



FORM-BASED ZONING

New York State Department of State

Course Outline

- What is Form-Based Zoning?
- Benefits
- Development
- Components
- Administration & review process





Basics of Form-Based Zoning

Comparison to convention zoning

Smart Growth Principles



- Distinctive communities with a sense of place
- Pedestrian-friendly design & walkable communities
- Compact building design & redevelopment of existing places
- Mixed-uses
- Variety of transportation options
- Range of housing choices
- Preserve open spaces, farmland & other community resources
- Greater community participation in planning
- Predictable, fair & cost effective development decisions

Public Realm



*“I observed that the vitals of the village were the grocery, the barroom, the post-office, and the bank;...**and the houses were so arranged as to make the most of mankind**, in lanes and fronting one another, so that every traveler had to run the gauntlet, and every man, woman, and child might get a lick at him.”*

Henry David Thoreau
Walden 1845, The Village

Public Realm

Uninviting



Inviting



Conventional Vs. Form-Based

Conventional

- Use is primary
- Segregated
 - ▣ Single-use
- Auto-centric
- Reactive & development led
- Proscriptive
 - ▣ Regulates to create buildings

Form-Based

- Physical form is primary
- Mixed-use
- Urban-centric
 - ▣ Walkable & compact
- Proactive & community led
- Prescriptive
 - ▣ Regulates to create places

Conventional vs. Form-Based

Conventional

- Maximum height requirements
- Minimum lot width
- Minimum parking requirements for each use

Form-based

- Minimum & maximum height standards
- Minimum & maximum lot width
- Maximum or shared parking requirements

User-friendly zoning

Conventional

- Text-based
 - ▣ Zoning map
- Complex text
 - ▣ Legal jargon
 - ▣ Textual descriptions
- Difficult to understand

“Graphic”

- Uses Graphics to help Illustrate requirements
 - ▣ “A picture worth a thousand words”
 - *Text trumps graphics*
- User-friendly

User-friendly zoning

Text-based

Pedestrian Walkway Lighting

“Pedestrian walkway lighting should be appropriate in style with the design character of the space. The bottom of pedestrian walkway fixture lenses is expected to be 14 ft. above surrounding grade. Raised concrete pole bases should be adjusted in height based on the style of pole base. Many traditional style light poles should not have any raised base. They should be set at the surrounding walk elevation. It is expected that special attention will be taken to select and coordinate a pole and fixture color that matches site furniture and accessory colors.”

Graphic



Not just for cities

- Glut of retail space
 - US: 46.6 square feet of retail space per person
 - Lower rents
 - Deferred maintenance



Suffolk County, NY

Not just for cities

- Grayfields
 - ▣ Strip malls
 - ▣ Dead malls
 - ▣ Parking lots
 - ▣ Obsolete buildings



Tualatin, Oregon



Benefits & barriers

Residential benefits

- Human-scale streetscapes & compact development
- Transportation options
- Walkable & bikeable
- Diverse housing options
- Accessible & lively public spaces



Community benefits

- Lowers cost of public services, infrastructure & transportation
- Less air & water pollution
- Maintains community character
 - ▣ Complementary infill projects
 - ▣ Creative reuse of historic structures
- Preserves farmland, open space & other natural resources



Community benefits

- Encourages greater public involvement community planning & development
- Easier to use & understand
- Ease of use encourages greater compliance
- More predictable & better quality development



Developer benefits

- Provides detailed development guidance

- Clearly illustrates the community's vision
- Provides standards that helps developers meet that vision
 - Avoids conflict



- Helps streamline the review & approval process

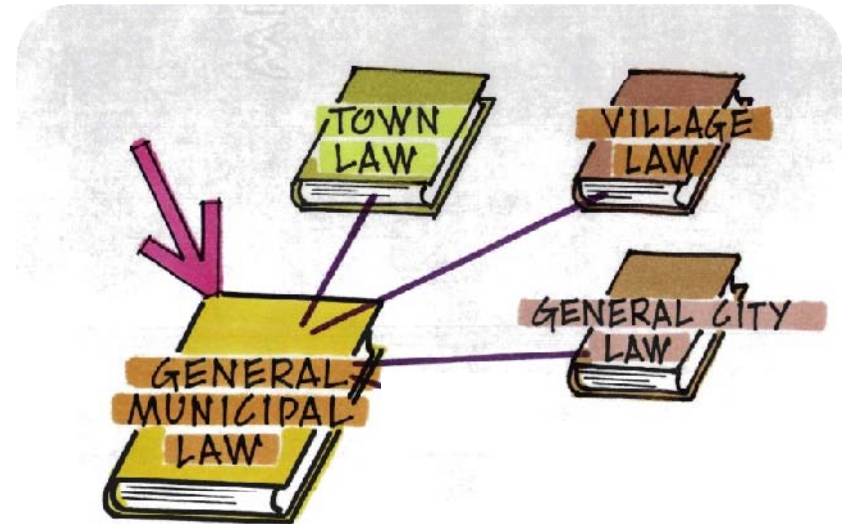
Barriers

- Few NY examples
- Awareness & understanding
- Detailed development
 - ▣ Requires professional staff or consultants
 - ▣ Initially more costly
 - Particularly on a larger scale



Grant of Power

- NYS constitution
 - MHRL
 - Enabling statutes
- No case law
- Consistency with:
 - NYS Constitution & General Laws of NYS
 - Local Laws
 - Comprehensive Plan



- **General City Law § 20**
- **Town Law § 261**
- **Village Law § 7-700**



Developing Form Based Zoning

Pre-Phase: Scoping

- Assemble the team
 - ▣ Specialized disciplines
 - Architects, urban designers, traffic engineers...
 - ▣ Elected officials
 - ▣ Municipal departments
 - Police, fire, parks....



