



*Managing  
Maryland's Growth*

# Smart Neighborhoods

*This document may not reflect current law  
and practice and may be inconsistent  
with current regulations.*

The "Smart Growth" Areas Act of 1997  
Maryland Department of Planning



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# INTRODUCTION

With the Neighborhood Conservation and Smart Growth Act of 1997, the State of Maryland directed its resources to revitalize established communities, support new development within priority funding areas, and preserve valuable resource and open space lands. Maryland has withdrawn its support for inefficient and expensive sprawl development, but we still need to use land that is developed inside the priority funding areas more efficiently, and to build communities that offer people an attractive alternative to single-use, low-density developments.

In 2000, recognizing that local governments maintain control over the pattern and character of development through comprehensive plans and development regulations, the General Assembly passed legislation directing the Maryland Department of Planning to prepare models and guidelines for “smart neighborhoods” and infill and redevelopment. The models and guidelines will help local governments transform smart growth from the realm of the theoretical to brick and mortar reality.

Smart Neighborhoods Models and Guidelines expands on a 1994 Maryland Office of Planning publication, Design Characteristics of Maryland’s Traditional Settlements, which examined the characteristics of existing traditional neighborhoods from throughout the state and contained model ordinances. Although smart neighborhoods need not replicate traditional developments, they must meet the density and design standards consistent with smart growth.



# SMART NEIGHBORHOODS DEFINED

Smart neighborhoods are relatively self-contained new communities with a compact mix of residential, commercial, employment/office, and civic land uses and range of housing choices, with a design that fosters pedestrian and bicycle activity, public safety, environmental protection, long-term investment, efficient use of infrastructure, and efficient provision of public services. Although the principles that govern smart neighborhoods also apply to redevelopment sites with a substantial new development component, “smart neighborhoods” generally refers to new development on large infill and greenfield sites, located within priority funding areas and consistent with the local government’s master plan.

## INTENT OF SMART NEIGHBORHOODS

The myriad goals of smart neighborhoods are:

1. Efficient use of infrastructure—Proximity to existing or programmed infrastructure can minimize demand for new services, and compact, mixed-use design reduces the cost of on-site infrastructure (Duany Plater-Zyberk, The Lexicon of the New Urbanism, F.3.2).
2. Socioeconomic diversity—Provision of a range of housing types encourages socioeconomic diversity within communities and brings people closer to jobs.
3. Transportation choice—Compact, mixed-use design improves access to daily destinations for people who cannot or do not wish to drive. Development design treats pedestrian, bicycle, and automobile travel as equally important.
4. Environmental quality—Compact, mixed-use design reduces excess consumption of land and loss of natural resources, reduces regional vehicle miles traveled, and improves regional air and water quality.
5. Sustained economic health—Compact, mixed-use design creates a mutually reinforcing relationship between residential and commercial uses. Residents provide a market and employees for businesses, and in turn, businesses provide desired amenities and employment opportunities for residents.
6. Sense of community—Compact, mixed-use design helps create a level of connection to a mix of housing, and commercial, retail and cultural amenities and promotes pedestrian orientation, which can enhance a sense of community.
7. Logical extension and integration of communities—The connectivity of pedestrian and vehicular networks, natural systems, and open space networks can disperse traffic, promote efficient movement for all modes of transportation, enhance environmental protection, increase access to nature and recreation, and provide existing communities with needed amenities. Provision of civic, commercial, employment/office, residential, and open space uses can fill unmet needs of surrounding communities.

# CHARACTERISTICS OF SMART NEIGHBORHOODS

In order to achieve the goals listed above, smart neighborhoods should exhibit all of the following characteristics:

1. Integrated mix of uses, including residential, commercial, employment/office, civic, and open space;
2. Range of housing types and densities;
3. Compact design;
4. Interconnected streets designed to balance the needs of all users, with sidewalks and on-street parking;
5. Open spaces integral to the community; and
6. Location adjacent to and extended fabric of existing development.

## BENEFITS OF SMART NEIGHBORHOODS

All too often, developments occur in haphazard fashion with no forethought about the relationship of individual developments to each other, to needed services, or to the natural environment. Smart neighborhoods are designed to provide an alternative to single-use, low-density developments, and to accommodate growth while minimizing the effects of growth on the environment and the cost of infrastructure. A comparison of smart neighborhoods to single-use developments can best illuminate the benefits of smart neighborhoods.



*North Beach*

## Smart Neighborhoods

- ✓ Transportation choice and walkability
- ✓ Community interaction and civic life
- ✓ Efficient use of land
- ✓ Supports regional environmental goals- reduced land consumption, improved regional air and water quality
- ✓ Integration of on-site environmental features
- ✓ Planned open space
- ✓ Efficient use of infrastructure
- ✓ Synergistic effect of mixed-use, in which residential and commercial uses support each other and contribute to long-term vitality
- ✓ Enhances and complements existing community
- ✓ Linked to adjacent communities



*Little Italy*



## Single-Use Developments

- ✓ Automobile dependence
- ✓ Little community interaction or civic life
- ✓ Excess consumption of land
- ✓ Contributes to regional environmental degradation-increased land consumption and diminished air and water quality
- ✓ Environmental features created as obstacles
- ✓ Residual open space
- ✓ Inefficient use of infrastructure
- ✓ Commercial uses have no built-in market, and residential uses have no nearby amenities
- ✓ Detracts from or ignores existing community
- ✓ Developed separately from adjacent communities

# BARRIERS TO SMART NEIGHBORHOODS

## *Development Codes*

Maryland's traditional towns offer a mix of uses and housing types in a compact setting, and many remain popular and functional, yet current zoning and development regulations are designed to guide typical suburban development and often prohibit or impede mixed-use development. Jurisdictions have begun to amend codes to encourage mixed-use. However, few jurisdictions that have updated their codes allow mixed-use development by right, and few development codes take a comprehensive approach—encompassing design, layout, and process—that can result in the communities envisioned in this document. In addition, many jurisdictions have identified the need to update their development codes but do not have the resources necessary to do so.

## *Institutional Bias*

Developers, lending institutions, and builders have more experience with and are more comfortable developing, providing financial support for, and marketing single-use developments. Coupled with concerns about the marketability of mixed-use communities, established lending guidelines and the difficulty of assessing risk associated with mixed-use projects have proven major obstacles in the past. However, some members of the development community have adapted to and profited from mixed-use.

## *Citizen Opposition*

Citizens often oppose mixed-use development due to fears about traffic, noise, density, low-income housing, and strain on infrastructure. In a 1999 National Association of Home Builders survey, 79 percent of respondents cited traffic as the most negative aspect of growth [and most people assume that higher density and mixed-use necessarily leads to greater traffic]. Seventy-seven percent opposed or strongly opposed higher density single-family homes in their neighborhood and 78 percent opposed multifamily apartment buildings. This opposition, which can materialize at any stage of the development process, can result in significant delays or changes to the project, increasing the cost of the development and decreasing certainty of approval.

## *Cultural Bias*

Developers often state that they produce what people want—large lots and single-family detached homes. Eighty-eight percent of respondents in the 1999 NAHB survey preferred a single-family house, while fewer than ten percent selected higher density options such as townhouses, condominiums, and apartments. Visual preference surveys, however, reveal that many people respond to design—design that ensures privacy and safety, provides attractive open spaces, and is generally aesthetically pleasing—more than to an inherent need for single-family detached homes on large lots. Moreover, a growing segment of the population appreciates the lifestyle choice offered by smart neighborhoods.

# INCENTIVES FOR DEVELOPERS

Mixed-use projects carry the dual burdens of decreased certainty of approval and perceived increase in risk. In order to encourage mixed-use development, jurisdictions need to provide developers with increased certainty of approval, incentives, or a reduced share of the costs of public amenities.

Incentives can take many forms. Examples include:

1. Property tax abatements
2. Grants
3. Low interest loans
4. Preferential fee structuring
5. Rebate or payback programs to ensure contiguous development. Developers construct infrastructure in excess of requirements, in order to prepare for future growth, but local government pays for the portion of the infrastructure that serves future growth
6. Government support for on-site or off-site improvements
7. Preferential priority for school construction
8. Priority status for development review
9. Flexible APF standards for compact mixed use projects

Increased certainty of approval requires a supportive regulatory framework, beginning with the comprehensive plan and including zoning regulations, the development review and approval process, and the financing of infrastructure in areas designated for growth.

