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 ale 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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