The City of Cincinnati, Ohio: Creating a Form-Based Code to Preserve Community Character

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www.opticosdesign.com

Neighborhood Workshop October 2, 2010









Friday, October 8, 2010

Removing Obstacles for Urbanism (Illogical Zoning)

Hurdles to Reuse Space for Pastry Shop:

- Zone: R7-Allows 75' tall residential, but not commercial
 - Two-part special use permit (\$560)
 - City Planning Board (meets once a month)- will likely deny application
 - Planning Board of Appeals-meets once a month (\$1,000)
- Nine space parking lot required for occupancy permit (det. by # of tables) Cost=\$20,000 (must tear down tree)
- Lost rent: \$2,000-\$4,000 min.





Form-Based Codes

Why is Zoning Reform Necessary?

"Top 20 Ways to Make a Green, Smart City"

#2 Replace Your Euclidean Zoning with Form-Based Codes

Rob Dixon, Albuquerque developer in his keynote presentation at the New Partners for Smart Growth Conference, January 2009

Form-Based Codes

Why is Zoning Reform Necessary?

Establishing an Economic Advantage



Making Place Matter



Form Based Codes

The Key to Greater Cincinnati's Competitive Future



A White Paper

Prepared by Candace S. Klein

Greenebaum Doll & McDonald PLLC



May 1, 2008



Overview of the Morning

9:00-9:30 Process overview

9:30-10:15 What is a Form-Based Code

10:15-10:30 Question and answer

10:30-10:45 Break

10:45-11:45 Neighborhood Mapping,

next steps, synoptic survey

11:45-12:15 Question and answer

Process to Date

Form-Based Code Preferred Approach

Process Objectives

- Select a process that provides short-term, positive results, but establishes a framework for the long-term application of Form-Based Coding throughout the City
- 2. Work actively with the community, developers, stakeholders, and property owners to guide the process and to build consensus to move the process forward
- 3. Consolidate focus areas as much as possible in order to minimize the cost of the charrette process, while ensuring this does not compromise the results



Process Objectives (cont'd)

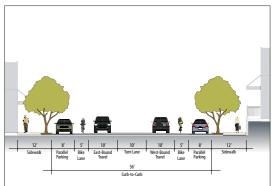
4. Create a Form-Based Code and integrate it into the existing zoning code in a way that enables easy future applications, requiring only minor changes for application to other areas



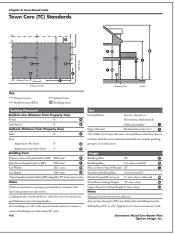
Process to Date

- 1. Code Review
 - i. Identify obstacles for FBC application
- 2. Focus Neighborhood general assessment and mapping
- 3. Best Practice Report
- 4. Approach options
 - i. How FBC fits into zoning code
 - ii. Process for creating plan and code with neighborhoods









