

**The Lay of the Land:  
A National Survey of  
Zoning Reform**

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**Lessons Learned on Mapping and Community Participation  
An Update to the Metropolitan Planning Council's 1999 Zoning Survey**

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## **Introduction**

In 1999, the Metropolitan Planning Council conducted research for the City of Chicago on the zoning rewrite process in 50 major U.S. cities. Chicago was about to embark on a daunting and historic effort to rewrite its zoning code and planned to use MPC's research to inform its process. The purpose of the research effort was to ascertain how other cities approached zoning reform. *Lay of the Land: A National Survey of Zoning Reform* was published by MPC in September 1999. It highlighted zoning processes in 11 of the 50 cities: Boston, Detroit, Honolulu, Milwaukee, Minneapolis, New York, Pittsburgh, San Diego, San Jose, Seattle and Tucson.

In June 2000, Chicago embarked on this comprehensive zoning reform process. The mapping portion, which will identify where new zoning rules apply, takes place after the new text is adopted. As the text portion of the rewrite was nearing completion in Chicago, MPC began to investigate how other major cities tackled remapping, the critical next phase of a zoning rewrite effort. MPC contacted the same cities surveyed for the 1999 report to track their progress on zoning reform. Cincinnati, Oh. and New Orleans, La. were included because each had completed a rewrite process since the publication of *Lay of the Land*.

This research focuses exclusively on the mapping process: level of citizen participation and lessons learned in the zoning rewrite process for each city. The research is based on surveys conducted with city planners, neighborhood leaders and consultants from the selected cities. Certain cities included in the first report (Detroit, Honolulu and Tucson) are not reviewed here because of a lack of substantial change since the 1999 report. Research was conducted beginning in September 2002 through June 2003. The purpose of the second report is to help Chicago and other cities make informed decisions about remapping and public participation by learning from the zoning reform efforts of other municipalities.

This report and the original *Lay of the Land* can be found on MPC's Web site, <http://www.metroplanning.org/>.

## Executive Summary

Any comprehensive rezoning effort, or amendment to a zoning map, carries with it the potential for political controversy. The planning field has established some technical standards for how to redraw a zoning map. There is no standard procedure, however, for how to involve property owners and the broader community in a process that ultimately effects the character of the community and the potential value of property. In the absence of absolute standards, this report presents a summary of the processes employed by a variety of cities as they embarked on comprehensive zoning rewrites and remappings. The experience was distinct in each city in particular with regard to the length of the process, degree of community involvement, general approach to remapping, and stated goals. Though each city included in this report had a unique approach to its rewrite, some model processes emerged. Each experience offers insight into the value and effectiveness of community participation, inventive zoning techniques, and lessons learned throughout the mapping process.

Below, we highlight processes that were particularly effective and innovative.

- Pittsburgh's zoning rewrite is notable for its thorough mapping procedure, "Map Pittsburgh," as well as its dedication to an open, public process. At the time of its text adoption in 1999, the City made a commitment to analyze land use and zoning in each of its 88 neighborhoods to ensure that existing development matched zoning use categories, and that boundaries were drawn based on existing land uses. During Pittsburgh's rewrite, current trends, neighborhood plans and community concerns were seriously considered and some incorporated. This neighborhood-based approach included a focus on land use that preserved urban character, the goals of community planning groups, and the opportunity to reverse negative trends in particular areas. The city laid out a clear procedure for how the neighborhood process would be conducted, using the Internet to disseminate information about what zoning is, how it can affect the character of a neighborhood and why it is important.
- New Orleans began its zoning rewrite process at the same time it began to draft its land use plan in 1997. The land use plan was overlaid on the existing zoning map to ensure a strong correlation. The City is currently conducting a lot-by-lot analysis, verifying the existing zoning and applying new districts. New Orleans held more than 120 community meetings to solicit public input and involvement. These drew more than 3,000 residents. In addition, City staff created two videos on why a master plan is necessary and why rezoning is important. The videos ran on a cable access television station. Further outreach included the distribution of informational flyers about the process in water and utility bills.
- Boston's extensive process began in 1988 and provided customized zoning for each neighborhood. Community residents were involved at every step of the process. One important and unique aspect is that a planner representative was assigned to each neighborhood and served as the link between the community groups and the Boston Redevelopment Authority. Due to its focus on community input and involvement the process was lengthy, but City staff believed it was well worth the time for a quality finished product. Boston created a new, two-family residential district that combines single-family housing and apartment districts, which had been too mixed to separate.

Other highlights include:

- Cincinnati divided its land into plats and then remapped each plat to reflect changes in the zoning ordinance. Open house events were organized to allow the public to review the changes.
- Milwaukee created a computerized zoning ordinance that was put on the City Web site. It included frequently asked questions, and showed new zoning for specific properties.
- San Diego offered training sessions on the new code for city planners, other city staff, developers and the public prior to the new code's effective date to ease transition to the new ordinance.

### **How to Read This Report**

There are six topic areas for each city: current status, process, special provisions and innovations, political challenges, interim procedures, and lessons learned. Interim procedures address how a city transitioned from applying the regulations in the existing code to using the regulations adopted in the revised code. Under each heading there are summary bullet points followed by more detailed information. Cities are arranged by the extensiveness and innovation of their remapping process. There are four appendices that provide more information about specific cities and the processes they used.

