

Modernizing Rural Development Codes: Top 10 Quick Fixes



Presented By:

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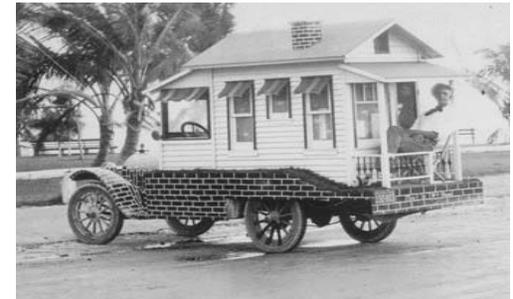
C L A R I O N

Rocky Mountain Land Use
Institute

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Rural Smart Growth Challenges

- URBAN SMART GROWTH WELL-DEFINED...NOT SO WITH RURAL
- FEWER FINANCIAL, TECHNICAL, STAFF RESOURCES IN RURAL AREAS
- DIFFERENT DEVELOPMENT TYPES AND PRESSURES VS. URBAN AREAS
- URBAN SMART GROWTH TOOLS (E.G., HIGH-DENSITY MIXED USE) MAY NOT BE APPROPRIATE



TOP TEN QUICK FIXES

1. **AVOID THE DEVIL'S DENSITY**
2. **USE CLUSTER OPTION CAREFULLY**
3. **REIN IN RURAL PUDS**
4. **DESIGNATE TOWN GROWTH AREAS**
5. **DEVELOP SMART ANNEXATION POLICIES**
6. **USE FISCAL IMPACT ANALYSIS**
7. **APPLY TOWN DEVELOPMENT STANDARDS IN GROWTH AREAS**
8. **PROTECT SENSITIVE NATURAL AREAS**
9. **REGULATE RURAL COMMERCIAL**
10. **CONSIDER PDR/TDR PROGRAMS**



WHAT IS RURAL SMART GROWTH?

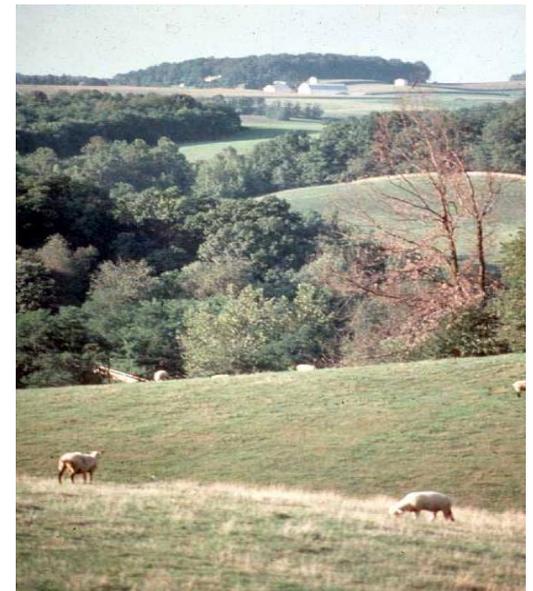
- **CITY/TOWN INFLUENCE AREAS**
 - Focus most growth here
 - Central water/sewer
 - 4 units/acre minimum
- **TRANSITIONAL TOWN INFLUENCE AREAS**
 - Larger lots in clusters
- **TRUE RURAL**
 - Limited urban services
 - Future urbanizing standards
 - 1 unit/40+ acres minimum



REPORT ORGANIZATION

For Each Priority Action:

- Discussion of issue/challenge
- Overview of potential responses
- Expected community benefits
- Implementation steps
 - Minor adjustments
 - Major modifications
 - Wholesale changes
- Practice pointers
- Examples and references (plans, codes, etc.)



