





The Intersection of Freight and Land Use Planning

Robert Grow NCFRP 24 Workshop January 2011

Who are Grow & Bruening?



- Land use planning and entitlement
- Regional visioning
- Transportation infrastructure
- Visioning, positioning, and entitlement for large landholders
- Regional land use, transportation, and environment planning processes



Who is Robert Grow?



- Founding chair and current chair of Envision Utah
- Attorney working in the fields of land use planning, zoning, entitlement, environment, and transportation
- President of large steel company
- Chair of the American Iron and Steel Institute
- Utah State Economic Development Board



Why Does Land Use Planning Matter to Freight?



- Land use planning and approvals lead to projects that:
 - Block or otherwise impact freight corridors
 - Put incompatible uses near, or encroaching on, freight corridors or facilities
 - Reduce industrial land available near freight facilities (e.g., ports)
- Freight facilities often require land use approvals



The Goal



- Long-range land use planning that:
 - Treats freight as a system
 - Protects and preserves the freight system
 - Permits future expansion of, and efficiency improvements to, the freight system

The Land Use Planning System Itself is Fragmented



- Numerous cities and counties have legal jurisdiction
- In response, during the last twenty years the regional visioning movement, launched with Envision Utah, has sought to address the fragmentation
- Freight has not been included in a significant way in <u>either the fragmented</u> <u>legal system or the regionalism movement</u>



Why Act Now?

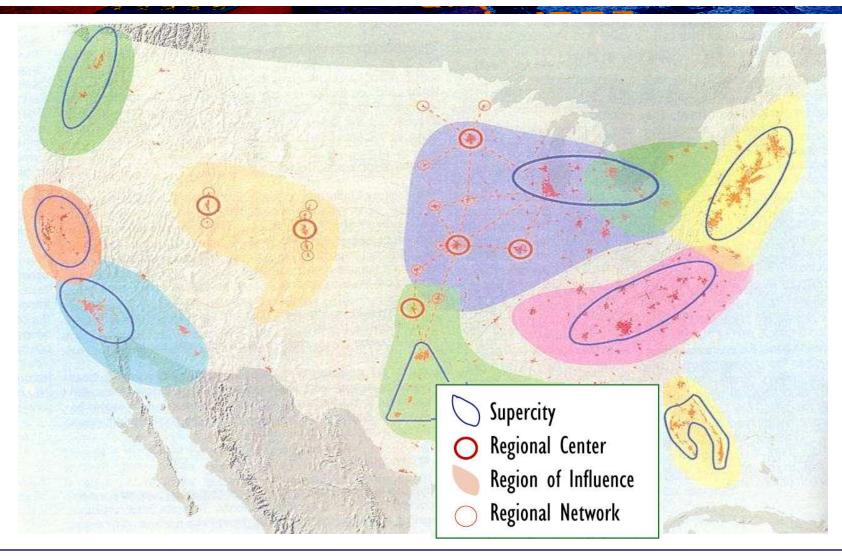


- The United States is projected to continue to grow rapidly
- There is a continuing shift in where people live—they are migrating to megapolitan areas where there is already congestion in freight systems
- Regional visioning movement provides opportunity



Eight Emerging "Supercities in U.S.

