

# Basics of Planning and Development Review

A Historical Perspective on planning and development regulation

2016 Central Texas Elected & Appointed Officials Planning Workshop

Sponsored By  
Texas Chapter of American Planning Association

Speaker:

Dave Gattis, FAICP

Benbrook Deputy City Manager  
[dgattis@cityofbenbrook.com](mailto:dgattis@cityofbenbrook.com)

# 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%

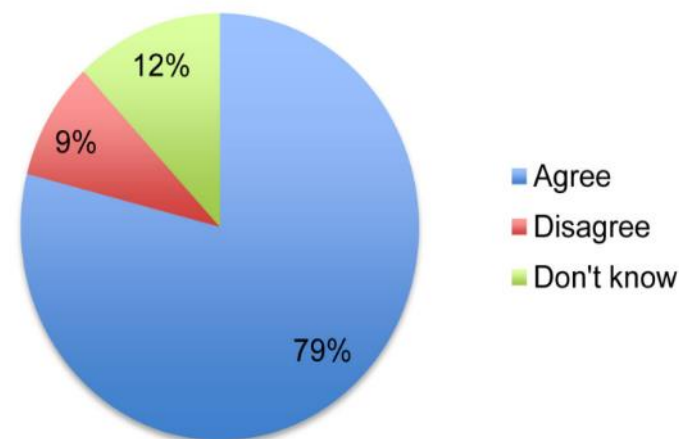
## QUESTION

**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**



**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%



## 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%



# Recent Attacks on Planning

## Private Property Rights

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

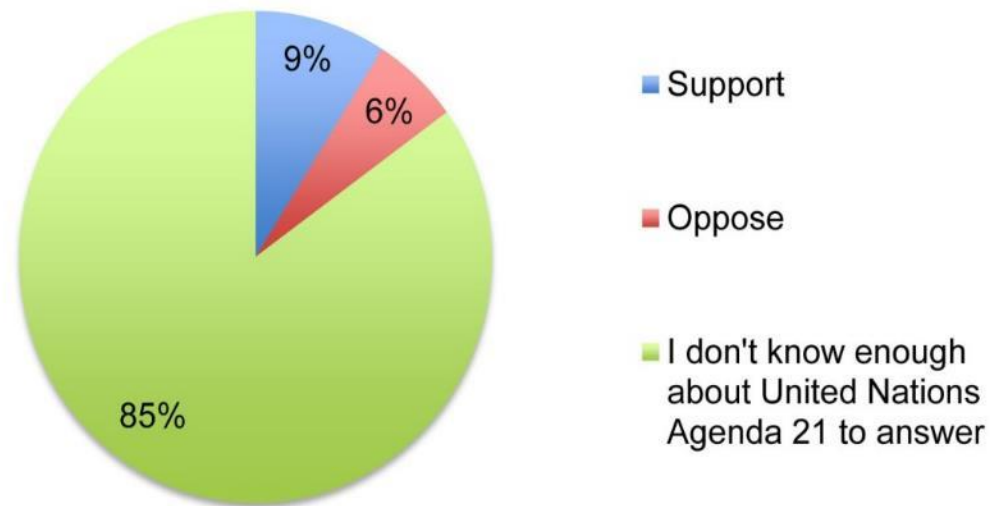
Texas Private Real Property Protection Act

## 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%

“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.”

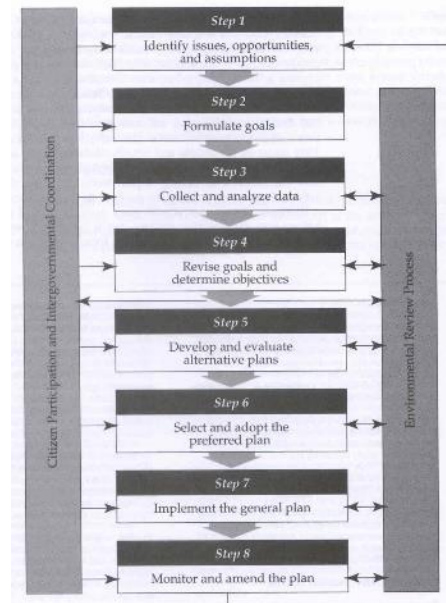
*-- Dallas Mayor Ron Kirk, November, 2000*

# 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

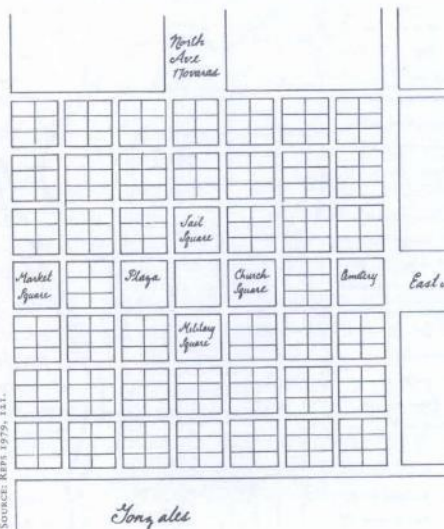


Figure 75 Plan of Gonzales, the capital of DeWitt's Ang American colony established under Mexico's *empresario* system of settlement. In Gonzales the multiple squares, typical of many Hispanic towns, are organized in an elaborate cruciform pattern planned by James Kerr in 1825.

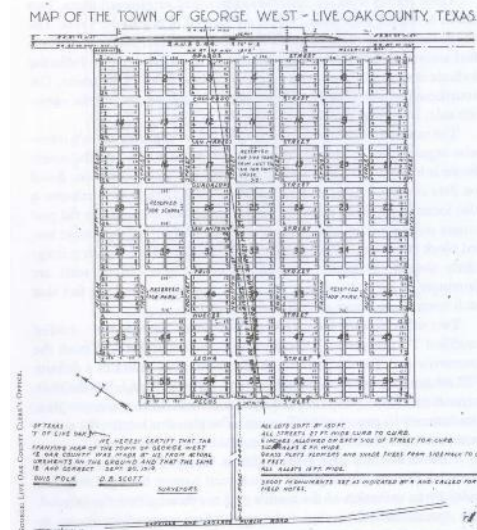
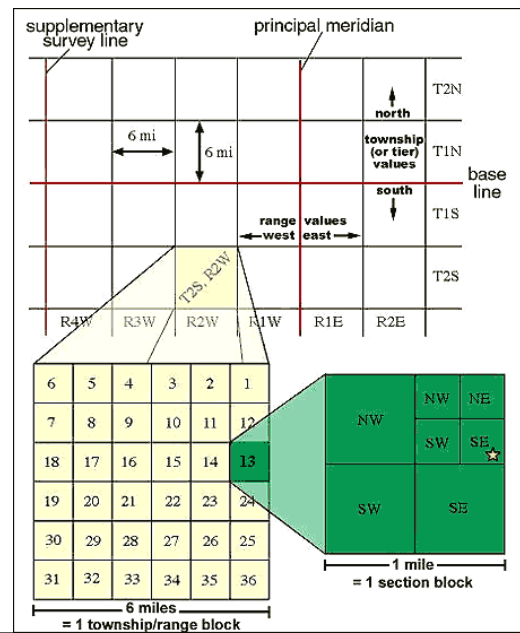


Figure 64. Plat of George West in Live Oak County in 1914. The plan for the town anticipated the formation of Live Oak County from Bexar County and reserved a public square for the courthouse. The scheme represents a prototypical "T-town" pattern noted by Hudson, although modified today.



