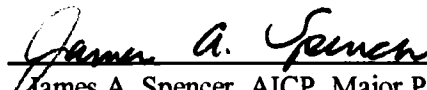
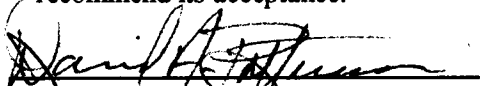
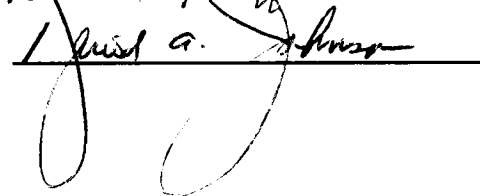


To the Graduate Council:

I am submitting herewith a thesis written by Patrick R. Zenner entitled "Planned Unit Development in the Southeast 'An Analysis of Its Success'". I have examined the final Copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science in Planning.


James A. Spencer, AICP, Major Professor

We have read this thesis and
recommend its acceptance:

Accepted for the Council:


Associate Vice Chancellor and
Dean of The Graduate School

**PLANNED UNIT DEVELOPMENT IN THE SOUTHEAST -
AN ANALYSIS OF ITS SUCCESS**

A Thesis
Presented for the
Master of Science
Degree
The University of Tennessee, Knoxville

Patrick R. Zenner
May 1998

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Special thanks to my wife, Jean, who throughout the long process of preparing this research was always willing to assist me when necessary as well as remind me that this research was an important portion of my academic achievements. To my thesis advisor, Jim Spencer, who spent countless hours reviewing my drafts, helping me stay focused on the research to be done, and providing the technical advice that has led to completion of this document. And finally, to countless planning professionals and local developers who graciously carved time out of their busy schedules to answer the interview questions which were a majority of this research. Without their assistance this research would have been impossible.

ABSTRACT

This study examines the planned residential development processes in seven selected southeastern cities or counties and is focused on determining if there are any particular elements within each of the communities zoning ordinances that assist in the successful development of planned residential projects. To this end an analysis of each of the communities zoning ordinances was conducted to determine if it included common elements believed to facilitate successful planned developments. Additionally, interviews were conducted with the local planning staffs and community developers which were aimed at gaining a first-hand understanding if the zoning ordinances were, as administered, capable of allowing successful planned residential developments to be constructed.

As was determined the success of planned residential development in the selected communities is not only dependent on the community's zoning ordinance, but also on those who were administering it and utilizing it. The research found that successful planned development is a combination of factors of which the local zoning ordinance is only one component.

TABLE OF CONTENTS

<u>CHAPTER</u>		<u>PAGE</u>
ONE.	Introduction	
	Research Objective	1
	Research Overview	2
TWO.	The Beginnings Of A New Movement In Neighborhood Development	
	Perry's Neighborhood Unit	5
	Radburn - The prototype for single-family planned developments	7
	Chatham Village - An experiment in planned multi-family dwellings	9
	The Garden City - Another historical design influence	11
	Contemporary Planned Developments	12
	The Dam	12
	New Mark Commons	15
	Four Colonies	17
	Mariner Sands	19
	Comparisons, Contrasts, and Conclusions	22
THREE.	The Research Approach	
	Introduction	25
	Research Methodology	26
FOUR.	Zoning Ordinance Analysis	
	Analysis One - Lexington/Fayette County, Kentucky	31
	Analysis Two - Greenville/ Greenville County , South Carolina	33
	Analysis Three - City of Chattanooga, Tennessee	34
	Analysis Four - Hamilton County, Tennessee	36
	Analysis Five - City of Knoxville, Tennessee	39

CHAPTER	PAGE
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FOUR (cont.)

Analysis Six - Knox County, Tennessee	40
Analysis Seven - City of Memphis & Shelby County, Tennessee	42
Analysis Eight - Metropolitan Government of Nashville/ Davidson County, Tennessee	45
Ordinance Evaluation Summary	51
Zoning Ordinance Conclusions and Rankings	51
Zoning Ordinances Using The National Standards	53

FIVE. THE QUESTIONNAIRE RESPONSES

Lexington/Fayette County Planning and Zoning Commission	55
Lexington/Fayette County Developers	62
Greenville County Planning and Zoning Commission	65
Greenville/ Greenville County Developers	67
Chattanooga/Hamilton County Planning and Zoning Commission	70
Chattanooga/Hamilton County Developers	74
Knoxville/Knox County Metropolitan Planning Commission	77
Knoxville/Knox County Developers	80
Memphis/Shelby County Planning and Zoning Commission	84
Memphis/Shelby County Developers	89
Nashville Metropolitan Government Planning and Zoning Commission	89
Nashville/Davidson County Developers	95

SIX. QUESTIONNAIRE ANALYSIS

Pattern One	98
Pattern Two	99
Pattern Three	100

CHAPTER	PAGE
SEVEN. RESEARCH SUMMARY	
Ordinance Evaluations and Interview Observations	104
Contrast and Comparison	106
Insights Gained From The Ordinance Evaluations and Interviews	106
Necessary Changes For Improved Quality	108
Concluding Thoughts and Observations	110
BIBLIOGRAPHY	113
APPENDIX	116
VITA	129

LIST OF TABLES

TABLE	PAGE
3.1 Example Zoning Ordinance Analysis Table.....	117
3.2 Example Zoning Ordinances Using National Standards and Percent Of Research Sample	118
3.3 Example Planning Staff and Developer Interview Results Table	118
4.1 Lexington/Fayette County, Kentucky Zoning Ordinance Analysis	119
4.2 Greenville/Greenville County, South Carolina Zoning Ordinance Analysis	119
4.3 City of Chattanooga, Tennessee Zoning Ordinance Analysis	120
4.4 Hamilton County, Tennessee Zoning Ordinance Analysis	120
4.5 City of Knoxville, Tennessee Zoning Ordinance Analysis	121
4.6 Knox County, Tennessee Zoning Ordinance Analysis	121
4.7 City of Memphis & Shelby County, Tennessee Zoning Ordinance Analysis	122
4.8 Density and Bulk Regulations For Residential Planned Unit Development Without Mixed Building Types Bonus	123
4.9 Density and Bulk Regulations For Residential Planned Unit Development With Mixed Building Types Bonus	124
4.10 Density and Bulk Regulations For Residential Planned Unit Development For Single-Family Units On Individual Lots	125
4.11 Overall Density and Bulk Regulations For Small Area Residential Planned Unit Developments	126
4.12 Metropolitan Government of Nashville and Davidson County, Tennessee Zoning Ordinance Analysis	127
4.13 Zoning Ordinances Using National Standards and Percent Of Research Sample	127
4.14 Attitudes Toward Ordinance Design Standards for PUDs	128
6.1 Planning Staff and Developer Interview Results	128

LIST OF FIGURES

FIGURE	PAGE
1. Radburn, New Jersey	8
2. Chatham Village	10
3. The Dam of Aurora, Colorado	13
4. New Mark Commons of Rockville, Maryland	16
5. Four Colonies of Lenexa, Kansas	18
6. Mariner Sands of Martin County, Florida	20
7. Ordinance Rankings Based On Evaluations	52

CHAPTER ONE

Introduction

Research Objective

Neighborhood development in the United States has traditionally been characterized by the placement of a single home on a single lot within a development that has been platted on a grid consisting of north/south and east/west streets. This type of development results in rows of housing with little variation and a feeling of monotony which was and to an extent is still the standard in neighborhood development in the United States.

However, in the last 30 years this monotonous development approach has been challenged by developers seeking new ways to make residential developments more interesting for their inhabitants. The new approach brought forth by these developer is called planned unit development (PUD) and is characterized by multiple types of housing, commercial, and in some instances industrial uses within the same development. Also characteristic of these types of developments are usable open spaces or amenities designed to make the development more enjoyable for its residents.

While this development approach is still relatively new in comparison to the traditional way of developing residential neighborhoods it is beginning to gain momentum in its use in many communities as a result of its benefits. The benefits of using PUD's are numerous and include 1) improved design with greater (land use) variety, 2) mixing of residential building types, 3) more usable open space, 4) increased density, and 5) lower (development) costs.¹

While it is clear that there are benefits to using the PUD approach to developing residential neighborhoods it is less clear what elements or conditions need to exist with in a community's development regulations, namely their zoning ordinances, to promote quality PUD development. Limited research has been conducted on what elements or conditions help promote quality PUD development within communities nationwide. Therefore, in an attempt to gain a better

¹ Burchell, Robert. Planned Unit Development. New Communities American Style. pp. 41. 1972.

understanding of what elements or conditions promote quality PUD development this research is being conducted.

This research will analyze planned residential development in selected southeastern cities and counties that have been using this development approach for some time. It will be exploratory in nature aimed at gaining an understanding of what elements or conditions promote quality PUD development with the selected cities and counties.

It is believed that once an understanding of what elements or conditions assist in promoting quality planned residential developments have been identified that cities and counties nationwide that desire to have quality planned development will be able to implement those components. Of course, the quality of the developments that occur will be dependent on the diligence that the cities and counties have toward making this new development approach work within their communities.

It should be made clear at this point that while PUD's can include commercial and industrial land uses, the focus of this research will be upon residential development only. PUD's in this research will be developments that included 1) a mixture of both land uses and dwelling types, 2) clustering of residences resulting in the creation of public and common open space, 3) a development approach that provides administrative flexibility to the local planning staffs, and 4) a process in which bargaining between the developer and local municipality occurs resulting in better control over the development tempo of the community and potential for increased profits by the developer.²

Research Overview

The emergence of this development approach began in the early 1960's as an alternative to the existing residential development practices of the time. Developers were desiring a different approach to the construction of residential developments that would create some type of variation in the suburban environment. To this end they proposed to create developments that would include

² Adapted from: Burchell, Robert. Planned Unit Development. New Communities American Style. pp. 37.

varied housing types, increased open spaces and resident amenities which would have less impact on the community than the standard grid developments that were occurring.

Initial reluctance to allow the use of this approach was overcome as communities became aware of the benefits that PUD's presented in the development of residential neighborhoods. The benefits of greater diversity in dwelling types, increased useable open space, lower development costs, and savings in public utility provision has led to this development approaches increased usage.³

However, as usage of this development approach increased so did the need to regulate it. As a consequence many communities began to adopt zoning ordinance regulations that provided development standards which governed developments using the PUD approach.

It is these development standards that this research is most interested in analyzing since it is believed they are directly related to the effectiveness and quality of PUD's in the selected cities and counties. Previous research conducted on PUD's and their effectiveness by So, Mosena, and Bangs in 1973, looked at the elements contained in the then emerging PUD regulations.⁴ The purpose of their research was to understand what effect certain elements had on the quality of PUD's within selected communities.

This research will draw upon the results of this earlier study and will utilize the list of elements developed by the researchers that were believed to be necessary in the development of quality PUD's. Additionally, as a part of this research interviews with the local planning staffs and developers will be conducted aimed at gaining an understanding of their opinions on the effectiveness of the existing PUD regulations in their communities.

It is the intent of this research to determine if there is truly a "master list" of key elements that should be included in a community's PUD regulations/ ordinances that will result in high quality planned developments being constructed. Additionally, as a result of this research the

³ Ibid. pp. 41.

⁴ So, Frank, David Mosena, and Frank Bangs, Jr. Planned Unit Development Ordinances. Planning Advisory Service. Chicago. 1973.

selected southeastern cities and counties will have a better understanding of what changes may need to be made to their ordinances to make them more effective.

The chapters that follow will examine the planned development process of eight southeastern cities and counties to help understand what makes this type of development successful. The following chapter will explore the history behind planned developments. Chapter Three will provide the research methodology that will be used to assist in understanding what elements contained in a community's zoning ordinance promote quality planned development.

Following these three chapters will be the substantive information used in determining if there are certain elements that promote quality planned residential development successful. These middle chapters, four through six, are where the data collected will be analyzed. Chapter Four will provide the results of the ordinance evaluations that were produced once the community zoning ordinances were processed through a series of evaluation tables. Chapter Five will include the comments obtained during the planning staff and developer interviews. Chapter Six will provide an analysis of the interview results.

Finally, this paper will conclude with a summary of the preceding six chapters. This chapter will also include observations and conclusions that the author has reached during the course of this research. Additionally, this chapter will include recommended action for improving planned residential development within the selected southeastern cities and counties.

CHAPTER TWO

The Beginnings of a New Movement in Neighborhood Development

Housing development in the United States has been influenced by many European and earlier U.S. traditions, therefore; it is not surprising that most of the development which has occurred in the United States has been based on an earlier model or form. Most of the development that occurs today is a mere adaptation of what has already been tried in other parts of the world.

As will be shown through the contents of this chapter, planned residential developments in the United States have utilized many of the European and early U.S. traditions and trends. These types of developments have in large part not developed new ideology, but rather have capitalized on what has already been successful in other parts of the world.

This chapter will explore the early planned developments that occurred in this country as a result of European influences and trends as well as contemporary planned developments that have been constructed in the last 30 years. This chapter will conclude with a comparison and contrast of the early and contemporary planned developments as well as thoughts on where it is believed planned developments are heading in the future. Once this chapter is completed the reader will understand that the contemporary planned developments are in many instances very similar to those constructed in the early 1900's.

Perry's Neighborhood Unit

Probably one of the most influential development approaches to effect planned residential development in the United States was Perry's Neighborhood Unit. This approach was developed by Clarence Perry and used by Henry Wright in 1928, and focused specifically on the physical design of the neighborhood to address some of the social problems occurring at that time.

It was Perry and Wright's belief that the social issues of the time could be addressed through the development of neighborhoods that met the needs of the community. In the neighborhood unit, they envisioned a community center in which a public school would be located that would serve as the location for neighborhood cultural, recreational, and social activities. It

was believed that this center would help foster a greater sense of community amongst the neighborhoods residents, thus addressing some of the social problems.

In addition to the community center Perry and Wright included six other principles, dealing with the physical form of the neighborhood, that were essential to the neighborhoods success.

These six principles are as follows:⁵

- 1) Size - Each unit of residential development should have a population large enough to support one elementary school,
- 2) Boundaries - The unit should be bounded on all sides by arterial streets,
- 3) Open space - A system of small parks and recreation spaces should be provided,
- 4) Institutional sites - Sites for the school and other institutions having service spheres should be suitably grouped about a central point or common,
- 5) Local shops - One or more shopping districts should be laid out in the circumference of the unit, and
- 6) Internal street systems - The unit should be provided with special street systems to facilitate circulation within the unit and to discourage its use by through traffic.

While the neighborhood unit approach is now considered to be one of the most influential contributions in the field of planned residential developments this has not always been the case. The use of this approaches principles in its early applications in the United States were not very successful because of the circumstances in which they were attempted to be applied. However, in neighborhoods in which all of the approaches principles were applied and brought to fruition there has been great success.

The most notable success of the neighborhood unit approach is seen in Radburn, New Jersey which was constructed in 1928. The development of Radburn is frequently used as the

⁵ Ibid. p. 26.

benchmark of quality in planned developments and is seen as the prototype of how quality developments can be achieved.

Upon completion of Radburn the neighborhood unit approach was used sporadically and with limited success. However, contemporary planned developments appear to be incorporating the neighborhood unit principles into their development programs.

The use of these principles should become evident during the presentation of the contemporary planned developments later in this chapter. However, before discussion of the contemporary developments occurs a brief history of Radburn and two other early neighborhoods, which by today's standards would be considered planned developments, will be presented.

Radburn - The prototype for single-family planned developments (Figure 1)

As mentioned previously, the development of Radburn by Clarence Stein and his partner Henry Wright in 1928 has been an enduring example of what a successful planned neighborhood can be. The components in the development of this neighborhood are what have become the foundation for how many developers are developing planned neighborhoods today.

The design innovations that Stein and Wright incorporated into the development of this community were at its time unheard of in the United States. The ideas for these innovations were brought over from the pair's extensive investigation into the development of neighborhoods in England. They believed that the success that these innovations had had in England's neighborhoods could be replicated, to some extent, in the neighborhoods of America.

The innovations that the pair's brought over from their studies and incorporated into the design and development of Radburn were (1) the superblock, (2) specialized roads planned and built for one use instead of all uses, (3) the complete separation of pedestrians and vehicles, (4) houses that fronted inner courtyards and (5) parks in the center of the neighborhood as the neighborhoods backbone.⁶

⁶ Stein, Clarence. Toward New Towns For America. p. 41-44

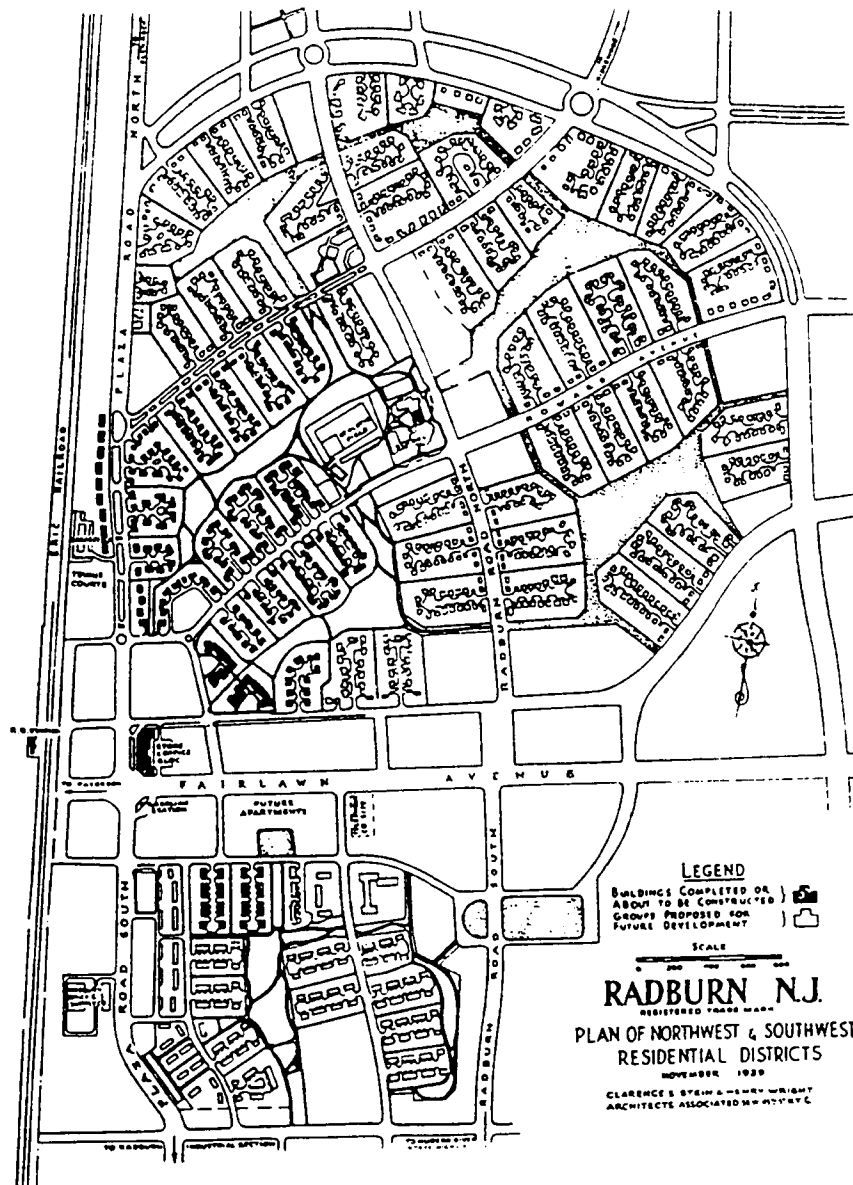


Figure 1: Radburn, New Jersey

Source: Birch, Eugenie Ladner. "Radburn and the American Planning Movement". Introduction to Planning History in the United States. New Jersey. Center. For Urban Policy Research. pp. 127. 1983.

These innovations, as simple as they seem, were something that the American homebuyer had never seen before in the development of a neighborhood prior to 1928. These innovations in neighborhood development made the living environments much more tolerable for the neighborhoods inhabitants.

The development of Radburn was a break from the traditional grid plan of neighborhoods that had been and were still being developed at this time. Stein and Wright provided a more open and relaxed environment in which the residents could enjoy themselves and still be close to the things they needed. It is because of their thoughtful details and concern for the residents that were to live in the neighborhood that the development of Radburn was and is still a success.

The details and innovations that Stein and Wright brought to the development of neighborhoods have been carried over the generations and are still evident today in neighborhoods that stray from the traditional grid or curvilinear patterns of development. The contemporary planned neighborhoods, to be discussed below, are examples of how the ideas that were introduced by Stein and Wright are still in use today and are influencing neighborhood development.

Chatham Village - An experiment in planned multi-family dwellings (Figure 2)

The ideas in the development of neighborhoods that Radburn brought forth were not limited to the development of strictly single-family neighborhoods. Stein and Wright once again wanted to explore ways in which the living environments for neighborhood inhabitants could be enhanced even if those inhabitants didn't live in single-family housing. The result of this exploration was the development of Chatham Village, a collection of row houses, located in Pittsburgh.

The development of Chatham Village was very similar to that of Radburn in that it had separated streets and paths for vehicles and pedestrians, superblocs, and housing fronting courtyards. Yet the main difference between this development and Radburn was that the parking garages were separate from the housing units and that it was considerably smaller. Because of the

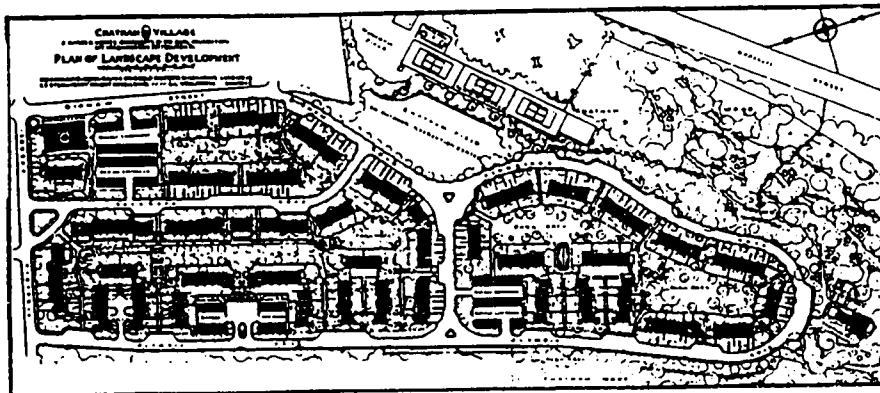


Figure 2: Chatham Village

Source: Stein, Clarence. Toward New Towns For America. MIT Press. Cambridge. pp. 75. 1966.

small size of the development a greenbelt surrounded it to provide a buffer from outside intrusions such as noise and pollution.

