

VILLAGE OF YELLOW SPRINGS  
PLANNING COMMISSION  
AGENDA

The Village of Yellow Springs Planning Commission will meet in regular session on Monday, March 14, 2011 at 7:00 PM in Village Council Chambers on the second floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387

7:00 CALL TO ORDER

ROLL CALL

7:02 REVIEW OF AGENDA

7:05 REVIEW OF MINUTES –January 10, 2011

7:08 REPORTS

1. Council Update
2. Bike Enhancement Committee
3. Village Staff Report
4. Miami Township Zoning Commission Report

COMMUNICATIONS

Planning Commissioner's Journal  
Colin Altman re: Township Building Update  
Paul Abendroth re: Form Based Code

7:20 CITIZENS' COMMENTS

7:25 OLD BUSINESS

7:30 NEW BUSINESS

Zoning Code Update Discussion

8:55 AGENDA PLANNING

Joint Meeting with Council March 28  
PUD Chapter Review  
Historic Preservation  
2011 Planning Commission Goals

9:00 ADJOURNMENT

**VILLAGE OF YELLOW SPRINGS  
PLANNING COMMISSION MINUTES**

**In Village Council Chambers**

**January 11, 2011**

**CALL TO ORDER**

Planning Commission Chair John Struewing called the meeting to order at 7:01 p.m.

**ROLL CALL**

Tim Tobey, Matt Reed, Bill Bebko, John Struewing and Lori Askeland were present. Village Manager Mark Cundiff was also present.

**REVIEW OF AGENDA**

Struewing asked that Planning Commission address only the Public Hearing scheduled. Bebko asked that the group at least go over the goals briefly.

**REVIEW OF MINUTES**

Bebko MOVED and Reed SECONDED a MOTION to APPROVE the minutes of December 13, 2010 AS AMENDED. The MOTION PASSED 5-0.

**REPORTS**

**Council Update**—Askeland reported on the 12/20/10 and 1/3/11 meetings. She announced that the Emergency Budget has been approved, and that Council is on track for approval of the final 2011 budget in January.

Other items Council discussed include the following:

- \*replacement of downtown waste and recycling containers
- \*efforts to return the WSU Family Medicine Clinic to town continue
- \*vote on the Ordinances approving alternates to BZA and Planning Commission has been tabled until 1-18-2011.
- \*Council passed a Flood Plain Ordinance
- \*new process for Staff raises is now in place via Ordinance
- \*Levy renewal process is underway for the May 3 vote
- \*Discussion regarding a low-moderate income housing development on Cemetery Street is underway, particularly as relates to energy efficiency.
- \*There has been some negative response to Council's decision to remove the stairs leading to the west entrance of the skatepark.

Struewing asked Askeland at what point Council would need to receive approval from Planning Commission for the re-zoning of that land.

Askeland replied that the status is currently at the MOU stage.

Cundiff indicated that the area is currently zoned Conservation, while the area across the street is Residence "B". Cundiff opined that the logical request would be to rezone the proposed housing site as Residence "B", and that would likely be done once the plan has moved into a more concrete stage.

Struewing commented that Planning Commission should be brought into the loop early on to avoid hold up in the project.

Cundiff responded that the proponents are aware that they will need to request rezoning. He noted that the group is still gathering information on utilities for the site.

**Bike Enhancement Committee**—Tobey reports a meeting coming up Wednesday. They will be discussing Broad Street Parking and the Northern Gateway. Cundiff mentioned the webinar training regarding community bikes, provided by MVRPC.

**Village Staff Report.** Cundiff noted continued work with the CBE. He noted that the Assistant Planner met with the Village Engineer on this topic recently, and that the project continues apace.

Cundiff noted that he and two Council members, the Village Finance Director, and Village Solicitor have been working hard to prepare for the upcoming levy renewal. He explained that the levy currently generates about \$750,000/year in revenue. The major revenue source is income tax and the Village is literally at the same income level it was in 2006 with regard to income tax revenues.

Cundiff provided some figures relating to the impact of inflation which have been generated by the Village Solicitor. Specifically, that the overall cost of goods and services has increased by \$300,000 since 2006. Cundiff added that due to current economic conditions, investment income is down from \$118,000 in 2006 to \$2,000 in 2010.

Cundiff pointed out that the Village, along with the rest of the State of Ohio, will soon lose income from the Local Government Fund, which currently brings in \$169,000 per year. Also slated for possible elimination is the Estate Tax, which last year brought in \$86,000 to the Village, which was a low. The Village is generally able to count on an average from this source of about \$250,000 annually.

For these reasons, Cundiff stated, the levy renewal is necessary just to continue operation of the Village. Even assuming passage of the levy, he noted, the Village will have to do some very careful oversight over the next five years.

Cundiff reiterated the importance of this levy's passage, and suggested that Planning Commission members are invited to serve on the levy committee.

**Miami Township Zoning Commission Report.** Struewing reports that there has not been meeting, and there is nothing to report.

## COMMUNICATIONS

There were no new communications.

## CITIZENS' COMMENTS

There were no citizen comments.

## OLD BUSINESS

There was no Old Business.

## NEW BUSINESS

**Zoning Code Amendment.** Struewing announced the public hearing of this proposed amendment, noting that due to oversight, the first discussion was not properly advertized as a public hearing, resulting in the issue returning for that purpose. Bebko MOVED to open the public hearing for the Zoning Code Amendment. Tobey SECONDED the MOTION. The MOTION PASSED 5-0 ON A VOICE VOTE.

## **PUBLIC HEARING**

Struewing called for comments from the floor. Seeing and hearing none, he called for a motion to close the public meeting. Bebko MOVED and Askeland SECONDED a MOTION TO CLOSE THE PUBLIC HEARING. The MOTION PASSED 5-0 on a VOICE VOTE.