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

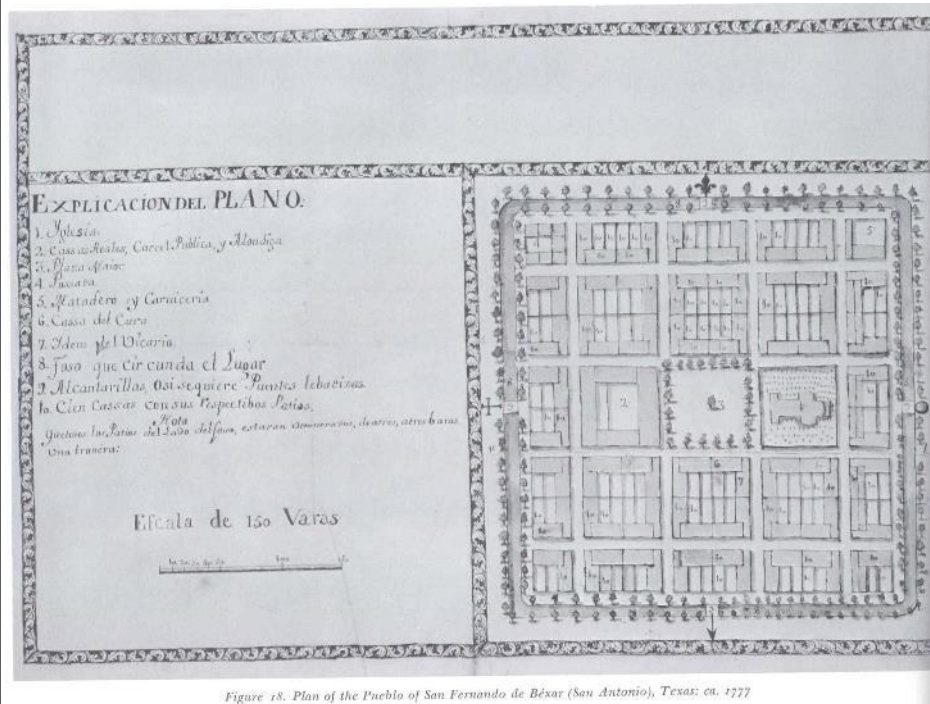


Figure 18. Plan of the Pueblo of San Fernando de Béxar (San Antonio), Texas: ca. 1777

