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**How does government carry out urban planning?**

**By building...**

**By inspiring...**

**By regulating...**

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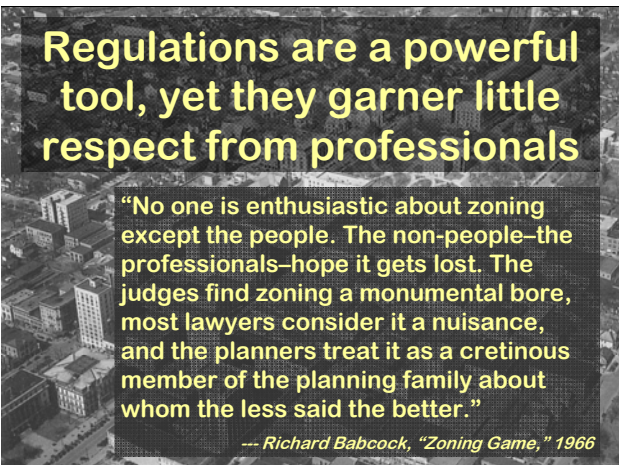
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**Regulations are a powerful tool, yet they garner little respect from professionals**

**“No one is enthusiastic about zoning except the people. The non-people—the professionals—hope it gets lost. The judges find zoning a monumental bore, most lawyers consider it a nuisance, and the planners treat it as a cretinous member of the planning family about whom the less said the better.”**

*--- Richard Babcock, "Zoning Game," 1966*

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# How does zoning affect urban form?

Ask a builder...

Ask an architect...

Ask elected officials...

Ask urban designers...

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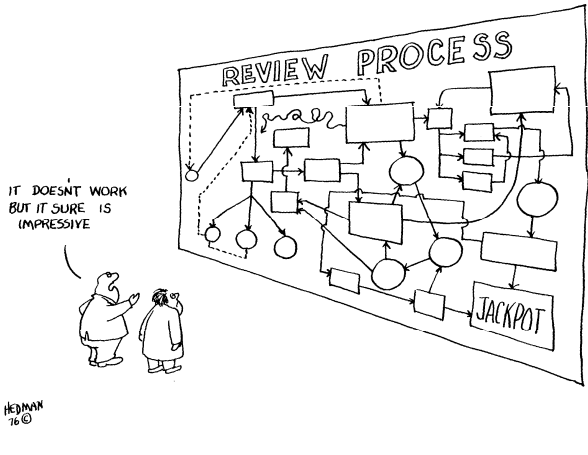
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Why such skepticism about growth?

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This is "red" on the zoning map



Strip Shopping Center, Fort Myers Beach

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This is "red" on the map too



Dover Kohl and Partners

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## lifeless public realm



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## comfortable public realm



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**MONOCULTURE**  
Mass-produced housing is common at higher densities and is many times provided the only affordable way to build. But some measure of variety is necessary to avoid monotony. These two developments provide a contrast to how to avoid the dulling effect of mass production. Both used a limited number of building designs. In Mountain View, California (above) the types were segregated by area, with each district limited to a single building type. The area shown is the "townhouse" section of the development. Our model—a two-story rowhouse design with slight variations—is repeated along each street. Contrast this with the more neighborhood in Columbus, Ohio, where five different models are interspersed within one block.

**Visualizing Density**  
By Julie Campoli & Alex MacLean

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## **CONVENTIONAL CODES**

- Zoning and subdivision regulations
- Designed to separate incompatible uses
- Ideal for suburban development patterns

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## **FORM-BASED CODES**

- A relatively new name...
- For emerging regulatory techniques...
- To serve rebirth of interest in urbanism...

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## **THIS MORNING'S PRESENTATION:**

1. Comments on historical development of cities
2. Rise of zoning and decline of urbanism
3. How conventional and form-based codes differ
4. Examples of form-based codes in current use
5. References for further study

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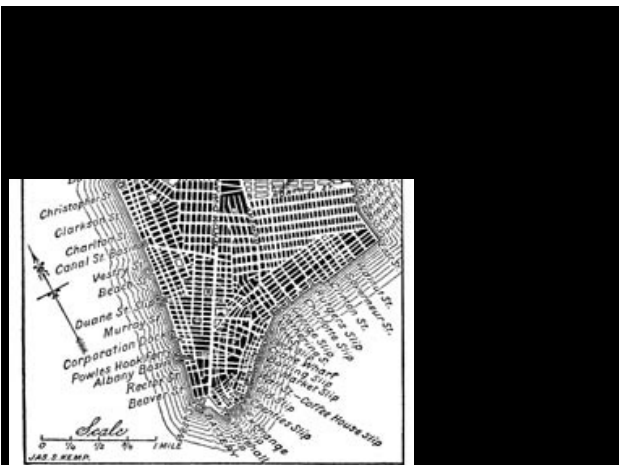
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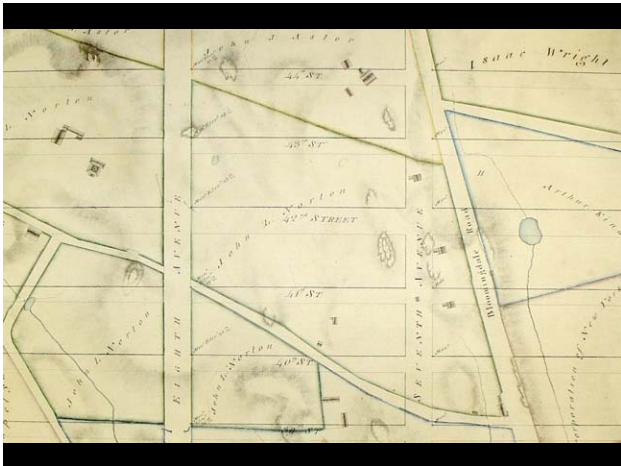
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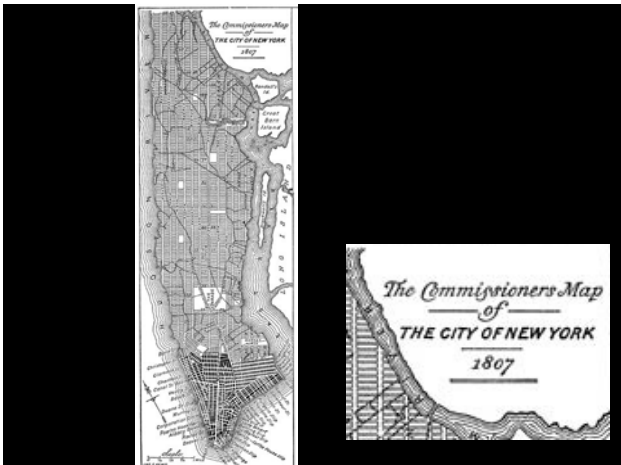
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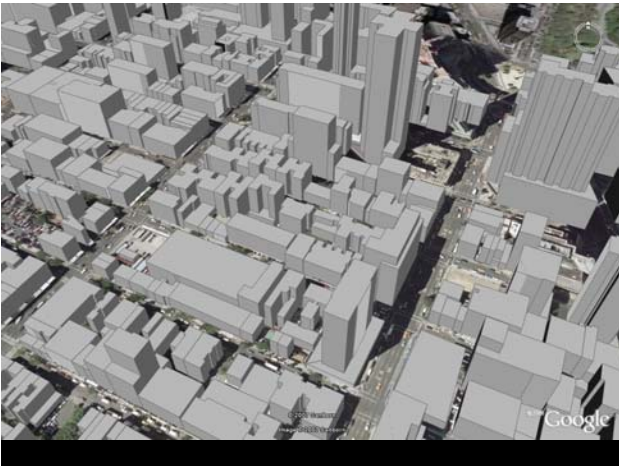
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Known as the Lower West Side before the 1960s, these Manhattan neighborhoods have gone from farmland (1700s) to fashionable residences (early 1800s) to sweatshops hidden behind gorgeous cast-iron fronts (late 1800s). Later, light industry (cardboard, tool, and die makers) occupied these blocks until the mid-1900s, when artists began to occupy the area's spacious lofts. In the 1960s, Soho residents beat back a Robert Moses proposal to build an expressway over Broome Street that would have connected the Manhattan Bridge to the Holland Tunnel. Since then, real estate has been on an upswing, with fashionable restaurants and galleries lining West Broadway, Spring, and the rest of the area's streets. Best of all, the mag-