The comprehensive plan should support smart neighborhoods.

1. Text should explicitly state the jurisdiction's support for smart neighborhoods, as well as the reasons for its support.
2. Text and illustrations should express the intent of the comprehensive plan with respect to site layout and building design.
3. The land use map, which forms the basis for zoning, should show areas appropriate for smart neighborhood development.
4. Goals and policies can capture the intent and characteristics listed on pages 5 and 6 of this document.

The zoning ordinance should support smart neighborhoods.

1. The zoning ordinance should allow smart neighborhoods by right in certain designated areas.
2. The zone can either be a Euclidean zone or an overlay zone.
3. Text and illustrations should express the intent of the zoning ordinance.

The development review and approval process should facilitate the efficient review and approval of projects that demonstrate compliance with the zoning ordinance or fulfill the performance goals. The process should establish:

1. rapid review;
2. clear responsibility for review, or for coordination of review; and
3. clear procedures for review, decision making, and appeals.

Jurisdictions should align their capital improvement program (CIP) with their comprehensive plan to ensure the provision of adequate public facilities in smart neighborhood areas. Recognizing the potential for alternative modes of

transportation to serve a greater portion of transportation needs within smart neighborhoods, jurisdictions may want to adopt flexible Level of Service (LOS) standards for smart neighborhoods.

## SMART NEIGHBORHOOD ORDINANCE

The model smart neighborhood ordinance facilitates the development of smart neighborhoods through flexible use regulations and design guidelines, and a streamlined development review procedure. The model ordinance is crafted as an overlay zone to give jurisdictions the opportunity to map the new zone on top of existing Euclidean zones, providing for a purpose—mixed-use and compact design—that does not coincide with existing zoning boundaries.

The legislation passed by the Maryland General Assembly in 2000 also called for the state to offer incentives to jurisdictions that voluntarily adopt development codes and regulations that encourage the development of smart neighborhoods.



*Fells Point*

For local jurisdictions to qualify for state incentives, jurisdictions must at a minimum establish regulations for smart neighborhoods that:

1. Are reinforced in the comprehensive plan;
2. Strengthen a regional or countywide framework for growth and transportation;
3. Permit a mix of commercial, office/employment, civic, and residential uses within blocks and buildings by right;
4. Permit a mix of housing types by right;
5. Encourage provision of moderately priced dwelling units;
6. Promote connectivity between on- and off-site travel systems, open space networks, and protected environmental lands;
7. Treat open space as an integral component of the design of the development and require a variety of types of open space, distributed throughout the development;
8. Treat landscaping as an integral component of the design of the development to accentuate the public realm and built environment, contribute to community identity, improve the function of the natural environment, and reduce visual blight;
9. Require a network of interconnected streets, designed to meet the needs of pedestrians, bicyclists, and motor vehicles;
10. Use block size to reinforce pedestrian orientation;

11. Adapt parking requirements to encourage a pedestrian friendly environment such as parking lots in the back or to the side of buildings
12. Adapt parking requirements to reflect increased opportunities for people to use alternative modes of transportation that result from design and/or access to transit, and opportunities for shared parking;
13. Use residential and commercial density and lot development standards to achieve a compact, pedestrian-friendly design;
14. Achieve quality design that reflects the pattern and massing of adjacent traditional communities.
15. Ensure use of smart neighborhood codes with a development review process that is supportive of, and gives priority to, smart neighborhoods (in areas designated for smart neighborhoods).

## ORDINANCE ELABORATION

The Maryland Department of Planning designed the following ordinance elaboration to support local jurisdictions as they use their own creativity and expertise to craft, review, or amend their codes. Although the examples of existing codes provided in this document are good models, they may not necessarily reflect the best approach for specific jurisdictions. Organized for consistency with the model ordinance found in Appendix A, the ordinance elaboration includes:

1. goals that describe what smart neighborhoods are trying to achieve;
2. objectives for the development that will help achieve the performance goal; and
3. examples of code language that demonstrate the breadth of approaches currently employed.

# SECTION 1: INTENT

## GOAL

Smart neighborhoods provide a compelling alternative to single-use zones that offers a dramatically different and environmentally, socially, economically, and aesthetically advanced development design.



*Kentlands departs dramatically from the conventional subdivision.*

Knoxville, TN, outlines the characteristics of development that will help to achieve the goals. (Traditional Neighborhood Development District, 4-23-A)

This district is established to foster the development of comprehensively planned, pedestrian-oriented neighborhoods. This is to be accomplished by promoting a variety of land uses, housing types, and density, and by requiring skillful architectural and landscape design in creating buildings and open spaces. This district is also created to avoid the negative impacts of suburban sprawl by minimizing infrastructure costs, traffic congestion, and environmental degradation.

The design of the neighborhood should reflect the principles of noteworthy town development found in this country prior to the 1940s, including:

1. Architectural harmony, including compatibility in styles, materials, colors, and building size and setbacks;
2. Variety in housing types, density, and cost;
3. Parks, squares, and other common open spaces for residents to interact and recreate, and to provide a setting for the architecture of the development;
4. Neighborhood centers and civic spaces, which, depending on the scale of the development, can include places to shop, work, learn, or worship;
5. An interconnected street system which is based on a modified grid system (for generally level terrain or areas adjacent to pre-1940 neighborhoods) or is composed of interconnecting, curvilinear streets, designed to conform to the topography (for sloping terrain or for areas adjacent to curvilinear streets).
6. Sidewalks, street trees, and substantial on-street parking, providing distinct separation between pedestrians and traffic;
7. Streets and sidewalks that are spatially defined by buildings in a regular pattern, unbroken by parking lots;
8. Traffic calming, including more narrow streets with shorter turning radii than suburban streets, and medians, circles and related features along prominent streets;
9. Lighting which is designed for safe walking and signage which has a pedestrian orientation.
10. A system of land subdivision and development which links one neighborhood to another and can logically be extended.

## GOAL

The smart neighborhood functions as a full-service community and reinforces a regional or countywide framework for growth and transportation.

## OBJECTIVE

Size guidelines ensure that destinations are all within an easy walk, and that the development functions as a full-service community.

Jefferson County, KY, provides general guidance for size of Planned Village Developments, as well as suggestions for how to approach smaller or larger sites. (Planned Village Development, 2.1.4)

B. Size of site. A village shall not have a minimum or maximum size; however it generally would be about forty (40) to two hundred (200) acres. Parcels significantly larger than two hundred (200) acres should be developed as multiple villages, with each village designed to be integrated into an overall plan and the total site subject to all the provisions. Applications for sites significantly less than 40 acres shall be considered when adjacent to or integrated with an existing or approved village.

## OBJECTIVE

Location guidelines reinforce growth management plans, priority funding area designations, and transit system development.

Hillsboro, OR, directs application of its overlay zone to areas near a planned light rail extension. (Morris, 31)

Purpose. The Station Area Interim Protection District (SAIPD) is an overlay zone intended to direct and encourage transit-supportive and pedestrian-sensitive development within areas in close proximity to planned Westside Project and Hillsboro Extension light rail station sites, pending the development and adoption of specific area plans.

# SECTION 3: USES PERMITTED

## GOAL

Smart neighborhoods provide for the daily needs of residents and contribute to housing stock diversity, either within the project boundaries or within the context of the community that surrounds the project.

\*Note: for more information on housing stock diversity, see section 4.B.

## OBJECTIVE

A variety of land uses provide for the daily shopping, recreational, and other needs of residents.



*Residents of Chestertown can walk to the library.*

Port Royal, SC, regulates building types rather than land uses, and specifies appropriate locations for different types. (Traditional Town Overlay District Code, 518.6)

The following building types are described in this code: cottage, house, sideyard house, large house or apartment house, duplex, rowhouse, main street shopfront building, corner store, boulevard building, industrial and workshop building, civic building.

Exceptional Types require special Supervising Planning Team approval for site planning and building design.

