
Whitepaper: The State of Zoning in Central Ohio

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Executive Summary

Project Background

In 2012 and 2013, MORPC and the Columbus REALTORS® partnered on a project to 1) analyze how zoning practices in central Ohio communities compare to current trends, and 2) create lookup tools to allow interested individuals to identify information about development permits and zoning district requirements in jurisdictions throughout central Ohio.

Creating the lookup tools generated data that provided insights into current zoning practices in central Ohio. In addition, a task force of local development professionals shared their practical knowledge of how zoning codes are used, their strengths, weaknesses, and suggestions for improvements. The task force consisted of representatives from the private sector and public sector in an effort to find a common ground from which to build the analysis.

Context

Zoning allows communities to set the rules by which private property can be developed and used. This can create conflict between private sector desires, and the public sector responsibilities. Zoning is a constitutional power of the states, delegated to local jurisdictions to promote the health, safety, and general welfare of communities. Using this power abridges private property rights for the public good.

Originally a tool to prevent incompatible uses from mixing, zoning has evolved through new tools and practices. Consequently, zoning rules can be complex. However, time is a limited resource and can make or break a development deal. Having clear, concise, and well-defined zoning rules and processes is essential for attracting economic development, while also protecting the community from land use decisions that are inconsistent with community goals.

Communities have found ways to innovate on zoning practices and position their jurisdiction for development that furthers their local plans. Some allow flexibility to accommodate changing market demands through overlay districts for areas or corridors. Similarly, other communities are creating new zoning districts that primarily address the form of development, rather than use. Finally, some communities rely on variances as a workaround where existing zoning rules remain inflexible.

Even with examples of these innovations, zoning in central Ohio remains complicated, often misunderstood by the public, and underused as a planning tool for advancing a community's vision.

Findings

The analysis and task force discussion resulted in three primary sets of findings:

► ***Current zoning practices can be an impediment to development.***

- Zoning is an old practice that may not reflect current market trends. Of the 135 zoning codes reviewed, all rely on the separation of uses. These “Euclidian zoning” principles date back to the early 20th century. Changes in demographics are pushing the need for increased flexibility in land development patterns.
- Zoning districts are plentiful and inconsistent across jurisdictions. The 135 zoning codes reviewed include 1,711 different zoning districts and overlays with tens of thousands of additional rules and requirements attached to each district. These codes include even more rules that apply beyond individual districts.
- Negotiations add complexity to the zoning process. Reviews and negotiations in the zoning process can contribute ad hoc requirements and costly delays in approval.

► ***New zoning principles and tools can help meet new market demands.***

- 60 percent of the adult population in the seven-county study area falls in two broad, age-based demographics—Baby Boomers and Millenials—who indicate increasing demand for walkable, mixed use environments.
- New zoning practices offer an alternative to outdated zoning principles to encourage walkable, mixed use environments while improving the zoning process.
- Advances in desktop and online publishing and design tools could allow communities to better communicate zoning requirements and design guidelines beyond complex legally formatted lists, dimensions, and ratios.

► ***Local governments could improve zoning codes and processes with the support from the private sector and the general public.***

- Such improvements can help encourage development that advances each community’s own vision.
- Minimizing zoning’s role as an impediment can advance economic development and improve local tax bases.
- In creating environments that are in demand, the region can improve its competitive advantage – attracting and retaining both talent and employers.

Next Steps

MORPC will incorporate the findings from this study in regional planning efforts associated with transportation, environment, community services, and energy. The lookup tools will be available to the general public, researchers, and professional practitioners. Please note that the database of zoning districts does not include geographic areas of districts. The data collected is a valuable resource, especially when combined with other data sets such as demographics, transportation, and infrastructure plans to assess the potential of communities to respond to changing demographic trends as a means to be economically competitive.

Zoning in Central Ohio

Central Ohio's Many Zoning Codes

In the seven-county study area, 194 local governments have the authority to adopt a zoning code to govern the type and character of development in their jurisdiction. MORPC staff collected 135 zoning codes covering 159 of those cities, villages and townships.¹ MORPC staff confirmed that 15 jurisdictions have no zoning. Staff was unable to obtain data on 12 jurisdictions or obtain codes from another 8 jurisdictions (see Figure 2, on page 4).

According to the local District Council of the Urban Land Institute (ULI), development professionals see zoning as a significant impediment to development (see Figure 1).² While a single zoning code may be hard enough to parse, interpret, and navigate, many of these professionals simultaneously deal with dozens of the 135 codes, not to mention the personalities and preferences communicated throughout in the process.

What is the biggest impediment to development in Central Ohio?

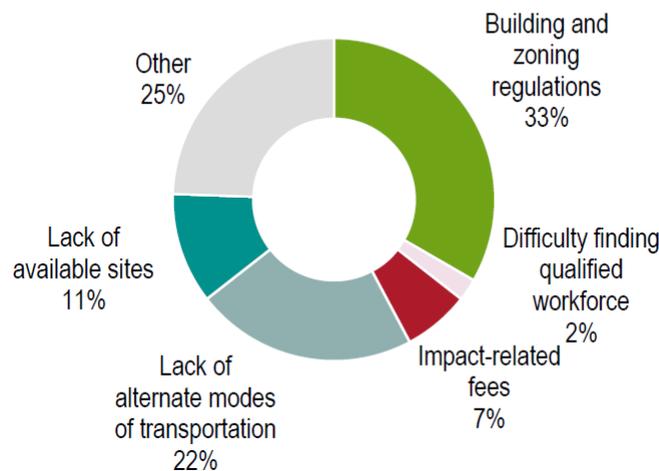


Figure 1. Zoning regulations rank high among the impediments to development in the region according to those in real estate development. Source: ULI Columbus³

¹ 24 townships have adopted one of three county zoning codes for Delaware, Franklin, or Madison counties.