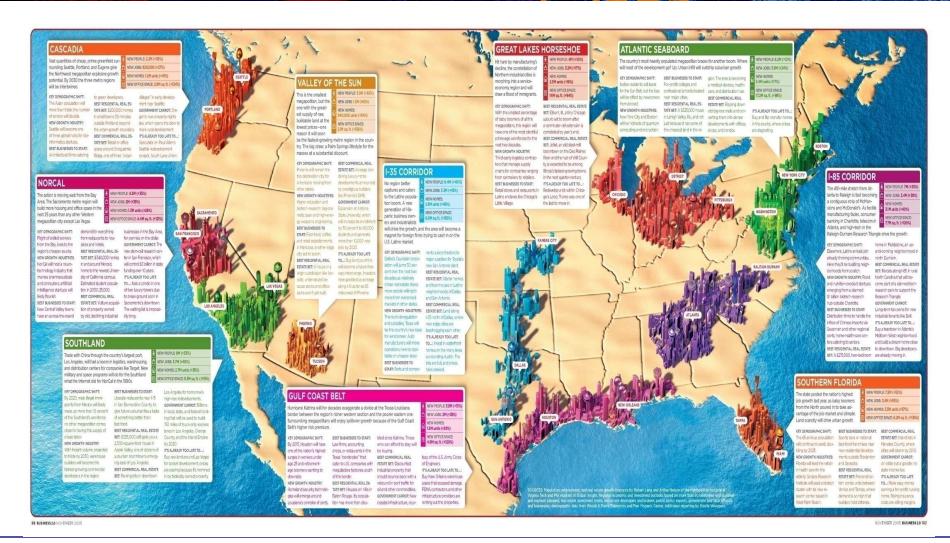






Business 2.0 November 2005 Megapolitan Area Centerfold

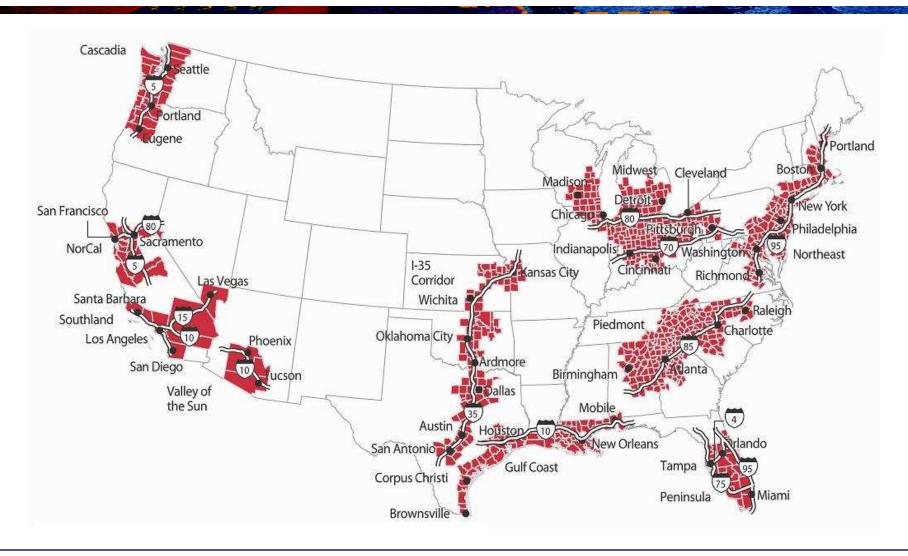






2005 Megapolitan Geography

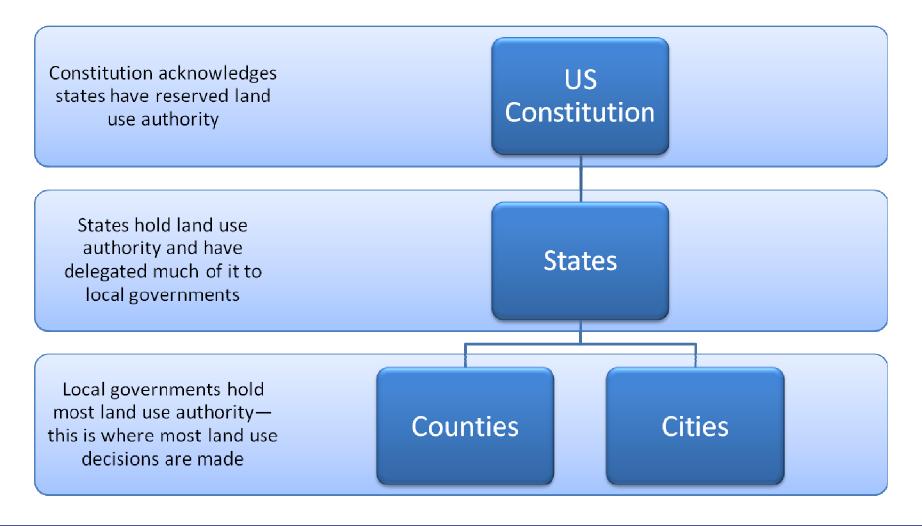






Land Use Authority in America

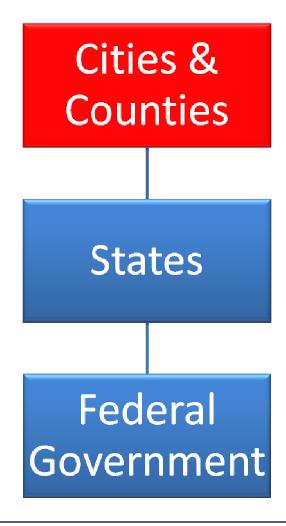






To Successfully Impact Land Use Decisions, You Must Think About Land Use Authority This Way:







Land Use is a Local Issue



 The federal government has preempted local land use only in limited instances





If you're dealing with somebody else, you're not fixing the problem



Typical Land Use System

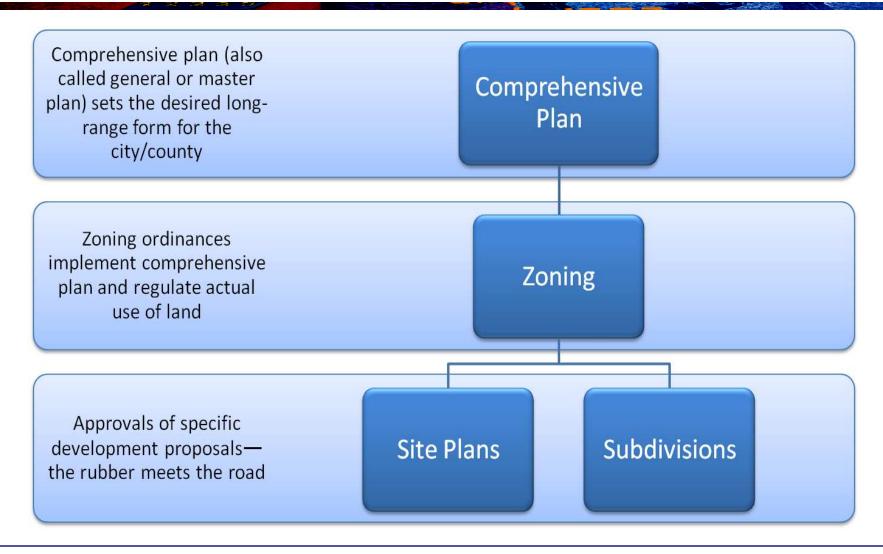


- State statute ("enabling act") delegates the state's land use authority to local governments and specifies:
 - Extent of authority
 - Required planning matters
 - Required procedural steps
 - Required planning documents (comprehensive plan, zoning ordinances, zoning map, subdivision ordinances, etc.)



Typical Local Government Land Use System







Comprehensive Plan

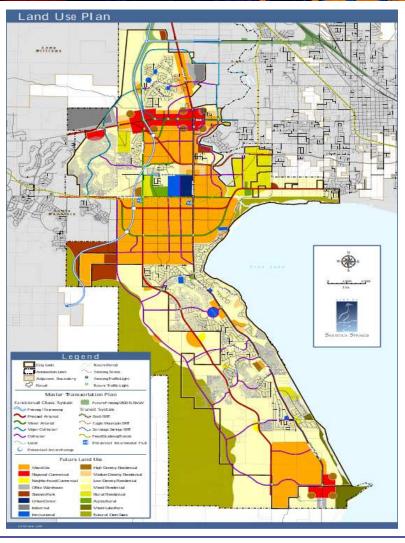


- Long-range planning document with a 20-year+ horizon
- Includes future land use & transportation maps along with goals, objectives, and policies
- Less detailed than zoning
- Typically updated every 5–10 years
- Zoning often required to be consistent with comprehensive plan
- This is the most important document to protect freight at the local level