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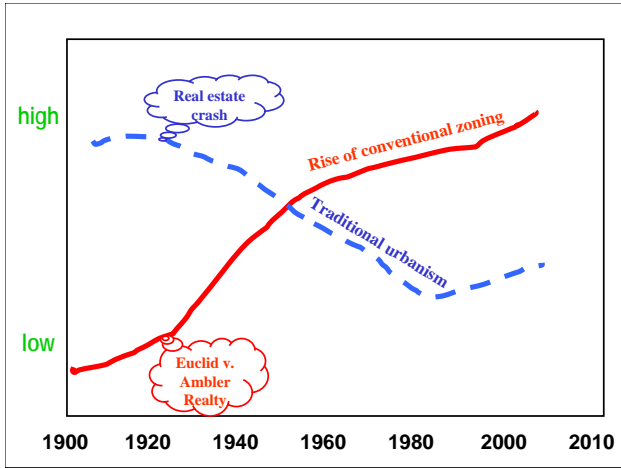
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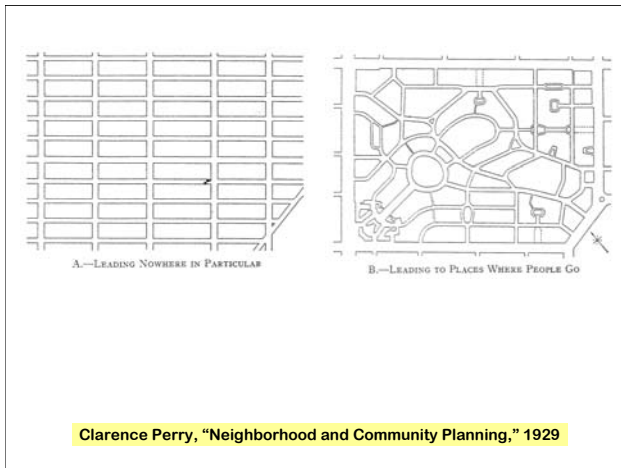
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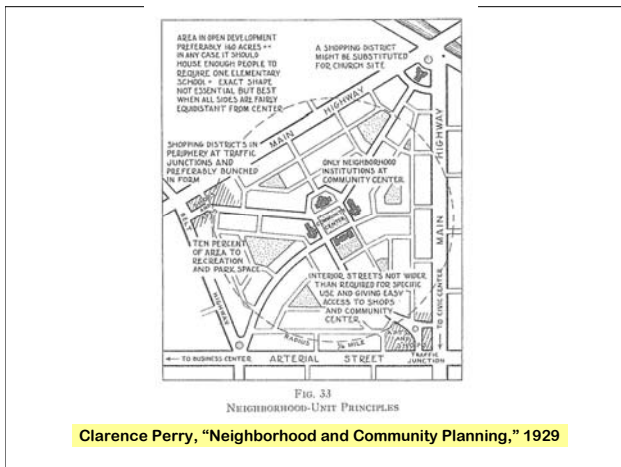
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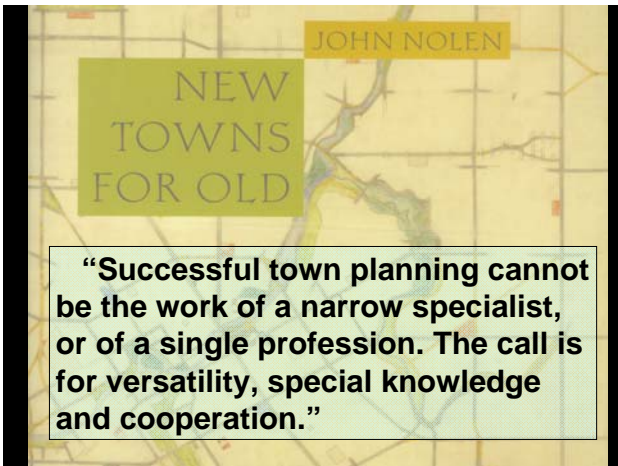
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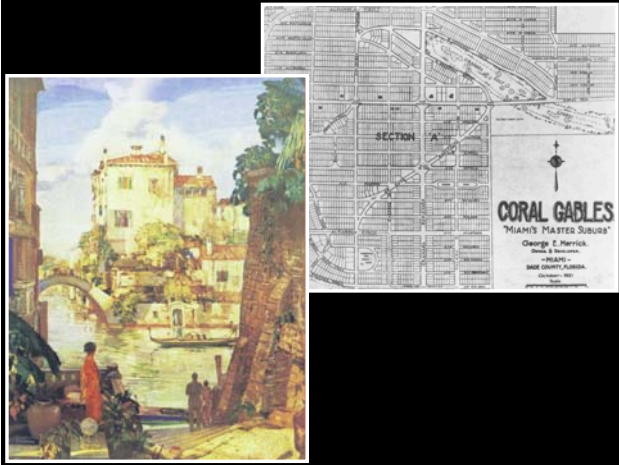
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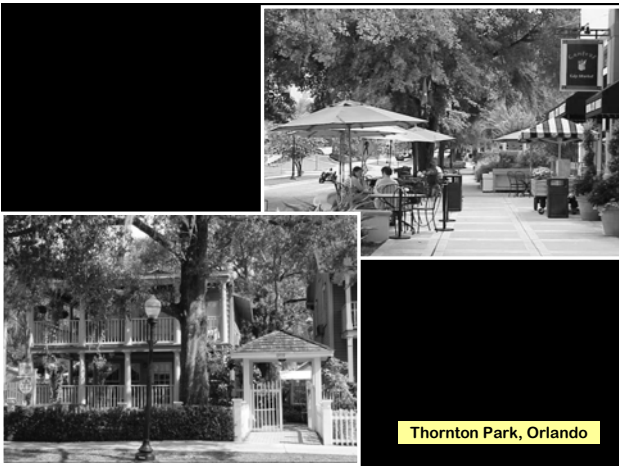
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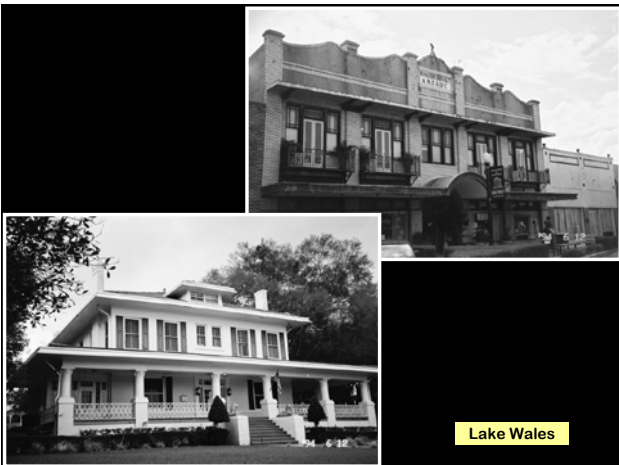
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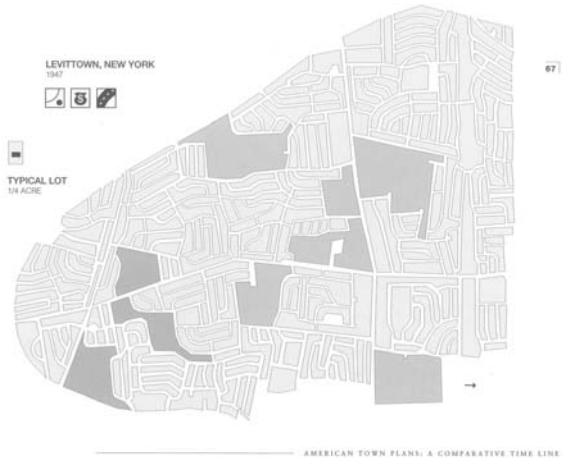
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AMERICAN TOWN PLANS: A COMPARATIVE TIME LINE




