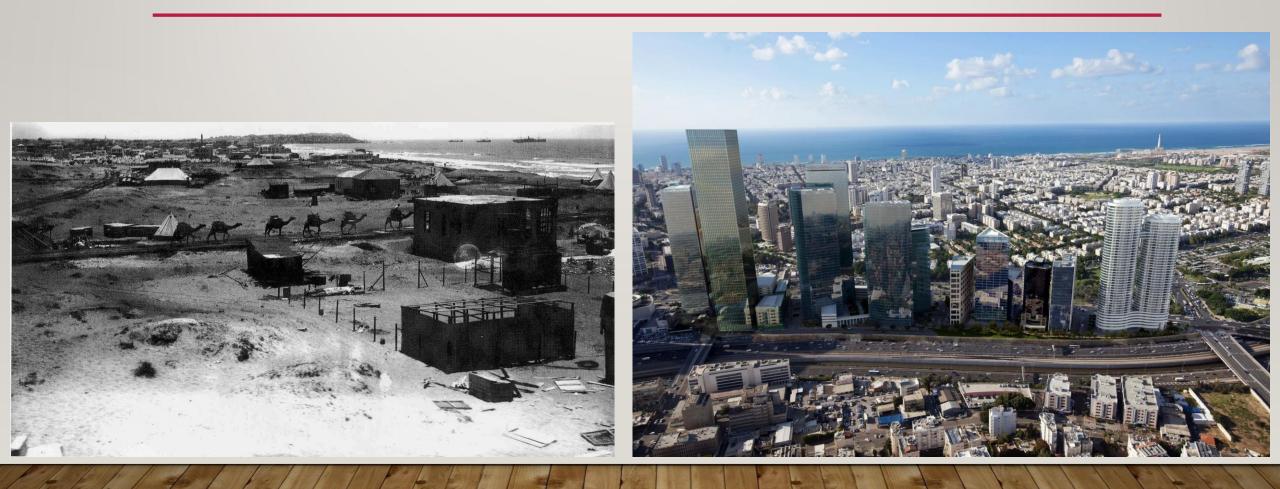
PLANNING IN THE US AND ISRAEL – BIRD'S EYE VIEW COMPARISON

REMY MANOACH

WITHIN JUST 100 YEARS



BASIC DATA:

	Area (KM²)	Population	Density (/KM ²)	Population Growth Rate	Vehicles per person	GDP (\$ per capita)
US	9,833,520	327,167,434	32.8	0.72	910	62,518
υк	242,495	66,040,229	270.7	0.65	587	44,177
France	640,679	67,348,000	105	0.45	580	47,113
Netherlands	41,543	17,283,008	416.5	0.3	556	59,105
Japan	377,973	126,440,000	334	-0.09	591	44,550
Israel	22,072	8,982,900	407	1.65	384	43,199

SIMILARITIES: STRONG PROTECTION OF PROPERTY RIGHTS

US

- the Fifth Amendment to the US Constitution provides "nor shall private property be taken for public use, without just compensation"
- Wide protection for regulatory takings.

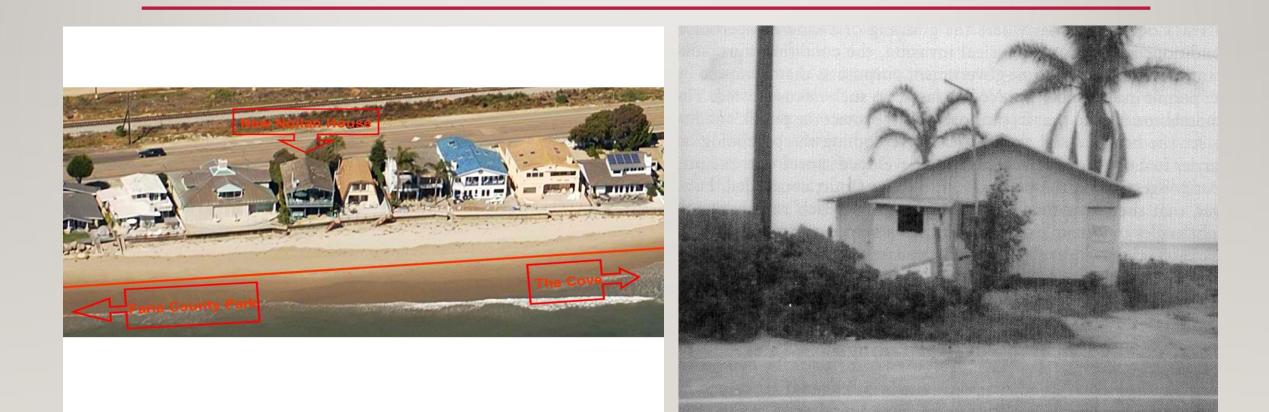
ISRAEL

- Most takings of private property is now subject to payment of just compensation.
- Compensation is paid for any depreciation in land value, that results from downzoning or otherwise.

"POST" KELOVS. NEW LONDON



NOLLAN V. CALIFORNIA COASTAL COMMISSION



7 NOLLAN V. CALIFORNIA COASTAL COMMISSION

•"[H]ere, the lack of nexus between the condition and the original purpose of the building restriction converts that purpose to something other than what it was."

•"In short, unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but 'an out-and-out plan of extortion."

DOLAN V.TIGARD - ROUGH PROPORTIONALITY



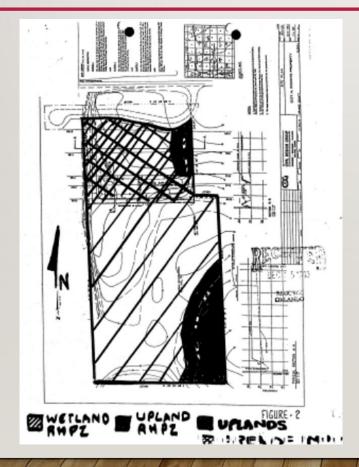
KOONTZV. ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Undeveloped 14.9 acres east of Orlando Near major highway

Drainage ditch, high voltage lines Largely classified as wetland



KOONTZ'S PROPOSAL: DEVELOPMENT 4 ACRES, CONSERVATION 11 ACERS



AUTHORITY'S DEMAND:

Reduce development to I acre and Give easement on remaining 13.9 acres

Or-

Develop 3.7 acres and make improvements several miles away; no particular project.

SIMILARITIES: RIGID ZONING

- US zoning is strict, whereas European and UK planning process is "discretionary".
- US zoning provides separation between dwellings and all other uses, whereas European and UK zoning provides for mix and adjacent uses.
- Israel zoning is strict, and generally provided "planning rights".
- US zoning provides for large portion of detached single home units, thus suburbs. WHY?

DIFFERENCES: SPRAWLVS. DENSIFICATION

Source: Sonia A. Hirt: zoned in the USA.

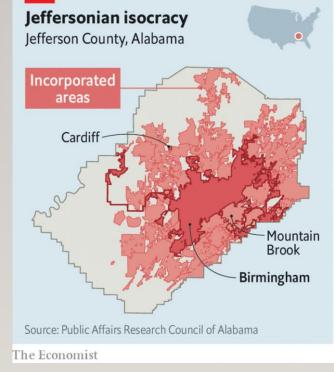
Israel: average area of residential

units – also big, BUT:

- Large families.
- No new suburbs.

