

Filling the Urban Gaps with Form-based Controls



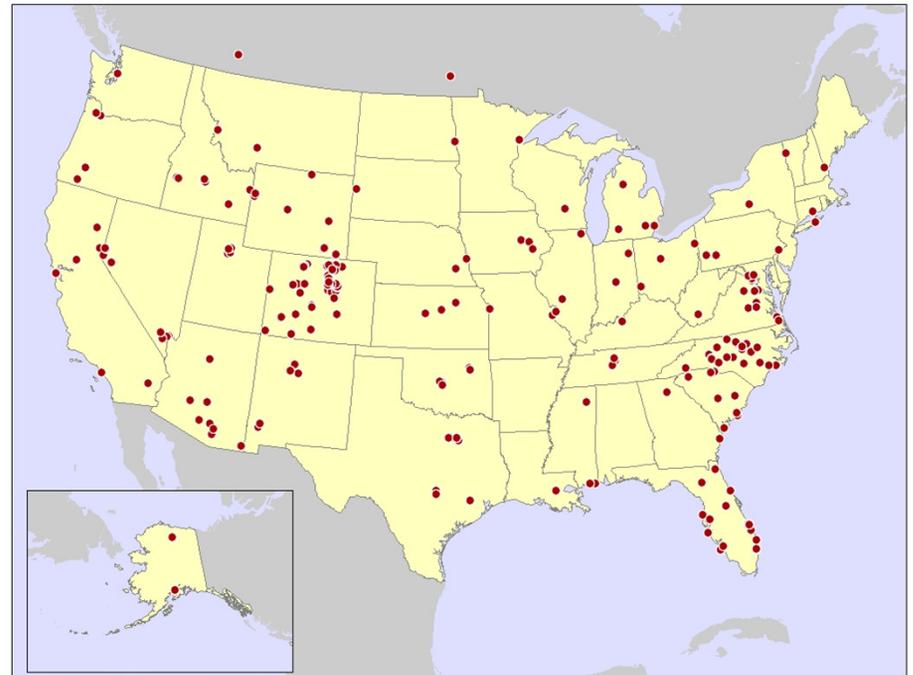
Don Elliott

Clarion Associates

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Clarion Associates

- **17 lawyers, planners, landscape architects, and urban designers**
- **Form, use, and performance-based coding**
- **Community, corridor, neighborhood, and sustainability plans**
- **Leaders in hybrid codes and sustainable development practices**

