

American Planning Association National Conference

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# IMPROVING COMMUNITY DESIGN WITHOUT FORM BASED CODES

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# Introduction

- Why are we here?
- What's a "form based code"?
- Myths & facts about form based codes
- What alternatives do we have?

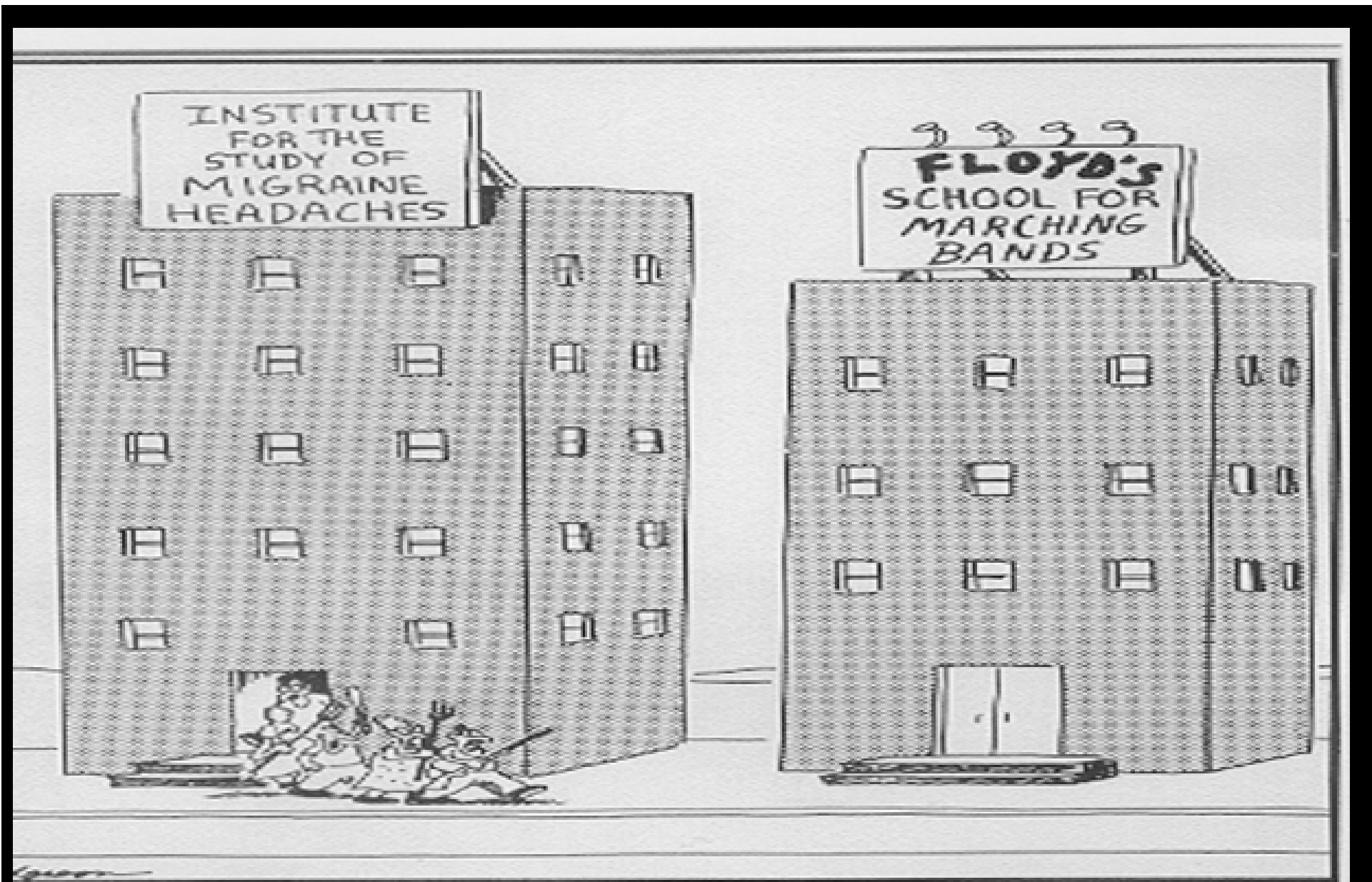
# What we're covering

## What we are discussing -

- Types of codes
- How communities should think about coding for community design
- Advantages and disadvantages of an increasingly popular approach to codes