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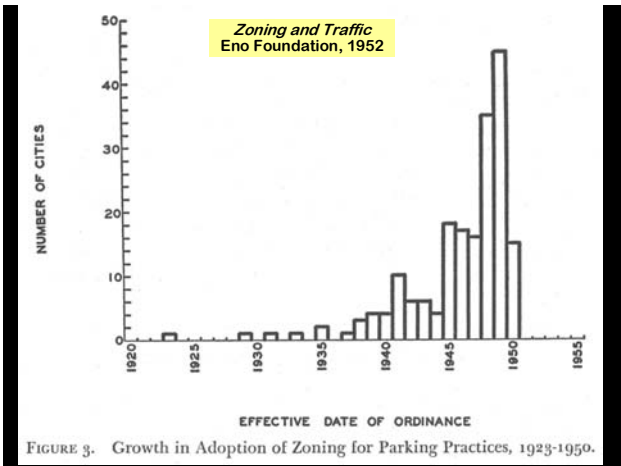


FIGURE 3. Growth in Adoption of Zoning for Parking Practices, 1923-1950.

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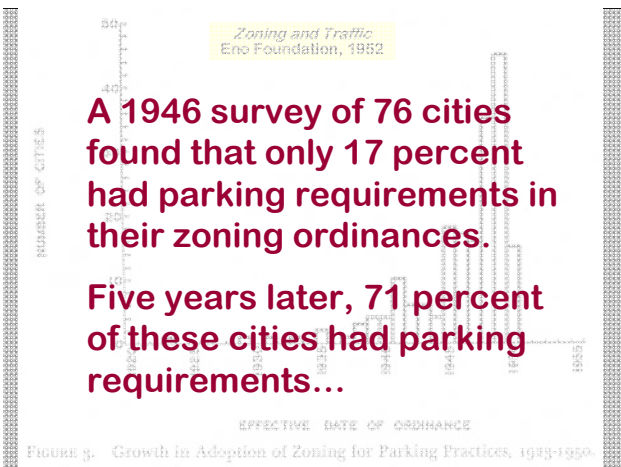
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**A 1946 survey of 76 cities found that only 17 percent had parking requirements in their zoning ordinances.**

**Five years later, 71 percent of these cities had parking requirements...**

FIGURE 3. Growth in Adoption of Zoning for Parking Practices, 1923-1950.

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**NEXT GENERATION OF PLANNING EXPERIMENTS:**

- Reston (Virginia)
- Columbia (Maryland)
- Woodlands (Texas)