United States	a strategy of the second second second second second
New Zealand	1.002
Luxembourg	
Cyprus	
Denmark	
Malta	Charling and the second s
Ireland	the state of the second state of the second s
Spain -	and the second
Austria 🗖	and the second se
Netherlands	
Italy _	
Sweden	
France	and the second sec
Germany	
United Kingdom	the second se
Portugal	
Belgium	
Greece	
Finland	
Slovakia	and the second sec
Hungary	The second s
Slovenia	and the second
Poland	
Czech Rep.	and the second s
Bulgaria 🗖	
Lithuania	and the second sec
Estonia	
Latvia	
Romania	and the second
+	200 400 600 800 1000 1200 1400 1600 180
0	200 400 600 800 1000 1200 1400 1600 1800 Square feet

DIFFERENCES: LOCALVS. CENTRAL MUNICIPAL POWER ALLOCATION



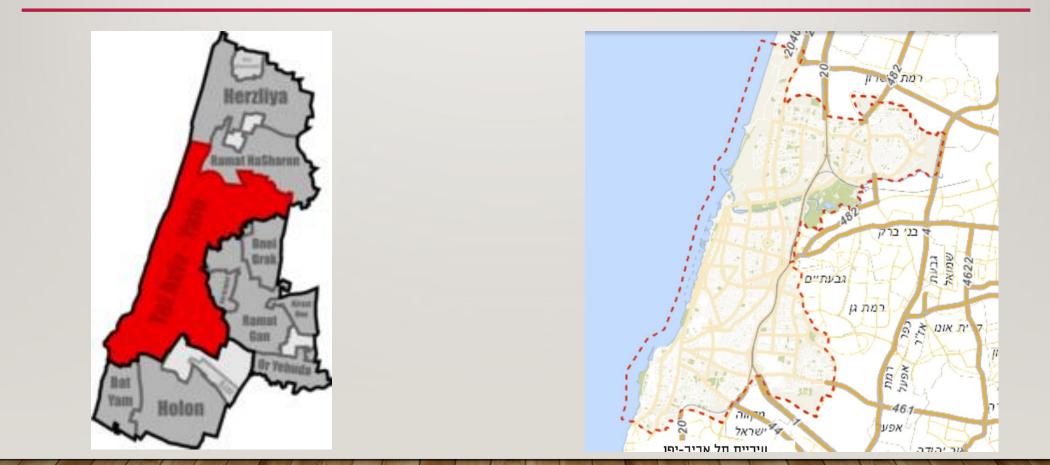
Less than the sum of their parts Why American cities are so weirdly shaped

How strange municipal boundaries came about, and how they hold cities back

- 8 states allow municipalities to annex territory unilaterally.
- 8 require the state legislature to change municipal boundaries.
- 29 states, require a referendum in the areas to be annexed.

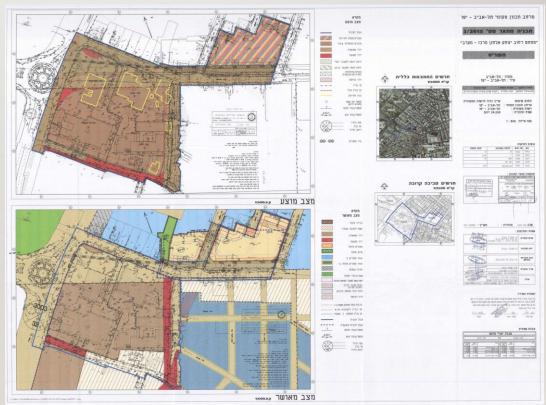


DIFFERENCES: LOCALVS. CENTRAL MUNICIPAL POWER ALLOCATION

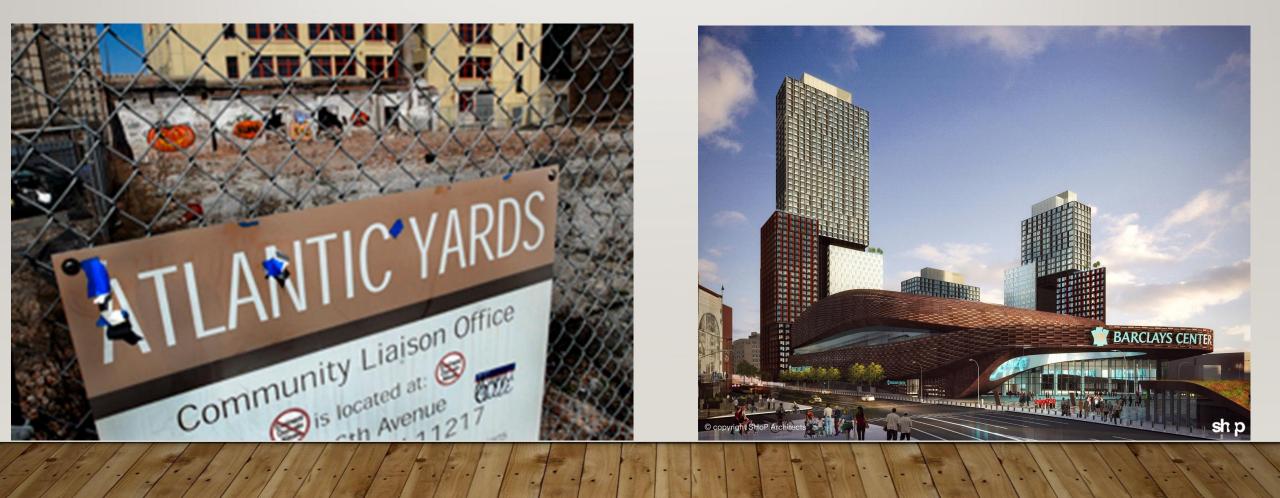


DIFFERENCES: PLANNING AGREEMENTS AND CBA

- US: wide implementation of community benefit agreements and development agreement.
- Israel: court and the ministry of justice disapprove such agreements. Formaly – lack of legal authority. In essence: fear of corruption.

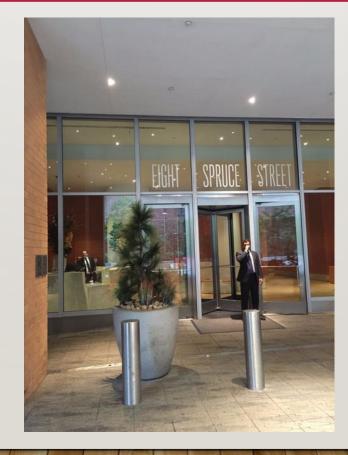


ATLANTIC YARDS, BROOKLYN



MIXED USE BUILDINGS - NYC







MIXED USE BUILDINGS - ISRAEL





SIMILARITIES: NEW TENDENCY TO PROTECT "SOCIAL RIGHTS"

- Mount Laurel doctrine: municipalities should use their zoning powers in an affirmative manner to provide a realistic opportunity for the production of housing affordable to low and moderate income households.
- California Building Industry Ass'n v. City of San Jose, 351 P.3d 974 (Cal. 2015): upheld a residential inclusionary zoning ordinance: These ordinances are classified as use restrictions and not confiscations of property or money. Accordingly, inclusionary zonings are not subject to a rigorous analysis under the U.S. Supreme Court's "exactions" doctrine!
- Israel: Similar new laws, regulations and court decisions.

