

# Downtown Hurdles

by Kennedy Smith

About 15 years ago I met a Massachusetts couple who had owned a successful car audio business, selling and installing car sound systems. Their business had been successful because they sent installers out to their customers, rather than doing installations in a central shop. Customers loved it – the installers came right to them, so they didn't have to give up their cars for a day.

The couple decided to move the business downtown. It had been located out on a highway for years, but they lived near the downtown and liked the idea of being able to walk to work. The business didn't need much space – its installers kept their vans at their own homes, so it didn't need a dedicated parking area for its small fleet. All it needed was a showroom. So, when the right space opened, the couple jumped at the opportunity.

Things were great for a couple of months. Sales skyrocketed, and the shop's salespeople loved being close to restaurants and stores. But then someone from the town's planning office stopped by and delivered a stunning blow. He told them the town's zoning code didn't permit automotive businesses downtown, and they would have to move.

Why, they asked? Because they owned a fleet of vans, he said. They explained that their vans weren't kept downtown, so their business had no impact on the district's parking supply, and it wasn't the kind of automotive business that generated pollution or toxic waste. But the planner said it didn't matter: their business was classified as 'automotive,' and that wasn't allowed downtown. The couple closed their business, sold their home, and moved to a different town.

The day I heard this story is the day I began paying close attention to how local

planning policies affect downtowns and their economic potential. Until then, I believed that the way to strengthen a downtown was to improve things within the downtown itself – rehabbing buildings, improving public spaces, developing new businesses, things like that. But I soon realized that downtown revitalization actually takes place in a community's planning and land use laws.

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All the other things are important, of course, and have to happen – but if the community's planning policies don't encourage a vibrant downtown, all these activities will have limited long-term impact and the district will face a tough uphill battle.

While the Massachusetts' couple's car audio business represents, perhaps, an extreme example (not to mention an inflexible approach to code enforcement), there are dozens of ways in which planning policies negatively affect downtowns. Among the most significant problems:

## 1. Comprehensive plans that treat downtown like a detail, not like a priority.

If having a thriving downtown is important to your community, that goal should be at the heart of your comprehensive plan. It shouldn't be just a component of the plan; it should be a guiding principle that pervades the entire plan and affects most aspects of it.

The same thing goes for preserving your community's historic buildings. I've seen lots of comprehensive plans that have a token paragraph that says something like, "Historic preservation is a priority for the community, etc.", but then don't mention anything else about preservation in the rest of the document.

And I've seen lots of comp plans that have an entire section about the downtown, emphatically stating its importance and describing what kinds of development can and cannot happen there – but the rest of the report is riddled with regulatory hand grenades that create obstacles to downtown revitalization, making it much easier for someone to open a new business or develop a building out on the strip than in the town center.

An obstacle to downtown revitalization is simply an incentive for development to take place somewhere else. Your community's comprehensive plan should make downtown the easiest and most advantageous place for new development to occur. The community's values about design, land use, and economic development should cross-cut all aspects of the comp plan and shape all its components accordingly.

## 2. Codes that make mixed-use development difficult.

Downtowns work best when they have a mix of economic functions – housing, offices, retail, entertainment, government, small industry. But zoning often makes it difficult or impossible to create that blend of activities. Just some quick examples:

- Zoning codes sometimes prohibit the use of the upper floors above storefronts for apartments. This is at odds with the goal of having more people live downtown, and precludes a housing option

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## Downtown Matters

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that is appealing to a growing number of people.

- Zoning requirements for parking spaces required for downtown apartments or condominiums are often based on the number required for detached housing in residential neighborhoods. This may far exceed the number actually needed for downtown housing units, whose residents are more likely to walk, bike, or use public transit than to drive a car. As a result, developers have to face the extra costs of providing unneeded parking.

- Then there are instances like the couple from Massachusetts encountered, in which the types of businesses permitted or prohibited downtown are outdated and no longer make sense.

### 3. Codes that prohibit small-scale industry from locating downtown.

Fifty-plus years ago, planning commissions worked very hard to create zoning ordinances that separated toxic industries from the apartments, shops, and businesses downtown. They succeeded. But while their rationale was good – improving public safety – the legacy of these planning policies has not kept pace with the path of community development.

The fastest-growing business sector in small-city downtowns in the past decade has been what I call “location neutral” businesses – businesses that, because of overnight delivery systems and the internet, can locate almost anywhere.

They run the gamut from small manufactures (jewelry, clothing, furniture), to software designers, to back-office service providers. And many of them are choosing to locate in older and historic downtowns. They like the one-of-a-kind spaces. They like being able to walk to restaurants and the post office. And they are great for downtowns. Their workers help support the district’s retail businesses and, by locating in upper-floor spaces that might otherwise be vacant, they provide an additional revenue source for the district’s property owners.

But many communities’ zoning regulations still define these businesses as “industrial” and don’t permit them downtown (or permit them only after an additional level of review). It is critical that these kind of zoning definitions be updated to reflect how businesses actually operate today.

### 4. Design guidelines that are too rigid and stifle creativity.

Many communities have adopted design guidelines for their downtown historic districts. Sometimes these guidelines are voluntary, tied to some sort of financial incentive (like a grant or a low-interest loan). Sometimes the guidelines are mandatory, with an architectural board reviewing and signing off on proposed projects before the city can issue a permit.

Design guidelines have averted many disasters in older and historic downtowns (and residential neighborhoods). But design guidelines – as well-intentioned as they are – can cause problems if not well planned.

Design guidelines that are too prescriptive can stifle urban design creativity. Pressured by property owners eager to get their projects approved quickly, architects often opt for “safe” designs, rather than creative ones.

Ironically, until the advent of design guidelines, downtowns were almost always the place where design innovation took place. Sure, the basic design components were respected – building scale, streetscape rhythm, street setback, the proportion of building elements. But within that context, America’s main streets have given birth to an astonishing range of architectural styles.

At their best, main streets tell the story of their communities’ evolution, with buildings (or storefronts) that reflect the absolute best design of the years in which they were created. At their worst, main streets tell the story of design guidelines that try to maintain the status quo, rather than to continue that evolution. We need to be sure our design guidelines encourage and reward architects for reaching forward, not for mimicking the

past in order to gain a quick approval.

We also need to ensure that design guidelines are applied to all parts of the community – not just to its historic downtowns and neighborhoods. Doing otherwise suggests that a community doesn’t care as much about new neighborhoods and new commercial centers as it cares about its older and historic ones, or that it is willing to settle for mediocre development in some parts of the community, but not in others.

I have visited hundreds of places in which one must forge through block after block – sometimes mile after mile – of poorly designed, highway-oriented commercial sprawl in order to find the historic downtown. Why don’t our planning policies routinely require good design throughout the entire community? It’s a mystery to me.

### SUMMING UP:

I hope that every community wants a strong downtown and that planning commissions will make that the heart of their comprehensive plans. If we’re going to attract new development downtown, it’s imperative that planning policies and codes not create hurdles to downtown development in the form of outdated, unneeded, or overly prescriptive requirements.

Development dollars are like water; they flow to the path of least resistance. If planning commissions take the lead in making downtown the most enticing place for development to occur, investment will follow. ♦

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