**--- Led to P.U.D. zoning techniques (Planned Unit Developments)**

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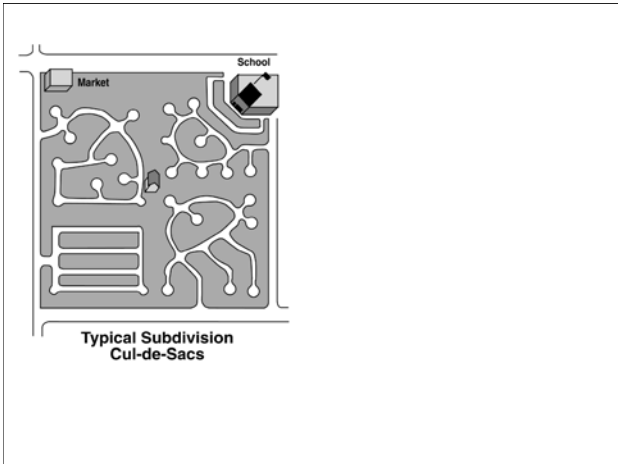
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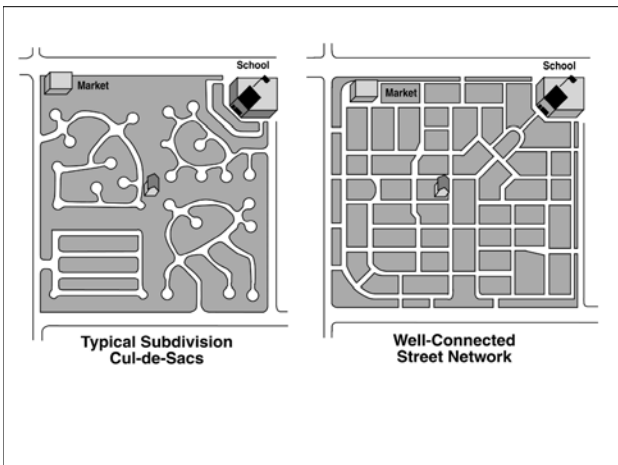
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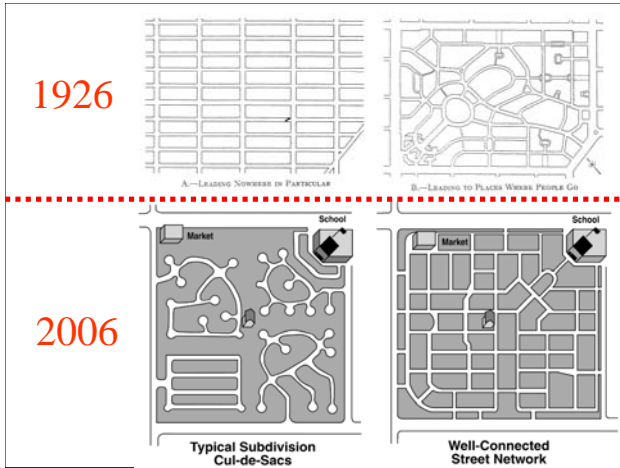
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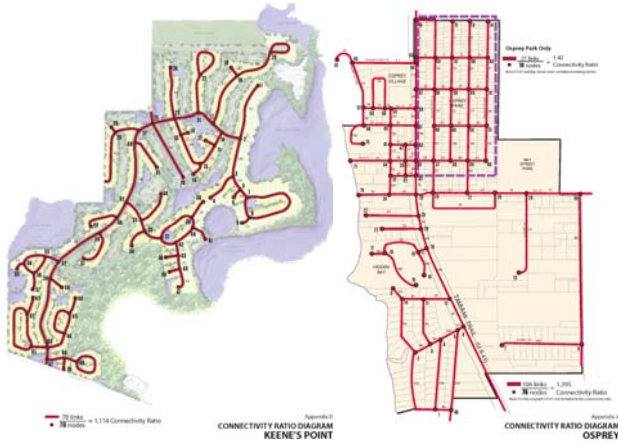
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Conventional codes  
--- compared to---  
form-based codes...

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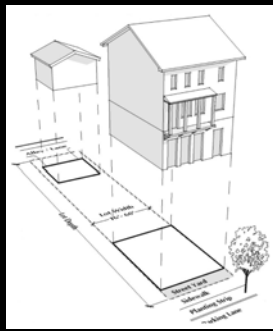
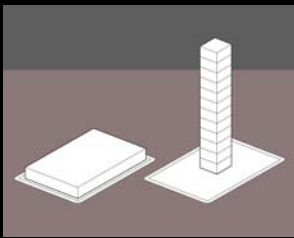
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**Conventional Code:**  
...buildings can be random

**Form-Based Code:**  
...focus on building placement



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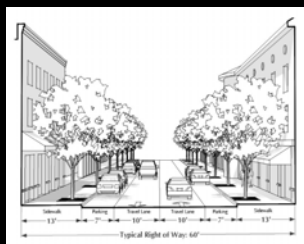
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**Conventional Code:**  
...ignores streets

**Form-Based Code:**  
...includes streets



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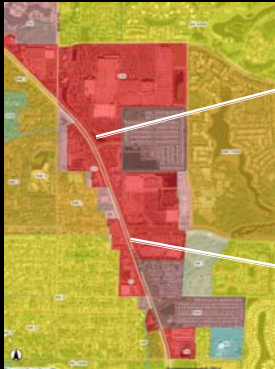
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### Conventional Code:

...little detail



### Form-Based Code:

...considerable detail



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### Conventional Code:

...mostly text

**Sec. 1.4 Designation and Definition of Land Development Code**  
 The provisions referenced in the following chapters and sections that constitute and be designated as the City of Denver, Florida, Land Development Code, and shall also be known as the Land Development Code.

**Sec. 1.2 Rules of construction and definitions**  
 (a) In the construction of this Land Development Code, and of all ordinances, treaties and resolutions not in conflict herewith, the following rules shall be observed: (1) In the event of any conflict between the provisions of this Code and any other ordinance, resolution, ordinance or resolution, the provisions of this Code shall prevail.

**Sec. 1.2 Rules of construction and definitions**  
 (1) All general provisions, terms, phrases and expressions contained in this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

(2) Terms used in this Land Development Code, unless otherwise specifically provided, have the meaning ascertained by the relation of the parts to the whole.

(3) In the event of any difference in meaning or implication between the text of this Land Development Code and any map, resolution, ordinance or resolution, the text of this Code shall prevail.

(4) Any words used in the present Code that include the word, "and" shall be construed to mean "and/or" unless otherwise specifically provided in the text of this Code.

(5) Unless the context clearly indicates the contrary, where a regulation contains two or more terms, conditions, phrases or words that constitute "or" or "and/or" or "and/or" the construction shall be intended as follows:  
 a. "or" indicates that at least one of the conditions, conditions, provisions or words that apply to the condition shall be intended as follows:  
 1. "or" indicates that the connected terms, conditions, provisions or words may apply singly, but not together and not in combination.  
 2. "and/or" indicates that the connected terms, conditions, provisions or words may apply singly or together and not in combination.

(6) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

(7) This Land Development Code contains the minimum requirements adopted for the protection of the public health, safety, morals, convenience and general welfare. Where any provisions of this Land Development Code conflict with any other provisions, the provisions of this Code shall prevail.

**Sec. 1.2 Rules of construction and definitions**  
 (8) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (9) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

### Form-Based Code:

...highly illustrated

**Sec. 1.2 Rules of construction and definitions**  
 (10) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (11) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (12) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (13) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (14) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (15) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

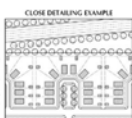
**Sec. 1.2 Rules of construction and definitions**  
 (16) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (17) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (18) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (19) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.

**Sec. 1.2 Rules of construction and definitions**  
 (20) The provisions of this Land Development Code shall be deemed to be intended to be construed in the same manner and to have the same effect as if they were specifically provided, here the meaning ascertained by the relation of the parts to the whole.



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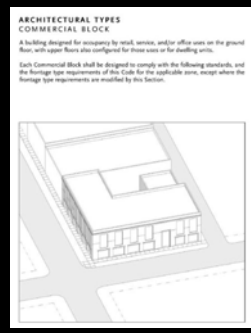
### Conventional Code:

...focus on uses of land

19. Baths, Turkish
25. Boxing arena
38. Chinchillas, retail sales
41. Eleemosynary institutions
42. Embalming business
95. Physical culture institution
109. Potato chip manufacturing
127. Tombstones, retail sales
135. Turkish bath

### Form-Based Code:

...focus on form of buildings and streets



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## **FORM-BASED CODE:**

A method of regulating development to achieve a specific urban form.

