Form-based Zoning Grows Up

Rocky Mountain Land Use Institute
Denver, CO
March 14, 2014
Form-based Zoning Grows Up

What is it?

How is it being used?

What are we learning?
Form-based Zoning Grows Up

First . . .

There were nuisances
  • From WAY back

Then there was zoning
  • Remember Euclid

Then zoning got too rigid
  • Too many districts and uses

Then zoning got too flexible
  • PUDs and performance zoning reduce predictability

Then zoning got form-based
The Path of Zoning Evolution

Predictability

Flexibility

Early Use-based Zoning

Post-war Use-based Zoning

Performance Zoning

PUDs

Form-based Zoning
What is Form-based Zoning?

Myth 1: Traditional zoning is based on use separation. False: It is based on use regulation – but mixes are always allowed.

What is Form-based Zoning?
What is Form-based Zoning?

FBCI Core Elements List

- Building Form Standards
- Building Type Standards
- Frontage Type Standards
- Public Space Standards
- Block and Subdivision Standards
- Regulating Plan
What is Form-based Zoning?

Building Forms & Types

Downtown Building
What is Form-based Zoning?

Frontage Types

Storefront Frontage
What is Form-based Zoning?

Public Space Standards
What is Form-based Zoning?

Public Space Standards

Sometimes Include

Thoroughfare Standards
What is Form-based Zoning?

Block and Subdivision Standards

<table>
<thead>
<tr>
<th>BSC DISTRICTS</th>
<th>LENGTH (FT)</th>
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</table>
What is Form-based Zoning?

Regulating Plan
What is Form-based Zoning?

Regulating Plan
What is Form-based Zoning?

By-right Development?

Not Really – All New Codes Try to Do That

- All code reforms simplify uses

- Most code reforms try to define permitted shapes, forms, or types development to avoid site plan hearings whenever possible

- Form-based controls are a good way to sell use simplification
The Rules That Shape Urban Form
The Rules That Shape Urban Form
The Rules That Shape Urban Form

Austin TX

1-POINT OPTIONS
- Achieve City of Austin Green Building Program 1-star rating.
- Provide for liner stores in building façade.
- Provide façade articulation meeting specified standards.
- Provide primary entrance design meeting specified standards.
- Provide roof design meeting specified standards.
- Provide building materials meeting specified standards.

2-POINT OPTIONS
- Achieve City of Austin Green Building Program 2-star rating.
- 75% of façade facing principal street consists of storefronts with at least 2 separate entrances facing principal street.
- Provide sustainable roof meeting specified standards.
- Integrate solar power generation into building design.

3-POINT OPTIONS
- Develop VMU building.
### The Rules That Shape Urban Form

**Mooresville NC**

#### Table 5.1.4: Table of Allowed Uses [1]

<table>
<thead>
<tr>
<th>Use Category</th>
<th>R-2</th>
<th>R-3</th>
<th>R-5</th>
<th>RMX</th>
<th>RMX-MH</th>
<th>TND-C</th>
<th>NMX</th>
<th>CMX</th>
<th>HB</th>
<th>VC</th>
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</table>

- **DH = Detached House**
- **MA = Mansion Apartment**
- **AR = Attached Residential**
- **NA = Not Applicable**
- **CV = Civic**
- **SF = Shopfront**
- **CR = Commercial/Retail**
- **WP = Workplace**
- **FX = Flex/Industrial**
- **LR = Large Retail**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>R-2</th>
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<th>RMX</th>
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<td>without Drive-Through Service</td>
<td>C</td>
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<td>P</td>
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**Additional Requirements**

- **5.3.3** (7)
- **5.3.3** (7)
- **5.3.3** (6)
- **5.3.3** (8)
### The Rules That Shape Urban Form

**Mooresville NC**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Allowable Building Forms</th>
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<td><strong>Commercial/Retail</strong></td>
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**Table 5.1.4: Table of Allowed Use**

- DH = Detached House
- MA = Mansion Apartment
- AR = Attached Residential
- NA = Not Applicable
- CV = Civic
- SF = Shopfront
- WP = Workstation
- CR = Countertop
- P = Public Use
- TND-C = Traditional
- R-2 = Residential 2
- R-3 = Residential 3
- R-5 = Residential 5
- RMX = Retail Mix
- RMX-MH = Retail Mix-Mixed Use
- NMX = Neighborhood
- CMX = Community

**Map Examples:**

- Commercial/Retail
- Workplace
- Shopfront
The Rules That Shape Urban Form

Denver Main Street
The Rules That Shape Urban Form

Arlington County VA Columbia Pike
The Rules That Shape Urban Form

Arlington County VA Columbia Pike

Very Detailed Standards
- Blocks and Alleys,
- Streetscape,
- Parking,
- Retail,
- Historic Preservation,
- Public Improvements, and
- Buildings

• Height,
• Use Requirements,
• Building Placement,
• Building Elements,
• Architecture

- Building
- Walls
- Roofs and Parapets
- Street Wall Required
- Windows and Doors
- Lighting
- Signage
- Mechanical Equipment
The Rules That Shape Urban Form

