



Form Based Codes and Design Regulations *and*
Approaches to Development Regulation



... Recent plans, studies, etc., that recommend that Lexington consider form-based approaches or design review...

- **Destination 2040:**

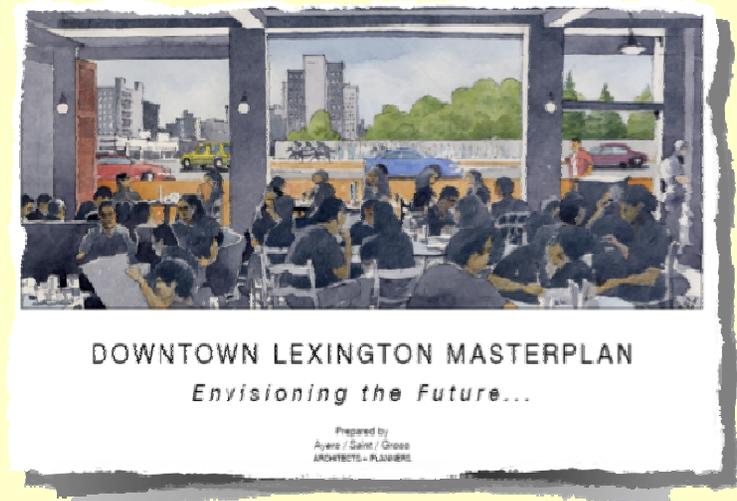
“promote ... development or redevelopment consistent or compatible with existing structures”

- **Downtown Master Plan:**

“establish form-based building guidelines”

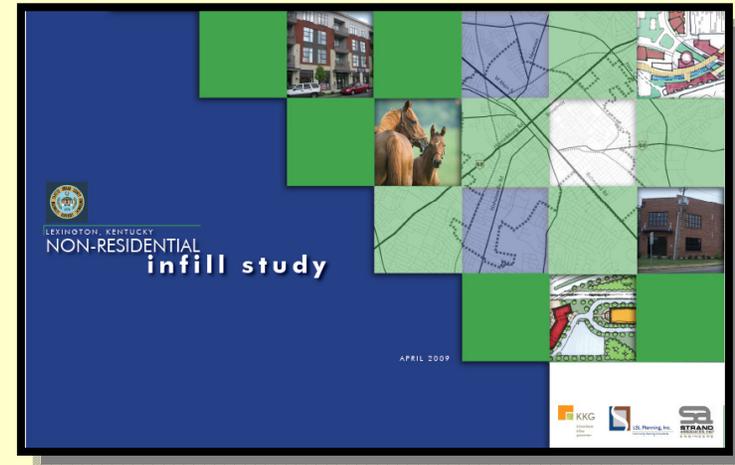
- **2007 Comprehensive Plan:**

“(study, review and discuss) the establishment of form-based building guidelines (for Downtown)”

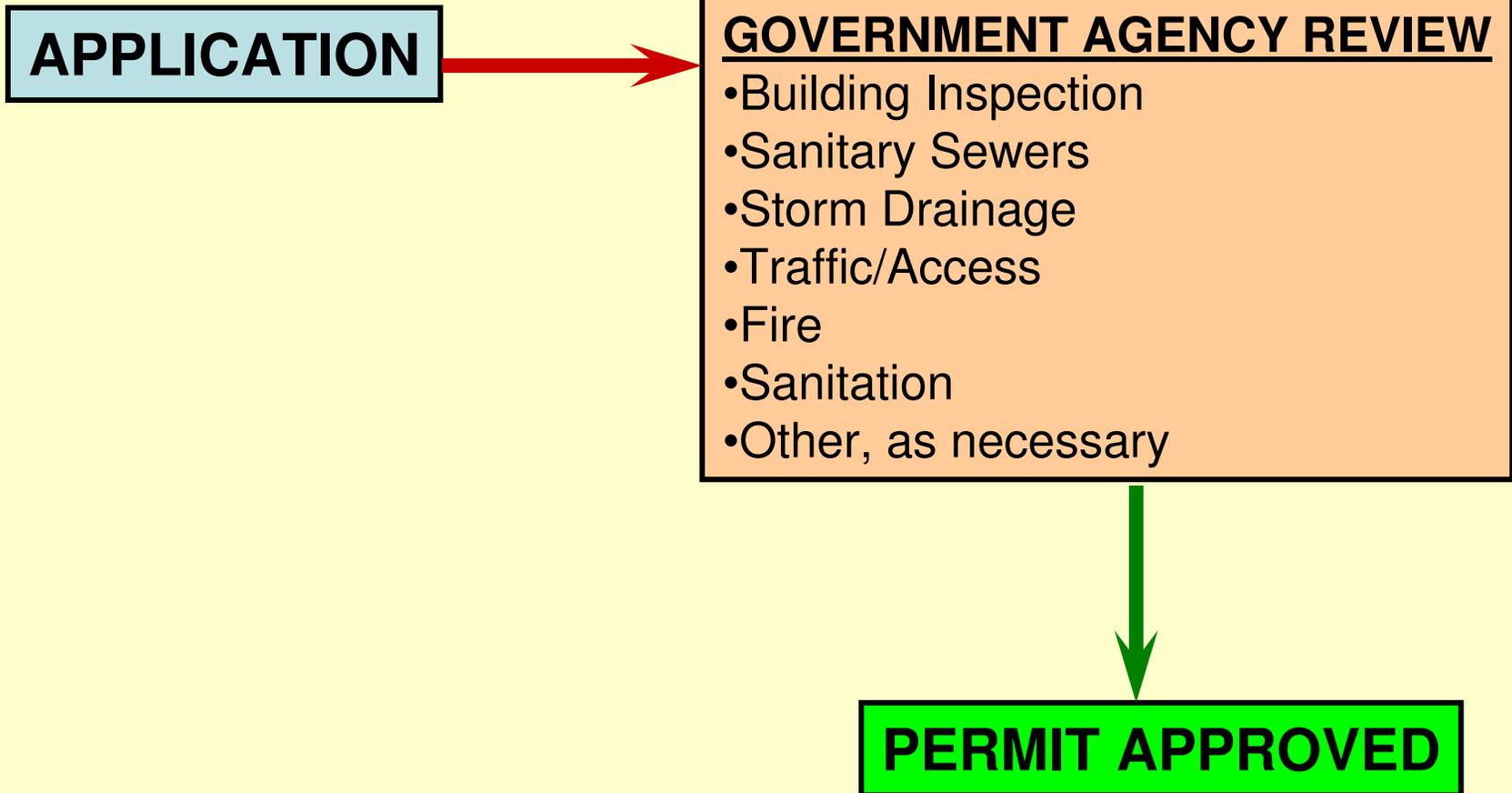


Recent plans, studies, etc., that recommend that Lexington consider form-based approaches or design review...

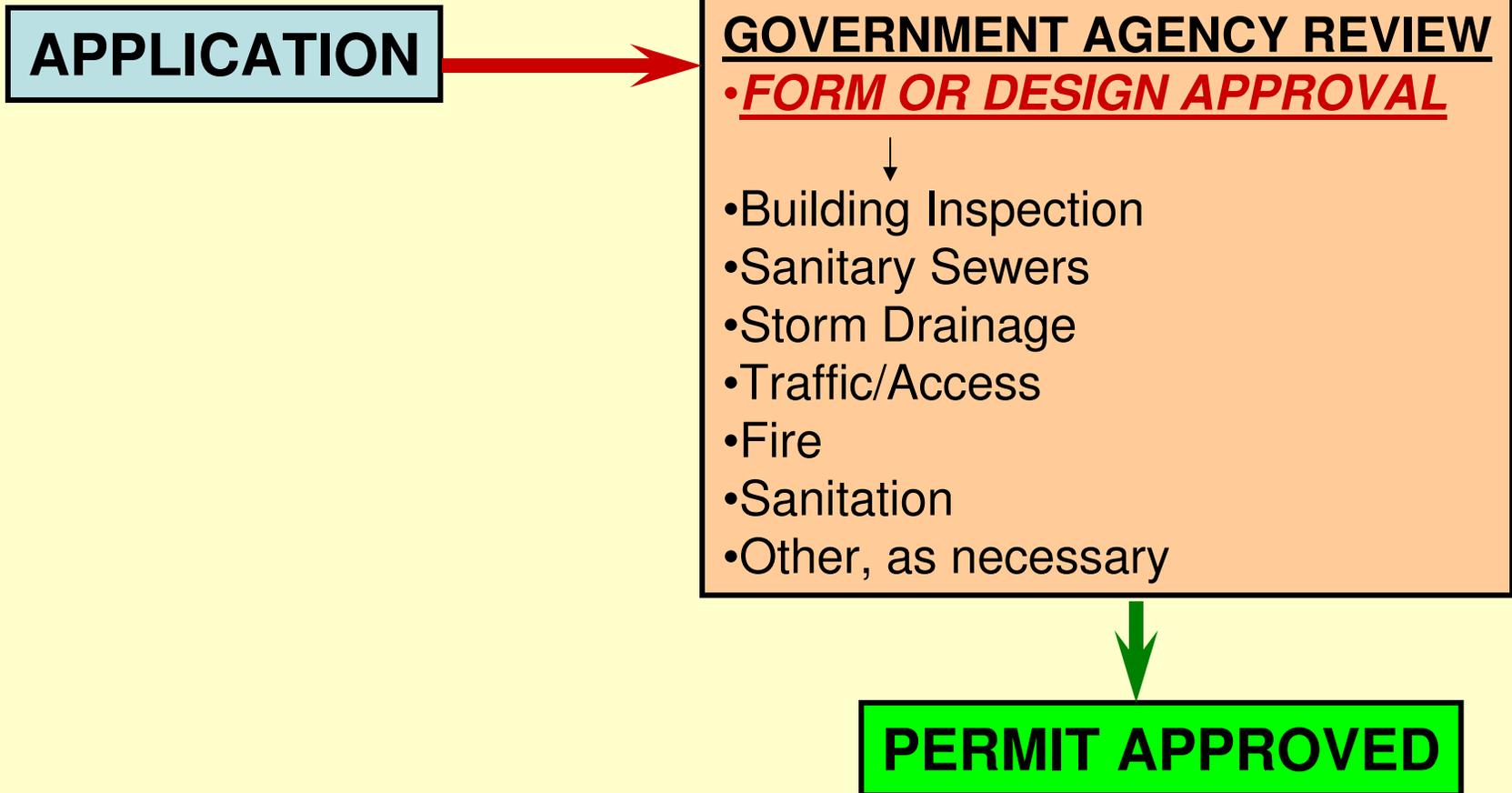
- **Non-Residential Infill/Redevelopment Study:**
“Form-based codes can be created within the framework of a traditional zoning ordinance...”
- **Housing Market Study:**
“explore creating new mixed-use districts that are more form-based in approach...”
- **Infill/Redevelopment Task Force and Steering Committee Report and Recommendations:**
“support form-based zoning classifications that encourage mixed use but provide architectural guidelines” (from “Report;” also, many of the “objectives” of the I/R recommendations speak to consideration of form-based approaches)

