

# POLICY AND CODE AUDIT REPORT

East Baton Rouge Parish and the City of Baton Rouge

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## Executive Summary

The Smart Growth Leadership Institute (SGLI) and the University of Southern California (USC) funded by a grant from the United States Environmental Protection Agency (EPA) are providing technical assistance to communities that have made a commitment to smart growth but are struggling with implementation, building support, identifying the most problematic policies, and other issues that typically accompany a major change in development practice. Baton Rouge was selected as one of nine candidate communities in the nation after an extensive application and review process. The project team composed of Jessica Cogan (SGLI), Susan Weaver (USC), Deepak Bahl (USC), and Chris Williamson (USC) reviewed both the policies and zoning codes of Baton Rouge and conducted an audit of the Unified Development Code to identify inconsistencies between smart growth policies and implementing codes. In March of 2004, the project team visited Baton Rouge, held meetings with stakeholders including developers, local political leaders, and planning staff, and presented preliminary findings to the Smart Growth Task Force. In this report, we present analysis, findings, and proposed recommendations based on our site visit, interviews, and feedback from the stakeholders and planning staff.

The following highlights our recommendations, listed under the appropriate smart growth principle:

### Principle 1: Provide a Variety of Transportation Choices

- The SGLI Team recommends that the Planning Commission only approve those subdivisions that have a grid street pattern or a pattern that creates multiple connections to adjacent areas, except in those situations where connectivity is physically impossible. The transportation network needs to be thought of as a web, accommodating many modes and various routes.
- Adopt a more differentiated street hierarchy using design to help control the volume and speed of traffic and to accommodate other modes of transportation. These street standards should be established to accommodate bicycle lanes throughout the parish and bus facilities (lanes and stops) along collectors.

### Principle 2: Mix Land Uses

- Build on the success of the Downtown Plan, *Plan Baton Rouge*. There is little doubt that this effort was a shining example of what could happen when the right people begin to consider creative solutions.
- We suggest establishing a Traditional Neighborhood overlay zone (or zones) to provide opportunities for the mixed-use and higher density development that best embodies smart growth principles. Such zones could be used to judiciously and incrementally allow higher density mixed-use development, and to provide a way to transition automobile-oriented neighborhoods into smart-growth-friendlier ones as they age.

### Principle 3: Create a Range of Housing Opportunities and Choices

- We recommend revising the residential zones so that a range of housing types may be built within a single zone. Consider using average densities rather than restrictions on lot size to allow a limited number of smaller lots, zero lot line homes and townhouses in lower density residential zones to give older residents options to stay in their neighborhoods when they no longer need nor are able to afford or care for larger properties. Similarly, in zones where medium to high density is desired, allow various configurations of multi-family dwellings to be intermixed, e.g. zero lot line complexes, townhouses, and apartments. We recommend reconsidering the size limitations placed on garage apartments in single family residential zones. At a minimum such units should be sized to comfortably accommodate two adult residents.
- The balance between jobs and housing should be an explicit goal if Baton Rouge is serious about addressing traffic congestion. Mitigating traffic need not only be resolved through traditional transportation solutions. Land use patterns directly affect travel distances. The predominant land use patterns of jobs, homes, schools, and shops segregated over long distances exacerbates traffic congestion. In fact, housing situated in close proximity to job centers can reduce both the distance people must travel and the time spent doing it, which has the ancillary effect of improving quality of life.

### Principle 4: Create Walkable Neighborhoods

- To begin to build a more walkable community, we strongly recommend that the street connectivity required by the UDC be required in all new development; that is to say no further waivers should be granted by the Planning Commission or Metro Council.
- Consider adopting a more differentiated street hierarchy. Street design can be used to effectively control vehicle speed and to enhance or encourage cycling and pedestrian activity even while providing an interconnected network or grid.
- Since long blocks are not conducive to walking, consider lowering the maximum block length (e.g. 500') in new development or setting a block perimeter maximum (e.g. 1600').
- Require crosswalks at all intersections.
- While there are wonderful old neighborhoods with sidewalks and significant tree canopies, for the most part, sidewalks throughout Baton Rouge are too narrow or do not connect to places people want to travel.

Principle 5: Encourage Community and Stakeholder Collaboration

- We recommend that a grassroots organization be formed to take the case for smart growth to the community. Their first task should be to make the issues resonate within the community by focusing on the public's key concerns.
- We believe increased collaboration between the Department of Public Works and the Planning Department could result in a smarter development pattern and a more effective government.
- We suggest using fiscal impact studies to illustrate the benefits of smart growth development patterns.

Principle 6: Foster Distinctive, Attractive Communities with a Strong Sense of Place

- The older residential areas of BR have a landscape of tree-lined boulevards and beautiful neighborhoods that contribute to a distinctive character, but you need to build upon that character. We recommend the adoption of design standards. Well-designed neighborhoods attract shoppers, which attract retailers, which attract residents and a self-reinforcing vitality is set in motion.
- In order to strengthen historic district preservation efforts in Baton Rouge, we recommend that ways be explored to facilitate both the construction of new buildings and the adaptive reuse and reconstruction of old buildings to preserve the historic patterns in the downtown areas.

Principle 7: Make Development Decisions Predictable, Fair and Cost Effective

- Developers are looking for certainty and predictability, and the government can provide this at no cost by simply doing a better job at coordinating services and setting consistent policies. We recommend forming a group that is tasked with improving the entitlement and permitting process for projects that meet smart growth goals (for example, downtown housing projects) by identifying inconsistent policies and practices, and reconciling those differences.
- The most effective way to encourage the incorporation of smart growth principles in new development is to permit them 'by right,' that is without having to go through a conditional use permitting process. Along with codifying smart growth principles, we recommend devising a streamlined review process for affordable housing, brownfields, and adaptive reuse projects. Incentive programs should be devised to direct development where it should occur, that is where infrastructure exists and is underutilized, or where it should logically be extended.

Principle 8: Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

- Development should avoid natural areas and working lands. While open space requirements and rural/agricultural preservation zoning are good, the Team is concerned that the Plan does not indicate that there are development regulations offering protection to natural resource areas.

Principle 9: Strengthen and Direct Development Towards Existing Communities

- Baton Rouge needs to develop a very real and concrete set of incentives to encourage infill and redevelopment. These incentives should be broadly publicized, perhaps by developing a smart growth incentives toolkit that can be both a brochure and a website.
- We recommend that an incentive package comprising a density bonus program and differential impact fee (and possibly fast-track permitting) be devised to encourage developers to build in existing communities rather than in the urban fringe.

Principle 10: Take Advantage of Compact Building Design and Efficient Infrastructure Design

- A clear development and redevelopment policy is needed. Baton Rouge can do a lot more to encourage compact development patterns. It seems very clear that new development is not achieving historic density patterns and new mixed-use development is scarce.
- We strongly suggest that higher density single-family residential development be accommodated. Traditional Neighborhood overlay zones (TNOs) and density bonuses could be used to increase the allowable densities in residential zones.

## Introduction

### Background

Smart Growth Leadership Institute, a project of Smart Growth America, was created by former Maryland Governor Parris N. Glendening to help state and local elected, civic and business leaders design and implement effective smart growth strategies. In September 2003, the SGLI, working under a grant from the U.S. Environmental Protection Agency (EPA), issued an invitation to communities across the nation to apply for technical assistance in incorporating the concept of Smart Growth into their policy and implementation documents, building community support, identifying the most problematic policies, and other issues that typically accompany a major change in development practice. The ultimate goal of the project is to build on the experience gained in working with selected communities to develop a Smart Growth Toolkit that other communities can use to independently gauge how effectively they are facilitating smart growth. The Technical Assistance program provides assistance to communities that have made a commitment to smart growth but are grappling with the mechanics of moving from policy to practice. The team includes a group of experts from the University of Southern California and the University of Colorado.