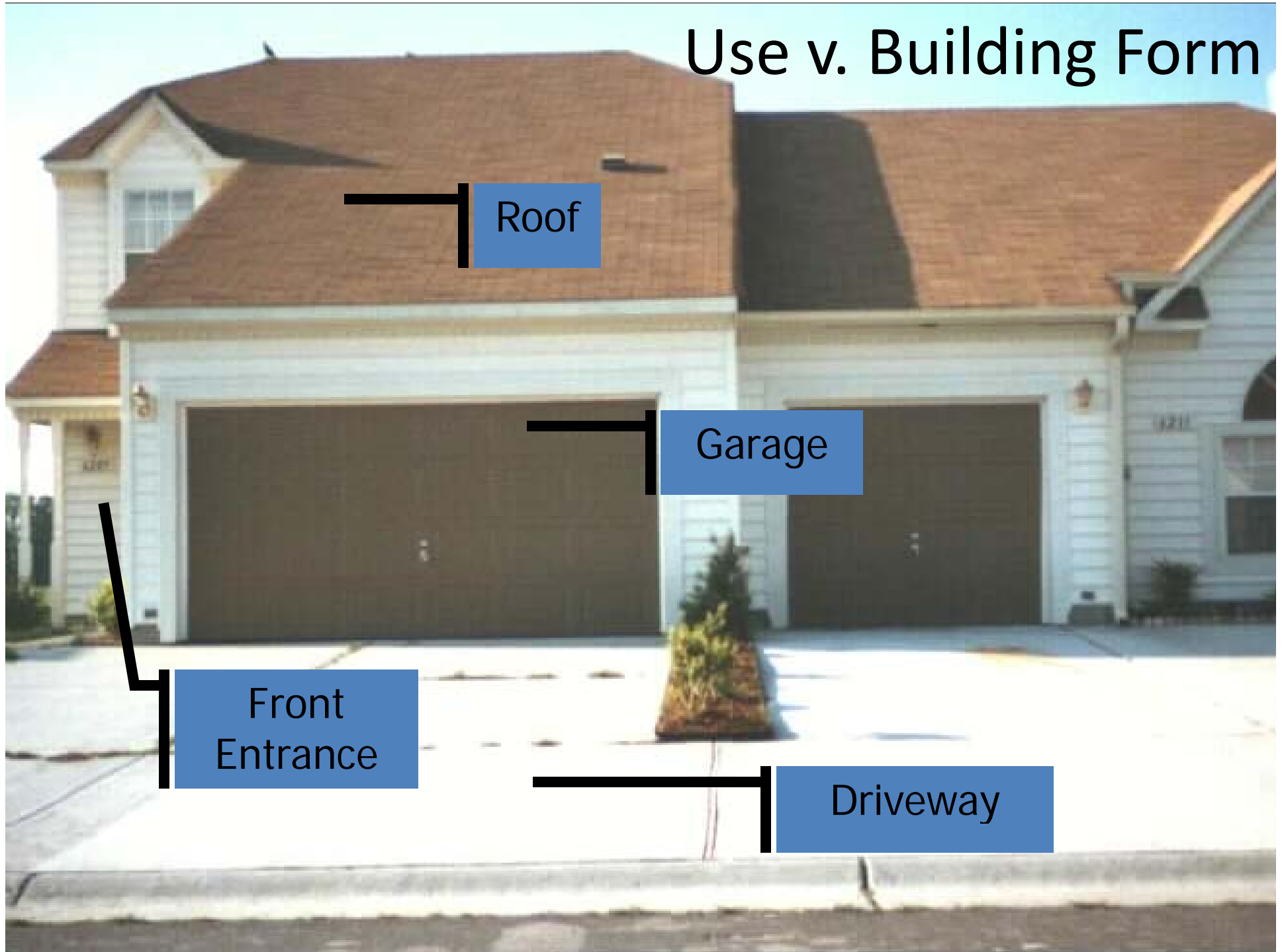
## What we're not saying -

- Form based codes are inherently flawed
- Form based codes are worse than what they've replaced
- Form based codes cannot improve the quality of development