Form-based codes create a predictable public realm by controlling physical form primarily, with a lesser focus on land use....

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

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### **Form-based code:**

- **Regulating plan**
- **Building form standards**
- **Public space standards**

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## **REGULATING PLAN:**

The map in a form-based code that shows streets and public open spaces and designates where various building form standards will apply. A regulating plan helps translate a master plan into place-specific development regulations.

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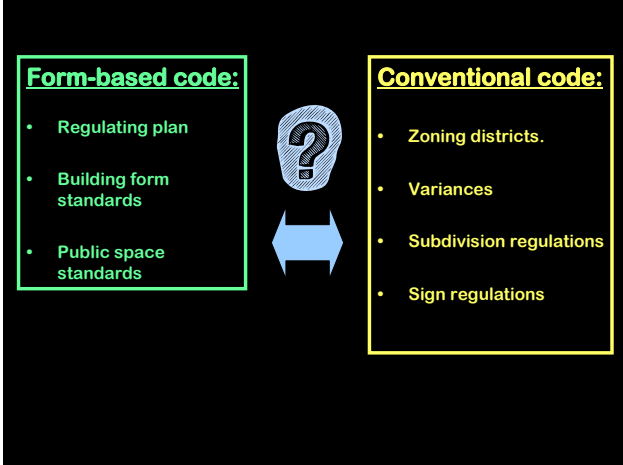
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**Types of links between form-based codes and conventional codes:**

1. Mandatory form-based code
2. Optional (parallel) form-based code
3. Floating zone form-based code  
(Planned Development /  
Planned Unit Development)

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**1. Mandatory form-based code:**

- Compliance is never voluntary!
- Replaces many aspects of the previous code
- May replace existing zoning, or may span existing zoning districts

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## 2. Optional (parallel) code:

- Compliance is always voluntary
- Supplements, but does not replace any aspects of the previous code
- May replace existing zoning or span existing zoning districts

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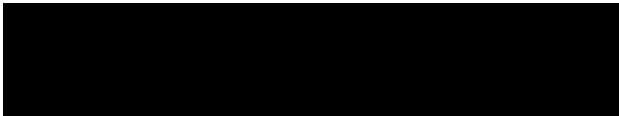
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Columbia Pike, Arlington (VA)

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- Adopted as a optional (parallel) “overlay zone”
- Use of this code is encouraged by density bonuses
- Additional incentive: a streamlined approval process

Columbia Pike, Arlington (VA)

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### 3. Floating zone code:

- Compliance is usually voluntary
- Supplements, but does not replace any aspects of the previous code
- Always replaces existing zoning, but only on request of the landowner

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- Operates as a zoning district, similar to a PUD
- Can be applied to parcels from 40 - 200 acres
- Must contain residences, shops, workplaces, and civic gathering places
- Hierarchy of streets and a disciplined edge
- Graphic format illustrates use, land allocation, building lots, street design, and parking

Miami / Dade County TND District

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TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)					
GENERAL REGULATIONS	LAND USE	LOT & RESERVE	ADDITIONAL ACCESS	STREETS & DRIVE	DESIGN
<p><b>1.01 Purpose and Intent</b></p> <p>The purpose of this ordinance is to establish the Traditional Neighborhood Development District (TND) to ensure the development of land along the lines of traditional neighborhoods. Its provisions adapt the urban conventions which were normal in the United States from colonial times until the 1940's. The TND ordinance prescribes the following physical conventions:</p>	<p><b>1.02 Land Use</b></p> <p>The land use within the TND shall be limited to the following:</p>	<p><b>1.03 Lot &amp; Reserve</b></p> <p>The lot and reserve within the TND shall be limited to the following:</p>	<p><b>1.04 Additional Access</b></p> <p>The additional access within the TND shall be limited to the following:</p>	<p><b>1.05 Streets &amp; Drive</b></p> <p>The streets and drive within the TND shall be limited to the following:</p>	<p><b>1.06 Design</b></p> <p>The design within the TND shall be limited to the following:</p>

**Miami / Dade County TND District**

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**ARTICLE XXXIIIH. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT**

Sec. 33-284.46. Purpose and intent.

The TND District is designed to ensure the development of land along the lines of traditional neighborhoods. Its provisions adapt the urban conventions which were normal in the United States from colonial times until the 1940's. The TND ordinance prescribes the following physical conventions:

- (A) The neighborhood is spatially understood and limited in size.
- (B) Residences, shops, workplaces, and civic buildings are interwoven within the neighborhood, all in close proximity.
- (C) A hierarchy of streets serves equitably the needs of the pedestrian, the bicycle and the automobile.
- (D) Carefully placed civic buildings, squares, and greens reinforce the identity of the neighborhood.
- (E) Spatially defined squares, parks, and greens provide places for social activity and recreation.
- (F) Civic buildings provide places of assembly for social, cultural and religious activities, becoming symbols of community identity through their architectural clarity.
- (G) Private buildings form a disciplined edge, spatially delineating the public street space and the private block interior.
- (H) Architecture and landscape respond to the unique character of the region.

Where the terms, design criteria, development parameters, and review procedure contained herein conflict with those provisions provided elsewhere in Chapter 33, the provisions of the TND shall apply.

(Ord. No. 91-41, § 1, 4-2-91; Ord. No. 99-82, § 1, 7-13-99; Ord. No. 03-47, § 1, 3-11-03)

[www.municode.com/resources/gateway.asp?pid=10620&sid=9](http://www.municode.com/resources/gateway.asp?pid=10620&sid=9)  
Chapter 33, Article XXXIIIH

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**FORM-BASED CODE EXAMPLES:**

- West Palm Beach
- “Downtown Kendall”
- Fifth Avenue South, Naples
- Sarasota County
- Fort Myers Beach

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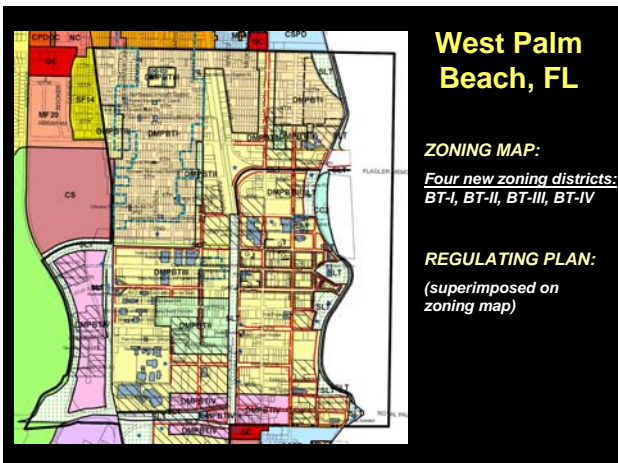
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**TYPE III BUILDING:** *Community Foundation*

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**TYPE IV BUILDING:**  
*The Strand*

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re-imagining the "edge city"



"Dadeland Regional Activity Center"...