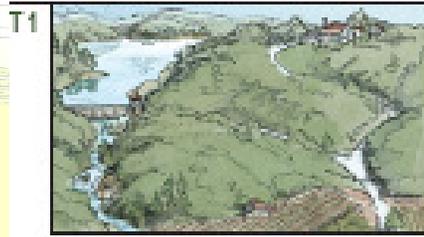


Simplified Permit Approval Process



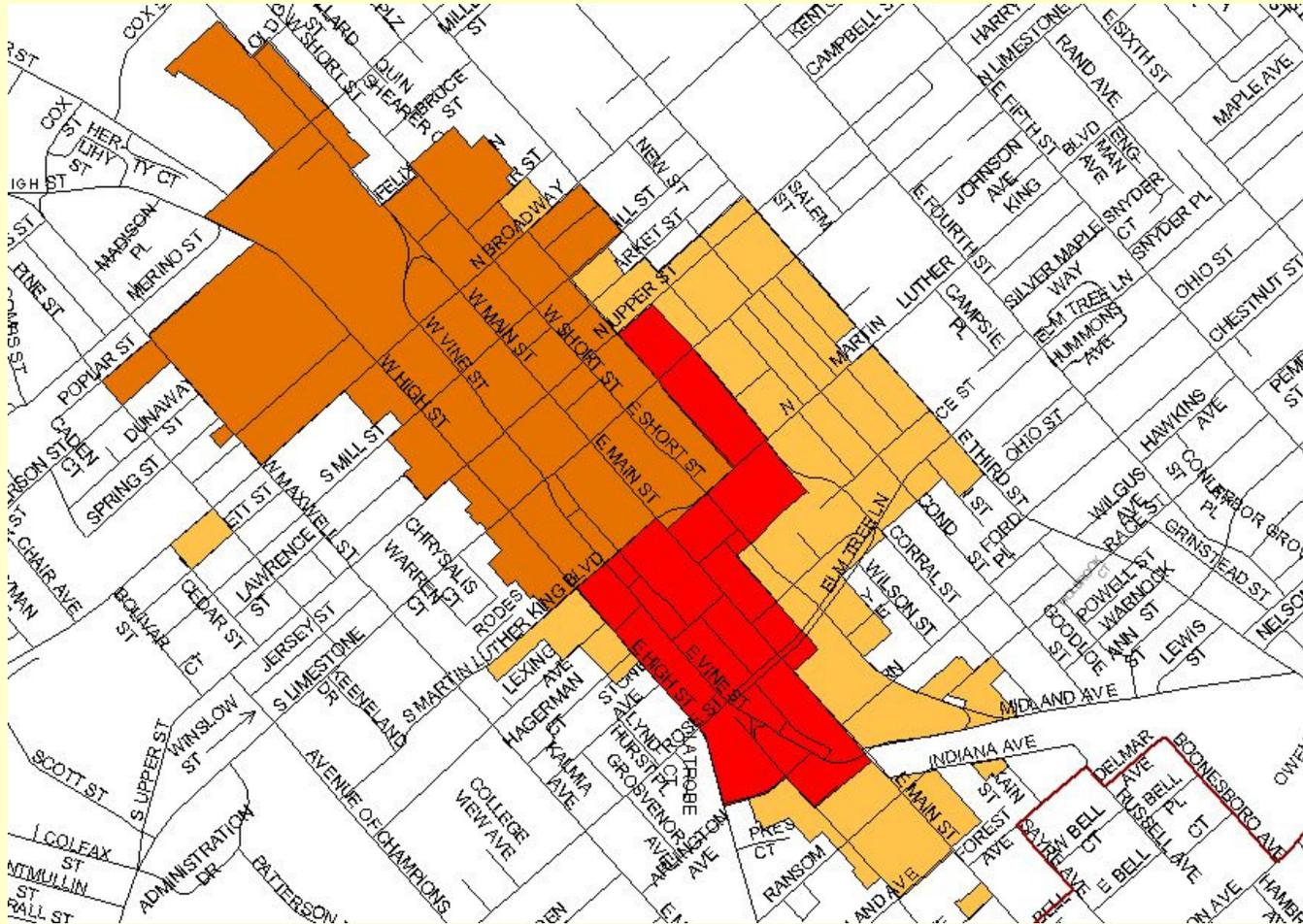
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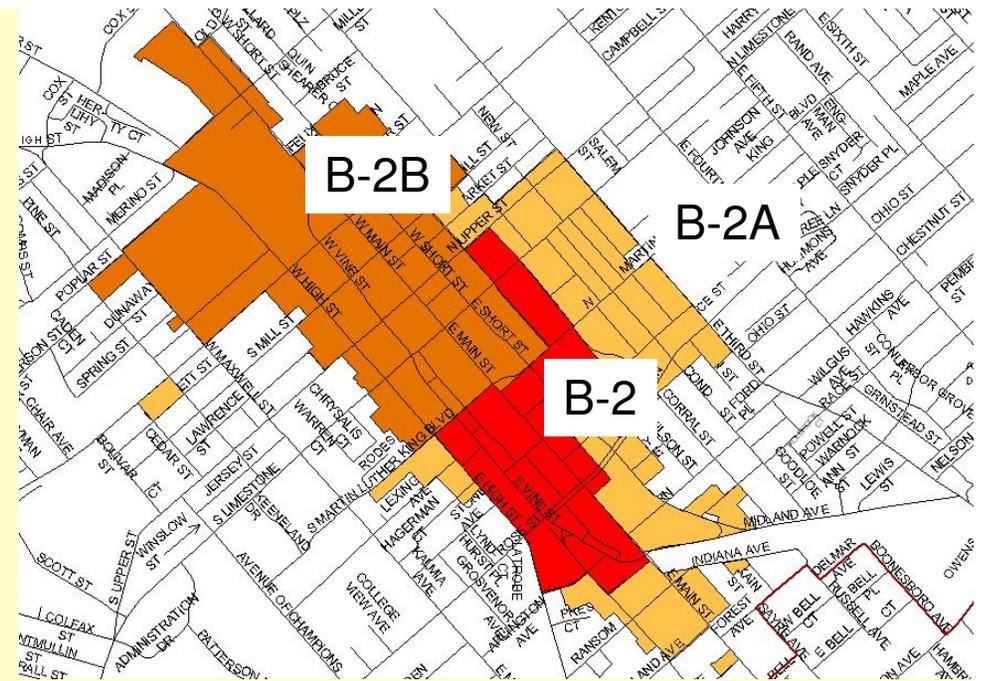


Brief Overview of Current Downtown (Central Business District) Zoning Regulations