The dam bursts

# Use v. Building Form



Roof

Garage

Front  
Entrance

Driveway

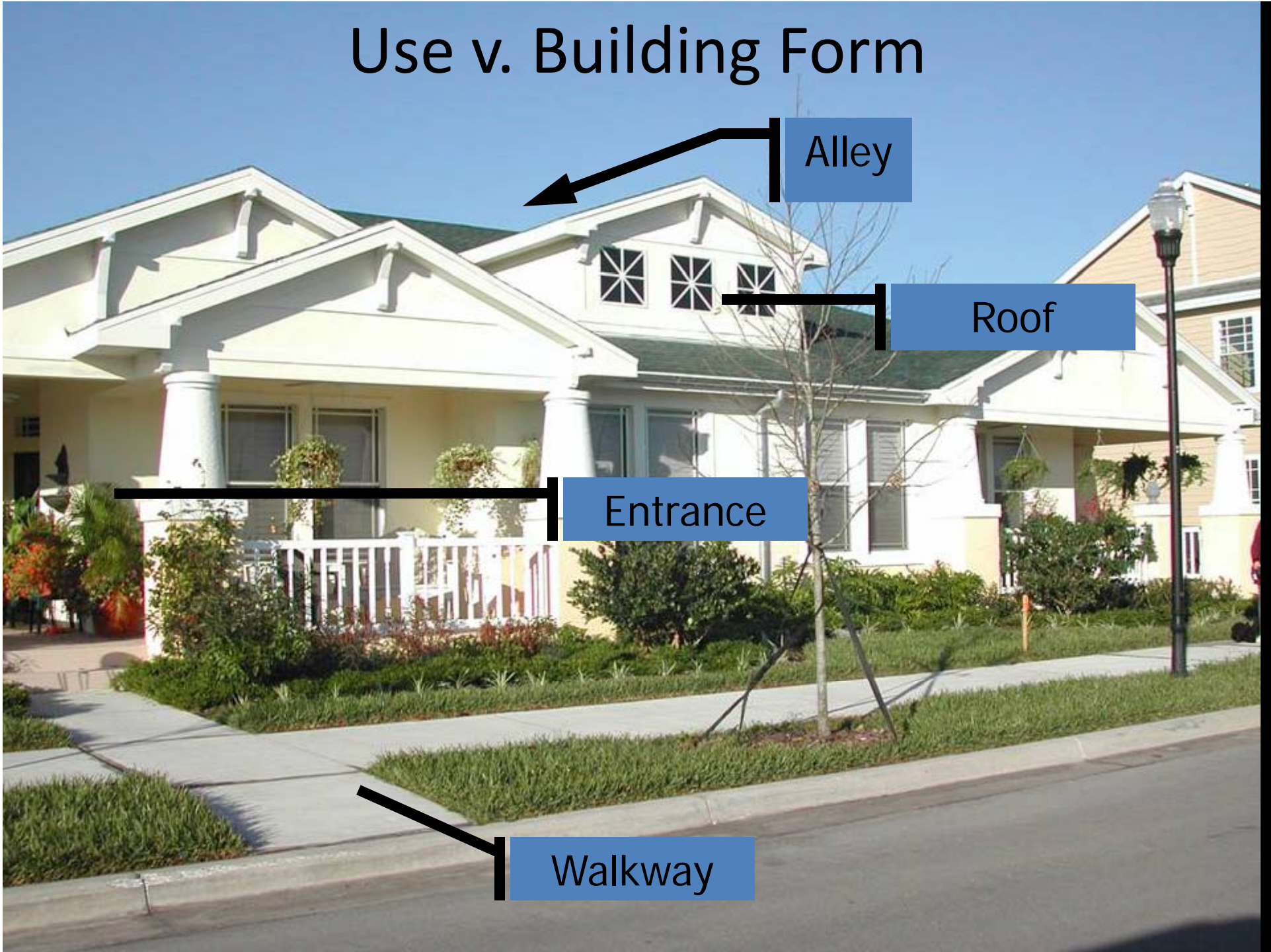
# Use v. Building Form

Alley

Roof

Entrance

Walkway



# Uncivic Design



## New Home Construction

	1976	2002	%
Average building sf	1,700	2,320	36%
Average lot size (sf)	10,125	16,454	63%