DIFFERENCES (?) – CENTERANL GOVERNMENT INVOLVEMENT IN HOUSING AND INFRASTRUCTUE

- Israel: large, yet reducing, governmental involvement in the economy.
- Large portion of national land ownership.
- Public construction projects.
- Most of the infrastructure
- Government influence the substance of the plans and of development.

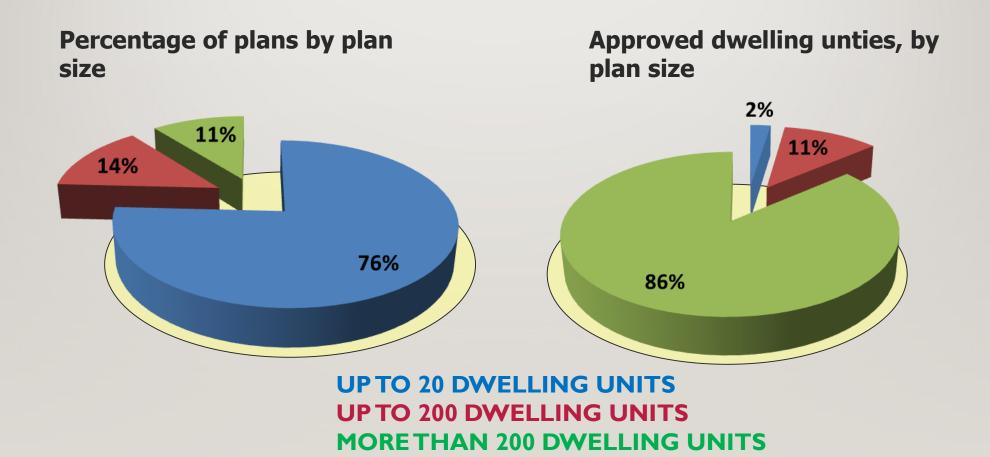
STRUCTURE OF ISRAEL'S ZONING:



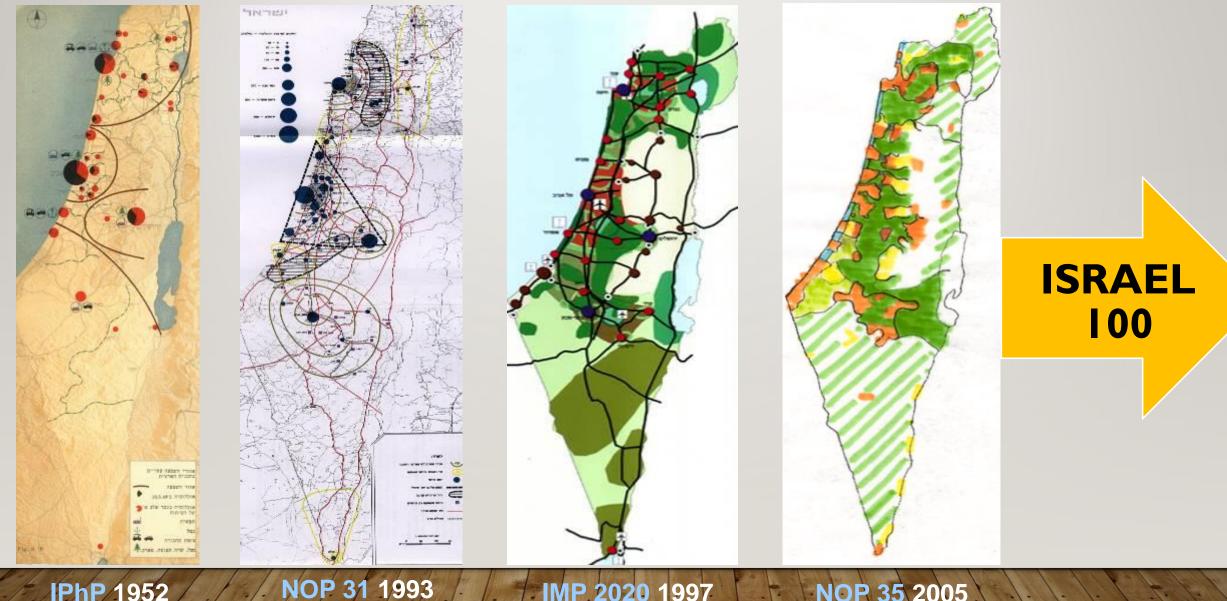
STRUCTURE OF ISRAEL'S PLANNING AUTHORITIES:



DISTRICT COMMITTEES BECAME STUCK



COMPREHENSIVE NATIONAL OUTLINE PLANS IN ISRAEL:



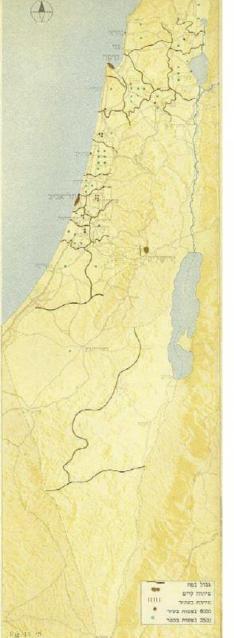
IPhP 1952

IMP 2020 1997

NOP 35 2005

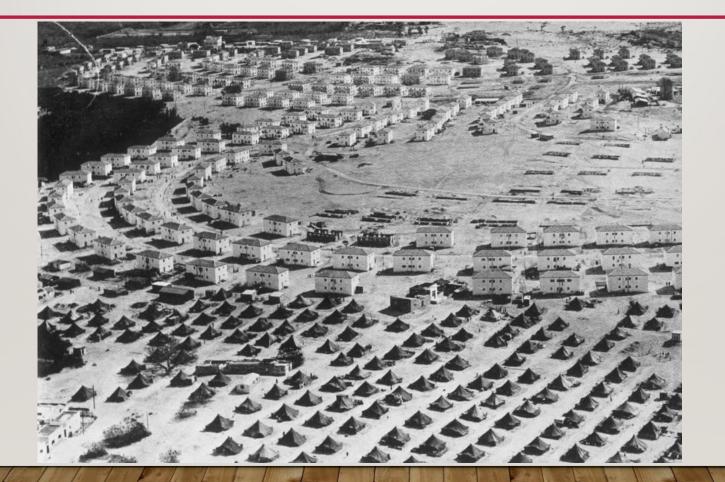
"THE SHARON PLAN" 1952

- Creation of new urban center.
- Redistribution of the population.
- New settlements for new immigrants.