## Summary Table

<b>City</b>	<b>Status as of June 2003</b>	<b>Mapping Process</b>	<b>Highlight</b>	<b>Mapping Duration</b>
<b>Pittsburgh</b>	- zoning text in effect since 1999 - mapping process underway	- neighborhood groups create remapping proposals - volunteers conduct land use surveys	- high level of public involvement - expanded high density residential	1999--2005 (projected)
<b>New Orleans</b>	- rewriting the text and remapping underway simultaneously - anticipate completion of combined text and maps in 2006	- City staff conducts lot-by-lot analysis - City holds more than 120 public meetings over two years	- extensive public process includes video, flyers and public meetings - mixed-use district to combine residential and business uses	2002--2005 (projected)
<b>Boston</b>	- in process of rezoning each of the city's 20 neighborhoods individually: expected to take approximately four years	- City holds meetings in each neighborhood for re-mapping - Zoning Commission holds public meetings before final decisions are made	- intensive, successful community process	1988--2008 (projected)
<b>Cincinnati</b>	- draft of text approved December 2002 - mapping completed March 2003	- City remaps each of the 450 plats - public provides input on each plat	- highly simplified permit process - open house events held to review changes to map	2002--2003 (completed)
<b>Milwaukee</b>	- text and map adopted on Oct. 1, 2002	- City committees reviewed map - little public input is given	- created a park district - added a downtown overlay with design guidelines	1997--2002 (completed)
<b>San Diego</b>	- text completed in January 2000 - technical mapping process underway	- each neighborhood has a planning board - community process to take 10 years include more than 300 meetings	- high level of public involvement - established a townhouse district	1998--2003 (projected)
<b>Minneapolis</b>	- text and map adopted in November 1999	- City holds community workshops and public hearings were held	- new Transit Station Areas implemented near future light rail transit nodes	1997--1999 (completed)
<b>New York</b>	- zoning rewrite halted because of opposition from Real Estate Board	- city continues to make zoning amendments <i>ad hoc</i>	- method and politics of rewrite ultimately derailed process	Halted in 2000
<b>Seattle</b>	- ongoing simplification process; not a comprehensive rewrite - remapping is now done in 8-10 block areas	- planning and land use committees review recommendations from focus groups, which are used for input	- Urban Villages established in high density areas	Began 1994; ongoing
<b>San Jose</b>	-text and mapping completed in February 2001	- focus groups and press releases used to educate public on changes	- created a parking management zone - focus groups	2001 (completed)

			successful	
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## **Summary Reports**

### **Pittsburgh**

#### **Current Status**

- The rewritten zoning text has been in effect since 1999.
- Mapping has been underway for three years and the City anticipates completion in the next two years.

Sixteen of Pittsburgh's 88 neighborhoods have been completely mapped and 26 are in the process of being mapped. The mapping process, known as "Map Pittsburgh," has improved with each neighborhood. Each has taken about nine months to complete. This is a much slower pace than the City anticipated, but City staff are now content with the length of the process.

#### **Process**

- Neighborhood groups work with a city planner to create re-mapping proposals.
- Volunteers conduct land use surveys in their neighborhoods.
- The Planning Commission reviews the proposals, makes changes and recommends a final proposal to the City Council.

The public process is lengthy but thorough. A planner is assigned to each neighborhood to provide technical assistance. Interns occasionally assist with the mapping process. An urban designer is assigned to neighborhoods with special design issues or unique zoning districts. Other specialists, such as environmental planners, GIS specialists, and zoning consultants, are used as needed.

In each neighborhood, the process begins with a meeting between representatives from neighborhood groups and the Department of Planning. The meeting includes an introduction to zoning and a simple training session to help prepare volunteers to analyze and map land use in their neighborhoods. The City uses the land use information to prepare an analytical map and preliminary recommendations for rezoning.

Next, the City advertises and convenes a second meeting to review material covered at the first meeting, the map that was generated, and its preliminary recommendations. Neighborhood representatives and volunteers present their comments on existing land uses in the area and how they might be changed. The final mapping recommendations are crafted from the information and suggestions generated at the meeting. There is a third neighborhood meeting to review the final recommendations. Finally, the recommendations are submitted to the Planning Commission at a public hearing. The Commission develops its recommendations by reviewing the proposals put together through the efforts of neighborhood groups and presents a final map and recommendations to the City Council. Finally, mapping is then done based upon the neighborhood proposals and other input from the Planning Commission.

#### **Special Provisions and Innovations**

- Shift the city from 1950s large lot zoning to increased residential density.
- Incorporate mixed-use districts and increased density at transit nodes.



One primary goal of the new ordinance was to stimulate the revitalization of areas zoned in the 1950s to reflect auto-oriented, suburban development. By setting new, smaller minimum lot standards for single-family areas, the Commission hopes to see density increase and revitalization follow.

The ordinance includes mixed-use districts and increased density allowances at transit nodes.

### **Political Challenges**

- Public confusion regarding the mapping process.
- Realtors' resistance to ordinance text changes.

Because the general public was not involved during the rewrite of the text of the new zoning ordinance, there was some confusion about the mapping process.

Realtors posed a serious challenge to the City's process by vehemently questioning the reasons behind the text. In response, the City developed a database of issues voiced by various neighborhood groups in order to help the city respond to questions about the reasons behind their actions.

### **Interim Procedures**

- The city established a deadline for development proposals to be considered under the old zoning ordinance.

The city anticipated a problem that did not occur. In fact, there was no rush of proposals seeking consideration under the old zoning ordinance.

### **Lessons Learned**

- Outreach efforts by the City paid off as participants generally felt they had had an impact on the new zoning code.
- Volunteers were very satisfied with the process.
- A training guide to help staff prepare for public outreach sessions would have been helpful.