All building types described herein are permitted throughout the Traditional Town Overlay District, except:

- Boulevard Buildings are permitted in Ribaut Road only.
- Main Street Shopfront & Corner Store buildings are permitted only on: Paris Avenue, Ribaut Road, and all corner locations elsewhere.
- Industrial, workshop buildings, and exceptional types require Supervising Planning Team Approval for specific locations.

Harford County, MD, identifies uses allowed by right in Traditional Neighborhood Developments within the Edgewood Neighborhood Overlay District. Traditional Neighborhood Developments accommodate a broader range of uses than single-use districts. (Edgewood Neighborhood Overlay District, 267-41.3.J.4. d)

The following uses shall be permitted:

1. Residential uses shall be entitled to be developed under flexible design standards. Permitted uses include single-family detached dwellings, single-family attached dwellings and multiple-family dwellings.
2. The following open space uses shall be permitted in conjunction with the residential development: community parks; recreational facilities and playgrounds; bicycle paths; greens and squares; or linkages to regional recreation and open space systems.
3. Institutional uses that are permitted within the urban residential districts R1, R2, R3 and R4, may be incorporated with in a traditional neighborhood development. Developments for the following uses will be permitted provided that such uses do not exceed 25% of the gross land area up to a maximum of 10 acres.
  - a. Fire station with assembly hall.
  - b. Day care centers.
  - c. Community centers.
  - d. Civic service clubs.
  - e. Private schools.
4. If the Zoning Administrator approves the lot standards, building types, yard and building setbacks, parking, street requirements and any other design requirements necessary for development of the project, the approved standards and requirements shall be enforceable as any other standard or requirement of this Part 1.
5. A traditional neighborhood development shall not apply to the main street area as defined by the Edgewood Neighborhood Overlay District and may include the following additional permitted uses:
  - a. Residential
    - i. Country inns and resorts
    - ii. Nursing homes and assisted living
  - b. Commercial

Any commercial uses proposed in a residential district shall be part of an overall redevelopment or development plan. Development for these uses will be permitted provided that such uses do not exceed 1,000 square feet of gross floor area for every 100 dwelling units. The inclusion of the following business uses shall not affect the overall residential density calculations.

    - i. Neighborhood Market
    - ii. Specialty shops
    - iii. Antique shops, art galleries and museums
    - iv. Health services and medical clinics
    - v. Personal services
    - vi. Professional services
    - vii. Restaurants.

Harford County, MD, uses percentages to ensure balance and to prevent dominance of any particular land use. (Edgewood Neighborhood Overlay District, 267-41.3.J(2)(d)[2])

The following percentage of floor area proposed on-site as shown on all plans shall not exceed the following:

Residential uses	50%
Service uses	75%
Retail Trade	50%
Institutional	50%
Industrial	50%
Motor Vehicle/Related	25%
Warehousing, Wholesaling	25%
All other uses	25%

Individual percentages may be exceeded at the discretion of the Zoning Administrator subject to proof of good cause and benefit to the community.

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Jefferson County, KY, allows home occupations by right and uses the definition of home occupation to place limitations on the type and extent of use. (Planned Village Development District, Section 1.7)

Home Occupation: an occupation carried on by a resident of a dwelling as a secondary use within the same dwelling or within an accessory building, in connection with which there is no person employed other than a member of the family residing on the premises, there is no advertising or any other display which will indicate from the exterior that the building is being used for any purpose other than that of a dwelling, there are no retail sales on the premises, there is no advertising or any other display which will indicate from the exterior that the building is being used for any purpose other than that of a dwelling, there are no retail sales on the premises, no more than 10% of the dwelling area, basement area, and accessory building floor area combined is used, and no mechanical equipment is used except such as is permissible for purely domestic purposes.



*Havre de Grace offers a rich mix of commercial and residential uses.*



*Annapolis*

## OBJECTIVE

Contributions to unmet commercial, housing, civic, and open space needs in nearby neighborhoods can reduce strain on infrastructure and further the goal of full-service communities.

Frederick County, MD, encourages a land use mix that serves the needs of the surrounding community. (Mixed-Use Development, 1-19-324(V)(A))

The amount and intensity of each land use permitted within an MXD shall be determined by the following criteria:

5. Ability to serve the specific needs of the total site or project and the surrounding service area.

# SECTION 4: GENERAL DEVELOPMENT STANDARDS

## A. PHYSICAL DISTRIBUTION OF LAND USES

### GOAL

The physical distribution of land uses in smart neighborhoods creates a pedestrian atmosphere and sense of place.

### OBJECTIVE

A mix of uses within blocks and buildings creates opportunities for people to walk and a sense of place.



*Mixed-use means more than offering a variety of uses on one site. Uses should be integrated with each other. This building on King Farm has commercial uses on the ground floor and residential uses on the upper stories.*

Harford County, MD, states its intent to mix uses within structures in its "objectives" section. (Edgewood Neighborhood Overlay District, 267-41.3.J(2)(b))

To create a mixture of office, retail, recreational, hotel and residential uses within a single structure or within multiple structures, but physically and functionally integrated and related structures and open spaces, while protecting the residential character of surrounding neighborhoods.

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Anne Arundel County, MD, specifically limits single-purpose land uses. (Mixed Use Developments, Draft, 13A-104)

- Single purpose residential permitted on individual development sites only as part of the total residential quota (Community Mixed Use Areas)
- Single purpose land use not permitted (Employment Mixed Use Areas)
- Single purpose commercial and residential permitted on individual development sites only as part of total use quote for the entire mixed-use area. (Commercial Mixed Use Areas)
- Single purpose residential and commercial uses permitted only as infill or conversion. (Transit Mixed Use Areas)

## B. MIX OF HOUSING TYPES

### GOAL

Smart neighborhoods support economic diversity and serve people with different housing needs.

### OBJECTIVE

Housing affordable to people with a range of incomes supports economic diversity.

Prince George's County, MD, requires 10% of the dwelling units in its Transit District Overlay Zone to be moderately priced. (Transit District Overlay Zone, 27-548.07(c))

(11) For those developments with a residential component, ten percent (10%) of all dwelling units shall be moderately priced dwelling units.

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Howard County, MD, requires moderate-income housing for developments that exceed 2.3 dwelling units per gross acre. (MXD Districts, Mixed Use, 127-C-6-b)

Dwelling units Per Gross Acre of the Mixed Use Development	Minimum Percentage of Moderate Income Housing Units
More than 2.3 but no more than 2.7	5% of total number of dwelling units
More than 2.7 dwelling units	10% of total number of

---

Ashland, OR, allows an increase in residential density in exchange for, among other things, affordable housing. (High Density Multiple-Family Residential District, 18.28.040.B3.d)

• Affordable housing = 1% for every 1% of affordable units. Maximum 35% bonus.

## OBJECTIVE

A range of housing types serves people with different housing needs and contributes to the vitality of the streetscape.

*Accessory apartments in Kentlands attract retirees and singles.*



Frederick, MD, uses a performance-based approach, giving developers latitude to determine which housing types, and what percentage of each type, to include. (Mixed-Use Development, 16.10)

1. A planned neighborhood may include dwelling types and uses other than those permitted in the district(s) for the purpose of creating a self-contained neighborhood having a variety of housing types and related service facilities.

Prince George's County, MD, uses prescriptive language to outline housing types to include in its Village Zone and the percentage of each type. (Village Zones, 27-514(d)(3)(D))

D. Within the Village Proper, the following requirements for unit type distribution are as follows:

	Minimum	Maximum
Large Lots	—	10
Village Houses	20	35
Narrow Lot Lines	20	35
Duplex	—	35
Townhouse	—	20
Multifamily	—	10

Gaithersburg, MD, uses the following formula to include "urban cottages" in its dwelling unit count. (MXD Zone, Mixed Use Development, 24-160D.3(a)(5)(v))

Unit Size	Dwelling Unit Count
0 to 699 square feet	.25 DU
700 to 899 square feet	.50 DU
900 to 1200 square feet	.75 DU

## OBJECTIVE

The physical distribution of different housing types throughout the development provides visual interest and ensures the graceful blend of affordable housing into the community.

