their community could benefit from planning as defined  
9% disagree (12% don't know)

88% of Democrats agree  
77% of Republicans agree  
81% of Independents agree



Source: APA, 2012

**QUESTION**

*Some people believe their community needs planning, while others believe it should be left alone. Which comes closest to your belief?*

**ANSWER**

*66% say planning is needed in my community  
17% say planning is not needed (17% don't know)*

*77% agree that "Communities that plan for the future are stronger and more resilient than those that don't"*

SEGMENT	SUB-SEGMENT	% PLANNING IS NEEDED
Political Affiliation	Democrat	75%
	Republican	65%
	Independent	67%
Race/Ethnicity	White	66%
	African American	69%
	Hispanic	67%
Type of Community	Urban	73%
	Suburban	65%
	Rural	59%
	Small Town	67%

Source: APA, 2012

**QUESTION**

*Now please think about an "ideal community" for you to live in and tell us whether each of the following would be a high, medium, or low priority for you.*

FACTORS IN AN IDEAL COMMUNITY	% HIGH PRIORITY
Locally owned businesses nearby	55%
Being able to stay in the same neighborhood while aging	54%
Availability of sidewalks	53%
Energy-efficient homes	52%
Availability of transit	50%
Neighborhood parks	49%
Mix of housing price ranges	43%
A place that attracts young professionals to live	42%
A place with lots of things for kids to do	41%
Mix of housing choices	41%
Schools within walking distance	37%
Jobs within walking distance	33%
Unique character and/or culture	32%
Restaurants within walking distance	31%
Availability of bike lanes	25%
A place with lots of young children	17%
Houses being generally the same size	6%

Source: APA, 2012

## Recent Attacks on Planning

### Private Property Rights

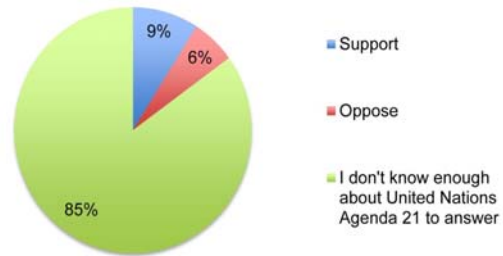
Fifth and 14<sup>th</sup> amendments to US Constitution

Texas Private Real Property Protection Act

### Agenda 21

- Report from 1992 UN Conference on Environment and Development. No legally-binding requirements. Not a UN conspiracy.
- All planning is not related to Agenda 21. Comprehensive planning, sustainable development, smart growth, growth management, and pedestrian-oriented development are not code words for Agenda 21.
- Planning as a result of Agenda 21 does not prohibit single family homes, car ownership, family farms, or private property rights

**QUESTION**  
*Do you support or oppose United Nations Agenda 21?*



**Table 10: Support for United Nations Agenda 21 (by sub-segment)**

SEGMENT	SUB-SEGMENT	% SUPPORT	% OPPOSE
Political Affiliation	Democrat	8%	2%
	Republican	3%	14%
	Independent	3%	11%
Race/Ethnicity	White	3%	11%
	African American	9%	7%
	Hispanic	14%	7%
Type of Community	Urban	11%	9%
	Suburban	5%	10%
	Rural	3%	11%
	Small Town	3%	7%

Source: APA, 2012

"If you don't have a plan for where you are going, you might end up somewhere else"

--attributed to Casey Stengel

"If you want to predict the future, create it."

-- Peter Drucker

"The will to win is nothing without the will to prepare."

-- Runners World, April, 1991

"A vision without a plan, is a hallucination."

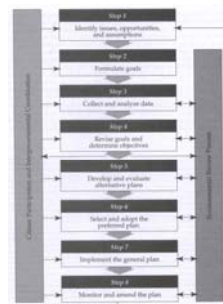
-- Dallas Mayor Ron Kirk, November, 2000

## What is Planning?

Planning as a design activity  
 (maps etc.)



Planning as a decision-making process (selection from alternatives)



## Development of City Planning as a Profession

- Pre-1900s
- Modern Physical Planning Period (1893-1945)
- Rational Comprehensive Planning Period (1945-1960s)
- Post-Modern Planning Period (1960s to present)

## Brief History of Planning in America

- 1573 – First Law of the Indies for Spanish settlements
- 1785 – Northwest Ordinance of 1787 (establishes one-mile grid and sections)
- 19<sup>th</sup> Century – Railroad town sites



Figure 75 Plan of Gonzales, the capital of DeWitt's Ang American colony established under Mexico's sponsorship of settlement. In Gonzales the multiple squares, typical of many Hispanic towns, are organized in an elaborate circuit pattern planned by James Kerr in 1834.

