

# Planning Resources for Communities

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**Dr. David Rusk (1999):**

**“Today’s winners are  
tomorrow’s losers...”**

**Footnote: maybe Rusk was right: Jefferson Parish, 2008**

# Big Changes for the 20<sup>th</sup> Century

- 1916: New York City passes first zoning laws
- 1920 US Census: more people in cities than in rural areas
- Cities in chaos: overcrowding, few streets, inadequate infrastructure

# National Response

- Legalize Zoning Laws
- Draft Model Legislation for easy adoption and understanding
- Encourage states to pass model enabling statutes
- Allow communities Home Rule Authority under the Police Power: protect the health, safety and welfare”

# Sweeping Results

- US Supreme Court: *Euclid v. Ambler Realty*
  - Density and compatible land uses
- US Dept of Commerce publishes the Model Acts
- Majority of states adopt the Model Acts

# Back Home in Louisiana

- 1926: Adopts the Model Planning Enabling Act (LRS 33:101, et seq.)
- 1946: Adopts the Model Zoning Enabling Act (LRS 33:4721, et seq.)

# Urban/Suburban Years

- 1920-1950: “Boom” years for cities in Louisiana
  - Urban Core development
- 1950-1990: “Boom” years for suburbs in Louisiana
  - First ring growth

# Fast Forward to the Present

- 1990-2000: Louisiana shows a 6% overall population gain
- 2000-2005: Louisiana shows similar growth
- 1990-2005: Louisiana population shift from urban to “ex-urban” begins
  - Cores decline and suburbs show flat growth

# Louisiana Communities Respond: Comprehensive Planning

- New Orleans: The New Century New Orleans Plan/New Master Plan with the FORCE OF LAW
- Baton Rouge: The Horizon Plan
- Jefferson Parish: Envision Jefferson 2020
- St. Tammany Parish: New Directions 2025

# Old Tools

- Subdivision Regulations
  - Drainage
  - Streets
- Zoning Districts/Overlay Districts
  - Restrict inappropriate uses
  - Institutional Controls

# More Old Tools

- Planned Developments
- Elements of the Master Plan (old bottle, new wine)
  - Hazard Mitigation Element
  - Infrastructure Element

# More...Old Tools

- Conditional Use Permits
- Performance-based regulations

# New (?) Terms

- No Growth
- Controlled Growth
- Managed Growth
- Growth Management

# New Tools

- Impact Fees: fiscal shortfalls
  - Legal in Louisiana(?)
  - Must be specifically calculated
  - Must be used directly
- Annexation Agreements: fiscal competition
  - Whose rules govern/Who gets the \$\$\$

# More New Tools

- Transfer Development Rights: direct growth to specific areas
- Mix Land Uses

# More...New Tools

- Vary Density
  - Mixed Use/Mixed Income/Mixed Intensity
- Moratoria
  - Due Process
  - Limited
  - Must result in a “solution”

# Shift to Ex-Urbs in Louisiana Begins

- 2005 Census estimates show that 4 of the 6 major cities in Louisiana show minimal or negative population shifts
- Compared to significant population gains in Ex-Urban areas surrounding each of these cities

# Louisiana's Response

- Smart Growth
- Commitment to consensus-based Comprehensive Planning
- Regional Solutions based on fiscal responsibility and economic balance
- Appropriate mix of land uses
- Respect for the environment and for people

# Legislative Response

- Work with existing laws (1926/1946)
- Test new tools and hope for the best from the judges
- Update/modernize the toolbox

# 21<sup>st</sup> Century Tools

- Louisiana Act 859 of the 2004 Legislature
- Followed SC, TN and KY examples
- Training for appointed officials (mandatory)

# More Planning Resources

## Logical Applications to Mitigation Planning and Projects

**HAZARD MITIGATION and LAND USE  
PLANNING  
in COASTAL LOUISIANA:  
*RECOMMENDATIONS for THE FUTURE***

- **LOUISIANA SEA GRANT COLLEGE PROGRAM  
LOUISIANA STATE UNIVERSITY**

**December 2007**

# Recommendations of the Report:

## ● PLANNING

- • The Louisiana Legislature should revise the state statutes to require a comprehensive plan from each parish and municipality.
- • The Legislature should mandate that each parish and municipality prepare a hazard element as part of its comprehensive plan.
- • The American Planning Association's model for hazard mitigation planning should be used .
- • The Louisiana Hazard Mitigation Plan (HMP)439 should be used.

# FEMA: Hazard Mitigation Planning

- **Mitigation Planning How-To Guide #9**
- Using the Hazard Mitigation Plan to Prepare Successful Mitigation Projects
- The purpose of this guide is to help a community move from the hazard mitigation plan to fully developing those mitigation projects that may be implemented using FEMA Hazard Mitigation Assistance as appropriate

# **RFP: Best Practice Manual for Coastal Development in Louisiana**

- **The Center for Planning Excellence (CPEX) is soliciting proposal submissions from professional engineering and planning consultants to create a Best Practice Manual for Coastal Development in Louisiana.**
- **The Toolkit, as currently envisioned, will include natural hazard mitigation and natural resource protection standards.**
- **Will commence January 2009**

# Tomorrow's Challenge:

- Can today's winners (the changing communities of Louisiana) become tomorrow's leaders!