This development was a first of its kind when it was built in 1932, but if one were to look around today they would see many apartment house or townhome complexes built on the same premise. The ideas that were instituted by Stein and Wright in the late 1920's have enduring qualities that have stood the test of time. They provide an alternative to the monotonous development pattern that is exhibited in today's society.

The Garden City - Another historical design influence

Another of the predecessors to the contemporary planned residential neighborhood is the development concept developed by Ebenezer Howard of England called the 'garden city'. This development concept called for the construction of neighborhoods that would not only provide residential neighborhoods, but would also be self-supporting in industry and commercial activities.

The Garden City Movement, as it was called, was a result of the overcrowding conditions they were developing in England's metropolitan cities around the turn of the century. However, it is interesting to note that the ideal of having each of the garden cities being self-sufficient did not materialize as envisioned. Howard and others were disappointed that the commercial and industrial components of these cities did not develop, however; this did not result in cities being failures.

Yet what did result out of the development of these cities was a blueprint for how to develop well planned and laid out communities that provide its residents with comfortable living conditions. The overall thrust of this development pattern was on increasing density and providing greater open space through the grouping of homes.

The success and attractiveness of this approach to neighborhood development in England spread to the United States in the late 1920's and 1930's and can be seen in the development of the greenbelt towns in Maryland, Ohio, and Wisconsin. There were great expectations with the development of these towns, but their eventual success was far less than what was expected. The

reason only three towns were developed, aside from their lack of acceptance, was that land acquisition cost were prohibitive.

Yet it should be noted that even though only three greenbelt towns were developed the ideas that they brought forth in development style have been carried on. The opportunity for creating neighborhoods with greater density so more open space can be left for resident enjoyment still occurs as well as attempts at including some self-sustaining activities. While the total package of ideas that the garden city/greenbelt town development patterns brought are not in use there are some that have enduring qualities that will not soon be forgotten by the conscientious development profession.

Contemporary Planned Developments

The above neighborhood developments and development patterns are what could, by today's standards, be called planned residential neighborhoods. They were, in most instances, the first attempts at developing neighborhoods with greater consciousness about who would live within them. They also have provided the foundation for some of the neighborhood development that occurs today which is attempting to move away from the grid or sprawling pattern of our neighborhoods that dot the landscapes of our metropolitan environs.

The ideas that were once new and untested in American neighborhood development have now become the symbols of ingenuity and interest by many a developer and homebuyer. What do these new neighborhoods look like ? What opportunities do they provide for the developer ? What amenities do they provide for the homeowner ? The answers to these questions and others are what follows through the discussion of the contemporary planned developments.

The Dam (Figure 3)

The first community that will be examined as an example of contemporary planned neighborhood development is located in Aurora, Colorado and is called The Dam. This development was the first planned development built in Colorado as well as the first to be developed under planned development regulations partially written by a developer.

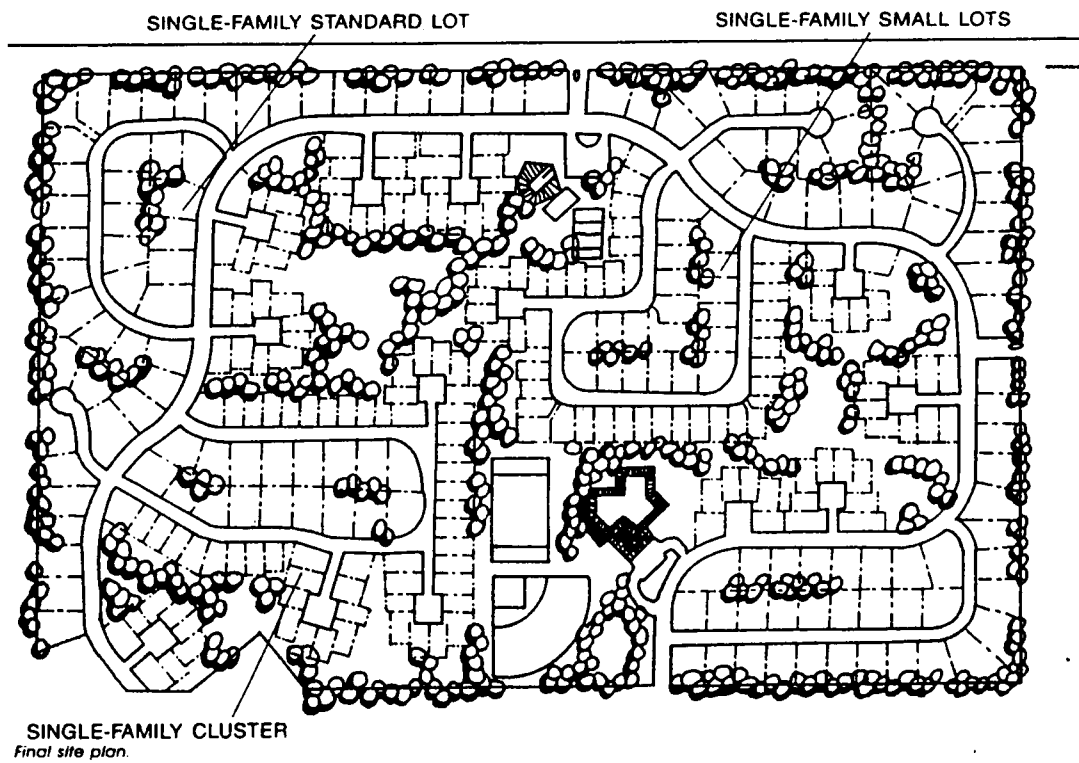


Figure 3: The Dam of Aurora, Colorado

Source: Moore, Colleen Gorgan. PUDs In Practice. Washington, DC. Urban Land Institute. pp. 46. 1985.

The Writer Corporation, developer of The Dam, assisted in the development of the PUD regulations under which this project was developed.⁷ By assisting in the development of the regulations the developer was able to influence the outcome of them so that they would be favorable to his development as well as others to come later. This influence has not resulted in development of poor quality housing, rather it has resulted in a development that is still prospering 20 years after its completion.

The Dam is characteristic of the previous developments in that it includes varied housing types, increased open space and ample residential amenities. The Dam, built 10 miles outside the City of Denver, consists of 100 acres at a gross density of 3.25 units/acre. Within the development there are various housing types which include single-family and multi-family units. In addition to the housing, approximately twenty-five percent of the site is left in public or private open space which includes a seventeen acre recreation area and an eight acre elementary school site.⁸

One component that the Writer Corporation included in the development of The Dam, that separates it from other PUD's in Colorado, is a separated walkway system that allows residents to move from their homes to the school site or recreation area without having to cross any streets. (This concept is similar that of Clarence Perry's neighborhood unit development approach of 1929). By having this amenity the marketability of The Dam was and is still enhanced.⁹

A homeowners association manages the maintenance of the common open space, has the power to control unit colors, review renovation requests, and prohibit unsightly or unacceptable nuisances, ornamentation, or vehicles within the development.¹⁰ This type of association is a familiar element of many contemporary planned residential developments and is in most instances required by the covenants of the development.

⁷ Urban Land Institute. PUDS in Practice. p. 47.

⁸ Ibid. p. 49.

⁹ Ibid. p. 49.

¹⁰ Ibid. p. 50.

New Mark Commons (Figure 4)

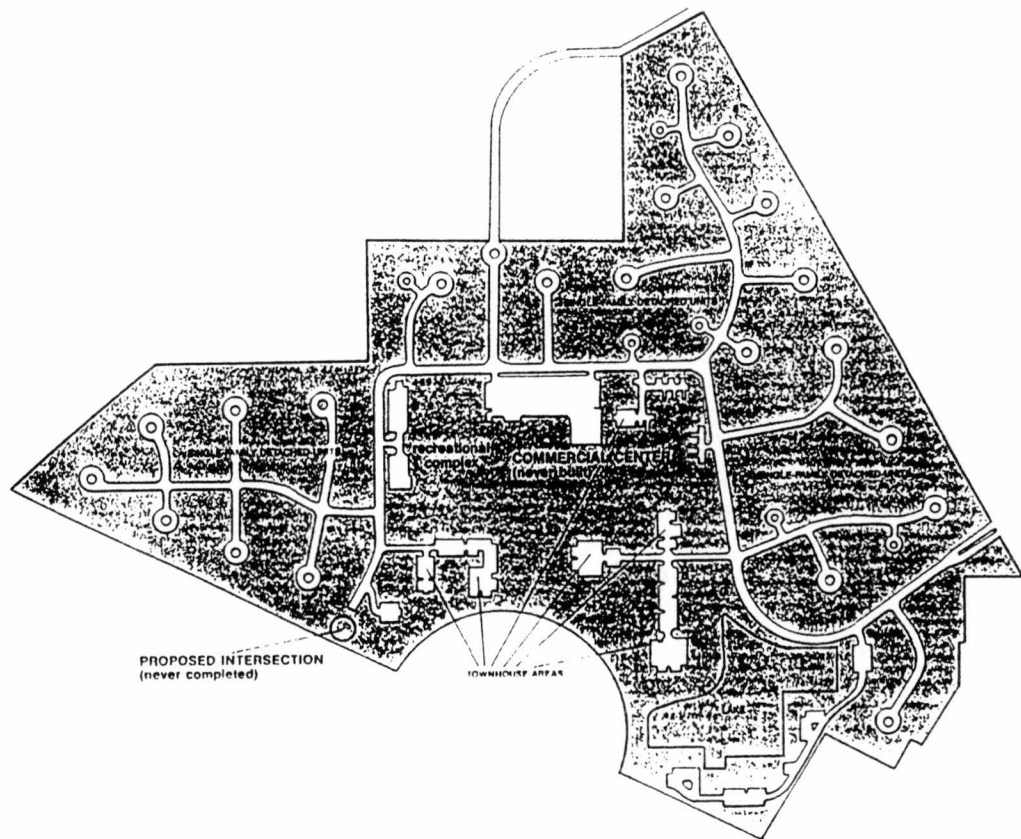
The second contemporary planned development began construction in 1967, in Rockville, Maryland and is called New Mark Commons. The City of Rockville was one of the first cities to adopt a planned residential ordinance (adopted in 1964). It was prompted by the realization that substantial growth was inevitable in the area and that both government and citizens would benefit if that growth were planned.¹¹ Since an ordinance was already in place in Rockville the developer was aware of what conditions the development plan would need to meet to achieve approval of the development concept.

The development was approved for construction in late 1966 and actual construction began in 1967. The development consists of 96 acres with an overall density of 2.97 units/acre and incorporates some amenities that make it slightly different from previous development, The Dam. These different features included an almost equal split between single-family detached housing and multi-family townhouses and a man-made lake as the centerpiece of the development. In addition to these features the topography of the development site contributes greatly to the overall appearance of the development.

Housing, as noted, consists of both single-family and multi-family, concentrated in two distinct areas. The single-family housing was constructed on cul-de-sacs or non-circulating streets. About half of the townhouses were developed around the lake, the development's focal point.¹² This development approach left approximately fifteen acres of open space which included the four and half acre lake, pedestrian walkway system, and a recreation facility with pool and guest parking area. Additional open space is provided in two adjacent public parks that border the development. The maintenance of the development's open space is taken care of by a neighborhood association.

¹¹ Ibid. p. 54.

¹² Ibid. p. 57.



Site plan.

Figure 4: New Mark Common of Rockville, Maryland

Source: Moore, Colleen Gorgan. PUDs In Practice. Washington, DC. Urban Land Institute. pp. 55. 1985.

This development, because of its topography, did not allow for the contemporary siting of housing units, front door facing the street and back yard behind the house. These conditions required that the developer utilized an innovative approach to developing the site. The level of innovation was far greater than any that had been used in Rockville's experience with planned developments.

William Hussman, former planning director of Rockville, commenting on the innovation of the development by saying that, "Bennett, the developer, had to sell a contemporary product to a contemporary buyer".¹³ The special market that the development had to appeal to resulted in a longer sales period than was expected. While the sales period was longer than expected the development is considered to be very successful and has managed to have its home values increase dramatically since the completion of its last unit.

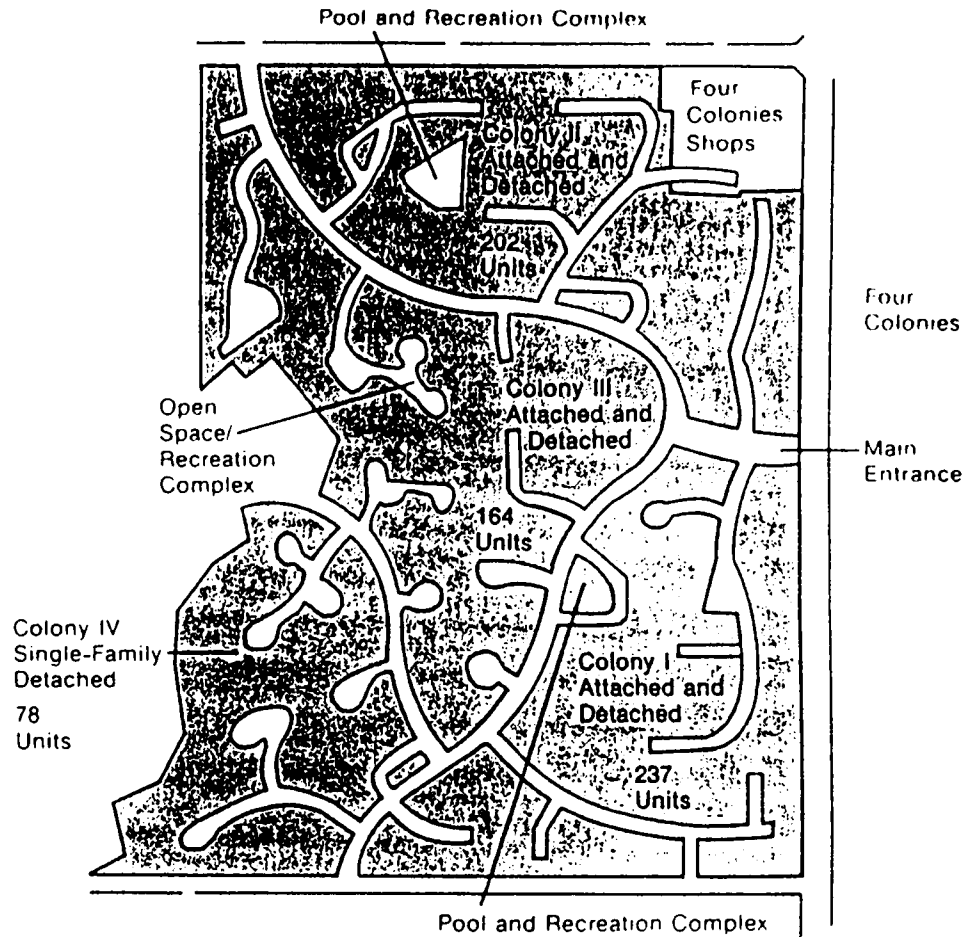
Four Colonies (Figure 5)

The third contemporary planned development to be addressed is located in Lenexa, Kansas and is called Four Colonies. It consists of 141 acres of land developed at a gross density of 4.8 dwelling units per acre. This development was the first and only planned residential development developed in Lenexa under its short-lived PUD ordinance.¹⁴ While the PUD ordinance no longer exists a new ordinance called planned residential, R-P, is now in place which has many of the same features as the previous PUD ordinance.

Not only is Four Colonies the first and only development built using the PUD regulations it is also the only development in which zero-lot line housing is located. The provision for this housing type was a result of the developers participation in the development of the ordinance regulations. Bodine-Ashner Builders, the developer, actively participated in the development of the PUD ordinance for the City of Lenexa so that it would be written favorably allowing them the needed flexibility in the development stages of Four Colonies.

¹³ Ibid. p. 59.

¹⁴ Ibid. p. 73.



Site plan.

Figure 5: Four Colonies of Lenexa, Kansas

Source: Moore, Colleen Gorgan. PUDs In Practice. Washington, DC. Urban Land Institute. pp. 73. 1985.

In fact, this active participation and the resulting ordinance is what helped the development stay buoyant during a down turn in the Kansas housing market in the mid 1970's. The PUD process under which the development was constructed permitted the developer the flexibility to modify plans and continue construction without delay.¹⁵

The development pattern of Four Colonies is very similar to the pervious two planned developments. There is a combination of housing types ranging from single-family detached and attached housing to townhouses and patio homes. The development is broken in four colonies each with its own recreation amenities accessible to all residents via an exclusive pedestrian path system.

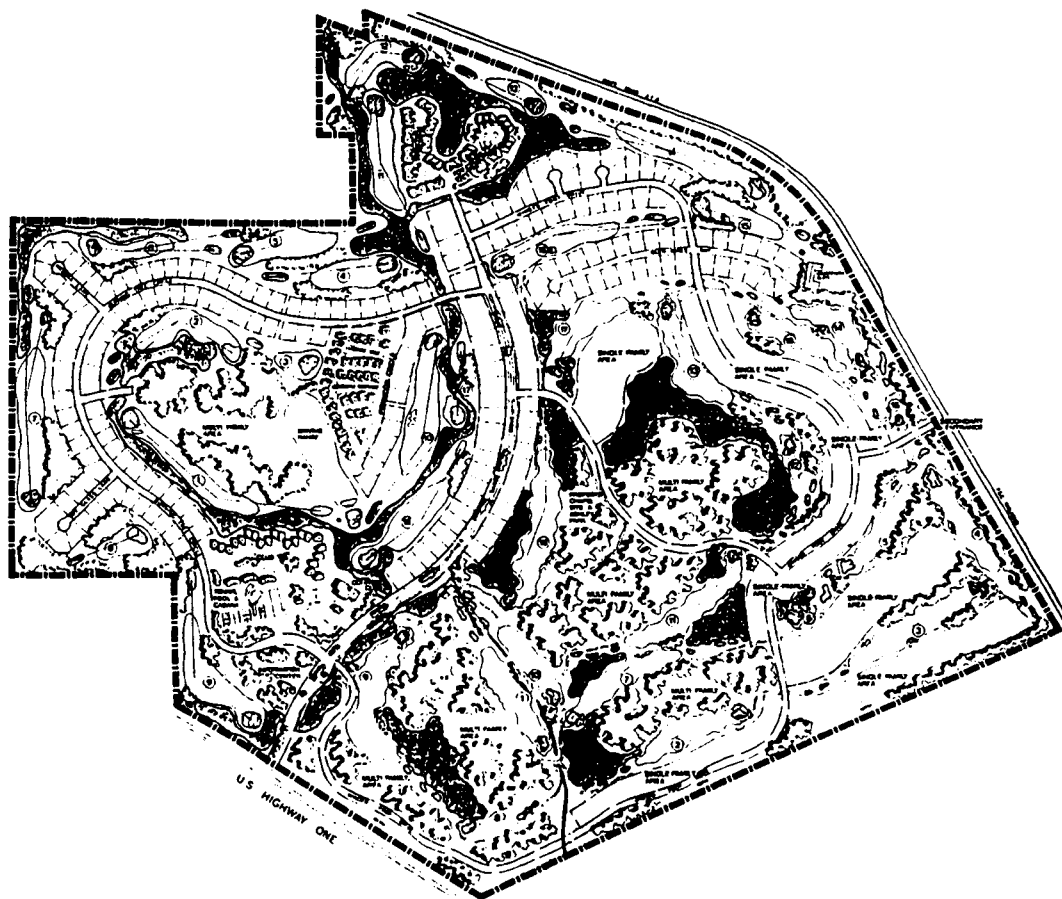
Within this development are images of what Clarence Perry envisioned in his neighborhood unit. Each colony is bounded by arterial streets to reduce through traffic. There is also a neighborhood commercial center located on the outside boundary of the development. This commercial development provides neighborhood services to the development's as well as neighboring residents.

The success of this development is attributed to the flexibility that the PUD regulations allowed it to have. The ability of the developers to adjust the development approach to meet the market conditions is what allowed Four Colonies to survive the economic hardships of the mid 1970's. There have been very few other planned developments built in the Lenexa area since the completion of Four Colonies, but this may change as some are currently being readied. These new developments will be constructed under the new R-P regulations and are not expected to diminish the success that Four Colonies has enjoyed.

Mariner Sands (Figure 6)

The fourth and final contemporary planned residential development to be examined is called Mariner Sands and is located in Martin County, Florida. Mariner Sands was the first PUD developed in Martin County. It represents a highly successful workout of a previously

¹⁵ Ibid. p. 76.



Site plan.

Figure 6: Mariner Sands of Martin County, Florida

Source: Moore, Colleen Gorgan. PUDs In Practice. Washington, DC. Urban Land
Institute. pp. 81. 1985.

unsuccessful recreational community.¹⁶ The development consists of 720 acres developed at an overall density of 1.13 dwelling units per acre. Construction began in 1979 and is still in progress. The market that the Mariner Sands Associates, the developer, is hoping to attract to the development consists of retirees and semi-retirees.

This development is unique in comparison to the previous three developments in that it has relies on its amenities package to sell the development rather than its diverse builder built housing units. While there are a variety of units within the development ranging from builder designed homes to custom designed homes to condominiums, the main focus for success of the community lies in the provision of amenities. This strategy has worked for the developer as the property is successfully developing as envisioned in the development plan.

Mariner Sands is currently being developed under the Martin County PUD ordinance that was adopted in 1974. This approach to development was strongly recommended by the Martin County planning staff because of the inflexibility in conventional zoning. Two previous development companies tried to develop the same property and were unsuccessful as a result of attempting to develop the property under conventional zoning techniques. Because of this, Mariner Sands Associates choose to use the PUD approach to developing the property.

The PUD development approach has allowed Mariner Sands to be constructed at a gross density of 1.13 dwelling units per acre and has freed up approximately 50 percent of the 720 acre site to be left as open space. Within this open space are the amenities of the development that have contributed to its success. These amenities include two 18-hole golf courses, numerous lakes, and other common open spaces.¹⁷

A community association exists that collects annual dues from all residents that help pay for the maintenance of common open space. The golf courses and club houses are currently owned by the developer until golf club membership reaches a point at which no non-member spaces exist.

¹⁶ Ibid. p. 81.

¹⁷ Ibid. p. 85.

At that time the club membership will have exclusive ownership of the courses and club houses as well as responsibility for maintenance of them.

The success of this development has relied on the fact that it was developed as a PUD and that it was developed at the time it was, 1979. Changes in the Martin County Commissioners and the feeling about development activity in southeastern Florida have made it more difficult to proceed with developments similar to this one. The developer has said that this project would most likely not have been built if they were to have presented it to the Martin County Commission in 1985. This would be due to increased impact fees, greater restrictions on development, and inability to sell tracts within large developments to outside builders.¹⁸

While there are changing conditions and attitudes about planned development in Martin County and southeastern Florida they will not have an adverse effect on the development at Mariner Sands. Rather the effects of these changing conditions and attitudes will help stimulate the continued growth of this development because of the lack of similar developments providing competition.