Pre-Phase: Scoping

- ▣ Determine type or structure
 - Transect Based
 - *SmartCode*™
- ▣ Other types
 - Building-type
 - Street
 - Frontage
- ▣ Local templates

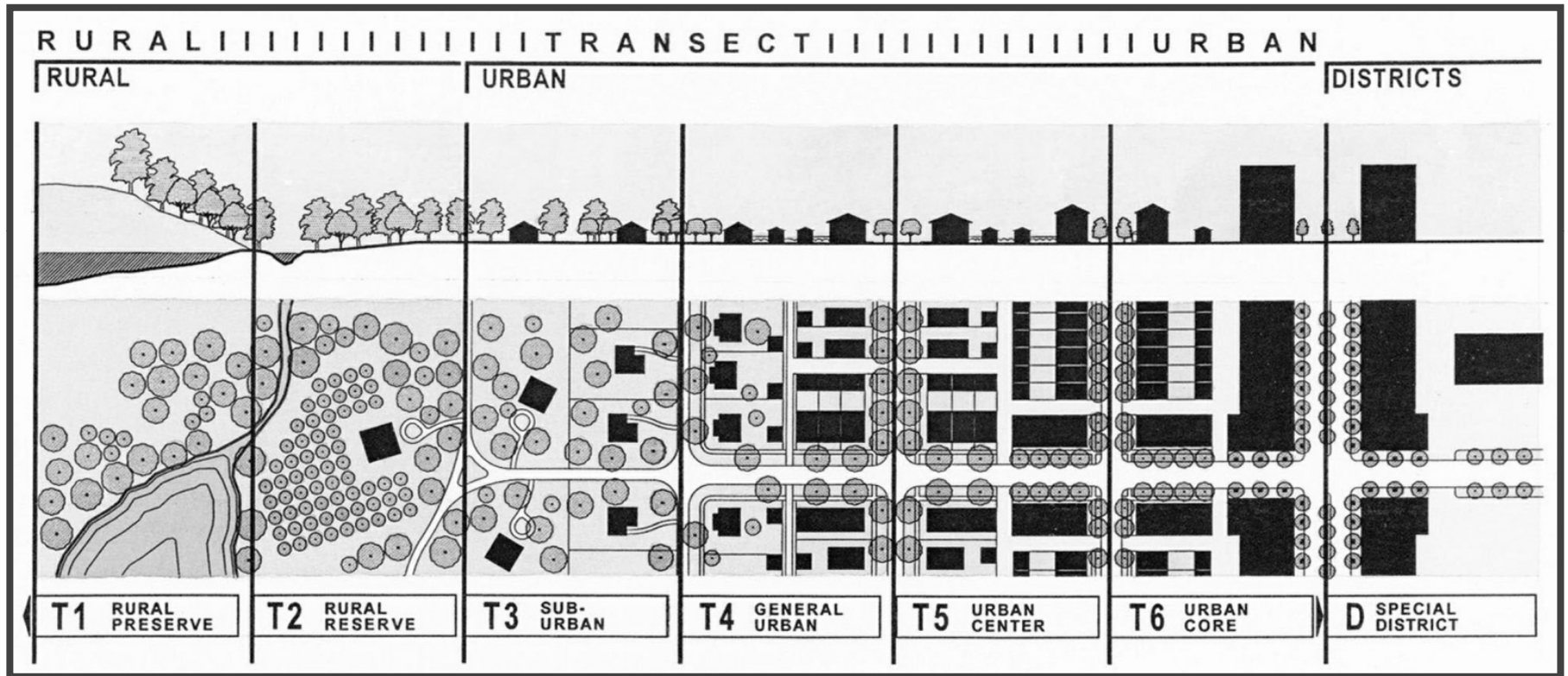


The transect

- The transect
 - ▣ “Rural to Urban”
- Seven basic transect zones
 - ▣ Increasing intensity
- “Immersive” environments

- Natural
- Rural
- Sub-urban
- General urban
- Urban center
- Urban core
- Special district