San Antonio 1777

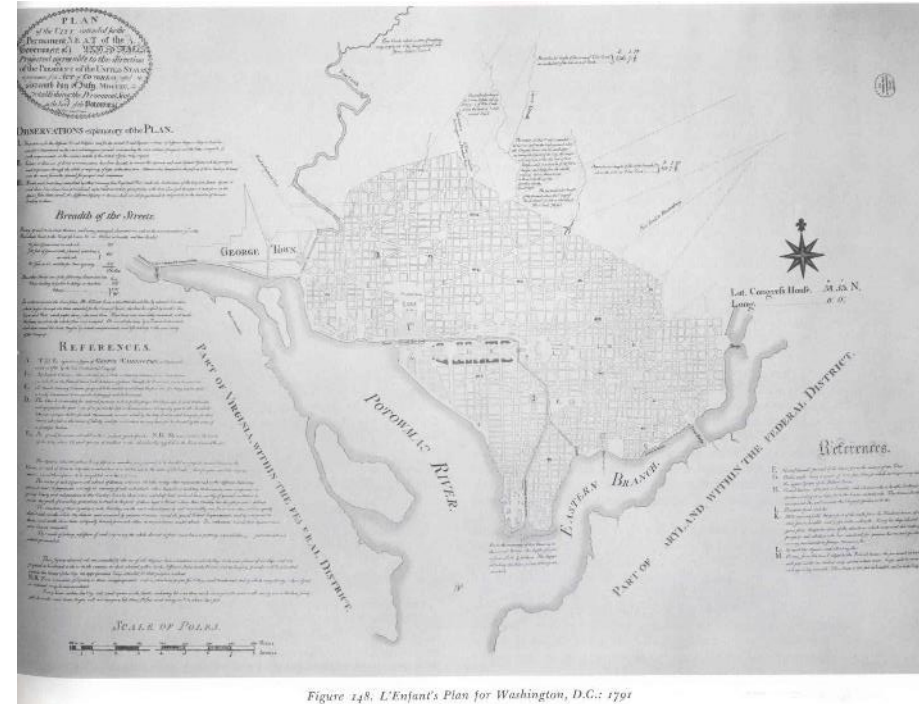


Figure 148. L'Enfant's Plan for Washington, D.C.: 1791

Washington DC, 1791



# Brief History of Planning

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

1868 – Olmsted and Vaux plan for Riverside, Illinois

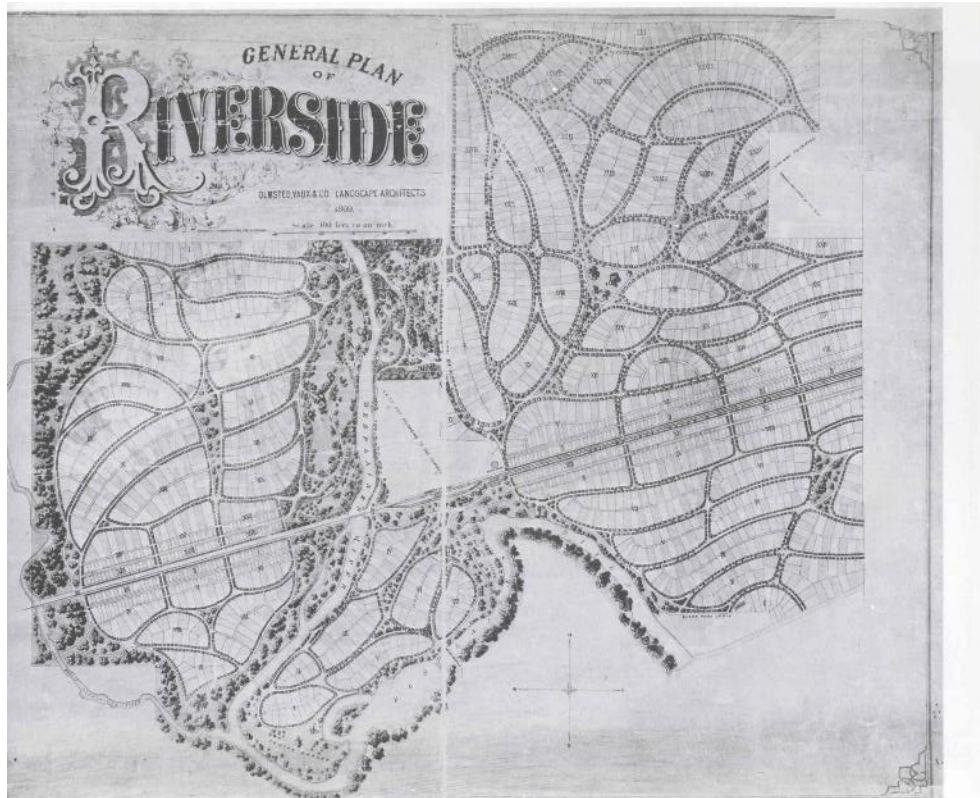


Figure 204. Plan of Riverside Illinois: 1869



# Brief History of Planning

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

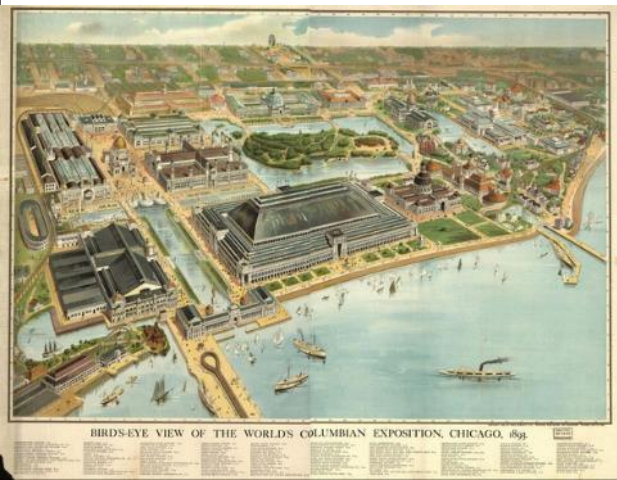
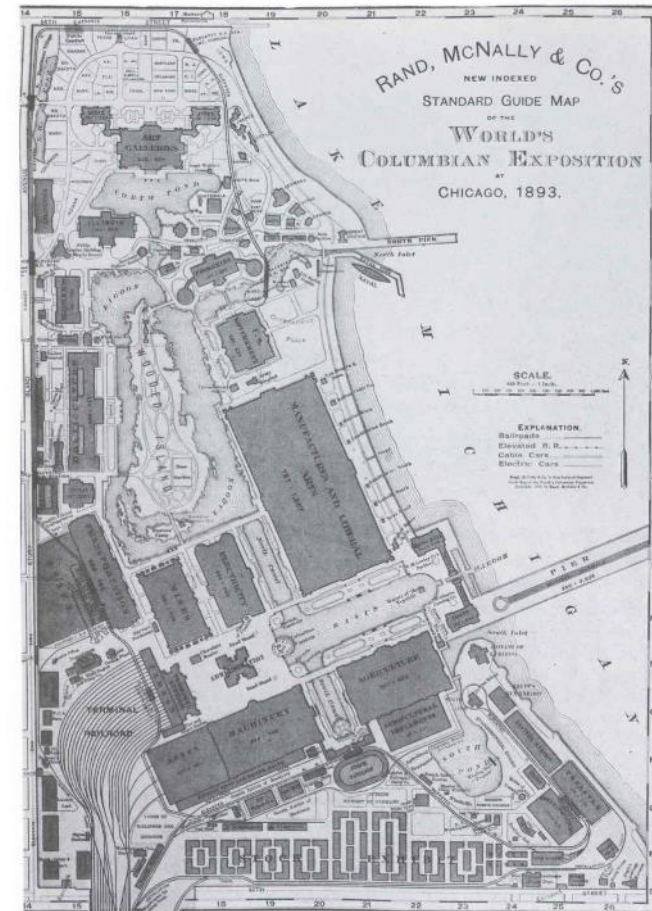


Figure 297. Plan of the World's Columbian Exposition in Chicago, Illinois: 1893



# 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



How  
the Other Half  
Lives



By  
Jacob A. Riis

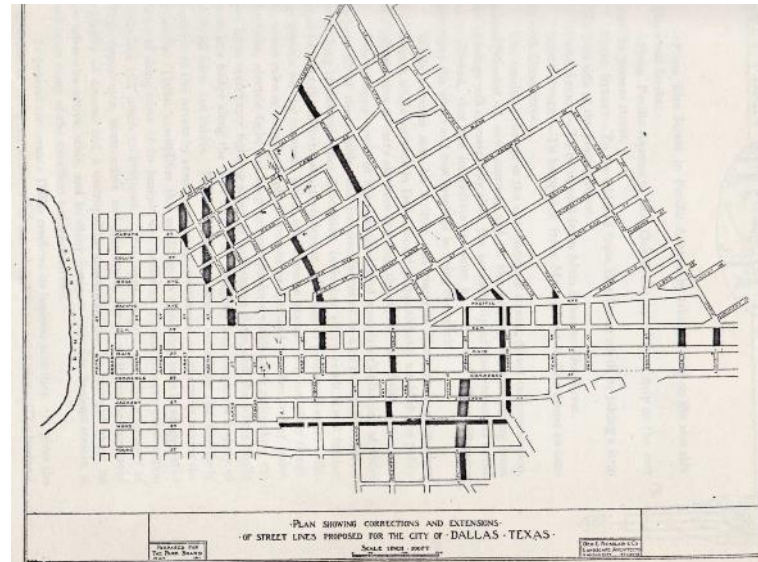
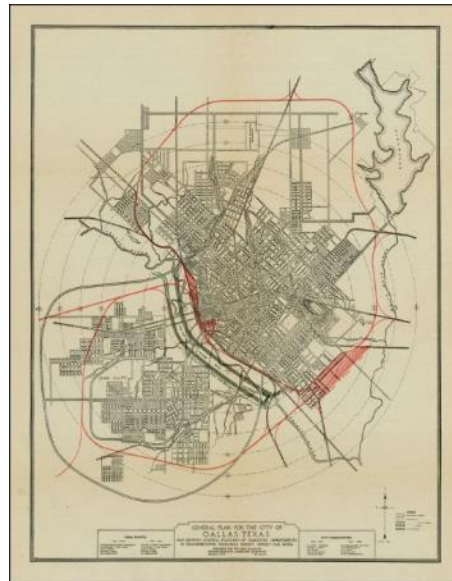




# Modern Physical Planning Period

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



*East Wyoming*

*At the Firestone Homestead, Columbiana, Ohio*

*Sunday, July 13, 1919. A Rest Halt*



**THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS**



*Major Brett      Colonel Eisenhower  
Harvey Firestone, Jr.*

70-520-3



# 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

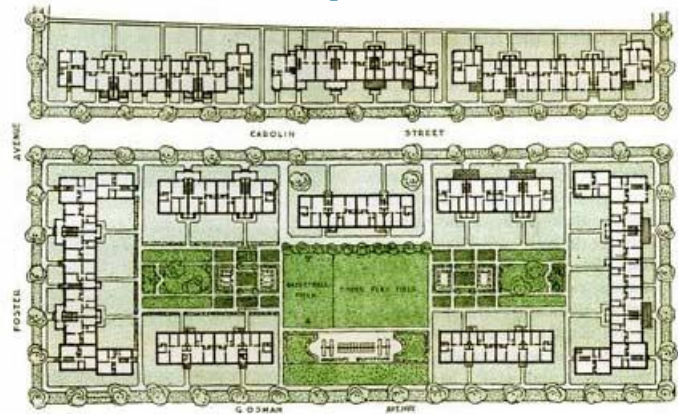
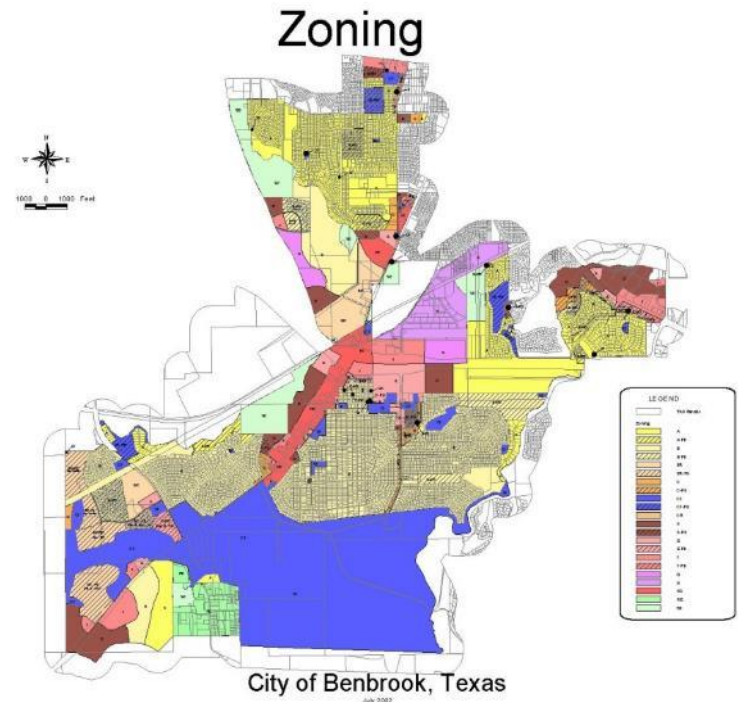