Comparisons, Contrasts, and Conclusions

There are a number of similarities between the early planned developments and the contemporary planned developments presented above. These similarities have not happened by accident, but rather are because of the enduring qualities of this form of development.

Planned development designers are understanding that in order to make a planned development a success it is necessary to utilize the principles that lead to successful early planned developments. While the concept of planned communities is not new in theory it is new to many perspective homebuyers. The ingenuity of the early planned community designers to attract individuals to their developments through the use of amenities such as walking trails, pools, tennis courts and recreation facilities have become common in today's planned development.

¹⁸ Ibid. p. 88.

It is interesting to note that many of the contemporary planned developments have started to utilize the concept of being surrounded by arterial streets, what Perry had recommended in the neighborhood unit. Utilizing this concept has allowed many developments today to become safer because of less through traffic in the development. Designers use of this concept suggests that they are beginning to think more about who will live in the development rather than trying to fit in as many housing units as possible.

Another interesting trend that is emerging in contemporary planned developments is the use of commercial activities within them. This idea harkens back to the Garden City Movement and Perry's Neighborhood Unit Concept. While commercial activities in the above contemporary planned developments are not there to achieve self-sufficiency, as it was in the Garden City, it is to provide convenience to the residents, such as in Perry's Neighborhood Unit. These commercial activities are designed to meet the daily convenience needs of the communities residents, but are in many cases used by other individuals who live outside the development.

While time has elapsed since the first planned development was completed in the United States the ideas that were included in it are continuing to be used and refined in each development that is being built today. These ideas have such lasting qualities that they have been adopted as necessary components for successful planned developments in today's sophisticated housing market.

The future of planned residential development as a viable alternative to the conventional development scheme is believed to be good. This conclusion is reached by understanding that land in many communities is becoming more limited and that there is a concern to provide more open space rather than paving over the landscape. Planned residential development provides the necessary flexibility as well as control in the development of housing which many communities are seeking. This added flexibility and control may have the potential to meet many communities desires in providing more housing variety and more open space.

While this type of development was not understood or market tested about forty years ago it has now become of age. There is a broader acceptance of this development approach since it has had the opportunity to be market tested and demonstrates that it has many advantages. As communities have provided the opportunity to develop housing using this approach there has been an infusion of more variety in the types of housing in many communities. This infusion has in many cases opened the housing market to those who were once locked out of it as well as provided housing diversity to communities that once lacked it.

Not only has housing opportunity and diversity been improved in many communities, but there has also been better use of limited land. The planned residential approach allows communities to conserve on land consumption while not sacrificing housing quality. This one point is the key in the perpetuation of planned residential development. Developable land is not easy to create, therefore; conservation of the limited land resources in most communities is what will drive the continued use of planned residential development as a viable development scheme.

This chapter has given a brief history of planned developments in the United States and given a projection on where they are believed to be heading in the future. The following chapter will provide the research methodology that will be used within the remaining portions of this research.

This methodology will explain the approach that will be taken to help understand if there are certain elements within selected southeastern cities planned residential zoning ordinances that facilitate quality planned residential developments. It is hoped that through gaining a better understanding if there are such elements that planned residential developments nationwide may be improved.

CHAPTER THREE

The Research Approach

Introduction

This research will attempt to understand if there are certain elements within a community's planned residential zoning ordinance that promote quality planned residential development. This chapter will present the process used to develop that understanding.

It should be noted, that the research approach used has included several limitations since there are certain issues which are beyond the scope of this research. Placing these limitations on the research may affect the outcome, but it is in the best interest of this research if these issues are not addressed. Below are the three issues excluded from the methodology of this research.

First, the differential markets at work in each of the selected communities, within this research, do not affect the success or failure of planned residential developments. By placing this limitation on the research there will not be the possibility of confusing limited success in the development of planned residential projects with a community's desire to not have or be able to attract such projects because of financial or other reasons.

Second, the tools used by each of the selected communities to implement the requirements of their zoning ordinances do not affect the success or failure of planned residential developments. This limitation is intended to ensure that differences in technology or office structures are not considered when seeking to understand what elements assist in producing quality developments. This limitation, however; does not intend to exclude the effect that planning staff members themselves have on the success or failure of planned residential projects within their community.

Third, the political environments of the selected communities do not affect the success or failure of planned residential developments. This limitation on the research will likely effect the results the greatest since politics, in one form or another, affect development decisions in every community nationwide. Nonetheless, the decision to apply this limitation was to 1) avoid a lengthy

discussion of political processes within each community and 2) focus the research on the zoning ordinances themselves and the elements contained within them.

Having presented the limitations of the following research methodology it is appropriate to present its contents. The following methodology will include the communities that have been chosen as the study sample, tables used for evaluating each community's zoning ordinance, and the interview questions for both the planning staffs and developers of each community.

Research Methodology

During the formulation of this research it was necessary to develop a list of places in which planned residential development was occurring. This list was developed in such a fashion that the places selected as the research sample are similar in many ways.

The research sample is a collection of cities, counties and/or governments from the southeastern region of the country and includes the City of Lexington and Fayette County, Kentucky; the City of Greenville, South Carolina, and the following cities and counties from Tennessee: the City of Chattanooga and Hamilton County, the City of Knoxville and Knox County, the City of Memphis and Shelby County, and the Nashville Metropolitan Government.

The selection of these places as the research sample took into account the following criteria:

- The city or county was within the Southeastern region of the country.
- The city or county had Planned Residential or Planned Unit Development zoning within its current zoning ordinance.
- The city or county had to be within an area of the Southeastern region that was currently experiencing residential growth.

Having selected the study sample, the next step in this research was to engage in detailed evaluation of the zoning ordinances of each of the cities and/or counties. This analysis was used to determine which cities or counties have included the kinds of standards commonly associated with planned residential developments nationally within their zoning ordinances.

Table 3.1¹⁹ contains the kinds of standards that are found commonly in planned residential zoning ordinances nationwide. These standards are what the sample city and county zoning ordinances were compared against. This table was used to evaluate each of the ordinances in the research sample.

After having run all the ordinances through Table 3.1 they were rank ordered based on how closely they matched the standards found in it. This ranking was used to help assist in making a determination about which ordinances have the most potential for producing quality residential developments.

An ordinance that had included a majority of the standards, it was felt, should be more effective in producing quality residential development than one that did not include many of the standards. For this reason, the ordinances that included many standards used nationally received a higher ranking than an ordinance that had fewer of the accepted standards.

In order to determine that the zoning ordinances of the cities and counties selected as the research sample were truly similar to those nationwide Table 3.2 was produced. This table shows the number and percentage of ordinances that included the generally accepted standards from Table 3.1.

A zoning ordinance may rank highly as a result of including many of the nationally accepted standards for planned residential development. This high ranking does not automatically mean that the development that occurs in that city or county is of high quality. There are a number of additional factors that influence the quality of the development that occurs (i.e., the planning staff involvement, skill of development designers, the housing market, the political conditions, etc.).

Since there are so many other factors that influence the quality of development within the research sample there was a need to develop a way of assessing what these factors were. The

¹⁹ Table 1 and all other tables within this document are found in the Appendix

process in which this assessment was made consisted of interviewing each of the planning staffs and selected local developers from each of the cities or counties of the research sample. The purpose of these interviews was to acquire personal opinions on the actual operation of the zoning ordinances in the particular city or county.

Because of the personal nature of the responses, this portion of the research was not as quantitative as the zoning ordinance analysis. Also, this portion of the research was more free flowing and judgmental, lacking a rigorous structure to it. The structure applied to this portion of the research was the repetition of the actual questions asked to each planning staff and group of developers. The same questions were asked of each planning staff and group of developers interviewed without variation. This repetitiveness of questions reduced bias in the answers.

The following questions are the ones that were asked of the local planning staffs of each city and/or county to assess the success of planned residential developments within their community.

- What is the amount of current residential building in the city ?
- How long does it takes to complete the application process for a new development ?
- How much time does the planning staff actually spend with each potential developer ?
- How does the planning staff internally relate with one another ?
- What types of planners are on staff ?
- What is the planning department's role in the municipality ?
- Do you think your approach to planned residential zoning is effective ? In what ways ?
Why?

The following questions are ones that were asked of each of the developers interviewed to assess their personal views on the success or failure of planned residential developments that they have been associated with.

- Does the planning staff fully explain the procedures which you and your development partners must go through to complete your development ?
- Is the planning staff willing to help you and your development team in making the needed changes to get your development approved ?
- Is the planning staff more interested in just meeting the development standards set forth in the ordinance or do they want the best development possible ?
- Do you feel that the developments you have constructed meet the goals of planned residential development as stated in the zoning ordinance ?

The answers to the above questions shed light on which elements, if any, in the zoning ordinances help in producing quality planned residential development. An analysis of the responses from the planning staffs and the developers was then made.

This analysis consisted of looking for patterns in the answers received from the individuals or groups interviewed. The patterns that emerged, it was believed, should be related in part to the rank of the ordinance that the particular interviewed group was related to. The responses to the interview questions, it was thought, would be more positive for those ordinances that received high rankings. Conversely, the answers to the interview questions should be more negative with a lower ranking ordinance. The results of this analysis were presented in Table 3.3.

Once the results of the interviews were filled into the table it became clearer what elements, if any, in the sample's ordinances helped in facilitating quality planned developments. There should be caution in accepting these results as fact since they are only representative of those who use and have developed the particular ordinances. It is possible that these responses are not representative of the general public's opinions about the development that has occurred.

The above summary of the interview results will conclude this research. It is hoped that this research will result in a clearer understanding of what elements, if any, help in producing quality planned residential developments. Additionally, it is hoped that this research will be informative to other communities currently lacking planned residential zoning and desiring to implement it in the most effective manner possible.

The following four chapters will carry out the above research methodology. The zoning ordinance analysis, questionnaire responses, questionnaire evaluation and research summary are developed separately in Chapters Four through Seven, respectively.

CHAPTER FOUR

Zoning Ordinance Analysis

This chapter presents the findings of the analysis that was conducted on the sample zoning ordinances. The presentation format includes comments on the contents of each zoning ordinance, as they pertain to planned residential development, followed by tables similar to Table 3.1, presented in the previous chapter, which illustrates how many of the planning elements are included in each zoning ordinance. This format is the same for all the zoning ordinances making up the research sample. Since the research sample is comprised of cities and counties there are, in some instances, more than one zoning ordinance analysis for the particular metropolitan area.

Analysis One- Lexington/ Fayette County, Kentucky

The process of developing a planned residential neighborhood in Lexington/ Fayette County is different from what one would expect. Development of this type occurs in Planned Residential Development (PRD) zones which are found only in the Growth Functional Plan Area of the county or on land that is recommended for residential development. In addition to this requirement, the development standards that govern PRD's are not predetermined, rather they are developed on a case by case basis. This difference in the how development standards are developed is probably what sets Lexington/Fayette County's PUD process apart from others.

While it is different to create development standards for planned developments on a case by case basis this process allows greater flexibility in tailoring standards that relate to specific development. By having specifically tailored development standards there is a greater chance of the development being successful not only for the developer but also for the community.

In order to assure that there is not an abuse of this flexibility a list of elements that must be addressed in each proposed set of development standards is included in the Lexington/Fayette

County zoning ordinance²⁰. This list of elements addresses many of the factors included in the evaluation matrix as well as some that are not. These additional elements pertain to application materials, review procedures, and timing of development. All of these elements are aimed at making sure the development of a PRD in the established areas benefits everyone.

Each PRD zone within Lexington/Fayette County is assigned a number which is related to its time of adoption. For example, the first PRD zone adopted would be PRD-1 and the second would be PRD -2. The development standards for each of these PRD zones, once adopted, is included into the appendix of the zoning ordinance. At the time of conducting this research there was only one PRD adopted in Lexington/Fayette County.

Table 4.1 shows the results of the ordinance evaluation for Lexington/ Fayette County. It should be noted that while this evaluation looked at only one adopted set of development standards, it appears that many of the nationally accepted PUD standards are in it. However, as indicated earlier the development each PRD zone in Lexington/ Fayette County are developed on a case by case basis, thus not ensuring the same elements will be in each successive set of development standards.

The asterisk within the density element pertains to the fact that the density allowed in the PUD-1 zone is what is recommended in the adopted Comprehensive Plan for Lexington/Fayette County.

The asterisk indicated in the maximum site coverage element relates to the fact that specific standards are only developed and apply to commercial and educational facilities within the PUD-1 zone.

The asterisks in the landscaping and view protection elements mean that they are most likely addressed in the site inventory stage of the PUD-1 zone development standards.

As noted above, the planned development process used in this community is different from most in that the regulations for the PUD are developed on a case-by-case basis. The fact that this

²⁰ Lexington-Fayette Urban County Government. Zoning Ordinance Lexington-Fayette Urban County, Kentucky. Lexington. Lexington-Fayette County. 1995.

process is used, however, is not the reason that only one PRD has been developed in the community. The reason for the limited use of the PRD process is because there are other regulatory processes available that allow development of projects similar to a PRD, however, in less time.

While there is little comparison amongst development standards at this time in Lexington/ Fayette County in regards to PRD development it is clear that the ordinance is seeking high quality development. If the current development standards for the existing PRD are indicative of what future development standards may be like there will be quality planned residential development occurring in the community.

Analysis Two - Greenville/Greenville County, South Carolina

Greenville's zoning ordinance deals with planned residential development within the PD-R (Planned Development-Residential District)²¹. Development that takes place in such districts is primarily to accommodate residential uses with nonresidential uses integrated into the design of the district as secondary uses.

The PD-R district includes many of the nationally accepted standards for planned development as well as additional ones that help ensure quality development. These additional standards deal with commercial and service uses. Commercial uses are allowed in all the PD-R districts while the service uses are only permitted in PD-R districts greater than 80 acres. Service uses include such things as wholesale, distribution, storage, processing, light manufacturing, and general commercial businesses.

The specific standards that apply to commercial and service uses relate to their maximum site coverage which is tied to the overall size of the development site. For example, in a development of 1 to 8 acres the maximum site coverage of commercial or service uses could be

²¹ Greenville County Planning Commission. Zoning Ordinance for Greenville County. Greenville. Planning Commission. 1994.

only 10%. In a development of 80 acres or more the maximum site coverage of these uses could be 50%. Required parking for these uses is counted in the maximum site coverage.

One potential flaw to these specific standards is that they do not establish thresholds of completed residential units before the development of commercial and service uses can be built. What this means is they could occur before any residential development has taken place.

The ordinance also covers specific requirements dealing with the allowance of signs. Signs are allowed in PD-R districts provided they are appropriate for the area in which they are placed. The sizes and heights of signs in PD-R districts are determined by the sign requirements for the least restrictive zoning district allowed in planned development, most often commercial or service. The Planning Commission has final approval on the allowance of signage in a PD-R development.

The ordinance further requires the developer to submit a statement of intent about the development. Included in this intent statement are issues that deal with a homeowners association or other group maintenance agreement, how the development will contribute to the community on and off site, the development's impact on public facilities, how the development will deal with its landscaping, screening, and maintenance of any proposed water bodies, and what its development schedule will be. The purpose of this intent statement is to make sure that the development, when built, will be beneficial to the city, not a liability.

Table 4.2 shows the Greenville zoning ordinance includes many of the nationally accepted standards for planned development. The inclusion of many of the national standards should promote quality planned residential developments. This though is dependent on the type of planning staff that administers these requirement as well as the developers who choose to use this development technique.

Analysis Three - City Of Chattanooga, Tennessee

When analyzing the planned unit development regulations for the City of Chattanooga it appeared, at first, that the ordinance was going to have included a majority of the elements

commonly found in most planned development ordinances nationwide²². What happened however was the exact opposite. Almost 50% of the elements in the evaluation table were left unmentioned.

Construction of any PUD within the City of Chattanooga cannot occur until a "special exception permit" has been issued. The issuance of this permit will occur only after the City Council has approved the preliminary and final site plans.

The development of a PUD once the "special exception permit" is granted is limited to the R-1, R-2 or R-3 zoning districts. No other zoning districts are allowed to have planned residential development within them. In addition, when a PUD is proposed for construction in a R-3 district the regulations become much more stringent in regard to where the development can be place.

The ordinance handles the issue of density in a way that is similar to that of the other ordinances within this sample. Density is determined by multiplying the gross acreage in the development, excluding areas to developed for schools or churches, by a factor. This factor increases according to the district that the proposed development is in. For example, a development proposed for an R-1 district would have a lower density than one proposed for an R-2 or R-3 district. The process is designed this way to insure harmony between the existing neighborhoods and the planned development.

Should a proposed PUD fall into two of the permitted zoning districts the computation of allowable density is slightly more complicated. Density is determined by finding the allowable densities in each of the zoning districts and adding them together, giving a grand total of allowable density.

Open space is a requirement for any planned development within the and must be managed by either the developer or management authority, a homeowners association, or the City of Chattanooga. If the city is going to manage the open space it must be dedicated. The City Council must approve the land for dedication before the city can assume maintenance responsibilities.

²² Chattanooga and Hamilton County Regional Planning Commission. Chattanooga Zoning Ordinance. Chattanooga. Planning Commission. 1990.

There is no mention of landscaping or screening requirements for the parking areas or the exterior boundary of the development or the protection of views from within the development. The regulations are written so that no commercial activities other than those similar to a golf course are permitted.

Table 4.3 shows the results of the evaluation of the City of Chattanooga's zoning ordinance. As previous mentioned, about 50% of the expected standards are not found in the ordinance. An initial assessment of the potential success of PUD's in the City of Chattanooga leads one to feel that there would be little good development. This may not be the case because of many factors, such as the planning staff's involvement with the developer from the beginning, or the type of developer himself.

While the ordinance is lacking in many areas the resulting development may not be of lesser quality. A better answer to the quality of development is presented through the planning staff and developer interviews which are reported in the following chapter.

Analysis Four - Hamilton County, Tennessee

Even though Hamilton County is the county in which the City of Chattanooga is located there is a different set of zoning regulations that govern the development of PUD's outside the city. These regulations were also a surprise, similar to the city's, in that initially they looked as though they would have many of the elements found nationally, however; only half of the elements were found.

What was found in the detailed evaluation of the county's ordinance, which is administered by the joint City/County planning department, was similar to that of the city's with a few variations²³. The ordinance stipulates that PUD's occur in the county only after a "special conditions permit" is issued for either a R-1, R-2, R-2A, or R-5 zoning districts that have more

²³ Chattanooga and Hamilton County Regional Planning Commission. Hamilton County Zoning Regulations. Chattanooga. Planning Commission. 1987.

than 10 acres. The required permit will only be issued after the preliminary and final site plans are approved by the Regional Planning Commission.

Within the ordinance special requirements on buildings over 2 1/2 stories or 35 feet exist which are designed to protect residents in the case of fire. These requirements state that buildings which meet these criteria will not be any closer than 20 feet, if built of fire resistive materials, or 25 feet if they are not.

There also are stipulations on the minimum height that buildings and streets can be above or below the floodplain. In all instances buildings must be constructed above the floodplain and streets may, at a maximum, be constructed 1 foot below the floodplain.

The ordinance establishes minimum parking standards, but does not address where this parking should be provided or anything about screening and landscaping. It requires that there be separation of the pedestrian and vehicle through the provision of sidewalk facilities within developments where two-family or multi-family housing is built.

There is a requirement that any PUD developed in the county must have sanitary sewers, either connected to the city's system, if possible, a package system for the development itself, or septic tanks.

The ordinance states open space is required for PUD's, but fails to tell how the amount should be computed. Yet it tells how it should be maintained. Maintenance of open space should occur by either the developer or a management authority or a homeowners association. The county is not available for maintenance nor, from the way the ordinance reads, interested in the ownership of it within county PUD's. This is in direct opposition to what the city ordinance says about open space.

Density for PUD's within the county is determined in the same manner as that for PUD's in the city. The density is determined by multiplying the gross acreage of the development site, excluding any acreage for schools or churches, by a factor. These factors are different for each of the districts in which a PUD is allowed and are as follows: in a R-1 district 4.5, and in a R-2, R-

2A or R-5 district 7.0. These density factors are designed so that the resulting development will be in harmony with the surrounding areas.

Should the County feel that the development is of such a scale that it will impact the public facilities it may require the development to be done in stages. If this should occur the developer will need to time the development of the PUD to the provision of public facilities in the development area. The ordinance does not state if the developer can, at his expense, extend or provide the public facilities that are requiring the project to be staged.

The ordinance does not provide for the construction of any commercial facilities within any PUD except those similar to golf courses. It further neglects to address any perimeter requirement, landscaping, or view protection for the enhancement of the living environment of perspective PUD residents.

With the gaps in the requirements for PUD's it is questionable if the development of them within Hamilton County is what would be expected. There appears to not be a great deal of attention paid to the less tangible elements of a successful PUD such as landscaping, screening and fencing, or parking lot quality. All these elements have an effect on the image that a PUD projects to its residents.

It is unclear at this point if the county's provisions for PUD's are more tailored to benefit the developer or if they are striving to make a unique place in which people can live. The answer to this question and others is reached through the personal interviews with planning staff and developer's covered in the following chapters.

Table 4.4 shows what elements Hamilton County's zoning ordinance includes. As mentioned above only about half of the common elements are included in this ordinance.

Analysis Five - City Of Knoxville, Tennessee

The evaluation of this ordinance was made relatively simple by the sheer fact that it is so concise²⁴. This is not to say that this ordinance is lacking in a great many of the common elements, in fact, it has included many of them. Rather the way in which this ordinance is organized allows the reader to immediately understand the requirements as they pertain to the particular development. Further, there is very little ambiguity about who is responsible for certain activities in the development process. It is which most often the Metropolitan Planning Commission.

Planned residential developments occurring in the City of Knoxville take place in RP, planned residential, zoning districts. No parcel of land within the city has this zoning classification, therefore; property upon which a planned development may occur must be rezoned. Property may be rezoned to one of three RP classifications, which refer to building density, and are either RP-1, RP-2 or RP-3.

The densities for development are set as a range within each particular zoning district not to be exceeded and are designed so that proposed planned developments fit into the character of the surrounding area. The development to the allowable density is permitted anywhere on the site and normally occurs where there is the least construction difficulty. The density ranges for each of the zones go up to 24 dwellings (RP-1), 40 dwellings (RP-2), or 80 dwellings (RP-3) per acre.

There are no established minimum lot sizes for RP districts within the city allowing this development to take place on small parcels of land. The only requirements that are related to minimum lot size are when commercial activities are proposed. Any planned development requesting commercial activities must have at least 20 acres of land. Of this 20 acres, one acre may be set aside for commercial activities for every 100 dwelling units within the development.

²⁴ Knoxville and Knox County Metropolitan Planning Commission. Zoning Ordinance for Knoxville, Tennessee. Knoxville. Planning Commission. 1994.