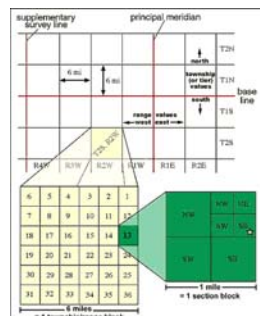
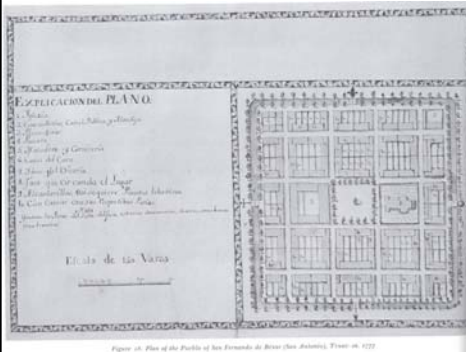
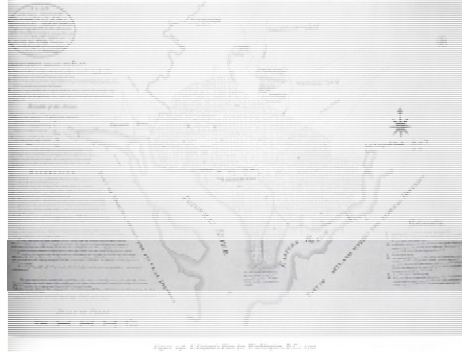


Figure 76 The 36-section grid system was used by the surveyors of Lindon County from Brazos County and entered a public record for the southeast. The above represents a principal 'T' road system used by Indians, although modified later.

## Pre-20<sup>th</sup> Century American Planning



San Antonio 1777

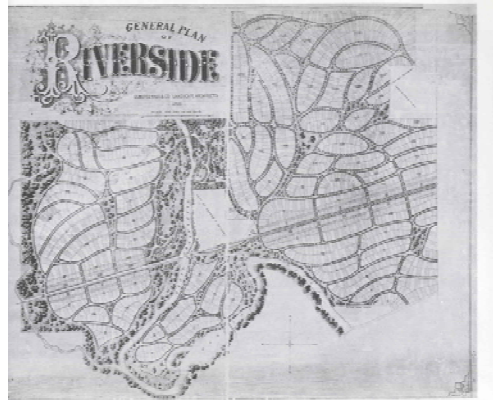


Washington DC, 1791

## Brief History of Planning

1857 – Frederick Law Olmstead and Calvert Vaux plan for Central Park, NY

1868 – Olmstead and Vaux plan for Riverside, Illinois





## Brief History of Planning

1893 – World's Columbian Exposition promotes Modern Physical Planning and City Beautiful Movement (Daniel Burnham)



## Modern Physical Planning

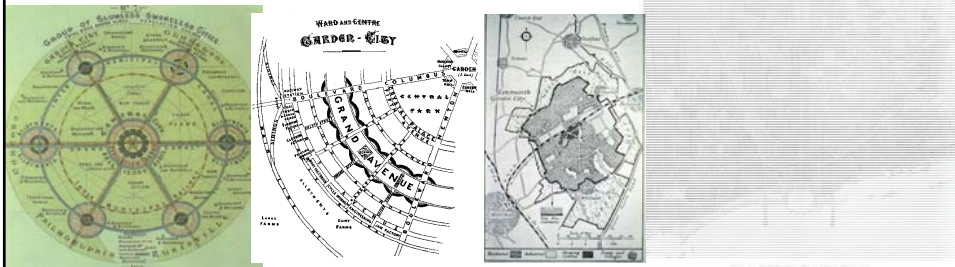
Process of graphically designing the future development of the City. Modernism espoused that social ills could be mitigated through proper design.

HUNDRED AND FIFTY PERISH IN FACTORY FIRE;  
WOMEN AND GIRLS, TRAPPED IN TEN STORY BUILDING,  
LOST IN FLAMES OR HURL THEMSELVES TO DEATH



## Modern Physical Planning Period

- 1901 New York Tenement House Law
- 1902 – Garden Cities of Tomorrow
  - Ebenezer Howard, Letchworth, England
- 1907 - Hartford Commission
- 1909 - Burnham Plan of Chicago
- 1909 – 1<sup>st</sup> National Conference on City Planning