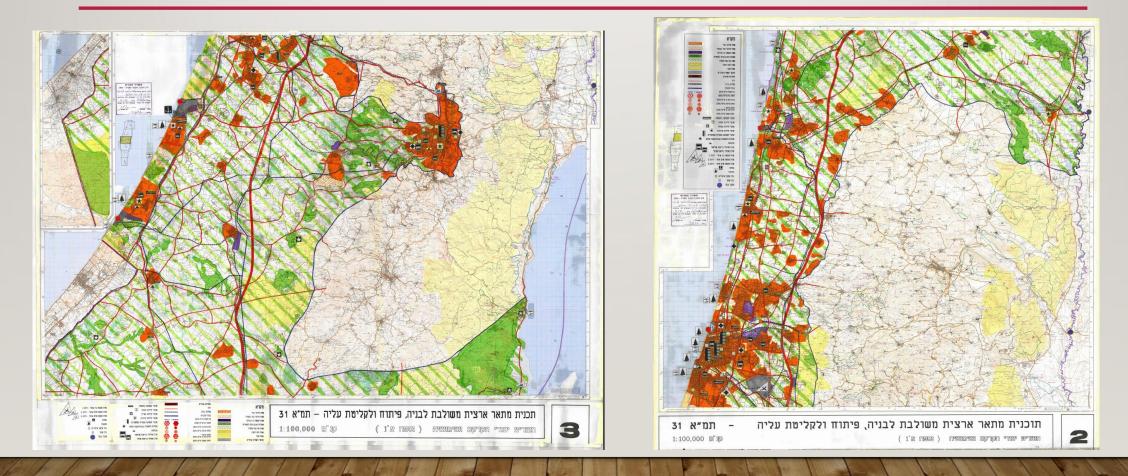




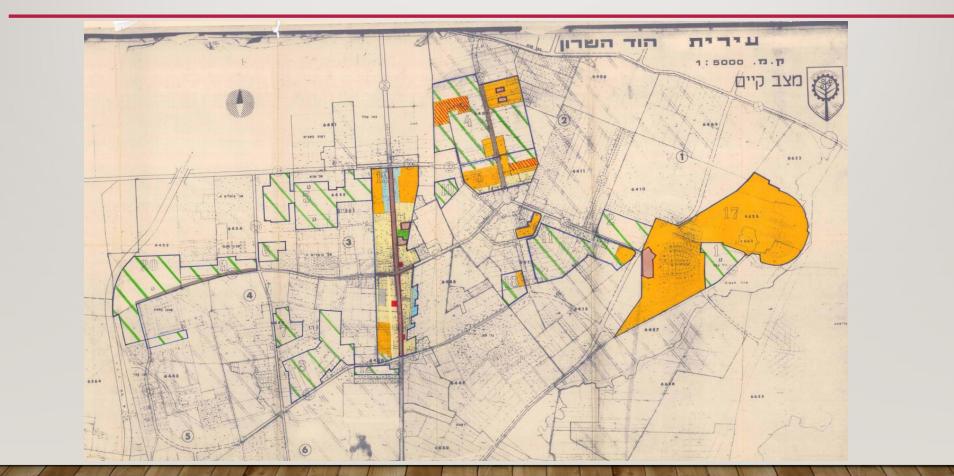
Bat Yam



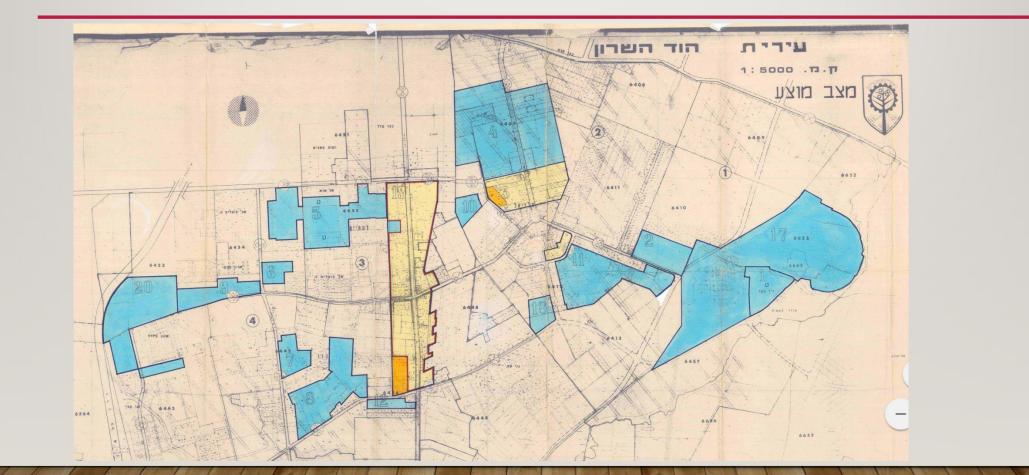
NOP 31(1993) – VAST DEVELOPMENT OF PREVIOUSLY AGRICULTURE LANDS



HOD HA SHARON – AN ORCHARD VILLAGE



HOD HA SHARON MASTER PLAN 1990'S:

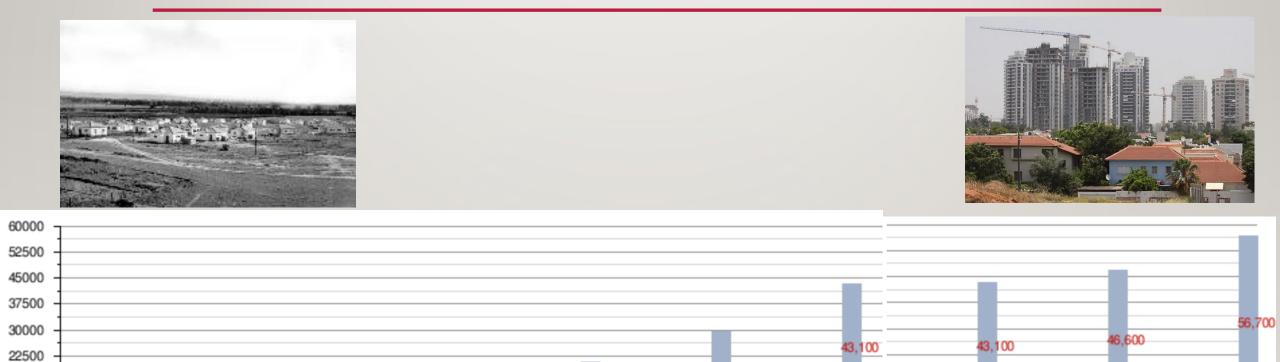


HOD HA-SHARON: NOP 31 IMPACT

13,900

12,100

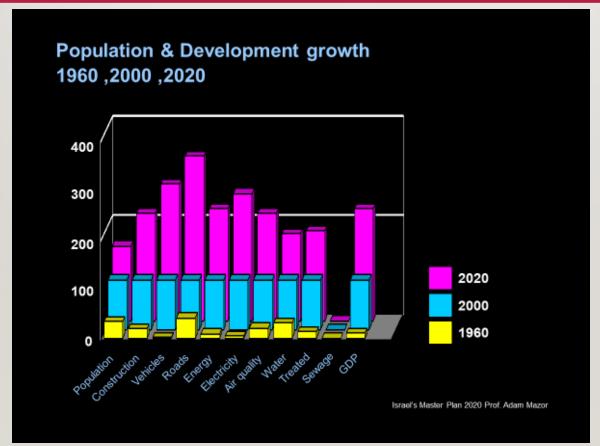
11,200



20,600

29,300

NOP 35 – ASSUMPTIONS:



1995-2020: An Accelerated Process of Change:

- Population of 9 million in 2020 (7 million in 2006).
- Annual need 50,000 dwelling units, increase of average dwelling floor space per person: 28 to 39 m2.
- Addition of 175 million m2 for residential use to the existing 150 million m2.
- Addition of 100 million m2 for non-residential uses.
- Addition of 600 km2 to the built area (In 1995 -1200 km2).
- An increase in infrastructure capital from \$25 to \$120 billion.
- An annual increase of 13% in human capital investments an annual average increase of \$1 billiion.