1. AVOID THE “DEVIL’S DENSITY”

Challenge: Low-density rural growth not dense enough to service efficiently; fragments ag land and habitat

Responses:

- Designated plan growth areas
- Regulatory reform (e.g., no rural PUDs)

Benefits:

- Lower govt. infrastructure costs
- Open space preservation
- Support town business districts
- Reduce VMTs
- Increased predictability



1. AVOID THE “DEVIL’S DENSITY”

Implementation steps

- Allow cluster subdivisions at town’s edge
- Establish town service boundaries
- Adopt true agricultural zoning
- Joint town/county planning and regulations

Practice pointers

- Support regulations with land acquisition
- Address family lot splits
- Support land trusts

2. USE CLUSTER SUBDIVISIONSCAREFULLY

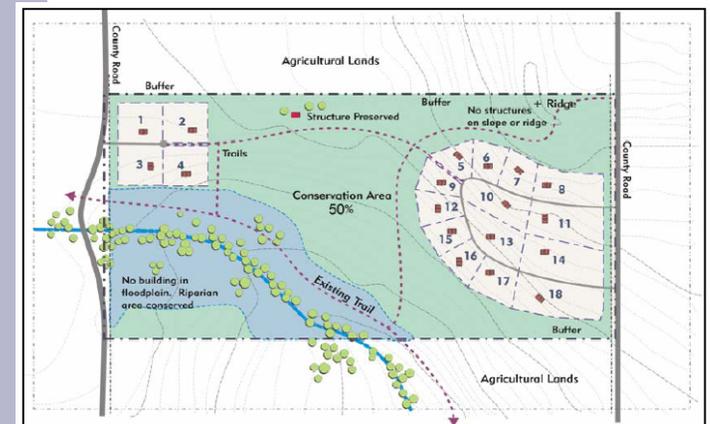
Challenge: Cluster subdivisions in wrong place can hamper farming and lead to cluster sprawl

Responses:

- Allow, but utilize in appropriate locations

Benefits:

- Appropriate town/rural transitions
- More cost effective service provision
- Avoid ag interference
- Avoid cluster sprawl



2. USE CLUSTER SUBDIVISIONSCAREFULLY

Implementation steps

- Allow cluster subdivisions at town's edge
- Require use of clusters at town's edge
- Prohibit or limit cluster use outside town growth areas

Practice pointers

- Require open space contiguity in clusters
- Allow reduced lot sizes and community septic

3. REIN IN RURAL PUDS



Challenge: Large rural PUDs undermine comp plans growth policies and lead to costly rural sprawl

Responses:

- Limit PUDs to town growth areas
- Limit waiver of open space and environmental standards

Benefits:

- Increased certainty in review process
- Avoid fragmentation of rural landscape
- More cost-efficient services and administration



3. REIN IN RURAL PUDS

Implementation steps

- Designate rural growth areas in comp plans
- Establish maximum PUD size in rural areas
- Ban PUDs outside town growth areas

Practice pointers

- Establish baseline of compensating public benefits
- Avoid creating mini-zone districts with multiple PUDs



4. DESIGNATE TOWN GROWTH AREAS

Challenge: Rural planning is reactive—
developers often dictate growth
location

Responses:

- Designate preferred growth areas based on fiscal impacts, impacts on natural areas, etc.

Benefits:

- Greater predictability for landowners
- Cost-effective infrastructure provision
- Preservation of open space and ag lands



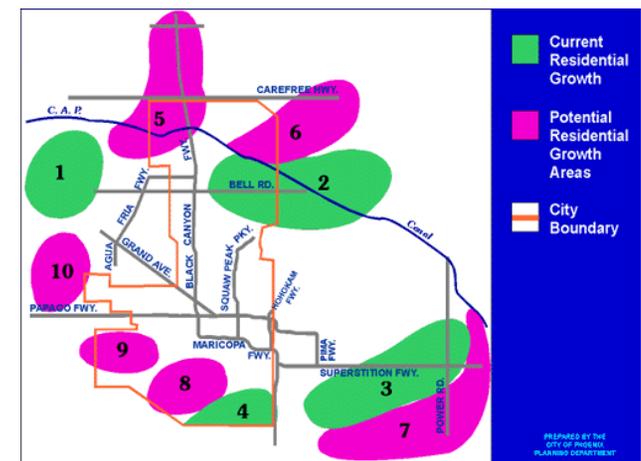
4. DESIGNATE TOWN GROWTH AREAS

Implementation steps

- Identify and map preferred growth areas
- Adopt adequate public facilities ordinance
- Purchase key development sites and land bank