The goal of the Technical Assistance program is to help communities identify and eliminate obstacles to smart growth by providing guidance in areas such as:

- ▶ Assessing codes and zoning ordinances to identify inconsistencies between "Smart Growth" policies and implementing codes that may still contain obsolete standards.
- ▶ Examining development approval processes to identify points in the process where redundant reviews can be eliminated, where timeframes can be shortened or where activities might be permitted to proceed concurrently.
- ▶ Identifying "smart sites" or potential locations for Smart Growth projects.
- ▶ Creating design standards and review protocol that will help achieve Smart Growth objectives and deal with prospective neighborhood opposition.

Our work with the selected communities is intended to inform the development of the "Smart Growth Implementation Kit." When fully developed, this kit will allow other communities around the nation to independently gauge whether their current policy and regulatory frameworks, their approval and review processes, and design standards encourage and support smart growth.

## Smart Growth Leadership Institute

In late 2003, SGLI selected nine communities, from more than 100 applicants, to receive implementation assistance. In addition to Baton Rouge, the communities selected were Anchorage, Alaska; Lawrence, Kansas; Lawrence, Massachusetts; Lithonia, De Kalb County, Georgia; Mount Joy Borough, Lancaster County, Pennsylvania; Nashville and Davidson County, Tennessee; Orange County, Florida; and Richmond, California.

In early 2004, the Smart Growth Leadership Institute (SGLI) and Plan Baton Rouge agreed to work collaboratively on a review and audit of the 1992 Baton Rouge Horizon Plan and the Unified Development Code. This document represents SGLI's final report to Plan Baton Rouge by providing an assessment of the state of smart growth in Baton Rouge and recommendations on how policies and processes might be changed and improved.

### **Smart Growth Defined**

Smart Growth is defined by 10 principles:

- Provide a Variety of Transportation Choices
- Mix Land Uses
- Create Range of Housing Opportunities and Choices
- Create Walkable Neighborhoods
- Encourage Community and Stakeholder Collaboration
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Make Development Decisions Predictable, Fair and Cost Effective
- Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Area
- Strengthen and Direct Development Towards Existing Communities
- Take Advantage of Compact Building Design and Efficient Infrastructure Design

While this list of goals is broad, the core principals focus on the use of land: consumption, direction, density, form, and use. Smart growth is often understood as the opposite of sprawl, which is characterized as the predominant form of American land use. Where sprawl treats land as an unlimited commodity, smart growth sees land as a limited resource. Where sprawl develops at low density on raw land at the urban fringe (a pattern largely underwritten by government policy and practice), smart growth first directs growth to areas within the existing urban footprint (infill and redevelopment) and often seeks to permanently maintain open space at the urban edge. Sprawl develops at relatively low density with leap-frog development and separated land uses while smart growth emphasizes higher density with interconnected, compact, contiguous, and mixed-use development.<sup>1</sup>

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<sup>1</sup> Jerry Weitz and Leora Waldner, "Smart Growth Audits." APA Planning Advisory Service Report No. 512 (November 2002), p. 2.

Perhaps a harbinger for Baton Rouge, beginning in the 1960's, new subdivisions began using more looping and branching designs with cul-de-sacs, T-intersections, and limited entry points.<sup>2</sup> While the intent was to slow traffic, eliminate through traffic, increase pedestrian safety, and create more identifiable communities, because they reduced connectivity between areas, the effect of these changes was perverse. They increased the number and length of automobile trips, decreased pedestrian options and safety, degraded air quality and public health, and increased infrastructure construction and maintenance costs. What were once considered “best practices” and widely promoted by the planning profession are now understood as sprawl inducing. The grid-based system, which was demonized as unsafe for children and monotonous, is now recognized as necessary for building socially cohesive, pedestrian-friendly communities.

Despite this recognition, the “sprawling” neighborhood is still a standard product of planning in most American cities. Local plans and codes often still remain in place to strictly segregate land uses even in those communities that have adopted smart growth goals and principles. This persistent gap between the intent to pursue smart growth and the ability to develop ‘smartly’ under the existing zoning codes and subdivision ordinances prompted the EPA to fund this project.

## **The Audit Process**

### **Audit Background and Documents Reviewed**

In 2001, Mayor-President Bobby Simpson established a Growth and Development Task Force, with two subcommittees – Application Review Process and Smart Growth, to review planning efforts through the City-Parish. The Application Review Process subcommittee completed its task by streamlining the application process for development.

The Mayor’s Smart Growth Task Force is the local sponsor of this audit process and hosted a three day site visit in March 2004 by the SGLI audit team: Jessica Cogan Millman, Susan Weaver and Chris Williamson.

To conduct the audit, the team used the Objectives from the 1992 Baton Rouge Horizon Plan (Plan), viewing them essentially as policies. The UDC, which combines earlier land development regulations and was adopted in 1996, was also reviewed.

The Horizon Plan has its roots in the 1973 formation of the Federation of Greater Baton Rouge Civic Associations (Federation). As in many other cities at the time, local residents felt a sense of powerlessness with respect to their relationship to city hall and the real estate development sector of 30 years ago. The impetus to require a parish-wide comprehensive plan was somewhat of a bottoms-up event rather than a top-down

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<sup>2</sup> Porterfield, G. and Hall, K. [A Concise Guide to Community Planning](#). (1995) New York: McGraw-Hill, p. 126.

planning mandate that is found in other states such as California and Florida<sup>3</sup>. The parish Plan of Government (similar to a charter) was amended by the voters in 1988 to require a comprehensive plan and consistency by most city and parish plans and programs. The Horizon Plan was completed in 1992 and has been regularly updated. Today, there is some concern that the UDC is not quite in alignment with the Horizon Plan and that the plan's policies may need some redirecting towards Smart Growth policies in order to avoid too much sprawl development and its associated costs.

### **Purpose of the Audits**

The goal of the project is not to state that Baton Rouge's planning and development policies are "wrong" or "right" with respect to municipal growth — the judgment about how to grow can only be made by the residents and their elected officials. Instead, these audits establish what the City-Parish has 'on the books' in relation to the commonly accepted principles of smart growth listed above.

The findings and conclusions that follow are those of the authors and are based on our review of the documents listed above and the site visit and meetings with local residents and officials that took place during the site visit in March 2004.

Our detailed findings are based only on the sources listed above. Since we were not able to review all of the planning documents that may apply and since our knowledge of the regional context is also limited, our comments are offered as a constructive and objective critique of how the City-Parish might speed implementation of the smart growth goals already incorporated into the Horizon Plan.

The report assumes the reader is familiar with the general geography of the city and parish and its local development, both historic and recent. The report also assumes the reader has a basic understanding of the planning and development process, the 1992 Horizon Plan, and the City-Parish's Unified Development Code.

## **The Audit**

Appendix I illustrates the policy and code audit process in a flow chart format. The full audit is a 14-step process that is the combination of the policy audit and the code audit. Appendix II contains the Policy and Code Audit for Baton Rouge.

### **Step 1: Smart Growth National Policy Template**

Step 1 of the policy audit comprised the development of a comprehensive list of "best practices" or widely accepted smart growth policies, focusing primarily on land use and

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<sup>3</sup> Based on a speech given by Elliot Atkinson, Jr. to the 2001 National APA conference entitled "A Comprehensive Land Use Plan: Its Grass Roots Creation, Implementation, and Saving." Pg. 4.

related topics. We culled 61 Smart Growth Policies from a variety of APA documents and from the publications of Smart Growth America.<sup>4</sup> These policies can be found in Appendix II and are called the Smart Growth Template. The policies are organized under the 10 smart growth principles, mentioned on page 2 of this report.