City of Cincinnati, Ohio

Form-Based Code Best Practices Report OPTICOS

Opticos Design, Inc. with Lisa Wise Consulting

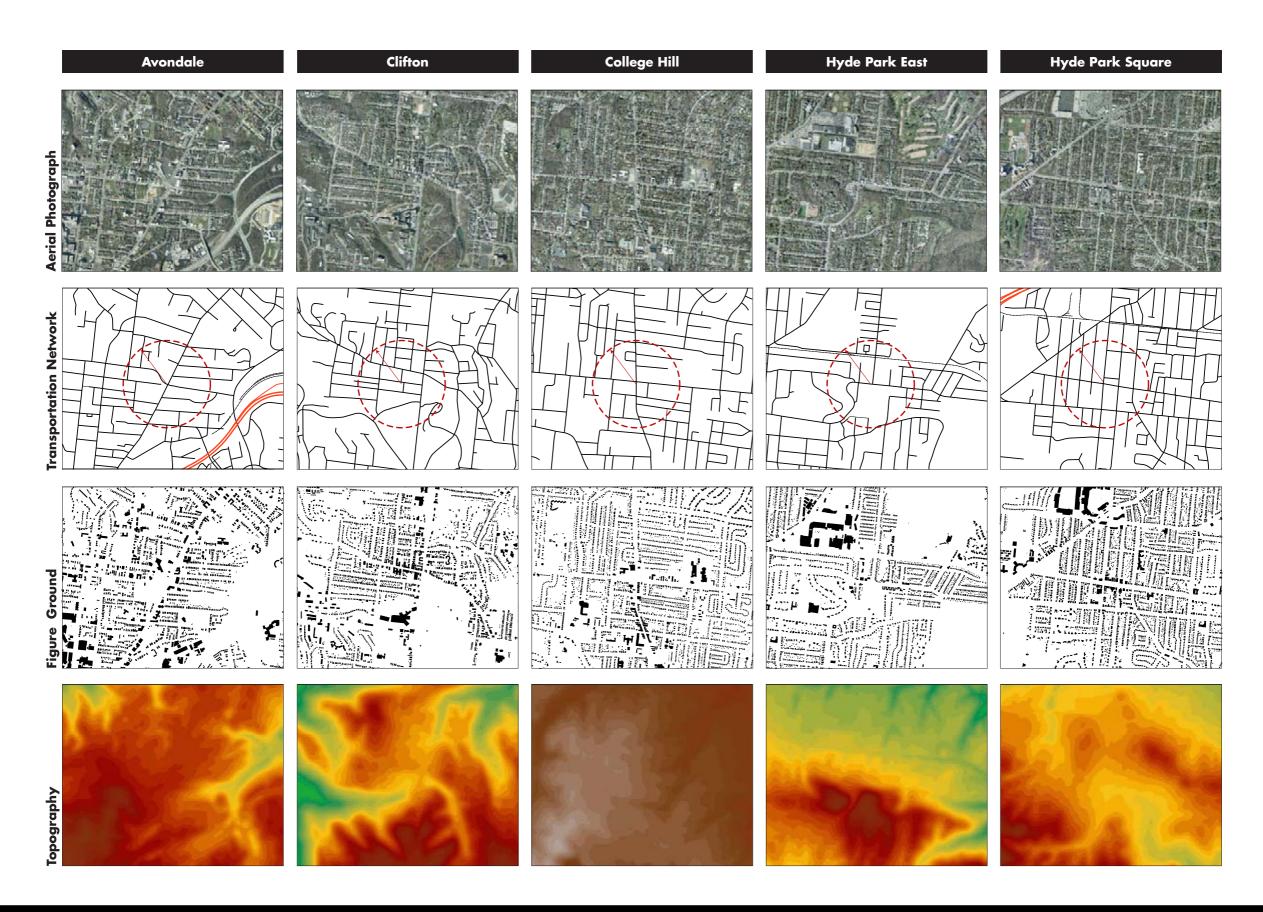
March 1, 2010

Opticos Design, Inc 1285 Gilman Stree Berkeley, CA 94706

p: 510.558.695 f: 510.898.080

w: opticosdesign.com





What is a Form-Based Code?

A Successful Recipe

Form-Based Code Definition

"Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. They are regulations, not mere guidelines. They are adopted into city or county law. Form-based codes are an alternative to conventional zoning."

Form-Based Code Institute

Why Is Form More Important Than Use or Density?



OPTICOS

Form-Based Code Components

- Regulating Plan
- 2. Building Form Standards
- Public Space Standards
 (Thoroughfares & Civic Spaces)
- 4. Frontage Type Standards
- Block and Lot Subdivision Standards



Form-Based Code defines this



This is the architecture

Form-Based Code Components

- Regulating Plan
- 2. Building Form Standards
- Public Space Standards
 (Thoroughfares & Civic Spaces)
- 4. Frontage Type Standards
- Block and Lot Subdivision Standards
- 6. Building Type Standards
- 7. Sustainability Standards
- 8. Green Building Standards
- Architecture & Landscape
 Architecture Standards



