

Making

# SMART GROWTH

possible with

Form-Based  
Codes



**By Brad Broberg**

**E**very "Next Big Thing" must cross the same threshold on its way to acceptance. It happens when people stop saying, "Huh?" and start saying, "Hmmm."

Form-based codes are at that point. Sure, they're still the exception. And skeptics continue to carp. But the buzz is undeniable. From Pleasant Hill, Calif., to Miami, Fla., planners, developers and citizens have all caught wind of the concept and are more and more inclined to take a look.

"Form-based codes are a long way from being pervasive, but people don't automatically rewrite their zoning codes the conventional way anymore," said Karen Parolek, a principal with Opticos Design in Berkeley, Calif.

That's because they want codes that support a more finely tuned approach to planning. "There's a huge interest out there in finding a better way to write regulations to encourage Smart Growth—much bigger than we expected," said Bill Spikowski of Spikowski Planning Associates in Ft. Meyers, Fla.

Form-based codes primarily seek to regulate the physical form of the built environment to create a specific type of "place." Conventional codes, on the other hand, primarily seek to control the use of the land and the density of development without great regard for the resulting built environment. While each strategy includes elements of the other, they start with different priorities, support different visions and typically produce different results.

"You could use form-based codes to create any kind of vision, but nobody uses them to create suburban sprawl—the current codes do that just fine," said Spikowski. "With form-based codes, the most common vision is the Smart Growth vision."

### The right tool

Form-based codes are to Smart Growth what rudders are to ships. It's possible to reach port without them, but good luck. "When the codes don't spell it out, the chances of getting [Smart Growth] are not as good," said Spikowski.

Conventional zoning codes were not conceived to create walkable neighborhoods with a mix of uses and a range of housing choices—three major principles of Smart Growth and its cousin new urbanism. They were conceived in the early part of the 20th century primarily to separate homes from industry and other incompatible activities.

"One of the major impetuses of zoning was ... to separate noxious uses from residential areas," said Bob Sitkowski, an attorney with Robinson & Cole, a Connecticut-based firm with a well-known land-use practice. "But times have changed. Today, more and more communities are looking for ways to shape the look and feel of the built environment and not just control the use."

In at least one sense, form-based codes are no different than conventional codes. Both are tools to support better planning. But, as the decades passed, the challenge that inspired conventional zoning codes—the intrusion of noxious uses into neighborhoods—morphed into a new set of challenges: sprawl, congestion, environmental issues. As new strategies emerged to meet those challenges, so did the need for an alternative to conventional zoning codes.

"As people attempted to implement Smart Growth and new urbanism, they discovered a need for a different way to regulate development that was appropriate to those new models," said Peter Katz, president of the Form-Based Code Institute and former director of the Congress for New Urbanism. "You can do Smart Growth and new urbanism with conventional zoning codes, but they're not the best tool for the job."

In terms of supporting Smart Growth, conventional codes don't—at least not very well. Their emphasis on separating uses and controlling density force homes to be built far from work and shopping, makes inefficient use of available land and requires car trips for nearly every activity. In other words, conventional codes contribute to sprawl. They also make key

elements of Smart Growth—such as mixed use and greater densities—illegal without variances or rezones.

That's why form-based codes occupy such a prominent place in the Smart Growth tool box. "It stands to reason that a different form of development would go hand-in-hand with a different form of regulation," said Katz. "Use still matters. It just falls to a different level in the hierarchy of considerations."

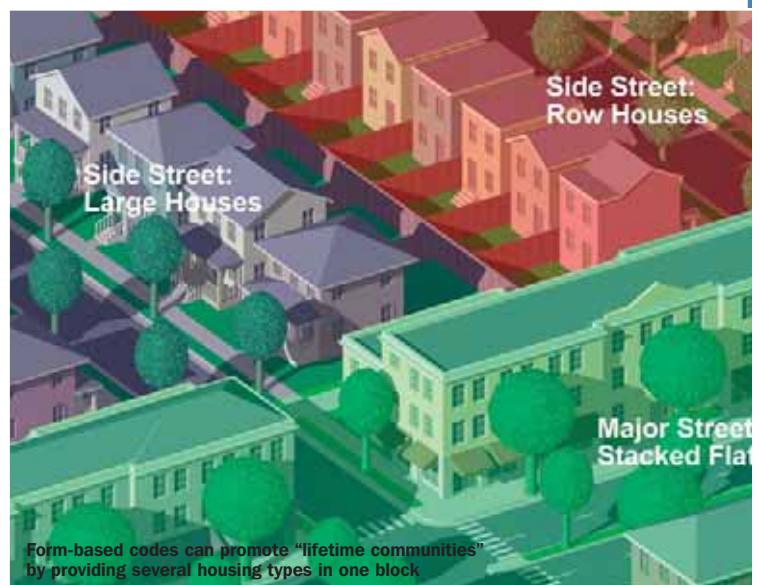
One of the benefits of that approach is it arguably makes it easier to convert buildings to new uses, promoting sustainability and allowing developers to respond to changes in demand. "It gives the market more flexibility on a finer scale to determine which uses are appropriate to be near each other," said Sitkowski.

### Miami's bold move

In the 25 years since Duany Plater-Zyberk & Co. (DPZ) used a form-based code to plan Seaside, Fla.—considered the birthplace of the concept—the number of projects involving form-based codes has grown, but their application has somewhat narrowly focused. "They're usually applied when you have a clear vision for a particular development," said Spikowski.

Now, all eyes are on the city of Miami. Instead of applying a form-based code to a particular project or even neighborhood, Miami is rolling out a new form-based code for the entire city. "It's unprecedented—such a project has never been done in a city as large as Miami," said Luciana Gonzalez, assistant to the director of the department of planning.