² (ULI Columbus, 2012)

³ (ULI Columbus, 2012, p. 15)

Zoning in Central Ohio

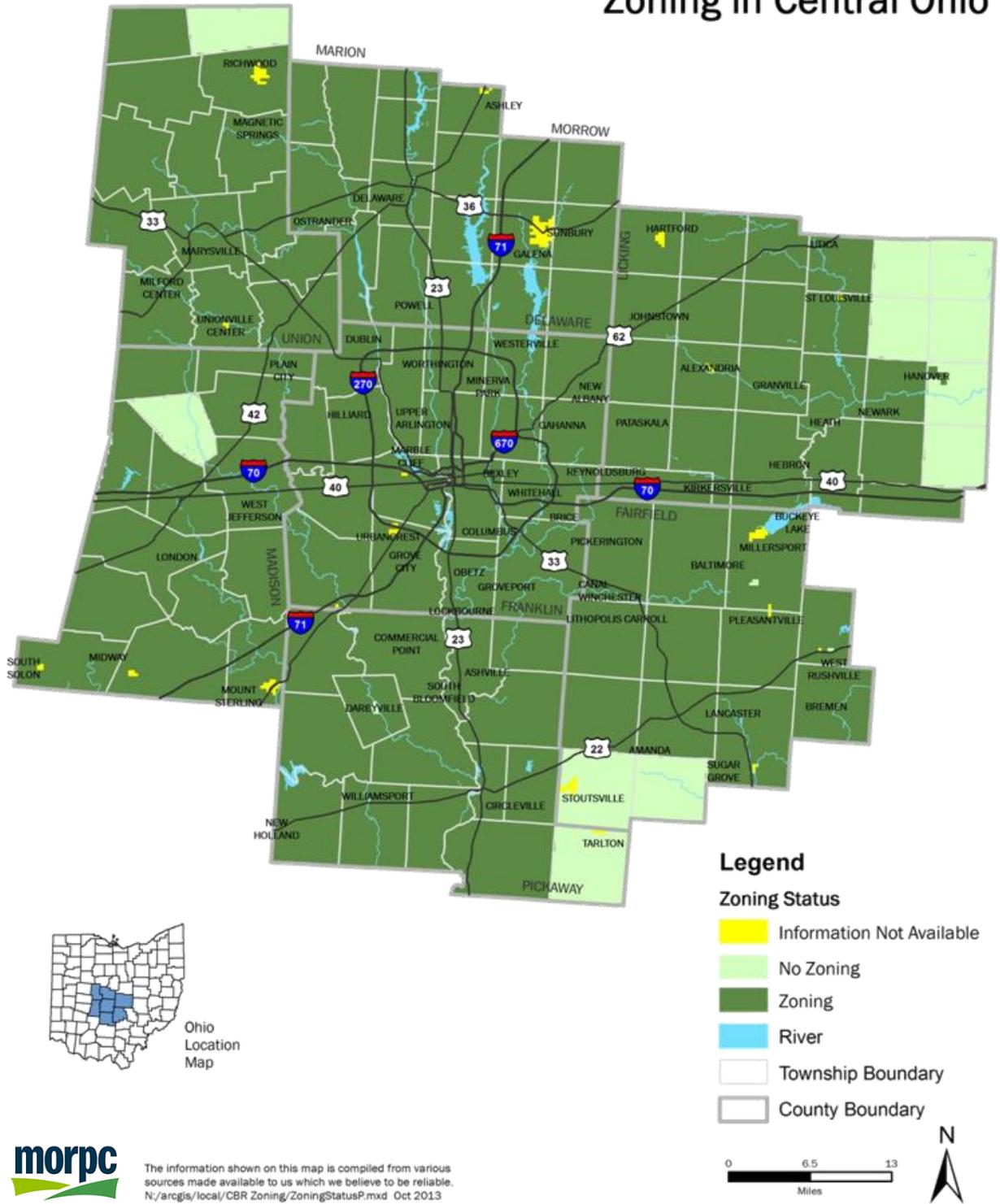


Figure 2. 135 zoning codes cover 159 jurisdictions in central Ohio.

While these codes are very specific and differ in many ways, all rely primarily on Euclidean zoning principles.

Euclidean zoning focuses on separating different types of land uses. The name comes from a Supreme Court case that upheld the constitutionality of zoning in Euclid, Ohio. Euclidean zoning employs two types of regulations to accomplish this goal:

- 1) Use regulations: separating different types of land use from one another in different zoning districts, and
- 2) Area/bulk regulations: controlling the bulk/density and position of structures on properties within these zones.

Euclidean zoning principles address pressing concerns from the early 20th century. Use regulations could protect one use from the nuisances created by another, such as dust, noise, and pollution. Area and bulk regulations alleviated fears of population overcrowding, sanitation, and widespread fire while also ensuring adequate light and ventilation for new dwellings.

Zoning Districts are Plentiful and Inconsistent Across Jurisdictions

Inside these 135 zoning codes are 1,711 different zoning districts and overlays. Seventy percent rely on Euclidean zoning principles. The remaining districts and overlays reflect zoning innovations since the early 20th century, including planned unit development (PUD), design review, and form-based coding (see Figure 3).