## Modern Physical Planning Period

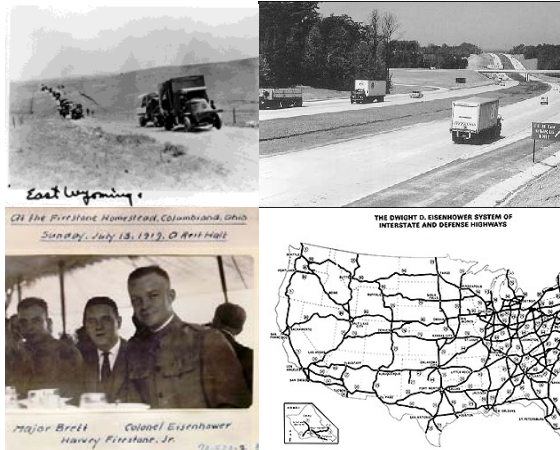
- 1911 – Kessler Plan for Dallas
- 1911 – Frederick Taylor's Principles of Scientific Management, City Efficient Movement



## Modern Physical Planning

1919 – Transcontinental convoy

1956 – Interstate Highway System



## Modern Physical Planning Period

1916 - New York City Zoning Code

1917 – American City Planning Institute

1922 – Standard Zoning Enabling Act

1924 – Sunnyside Gardens

- Clarence Stein and Henry Wright

1926 – Ambler Realty v. Euclid



Fig. 3—The first units of Sunnyside, built in 1924

## What is Zoning?

Zoning regulations govern the use of land, and the location, size and height of buildings. Zoning divides a jurisdiction into multiple districts, with each district containing a distinct set of regulations that are uniformly applied to all property within the district. Zoning ordinances consist of a text specifying the regulations and a map defining the location of the districts.



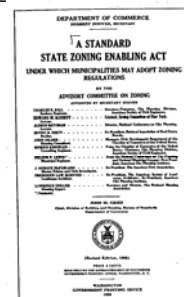
## Zoning

### History of Zoning Authority in U.S

- New York City zoning ordinance (1916)
- Standard Zoning Enabling Act (1922)
- City of Euclid v. Amber Realty (1926)
  - Police power under Constitution

### Limitations on Zoning

- Federal (5<sup>th</sup> and 14<sup>th</sup> Amendments)
  - Procedural due process
  - Substantive due process (regulatory takings)
- State
  - Taking statute (applies to State and County, not City)
  - Vesting Statute (LGC 245)
  - Zoning Compensation bills

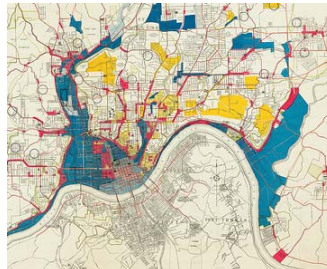
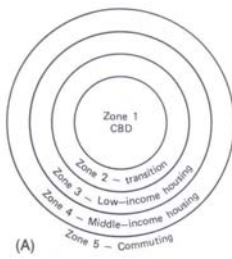


## Modern Physical Planning Period

1925 – Concentric Zone Theory -  
Burgess

1925 – Cincinnati Comprehensive Plan

1928 – Standard Planning Enabling Act



**A Standard  
City Planning  
Enabling Act**

**U.S.  
Department of  
Commerce**

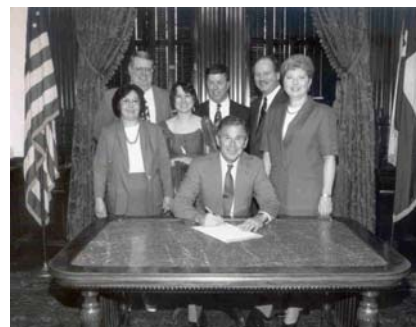
## Comprehensive Planning

1925 – Cincinnati Comprehensive  
Plan

1928 – Standard City Planning  
Enabling Act

1954 – General Plans funded under  
Sec. 701 of Housing Act

1999 – George W. Bush signs Texas  
comprehensive planning statute





## Comprehensive Planning

Comprehensive Planning looks at more than just the physical design of the community, but also looks the inter-relationship of land use, infrastructure, community facilities, and other community programs.



## Reviewing Comprehensive Plan Amendments

### Administrative review

- Have they given you everything that you require to make decision?

### Planning Review

- Look at the big picture
- Does the proposed change meet your planning goals?



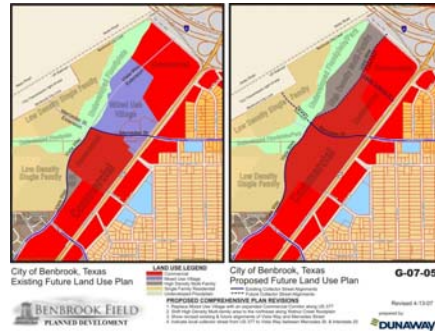
## Land Use Plan Amendments

Is this the best ultimate land use for this area, rather than the existing Land Use Plan designation?