These 10 smart growth principles serve six goals:

**Neighborhood livability:** The central goal of any smart growth plan is the quality of the neighborhoods where we live. They should be safe, convenient, attractive, and affordable. Sprawl development too often forces trade-offs between these goals. Some neighborhoods are safe but not convenient. Others are convenient but not affordable. Too many affordable neighborhoods are not safe. Careful planning can help bring all these elements together.

**Better access, less traffic:** One of the major downfalls of sprawl is traffic. By putting jobs, homes and other destinations far apart and requiring a car for every trip, sprawl makes completing everyday tasks an onerous chore. Smart growth's emphasis on mixing land uses, clustering development, and providing multiple transportation choices helps us link trips more efficiently, manage congestion, pollute less and save energy. Those who want to drive can, but people who would rather not drive everywhere or don't own a car have other choices.

**Thriving cities, suburbs, and towns:** Smart growth puts the needs of existing communities first. By guiding development to already built-up areas and in places where the local government has already made significant infrastructure investments, new investments can be made in transportation, schools, libraries and other public services in the communities where people live today. This is especially important for neighborhoods that have inadequate public services and low levels of private investment. It is also critical for preserving what makes so many places special—attractive buildings, historic districts and cultural landmarks.

**Shared benefits:** Sprawl leaves too many people behind. Divisions by income and race have allowed some areas to prosper while others languish. As basic needs such as jobs, education and health care become less plentiful in some communities, residents have diminishing opportunities to participate in their regional economy. Smart growth enables all residents to be beneficiaries of prosperity.

**Lower costs, lower taxes:** Sprawl costs money. Opening up green space to new development means that the cost of new schools, roads, sewer lines, and water supplies

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<sup>4</sup> A policy is defined as here as an active verb statement that implements one or more aspects of a more abstract goal or vision, but not so specific as to be cast as part of an annual department level work plan or capital improvement program. For example, a goal or vision might be to “have sustainable economic development.” This is too broad to be a policy. At the other extreme, a statement like “create and market tax incentives to attract one Fortune 500 headquarters in the next 10 years” is too specific; it reads more like an objective of a specific department and staff in a fixed time frame (an action item in the Horizon Plan format). In between these two statements would be a policy statement such as “Develop programs to expand the range and type of employers.”

will be borne by residents throughout metro areas. Sprawl also means families have to own more cars and drive them further. This has made transportation the second highest category of household spending, just behind shelter. Smart growth helps on both fronts. Taking advantage of existing infrastructure keeps taxes down. And where convenient transportation choices enable families to rely less on driving, there's more money left over for other things, like buying a home or saving for college.

**Keeping Open Space Open:** By focusing development in already built-up areas, smart growth preserves rapidly vanishing natural treasures. From forests and farms to wetlands and wildlife, smart growth lets us pass on to our children the landscapes we love. Communities are demanding more parks that are conveniently located and bring recreation within reach of more people. Also, protecting natural resources will provide healthier air and cleaner drinking water.

## **Step 2: Baton Rouge Local Profile**

Step 2 of the Policy Audit required that the team identify smart growth policies from the Horizon Plan. The team found the Plan's objectives to be most similar to the template policies.

There are about 250 objectives (depending on how many are counted as duplicates) under the following 16 headings that correspond to smart growth related sections of the Horizon Plan:<sup>5</sup>

1. Land Use - Urban Development
2. Land Use - Economic Development
3. Wastewater Objective and Policies
4. Solid Waste Objectives and Policies
5. Drainage Objectives and Policies
6. Air Quality
7. Water Quality
8. Land Resources
9. Sensory/Aesthetics
10. Preservation of Rare and Endangered Plants and Wildlife
11. Recreation and Open Space
12. Housing
13. Public Services
14. Public Buildings
15. Health and Human Services
16. Transportation

For purpose of the audit, we focused primarily on Land Use, Housing, and Transportation objectives with some review of Public Buildings, Public Services, Wastewater, Conservation and Environmental Resources, and Recreation and Open Space objectives.

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<sup>5</sup> The 16 sections are grouped into seven elements: 1) Land Use; 2) Transportation; 3) Wastewater, Solid Waste and Drainage; 4) Conservation and Environmental Resources; 5) Recreation and Open Space; 6) Housing; and 7) Public Services, Public Buildings, Health and Human Services.

### **Step 3: Outcome of the Horizon Plan Policy and Smart Growth Policy Template Match Process**

The matching of Baton Rouge Horizon Plan objectives and our national level Smart Growth Policy Template is admittedly a somewhat subjective process based more on the intent of the statements rather than on the actual wording itself. We define a ‘good match’ as intent and language that are about 75% similar. Or, said another way, about 3 out of 4 persons would agree that the two statements are essentially the same. A partial match ranges from 25% to 75% agreement. A non-match may have some similarity in topics, but is below 25% in overall agreement of intent.

Appendix II displays the template elements included under each smart growth principle. The Horizon Plan matches are shown in the adjacent column. Good matches are highlighted in green, while partial matches are shaded yellow. The third column indicates how the template elements are addressed by the UDC. Those which are not mentioned in the UDC are highlighted in aqua.

Discussion of the findings for the policy match is presented below under the 10 smart growth principles.

#### Principle 1: Provide a Variety of Transportation Choices

##### *Findings*

The Horizon Plan contains policies that intend to: link land use and transportation choices at the local and regional levels; encourage the formation of vanpools and carpools; provide transportation choices to densely populated areas as well as major employment centers; and change roadway design standards to support transit and non-automotive modes. While it is commendable that these policies are included in the plan, our site visit tour and meetings indicate that in fact improvements are needed to better link land use and transportation policy decision-making. Baton Rouge does not presently have a balanced transportation system. More attention should be paid to non-auto modes of transportation.

Policies encouraging transit-oriented and transit friendly developments, public transit use by integrating multimodal use, connectivity, and location of new development, especially government buildings, in areas supported by a balanced transportation network are addressed to some degree through the Horizon Plan. It is our perception that the lack of strong policies in this area is mostly due to the lack of a comprehensive public transit/transportation system in Baton Rouge.

No matches were found for the following template policies:

- Offer Transit Oriented Development promoting incentives such as down payment assistance, reduced transit passes, and location efficient mortgages.

- Grant density bonuses in transit or mixed use districts.<sup>6</sup>
- Address jobs and housing balance.
- Plan and/or maintain high-occupancy vehicle (HOV) lanes along the main commute corridors of Interstate Routes and freeways.

### *Recommendations*

It is not realistic to recommend the building of a comprehensive transit system; however, a land use pattern that can accommodate pedestrians and other non-motorized modes is entirely appropriate. In fact, Baton Rouge should encourage a development pattern that can easily accommodate transit in future years. Being transit ready should be a goal for Baton Rouge.

