

**Z**oning and subdivision ordinances often promote the sprawling development patterns that many citizens oppose. Developers who agree with the citizens often find that mixed uses and pedestrian-friendly streets are difficult, if not actually illegal, to build. What tools can planners use to fix this absurd state of affairs?

Form-based codes are gaining popularity as communities realize the benefits of growing compactly. Miami has rewritten its entire zoning code using this approach, easily the most ambitious attempt at code reform anywhere in the country. However, most form-based codes apply to a limited portion of the community, often to downtown or key redevelopment areas that have been the subject of detailed physical planning.

Form-based codes are alternatives to conventional zoning. Whether the intent is a greyfield conversion of a dead mall or the revitalization of an aging commercial corridor, a shared physical vision of the desired character is the essential first step. A form-based code is then written to turn the design vision into objective standards that

replace the existing zoning.

According to the Form-Based Codes Institute: "Form-based codes foster 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. These codes are adopted into city or county law as regulations, not mere guidelines. Form-based codes are an alternative to conventional zoning."

The frequent failure of zoning to carry out physical planning is unsurprising because zoning originated as a means to isolate and segregate land uses. Eighty years after the Supreme Court authorized local governments to zone land, zoning practice often remains mired in solving problems of that by-gone era.

Form-based codes are sometimes confused with design guidelines, which control how individual buildings look.

Design guidelines emerged from the efforts of preservation planners to control how renovations or new

