Form-Based Codes

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November 29, 2017



International Municipal Lawyers Association

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What is the simplest way to describe a form-based code?

Form-Based Code

- A relatively new name
- For emerging regulatory techniques
- To serve traditional development patterns

The simplest description…

Form-Based Code

/fôrm-bāsed kōd/

noun

A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.

Formal definition *[Form-Based Codes Institute]*

Form-Based Code

/fôrm-bāsed kōd/

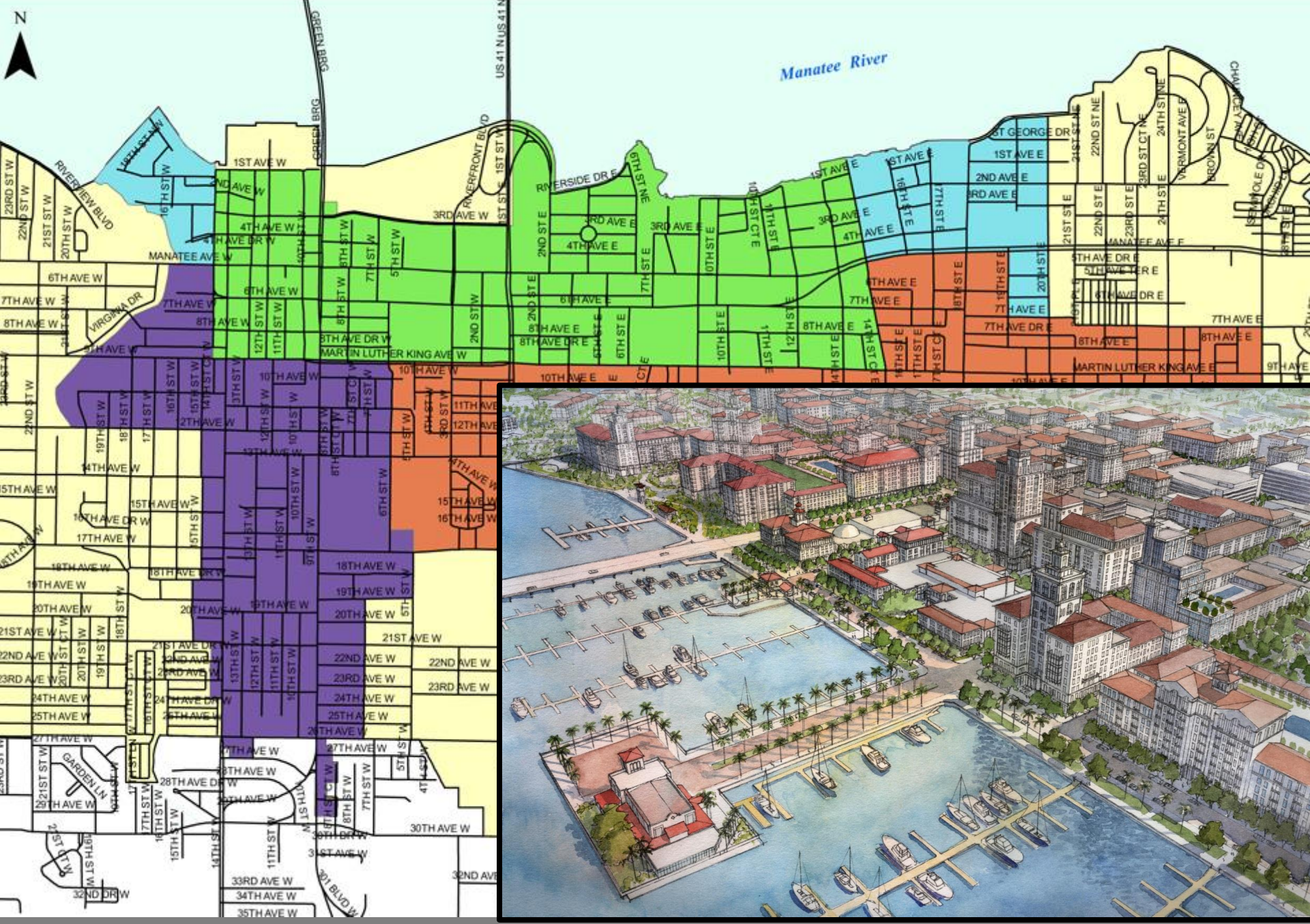
noun

A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.

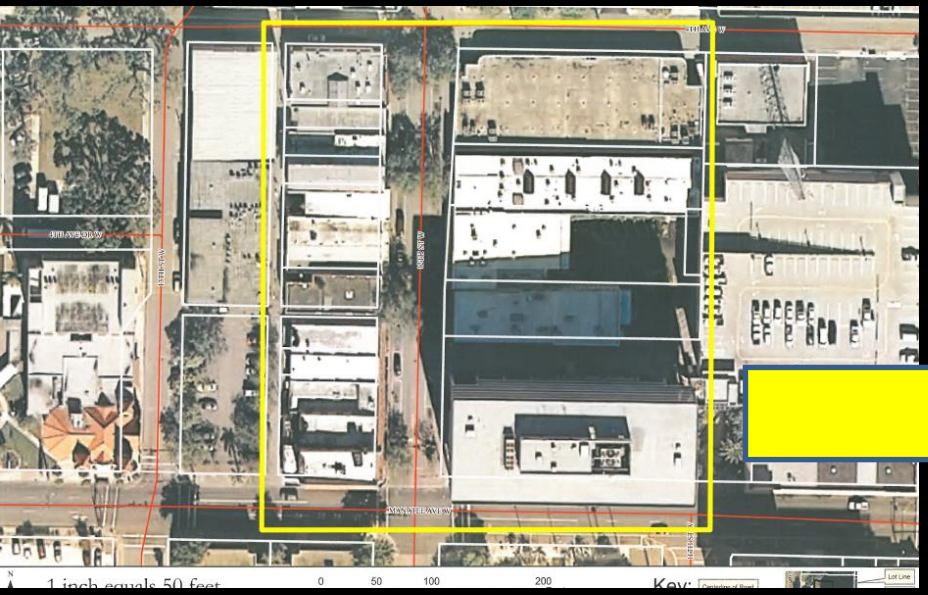
A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law.

Formal definition *[Form-Based Codes Institute]*

Why do communities decide to use a form-based code to supplement their zoning regulations?



WHY? To revitalize a downtown…





Bradenton Public Session Synoptic Surveys

Table Number: _____

Street Segment: _____

Building Uses (check all that apply)

_____ Retail
_____ Office
_____ Industrial
_____ Civic
_____ Single-family Residential
_____ Multi-family Residential
_____ Other:

Building Height (use photograph on back side)

_____ Maximum Stories
_____ Minimum Stories

Building Placement (measure and insert estimated average or typical number)

_____ Front Setback
_____ Side Setback
_____ Rear Setback (from an alley)
_____ Rear Setback (without an alley)

Are there outbuildings on the residential lots?

_____ Yes _____ No

Parking Location (check all that apply)

_____ On-Street
_____ In Front of Building
_____ Behind Building
_____ Side of Building
_____ Parking Garage
_____ No Designated Parking Area

Lot Sizes (measure and insert number)

_____ Maximum Width
_____ Minimum Width
_____ Maximum Depth
_____ Minimum Depth

Lot Frontage and Coverage for commercial and office buildings (estimate)

_____ % Building Coverage of Lot
_____ % Building Frontage along front Setback

Street Elements (check all that apply)

_____ One-Way Traffic
_____ Two-Way Traffic
_____ On Street Parking
_____ Bike Accommodations
_____ Sidewalks
_____ Planting Strips
_____ Tree Wells
_____ Street Trees
_____ Crosswalks
_____ Awnings, Galleries or Arcades
_____ Streetlamps

Street Section (measure and insert number)

_____ Width of Right-of Way
_____ Width of Pavement
_____ Width of Sidewalk

WHY? To protect a historic neighborhood: start by measuring existing





Bradenton Public Session Synoptic Surveys

Table Number: 1

Street Segment: 12TH BETWEEN 11TH + 12TH

Building Uses (check all that apply)

- X Retail (STUDIOS)
- ____ Office
- ____ Industrial
- ____ Civic
- X Single-family Residential
- ____ Multi-family Residential
- ____ Other:

Height (use photograph on back side)

- 2 Maximum Stories
- 1 Minimum Stories

Building Placement (measure and insert estimated average or typical number)

- ~10'-15' Front Setback
- ~8' Side Setback
- N/A Rear Setback (from an alley)
- 5-50' Rear Setback (without an alley)

Are there outbuildings on the residential lots?