Commercial facilities are further controlled by requiring that at least 100 permits for residential occupancy have been issued before the construction of a commercial building may occur. The ordinance further states that the development of commercial facilities must be compatible with the surrounding neighborhood development, which is determined by the Metropolitan Planning Commission.

Open space is a requirement of planned developments in the City of Knoxville and the amount is determined by the net development area of the particular development. The area for this open space is included in the determination of the density for the development. Thus, while a particular development may allow 24 dwelling units per net acre a developer may only be able to build 20 dwellings per acre and meet the open space requirement.

The ordinance addresses parking and its location (when not used for residential purposes), screening, and landscaping. The ordinance goes so far as to give specific landscaping requirements which pertain to the area of the parking facility. These are created to minimize the negative impacts that parking lots create. The ordinance also refers to other sections within it about requirements for off-street parking. The off-street parking requirements also contain specifics about landscaping, screening, and location (when not used for residential purposes).

Table 4.5 shows that the City of Knoxville's ordinance does not lack many of the commonly found elements within planned development ordinances. Those that are lacking seem to be common among the ordinances evaluated within this sample. The effects of these lacking elements are better understood through the interviews with planning staff and developers.

Analysis Six - Knox County, Tennessee

Being the county in which the City of Knoxville is located and having its zoning ordinance administer by the joint city/county planning agency, it was not surprising that this zoning ordinance

was as concise and to the point as the city's²⁵. The requirements for planned developments are similar to that of the city's but differ in a few areas.

The zoning district designation for planned developments within the county is the same as that of the city PR, Planned Residential, but there are no subclasses (RP-1, RP-2, etc.) which determine the density. The density within county PR districts are established on a case by case basis and in no instance will be greater than 24 dwelling units per acre. There is no minimum parcel size associated with a planned development within the county except when the lots are to be subdivided and sold to individual homeowners.

The amount of open space within planned developments is more defined in the county than in the city and is determined by the number of acres within the proposed development. The minimum open space required in planned developments is 15% of the gross development area for projects greater than 20 acres and 10% of the gross development area for projects 8 to 19 acres. From the ordinance there is apparently no open space requirement for developments under 8 acres.

In addition to establishing the percent of open space required the ordinance also addresses the maximum site coverage, which is limited to 50% of the gross acreage within the development. It further establishes maximum height standards which apply to single-family, duplex and all other development types. There are also specific requirements on side, front, and rear yard set backs

There are several allowable uses within the County PR district, most of which are related to residential activities. One acre of commercial activities for every 100 dwelling units are allowed in this district provided that there is at least 20 total acres within it. The construction of such a facility will be allowed only when 25% of the total units proposed are ready for occupancy.

While allowing demolition landfills as a permitted use the ordinance does not allow any uses on review. This provision severely restricts the development within the County PR district to anything other than residentially related uses which most likely helps the district in meeting its intended goal.

²⁵ Knoxville and Knox County Metropolitan Planning Commission. Zoning Ordinance for Knox County, Tennessee. Knoxville. Planning Commission. 1994.

There are few elements that the County's PR ordinance fails to address. One of the most noticeable is the fact that there are no requirements on parking, except off-street. This is surprising because the ordinance seems so complete in its coverage of the other elements. The omission of this element may be because it was thought to not have been of significance.

Table 4.6 shows what other elements are missing from Knox County's zoning ordinance. As can be seen very few of the common elements were left out.

Analysis Seven - City Of Memphis & Shelby County, Tennessee

This ordinance had a unique approach through which planned unit development (PUD) occurs²⁶. So unusual was this approach that when compared against the rest of the research sample there was nothing like it. The first major difference discovered is the fact that PUD's are allowed to be built in any zoning district within the city or county, regardless of the surrounding land uses.

Additionally, there are no stipulations on minimum parcel sizes for PUD's within the city limits and only a 3 acre minimum when they are developed in the county.

Another major difference is the way the ordinance handles the development regulations of PUD's. According to the ordinance, the regulations that govern PUD's are those of the underlying district upon which the PUD will be built. Utilizing the underlying zoning regulations as the basis by which the PUD will be controlled is unique. It would appear that while property can be rezoned to allow for PUD development the actual development could be significantly limited in its ability to offer a wide range of uses. This seems to have the effect of greatly limiting the success of PUD's within the municipality.

However, the ordinance states that the development regulations can be changed so that the intent of developing a property as a PUD can be realized.

²⁶ Memphis and Shelby County Office of Planning and Development. Memphis and Shelby County Zoning Ordinance - Regulations. Memphis. Office of Planning and Development. 1991.

This is only possible if the developer submits an application for an "outline plan" which stipulates what variances from the district regulations are needed to make the PUD a success.

The issues, according to the ordinance, that an outline plan needs to address include its uses, density, area, bulk, parking, sign regulations, and deviances from the subdivision regulations, basically the differences from what the existing zoning allows. An outline plan will not be approved if it may result in conditions that are considered to threaten the surrounding neighborhoods.

When a developer wishes to apply for a permit to build a PUD he or she has two choices. They may choose the "short-form" application which does not require a pre-application conference with the planning staff. This application is designed for PUD projects that will cause minimal impact on the surrounding neighborhoods or do not require an extensive outline plan.

The second choice a developer has when requesting a permit is the "regular planned development" application. This application requires a pre-application conference six (6) months in advance of the anticipated PUD approval. This is the most often used application due to the extensive changes proposed in many outline plans.

The requirements that a PUD must satisfy before a final plan is approved are quite comprehensive. The developer is required to show many items before the final PUD plan is approved. One of these requirements is a "Letter of Intent" which explains why the developer feels that the zoning regulations should be change to allow the development.

This letter must address or include 1) a map of the property, 2) a statement describing the development and proposed market it will attract, and 3) schematic drawings of the development.

The Letter of Intent is required at the beginning of the planning process, during the pre-application conference. If an outline plan is going to be submitted for the project it must be submitted no less than six (6) months after the Letter of Intent is submitted. The outline plan must include all the items in the Letter of Intent as well as any other items the Planning Office has specified.

Proposed PUD's must also show that they will not hinder the development of the surrounding area. They must also demonstrate that they will have adequate and approved water supply, waste water treatment and disposal and storm drainage facilities that are compatible with the surrounding area.

Developers also must provide a site plan showing the landscaping on all areas that will not be covered by structures. Further a plan showing were all the structures, parking, walks, lighting, and other service areas must be provided. These plans must show that the proposed development is compatible with the surrounding land uses.

Developers requesting a change to the development regulations through the use of an outline plan must prove that the requested changes are necessitated by the design of the PUD and are applicable to the site. They must also prove that the amenities provided within the development are not contrary to the public interest. The developer must further provide for the establishment of a homeowners association which will maintain the required common open space within the development.

The open space that is provided within the development must meet special requirements which the developer is responsible for during construction. If the development is phased no occupancy permits will be issued until the required open space facilities for that particular segment of the development are completed.

The open space should be designed so that it is useable for recreational purposes or provide visual, aesthetic and environmental amenities. The size of the open space should be appropriate to the size of the PUD. These spaces may be improved for the their intended uses and any buildings constructed within them must be appropriate (i.e.: swimming pool cabanas, bathroom facilities, etc.). Before open space is transferred over to a homeowners association, the City of Memphis, or Shelby County it must receive Land Use Control Board approval. Open space may only be conveyed to either a public body or a homeowners association.

There are numerous additional requirements that the developer must meet to gain approval of a proposed PUD. These additional requirements are designed, as those mentioned above are, to help in assuring that the PUD is of high quality and a good addition to the community. The additional elements not mentioned above are noted in the following matrix.

Table 4.7 shows only three missing elements within this ordinance. What this means is that this ordinance has the ability to provide for quality planned residential development. Yet there are many other factors that could prove this potential wrong, such as an inadequate planning staff or a building community not interested in quality development or the opportunity to develop with this type of flexibility. The final determination of this ordinance's success will be determined within the following chapter.

Analysis Eight-Metropolitan Government Of Nashville/Davidson County, Tennessee

While the above zoning ordinances have followed the same basic format, with the exception of Memphis/Shelby County, this ordinance provided some unique challenges in its evaluation. In the opinion of the researcher, when this ordinance was drafted it must not have been assumed that the general public would be looking at it to determine what opportunities and protections it offers.

The ordinance, while it is comprehensive in nature, is extremely hard to follow and does not lend itself to individual interpretation easily²⁷. The prospective developer who wishes to build a planned development, it is assumed, must seek out the planning staff to help in deciphering the sections on planned developments. Yet, because the ordinance is so comprehensive it is by far the best and most complete ordinance out of this whole research sample.

²⁷ Nashville and Davidson County Planning Commission. Zoning Regulations of the Metropolitan Government of Nashville and Davidson County, Tennessee. Nashville. Planning Commission. 1994

General Planned Unit Development Procedures

When beginning the evaluation process it became apparent that this ordinance had a different format. The reader is first introduced to a set of general provisions that all planned unit developments (PUD) must meet before any construction can begin. The comprehensiveness of these general provision are in some instances as complete as other zoning ordinances total sections on PUD's.

Included in these provisions are the expectations of developers who seek to develop PUD's in Nashville/Davidson County. In order to begin this process a developer needs to complete a "master plan" for the proposed PUD which is in accord with the long-range comprehensive plan for Nashville/ Davidson County. This plan must be certified by one or more design professionals and it may differ from the standard subdivision regulations.

The "master plan" then needs to be approved as a "preliminary master plan" which occurs after it receives signatures from at least two of the following professionals 1) an urban planner with AICP certification, 2) a landscape architect with a state license, 3) a civil engineer with a state license, or 4) an architect with a state license. The purpose of requiring that these professionals work on the plan is to assure that the PUD has been developed with an interdisciplinary approach.

Once the "master plan" has received approval as a "preliminary master plan" it may then be considered for certification as a "final master plan". This is essential before any construction may begin. In order for a "preliminary master plan" to be certified as a "final master plan" it must have the signature of either number 2, 3, or 4 of the above professionals.

Once this has occurred the plan is certified and the PUD's construction may begin. This construction must be within three years after the plan has been certified. Certification of plans may be waived if the proposed PUD is for an existing structure not involving site or exterior changes.

After describing how to get the "master plan" approved the general provisions go into greater depth about what a PUD can have in it, look like, and how the development should proceed.

One provision is that residential PUD's may be combined with other PUD's, such as commercial, provided the total site area is under the same ownership. This allows the developer flexibility in developing a PUD with commercial and residential uses, but does not guarantee it. The developer must meet other more specific site requirements should he desire commercial and residential uses together.

The general provisions also provide for the Metropolitan Planning Commission to establish a completion period for the PUD as well as a staging schedule. These provisions are designed so as to have the development built in a timely manner or in relationship to the provision of public services.

Should the Planning Commission recommend staging of the development the following conditions two conditions must be met. First, residential PUD's will not have the ratio of residential units to commercial space exceeded in any stage. And second, each stage will be planned so as to relate to available facilities and services.

Finally, the general provisions also mention that a maintenance organization is required for common open space, but fails to mention if this space is required. It goes on further to say that if the established organization fails to do its duty in maintaining the open space the Zoning Administrator of Nashville/Davidson County may 1) appoint a public/private organization to do the maintenance on a year to year basis, or 2) assess the maintenance costs onto the residents of the PUD as a lien on their property.

It appears from this provision that the development of a functional maintenance organization, financially as well as administratively, is essential for the success of the PUD.

There is, according to the general provisions, the ability to sell common open space though it is not recommended. The Planning Commission would rather see it dedicated to Nashville/Davidson County. The Planning Commission, in addition to preferring to see dedication of open space, may also require that some public facilities be dedicated prior to the approval of the "master plan".

Specific Procedure for Planned Residential Developments

As mentioned above, this ordinance has a different approach in conveying its regulations about PUD's. The following regulations pertain specifically to the development of residential PUD's. These specific regulations are broken into two components, one for regular large land area PUD's and the other for small area PUD's. The differences between these two types of PUD's will be explained more in the following pages.

Large Area PUD's

Residential planned developments can be built in residential, commercial, and office zoning districts on tracts as small as two (2) acres. No plans for PUD development will be approved unless they meet the required size standards. When a proposed PUD should fall into more than one of the permitted zoning districts the development regulations with the largest required minimum area will be applicable.

Within the permitted districts for PUD development there are a variety of allowable uses. The Metropolitan Planning Commission determines which of them are appropriate in specific PUD's on a case by case basis.

The following are just some of the allowable uses in PUD's: residential (permanent and semi-transient), community facilities (places of worship, essential services, community education), and commercial (convenience sales and services, and food, medical and personal services). Numerous conditional uses are also allowed in these districts. Special permitted uses are allowed in PUD's that are developed totally or partially in commercial zoning districts.

When commercial activities are allowed within a PUD they can not exceed 4% of the total floor area within the development. Nor can any one commercial activity be greater than 3000 square feet unless it is used for low income residents. Yet, when residential PUD's are in an office or commercial district these regulations do not apply. Commercial activities are prohibited in PUD's which are developed in agriculture, low and low-medium density residential districts.

Parking requirements within the ordinance are detailed and cover pavement materials, landscaping and screening, as well as area and loading zone requirements (based on the types of

uses within the development). This is the only ordinance in the whole research sample, where specific regulations and criteria are mentioned about parking.

The ordinance has provisions on the use of signs within PUD developments. These provisions state that signs are permitted as long as they meet the specific sign requirements contained within the ordinance's Division 7. These regulations regulate sign size, location and content.

Density within PUD's is determined by the number of dwelling per gross acre within the development. A range of permitted densities is established for PUD's based on the zoning district they are in. When a PUD is developed for persons or families with one person over the age of 60 in each dwelling unit the allowable densities may be increased by 50%.

In addition to having established dwelling unit densities there are other area and space regulations that must be met when building a PUD. These regulations are designed so that appropriate densities and building bulk may be constructed. These regulations also establish the ratio of recreation area to the total floor area within the development. The recreation area should be provided in large contiguous tracts and can be 50% satisfied by the inclusion of a golf course in the development.

The permitted densities and other area/ space requirements of PUD's will vary based on the type development proposed and zoning districts in which they occur. When a PUD falls into two or more zoning districts the weighted average of those districts is applied when determining the development density.

Special regulations exist for density and area/ space requirements when PUD's have more than one principle use. Tables 4.8 - 4.10 show what the allowable densities are as well as the area/ space requirements. Table 4.8 shows the allowable densities for PUD's without mixed building types. Table 4.9 shows the allowable densities for developments with mixed building types. And finally, Table 4.10 shows the allowable densities for PUD's which have single-family homes on separate lots.

When a PUD is proposed for development the Regional Planning Commission may decide to disapprove it unless there are adequate public facilities available to it. The purpose of this control is so that a PUD, once built, will not be a burden on the community or its public facilities.

The ordinance, to help minimize the disapproval of PUD's, requires that they have public sewer and water when completed, but this may be waived if the subdivision regulations of the underlying zoning district do not require it. To further insure that the PUD is not a burden on the community it is required to have its construction timed such that the provision of schools and parks will be adequate at the end of each construction phase.

The last requirement is that sidewalks must be included within the development. By requiring PUD's to include sidewalks there is the ability to separate pedestrians from vehicles and reduce safety hazards. This requirement shows that the drafters of the ordinance were looking out for the future residents of the PUD's.

Small Area PUD's

In addition to the above standards for Large Area PUD's the ordinance covers specific requirements for Small Area PUD's. These types of developments are normally associated with infill projects within the City of Nashville where the Large Area PUD standards would be too stringent and restrictive for the developer.

Size requirements for this type of development are waived, but development on lots smaller than 3 times the minimum size allowed in the zoning district will be not be permitted.

Developments using these regulations are further restricted to single and two-family housing. Should a developer want to use these regulations for developments containing more than one or two-family dwellings he can but the development is more closely scrutinized.

The type of uses allowed within Small Area PUD's are limited to that of permanent residential and community facility activities. There are no conditional uses allowed in these districts. The ordinance further states that when development occurs within these areas the

developments architecture should be compatible with its surroundings. Also, if screening and walls are used for privacy they should be similar to that of the adjoining properties.

The ordinance requires that developments in these areas should attempt to preserve the existing structures and site characteristics when possible. The purpose behind this provision is to promote new development to blend in with its surroundings rather than appear out of place within them.

Finally, the ordinance provides a set of guidelines about the allowable densities within Small Area PUD's. These guidelines are very similar to those of Large Area PUD's in that they have additional area/ space requirements that must be met. The allowable densities and area/ space requirements are shown in Table 4.11.

Ordinance Evaluation Summary

As can be seen from the above evaluation there is a wealth of material in the Nashville ordinance. As complex as it is there is no doubt that it includes most of the commonly found elements within planned residential ordinances nationally. Table 4.12 shows that this ordinance does indeed include all but two of the common elements.

What this means is that this ordinance has the potential of producing developments of high quality. Yet how high the quality of the developments are depends greatly on a number of other factors such as the planning staff's administration of the regulations and the development communities use of them. The true success of this ordinance is reached through the planning staff and development community interviews shown in the following chapter.

Zoning Ordinance Conclusions and Rankings

Throughout this chapter, the research sample zoning ordinances were evaluated against a matrix of elements commonly found in many PUD ordinances nationwide. These evaluations have shown that some of the sample ordinances failed to include various common elements while others

included most of the elements. What effect this may have had on the development within each sample city or county is at this point unclear.

Figure 7, shown below, presents the results of how the sample ordinances rank against each other and what percent of the ordinances use the national standards. The ranking of the ordinances will be used to assist in the next step of this research, the planning staff and developer interviews.

The ranking of the ordinances took into account the number of common elements they included as well as other unique requirements specific to each. These specific requirements, at times, helped differentiate the rank of one ordinance over another when there was approximately the same number of common elements. The lower ranking ordinances were more difficult to determine due to the lack of common elements, coupled with few unique requirements.

Ordinance Rank	Ordinance	Ordinance Type
1	Metropolitan Government Nashville and Davidson County, Tennessee	PUD
2	Memphis and Shelby County, Tennessee	PUD
3	Lexington and Fayette County, Kentucky	PRD
4	Knox County, Tennessee	PR
5	City of Knoxville, Tennessee	PR
6	City of Chattanooga, Tennessee	PUD
7	Hamilton County, Tennessee	PUD
8	City of Greenville, South Carolina	PD-R

Figure 7: Ordinance Rankings Based On Evaluations

The ordinance rankings shown in Figure 7 do not necessarily resemble the success of the planned development process in the research sample cities or counties. Rather they represent what could be concluded from the evaluation process conduct above. As was mentioned in the previous chapter there are other factors that may influence the success of the planned development approach. These factors are looked at in the next two chapters and are more fully developed there.

Zoning Ordinances Using the National Standards

Table 4.13 shows the number of the ordinances within the research sample that have utilized the same common elements found in Table 3.1 as well as the percent of the sample that used the common elements. The purpose of this evaluation is to determine that the ordinances within the research sample are truly similar to those found nationally.

The results shown in Table 4.13 correlate very closely with those of an earlier study conducted by the American Society of Planning Officials (ASPO) in 1973 which are shown in Table 4.14. There are some minor differences between the two tables as a result of the small sample size, however, on the whole they match closely. Most of the differences are possibly a result of when the ordinances were developed.

For instance, back in 1973 there was possibly not as much concern about the appearance of the PUD whereas today's ordinances seem to be more concerned about it. This is possibly because building materials are more uniform today than then and allow for greater manipulation in the finishings. It is also possible that uniformity within a development is more desirable today than it was in the past.

As mentioned, the results shown in Table 4.14 are very close to those found in the research sample. What these results conclude is that the ordinances of the research sample are similar to those at the national level and can be consider to be normal in their content and purpose.

The following two chapters present the results of the planning staff and developer interviews from each of the study communities. Chapter Five presents the answers to the

interview questions from both the planning staffs and developers. While Chapter Six summarizes the answers to the interview questions. It is anticipated that the answers to the interview questions will further assist in understanding if there are any particular planning elements that contribute to successful planned residential developments.

Chapter Five

The Questionnaire Responses

This chapter will summarize the responses to the planning staff and developer questions, introduced in Chapter Three. The planning staff questions were directed at determining how successful each staff thought they were in achieving quality planned residential developments within their communities. While the developer questions were aimed at determining if quality planned residential development could be obtained by following the ordinance regulations.

This chapter's format will be structured in the following manner. The question answers of the particular jurisdiction's planning staff will be presented first followed by the question answers of the jurisdictions developer's. It is believed that this format will provide the best comparison of attitudes about planned residential development within each of the communities of the research sample.

Chapter Six, which follows, will evaluate the planning staff and developer interview results. This evaluation will help in determining if the ordinance rank, as determined in Chapter Four, is a true representation of the potential for quality planned development within each community. Furthermore, this evaluation will also assist in determining if there are certain elements within the zoning ordinances that promote or assist in the development of quality planned residential developments.

Below are the interview question results for each of the communities within the research sample. It should be noted that in most of the developer interviews the developers had asked that their names not be used in the responses. This request was made so as to limit any potential prejudice from the community's planning staff that could occur as a result of their answers.

Lexington/ Fayette County Planning and Zoning Commission

In the course of interviewing Bill Sallie, Senior Zoning Planner of the Planning Services Section, it was apparent that the answers to the interview question were going to be rather detailed.

Sallie's understanding of the housing situation within the community was impressive and it allowed for an opportunity to better understand the process in which PRD development occurs.

According to Sallie there is steady residential growth in the community. Apartment development is up this year and is showing a cyclical trend that started about 12 years earlier, but is approaching its peak and should begin a decline shortly. Most of the apartment construction is occurring in zones that have been established for them. There is also a large number of single-family homes being developed throughout the community. Additionally, there is townhome development occurring, but it is not as strong as the apartments or single-family development.

The steady residential growth is being absorbed by a steady population increase throughout the community. As the population continues its increase the housing market is reacting by construction more units. As long as the local market will continue to attract residents and employees the housing market will continue to fill the necessary housing needs.

The review of the zoning ordinance was limited to just the section on the PRD provisions, but as it was explained there are opportunities to develop PUD type developments in the apartment zones (R-3 and R-4). In order to make a quasi-PUD in the R-3 or R-4 zone a Development Plan must be submitted which shows the location and types of housing units that will be within the development. Sallie explained that the Development Plan is not required on a site that is already zoned for R-3 or R-4, but is required if a zoning change is recommended.

In addition to the provision within the R-3 and R-4 zones to construct these quasi-PUD projects there is also a provision within the ordinance called "Group Residential Project (GRP)" that allows for more than one principle residence per zoning lot. This particular provision is considered to be very similar to the type of development that would be seen in a PRD throughout the community.

The GRP designation is normally used for the construction of townhome or apartment communities on a single piece of property. Once the GRP designation has been established for a particular site the Development Plan governing development on the site dictates all construction.

Changes and modifications to the Development Plan can be made by submitting the request for change or modification to the Planning Commission.