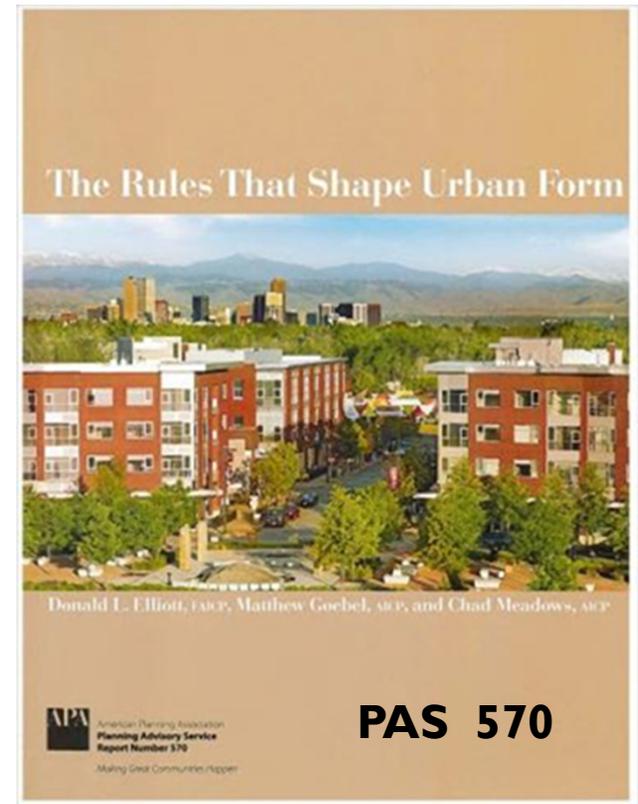


Background

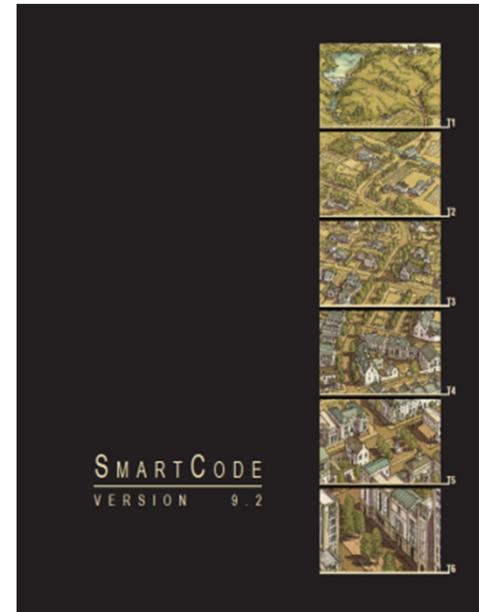
- **Lots of Different Approaches to Form-based Zoning in Use**
- **All the way from minor build-to lines and parking location controls added to traditional use-based controls**



- **Very strict and comprehensive templates controlling many aspects of development form (calibrated to the local fabric)**



Background



Austin

Mooreville

Denver

**Arlington
County**

Livermore

Miami

Background

Six Case Studies

Analyses of Whether / When / Where Form-based Controls can help meet other planning goals:

- Housing affordability
- Sustainable Development
- Aging and Demographic Change
- Historic Preservation



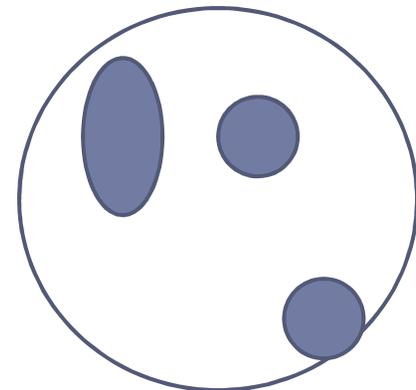
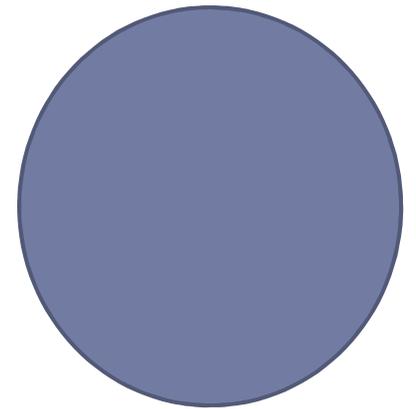
Six Basic Questions

I. Are you designing form-based controls to cover:

- A. The **entire community** (like Denver and Miami) or
- B. **Specific areas** of the community (like Arlington Columbia Pike) with

Most communities choose “B” and focus the tool on walkable urban areas

But fear of “A” – or efforts to tackle “A” without sufficient time and budget -- can undermine the process



Six Basic Questions

2. Are you designing the controls for

- A. **Greenfield** sites with a Single Landowner; or
- B. **Large Redevelopment** Sites (Single Owner / Multiple Owners); or
- C. **Infill Areas** with Multiple Owners?