- X Yes
- ____ No

Parking Location (check all that apply)

- X On-Street
- ____ In Front of building in surface lot
- X Behind building in surface lot
- ____ Side of building in surface lot
- ____ Parking Garage
- ____ No Designated Parking Area

Lot Sizes (measure and insert number)

- 70' Maximum Width
- 50' Minimum Width (TYPICAL)
- 100' Maximum Depth
- 75' Minimum Depth

Lot Frontage and Coverage for ~~commercial and office buildings~~ (estimate)

- 40 % Building Coverage of Lot
- 60 % Building Frontage along front Setback

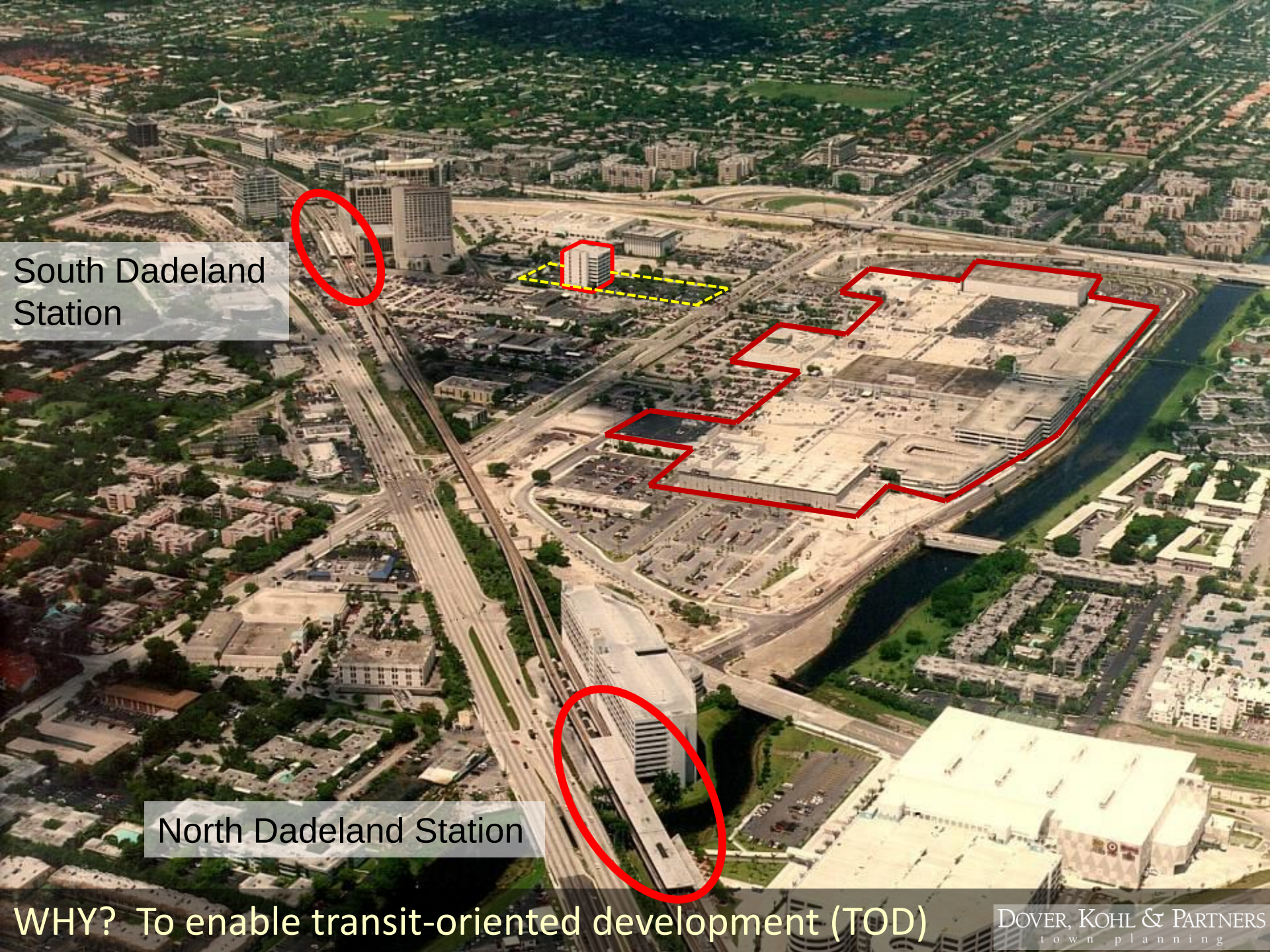
Street Elements (check all that apply)

- ____ One-Way Traffic
- X Two-Way Traffic
- X On Street Parking
- ____ Bike Accommodations
- X Sidewalks
- ____ Planting Strips
- ____ Tree Wells
- ____ Street Trees
- X Crosswalks
- X ~~Awnings, Galleries or Arcades~~ PORCHES
- X Streetlamps

Street Section (measure and insert number)

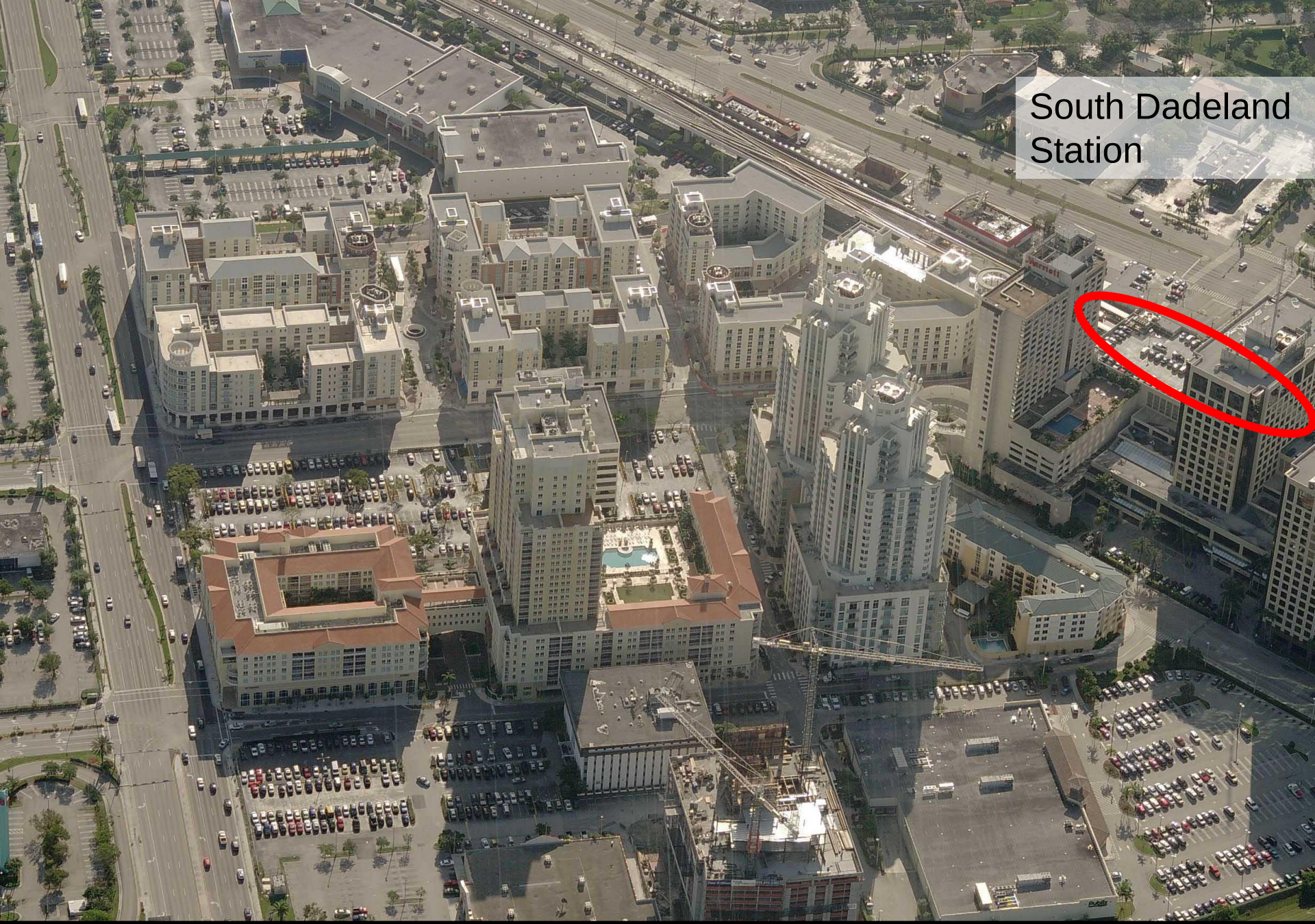
- 45' Width of Right-of Way
- 20' Width of Pavement
- 8' Width of Sidewalk