From Sallie's explanation of the GRP it was strikingly similar to what had been discovered about PUD type development in other cities of the research sample. Yet in Lexington/Fayette County, Sallie explained, the GRP designation and the PRD designation are two totally separate ways of developing property.

The GRP designation occurs only in the R-3 and R-4 zones and requires that a Development Plan be submitted as a part of the development process. The PRD designation, on the other hand, is a complete zoning designation in and of itself where the regulations controlling the development are developed on a case by case basis. There are requirements that must be met which are specific to the PRD zone that are not in the R-3 or R-4 zones with the GRP designation.

As the interview moved away from the general development trends of the community the interview shifted to looking at the details that surround the PRD designation for development in the community. It was at this point, Sallie remarked, that there has been only one PRD developed in Lexington/ Fayette County and because of this it was difficult to make any judgments or definitive answers to the interview questions.

To better answer the questions Sallie decided to include the experiences he had with the Development Plans in the R-3 and R-4 zones. He believed that there would be no harm in doing this due to the similarity of the resulting developments.

Sallie explained that the application process contains two steps, the first step being that the application must go through the Planning Commission and the second step being the application going through the County Council.

Should a property need to be rezoned the Commission has by law 90 days in which to render a decision. Sallie explained that this length of time is not uncommon before a decision is made by the Commission, however; they have been known to make a decision within two months. Upon the Commission making a recommendation about the rezoning it is forwarded to the County

Council. The County Council also has 90 days in which to make a decision if the property should be rezoned.

The application process could take longer than the six months as shown above should the applicant seek a postponement in order to meet with objecting neighbors, collect additional data, or change the application slightly.

Once the rezoning is approved the applicant has approximately two years to complete and have approved a final development plan or a subdivision plan. The final development plan is normally used for developments which incorporate townhomes or apartments. The subdivision plan is normally used for standard single-family housing development.

Developments that are built using development plans will allow the developer to construct necessary supportive infrastructure for the development at the same time housing construction is occurring. However, developments that use subdivision plans require that all infrastructure be installed prior to the development of any housing. The latter approach is more cost effective for the developer since lots can sold as the infrastructure is being installed, thus reducing the up front out of pocket costs.

Sallie explained, that the time it takes to complete a development plan can be anywhere from six months to two years. This time frame is dependent on how quickly the applicant is trying to get the development completed.

The final development plan or subdivision plan can be submitted prior to the approval of a rezoning. This, according to Sallie, is not a frequent occurrence but it does happen every so often. In such cases where the final plans come in for review prior to the rezoning being approved the staff has a right to condition the plan on the outcome of the rezoning.

As mentioned, the PRD standards are developed independent of the zoning ordinance. Once the PRD plan has been approved the regulations or standards that will govern the particular PRD are codified into the zoning ordinance. The staff and the Commission review the standards and regulations prior to codification and have the ability to make changes to them.

Because of the limited use of the PRD zone it is not common for the staff or the Commission to review many PRD applications. Subdivision and Development Plans are required for the mixed use developments in the R-3 and R-4 zones and are far more common to the Commission and staff in the review stages. The mixed development in the R-3 and R-4 zones are most similar to the PRD zone, but there is not nearly as much time involved in getting approval.

Sallie explained, that PRD's in Lexington and Fayette County are a zone not a use. The type of development which is occurring in the R-3 and R-4 zones is most similar to what would be seen in PUD's in other communities. "It's a matter of semantics", Sallie said, "here in Lexington PRD's represent a zone not a type of development".

As is obvious from the complexity of the rezoning process and the plan submittal process a considerable amount of time may need to be spent with each developer. Yet according to Sallie the time spent with each developer varies greatly and depends on the complexity of the development request. Meetings occur on a regular basis with engineers, lawyers, and sometimes developers on pertinent issues to the development request at hand.

There are defined review committees within the Planning Commission which review the PRD proposals. Of the defined committees one is called the technical review committee and another is the subdivision review committee. Both of these committees are subcommittees of the Planning Commission. Meetings with the development team sometimes occurs before or after these committees have met with the staff if the need arises. These meeting allow the staff to smooth out any potential conflicts or concern with the development before it is forwarded to the Planning Commission.

Sallie commented, that it is not always the developer who initiates the meetings with the staff. At times staff will initiate a meeting if a concern is great, but more often than not the developer will normally ask for a meeting. Some plans, Sallie mentioned, go before the Planning Commission without having any developer/staff meetings. This is especially true with the more

routine requests. Meetings with the staff are not a requirement, but are highly recommended since they can help avoid problems which could crop up in the development approval process.

According to Sallie the planning staff inter-relates well with each other as well as with outside organizations within the local governmental structure. The Planning Division is broken down into three sections. There is the Planning Services Section which deals with the current development issues of the community. There is the Long Range Planning Section which deals with planning issue 20 years out, neighborhood planning and comprehensive planning issues. And there is the Transportation Planning Section which deals with transportation issues as well as acts as the MPO for Lexington and Fayette County.

The physical location of these divisions facilitates substantial interaction. On zoning issues there is a great deal of interaction among the Sections. This is especially noticeable if there are issues that deal with comprehensive/ long range planning or transportation items. Yet the interaction amongst the Sections becomes less noticeable when there are subdivision plats or small area plans being reviewed. This is due to the role that the Planning Services Section plays in managing the day to day activities which manipulate the land use plan within the community.

Sallie explained that there is little reliance on outside professionals to assist in the review of PUD applications. There is a notable exception to this rule which occurs when planning happens in the Historic Districts of the community. There is a completely separate staff removed from the Planning Commission that does the planning within the Historic Districts. The Planning Services staff is not versed well enough to handle the issues that arise in the Historic Districts, therefore; there is a separate staff that deals with those issues.

The Planning Services staff is comprised of mostly generalist planners with some type of specialty. There are various staff members that have specific training in areas that Planning Services deals with on a daily basis. In addition to the professional planning staff there are planning technicians, secretaries, and managers.

The distribution of the Planning Services workload depends on the complexity of the applications received. The more routine items will go to the planning techs and secretaries while the more complex items will go to the professional planners. There are a total of 25 members on the Planning Commission's staff within the three sections.

According to Sallie the Planning Commission and its staff are seen as a catalyst and a team player in the development of the community as well as at times a hindrance. Sallie qualified this answer by saying it all depends on what the issue is at hand. Some issues require the planning staff to be more structured than the community likes. Whereas, in other instances the staff acts more as a catalyst and team player. Overall though the general perception of the planning staff and Planning Commission is favorable by both the general residents and the development community.

The development community does not feel that the planning staff hides behind ivory walls. As a result the Planning Services Section is seen most often in favorable light by the development community as well as other residents. However, the Long Range Planning Section is not always seen in the same light. The impression of the Long Range Planning Section depends on the issues at hand.

In concluding the interview it was interesting to note that Sallie's response was slightly different from the answers received up to this point in the other interviews. Sallie believed that there was a need to differentiate between the PRD zone and the R-3 and R-4 zones due to the closeness of the types of development being produced. According to Sallie, the developers have not used the PRD zone for flexibility since it can be more easily achieved in the R-3 or R-4 zone with a development or subdivision plan.

The one PRD that has been developed in the community has been successful, but failed to meet its expectations, therefore; not making it a more attractive choice for the local developers. Yet the use of the development or subdivision plan in the R-3 or R-4 zone has been far more successful in meeting the developers needs for mixing housing types and getting certain flexibility once only allowed in the PRD zone.

Sallie felt that the R-3 and the R-4 zones would continue to be used by the development community until some type of acceptable solution to the development trends were developed. He saw no problem in the fact that the PRD zone was not being used on a more frequent basis. He commented that "the zoning ordinance provides the opportunity to develop quality developments in the higher density residential zones, therefore; there is really no foreseen problem".

Lexington/ Fayette County Developers

While interviewing the developers from Lexington/ Fayette County it was apparent that there was a high level of respect for the planning staff. Both developers felt that the planning staff did an excellent job of explaining the procedures that must be followed in the construction of a PUD.

According to one developer, "the planning staff checks to make sure all the requirements are included in the application and if they are not they alert the developer to that fact". While the other developer explained that the staff conducts a pre-application conference with the developers to ensure that there is complete understanding of what is required. According to this developer, "the planning staff makes sure the requirements are clear so there is no guessing about what is expected".

It was further explained that during the pre-application conference that staff will answer any questions that may be asked and also provide insight into what additional studies (i.e. traffic, land use compatibility, etc.) may need to be done prior to Planning Commission approval of the project.

Both developers acknowledged that the PRD process is different from what most would expect. One developer explained that the staff has a review committee structure that allows the developers to get input on needed changes before applications are sent to the elected officials. Within these review committees recommendations for changes are made, however; it was made clear that staff does not direct those changes rather they provide help in understanding what is

acceptable or not. This process, this developer felt, allows for needed changes to be made without having to have the PUD request deferred which results in increased processing time.

According to the other developer staff is willing to work with the developers in making the necessary changes to get the project approved. In general, according to this developer, "staff will work with the developer to make the necessary changes, however; it does not give solutions" The staff expects the developer to make the necessary changes and only checks the plans to ensure they meet the regulations.

When asked if the staff were more concerned with meeting the requirements of the zoning ordinance or at getting the best development possible both developers agreed that it was at times both ways. The planning staff is first and foremost concerned with meeting the ordinance standards, however; they are also concerned about getting the best development that is possible for the community.

According to one developer there are times when the staff wants the regulation exceeded. Yet this developer continued by saying that the staff rarely asks that additional amenities be provided within the developments. Although they do confirm that the amenities which were shown in the development proposal have been provided as indicated.

The other developer interviewed had a slightly different view on the desires of the planning staff. This developer felt that the long range planners were most concerned with the best planning possible. The current planners, because of their being bound by the ordinance, could not request very much more than the minimum standards. This developer continued by saying that both long range and current planners welcome any attempts at improving the development plans which would be beneficial to the community.

This developer added, "the requirements of the ordinance inherently lead to good development". There are requirements within the ordinance that are designed to promote good development; therefore; staff does not need to go out of its way to require extras.

In concluding the interviews it was apparent that both developers felt they had considerable success in meeting the requirements of the zoning ordinance. This success, in part, was a result of the assistance from the planning staff that they had received as well as their understanding of the market.

One developer commented that the success his company had achieved was a result of researching the needs of the community prior to development. Success also resulted because of staff's willingness to provide the assistance in understanding the development procedures.

However, he did mention that there is greater difficulty in developing a PUD in the R-3 and R-4 zones because of the additional regulations. He felt that development in these zones would continue because of the reluctance to go through the lengthy PRD process. Only when the ability to develop a PUD project in the R-3 or R-4 zones becomes as difficult, he commented, would the developer community choose to utilize the established PRD procedures.

The other developer felt that all of the projects her company had developed were successful in meeting the ordinance standards except those in the R-3 zones. The reason for the lack of success was because of not being able to overcome neighborhood opposition.

She continued by commenting that her company's use of the R-3 and R-4 zones were not successful in cluster homes or in developing additional open space. She was disappointed by the fact that this had occurred, but realized that the developments met the minimum standards.

She concluded by saying that since the R-3 and R-4 zones allow for such flexibility in the development of PUD type projects that the existence of a PRD section in the ordinance seems rather redundant. Since the R-3 and R-4 zones allow for a much shorter process in developing a PUD project her company would continue to use them instead of utilizing the lengthy PRD regulations.

Greenville County Planning and Zoning Commission

When asked about the amount of new residential building within the community staff responded by saying that the number of new building permits and plats is at a record high for the County. Most of the development is occurring in Greenville County where land is available and there is redevelopment and infill activity within the City of Greenville.

Some of the reasons for the record number of building permits and plats are attributed to the location of the BMW Production Plant in the area as well as recent infrastructure expansion into the County. The increased building permit and plat activity is mostly for single-family subdivisions and not for planned developments.

Those development requests that are utilizing the PD-R (planned development residential) provisions of the zoning ordinance can take anywhere from 2 to 3 months to process. Within this time span is one month for the rezoning of the property to the appropriate PD-R designation, approximately one month of Commission review, and one month for the approval of the final development plan by County Council. Tom Meeks, Senior Planner, replied, "the speed in which the application is completed rests on how quickly the developer can get the necessary materials prepared."

The PD-R regulations place a time limit on applications for planned developments. The regulations states if no development occurs for 1 year after initial approval of the development the developer is required to resubmit the development plans for the project. This resubmission would result in approximately a 2 month delay in the construction schedule.

When questioning staff on the amount of time they spend with each developer it was surprising to hear the answers. There was an obvious importance on making sure the developers knew the procedures that they were going to have to meet in order for the development to get approved.

Staff noted they are willing to work with the developer to ensure that the future development is a success and that it meets the intent of the PD-R regulations. In this light staff

said, "it is sometimes necessary to negotiate on the provision of amenities in the development or about the final design of the development."

When asked how the staff within the Planning Commission relates with one another the answers received revealed how dispersed the planning process is within Greenville County. While the processing of PD-R applications occur within the Planning Commission offices there is a heavy reliance on other departments for input.

This input is received in a variety of ways. According to Lori Resse, Associate Planner, "there is continual contact with other departments either via phone conversations or by face to face conversations". Yet staff does not feel that these types of contacts are enough to ensure that the proposed development is being thoroughly reviewed. In addition to the informal contact that each planning staff member has with other department's staff there are monthly meetings.

Staff felt their ability to call upon other departments within the County for assistance allows them to better assess the PD-R applications and ensure that the developments which may result are of the best quality and meet the PD-R intentions. The fact that they have to go outside their department for answers to certain questions is not considered an impediment to the success of the PD-R process.

When asked what types of planners the staff consists of the response was slightly disappointing. It was noted that there was a landscape architect on staff, but he left for a higher paying position. There are no specialists on staff, but rather the staff consists of generalist planners with specializations. According to Resse, "the procedures and requirements of the ordinance help when decisions need to be made in lieu of having staff which specializes in particular areas." According to her the way the ordinance is written removes the need for specialists.

When asked how the Planning Commission is seen within the community the staff responded by saying that they are viewed as a player in successful development. They continued by saying that the staff of the Commission is thought of favorably and is recognized as having to

uphold their planning principles. The position of the Planning Commission in the City's developmental process was not viewed, by staff, to be an impediment to successful development.

The final question asked received a response that is characteristic of all the planning staff's. The staff responded that the ordinance as administered by them allows for quality planned developments that meet the intent of the regulations. They continued to say that the PD-R process is continuously being refined to become more responsive to the public's desires.

Greenville/ Greenville County Developers

As was determined through the interviewing, the administration of the PD-R regulations have changed over time. Planning Directors have left, planning staff has turned over, and according to the developers these changes have not helped in the successful administration of the PD-R regulations.

One thing that has stayed constant though in the midst of all the changes has been the staff's ability to explain fully to the development community what the requirements of the PD-R regulations are.

According to Royce Cater, "the planning staff is very good about taking time to work the developer through the development regulations." Yet according to the other developers, the assistance of working them through the regulations was all the help they received.

The lack of receiving any additional assistance other than an understanding of the development regulations has posed a significant problem to the development community. There have been instances in which negotiation with the planning staff has been needed to overcome a development difficulty, but the staff refused to negotiate and clung to the prescribed regulations of the PD-R.

According to Coleman Shouse, changes to planned developments with the assistance of the planning staff occur "as long as the changes are consistent with what the planning staff thinks they

should be.” This difficulty in gaining assistance from the planning staff to overcome development problems has stifled the use of the PD-R regulations throughout Greenville County.

There was at one time an opportunity for negotiation with the planning staff to overcome difficult planning issues, but this is not the case today. One developer commented that the planning staff has “adopted an attitude of ‘no’ the development difficulty can not be overcome, now go away” . The developers do not see this impression of service changing due to the leadership that the staff planners are working under.

A great deal of the difficulty, the developers contend, that they experience in developing PD-R’s are a result of the directions that the staff planners are receiving from their leaders. The developers do not feel that the regulations are ineffective, but rather that the directions the staff has to take from their superiors are limiting the type of development that can be constructed within the regulations.

While the developers felt that the regulations are not the problem in developing planned communities there is disagreement among them about the importance of the regulations at all. Two of the developers felt that the PD-R regulations are beneficial for the community. They allow for the best compromises on difficult sites to allow for development. On the other hand, the third developer felt that the PD-R regulations and the resulting development have had no effect on the community and are not a useful component of the zoning ordinance.

While all of the developers do not agree on the importance of the PD-R regulations there is consensus on what is perceived to be the planning staff’s greatest concern about planned developments. The developers felt that the planning staff is far more concerned with first meeting the requirements of the PD-R regulations and then as a second thought looking at the development to determine what can be done to make it better.

According to the developers, the planning staff is reluctant to approve developments that introduce new concepts. This reluctance can be traced back to the planning staff’s inability, as the

developers view it, of being experimental and willing to negotiate on certain issues within a development.

One of the developers interviewed said, "if there is one unique feature within a development that makes it different from what is permitted in any other zone it should be considered a planned development". His thoughts were grounded in the belief that a PD-R designation will provide the opportunity for a development with unique features to move forward and potentially make it a success.

Yet the other developers acknowledge that the planning staff does not see the use of the PD-R regulations in that fashion. The staff, the developers contend, are more interested in making sure the development meets the PD-R regulations before looking to see if those regulations will limit the success of the development. This approach has led many of the developers away from using the PD-R designation as a tool in the development of residential subdivisions.

In response to the question of whether the developments that they had constructed met the goals of the PD-R regulations the developers responded with a qualified "yes". The qualification of their response was in part due to their reluctance to admit that the planning staff had assisted them in getting the successful developments approved.

The developers felt that the planning staff needs to become more aware of the place that planned development has in the community as well as realize that flexibility and negotiation are imperative in the future success of developments using the PD-R approach. They felt that their continued use of the PD-R regulations will become limited due to the difficulties that they have encountered with the planning staff.

All hope though, the developers commented, should not be lost. With changes in the administrative approach as well as in the regulations themselves the development community could be swayed back to using this approach to develop residential subdivisions.

Of the many changes that were recommended by the developers the following three were considered to be the most important. One developer suggested that the regulations would be

improved if they were made more flexible. "Allow the developer to experiment with new development techniques", he said. Yet another developer suggested that, "the staff needs to focus more closely on the community's land plan and not concentrate so much on the administrative process of the PD-R regulations". The third developer suggested that, "the authority of administering the PD-R regulations should continue to be shifted to the staff and away from the Planning Commission".

The future of planned development in Greenville County, according to the developers, is unclear at this time. Changes need to be made to improve the perceived difficulties that they face when attempting to develop planned developments. Hopefully, the changes suggested as well as the changes that the planning staff intends to make will come into effect before planned development in the city or county becomes a technique of the past.

Chattanooga/Hamilton County Planning and Zoning Commission

While interviewing Barry Bennett, Operations Director, it was mentioned that the majority of development in Chattanooga and Hamilton County has been for single-family subdivisions and not for PUD's. There are, Bennett explained, provisions within the zoning ordinance which allow zero-lot line homes and townhouses which have accounted for some of the development currently occurring. Development of these types of housing is occurring outside the PUD zone in a relatively new zone called RTZ 1.

As mentioned above, the current residential building activity consists of mainly single-family subdivisions. On average the Planning Commission processes 50 to 60 plats per month for a yearly average of 700 plats. Out of the monthly plats, 8 to 12 are for major subdivisions which need new roads and utilities whereas the remaining plats are for subdivisions that do not need major infrastructure.

Of the 700 plats per year there are very few PUD requests. Development of PUD's and the requested zoning change have been very sparse for the last 10 years. The types of PUD's

which have developed have used either the PUD or RT 1 zone and have been for townhomes or higher density developments. According to Bennett, developers are beginning to use a new zoning district, the RTZ 1, to develop PUD type developments.

This new zoning district allows for the development of zero-lot line homes and townhomes. The development allowed in the RTZ 1 zone is different from that allowed in a PUD zone. RTZ 1 zones require a site plan, a landscaping plan, and a screening plan and are normally used to provide easier approval of development in R-1 areas as infill properties.

The differences between the RTZ 1 zone and the PUD zone relate to what the underlying zoning district is. The underlying zoning district will dictate what the density and internal design standards will be for the development.

When asked how long it takes a developer to complete the application process Bennett responded, "in an ideal situation, provided the developer has submitted a recordable preliminary and final plat, it can take up to 2 1/2 months provided a rezoning is not need".

PUD's are approved by resolutions which only need one reading. Yet if a rezoning is necessary this is done by an ordinance which requires three readings. Having to have the property rezoned is not a lengthy process, however; it normally adds a week to the application process.

In most cases the developer will submit a preliminary and final plat at the same time. If the developer chooses to submit the two plats separately the application process is extended by two to four weeks. The ability to submit the preliminary and final plat together was not an option to the developers a short time ago. Bennett explained, "no new PUD requests have been made since the filing procedures were changed, but I would be confident that a developer would submit them together to reduce the application process".

Should the property need to be rezoned and the developer chooses to submit the preliminary and final plats separately the application process can take as long as three to four months. The process can be even longer if there is significant neighborhood opposition to the

development. Bennett explained that this happens on a regular basis because of PUD's unfamiliar characteristics to that which surrounds it.

When asked how much time does the planning staff spend with potential PUD developers Bennett responded by saying that, "the planning staff will spend as much time as needed to work out any problems before the public meeting." The purpose for spending as much time as needed is so the development proposal is as good as possible. The planning staff does not tell the developer what to do, rather Bennett said, "the staff works in an advisory role with the developer to potentially solve any development problems".

The planning staff's assistance with the developer allows them to communicate history about how the legislative bodies have reacted to similar development proposals. This willingness to share history allows the developer to modify the development proposal in such a way that it is more likely to be approved.

Bennett acknowledged that the development community is realizing the benefits of using PUD's on smaller sites, but is reluctant to use them because of the existing regulations. According to Bennett the developers feel that the existing PUD provisions don't allow the needed flexibility to develop successfully, therefore; they have not chosen to use them as often as they could. Proposed changes in the provisions, Bennett hopes, will change the developers opinions and will increase the use of the development technique.

A possible reason for the staff's good relationship with the development community is because of its good relationship with each other. "The staff works closely by necessity," Bennett commented. The planning, engineering, environmental health and transportation departments play a significant role in the review of a PUD.

At the time this interview was conducted these departments were spread throughout the City, but a new facility was under construction where all these departments would be under one roof. This new complex will allow the departments to better communicate among themselves in reviewing proposed developments.

This enhanced communication is significant because all of the departments need to agree on the issues regarding a PUD before it is forwarded to the Planning Commission for action. While this agreement has been reached in the existing situation the new facility will make it far easier and should increase the efficiency of the review process.