Fig. 5—The first unit of Sunnyside, built in 1924



# 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.



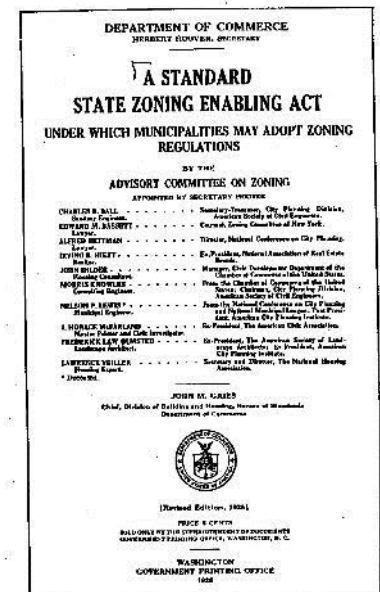
# Zoning

## 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 Stature (LGC 245)**
  - **Zoning Compensation bills**

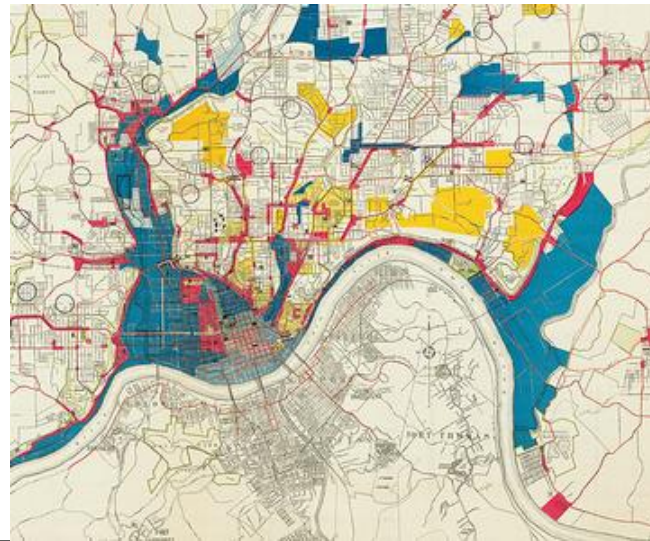
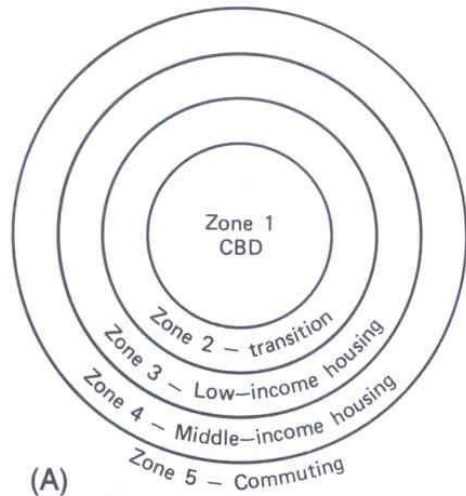


# Modern Physical Planning Period

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**

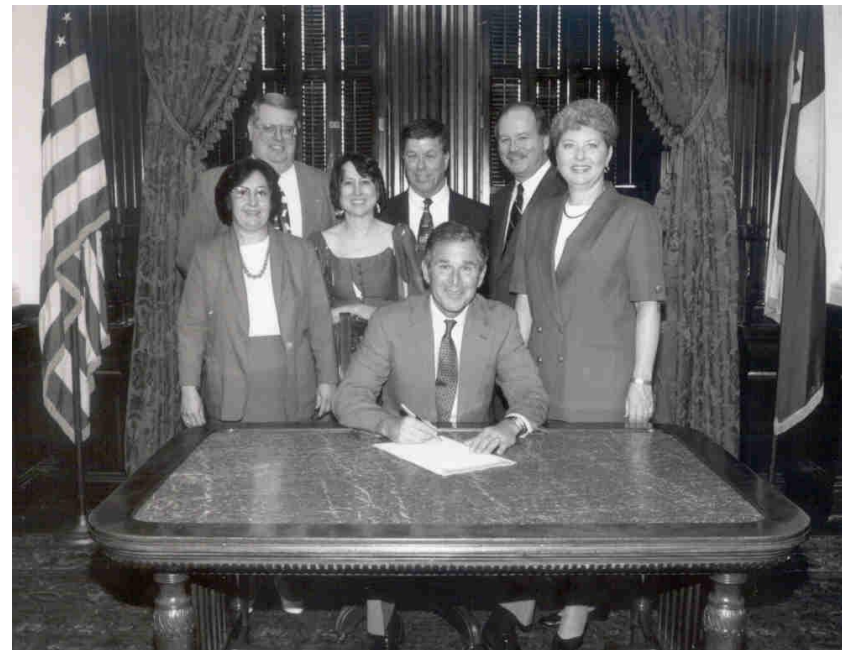
# Comprehensive Planning

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 Statute

## Chapter 213 of Local Government Code

### Purposes

- Promote sound development
- Promote public health, safety and welfare

### Adoption by ordinance

- After review by Planning Commission
- After public hearing

### Conformity Requirements

Zoning disclaimer “A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries”





# 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?





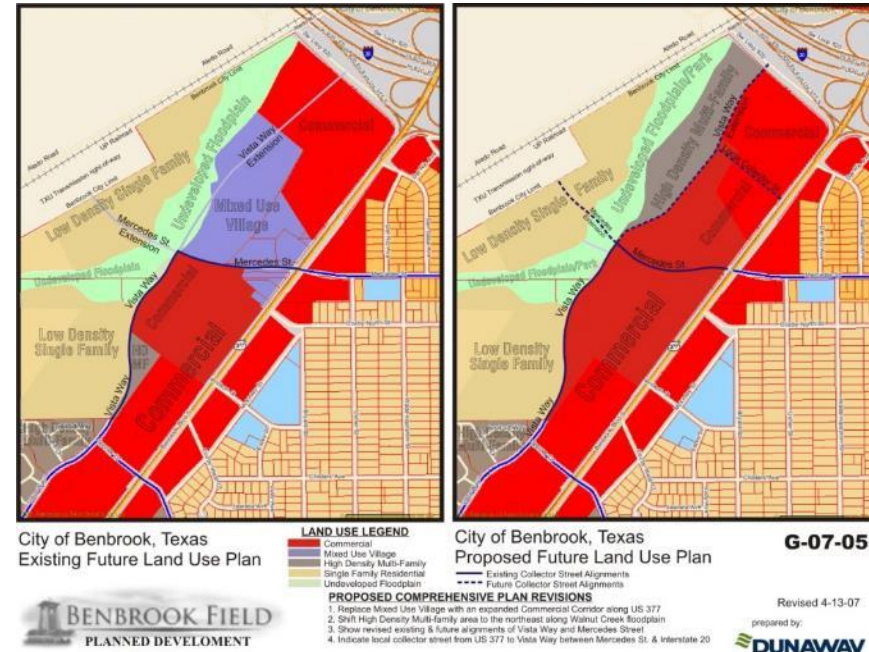
# Land Use Plan Amendments

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



0.25 0.125 0  
1 Inch = 0.2 Miles

A traditional rectilinear street grid provides relatively direct connections and multiple routes, thus has high connectivity.

#### HIGH-CONNECTIVITY NETWORK

Source: Handy, Paterson, and Butler, 2003.



0.25 0.125 0  
1 Inch = 0.2 Miles

Curvilinear networks dominated by cul-de-sacs often provide relatively indirect connections and few routes, thus have low connectivity.

#### LOW-CONNECTIVITY NETWORK

Source: Handy, Paterson, and Butler, 2003.