- Be careful not to react to cyclical market demands. Change when change is the right thing to do in the long term.

Are there any environmental constraints? (e.g. floodplains, noise, landfill issues)

Does the proposed land use make sense for that location? (land use conflicts, relationship to other uses, access, utility service, etc.)

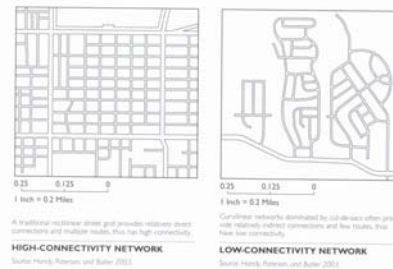


## Thoroughfare Plan Amendments

Most requests will be to delete, relocate, or reduce size of streets

Is circulation maintained?

- Street connectivity



Will a change in Thoroughfare Plan and/or Land Use Plan affect traffic volumes?

Be careful to avoid choosing short-term gains over long-term benefits.

## Zoning

### Relationship to Comprehensive Plan:

- Which comes first, planning or zoning?



### Relationship to Subdivision Regulation

- Zoning regulates use, lot size, setbacks and heights
- Plats regulate street and lot layout, infrastructure, etc.

## Subdivision Regulations

Subdivision regulations govern the division of land into two or more parts. The regulations specify the standards for drawing and recording a plat, and requirements for public improvements necessary to make the property suitable for development.



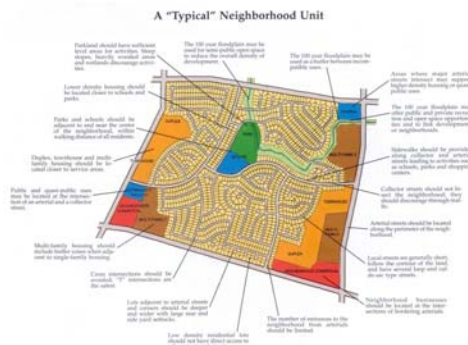


## Modern Physical Planning Period

1928-30 - Radburn, New Jersey

1929 - Regional Plan for New York John Nolen

1929 – Neighborhood Unit Concept Clarence Perry



## Modern Physical Planning Period

1934 - Housing Act of 1934

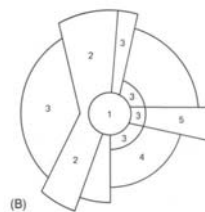
- Federal Housing Administration

1935 - Resettlement Administration

- Greenbelt cities

1939 – Sector Theory – Homer Hoyt

1941 – Local Planning Administration, by Ladislav Segoe, 1<sup>st</sup> Green Book



- (C)
1. CBD
  2. Wholesale, light manufacturing
  3. Low-class residential
  4. Middle-class residential
  5. High-class residential
  6. Heavy manufacturing
  7. Outlying business district
  8. Residential suburb
  9. Industrial suburb
  10. Commuter zone

## The Rational Planning Process 1940s

The Rational Planning Process is a decision-making process of evaluating alternatives.



## Rational Comprehensive Planning Period

- 1947 – Levittown
- 1949 - Housing Act of 1949
  - Urban renewal
- 1954 - Housing Act of 1954
  - Section 701 planning funds
- 1956 – Federal Aid Highway Act



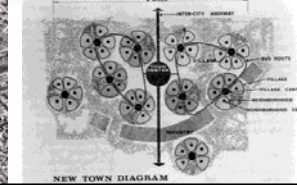
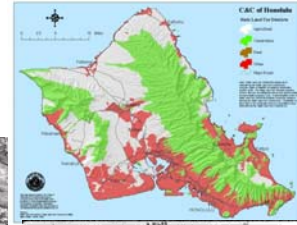
## Rational Comprehensive Planning Period

1957 – Gruen Plan for Fort Worth

1961 – Statewide Zoning, Hawaii

1964 – Columbia, Maryland

1965 - Reston, Virginia



## Strategic Planning – 1960s

More focused short-term planning effort that identifies:

- Mission of organization

- Internal strengths and weaknesses

- External opportunities and threats

- Future possible scenarios over next three to five years

- Specific goals and objectives to achieve mission.