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re-imagined "edge city"



Downtown Kendall

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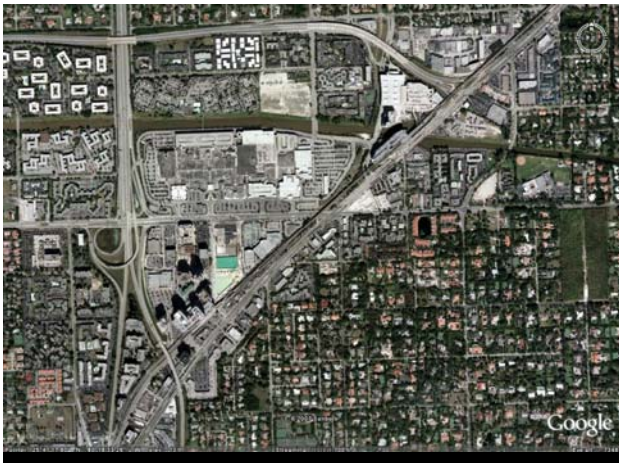
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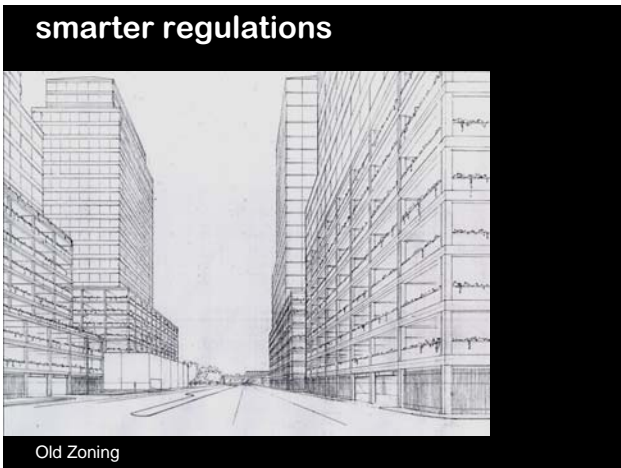
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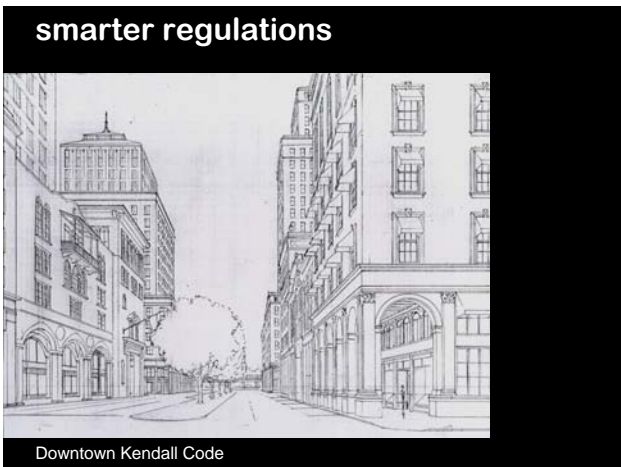
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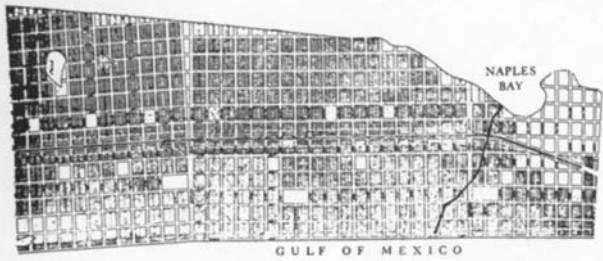
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## Naples – Fifth Avenue South



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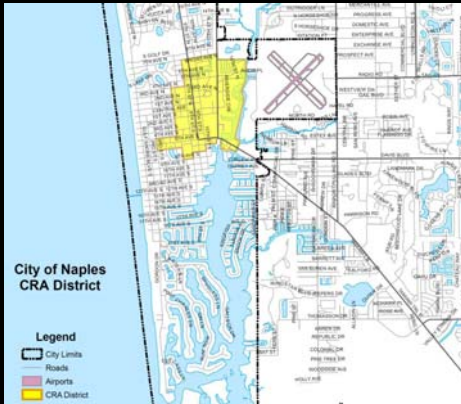
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## Naples – Fifth Avenue South



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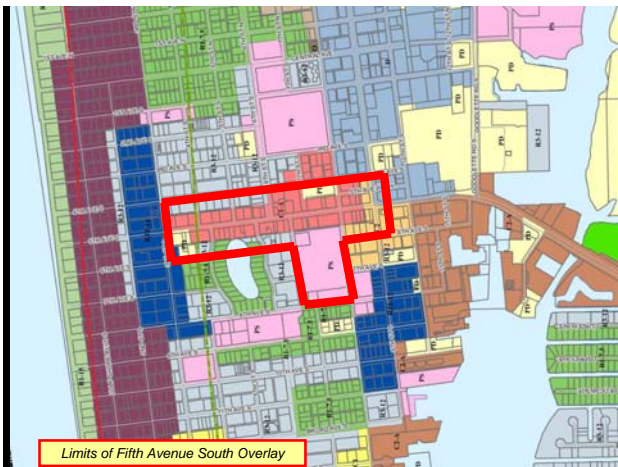
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Colonnade condominiums - Fifth Ave. South

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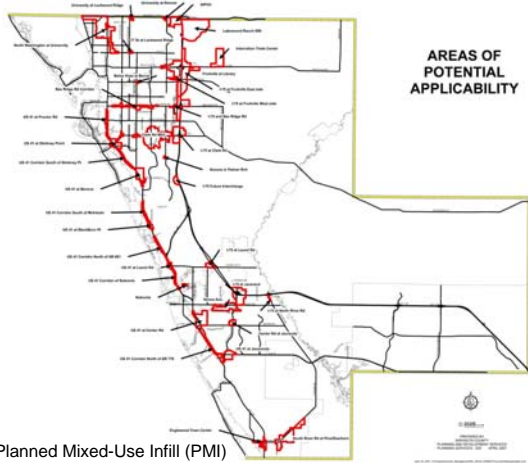
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example site



Existing aerial photo

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## Establish a vision using key principles:

A densely **interconnected street network**, dispersing traffic and providing convenient routes for pedestrians and bicyclists.

**High-quality public spaces**, with all building facades having windows and doors facing tree-lined streets, plazas, squares, and neighborhood parks.

