Enhancing the Public Share of Highway Benefits: The French Experience

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Because of a high premium placed on management and control of land resources in the national interest, the French have developed some of the most effective tools for land use control in the western world. Among these are a sophisticated set of performance-based zoning designations combined with coordinated land use and transportation planning. This paper describes the functions and purposes of 3 of these designations: (a) Priority zones for urban development are designed to control land development by concentrating urbanization in designated areas outside but adjacent to built-up urban areas; (b) zones for cooperative or planned urban development provide a flexible formula for joint public-private development to permit large-scale, well-designed developments in and around major urban centers; and (c) differed development zones provide a mechanism to prevent large-scale speculation in land and to protect areas of environmental interest and areas in which some major public improvement is foreseen in the long-term future. The paper concludes by illustrating the operation of this system, which began with the development of a regional development plan calling for a new Paris-Rouen-Normandy expressway and is resulting in the creation of a new town, Le Vaudreuil.

This paper discusses French experience with using the increased accessibility and potential for change brought about by highway building to achieve related land use development or other benefit in the public interest. In France, the implications of the highway building program—mainly the autoroutes or intercity expressways—are just beginning to be fully realized. Although there may not be a specific category of activity in connection with highway construction that involves systematically examining the potential public benefits of each facility and developing an appropriate response, there are some interesting potentialities for this to happen in France because of the sophisticated system of land use planning, control, and management.

Because French culture and public policy put such a high premium on management and control of land resources in the national interest, the French have developed, in a system of private land ownership, some of the most effective tools for land use control in the western world. Public officials responsible for both highway planning and land use regulations are in the same government ministry; planning at the local or regional level for both land use and transportation is done by people in the same agency. These circumstances give the French a real potential for maximizing the land development benefits of highway investments, if they so desire. French planners cannot only plan joint transportation–land use development schemes that coordinate the transportation investments with the land use developments but also implement them as well.

PERFORMANCE-BASED ZONING DESIGNATIONS

To this end, the French have also developed a sophisticated set of performance-based zoning designations, 3 of which are of particular interest.
Priority Zones for Urban Development

Designed to control land development by concentrating urbanization in designated areas outside but adjacent to built-up areas, priority zones for urban development (zones a urbaniser par priorite or ZUP) have often been designated in areas adjacent to circumferential or ring roads, which are popular features of French town plans since World War II and which have obviously helped stimulate pressure for development in adjacent undeveloped land. In effect, the ZUP is an antisprawl device. The creation of the ZUP allows public authorities to

1. Develop a comprehensive land use-circulation plan for the entire zone, which may range from small tracts of 100 ha to large tracts of 40,000 ha or more;
2. Acquire land under the laws of preemption—at values fixed by a special legal formula—and control the land values within the zone;
3. Specify the types and locations of all developments within the zones, including highways and other transportation facilities; and
4. Refuse to grant building permits outside of the zone.

Although similar in concept to urban renewal areas in the United States, the ZUP can also be used in predominantly vacant or underdeveloped suburban zones to control development.

Zones for Cooperative or Planned Urban Development

Zones for cooperative or planned urban development (zones d'aménagement concerte or ZAC) are land use zones designed to provide a flexible formula for joint public-private development. Different from the ZUP, which is built around public authority initiative, the ZAC allows for concerted or cooperative public-private planning and building in a particular zone. When a ZAC is created, the provisions of the local zoning laws can be superseded. Land can be acquired by public authorities under the laws of preemption (eminent domain), and land transactions and trading within the zone can take place between public and private interests, in accordance with a jointly developed land use plan. Local building permit requirements can be altered and local taxes adjusted to provide a more equitable tax burden among the property owners.

Used basically to permit large-scale, well-designed developments in and around major urban centers, ZACs often have been designated at the intersections or urban expressway systems where integrated shopping centers, high rise apartments, office complexes, and sometimes whole new towns are being built.

Differed Development Zones

The third type of zone is the differed development zone (zones d'aménagement différé or ZAD), which provides a mechanism to prevent large-scale speculation in land in areas that will be developed at some future time but for the present should be kept off the private land market in the public interest. This mechanism has been used both to protect areas of natural beauty or environmental interest when their accessibility has been improved by the opening up of a new highway and areas in which some major public improvement is foreseen in the long-term future.

Application of ZAD consists of 2 phases. The first is the preoperational phase during which the land values in an area are frozen for a specified period of time. Speculation in real estate is discouraged by the inability of owners to sell their land at anything but the price of land fixed at the time of designation. The second phase begins when the operations, foreseen when the zone was originally established, begin. In this operational phase, the ZAD has many of the characteristics of the other development zones, including the operation of preemption (eminent domain) powers by public authorities, creation of comprehensive areawide plans, joint public-private development, and the like.
CASE STUDY: THE NEW TOWN OF LE VAUDREUIL

This battery of zoning mechanisms provides the French with a set of flexible controls that can be used to ensure that public benefits are realized when development opportunities arise, including, of course, those created by new highways. The operation of these mechanisms is best illustrated by the process that is resulting in the creation of one of the French new towns—Le Vaudreuil—near Rouen.

Planning Stage

The process started some years ago when the development plan for the region, which called for a new expressway to connect Paris with Rouen and Normandy to the north-west, was being prepared. The line of the expressway was to pass close to a flat plain sandwiched between the River Seine and some low hills—a site considered by the planners to be ideal for the creation of a new town needed to accommodate some of the populations of both Paris and Rouen. The expressway location and its interchanges were then planned to give maximum possible accessibility to this site.

Implementing the Plan and Controlling the Land

Once the regional plan was approved, the planners were able to have all of the new town site designated as part of a ZAD to prevent private real estate speculation from driving up land costs and thus rendering new town development financially infeasible. At the same time, a new town development corporation—a joint instrumentality of the national government, local governments, and some private banking interests—was established and empowered to purchase land in the ZAD as needed and to plan the new town.

Helping the Existing Villages

One of the first tasks of the new town corporation was to plan an internal highway system for the area. Sites to permit the expansion of 2 little villages that had existed in the area for hundreds of years were then designated. Each of the villages created a ZAC that, with the aid of private developers and the new town corporation, was turned into new housing, an industrial park, and schools to handle both the needs of the villagers and the influx of people who will be building the new town.

Building the New Town

The new town corporation is in the process of preparing sites for sale or transfer to private developers or local government agencies for construction of various elements of the new town, using the particular zoning designations, as appropriate, to ensure proper development. The new town corporation is working with the national and local agencies to build the roads and all the other community facilities and with private developers and housing authorities to build the housing.

Two critical factors have made possible the development of Vaudreuil: (a) the ability of initial planners to plan the new Paris-Rouen highway and designate the new town coincidentally and in concert and (b) the ability of the planners to subsequently control and manage the land in question so that the "public" was able to take full advantage of the new accessibility of the site for development in the public interest.

CLOSING REMARKS

I am not an advocate of applying the French system as is to our problems in the United
States. Our governmental systems, philosophies, and attitudes toward land and development may be too different to allow that. However, there are, in my opinion, some interesting lessons that we can learn from the French, particularly in the application of land management techniques, and that we might adapt to our system. I think that some of these may be well worth exploring by federal, state, and local government officials responsible for both highway and land development.