Livermore CA Hybrid Code

Smart Code Structure for Entire Mandatory Code

Form controls only for T3 and T4 areas

Form controls apply to <5% of land

Remainder left in traditional /PUD zoning
# The Rules That Shape Urban Form

## The Take-aways

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<th>Austin</th>
<th>Mooresville</th>
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<th>Arlington</th>
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The Rules That Shape Urban Form

The Take-aways

Austin
Mooresville
Arlington County
Miami
Livermore
Denver
The Rules That Shape Urban Form

Form-based controls and other planning goals

• Sustainability

• Demographic change

• Housing affordability

• Historic preservation
# The Rules That Shape Urban Form

## The Take-aways on Sustainability

## Five Key Targets for Sustainable Zoning

<table>
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<tr>
<th>Key Form-Based Tools</th>
<th>Air Emissions / Climate Change</th>
<th>Energy, Conservation, and Renewable Energy</th>
<th>Water Conservation</th>
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- 🟢 = Potentially significant contribution
- 🔵 = Moderate or mixed contribution (e.g., impacts in more dense areas may be offset by impacts in other areas)
- 🔵 = Little impact or no different than nonform-based controls
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Demographic Change

• Average age increasing

• Household size decreasing

• Ethnic diversity increasing

• Multi-generational households increasing
The Rules That Shape Urban Form

The Take-aways on Demographic Change

• **Forms Help Sell Good Planning.** Form-based controls can help “sell” the acceptability of small lot detached, attached, and multifamily building forms needed to address the growing number of smaller households, and aged households.

• **Don’t Define Forms Narrowly.** Be careful to define the forms and standards broadly enough to allow the types of specialized facilities (nursing homes, assisted care facilities, small hospitals, and social services facilities) needed to serve an aging and potentially poorer population.

• **Don’t Lock in Bad Forms.** Form-based controls based on current urban fabric can wind up “locking in” dispersed large lot single-family areas and make it harder for them to densify as needed to allow older families to age in place.
Housing Affordability

Average market prices of housing have been rising faster than average wages for 50 years

- % of income spent on rent
  
  1960 = 19% \quad \rightarrow \quad 2005 = 29%

- % of households spending more than 30% of income on housing
  
  1960 = 29% \quad \rightarrow \quad 2005: 49%
The Rules That Shape Urban Form

The Take-aways on Housing Affordability

• **Forms Help Sell Good Planning.** Form-based controls can help “sell” the acceptability of small lot detached, attached, and multifamily building forms needed to address the growing demand for affordable
  • and making low-density detached building forms unavailable in denser areas may prevent use of prime sites for less affordable housing types

• **Don’t Forget Bonuses.** Don’t remove height bonuses necessary to allow affordable builders to compete with market rate builders

• **Don’t Lock in Bad Forms.** Form-based controls based on current urban fabric can wind up “locking in” dispersed large lot single-family areas and make it harder for them to densify as needed to meet affordable housing demand
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The Take-Away

Not surprisingly, some elements of form-based controls can help achieve planning goals related to sustainability, affordability, and demographic change...

While others perform no better than traditional controls

Be careful of locking in patterns and densities that will prevent the evolution and densification of lower-density neighborhoods over time – unless you really want that
The Rules That Shape Urban Form

Remember to “Unpack” the Idea . . .
And then Take the Parts You Need
The Rules That Shape Urban Form

Remember to “Unpack” the Idea . . .
And then Take the Parts You Need
Six Questions to Consider
Before Preparing Form Regulations...
1. Will the form controls cover the entire community, or just certain areas?
1. Will the form controls cover the entire community, or just certain areas?

Kevin Lynch’s Key Elements in How we Understand Cities

There are “Places” and “places” – and many “places” do not need form-based controls
2. If it applies to only a specific area, is there a plan for that area?

- Is the plan more than a drawing?
- Be careful of locking in too much detail
  - Life never turns out like the picture on the box
  - Lots of unanticipated events will take place before buildout
  - How much detail do you need to make the place a success
3. Will the controls be mandatory or optional?

Many current codes are optional (parallel codes or floating zones)

• Mandatory codes may be harder to adopt
• Optional codes may make administration harder
• Both can be effective
4. Are the regulations for:

Greenfield sites?
- If one owner or cooperating owners, good to go
- Really a more disciplined PUD

Major redevelopment sites?
- If one owner or cooperating owners, you’re lucky
- Watch out for proposals to reinvent street patterns – they often require re-subdivision, relocation of utilities, money. Will the new controls apply until the new streets are in place

Small infill redevelopment sites over time?
- Don’t make the current owners nonconforming
- Assume random timing/location of individual projects
- Don’t require neighbors to prepare a joint regulating plan before proceeding
5. Will the form-based tools be “contextual” or “prescriptive”?

Knowing the answer makes the job easier – and more transparent

Some benefits will depend on the answer
6. How will you treat existing development that doesn’t meet the standards?

• “The greenest building is the one that has already been built”
• DON’T put them in “zoning parole” -- nonconformities
Remember to Lighten Up on Use Controls
Form-based Zoning Grows Up

Questions?

Clarion Associates