City staff reported that participants were generally very satisfied with the process and felt they had had an impact on the new zoning ordinance because of the high level of public involvement. In general, all parties involved saw the new text and the mapping process in very positive light.

Difficulties with the lack of public understanding could have been reduced with a series of educational meetings on zoning before beginning the mapping process. A short training guide to explain the new text and process would have better prepared staff for the public outreach session and thereby reduced confusion and improved efficiency.

### **Comments**

Administratively, the process followed a very strong protocol. The City drafted clear criteria neighborhood-involvement process. (see Appendix, below)

Important elements included a residential zoning matrix, provided to residents online, which combined density and zoning codes for mapping (see Appendix, below) and test cases to see how the text translates to the map.

Neighborhoods with the most pressing issues were the first to go through the mapping process.

**Appendix: Pittsburgh**

*'Map Pittsburgh,' City of Pittsburgh Planning Department*

<http://www.city.pittsburgh.pa.us/cp/html/mapping.html>

- Overview and Definitions
- Information on the Mapping Process
- Residential Zoning Matrix and Codes

## New Orleans

### **Current Status**

- The City is rewriting the text and remapping simultaneously.
- The City anticipates adoption of new text and maps in 2005, after a master plan has been completed.

The City currently is making revisions to the text and conducting a parcel-based analysis for the new maps. The new text is connected to the development of a master plan. As of July 2003, seven of eleven elements for the master plan had been adopted. The City plans to adopt the entire master plan before the final edits of the new text are completed.

The rewrite of the zoning text will take approximately five years. The City anticipates the mapping will take four years. Officials hope to have everything completed and a City Council vote in 2005.

### **Process**

- Videos were played on cable access channels and flyers were distributed to inform residents about the rewrite process.
- The city held more than 120 public meetings over a two-year period; more than 3,000 people participated.
- City staff made changes to the text based on community meetings.
- City Planning Commission staff will prepare a parcel-based analysis of the proposed new zoning maps and make adjustments.

New Orleans began its process in 1997, when the City drafted a land use plan, which was completed in 1999. At the same time, a technical and master plan advisory committee was organized to develop a master plan and new draft of the zoning ordinance text. From 1999 to 2001, legal consultants and staff from the City Planning Commission wrote the current draft of the text and released it for public review in March 2001. This marked the beginning of the public review process. Though the City planned to adopt the text first and then begin the mapping process, the two were reviewed at the same time. This was due to strong public opinion that the maps were essential tools for assessing the text.

The City Planning Commission held a variety of events to get the public involved in the rewrite process. General information was distributed at large community meetings held in each council district. Smaller meetings were held (often in a series with City staff returning several times) in each neighborhood planning district to discuss more specific issues and changes. Additionally, two citywide open houses were held. These were full day events and approximately 250 people attended each one. In total, the city held more than 120 public meetings over a two-year period with more than 3,000 participants.

Additional outreach included two informational videos produced by the City Planning Commission and broadcast on cable access television stations; one on the necessity of a master plan and the other on the importance of rezoning. A total of 140,000 flyers about the master plan and zoning rewrite were mailed with water and sewage bills.

Once the text and maps are completed, the Commission will hold one or two public hearings to ensure final public input. They will then vote to pass the new text and maps on to the City Council. Before voting on adoption, the City Council will hold at least two more public hearings. Finally, the ordinance will go to the mayor for approval. The ordinance will become law either with the mayor's signature or after ten days of no action.

The city used the 1999 Land Use Plan to create a map on top of the existing zoning map. For the most part, the boundaries stayed the same but designations changed. Currently, planning commission staff is reviewing boundaries and making changes where necessary. The staff started parcel-based refinements in April 2003, including verification of the current zoning and designation of new zoning codes. They expect to be done with this part of the remapping by the end of 2003.

### **Special Provisions and Innovations**

- Created new, mixed-use residential and business district.
- Established development standards.

The rewrite focused on reducing conditional uses and the discretionary reviews associated with them, and replacing them with development standards. There are also new zoning regulations for non-conforming uses, although allowable waivers and the discretionary reviews associated with them are limited. Additionally, a mixed-use district combining residential and business development was added to the new text. The new ordinance is more consistent with local historic district regulations.

### **Political Challenges**

- Transition in City administration and on the City Council required additional review time and the incorporation of new approaches.

Between the release of the first draft of the text and the end of the two-year public review process, a new mayor and City Council were elected. Current efforts are focused on better aligning the text with the goals of the new administration and with the results of the new master plan.

### **Interim Procedures**

- The City will establish a 120-day waiting period after the new code is adopted as law.

The city will have 120-days before the new code will take effect during which all new development will be subject to the old code.

### **Lessons Learned**

- Building consensus among all groups involved in the rewrite process helps ensure a sound, useable ordinance.
- Intensive public involvement facilitates a smooth process and cultivates widespread support for the zoning rewrite.

Public involvement helped build consensus between various groups in the city, including community members, business leaders, politicians, developers, and City staff. City sponsored meetings were critical and ensured that the process was efficient and effective. It was widely held that the effort to include the public was the main reason for such a high level of satisfaction.

### **Appendix: New Orleans**

*Planning Newsletter, New Orleans City Planning Commission, June 2003*

[http://www.new-orleans.la.us/cnoweb/cpc/news\\_ltr/newsletter.pdf](http://www.new-orleans.la.us/cnoweb/cpc/news_ltr/newsletter.pdf)

## **Boston**

### **Current Status**

- Boston is currently in the rezoning process. The City is creating both a citywide code and customized zoning for each neighborhood.
- The rewrite began in the 1980s in response to a massive building boom. The long time frame has allowed for the high level of public involvement that the city wanted to see.

