



Back to Basics:

Designing Communities by the Spanish Law of the Indies

King Phillip (Spain) signed the Spanish Law of the Indies in 1573. They contained essential city planning standards for towns in the new world. The designs of St. Augustine, Pensacola, and Savannah were influenced by these laws.



Had certain design aspects of these 148 “Laws of the Indies” (LOI) been maintained until today, they would have prevented many of central Florida’s current sprawling development patterns and transportation problems.

LOI §40

Do not select sites that arein low lands (wetlands).

We have drained hundreds of square miles of wetlands in central Florida. But it is seldom advisable, and should be avoided or minimized.

LOI §43

Having selected the area, province and site where the new settlement is to be built, and having established the existing opportunities for development, the governor in whose district the site is should decide whether the site should become a city, town or village.

Not all places are created equal, and it takes resources to create and maintain a “metropolitan city”. Therefore, there must be a design on where new centers should or should not occur within the next 50 years. We should build in the most appropriate locations that can be reasonably served with services and transportation.

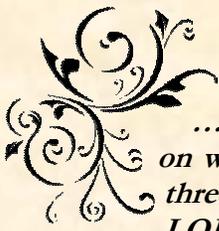
LOI §90

...allocate sufficient public land and grounds for pasture...plus another portion for the natives of the area.

LOI §110

In arriving at the place where the new settlement is to be founded - which ... shall be one that is vacant and that can be occupied without doing harm to the “Indians and natives.”

If we substitute the words “wildlife and ecosystems” for “Indians and natives” and “local agriculture” for pasture these are still the most meaningful rules for beginning any new settlement.



LOI §103

...the persons willing to populate the town shall receive the amount of peonias and caballerias on which he is willing and able to build as long as no one is awarded more than five peonias nor three caballerias. [LOI §104-a peonia is an urban lot 46 feet wide and 92 feet deep (4,232 sq. ft.); LOI §105-a caballeria is an urban lot 92 feet wide and 194 feet deep (17,848 sq. ft.)]

These lot sizes are significant because a settler only bought the number of lots he could afford. A settler could have built a home on a single lot 46' x 92'. From a sustainability standpoint, this is an ideal urban lot size today. If a resident wanted a larger lot, they could purchase additional lots without disrupting the organization and structure of the community (92' x 92', 138' x 92' and so forth). But no one could purchase more than 53,544 square feet or 1.22 acres. In this manner, there would be a mixture of lot sizes, according to people's ability to build. This is not allowed by current zoning, which forces all lot sizes to be the same within a district. Thus, in old cities built before zoning there was architectural and social diversity.

LOI §110 (cont)

- a plan for the site is to be made, dividing it into squares, streets, and building lots, using cord and ruler, beginning with the main square from which streets are to run to the gates and principal roads and leaving sufficient open space so that even if the town grows, it can always spread in the same manner.

LOI §112& 113

The main plaza is to be the starting point for the town.... The plaza should be square or rectangular, in which case it should have at least one and a half its width for length. The plaza shall not be less than 300 feet long and 200 feet wide, and not larger than 800 feet long by 530 feet wide. A good proportion is 600 feet long by 400 feet wide.

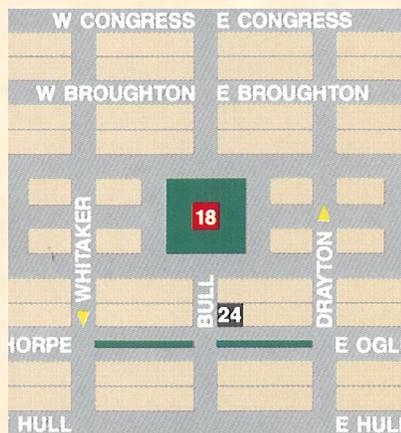
Start with the squares. This is the rule that zoning forgot. Every community must have organized public open space, and under the Laws of the Indies the main plaza was the beginning of the design. Its size, whether square or rectangular, should be proportional to the number of town inhabitants.

LOI §114& 117

From the plaza shall begin four principal streets: One shall be from the middle of each side, and two streets from each corner of the plaza. The streets shall run from the main plaza in such manner that even if the town increases considerably in size, it shall not result in some inconvenience that will make ugly what needed to be rebuilt, or endanger its defense or comfort.