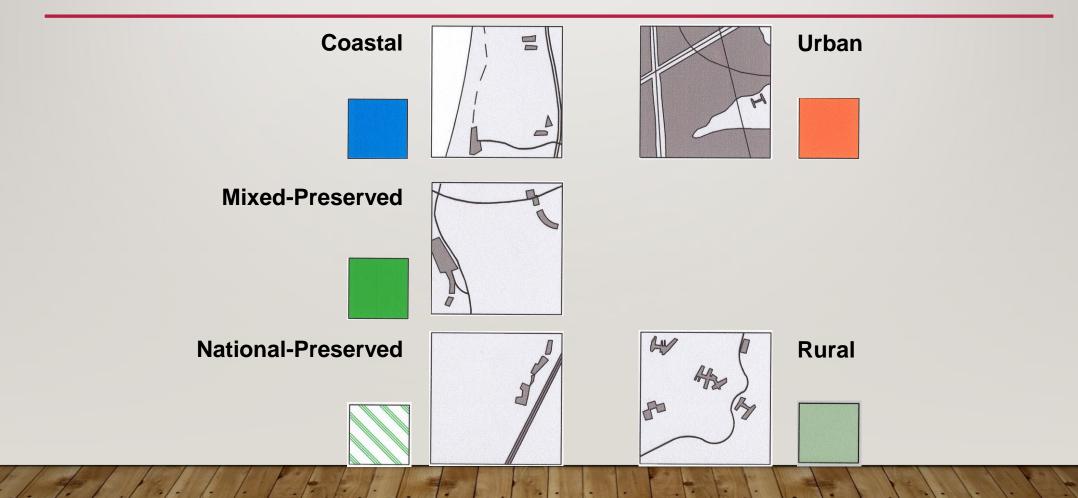
NOP 35: Main Objectives

- Narrow the gaps between groups and regions: *cultural diversity* & *instrumental collaboration.*
- Strengthen cities and discourage suburban sprawl.

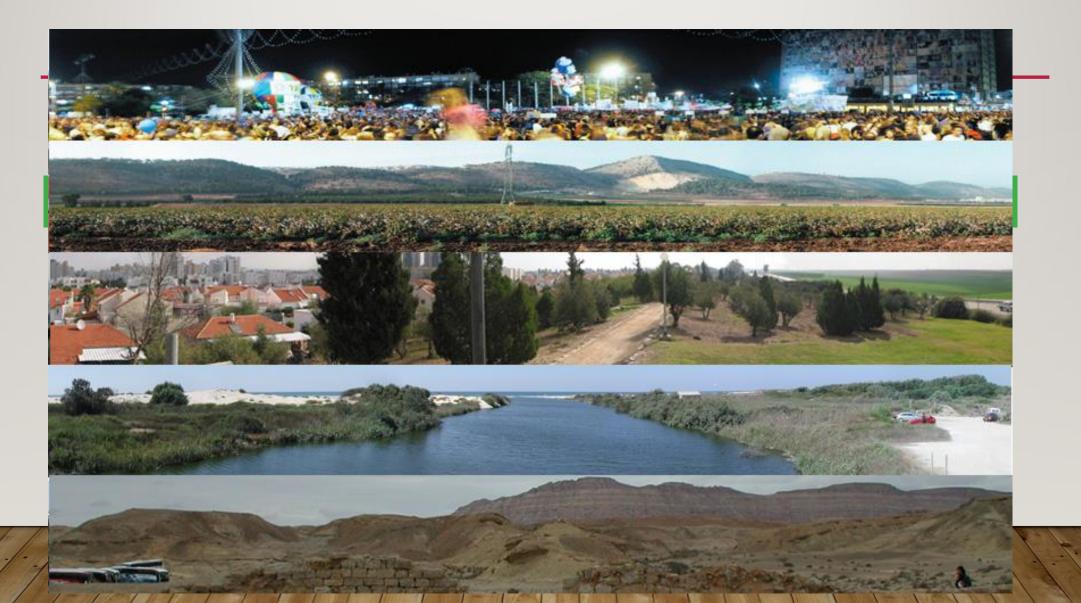
- Preserve open space, agriculture, rural landscapes and cultural heritage.
- Accelerate development of Public Transport.