Prince George's County, Maryland, specifies a mix of residential unit types for its Village Zones. (Village Zones, 27-514.03(d)(1)(3))

(b) A range of residential unit types and lot sizes is required and shall be mixed throughout the Village Proper and Village Fringe, with small lot units located closer to the center of common of the village. Density shall decrease from the center to the periphery of the Village Proper. Lot sizes and frontage shall vary inasmuch as possible according to a random pattern of a traditional village.

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Monroe County, FL, limits the number of affordable units along any block frontage. (Traditional Village Ordinance, Village Proper General Design Criteria, A.2)

A maximum of four consecutive affordable units shall be conglomerated along any block frontage.

## C. DENSITY

### GOAL

Smart neighborhoods' density creates a sense of place, encourages pedestrian activity, uses infrastructure efficiently, and (where applicable) supports existing or future transit.

*Note:* Maryland's Smart Growth Areas Act requires an average permitted density of 3.5 units per acre (net) inside priority funding areas. However, 3.5 net units per acre is a relatively low density. Planning literature suggests a minimum average density of 10 units per acre, or a minimum average of 15 units per acre for urban transit-oriented development.



*Wormans Mill demonstrates attractive, dense residential development.*

## OBJECTIVE

Residential density creates a sense of place, encourages pedestrian activity, uses infrastructure efficiently, and (where applicable) supports existing or future transit.

Renton, WA, has maximum *and* minimum density requirements. (Morris, 48)

1. Density:

- a. Maximum Density: For the subdivision and/or development of lots greater than one-half gross acre in size, as of March 1, 1995, net density shall not exceed eight units per acre...
  - b. Minimum Density: Net density shall not be less than five units per acre for all subdivisions, short plats and/or development of lots.
- 

Portland, OR, ties minimum density to the maximum. (Morris, 48)

In the RF through R2.5 zones [all single-family zones], the minimum density for land divisions must be at least 90 percent of the maximum density allowed by [Title \_\_\_\_]. This minimum density is not required where it is infeasible due to constraints such as land hazards, topography, solar or tree preservation requirements, access limitation, or similar constraints.

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Sykesville, MD, offers density bonuses (up to 10% total) for developments that achieve other design goals. (13.3.4.2)

- No cul-de-sacs (2%)
- Parking facilities are provided behind all dwelling units (2%)
- If a stormwater management pond is used, the ratio is restricted to 6:1 maximum (2%)
- No roofline ratios are less than 12:10 (2%)
- Detached garages are used exclusively (2%)
- Copper or tin roofs are used on at least 20% of the dwelling units (2%)
- All front porches are deeper than six feet (2%)
- Horizontal wood siding is used on at least 80% of the dwelling units (2%)
- 50% more than the minimum quantity required of specimen trees greater than 3 inches caliper width are included in the subdivision design (2%)

## OBJECTIVE

Commercial density creates a sense of place, encourages pedestrian activity, uses infrastructure efficiently, and (where applicable) supports existing or future transit.

Montgomery County, MD, allows an increase in commercial density in its central business districts for development plans that proceed through an optional method of development, which has fewer specific standards but requires the developer to provide certain public facilities or amenities. (Central Business District Zones, 59-C-6)

	CBD-0.5	CBD-R1	CBD-1	CBD-2	CB3	CBD-R2
Maximum Density Standard	.5	1	1	2	3	1
Optional	1	.6	2	3	5	1

Monroe County, FL, allows the transfer of development rights from any location within the county to a traditional village. (Traditional Village Ordinance, Development Parameters (3))

Development Rights: All residential and commercial rights in Monroe County shall be transferable in whole or in part, from any parcel of land to a traditional village ordinance. A deed of transfer shall be recorded in the chain of title containing a covenant that prohibits further use of the transferor parcel for any other use but open space. The village property shall comprise a bundle of rights including existing and vested rights, transfer of development rights, and/or transfer of vested rights.



*Washingtonian Center creates a sense of place through density and design.*

## D. LOGICAL EXTENSION OF COMMUNITIES

### GOAL

Smart neighborhoods respect and reinforce the existing pattern of development through connections, spatial hierarchy, and well-defined edges.

### OBJECTIVE

Pedestrian and vehicular connections to existing and future development disperse traffic flow and provide route options.

Clark County, WA, requires pedestrian connections to existing pedestrian systems. (Morris, 3)

Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent developments if adequate safety and security can be maintained.

---

Kent County, MD, ensures that new development patterns complement existing development patterns in its Village District. (Village District, 5.6.B)

New developments should be an extension of the overall village development pattern rather than stand in contrast to it.

### OBJECTIVE

Continuity of protected on- and off-site environmental features increases environmental protection and supports community benefits provided by natural systems.

### OBJECTIVE

The extent, physical distribution, and design of open space contribute to the development of a regional spatial hierarchy of open spaces.

Kent County, MD, uses the following performance standard for open space in its Village District. (Village District, 5.6.B)

The types of open space provided should be a reflection of how passive and active open spaces are now used in the village, whether they are adequate, and how they may be complimented.

## E. OPEN SPACE

### GOAL

Smart neighborhoods provide open space to meet the recreational and emotional needs of residents and residents of nearby communities; preserve important natural assets; and reinforce the design of the development.



*Wormans Mill offers a variety of types of open space, all close to home.*

### OBJECTIVE

The *physical distribution* of open space amenities gives all residents visual and functional access to nature and recreational opportunities.

Belmont, NC, establishes parameters for public use space. (Traditional Neighborhood, 4.11.4.A)

5. Each neighborhood shall contain as its central focus, at least one square or park no smaller than 1 acre, and no greater than 3 acres. This square shall be within 600 ft of the geographic center of the neighborhood.
8. The remaining public use area shall be divided at least into thirds and distributed such that no portion of the TN-D is further than 600 ft from a park or square.

Montgomery County, MD, allows the transfer of public use space between properties within the Fenton Village Overlay Zone. (Fenton Village Overlay Zone, 59-C-18.192(3))

Allow the transfer of public use space to other properties within this overlay zone.

### OBJECTIVE

Design and location of open space reinforces the built environment.



*Great parks more than make up for smaller yards at Kentlands.*

Jacksonville, FL, makes an explicit connection between buildings and squares. (Traditional Neighborhood Development District, K.656.382.i.4)

Squares shall include streets on at least three sides. Squares shall be at least seventy-five percent paved and surrounded by shopfront use lots or rowhouse use lots on at least sixty percent of their perimeter (perimeter being defined as the aggregate of the frontage lines of the surrounding lots). For at least one square, hereinafter referred to as the mandatory square, shopfront uses shall be permitted on all the surrounding lots. Squares shall have length-to-width ratio of no greater than three to one.

## OBJECTIVE

The *variety* of open space amenities serves a range of interests and creates spatial hierarchy within the community.

Harford County, MD, requires open spaces in its traditional neighborhood district to meet a variety of needs. (Edgewood Neighborhood Overlay District, 267-41.3.J(4)(h))

(2) Open space areas shall be designed to accommodate a variety of activities and provide for the needs of different groups of individuals.

---

Belmont, NC, requires parks, squares, and greenbelts. (Traditional Neighborhood, 4.11.4.A)

Land designated for public use shall consist of the following: parks, squares, greenbelts, streets, and alleys.

## OBJECTIVE

Design and location of open space protects important natural assets.

Monroe County, FL, requires Natural Edges to cover 50% of the total area within the Traditional Village. (Traditional Village Ordinance, Development Parameters, 2)

The natural edge consists of wilderness preserves for wildlife and marine habitats, parks protecting the natural vegetation, greenbelts, hybrid parks, heaths and undisturbed shoreline areas.



*Queenstown Harbor protects its natural assets.*



Street trees lend ambiance to Kentlands.

## F. LANDSCAPING

### GOAL

Smart neighborhoods use landscaping to accentuate the natural and built environment, establish visual connectivity and community identity, and provide environmental and public health benefits.

### OBJECTIVE

Landscaping accentuates the appearance and improves the function of the public realm, including streets and open spaces.

