Innovative Zoning Techniques were identified as one of the top three areas of interest in the Green Valley Institute’s most recent needs assessment survey. Communities in the Quinebaug Shetucket Heritage Corridor are interested in finding new ways to address community growth. Innovative zoning techniques can provide new solutions for focusing growth, protecting natural resources and retaining rural character.

Form-Based Zoning which focuses on “…shaping the form of the built environment rather than on uses,” is one of the most innovative zoning techniques being used today. It has not been used extensively in New England but is being used extensively in higher growth areas of the country such as California and the south. Following the destruction of Hurricane Katrina many communities in the south are turning to form-based zoning as a redevelopment tool. These communities will have more control over their character in the future by using this innovative zoning technique.1

Many communities have found that traditional land use regulations encourage a separate-use, automobile dependent pattern of settlement that is no longer working for much of society today. Form-based zoning was developed in response to conventional zoning’s inability to define and create character, and walkable, mixed use communities.2

These before and after images of Petaluma, CA are an example of what form-based zoning can look like when implemented. This type of new development would fit in well with the character of many New England town centers today.

Form-based codes focus on “…building exteriors, the placement of buildings on lots, the nature of streets and public spaces....” 3 These codes consider land use but it is secondary to design. Certain undesirable uses may be prohibited without prescribing which specific uses are allowed. “Form-based coding is a land development regulatory tool that places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of ‘place’.” 4 Graphics are an essential component of form-based codes which are supplemented with drawings to clarify regulatory requirements.

Form-based codes are very place specific and usually regulate at the neighborhood scale or smaller. These codes are especially useful in urban centers but can also be used in existing or new village centers. They may be integrated into existing zoning ordinances and may be mandatory or implemented as an optional overlay zone (see GVI fact sheet #6). “Incentives such as faster permitting and higher density are often offered to make pedestrian-oriented, mixed use development enticing to developers.” 5
Saratoga Springs, NY. (population 36,000) has three form-based districts in its core urban center. The remaining town area is regulated by a traditional zoning ordinance. The city adopted a form-based code in 2003 after years of trying other ways to preserve and add onto the historic fabric of its downtown. The form-based districts are designed to preserve and create mixed-use, pedestrian character streets and neighborhoods that relate to nearby natural areas and neighborhood centers.

Saratoga’s three form-based districts are Urban Neighborhood, Neighborhood Center and Urban Core. The Urban Neighborhood District, illustrated below, has a primarily residential character with both attached and detached low-rise buildings. The Neighborhood Center promotes a wider mix of residential and non-residential uses and building types. The Urban Core incorporates the downtown area which has the densest business, cultural and entertainment concentration in the city and the region. The ordinance’s key mandates are that buildings be built close to the street, they must occupy most of the frontage and be at least 2 stories but less than 70 feet tall. In Saratoga, form-based zoning has resulted in new development that is consistent with the historic character of the city.

A recent critique of form-based codes identifies advantages such as “better results on the ground, stronger connections between plans and regulations, effective illustration of building rules, and greater consistency of the built environment with stated community desires.” The same article however, notes that form-based codes will not supplant conventional zoning because they are so place specific and that these codes can be complicated. Form-based coding is still a new regulatory technique and there may be issues to work through.

Footnotes
2 Ibid.
3 Ibid.
4 http://www.farmersbranch.info/Planning/codes7FAQs.html
6 Ibid.
8 Ibid.