

Hybrid codes versus form-based codes

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As form-based coding continues to increase in popularity, the term “hybrid code” is being used more often. Hybrid codes involve the meshing of conventional zoning codes with graphic urban design standards that typically address setbacks, parking placement, building bulk, materials, and architectural features. Such a hybrid is not a form-based code (FBC) and likely will not produce the physical outcome desired. While urban design standards within a conventional coding framework are beneficial, they are not enough, and are not a viable alternative to FBCs.

“The conception of public realm in this form of hybrid codes is missing,” say Geoffrey Ferrell, chairman of the Form-Based Code Institute. FBCs carefully pull together the individual elements of the public realm — the buildings, streets, and open space — into a cohesive and memorable place. FBCs also integrate the full spectrum of land-use regulations such as planning, zoning, subdivision, public works, and safety standards to produce benefits in unison, rather than allowing these systems to clash with one another.

Because the form standards are not fully developed in such hybrid codes, hyper-control of uses continues. Changes in market cycle require constant legislative changes to the zoning regulations. The lack of precise standards diminishes the predictability of the outcome. Discretionary review continues. The uncertainty is played out at individual project levels in contentious and protracted public hearings.

Communities often drift toward a hybrid code either because the sheer scale of replacing the conventional zoning seems daunting — or because a hybrid code is proposed by a consultant who does not fully understand how to integrate a FBC into the existing system, especially when it applies citywide.

A better way to deal with this problem is to adopt a complete and comprehensive FBC for a specific planning area such as a neighborhood or district. The FBC would reside within the structural and legal framework of a conventional code.

Plenty of FBCs have been adopted. Their built results provide numerous examples of how FBCs have been implemented, without the need to “hybridize.” Recently completed codes and code updates that are in progress in Miami, Denver, Livermore, California, and Flagstaff, Arizona, show the right way to approach form-based codes citywide.

In a citywide code there are auto-dependent or conventional zones resting next to complete FBC regulations. The Smart-Code, for example, allows the establishment of special districts and Transect zones in which a degree of automobile-oriented and/or lower-density development is permitted. A pure FBC, therefore, legitimately includes a degree of “hybridization” — or conventional components — at the citywide scale.

Integrating form-based coding into a citywide code is no more work and no more complex than a conventional code update. In addition, communities often are excited about getting a much-needed fix for their “broken” zoning codes, which have promoted development that is completely auto-dependent.

Infill and greenfield areas susceptible to change are typically coded first. Their FBCs include: a regulating plan that defines the placement of buildings, streets, and open spaces; building

form standards that define height (or stories), bulk, and function of the building; standards for different types of streets and open spaces; and a streamlined development review process. Any code that lacks these basic components will compromise the consistency of the place and the streamlined review process — by shifting the protracted discretionary review from the larger plan and code level to the individual project level.

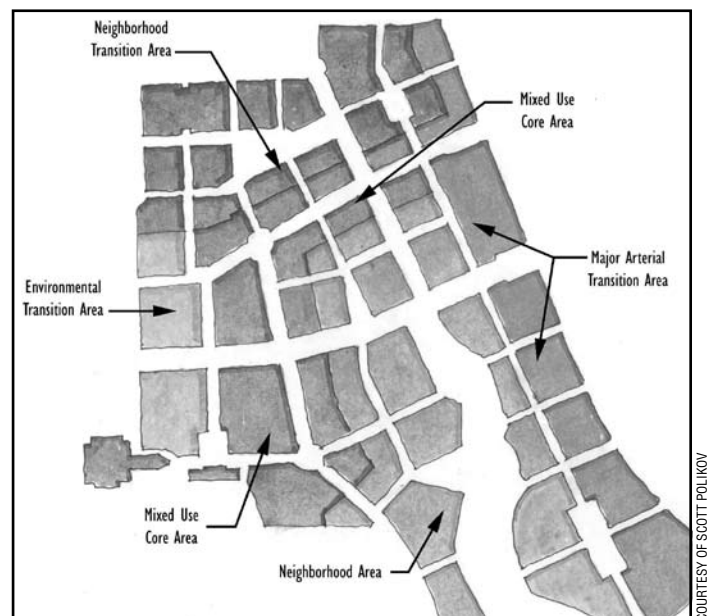
FBCs can be adopted for specific areas — as freestanding unified development codes that contain all the standards and procedures, with little or no reference to the conventional zoning ordinance. For example, “Specific Plans” in California combine policies, codes, and implementation strategies into one freestanding document. Alternatively, these FBCs can be housed in the existing conventional zoning ordinance with necessary adjustments to the conventional subdivision and site planning processes. This kind of code delivers all the benefits of a FBC — on a familiar conventional zoning platform. It combines zoning, urban design, public works, and safety standards with subdivision and streamlined review processes.