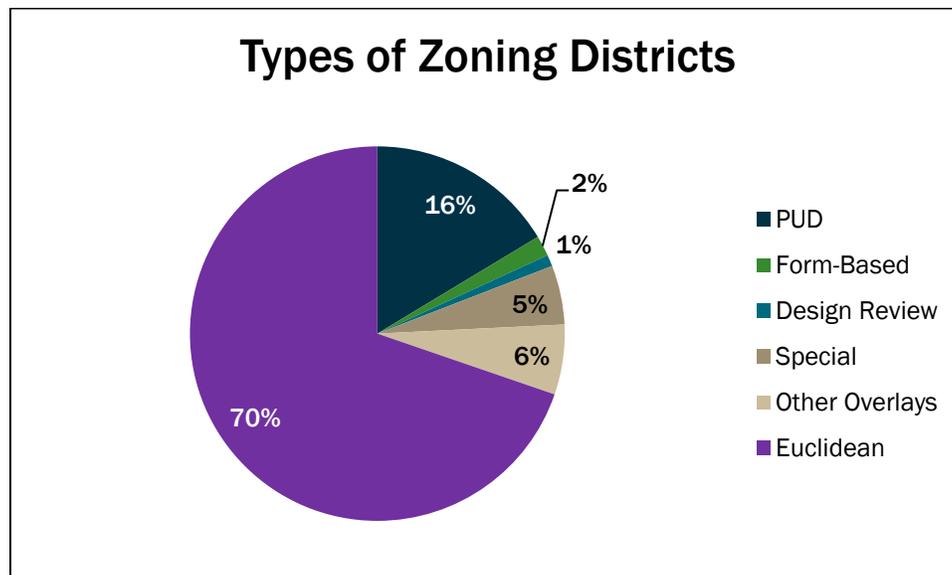


Figure 3. The majority of the study area zoning districts and overlays rely on Euclidean zoning principles.

With the Euclidean focus on separation of uses, it can be hard to create mixed use developments. 106 districts and overlays explicitly allow mixing of uses. An additional 244

residential districts allow some level of commercial uses. An additional 174 commercial districts allow some level of residential uses. However, Table 1 shows that many of these allowances require additional negotiation, which could add time to the process.

Table 1. Districts Allowing Residential-Commercial Mix of Uses⁴

Mixed Use Districts	Districts		In Codes	
	Count	Percent	Count	Percent
Mixed Use	106	6%	53	39%
May Require Negotiation†	52	3%	42	31%
By Right Overlay (no additional negotiation required)	14	1%	10	7%
By Right District (no additional negotiation required)	40	2%	16	12%
Commercial Allowing Residential	174	10%	93	69%
May Require Negotiation‡	95	6%	51	38%
By Right (no additional negotiation required)	79	5%	54	40%
Residential Allowing Commercial	244	14%	99	73%
May Require Negotiation‡	243	14%	99	73%
By Right (no additional negotiation required)	1	> 1%	1	1%

† - As Planned Unit Development (PUD)

‡ - As PUD or Conditional Use

Beyond regulating uses, these 1,711 districts and overlays organize a complex web of nearly 19,000 area and bulk regulations. This tally does not include landscaping, sign, parking, or other regulations that apply within a zoning code beyond a single district. Nor does it include design guidelines and other decision criteria. In short, developers face many rules when working across the seven-county study area.

The specifics of these rules vary considerably. This includes not just the dimension measurements, but the nomenclature and method of measuring the exact same kind of requirement. For example, a regulation may measure a building’s front setback from the road centerline while others measure it from the curb, the invisible public right-of-way property line, a proposed right-of-way line from a thoroughfare plan, or even in relation to the neighboring buildings. What one code calls “setback,” another may refer to as “yard.” Such setbacks and yards may only apply to the building, or may also include all paved areas, fences, and walls. This inconsistent terminology leaves development project reviewers and applicants alike turning to a code’s long list of technical definitions of terms sometimes to find that term omitted.

⁴ Tallies based on simplified classification of actual district uses done for comparison purposes. Tallies do not include home occupations or other accessory uses.

Negotiations Add Complexity to the Zoning Process

In addition to the codified standards, jurisdictions have various opportunities to add additional requirements throughout the zoning process.

Beginning in the 1950s and 60s, Planned Unit Development (PUD) regulations offered a zoning innovation to help overcome some of Euclidean zoning's limitations. While not always using this exact nomenclature, one can identify such districts when they have a unique, negotiated set of rules that, unlike a Euclidean zoning district, are not written into the zoning code. The negotiation begins when a developer elects to rezone a property under this PUD process.

93 of the 135 zoning codes include the opportunity for PUD districts. These districts may offer developers some flexibility. However, only 42 codes have a PUD that allows for mixing uses. Despite this potential for flexibility, through the process of negotiation, government staff, commissions, and councils have the opportunity to require higher standards. Consequently, the PUD process can also result in a lengthy approval process. The task force found these types of processes problematic as the negotiations are inconsistent across communities and add time to concluding the approval.

Codes throughout the study area also offer involuntary opportunities for developer negotiation with appointed officials on planning or zoning commissions or other review boards. Development proposals of a certain size or intensity may trigger a development or site plan. Some codes only allow certain uses on a conditional basis, requiring additional review for approval. Other codes include some form of architectural or design review. Such reviews may force a project to advance well past conceptual or schematic design before any approvals are in place.

More negotiation may result from a developer's variance request. Variances are necessary when a development proposal seeks to bypass a specific zoning rule or set of rules. A common cause for variance requests: when development or redevelopment needs to happen on a parcel subdivided before a jurisdiction put zoning in place – or at least before the last major zoning code revision. In these cases, it may be impossible to meet certain rules on a given lot.

Jurisdictions may require additional standards or restrictions as a single parcel goes through the rezoning process. Several jurisdictions in the study area do this through a "Limited Overlay" that applies uniquely to different parcels according to a negotiated "limitation text."