WHY? To protect a historic neighborhood: apply as new metrics



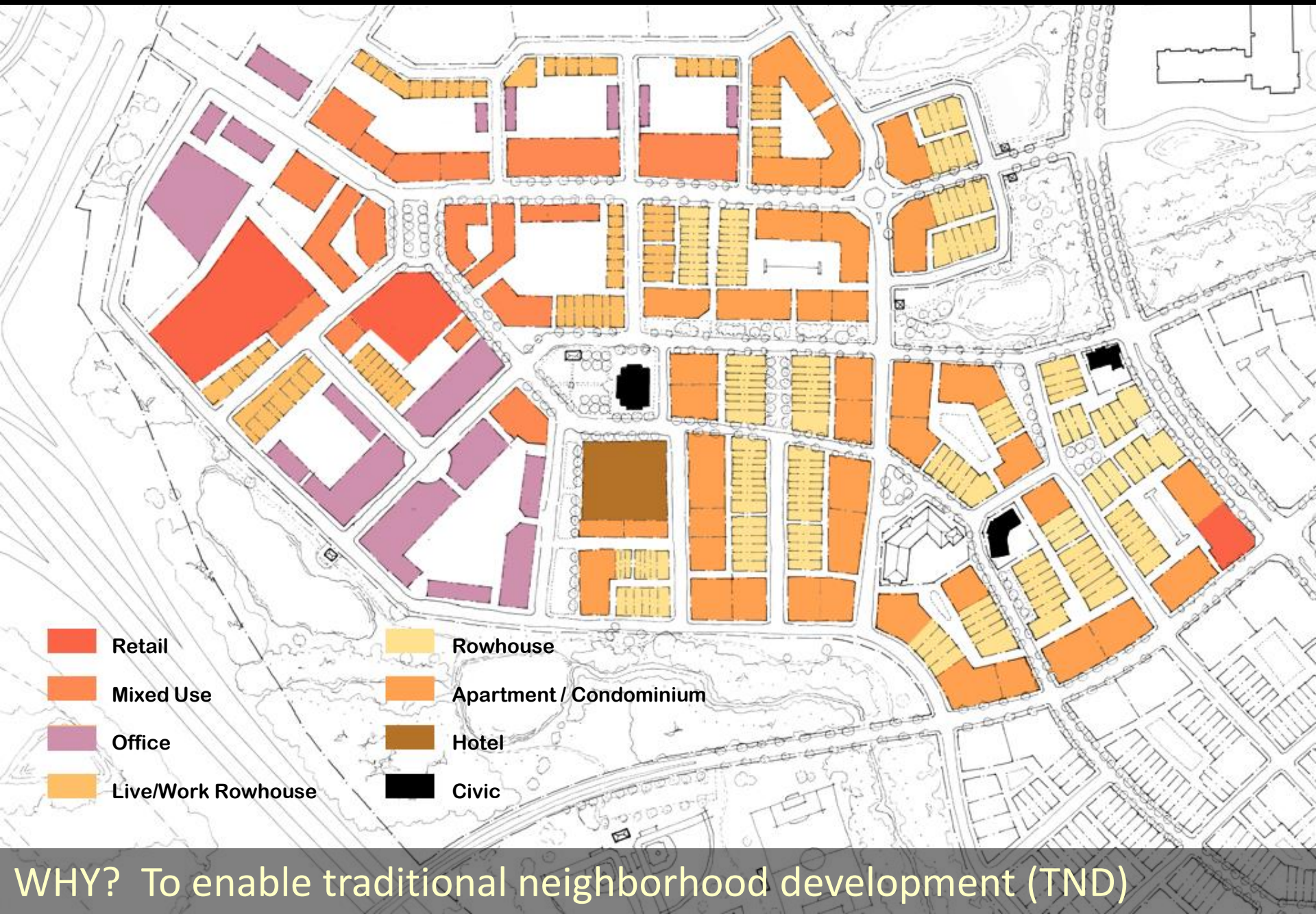
WHY? To enable transit-oriented development (TOD)

DOVER, KOHL & PARTNERS
town planning



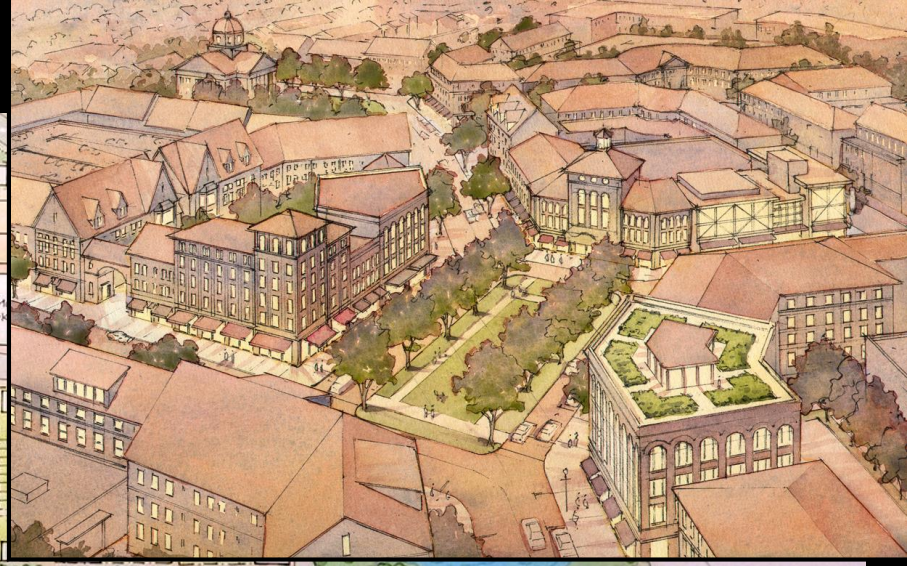
WHY? To enable transit-oriented development (TOD)

suburban Raleigh, NC



WHY? To enable traditional neighborhood development (TND)

suburban Raleigh, NC



WHY? To enable traditional neighborhood development (TND)

Lake Park, FL

(h) *Street Types.*

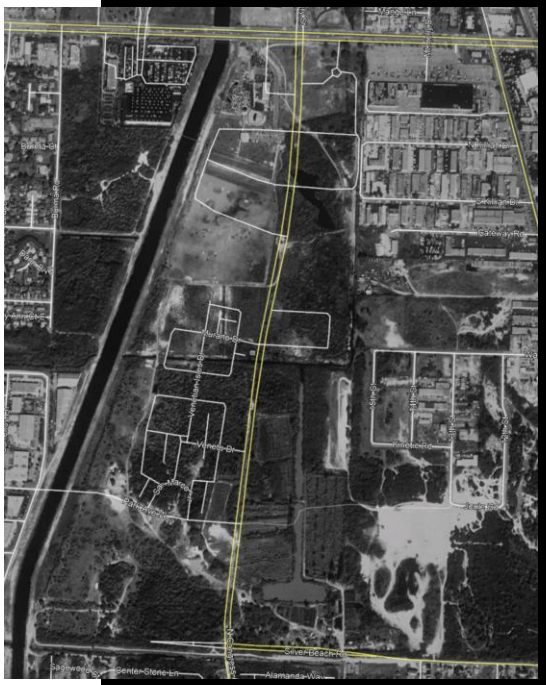
(1) Street Type Regulating Plan



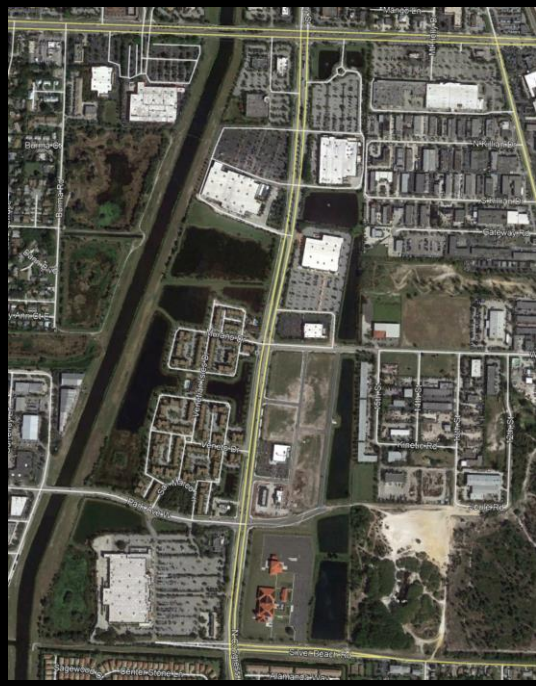
1997

(2) Hierarchy of Greens, Parks, and Streets. Development under this code is regulated by street type. The Street Type Regulating Plan controls the location for each street in the Western District. The design for new streets and the renovation of existing streets shall follow the Street Sections