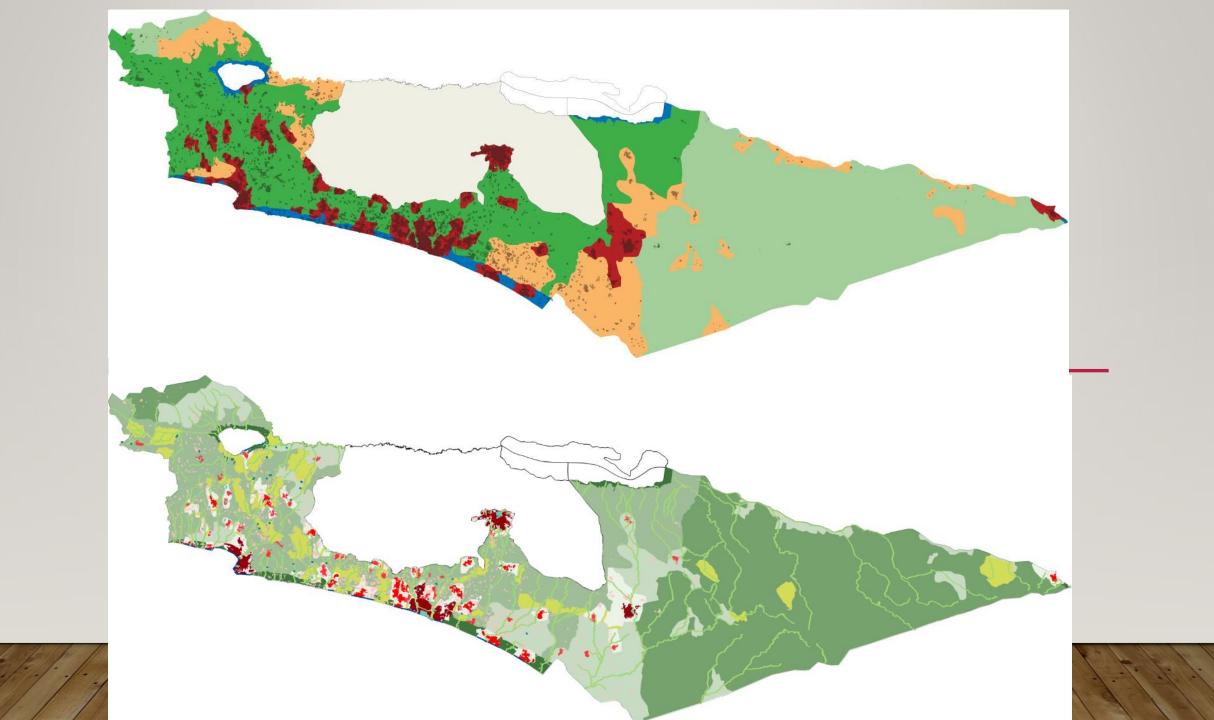


The Textures

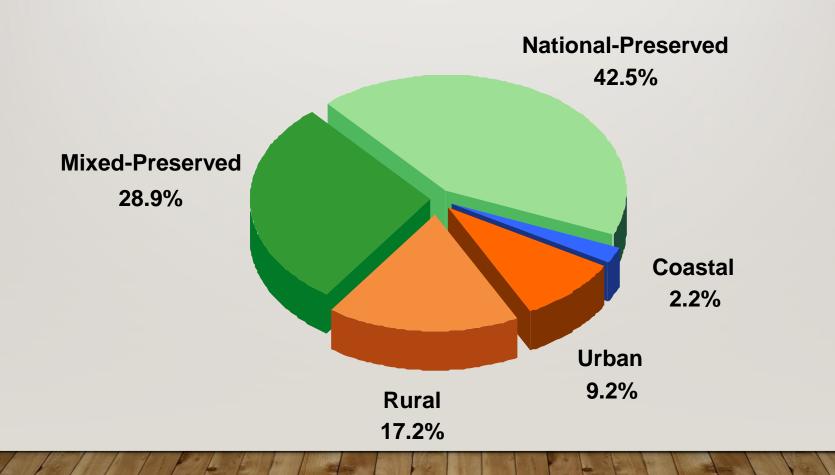


FIVE TEXTURES





NOP 35: Division Of Israel's Land Area in 2020



MAIN PRINCIPLES OF THE STATUTORY GUIDELINES

Encourage growth of communities within Urban Textures: No limit to population targets in communities, except for "Moshavim" and "Kibbuzim".

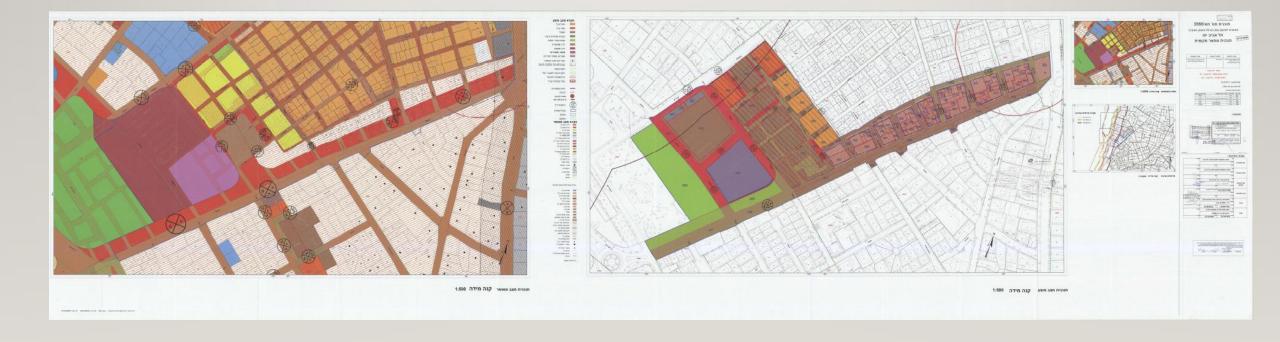
Incremental utilization of the urban "search areas": Ensuring contiguous development, limited deviation from district outline plans, allocating a pre-determined % of interurban open space.

Control growth of rural communities: Growth of "Moshavim" & "Kibbuzim": 350, 400, 450, 500 res. units according to size and location.

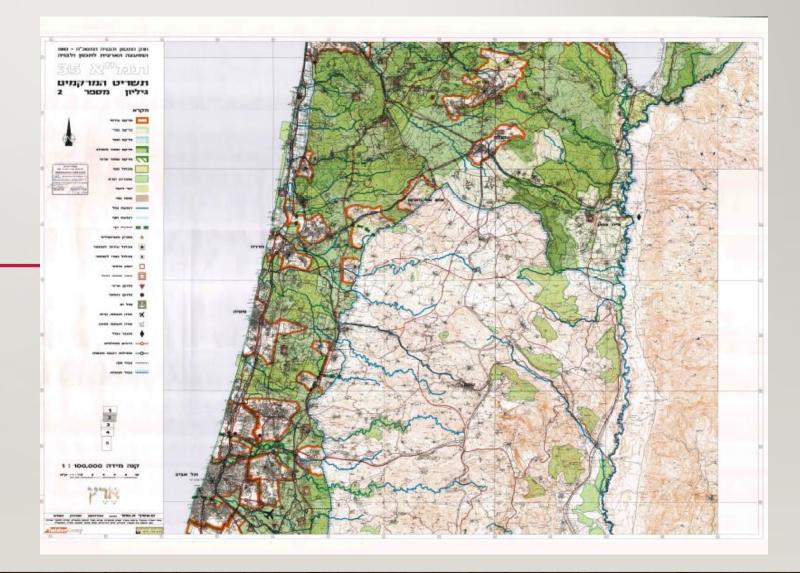
Examples of Statutory Guidelines

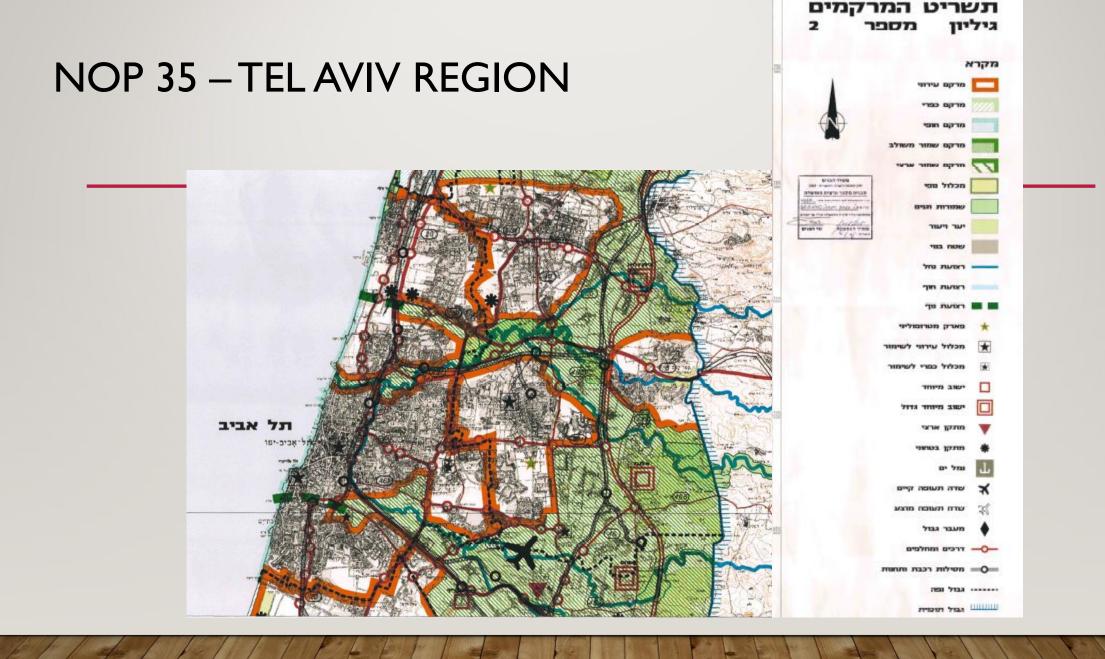
- Concentrate Non Agricultural Employment & Commerce in Cities and Adjacent Aareas.
- Limit to urban communities & share local tax income.
- Mandatory affordable housing.
- In Preservation-Oriented Textures, pending an Environmental Impact Statement. Regulations for Infrastructure Development with an Emphasis on Public Transport: Mandatory Guidelines in local and detailed plans.
- Initiate Plans and Policy Documents: Urban rejuvenation