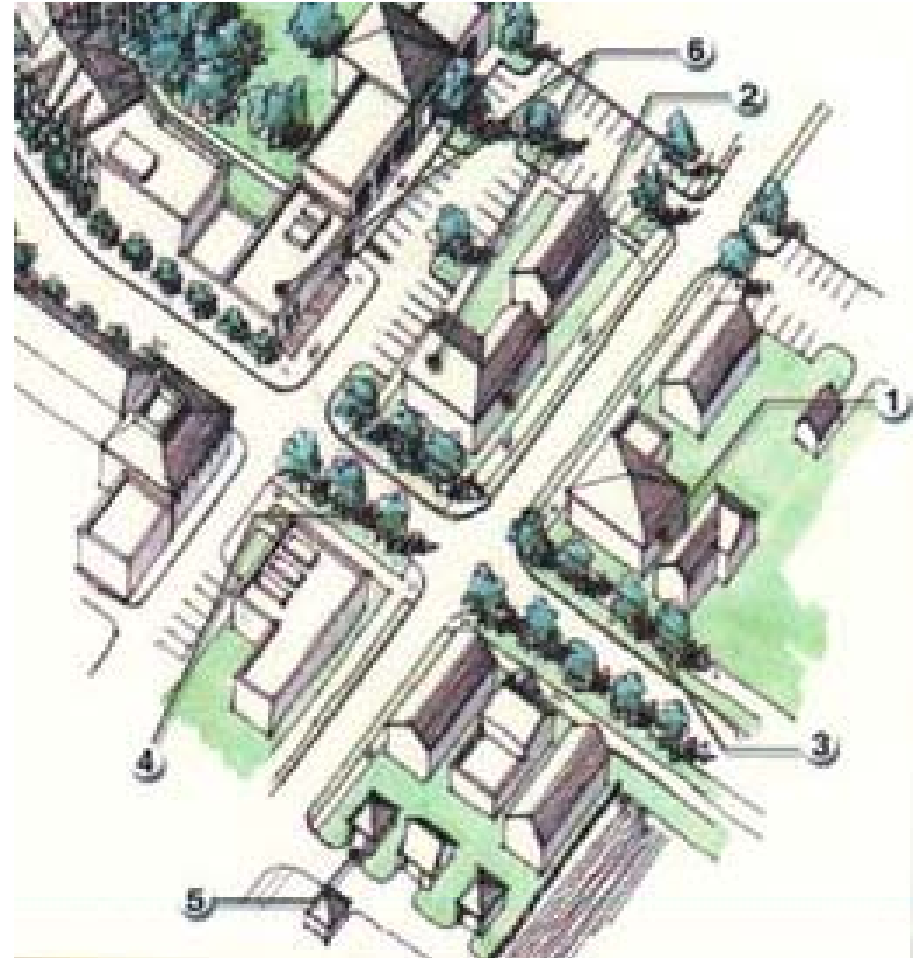
7 basic transect types or zones



Transects are referred to as T-Zones

Pre-Phase: Scoping

- Determine the scope
 - ▣ Geographic
 - ▣ Development issues
 - ▣ Degree of change desired



Pre-Phase: Scoping

- Comprehensive replacement

- Embedded/
Hybrid

- ▣ Mandatory

- Municipal wide

- Specific areas



Pre-Phase: Scoping

- Parallel
 - ▣ Optional
 - ▣ Specific areas
 - Traditional Neighborhood Development (TND)