Objectives should be "SMART"

- S**pecific

- M**easurable

- A**ttainable

- R**esults-based

- T**ime bound

## Comprehensive Planning

versus

## Strategic Planning

- Long range, 10-20 years
- Comprehensive (geographical)
- Comprehensive (physical, economic, social)
- Value oriented
- A policy guide
- Designates future land use
- Implementation tools (regulations, funding)
- Continuous

- Mission directed
- Short range, 1- 5 years
- Realistically targeted
- Market oriented
- Action oriented
- Identifies strengths, weaknesses, opportunities, and threats

## Post-Modernism Period

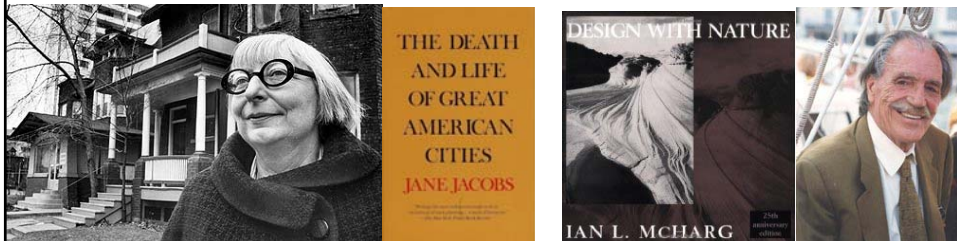
1960s – social and environmental movements

1960 – *Image of the City*, Kevin Lynch

1961 – *Death and Life of Great American Cities*, Jane Jacobs

1962 – *Advocacy Planning*, Paul Davidoff

1969 – *Design with Nature*, Ian McHarg



## Post-Modernism Period

- 1969 – National Environmental Policy Act
- 1972 – Oscar Newman's *Defensible Space*
- 1974 Housing and Community Development Act, CDBG
- 1984 – Seaside, Florida, New Urbanism, Andres Duany and Elizabeth Plater-Zyberk



## Crime Prevention Through Environmental Design (CPTED)

Design can affect behavior

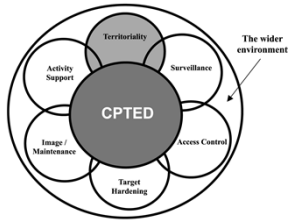
Jane Jacobs, "The Death and Life of Great American Cities"  
1961

Oscar Newman, "Defensible Space: Crime Prevention Through  
Urban Design" 1972



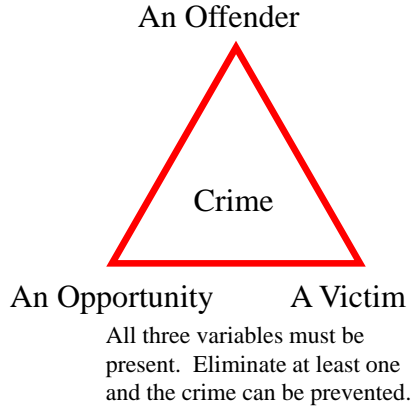
## Crime Prevention Through Environmental Design (CPTED)

- Natural surveillance
  - Eyes on the street
  - Avoid blind spots
- Natural access control
  - Delineate public and private space
  - Clearly defined entrances
- Territorial behavior
  - Sense of ownership



Source: Adapted from Moffat (1983, p. 23)

### Crime Triangle

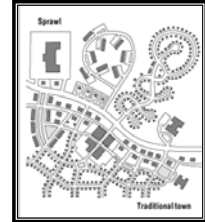


## New Urbanism

- Congress for the New Urbanism
  - **Ahwahnee Principles (1991)**
- Charter for the New Urbanism
  - **Design based on scale**
    - **Metropolitan, City and Town goals**
    - **Block, street and Building goals**
- AKA Traditional Neighborhood Design
  - **New urbanism at neighborhood scale**

- Reject Euclidean Zoning in favor of Form-based Design Codes
  - Mixed uses
  - Regulate form rather than use
  - Human-scale design