15



1999



2016

WHY? To establish a city's rules for newly annexed land

Hercules, CA

2015



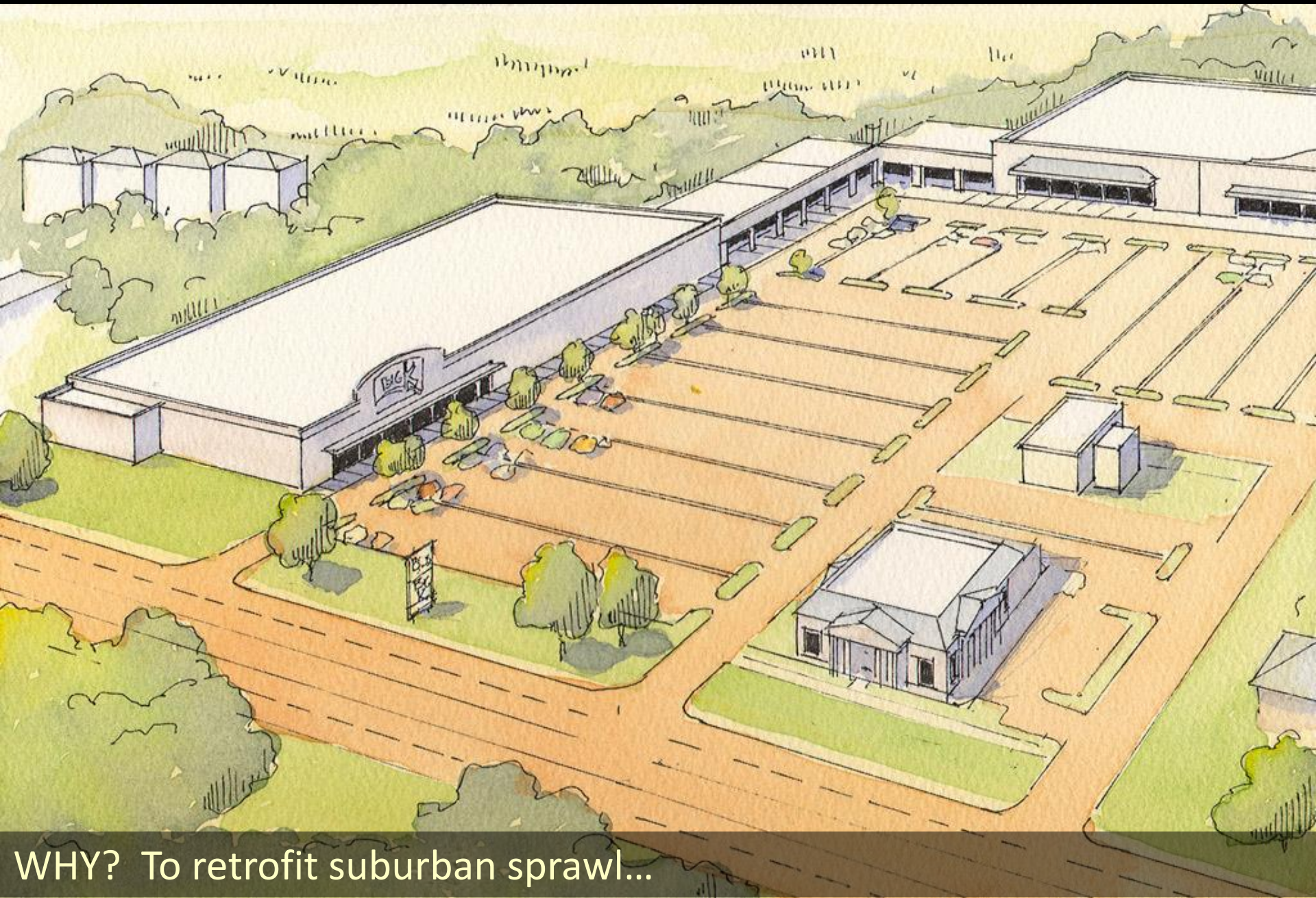
2000



WHY? To establish a city's rules for newly annexed land

Ribaut Square, Beaufort, SC

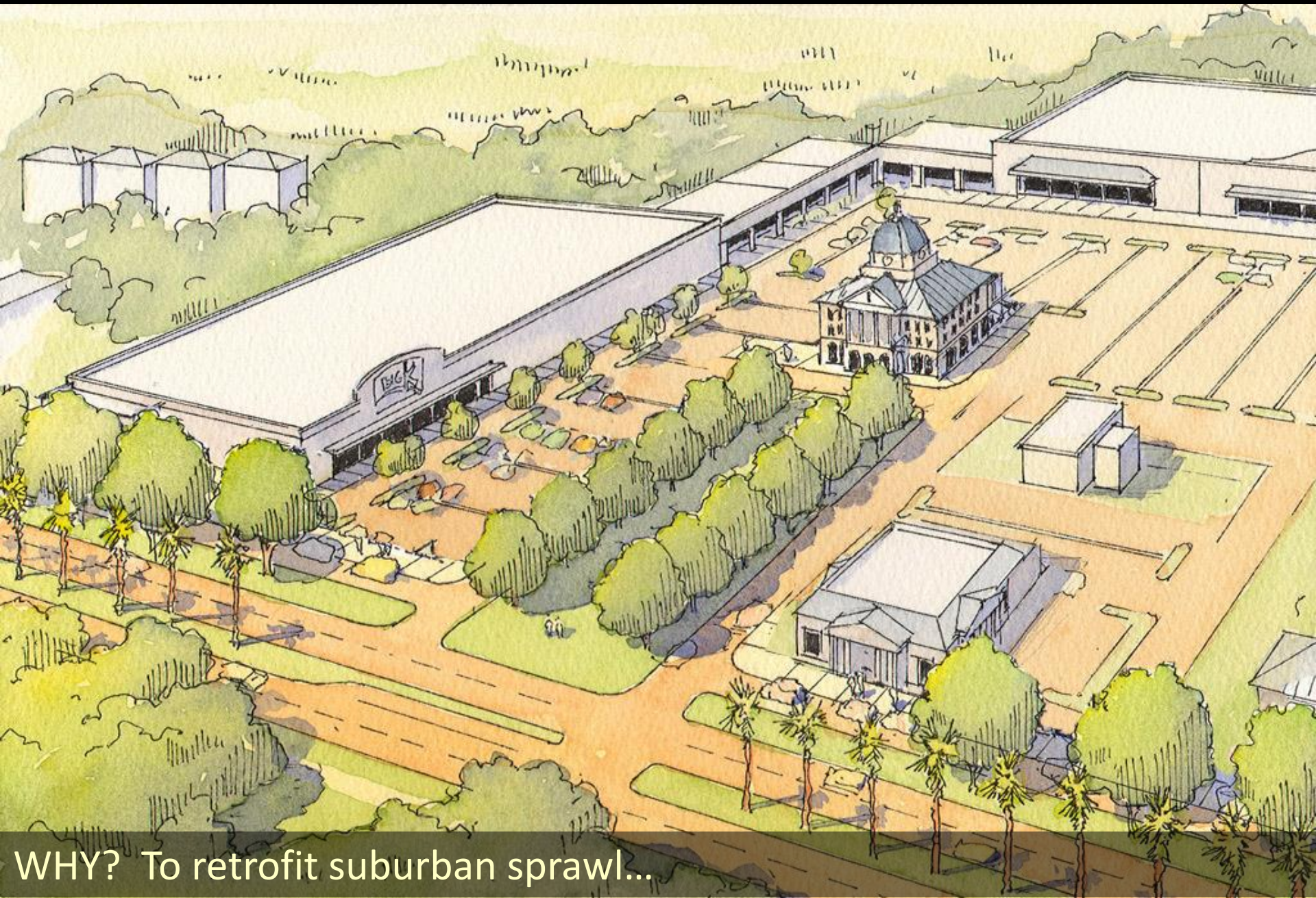
Dover, Kohl & Partners



WHY? To retrofit suburban sprawl…

Ribaut Square, Beaufort, SC

Dover, Kohl & Partners



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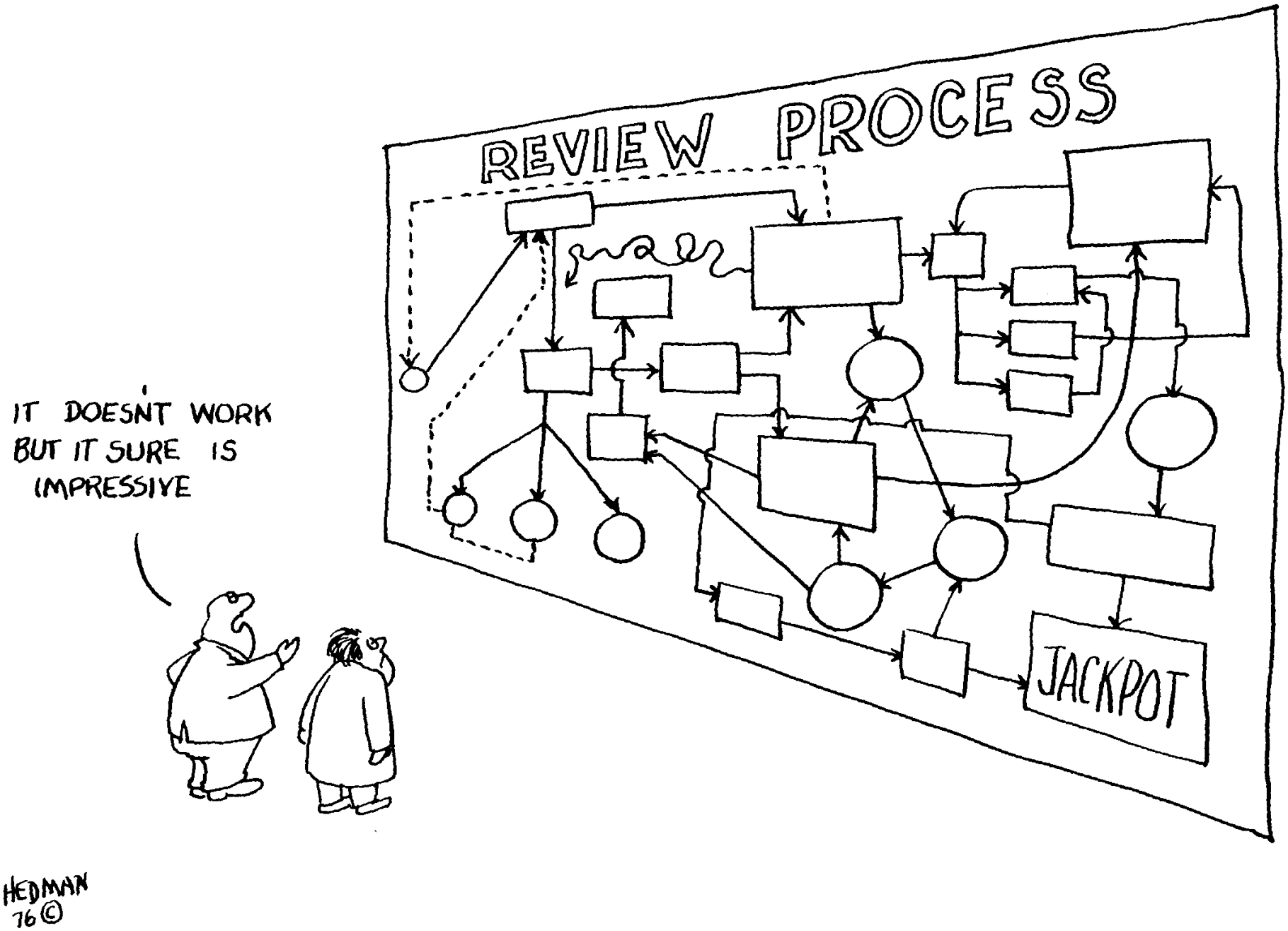