The City began the zoning process in individual neighborhoods in 1988. Customized zoning for Dorchester, the largest neighborhood, was completed in June 2002. The process takes approximately four years for each neighborhood. New neighborhoods began the rewrite and remapping process as recently as January 2003. Originally, the city hoped to complete each rewrite in two years, but this was unrealistic: all neighborhoods needed an extension. The four-year time frame allows for extensive public involvement, which is an important aspect of the Boston program. The City expects to complete the rewrite and remapping process within the next five years.

### **Process**

- The City conducts weekly meetings in each neighborhood. Following the meeting, neighborhood groups conduct a land use survey.
- A planner representative assigned to each neighborhood then makes recommendations about zoning and mapping for the area.
- The Boston Redevelopment Authority reviews the recommendations.
- A public hearing is held by the Zoning Commission to make the final decision.

The administration and public process is described in detail in the original 1999 survey. Mapping follows the same steps.

The Boston Redevelopment Authority (BRA) is very careful to frame all discussions of the remapping in exact accordance with the zoning text, making recommendations to neighborhood groups or Planning and Zoning Advisory Committees (PZAC) based on the new text. The PZACs are made up of residents and business leaders from the neighborhood. The mayor appoints each member. PZACs are established only if there is no existing neighborhood group. Neighborhood groups and PZACs function as advisory committees to the BRA.

Planning and zoning staff draft the technical piece of the ordinance for each neighborhood, make recommendations and get public feedback. A final draft is sent to the BRA Board for approval, and then to the Zoning Commission, where changes are either adopted or denied. The Zoning Commission is an 11-member body appointed by the mayor.

Previously, new zoning overlays were simply created and then reviewed by the neighborhood groups or PZACs. This proved to be a point of contention with neighborhood groups that resulted in distrust of the public process and culminated in a lawsuit. The new process has been very effective. Since its adoption, public involvement has been high, and the City has worked to establish a high degree of trust between the BRA, which is responsible for new zoning, and the neighborhood groups or PZACs.

Before involving the neighborhoods or PZACs in the actual mapping, staff planners and a land use attorney hold four weekly workshops to provide background on zoning issues, including information about new zoning districts that will eventually be applied to areas in their neighborhoods. After the session, the neighborhood groups complete a land use survey.

This is often a time-consuming process. Finally, mapping begins with significant help from interns.

During the mapping process, meetings for each neighborhood group or PZAC focus on areas that will be effected by remapping. A planner representative, assigned to the neighborhood, makes recommendations and discussion follows. The planner brings any concerns to the BRA. The BRA issues a decision, and the neighborhood group or PZAC learns of it at the next meeting. If there is major opposition, the planner presents a case on behalf of the neighborhood to the BRA. The Zoning Commission makes the final decision at a public hearing. The neighborhoods with the most pressing issues started the process first.

Public involvement in the neighborhood groups or PZACs comes and goes. Attendance is often high in the beginning and then drops off. When there is increased media coverage or final decisions are being made, attendance and participation increases. Because many community members miss some of neighborhood meetings, they often request that specific sites be reviewed again before a final decision is made. The planners usually refuse to comply.

### **Special Provisions and Innovations**

- Boston has made the following new additions to the zoning code:
  - Community commercial districts
  - Pedestrian-oriented small commercial districts
  - Auto-oriented commercial districts
  - Local industrial districts
  - Two-family district (2F) that combines single-family housing and apartment districts too mixed to separate

Several measures have been taken in the Boston rewrite to bring the code up to modern standards. These include adding community commercial districts, consisting mostly of “big box” retail, pedestrian-oriented small commercial districts, auto-oriented commercial districts and a local industrial district that incorporates greater standards like buffering and reduced off-street parking. For residential zoning, various minimum lot standards assigned to single-family districts. A new two-family district has been added for areas where single-family housing and apartment buildings are too intertwined to separate.

### **Political Challenges**

- City support promised to neighborhood groups is sometimes rescinded because of conflicting interests with business and community organizations.

There have been many political problems along the way. Many promises by the city have been made in support of the neighborhood groups or PZACs, but later reversed because other business and community groups have appealed for support. This scenario has continued throughout the remapping process and slowed it significantly.

### **Interim Procedures**

- An interim planning overlay district (IPOD) has been used in areas of high development demand.
- For other areas, a deadline for compliance with the new ordinance has been established.

In areas with a high demand for development, the IPOD has been used. It acts as an interim regulation that protects neighborhood character by temporarily suspending all or part of the underlying zoning until a more comprehensive planning study for the area can be conducted. The City solicits public input prior to establishing an IPOD.

In areas that do not require the IPOD, the City set a deadline for new proposals to conform to the new ordinance. There was a substantial increase in the number of development proposals before this deadline.

### **Lessons Learned**

- The process has evolved slowly and become very effective.
- City leaders believe that the time spent on the mapping process is well worth the added benefit of community support.

The process has evolved into an effective operation. The adoption of the text and map have met with virtually no opposition in the neighborhoods because of their level of involvement. The education piece has helped the public and neighborhood groups or PZACs understand the zoning process. The new regulations reflect the use of progressive planning techniques and dedication to preserving neighborhood character.

The neighborhood groups and PZACs are extremely helpful and make significant contributions. Committee members live and work in the neighborhoods they represent, and are able to identify issues not readily apparent to planners. The “customization” of regulations would have been difficult without the insight provided by the neighborhood groups and PZACs.