“A” is not too hard – like a PUD only more disciplined

“B” is harder – beware of assuming you can change street, block, or utility networks if you cannot (or you don’t know who will pay it)

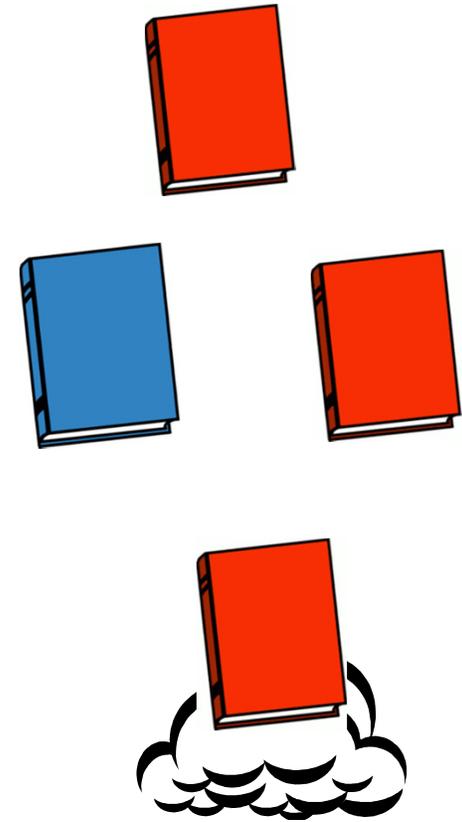
“C” had better not assume changed street, block, or utility networks, because redevelopment will happen in an unpredictable pattern and none of the applicants will be in a position to move the streets

Six Basic Questions

3. Are the controls going to be:

- A. **Mandatory**; or
- B. **Optional** – a “Parallel Code” already approved and ready to be used at property the property owner’s option; or
- C. **Optional** – a “Floating Zone” already drafted but requiring the property owner to rezone their land to use the controls

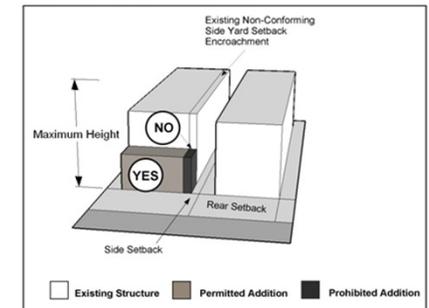
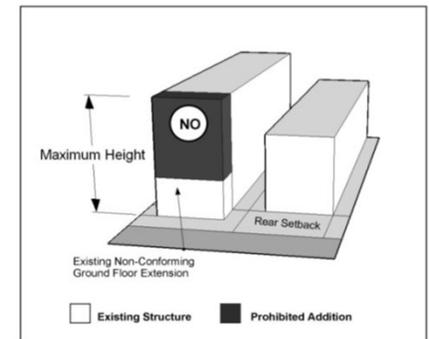
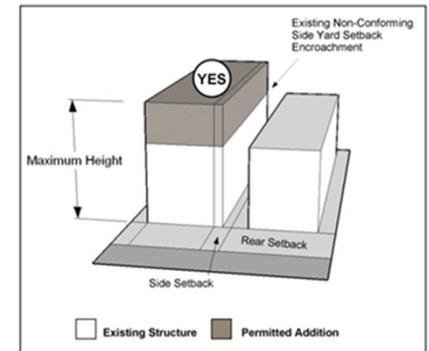
Being clear on this point can simplify the discussion significantly and reduce anxiety levels if the intent is for optional controls



Six Basic Questions

5. How will existing (nonconforming) properties be treated and which rules govern reinvestment?

- The old “they’re grandfathered but they cannot expand or rebuild” answer is not very helpful
- Don’t make life harder for existing buildings and uses
- Allow some reinvestment and expansion under the old rules to keep them viable
- Especially for multi-owner infill – this takes time – and forcing compliance may just discourage reinvestment in the area



Six Basic Questions

6. Do you have engagement and buy-in from other departments?

- If you intend to redesign street cross-sections to make them narrower, “greener” or “more complete” – make sure the streets / public works staff are at the table
- If you intend to reduce on-site open space and setbacks to achieve more walkable fabric, make sure the utilities staff and stormwater staff are at the table

Otherwise you'll have the “advisory” footnote