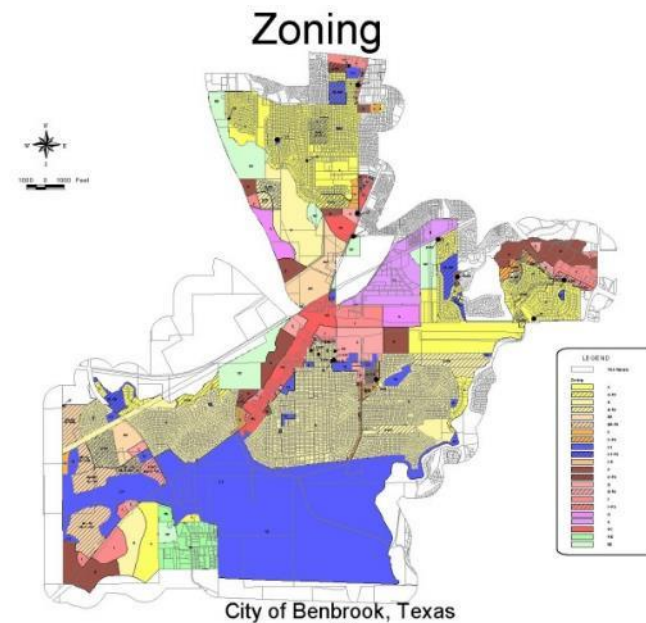
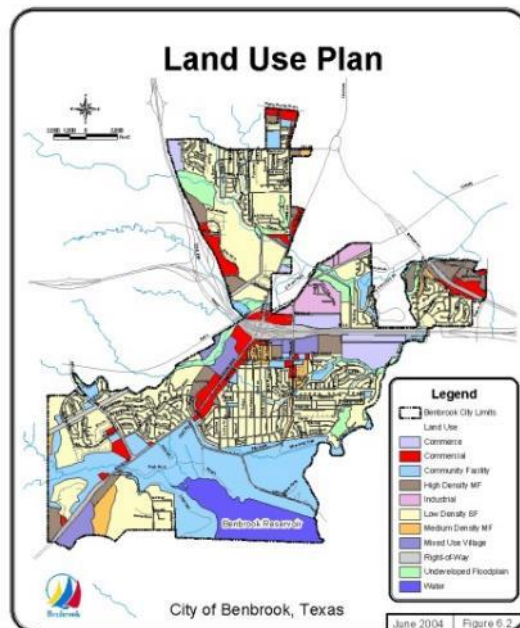
Will a change in Thoroughfare Plan and/or Land Use Plan affect traffic volumes?

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

# Zoning

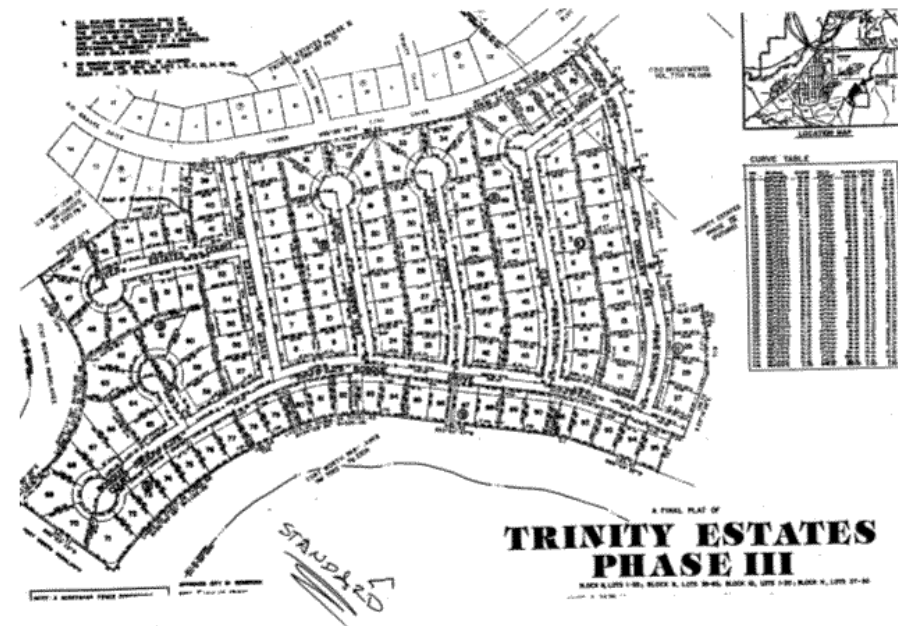
## Relationship to Comprehensive Plan:

- Which comes first, planning or zoning?



# 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.



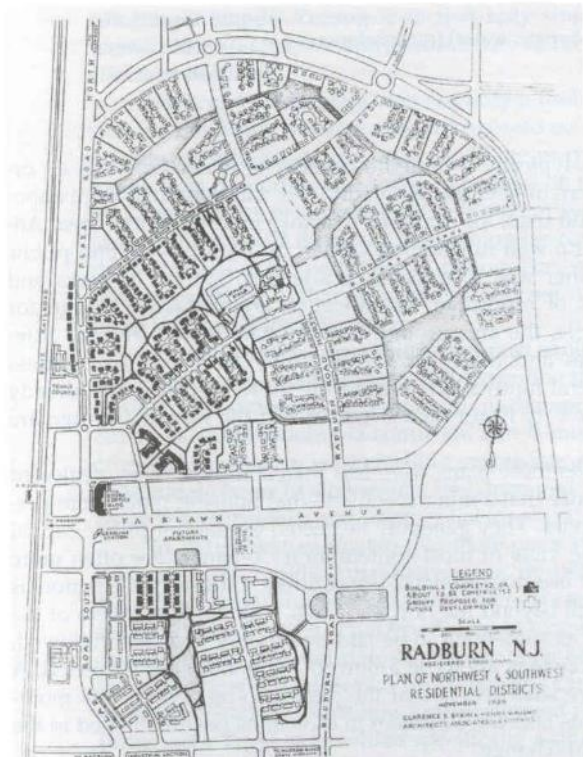


# Modern Physical Planning Period

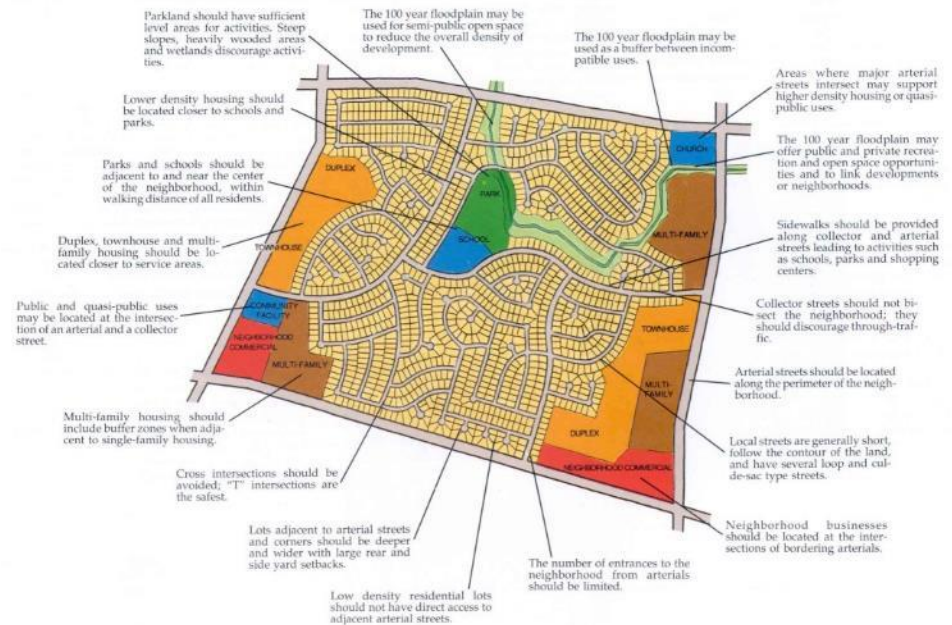
1928-30 - Radburn, New Jersey

1929 - Regional Plan for New York John Nolen

1929 – Neighborhood Unit Concept Clarence Perry



A "Typical" Neighborhood Unit



# Modern Physical Planning Period

1934 - Housing Act of 1934

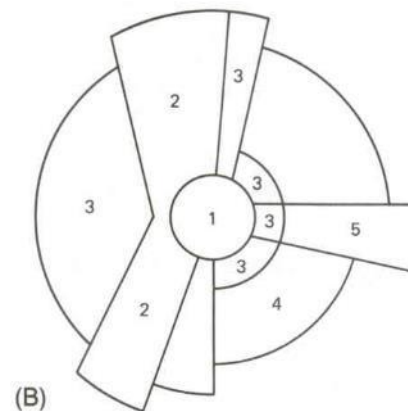
- Federal Housing Administration

1935 - Resettlement Administration

- Greenbelt cities

1939 - Sector Theory - Homer Hoyt

1941 - Local Planning Administration, by  
Ladislas Segoe, 1<sup>st</sup> Green Book



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

(C)