Practice pointers

- Coordinate CIPs with plans
- Take regional approach



5. DEVELOP SMART ANNEXATION POLICY

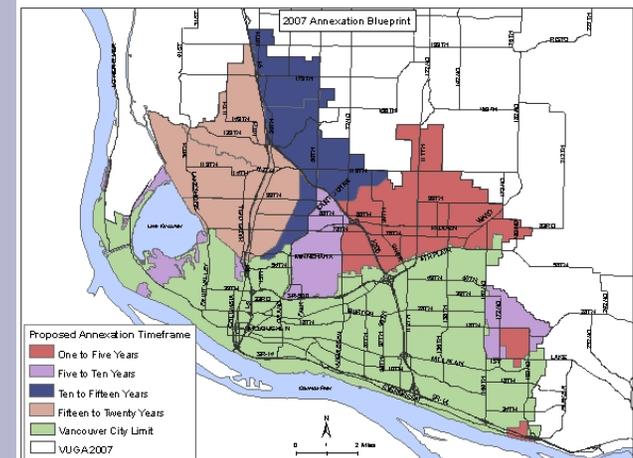
Challenge: Many rural communities do not coordinate annexations with growth management policies

Responses:

- Adopt annexation policy and coordinate with plans

Benefits:

- Annexations support plan goals
- Secure community benefits
- Avoid local annexation wars
- Preserve rural areas



5. DEVELOP SMART ANNEXATION POLICY

Implementation steps

- Require annexations to be in accord with comp plan
- Require detailed fiscal impact analysis and mitigation
- Require minimum contiguity

Practice pointers

- Adopt local service standards and apply to annexations
- Adopt town/county annexation IGA



6. USE FISCAL IMPACT ANALYSIS

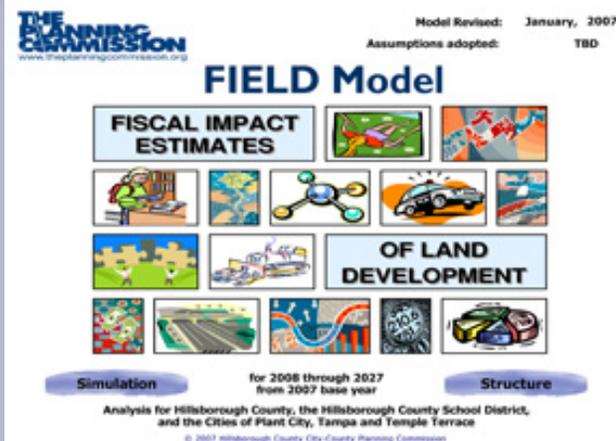
Challenge: Many rural communities approve development without true picture of long-term costs/benefits

Responses:

- Require basic fiscal impact analysis

Benefits:

- Real understanding of costs/benefits
- Foundation for mitigation
- Projects with clear benefits gain citizen support
- Reduces unproductive intergovernmental competition



6. USE FISCAL IMPACT ANALYSIS

Implementation steps

- Adopt simple fiscal impact statement requirement--require developer to pay
- Identify fiscal thresholds for acceptable projects
- Require analysis of impacts on other jurisdictions and service providers

Practice pointers

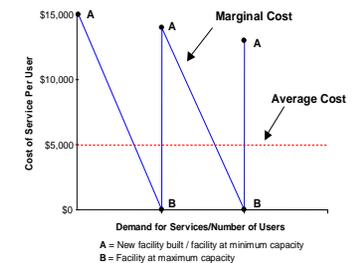
- Look at cumulative impacts of multiple developments
- Consider environmental and social impacts also

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Average vs. Marginal Cost



7. APPLY TOWN DEVELOPMENT STDS. IN GROWTH AREAS

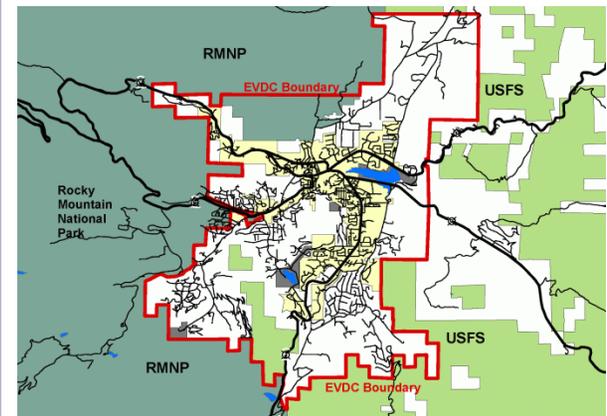
Challenge: Towns hemmed in by low-density unincorporated development that don't meet town standards