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Harford County, MD, requires street trees. (Edgewood Neighborhood Overlay District, 267-41.3.E)

Street trees of a minimum 3-inch caliper shall be planted at 30-foot intervals along sidewalks. Shrubs or planters may be used when street trees are not feasible.

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Monroe County, FL, provides guidelines for the use of street trees. (Traditional Village Ordinance, Village Proper General Design Criteria, Landscape)

2. Trees shall not be required when an arcade is provided.

3. Trees shall be used as a design element to provide visual identity to the Traditional Village and reinforce the hierarchy of the avenues.

---

Austin, TX, requires median trees and landscaping on certain types of streets. (TND Criteria Manual, 7.2.2)

On a Mixed Residential or Neighborhood Center Boulevard, median trees and landscaping are required. Median trees should be a minimum 1 ½ inch caliper, spaced 20 feet on center. Ornamental species are preferred. Medians may also contain shrubs and plant groundcover.

### OBJECTIVE

Landscaping accentuates and reinforces the built environment.

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Belmont, NC, requires plantings to respect buildings. (Traditional Neighborhood, 4.11.3.E)

Plantings in immediate proximity to buildings in front and side yards shall respect architectural lines (should be seen as extension of architectural walls.)

## OBJECTIVE

Landscaping provides visual connection and community identity.

Gainesville, FL, uses landscaping to achieve an air of dignity in the Traditional City. (Gainesville Land Development Code, CD30:376 (p)(1))

In the Traditional City area, landscaping should be used both to soften the "hardness" of the urban area for the pedestrian and make the pedestrian feel more comfortable by providing shade, reducing glare and helping to form public space, "outdoor rooms," and street corridor edges. Such formality of landscaping adds dignity to the Traditional City area.

## OBJECTIVE

Landscaping improves the quality of the natural environment.

Harford County, MD, encourages use of bioretention facilities , to improve the quality of groundwater recharge. (Edgewood Neighborhood Overlay District, 267-41.3.H)

7. Islands and other landscaping alternatives shall be incorporated into parking areas to add visual interest. The use of islands and perimeter gardens designed and landscaped to serve as bioretention facilities is encouraged.

## OBJECTIVE

Landscaping reduces visual blight and noise.

Knoxville, TN, requires landscaping in parking lots with more than six spaces. (Traditional Neighborhood Development District, 4-23-H.3)

For all parking lots with more than six spaces, the landscaped area shall be comprised of a minimum of 20 percent of the total parking area. One native shade tree which grows to a minimum height of 40 feet at maturity shall be required for each three hundred square feet of the above required open space. Native shade trees shall have a minimum caliper of 2 ½ inches at time of planting.

---

Harford County, MD, requires landscaping to screen facilities for refuse disposal. (Edgewood Neighborhood Overlay District, 267-41.3.H.4)

Facilities for refuse disposal shall be enclosed by solid fence or walls, and landscaping shall be installed around the perimeter.

## G. ACCESS AND CIRCULATION

### GOAL

Smart neighborhoods balance the mobility, safety, and other needs of pedestrians, bicyclists, and vehicular traffic.

### OBJECTIVE

Pedestrian walkways, bicycle lanes, and other amenities enhance the possibility and desirability of walking and bicycling.

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Anne Arundel County, MD, provides guidance for provision of pedestrian amenities. (MXD - Mixed Use Developments, Draft, 13A-116)

- a. Pedestrian ways shall be continuous, direct, and convenient with grade separation where necessary.
- b. Pedestrian ways shall be secure, well lighted, and have good visibility.

---

Chesapeake City, MD, ensures that pedestrian pathways include space for amenities and a buffer from the street (User's Manual & Design Guidelines, 7.19)

Pathways include a planting or buffer strip to separate pedestrians from the street and provide room for street light poles, pedestrian amenities, street trees, etc.

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Harford County, MD, requires pedestrian scale lighting and sidewalks throughout its Edgewood Neighborhood Overlay District, and wider sidewalks on Main Street. (267-41.3.E and 267-41.3.J(1))

(1) Sidewalks at least 5 feet in width (except for main street districts) shall be provided and constructed of similar materials consistent with adjacent sites.

(3) Pedestrian-scale streetlights (12 feet high) shall be provided at no greater than 80 feet intervals along sidewalks and parking areas.

(7) [Main Street] Sidewalks at least 10 feet in width shall be provided the entire length of property fronting the main street. Connections to existing sidewalks adjacent to the property shall be provided when appropriate.

---

Davidson, NC, requires bicycle parking. (Davidson Land Plan, Parts II and III, The Regulating Plan and Code, IX, Off-Street Parking Regulations, IX)

All non-residential buildings shall include an area for parking bicycles. This area may be designated parking space within the parking lot near the building or an area outside the parking lot adjacent to the building. The bike parking area must include a bike rack. The amount of the bike parking needed will depend upon demand.



*Havre de Grace*

## OBJECTIVE

A streetscape interesting to pedestrians encourages more people to walk.

Harford County, MD, permits restaurants to operate outdoor cafes. (Edgewood Neighborhood Overlay District, 267-41.3.E)

4. Restaurants shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right of way and in courtyards provided that pedestrian circulation and access to store entrances shall not be impaired.

---

For Main Street, Harford County, MD, requires buildings to include street level display windows. (Edgewood Neighborhood Overlay District, 267-41.3.J(1))

5. Buildings shall be oriented to face the street, with entrances and display windows at the street level.



*Storefronts beckon to passersby in downtown Chestertown*

## OBJECTIVE

The development design encourages people to walk by contributing to an atmosphere of personal safety.

Chesapeake City, MD, ensures that people can see public areas from their dwellings. (User's Manual & Design Guidelines, 10.4)

Informal surveillance of the public space is possible from within the dwellings.

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Chesapeake City, MD, addresses the impact of garages on the streetscape and safety. (User's Manual & Design Guidelines, 10.9)

The location and design of garages, carports and parked cars minimizes detriment to streetscape amenity and to personal security and surveillance, and does not dominate the view of the dwelling from the street.

## OBJECTIVE

Interconnected streets encourage people to walk by providing a variety of route options.

Belmont, NC, requires streets to terminate at other streets. (Traditional Neighborhood, 4.11.3.C)

2. All streets and alleys shall terminate at other streets within the neighborhood and connect to existing and projected through streets outside the development.

## OBJECTIVE

Small blocks encourage people to walk by maintaining a human scale environment.

Belmont, NC, establishes a standard for the average perimeter of blocks, which allows some flexibility for individual block sizes. (Traditional Neighborhood, 4.11.3.C)

4. The average perimeter of all blocks within the TN-D shall not exceed 1,350 feet. No block face shall have a length greater than 500 feet without a dedicated alley or pathway providing through access.

## OBJECTIVE

Street design meets the multifaceted needs of drivers, pedestrians, and bicyclists.

Austin, TX, identifies 14 different types of streets and outlines standards for each. (Austin TND Criteria Manual, 4.2.2)

Neighborhood Center Main Street is a primary commercial/retail street within a Neighborhood Center. A main street is the commercial spine for the TND and must be designed to encourage pedestrian activity. Adjacent land uses include retail, commercial, and mixed use.

Transit stops	If transit service is provided, no parking zones shall be designated for a minimum 50' adjacent to all transit stops to allow for loading and unloading passengers.
Typical ADT range	greater than 2,000
Design Speed	20 mph
General Length	less than ½ mile
Minimum Curb Basis	14'
Right-of-way	64'
Parking	2 sides

Chesapeake City, MD, limits road length to ensure that the roads function as intended. (User's Manual & Design Guidelines, 30)

Street Type	Maximum Intended Speed	Maximum Leg Length (ft.)
Local-Minor	20 mph	225' – 325'
Local	25 mph	225' – 400'
Collector	30 mph	400' – 500'

## OBJECTIVE

The hierarchy and design of streets contributes to the sense of place and helps orient people.

Belmont, NC, requires streets to terminate at memorable vistas.  
(Traditional Neighborhoods, 4.11.3.C)

9. The long axis of the street shall have appropriate termination with either a public monument, specifically designed building façade, or a gateway to the ensuing space.