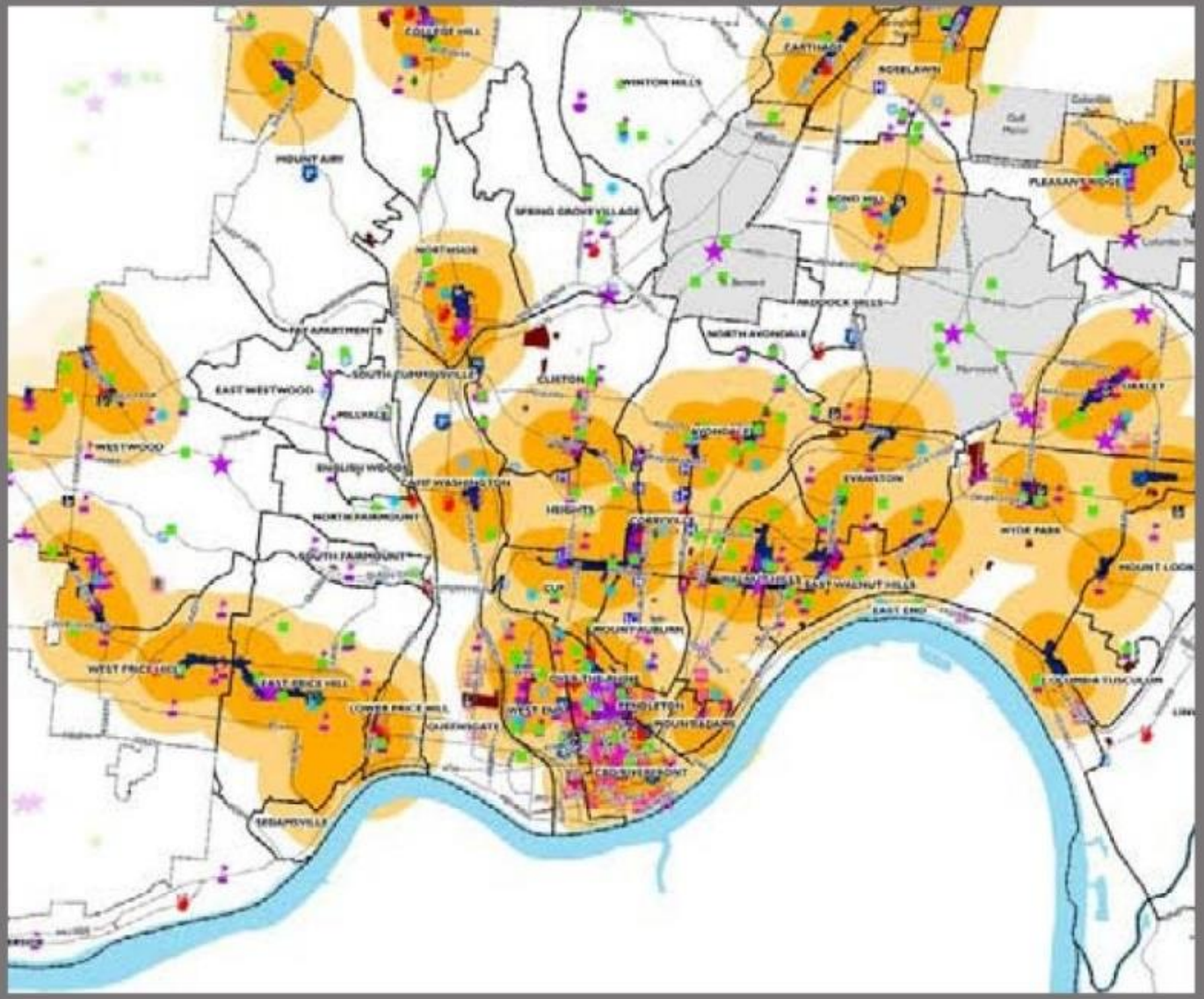
WHY? To reorganize a convoluted zoning code…