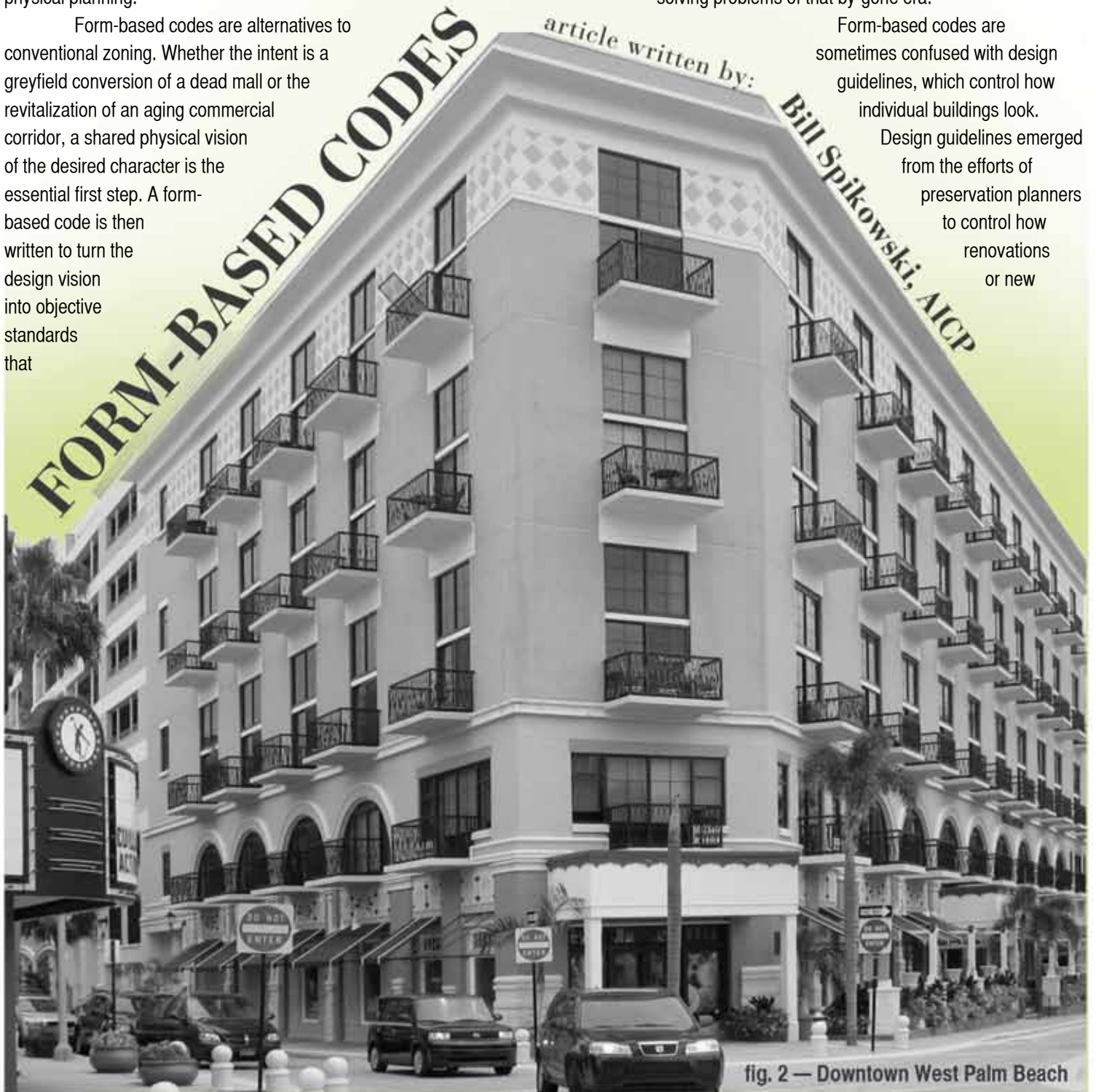


fig. 2 — Downtown West Palm Beach

# [FORM BASED] CODES CONTINUED

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construction fit into historic districts. However, design guidelines usually require laborious discretionary reviews, eliminating the predictability that is the hallmark of a good regulation.

Ironically, the first modern form-based code was not a municipal regulation at all. The Seaside code was prepared so its developer, Robert Davis, could ensure the town's design would be implemented by purchasers of individual lots in a county that had no zoning at all. (fig. 1)

This technique was later adapted for PUD-like rezoning processes so that local governments could ensure that promised development patterns were carried out. Gaithersburg, Maryland, used this approach to accommodate the development of Kentlands in the late 1980s. Several local governments in Florida then adopted similar traditional neighborhood development (TND) codes.

About fifteen years ago form-based codes began being used in redevelopment and revitalization situations. Techniques had to evolve once hundreds of different property owners would be regulated by the new codes. Today there are many dozens of form-based codes in effect in Florida cities and counties.

West Palm Beach adopted a pioneering form-based code

in 1994 for its entire downtown. This code, in force during the entire building boom, has just undergone a significant overhaul. (fig. 2)

On a smaller scale, a new code for downtown Naples transformed Fifth Avenue South into a premier shopping and dining destination. (fig. 3)

Another prominent example is in Miami-Dade County, where land around the Dadeland Mall is being converted into a downtown for the sprawling community of Kendall.

The suburban community of Winter Springs is using a form-based code to create a new walkable center on undeveloped land.

The cities of Fort Myers and Sarasota have adopted form-based codes to carry out their downtown redevelopment plans. Both were fashioned after the model SmartCode.

In northern St. Lucie County, 28 square miles were planned to accommodate several new towns and villages. A form-based code adopted in 2006 will ensure that the towns and villages are comprised of traditional neighborhoods while the surrounding countryside is preserved for agriculture and habitat restoration. (fig. 5)

Sarasota County allows developers to use a new form-based code in key redevelopment areas if they commit to a charrette-based