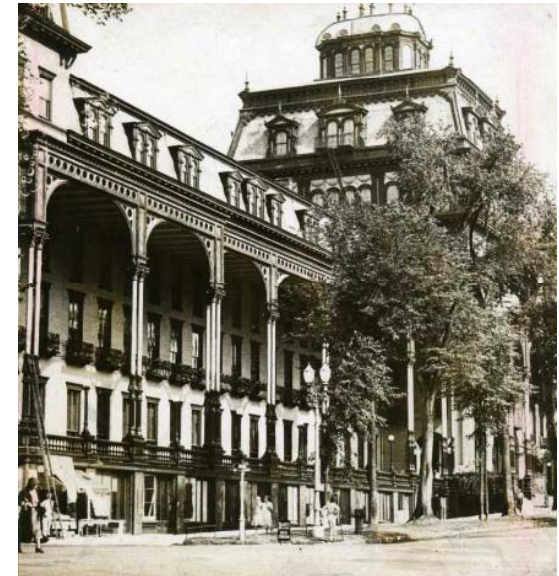




Built under FBZ Standards

Saratoga Springs, NY

FBZ: Saratoga Springs



Phase I: Documenting

- Existing Conditions

- ▣ Data gathering

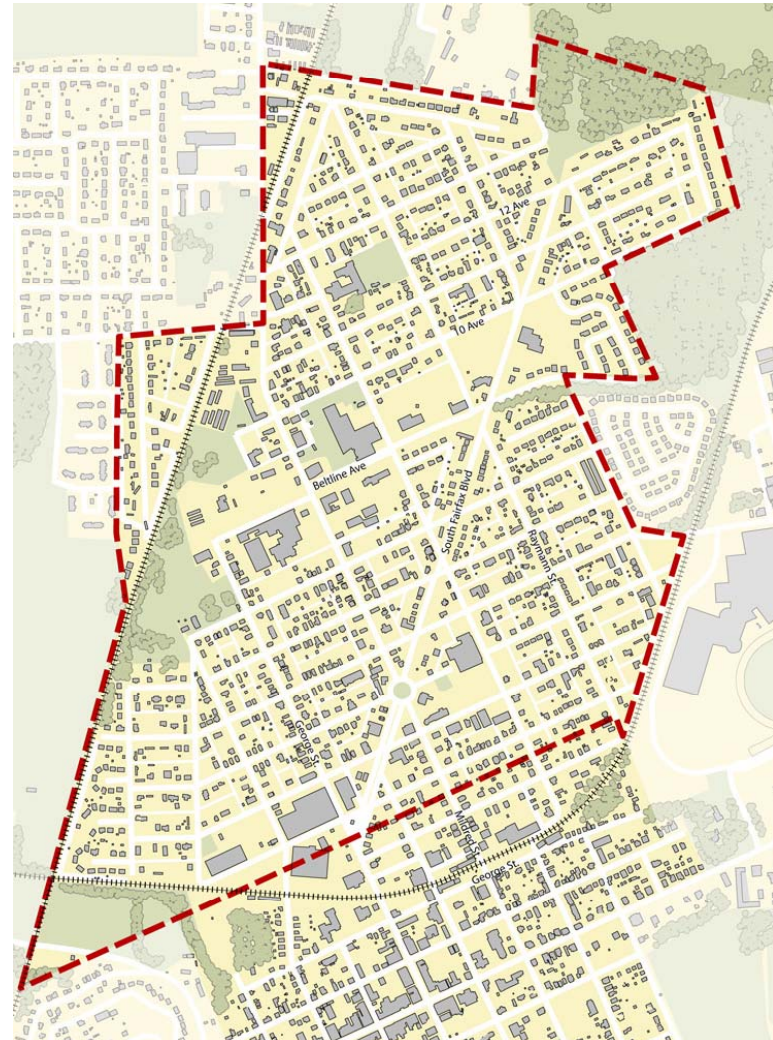
- Document

- Describe

- Two site visits

- ▣ Macro

- ▣ Micro



Phase I: Documenting

- Macro elements

- ▣ Neighborhood

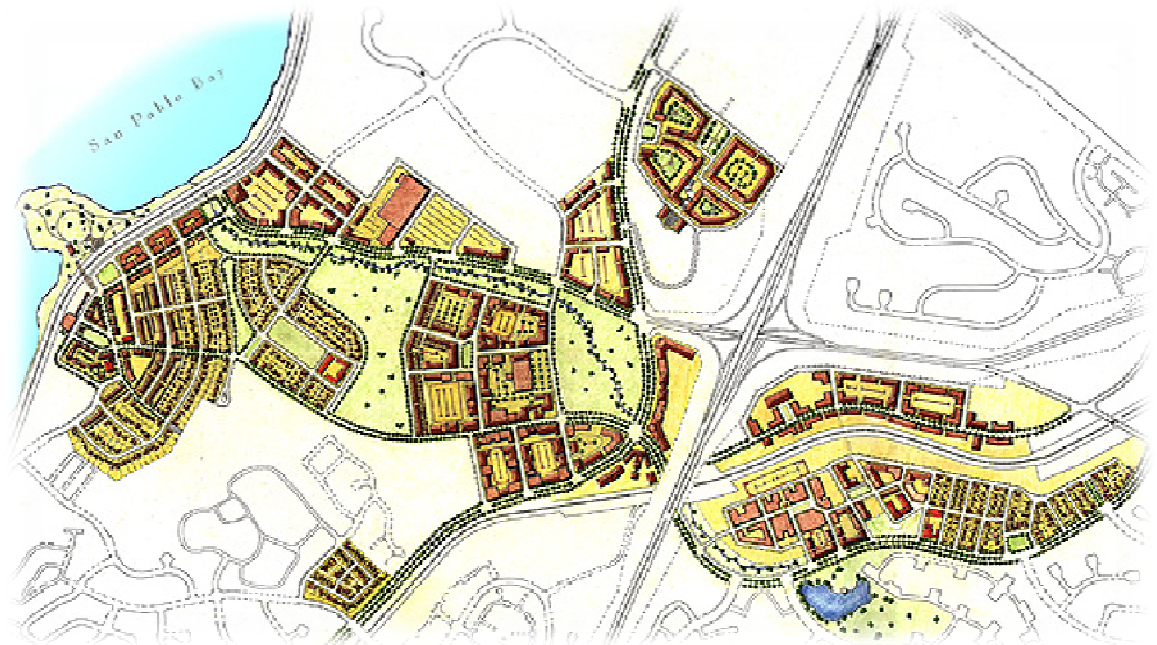
- ▣ Districts

- ▣ Corridors

- Patterns of development

- Existing zoning classes

- Base Map



Phase I: Documenting

- Micro elements
 - ▣ Thoroughfare types
 - ▣ Building types
 - ▣ Civic spaces
 - ▣ Frontage types
 - ▣ Architecture
 - Historic periods
 - Styles



