

PLANNING



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A Better Way to Build? Ja, Say the Germans

By Katherine Daniels, AICP

This community is taking matters into its own hands.

Tucked away in the rolling hills of the Westerwald, a region about 30 miles east of Bonn, Germany, a different kind of building is going on.



Photos courtesy Katherine Daniels



Flammersfeld as it is and as it will be. The fields at far left are the site of the new Am alten Graben subdivision. The site plan shows building lots, proposed streets, footpaths, and trees that are to be preserved. The gold and white hatching (lower right) marks a "wanderweg," a trail leading into the countryside. The author (above, center) recently revisited Flammersfeld, where she was an exchange student in the late '60s. Mayor Hella Becker is at right.

Here in the village of Flammersfeld (pop. 1,400), the community itself—not a developer—is siting and designing new residential subdivisions, considering smart growth and land conservation before anything else.

This community-led subdivision design approach is part of a larger national land-use planning model. The German system operates on the principle that direction for land conservation should come from the federal and state governments, while regional and local governments should control most development decisions.

Each state designates land for various conservation uses: farming, forests, natural area protection, floodplains, and so on. Local governments then designate the remaining lands for development or additional conservation uses.

Bottom-up

German development planning gives new meaning to the term "bottom-up planning." Flammersfeld is an example. This compact community is bordered by forests and rolling farmland, although just one working farm is left within the village.

The village has grown slowly but steadily over the years, adding just 600 people since 1970. Many of the current residents (about half of whom work in the village, some in small-scale new industries) grew up there and stayed on to raise their families. Some of the local farmers retired there. In the mid-1990s, the village council noted that there was a need for additional housing and a shortage of residential building sites.

The council evaluated several potential development sites, based on a variety of factors, including landowners' willingness to develop their land and consistency with the comprehensive regional land-use plan (Flaeschennuetzungsplan)—a joint effort of Flammersfeld and several adjacent villages. The plan, adopted in 1987, requires that all new development be contiguous with existing villages.

German law permits all communities to choose and design development sites. And in most parts of the country, especially in rural areas, this process is driven by local governments and not developers. This leaves builders to do what they do best, to build, while communities are able to enforce best development and design practices and to avoid leapfrog development into the countryside.

In the fall of 1999, the council approved for development a 15-acre site at the village's southern edge. The site's 21 parcels were held by 12 different landowners. The council proposed a development to be called Am alten Graben (At the Old Ditch), the site's historical name.

The next step was to hire a local engineering firm to prepare a Landespflegrischer Beitrag, or Land Stewardship Plan, required by law in Germany. This plan included a detailed environmental inventory and assessment of the site and proposed the best ways to minimize the adverse environmental impacts of development. The plan required that five acres of the site's meadows and woodlands be preserved as open space.

The open space, which is bisected by a narrow stream, is intended to provide storm drainage, protect local water supplies, and provide walking trails. It will become a permanent part of a greenbelt encircling the village and will pass into village ownership and management. The plan identified trees that must be retained as well as new trees that are to be planted, and described how the open space is to be managed. For instance, the more productive meadow area—M3—is to be mowed twice a year, while the wetter meadow—M4—is to be mowed once a year.

Nuts and bolts

With the open space set aside, the village was ready to hire a planning consultant to prepare a Bebauungsplan, or site plan.

The consultant, Eberhard von Weschpfennig, a certified local planner, presented four different sketch plans for the site. Each required reconfiguring the deep and narrow agricultural parcels (averaging 40 by 350 feet) to create suitably sized development parcels. The land area of each original parcel was reduced by 42 percent to provide sufficient land for infrastructure and open space. This process of

land readjustment has been German practice for the last century.

The public—including neighbors, service providers, and adjacent municipalities—was given a month to comment on the alternative plans. Adjacent landowners initially expressed concerns about traffic and suggested that a connection be made to a street to the north to provide relief. The village instead proposed two footpaths to permit pedestrian access to the street.

Suggestions by regional service providers for extending utilities were also incorporated into the plan. So was an important recommendation by the regional council to extend the development slightly to the east to spread the costs of a new street among more landowners.

The final site plan that was approved in August 2000 provides much of the same information as an American subdivision plan but is far more detailed. Because there is no local zoning ordinance, the 26 pages of text prescribe building size, dimensions, use, and other standards. The text also presents a record of public involvement and all local findings of fact. The plan, which is in color, is made user-friendly with a common map key, one that is used throughout Germany.