Lessons Learned

How does one determine if a code is form-based — and well-crafted? The Form-Based Codes Institute (FCBI) has developed a checklist for identifying and evaluating FBCs based on their ability to shape pedestrian scale, mixed-use, fine-grained urbanism, enforceability, and ease of use. The checklist is available at www.formbasedcodes.org.

Production and administration of FBCs require an interdisciplinary sensitivity to planning, urban design, architecture, landscape design, transportation and civil engineering, legal issues, environmental science, and market demand. Generally, planners do not have all of these skill sets — no one person does. Therefore, hiring consultants, while expensive, is necessary. Cash-strapped communities should explore creative

Flower Mound, Texas, form-based zones



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sources of funding such as current or future developers or property owners; redevelopment agencies; foundations; and grants.

The City of Phoenix hired a team of consultants to prepare the Downtown Plan and FBC, but contrary to original claims by the lead consultant, no one on the team had previously prepared a FBC. After the consultants exhausted much of the city resources in preparing a draft plan, responsibility for the FBC shifted to the planning staff. Despite the staff's best efforts, the entrenched bureaucracy at City Hall blocked the development of a FBC. The emphasis then shifted to developing a hybrid code.

"In Phoenix, we failed to educate ourselves and relied on the consultant for the Downtown Plan and Code," says Dean Brennan, project manager. "We learned too late how critical the selection of the consulting team is to the preparation of a FBC." He urges: "Before selecting a consulting team, educate yourself about FBCs and then make sure the consultants have the necessary background and experience."

To assist municipalities that are issuing requests for qualifications (RFQ) for preparation of form-based codes, the FBCI has posted a suggested scope of services on its website.

Avoid Disappointment

Anything less than a FBC will produce inferior outcomes and may further disillusion the public. A hybrid code in any format is not a long-term solution. Over the years, "the primary goal of any citywide code update should be to make the code default to compact, walkable urbanism and make auto-dependent development the exception," says Dan Parolek, urban designer and coauthor of *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*. "The aim should be to apply the form-based coding as comprehensively across the city as possible or to set up the framework to do so in the future." Therefore, a citywide organizing framework must be developed early, so that FBCs for specific areas of the city can be expanded to other areas with minimal disruption.

"Even if the new code has some conventional suburban elements," notes Scott Polikov of Gateway Planning Group, "to be successful it must be crafted and applied as a self-contained



An infill area in Ventura where form-based coding has been applied

unified development code to implement a neighborhood master plan."

Ventura: Form-based codes within conventional zoning

The Ventura, California, General Plan called for overhauling the conventional zoning regulations and adopting a city-wide form-based code. Limited resources, development and political pressures redirected the coding efforts from city-wide to infill areas. Over the past three years, the city has adopted four FBCs for the downtown area, commercial corridors, and a new neighborhood on the city's east side. Several other FBCs are in various stages of completion.

The FBCs are spliced into the existing zoning as stand-alone chapters, and new streamlined development review provisions are added. This approach has allowed the city to deploy its limited resources on infill areas where change is occurring, and adopt new form-based codes where they are most needed, without spurring political upheaval in the stable areas of the city.

Grass Valley, CA: Code update with FBC integration

This code is an early example of integrating a FBC into a citywide code. Consultants worked with the city to select specific areas in which form-based coding would be applied — including the historic downtown, adjacent neighborhoods, and an aging arterial street that needed major transformation. The FBC components, such as frontage types and building form standards, reside within their own chapter, but rest within the otherwise conventional code document. The FBC regulations override

other chapters of the code to ensure the FBC intent is not compromised.

Flower Mound, Texas: Floating "form-based" code

Primarily a bedroom community, Flower Mound sought to encourage mixed-use infill in several locations, each surrounded by established single-family subdivisions. The existing conventional zone was amended by creating a new zone that contains all elements of a FBC, but these regulations do not yet apply and do not include a regulating plan.

The hybrid form-based code developed by Gateway Planning Group authorizes a mixed-use zoning district in which the developer is required to use at least two of five mixed-use character zones activated primarily by form standards that establish building disposition, building configuration, street types, and defined public space. The regulations are floated on the existing conventional zoning platform.

The floating code includes requirements for preparing a regulating plan. When the owner is ready to build, a regulating plan that demonstrates compliance with the regulations must be prepared. The key here is how the applicant substantiates use of the code to form good urbanism, while also feathering the new mixed-use neighborhood into existing conventional adjacent subdivisions and perimeter arterials. ♦

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