Phase II: Visioning

□ Public participation

- ▣ Neutralizes opposition
- ▣ Engages
- ▣ Informs the process
- ▣ Creates support



Phase II: Visioning

□ Charrette

▣ Public meeting

■ Kickoff

■ Hands on

▣ Feedback loops

■ Holistic approach



Phase II: Visioning

- Illustrative plans
 - ▣ Transects
 - ▣ Micro elements
 - ▣ Foundation future zoning document
- Draft regulations
- Administrative review process



Phase III: Assembling

- Create final zoning document
 - ▣ Comprehensive replacement
 - ▣ Embedded
 - *Splicing*
- Basic formatting
 - ▣ Layout options
- Ease of use
 - ▣ Identify users

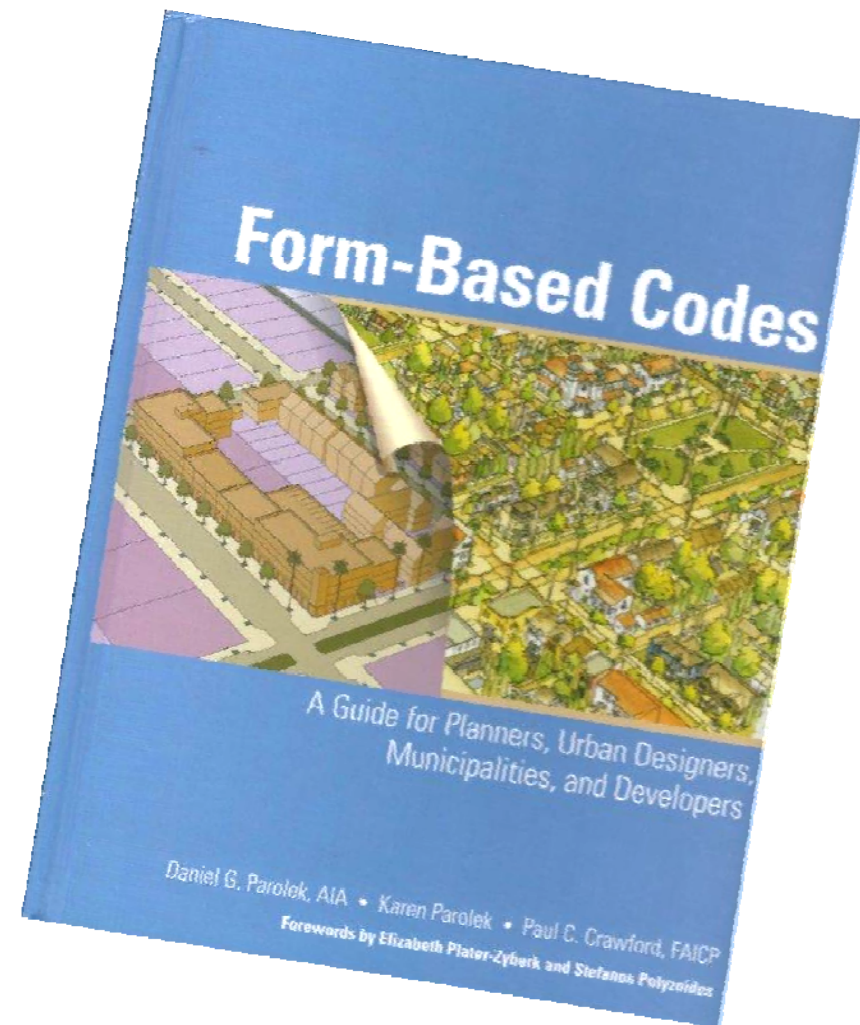
- Staff planners
- Property owners
- Potential property owners
- Developers
- Architects
- Consultants /Planners
- Business owners
- Local politicians
- General citizens
- Attorneys & judges



Standard Components

Typical organization

- Table of Contents
- Introduction
- Regulating Plan
- Public Space Standards
- Building Form Standards
- Other standards
- Administration
- Glossary