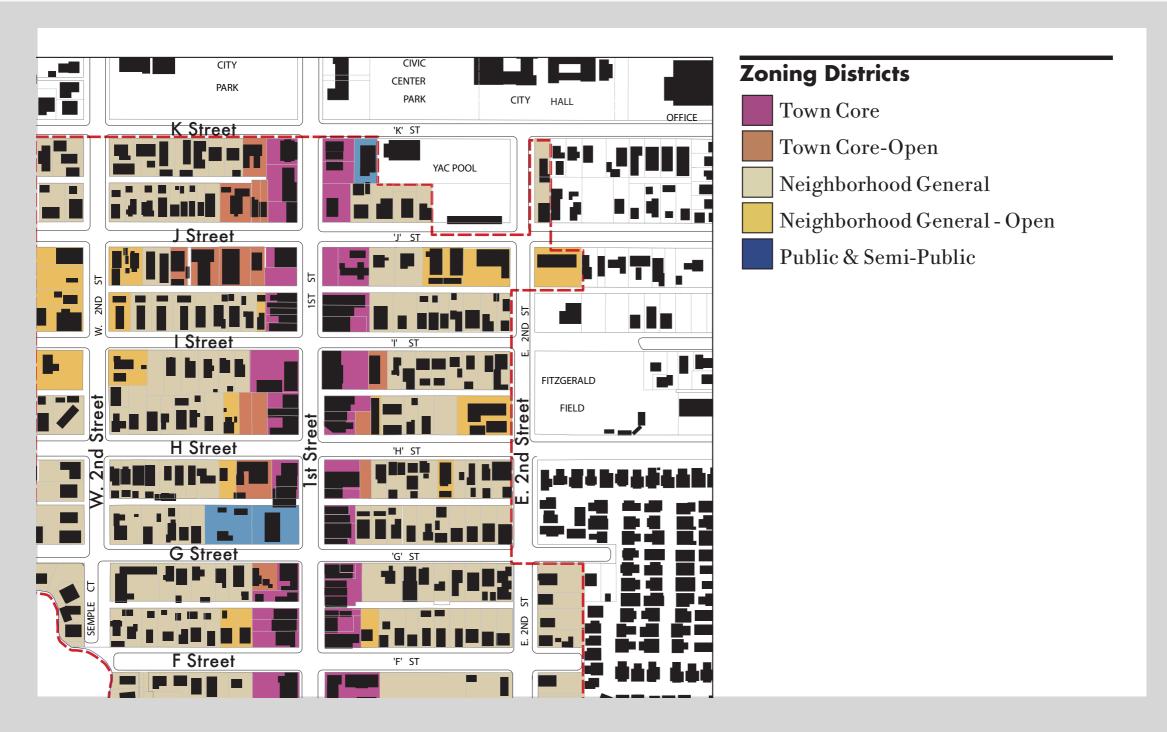
Form-Based Code defines this



This is the architecture

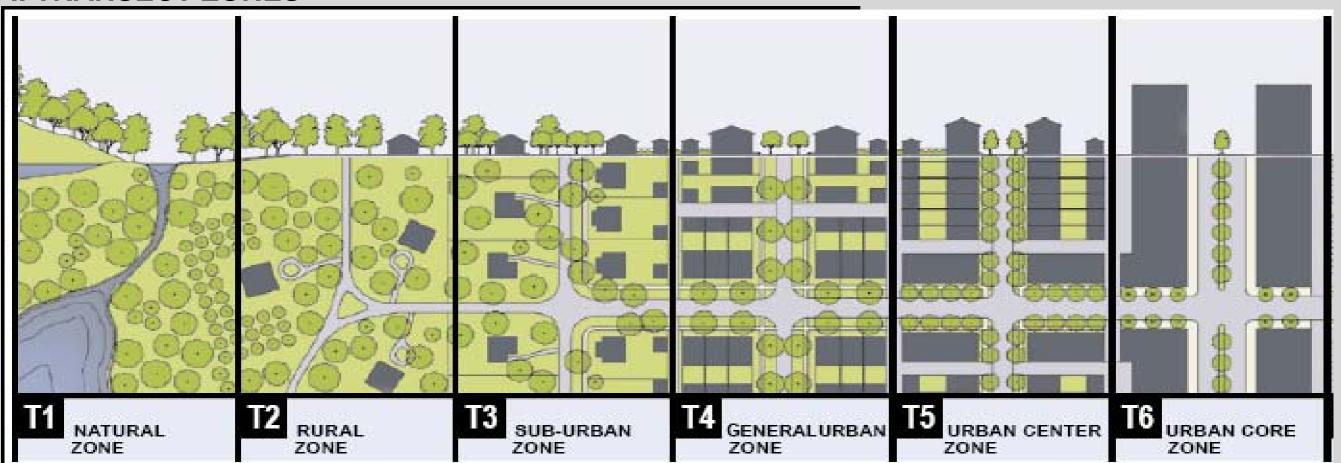
The Regulating Plan

