

What code changes are coming?

by Randy Bright <http://www.tulsabeacon.com/?p=741#more-741>

Several weeks ago, Tulsa's comprehensive planning consultant John Fregonese made a presentation to the local chapter of the American Institute of Architects.

After the meeting, I spoke briefly with Fregonese about what kind of zoning code we might expect and reiterated my concern that the churches in our community not be harmed by our new code as much as our old code had harmed our neighborhood churches.

Specifically, I asked him about the SmartCode, although it is my understanding that the City of Tulsa is not considering that particular zoning code model.

Fregonese stated that he has not been hired to write our new zoning code and he does not recommend the SmartCode, but prefers the type of code that Code-Studio writes. Code-Studio is based in Austin, Texas.

Later his assistant, Janet Tharp, sent me links to two codes that have been written for Dallas and Memphis that he likes in particular. Both are form-based codes. Tharp stated that the Dallas code in particular, and presumably the Memphis code as well, would be used "only in targeted areas of the city where this type of development is desired."

The Form-Based Code Institute (FBCI) defines a form-based code as "a method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations...Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks."

According to the FBCI website, form-based codes usually include certain items.

One is a Building Form Standard that includes "regulations controlling the configuration, features, and functions of buildings that define and shape the public realm." There may be different regulations for different parts of the city, depending on the various images that are trying to be achieved.

Another item is a Regulating Plan, which outlines what Building Form Standards are to be used where.

There are also Public Space Standards, which are used to specify items in the public realm, such as sidewalks, street trees and furniture, parking, etc.

The code includes administrative rules that regulates applications and approvals..

Form-based codes may also include Architectural Standards, which regulate the type and quality of materials used on the exterior of buildings, Landscaping Standards that control landscape design, and Signage Standards. There may also be Environmental Resource Standards that control stormwater drainage, protection of trees, and other environmental issues.

The Dallas code, which has not yet been adopted, was generated through the forwardDallas! comprehensive planning process, much as the City of Tulsa is doing now with PlaniTulsa.

It states in its Purpose section that it is “not intended to preclude the use of planned development districts” but that it “is intended to create walkable urban neighborhoods where higher-density mixed uses and mixed housing-types promote less dependence on the automobile” and that “these areas are intended to transition successfully to existing neighborhoods through judicious mapping of permitted districts”.

Perhaps the real question about form-based codes is what their long-term impact will be. In my opinion, there are some very good things in form-based codes, but there are also some serious problems as well.

Form-based codes can become “conformity not creativity” based codes. If standards are too stringent and administrators enforce them excessively, it can squash the diverse nature of design that architects and building owners may wish to express.

It can become, essentially, a theme park.

If the growth boundary is so rigid that growth is strictly constrained to a certain area, eventually that area will become so completely developed that the only way to build will be to build up, not build out.

Those kind of projects typically are very large and expensive and would not be within the reach of the majority of local developers. The kind of developer that would be capable of projects of that size are also savvy enough to know that they can pressure city government to subsidize their projects.

We have already heard of that happening in Tulsa when a developer reportedly asked the city to provide half of the funds to construct a \$60 million hotel downtown.

More on form-based codes and what we might expect in Tulsa next week.

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