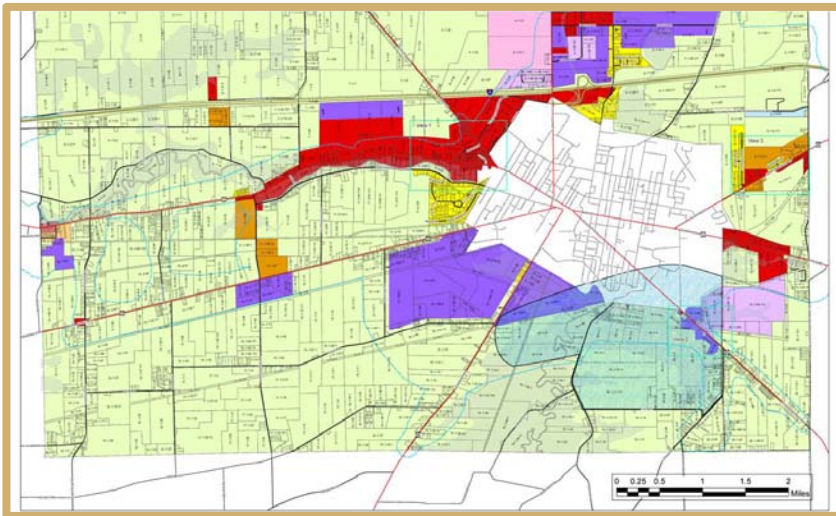
Regulating Plan



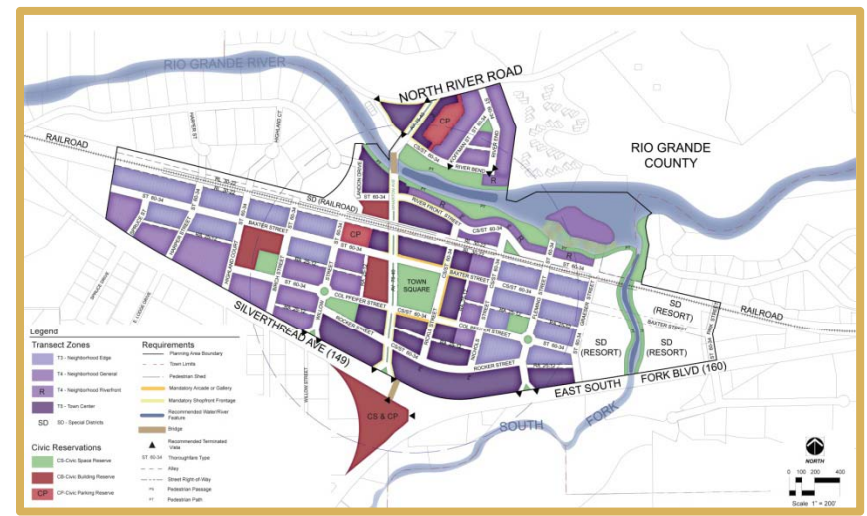
- Outlines development requirements
- Conventional zoning distinguishes zones by land use
- FBZ defines or delineates zones by physical characteristics:
 - ▣ Existing development patterns
 - ▣ Character or development desired
 - ▣ Physical boundaries
 - ▣ Alleys, rear lot boundaries lots, avenues, etc.