## **Cincinnati**

### **Current Status**

- The Planning Commission approved a draft of the text in December 2002.
- Mapping is complete and City Council approval of the text is pending.

The Planning Commission has approved a draft of the text. The next step is approval by the City Council of the text and map, which is anticipated in fall of 2003. (see Appendix, below)

The rewrite was initiated because the amendments to the 1963 ordinance had become cumbersome.

### **Process**

- For remapping, the city was divided into a grid, or plats. Each plat was remapped to reflect text changes.
- The City gave community members the opportunity to review and comment on the remapped plats.

Most of the mapping process was completed in March 2003. Outside consultants were hired to revise the zoning text. Using input from City staff, consultants drafted the text in individual chapters. The Planning Commission approved the draft and held meetings to solicit public input. The Planning Commission incorporated some changes as a result of the meetings. The text adoption process took one and a half years, including public meetings and the administrative phase. It received few complaints from the public and City staff were satisfied with the outcome.

For remapping, the city used 200 grid topographic maps representing the 450 separate grids or plats. The Planning Commission remapped each plat to reflect changes to the text. The new maps were made available over a three-week period for review and comment by neighborhood and business groups. This was publicized through mailings to the presidents of each community council and notices placed in community centers. Many comments and specific issues were raised as a result of the public meetings. The process was ongoing and changes continued to be discussed. Some neighborhood groups with specific concerns asked for more information and the City met with them. Unlike the text rewrite process, which was presented in sections, the remapping was completed in one year.

### **Special Provisions and Innovations**

- A simplified permit process
- Creation of a residential and commercial mixed-use district
- Development of a performance-based zoning code

The simplified permit process was an important feature of the rewrite. Under the new process, a developer interested in cluster-oriented housing may simply apply for site review and gain approval. Planned unit development was initiated to incorporate residential and commercial mixed-use districts. In addition, the City created a performance-based zoning code that uses standards to address land use that specifies the intensity of use rather than the type of land use permitted.

### **Political Challenges**

- City Council members expressed concerns about changes to the zoning code.



The City had to address specific concerns of City Council members and their constituents, but this was not a major problem. City staff were confident that the new performance-based zoning code satisfies developers.

### **Interim Procedures**

- The City will establish a deadline to comply with the new ordinance.

City staff debated a moratorium for compliance, but ultimately decided this would be unfair and instead established a simple deadline.

### **Lessons Learned**

- Public input on the text rewrite was negligible.
- Mapping-focused open house events were successful.
- National consultants helped increase perspective.

City staff believe that the lack of public interest in the text rewrite made the time put into seeking public input unnecessary. The same group of 35-40 developers, attorneys, and community council members attended all the meetings. Staff believe that a large consensus group may have been more efficient.

For remapping, there was more public interest and the series of open house events were well attended. As people continue to learn about the new map through postings and notifications, the City expects increased interest in many neighborhoods, although they believe hundreds of people will simply phone to find out about their specific properties.

National consultants were hired specifically to increase perspective, which proved very helpful.

### **Appendix: Cincinnati**

*Executive Summary, Public Review Draft of the New Cincinnati Zoning Code*

[http://www.cincinnati-oh.gov/cdap/downloads/cdap\\_pdf3538.pdf](http://www.cincinnati-oh.gov/cdap/downloads/cdap_pdf3538.pdf)

## **Milwaukee**

### **Current Status**

- Text and maps were adopted in 2002.

The five-year effort culminated in adoption of new text and maps by the City Council on Oct. 1, 2002. Most changes were in residential districts, and consisted of down zoning neighborhoods for less intense development. Numerous multi-family districts were down zoned to single- or two-family districts. A parking district was made obsolete, as it was already allowed for in commercial areas.

### **Process**

- The rewrite process started in the Planning Commission, was assessed by the Zoning Neighborhood and Development Committee and Common Council, and finally signed by the mayor.
- The public process was limited.
- The City sent letters regarding zoning changes to affected property owners.

The goal of the rewrite was to simplify and reorganize the old code. The rewrite process went from the Planning Commission to the Zoning Neighborhood and Development Committee to the Common Council and was signed into law by the mayor. The public process was limited. An announcement of the adopted zoning change was published and the City appointed a staff manager to meet with aldermen regarding their concerns about the new text and mapping of their neighborhoods. According to City staff, there was little interest from the public in the zoning change.

Letters were sent to business associations to announce upcoming public meetings about zoning, and most meetings were televised. The City held meetings with aldermen to ensure that the process went smoothly and was time-efficient.

The boundaries of the zoning districts were basically preserved and implementation mainly involved assigning new letter designations. The Planning Commission sent letters informing property owners of zoning changes to their properties. Aldermen, along with many neighborhood groups, were given in-depth explanations of how the new text and mapping would effect their communities.

### **Special Provisions and Innovations**

- A park district was added to the code to protect existing parks threatened by development projects.
- A downtown overlay district was created with design guidelines.
- A mixed-use industrial district was added to convert industrial buildings to residential lofts.

Two commercial districts were created, one to reflect urban environments, the other to reflect areas with suburban characteristics. A park district was also created to protect existing parks that were in danger of development because they were located in residential or commercial zones. Additionally, a Neighborhood Conservation Overlay District was created to protect neighborhood character.

A new mixed-use district will be created in a section of the downtown. This area previously housed a highway spur that is now being removed. The resulting streets will be returned to a

grid pattern. The mixed-use district is already provided for in the new text and will not be part of the downtown rezoning process. The downtown area will most likely contain an overlay district consisting of urban design standards like building setbacks and entrances facing the sidewalk.