From the developer's perspective, such seemingly ad hoc requirements can alter a project's bottom line by 1) increasing the hard costs of development; 2) increasing the soft costs to cover the time needed to iterate, change, and alter a development proposal through successive meetings and hearings over a lengthy and uncertain approval process; and 3) increasing the costs associated with delays in the approval process, such as extending the purchase contract.

For the general public, this negotiation process can open up a confusing set of hearings. Those who are most motivated to turn up and speak out at a given hearing are often those directly affected, such as the immediate neighbors to a new project. Fearing any impact, those who speak up understandably and naturally, seek to protect the status quo.

From the local government's perspective, this ad hoc, negotiation approach makes zoning a parcel-by-parcel tool. This is far from zoning's original intent to govern larger zones in a unified manner. Officials may lose sight of larger issues and opportunities, along with the community's vision, when facing agendas full of parcel-by-parcel matters and public hearings packed with neighboring residents.

New Zoning Principles, Tools, and a Changing Market

Changing Market

In the seven-county study area, two generations dominate. Based on figures from the 2010 US Census, Baby Boomers (2010 age range of 45 to 64) make up 32 percent of the adult population. Millennials (2010 age range of 15 to 29), also known as Generation Y or Echo Boomers, make up 28 percent of the adult population. Both of these generations are experiencing transitions that will affect their real estate decisions.

Many of the Baby Boomers who had children have since become empty nesters. Evidence shows many of these people have a growing desire for smaller homes with shorter commutes.⁵ The oldest of the Baby Boomers are just beginning to reach retirement age. Some may find such housing in walkable, mixed use communities to prepare for the future possibility that they may no longer be able to rely on a personal vehicle.

Based on their age, Millennials may appear the likely market to purchase the homes of the selling Baby Boomers. However, this generation shows the strongest preference for mixed use, walkable communities.⁶ While the demand for single family homes in areas of homogenous use and density is not likely to disappear, an oversupply resulting from this preference mismatch is sure to affect the market.⁷ These generations may even converge on comparatively limited walkable, mixed use living opportunities.⁸

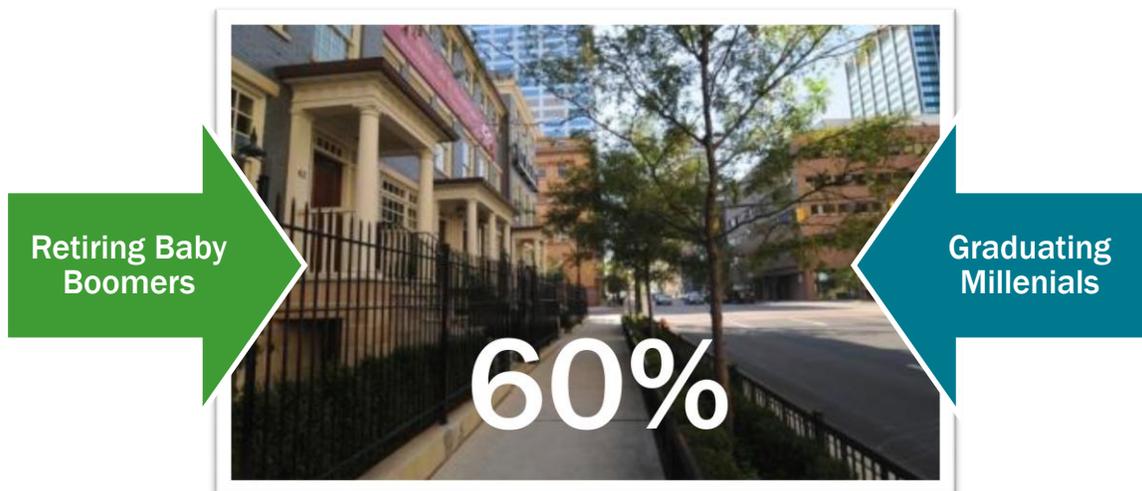


Figure 4. Baby Boomers and Millennials make up 60 percent of the study area's adult population. These generations may converge on the same walkable, mixed use living opportunities.

⁵ (Belden Russonello Strategists LLC, 2013)

⁶ (Belden Russonello Strategists LLC, 2013)

⁷ (Myers & Ryu, 2008) (Danter, 2010) (Zimmerman/Volk Associates, Inc., 2009)

⁸ (Keates, 2013)

Millenials and Baby Boomers represented 66 percent of the new business creators in the nation during 2012.⁹ Such new and young businesses (those less than two years old) account for 70 percent of the nation’s new jobs.¹⁰ Such startup businesses, as well as other employers seeking to locate in walkable, mixed use locations may prove to be a significant driver of economic development and employment growth in central Ohio.¹¹

Future seniors, the Baby Boomers, will live longer than previous generations. When forecast forward, under a scenario that assumes no in- or out-migration, the senior population in the study area more than doubles by 2040 (see Figure 5). Where in 2010 there were 2.2 working age individuals for each non-working age person (children and seniors), by 2040 this scenario leaves only 1.6 working age individuals for each non-working age person.¹² Such a dramatic change in this ratio has significant implications for municipalities reliant on income tax receipts. To remain viable, communities in the region will need to continue to attract a young and talented workforce. As discussed, this is the cohort that shows the strongest preference for mixed use, walkable communities.