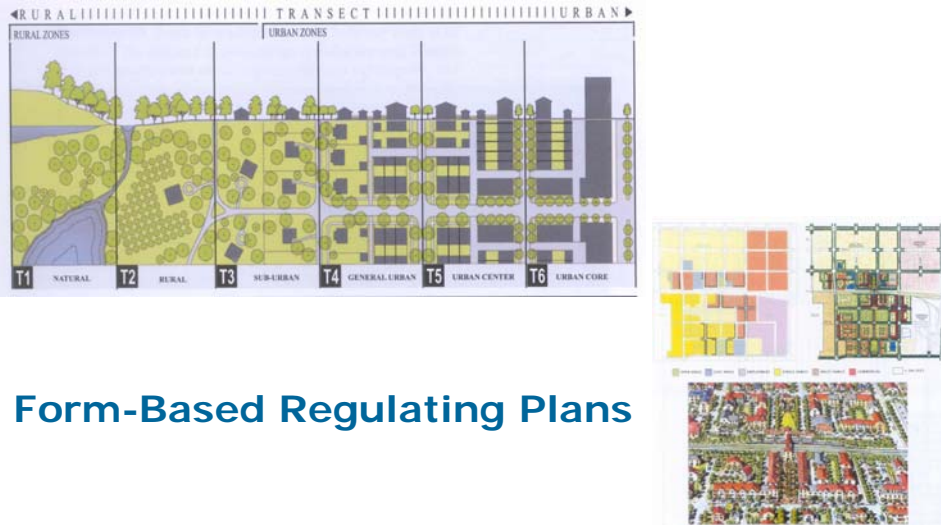
Respect street grid, connectivity



Source: DPZ and Associates

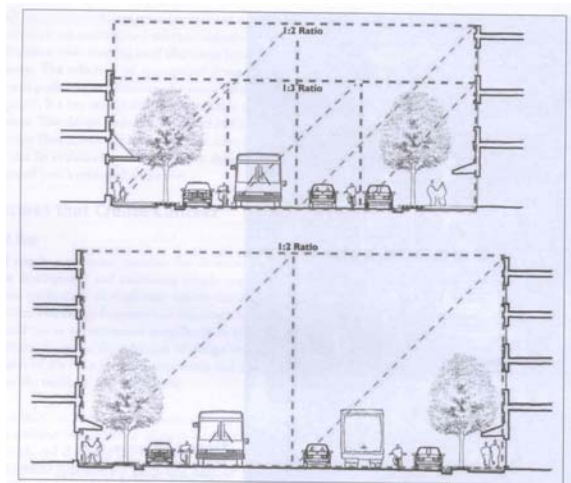


## Form-based Codes - The Transect



## Form-Based Regulating Plans

## Human-Scale Streets

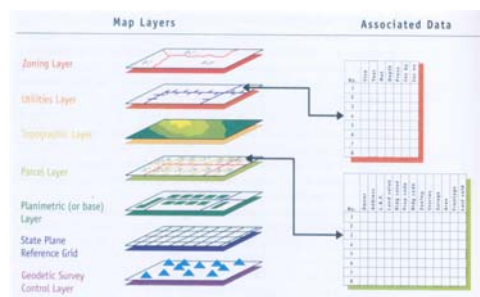


**Figure 4.2** Illustration of height to width ratios that create a scale on thoroughfares that is comfortable to people and encourage walking (human scale). Human scale ratios fall between 1:3 and 1:2 as measured from the building fronts. Source: Community Design + Architecture.

## Technology

Geographic Information Systems –  
1990s

- Intelligent maps (location and tabular)
- ArcGIS (ESRI), MapInfo, others



## Visioning Software



## Recent Trends in Planning

- 1980s - Growth Management  
Hawaii, Oregon, Florida, Georgia
- 1990s - Smart Growth, Sustainable Development
- 2000 - Disaster Mitigation Act
- 2000s – Traffic Calming, Context-sensitive Solutions



## Smart Growth

Term attributed to Maryland Governor Parris Glendening

Scale: Regional vs. Local

Features of Smart Growth:

- Compact development
- Mixed uses
- Mobility choice (pedestrian orientation)
- Open space preservation
- Infill development

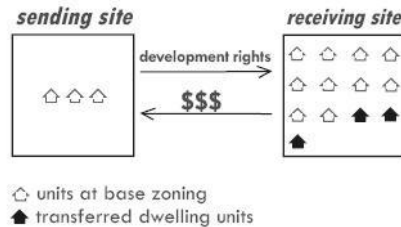


The Domain, Austin

## Regional vs. Local Scale Smart Growth

Regional Programs include growth management that directs the timing and location of development

- Urban growth boundaries
- Adequate public facilities ordinances
- Cluster or conservation developments
- Transfer of development rights



## Regional vs. Local Scale Smart Growth

Local Programs are projects that incorporate principles of smart growth

- Mixed uses
- Pedestrian orientation
- Transportation alternatives
- Preservation of public open space
- Compact development



Maximum density vs. minimum density

Set-back lines vs. build-to lines

## Smart Growth Programs in Texas

Austin

- Smart Growth Matrix
- Envision Central Texas

Flower Mound

- Adequate Public Facilities Ordinance

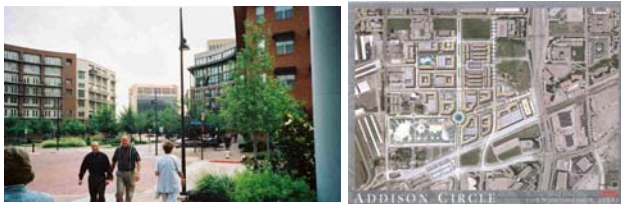
North Central Texas Council of Governments