---

Davidson, NC, uses a ratio to ensure spatial definition of streets. (Davidson Land Plan, Parts II and III, The Regulating Plan and Code, V)

The ratio of one increment of height to six of width is the absolute minimum, with one to three being a good effective minimum. The tighter the ratio the stronger the sense of place.

## OBJECTIVE

Alleys provide opportunities for parking in the rear of houses and contribute to the overall permeability of the road network.

Monroe County, FL, requires rear service lanes. (Traditional Village Ordinance, Village Proper General Design Criteria, 1.d.4)

There shall be a continuous network of service lanes to the rear of land uses occupied by shop fronts and attached houses.



*Alleys in Wormans Mill accommodate garages and allow houses to be more approachable.*

## H. PARKING

### GOAL

The quantity, location, and design of parking in smart neighborhoods reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic.



*Cameron Hill accommodates vehicles via alleys, but also takes advantage of its location near the Silver Spring metro.*

### OBJECTIVE

The quantity of parking spaces is sufficient to support demand but reflects opportunities for reducing automobile trips due to development design and/or availability of alternative modes of transportation, and opportunities for shared parking.

Fairfax County, VA, reduces required minimum parking by 20%.  
(Commercial Revitalization Districts, 7-1000-A7-409)

3. The off-street parking, loading, and private street requirements of Article 11 shall apply, except as set forth below.

A. Notwithstanding the provisions of Article 11, the minimum off-street parking requirements for all non-residential uses shall be reduced by twenty (20) percent.

Montgomery County, MD, reduces requirements for office parking based on proximity to Metro stations. (Off-Street Parking and Loading, 59-E-3.2)

#### Base Requirements for Office Parking Minimum Parking Requirements (Spaces/1000 GSF)

Proximity to Metro Station	Southern Area	So. Central Area	Northern Area	Northern Area
Less than 800'	1.9	2.3	2.6	N/A
800'-1600'	2.1	2.4	2.7	N/A
More than 1600'	2.4	2.7	2.9	3.0

Austin, TX, restricts the maximum number of parking spaces. (Traditional Neighborhood District, 25-3-83(B)(2)).

Not more than 125% of the required parking for a use may be provided on-site.

Knoxville, TN, allows on-street parking to count toward fulfilling parking requirements. (Traditional Neighborhood Development District, 4-23.F.2.)

- d. In the case of commercial or office uses which have shop fronts adjacent to sidewalks and streets, on-street parking directly in front of the lot shall count toward fulfilling the parking requirement.

## OBJECTIVE

The location and design of parking lots reinforces the pedestrian environment.

Austin, TX, allows required parking to be located off-site (but inside the Neighborhood Center). (Traditional Neighborhood District, 25-3-83(B)(1))

The required parking for a use may be located anywhere in the Neighborhood Center Area. Community Parking Facilities are encouraged.

Anne Arundel County, MD, limits at-grade parking to the rear of buildings. (MXD - Mixed Use Developments, Draft, 13A-115)

d. except for short term convenience parking, all parking shall be oriented to the rear of buildings, below grade or in a parking structure.

Gainesville, FL, limits the size of surface parking lots. (Gainesville Land Development Code, 30:376.(j)(2)c)

No parking area shall be larger than 1.5 acres in first floor area unless divided by a street or building.



*Overlook North, in Garrett County, provides on-street parallel parking to protect pedestrians without overwhelming the street with cars.*

## GOAL

Building design and massing in smart neighborhoods achieves a graceful mix of uses and housing types, ensures privacy and safety, and contributes to the long-term desirability of the community.

Austin, TX, describes design standards that are explicit but flexible enough to allow for diversity within the community. (Austin TND Criteria Manual, 3.2)

### Architectural Compatibility

- A. A building must incorporate architectural styles, building materials, and colors used in surrounding buildings.
- B. A building greater than one story should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines, or similar architectural detailing.
- C. Attached buildings within the same block must maintain consistent cornice lines in buildings of the same height within multi-family, townhome, non-residential, or mixed-use structures.
- D. In Mixed Residential Areas, rooflines must be pitched or gabled unless otherwise approved by the Director. Overhanging eaves must be provided to the greatest extent possible.
- E. Signs are limited to wall, awning, or hanging signs.

### Human Scale Design

- A. Doorways, windows, and other openings in the façade of a building should be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- B. A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules no longer than 100 feet.

### Integration of Uses

- A. A building that is located on the periphery of the Neighborhood Center shall generally not exceed twice the height and massing of adjacent structures in the Mixed Residential Area.
- B. A commercial or mixed-use building that is located within the Mixed Residential Area must integrate its appearance with the area and generally may not exceed twice the height and massing of adjacent structures.
- C. The finished floor elevation of a townhome shall be a minimum 18 inches above sidewalk elevation to insure privacy for the occupants of the dwelling.

#### Encouragement of Pedestrian Activity

- A. A parking lot must be located to the rear or side of the structure. If located at the side of the structure, the parking must be screened through the use of solid streetwalls or landscaping. Streetwalls should not exceed 4 feet in height.
- B. Awnings, covered walkways, open colonnades, or similar weather protection must be provided by commercial structures.
- C. A commercial use must provide a minimum 50 percent of the front façade on the ground floor as clear or lightly tinted windows, doors, or other treatments sufficiently transparent to provide views into the interior of buildings.
- D. A residential structure with a front setback of 5 to 15 feet, must provide a front porch or stoop on the front façade of the structure. Minimum width of a porch is 4 feet.
- E. Rear access from an alley is required unless otherwise approved by the Director. If driveway access is provided from the street, the garage or carport may not face the street, unless it is located a minimum 20 feet behind the front façade of the principal structure.

#### Buildings that relate to and are oriented toward the street and surrounding buildings

- A. The structure must be located at the required setback line.
- B. The main entrance of a structure must face the street and be clearly articulated through the use of architectural detailing.
- C. Windows and doors on the front façade of a building should create lines of sight between the building and the street.

#### Residential scale buildings in Mixed Residential Area

- A. The height and massing of a building are not more than twice the height and massing of structures adjacent to or across the street.

#### Buildings that contain special architectural features to signify entrances to the Neighborhood Center Area and important street intersections

- A. A building at an entrance to a Traditional Neighborhood District, an entrance to the Neighborhood Center, or an intersection of a main street or other significant intersection should use special architectural features to emphasize the importance of the location. Special architectural features include corner towers, cupolas, clock towers, spires, balconies, colonnades, or other similar architectural features.

#### Neighborhood Center Area buildings that focus activity on the neighborhood square

- A. Structures that are located on, or adjacent to a Neighborhood Square shall be a minimum of 2 stories.

# SECTION 6: LOT DEVELOPMENT STANDARDS

## GOAL

Lot development standards in smart neighborhoods contribute to the development of a continuous streetscape and pedestrian atmosphere.

## OBJECTIVE

Front setbacks in residential areas create an inviting and safe pedestrian atmosphere.

Davidson, NC, requires that front setbacks for detached houses in Infill Housing Areas reflect setbacks of the existing community. (Davidson Land Plan, Parts II and III, The Regulating Plan and Code, IV, Urban Regulations, Attached House, Building Placement/Parking/Vehicular Access, 2.A)

In the Infill Housing Area, front setbacks shall be equal to the average setbacks for buildings on the same side of the street within 300'.

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Belmont, NC, establishes a setback range for detached homes. (Traditional Neighborhood, 4.11.8.B.1)

Buildings on detached home lots shall be setback between 0 and 25 feet from the frontage line.

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Monroe County, FL, permits front porches to encroach upon the front setback. (Traditional Village Ordinance, Village Proper General Design Criteria, C)

4. Stoops, and front porches may encroach up to ten feet into the front setbacks.



*The Avenue at White Marsh provides a continuous streetscape with all buildings located adjacent to the sidewalk.*

## OBJECTIVE

Build-to lines for commercial buildings create a continuous streetscape and interesting environment for pedestrians.

Belmont, NC, establishes a build-to line for shopfront lots. (Traditional Neighborhood, 4.11.6.B.1)

Buildings on shopfront lots shall have the façade built directly on the build-to line along at least 70% of its length. The unbuilt portion of the build-to line shall have a street wall directly upon it.

## OBJECTIVE

Side yard setbacks allow for a wide variety of housing types.