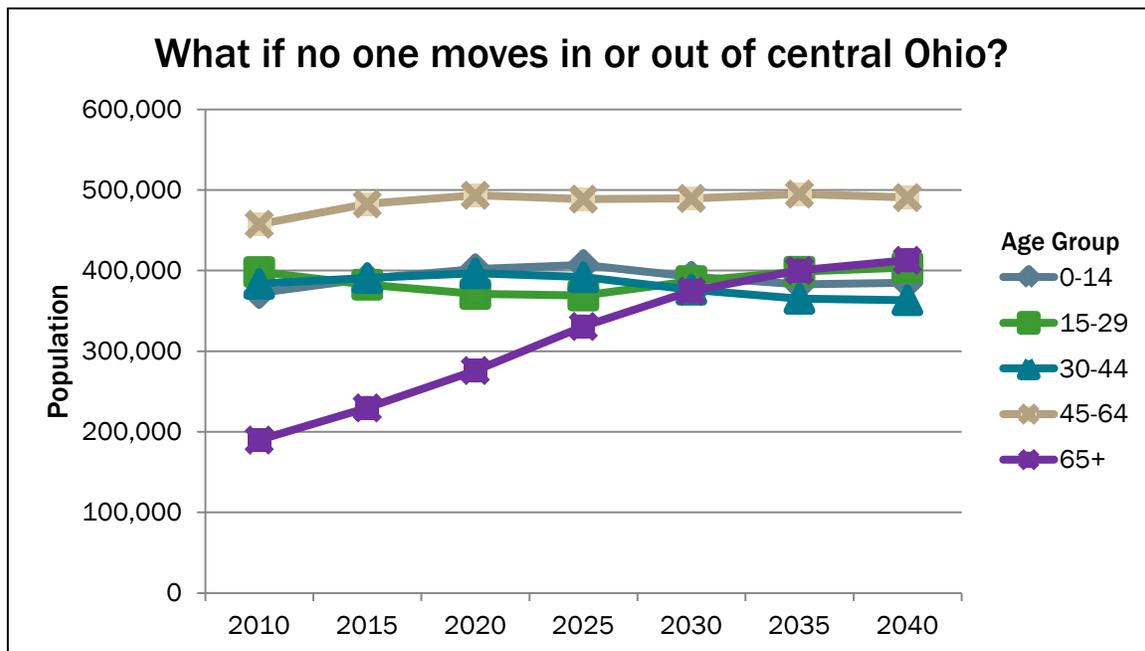


Figure 5. If no one moves in or out of central Ohio, the number of seniors will more than double by 2040.

⁹ New entrepreneurs between the ages of 20-31 and 47-64, based on data from (Ewing Marion Kauffman Foundation, 2013); report on this dataset available from (Fairlie, 2013).

¹⁰ (Haltiwanger, Hyatt, McEntarfer, & Sousa, 2012)

¹¹ Note the messages from Carol Coletta and Sarah Woodworth in (Planning Foundations: Bridge Street Corridor Study, 2010)

¹² Forecast uses the cohort component technique. Base year data from the 2010 US Census. Birth and death rates from the Ohio Department of Health.

Additionally, based on figures from the US Census Bureau, one- to two-person households increased from 58 percent in 1990 to 62 percent in 2010. Over a similar timeframe between 1990 and 2011, per capita income stagnated when adjusted for inflation. It rose between 1990 and 2000, but fell between 2000 and 2011. Households affected by these trends may seek housing opportunities that minimize their combined housing and transportation costs. To do so, they may demand a variety of housing, including multifamily housing—perhaps in walkable, mixed use areas.

Changing Perspective on Early Zoning Principles

Euclidean zoning, the basis for 70 percent of the zoning districts in the study area, emerged out of several pressing concerns from the early 20th century. Some of these concerns are outdated. For example:

- Advanced building codes minimize widespread fire risk and address ventilation concerns.
- Many zoning codes now include performance standards that help minimize the nuisances created by some uses by regulating the actual impacts, such as noise, dust, emissions, traffic, hours of operation and even the timing of deliveries.
- Advances in technology help alleviate fears over sanitation issues and concerns over adequate light and ventilation.
- Housing policies and improved transportation since the early 20th century have alleviated acute fears of population overcrowding.

Despite these changing concerns, Euclidean zoning standards helped central Ohio communities oversee and regulate their expansion as demand for single-family homes surged in the decades after World War II.

However, the resulting separation of uses and homogenous residential densities of Euclidean zoning can lead to less than optimal outcomes. For example:

- Even a small mix of uses can help reduce personal vehicle trips by offering destinations within walking and biking distance.¹³
- Those either not able or who choose not to drive also may find such a mix of uses preferable when seeking to carry on daily activities without access to a vehicle.¹⁴
- A mix of uses and housing types may improve the fiscal impact of development on governments by reducing the per capita demand for facilities and services.¹⁵
- Active, mixed use environments may help attract and retain new talent for the workforce.¹⁶

¹³ (Ewing & Cervero, 2010)

¹⁴ (Lynott, et al., 2009)

¹⁵ (Katz, 2013) (Randall Gross, Development Economics, 2004)

¹⁶ (Urban Land Institute, 2012) (Columbus Chamber of Commerce, 2011)

As discussed earlier, Planned Unit Development (PUD) districts offer developers flexibility. Some include the option to create mixed use environments. However, lengthy and uncertain approval processes limit the appeal of this approach. It may also be unsuitable for smaller, infill and redevelopment opportunities.¹⁷

Form-based zoning is the latest major innovation in zoning. Instead of organizing zoning districts around use, the regulations focus on building form. Already, Euclidean zoning requires all buildings in a given district to comply with minimum dimensions and maximum ratios controlling bulk, spacing, and congestion. These rules do impact form.

Instead of focusing on the size and position of one building on one property as with Euclidean area and bulk regulations, the new form-based approach focuses on how the buildings relate to one another and the street. For example, the type of street a property sits on may have significant impact on the scale and setback possible.

