

Case Study: Form-Based Codes

Form-based code (FBC) is “A method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations.

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.

The regulations and standards in Form-based codes, presented in both diagrams and words, are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use types. This is in contrast to conventional zoning’s focus on the micromanagement and segregation of land uses, and the control of development intensity through abstract and uncoordinated parameters (e.g., FAR, dwellings per acre, setbacks, parking ratios, traffic LOS) to the neglect of an integrated built form. Not to be confused with design guidelines or general statements of policy, Form-based codes are regulatory, not advisory.

Form-based codes are drafted to achieve a community vision based on time-tested forms of urbanism. Ultimately, a form-based code is a tool; the quality of development outcomes is dependent on the quality and objectives of the community plan that a code implements.

Form-based codes commonly include the following elements:

- *Regulating Plan.* A plan or map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being code.
- *Public Space Standards.* Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, on-street parking, street trees, street furniture, etc.).
- *Building Form Standards.* Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- *Administration.* A clearly defined application and project review process.
- *Definitions.* A glossary to ensure the precise use of technical terms.”¹

Identifying Form-Based Codes

“A well-crafted form-based code is the most effective form of development regulation for shaping pedestrian-scaled, mixed use and fine-grained urbanism. How does one determine if a development regulation is a form-based code and a well-crafted one? Form-based codes generally receive affirmative answers to all of the following questions:

Is it a Form-Based Code?

- Is the code’s focus primarily on regulating urban form and less on land use?
- Is the code regulatory rather than advisory?
- Does the code emphasize standards and parameters for form with predictable physical outcomes (build-to lines, frontage type requirements, etc.) rather than relying on numerical parameters (FAR, density, etc.) whose outcomes are impossible to predict?
- Does the code require private buildings to shape public space through the use of building form standards with specific requirements for building placement?
- Does the code promote and/or conserve an interconnected street network and pedestrian-scaled blocks?
- Are regulations and standards keyed to specific locations on a regulating plan?
- Are the diagrams in the code unambiguous, clearly labeled, and accurate in their presentation of spatial configurations?

Evaluating Form-Based Codes

The next lists of questions reflect best practices of form-based coding. Effective form-based codes usually receive affirmative answers to these questions:

Is the code enforceable?

- Does the code implement a plan that reflects specific community intentions?
- Are the procedures for code administration clearly described?

¹ Form-Based Codes Institute. (2009, January 29). *Definition of a form-based code*. Retrieved from <http://www.formbasedcodes.org/definition.html>

- Is the form-based code effectively coordinated with other applicable policies and regulations that control development on the same property?
- Is the code designed, intended, and programmed to be regularly updated?

Is the code easy to use?

- Is the overall format and structure of the code readily discernable so that users can easily find what is pertinent to their interest?
- Can users readily understand and execute the physical form intended by the code?
- Are the intentions of each regulation clearly described and apparent even to planning staff and citizens who did not participate in its preparation?
- Are technical terms used in the code defined in a clear and understandable manner?
- Does the code format lend itself to convenient public distribution and use?

Will the code produce functional and vital urbanism?

- Will the code shape the public realm to invite pedestrian use and social interaction?
- Will the code produce walkable, identifiable neighborhoods that provide for daily needs?
- Is the code based on a sufficiently detailed physical plan and/or other clear community vision that directs development and aids implementation?
- Are parking requirements compatible with pedestrian-scaled urbanism?²

Eight Advantages to Form-Based Codes

1. “Because they are prescriptive (they state what you want), rather than proscriptive (what you don't want), form-based codes (FBCs) can achieve a more predictable physical result. The elements controlled by FBCs are those that are most important to the shaping of a high quality built environment.
2. FBCs encourage public participation because they allow citizens to see what will happen where—leading to a higher comfort level about greater density, for instance.
3. Because they can regulate development at the scale of an individual building or lot, FBCs encourage independent development by multiple property owners. This obviates the need for large land assemblies and the megaprojects that are frequently proposed for such parcels.

4. The built results of FBCs often reflect a diversity of architecture, materials, uses, and ownership that can only come from the actions of many independent players operating within a communally agreed-upon vision and legal framework.
5. FBCs work well in established communities because they effectively define and codify a neighborhood's existing “DNA.” Vernacular building types can be easily replicated, promoting infill that is compatible with surrounding structures.
6. Non-professionals find FBCs easier to use than conventional zoning documents because they are much shorter, more concise, and organized for visual access and readability. This feature makes it easier for nonplanners to determine whether compliance has been achieved.
7. FBCs obviate the need for design guidelines, which are difficult to apply consistently, offer too much room for subjective interpretation, and can be difficult to enforce. They also require less oversight by discretionary review bodies, fostering a less politicized planning process that could deliver huge savings in time and money and reduce the risk of takings challenges.
8. FBCs may prove to be more enforceable than design guidelines. The stated purpose of FBCs is the shaping of a high quality public realm, a presumed public good that promotes healthy civic interaction. For that reason compliance with the codes can be enforced, not on the basis of aesthetics but because a failure to comply would diminish the good that is sought. While enforceability of development regulations has not been a problem in new growth areas controlled by private covenants, such matters can be problematic in already-urbanized areas due to legal conflicts with first amendment rights.”³

² Form-Based Codes Institute. (2006, June 27). *Checklist for identifying and evaluating form-based codes*. Retrieved from <http://www.formbasedcodes.org/checklist.html>

³ Form-Based Codes Institute. (unknown). *Eight advantages to form-based codes*. Retrieved from <http://www.formbasedcodes.org/advantages.html>