Regulating Places, Not Uses

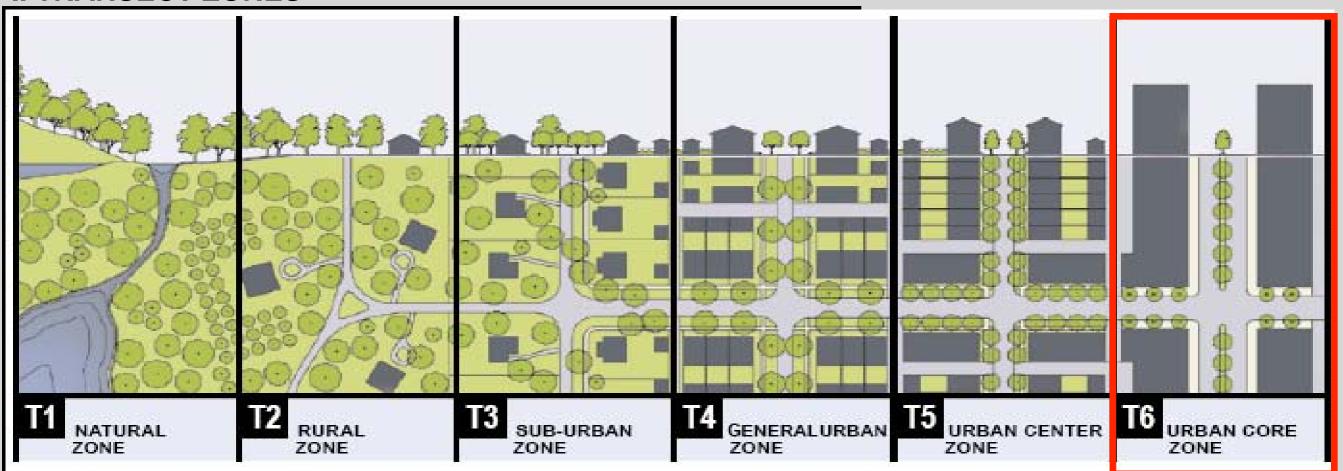


Benicia Downtown Mixed-Use Master Plan (Opticos Design and Crawford, Multari & Clark)