B-2 Zoning Group

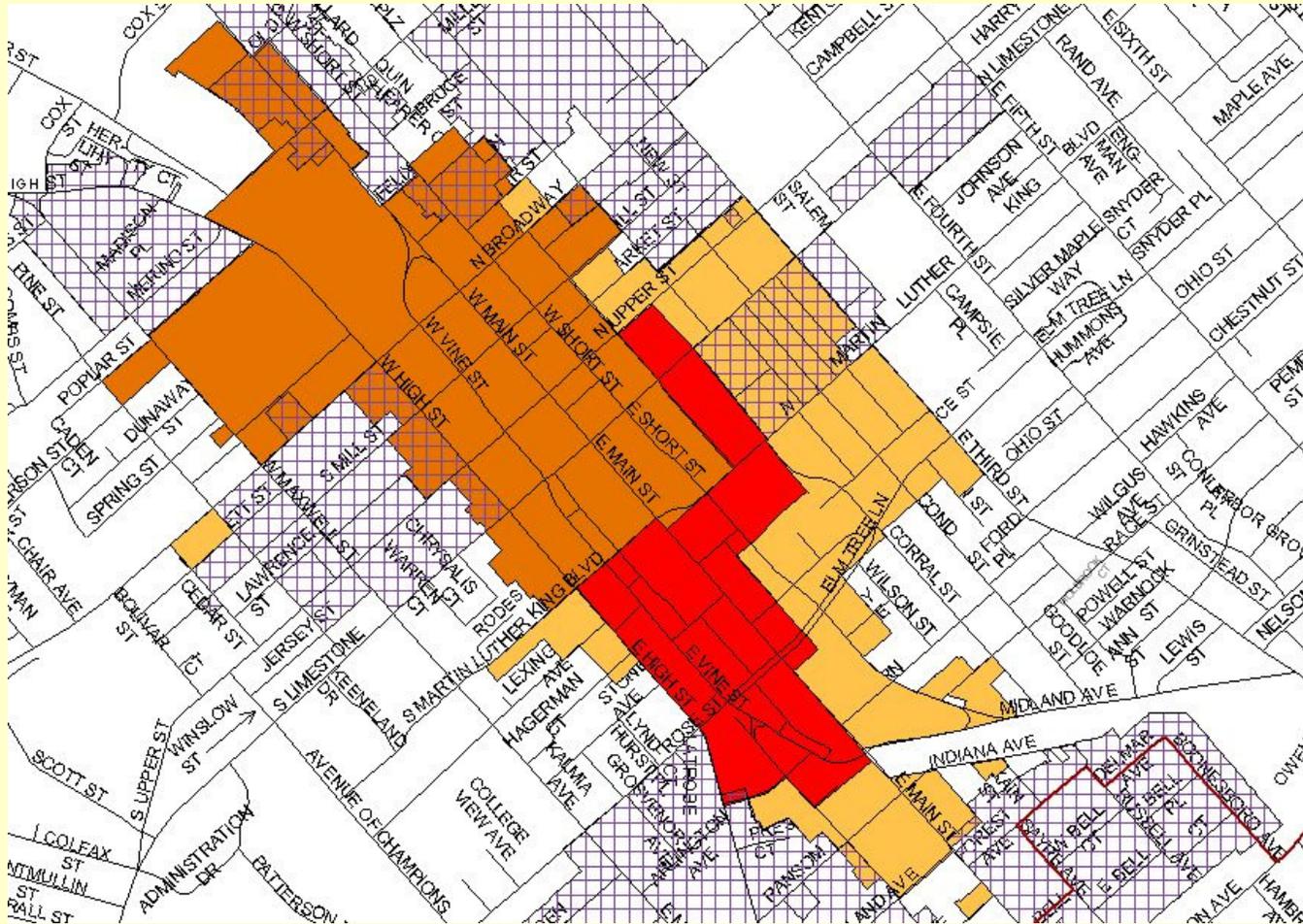


The B-2 Zoning Group

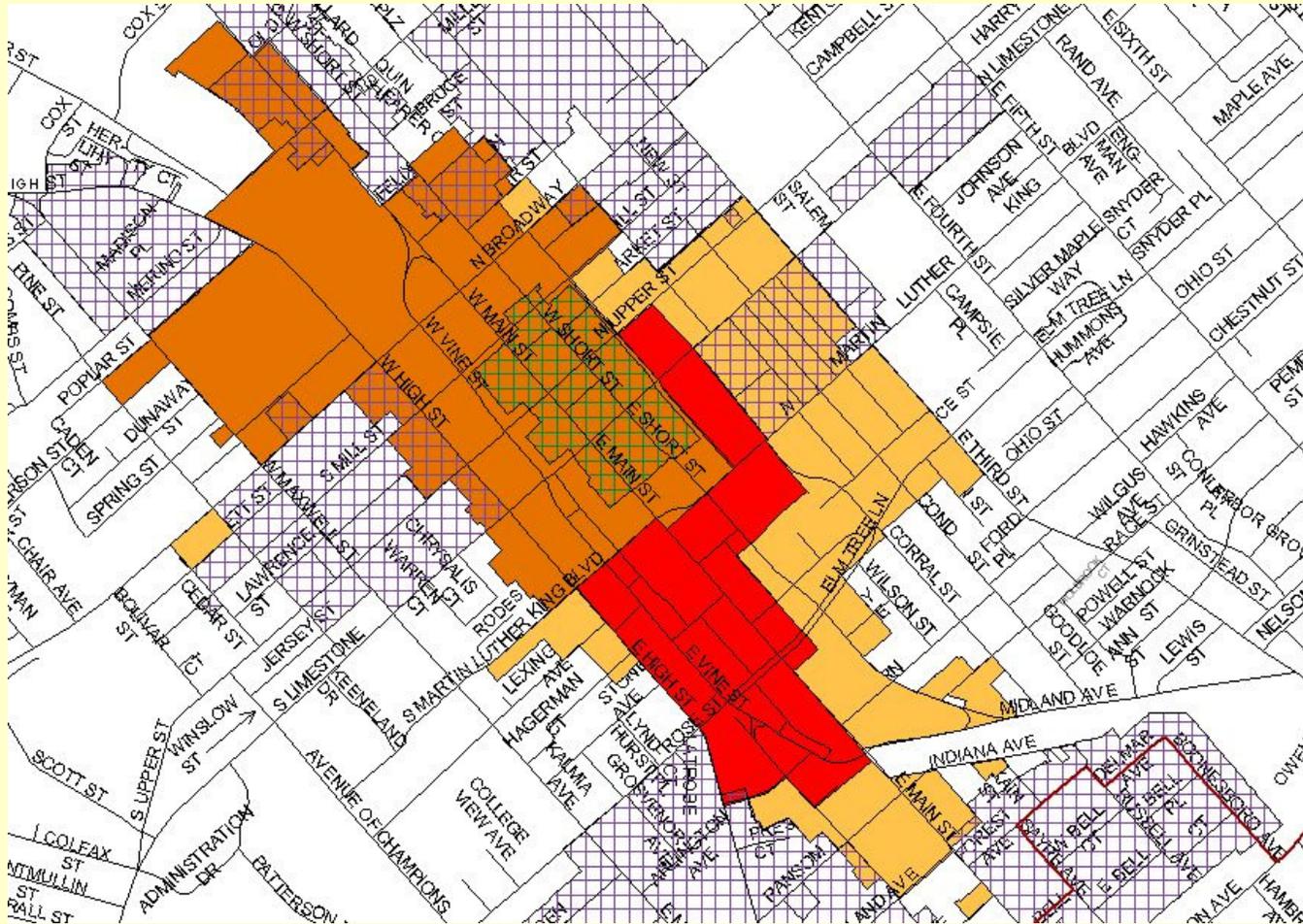


- Comprised of Three Zones (B-2; B-2A; B-2B)
- Mixed Uses permitted “by right”
- Retail, Office, Residential, Industrial, etc.
- Minimal restrictions on building height, size and location (except B-2A; 3-story “by right” or up to 10 stories with Planning Commission approval)
- For most situations, “building permit counter” review and permitting only (exceptions – overlay districts)

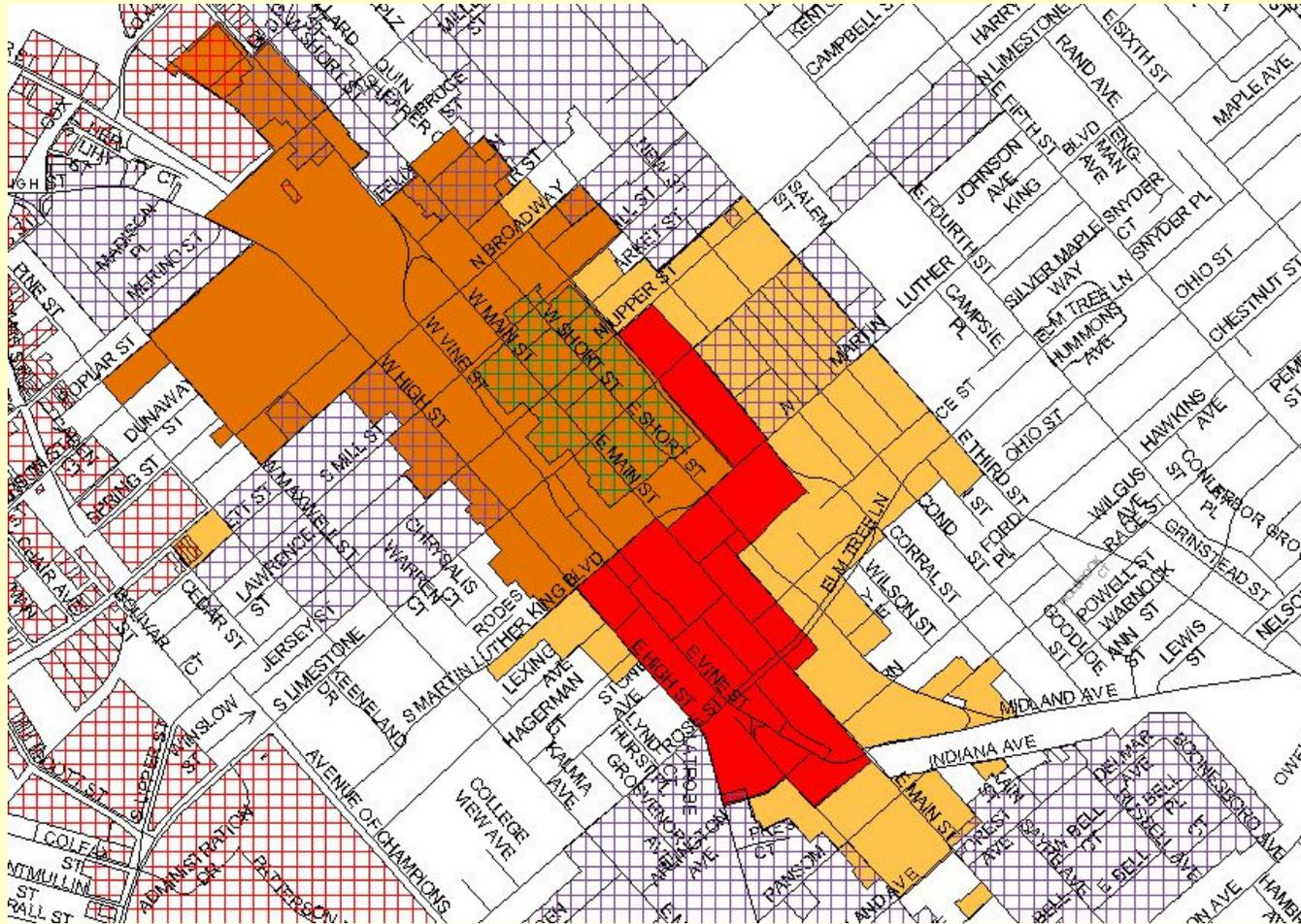
B-2 Group with Historic Zoning (H-1) Overlay