In response to the high demand for conversion of older industrial buildings, a new mixed-industrial district was created for the conversion of industrial buildings into residential lofts or offices.

After all of the rewrite and mapping was completed, a computerized zoning ordinance was put on the city's Web site. It includes answers to frequently asked questions regarding the new code and showed the new zoning codes for specific properties.

### **Political Challenges**

- Aldermen were kept informed and up-to-date so the City could avoid challenges along the way.

Politicians played a major role in the remapping process. Developers and other private citizens had no real objections to the text portion, though challenges were anticipated for the remapping. Aldermen were kept informed to avoid any political difficulties. Overall, there was no political resistance.

### **Interim Procedures**

- The City established a three-month interim period during which developers could choose between the old and new code.

A three-month interim period was established prior to the new ordinance taking effect, and developers were given the option of choosing the new or old ordinances.

### **Lessons Learned**

- Lack of a comprehensive plan was problematic during the zoning text rewrite.
- Hired consultants helped put the zoning changes on computer.
- City staff felt more public input may have been useful throughout the process.

Because the city has no comprehensive plan, there was a lack of context for the new zoning text. Comprehensive plans, mainly neighborhood plans, only exist for about 20 percent of the city.

City staff believed the consultants had a limited impact. They were brought in early in the process and this resulted in conflicts. City staff and the consultants had difficulty compromising and reaching consensus. In addition, City staff were not always fully aware of what was happening. Overall, the consultants were most helpful in putting the zoning text and mapping changes on computer. City staff believed more public input would have been helpful throughout the process.

## **San Diego**

### **Current Status**

- Text was approved and implemented on Jan. 1, 2000.
- The mapping process is underway.

The text was approved in October 1999 and implemented on January 1, 2000. The mapping process began in 1998 and will continue at least through 2003.

### **Process**

- The public process took ten years and included more than 300 public meetings.
- Neighborhood planning boards were influential throughout the process.

Each neighborhood had a planning board that had influence over the City Council. Developers and concerned citizens came to board meetings to voice their concerns about the zoning code. These were passed on to the Planning Commission. In all, the public process took 10 years with more than 300 public meetings and workshops. In the end, developers as well as the public were comfortable with the rezoning because they had had the opportunity to voice their opinions and concerns. Older communities were more directly affected by the zoning code. Newer communities, often in Planned Unit Development (PUD) districts, were not affected by the rewrite.

### **Special Provisions and Innovations**

- The rewrite did not produce extensive changes in the city.
- The City added a townhouse district requiring a minimum linear street frontage.
- The City created a mixed-use district for commercial and residential use.
- The new code included an urban overlay district requiring certain levels of public space.

In terms of its impact on existing districts, the zoning rewrite was not a major overhaul. Most districts were simply renamed and the text was cleaned up for better organization and clarity. Regulations for the newly named districts were minimal.

A few new districts and an overlay district were included in the rewritten text. The new districts were a townhouse district that requires a minimum of linear street frontage and a mixed-use district for commercial and residential use with commercial activity primarily limited to ground-floor retail. A new urban overlay district uses features such as increased open space requirements.

### **Political Challenges**

- “Not In My Backyard” attitudes presented a powerful political obstacle, particularly with regard to increased density.
- Compliance with the California Coastal Commission was difficult because of the lengthy review process.

“Not In My Back Yard” politics presented the most powerful political obstacle. The majority of opposition was against increased densities in certain areas. Developers were generally happy with the new zoning, and did not object to the text adoption and implementation. Some architects opposed the new text, which restricted increased density on sloping areas for environmental concerns.

California Coastal Commission compliance posed a large problem according to city staff. It involved lengthy State reviews and stringent regulations on coastal zones that prevented certain zoning changes from being made.

### **Interim Procedures**

- The City established a deadline for complying with the new code.
- The Planning Commission held a training session for City planners and other staff one year prior to the effective date for the new code.

A Jan. 1, 2000 deadline was established for permit applications to be considered under the old text. Since the old zoning text had been in place for so long, many developers had spent their entire careers working with one zoning code. The Planning Commission provided a training session one year before the effective date for the new code to help city planners and staff understand the new code and ease the transition for developers and communities. Public training sessions, sponsored by local businesses, were also held.

### **Lessons Learned**

- City staff believed that public involvement was important and were satisfied with the level of participation.
- More presentations to subcommittees would have eliminated misunderstandings.

A high level of public involvement was a major attribute of this program, according to City staff. However, misunderstandings about the rewrite process resulted in some heated discussions in the City Council. This could have been avoided if there had been more presentations about various topics to Council subcommittees. Even so, no major changes to the process are recommended.

The processes for new construction and changes have been streamlined. This has made the zoning code popular with developers.

## **Minneapolis**

### **Current Status**

- The City adopted the text and map in November 1999.

The text and the map were adopted in November 1999 though the document continues to be revised and corrected.

### **Process**

- The City held community workshops during the text and remapping processes.
- The City notified property owners of meetings regarding zoning changes in their area.
- The Planning Department published a newsletter to keep people informed.

The process of adopting the text, which started in 1997, involved a series of community-based zoning workshops and public hearings. The following year, the city held similar community workshops and hearings regarding the zoning map. The City also conducted special meetings solely devoted to the downtown area. The City sent notice of all of the workshops and hearings to neighborhood organizations and business groups, and published the information in area newspapers. The information-based meetings were effective in educating the public and encouraging them to attend the hearings.