This approach allows significant mixing of uses. It also allows placemaking patterns that predate Euclidean zoning to emerge. Jurisdictions can also calibrate this type of code to match patterns found in preexisting districts and corridors, eliminating the need for developers of some properties to seek variances or follow non-conformity rules.¹⁸

Eight jurisdictions in the seven-county study area include some manner of form-based districts (see Figure 6). Along with other examples across the nation, these codes help avoid subjective reviews and approvals in the zoning process by making form and design requirements a prominent part of the code itself.

Areas Zoned by Jurisdiction	Rezoning Option for Developers
<p data-bbox="250 1142 656 1209"><u>Extensive Form-Based Code with Subdistricts</u></p> <ul data-bbox="282 1220 683 1293" style="list-style-type: none"><li data-bbox="282 1220 683 1249">New Albany (Urban Center Code)<li data-bbox="282 1260 643 1293">Dublin (Bridge Street District) <p data-bbox="250 1346 745 1375"><u>Corridor or District Form-Based Overlays</u></p> <ul data-bbox="282 1386 513 1577" style="list-style-type: none"><li data-bbox="282 1386 402 1415">Baltimore<li data-bbox="282 1425 407 1455">Columbus<li data-bbox="282 1465 513 1495">Grandview Heights<li data-bbox="282 1505 451 1535">Reynoldsburg<li data-bbox="282 1545 475 1577">Franklin County	<p data-bbox="850 1142 1349 1209"><u>Traditional Neighborhood Development (TND)</u></p> <ul data-bbox="883 1220 1110 1293" style="list-style-type: none"><li data-bbox="883 1220 1110 1249">Canal Winchester<li data-bbox="883 1260 1016 1293">Columbus

Figure 6. Form-based code examples from throughout the seven-county study area demonstrate the range of ways jurisdictions can use this approach.

¹⁷ (Nelson, et al., 2009)

¹⁸ (Littleton, 2013)

Evolving Zoning Tools

Zoning, fundamentally, deals with private property rights. The codified rules must be explicit, technical definitions made clear. To do this, many codes still rely on tools that precede the personal computer revolution, even if jurisdictions have since converted the code for modern word processing or online publication.

Complicated, hierarchical lists of legal descriptions tell the property owner what he or she can or cannot do with the property. A web of technical definitions – yet more words - attempts to offer clarity through additional specificity. Decades of code revisions may interrupt any consistent ordering or format to these lists of descriptions, further complicating easy interpretation.

Modern word processing allows for the use of tables to organize and present use and area/bulk regulations across multiple zoning districts, altering the dimension or ratio within the table cell without having to repeatedly explain the corresponding measurement. Some jurisdictions choose to incorporate this type of table or “schedule” instead of the complicated lists of descriptions. Others offer the table as a helpful exhibit in addition to the lists of descriptions.

District	Number Of Dwellings	Minimum Lot Area (Square Feet)	Maximum Lot Coverage	Maximum Depth To Width Ratio	Minimum Frontage (Feet)	Minimum Front Yard (Feet)	Minimum One Side (Feet)	Side Yard Sum of Sides (Feet)	Minimum Rear Yard (Feet)
A	1	5 acres	NA	3:1	300	50	30	80	50
R – R	1	2 acres	NA	3:1	175	40	25	60	50
R – 1	1	30,000*	25%	4.5:1	125**	35	20	50	50
R – 2	1	10,000	35%	NA	80**	30	10	20	30
	2	12,000	35%	NA	100	30	10	20	35
R – 3	1	10,000	35%	NA	80**	30	10	20	30
	2	10,000	35%	NA	100	30	10	20	35
	3	12,000	35%	NA	120	30	12	25	40
	4	12,000	35%	NA	120	30	15	35	50

Figure 7. A simple table helps display the dimensions for area regulations. Image Source: Pleasant Township¹⁹

Some jurisdictions have taken an additional step, using figures and graphics to show how an area/bulk regulation applies. Creating these exhibits can take time and money. However, jurisdictions can obtain copyrighted and non-copyrighted examples, which is much easier via the internet.

¹⁹ (Pleasant Township Zoning Code, 2004, p. 58)

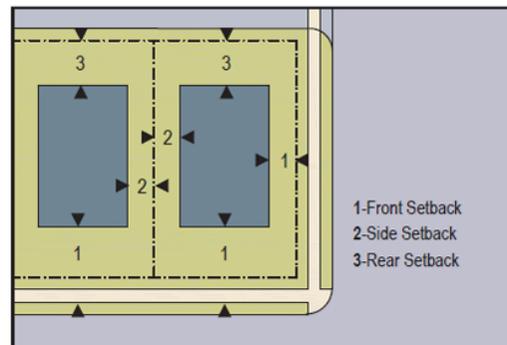


Figure 8. Graphics help show how regulations, such as building setbacks, apply.
Image Source: SmartCode²⁰

Where commissioner or board member approvals are involved, some jurisdictions have adopted illustrated design guidelines to improve the decision making process. These can combine less technical definitions and explanations with figures, as well as example images that demonstrate the intended character. Jurisdictions employing all these tools tend to adopt a separate set of design guidelines by reference in the zoning code.²¹

While no jurisdictions use this approach in the seven-county study area, other jurisdictions, such as Los Angeles, are developing dynamic, web-based zoning codes that serve up the images, tables, charts, and text described above in an interactive, online experience.²²

Previously discussed form-based zoning relies on the zoning tools and techniques described above. That is, diagrams, illustrations, and corresponding tables of dimensional rules help communicate the form and design required (for example, see Figure 9). These tools help jurisdictions establish clear expectations for the private sector, give examples to envision for the general public, and provide objective measures for zoning administration and approval.