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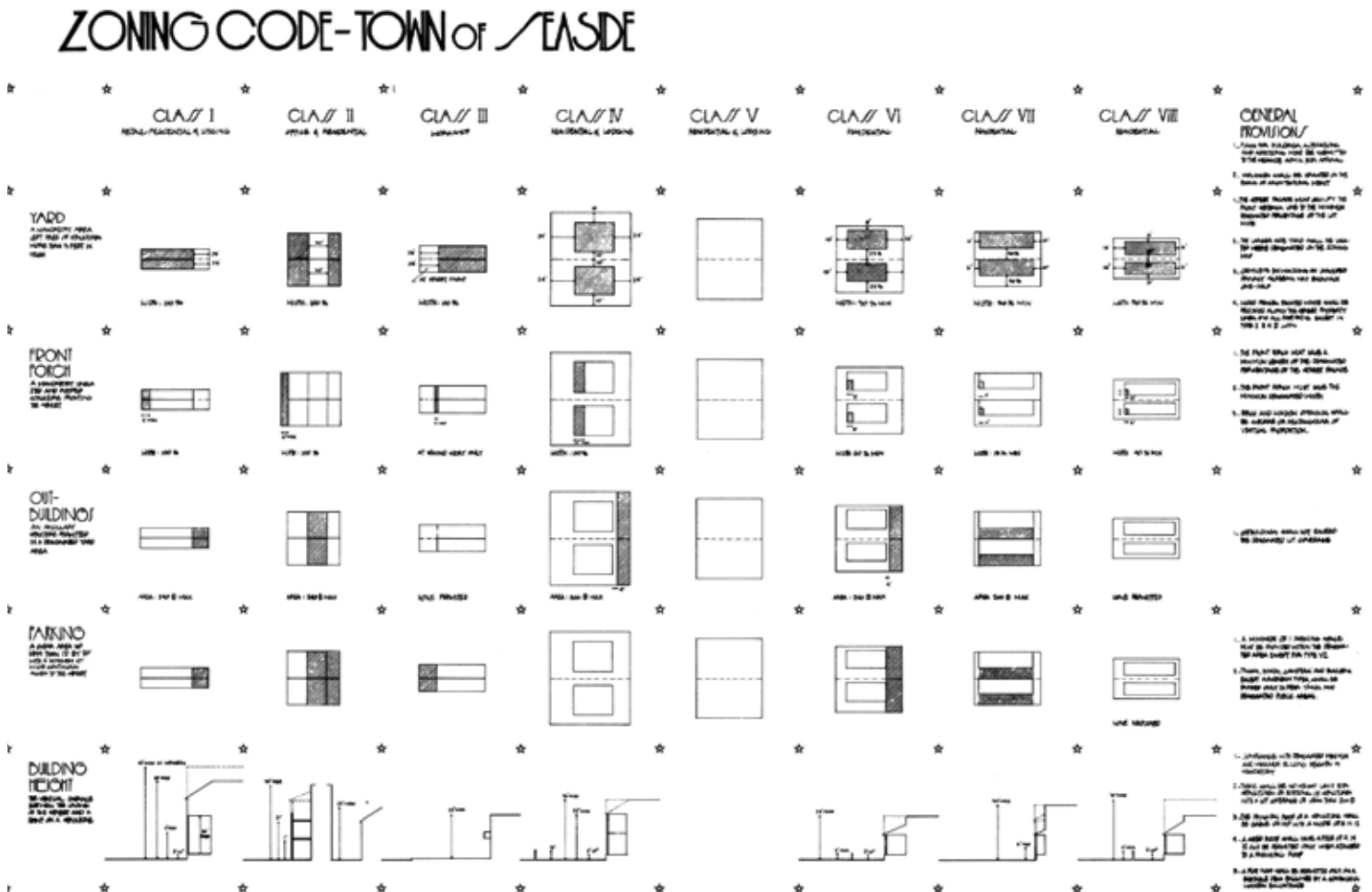


fig. 1 — Early poster code for Seaside [Duany, Plater-Zyberk & Co.]

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planning process. The first development proposal in the community of Osprey is now working its way through the rezoning process. (fig. 6)

For fundamental issues about the creation of public spaces, such as avoiding blank walls or parking lots along sidewalks, form-based codes are very strict. Common but less-important rules, such as on-site parking and micromanagement of land use types, are loosened compared to typical zoning codes. Form-based codes make liberal use of matrices, diagrams, and other illustrations so that the intent of the code is clear even to non-designers.

The development approval process in Florida has become expensive, antagonistic, and unpredictable. When consensus can be achieved at the beginning of the coding process and the new rules are clearly written, the approval process can yield better results while also being quicker and more predictable. As Peter Park, Denver's planning director, has asked, "Why shouldn't Denver streamline permitting of development that matches what the city wants?"