**P**aranoia

**U**ncertainty

**D**elay



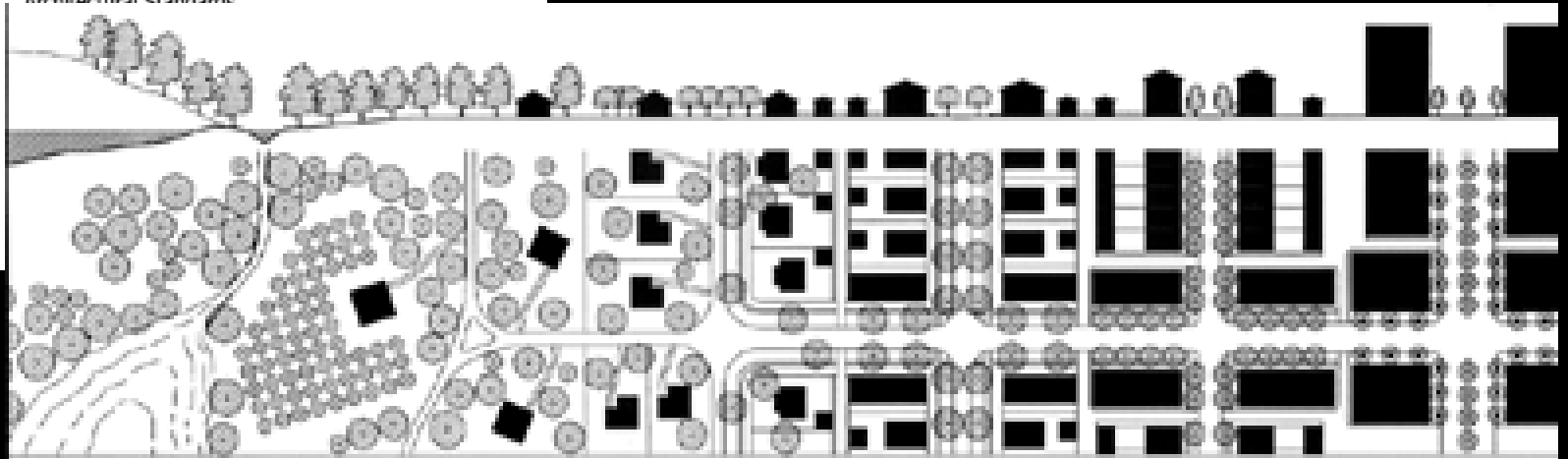
Staff Draft 2

# The Columbia Pike Special Revitalization District Form Based Code

Proposed Section 20 (Appendix A) of the Zoning Ordinance,  
"CP-FBC" Columbia Pike - Form Based Code Districts

Principles and Regulations

Regulating Plans  
Building Envelope Standards  
Streetscape Standards  
Architectural Standards



Source: Duany Plater-Zyberk & Co.

A MODEL ORDINANCE FOR A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

## A Model Ordinance for Traditional Neighborhood Development



Prepared by Brian W. Ohm, James A. LaGro Jr., and Chuck Strawser  
December 2000

**UW**  
*Extension*

# Form-Based Code Ingredients

Building + Lot + Infrastructure = Form

Zoning

Subdivision



# Issues with New Urbanist Codes

- Not complete codes
- Procedures
- LULU industrial uses
- Supplemental uses
- Non-NU development (e.g., Campus, Conventional Subdivision)
- Mapping
- Overlay issues (floodplains, environmental, airports)
- Vested rights/nonconformities
- Agencies



# Top 10 New Urbanist Jargon Words and Phrases

10. Centroidal

9. Enfront

8. Regulating Plan

7. Calibrate

6. Human Scale

5. Building

Disposition

4. Pedestrian Shed

3. Charrette

2. Immersive

Environment

1. Transect



# Utilitarian Uses

## Family Of Five Found Alive In Suburbs

BUFFALO GROVE, IL--The Holsapple family, long feared missing or spiritually dead, was found alive in the Chicago suburbs Monday, somehow managing to survive in the hostile environment for more than eight years.