## **NEW BUSINESS CONTINUED**

Struewing the CALLED THE VOTE on the proposal to amend the Zoning Code. Bebko commented that this action brings the processes of the Planning Commission with regard to zoning code variances in line with requirements dictated by the State Supreme Court.

Askeland MOVED TO SEND TO COUNCIL A RECOMMENDATION THAT COUNCIL ACCEPT THIS ZONING CODE AMENDMENT. Reed SECONDED. The MOTION PASSED 5-0 on a VOICE VOTE.

**2011 Planning Commission Goals.** Bebko suggested that the goal of participating in the Visioning/Planning Process has been attained, and that it be removed from the 2011 goals. This item was deleted.

Reed suggested that the discussion be continued at the next meeting, particularly with regard to priorities.

Askeland noted that Council will be working on updating the Zoning Code, and wondered how this may fit in with PC's Goals for 2011. Cundiff commented that PC may wish to participate in this process, particularly as regards the hiring of a consultant. He noted that the final version of the code will have to go through Planning Commission for approval.

Reed asked the group what kind of code the Village is seeking—form-based? And, he wondered, is Council engaged in the same process.

Askeland affirmed this, and noted that Council could use input as to the hiring of a consultant.

Struewing noted that he will draft a letter to Council, getting their input regarding their position on a zoning code administrator.

**Nomination of the Chair.** Struewing noted that it is time for the PC to elect a chair, and pointed out that there are some problems in public perception regarding his serving as chair, and that he would be more than happy to relinquish his position to any of the others.

Reed asked about Smart Code, and wondered if Cundiff would provide the group with information about these coded. Cundiff agreed to e-mail the group several examples of different kinds of code for their perusal.

## **AGENDA PLANNING**

For February 14:

\*2011 Planning Commission Goals

For March 14:

\*PUD Chapter Review

\*Historic Preservation (March or April)

**ADJOURNMENT**

Having no further business, Bebko MOVED and Tobey SECONDED a MOTION to ADJOURN. The MOTION PASSED UNANIMOUSLY at 7:38 p.m.

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John Struewing, Chairperson

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Attest: Judy Kintner, Clerk

*Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council's office between 9 and 3 Monday through Friday.*

**From:** [Mark Cundiff](#)  
**To:** [Clerk of Council;](#)  
**Subject:** FW: Township building update  
**Date:** Tuesday, March 08, 2011 5:03:21 PM

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[For the packet.](#)

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**From:** Colin Altman [mailto:caltman@mtfr.org]  
**Sent:** Tuesday, March 08, 2011 1:45 PM  
**To:** Mark Cundiff; Karen Wintrow  
**Subject:** Township building update

Last night, the Board of Trustees passed a resolution to hire MSA (Michael Schuster Associates) Architects of Cincinnati to conduct a master planning study regarding the feasibility of constructing a new Township Administration Building/Fire Station. This study will consist of the following:

### **Response Time Needs Assessment**

- Obtain existing demographic and zoning information for the township and contract service areas
- Obtain and review calls for service and plot these calls covering at least one calendar year.
- Post response time maps from the township's current fire stations. Set criteria for response times, i.e. travel/road time.
- Review areas of the township outside the above mentioned limits determining travel time to accommodate current calls.
- Gather information on up to four potential sites to determine response time improvements and overall coverage.
- Develop overall site comparison matrix based on criteria established by the township and MSA.
- Prepare initial concept diagrams for each site and review potential over all costs and benefits analysis. Each site will have a corresponding response map.

### **Concept Design/Public Presentation Materials**

Once a preferred site has been identified, a conceptual design will be developed for overall site organization, building zone and adjacency layout, and architectural massing

and character. This will include the following:

- Refine concept site plan
- Define concept flow plan
- Exterior concept design image (based as township input).
- Building massing model
- Conceptual cost/benefit analysis of site options.
- Initial zoning review

The study does include provisions for a public meeting(s). It is estimated that this phase of the project will take up to 120 days. Once this is done, the Board will have the information necessary to determine if this project is feasible.

I will keep the Village informed as we progress through this project. We have sent a press release to the YS News to inform the public. Please let me know if you have any questions.

Chief Colin Altman  
Miami Township Fire-Rescue  
(937) 767-7842  
[www.mtfr.org](http://www.mtfr.org)

*Service, Safety, Dedication, Professionalism & Diversity*

## **YELLOW SPRINGS PLANNING COMMISSION – JANUARY 14, 2011 VILLAGE STAFF REPORT**

There are several planning-related items that Staff wants to provide an update on to Planning Commission.

**CBE Update** – After reviewing the Phase I submittals from the design engineer, Jacobs Engineering, it was decided to return them to Jacobs and ask them to make some changes and resubmit them. We have received this resubmittal and this information is currently being reviewed. Village Solicitor John Chambers has completed the annexation petition for the Dayton-Yellow Springs ROW and we are now getting the signatures of the three property owners (Yellow Springs School District, Antioch University, and Education Village) on the petition and will file it with Greene County once everyone has signed the petition. We also have been informed that our OPWC grant application to pay for the design and construction of the left-turn intersection into the CBE was ranked #1 in our District for funding with “Small Government” funds and now will be forwarded to compete with other projects State-wide.

**Reuse of Village Property at 4550 US 68 North** – The lease for this property has been approved by Village Council and this location will be the future home of Yellow Springs Botanicals. They will be sub-leasing the rear of the property to the Ranch Menagerie, an animal rescue organization.

**Zoning Code Update** – A Special Joint Meeting of Village Council, Planning Commission, and Board of Zoning Appeals will be held on March 28<sup>th</sup> to discuss this project. Village Staff is currently working on a draft of a Request for Proposals that will be sent out in to everyone in advance of this meeting.