The form-based code is the backbone of Miami 21, Mayor Manny Diaz's blueprint to guide the



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Planned townhomes in Pleasant Hill



Miami development



bustling city's future growth. "The city of Miami has experienced an enormous development boom in the last few years," said Gonzalez. "The regulations we had in place created chaos, failed to protect historic and traditional neighborhoods and affected the quality of life of our residents."

Developed with help from DPZ, Miami 21 will take effect over the next two years in one quadrant of the city at a time. "The entire concept of Miami 21 is based on a form-based code that emphasizes the shape and envelope of buildings rather than their use and density," said Gonzalez.

Why does that distinction matter? Because regulating use and density does little to ensure that the look and feel of a building—its configuration and relationship to the street—will be in harmony with its surroundings. Form-based codes do. In Miami, the hope is that a form-based code will, among other things, address the spread of high-rise residential buildings that are "way out of character and proportion" to adjacent neighborhoods—but without reducing development capacity, said Gonzalez. Another goal is to foster the development of live/work/play neighborhoods. "Long-term, we hope to create a more walkable city," she said.

### The straightest line

Parolek is excited to see a city the size of Miami embrace form-based codes in such a comprehensive manner. "Miami will prove how successful they can be when applied citywide," she said. Katz, on the other hand, is taking more of a wait-and-see approach. "When you find something good, there's always a tendency to want to extend it to as many situations as possible," he said. "I don't maintain that form-based codes are intended to be applied to an entire city. It's too massive."

Katz said form-based codes tend to work best with neighborhood-scale projects and are especially good at turning controversy into consensus. That's because form-based codes evolved in tandem with a strong commitment to community-driven design through charrettes. A charrette is a three- to seven-day process that establishes a specific overall vision for the desired look and feel of development in a specific project, a neighborhood or an entire community.

All stakeholders—planners, developers, property owners, elected officials, local citizens—participate in the charrette. The goal is to produce a mutually acceptable and highly detailed final design that will allow development to move forward without the usual logjams. "Normally, a developer puts a proposal on the table and everybody attacks it," said Parolek. "This way, the community puts the proposal on the table and says



Before: Pleasant Hill BART Station in Contra Costa County, California

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this is what we want, as long as you build it that way, go ahead and do it."

Where do form-based codes fit in? The codes, created in close concert with the overall vision, ensure that what gets built looks and feels like what people expected it to look and feel like—something conventional codes don't do so well. Conventional codes are essentially "defensive codes," said Parolek. "They say what you can't do, but they leave open any number of windows for what you could do. Form-based codes say this is what you must do."

Form-based codes are a means to a predictable end. "A form-based code is the straightest line from the vision to the actual implementation of that vision," said Katz. "All the code is really doing is delivering the vision."

### All aboard

A good example of form-based codes helping a stalled project get untracked is the Pleasant Hill BART Station in Contra Costa County, Calif. Over



Planned development for Pleasant Hill



the years, various proposals to redevelop a large parking lot surrounding the rail station were fought by the community, which considered the proposals incompatible. Finally, the county hooked up with a developer and held a charrette to produce a vision for the 18-acre site that everyone could support.

Attended by 500 different people over the course of six days, the charrette resulted in a plan for a transit-oriented development featuring 549 dwelling units, 270,000 square feet of commercial space, 35,590 square feet of retail space and a new parking garage. The creation of a form-based code to regulate the development played no small role in winning community support. "It helped the community believe it was going to get what it approved," said Maureen Toms, a principal planner with the county.

The Pleasant Hill model—a city or county working with a specific developer at a specific site—is one of the most common applications of form-based codes. A variation is the approach taken by Farmers Branch, Texas, a suburb of Dallas.

There, the city is using form-based codes to guide redevelopment in two specific districts but without a specific developer in tow. "These are two very good opportunities to experiment with live/work/play projects," said Andy Gillies, the city's planning director. "From the research we did, form-based codes seemed to be ... the best regulatory mechanism we could find."

St. Lucie County in South Florida adopted a form-based code to support a master plan for the future creation of four new towns—from scratch—within a 28-square-mile of grapefruit groves. The plan preserves 60 percent of the land as agricultural by relying on the transfer of development rights to locations where the towns will be built. "That's very different from what Miami is doing, but it's still cutting edge," says Spikowski, who helped create the master plan. "Quite a few developers are looking at this area."

### More than a 'cool thing'

St. Lucie County is just another example of how "communities are finding creative ways to try form-based codes," said Parolek. Many are getting their feet wet by adopting form-based codes as overlays to existing codes, allowing developers to pick which code they want to follow. "The biggest problem we have is misinformation," said Parolek. "People think form-based codes are being done just because they're the cool thing to do." What most people probably don't realize, she said, is that many of the country's most vibrant neighborhoods sprang up before the advent of zoning codes and could not be built today without replacing conventional codes with form-based codes.

"We're also seeing a lot of jurisdictions latch on to the term form-based code ... without any real knowledge of it," said Parolek. "Form-based codes involve a much finer level of detail than many people are used to." Katz has observed a similar phenomenon. "A lot of communities are recognizing the value of mixed use, but the hard part is writing an ordinance that defines what mixed use is," he said. "They're either too loose or too restrictive."

To promote better understanding of form-based codes, the Form-Based Code Institute ([www.formbasedcodes.org](http://www.formbasedcodes.org)) offers three levels of courses and this spring gave out its first Driehaus Form-Based Codes Award. Another resource is the SmartCode manual, a guide to the form-based codes created by DPZ and available at [www.placemakers.com](http://www.placemakers.com).

*Brad Broberg is a Seattle-based freelance writer specializing in business and development issues. His work appears regularly in the Puget Sound Business Journal and the Seattle Daily Journal of Commerce.*