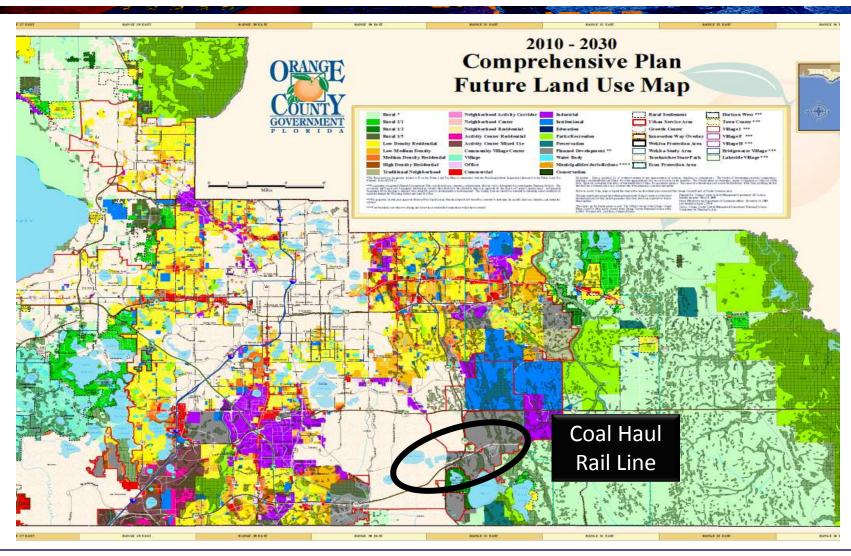
Sample City General Plan Future Land Use Map





Sample County Comprehensive Plan Future Land Use Map







Zoning

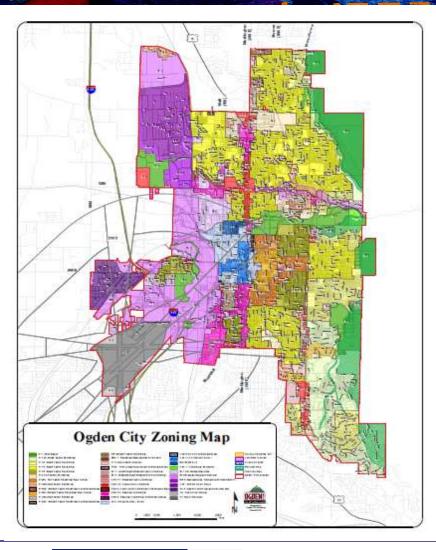


- Zoning ordinances implement the comprehensive plan
- Specific uses and design requirements are specified
- Zoning map legally applies specific uses to property
- Overlay zones can apply additional requirements
- Zoning amendments are common when specific developments are proposed
- New trend of "form-based zoning" focuses on the form of development, with little regulation of use
- If you're trying to protect freight at this level, you're too late



Sample City Zoning Map







Site Plans and Subdivisions

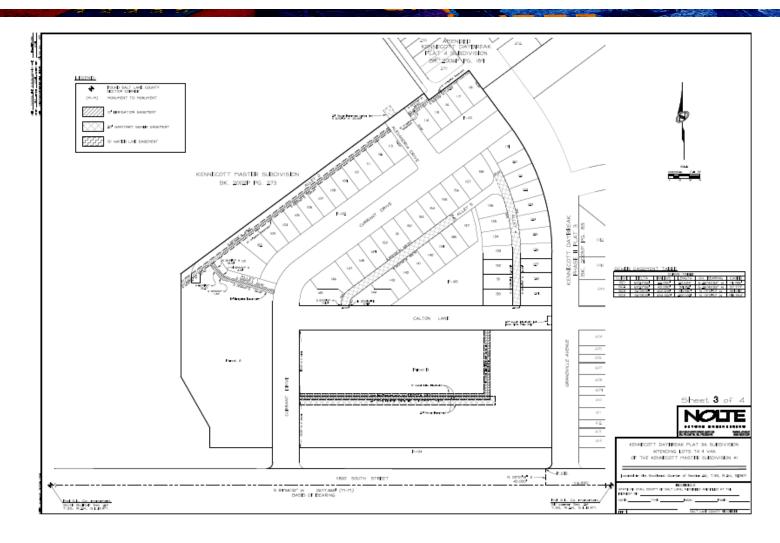


- Before something is actually built, a site plan and/or subdivision plat must be approved
- The site plan/subdivision must demonstrate consistency with comprehensive plan and zoning ordinance
- The site plan/subdivision has specific building, lot, access, parking, and utility layouts
- If you're trying to protect freight at this level, you're too late