A key to pedestrian and transit friendly development is connectivity. The SGLI Team recommends that the Planning Commission only approve those subdivisions that have a grid street pattern or a pattern that creates multiple connections to adjacent areas, except in those situations where connectivity is physically impossible. To continue to approve new development with limited access only encourages traffic congestion on arterials and makes non-automotive trips longer and less pleasant. The transportation network needs to be thought of as a web, accommodating many modes and various routes. Further, the use of small area modeling could be a very effective tool to encourage a grid street pattern, especially if linked to fiscal impact studies. Fiscal impact studies, conducted by urban economists, examine the costs associated with road construction and maintenance in relation to the taxes generated by anticipated development patterns. Once the cost-benefit ratios associated with various transportation networks are identified, citizens and their elected officials can make informed decisions. In general, such studies have shown that sprawling patterns are inefficient and that taxpayer dollars used to improve the transportation network are ineffective if new development continues to overly rely on the arterials.<sup>7</sup>

In addition, the balance between jobs and housing should be an explicit goal if Baton Rouge is serious about addressing traffic congestion. Mitigating traffic need not only be resolved through traditional transportation solutions. Land use patterns directly affect travel distances. The predominant land use patterns of jobs, homes, schools, and shops segregated over long distances exacerbates traffic congestion. In fact, housing situated in close proximity to job centers can reduce both the distance people must travel and the time spent doing it, which has the ancillary effect of improving quality of life.

Baton Rouge should not only encourage the location of job centers in areas proximate to housing but should also consider developing programs that entice people to live near their work. The Maryland “Live Near Your Work” Program is a great example. Through this

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<sup>6</sup> The City of Vancouver, WA, offers density bonuses and relief from transportation impact fees for projects in its transit oriented district. For details see Section 20.550.010 of the Vancouver Municipal Code accessible at <http://www.ci.vancouver.wa.us/vmc/default.shtm>.

<sup>7</sup> For an excellent discussion about the fiscal consequences of sprawl see *Investing in a Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns* by Mark Muro and Rob Puentes (Washington, D.C.: The Brookings Institute Center on Urban and Metropolitan Policy, March 2004).

program, the State contributed \$1,000, the employer contributed \$1,000, and the local government contributed \$1,000 to be used for a down payment or closing costs associated with the purchase of a home near the employee's office. This is often incentive enough for people interested in entering the home ownership market as well as for those people interested in making a housing location change.

### Principle 2: Mix Land Uses

#### *Findings*

Baton Rouge should be proud of their efforts to revitalize downtown. New projects that enhance downtown's cultural amenities and multifamily housing options are examples of the City's commitment to bringing downtown back. The Horizon Plan also does much to encourage the mixing of uses at the building, site and neighborhood levels. But there is little support for these policies in the Unified Development Code. In practice, land use designations are so narrowly defined that the resulting zoning outside the downtown core looks very much like spot zoning, and home/office use in residential areas is severely restricted.

#### *Recommendations*

Build on the success of the Downtown Plan, *Plan Baton Rouge*. There is little doubt that this effort was a shining example of what could happen when the right people begin to consider creative solutions.

The Planning Department should engage in a process to map areas where new development should be mixed use, rather than separate and distinct uses. In addition to mixing uses on the site scale and neighborhood scale, Baton Rouge should consider expanding and emphasizing vertically mixing uses within buildings. This type of development should be encouraged beyond downtown and particularly in growth centers.

### Principle 3: Create Range of Housing Opportunities and Choices

#### *Findings*

Partial matches can be found in the following policy areas: provide for a wide range of housing types; meet housing needs for all income groups; and meet or exceed the regional fairshare housing allocation for both market rate and affordable housing. While the Horizon Plan recognizes the importance of affordable housing, there does not appear to be a comprehensive strategy to provide affordable housing options near job centers and most new residential subdivisions offer housing in very narrow range of prices so that residents are generally of the same income level.

The Horizon Plan does not mention accessory housing units; live/work units; minimum lot sizes (although this can be found in the UDC); flexibility in housing sizes (although this can be found in the UDC); mixed income housing developments; and traditional neighborhood residential patterns to accommodate multiple housing types.

#### *Recommendations*

The SGLI Team encourages Baton Rouge to better integrate jobs and housing by mixing land uses within districts. We also recommend that a variety of housing types and sizes be allowed within zoning districts so that people can find suitable, affordable housing close to their work.

#### Principle 4: Create Walkable Neighborhoods

##### *Findings*

The Horizon Plan does much to establish a trail system or other non-motorized public access to amenities. There are at least six policy statements contained in the Transportation, Land Use and Recreation and Open Space chapters of the Plan. Partial matches can be found for requiring sidewalks on both sides of the street and the connection of sidewalks to amenities such as parks and open space. But for all this, outside the downtown core Baton Rouge is not a very walkable place – the sidewalks are narrow, the blocks are long, cul de sacs are common, crosswalks are infrequently provided.

##### *Recommendations*

While there are wonderful old neighborhoods with sidewalks and significant tree canopies, for the most part, sidewalks throughout Baton Rouge are too narrow or do not connect to places people want to travel. During our tour through a new residential development, we saw a family walking on a sidewalk but they were forced to walk single file, or one person walked on the grass in order to proceed side by side. UDC requirements should be strengthened and enforced to support the policies contained in the Horizon Plan. Specific recommendations on improving walkability are made below in the section which reviews the UDC (page 18).

#### Principle 5: Encourage Community and Stakeholder Collaboration

##### *Findings*

The Horizon Plan contains many policies that encourage stakeholder participation, but it falls short on truly strengthening state, metro, and regional institutions to facilitate multi-jurisdictional decision-making and problem solving. We did not see evidence that Baton Rouge had incentives for the adoption of comprehensive plans and Capital Improvement Plans prior to the imposition of local land use regulations and controls.

##### *Recommendations*

Baton Rouge is not unique with respect to interagency cooperation. Every jurisdiction we visited could benefit from enhanced coordination and collaboration at all governmental levels. On the local level, we believe, increased collaboration between the Department of Public Works and the Planning Department could result in a smarter development pattern and a more effective government.

#### Principle 6: Foster Distinctive, Attractive Communities with a Strong Sense of Place

*Findings*

The Horizon Plan excels in this area. In fact, as we undertook this audit, we realized that our policy template was lacking in a few areas. Consequently, we decided to include two Baton Rouge objectives in our policy template: 1) Public and private development should improve the character of existing neighborhoods, avoiding or removing factors that cause instability or create barriers, and enhancing the sense of neighborhood identity; and 2) Neighborhoods should include places for interaction among residents, such as parks, community centers, schools, commercial areas, churches and gathering places.

*Recommendations*

Many areas of Baton Rouge exude the charming, distinctive character of great Southern cities. The older residential areas of BR are lined with moss draped trees and distinctly Southern architectural styles. But as a consequence of recent development patterns, Baton Rouge's character is at a neighborhood scale, not at a community scale. During our visit we heard concerns that new commercial development, in particular, was not always in keeping with the image Baton Rouge wishes to maintain. While commercial developers will frequently argue that the imposition of design standards will chill the market, and cause them to build elsewhere, many communities are finding the opposite to be true. Well-designed commercial districts attract shoppers, which attract retailers, and a self-reinforcing vitality is set in motion. Developers' concerns about the added time costs of design review can be allayed by ensuring the approval process is well defined and consistently applied. A decade ago, the city of Santa Barbara, California, applied some of the most stringent design standards in the country to new development in its then declining downtown district and required developers to accommodate community amenities in their plans. State Street now is a highly desirable and profitable retail location, packed with shoppers year round. Cities often get what they are bold enough to demand. The Team recommends continuing efforts to improve and enhance the unique identity of Baton Rouge.

Principle 7: Make Development Decisions Predictable, Fair and Cost Effective

*Findings*

The Team looked for policies that encourage the consistency among local government regulations, local actions and the comprehensive plan. The Horizon Plan does contain a policy that promotes economic development through the provision of capital improvements and public services but this is only a small portion of what we would like to see in the Plan.

