

# **LAND USE PLANNING AND ACCESS TO HEALTHY FOOD**

**ROSS DANIELS, AICP**

# THE PUBLIC HEALTH LAW CENTER



# LEGAL TECHNICAL ASSISTANCE



Legal Research



Policy Development, Implementation, Defense



Publications



Trainings



Direct Representation



Lobby

# OUTLINE

- Overview of planning
- Zoning Tools
  - Euclidean zoning
  - Form-based zoning
  - Planned unit development
  - Incentive zoning
- Other mechanisms

# PLANNING

*“The goal of planning is to maximize the health, safety, and economic well-being of all people living in our communities ... While architects often focus on a single building, a planner's job is to work with residents and elected officials to guide the layout of an entire community or region. Planners take a broad view and look at how the pieces of a community — buildings, roads, and parks — fit together like pieces of a puzzle.”*

-American Planning Association, [What Is Planning?](#)



# ZONING

- The practice of dividing land into residential, commercial, industrial, etc. “zones”
- Usually administered at the local level, but also exists at the county level
  - County zoning is more common in rural areas
- Traditional zoning is largely “single-use” but mixed-use zoning methods are becoming more popular
  - These newer methods lend themselves better to accessibility to healthy food retail than single-use zoning
    - Form-based zoning
    - Planned Unit Development (PUD)
    - Incentive zoning



# SINGLE-USE (EUCLIDEAN) ZONING

- Traditional model of zoning since the early 1900s
- Separates land use into individual districts for specific land uses (e.g., residential, manufacturing, industrial, commercial, etc.)
- Arose from the need for improved sanitation
- Leads to separation of land uses, and significant distances between homes and healthy food retail



