

The DEATH of the SUBURBS PART VI



TOWARDS A NON-EUCLIDEAN MODEL OF DEVELOPMENT

DAVID S. THALER, P.E., L.S., F. NSPE, F. ASCE & VICTORIA M. BALLESTERO, EIT

In 2004, Baltimore County adopted an alternative zoning process entitled the “Renaissance Development Pilot Program” in an effort to revitalize older communities. The program provided for a community design process known as a *charette* and if a consensus of the participants was reached, the zoning on a property could be changed and almost all other regulations variances or waived. The only property to proceed under the process was Renaissance Square, a World War II era, rundown apartment complex on the east side of Baltimore County, formerly known as Kingsley Park.

The community design meetings were led by an experienced facilitator and a design was developed that accommodated the community’s wishes, including: a mixture of housing types and styles, public green spaces, tree-lined streets, and a pedestrian friendly land plan designed so the residents could interact with their neighbors. The cutting edge design was virtually unanimously supported by the community and won numerous design awards including “Community of the Year” from MBIA’s Land Development Council.

The following is the actual list of zoning rules and regulations that had to be waived in order to implement the consensus design:

- Residential Apartment Elevators—Amenity Open Space Requirements
- RAE-2 Bulk Requirements
- DR-16 Bulk Requirements
- Residential Transition Area requirements
- Accessory Building Regulations
- Minimum Use Area Requirements
- Sign Regulations
- Fencing Regulations
- Open Projection Regulations
- Parking Regulations
- Performance Standards
- Sections of the Comprehensive Manual Development Policies (CMDP)
- Adequate Public Facilities Regulations.



Renaissance Square, by Enterprise Homes, won MBIA’s Land Development Council Awards of Excellence “Community of the Year” in 2010.

This list comprises just the zoning regulations. Public works and other standards had to be waived as well. As if the above weren't enough, the actual petition additionally requested to waive "any other law, regulation of standard that may be applicable to this final *Charette* plan."

There is something wrong with this picture. If one wants to do a superior plan that is supported by the entire community and creates a livable, walkable neighborhood in the style of a traditional American town, one shouldn't be prohibited from doing so by a mountain of regulation.

The most common tool for managing development in the United States for nearly the last 100 years has been Euclidean Zoning, a technique that was first developed to control high-rise development in Lower Manhattan in the early 20th century, and whose guiding principle is the segregation of uses. But use, *per se*, is a very poor proxy for compatibility as the appearance of the nation's suburbs has proven over the last few decades.

Other countries take different approaches. The United Kingdom, for instance, permits much higher densities in its urban areas than we do in America and it is mass, proportion, style, and often appearance that are managed, and not simply use. A long row of London townhouses in say Mayfair, will frequently contain a vast array of different uses. There may be restaurants and shops on the ground floor and offices or flats above. There are often even schools, hotels, and churches in the same block of townhouses, as well. Yet the streetscape is so appealing because all of the uses are part of a consistent, unified plan, which creates



Mayfair in London.

a very desirable environment (as well as some of the highest real estate values on the planet).

A great change is underway in our nation's sprawling suburbs. The suburbs, which are home to as much as half of the U.S. population, were a good place to grow up, but they are proving to be a tough place to grow old. The inner suburbs are under especial stress. These are the suburbs that were built during the great housing boom from the end of WW II until about 1959. Often, these homes were little more than small boxes with one bathroom. They became obsolete almost as soon as they were built and now they are of the age when they need new roofs, new plumbing and major rehabilitation. They were built almost all at once and now they are becoming old



A typical post WWII home in the U.S. suburbs.

and unsalable almost all at the same time as well. Consumer preferences have also changed dramatically. For example, the average size of a home built in the 1950s contained about 1,000 square feet but grew to approximately 2,500 square feet in 2010. Remodeling such homes in the inner suburbs is often not economically feasible and Millennials who are looking to start out can find better opportunities elsewhere.

The outer suburbs aren't faring much better. As the country ages and as traffic increases, suburbia's widely assumed benefits—privacy, space and convenience—have diminished. Maintaining big yards and homes requires effort and money and driving everywhere for everything becomes expensive and

eventually impossible. Suddenly the privacy that drew people to the suburbs in the first place is proving to be isolating and time consuming. The Baby Boomers are down-sizing and moving in increasing numbers to the cities. The Millennials, burdened with student debt and having seen their parents suffer in the recent housing recession, love the vitality of the cities and are moving to the cities as well, often renting in lieu of buying. The model slowly being adopted across the country is to retrofit suburbia and to rebuild the cities to create communities of dense, mixed-use, walkable neighborhoods where there are lots of housing choices and nearby services and amenities. There are many hurdles, but the principal obstacle is our obsolete zoning and subdivision regulations.

Euclidean zoning has us locked in a death spiral. Its emphasis on the "prevention of the overcrowding of land" and the "segregation of use" may have been appropriate for the ills of the Industrial Revolution, but is not suitable for our post-industrial world.

Baltimore City has been working steadily on "Transform Baltimore" to update its 1971 zoning code for several years, but there is currently no end date in sight. Prince Georges County has started working on "Creating a 21st Century Zoning Ordinance" to update its zoning regulations, but there are so many rules and regulations often created in response to some particular problem and they are so intertwined and convoluted that a rewrite of a zoning ordinance is a monumental task at best.

There is another approach and that is to start fresh with a regulation that permits a new model of development—one which allows for sustainable development with higher densities, mixed-use, pedestrian friendly and livable communities. This approach can take many forms. Some alternate methods that have been tried successfully are planned unit developments, form based zoning, performance zoning and traditional neighborhood design ordinances, among others. But whatever the approach, the suburbs are changing rapidly and we must adopt regulations that will permit a sustainable, non-Euclidean model of development for the 21st century. ■



David S. Thaler, PE, LS, F., ASCE, F., NSPE is the President of D.S. Thaler & Associates, Inc., a civil and environmental engineering firm in Baltimore, Maryland, which has designed hundreds of communities. Repeatedly honored, he is a Fellow of both the American Society of Civil Engineers and the

National Society of Professional Engineers, and is Guest Scholar at the University of Baltimore School of Law. He has published more than 200 articles and five books, and has won numerous lifetime achievement awards. He also holds both the highest professional engineering award in Maryland, now known as the Thaler Prize, and the Maryland Distinguished Service Cross, Maryland's highest military honor. dsthaler@dsthaler.com



Victoria M. Ballester, EIT is a civil and environmental engineer with D. S. Thaler and Assoc., Inc. She is a graduate of Clarkson University. vballester@dsthaler.com

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www.dsthaler.com

7115 Ambassador Road
Baltimore, Maryland 21244

info@dsthaler.com

410.944.3647