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fig. 3 — Fifth Avenue South in Naples



fig. 5 — North St. Lucie County [Treasure Coast Regional Planning Council]

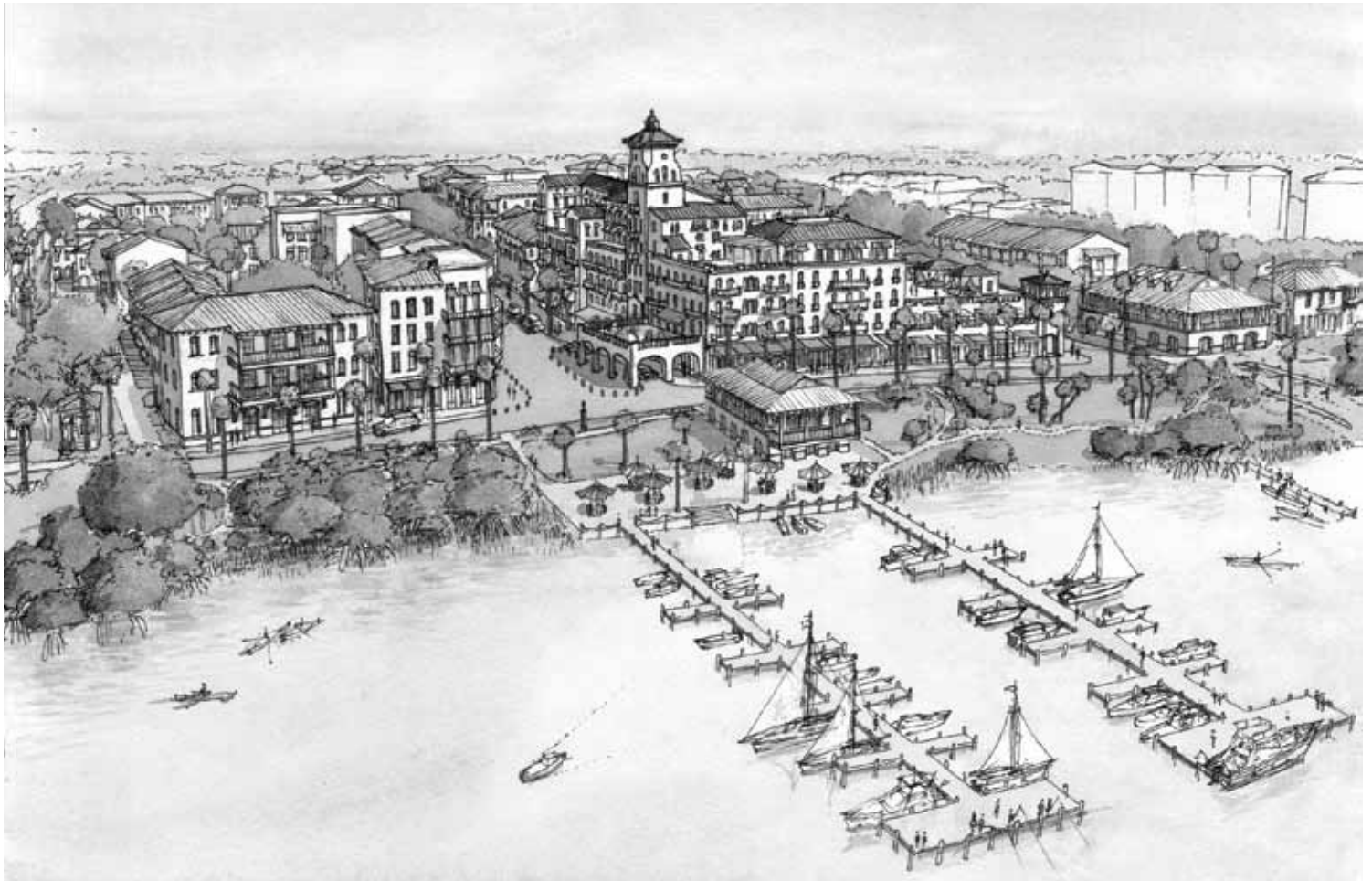


fig. 6 — Osprey waterfront proposal in Sarasota County [Dover, Kohl & Partners]