B-2 Group w/H-1 and Court House Overlays



B-2 Group w/H-1, Court House and Newtown Pike Extension Area



B-2 Group w/H-1, Court House and Newtown Pike Extension Area



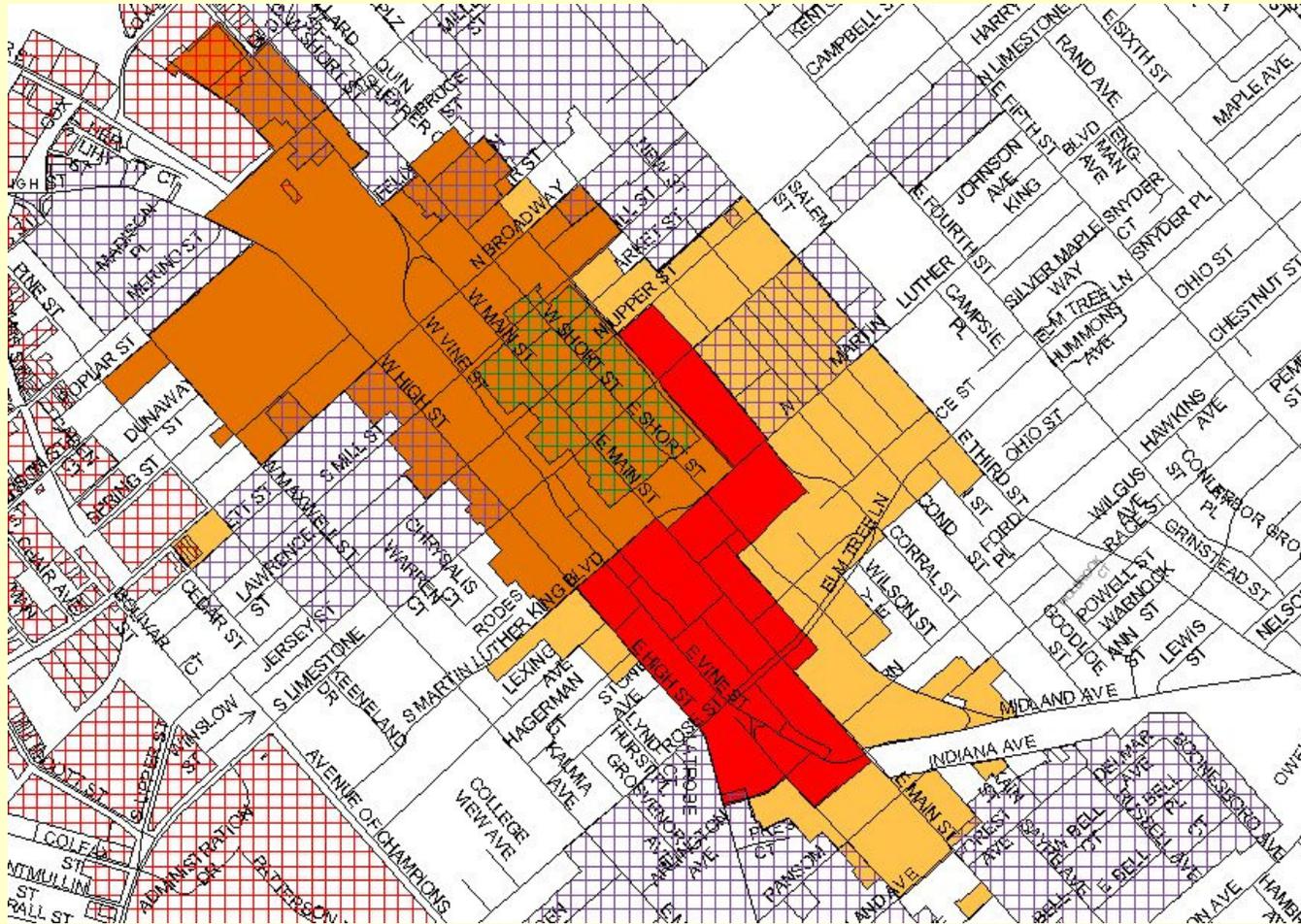
Effect of Overlays

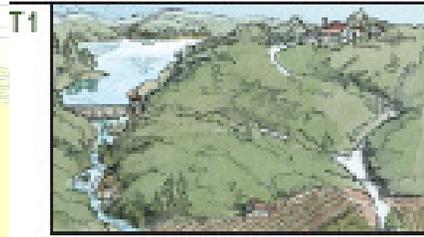


Design Review prior to permit:

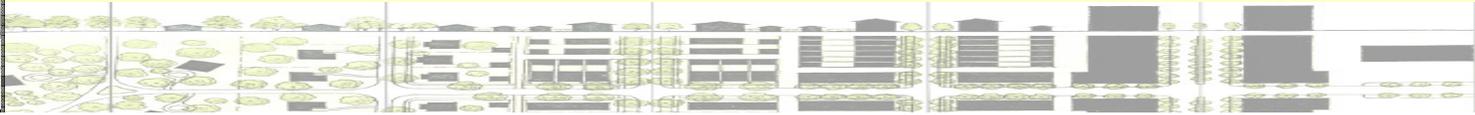
- H-1 – approval by the **Board of Architectural Review**
- CHA – approval by the **Court House Area Design Review Board**
- NPE – approval of a development plan by the **Planning Commission**
- In each case, decisions are guided by “Guideline” documents referenced by applicable ordinances

B-2 Group w/H-1, Court House and Newtown Pike Extension Area





**What are
“Form-Based Codes”
“Design Regulations”
and How Do They Differ?**



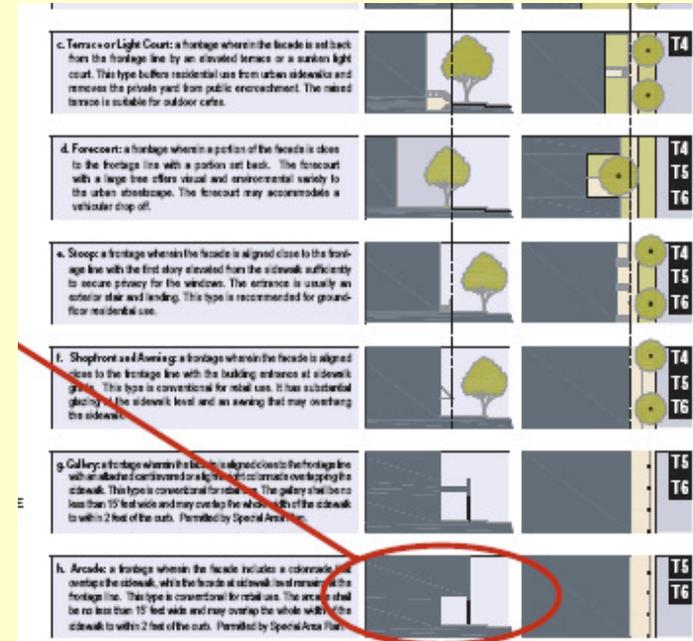


A **form-based code** is a regulatory system that is based primarily on urban “form”-- including the relationship of buildings to each other, to streets and to open space, rather than based primarily on land use.