**Solar Farm Proposal** - The Village has received a proposal from a company called Solar Vision regarding the development of a solar installation from which the Village would purchase and receive electricity from. Two locations are currently being looked at: Fogg Farm and the Glass Farm. It is anticipated that this will be a 2.0 – 2.5 MW installation occupying approximately 12-16 acres.

**Village GIS Development** – This past week there were two developments that will help the Village toward development of a Geographic Information System (GIS) for the Village. A GIS system consists of a base map with “layers” of information, such as zoning districts, utility systems, traffic control devices (stop signs, speed limit signs, traffic signals), or village owned property, that can be placed on the base map. This information would be stored and accessed

electronically. We met with the Greene County GIS person who provided us with valuable information on what baseline data they can provide, as well as some technical advice. Additionally, since we have a free intern from the Operator Training Committee of Ohio (OTCO) at the WWTP, the OTCO offered to provide us other interns (free) to gather the geographic information (electronically) on the location of utilities and other items we wish to be part of the “layers” of information. So with the base data from the County and the “layers” data from OTCO, we hopefully will have a functioning GIS system with our only expense being in-kind time from a few Village employees.

**Northern Gateway** - Staff has taken one last crack at getting additional funding for this project. Ed Amrhein amended the application to the ODNR after receiving comments from ODNR on how to make the project more attractive for funding. This application has been submitted and Ed tells me that we should hear on whether we were selected for funding sometime in August.

# MEMORANDUM

**DATE:** January 12, 2011  
**TO:** Yellow Springs Planning Commission  
**FROM:** Mark Cundiff, Village Manager  
**SUBJECT:** Form Based Codes

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Form Based Codes (FBC) grew out of the New Urbanism movement that began in the early 1990s. New Urbanism embraces the development of mixed use and mixed income communities, which is difficult or impossible to implement using conventional zoning codes. As its name suggests, FBC seeks to regulate the form of the built environment. Conventional zoning seeks to control land use and density. Regulations and standards in a FBC are presented in both diagrams and words are keyed to a regulating plan that designates the appropriate form and scale of development rather than only distinctions in land-use types. This is in contrast to conventional code's focus on the management and segregation of land uses and the control of development intensity through what New Urbanism proponents describe as abstract and uncoordinated parameters such as floor-area ratio, dwellings per acre, setbacks, and parking ratios to the neglect of an integrated built form. Simply put, a FBC emphasizes the appearance and qualities of the public realm, the places created by buildings.

According to the Form-Based Codes Institute (FBCI), a FBC will commonly include the following elements:

- *Regulating Plan.* A plan or map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being code.
- *Public Space Standards.* Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, on-street parking, street trees, street furniture, etc.).
- *Building Form Standards.* Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- *Administration.* A clearly defined application and project review process.
- *Definitions.* A glossary to ensure the precise use of technical terms.

A FBC also sometimes will include Architectural Standards, Landscaping Standards, Signage Standards, Environmental Resource Standards, and Annotation (text and illustrations explaining

the intentions of specific code provisions). The FBCI also opines that there are eight advantages to a FBC:

1. Because they are prescriptive (they state what you want), rather than proscriptive (what you don't want), FBCs can achieve a more predictable physical result. The elements controlled by FBCs are those that are most important to the shaping of a high quality built environment.
2. FBCs encourage public participation because they allow citizens to see what will happen where leading to higher comfort level about greater density, for instance.
3. Because they can regulate development at the scale of an individual building or lot, FBCs encourage independent development by multiple property owners. This obviates the need for large land assemblies and the megaprojects that are frequently proposed for such parcels.
4. The built results of FBCs often reflect a diversity of architecture, materials, uses and ownership that can only come from the actions of many independent players operating within a community agreed upon vision and legal framework.
5. FBCs work well in established communities because they effectively define and codify a neighborhood's existing "DNA". Vernacular building types can be easily replicated; promoting infill that is compatible with surrounding structures.
6. Non-professionals find FBCs easier to use than conventional zoning documents because they are much shorter, more concise, and organized for visual access and readability. This feature makes it easier for non-planners to determine whether compliance has been achieved.
7. FBCs obviate the need for design guidelines, which are difficult to apply consistently, offer too much room for subjective interpretation, and can be difficult to enforce. They also require less oversight by discretionary review bodies, fostering a less politicized planning process that could deliver huge savings in time and money and reduce the risk of takings challenges.
8. FBCs may prove to be more enforceable than design guidelines. The stated purpose of FBCs is the shaping of a high quality public realm, a presumed public good that promotes healthy civic interaction. For that reason compliance with the codes can be enforced, not on the basis of aesthetics but because of a failure to comply would diminish the good that is sought. While enforceability of development regulations has not been a problem in new growth areas controlled by private covenants, such matters

can be problematic in already urbanized areas due to legal conflicts with First Amendment rights.

A question arose at the last Planning Commission meeting regarding Smart Codes. SmartCode is a model FBC promulgated by the consulting firm of Duany Plater-Zyberk & Company. Duany Plater-Zyberk & Company arguably began the New Urbanism movement. They released the original version of SmartCode in 2003. Currently version 9.2 is available at no cost on-line (I have downloaded a copy if you are interested in seeing it). SmartCode, which has been described by some as being extraordinarily ambitious, is based on a physical organizing system described as "The Transect" – a continuum of human habitation from urban core to rural. The Building Function Standards are presented in a very simple table that is designed to be flexible, letting the market decide what goes on inside the building types.

For more information on FBCs, the FBCI web site ([www.formbasedcodes.org](http://www.formbasedcodes.org)) is a good place to begin. There is a model Request for Qualifications to select a consultant (also already downloaded) that could be easily modified for our use. Also for your reference, I've attached an article from the Local Government Commission of California regarding FBCs.

While FBCs have been around for several years, I have not been able to find any examples from Ohio communities. That caused me some concern that perhaps Ohio does not have enabling legislation in place to allow FBCs to regulate land use and growth. I've asked Village Solicitor John Chambers for assistance in this matter and will report what he advises.