*Recommendations*

Developers are looking for certainty and predictability, and the government can provide this at no cost by simply doing a better job at coordinating services and setting consistent policies. We recommend forming a group that is tasked with improving the entitlement and permitting process for projects that meet smart growth goals (for example, downtown housing projects) by identifying inconsistent policies and practices, and reconciling those differences.

Principle 8: Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

*Findings*

The Horizon Plan contains policies that establish open space and farmland protection programs. Open space requirements, rural/agricultural preservation zoning are all good. The Team is concerned that the Plan does not indicate that there are development regulations offering protection to natural resource areas.

*Recommendations*

If development regulations do not exist, they should be drafted. The Pinelands (NJ), Montgomery County (MD), and Metro Seattle-King County (WA) Transfer of Development Rights programs stand as excellent examples of agricultural lands, natural resource and open space preservation programs.<sup>8</sup>

Principle 9: Strengthen and Direct Development Towards Existing Communities

*Findings*

The Horizon Plan encourages infill by providing infill and redevelopment incentives and also encourages the use of existing infrastructure over building new infrastructure. These policies look great on paper, but it is unclear to what extent incentives are being provided and if the policy of encouraging the use of existing infrastructure is being followed by Parish agencies. A partial match was found for regulations that promote greyfields redevelopment for housing and/or mixed use.

Initially, the Horizon Plan did not use the term “brownfield.” There is now a program in place to promote redevelopment of these areas. Also, the City- Parish provides an economic development incentive through a tax relief program known as the Enterprise Zone Program.

However, sprawl generating subsidies (for example, funds for suburban highway and road construction and water and sewer facilities) are not discouraged and regional tax-based sharing approaches are not supported

*Recommendations*

Baton Rouge needs to develop a very real and concrete set of incentives to encourage infill and redevelopment. These incentives should be broadly publicized, perhaps by developing a smart growth incentives toolkit that can be both a brochure and a website.

Principle 10: Take Advantage of Compact Building Design and Efficient Infrastructure

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<sup>8</sup> Detailed descriptions of Transfer of Development Rights (TDRs) and Density Transfer Charges (TDCs) are given in Beyond Takings and Givings by R. Pruetz (Marina Del Rey, CA: Arje Press, 2003). See also *TDRs and Other Market-Based Land Mechanisms: How They Work and Their Role in Shaping Metropolitan Growth* by William Fulton et al (Washington, D.C.: The Brookings Institution Center on Urban and Metropolitan Policy, June 2004) available in PDF at [http://www.brookings.org/dybdocroot/urban/pubs/20040629\\_fulton.pdf](http://www.brookings.org/dybdocroot/urban/pubs/20040629_fulton.pdf).

Design

*Findings*

The Horizon Plan does address the desire to design infrastructure to be compatible with land use goals. The Plan also contains one policy that encourages shared parking. There are a number of policies that promote the adaptive reuse of buildings.

Attention is also given to ensuring that existing neighborhood intensity is preserved and intensity provided in new development.

*Recommendations*

Baton Rouge can do a lot more to encourage compact development patterns. It seems very clear that new development is not achieving historic density patterns and new mixed use development is scarce. A clear development and redevelopment policy is needed. This policy can also encourage the continued revitalization of downtown Baton Rouge.

#### **Step 4: Smart Growth Code Template**

The Smart Growth Code Template comprises the elements most commonly found in smart growth-friendly codes and ordinances. They focus primarily on land use and transportation. The list was compiled from a survey of model codes from various organizations<sup>9</sup> and adopted 'smart growth' codes of communities around the country.

#### **Step 5: Review of Unified Development Code (UDC)**

The Smart Growth Code Template was used to conduct the review of the UDC. Specifically we were looking both for those codes that support and those that hinder realizing the policies adopted in the Horizon Plan.

#### **Step 6: Outcome of Smart Growth National Template to Unified Development Code Match Process**

The table in Appendix III depicts the code audit results in tabular form. As with the policy audit, the detailed code audit findings are organized by the 10 smart growth principles.

#### Principle 1: Provide a Variety of Transportation Choices

##### *Findings*

The UDC does not address the provision of transportation alternatives.

##### *Recommendations*

Traffic congestion and air quality concerns really require the City-Parish not only to accommodate but encourage a wider range of transportation modes.

The first step in achieving this is to adopt a more differentiated street hierarchy using design to help control the volume and speed of traffic and to accommodate other modes of transportation. These street standards should be established to accommodate bicycle lanes throughout the parish and bus facilities (lanes and stops) along collectors. Graphic examples of a model hierarchy are provided as an appendix to this report.

Since the availability of bicycle parking facilities (both short-term and secured), locker rooms for use by cyclists, runner, or walkers, sheltered bus stops, and park-and-ride facilities increase the use of alternative transportation modes and reduce reliance on single-occupant cars, developers of commercial and industrial properties should be encouraged to provide these amenities. Reductions in on-site parking requirements should be granted in consideration, because the limited availability of parking in turn reinforces the incentive for using these alternate modes.

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<sup>9</sup> The American Planning Association, the Local Government Commission, the Institute of Transportation Engineers, and Smart Growth America.

In all new residential development, developers should be required to provide sidewalks, bicycle lanes and transit stops (as appropriate). To reinforce these efforts to encourage alternate mode use, transit service providers accommodate bicycles on their vehicles to alleviate long-distance connectivity issues.

Increasing the allowable densities in residential areas will help support an expanded transit system. Though we heard that currently transit has little support in Baton Rouge, it is important that the city and the parish start to build for the future by reserving room in public rights-of-way for transit lanes on City/Parish and State routes. Attitudes change, and as private vehicle use becomes more expensive or less convenient, transit will become more attractive. As noted above, intermodal connectivity is crucial to increased use of alternatives to the single-occupant automobile.

## Principle 2: Mix Land Uses

### *Findings*

Land uses are well integrated in most commercial zones, and a mix of uses is allowed in Planned Unit Developments (PUDs) and Small Planned Unit Developments (SPUDs). Within the residential zones, however, uses are strictly segregated, with separate zones established for various types of housing (town houses, zero lot line homes, apartments), so that much of the city resembles a zoning patchwork quilt. Few conditional uses are allowed in residential zones. Home occupations are allowed, but no employees other than members of the resident family are allowed to work on site and no retail business is to be conducted on the premises.

### *Recommendations*

Changes in technology have changed the nature of work since the adoption of use-segregated zoning patterns. Though there are still some uses that need to be separated from residential and commercial uses, by and large the type of work predominate in 21st century American cities can take place in close proximity to where we live and shop. Performance zoning, form based zoning or a hybrid of the two better suits today's knowledge-based economy than the strict use-segregation, which was devised when manufacturing --often noisy and noxious -- was the predominant activity.<sup>10</sup>

The new economic structure allows us to hearken to the patterns of older cities and town, ones that make it possible for people to walk or bike from home to shopping, services or work rather than having to drive. To begin to reestablish these vibrant and highly livable settings, we suggest adopting a two-pronged strategy to integrate various housing types and compatible commercial land uses into suburban residential areas. As noted above, for newly developing areas, we recommend that the residential zones be revised to allow a mix of housing types within neighborhoods.

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<sup>10</sup> A good example of a form based code is provided by the Columbia Pike Form Based Code adopted by Arlington, VA, in 2003. Information on this code can be found at <http://www.columbiapikepartnership.com/scripts/runisa.dll?m2.131816:gp:576375.8888:72080+L2/+E+109>.