LOCATE WALKABLE URBAN PLACES

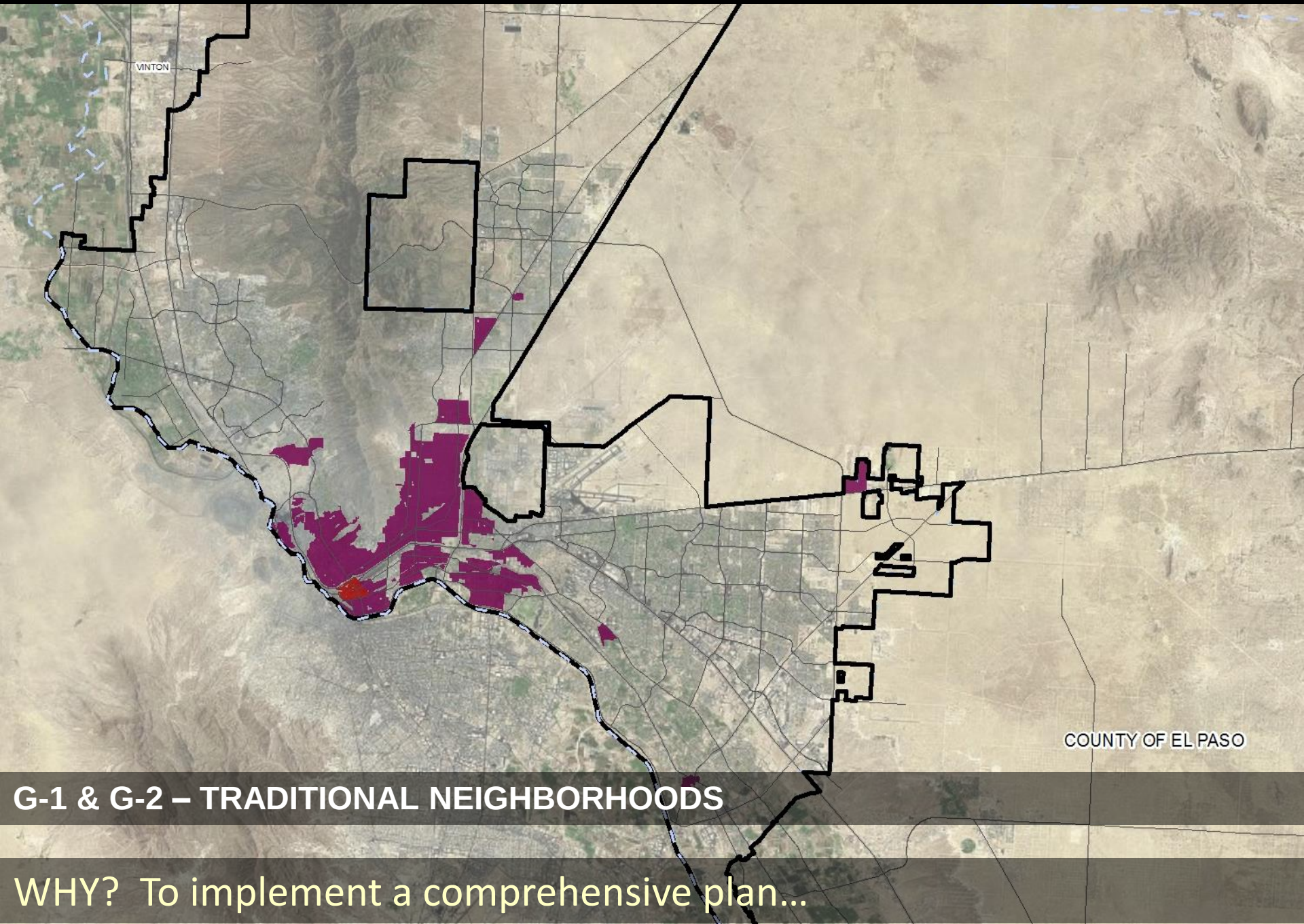
MAKE THEM A PRIORITY

DEFINE THEIR UNIQUE ASPECTS AND FORM

UTILIZE AS A FRAMEWORK

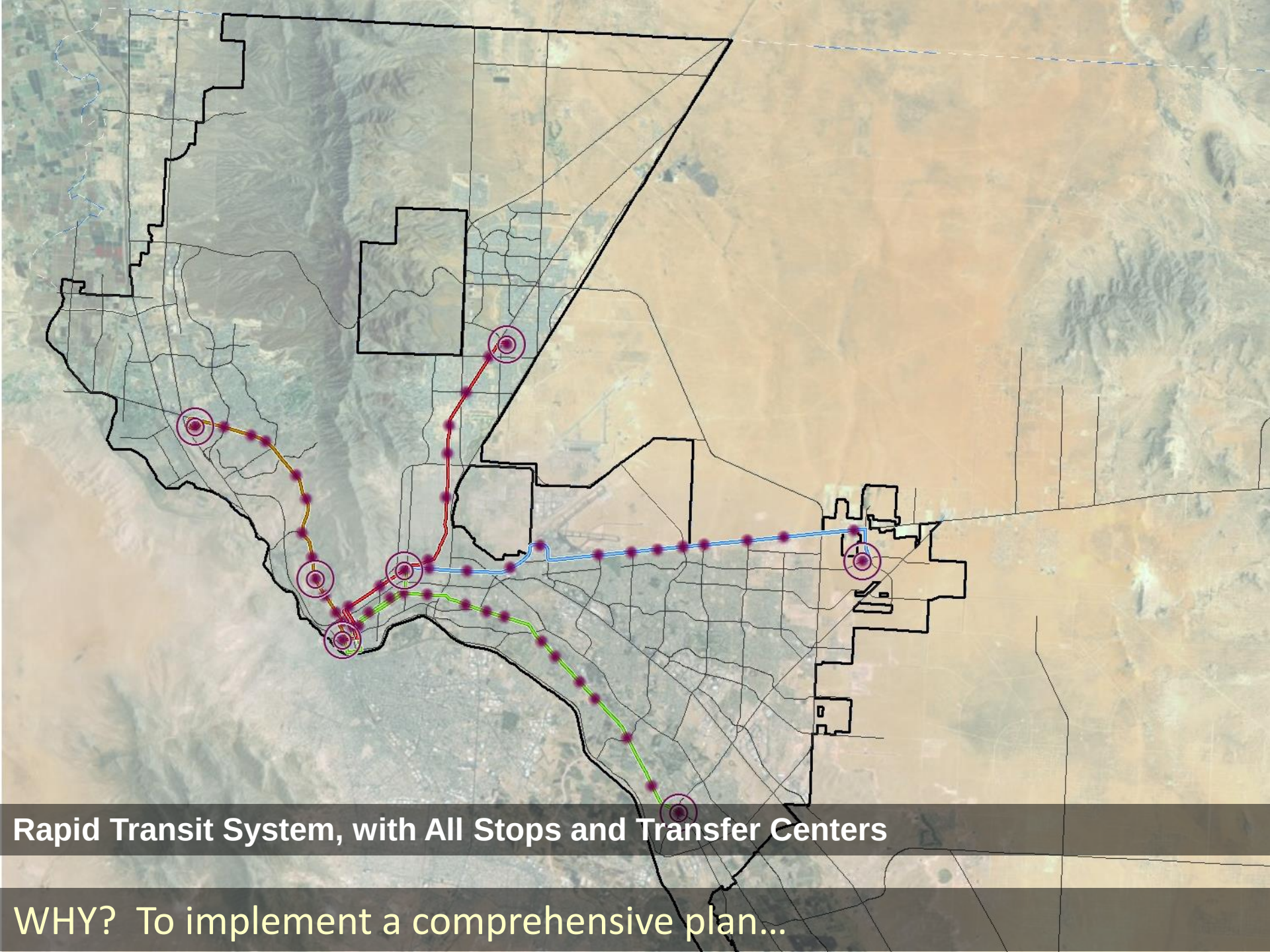


WHY? To revitalize a mature city…



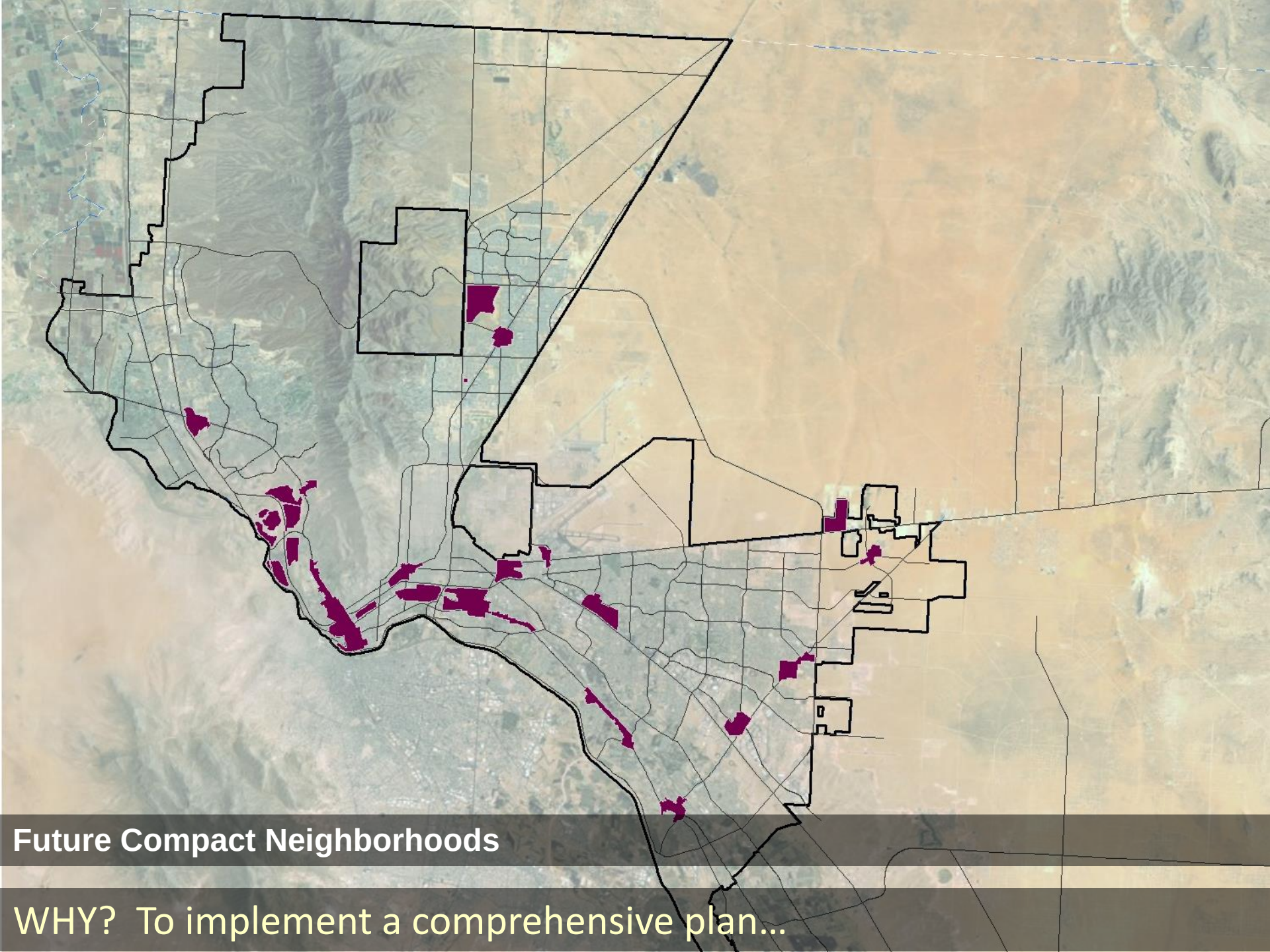
G-1 & G-2 – TRADITIONAL NEIGHBORHOODS

WHY? To implement a comprehensive plan…



Rapid Transit System, with All Stops and Transfer Centers

WHY? To implement a comprehensive plan…



Future Compact Neighborhoods

WHY? To implement a comprehensive plan…

How are form-based codes different from conventional zoning?

A STANDARD STATE ZONING ENABLING ACT

UNDER WHICH MUNICIPALITIES MAY ADOPT ZONING REGULATIONS

SEC. 2. DISTRICTS.—For any or all of said purposes the local legislative body may divide the municipality [16] into districts of such number, shape,[17] and area as may be deemed best suited to carry out the purposes of this act; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use [18] of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district,[19] but the regulations in one district may differ [20] from those in other districts.