I hope you find this information useful. It is sure to generate debate (but then again what doesn't in this community) should we pursue the enactment of this type of code.

# Form-Based Codes: Implementing Smart Growth



▲ *Making zoning codes work for the community: Pocket parks and front porches help create livable places.*

In the two years since the Local Government Commission's *Smart Growth Zoning Codes: A Resource Guide* was first published, the movement to reform zoning codes has gained momentum. Today, form-based codes have become an increasingly popular approach to achieve these reforms and create communities where people want to live, work and play.

The old adage “form follows function” describes the common approach behind land use regulation as it has been practiced in the past. Form-based codes turn that relationship on its head. Since the primary basis for regulation is the buildings, not the uses, “function follows form.” These codes concentrate first on the visual aspect of development: building height and bulk, façade treatments, the location of parking, and the relationship of the buildings to the street and to one another. Simply put, form-based codes emphasize the appearance and qualities of the public realm, the places created by buildings.

As with other smart growth concepts, form-based codes have been applied in new growth areas, in existing neighborhoods, in limited situations to special districts, and in wholesale code revisions for entire communities.

## What are form-based codes?

**F**orm-based codes place a primary emphasis on building type, dimensions, parking location and façade features, and less emphasis on uses. They stress the appearance of the streetscape, or public realm, over long lists of different use types. These codes have the following characteristics:

- **Zoning Districts** – Form-based codes are defined around districts, neighborhoods and corridors where conventional zoning districts may bear no relationship to the transportation framework or the larger area.
- **Regulatory Focus** – Form-based codes de-emphasize density and use regulation in favor of rules for building form. They recognize that uses may change over time, but the building will endure.
- **Uses** – Form-based codes emphasize mixed use and a mix of housing types to bring destinations into close proximity to housing and provide housing choices to meet many individuals’ needs at different times in their lives.
- **Design** – Greater attention is given to streetscape and the design of the public realm, and the role of individual buildings in shaping the public realm. Form-based codes recognize how critical these public spaces are to defining and creating a “place.”
- **Public Participation** – A design-focused public participation process is essential to assure thorough discussion of land use issues as the code is created. This helps reduce conflict, misunderstanding and the need for hearings as individual projects are reviewed.

*Modified from definition by Paul Crawford, AICP*

# Why are form-based codes effective?

**T**he focus on building and street design in form-based codes allows graphics and photos – instead of lengthy, repetitive text – to explain the details of zoning requirements. In turn, these codes are much more democratic instruments, because they are more readily understood by residents who are not otherwise involved in land use or development professions.

## ■ Pictures tell the story

Form-based codes can greatly reduce discussions about the meaning of zoning terms and arguments over the interpretation of code language, allowing everybody involved in a public participation process to focus their time and energy on the essence of the regulations, rather than on “word-smithing.” Using form-based codes, a picture really can be worth a thousand words.

## ■ Easy-to-find information

Another improvement offered by form-based codes is that they contain all relevant information in a concise format. By contrast,

conventional codes usually include this information in several different sections of the code, sometimes even in side documents that may not be readily apparent or available to the inexperienced user.

By consolidating information and using a simple pictorial style that avoids jargon and complex, repetitive language, form-based codes offer a much more accessible format.

## ■ Great for mixing uses

Another key characteristic of form-based codes is the way they treat different use types. Since the dawn of zoning, conventional codes were built around the concept of separating uses. They seldom allow uses from a different category (retail, single-family, multi-family, office, etc.) within the same zoning district.

When uses from different categories are proposed by project developers, extra processes and additional hearings are often required. In contrast, form-based codes assume a mix of uses, especially in neighborhood or town centers.

## ■ Better, faster, cheaper process

This clarity of format and intent can lead to a shift in approval processing from a hearing-heavy process to one that is largely administrative. Simply put, if all the details are discussed and clarified when the code is developed, and if they are accurately represented in a format that leaves no doubt as to the requirements, then a “build-by-right” approach is possible.

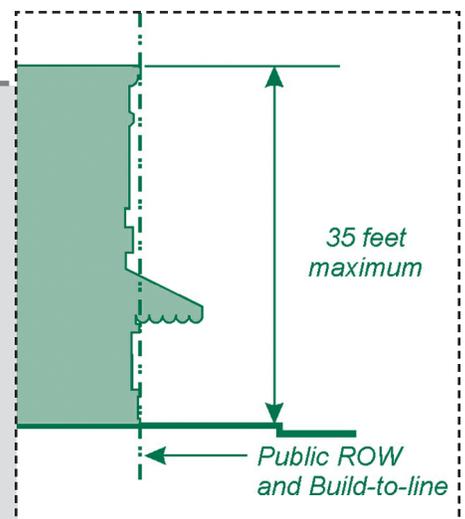
This means the review of a project application follows procedures similar to those for obtaining building permits. If the proposed project meets all of the code’s requirements, the application can be approved administratively.