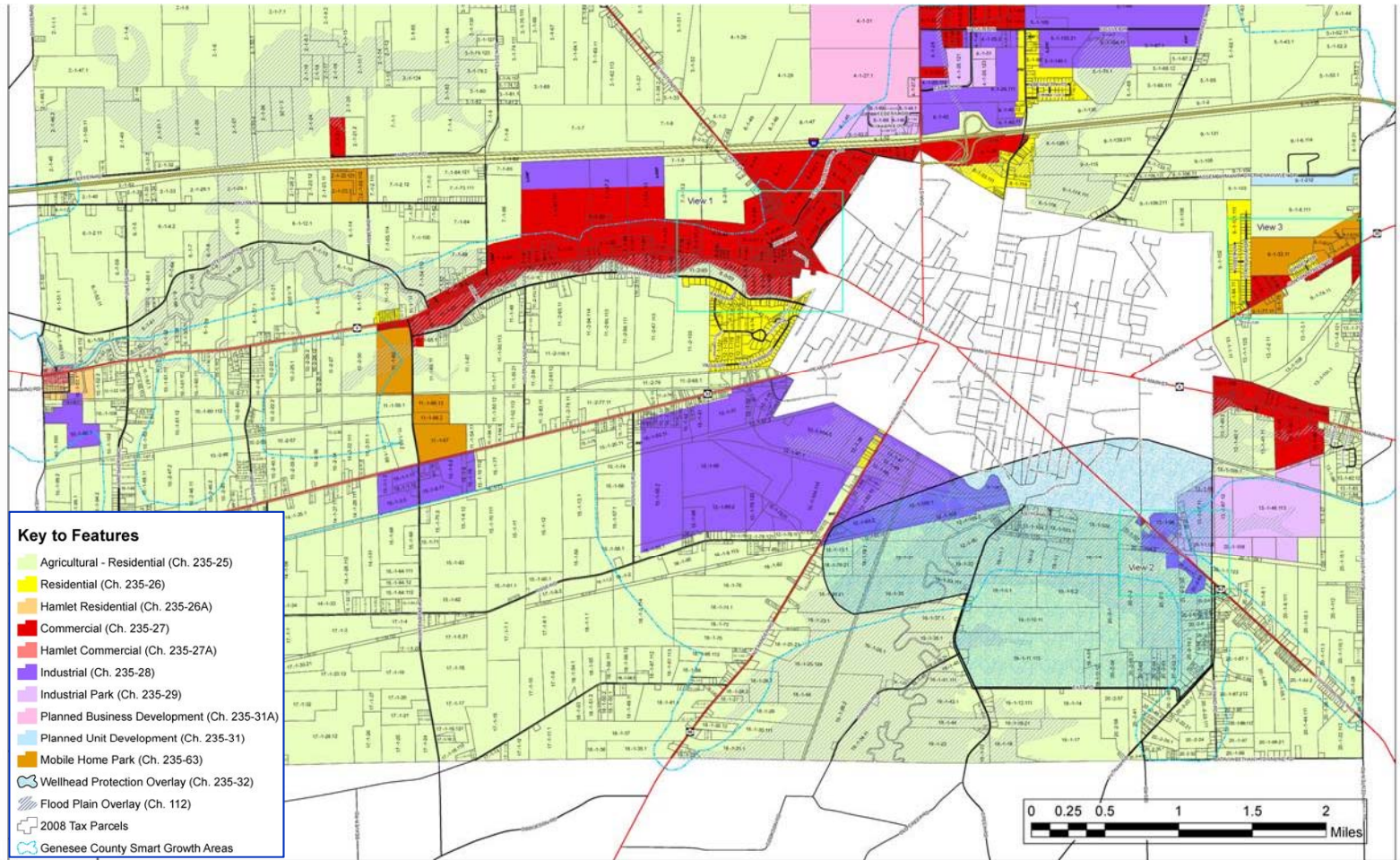
Regulating Plan

Conventional Zoning



Regulating Plan





Conventional Zoning Map

Batavia, NY



Regulating Plan

South Fork, TX

Regulations & Standards

- Building Form
- Building Type
- Public Space
- Street Type
- Frontage Type
- Block

- Optional
 - Architecture
 - Landscaping
 - Signage
 - Green Building

Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape

- Dictates the physical form
 - ▣ Building Placement
 - ▣ Building Form
 - ▣ Frontage & Facades
 - ▣ Encroachments & Parking

Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape

- Based on building form & use
 - ▣ Detached single housing unit
- Designated for blocks or districts
- Focused on preservation
- Form & function are key
 - ▣ Not architecture
- Effective in smaller settings
 - ▣ Downtowns or main streets

Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape

- Thoroughfares
 - ▣ Largest percentage of public space
- Civic spaces
 - ▣ Gathering place
 - ▣ Promotes health & social interactions



Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape



Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape



Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape

- Maximum block length
- Maximum block perimeter
 - ▣ Streets break sites into blocks
 - ▣ Alleys provide access to lots
 - ▣ Lots are designated for specific:
 - Building Types
 - Projects

Regulations & Standards

Building Form

Building Type

Public Space

Street Type

Frontage Type

Block

Signs

Landscape

- Materials
 - ▣ Mounting Hardware
- Lettering
- Lighting
- Placement
- Color
- Size