Sample Subdivision Plat







Local Land Use is Influenced by Other Processes



Metropolitan
Planning
Organizations
(MPOs)

Regional Visions

Local
Land Use
Decisions



Metropolitan Planning Organizations



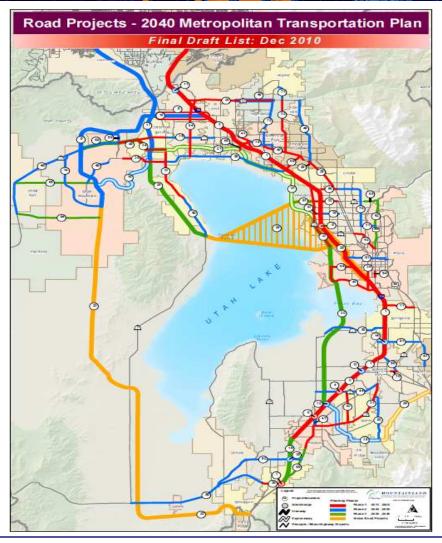
- Mandated by federal law for metropolitan areas
- Board generally includes officials from local governments
- Establish long-range transportation plans (20–30 years) and short-term (5 years) "transportation improvement programs"
- Allocate federal funding for major transportation infrastructure
- Local governments generally protect MPOdesignated corridors from land use encroachment
- These plans are key places to protect freight systems



Sample Long-Range Transportation Plan









Regional Visions



- Non-binding, long time horizon (25–50 years)
- Typically sponsored by MPOs, councils of governments, chambers of commerce, or other organizations
- Local governments are key stakeholders in the vision creation and are influenced by the vision
- In most visioning processes, freight has not been a key component



QUALITY GROWTH STRATEGY

Six Goals, 42 Strategies



- Enhance Air Quality
- Increase Transportation Choices
- Preserve Critical Lands
- Conserve Water Resources
- Provide Housing Opportunities
- Maximize Efficiency in Public Investments

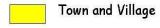
Development Types

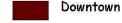
Non-Walkable



Industrial, Office
Activity Center

Walkable

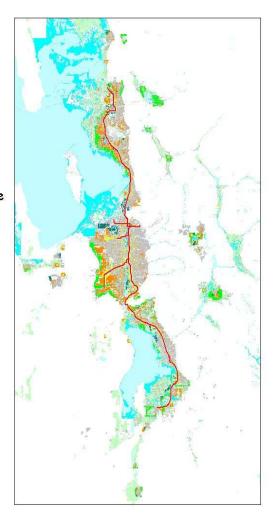




Open Space











Planning Process Summary



Process	Time Horizon	Scale	Subjects
Regional vision	25–50 years	Regional	Multi-issue
MPO long-range plan	20-30 years	Metropolitanarea	Transportation
Comprehensive plan	20 years+	City or county	Land use, transportation
Zoning	≈10 years	City or county, often adjusted for specific project	Land use
Site plans & subdivisions	Today	Specific project or phase of project	Land use & infrastructure

Many of these processes are authorized, mandated, and/or regulated by state enabling acts



The Best Time to Plan for Freight?