These zoning tools and approaches use technology and precision in communication to avoid subjective reviews that extend the length and increase the uncertainty of project approvals. Both the public and private sector members of the task force expressed appreciation for local examples that help improve the speed, consistency, and predictability of the zoning approval process, minimizing the impact of “human intangibles” on the process, such as public outcry during lengthy reviews and negotiations that could persuade needed decisions by elected and appointed officials.

²⁰ (SmartCode Version 9.2, 2009, p. 48)

²¹ Examples include (City of Bexley, 2002) (New Albany, Ohio) (City of Worthington)

²² See re:code LA (<http://recode.la/>)

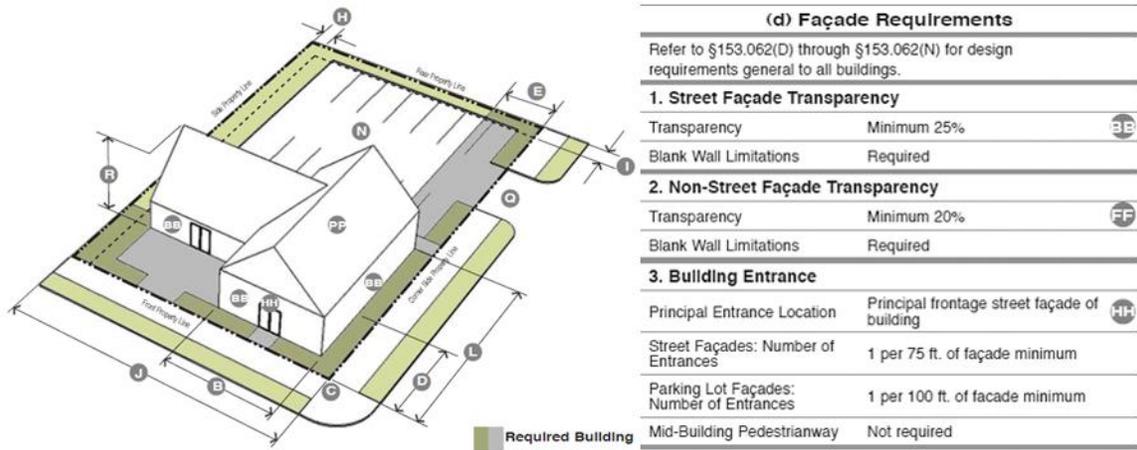


Figure 9. Extensive diagrams, illustrations, and tables support Dublin's Bridge Street District form-based code. Source: City of Dublin²³

²³ (Bridge Street Corridor Development Code, 2012)

Use Zoning to Advance Community Vision, Economic Development, and the Competitive Advantage of the Region

Zoning does not need to be an impediment to development. New zoning tools and principles can help accommodate a changing market. While the private sector development community and interested members of the general public can help advocate for and support improvements, local government leaders must be the ones to take action.

Use Zoning to Advance Community Vision

It's up to each community to establish and maintain a local vision. Zoning is just one step in a larger local property regulation process. Visioning and planning comes first. Optimally, zoning regulations build on the decisions made in that first step to help communities implement the vision.

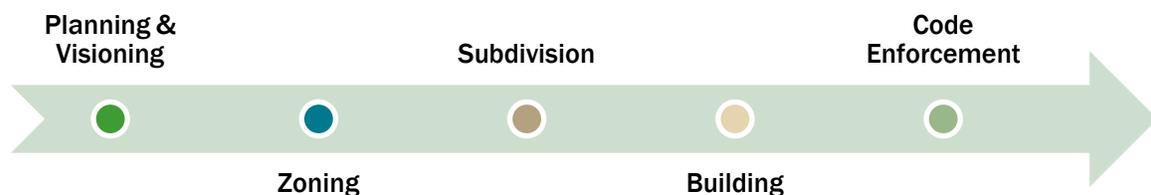


Figure 10. Zoning is one step in a larger local property regulation process.

In Ohio, communities can adopt a local vision in any number of different plans. A comprehensive plan considers an entire jurisdiction, and covers a variety of elements, such as housing, transportation, public spaces, and land use in one document. Some communities focus their plans on a smaller scale, creating multiple area, neighborhood, or corridor plans. Others have scaled down their comprehensive approach to a jurisdiction strategic plan.

No matter the approach, the visioning process allows a community the opportunity for constructive discussion and deliberation well before a specific set of zoning approvals is at stake. Local leaders and residents have the chance to consider the long run impacts of development decisions, as well as the community's needs and desires, outside the parcel-by-parcel focus of the zoning process.

Developers that participated in discussions leading up to this whitepaper stressed the importance of community vision. Such a vision can help instruct a developer's proposal while also signaling that community's intentions and commitment. To some it may indicate an earnest and serious invitation for investment. Conversely, it may help signal that a proposal

is not going to fit in the community vision no matter the extent of negotiations, indicating to that developer the risk of investing time and money to seek approvals without success.

Use Zoning to Advance Economic Development by Making it Easier for Businesses to Locate and Expand

While state, regional, and local economic development officials offer grants and other incentives to attract development, inefficient zoning can act as a disincentive that reduces the value of a community's economic development investments. Where most economic development incentives benefit a single firm at a time, investing in the improvements to a community's zoning code can provide ongoing economic development dividends.

Columbus 2020 is the economic development organization for the Columbus Region. Consider the sectors that Columbus 2020's strategy targets for growth (see Figure 11). Efforts to attract, retain, and expand companies in these sectors go beyond large companies that have the capacity to deliberate and negotiate for the necessary zoning entitlements. Entities such as TechColumbus and The Ohio State University's Technology Commercialization and Knowledge Transfer Office seek to incubate and accelerate startup business. These businesses, and many more of similar stature, need places to start and expand throughout the region without undue regulatory barriers.