For established neighborhoods, we suggest establishing a Traditional Neighborhood overlay zone (or zones) to provide opportunities for the mixed-use and higher density development that best embodies smart growth principles. Such zones could be used to judiciously and incrementally allow higher density mixed-use development, and to provide a way to transition automobile-oriented neighborhoods into smart-growth-friendlier ones as they age. Several such overlays could be adopted to reflect different density scenarios and various live-work options. We believe that these overlays are critical to developing a clear plan to reintegrate mixed development and overcome the patchiness of existing land use. In addition, these overlays would provide developers with a combination of flexibility and certainty that will encourage creative approaches to rebuilding walkable neighborhoods.

### Principle 3: Create Range of Housing Opportunities and Choices

#### *Findings*

Residential zones are defined by the specific type of housing and density allowed:

#### Rural District Zones:

- RE/A 1 – Residential Estate/Agriculture One District, 1 du/ac.
- RE/A 2 – Residential Estate/Agriculture Two District, 1 du/ 2 ac.
- RE/A 3 – Residential Estate/ Agriculture Three District, 1 du/ 3 ac.

#### General Residential District Zones:

- A1 – Single Family Residential, 4.1 du/ ac
- A2 – Single Family Residential, 5.8 du/ac
- A2.1 – Zero Lot Line Residential District, 7.9 du/ac
- A2.5 – Town Homes District, 5.8 du/ac
- A2.6 – Zero Lot Line Residential District, 11.5 du/ac
- A2.7 – Single Family Residential District, single family detached dwellings at a maximum density of 7.3 du/ac.
- A3.1 – Limited Residential District, multi-family and institutional residential uses with a maximum density of 11.4 du/ac
- A3.2 – Limited Residential District, 17.5 du/ac
- A3.3 – Limited Residential District, 29.3 du/ac
- A4 -- General Residential District, 43.6 du/ac (no rezonings to this classification have been permitted since June 1999, but extant areas continue to carry this zoning)
- A5 -- Hi-Rise Apartment District, 87.1 du/ac (this classification is only available in Regional Growth Centers)

Additionally, minimum lot area and lot width are established for each general residential zone. Unless these zones are applied to very small areas or individual parcels, these existing regulations prevent mixing of housing types within neighborhoods. The lot size requirements tend to reduce the range of house sizes that will be built in any given neighborhood and this in turn limits the range of affordability.

Garage apartments are allowed in the A2 Single Family zone (limited to 500 square feet in size) and Neighborhood Commercial zone (no stated size limitation), and may provide some options for elders to age in place, or for those who need or want small rental residences.

We found there are no provisions for the inclusion of smaller, more affordable homes in new developments. Often called ‘work force housing,’ these homes are within the financial reach of low and moderate income families. Often these homes are developed in cooperation with a local non-profit or housing authority and offered to qualified buyers at lowered interest rates. Frequently conditions are placed on the resale of these homes to preserve their affordability in subsequent sales. Developers who include such affordable units in their developments are generally awarded density bonuses that allow them to build more market-rate units than would otherwise have been permitted.

We were pleased to find that residential uses are allowed in most commercial zones.

#### *Recommendations*

To increase the probability that people can remain in their neighborhoods as their housing needs change, we recommend revising the residential zones so that a range of housing types may be built within a single zone. Consider using average densities rather than restrictions on lot size to allow a limited number of smaller lots, zero lot line homes and townhouses in lower density residential zones to give older residents options to stay in their neighborhoods when they no longer need nor are able to afford or care for larger properties. With good design, these homes can blend seamlessly into single-family neighborhoods.

Similarly, in zones where medium to high density is desired, allow various configurations of multi-family dwellings to be intermixed, e.g. zero lot line complexes, townhouses, and apartments.

We recommend reconsidering the size limitations placed on garage apartments in single family residential zones. The limitation might be keyed to the size of the lot in question. At a minimum such units should be sized to comfortably accommodate two adult residents.

Relatively affordable market-rate units can be integrated into neighborhoods by allowing or requiring smaller lots to be interspersed throughout tracts. Requiring an affordable homes component in large developments helps ensure that workers of all income levels can find homes near their work, and that retirees with lowered or fixed-incomes can remain in the community as they age. Various incentive programs can be devised to encourage the inclusion of low- and moderate income housing. These range from density bonuses to tax relief.

Principle 4: Create Walkable Neighborhoods

*Findings*

The downtown and close-in areas of Baton Rouge are more conducive to walking than the outlying and newer ones, where longer blocks, cul-de-sacs, and curvilinear street patterns prevail. Though the UDC requires that principal existing streets be extended through new developments, waivers are routinely granted. As a result, street connectivity and walkability are gravely compromised.

We also found only a few street classifications – major, minor, boulevard and alleys are defined. Minimum widths are set without regard to the desired vehicle speeds. Streets in residential subdivisions are required to be 27 feet wide, while those in commercial and industrial areas are to be no less than 27 feet wide. No provisions are made for bicycle lanes or facilities.

Though subdivision block lengths are limited, the maximum is set at 1,500 feet, which is more than a quarter-mile. The UDC requires sidewalks on both sides of the street and a minimum width of 4 feet. Crosswalks are required near the center of blocks on which schools are located, but other than establishing a minimum width of 10 feet, no other standards are established, e.g. striping, pedestrian activated signals, or lighting. Rolled curbs and gutters appear to be allowed on minor streets. Scale and quality of street lighting is not addressed.

The careful consideration given to preserving and enhancing the ‘urban forest canopy’ and ‘vegetative cover’ within the City and Parish contributes to a pedestrian-friendly environment.

Off-street parking is required for all new development. In certain commercial and manufacturing zones, parking may be provided off-site, but must be within 800 feet of the new building. Property owners may jointly own and develop parking lots, under certain conditions. For buildings constructed prior to 1998, off-site parking spaces may be leased as long as they are within 800’ of the building and do not account for more than 50% of the required parking. Shared parking may be taken into account in establishing the number of spaces new development must provide, but on-street parking may not. Requirements are set by use as detailed in Section 17.8. Exceptions to the parking standards are granted for the C5 zone (Business District), where all uses except gaming are exempt. Parking lots may be situated between the street and the building front except when within 50 feet of single-family residential zoning, and in this case front yard parking is limited to 3 cars.

*Recommendations*

To begin to build a more walkable community, we strongly recommend that the street connectivity required by the UDC be required in all new development; that is to say no further waivers should be granted by the Planning Commission or Metro Council. The lack of connectivity forces all traffic to use a restricted number of routes. This not only

causes unnecessary traffic congestion problems, but contributes to elevated air pollution. It might also raise some serious public safety issues related to safe and efficient evacuation in emergencies.

We also recommend requiring streets to be designed for specific speeds to effectively limit both traffic volume and flow to levels compatible with the predominant uses in each neighborhood. Speed limits of 25 mph are recommended both in residential neighborhoods and commercial districts where pedestrian traffic is desired.

Consider adopting a more differentiated street hierarchy. Street design can be used to effectively control vehicle speed and to enhance or encourage cycling and pedestrian activity even while providing an interconnected network or grid.

Since, long blocks are not conducive to walking, consider lowering the maximum block length (e.g. 500') in new development or setting a block perimeter maximum (e.g. 1600'). The current maximum is quite long. Also, require sidewalks in all zones.

While sidewalks are required, the width is set at 4 feet, which is narrower than is generally considered conducive to walking. We recommend increasing the width to a minimum of 5 feet so that two people can comfortably walk side by side or pass one another.