SEC. 3. PURPOSES IN VIEW.[21]—Such regulations shall be made in accordance with a comprehensive plan [22] and designed [23] to lessen

More similar to zoning's early days than to today's zoning

A single zoning district is often applied to vast areas of land

Sec. 31-117. - Use regulations.

(a) *Uses permitted*. The following uses are permitted in the RS-5 single-family dwelling district:

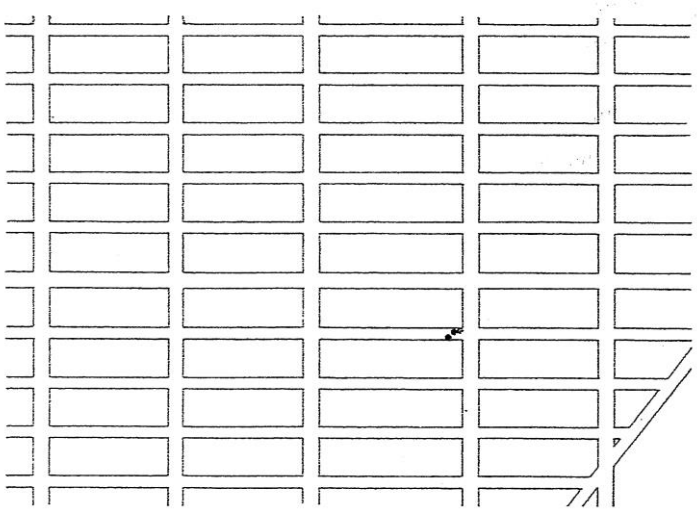
(1) Single-family dwellings and their customary accessory uses.

(2) Home occupations.

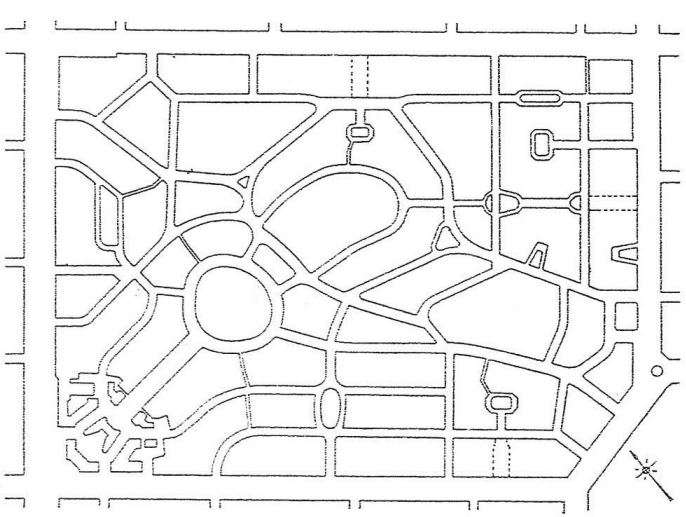
(b) *Special exception*. The following uses are permitted by special exception in the RS-5 single-family dwelling district: None

Conventional zoning now overemphasizes segregation of land uses

1926



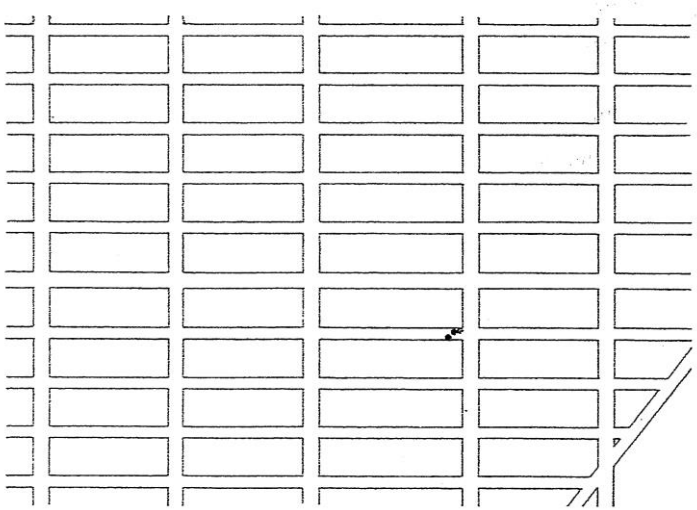
A.—Leading Nowhere in Particular



B.—Leading to Places Where People Go

Conventional zoning focuses on separation rather than integration

1926



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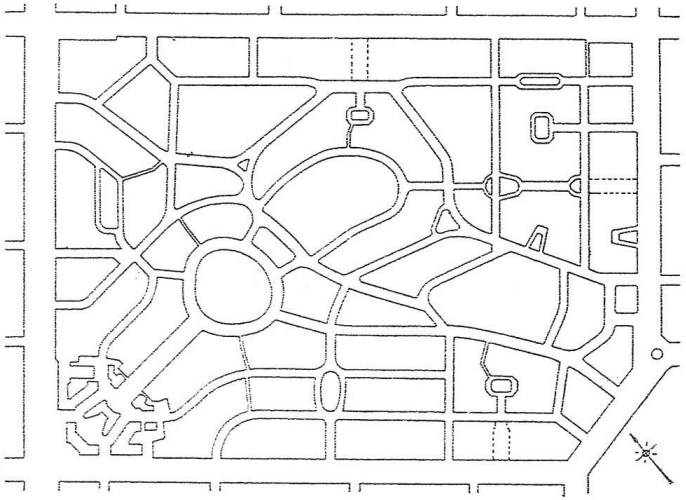

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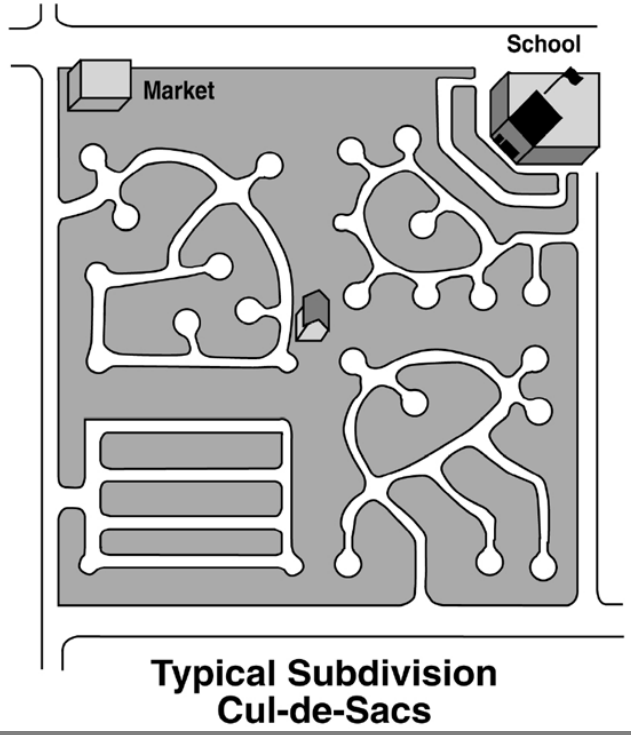
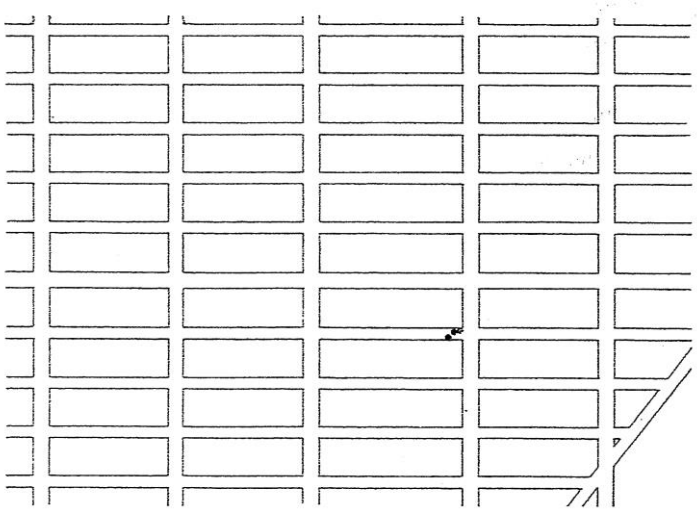
2017



Typical Subdivision
Cul-de-Sacs

Conventional zoning focuses on separation rather than integration

1926



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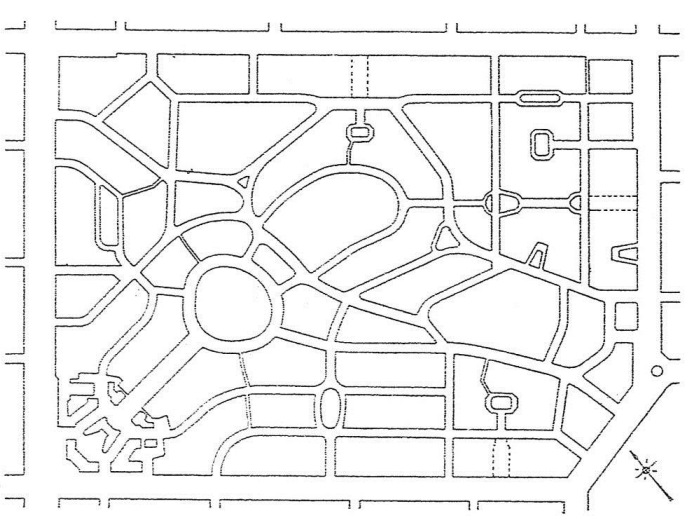