LOCAL DETAILED PLANS:"HA CARMEL MARKET" TOTAL AREA- 75 DUNAMS



NOP 35 – TEL AVIV REGION





TEL AVIV DISTRICT MASTER PLAN



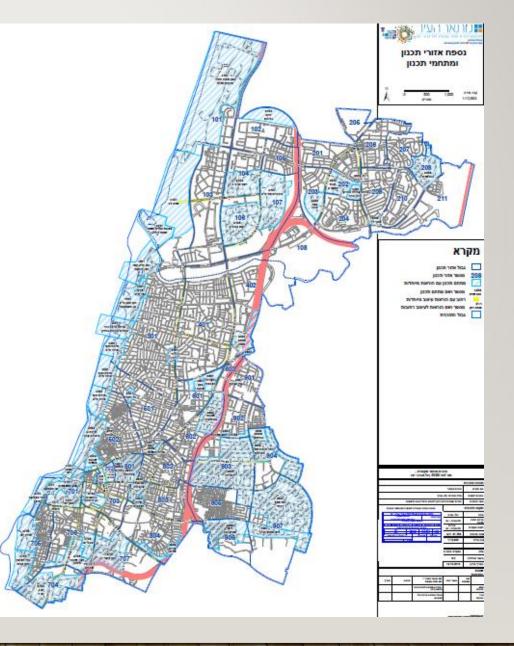


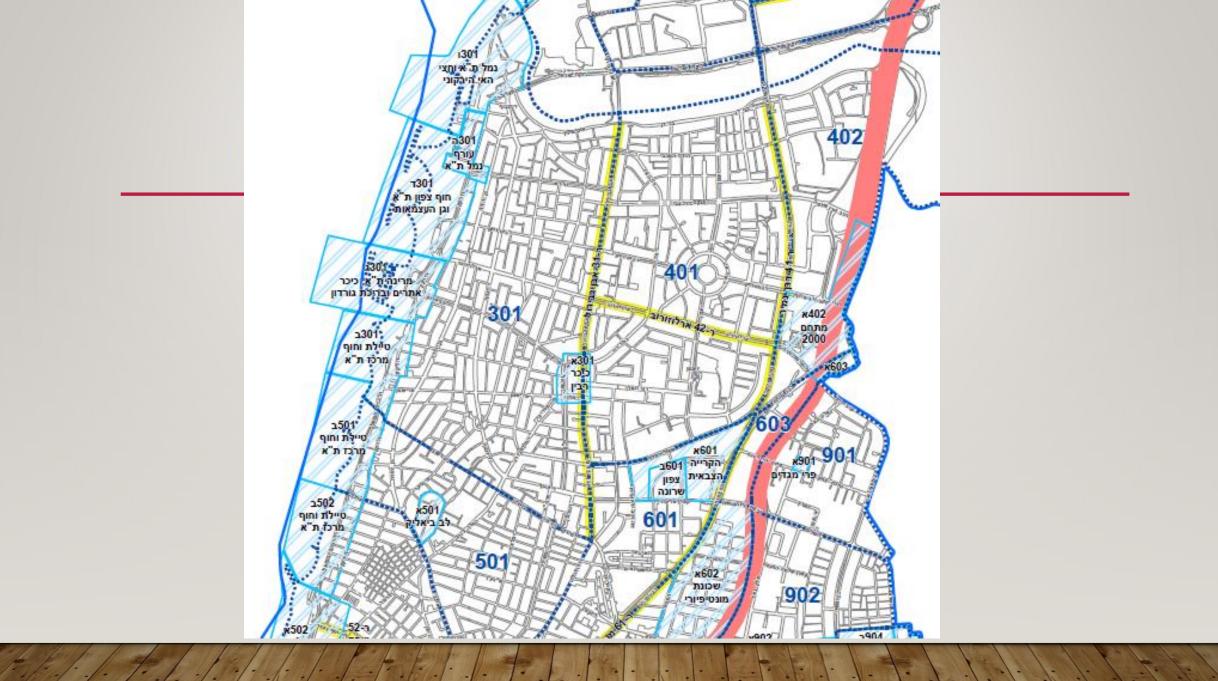




TEL AVIV LOCAL COMPREHENSIVE PALN

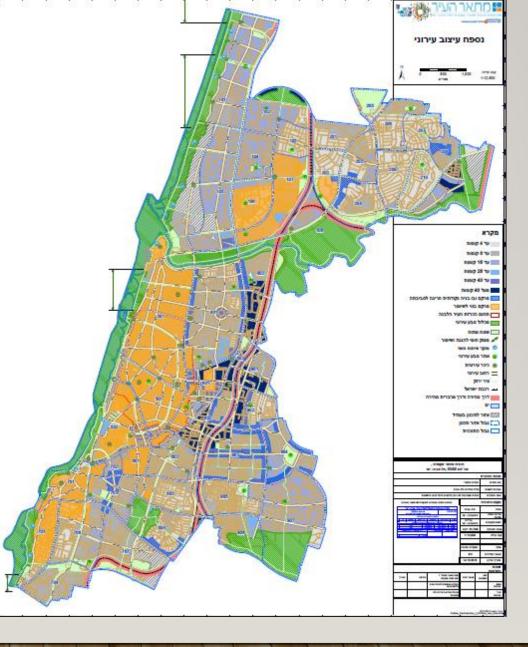
Zoning regions map

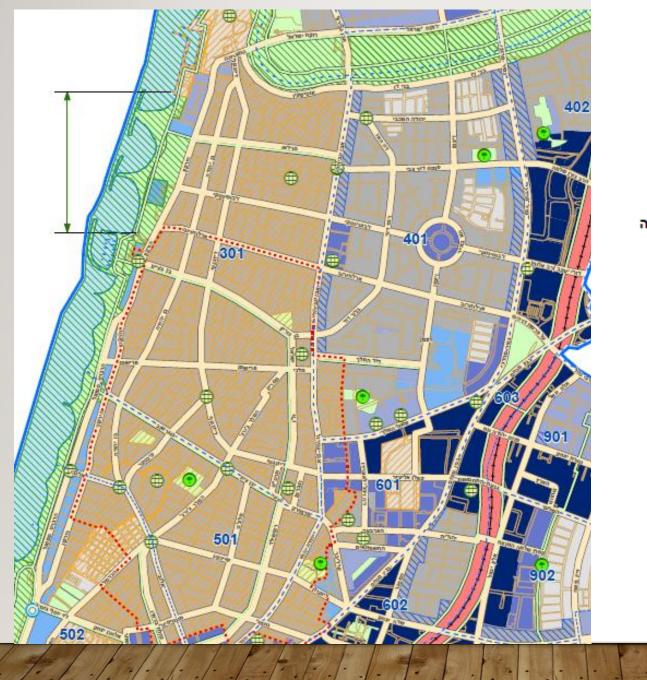




TEL AVIV LOCAL COMPREHENSIVE PALN

Urban design map

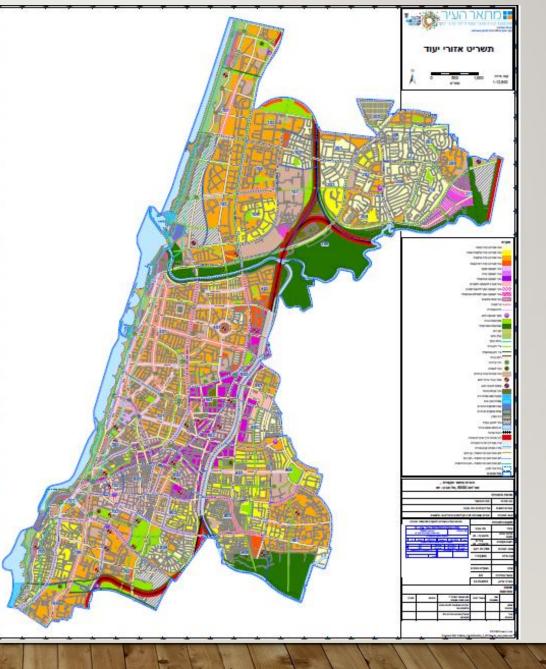


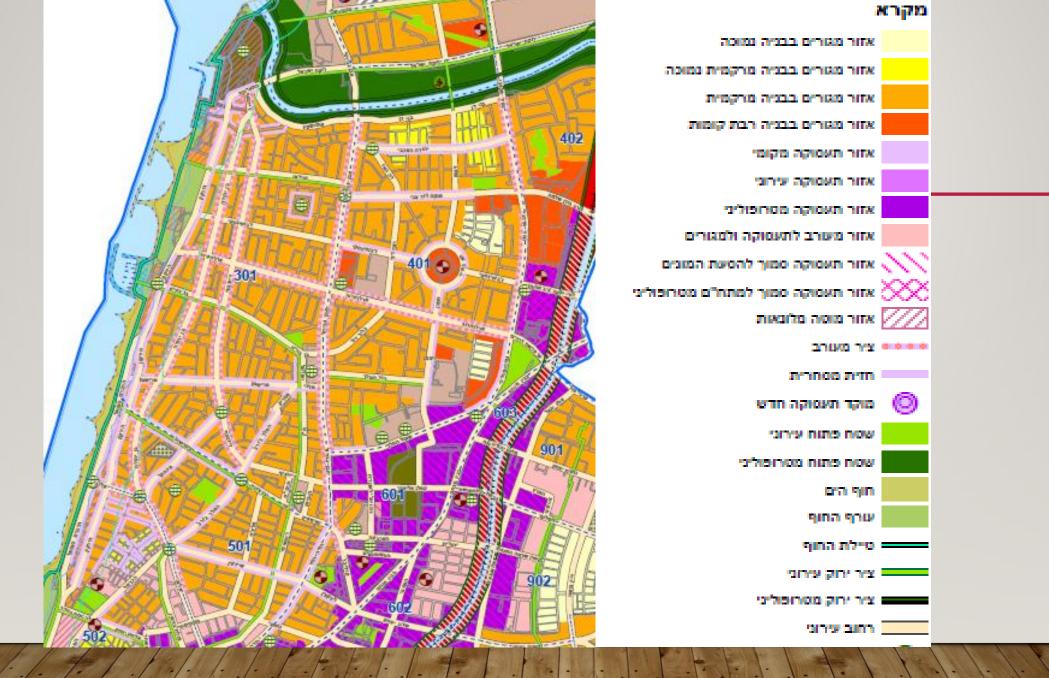




TEL AVIV LOCAL COMPREHENSIVE PALN

Permitted uses map





INDUSTRIAL BUILDING IN SOUTHERN TEL AVIV:



PLOT AREA 4,750 SQM. BUILT AREA 7,500 SQM