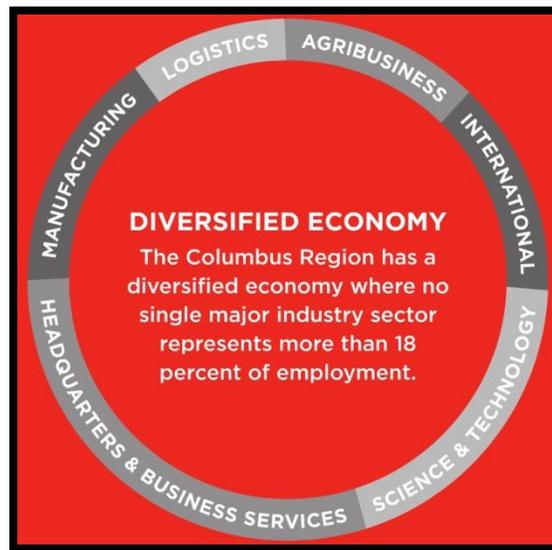


Figure 11. Columbus 2020's economic development strategies targets opportunities for growth in specific sectors. Source: Columbus 2020²⁴

Communities burdened with underutilized, underperforming areas can take advantage of entrepreneurs willing to take on the risks of redevelopment and infill by removing unnecessary barriers in their zoning codes. Evidence of such barriers may include the need

²⁴ (Columbus 2020, 2012)

for parking variances on a site of limited size,²⁵ rezoning to allow for adaptive reuse, and increasing density to allow for enough return to compensate for the remaining value of the underperforming use. While such zoning improvements may not immediately incite redevelopment, they do begin to offer the opportunity.

Jurisdictions throughout the country have sought to expedite the zoning approval process to help advance economic development. Some seek to simplify regulations through a process called dezoning.²⁶ Others seek to calibrate regulations to realistic situations to reduce variance requests. Still others seek to rein in and reform the PUD process.²⁷ An alternative approach is simply to offer expedited reviews.²⁸

Zoning processes slow when elected and appointed officials must review a proposal. To speed the process in predefined and noncontentious situations, some jurisdictions empower staff in the approval process.²⁹ Some even go as far as to enable staff to provide an applicant with administrative relief.³⁰

Use Zoning to Improve the Region's Competitive Advantage by Helping to Attract Workers

Changes to zoning regulation can improve the competitive advantage by helping to attract workers. As shown in the earlier scenario (see Figure 5), central Ohio communities need to help attract a young and talented workforce. Assuming no migration, the number of working age individuals to non-working age individuals decreases dramatically by 2040. This would have a negative impact on all jurisdictions reliant on income tax receipts.

Worse, the threat the region faces is the out-migration or “brain drain” of young professionals.³¹ With a large population of university students, central Ohio has the opportunity to attract and retain a strong workforce.

Remember that these students – the Millennials – are showing a strong preference for mixed use, walkable communities.³² While the presence of job opportunities remains a key decision point for any individual considering relocation, the type of communities central Ohio offers does have an impact on workforce attraction and retention. Improvements to zoning can help provide places for that potential workforce to live, work, and play.

²⁵ For more on how the City of Columbus recalibrated their parking requirements see (City of Columbus Planning Division, 2010).

²⁶ (Abeles Phillips Preiss & Shapiro, Inc., 2002)

²⁷ (Nelson, et al., 2009) and (Nelson, et al., 2012)

²⁸ For a higher fee and/or in specific situations, such as an economic development project, offer faster staff review. For example see (City of Peoria, 2009) (City of Charlotte) (Roanoke County)

²⁹ Form-based codes, such as that in Dublin's Bridge Street District, allow staff to make approvals with the code's clear details and expectations (Bridge Street Corridor Development Code, 2012). Point-based approvals allow staff to identify enough of the codes desired development elements, rather than use a subjective design review; for example see Chapter 3320 of (City of Columbus, 2013).

³⁰ Administrative relief describes the ability of staff, within the written constraints of the code, to permit flexibility in a development plan without additional hearings.

³¹ (Columbus 2020, 2012, p. 34)

³² (Belden Russonello Strategists LLC, 2013)

Next Steps

For Communities

Zoning does not need to be an impediment to development. New zoning tools and principles can help accommodate a changing market. While the private sector development community and interested members of the general public can help advocate for and support improvements, local governments that want to take advantage of these market trends and remain competitive should take action:

- Establish and Maintain a Community Vision
- Use Zoning as a Tool to Advance the Vision
- When Possible, Simplify the Zoning Process

For MORPC

MORPC is engaging in a project with ULI Columbus and Columbus2020 to create an analytic model that will assist the region in assessing the potential impacts of the region's growth for several growth scenarios. Fiscal sustainability, economic competitiveness, and public health for their residents are at the top of the minds of cities, villages, and townships as they look at land use and development plans that allow their community to be competitive. One of MORPC's primary objectives is to assist its members in better understanding the impacts of the region's projected growth and development upon their communities.

The agency has a long standing history of exploring and engaging in planning efforts that study the various implications of growth and development, including policies and initiatives such as Complete Streets, lifelong communities, energy conservation, green space preservation, or general transportation planning. Key demographic and housing shifts and other factors are likely to influence how and where the region's projected growth and development will occur. Such impacts will likely shape the way MORPC members manage and plan for the use of their land, deliver their public services, and plan and implement key public infrastructure. It is vital that MORPC members have the information required to ensure that they make decisions that are fiscally sustainable, negate environmental impacts, and fully consider the implications for the community's overall physical health, to ensure the region's long term economic competitiveness within an increasingly global market place. The zoning district information will be useful for informing decision makers on their ability to respond rapidly to changing demographic conditions and demands to be economically competitive.

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