## The Rational Planning Process 1940s

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





# Rational Comprehensive Planning Period

1947 – Levittown

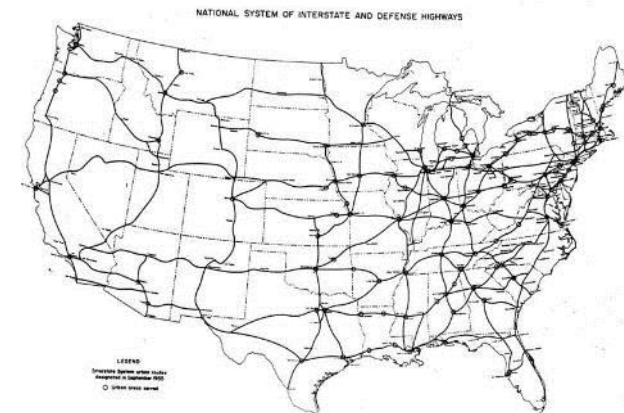
1949 - Housing Act of 1949

- Urban renewal

1954 - Housing Act of 1954

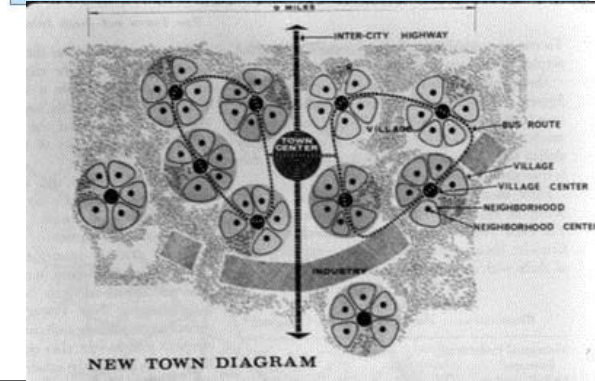
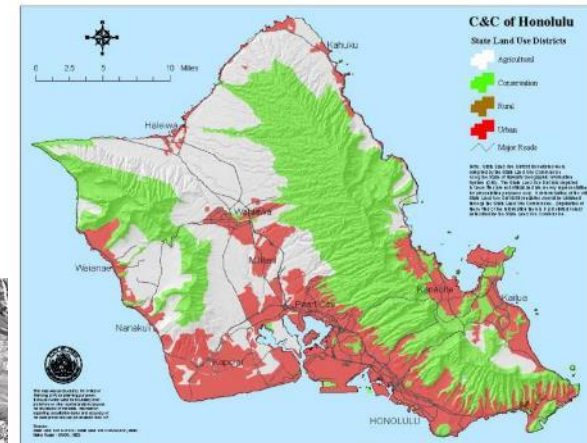
- Section 701 planning funds

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

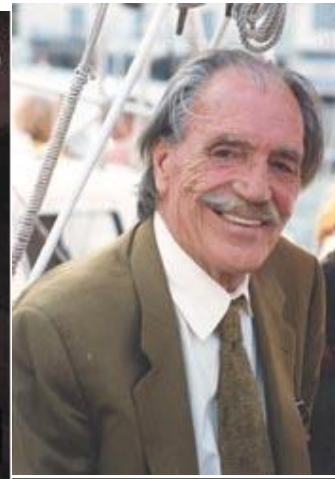
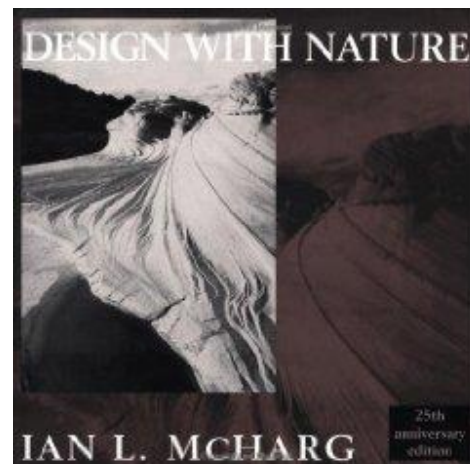
1962 – *Advocacy Planning*, Paul Davidoff

1969 – *Design with Nature*, Ian McHarg



THE DEATH  
AND LIFE  
OF GREAT  
AMERICAN  
CITIES  
JANE JACOBS

"Perhaps the most influential single work in the history of urban planning... a work of brilliance."  
—The New York Times Book Review





## 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

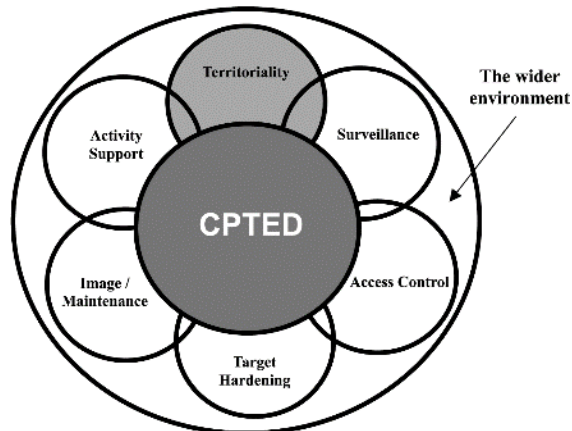
- Eyes on the street
- Avoid blind spots

### Natural access control

- Delineate public and private space
- Clearly defined entrances

### Territorial behavior

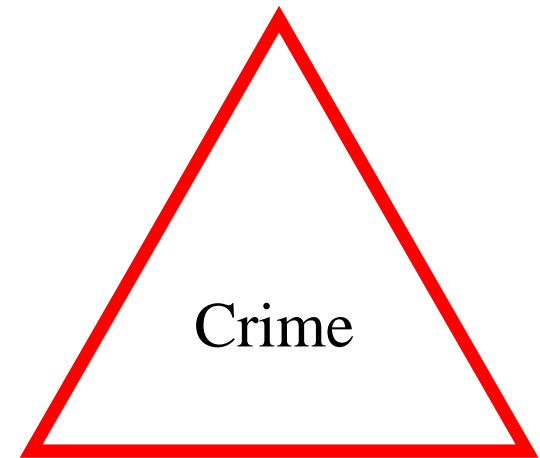
- Sense of ownership



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

## Crime Triangle

An Offender



An Opportunity

A Victim

All three variables must be present. Eliminate at least one and the crime can be prevented.

# 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**

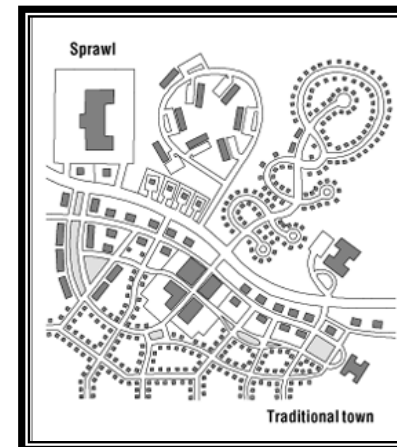
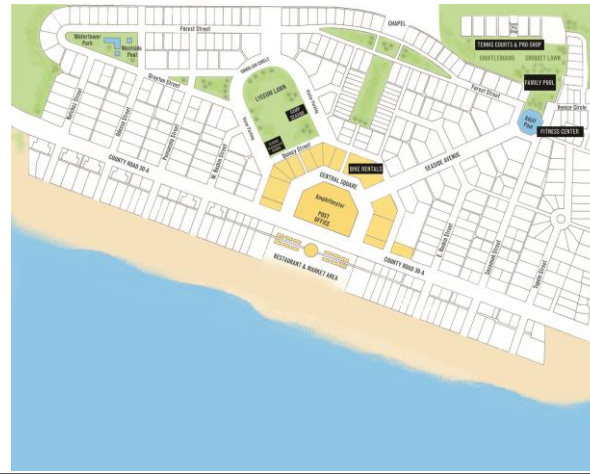
AKA Traditional Neighborhood Design

