

Book Reviews

A Better Way to Zone: Ten Principles to Create More Livable Cities

Review of Donald L. Elliott

Reviewed by Trey Akers

Elliott's comprehensive account of zoning practice diligently chronicles the evolution of code theory, development and implementation throughout zoning's brief but complex history. Like other authors, Elliott often describes the increasingly complex nature of regulations as the legal detritus from several decades of amendments that have clogged the process. In this way he shows that, more often than not, zoning tends to be evolutionary, not revolutionary (4). To sort through this growing mass of legalese, he provides an in-depth description of every main zoning category—Euclidean, form-based codes, PUD developments, performance codes and hybrid codes—as well as the legal background of each model. In fact, Elliott's legal background enables him to conduct detailed analysis of each zoning method's statutory repute. Equally impressive, he distills the byzantine patchwork of these laws into straightforward, cogent summaries. The interesting and high-quality writing that marks the pages masks what would otherwise be a very dry read.

Though lacking a pre-stated theme or thesis, the book's chapters effectively carry several common ideas through topically-distinct sections. In one regard, this pattern serves the book well—each section explores a topic thoroughly and enables the author to critique from various angles the categories established in the historical overview. Perhaps most often, Elliott stresses the difference in regulations needed for developed versus greenfield areas. His self-acknowledged bias toward mature urban areas (he is in favor of them and has worked extensively in many) leads him to conclude that regulation in mature areas should be treated as a land management issue, not as a land design issue (48). For instance, he points out that the rules of many urban areas prefer a use-based regulatory system whose preference for function inhibits rehabilitation; such

prejudices create barriers to much needed reinvestment opportunities (51). Instead, Elliott argues, cities should adopt framework plans that clearly tie detailed policies to a particular place. He cites Denver's "areas of stability" versus "areas of change" and the accompanying agenda for each as lucid symbols concerning the redevelopment potential of each sub-market (56). This argument works well from both regulatory and free-market standpoints, with the government targeting specific areas for growth and allowing market resources to follow this lead by directing private investment into the same areas.

To achieve the aforementioned policies, Elliott proposes a series of responses to the current zoning framework. He lists three general principles for code reform, premised on the notion that zoning should group uses based on each city's priorities (131). According to his principles, municipalities should combine their lists of uses into fewer, broader categories; control the scale of activity for each site/district; and adopt performance-based standards that regulate building operation, not use, by managing the external use impacts of land-use activities (such as limiting business hours in a mixed-use neighborhood) (141). As evidenced by this list, Elliott favors a revamping of zoning within the existing land-based classification system. He maintains that communities should focus on making changes from an established baseline rather than completely redesigning an entire area (164). He also suggests that communities should "lighten up" on nonconformities in older areas, many of which include mixed-use neighborhoods developed prior to Euclidean templates. Elaborating on this point, Elliott writes, "Most investments in mature areas involve piecemeal, not wholesale, redevelopment,

Trey Akers is the 2008-2009 Stipe Fellow in Design & Preservation at UNC-Chapel Hill, where he has specialized in sustainable development, form-based codes, and LEED-ND. He has worked for urban design, development, and preservation firms, including the Davidson, NC-based Lawrence Group, TND-Partners of Durham, NC, and Preservation NC of Raleigh.

and regulations need to address the predominance of incremental changes to an established pattern of development” (55). In practice, rules should be flexible where impacts are small—such as a roof renovation on a house adjacent to a warehouse district.

Elliott closes the book with several topical headings under which he proposes specific changes. Under “Negotiated Large Developments,” he encourages large, character-defining developments to be negotiated between developers and cities, though he cautions that, in small projects, this approach is a time-consuming waste of staff resources (184). Turning to the need to “Depoliticize Development Decisions,” he urges municipalities to break the public perception that it is fair to change the rules at the end of the game if the voices are loud enough (194). Though these disparate suggestions resist a common heading, their concurrent implementation can produce a promising, unified approach to growth management issues.

Summarizing Elliott, the goal of zoning should be to realize a community vision by providing limited discretion and clear criteria (43). Augmented by flexibility, codes should be responsive to changes in the urban fabric. The author gives numerous ways in which municipalities may move to implement these ideas while supplying the appropriate legal grounding for each method. The countless examples drawn from real-world experiences further enrich this text and lend credibility to the suggestions. This thoughtful, progressive work is a worthwhile read for those seeking a more full and realistic understanding of zoning’s messy future.