Rescuers discovered the five-person clan after a survey plane spotted a crude signal fire the family had created in a barbecue grill.

"Imagine my surprise when, smack-dab in the middle of nowhere, I saw these flames," pilot Tony Riggs said. "I did a second pass and was shocked to see actual human beings down there. I remember thinking to myself, 'My God, who could live in a place like that?' It's incredible to imagine they survived there for so long."

Bill Holsapple, 41, wife Meredith, 39, and son Jay disappeared in June 1993, when, two months after Jay's birth, the family of three left their Chicago apartment for parts unknown. The three were not heard from again until Monday, when they were found in the suburban wasteland known as Buffalo Grove with two new family members, Kimberly, 4, and Jordan, 2.

To protect themselves from the elements, the Holsapples fashioned a three-bedroom, ranch-style lean-to with brick facing and white aluminum siding. During their years on the acre-and-a-half lot, the Holsapples faced many hardships, including septic-tank backups, frequent ant infestation, and the threat of rezoning to erect an industrial park across the street.



**Above: A photo of the Holsapples, taken during their years in the wilderness.**

# New Suburbanism



# *Anderson v. Issaquah (Wash.App. 1993)*

- *“Buildings shall be made compatible with adjacent buildings ...”*
- *“Evaluation ... based on quality of its design and relationship to the natural setting ...”*
- *“Building components ... shall have appropriate proportions and relationship to each other ...”*
- *“Colors shall be harmonious ...”*
- *“Monotony of design ... shall be avoided ...”*
- *“Efforts shall be made to create an interesting project ...”*



# Myths & facts

- **Myth: “A shorter ordinance is easier to understand”**
- **Reality:**
  - Definitions and concepts need some text
  - Easier conceptually does not mean easier to implement
  - Short ordinances tend to create undue discretion
    - Legal issues
    - Discourages use
- **Solution:**
  - Establish only those standards that are necessary

# Myths & facts

- **Myth: “Codes should tell applicants what they can do, not what they cannot do”**
- **Reality:**
  - Codes are legal documents
  - Absent restrictions, developers are free to use non-urbanist elements that undermine NU concepts
- **Solution: Codes should set limits while also visualizing the possible**

# Myths & facts

- **Myth: Developers do not produce good communities because zoning makes them illegal**
- Reality:
  - Nearly all zoning ordinances allow PUD
  - Most NU communities were built under PUD, NOT a New Urbanist Code
  - BUT, PUD creates obstacles: (1) discretionary (2) not address ancillary standards that can destroy good urbanism (streets, parking, buffers, SWM)
  - Same obstacles exist for multiple use “pod” PUDs
- Solution: Write clear, predictable and enforceable NU codes

# Myths & facts

- **Myth: “Developers will produce better communities if the Codes will only show them how to do it”**
- **Reality:**
  - Perception: consumers want privacy and security
  - Auto-centric transportation systems beget sprawl, not bad codes
- **Solutions:**
  - Developers need strong incentives (or mandates)
  - Community needs multi-modal transportation systems

Reference: Alex Marshall, *How Cities Work : Suburbs, Sprawl, and the Roads Not Taken* (Austin : University of Texas Press, 2000)

Results  
Control

Acceptability  
Flexibility



Mandatory  
standards

Point systems

Lists

Discretionary  
review

Incentives

Optional  
(permitted)

Mandates

Options

Controversial  
Litigation potential

Disregard  
Administration

# Benefits & Disadvantages of FBCs

Benefit	Disadvantage
Predictable	Confining
Streamlines development	Curtails public debate, process weak
Well-illustrated	Expensive to produce
Can encourage compact, mixed use development	Doesn't address non-urban development patterns adequately
Relatively short	Incomplete
A fun new language to use	Unnecessary jargon
Addresses regional & local scale	Tries too much – not always limited to context

# Conclusions

- Form based codes offer significant improvements over conventional zoning and its fixes
- Form based codes are not the only way to improve community design
- Many form based codes raise community design issues of their own