Austin, TX, has no minimum interior side yard setback. (Traditional Neighborhood District, 25-3-104)

## OBJECTIVE

Lot size keeps houses close to each other and to the street.

Austin, TX, has a maximum lot size. (Traditional Neighborhood District, 25-3-104)

Maximum lot size, single-family duplex: 4,000 s.f.

Frederick, MD, gives the Planning Commission discretion to change certain lot standards. (Planned Neighborhood Development, 16.10.5)

Required lot areas, widths and yards may be reduced and building heights increased at the discretion of the Planning Commission subject to the following limitations ...

### Optional approach to lot development standards

Port Royal, SC, defines lot development standards based on building type rather than land use. (Traditional Town Overlay, 518.6.c) Note: Davidson, NC, and Dade County, FL, also use this approach.

#### Cottage:

A cottage is a single residential unit with yard on all four sides, well suited for shallow or narrow lots.

#### Building placement:

Lot widths: 25 ft minimum

Build-to-Line locations: Corner lots (5 ft – 15 ft from front Property Line, 5 – 15 ft from side street property line.

Interior lots (10 ft to 20 ft from front property line)

Side setback: 5 ft for primary structure; 0 ft for accessory structure

Building Frontage: 30% to 80% of lot frontage

Building Coverage: 75% maximum

Dwelling Area: 400 sf minimum

#### Height:

Maximum Height: 38 ft above grade

1st Floor Elevation: 2 ft above grade, minimum



*Small lots at Terra Maria in Howard County create an inviting pedestrian environment.*

# SECTION 7: APPLICATION & PROCESSING PROCEDURES

## GOAL

Application and processing procedures give smart neighborhoods a competitive advantage.

## OBJECTIVE

Rapid review of projects can save developers time and money.

Dade County, FL, prioritizes the review of traditional neighborhood developments. (Duany Plater-Zyberk & Company, Traditional Neighborhood Development Regulations for Dade County, FL, Draft, 3.2)

A TND application shall be granted priority in processing for permit over all other types of applications, including those with prior filing dates.

## OBJECTIVE

Clear responsibility for review, or coordination of review, can improve communication between developers, the public, and staff, and can minimize confusion within agencies.

## OBJECTIVE

Clear procedures can help developers and the public understand and navigate the process, and can minimize confusion among staff.

Monroe County, FL, has four-step review process that includes a public design workshop, preliminary site plan review, intermediate site plan review, and final site plan review. The code states what is supposed to happen during each stage, who is responsible for making it happen, when it must happen, and how a project can move on to the next stage. (Traditional Village Ordinance, Application Requirements)

Dade County, FL, uses an administrative process for projects that do not require substantial variances. (Duany Plater-Zyberk & Company, Traditional Neighborhood Development Regulations for Dade County, FL, Draft, 3.1)

The provisions of the TND are vested. A TND application requiring only minor variances shall be processed administratively. Substantial variances shall be approved by the conventional public process.

## OBJECTIVE

A predictable workload can help staff meet deadlines.

## OBJECTIVE

Approval of projects that meet the performance goals of smart neighborhoods reassures developers that the jurisdiction will follow through on its stated goals.

Calvert County, MD, adopted a zoning ordinance for Prince Frederick, the county seat, which establishes site design requirements that implement the vision set forth in its master plan. Adherence to the provisions of the ordinance ensures approval. (Z.O.5)

Prior to preliminary design of any project of more than 5,000 sq. ft. of disturbed area (1000 sq. ft. within the Old Town Residential District and Fairgrounds District), the applicant shall offer to meet with adjacent property owners, County staff and representatives of business and community organizations to discuss building and site design alternatives

The purpose of the meeting is to generate ideas and provide assistance. Decisions are non-binding and can not overrule the provisions in this Ordinance.

## OBJECTIVE

Early and open dialog between developers, the community, and the local jurisdiction can contribute to a mutual understanding of goals and early identification of issues.

Calvert County, MD, emphasizes public participation during the visioning and comprehensive plan development. The County's regulations are designed to implement the vision and therefore the application and processing procedures de-emphasize public participation.

Glendale, AZ, emphasizes public participation during the development review process, requiring applicants to develop, implement, and report on a citizen participation plan for every application that requires a public hearing, including special exceptions, subdivision proposals, rezoning requests, and variances, all prior to the notice of the public hearing. This provides for early identification of issues and facilitates discussion between the parties; it does not, however, guarantee that all issues will be resolved to everyone's satisfaction. (Section 3.304)

- A. Every application which requires a public hearing shall include a citizen participation plan which must be implemented prior to the first public hearing.

- B. The purpose of the citizen participation plan is to:
1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
  2. Ensure that the citizens and property owners of [\_\_\_\_\_] have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
  3. Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.
- C. The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.
- D. At a minimum the citizen participation plan shall include the following information:
1. Which residents, property owners, interested parties, political jurisdictions and public agencies may be affected by the application;
  2. How those interested in and potentially affected by an application will be notified that an application has been made;
  3. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application.
  4. How those affected or otherwise interested will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing;
  5. The applicant's schedule for completion of the citizen participation plan
  6. How the applicant will keep the planning department informed on the status of their citizen participation efforts.
- E. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined by the applicant after consultation with the planning department. At a minimum, the target area shall include the following:
1. Property owners within the public hearing notice area required by other sections of the ordinance codified in this section;
  2. The head of any homeowners association or registered neighborhood within the public notice area required by other sections of the ordinance codified in this section;
  3. Other interested parties who have requested that they be placed on the interested parties notification list maintained by the planning department.

- F. These requirements apply in addition to any notice provision required elsewhere in the ordinance codified in this section.
- G. The applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with the Planning Department staff.

#### Citizen Participation Report

- A. This section applies only when a citizen participation plan is required by the ordinance codified in this section.
- B. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of the public hearing. This report will be attached to the planning department's public hearing report.
- C. At a minimum, the citizen participation report shall include the following information:
  - 1. Details of techniques the applicant used to involve the public, including:
    - a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.
    - b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications;
    - c. Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located; and
    - d. The number of people that participated in the process.
  - 2. A summary of concerns, issues and problems expressed during the process, including:
    - a. The substance of the concerns, issues, and problems;
    - b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
    - c. Concerns, issues, and problems the applicant is unwilling or unable to address and why.

# APPENDIX A

Note: The Maryland Department of Planning offers the following model ordinance for jurisdictions' information and use. The state does not require local jurisdictions to adopt this ordinance.

## MODEL ORDINANCE

### SMART NEIGHBORHOOD OVERLAY ZONE IN PRIORITY FUNDING AREAS

Format: Options are enclosed in [brackets]. In some cases, multiple options will be enclosed in the brackets. For example: [option 1/option 2]. Blanks ("\_\_\_\_") serve as placeholders for local jurisdictions to insert text. Jurisdictions should consult the Ordinance Elaboration for suggested mechanisms to tailor the ordinance according to local desires.

#### Section 1: INTENT

The purpose of the smart neighborhood overlay is to encourage development that provides for a diverse mix and efficient arrangement of land uses and housing types, and to create communities based on the design conventions that governed development in the United States until the 1940s. The smart neighborhood overlay establishes flexible procedures and standards for comprehensively planned communities on vacant land within priority funding areas.

#### Section 2: SIZE and LOCATION REQUIREMENTS

A. *Size.* Smart neighborhoods shall be sufficient in size to support an integrated, mixed-use community consistent with the intent of this ordinance, generally between [20 and 200] acres.

B. *Location.* The Smart Neighborhood Overlay may be applied to any tract of land that is:

- Located within a Priority Funding Area;
- Served by public water and sewer, or scheduled for such service on or before the time when the development makes such service necessary; and
- [near existing or planned transit].

#### Section 3: PERMITTED USES

A. Uses permitted by right (throughout the designated smart neighborhood zone).

1. All commercial, employment, civic, and residential uses permitted by right in the underlying zones, except that commercial uses may not include drive-through facilities.
2. Residential uses that contribute to housing type diversity, including [condominiums, duplexes, multi-family, retirement, townhouses].