- Center for Development Excellence
- Vision North Texas



## Smart Growth Projects Examples

Addison Circle  
Southlake Town Center  
Plano Transit Village  
The Domain - Austin



## Sustainable Development

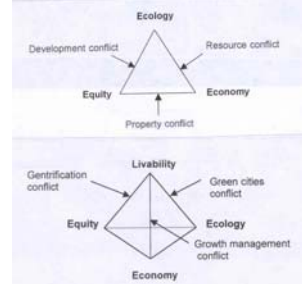
- Intergenerational and intragenerational equity
- Protecting and living within the natural carrying capacity of the natural environment
- Minimization of natural resource use
- Satisfaction of basic human needs



### Sustainable Development versus Consumptive Development

#### Three "E"s of sustainability

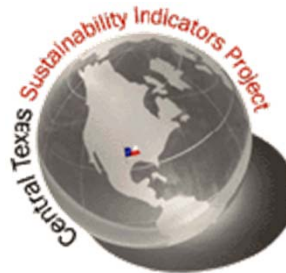
- Economy
- Environment
- Equity



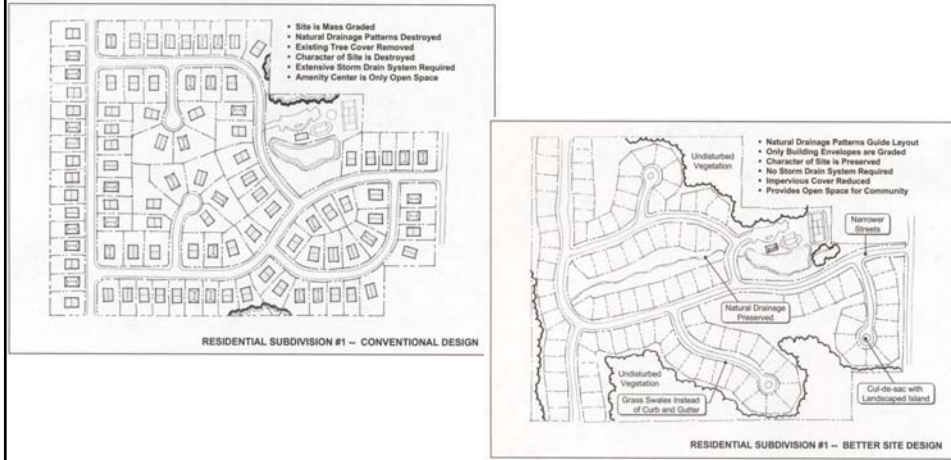
## Sustainability Indicators

Sustainability Indicators Project of Central Texas  
 Indicators of

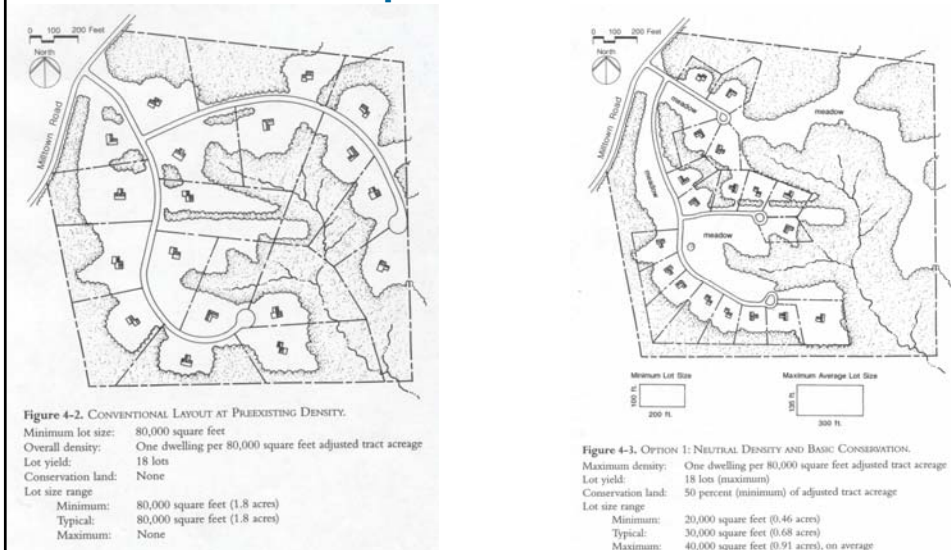
- Public Safety
- Education and Children
- Opportunity
- Civic Engagement
- Economy
- Health
- Natural Environment



## Sustainable Development – Better Site Planning



## Cluster Development



TX

American Planning Association  
Texas Chapter  
Making Great Communities Happen

## Sustainable Development – Green Building

LEED-Leadership in Energy & Environmental Design  
U.S. Green Building Council  
Rating System based on