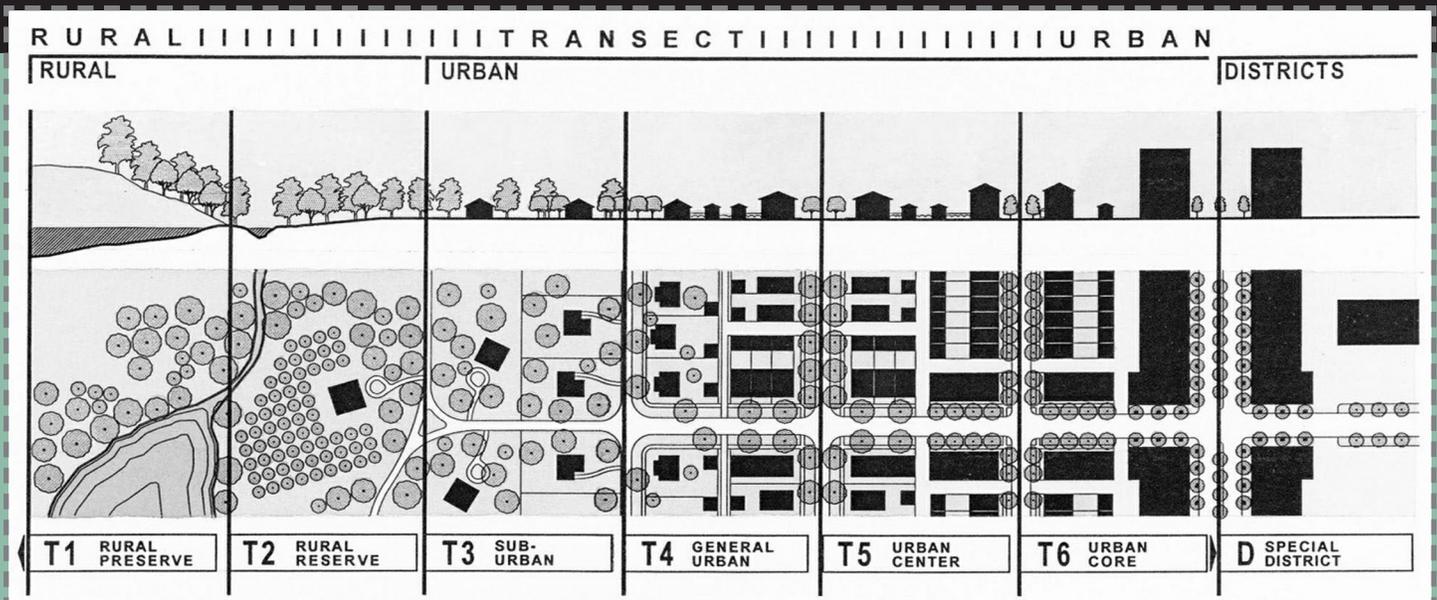
Obviously, this reduces time, expense and uncertainty for the developer, but it also reduces processing and hearing costs for the jurisdiction involved. This can free up staff time for more proactive planning.

▼ *Form-based codes use pictures to tell the story.*

## New state law authorizes use of form-based codes

**L**ike many unconventional ideas, form-based codes were met with considerable skepticism in many communities, and at times it was argued that they were not even a legal means of regulating land use. To clarify that issue, the California legislature weighed in by adopting legislation specifically authorizing form-based codes. Assembly Bill 1268 was signed into law in July 2004, resulting in very clear language in the state’s General Plan Guidelines and the statutes governing zoning that allow form-based codes.





▲ Seeing development and zoning codes as part of a land use continuum – an urban/rural “transect” or cross-section – helps us better understand where different uses and building types belong, and where they might be inappropriate.

## The Transect: Seeing land uses in context

Communities differ greatly in size, topography, density and growth rates. In some areas, the primary concerns are about new development taking place on previously undeveloped land or “greenfields.” Other communities are mostly built out, and focus more on codes that guide infill or reshape and revitalize neglected neighborhoods. Still others need new codes to address development opportunities around new transit systems.

One of the beauties of form-based codes is that they can be applied in so many different communities and situations.

Andres Duany, one of the Ahwahnee Principles’ authors and a founder of the Congress for New Urbanism, has taken the idea of the “transect” from natural science and applied it to land use planning. The transect, as used in ecological studies, draws a cross-section through different habitats to better understand their inter-relationships along a continuum.

Applied to an urban/rural continuum, the transect helps us better understand where different uses and building types fit well or where they are inappropriate. Seen from this perspective, we learn that a controversial use or development project is not inherently bad, but may simply have been proposed for the wrong location.

Duany codes all the features and concepts that guide communities, neighborhoods and development into six different districts along the transect (T1 to T6), from rural preserve districts to those in the urban core. He also includes a special district for uses such as a university campus, airport or stadium.

Setbacks, for instance, shrink as development progresses from the rural to the more highly urban. Likewise, there is less area devoted to greenery in the urban core than in the rural districts. Building heights, however, increase.

This unified development ordinance, or “SmartCode,” links all

commonly regulated dimensions and features, building bulk, street lighting, sidewalks, parking and landscaping to the different districts.

This framework allows for a common understanding that relates development characteristics to places within the urban fabric. This common language allows developers, planners and residents – even in different cities – to readily comprehend the context for different uses and building types.

In Petaluma, California (see next page), this shared comprehension overcame the confusion and conflicts that stood in the way of good intentions, and all too often, good projects. The graphical nature of the transect fits very well with form-based codes.

Duany Plater-Zyberk & Company has been instrumental in bringing this classification methodology into real-world application in form-based code projects across the country.

# Steps for preparing a form-based code

**H**ow does a community go about preparing a form-based code? What are the steps that need to be taken to prepare a form-based code?

According to planner Paul Crawford, one of the nation's experts on form-based codes, the typical steps are required to prepare this type of code include:

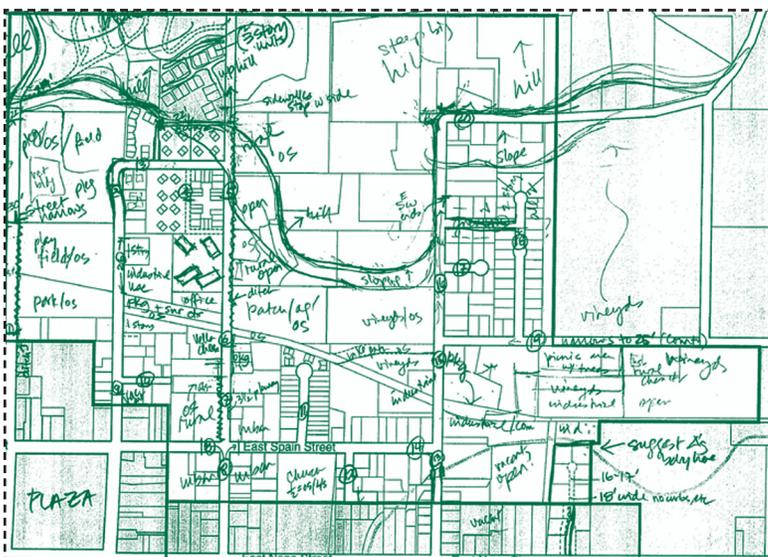
## 1 Existing conditions analysis and inventory