The Planning Department is broken into two divisions, one being Current Planning, which reviews development proposals, and the other Long Range Planning. The Current Planning Division is composed of mostly generalist planners, a transportation planner, and a historic planner. These current planners, along with the other staff from the engineer, environmental health, and transportation departments review planned developments to ensure that they meet the PUD requirements.

When asked what is the role of the Planning Department in the community Bennett responded, "it is becoming a driving force and facilitator of residential and commercial development." It is also considered a provider of information about how to reach the desired and best future development. The planning staff, according to Bennett, is not perceived as a hindrance to development in the community. Rather it is seen as a disseminator of information on how development, which is good for the community, can occur.

The answers Bennett gave to the final question in the interview were quite surprising. They contained doubt about the planning staff's ability to administer the PUD provisions effectively. This doubt was in part due to the way that the provisions were written and not so much the abilities of his staff.

Bennett commented that the ordinance has been administered as it was intended at times, but at other times there have been abuses. These abuses and failures to meet the ordinance intent are a result of the way the ordinance is written and its inability to control the quality of the development that occurs.

"Quality issues such as the types of buildings, there location, and facades are difficult to regulate and are not included in the ordinance, but maybe they should be", Bennett said. Greater

neighborhood opposition, Bennett commented, has resulted because these issues are not included in the PUD provisions.

Bennett commented that there is an enforcement problem with the PUD process which must be addressed also to improve future PUD's. He felt that changes were necessary in the regulations to ensure that future PUD developments were more like what the ordinance envisioned them to be. To this end the staff has begun to work on changes to the ordinance which should be completed within the next 12 to 18 months.

Chattanooga/ Hamilton County Developers

Throughout the process of interviewing the Chattanooga/ Hamilton County developers it became obvious they felt the planning department provided an excellent amount of service which assisted in the completion of PUD's. Throughout the interviews the developers commended the planning staff for their stellar service in explaining the procedures and requirements that they had to abide by to get a successful PUD approved.

According to the developers, the planning staff provides an abundant amount of information about what is required to develop a PUD in the City or County. Both developers interviewed commented that because of their involvement with the development process, explanation of what is required is not normally necessary.

However one developer commented, "the staff will guide an unfamiliar developer through the process with no questions asked and provide them with what is needed to make sure they understand what is required of them". The staff knows the development regulations inside and out and is willing to help those that are unfamiliar with them.

When asked if the planning staff would help them through development difficulties the answers received were quite surprising in comparison to other answers heard throughout this research. One developer comment that, "the staff doesn't play games with the developer. They're straight up and tell it like it is, leaving no misunderstanding about what needs to be done to get the

development approved". And the other developer responded by saying, "they try to help the developer get done what he wants to get done".

It was obvious from these comments that the developers felt the planning staff was more than helpful when it came time to overcome development difficulties in order to get a development approved. The developers did comment that the planning staff is more concerned with the technical aspects of the development than they are at suggesting how the developer should develop a particular piece of property. Staff reviews the development plan from the technical aspect and does not dabble in what the market desires.

It was quite surprising to learn that the planning staff provides the developers insight into neighborhood opposition that could be potentially brought up at the public meeting. The developers both seemed appreciative of this information because it allowed them the opportunity to address the neighborhood issues prior to the development proposal going to the public meeting. The planning staff's willingness to provide this information has established a level of trust between the development community and encourages better quality in the proposed developments.

The staff is concerned with meeting the ordinance requirements as well as the final design of the development. Staff will suggest site improvements to make the development better if the regulations are not being met, but normally does not suggest anything if the development meets the ordinance requirements.

Developers experiencing technical difficulties which could be enhanced by changes in the development plan are referred to a jointly funded, private, non-profit organization called the "Design Studio". This organization helps the development community get developments designed that are responsive to the community's desires and are technically complete so the best type of development results.

The design studio staff knows the technical requirements of the PUD ordinance well enough to incorporate them into innovative design packages. These packages include creative

designs that allow the proposed PUD development to blend into the surround neighborhoods, make them easier to accept, and easier to get approved.

When asked if the developments that they had constructed met the PUD ordinance's intent both developers responded with a resounding "yes". The developments built using the PUD provisions, both felt, were enhancements to the community. They met the goals of the ordinance from a technical stand point as well as provided an opportunity to meet the housing needs of the community.

One of the developers though was concerned that proposed changes could make the use of the PUD provisions more difficult. This fear was because of possible new requirements that would force the developers into developing something that the community may not want.

This developer felt that it was not the planning staff's responsibility to dictate what type of development should result. Rather he felt that the planning staff should provide broad guidelines to how the development should occur. He hoped that the flexibility which currently exists in the regulations will remain in any new ones. He continued to comment that he would be very reluctant to use the new regulations if the flexibility was conditioned on the type of development that occurred on the site.

The other developer commented that the ordinance allowed him enough flexibility to construct a successful community and did not foresee any need for changes. He was aware that changes are being proposed and is interested to hear about them, however, his current development activities have not allowed him to review them.

Overall the developers interviewed felt that the existing regulations provided them with the needed flexibility to develop successful PUD's. They believe the staff provides them an environment in which to develop PUD's that are responsive to the communities desires. The developers felt that they would continue to use the PUD process and look forward, tentatively, to changes that are proposed in it.

Knoxville/ Knox County Metropolitan Planning Commission

In the process of interviewing Buz Johnson, Planner, it became apparent that the office's interpretation of the success of the PR, planned residential, zoning classification was one of confidence.

There is currently a flurry of development activity in Knoxville and Knox County which, according to Johnson, is located in PR zones and is for planned developments. Approximately 50% of the development requests that the MPC reviews and approves is for planned developments of which a majority is for planned residential development.

While the development statistics show that there is a tremendous amount of planned residential development occurring in the city and county this is slightly deceiving. For the most part what is developing, in a PR zone, looks like standard grid style single-family development. According to Johnson, "developers are utilizing the PR regulations to achieve reduced setbacks, possible increases in densities, and at times staff review of the development site plan."

As the questioning began to move away from the general development trends within the City and the County the responses became more illustrative of how the MPC administers the PR regulations. The first administrative issue that was addressed was the length of time it takes the MPC to review and have approve a development proposal for a planned development.

Johnson explained, that the application process consists of four steps. This first step is getting the property rezoned to the appropriate PR zone classification, if necessary. The rezoning process starts at the MPC and must be approved by the City Council or the County Council depending on where the property is located.

The second and third steps are the review and approval, by staff, of the concept and development plans, respectively, for the planned development. Normally these two steps are combined so review is simultaneous, reducing the amount of time it takes to get the development approved. The fourth and final step is the filing of the final plat. Once the plat has been filed construction can begin on the planned development and housing units or lots can be sold.

According to Johnson, the time it takes to have the property rezoned, the concept and development plans reviewed and approved, and the final plat filed is approximately 90 to 120 days. He added, "this time frame is all dependent on how organized the development team is in getting the required information to the MPC."

Throughout the above application process the development team has the opportunity to discuss with the planning staff planning related issues that pertain to the development they seek to have approved. When asked what was the position that staff takes with a developer seeking assistance on a development application the answer was quite surprising. Johnson replied, "it is the position of the staff that the developer is responsible for preparing the plan."

His point was that the MPC is not responsible for preparing the development plan for the development team. Rather it is the development team's responsibility to prepare a plan that meets the PR requirements and is suitable for the community. He pointed out though, that the MPC staff reviews the development plans for deficiencies and design concerns that may need to be corrected in order for the development to be approved.

The impression of the type of help that was being given was not what one would considered constructive. It was questionable if there was true dialogue or communication amongst the development team and the planning staff. Through continued questioning to determine if constructive communication did occur Johnson commented "planning staff encourages as much communication as we can get with each developer, but it is difficult to get much, especially, when a development is problematic and not favored by the planning staff."

Johnson said staff is concerned with the lack of communication that does occur, but does not blame staff entirely. The development community is partially responsible for the breakdown. Increases in communication, Johnson believes, will occur once the development community realizes that the staff is only seeking the best development possible and not trying to make development more difficult.

While there is apparent difficulty in communication between the development community and the planning staff this is not the case when staff must communicate with each other. All MPC staff work closely together to avoid conflicts with developments throughout the community. Current Planning, of which Johnson is a part, utilizes the ideas and recommendations of the Long Range Planning staff to arrive at an understanding of the problems or opportunities a proposed planned development possesses.

According to Johnson, the planning staff is normally in agreement about the fate of a planned development prior to it going to the City or County Council. In fact he said "95% of the time the staff agrees about the issues that surround a planned development." Johnson contributes the success of the staff on the fact that they are constantly reminded that it is a team effort to achieve quality planned developments. One division is no more important than another when it comes to quality developments.

Johnson felt that the excellent communication among the planners on staff is because of their background and experience. Most of the planners on staff are generalists though there are some specialists on staff that provide the necessary expertise to review more complex planning issues. There is a transportation planner that deals with the transportation issues and there is an architect that assists with design related issues. Johnson felt that the MPC has enough diversity on staff to effectively handle the review process of any site plan for a planned development.

While the staff consists of many qualified professionals there is still the need to call upon outside professionals who possess specific expertise. The use of these outside professionals is to ensure that planned developments have the greatest amount of review as possible to result in the best quality development possible.

The perceived image of the planning staff and their ability to process development requests plays an important role in how successful planned developments can be. If the MPC is viewed as an obstructionist organization the development community will be reluctant to bring items forth for

their review. Yet by looking at the amount of development in the City and County this is obviously not the case.

According to Johnson, "the MPC is not perceived as a hindrance to the development community. The MPC tries to be as expeditious as possible with development requests, but it also must make sure the regulations for planned developments are met so good design results."

The existing planned developments within the community are a result of the MPC's commitment to ensuring that the planned development regulations have been met. The development community, according to Johnson, does not feel that they are being unjustly delayed in the construction of their developments, but are only be subjected to the thoroughness of the staff.

When asked if the planned residential ordinance and regulations were effective in Knoxville and Knox County it was mentioned that there are two separate ordinances, one for the city and one for the county. Even though this exists, according to Johnson, good development has resulted though the use of the regulations. Yet he is disappointed that the PR classification is not used as a true planning tool and hopes in the future it will be.

In searching to find out if any changes were going to be made in the future to make the regulations a true planning tool the answer was slightly disappointing. Johnson commented that not much thought had been given to improving them. He continued by saying, "the ordinance is in need of updating and if the City and County consolidate such updating will occur then."

Knoxville/ Knoxville County Developers

Throughout the developer interviews a pattern emerged which showed that the development community was not in agreement with the planning staff's assessment of how successful the planned development regulations were. Many of the problems that the developers felt limited the planning staff's ability to effectively administer the planned development ordinance were similar to those found in other communities.

When asked if the planning staff fully explains the PR development procedures the developers responded by saying, "the planning staff tells what the ordinance states and sometimes doesn't tell anything because of the developers experience". The developers continued to comment that the planning staff will provide greater assistance to them when they are not familiar with a particular aspect of the development regulations to ensure that there is complete understanding of what is expected. Yet this type of assistance is most often limited to what the staff feels is most appropriate.

The answers to the above question lead into the second question which was about the amount of assistance that the planning staff provides in making changes to the proposed development to get it approved. The developers agreed that the planning staff provides assistance in this area, but it is in the realm of correcting site plan errors not in improving the plan for better development.

One developer commented, "the lack of providing decent assistance has led to the wrong mix of uses in particular developments". He continued by stating that there is little forethought about what a site should be developed into. His point was that a particular development on a specific site zoned PR may not necessarily be appropriate for the area. Yet the planning staff does not feel that this is a problem and allows the development to proceed.

The other developer commenting on the assistance he has received said, "I can go to other officials outside of the MPC and work through site issues which the staff does not want to overcome". He continued by saying, "I don't feel, particularly or actually, that the MPC or staff is helpful in site planning areas in which issues need to be resolved".

Mixing uses within developments, especially commercial, according to the developers is not welcomed by the planning staff or the City/ County Councils. Consequently, the developments which the interviewed developers are associated with have not normally included commercial areas. Yet one of the developers has attempted to include a commercial area into one of his developments

and vouches for the resistance that the planning staff and the City/ County Councils have for such mixes

While the developers have experienced numerous difficulties in receiving assistance from the planning staff they believe that they are of high quality and capable of providing assistance, but are limited due to the management within the MPC. The developers are concerned that the planning staff is hampered in their ability to plan effectively for the community due to the management, but realize that this is only temporary. Management, the developers hope, will change soon so the planning staff and they may be able to more effectively plan for the futures of the City and County.

One would think from listening to the developers that the planning staff is solely interested in meeting the PR ordinance regulations to facilitate quality developments. Yet according to the developers this is not always the case. In cases where the proposed development contains significant controversy the development is evaluated with great concern about its meeting the regulations of the ordinance. Developments that are not controversial are evaluated with greater concern toward the final design than with meeting the regulations.

The developers commented that if the staff were concerned with meeting the ordinance regulations they would allow the various uses within the developments that the regulations permit. According to one developer, "the staff is more interested in a single housing type not the mix allowed by the ordinance. The resulting development in the PR zones is cookie cutter and possesses little diversity, unlike what the regulations are trying to promote".

Hearing this makes one wonder if the planning staff is truly interested in getting the best development possible in the PR zoning district. There is no real diversity in housing types and very little increase in amenity, but the planning staff is calling it planned development. The developers interviewed were disappointed that this is happening and felt that it defeats the purpose of the existing regulations.

Throughout the interviews the developers appeared to be reluctance to admit that the planning staff was in any way responsible for the success of their developments. This was in part a result of the limited amount of help that the developers received from the planning staff. When asked if the developments they had constructed were successful in meeting the PR ordinance regulations, as a result of the planning staff assistance, the developers were split in their answers.

Of the two developers interviewed one was accustomed to building large acreage developments while the other was accustomed to building small acreage developments.

According to the large acreage developer his projects were successful in meeting the PR ordinance intentions. They have contained multiple types of housing and have attempted to utilize new design concepts on difficult site. He added though, that most developers using the PR regulations have not used them to built developments containing multiple types of housing or on difficult sites rather they have been used to build modified single-family subdivisions.

The small acreage developer, on the other hand, felt that his developments failed to meet the PR ordinance intentions. He commented, " small developments which cover small acreages can never meet the requirements of the PR ordinance". These beliefs were based on the fact that small planned development cannot set aside the required open space or meet other standards within the ordinance and still be profitable. He also believed that the planned developments currently under construction are nothing more than standard single-family developments which contain little diversity in housing types or increased amenities as required by the existing regulations.

According to the developers, the staff has rigidly interpreted the PR ordinance which has resulted in the development community being given little choice in what types of uses can go into a planned development. A mixture of housing and commercial activities to support the needs of the developments housing are not a common occurrence in planned developments within the City or the County. The developers believe this to be a major drawback and limitation in using the PR regulations when trying to develop a successful planned development.

The developers do not feel that the ordinance regulations cause failure in planned developments, but rather they limit the developer's ability to develop integrated communities which address housing needs. According to one of the developers affordable housing solutions need to be developed within the community. Planned developments, he feels, could play an important role in this.

Throughout the process of interviewing the developers it was interesting to note that while they have struggled with the planning staff in developing their planned developments they have not chosen to abandoned developing them. The developers believe they will continue to develop planned developments under the existing regulations and look forward to potential ordinance revisions that would permit them the flexibility and freedom for innovation they believe is necessary.

Memphis/ Shelby County Planning and Zoning Commission

In the course of interviewing Don Jones, Senior Planner, it was made clear that there is a great deal of development occurring the Memphis metro area. Jones explained that the planning department has responsibility for the unincorporated parts of Shelby County and also for the City of Memphis. There are six surrounding incorporated jurisdictions within the county that either have their own planning staff or contract with the State for planning services.

He explained that the bulk of the development is out in the county and limited development is occurring within the corporate limits of the City. The development that is occurring is mostly PUD style and has been for some time, however, Jones felt that this was going to change with proposed zoning ordinance regulations that will make the use of PUDs more difficult.

He commented that currently the zoning ordinance allows for PUDs to be constructed in any zone throughout the City, however, they are high unlikely in manufacturing areas. "PUDs are treated somewhat like an overlay district in Memphis", he said and as such they have been abused

in the past. However, the new regulations that the staff is considering will hopefully begin to curb the abuses.

These abuses, Jones explained, have resulted because the development community sees the PUD process as much easier to work with than the regular zoning. The developer knows that he can usually get more if he develops a PUD and also cut his processing time.

The PUDs that have resulted, Jones explained, have not failed to meet the ordinance requirements. Yet he and staff feel that the bulk of the development which have been constructed through using the PUD provisions should have been standard subdivisions. He is not in favor of having the PUD provisions used for such developments since there is such limited difference in what has resulted and what the subdivision process could have produced.

When asked how long it takes to complete the application process for a typical PUD, Jones noted, that it takes anywhere from six to nine months. He followed this comment by explaining the application process is comprised of two steps. The first step is the submission of an Outline Plan. This plan provides the staff with a general idea of the land uses and densities that the developer is proposing. Commission approval of this plan, Jones explained, is what normally takes the six to nine months.

However, development cannot proceed until the second step is completed which is Commission filing of an approved Final Plan. A plan is considered final when all the engineering and contracting for improvements has been completed. Jones explained, that this can take far longer than nine months and must be completed within five years unless extensions are requested. It is very common for the developer to phase the final plan as land is sold within the development to different users.

Jones explained, that there is another process which the developer can use in having an application approved which is called an Outline/Final. This process takes a shorter time to complete since the developer submits simultaneously the outline plan and the final plan. Utilization

of this process usually occurs when the developer already knows who the end user of the development parcels will be.

The two step process, Outline Plan followed by Final Plan, Jones said has rarely been used in the most recent developments. This is because the needs within the growth areas, where development is occurring, have been established. The developer normally already has end users lined up for their projects and have opted to process their applications using the Outline/Final procedures.

However, the planning staff is considering opening new growth areas which it is believed will cause the development community to go back to using the two step process. The use of the two step process it is thought will be until developers understand the needs of the growth area at which time the single step process will be utilized again.

Jones explained that the choice between the two step or one step process is not all that uncommon and is solely dependent on the understanding the developer has for the market in which he is developing. Regardless of the process used the planning staff reviews the proposed developments the same.

Associated with the time it takes to complete the application process is the amount of time the planning staff spends with the developer to assist them to work through that process. Jones explained that the time spent with each developer is dependent on the experience that the developer has with the development process and procedures.

A pre-application conference is recommended by the staff, however; it is not required. Yet in the instances in which pre-application conferences are held the staff gains a better understanding of the developers intents. Jones explained that once the application has been received the staff begins negotiations with the developer over certain issues in the development plan. These negotiations are to smooth out the difficulties in the development before it reaches the Planning Commission or the elected officials.

Negotiation over the development plan occurs throughout the process, Jones explained, sometimes up to the point of the Commission hearing. There have been cases in which plans have been deferred to allow for all the issues to be resolved. Jones noted that all the negotiation that occurs is aimed at making the development plans better and more acceptable to the community.

In instances in which the developer provides improvements beyond what is required there are sometimes benefits. The developer can use the fact that he is providing additional amenities to help in the reduction of certain requirements or to, at times, increase the developments overall density.

In response to the question about how the staff internally relates with each other, Jones explained that the staff within the Planning Department is rather numerous. Due to the large nature of the department, it is subdivided into various sections which, at times, can result in stressed and difficult communication.

He noted though that the occasional difficulties in communication among the various sections are not much different than what would be experienced in other planning departments of similar size nationwide. However, he continued, by saying that there is always a mutual exchange of information about PUD developments since there are numerous sections which provide input.

The staff within the Planning Department is composed of current, long-range, transportation, and economic development planners and number approximately 50 persons. The Current Planning Section, which deals with PUD applications, is composed of 12 staff members.

Jones explained that the role of the Planning Commission within the community is seen at times as an impediment to the development process. However, for the most part the Commission has gained the respect of the development community and the general populace as the instigator of good development policies and procedures.

Yet, Jones noted, that there is a reluctance by the general populace to accept staff developed solutions to community-wide problems. The fact that these solutions recommend change, what the citizens are not ready to accept, is what is believed to be the result of the

reluctance. Jones noted that a very recent example of this reluctance was the public's uneasiness to accept the new ideas contained in recently completed Growth Area Plan.

In concluding the interview and in answering the final question about the successfulness of the PUD regulations Jones had mixed feelings. He explained that because PUDs can be constructed in any district that there have been significant abuses of the regulations in efforts to avoid the standard subdivision regulations. The most significant abuses, Jones noted, have been in the growth areas where the developers have elected to use the less expensive and quicker PUD procedures.

However, Jones commented, that when the PUD procedures are used for infill purposes within the City of Memphis they are extremely successful. This is because infill sites are normally smaller than what the subdivision process requires and the reduced regulations allow by the PUD process help in making the developments profitable.

Jones explained that it is not entirely the developers fault that the PUD process has been abused. Staff encouraged its use because it does not feel that the ordinance and its base zones provided an adequate foundation for acceptable development. However, with the proposed changes that are being made to the zoning ordinance the continued use or encouragement of PUD's should diminish. It is believed that the use of the standard subdivision process will fill the void that is left by not having all development within the community occur in PUD zones.

Jones, in his closing remarks, noted that the staff is disappointed in the abuses that have occurred with the PUD provisions and believes that the revisions to the zoning ordinance will correct the problems that have been experienced. The ordinance revisions that are proposed will lead to future development that is more responsive to the needs and desires of the community and is believed will continue the progressive trend to a prosperous and healthy community.

Memphis/ Shelby County Developers

In the course of attempting to gather a complete understanding of the development process in Memphis and Shelby County several attempts were made to contact local developers. Approximately, six developers who deal with planned residential development projects were contacted roughly 4 to 6 times over a one month period for their comments and input. Messages were left with these developers, however, no calls were returned. This lack of response has resulted in there being no local developer comments for Memphis and Shelby County.

Nashville Metropolitan Government Planning and Zoning Commission

While interviewing Ed Owens, Current Planning Division Manager, it was apparent that the answers to the interview question were going to be very comprehensive. This comprehensiveness was well justified because of the ordinance's complexity and assisted in gaining a complete understanding of the process the Planning Commission goes through to approve a PUD.

Owens began the interview by explaining that current development trends in Nashville/ Davidson County show a considerable amount of development occurring. According to Owens the approval of subdivision lots, which includes those lots for standard single-family and PUD development, have fluctuated somewhat over the last two years. Most lots that have been approved are for PUD developments which have been for single-family residential purposes and are nothing more than cluster lot developments.

Owens explained that "the universal truth in the metro area is that we do more development through the PUD zone than any of the other zoning classes". This is because the community feels that it has control over the development's size, appearance, buffers, etc. The development community subjects itself to this type of control because they realize that PUD developments are the only type of development that will get approved. They also use the PUD zone because of its density bonuses.