Form-Based Codes

- Method of regulating development
- A legal document (ordinance) that sets clear and careful controls on building form
- Typically, allows broad parameters for architectural design
- “Place”-based to reflect the character of a specific area of the community

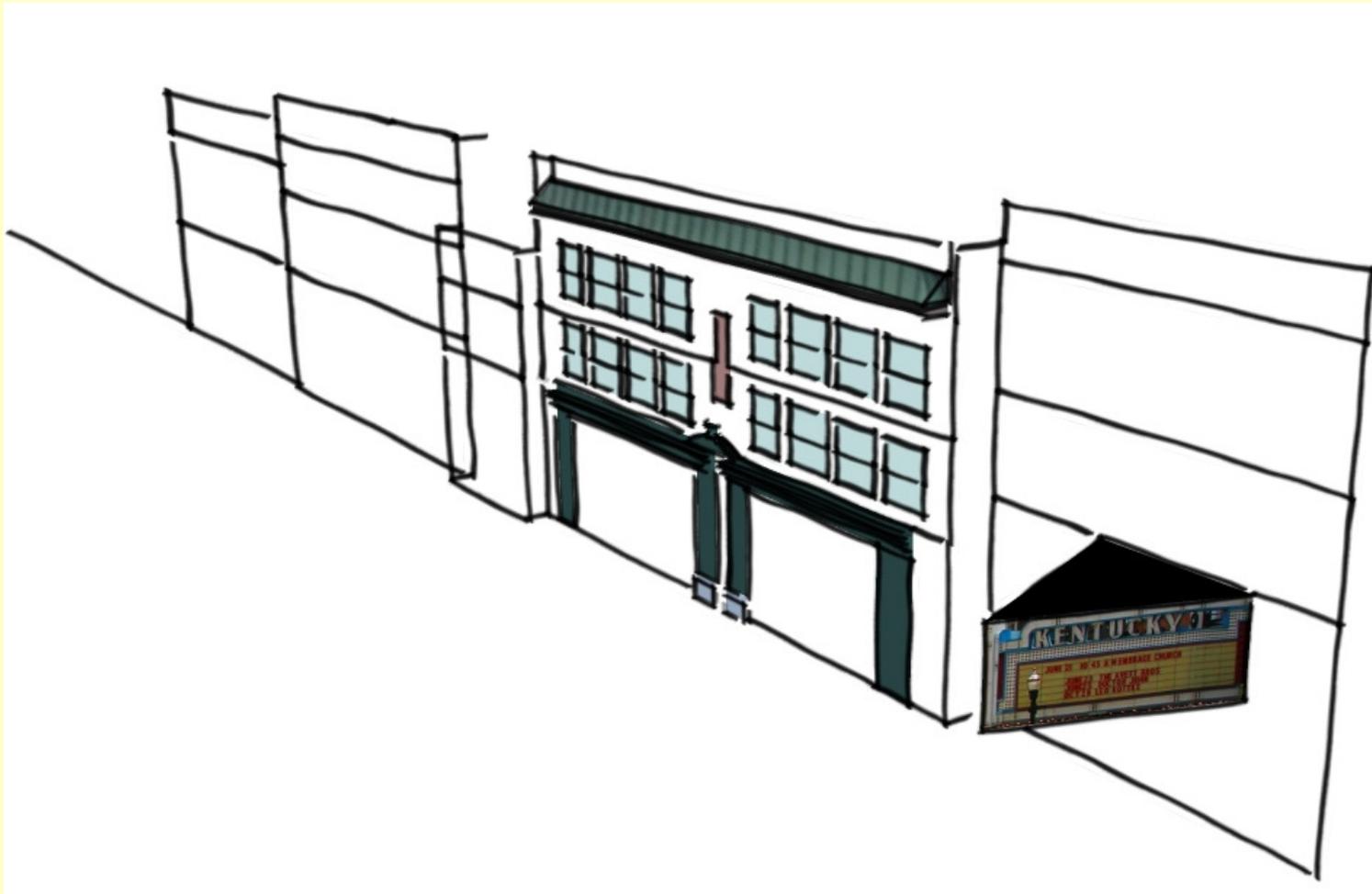




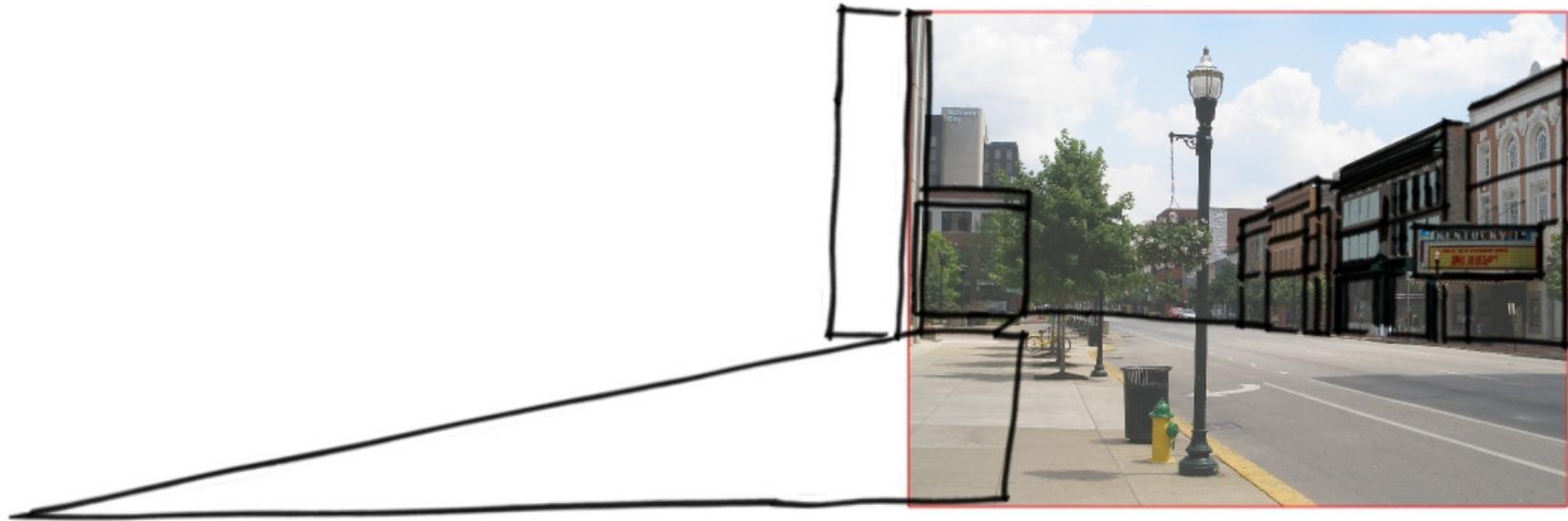




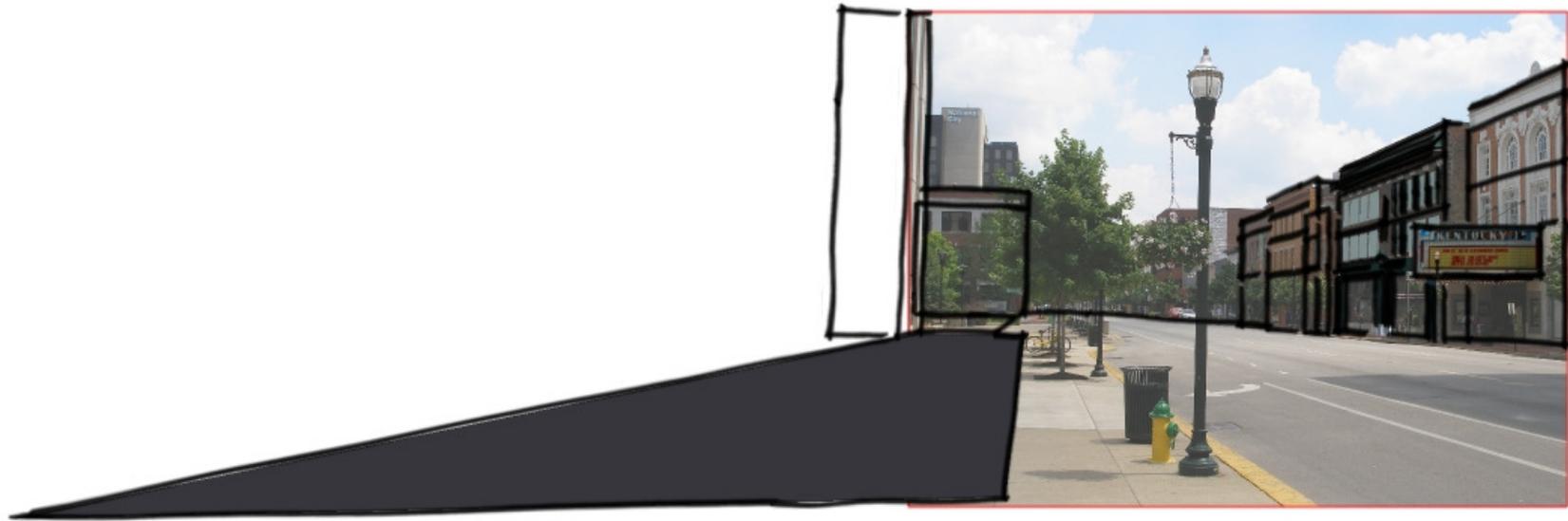




Design Regulations look at the details...



Relationship of buildings to public spaces and transportation systems...