Public involvement in the mapping process was limited but was quite beneficial. The City notified effected property owners of meetings regarding proposed zoning map changes to their properties. Most of the owners were not knowledgeable about zoning. However, they were able to share vital information with planners about issues in their area.

The planning department also published a newsletter, “Zoning Revision News,” to keep interested parties apprised of changes and news about planning and development.

### **Special Provisions and Innovations**

- The new code included pedestrian and industrial overlay districts.
- New transit station areas were developed for use throughout the city.

The zoning rewrite included a pedestrian-oriented overlay district to strengthen the pedestrian character of neighborhoods and promote street life and activity, and an industrial-living overlay district to encourage the rehabilitation and mixed use of industrial buildings. Density bonuses for mixed-use buildings with housing above ground floor commercial or office uses were offered in certain areas.

Additionally, new transit station areas were established within a half-mile radius of transit stations. Changes to the zoning codes have been implemented in these areas to increase density and mix land uses. The areas were designed with pedestrians, bicyclists and transit users in mind. They were intended to support transit ridership as well as meet the needs of pedestrians. (see Appendix, below)

### **Political Challenges**

- Some City Council members believed the process was rushed.
- Some downtown businesses, namely the Downtown Council, opposed changes to FAR requirements.

Some City Council members were opposed to the rezoning process, feeling that it was being rushed.

More serious opposition to the zoning rewrite came from downtown businesses, namely the Downtown Council, where existing zoning offered unlimited FAR and required few amenities. Changes to this were highly opposed and some concessions were made. In the end, most of the City's plans for downtown were implemented.

Planners, City officials and the general public were in agreement that the 1963 zoning ordinance was out of date and needed updating. The public was supportive of the zoning initiative and took advantage of the educational opportunities about zoning that were provided.

### **Interim Procedures**

- A 90-day grace period was given to permits obtained under the old zoning ordinance.

The City established a 90-day vesting period where permits previously awarded had to be acted upon or be subject to new zoning.

### **Lessons Learned**

- Meetings and hearings for public input were key to the success of the rewrite.

The city was satisfied with the process. Substantial public input ensured that it went smoothly.

### **Appendix: Minneapolis**

*Transit Station Areas, 2002 Amendments to the Minneapolis Plan*  
[http://www.ci.minneapolis.mn.us/citywork/light-rail/docs/TSAdraftlanguage\\_2002.05.10.pdf](http://www.ci.minneapolis.mn.us/citywork/light-rail/docs/TSAdraftlanguage_2002.05.10.pdf)

## **New York City**

### **Current Status**

- The zoning rewrite has been halted because of disagreements stemming from height restrictions.
- Re-initiation of this process may not begin without gaining the Real Estate Board's support.

In 1998, the restructuring of the zoning code began with very strong approval from government and neighborhood groups (57 of the 59 areas represented by the City Council approved). Currently, the project is halted because of opposition from the Real Estate Board of New York, a private organization of the major office and residential property owners and builders, contractors and other individuals and institutions professionally interested in Manhattan real estate. Garnering the Board's support is crucial to the continuation of the rewrite process. The Board's opposition is principally directed toward the use of height restrictions for medium- and high-density residential districts.

In July 1999, two new pieces dealing with calculating the number of apartments in a building and an overlay district for downtown Brooklyn were enacted.

### **Process**

- The City continues to make regular zoning amendments.
- The Planning Commission reviews the map and then the City Council conducts a final review and vote.

The City continues to routinely make amendments to the text and implement mapping, which effects one neighborhood or more. The process for mapping adoption is the exact same as it was for the text adoption. A city and state environmental review is conducted, and once that is finished, the new map is certified. The map is given to community boards, and public hearings are held to discuss changes and amendments. The Planning Commission reviews the map and holds a public hearing. It is then voted on by the Planning Commission and turned over to the City Council for review, a public hearing, and then a vote. The only change from the text adoption process is time limitations for the mapping process.

### **Special Provisions and Innovations**

- The City has created a mixed-use district that allows mixed industrial, commercial and residential uses.

A new mixed-use district has been very popular. It allows residential dwellings to co-exist with commercial and industrial uses. Often all uses occur in one building. In these cases, residential dwellings must always be situated on the top floors.

### **Political Challenges**

- The Real Estate Board of New York opposed aspects of the rewrite.
- The extensive city and state environmental review process proved cumbersome.

The Real Estate Board of New York has maintained a powerful opposition to the zoning rewrite. Its principal objection is to the use of height restrictions. The city and state environmental review process is very bureaucratic and proved a costly and lengthy endeavor that compromised the efficiency of the review process.



## **Interim Procedures**

No procedures to date have been put in place because the entire process is on hold.

## **Lessons Learned**

- The method for bringing the zoning rewrite into consideration and the politics involved ultimately derailed the zoning process.
- It was important to anticipate opposition and political challenges.

The zoning rewrite's failure to garner support was caused primarily by political problems. According to City staff, the challenges did not arise from administrative factors, public process, or the substance of the new text. Rather, the Real Estate Board's formidable opposition was sufficient to derail the entire process.

The current administration has yet to establish the zoning rewrite as a priority. In the interim, neighborhood groups have an opportunity to pressure City government, but they have not pushed to restart the rewrite process. City staff believe this is due in large part to a lack of understanding of the impact a zoning rewrite may have on a neighborhood.

## **Seattle**

### **Current Status**

- Efforts to simplify the existing zoning ordinance are ongoing.
- Area remapping is periodically done on an 8 to 10 block area.