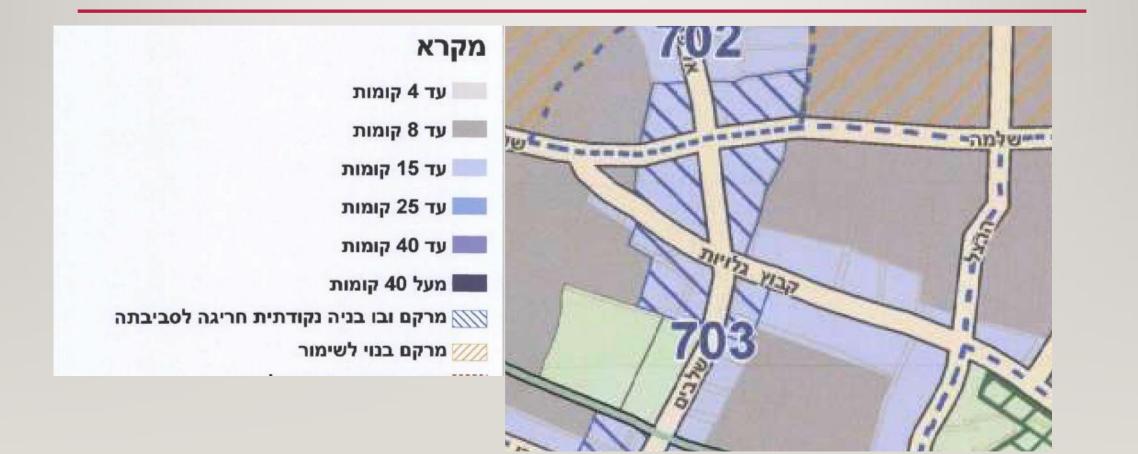
FAR - 150%



ZONING AREA 703



MAX HIGHT – 15 FLOORS



MUNICIPAL EMPLOYMENT AREA



מקרא



PERMITED USES:

- Offices and High-Tec.
- Commerce.
- Light industry.
- Restaurants and cafes.
- Cinema and entertainment halls.
- Up to 25% residential, not facing main streets.

FAR: BETWEEN 400% TO 700%

(ב) <u>שטחי הבניה</u>

שטחי הבניה יקבעו בהתאם לטבלה המפורטת להלן ובכפוף להוראות סעיף 3.1.3 לעיל וליתר הוראות תכנית זו :

: באזור תעסוקה עירוני סמוך לציר מתעיין (1)

רחייק מרבי	רחייק בסיסי	גודל המגרש
7	4.0	עד 2 דונם
8	4.0	מעל 2 דונם

: באזור תעסוקה עירוני (2)

רחייק מרבי	רחייק בסיסי	גודל המגרש
6	4.0	עד 2 דונם
7	4.0	מעל 2 דונם