The plan creates 58 building sites for up to 116 new dwellings, organized in one- or two-family units. Lots are smaller than the norm in the U.S., averaging 6,500 square feet, for a density of 6.6 net units per acre. Permitted lot coverage is 30 percent, provided that pervious materials are used for driveways and walkways.

Front-yard setbacks are between nine and 15 feet, while back-yard setbacks are variable. Side-yard setbacks, which are nine feet, do not apply to garages. Permitted roof pitch is a minimum of 25 percent and a maximum of 45 percent. Plantings are required at five-foot intervals along front- and back-yard setbacks. The plantings—two percent native trees and 98 percent native shrubs—are to be provided and maintained by the homeowners.

The site features an interconnected street system with narrow street widths (17 feet for local streets and 21 feet for a minor collector). A sidewalk is required for the collector. Footpaths will lead to the village center and open space.

The public part

Next came a decision about the most cost-effective way to provide public services at the site. Infrastructure concurrency is required of all development in Germany. The new community must be served by public streets, sewer and water, and walkways. Infrastructure planning

costs are borne by the municipality, but infrastructure construction and finance is the responsibility of the landowners, with the community contributing 10 percent if it is able to.

As a small community, Flammersfeld was unable to contribute to the infrastructure costs. It did, however, hire a private infrastructure coordinating firm, the Mainz-based Service Gesellschaft (SSG), to work with landowners to lower the costs of utilities through efficient layout and a common provider.

Infrastructure coordinators have been common in Germany since 1993. Before that time, and especially after reunification, both financially strapped municipalities and individual landowners had found it difficult to pay for infrastructure. Public-Private Partnerships (PPP), the term commonly used in Germany (in English) to refer to the joint role of infrastructure coordinators and local governments, have helped to facilitate new development.

In this case, all of the landowners at the site signed contracts with SSG to plan for and finance infrastructure costs. Of the 58 final building lots, 11 will have to be sold immediately to enable their owners to repay SSG for its services. The lots will be bought by a bank affiliated with Altenkirchen County and resold at a later date. This land-banking process helps needy landowners while holding the lots for prospective buyers.

Once the financing is in place, SSG will hire an infrastructure contractor to build streets, walkways, water lines, and separate sanitary and storm sewers. New German water law (*Wassergesetz*) promotes the use of pervious materials such as brick and stone (without mortar) for local streets, parking lots, sidewalks, and gutters.

Finally, when the infrastructure is complete, the landowners can sell the building lots. The new owners may then contract with a builder to construct a home of their own design. Most subdivisions involve several builders, rather than a single large developer as in the U.S.

In effect, Flammersfeld has acted as the intermediary in planning for the development of Am alten Graben, assuming the traditional developer's functions of site selection, site design, and infrastructure coordination, and thus eliminating the middle man.

From beginning to end, the development approval process can take from nine months to several years, with most developments approved within two to three years.

Everyone's happy

One might think that there would be controversy surrounding Germany's tradition of com-

munity-designed subdivisions. The opposite is true. German developers are accustomed to their more defined role as builders. One local builder, Robert Becker, expressed surprise that the system was different in other countries.

Jurgen Leif, the site's infrastructure coordinator, notes that firms like his actually lower a development's infrastructure costs. He admits that the process can take too long at times. It could be shortened, he suggests, by combining the site selection and building planning processes or by working with a single landowner.

Flammersfeld's current mayor, Hella Becker, who lives near the new project, now enjoys a sweeping view of the farm fields. But she is philosophical about the changes that are soon to come. "The village needs to be able to grow, and this is one of our prime development sites," she says. "It's good that citizens have a voice in development that directly affects them," adds site planner Eberhard von Weschpfennig.

Is it for us?

The German approach allows village residents to get exactly the type of development they want at the desired location, while returning the profits—maximized by efficient planning—directly to landowners.

Is there a place for the German system in American planning? To my knowledge, no states in the U.S. have subdivision enabling laws that expressly permit communities to initiate and design their own subdivisions. Most enabling legislation either specifies or implies that communities must limit their role to reviewing and approving development proposals. This could change, however, if enough communities support this concept and lobby for it in state legislatures.

In the meantime, I see nothing to prevent local governments from working with willing landowners to ensure more effective planning. Communities could reach out to landowners at the village edge, proposing to design new developments. In exchange, landowners would be compensated for upfront infrastructure costs, with the village to be repaid from the proceeds of lot sales. Landowners could realize a greater return on the sale of their land, builders could still build, and communities would maintain their small-town livability.

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