Require crosswalks at all intersections. Where block faces are long and street speeds are less than 45 miles-per-hour, require mid-block crossings as warranted, e.g. where intersection crossings are more than 600 feet apart. Provide adequate marking and lighting of all crosswalks to ensure pedestrian safety. Consider the installation of pedestrian-activated signals at key mid-block crossings (e.g. schools, libraries, parks) where traffic volume will not allow adequate time for pedestrians to cross safely, or where pedestrians will have to wait longer on average than 30 seconds for a traffic break sufficient to allow safe crossing.

Prohibit the use of rolled curbs on all streets to increase the separation of cars and pedestrians and to increase pedestrian safety and consider requiring street lighting in all residential and commercial districts to increase pedestrian activity and safety. We further recommend that for any street reconstruction, no rolled curbs be allowed.

As the UDC already acknowledges, street plantings help create community character, soften the urban setting, provide environmental benefits, and generally make a community more enjoyable to live in. Require that Planting strips between the street and sidewalk be provided as a buffer between pedestrians and automobiles that can encourage walking, particularly in those areas where traffic speeds are faster. The width of the planting strip can be varied with the type and intensity of use within a zone. Landscaped medians can provide visual relief on heavily trafficked streets and a safety zone for pedestrians crossing these streets. Specific trees can be required to ensure that sidewalks will not be subject to lifting or other tree-root related damage.

Allow on-street and other public parking to be considered in calculating parking requirements and adopt an in-lieu fee that will allow developers in commercial and mixed-use districts outside the C5 zone to reduce the number of spaces they provide by paying into a fund established to provide centrally located lots. These lots might be either publicly or privately owned. Strategically located lots allow for the more efficient provision of parking and encourage people to park once and walk between various destinations. This has a dual effect of promoting more healthful active-lifestyles while reducing auto-exhaust emissions that contribute to poor air quality and elevated rates of respiratory disease. It also serves to increase pedestrian traffic along commercial thoroughfares, which helps to build and maintain vibrant shopping and entertainment districts.

Where on-site parking is required, require it to be situated at the rear of the property, accessed either by a driveway or an alley. Require that building fronts orient to the street and the sidewalk. Front yard parking emphasizes the automobile and establishes a hostile environment that discourages pedestrians and cyclists. It encourages drivers to hop-scotch from one destination to another rather than parking once and walking to adjacent destinations. This is true even in strip malls or power centers, because shoppers find it easier -- and in some cases safer -- to park multiple times within the same parking lot than to negotiate a sea of cars on foot to get from one store to another.

#### Principle 5: Encourage Community and Stakeholder Collaboration

##### *Findings*

The Plan of Government and UDC establishes the composition, organization and powers of the Planning Commission and Board of Adjustment to serve both the City and Parish of Baton Rouge. Standard provisions are made for public notice and hearings. An appeals process is established for each type of action.

##### *Recommendations*

During our site visit, we heard that efforts are being made to include the community in planning and design issues, but that attracting and retaining the public's attention is difficult. We heard that the public impression is "the Horizon Plan is dead – it's not being implemented." But the considerable enthusiasm and energy that has fueled the successful implementation of the downtown plan is still in evidence and can be used to focus public attention on smart growth initiatives and their community-wide benefits.

We recommend that a grassroots organization be formed to take the case for smart growth to the community. Their first task should be to make the issues resonate within the community by focusing on the public's key concerns.

While often associated with design issues, smart growth is also about fiscal responsibility (i.e. providing adequate public services at a minimum price) and improving transportation options by reducing the need for automobiles. Since both taxes and transportation were identified during our visit as hot-button issues, we suggest using them to revitalize general public awareness of and enthusiasm for the Horizon Plan.

Once reestablished, sustain momentum for the Horizon Plan by organizing a parish-wide charrette, or workshop, to deal with the broad-brush issues. Then hold smaller meetings at the neighborhood level to allow people to focus on the finer-grained details of integrating smart growth principles into their neighborhoods.

We further suggest using fiscal impact studies to illustrate the benefits of smart growth development patterns. In other communities, these are sometimes funded by the city or an independent special-purpose agency, such as a transportation foundation. Such a study would be useful in justifying the imposition of impact fees for traffic improvements.

#### Principle 6: Foster Distinctive, Attractive Communities with a Strong Sense of Place

##### *Findings*

This principle is not explicitly addressed by the UDC except for the Urban Design Overlay District One (Section 8.220). In this district, the intent is to avoid “functional and architectural incompatibility of buildings and services.” Section 4.2 implies that, for the rest of the city and the parish, the character of development within any particular subdivision will be a matter of discussion between the developers and the Planning Commission staff and any design standards will be imposed and enforced by deed restrictions or covenants.

##### *Recommendations*

Expand the use of design overlays in established districts. Community workshops can be held to set district boundaries and define the image each neighborhood/district wishes to project. Design guidelines can then be adopted to guide new development, infill and redevelopment so they enhance and protect the character of the area. The Planning Commission is currently conducting a Community Planning Process to facilitate this effort. Façade improvement incentives (such as low cost loans, out-right grants, sales or use tax abatements, relief from property taxes for the value of improvements) can be used to speed progress toward cohesive design goals in older neighborhoods.<sup>11</sup>

In order to strengthen historic district preservation efforts in Baton Rouge, we recommend that ways be explored to facilitate both the construction of new buildings and the adaptive reuse and reconstruction of old buildings to preserve the historic patterns in the downtown areas. One way might be to establish an urban zoning overlay, such as that established in Nashville, Tennessee. Through this mechanism, the City of Nashville is working to preserve the character of its pre-1950 districts by harking back to site development standards of the period rather than imposing the modern, more automobile-oriented configurations. Context is used to determine setbacks, parking location and parking requirements.

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<sup>11</sup> Examples of the kinds of incentives offered for the Columbia Pike, Arlington, VA can be accessed at <http://www.co.arlington.va.us/forums/columbia/implementation/economic.htm>.

Principle 7: Make Development Decisions Predictable, Fair and Cost Effective

*Findings*

The UDC lays out the administrative mechanisms for project review and approval in Chapters 3 and 4. It appears that the approval process for small parcels (under 2-1/2 acres) on which no conditional uses are proposed will follow a predictable course. Any planned community, however, will be subject to either a Planned Unit Development (PUD, for parcels 20 acres or greater in sized) or a Small Planned Unit Development (SPUD, for parcels 2-1/2 acres up to 20 acres) review process. Smart growth projects are likely to fall into either a PUD or SPUD category. The review process for either category is essentially negotiation process that can be unpredictable, lengthy and costly for not only the developers but for the public sector as well. Further more anecdotal evidence suggests that development standards are not uniformly applied to both large and small parcel projects.

*Recommendations*

The most effective way to encourage the incorporation of smart growth principles in new development is to permit them ‘by right,’ that is without having to go through a conditional use permitting process. The uncertainty associated with conditional use permits imposes risk-associated costs on development. When coupled with a lengthened approval process, this may discourage developers from the outset. Writing codes to smart growth standards ensures to the greatest extent possible that they will be implemented consistently over time and through successive administrations.

Though smaller parcels (under 30,000 square feet) do not undergo Planning Commission review, it is imperative that the Permitting Department consistently hold them to the same development standards as larger parcels.

Along with codifying smart growth principles, we recommend devising a streamlined review process for affordable housing, brownfields, and adaptive reuse projects. Incentive programs should be devised to direct development where it should occur, that is where infrastructure exists and is underutilized, or where it should logically be extended.

As it is now, smart growth projects are hard to do in Baton Rouge. The UDC should be revised to make the most desirable development the easiest to accomplish.