Form-Based Codes

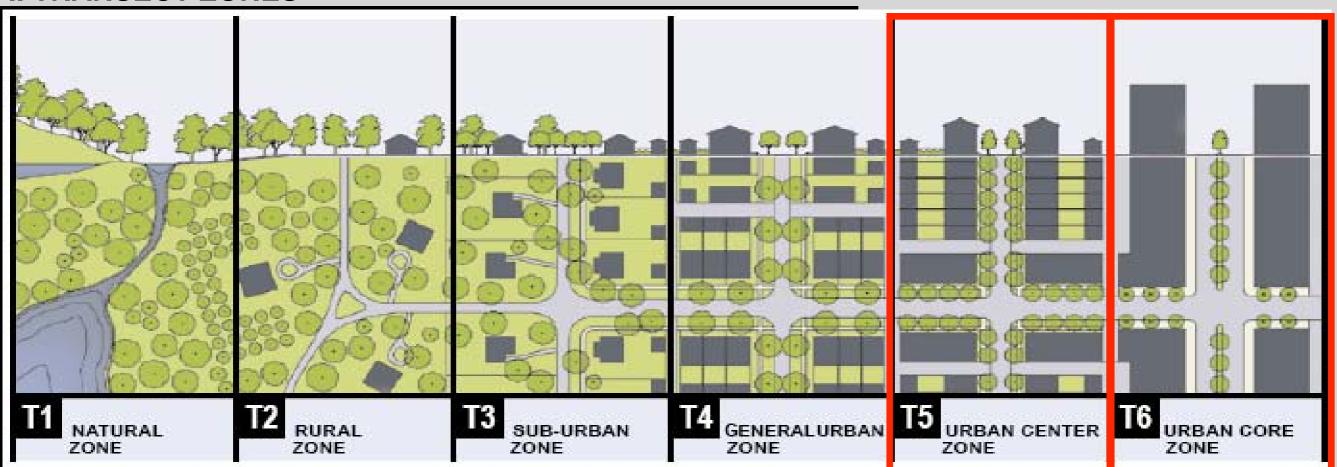








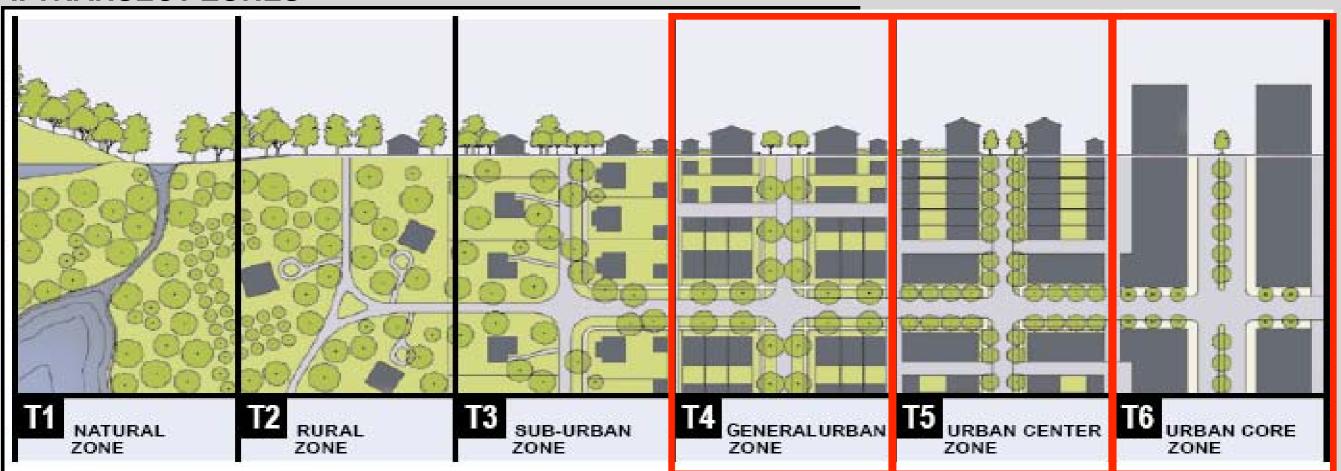








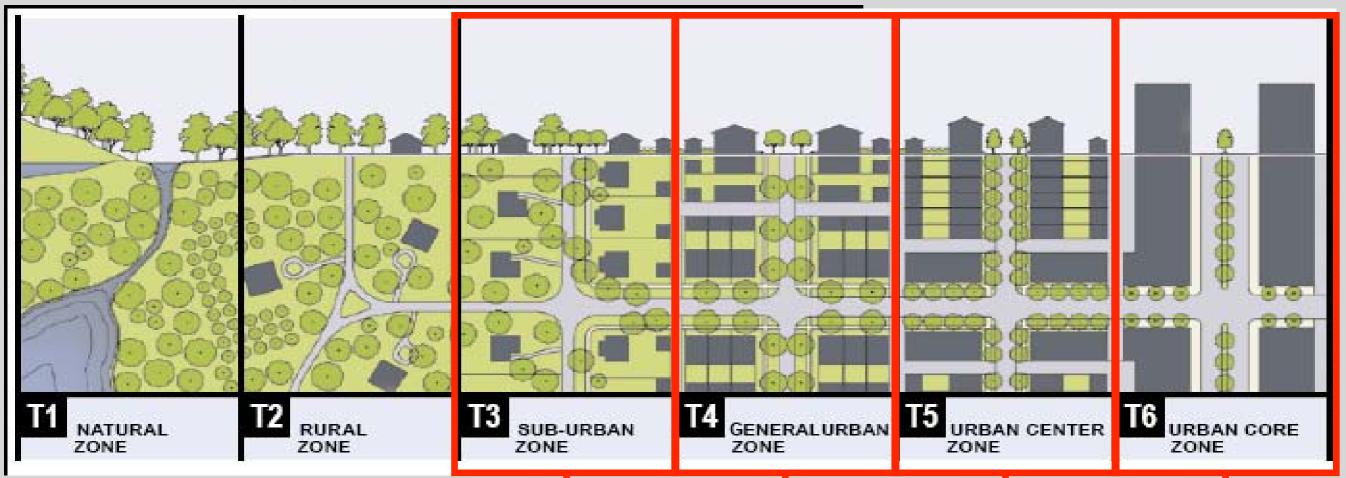
Form-Based Codes







Form-Based Codes







Form-Based Codes





Form-Based Codes

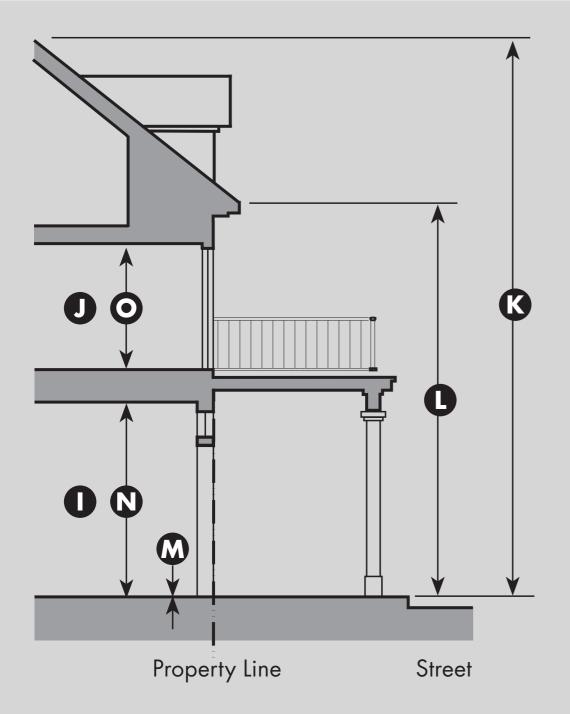




Form-Based Codes

Building Form Standards