Relationship of buildings to public spaces and transportation systems...



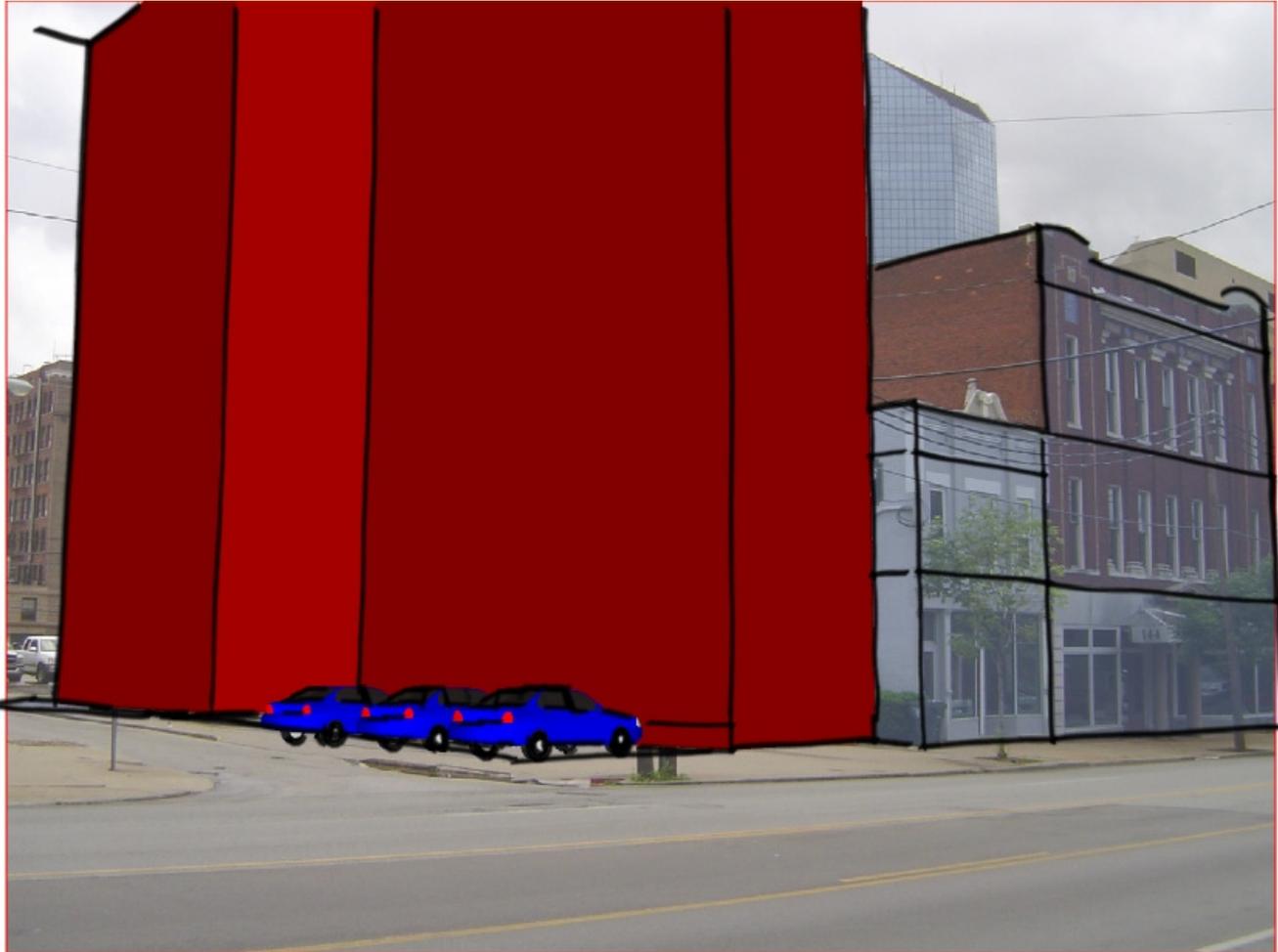
...and landscaping



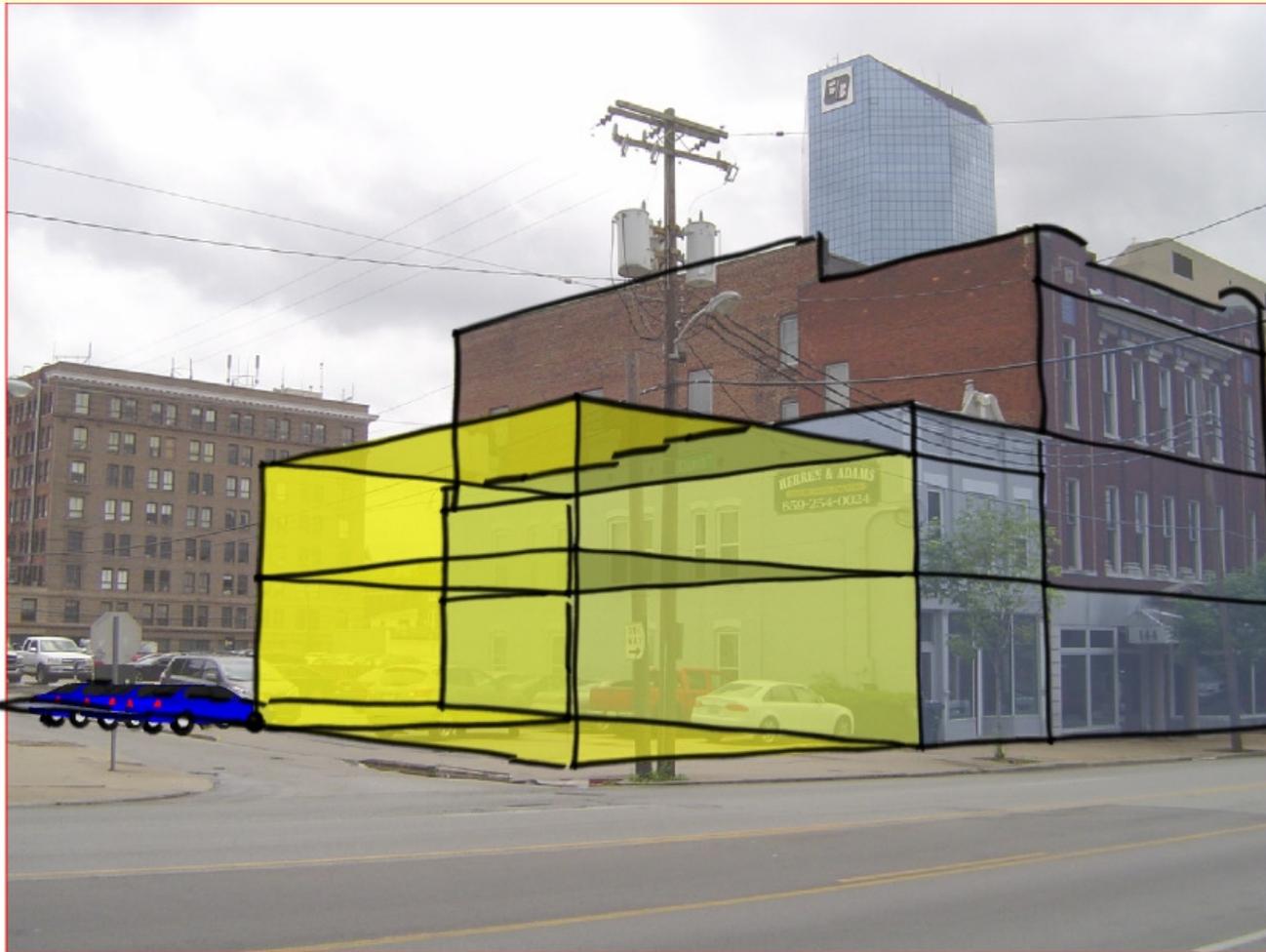




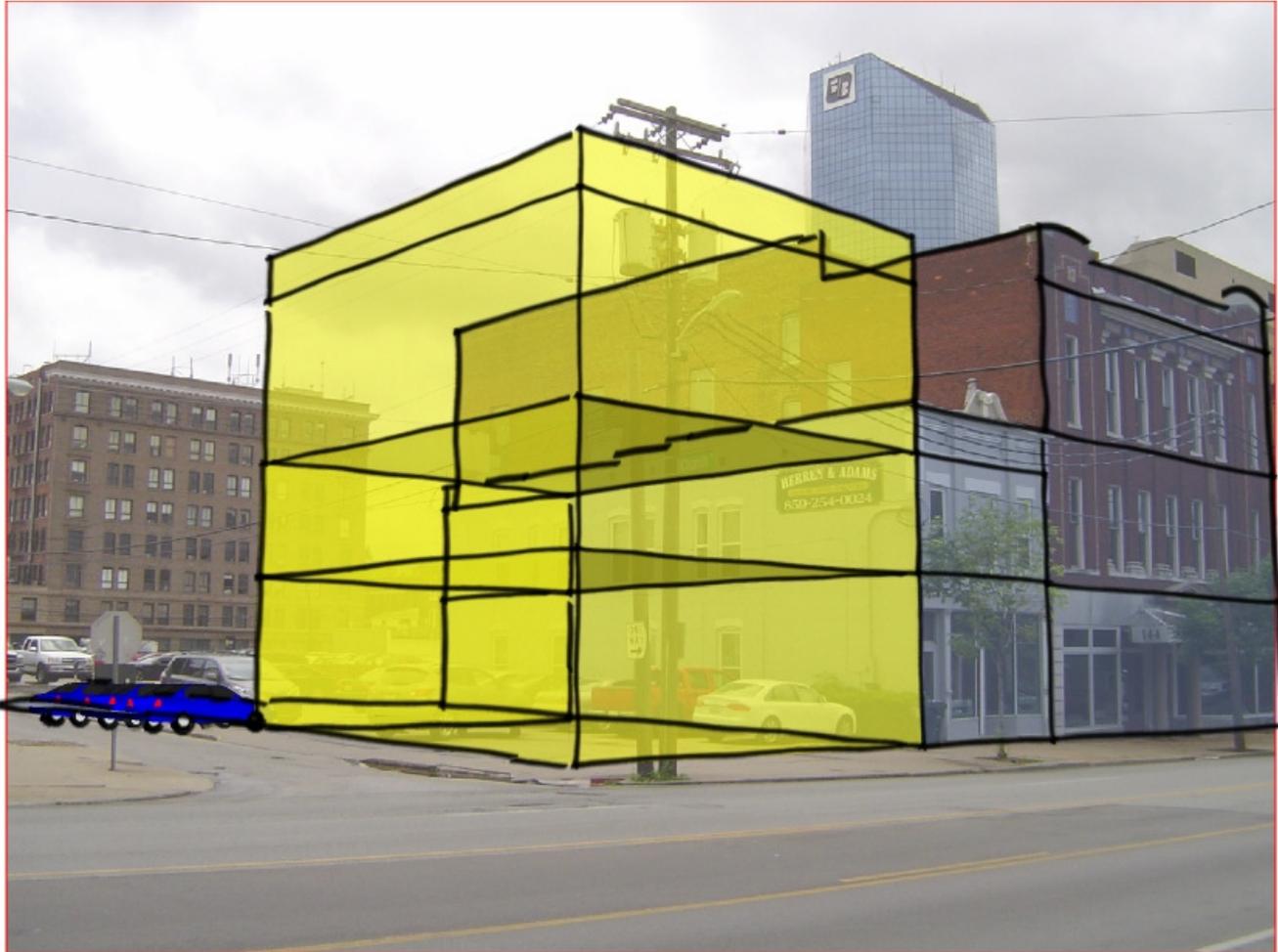
Without any design or form regulation,