Principle 8: Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

*Findings*

Open space is addressed in Chapter 12 of the UDC, where standards are set for the provision of sites for parks and schools. The planning responsibility for parks and schools rest with other agencies, and these documents were not reviewed.

Neither farmland protection nor environmental conservation is addressed in the UDC.

*Recommendations*

No specific recommendations are made, however we feel that at a minimum documents which regulate the development of parks and the preservation of open space and environmentally sensitive areas should be referenced.

Principle 9: Strengthen and Direct Development Towards Existing Communities

*Findings*

This issue is not addressed in the UDC, however we heard in our interviews that the ability of developers to build private systems in areas unserved by municipal sewer and water limits the ability of the city and parish to use infrastructure expansion restrictions as a policy tool.

*Recommendations*

We recommend that an incentive package comprising a density bonus program and differential impact fee (and possibly fast-track permitting) be devised to encourage developers to build in existing communities rather than in the urban fringe. This package should be referenced in the UDC.

Make it easier and more profitable to build where builders can connect to the existing systems, and easier and more profitable still to build where there is excess capacity (e.g. downtown infill and redevelopment projects).

Principle 10: Take Advantage of Compact Building Design and Efficient Infrastructure Design

*Findings*

While sewer and water infrastructure is extended only to contiguous areas, development of private systems is allowed in outlying ones if built to DPW standards to facilitate future tie-in.

Roads are extended to all new development, regardless of whether connectors are shown on the major street plan. It is our understanding that the requirement for subdivision connectivity is frequently waived in response to citizen requests.

The UDC does not specifically address or facilitate redevelopment and infill.

*Recommendations*

The linchpin for smart growth is compact development, which requires building to higher densities. Far from reducing urban impacts on land and environmental resources, low density development actually increases them by requiring urban uses to occupy more land than is needed. The grid-patterned streets, pedestrian and cyclist amenities associated with smart growth provide options for people to get out of their cars, but if the distances between home, work, and recreation are still great, those options are effectively foreclosed. Without higher density, housing choice and affordability may be severely limited.

We strongly suggest that higher density single-family residential development be accommodated. Traditional Neighborhood overlay zones (TNOs) and density bonuses could be used to increase the allowable densities in residential zones.

Density does not have to look dense. Allowing various housing styles to be built within the same area can result in highly attractive neighborhoods. The mix of housing options is needed to accommodate the varied needs and changing preferences of residents in all stages of life.

Not only will edging toward higher density result in more livable, walkable neighborhoods, it will minimize the construction and maintenance costs of the capital improvements -- roads, water and sewage facilities -- needed by new development. It will also allow for more efficient police and fire protection.

In addition to cutting transportation infrastructure costs, adopting a more compact development form will start to build the population concentrations necessary to support transit services. Typically, densities of 4 to 6 dwelling units will only support minimum bus service (1 bus/hour), while densities of 7-8 units per acre will support 30-minute headway service. Urban rail service, with trains running 5-minute peak headways, requires at least 9 units per acre.

## **Step 7: Comparing the Policy Matches with the Code Matches**

Appendix II shows which smart growth policies included in the Horizon Plan are supported by provisions in the UDC. In most cases there is little or no support given.

In general, the Horizon Plan put in place many policies that support smart growth. There is, as noted above, an opportunity for incorporating additional smart growth elements. Unfortunately, there is little in the UDC to ensure that most of principles supported by the Horizon Plan will be implemented and funded.

### Provide a Variety of Transportation Choices

Though the Horizon Plan contains policies that address development along transportation corridors, expansion of the public transit system, provision of bicycle and pedestrian linkages, these issues are not addressed in the UDC. While it is true that development codes generally do not deal with regional transportation issues, they do set the standards for the streets that comprise the regional network. We recommend that the UDC be revised to establish street standards that accommodate pedestrians, bicycles and public transit facilities. We also recommend designating transit oriented development zones.

### Mix Land Uses

The Horizon Plan supports the concept of mixing land uses, and the UDC provides for mixed uses in the downtown areas. However in general, land uses are strictly segregated except in PUDs and SPUDs. No provisions are made for Traditional Neighborhood Districts, Live/Work Districts or Transit-Oriented Districts. We recommend that consideration be given to 1) adopting a more flexible zoning system for newly developing areas and 2) using overlay districts to incrementally transition older districts from single-use to mixed-use.

### Create Range of Housing Opportunities and Choices

The UDC has multiple policies addressing housing opportunity, diversity, and affordability. The codes contained in the UDC, however, limit the variation within subdivisions by setting lot size and density limits. No provisions are made for including workforce housing, and accessory units are generally not allowed. As recommended made above, we suggest that the UDC be revised to permit the development of a range of housing types and sizes within neighborhoods, and that incentives be designed to encourage this.

### Create Walkable Neighborhoods

While Horizon Plan policies call for parishwide linkages for bicyclists and pedestrians, little attention is paid to these issues in the UDC. While the codes do require sidewalks in subdivisions, as noted above, the standard width is narrower than is generally thought to be conducive to walking. In general, we would recommend the streetscape – roads,

curb cuts, sidewalks, building orientation, landscaping, street lighting, crosswalks, and system connectivity – be considered and designed as a whole from the pedestrian point-of-view so that the end product not only accommodates walking but encourages it.

#### Encourage Community and Stakeholder Collaboration

Recommendations regarding this principle are found above.

#### Foster Distinctive, Attractive Communities with a Strong Sense of Place

The Horizon Plan contains numerous policies that support this goal, however it is paid little attention by the UDC. We recommend defining an urban zoning overlay to preserve areas of historical and architectural significance and distinctive district design overlays for newly developing areas.

#### Make Development Decisions Predictable, Fair and Cost Effective

As noted above the most effective way to encourage the incorporation of smart growth principles in new development is to permit them ‘by right.’ The uncertainty associated with conditional use permits imposes risk-associated costs on development. The Horizon Plan calls for the updating and streamlining of the zoning ordinance to reduce regulatory complexity, among other things. Codifying smart growth principles would be a good first step in the right direction.

#### Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

The Horizon Plan gives reasonable attention to the preservation of open space, farmland, and natural areas. Since the topic is not broached at all by the UDC, we recommend that at a minimum the documents which regulate the development of parks and the preservation of open space and environmentally sensitive areas be referenced, putting developers on notice that these topics are taken seriously by the city-parish.

#### Strengthen and Direct Development Towards Existing Communities

Again, while the Horizon Plan has multiple policies promoting redevelopment, adaptive reuse of properties, and the rational infrastructure expansion, none of these topics is evident in the UDC. As noted above, we recommend that the supportive incentives called for in the Horizon Plan be referenced or included in the UDC.

#### Take Advantage of Compact Building Design and Efficient Infrastructure Design

The Horizon Plan only contains good matches for 3 of the 9 items listed under this smart growth principle, though there are partial matches for 2 more. The only item addressed by both Horizon Plan and the UDC is shared parking. In general, while the Horizon Plan supports redevelopment, it does not promote the compact building patterns that typify smart growth, nor do the standards set in the UDC. The requirements set for minimum

lot sizes and maximum densities set the stage for sprawl, and the tendency to grant waivers from street connectivity requirements exacerbates all of the problems associated with sprawl. We strongly recommend that the city-parish consider revising the UDC to permit increased density. We also recommend that no more waivers from street connectivity be granted. Until the city-parish reestablishes the 'parishwide web' of streets, sidewalks, bike lanes and transit routes, people will have few options but to drive their cars on the already congested arterials, and the experience of other cities has shown that merely building freeways will not alleviate congestion on the arterials. Alternative surface routes must be provided.

## **Appendix I: Policy and Code Match Process**