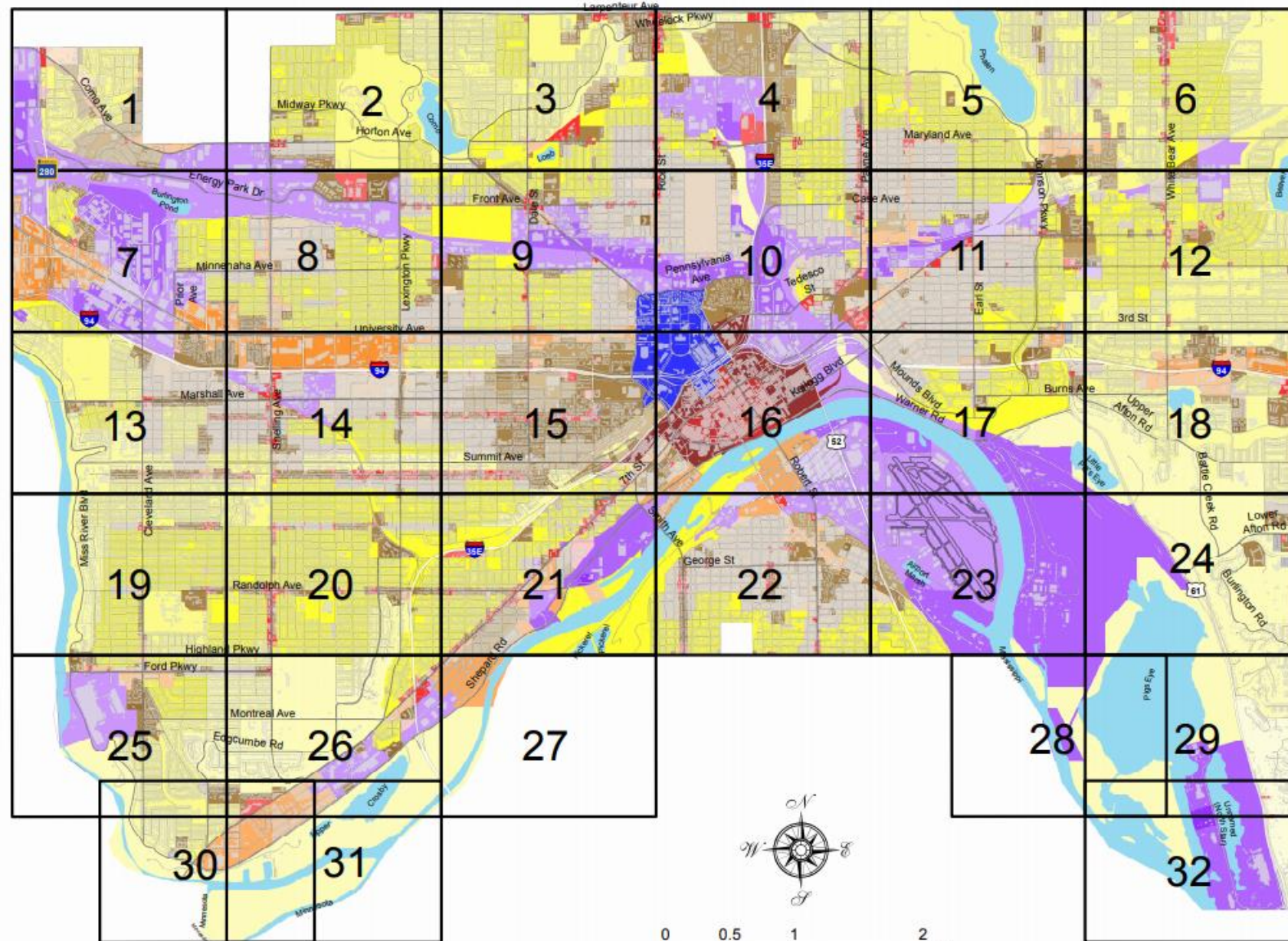


# Saint Paul Zoning

- Water
- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- T4 Traditional Neighborhood
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IT Transitional Industrial
- ITM IT with Master Plan
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction

## Panel Index

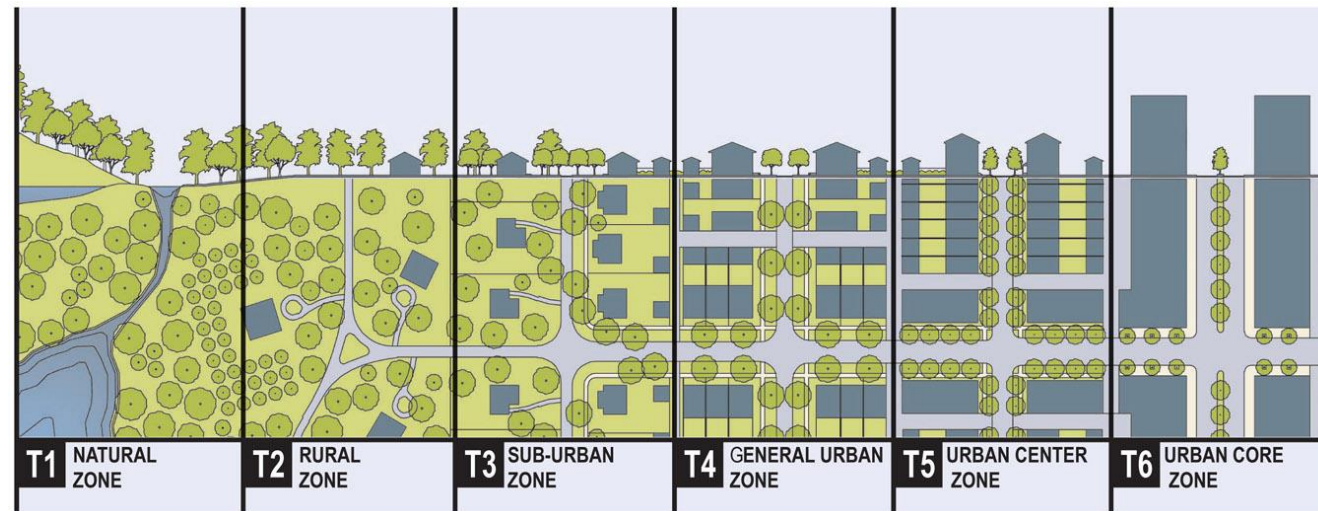
ZONING LAST UPDATED MAY 2, 2016





# FORM-BASED ZONING

- Form rather than function
- Broadly divides communities into “transects,” which emphasize character over land use







# PLANNED UNIT DEVELOPMENT

- A development project that a municipality considers comprehensively
- Allows developers to come up with land use for a site, to be reviewed by local planning or zoning board
- Can be a mechanism for developing fresh food retail opportunities