- **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

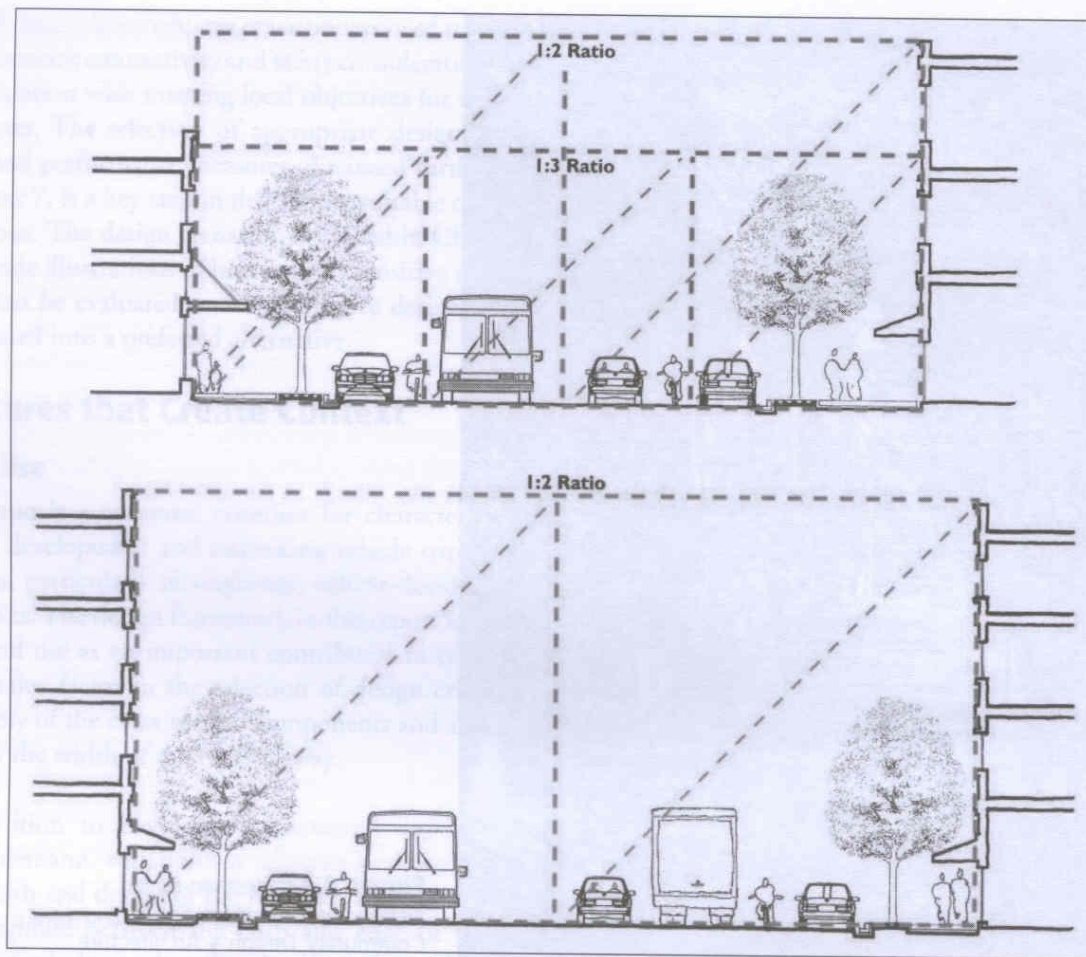


## Form-Based Regulating Plans





# 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.

# Visioning Software

## Technology

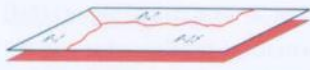
### Geographic Information Systems – 1990s

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

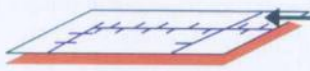
#### Map Layers

#### Associated Data

Zoning Layer



Utilities Layer



Topographic Layer



Parcel Layer



Planimetric (or base) Layer



State Plane Reference Grid



Geodetic Survey Control Layer



No.	Size	Year	Mat.	Depth	Press	Ins by	Ins no.
1							
2							
3							
4							
5							
6							
7							
8							

No.	Owner	Address	L.R.P.	Land value	Bldg value	Prop. code	Zoning	Stories	Garage	Area	Frontage	Last sold
1												
2												
3												
4												
5												
6												
7												
8												



# 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



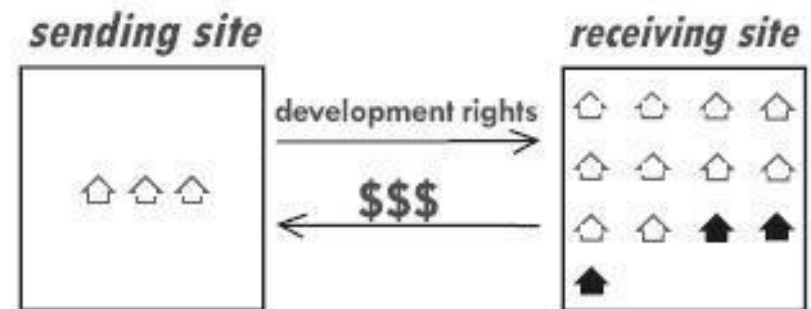
The Domain, Austin



## 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



- ☐ units at base zoning
- ▲ transferred dwelling units



## 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



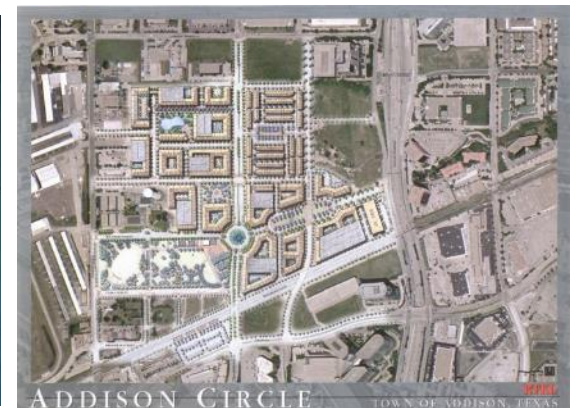
# Smart Growth Projects Examples

Addison Circle

Southlake Town Center

Plano Transit Village

The Domain - Austin



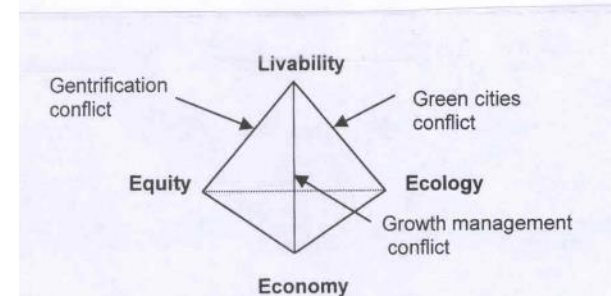
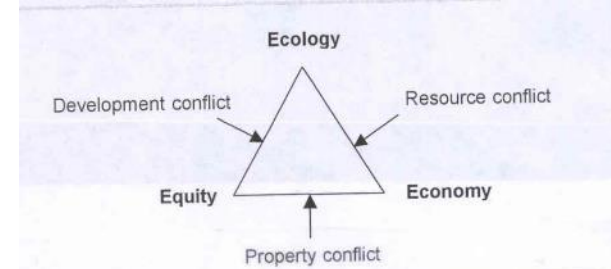
## Sustainable Development

