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## CONSERVATION DEVELOPMENT A WINNER FOR EVERYONE

### Contents

[Not An Oxymoron](#)[Wide Open Spaces](#)[Greater Value](#)[Appreciation](#)[Win-Win Situation](#)

**Section:** Opinion

He who keeps the hills burns the wood; he who keeps the streams drinks the water.

-- Chinese Proverb

In the 1960s, author William Whyte wrote: "Isn't it ironic that developers always seem to name their projects precisely after the very assets they have just destroyed?"

For example, Willow Knolls would have cut down all of the willows and leveled all of the knolls. In the same period, author Jane Jacobs more caustically described the standard residential subdivision as "monotonous, un nourishing gruel."

Current production builders are still the brunt of constant criticism, however, they are not the ones to blame for the current dilemma. Where the problem lies is at city hall where planners tenaciously cling to an arbitrary set of rules they call "standards." This is something Randall Arendt has devoted his life to changing.

Arendt, noted planner and author of such influential community design books as "Rural By Design" and "Growing Greener," says the current situation is the result of a phenomenon he calls "zoning sprawl" which he defines as the excessive consumption of land due to outdated design criteria. Agencies typically require roads that are too wide with arbitrary building setbacks and lot dimensions that force developers to grade every inch of their property.

Representing the Natural Lands Trust, Arendt spends most of his time touring the country and lobbying various governing agencies to start approving projects he calls "conservation developments." More and more people in the New England area are embracing this approach because it just makes good sense.

### [Not An Oxymoron](#)

The term conservation development isn't an "oxymoron" but rather a process Arendt has designed whereby a community preserves 50 percent of their land on a project-by-project basis. This requires each development to place approximately 50 percent of its land in permanent and irreversible open space, then concentrating all of the allowable project density in less-sensitive areas of the property. If you think this is a simple thing to do in most jurisdictions, you'd be dead wrong.

For example, assume you inherited 50 acres of land on the outskirts of Fallbrook that has zoning allowing for 50 lots. You could sell the property outright to a builder who would develop the property into a grid of 50 lots with wide streets and cul-desacs. Instead, however, you decide to preserve your family heritage, and do some good with the property. So you decide to hire a consultant to help you process a development application that will better preserve the character of the site.

### [Wide Open Spaces](#)

Your wish is that the 10-acre avocado grove on the property will go into an "agricultural conservation easement" to be farmed in perpetuity. The 15-acre riparian oak woodland and creek in the back of the property will be put into a "biological conservation easement" and gifted to the Fallbrook Land Conservancy.

On the remaining 25 acres, which is less sensitive and closer to the nearest public facilities, you concentrate all of your density creating 50 half-acre lots. You would think that this would be easy to do, however, you would be frustrated at the difficulty of processing any innovative design.

First, you find that in addition to your standard subdivision map, you will need to file an expensive and time consuming "special use permit" to cluster your lots. Additionally, you will need to request a series of "waivers" on the standard clustering application since the laws require that 50 percent of your proposed open space be flat (clearly not necessary for the avocado grove) and landscaped (clearly not recommended in an oak woodland).

Arendt argues that this type of development should be encouraged and allowed "by right." By doing this, he says, we can preserve large areas for conservation at no cost to the public. Furthermore, the landowner preserves his land value since it is determined by "land density" rather than the size of the lots. The Natural Lands Trust refers to this as "smart conservation."

#### Greater Value Appreciation

They cite studies in areas like Amerst, Mass., where a project like the one described above sold homes for the same price as similar developments with lots twice the size and no open space. The study went on to show that over a 20-year period, the project with the open space appreciated at a "faster" rate than the large lot subdivision.

Arendt says that smart conservation can be accomplished in any jurisdiction by simply following three steps. First, a city needs to identify a "master plan" of a large area they think merits preserving for biological, archaeological or historical purposes (San Diego has done this with the Multiple Species Conservation Plan).

Second, the city needs to immediately implement flexible design criteria to allow each developer to easily concentrate the homes in areas of his project outside of the preserve master plan. Lastly, give developers incentives to file a conservation development by expediting the processing of the project.

#### Win-Win Situation

Implementing "Smart Conservation" in the San Diego area would offer a win-win scenario for many reasons:

- Developers win because they retain their land values by realizing their ultimate project density. They also win because they have reduced infrastructure due to less roads and utilities due to concentrating development in one part of the project.
- Taxpayers win because we get open space at no cost and retain the same tax base since the developers sell the same number of homes for the same price.
- Homebuyers win because they are offered the opportunity to buy in a project that borders a permanent open space preserve. Also, as the studies show, they can realize increased property appreciation.
- Environmentalists win because large defined areas with corridor value are preserved instead of small batches of open space on several lots. They also win because existing funds for acquiring conservation lands can be used to acquire more properties if much of the Multiple Conservation Species Plan is preserved within conservation developments.

Conservation development is indeed smart conservation, and is a philosophy that is tailor made for the San Diego area. All it takes is for forward thinking leaders to get on board.

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By Gary Piro

Piro is a former San Diego planning commissioner and the owner of a civil engineering and land-planning firm.

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