Before embarking on development of the code it is critical to understand clearly what the existing patterns of development are in a community. This record of existing conditions – especially of areas that the community identifies as special, or significant – can help develop a code that fits local characteristics.

Using diagrams and notes, a typical analysis will look at:

- Street types (by setback, walkway, roadway, and landscape)
- Block types (shape, size, alleys, parcelization)

▼ *Step 1: Existing conditions' inventory from the City of Sonoma's development code update*

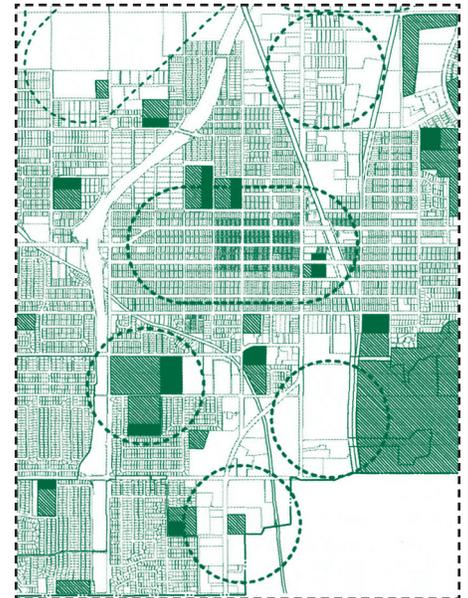


- Building types (footprint, profile, streetfront, access by car or pedestrian, service areas)
- Open space types (front, back and side yards, squares and parks, undeveloped parcels with urban zoning)
- Parking types and location (parallel, diagonal, lots)
- Natural features (creeks, significant trees, views, hills, etc.)

## 2 Public visioning and charrette

Input from the community is gathered early in the process through a public visioning and charrette process.

The charrette is a collaborative planning process that brings together residents and design professionals in an intensive multi-day process that typically includes focus group meetings, workshops, presentations, and public engagement exercises to develop a feasible plan for future revitalization and development.



▲ *Step 3: Azusa's code divides the city into open space, residential areas, commercial corridors and commercial districts.*

## 3 Determine appropriate spatial basis for regulation (districts, transect, streets or special zones)

There are a number of different approaches that can be taken in determining how the form-based code will be defined and regulated. Although there is some overlap between these approaches, Crawford describes four basic alternatives that are typically used by different practitioners:

- Neighborhoods, districts, corridors
- Transect
- Street-based regulating plan
- Special purpose zones

This process entails identifying which parts of the community are appropriate for different types of development. For example, if the transect-based approach is used the plan would identify those areas that are suburban (T3), general

# Form-based codes: Good vintage for wine country

## ■ Sonoma, California

One of California's oldest cities and located in the scenic wine country, the city of Sonoma had seen post-war suburbia grow into older neighborhoods built around its old pueblo that dates back to Spanish colonial times. This jumble of neighborhoods and building types represented a significant challenge to those developing a new code.

Adopted in 2001, the new form-based code covers the entire city. To break the daunting task of a wholesale code revision into more readily understood pieces, the city was divided into 13 planning areas in four categories – residential, commercial district, commercial corridor and open space. Within each area, the existing situation was inventoried and compared to the desired future state. This allows the code to recognize existing development while imposing a new regulatory framework on future development. Areas of special concern such as rural roads, the urban edge and creeks are highlighted, and subject to specified guidelines.

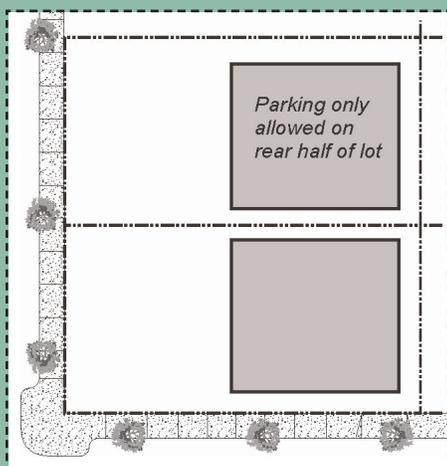
*Code prepared by Crawford, Multari and Clark Associates*

urban (T4), urban center (T5), urban core (T6) and special districts such as schools, civic centers or industry.

### 4 Develop urban standards (streets, blocks, building placement, height, land uses, etc.)

The next step is to define and code the urban standards for the different parts of the community mapped in Step 3. The results will be a set of diagrams for each zone that clearly establish standards for some of the following key ingredi-

▼ *Step 4: Form-based codes show where parking must be located.*



Building Type	Lot Width at Street Frontage					
	50 ft	75 ft	100 ft	125 ft	150 ft	200+
Single-Family	■	■				
Duplex	■	■				
Quadplex		■	■			
Eightplex/Mansion						
Lane Housing						
Bungalow Court			■	■	■	
Townhouse						
Sideyard Housing						

▲ *Step 5: A simple lot-width table shows how Ventura's code regulates building profiles.*

ents of an urban place: street and sidewalk widths, building placement, building height and profile, and, if relevant, location of on-site parking.