any development pattern is allowable.



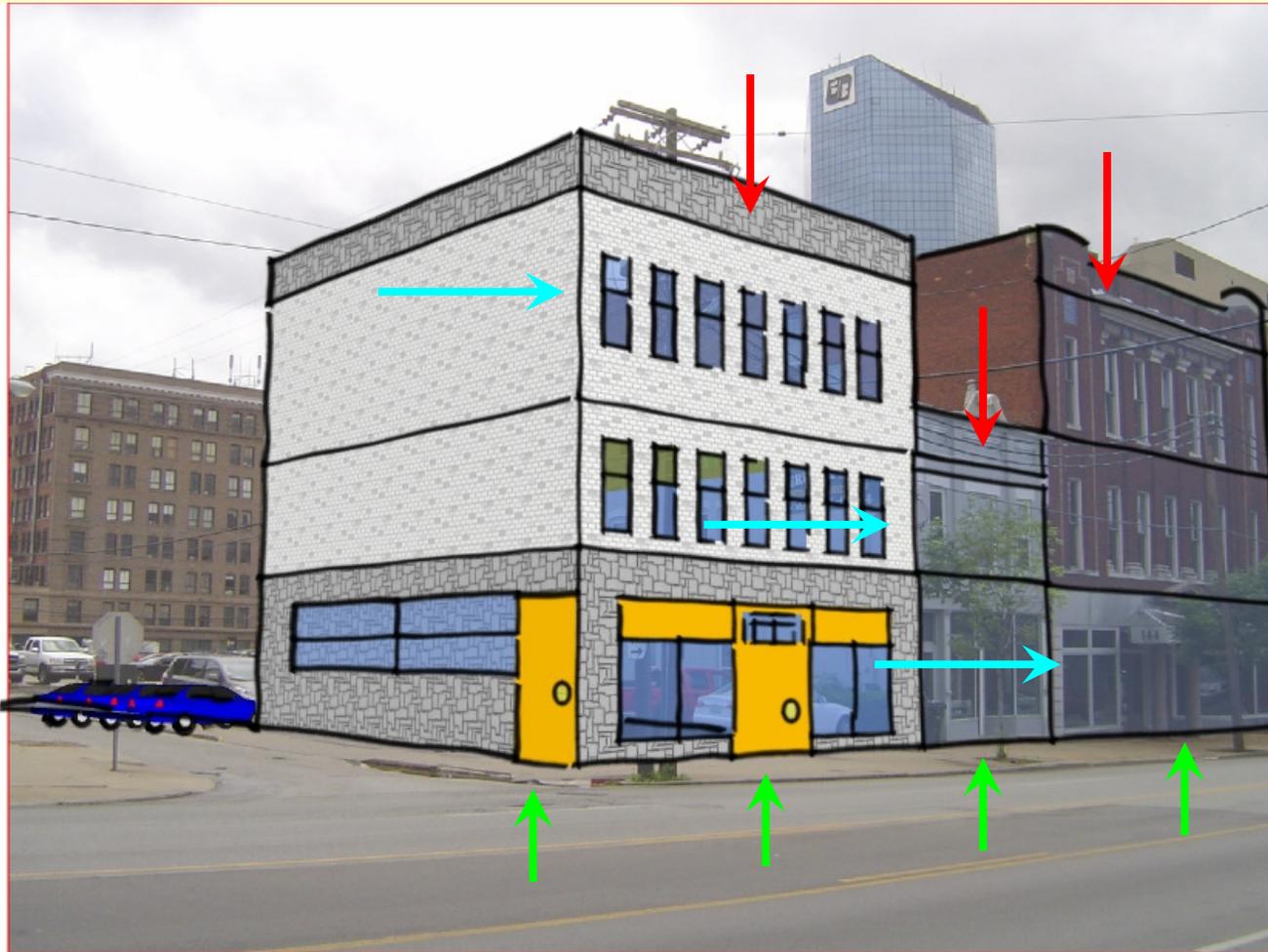
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With Form-Based Codes, the placement of building and parking are key components.



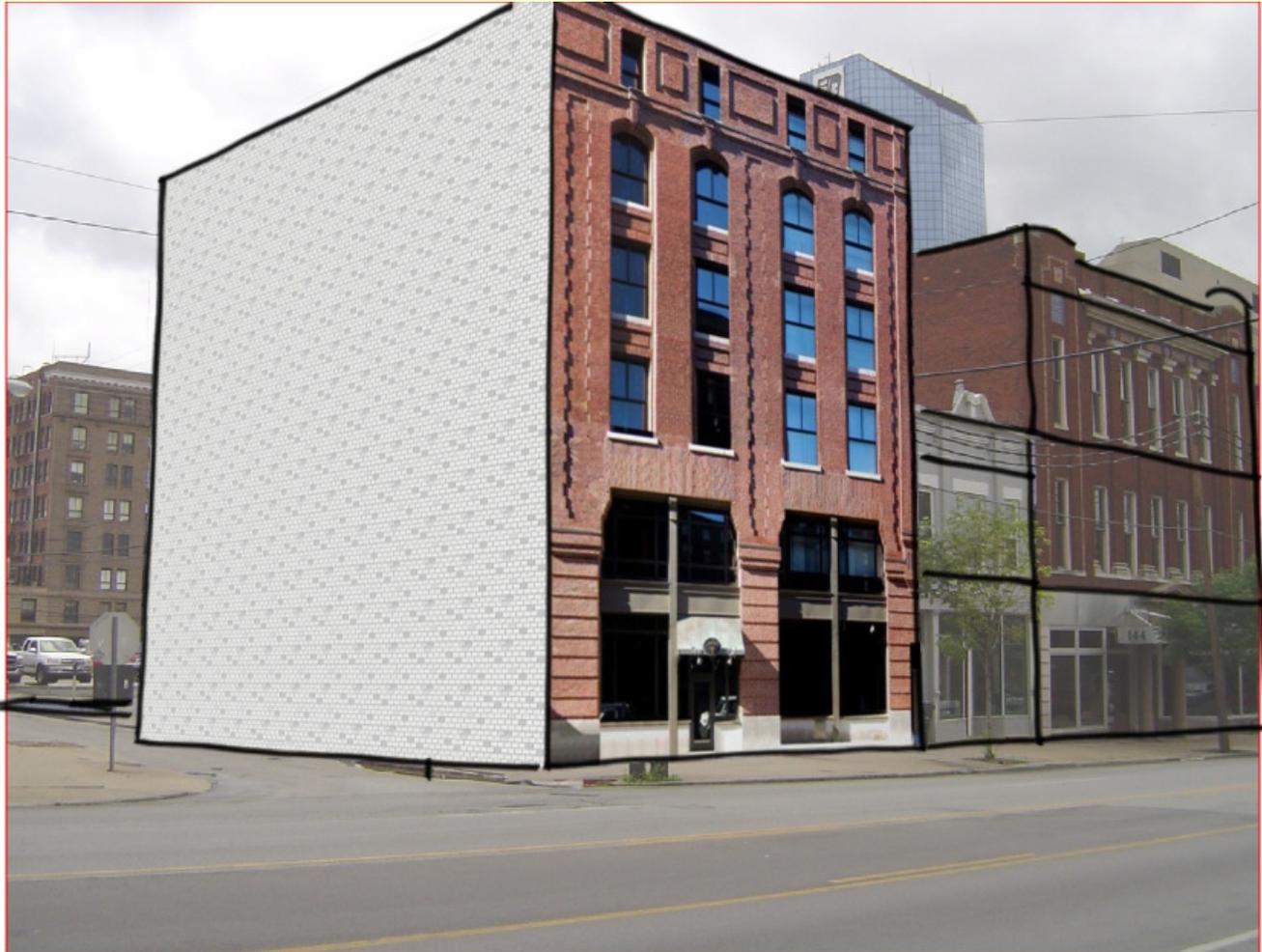
As are height and bulk of the buildings.