- Sustainable sites
- Water Efficiency
- Energy and Atmosphere
- Materials & Resources
- Indoor Environmental Quality
- Innovation & Design Process

LEED-ND



Creekside Village Community Center  
Buffalo, NY  
**LEED 2.0 Certified**

TX

American Planning Association  
Texas Chapter  
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## Disaster Mitigation Planning






1-PERCENT ANNUAL-CHANCE FLOODPLAIN

FLOODWAY FRINGE FLOODWAY FLOODWAY FRINGE

FLOOD ELEVATION WHEN CONFINED WITHIN FLOODWAY

ENCROACHMENT

ENCROACHMENT

AREA OF FLOODPLAIN THAT COULD BE USED FOR DEVELOPMENT BY RAISING GROUND

FLOOD ELEVATION BEFORE ENCROACHMENT ON FLOODPLAIN

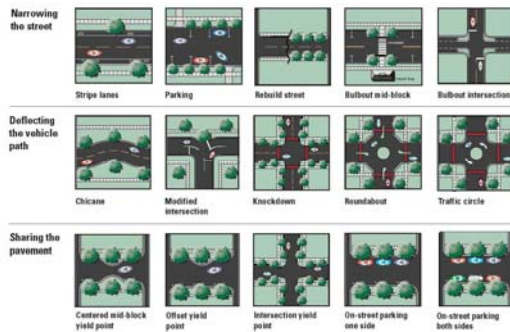
LINE AB IS THE FLOOD ELEVATION BEFORE ENCROACHMENT.  
LINE CD IS THE FLOOD ELEVATION AFTER ENCROACHMENT.  
SURCHARGE IS NOT TO EXCEED 1.0 FOOT (5% REQUIREMENT) OR LESSER AMOUNT IF SPECIFIED BY STATE.

September 19, 2008

© 2008



## Traffic Calming



## Context-Sensitive Design

### Limits on Authority to regulate Development

- Legislative (zoning) versus Ministerial (plating) acts
- Arbitrary and capricious decisions
- Ultra vires – regulating beyond your authority
- Takings – results from overregulation that denies all use of property
- Procedural due process (error in notice, denial of hearing, Open Meetings Act violations, conflict of interest)
- Vested Rights – Chapter 245 LGC – rules are vested at time of initial application for project
- Manufactured Housing
- Religious Institutions (RLUIPA of 2000)

## Capital Improvements Planning

CIP is a plan for the investment of public funds in public infrastructure. It identifies construction projects (typically streets, drainage, water, sewer, parks, and public buildings) that will be built over the next one year, five years, 10 years and beyond. It also guides the budgeting of funds for capital expenses, debt service, and bonding capacity.



## Questions?

## Important Acronyms

**AICP** – Any Idiot Can Plan  
**B4** – Big Bland Beige Box  
**BANANA** – Build Absolutely Nothing Anywhere Near Anything  
**CAVE People** – Citizens Against Virtually Anything  
**DBTD** – Death By a Thousand Days  
**DUDE** – Developer Under Delusions of Entitlement  
**LULU** – Locally Unwanted Land Use  
**NIMBY** – Not In My Back Yard  
**NIMFYE** – Not In My Front Yard Either  
**NOTE** – Not Over There Either  
**NIMTOO** – Not In My Term Of Office  
**NITL** – Not In This Lifetime  
**NOT** – None Of That  
**TOAD** – Temporary Obsolete Abandoned or Derelict  
**WIIFM** – What’s In It For Me?

## Important Terms

**Bungalow Bill** – tract house architect  
**Comprehensive Flan** – bland, custard-like filling in many comprehensive plans  
**Custard Development** – bland clustered development  
**Dejavenue** – impression of having seen the same street before  
**Disneyfication** – architectural fad on a community scale  
**Generica**- stores and strip malls you can see in any town in America  
**Landscraeper** – landscape architect (also **Blandscape Architect** – a minimalist landscape architect)  
**Litter on a Stick** - billboard  
**McPlace** – standardized sense of place  
**Pacebo** – a place that has the appearance, but none of the value of a real place  
**Privatopia** – gated community run by homeowners association  
**Ranchburger** – one-story, generic southwestern tract house



## Important Terms cont.

Scents of place – odors, smells, aromas and fragrances associated with a place

Sense of Immunity – mistaken belief that a regulation doesn't apply

Snout House – home dominated by garage door



Starter Castle – also known as a McMansion, Big Hair House and Tract Mansion

Powerpoint Poisoning – nauseous state of mind and body induced by presentations