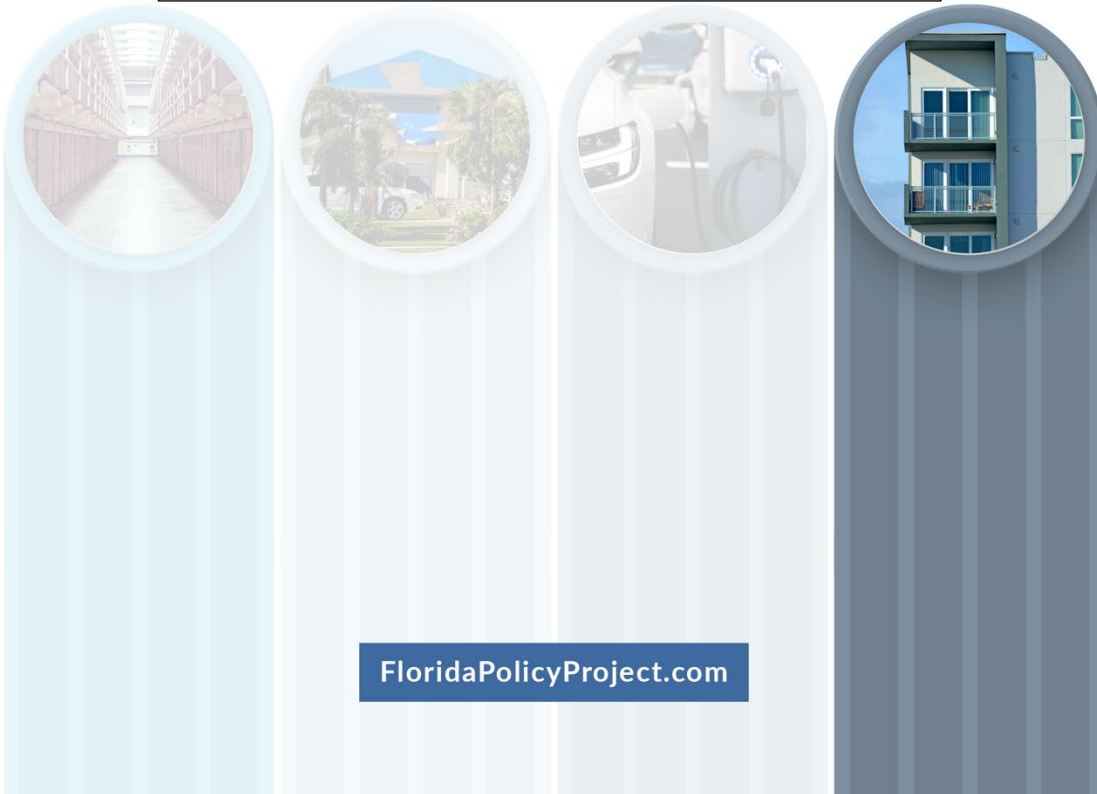


FLORIDA POLICY PROJECT

BEST PRACTICES, BETTER OUTCOMES

HOUSING AFFORDABILITY

Best Practice: Adopt Form-Based
Codes Over Traditional Zoning



FloridaPolicyProject.com

Best Practice: Adopt Form-Based Codes Over Traditional Zoning

Policy Objective:

Encourage organic growth of an urban area.

Policy Mechanism:

Guide design rather than regulate land uses at the parcel, block, or neighborhood level.

What are Form-Based Codes (FBCs)?

FBC is a design-oriented alternative approach to planning that focuses primarily on uses. Established in the early 1980s in Seaside, Florida, FBCs are still making waves in city planning.¹ FBCs deregulate land use and density while focusing on the exterior “form” of the development. While the neighborhood essentially looks the same, it houses more people. A building can accommodate a variety of uses and purposes, regardless of density or number of families, and as long as the project does not create “externalities” or “spillover” effects on the neighborhood, land use and purpose is largely immaterial.²

Form-based codes can substitute for existing land-use zoning or “overlays” in certain districts. For example, a design-focused city center can reduce infrastructure costs while developing a mixed-use, walkable region.³ Special districts might apply to university campuses or airports that might not fit nicely into one of the other neighborhood design transect zones.⁵⁴

FBCs encourage more cohesive housing and commercial spaces without land-use measures. On average, the areas with FBC increased multifamily dwelling units and experienced slower rent increases

¹ Emily Talen, “Zoning For and Against Sprawl: The Case for Form-Based Codes.” *Journal of Urban Design*, 18:2, 175-200, 2013, DOI: 10.1080/13574809.2013.772883