Most **Form-Based Codes** will also require certain architectural features such as the building cap, windows, and doors, but will NOT regulate their design details.

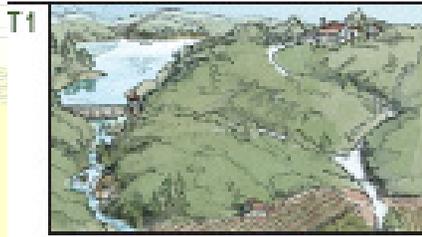


Design Guidelines will typically result in more architectural detailing.



Typically with a design review board or person making the determination of how each project fits the guidelines.

Characteristics of a Form-Based Regulatory Program

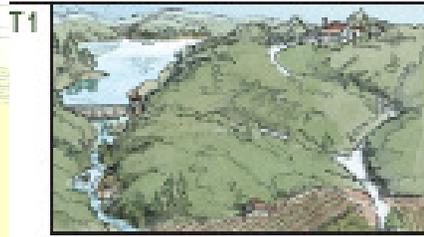




Typical Characteristics of a Form-Based Code

- Design to create or preserve a specific character
- More “thou shall” vs. “thou shall not”
- Less (or no) emphasis on regulation of **use** of buildings vs. exterior **form** of the buildings
- Emphasis on relationship of buildings to the streets and open spaces
- Adapted to the character of a particular “place”



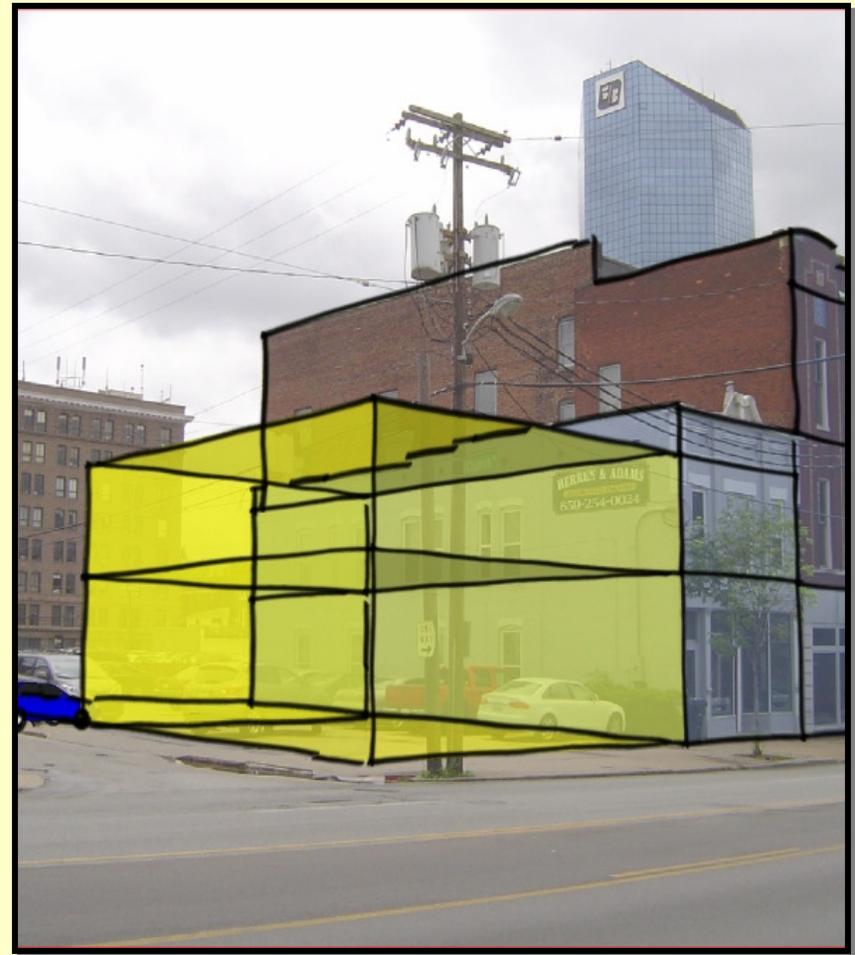


Typical Components of a Form-Based Regulatory Program



What typically gets regulated?

- Building setbacks – “build to” lines
- Building alignment/location
- Orientation
- Lot width and building width
- Lot size/frontage
- Building coverage (footprint)
- Openings (doors, windows, etc.)



What typically gets regulated?

- Street standards (if new streets involved)
- Parking (number and orientation)
- Open space
- Streetscape requirements
- Accessory structure restrictions





May also include:

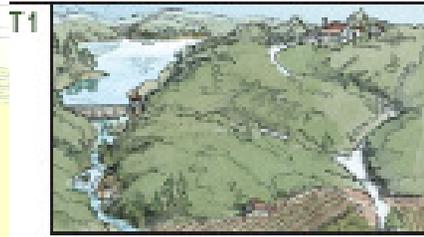
- **Architectural Standards (or guidelines):** Regulations controlling external materials and quality
- **Landscaping Standards:** Regulations controlling landscape design and plant materials on private property as they impact public spaces (i.e., Parking lot screening and shading, maintaining sight lines, etc.)
- **Signage Standards:** Regulations controlling allowable signage sizes, materials, illumination, and placement
- **Environmental Resource Standards:** Regulations controlling issues such as storm water drainage and infiltration, development on slopes, tree protection, solar access, etc.



Examples of Typical Components of Design Regulations

- Detailed guidelines/standards for building and site elements, for example:
 - Exterior building materials
 - Window and door details; kickplates
 - Rooflines, roofing materials, gutters, skylights; chimneys; downspouts
 - Character defining features
 - Architectural styles
 - Decks, patios
 - Awnings
 - Additions
 - Demolition guidelines





Typical Process Steps to Create a Form-Based or Design Regulation Program



Typical Steps in Creating a Form-Based Code

1. Confirm Community Commitment (full process and implementation – reaffirm at critical points in the process)
2. Determine type of code and boundary(ies) to be covered by the code
- 3 & 4. Engage design professionals to...



Prepare guidelines -- determine existing development forms and desired forms

- Inventory and analyze existing conditions
- Public meetings to set vision (collaborative process with hands-on input and involvement)
- Determine boundaries of different areas (if more than one)
- Develop proposed development standards and guidelines for design
- Illustrate the desired guidelines and standards



Typical Steps in Creating a Form-Based Code (cont'd)

5. Prepare regulations to complement the design guidelines/standards
6. Ordinance adoption process
7. Implement program (establish administrative processes/appeal processes and hire personnel)

building frontage standards are allocated by street type

	Townhouse Porch	Stoop	Door Yard/ Terrace/ Light Court	Forecourt	Linear Storefront	Linear
Riverfront Promenade	X	X	X	X	X	X
River Road Retail Street					X	
River Road Transition				X	X	

BUILDING FRONTAGE STANDARDS

Frontage	Example	Plan	Section
<p>Townhouse Porch This Porch type is characterized by a facade which is aligned on or close to the parcel line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses. The entrance is accessed by a porch which is expanded to the front facade. This Porch type is suitable for ground floor residential uses.</p>			
<p>Stoop A Stoop Porch is characterized by a facade which is aligned on or close to the parcel line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses. The entrance is usually an exterior walk or landing which may be combined with a small foot. This Porch type is suitable for ground floor residential uses.</p>			
<p>Door Yard/Terrace/Light Court The Door Yard/Terrace/Light Court Porch type is characterized by a facade which is aligned on or close to the parcel line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses. The entrance is accessed by a porch which is expanded to the front facade. This Porch type is suitable for ground floor residential uses.</p>			

Final Thoughts: Some Key Questions...

- Boundary to be Regulated?
- Character Elements? Form-Based, Design Review, or Blended?
- Role of Downtown Lexington Building Inventory?
- Mandatory or Advisory?
- Who Will Create Guideline Documents? (e.g., Necessary Studies and Public Input)
- Replace or Supplement Existing Regulations?
- Relationship to Current Design Regulation Programs?
- Administrative Review Process, Staffing?
- Where in the Permitting Process will Review occur?
- Deciding Authority?
- Extent of Allowable Public Input?
- Appeals?



Form Based Codes and Design Regulations

Questions?