Regulations & Standards

Building Form

Building Type

Public Space

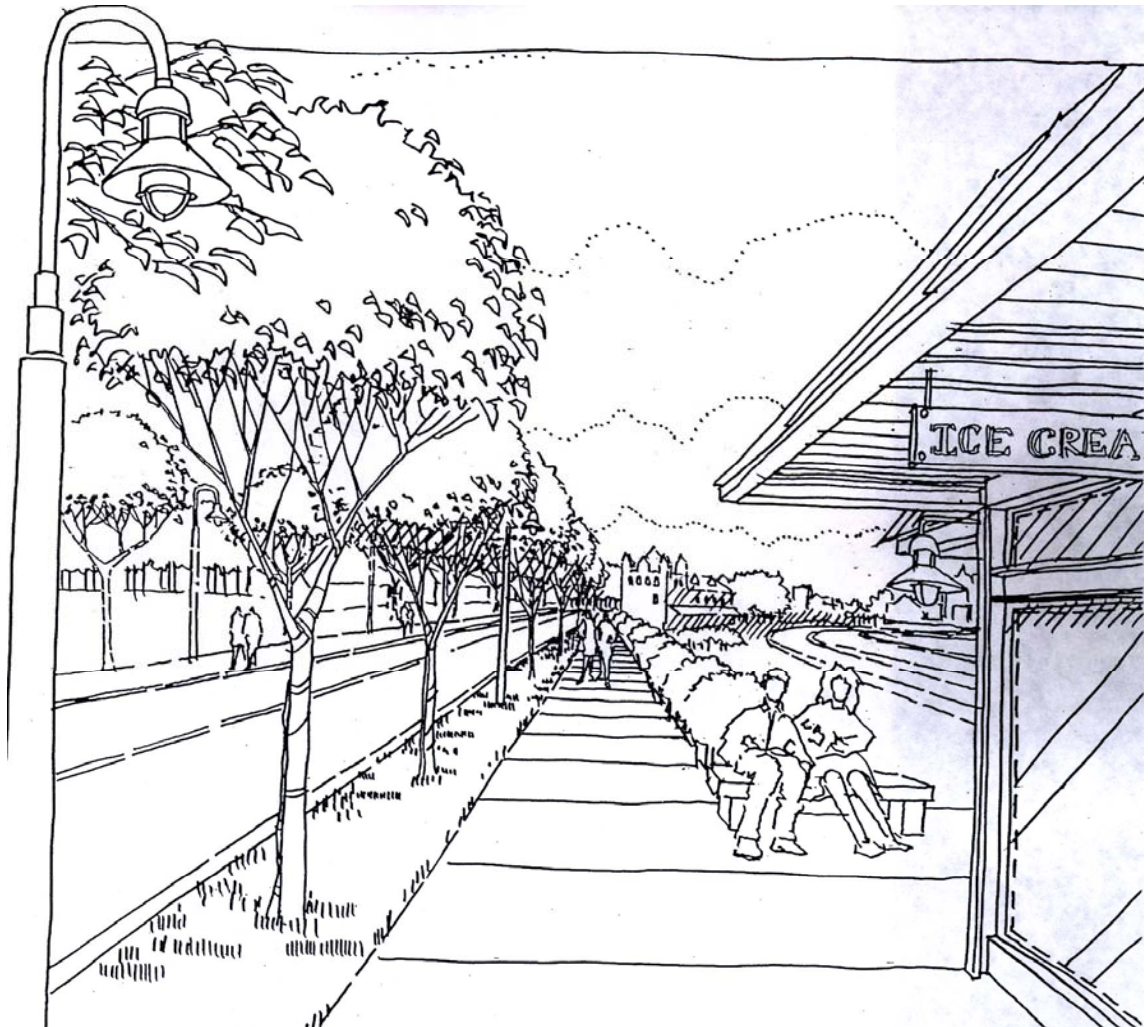
Street Type

Frontage Type

Block

Signs

Landscape

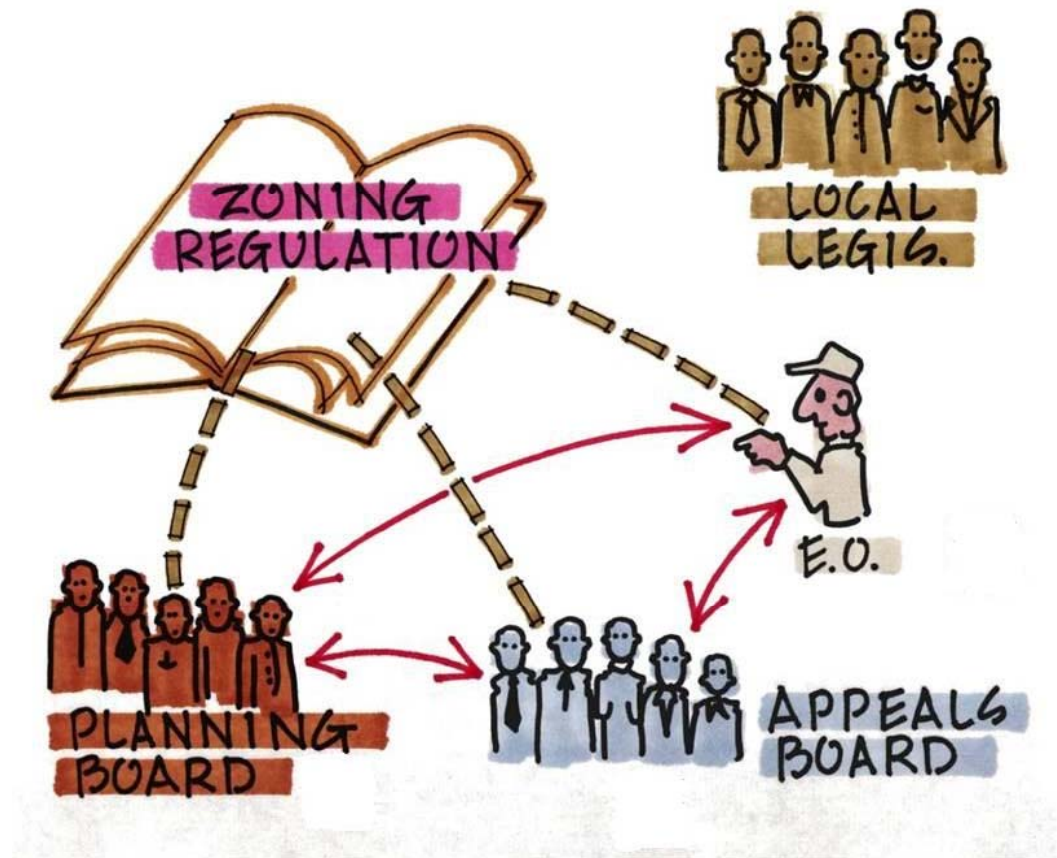




Administration

Administration

- Zoning Board of Appeals
 - ▣ Required
 - ▣ Variances & Interpretations
 - ▣ Provide relief
- Planning Board
 - ▣ Optional



Administration

- Permit system
 - ▣ Issued by staff
 - ▣ Ministerial
- Development & Design Center
- Technical review committee



Administration

- Consultant
 - ▣ Training
 - ▣ Design teams
- Point of contact
 - ▣ Coordinator
- Monitoring



Summary



- More upfront investment
- Simplifies & speeds approval process
 - ▣ Less discretionary decision-making; more ministerial
- Highly predictable built results
- Smart Growth Characteristics
 - ▣ Compact development
 - More efficient provision municipal services
 - Walkable & bikeable
 - ▣ Maintains community character

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