Owens explained that among the lots approved for development most are upon land which has already been subdivided. However, the lots pre-approved for PUD developments are most often on land within the Growth Areas of the community. These Growth Areas lie on the fringe of the developed areas and contain the acreage necessary for a PUD to be considered for approval.

The PUD zone is not often used within the developed areas of the community as an infill tool because of the required minimum lot size. While the PUD zone is almost never used as an infill tool it is the zone of choice in the Growth Areas and has resulted in the use of conventional zones to be almost nonexistent. The planning staff is concerned about this growing trend and has taken steps to curb the use of PUD's within the community. Owens explained he would elaborate on why and what the steps have been in his answers to the last interview question.

Owens explained that the application process consists of two steps. The first step in the process is approval of a preliminary plan. The second step in the process is approval of a final site plan. The fact a property may have to be rezoned, he explained, does not normally increase the time it takes to complete an application.

Owens explained that it normally takes three months to get a preliminary plan approved. Within this three month period the Planning Commission makes a recommendation to the Metro Council (one month) and the Metro Council passes an ordinance creating the PUD zone (two months).

Once the preliminary plan has been approved the final site plan can be approved. Owens explained that the final site plan approval normally occurs in phases. The planning staff reviews each phase of the site plan for 28 days after which the Planning Commission either approves or disapproves the site plan. Final site plans do not go before the Metro Council for approval.

Owens explained that in addition to the final site plan being approved there must also be a final plat approved before actual development can occur. The staff reviews the final plat for 28 days before the Planning Commission takes action on it. Normally the final site plan and the final

plat review occur concurrently within the same 28 day review process thus eliminating approximately one month from the application approval time.

The minimum approval process for the preliminary and final site plans as well as the final plat is at least four months. Owens explained that this approval time does not include the applicants time to prepare the application materials. Therefore, combining the time it takes to achieved preliminary plan, final site plan, and final plat approval (four months) with the time it takes the applicant to prepare the application materials (two months) the total time before development begins is at least six months.

Throughout the processing of a PUD application meetings with the property owner or the developer normally do not occur . Rather the owner's/ developer's consultant or engineer will meet with the staff to discuss the possibility of utilizing the PUD procedures to develop a property.

These meetings, called informals, occur between the staff and the consultants or engineers normally before an application for a PUD is submitted. The purpose of these meetings is to determine if the proposed project is one that would be appropriate as a PUD.

Owens explained that staff encourages the informals so they can have a better understanding of the proposed project as well as inform the consultant or engineer about the staff's position. He further explained that in many instances the informals are not useful because they are held just before an application is to be submitted, therefore; not permitting enough time to have application changed to reflect the suggestions of the staff.

The staff's internal relationship with one another as well as outside departments, from Owens' answer, appears to be very good. The planning staff serves as a clearing house for the review of all application materials for all type of development within the community. In reviewing PUD applications there is a reliance on staff outside the Planning Commission.

This outside staff is made up of other Metro departments such as public works and environmental health. These other departments provide valuable insight into the development

process of a PUD and influence the planning staff's recommendation for approval or denial of a PUD request greatly.

While there is reliance on other Metro departments for assistance in reviewing PUD requests there is not much need in seeking assistance in other areas of planning . The Planning Commission itself is rather large, consisting of fifty employees, and is broken down into three divisions. There is the Current Planning Division, the Community Planning Division, and the Long-Range Planning/ MPO Division. All these divisions have an opportunity to review PUD applications.

Among the three division of the Planning Commission the one division that is most involved with the review of PUD applications is Current Planning. This division consists of fourteen professional and technical staff persons. The staff planners are mostly generalists with areas of concentration in specific specialties.

Owens explained that there used to be some staff that where specialists in specific areas, but the recent hiring trends has been to get generalist planners. He felt that "specialists, for example landscape architects, don't always have a broad enough view of how a PUD effects the community as a whole. Generalists have a better understanding of how all the design aspects relate to one another in comparison to someone who specializes in just one area of the development process". Owens did not feel this was bad, rather he felt it was wise to have moved away from them due to the residual benefits of having generalist planners.

According to Owens the Planning Commission's role in the community is to make land use decisions, not political ones. The planning staff in preparation of the reports for the Commission helps direct their actions toward land use issues and not political issues. In the preparation of staff recommendations there is always an effort to remain as objective a possible.

He explained that the staffs ability to work with the developer's consultants or engineers allows them to stay very objective when reviewing the PUD applications. He believes that by

working with the developer himself the ability to remain objective is diminished because of the opportunities to mix personalities with politics.

Staff's ability to remove personalities and politics from their recommendations and their ability to keep the Planning Commission focused on their responsibility at times frustrates the public. Yet the public understands that it is not the place of the Planning Commission to make political decisions, but rather to make land use decisions about how the community should develop.

Owens believes that the community feels the staff as well as the Planning Commission are unbiased and fair in the decisions they make. He further felt that the development community has a great deal of respect for the work of the Planning Commission because of the integrity they possess as well as their ability to remove the politics from the decisions they arrive at.

This appreciation of the efforts of the Commission are sometimes lost though once the Metro Council makes its decisions about development applications. It is at the Council level where politics influence the decisions about development throughout the community. Sometime this is beneficial for the community and sometimes it is not.

Owens answers to the last question about the effectiveness of the PUD procedures in Nashville/ Davidson County was strikingly different from that which had been received from the other city's within this research. Owens felt that the PUD approach in the zoning ordinance was not effective at all in meeting the desired ends that the community expected. The reason that he believed the approach is so ineffective is because of the strain that the approach places on the planning staff and the municipal resources in its administration. PUD's in Nashville/ Davidson County are a very hands on activity. There are no design standards in the existing ordinance, making the administration of the PUD provisions an administrative nightmare.

According to Owens, the communities residents do not feel that the existing base zones are adequate in getting the desired development throughout the community. Owens agrees that the development standards within these base zones are woefully inadequate and do not provide the community with the opportunity to develop quality developments.

Because of the inadequacy of the base zones the community has desired to use the PUD provisions. This desire is because of the PUD's specific and explicit requirements and the ability to have input into the development process. The development community agrees to go ahead and use the PUD because they realize that it is the only development zone in which they will get development approved. The use of the PUD zone is not just for housing, Owens explained, it is used for most commercial development also.

As a result of this reliance on the PUD provisions most Planning Commission agendas are filled with more requests for PUD-type development than requests for the base zoning districts. It surprises Owens that the development community is willing to go through the long and expensive process of utilizing the PUD provisions especially when there is no guarantee that there will be a positive outcome.

Owens explained that the developer can put a lot of money into preliminary plans, which are as detailed as final site plans, for the Planning Commission to review and act on, but there is no guarantee that the Metro Council will approve them. Owens has seen developers spend thousands of dollars on preliminary plans which were approved by the Planning Commission, but were vetoed by the Metro Council because of neighborhood opposition. Owens believes that there must be a better way to approach development in the Nashville metro area than currently exists and feels the planning staff may have developed something that could provided that alternative.

Staff over the last five years has been developing a new zoning ordinance which will hopefully reduce the administrative nightmare that currently exists and foster the development of quality projects outside the confines of the PUD zone. The premise of the new ordinance was to take the elements which were most commonly utilized in the PUD provisions and structure new base zones which incorporated those provision into them. The staff believes that by doing this the reliance on the PUD provisions and its resulting zone will be diminished because the new base zones will have the similar standards as the existing PUD's.

The use of the PUD provisions though will not fall to the wayside, Owens explained. Future PUD's developed using the existing PUD provisions will be limited to sites that are constrained by topography or that have special environmental needs. The use of the PUD provisions in the future will be for what they were intended, special developments, not just because it allows developments to be approved easier.

The new ordinance is also designed to reduce the time it takes a developer to get a project approved as well as increase the certainty of that approval. This will mean that the current six month process will take less time which will result in savings to the developer as well as savings to the municipality. The development community, according to Owens, is interested in the upcoming ordinance changes and looks forward to them.

It was obvious from Owens' answers to this last question that the Planning Commission has recognized the difficulties in the ordinance and how it has influenced the development throughout the Nashville metro area. Changes are being planned to make the ordinance more responsive to the community as well as more of a planning document and guide than what currently exists.

Owens acknowledged that the ordinance today is not user friendly and is extremely restrictive, but believes that the new one will increase the flexibility allotted to the development community. He further feels that the administrative burden on the planning staff will be diminished so as to allow constructive planning to occur, now and in the future, in Nashville/ Davidson County.

Nashville/ Davidson County Developers

In the process of interviewing the developers in Nashville/Davidson County it was obvious that there is high regard for the planning staff and its abilities in administering a difficult to understand zoning ordinance. Both developers interviewed have had extensive experience in

developing PUD's within the Nashville metro and commented that the planning staff explains very well the procedures, when known, of the PUD process.

One developer explained, that the problems he has experienced with staff have to deal with the regulations which surround specialized residential developments. The difficulties have resulted because of the newness of this development type to both the development community as well as the planning staff. There are no set policies governing the development of such projects, therefore; there is great difficulty in understanding what the planning staff expects so this type of development can get approved.

This developer felt that there is a lack of communication on the staff's part with other departments to determine what is needed for the application package. He believes that the staff needs to have better communication so the developer is informed about what is required so that development of such projects can occur and enhance the housing stock.

The second developer, who does not develop specialized residential projects, explained that the staff will answer questions when they are asked and will provide help where it is needed. He noted, "staff is very helpful on the front end in getting the development on the right track and in the right direction". He continued to explain that in most of his development experiences there has been very little difficulty getting answers that were needed or direction.

While there were differences in opinion on how well the staff explains development procedures both developers agreed that the staff is normally willing to help the development team overcome development difficulties. However, there are certain situations in which the staff is not willing to overcome difficulties.

The complexity of the zoning ordinance and the requirements of it are one possible reason that the staff is reluctant to help in overcoming difficulties. Another possible reason that assistance is not given is when the staff gets involved in the political issues surrounding certain developments.

One developer commented that the "staff has a tendency to get wrapped up in the political issues". He felt this tends to slow them down and limits their ability to provide constructive help in

overcoming development difficulties. The development community, according to this developer, understands that this may happen and accepts it as a fact of development in the Metro area.

In asking if the staff were interested in just meeting the requirements of the ordinance or in getting the best development possible the answers from the developers were very similar. Both developers felt that the staff's primary concern was to meet the ordinance's requirements first and if additional improvements were provided it was even better. According to one developer, "the more responsive the developer is in making the development better the more likely the staff is willing to grant concessions".

Yet the other developer interviewed commented that staff encourages the developer to come up with their own ideas to improve the development, but does not often review the development concept to seek out ways it can be improved. The staff does not want the developer to think he is being told how to develop his project.

In concluding the interviews and asking if the developments constructed met the intentions of the ordinance both developers felt that they had indeed been successful.

Yet the developers felt that improvements to the existing regulations could be made that would allow for more developers to experience success in the development of PUDs. Potential improvements would be to allow a mixture of uses such as commercial and professional office within the developments to support the housing constructed. Another improvement would be to eliminate the complicated nature of the ordinance and make the requirements even more clear to the development community.

Chapter Six

Questionnaire Analysis

The previous chapter presented the answers to the questions asked of the planning staffs and developers. The purpose of this chapter is to analyze those results. This chapter includes highlights on what was discovered through the interview process and the presentation of Table 6.1, which is similar to Table 3.3.

The purpose of including Table 6.1 is to verify the proposition presented in Chapter Three which suggested that higher ranking ordinances should receive more positive comments about them than lower ranking ordinances. Should the proposition be supported by the interview responses it is believed that the elements within those ordinances are contributors to quality planned residential developments.

Once the interviews were complete it was evident that some significant patterns had emerged. There were three patterns that appeared to be the most evident. First, was the planning staffs reluctance to be significantly critical of their achievements in the processing or providing of assistance to the development community in regards to planned residential developments. Second, was the impression that the developers had of the local planning staffs. And third, were the abuses that each community's zoning ordinance experienced in the administration of the planned development regulations.

Pattern One

As noted above, the planning staffs' of the research sample were never too critical of their achievements in the processing of planned development applications or the assistance they provided the local developers. What was discovered through the interviews was that the planning staffs believed that they provided an adequate level of service to the developers who sought to construct a planned development in their community. In most cases the planning staffs felt that the development regulations found within the local zoning ordinance were adequate to facilitate quality developments without any further assistance.

There were, however, three planning staffs that felt they did an excellent job of providing information to the developers, but felt that the zoning ordinance constrained their ability to promote quality planned development. These three planning staffs were all located in Tennessee and included Chattanooga, Memphis, and Nashville.

There were a variety of reasons why the three staffs felt that the existing ordinances were limiting their ability to promote quality developments, but all agreed that the content and procedures within the zoning ordinances were a cause for such limitations. In all three of the cities there were planned revisions to the zoning ordinances aimed at correcting the deficiencies in hopes that the quality of planned developments would improve.

The pattern of limited successes in these three communities corresponded in part with the results of the zoning ordinance analysis presented in Chapter Four. It was determined through the ordinance analysis that Chattanooga's ordinance lacked a significant number of the key elements that would promote or result in quality planned developments. Therefore, it is not surprising that the staff is unhappy with the results of planned developments in the community.

On other hand, Memphis and Nashville have well-structured ordinances which should have facilitated quality development, but due to either their complicated style or lack of standards they did not. The fact that these two planning staffs experienced difficulties was somewhat surprising in light of the rankings the ordinances have, second and first respectively, as found in Chapter Four.

Pattern Two

As indicated, the local developers interviewed in each of the samples cities or counties had an opinion of the local planning staff. In all cases there were no developers who openly showed hostility toward the local staff, however, many were not bashful in leveling harsh criticisms.

This pattern appeared to be the most noticeable in the communities where there were planned developments occurring as a result of the developers efforts rather than the planning staffs efforts. As was discovered through the interviews the developers' indicated that they worked

diligently to achieve their development goals in the face of, at times, strong resistance of the planning staff. The resistance experienced by many of the developers' was, in their opinions, a result of the reluctance of the planning staff to look at new and innovative approaches to development. In some cases the developers' felt it was a result of an inadequate zoning ordinance structure, however; in most cases it was believed to be due to the planning staffs.

Of the developers interviewed, those who experienced the greatest difficulties with the local planning staffs came from Greenville, South Carolina and Knoxville/Knox County, Tennessee. This was not all that surprising since the rankings of these ordinances (see Chapter Four) were toward the bottom of the ordinance sample. Not only did these developers feel the zoning ordinance structure was inadequate they also felt that the planning staffs were ineffective in administering the ordinance. The common difficulty that these developers experienced was that the planning staffs did not allow for the necessary flexibility in design and varied uses that would have resulted in more successful developments.

While these developers experienced difficulty in achieving their development goals the remaining developers in the other sample communities had good communication with the local planning staffs. This was not surprising due to the higher rankings of the zoning ordinances in these communities (see Chapter Four). In most cases it was discovered that the ordinances in these communities were better formatted and contained defined standards or expectations for future development. In addition, some of the planning staffs were more committed to quality developments.

Pattern Three

As previously mentioned, the third pattern that emerged once the interviews were complete was the amount of abuse that each planned residential development ordinance experienced. As was discovered, five of the six planning staffs within the research sample indicated that they had failed to exercise appropriate judgment in allowing the use of the planned development regulations within their communities. The result, according to the planning staffs, has been the opportunity for the

development community to develop normal single-family projects as planned developments. The planning staffs readily admit this is not what was intended by the regulations and are in most cases attempting to correct this by preparing ordinance revisions to limit these abuses.

To supplement the revisions, some planning staff are considering the creation of new standards that may allow planned developments within certain general residential zones. By making this provision however, the existing ordinance structure for planned developments would not be changed rather it would be reserved for developments that are more commonly developed as PUDs, ones that include mixed uses and amenity packages. By developing this new approach it is believed that there would be regulations that were responsive to the development community as well as the housing market needs.

In concluding this chapter Table 6.1 is presented. As indicated earlier the purpose of this table is to verify if the proposition stated in Chapter Three is correct. This proposition states that the higher ranking a zoning ordinance is the more positive the responses about it should be. Conversely, the lower ranking the ordinance is the less positive the responses should be. The results of this verification, it is believed, will assist in understanding if any of the zoning ordinances in the research sample possess specific elements that contribute to quality planned development.

As has been discussed above, there were some significant patterns that emerged once the interviews were complete. The responses that resulted in the formulation of these patterns as well as additional information gained during the interviews has assisted in the completion of Table 6.1. In addition, the ordinance rankings from Figure 7 have been included in this table. The purpose of including these rankings is to further assist in verifying if the stated proposition is correct or not.

The contents of Table 6.1 show that there are mixed results in assessing the significance that the ordinance rankings had in relationship to the comments received from the local planning staffs and developers. At best it can be said that the relationship that was thought to exist between

the ordinance ranks and the interview responses, what the proposition proposed, does not exist at all.

This conclusion is most striking when examining the results that were compiled for the first and second highest ranking ordinances. In both these cases the ordinances were well structured and should have resulted in quality planned developments. However, in both these communities it was apparent from the comments received that the inclusive nature of the zoning ordinances did not translate into the ability to promote quality developments.

The results of the above table provide little insights into the significant, if any, that the planning elements contained in each community's zoning ordinance had on the development of quality planned developments. However, what can be concluded from the results of this table is that there is no relationship between an ordinance rank, based on the inclusion of certain key planning elements, and the responses to questions on how effective the ordinance is in generating quality planned developments.

CHAPTER SEVEN

Research Summary

The previous six chapters of this research have examined planned residential development in eight southeastern cities and counties that have experienced planned residential development in the recent past. The cities and counties in the research sample were selected for several reasons: 1) their location in the southeast, 2) their development trends, and 3) the fact that their zoning ordinances provided for the regulation of planned residential developments.

Chapters One, Two, and Three introduced the topic of planned residential development, expanded upon the history of such development within the United States, and laid the foundation for this research, respectively. Chapters Four, Five, and Six examined each of the research sample's planned residential development procedures.

Chapter Four evaluated each of the research samples zoning ordinances and compared them to a list of commonly found planning elements in other zoning ordinances, from around the nation, that are intended to produce quality planned residential developments. Chapter Five provided answers to the interview questions asked of the local planning staffs and developers within each of the research sample cities. Chapter Six provided a summary of the interview answers that were presented in Chapter Five.

This chapter will include observations that have been made during the ordinance evaluations as well as insights gained through the interviews with the local planning staffs and developers. It will provide a comparison and contrast of what was thought to exist and what actually exists within the research sample in regards to the effectiveness of planned residential development and the quality of such development. Finally, this chapter will conclude with what the researcher believes are necessary changes to ensure that successful and quality planned residential development continue within the research sample.

Upon completion of this chapter a better understanding of what must be done to ensure that high quality planned residential development occurs will be better understood. It is the hope of

the researcher that these results will promote changes within the communities studied and will possibly be of assistance to other communities endeavoring to improve their planned residential development procedures.

Ordinance Evaluations and Interview Observations

The results of the ordinance evaluations played an important role in the foundation of the research that has been presented. Each of the planned residential zoning ordinances of the research sample were evaluated to determine if they included certain key planning elements that were found in the other zoning ordinances nationwide that were believed to be producers of quality planned developments.

The key elements that were looked for in the sample's zoning ordinances were first shown in Chapter Three. These elements were adapted from a 1973 ASPO (American Society of Planning Officials) study that looked at the then emerging planned residential development process within the United States. The conclusions of this 1973 study were that if the particular key planning elements were included in a municipalities zoning ordinance there was a greater possibility of quality planned residential development. Hence, because of the similarities between the 1973 study and this one the same elements were utilized.

As a result of the comparisons, the sample's ordinances were ranked according to how many of the planning elements were present within the ordinance. These rankings were later used to help understand if the comments received from the local planning staffs and development community were reflective of the potential quality of development that each ordinance could produce.

As just noted, interviews were conducted between the local planning staffs and the developers within each city or county of the research sample. These interviews were aimed at gaining a better understanding of how the planned development process functioned within each community. Additionally, the interviews were conducted to help understand if there were certain

key elements in the local zoning ordinance that were helpful in producing quality planned developments more than others.

However, what was found to exist within each of the research sample communities was not what the researcher had expected. It appeared that in each community there was great conflict between the local planning staff and the developers in producing high quality planned development through the use of the regulations within the zoning ordinance.

The local planning staffs felt that the failure in producing high quality planned developments was the fault of the developers because they were not interested in addressing the community's concerns about such development. On the other hand, the developers blamed the local planning staffs for the failure in high quality development because of their unwillingness to allow for development that was different and not as predictable as what had previously been developed.

Still in some instances both the planning staffs and the developers agreed that neither was to blame entirely for the failure in achieving high quality planned developments. Both parties felt that the zoning ordinance, in most instances, was the reason that there was a lack of high quality development and have begun to seek remedies to these problems so quality developments can result. In those communities where change is anticipated there are great expectations about the improvements that could result through revisions to the planned development regulations, however; great apprehension also exists.

The apprehension that both parties have about the changes to the regulations is because it is unclear who will benefit and who will not. Each group believes the other must be involved in the process of developing the new regulations so a mutual and collaborative exchange of ideas and thoughts occurs. This collaborative effort, it is believed, will result in regulations that will promote high quality development by meeting the needs and desire of both groups and not giving an advantage to one or the other.

Contrast and Comparison

The researcher, in evaluating the sample's zoning ordinances, as noted above, ranked them according to how many of the common planning elements were in each. The ordinances were ranked in order to help determine if the proposition addressed in Chapter 3 was correct. This proposition noted that the higher the rank of the ordinance the more likely a positive response about it should be received. Whereas, the lower the ranking of the ordinance the less likely a positive response should be received.

In general the results of the ordinance analysis and interviews (Chapters Four and Five) were mixed. In some instances the proposition was suggested while in others it was not suggested. This was most noticeable in the evaluation of the first and second highest ranking ordinances.

In both these instances the ordinances included many of the key planning elements, but were unsuccessful in promoting high quality developments. As it was determined through the interviews the lack of success was due in part to either the ordinance's lack of definite standards or the fact that the ordinance was not easily understood.

In both these communities the local planning staffs and the developers felt that they were not to blame for the failure in achieving high quality planned developments, but rather it was because of the zoning ordinance. To assist in correcting this lack of high quality developments each of the communities had planned revisions to their zoning ordinances.

Insights Gain From The Ordinance Evaluations And Interviews

It became clear once the ordinance evaluations and the interviews were complete that high quality planned residential developments result when there are a combination of factors or conditions present within a community. These factors or conditions included three major areas: 1) a proactive planning staff, 2) a conscientious development community, and 3) a community ready to accept something different.

The first of these factors or conditions seemed rather obvious. Without a planning staff that is proactive and interested in stepping away from the status quo there really is no opportunity

for success in developing planned developments. By their very nature planned developments are different and they need to be handled in a different way than conventional development. As was found through the interview process the developers did not feel that the planning staffs were stepping away from the status quo very often, if at all, thus the reduced number of quality planned developments.