### 5 Develop architectural standards (building or frontage typologies, etc.)

The inventory conducted in Step 1 and the public visioning and charrette process in Step 2, help to identify the different types of buildings and how they front the street to define the public realm.

The form-based code builds on this information to define what types of buildings fit into different parts of the community. The

form-based code for the City of Ventura, California, for example, identifies the following types of buildings as appropriate for different parts of the community: single family, carriage house, duplex, triplex, quadplex, mansion apartment, bungalow court, townhouse, sideyard housing, live/work, courtyard, stacked flats, commercial block, and blended development.

The code then lays out very clearly which types of buildings are appropriate in the different districts for different lot widths through a table on the left.

### 6 Allocate and illustrate standards

The final step in the process is to prepare the standards in a format that is graphic, well-illustrated, jargon-free, and easy to understand.

This format should include all information and regulation relevant to a particular district (street type, neighborhood, etc.) in one concise piece. This avoids the confusion that cross-referencing, scattered requirements, and obscure terms can introduce.



▼ Revitalizing Petaluma's downtown: Code for street front types (below), the new Boulevard Cinema (bottom left) and new mixed-use development (left).

Code prepared by  
Fisher & Hall Urban Design

# Zoning for consensus and revitalization

## ■ Petaluma, California

I can't tell if the SmartCode is a radical, green, left-wing document or a developer-friendly, market based right-wing one," a *Santa Rosa Press-Democrat* reporter wrote in April 2003. The view underscores the broad appeal of form-based codes.

The City of Petaluma struggled for seven years to achieve consensus on a specific plan for a 400-acre redevelopment site adjacent to its downtown. Despite extensive public outreach, political battles continued between residents, developers and environmentalists.

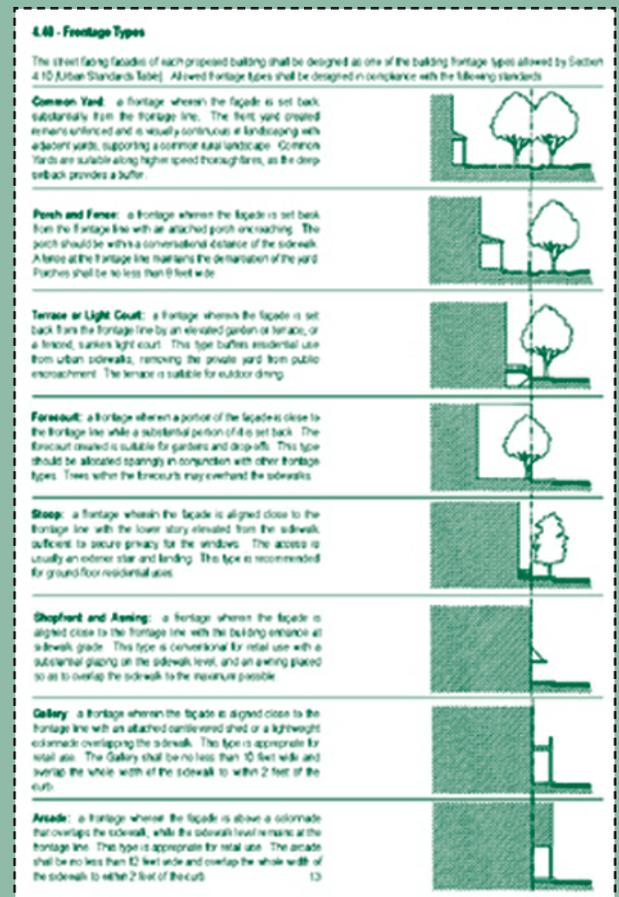
The proposed zoning code was full of legalese and numbers and

did not assure the stakeholders that new development would mimic the existing historic downtown.

To move forward, the city hired a consultant who introduced the transect SmartCode. This code focused less on separating uses and more on describing the building forms that would realize the community's vision of a pedestrian-oriented, mixed-use district. Residents have been reassured by the clarity and relative simplicity of the new code, and developers appreciate its clear rules and expedited permitting process.

After only nine months of community visioning and consensus-building, former adversaries agreed on the new form-based code, breaking a long-time logjam.

The Central Petaluma Specific Plan, adopted in June 2003, has jump-started the construction of a new, mixed-use theater district.



# Code for a new town center

## ■ Hercules, California

The “Regulating Code,” adopted for the small city of Hercules across the bay from San Francisco in the summer of 2001, is similar to another prepared by the same firm for the City of Winter Springs, in Florida.

Intended to foster smart growth development in newly created town centers, both codes have been extremely successful, immediately triggering development projects conforming to the principles and details embodied in the code.

The Hercules code covers four districts in the central part of town. It includes eight street types, though not all will appear in each zone. The use table is a mercifully short three pages, with a half-page of footnotes. Four times that number of pages are devoted to façade details and architectural standards.



▲ *Attractive new homes in Hercules look out onto the San Francisco Bay.*

This architectural material features photographs and drawings of desired and unwelcome features, signs, porches, trim and so on. These details precede the use tables in the code, consistent with form-based codes’ emphasis on building form and the public realm.

One page is devoted to each street type, detailing streetscape features such as pavement width, curbs, on-street parking, landscaping, corner radii, sidewalks, building setbacks, eaves, awnings and balconies.

This format allows the user to quickly access all the most relevant requirements and standards for a piece of property, just by referencing the street type that fronts the property.

Hercules’ new Regulating Code has clearly been a success. Since its adoption, development has flourished in the area it covers. Several traditional-appearing

residential projects have been built, with a total of 300 units, and construction is under way on the first phase of the main street area of the Waterfront District.

That main street building includes fifteen 2,700-square-foot ownership units with commercial space on the ground floor and two-story townhouse units above. The single-family projects include a number of creatively designed duplex, triplex, and fourplex units that blend in very well with the surrounding housing. Building styles are varied.