**Compact development**, creating a **walkable** urban environment and conserving land and energy through reduced automobile usage and advanced techniques such as stormwater infiltration.

Diversity not homogeneity, with a **variety of building types, street types, open spaces, and land uses** providing for people of all ages and every form of mobility.

Resilient and **sustainable neighborhoods**, adaptable over time to improved **public transit** and to changing economic conditions.



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## implementation details



Regulating Plan

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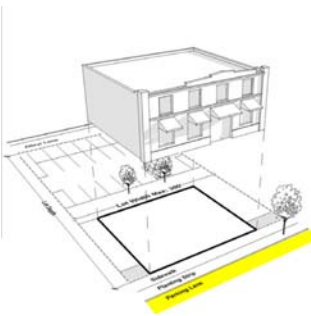
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## parking



On-street parking provides pedestrian-friendly environment



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**parking**



Off-street parking is screened from view of streets

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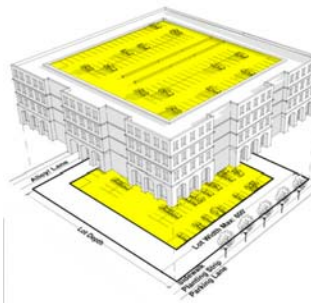
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**parking**



Off-street parking is screened from view of streets

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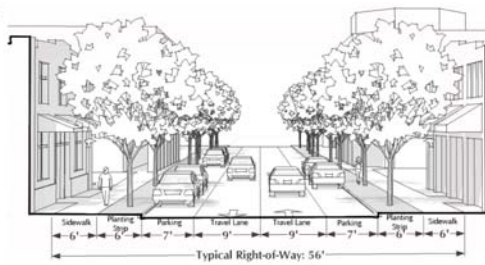
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**menu of street types**

**Street B:**

- Core
- General
- Edge
- Preserve



Movement type: slow

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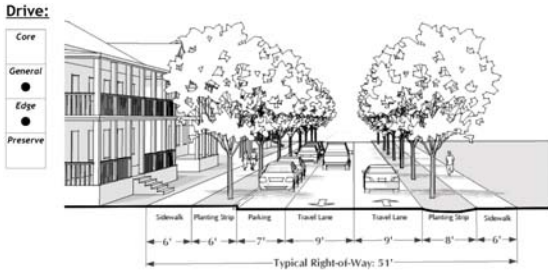
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### menu of street types



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Movement type: slow

### menu of lot types



Rowhouse

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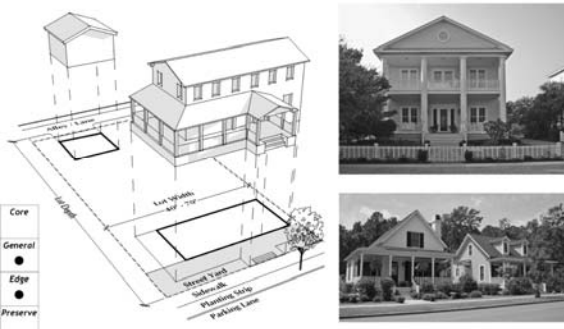
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### menu of lot types



House

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TOWN OF  
FORT MYERS BEACH  
**COMPREHENSIVE PLAN**



- INTRODUCTION -- 1
- EMBRACING TOMORROW'S FORT MYERS BEACH -- 2
- COMMUNITY DESIGN ELEMENT -- 3
- FUTURE LAND-USE ELEMENT -- 4
- QUALITY MANAGEMENT ELEMENT -- 5
- CONSERVATION ELEMENT -- 6
- TRANSPORTATION ELEMENT -- 7
- UTILITIES ELEMENT -- 8
- STORMWATER MANAGEMENT ELEMENT -- 9
- RECREATION ELEMENT -- 10
- CAPITAL IMPROVEMENTS ELEMENT -- 11
- HOUSING ELEMENT -- 12
- HISTORIC PRESERVATION ELEMENT -- 13
- INTERGOVERNMENTAL COOPERATION ELEMENT -- 14
- PROCEDURES AND MONITORING -- 15

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TOWN OF FORT MYERS BEACH, FLORIDA  
**LAND DEVELOPMENT CODE**

CHAPTER 1	General Provisions	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 02-01, 2/4/02 Amended by Ord. No. 05-07, 4/18/05
CHAPTER 2	Administration	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 00-11, 6-29-00 Amended by Ord. No. 02-01, 2/4/02 (§§2-301-459) Amended by Ord. No. 03-12, 12/15/03 (§§2-420-459) Amended by Ord. No. 05-07, 4/18/05
CHAPTER 6	Maintenance Codes, Building Codes, and Coastal Regulations	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 00-12, 6/29/00 Amended by Ord. No. 02-01, 2/4/02 (§§6-401-474) Amended by Ord. No. 04-09, 6/30/04 (§§6-401-474) Amended by Ord. No. 05-07, 4/18/05
CHAPTER 10	Development Orders and Engineering Standards	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 04-01, 1/5/04 Amended by Ord. No. 05-07, 4/18/05
CHAPTER 14	Environment and Natural Resources	Adopted by Town Charter, 12/31/95 Amended by Ord. No. 98-3, 4/6/98 Replaced by Ord. No. 02-01, 2/4/02 Amended by Ord. No. 02-29, 9/26/02 (§§14-6, 14-78) Amended by Ord. No. 05-24, 6/27/05 (since repealed)
CHAPTER 22	Historic Preservation	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 02-01, 2/4/02
CHAPTER 26	Marine Facilities	Adopted by Town Charter, 12/31/95 Replaced by Ord. No. 02-01, 2/4/02

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**Integrating form-based elements into a conventional code:**

**1. Less emphasis on uses of land**

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**Sec. 34-622. Uses groups and sub-groups.**

(a) Allowable land uses are assigned by Table 34-1 to one of six use groups:

- (1) **Residential**
- (2) **Lodging**
- (3) **Office**
- (4) **Retail**
- (5) **Marine**
- (6) **Civic**

(b) Within each use group, Table 34-1 also assigns each allowable land use to one of three sub-groups:

- (1) **R -Restricted**
- (2) **L -Limited (which includes all R uses)**
- (3) **O -Open (which includes all R and L uses)**

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## Integrating form-based elements into a conventional code:

1. Less emphasis on uses of land

2. Reduced off-street parking

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Sec. 34-676

### DOWNTOWN

Sec. 34-676. Circulation and parking.