- 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

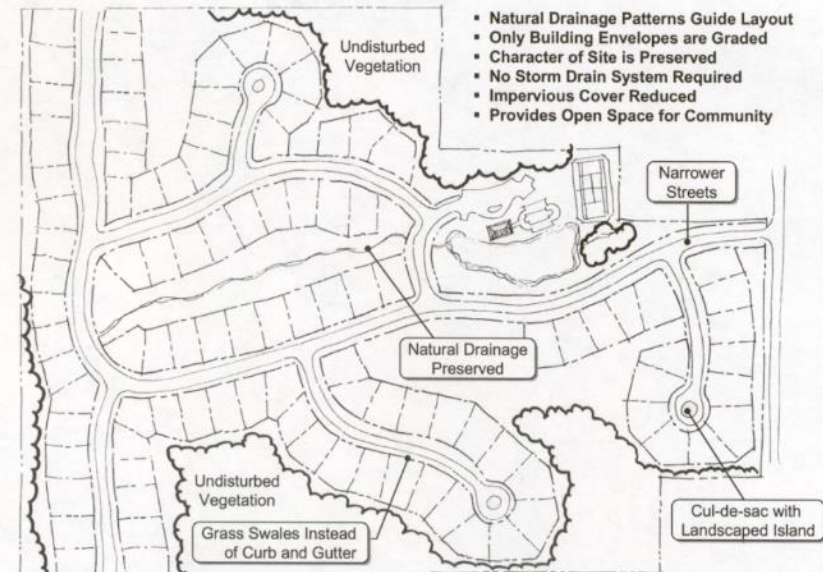




# Sustainable Development – Better Site Planning



RESIDENTIAL SUBDIVISION #1 -- CONVENTIONAL DESIGN



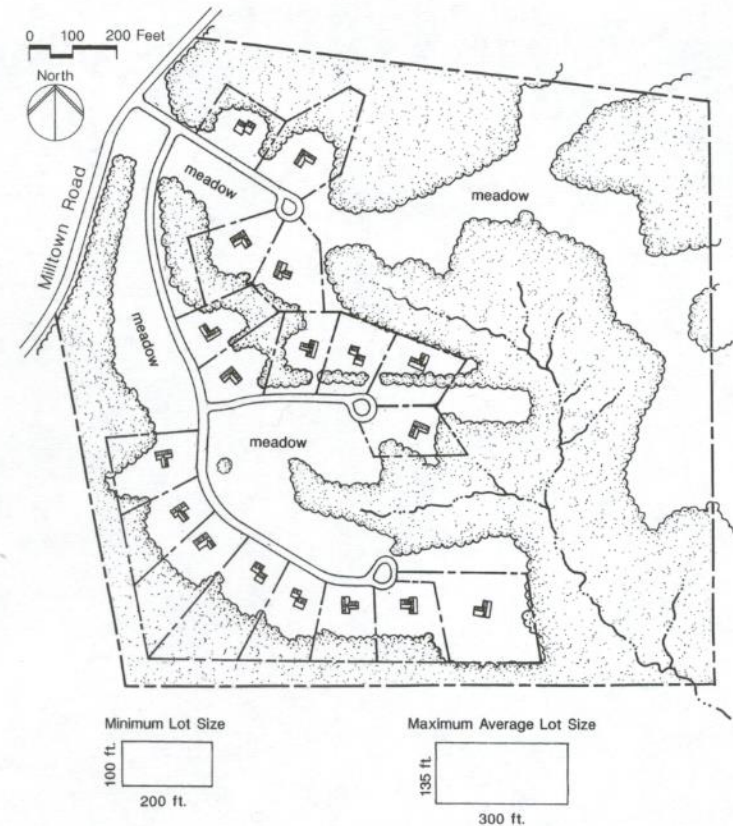
RESIDENTIAL SUBDIVISION #1 -- BETTER SITE DESIGN

# Cluster Development



**Figure 4-2. CONVENTIONAL LAYOUT AT PREEXISTING DENSITY.**

Minimum lot size:	80,000 square feet
Overall density:	One dwelling per 80,000 square feet adjusted tract acreage
Lot yield:	18 lots
Conservation land:	None
Lot size range	
Minimum:	80,000 square feet (1.8 acres)
Typical:	80,000 square feet (1.8 acres)
Maximum:	None



**Figure 4-3. OPTION 1: NEUTRAL DENSITY AND BASIC CONSERVATION.**

Maximum density:	One dwelling per 80,000 square feet adjusted tract acreage
Lot yield:	18 lots (maximum)
Conservation land:	50 percent (minimum) of adjusted tract acreage
Lot size range	
Minimum:	20,000 square feet (0.46 acres)
Typical:	30,000 square feet (0.68 acres)
Maximum:	40,000 square feet (0.91 acres), on average



# 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**

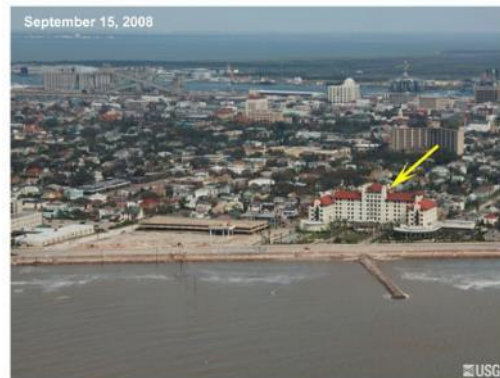
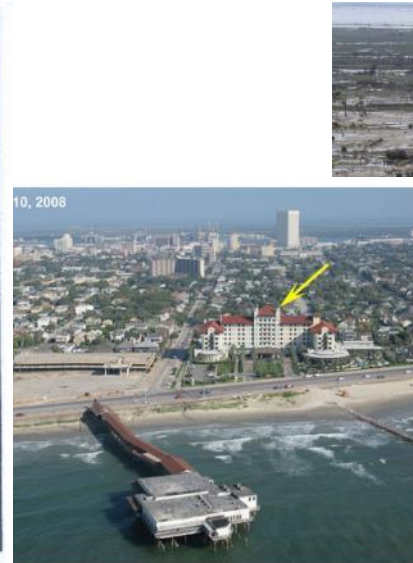
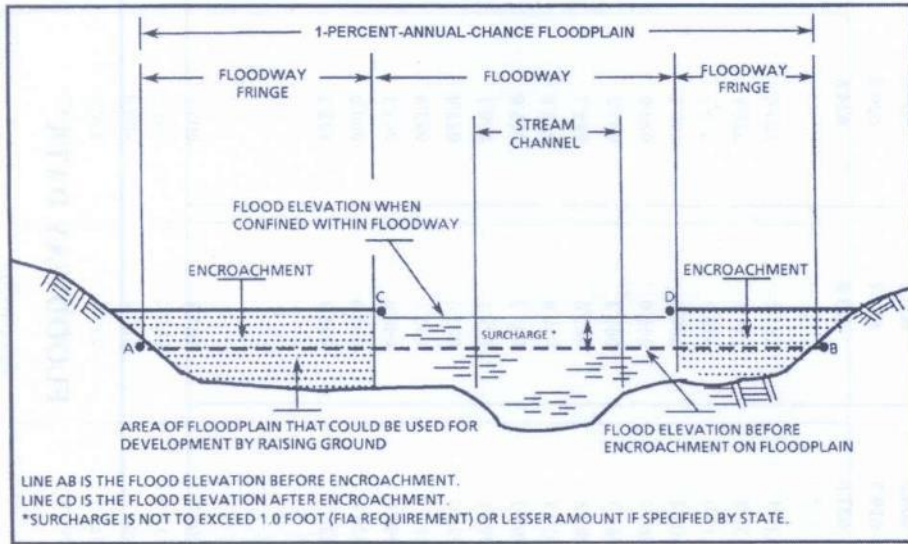
**LEED-ND**



Creekside Village Community Center  
Buffalo, NY

**LEED 2.0 Certified**

# Disaster Mitigation Planning

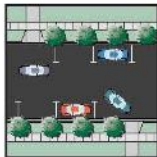


# Traffic Calming

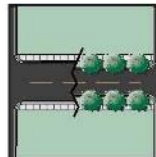
## Narrowing the street



Stripe lanes



Parking



Rebuild street



Bulbout mid-block



Bulbout intersection

## Deflecting the vehicle path



Chicane



Modified intersection



Knockdown

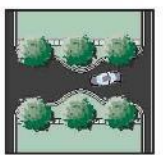


Roundabout

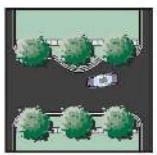


Traffic circle

## Sharing the pavement



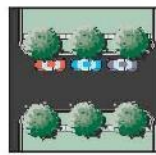
Centered mid-block yield point



Offset yield point



Intersection yield point



On-street parking one side



On-street parking both sides



# Context-Sensitive Design



# 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**

**Generic- stores and strip malls you can see in any town in America**

**Landscaper – landscape architect (also Bandscape 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