The structures, landscaping, street design, and even the street lamps have design details specified in the code. This thorough approach to the details can make all the difference in the finished appearance and appeal of a project.

*Code prepared by  
Dover, Kohl & Partners*

This simple, illustrated page for two-laned avenues (right) in Hercules covers pertinent streetscape details as well as building mass and placement.

## ADDITIONAL RESOURCES

Congress for New Urbanism:  
Codifying the New Urbanism  
[www.cnu.org](http://www.cnu.org)

Form-based Codes Alliance:  
A newly formed alliance  
of leading practitioners  
[www.formbasedcodes.org](http://www.formbasedcodes.org)

National Association of Realtors® Smart Growth:  
Land Use, Zoning, and  
Growth Management  
[www.realtor.org/sg3.nsf](http://www.realtor.org/sg3.nsf)

Online compendium  
of community-based  
urban design  
[www.charrettecenter.net](http://www.charrettecenter.net)

Dover, Kohl & Partners  
Town Planning  
[www.doverkohl.com](http://www.doverkohl.com)

Duany Plater-Zyberk  
& Company  
[www.dpz.com/transect.htm](http://www.dpz.com/transect.htm)

Fisher & Hall Urban Design  
[www.fisherandhall.com](http://www.fisherandhall.com)

Crawford Multari & Clark  
[www.cmcplans.com](http://www.cmcplans.com)



**Local  
Government  
Commission**

1414 K Street, Suite 600  
Sacramento, CA 95814-3966  
(916) 448-1198 • fax (916) 448-8246

[www.lgc.org](http://www.lgc.org)

wide median and plentiful street trees make the Two Lane Avenue a quiet address especially well suited to residential and office uses.

### A. Building Placement:

Build-to-line location: 0 to 10ft. from Property line (typical)

Space Between Buildings: 0 ft. if attached  
6-10 ft. if detached

### B. Building Volume:

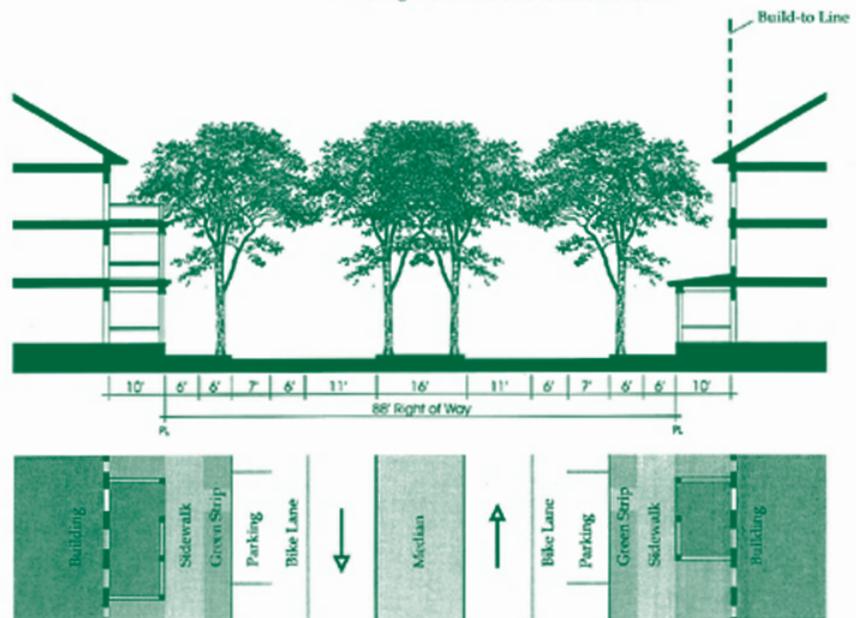
Bldg. Width: 16 ft. minimum  
160 ft. maximum

Bldg. Depth: 125 ft. maximum

Bldg. Height: 2 stories minimum  
4 stories maximum  
55 ft. Maximum  
The first floor shall be a minimum of twelve (12) feet in height

### C. Notes:

1. Appurtenances may extend beyond the height limit.
2. Building fronts are required to provide shelter to the sidewalk by means of at least one of the following: arcade, colonnade, marquee, awning, or second floor balcony.
3. The alignment of floor-to-floor heights of abutting buildings is encouraged to allow for shared use of elevators.



## Other Points to Consider

Large-scale revisions of zoning codes always have the potential for unanticipated problems, whether a form-based approach, or a more conventionally structured code built around smart growth principles, is used. The need to monitor and revise these new codes after they are adopted must not be overlooked with any format. With form-based codes, these problems will likely surface when the underlying basis for regulation is changed from a focus on uses within and around buildings to a focus on the structures first.

Form-based codes require re-educating everyone in the community – elected and appointed officials, planners, engineers, developers and residents. This begins with a broad public participation effort as the code is developed, of course, but it must also continue after the code is adopted. Code modifications should be expected over time, and must be explained to everyone involved. Some cities have hired an architect or urban designer to work with builders and developers to help implement the code's objectives.

This education – particularly of staff – will help reassure developers and the public that application approvals will meet the code's intent. If code reform streamlines the process in a way that eliminates hearing checkpoints, people must be confident that staff are trained to properly assess whether proposed projects comply with detail requirements in the code.

# MEMORANDUM

**DATE:** March 11, 2011  
**TO:** Yellow Springs Planning Commission  
**FROM:** Mark Cundiff, Village Manager  
**SUBJECT:** PUD and Historic Preservation Ordinances

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The Planning Commission has been reviewing the possibility of amending the PUD Chapter of the Zoning Code and adding an Historic Preservation Chapter to the Code over the past year or so. In light of the Village issuing a RFP for a consultant to update the entire code and the current work load of the Village Staff, I would recommend to the Commission that they not pursue these two possible changes to the Zoning Code at this time. Instead, let the selected Consultant take on these possible changes as they prepare the update of the entire code.