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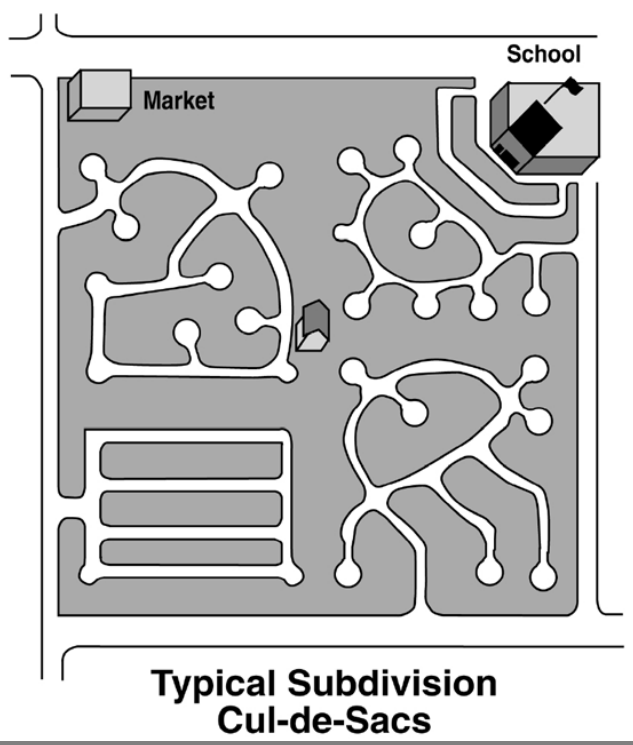
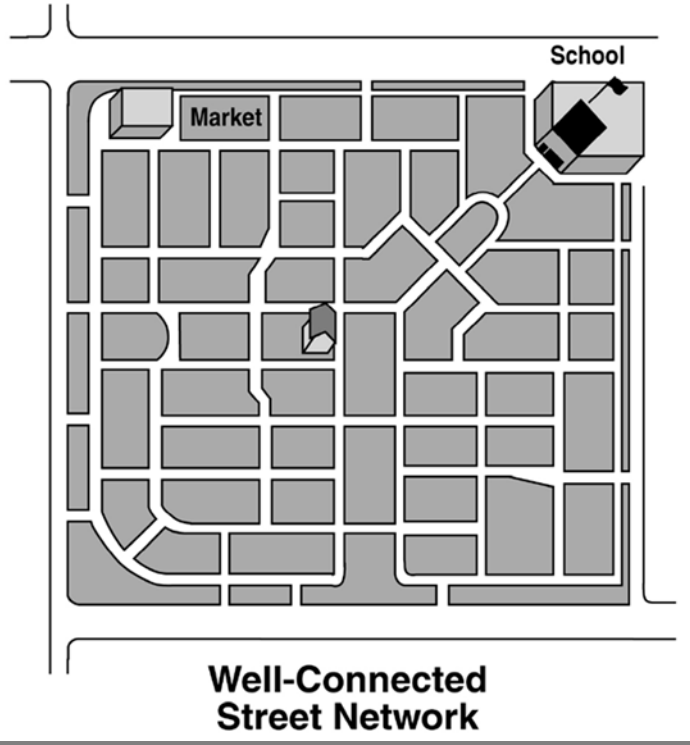
2017



Typical Subdivision
Cul-de-Sacs



Well-Connected
Street Network

Conventional zoning focuses on separation rather than integration

Over-reliance on discretionary approvals

Conventional zoning relies on discretionary approvals

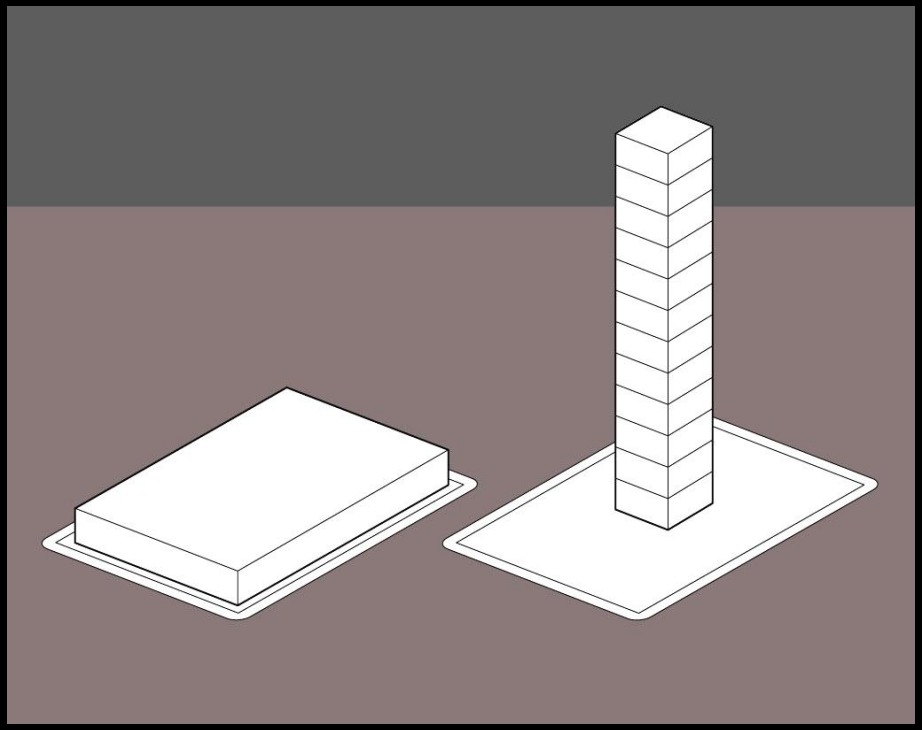
Over-reliance on discretionary approvals

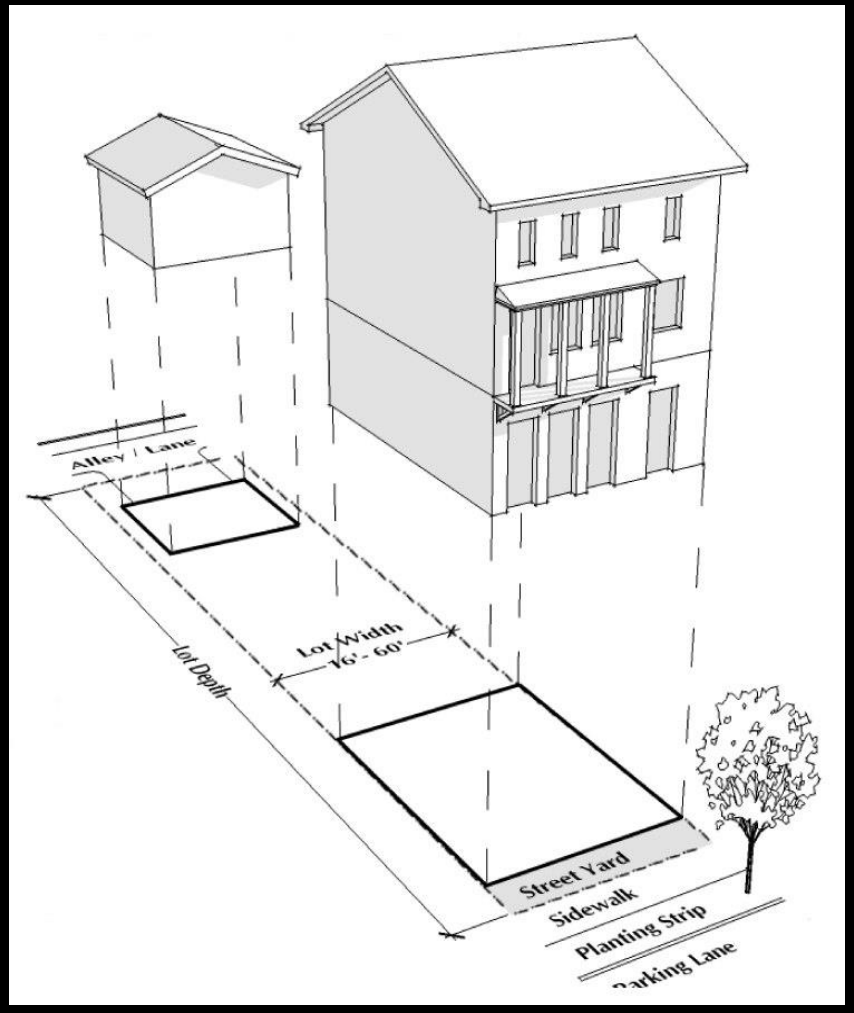
- Planned Unit Developments
- Conditional uses
- Special exceptions
- Design review

Conventional zoning relies on discretionary approvals (like PUDs)

Conventional Zoning: …buildings are random

Form-Based Code: …focus on buildings





Other contrasts with conventional zoning