² The move toward focusing on land-use impacts and away from preconceived ideas about the appropriateness of a land use (or density) is explored in a number of places, including Samuel T. Staley and Eric A. Claeys, “Is the Future of Development Regulation Based in the Past? Toward a Market-Oriented, Innovation Friendly Framework,” *Journal of Urban Planning and Development*, Vol. 131, No. 4 (December), 2005, [https://doi.org/10.1061/\(ASCE\)0733-9488\(2005\)131:4\(202\)](https://doi.org/10.1061/(ASCE)0733-9488(2005)131:4(202))

³ CED Program Interns & Students. “Student Corner: Exploring Form-Based Codes.” *Community and Economic Development in North Carolina and Beyond*, April 23, 2015. <https://ced.sog.unc.edu/2015/04/exploring-form-based-codes/#:~:text=A%20form%2Dbased%20code%20is%20a%20regulation%2C%20not%20a%20mere,alternative%20to%20conventional%20zoning%20regulation.%E2%80%9D&text=The%20modern%20archetype%20for%20FBC,for%20Seaside%2C%20Florida%20in%201982>

compared with similar non-FBC locations. Moreover, more multifamily housing projects were approved and occupied by new tenants sooner than the comparison areas.⁴

Examples

Miami, Florida: In 2009, the City of Miami loosened regulations to accommodate more housing as part of a comprehensive restructuring of its zoning code called the Miami 21 Comprehensive Plan revisioning process. Under Miami's old zoning code, Ordinance 11000, if a property owner wished to convert their home or apartment complex into a business, they would need to change their zoning designation from residential to commercial. This complicated and time-consuming process hinders entrepreneurial activities and delays prospective income for a new business start-up. Rather than primarily focusing on restricting land uses, Miami 21 reorients the city's planning to a FBC-design approach.

Preliminary analysis suggests that the Miami neighborhood of Coral Way increased by several thousands of units after adopting Miami's FBC.⁵ Furthermore, the median home value of owner-occupied units also increased. The benefits of transitioning from traditional zoning to FBC appears to be increasing housing supply and home values for homeowners living on their property.

Arlington County, Virginia: Columbia Pike Special Revitalization District in Arlington, Virginia adopted FBC featuring bike and pedestrian-friendly designs, including street lamps for safety and a mix of land uses.⁶ Providing affordable housing was a key feature by protecting the thousands of existing housing units and expanding affordable housing opportunities using tax incentives, public funds for sustainable energy enhancements, or transfer of development rights.⁷

Madisonville Neighborhood in Cincinnati, Ohio: The City allowed individual neighborhoods to implement FBC. Over 40 neighborhoods did so, making it one of the largest applications of FBC in the

⁴ *Zoned In: Economics Benefits and Shared Prosperity with Form-Based Codes*, Form-Based Codes Institute and Smart Growth America, September, 2021, <https://smartgrowthamerica.org/wp-content/uploads/2021/09/Economic-Benefits-of-FBCs-sRGB.pdf>

⁵ Ongoing research by Noah Dankner, DeVoe L. Moore Center, Florida State University examining Miami area housing data from 2000, 2009, and 2019.

⁶ "Columbia Pike Special Revitalization District—Form Based Code." *Form-Based Codes Institute*, n.d. <https://formbasedcodes.org/wp-content/uploads/2014/02/columbia-pike-regulating-plans.pdf>

⁷ "Columbia Pike Neighborhoods Area Plan Makes Affordable Housing a Priority," U.S. Department of Housing and Urban Development, https://www.huduser.gov/portal/pdredge/pdr_edge_inpractice_011113.html; and *Zoned In: Economics Benefits and Shared Prosperity with Form-Based Codes*, *Form-Based Codes*, Form Based Code Institute and Smart Growth America, September, 2021, <https://smartgrowthamerica.org/wp-content/uploads/2021/09/Economic-Benefits-of-FBCs-sRGB.pdf>

country.⁸ The Madisonville Neighborhood planned a mixed-use business district featuring walkable areas and a health center.⁹

⁸ Alex Dale, "Cincinnati Neighborhood Adopts Form-Based Code," *Form-Based Codes Institute*, November 8, 2013. <https://formbasedcodes.org/cincinnati-neighborhood-adopts-fbc/>

⁹ Dan Parolek, "Madisonville Becomes First Cincinnati Neighborhood to Implement New FBC," *Opticos Design*, October 29, 2013. <https://opticosdesign.com/blog/madisonville-becomes-first-cincinnati-neighborhood-to-implement-new-fbc/>