The prescribed grid of interconnected streets can be repeated without disturbing the original street patterns or lots of the community, encouraging sustainability and connectivity. When all streets connect, traffic can flow in all directions. This reduces the impact on any one intersection.

This one law, had it been followed in central Florida, would have improved traffic patterns and reduced congestion. How? Some areas along I-4 are so disconnected by cul de sacs that the only way to travel north or south for local trips is to drive on I-4, reducing its ability to function as an Interstate highway.



Wright Square in Savannah, Georgia



Regarding mixing residential, commercial and government institutional uses:

In public areas around the squares, near the center of the city, the laws indicate that the land should not be used for private dwellings but rather civic and public spaces. Therefore, mixed uses are not only allowed but required. This would have reduced our traffic problems because small shops and stores would be located in each neighborhood, thus making walking to get daily provisions an option, reducing auto trips.

LOI § 118

Here and there in the town, smaller plazas of good proportion shall be laid out...



Public Square in Savannah, Georgia



Smaller square in historic St. Augustine, FL

The message—all neighborhoods need a small park at their core.

LOI § 129

Within the town, a commons shall be delimited, large enough that although the population may experience a rapid expansion, there will always be sufficient space where the people may go to for recreation and take their cattle to pasture without them making any damage.



Forsthye Park, Savannah, GA, approximately 8 acres

The message is clear: provide for large, common open space in the initial design.

LOI § 134

Try as far as possible to have the buildings all of one type for the sake of the beauty of the town.

The Spanish Laws of the Indies were based upon Vitruvius' Ten Books of Architecture written circa 10 B.C. Vitruvius advised: "buildings should be durable, useful, and beautiful." Big box commercial buildings do not follow this advice and are often vacant after only 10 years of use.



Architectural examples from Savannah, Georgia. These buildings are durable (100-200 years old), beautiful and useful, as advised by Vitruvius.



Let's apply the Spanish Law of the Indies to a real development.

Approved Development

Orange County, FL



Approximately 3,000 dwellings, external commercial, golf course

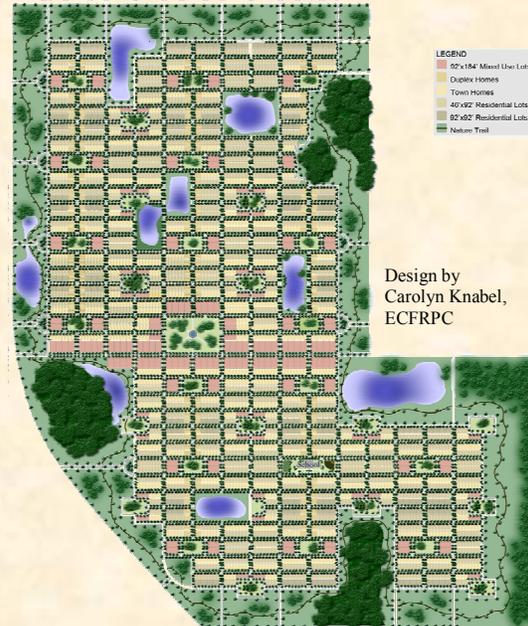
- With only 4 entrances to one access road, traffic chokes those four intersections.
- No connections to adjacent property.
- No connections between neighborhoods.
- Most human needs require an auto trip.
- No solar orientation of streets.
- Golf course has a significant environmental impact, benefits only golfers, and is expensive to build and maintain.



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Alternative Design

based on classic design standards from the Spanish Law of the Indies



Approximately 3,000 dwellings, internal commercial, parks, trails, main square, 32 neighborhood squares

- 21 exterior road connections result in less impact on any single intersection.
- Main square is large open space surrounded by schools, local stores, government agencies, and churches.
- Significant job generator with mixture of residential, commercial and institutional
- Small square, within 1/4 mile of every house, in every neighborhood serve as the local park.
- All neighborhoods are walkable and cross connected allowing walking and biking to work and school.
- Diversity of housing products and costs
- Less greenhouse gases
- Similar lots and no golf course means less water consumption
- Proper solar orientation of streets.
- Parks and open space for all to use, less expensive to build and maintain than golf courses.