Responses:

- Intergovernmental agreement to apply town infrastructure standards

Benefits:

- Properties easier to annex in future
- Uniform standards prevent forum shopping
- Rational settlement patterns



7. APPLY TOWN DEVELOPMENT STDS. IN GROWTH AREAS

Implementation steps

- County adopts town subdivision stds in town influence areas
- Town/county adopt joint plans and standards in growth areas
- Town/county form joint planning commission in growth areas

Practice pointers

- Joint planning efforts require ambitious political effort and public involvement



8. PROTECTIVE SENSITIVE NATURAL AREAS

Challenge: Many rural ecosystems and species at risk due to habitat loss

Responses:

- Adopt plans that identify critical habitat and natural resources
- Enact protective regulations

Benefits:

- Significant contribution to local economies
- Protection of rural character
- Green infrastructure value



8. PROTECTIVE SENSITIVE NATURAL AREAS

Implementation steps

- Identify sensitive natural areas in plans
- Adopt protective zone districts and sensitive area protection regulations
- Require restoration of degraded habitats

Practice pointers

- Use incentives like TDRs and cost-sharing for restoration
- Limit use of cluster subdivisions



9. REGULATE RURAL COMMERCIAL

Challenge: Scattershot rural commercial development fragments landscape and undermines town business districts

Responses:

- Target most commercial to towns
- Adopt commercial design standards

Benefits:

- Avoid sprawl-inducing scattershot commercial
- Protection of rural character
- Increased town tax base
- Avoid strip commercial outside towns



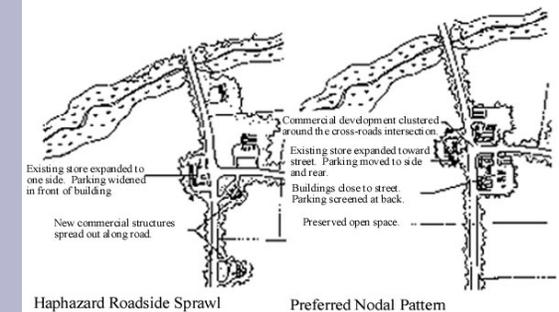
9. REGULATE RURAL COMMERCIAL

Implementation steps

- Adopt county plan policy to target most commercial to towns
- Prohibit rural commercial in most county zone districts
- Sign IGA to share commercial tax revenues

Practice pointers

- Joint town/county planning for rural commercial



10. CONSIDER PDR OR TDR PROGRAM

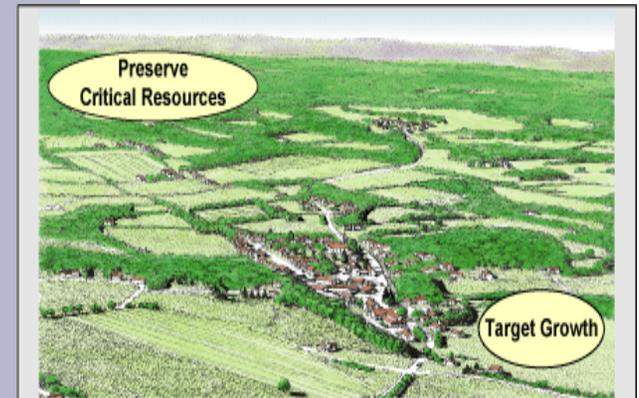
Challenge: Potential opposition to restrictive land use regulations

Responses:

- Adopt PDR or TDR program to take “sting” out of regulations and provide method to recoup land values

Benefits:

- Reduced opposition to land protection regulations
- Preserve significant amounts of open space
- Less expensive than full-fee land acquisition



10. CONSIDER A PDR OR TDR PROGRAM

Implementation steps

- Adopt voluntary TDR program. Grant density bonus to participants
- Create PDR program with reliable funding source
- Adopt mandatory TDR program in targeted areas

Practice pointers

- Tie PDR/TDR program to local plan open space element
- Carefully balance sending/receiving areas

