Form-Based Zoning: An Alternative to Conventional Codes

Description: Learn about the sticky issues in form-based zoning including use provisions, variations and nonconforming structures.

This topic will provide a basic understanding of form-based codes (FBC); how they are different from conventional zoning, how and where FBCs can be applied in a community, legal considerations in drafting and adoption, and how FBCs can help implement more sustainable communities. This topic will start with a broad overview of the benefits of FBCs, how they can work in your community, and a basic understanding of the working components of successful FBCs. Next, legal and practical considerations associated with adopting form-based zoning regulations will be reviewed to identify of the key challenges associated with drafting defensible FBCs. Identify the range of options for implementation that will help a FBC merge more seamlessly into a municipality’s existing zoning and subdivision framework.

Learning Objectives:
- You will be able to discuss first steps towards implementing a FBC.
- You will be able to identify where a form-based code is most appropriate in your community.
- You will be able to describe how form-based codes are administered differently from conventional zoning and be able to identify some legal issues applicable to the form-based process.
- You will be able to identify the key components to a form-based code.

Contents:

Why Form-Based Codes?
- Results of Conventional Practices
- Key Issues Addressed by FBCs

Elements of FBCs
- Comparisons With Conventional Zoning
- Graphic Layout
- Different Scales for FBCs

What's Next?
- First Steps Toward Implementing a FBC
- Methods for Utilizing FBCs
- Lessons Learned

Authority to Adopt Form-Based Coding Regulations
- Home Rule vs. Non-Home Rule
- Standard Zoning Enabling Authority
- Relationship to Comprehensive Plan
- Validity of Amendatory Zoning Ordinances

Code Rewrite or Form-Based District?
- Incorporation of Form-Based Provisions as Part of a Zoning and Subdivision Code Rewrite
- Incorporation Within a Form-Based District

Application and Approval Processes
- Establishing Application Requirements Specific to Form-Based Regulations
- Administrative Review, Versus Planned Unit Development Processes
- Site Plan and Appearance Review
- Hybrid Approval Procedures

Sticky Issues in Form-Based Zoning
- Use Provisions
- Variations
- Nonconforming Structures
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