3. One accessory dwelling unit per lot, for rental or gratis occupancy, with separate access and full kitchen.
4. Home occupations, if clearly incidental and secondary to the use of the dwelling for living purposes and conducted entirely within that dwelling.
5. Commercial and employment/office uses that contribute to the development of a full-service community, including [general offices, medical offices, office support services, retail, restaurants, hotels, bars, service stations, personal services].
6. Civic uses that contribute to the development of a full-service community, including [public and private educational facilities, parks and recreational facilities, cultural facilities, places of worship or assembly, hospitals, post offices, police stations, fire stations, government buildings, community halls].

B. Uses permitted by special exception.

1. Light industrial uses that contribute to the development of a full-service community and contribute to the employment base.

#### Section 4: GENERAL DEVELOPMENT STANDARDS

A. Mix of uses and land use allocations

The smart neighborhood development shall include a mix of commercial, office/employment, civic, and residential uses, and shall mix commercial, office/employment, and residential uses within buildings and blocks.

B. Mix of housing types

The smart neighborhood development shall provide a mix of housing types within blocks. The smart neighborhood development shall include [percentage between 5 and 15] moderate-income housing, integrated into the design of, and distributed throughout, the community.

C. Density

The minimum net residential density [3.5 small town in rural context/7 large towns, small cities, suburbs/10 suburban with rail transit/10 urban/20 urban with rail transit] shall reflect the density of the surrounding community or nearby towns but in no case be less than 3.5 units/acre.

The minimum [\_\_\_\_\_] and maximum [\_\_\_\_\_] commercial floor area ratio shall be compatible with that recommended in the comprehensive plan and shall contribute to the spatial continuity of the streetscape.

#### D. Compatibility with surrounding area [logical extension of communities]

The smart neighborhood shall ensure the connectivity of pedestrian and vehicular networks, natural systems, and open space networks with adjacent communities, existing and future.

The smart neighborhood shall contribute to unmet commercial, housing, civic, and open space needs in nearby neighborhoods.

#### E. Open Space

The smart neighborhood shall incorporate public open space to meet residents' recreational needs, stormwater management requirements, and environmental protection goals through a variety of parks, greens, squares, playgrounds, plazas, greenbelts, preserves, and water infiltration areas. The development shall make the maximum feasible use of existing natural systems and features.

#### F. Landscaping

The smart neighborhood shall include landscaping to soften and accentuate the built environment, enhance the streetscape, form public spaces, provide shade and reduce glare, improve the quality of the natural environment, reduce visual blight and noise, break up impervious surface of parking lots. The development plan shall make maximum feasible use of the existing natural systems and features.

#### G. Access and Circulation

- The smart neighborhood shall include pedestrian and vehicular connections to existing or planned transit, adjacent communities, and other off-site destinations.
- The internal street network shall not employ the use of closed street systems, except when environmental or topographical constraints, or barriers such as railroads or freeways, prohibit full street extensions, or where the use of closed street systems enhances the design of the community.
- The internal street network shall include sidewalks on both sides of street, on-street parking on one side of the street, and bike lanes on major streets.
- Block length shall not exceed [200-400 feet].

#### H. Parking

##### 1. Quantity

- a. The amount of parking spaces for nonresidential uses may range from 75% to 110% of required parking spaces. Uses subject to a shared parking agreement or within 800' of a transit stop may further reduce parking to 50% of required parking.

- b. On-street parking spaces located directly in front of commercial businesses may count towards the total required parking.

## 2. Design

- a. Landscaping must break up the impervious surface of parking lots.
- b. Parking lot design must incorporate safety needs of pedestrians.

## 3. Location

- a. All parking lots must be located to the rear of buildings.
- b. Parking for a specific use may be located off-site (but still within the boundaries of the smart neighborhood).

## Section 5: ARCHITECTURAL STANDARDS

Smart neighborhood developments shall demonstrate compliance with the smart neighborhood architectural guidelines. (See ordinance elaboration for optional language.)

Section 6: LOT DEVELOPMENT STANDARDS

	Commercial Mixed-use	Townhouse	Single-family
Minimum lot size	No Minimum	No Minimum	No Minimum
Maximum lot size	N/A	N/A	(size no greater than 1/4 acre)
Lot width:depth ratio			
Maximum height	(consult comprehensive plan)	3 stories	3 stories
Minimum frontage buildout	(percentage no less than 70%)	N/A	(percentage no less than 80%)
Maximum front yard setback	Building must meet sidewalk	(distance that does not exceed 8 feet)	(distance does not exceed 10 feet)
Minimum front yard setback	N/A	(distance no less than 5 feet)	(distance no less than 5 feet)
Minimum street side yard setback	(distance no greater than 10 feet)	(distance no greater than 10 feet)	(distance no greater than 10 feet)
Minimum interior side yard setback	0 ft	0 ft	0 ft
Maximum building coverage	(percentage no greater than 80%)	(percentage no greater than 70%)	(percentage no greater than 55%)
Maximum impervious surface	(percentage between 80% and 100%)	(percentage between 80% and 90%)	(percentage between 70% and 90%)

## Section 7: APPLICATION AND PROCESSING PROCEDURES

(See ordinance elaboration for optional language.)

## Section 8. CITIZEN PARTICIPATION PLAN

Applicants must develop, implement, and report on a citizen participation plan for every smart neighborhood, all prior to the notice of the public hearing.

### DEFINITIONS

*Commercial use:* Facilities used for the buying and selling of goods and services.

*Common Open Space:* In any residentially zoned portion of the smart neighborhood development, all area not included in individual record lots nor dedicated to public use.

*Density:* The number of dwelling units per acre of net lot area

*Dwelling:* A building used for living facilities for one or more families.

*Floor Area Ratio:* A figure, which expresses the total gross floor area as a multiple of the gross tract area of the lot. This figure is determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

*Frontage:* The length of the front property line of the lot, lots or tract of land abutting a public street, road or highway, or rural right-of-way.

*Home Occupation:* Any occupation, other than a registered home health practitioner's office, that provides a service or product and is conducted within a dwelling unit by a resident or residents of the dwelling unit without diminishing its residential character. A home occupation is clearly subordinate to the use of the dwelling unit for residential purposes and is conducted entirely the dwelling unit or any existing accessory building.

*Industrial Use:* A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

*Light Industrial:* A zoning district intended to permit a mix of light manufacturing, warehousing, and service uses having minimal off-site impacts.

*Lot:* A parcel of land occupied or to be occupied by a building and its accessory buildings or by group dwellings and their accessory buildings, together with such open spaces as are required under the provisions of this ordinance, and having its principal frontage on a public street or right-of-way.

*Employment/Office:* An office for the use of (a) professional persons such as doctors, lawyers accountants, etc., or (b) general businesses offices such as

insurance companies, trade associations, manufacturing companies, investment concerns, banks and trust companies, real estate companies, etc., but not including any kind of retail or wholesale store or warehouse.

*Moderate Income Housing:* Housing that is affordable to households whose incomes fall between 60 and 100 percent of area median incomes.

*Overlay Zone:* A geographic area that constitutes a mapped district superimposed over the underlying base zone on the official zoning map. An overlay zone includes development regulations and standards that either add to or modify the requirements of the underlying zone or zones.

*Plan, comprehensive:* A plan which may consist of maps, data and other descriptive matter, as a guide for the physical development of the county or municipality, including any amendments, extensions or additions thereto adopted by the local legislative body, indications the general locations for major roads, parks or other public open spaces, public building sites, routes for public utilities, land use categories, zoning districts or other similar information.

*Public facilities:* Facilities and services, such as water, sewerage, transportation (streets and mass transit), schools, libraries, recreation, police protection, and fire emergency service, that are publicly owned and maintained.

*Yard:* Open space on the same lot with a building or group of buildings, lying between the building or out building of a group and the nearest lot or street line and unoccupied and unobstructed from the ground upward, except as provided in this chapter.

## Bibliography

Duany Plater-Zyberk & Company. The Lexicon of the New Urbanism. June 3, 1999 (Draft).

Morris, Marya, ed. Creating Transit-Supportive Land-Use Regulation. Planning Advisory Service Report 468. Chicago: American Planning Association, 1996.