(a) **Off-street parking reductions.** The DOWNTOWN district is planned as a "park-once" district, with preference given to pedestrian movement within the district. On-street parking will be provided by the town along Old San Carlos Boulevard and other public parking is available under the Sky Bridge. For these reasons, substantial reductions are allowed to the normal off-street parking requirements found in § 34-2020. The follow percentages shall be multiplied by the number of off-street parking spaces normally required by § 34-2020 to determine the adjusted off-street parking requirements along various streets in the DOWNTOWN district:

- (1) Old San Carlos Boulevard, multiply by 50%.
- (2) Bayfront pedestrian plazas (see Figure 34-6), multiply by 50%. No parking spaces may be provided in the Bayfront pedestrian plaza, but the required spaces must be located within 750 feet in single-purpose, shared, or joint-use parking lots (see division 26 of this chapter).
- (3) Times Square pedestrian plaza (see Figure 34-6), multiply by 0%.
- (4) All other streets in the DOWNTOWN district, and all land on Crescent Street regardless of zoning district, multiply by 67%.

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## Integrating form-based elements into a conventional code:

1. Less emphasis on uses of land

2. Reduced on-site parking

3. New zoning map eased transition to form-based coding

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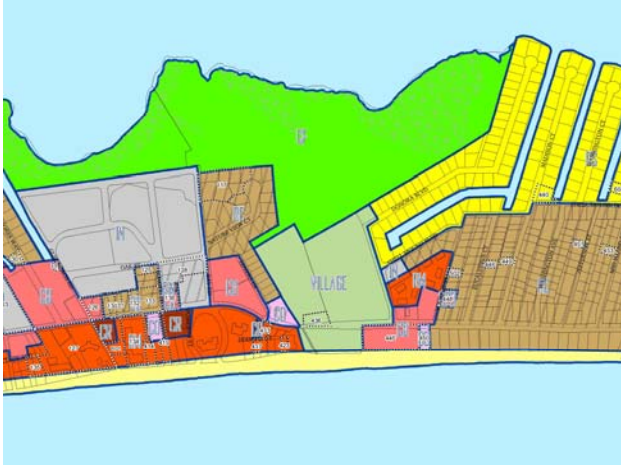
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**New zoning map has 3 types of zoning districts:**

- Conventional zoning districts
- Redevelopment zoning districts (form-based)
- Planned zoning districts

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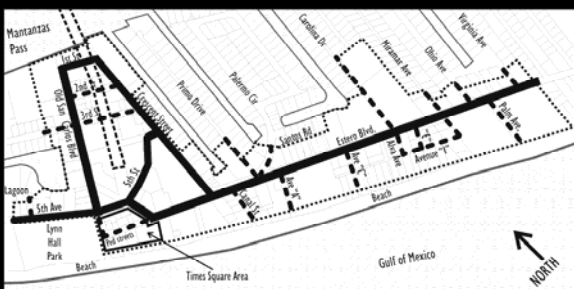
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**“Downtown” regulating plan #1:**




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**“Downtown” regulating plan #2:**



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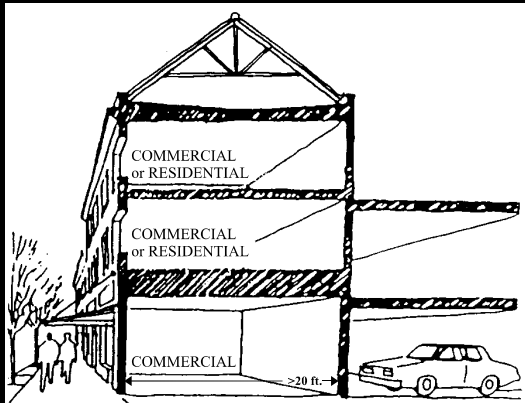
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**“Downtown” building form standards:**



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**Integrating form-based elements into a conventional code:**

1. Less emphasis on uses of land
2. Reduced on-site parking
3. New zoning map eased transition to form-based coding
- 4. Commercial design standards (not guidelines)**

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(a) **Facade elements.** Principal facades are the primary faces of buildings. Being in full public view, they shall be given special architectural treatment.

(1) All principal facades shall have a prominent cornice and expression line, a working entrance, and windows (except for side-wall facades where entrances are not required).

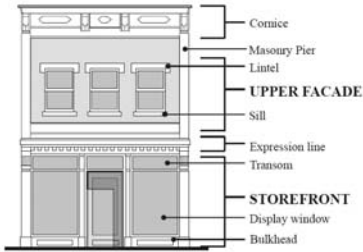


Figure 34-18

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*A Guidebook to*  
**NEW URBANISM IN FLORIDA 2005**



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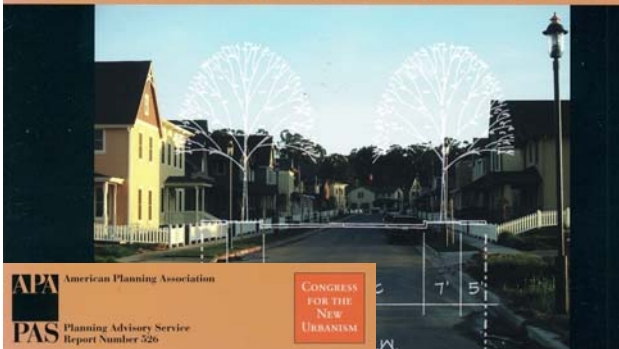
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**Codifying New Urbanism**  
How to Reform Municipal Land Development Regulations



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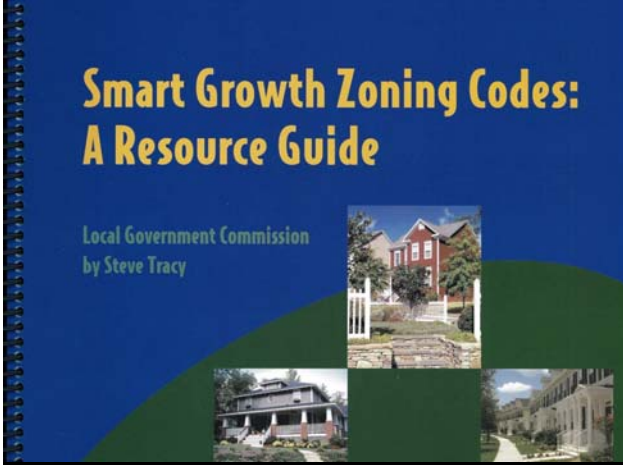
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**FORTHCOMING BOOKS:**

- “A Legal Guide to Urban and Sustainable Development for Planners, Developers and Architects” by Doris Goldstein, Dan Slone and Andy Gowder
- “Form-Based Codes” by Paul Crawford, Daniel Parolek and Karen Parolek

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**For more information on form-based codes:**

**[www.formbasedcodes.org](http://www.formbasedcodes.org)**

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**Innovative Urban Planning in Florida:  
Zoning: Friend or Foe?**



**Bill Spikowski**  
December 1, 2007

VENICE-FLORIDA  
GENERAL PLAN

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PLANNING  
ASSOCIATES**

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e-mail: [bill@spikowski.com](mailto:bill@spikowski.com)  
web: [www.spikowski.com](http://www.spikowski.com)

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