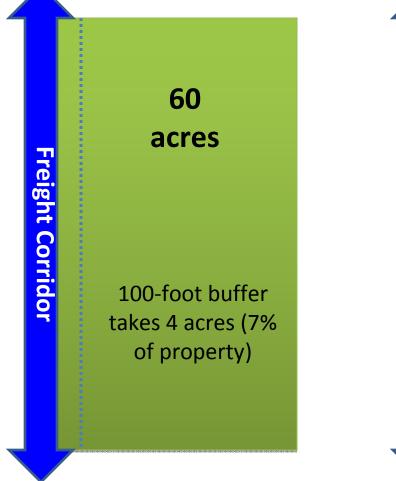


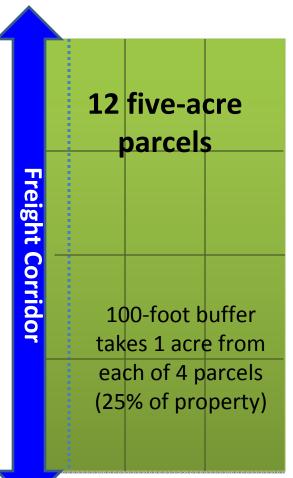
- After conflicts have occurred, mitigation is expensive \$\$\$\$\$
- When a proposed site plan or zone change is in front of a planning commission or council, investment-backed expectations have already formed
- Planning for freight in comprehensive plans, regional visions, and long-range transportation plans prevents investmentbacked expectations



Long-Range Planning Reduces Expectations







Why Don't Local Governments Protect Freight Needs?



- Residents (voters) don't like impacts of freight
- Benefits of freight are too removed and poorly understood
 - Each local government only sees a piece of the system
- State enabling acts don't include freight as a required planning element
- Often little tax benefit to local government
- Perceived as something that is not the local government's issue



Why Don't Local Governments Protect Freight Needs?



- Property rights perspective views freight as trying to take others' property without compensation
- Freight providers sometimes viewed as bullies
- Planning degrees don't provide freight education
- Few available tools regarding how to plan for freight
- Freight stakeholders often aren't involved in land use planning and visioning processes
- MPOs & local governments don't have resources to devote to freight



A Proposed Systematic Approach to Get Freight Needs Recognized in Local Planning



- Amend <u>state enabling acts</u> to make freight planning required in comprehensive plans
- Include freight in <u>regional visions</u>
- Plan for freight in MPO long-range plans
- Plan for freight in local <u>comprehensive</u> <u>plans</u>
- Create <u>zoning ordinances</u> that prescribe design criteria for freight-compatible development



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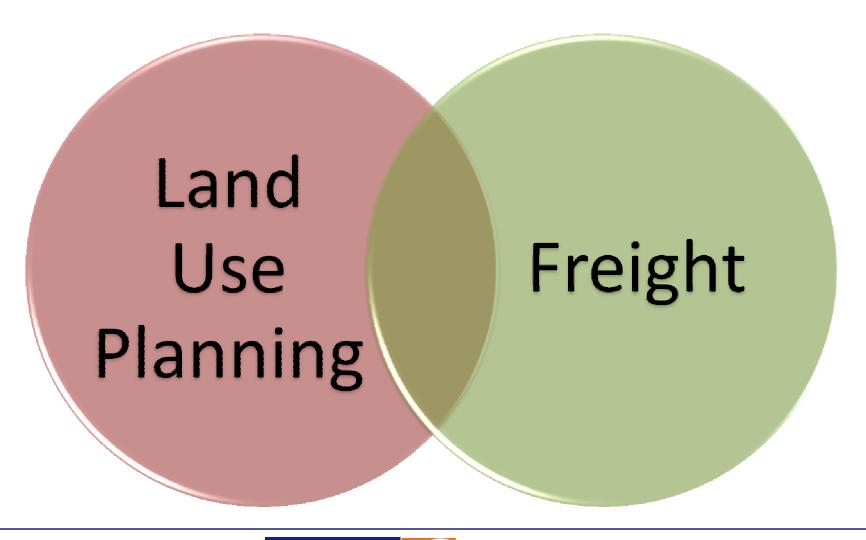


- Freight stakeholders need to get involved in regional and local planning processes
- Planners and elected officials need to invite freight stakeholders to the table



Two Worlds That Need to Come Together









The website and guidebook are intended to facilitate this process