Seattle is simplifying the existing zoning ordinance by occasionally remapping 8 to 10 block areas. No major remapping has been done in eight years and none is anticipated for the near future.

### **Process**

- Focus groups are conducted in the designated neighborhood.
- The Planning Department presents neighborhood recommendations to the Land Use Committee.
- The Land Use Committee makes recommendations based upon adherence to the city comprehensive plan.

The mayor, elected in 2002, is committed to simplifying the current code, which is laden with amendments often done to accommodate constituents over the years. In response to many of these problems, the City is working to consolidate non-conforming descriptions into one section. The City has an outline for a revised code.

Focus groups in different neighborhoods, which can include architects and developers as well as community residents, have proven effective at ensuring public involvement in the zoning process. Neighborhood focus group recommendations are presented to the City's Land Use Committee by the Planning Department. The Land Use Committee reviews and assesses them based on adherence to the City's comprehensive plan, which is mandated by the State's smart growth act. The recommendation is presented to the City Council, and a 30-day public notice is issued before a decision is made.

The Planning Department does not anticipate whole-scale mapping of the city, but it is considering enlarging and protecting pedestrian-designated areas and commercial nodes.

### **Special Provisions and Innovations**

- Urban Villages have been added in higher density areas.
- The City has created housing demonstrations for different housing styles in certain areas.
- A moratorium on development has been established around an anticipated light-rail path.

The Planning Department has identified areas that are good candidates for higher densities (i.e., at transit nodes) and established them as Urban Villages. The goal of the Urban Villages is to combine the development of intermodal transit, affordable housing, facilities and services catering to higher density neighborhoods, pedestrian-oriented commercial areas, and bicycle and pedestrian links to nearby villages. This is not an overlay district, rather, it establishes boundaries for special treatment and infrastructure. (see Appendix, below) The rewrite also establishes an area for housing demonstrations where a specific number of different housing styles are allowed each year (e.g., coach houses). A variety of housing types are offered throughout the city and are appropriate in scale to each area.

The City enacted a moratorium on development around an anticipated light-rail path. This ensures that auto-oriented development does not hamper the future success of transit nodes on this rail line.

### **Political Challenges**

- The City continues to involve the public to decrease tension and opposition.

Seattle's most significant challenges stem from the public. In order to temper opposition, the city continues to prioritize public involvement in the process. This makes the process lengthy, but increases public ownership while decreasing political opposition.

### **Interim Procedures**

Seattle is not at a point in its process for this to be relevant.

### **Lessons Learned**

- Focus groups of architects, developers and residents are effective.

The process employed, which includes focus groups of people with a vested interest in zoning reform, is proving very effective. City staff credit public involvement.

### **Appendix: Seattle**

*Urban Village Strategy, Seattle Comprehensive Plan (pages x-xi)*

<http://www.ci.seattle.wa.us/dclu/Planning/comprehensive/CompPlan/01b%20TABLE%20OF%20CONTENTS%202003.pdf>

*Seattle's Urban Village Case Studies*

[http://www.cityofseattle.net/dclu/planning/comprehensive/compplan/reports/2003\\_uv\\_3\\_overview.pdf](http://www.cityofseattle.net/dclu/planning/comprehensive/compplan/reports/2003_uv_3_overview.pdf)

*Excerpts from Seattle's Municipal Code*

<http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?s1=&s2=urban+village&S3=&Sect4=AND&l=20&Sect1=IMAGE&Sect3=PLURON&Sect5=CODE1&d=CODE&p=1&u=%2F%7Epublic%2Fcode1.htm&r=0&Sect6=HITOFF&f=S>

## **San Jose, California**

### **Current Status**

- The city adopted the text and map in February 2001.

The rewrite and mapping process is complete and was adopted in February 2001. The new districts were designed to respond to a State-mandated General Plan.

### **Process**

- The City organized focus groups to educate the public on new district changes.
- The City held outreach meetings in areas with high public interest.

The mapping process was minimal. It consisted of a conversion chart that applied new zoning codes to old districts and was done completely within existing boundaries. The chart was provided online to interested community members. Modified regulations would also appear when a district was selected from the conversion chart online, thus combining the mapping and the text.

The City issued news releases and organized focus groups to educate the public on the conversion table and district changes. The focus groups were organized by use categories in the zoning code, and interested parties could attend any or all groups on residential, commercial, or industrial zoning. Based on the level of public response, the City varied its involvement in communities. In areas with significant public interest, the city held a series of outreach meetings in which substantive changes to the area map were discussed with residents, realtors and developers.

In general, suburban, single-family-homeowners and others who were not immediately effected by the rewrite showed little interest.

The City reached out to communities that expressed interest in the process. This seemed to please community leaders and ensure public participation.

### **Special Provisions and Innovations**

- The number of industrial district codes was decreased from seven to three.
- A parking management zone was created.

There were no district boundary changes, but the number of industrial districts decreased from seven to three codes. Also, a parking management zone was created. A mixed-use overlay district was considered. To simplify the code, new district creation was avoided where possible.

### **Political Challenges**

- No real political battles ensued.

### **Interim Procedures**

- The City offered developers the option of using the new or old text.

Developers who submitted paperwork before the actual code was adopted had the option of applying the new or old text to their developments.

### **Lessons Learned**

- City staff would have liked to conduct a more extensive mapping process but there were no resources.
- The process worked well without need to hire outside consultants.
- More staff resources to help with procedural changes would have smoothed the process.

Lack of sufficient resources made an extensive remapping process impossible. Overall, the City and the public were satisfied with the end result.