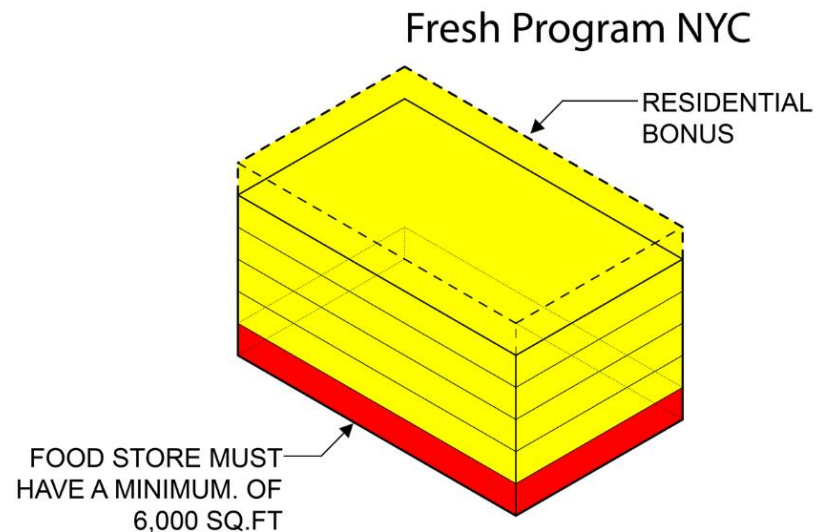


This public housing site currently faces obstacles, as previously mentioned. Since the development of this area over fifty years ago, the public housing units have been isolated by environmental and manmade factors. The neighborhood is bounded by Kenilworth Avenue to the east, the D.C.-Maryland border and a wastewater treatment plant to the north, and Kenilworth Park and the Anacostia River to the west. The developers are planning to completely redesign the area, reconfigure the street plan, and address these restrictive factors. With the new PUD, not only are the developers promising a one-for-one replacement of public housing units, but they are also planning to implement a grocery store or food cooperative which will help solve the neighborhood's food desert problem. The closest grocery store is two miles away which, for someone without a car, is not readily accessible.



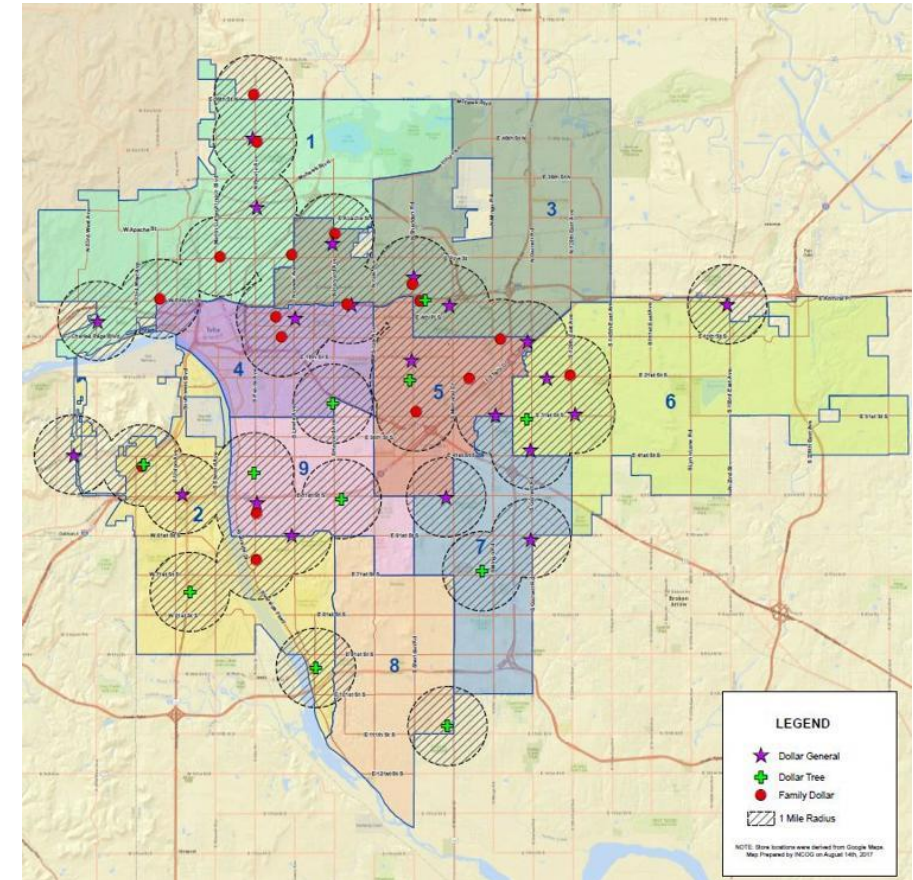
# INCENTIVE ZONING

- Developers provided incentives in exchange for benefits to the municipality
- Can be used to encourage developers to incorporate fresh food retail in their projects



# OTHER MECHANISMS

- **Overlay districts**
- Transfer of Development Rights (TDR)
- Tax-Increment Financing (TIF)



# THANK YOU!



651.695.7687



[Ross.Daniels@mitchellhamline.edu](mailto:Ross.Daniels@mitchellhamline.edu)



[www.publichealthlawcenter.org](http://www.publichealthlawcenter.org)



[@phealthlawctr](https://twitter.com/phealthlawctr)



[facebook.com/publichealthlawcenter](https://facebook.com/publichealthlawcenter)