Graphic and Easy to Understand



Use		
Ground Floor	Service, Retail, or	
	Recreation, Education &	
	Public Assembly*	0
Upper Floor(s)	Residential or Service*	0

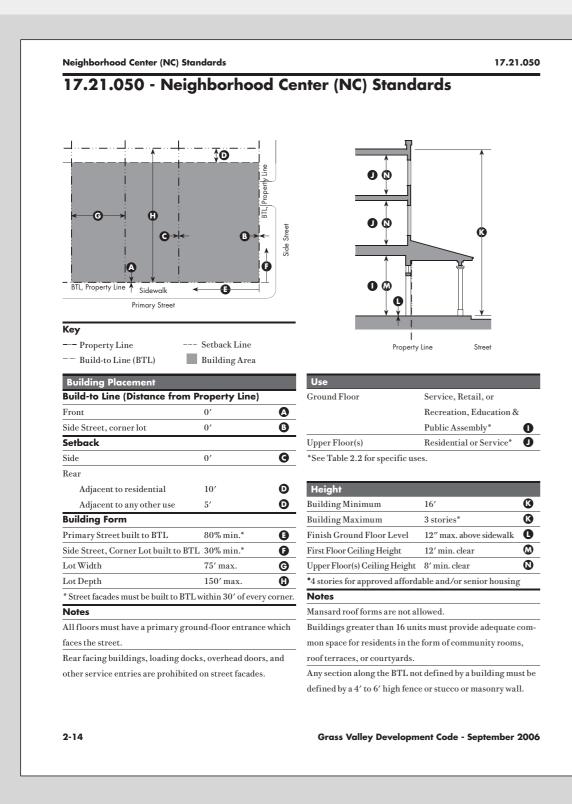
*See Table 4.1 for specific uses. Ground floors that face the waterfront shall be nonresidential and shall not include parking, garages, or similar uses.