The second factor or condition involved in the production of high quality planned developments was less obvious, however, through the interviews became rather apparent. This factor or condition is the need for the development community to be more responsive to the community needs and concerns in regards to the development of planned developments.

The planning staff, as was discovered through the interviews, were concerned about the abuses that the planned development regulations were experiencing by the local development community. In most instances the planning staffs felt that the development community did not quite understand the effects of their decisions on the community as a whole and were more interested in their bottom line no matter what the costs.

Obviously, the development community did not see their desire for development in the same way as the planning staffs. They did, however, admit that an understanding of the local concerns and issues surrounding planned developments would help them in achieving greater success in their development endeavors. However, in most cases the developers interviewed felt that they had a good understanding of the local community and were meeting their housing needs adequately.

The third factor or condition that became apparent once the interviews were complete was the need for a community that was ready to accept something different in the development of housing. Both the planning staffs and the developers indicated that without the support of the local populace the chances for success in the development of planned developments was very limited.

The local populace, the researcher was informed, hold the keys to whether developments will or will not be approved within the sample communities. If the local populace strongly objects

to a development plan in most cases that development plan is not approved. However, if the local populace is in support of the development plan in most cases it would be approved. This phenomenon is not unique to the research sample, but points to how big a role the acceptance of a new development concept by the local populace is in that concept's success.

In order for the above factors or conditions to work together to promote quality planned developments the researcher finds that there is a need for promotion and education about the planned development regulations. It is believed that with a campaign promoting the benefits of utilizing planned developments their overall success would drastically improve. Currently most of the local populaces view planned developments as something different and threatening.

Additionally, an increased effort in educating the development community and the planning staff in what is successful in the development of planned projects would result in greater quality. Without current knowledge and a proper understanding of the latest technologies it is difficult to improve the quality of development. Education, be it workshops or collaborative public/private meetings to exchange information on development issues, it is believed, will help in increasing the quality of the planned developments within the sample communities.

While these factors and conditions are what became apparent upon completion of the ordinance evaluations and interviews there were several other important issues that came to light through the course of this research. These issues are believed to be contributors to the decrease in quality planned developments within the research sample and should be changed so the quality of development is increased.

Necessary Changes For Improved Quality

The researcher believes that there is a combination of factors that has resulted in the reduced success in producing high quality planned developments within the research sample. The first factor is believed to be the unwillingness, at times, of the local planning staffs to step outside the traditional development box and allow for some different, less predictable, development to occur. The second factor is believed to be the developers' continual desire to see how much

flexibility from the zoning regulations they can receive with their projects. And finally, the third factor which the researcher believes is the primary reason why the number of high quality developments has been reduced is due to weaknesses in each community's zoning ordinance.

While the first two factors are important and in need of change in order for planned developments to increase in their quality the researcher believes that factors will take care of themselves if the third factor is adequately dealt with. Therefore, the remaining portion of this section will focus on what changes should be made to each of the sample zoning ordinances to make them more effective in promoting quality developments.

As was mentioned in Chapters Four and Five, the zoning ordinances for each community within the sample are dated. They are in need of revisions so they may become more reflective of the communities desires and current development techniques and technologies. When evaluating these ordinances it was shown that they did include many of the commonly found planning elements used as the basis for comparison and subsequent rankings.

However it is the researcher's belief that these elements may not be what are sought for in a planned residential development today. Therefore, the use of the traditional elements may possibly be wrong for drawing a comparison of potential successfulness or high quality. The researcher believes that a zoning ordinance which is reflective of today's needs and technologies will be the best hope for high quality planned developments to occur within the research sample.

The researcher, therefore, did not find it surprising that three of the sample zoning ordinances were scheduled for revisions at the time of this research. Nor would it be surprising if the remaining five ordinances were revised within the next five or fewer years. The planning staffs believed that the planned revisions to the zoning ordinances would make them more responsive to the development community's needs and promote the construction of quality developments.

Concluding Thoughts and Observations

In conclusion to this research the researcher finds two issues that continued to reoccur throughout the interview process. The first issue is that there is conflict between all the planning staffs and the developers interviewed within the research sample and that through using the planned development approach this conflict is not reduced. In fact, in certain instances the conflict is only increased. Furthermore, the ordinances do not do an adequate job of structuring or managing the conflicts.

The local planning staffs administering the zoning ordinances as they have been written try to promote planned development that will meet the needs and desire of the local community. Yet the planning staffs were quick to point out that in many instances the community has relied too heavily on the planned development approach as a mechanism to control the developer. The planning staffs' do not believe that this is the most appropriate use of the regulations and believe that through the development of new ones that this reliance will become less.

The development community consequently is reluctant to accept new standards unless they are brought into the process of developing them. They fear that they could be required to give more and get less in return thus reducing their profit margins and in effect being told what type of developments they need to be constructing. The developers' were very adamant in stating that it was not the planning staffs' responsibility to tell them what the community wants. Rather the developers' believed it was their responsibility to determine what the community wants and meet those demands. The developers know their own markets.

The resulting conflict because of these concerns both groups believed is something which is not necessary and can be reduced. Reducing the conflict that occurs when a request to develop a planned residential development is believed to be achievable through revisions to the zoning ordinance, however, only if the revisions are done jointly. This joint effort in developing new regulations ties directly into the second issue that appeared repeatedly throughout the interview process.

Collaboratively thinking and working together in the development of new regulations for planned development, within the sample's communities, was believed by the planning staffs and the developers to be the key to getting quality planned developments. Both groups felt that the experiences and insights each can bring to the discussion table would contribute greatly to the new regulations and must be shared. For without this sharing, it was believed, that there will be no understanding of what each group is expecting in the planned development process and limited success would only be perpetuated.

The development community spoke most frankly about the changes they felt were necessary in the planned development regulations within each of their communities. The developers' believed planned residential development will begin to experience some significant changes in the near future. They believe the forthcoming changes may result in planned developments looking more like the grid and curvilinear subdivisions of today than the masses of housing units and vast open spaces synonymous with former planned residential developments.

Additionally, they foresee improvements in the open space provided within the developments and changes in the requirements for roads, utilities, sidewalks, and building setbacks. The developers admit that these issues have been addressed in the current regulations, however, they do not believe that they are nearly as refined as they should be. As a result of this limited refinement, the developers believe that their developments have been saddled with unnecessary burdens which have reduced their ability to be of greater quality.

The planning staffs also believed that the changes foreseen by the developers are necessary to ensure that quality planned developments do occur within their communities. While the planning staffs acknowledge that these needs exist they are also concerned about maintaining control over the development community to ensure that high quality developments do result. They are uncertain on how to integrate the needed flexibility and maintain the desired control.

This issue of establishing such a balance was addressed in Chapter One and was at that time noted as a concern to the planning staffs and the developers. However, the planning staffs

believe that through the collaborative effort of developing new planned development regulations with the development community this balance may be reached and be mutually acceptable to everyone involved. Having mutually acceptable regulations will, it is believed, promote the high quality planned developments that are desired.

The interviews with the developers and the planning staffs by far provided the greatest amount of insight into planned residential development within the selected southeastern cities and counties. The results of these interviews proved that there is very little relationship between the planned development regulations and the development that actually is occurring. Rather, what was discovered through this research is that the local zoning ordinance provides the framework from which the planning staffs promote their objectives to achieving high quality planned development.

The researcher finds that if the zoning ordinances are changed as has been suggested throughout this research, the future success of planned developments within the sample cities could improve greatly. However, it is cautioned that success will only be truly achieved if the planning staffs and the developers work jointly on the proposed changes so as to ensure that a shared vision of planned development will exist. For without a shared vision of planned residential development the future of such developments within the selected southeastern cities may become more limited and of lesser quality.

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APPENDIX

Table 3.1

Example Zoning Ordinance Analysis Table

Specific PUD Standard	Included	Not Included
Uses Permitted		
Density		
Minimum Parcel Size		
Usable Public Open Space		
Private Open Space		
Maximum Site Coverage		
Building Spacing		
Building Bulk and Height		
Building Architecture		
Location of Window Walls		
Quality of Parking Spaces		
Location of Parking Spaces		
Perimeter Requirements		
School and Recreation Site Dedication		
Streets and Utilities		
Landscaping		
Signs and Street Lighting		
Screening and Fencing		
View Protection		

Source: Adapted from: So, Frank, David Mosen, and Frank Bangs, Jr. Planned Unit Development Ordinances. Planning Advisory Service. Chicago. pp. 26. 1973.

Table 3.2

Example Zoning Ordinances Using National Standards And

Percent Of Research Sample

Specific PUD Standard	Number of Sample Ordinances Using Standard	Percentage of the Sample
Uses Permitted		
Density		
Minimum Parcel Size		
Usable Public Open Space		
Private Open Space		
Maximum Site Coverage		
Building Spacing		
Building Bulk and Height		
Building Architecture		
Location of Window Walls		
Quantity of Parking Spaces		
Location of Parking Spaces		
Perimeter Requirements		
School and Recreation Dedication		
Streets and Utilities		
Landscaping		
Signs and Street Lighting		
Screening and Fencing		
View Protection		

Table 3.3

Example Planning Staff And Developer Interview Results Table

City or County	Ordinance Rank	Planning Staff Responses		Developer Responses	
		Favorable	Not Favorable	Favorable	Not Favorable

Table 4.1**Lexington/ Fayette County, Kentucky Zoning Ordinance Analysis**

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X*	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space		X
Maximum Site Coverage	X*	
Building Spacing	X	
Building Bulk and Height	X	
Building Architecture		X
Location of Window Walls		X
Quality of Parking Spaces		X
Location of Parking Spaces		X
Perimeter Requirements	X	
School and Recreation Site Dedication		X
Streets and Utilities	X	
Landscaping	X*	
Signs and Street Lighting		X
Screening and Fencing		X
View Protection	X*	

Note: An asterisk means the element has certain limitations/conditions

Table 4.2**Greenville/Greenville County, South Carolina Zoning Ordinance Analysis**

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space	X	
Maximum Site Coverage	X	
Building Spacing	X	
Building Bulk and Height		X
Building Architecture	X	
Location of Window Walls		X
Quality of Parking Spaces		X
Location of Parking Spaces	X	
Perimeter Requirements		X
School and Recreation Site Dedication		X
Streets and Utilities	X	
Landscaping	X	
Signs and Street Lighting	X	
Screening and Fencing	X	
View Protection		X

Table 4.3

City of Chattanooga, Tennessee Zoning Ordinance Analysis

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space		X
Private Open Space	X	
Maximum Site Coverage		X
Building Spacing	X	
Building Bulk and Height	X	
Building Architecture		X
Location of Window Walls		X
Quality of Parking Spaces		X
Location of Parking Spaces	X	
Perimeter Requirements		X
School and Recreation Site Dedication	X	
Streets and Utilities	X	
Landscaping		X
Signs and Street Lighting		X
Screening and Fencing		X
View Protection		X

Table 4.4

Hamilton County, Tennessee Zoning Ordinance Analysis

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space		X
Private Open Space	X	
Maximum Site Coverage		X
Building Spacing	X	
Building Bulk and Height	X	
Building Architecture		X
Location of Window Walls		X
Quality of Parking Spaces		X
Location of Parking Spaces	X	
Perimeter Requirements		X
School and Recreation Site Dedication		X
Streets and Utilities	X	
Landscaping		X
Signs and Street Lighting		X
Screening and Fencing		X
View Protection		X

Table 4.5

City of Knoxville, Tennessee Zoning Ordinance Analysis

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space	X	
Maximum Site Coverage		X
Building Spacing		X
Building Bulk and Height		X
Building Architecture	X	
Location of Window Walls		X
Quality of Parking Spaces	X	
Location of Parking Spaces	X	
Perimeter Requirements	X	
School and Recreation Site Dedication		X
Streets and Utilities		X
Landscaping	X	
Signs and Street Lighting	X	
Screening and Fencing	X	
View Protection		X

Table 4.6

Knox County, Tennessee Zoning Ordinance Analysis

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space	X	
Maximum Site Coverage	X	
Building Spacing	X	
Building Bulk and Height	X	
Building Architecture	X	
Location of Window Walls		X
Quality of Parking Spaces		X
Location of Parking Spaces	X	
Perimeter Requirements	X	
School and Recreation Site Dedication		X
Streets and Utilities		X
Landscaping	X	
Signs and Street Lighting		X
Screening and Fencing		X
View Protection		X

Table 4.7

City of Memphis & Shelby County , Tennessee Zoning Ordinance Analysis

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space	X	
Maximum Site Coverage	X	
Building Spacing	X	
Building Bulk and Height	X	
Building Architecture		X
Location of Window Walls		X
Quality of Parking Spaces	X	
Location of Parking Spaces	X	
Perimeter Requirements		X
School and Recreation Site Dedication	X	
Streets and Utilities	X	
Landscaping	X	
Signs and Street Lighting	X	
Screening and Fencing	X	
View Protection	X	

Table 4.8

Density and Bulk Regulations For Residential Planned Unit Development Without Mixed Building Types Bonus

Zoning District	Maximum Over-all Density** (dwelling units per gross acre)	Maximum Floor Area Ratio** (total floor area in development)	Minimum Outdoor Area Ratio*** (outdoor area per total floor area)	Minimum Living Space Ratio** (living area per total floor area)	Minimum Recreation Area Ratio** (recreation area per total floor area)
RS2a, R2a, RS40, R40	2*	.20	4.0	3.5	.22
RS30, R30	2.5*	.25	4.0	3.2	.19
RS20, R20	4*	.29	2.8	1.8	.16
RS15, R15	5*	.31	2.6	1.5	.15
RS10, R10	8*	.37	2.0	1.2	.14
RS8, R8	13*	.45	1.6	1.0	.13
RS6, R6	18*	.7	1.1	.7	.11
RM8	25*	.9	.9	.5	.09
RM6, OP, CS	40*	1.4	.5	.3	.07

* In a residential planned unit development which is especially designed for the use and occupancy of persons of sixty years of age or older or families with one spouse of that age, maximum permitted densities may be increased up to fifty percent over that shown in the districts indicated.

** No more than fifty percent of the overall area devoted to a golf course and its associated uses may be used for the calculation of the maximum gross density or maximum floor area ratio of the residential planned unit development.

*** The area devoted to a golf course may be used to satisfy a maximum of fifty percent of this ratio.

Source: Nashville and Davidson County Planning Commission. Zoning Regulations of the Metropolitan Government of Nashville and Davidson County, Tennessee. Nashville. Nashville and Davidson County Planning Commission. pp. 794. 1992.

Table 4.9

Density and Bulk Regulations For Residential Planned Unit Development With Mixed Building Types Bonus

Zoning District	Maximum Over-all Density** (dwelling units per gross acre)	Maximum Floor Area Ratio** (total floor area in development)	Minimum Outdoor Area Ratio*** (outdoor area per total floor area)	Minimum Living Space Ratio** (living area per total floor area)	Minimum Recreation Area Ratio** (recreation area per total floor area)
RS15, R15	6*	.30	2.4	1.6	.14
RS10, R10	10*	.39	2.0	1.4	.12
RS8, R8	16*	.5	1.5	.9	.12
RS6, R6	22*	.8	1.0	.6	.09
RM8	28*	1.0	.8	.5	.08
RM6, OP, CS	44*	1.6	.6	.3	.07

* In a residential planned unit development which is especially designed for the use and occupancy of persons of sixty years of age or older or families with one spouse of that age, maximum permitted densities may be increased up to fifty percent over that shown in the districts indicated.

** No more than fifty percent of the overall area devoted to a golf course and its associated uses may be used for the calculation of the maximum gross density or maximum floor area ratio of the residential planned unit development.

*** The area devoted to a golf course may be used to satisfy a maximum of fifty percent of this ratio.

Source: Nashville and Davidson County Planning Commission. Zoning Regulations of the Metropolitan Government of Nashville and Davidson County, Tennessee. Nashville. Nashville and Davidson County Planning Commission. pp. 793. 1992.

Table 4.10

Density and Bulk Regulations For Residential Planned Unity Development For Single-Family Units On Individual Lots

Column #		1	2	3	4	5
Zoning District		Permitted Density per Acre**	Required Open Space ***	Permitted Land (Lot) Coverage	Minimum Lot Size (square feet)	Alternative Lot Reduction* Minimum Lot Size (square feet)
R6, RS6		18	20%	43%	1,573	N/A
R8, RS8		13	20%	43%	2,178	N/A
R10, RS10		8	20%	43%	3,539	N/A
R15, RS15		5	15%	40%	6,098*	5,000
R20, RS20		4	15%	40%	7,623*	5,000
R30, RS30		2.5	10%	35%	13,068*	8,494
R40, RS40, R2a		2	10%	30%	16,335*	10,618

Zoning District	Maximum Overall Density (dwelling units per gross acre)	Minimum Lot Size	Minimum Lot Building Coverage	Minimum Open Area, Total Project*	Minimum Recreation Area, Total Project*	Minimum Building Separation	Maximum Height	Minimum Required Parking
R20	4	5,000 ft ²	45%	20%	5%	10 ft	2 1/2 stories	2 per lot
R15	4	5,000 ft ²	45%	20%	5%	10 ft	2 1/2 stories	2 per lot
R10	4	5,000 ft ²	45%	20%	5%	10 ft	2 1/2 stories	2 per lot

* Exclusive of lots and street paving.

** No more than fifty percent of the overall area devoted to a golf course and its associated uses may be used for the calculation of the permitted of density of the residential planned unit development.

*** A golf course may be used to satisfy a maximum of fifty percent of the required open space.

Source: Nashville and Davidson County Planning Commission. Zoning Regulations of the Metropolitan Government of Nashville and Davidson County, Tennessee. Nashville. Nashville and Davidson County Planning Commission. pp. 795. 1992.

Table 4.11
Overall Density and Bulk Regulations For Small Area Residential Planned Unit Developments

Zone District	Maximum Overall Density (dwelling per gross acre)	Maximum Floor Area Ratio (total floor area in development)	Minimum Outdoor Area Ratio (outdoor are per total floor area)	Minimum Living Space Ratio (living space area per total floor area)	Minimum Recreation Area Ratio (recreation area per total floor area)
RS40, R40	2.0	0.19	6.0	4.4	0.22
RS30, R30	2.5	0.25	4.0	3.2	0.19
RS20, R20	4.0	0.29	2.8	1.8	0.16
RS15, R15	5.0	0.31	2.6	1.5	0.15
RS10, R10	8.0	0.37	2.0	1.2	0.14
RS8, R8	10.9	0.40	1.8	1.1	0.13
RS6, R6	14.5	0.52	1.4	0.8	0.12

Source: Nashville and Davidson County Planning Commission. Zoning Regulations of the Metropolitan Government of Nashville and Davidson County, Tennessee. Nashville. Nashville and Davidson County Planning Commission. pp. 800. 1992.

Table 4.12

**Metropolitan Government of Nashville/ Davidson County, Tennessee
Zoning Ordinance Analysis**

Specific PUD Standard	Included	Not Included
Uses Permitted	X	
Density	X	
Minimum Parcel Size	X	
Usable Public Open Space	X	
Private Open Space	X	
Maximum Site Coverage	X	
Building Spacing	X*	
Building Bulk and Height	X	
Building Architecture	X*	
Location of Window Walls		X
Quality of Parking Spaces	X	
Location of Parking Spaces	X	
Perimeter Requirements	X*	
School and Recreation Site Dedication	X	
Streets and Utilities	X	
Landscaping	X*	
Signs and Street Lighting	X	
Screening and Fencing	X*	
View Protection		X

NOTE: Asterisks denote that the element is only covered in Small Area PUD's.

Table 4.13

Zoning Ordinances Using National Standards and Percent Of Research Sample

Specific PUD Standard	Sample Ordinances Using Standards	Percentage of the Sample
Uses Permitted	8	100%
Density	8	100%
Minimum Parcel Size	7	88%
Usable Public Open Space	5	63%
Private Open Space	4	50%
Maximum Site Coverage	5	63%
Building Spacing	7	88%
Building Bulk and Height	5	63%
Building Architecture	4	50%
Location of Window Walls	0	0%
Quantity of Parking Spaces	2	25%
Location of Parking Spaces	7	88%
Perimeter Requirements	4	50%
School and Recreation Dedication	2	25%
Streets and Utilities	6	75%
Landscaping	6	75%
Signs and Street Lighting	3	38%
Screening and Fencing	4	50%
View Protection	2	25%

Table 4.14

Attitudes Toward Ordinance Design Standards for PUDs

Design Element	Percent of Ordinances With Specific Standards
Uses Permitted	79%
Density	77.8%
Minimum Parcel Size	92.6%
Usable Public Open Space	46.9%
Private Open Space	33.3%
Maximum Site Coverage	51.9%
Building Spacing	44.4%
Building Bulk and Height	46.9%
Building Architecture	4.9%
Location of Window Walls	7.4%
Quantity of Parking Spaces	74.1%
Location of Parking Spaces	24.7%
Perimeter Requirements	34.6%
School and Recreation Dedication	25.9%
Streets and Utilities	48.1%
Landscaping	33.3%
Signs and Street Lighting	35.8%
Screening and Fencing	38.3%
View Protection	16%

Source: Adapted from: So, Frank, David Mosena, and Frank Bangs, Jr. Planned Unit Development Ordinances. Planning Advisory Service. Chicago. pp. 26. 1973.

Table 6.1

Planning Staff And Developer Interview Results

City or County	Ordinance Rank	Planning Staff Responses		Developer Responses	
		Favorable	Not Favorable	Favorable	Not Favorable
Lexington/Fayette Co.	3	x		x	
Greenville	8	x			x
Chattanooga	6		x	x	
Hamilton Co.	7		x	x	
Knoxville	5	x			x
Knox Co.	4	x			x
Memphis/Shelby Co.	2		x		x
Nashville/Davidson Co.	1		x		x

VITA

Patrick R. Zenner was born and raised in Barrington, Illinois, a northwest suburb of Chicago . He was enrolled in the public schools system in Barrington and graduated from Barrington High School in 1989. He then enrolled at Iowa State University within the Community and Regional Planning program from which he was awarded a Bachelor of Science in Community and Regional Planning Degree in 1993. In the Fall of 1993 he enrolled in the School of Planning at the University of Tennessee, Knoxville. During his studies he was a Graduate Assistant with the Office of Real Estate Management where he performed a variety of planning related duties and assisted in the management of University property nationwide. In the Spring of 1996, while completing his thesis, he began employment with the Macon-Bibb County Planning and Zoning Commission in Macon, Georgia as an Associate Planner. In the Spring of 1998 he was awarded the Master of Science in Planning from the University of Tennessee, Knoxville.

He is currently employed as a City Planner with the City of Sioux City Planning Department, Sioux City, Iowa where he is responsible for current planning activities and serves as the primary contact for customer inquires about planning at the Sioux City Development Permit Center.