

Appendix C: Performance Based Land Use Controls

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Performance Standards are growing in popularity as an effective way of managing the location and character of development. Performance standards and regulatory systems based on performance standards have been used by communities concerned with improving the quality of development, linking implementing mechanisms more directly to comprehensive plan goals, and creating an objective system for ranking community objectives and evaluating proposed projects.

How Performance-Based Land Use Controls Work

Objectives:

- Performance standards are guidelines for the appropriate location, intensity and arrangement of land use prior to evaluation of a specific zoning or land use category.
- Performance Standards set appropriate density and establish development standards in sensitive areas.

Requirements:

- A clear connection between community objectives and established performance standards.
- A good data base, so that appropriate standards can be established and compliance with standards can be measured and enforced.
- Educational effort in the community among planning staff, commissioners, and interested residents. Performance standards can be phased in by utilizing performance standards in such areas as planned unit development guidelines, industrial districts, and sensitive area overlay zones.

JJG can apply the principles of performance standards in the Growth Management Ordinances that authorize staff to evaluate land use decisions in a flexible, but consistent manner. Performance standards can be applied to test rezoning or development applications against four basic objectives of the Land Use Element of the Comprehensive Plan:

1. Land use and density should be consistent with the accessibility of a site to appropriate public facilities and services;
2. Land use and density should be consistent with the available capacity of necessary public facilities and services;
3. Land use, density and site design should be consistent with the spatial patterns of the Land Use Element and the current and future uses of adjacent properties; and
4. Land use, density and site design should respect the environmental suitability of the site.

The example on the following pages is just one of many different schemes that could be developed following these principles.

Principle #1: Access to Infrastructure – weight 20 points

Measures:

1. Transportation access

a. Classification of nearest street

- Arterial* – 3 points
- Collector – 2 points
- Local street – 0 points

*Access management principles should govern design of direct access to arterials in order to discourage strip development and inefficient use of highway capacity for local access.

b. Distance to nearest public transportation boarding point

- Less than 1/2 mile – 2 points
- 1/2-1 mile – 1 point
- more than 1 mile – 0 points

2. Potable Water System

Source of potable water

- Public water within 500 feet – 2 points
- Public water within 1000 feet – 1 points
- Public water more than 1000 feet – 0 points
- Well – 0 points

3. Wastewater treatment system

Source of wastewater treatment/ collection

- Gravity sewer collection line within 500 feet – 3 points
- Gravity sewer collection line within 1000 feet – 1 points
- Gravity sewer collection line more than 1000 feet – 0 points
- Connection to public sewer requires lift station – 0 points
- Septic Tank – 1 point , if on suitable soils

4. Parks and Recreation

- Distance to nearest park
 - Less than 1/2 mile – 2 points
 - 1/2 - 1 mile – 1 points
 - More than 1 mile – 0 points

5. Schools

- Distance to nearest public elementary school
 - Less than 1/2 mile – 3 points
 - 1/2 - 1 mile – 2 points
 - 1 - 2 miles – 1 point
 - More than 2 miles – 0 points

6. Public Safety

- Distance to nearest fire station with paid firefighters
 - Less than 5 minutes – 5 points
 - 5-10 minutes – 3 points
 - 10-15 minutes – 1 point
 - Over 15 minutes – 0 points, OR
- Distance to nearest fire station with volunteer firefighters
 - Less than 5 minutes – 3 points
 - 5-10 minutes – 2 points
 - 10-15 minutes – 1 point
 - Over 15 minutes – 0 points

Principle #2: Infrastructure level of service – weight 20 points

Measures:

1. Transportation impact

- Daily vehicle trip generation is less than 10% of average daily capacity of the largest street with a driveway serving the development – 2 points
- Additional daily traffic added to nearest collector or arterial serving the development is less than 10% of remaining daily capacity – 3 points
- Impact mitigation provided by applicant (travel demand management, access management, capacity improvements, operational improvements) - 1-3 points

2. Potable Water System Capacity

- Adequate well or potable water system capacity to supply the development – 2 points

3. Wastewater Treatment System Capacity

- Adequate public wastewater treatment system capacity - 2 points

4. Parks and Recreation – weight 2 points

- Nearest park with public facilities at least 50 acres in size – 2 points
- Nearest park with public facilities at least 5 acres – 1 point
- Non-residential development – 1 point

5. Impact on Schools – weight 3 points

- Adequate student capacity remains in nearest public elementary school - 3 points
- Non-residential development – 2 points

Principle #3: Land Use Compatibility - weight 30 points

Measures:

1. Consistent with Character District

- Development is of appropriate type, intensity, and design for corresponding character district – 0 - 10 points

2. Reinforcing Priority growth area

- Development is of appropriate type, intensity, and design **and** is located in a **Priority growth area** – 0-10 points
- Appropriate transition in land use intensity and buffers with respect to adjacent uses (current and proposed) – 0-10 points

Principle #4 Environmental Suitability - weight 30 points

Measures:

1. Land disturbance avoids wetlands – 0-10 points
2. Land development avoids floodplain – 0-10 points
3. Land development provides suitable stream buffers – 5 points
4. Land development avoids prime farmland and forest – 3 points
5. Land disturbance avoids steep slopes and unsuitable soils – 2 points
6. Development employs open space conservation to protect natural resources – 0-10 points
7. Development employs wetland mitigation, or stormwater management BMP's – 0-5 points