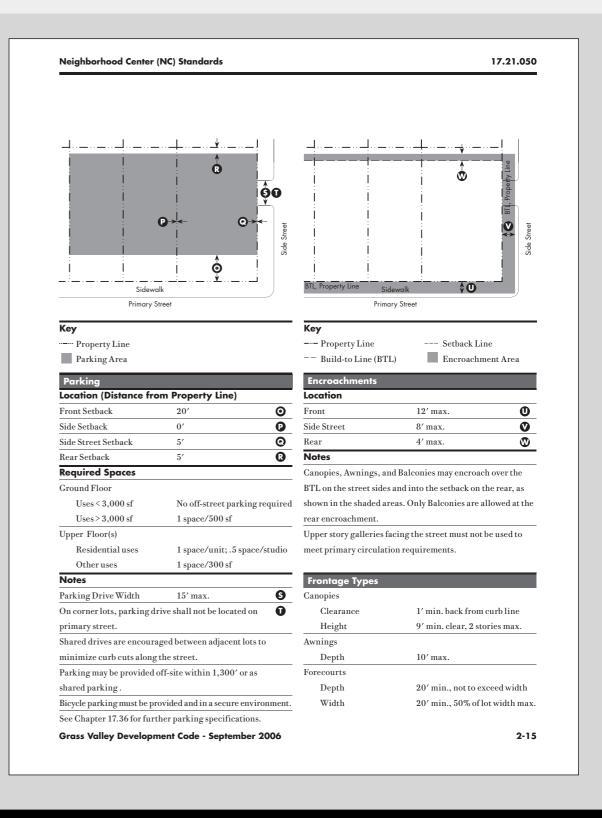
Height		
Building Min.	22'	K
Building Max.	2.5 stories and 40^{\prime}	K
Max. to Eave/Top of Parapet	35'	0
Ancillary Building Max.	2 stories and 25'	
Finish Ground Floor Level	6" max. above sidewalk	M
First Floor Ceiling Height	12' min. clear	0
Upper Floor(s) Ceiling Height 8' min. clear.		0

Benicia Downtown Mixed-Use Master Plan (Opticos Design and Crawford, Multari & Clark)



Building Form Standards: 4-Page Template







Building Form Standards: 4-Page Template

Neighborhood Center (NC) Standards 17.21.050

Table 2.2: Neighborhood Center (NC) Zone Allowed Land Uses and Permit Requirements

	Kequirea	Regulations
Recreation, Education & Public	Assembl	у
Commercial recreation facility:	MUP	
Indoor		
Health/fitness facility	MUP	
Library, museum	P	
Meeting facility, public or private	UP	
Park, playground	P	
School, public or private	UP^2	
Studio: Art, dance, martial arts,	P	
music, etc.		
Residential		
Home Occupation	\mathbb{P}^2	17.44.100
Mixed use project residential	\mathbb{P}^2	17.44.140
component		
Residential accessory use or structure	\mathbf{P}^2	17.44.020
Residential care, 7 or more clients	UP	
Second unit or carriage house	P	17.44.190

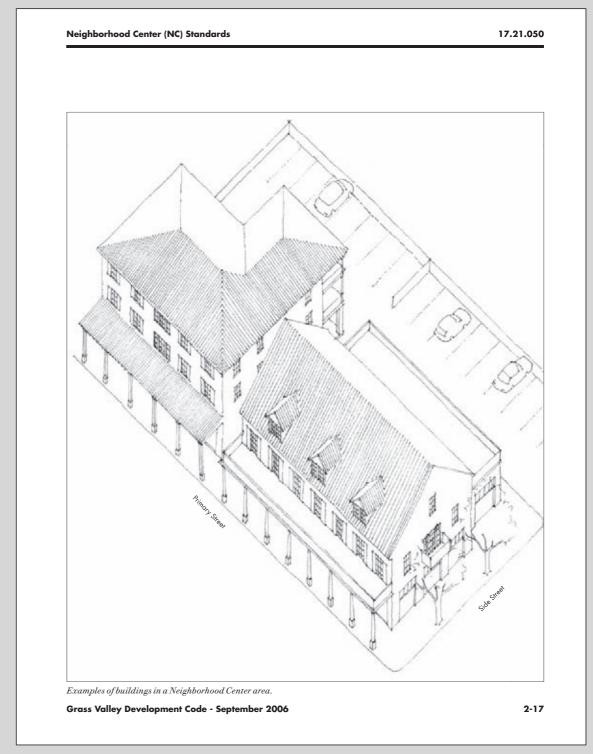
Land Use Type ¹	Permit	Specific Use
Lana Ose Type	Required	Regulations
Retail		
Bar, tavern, night club	UP	
General retail, except with any of the	P	
following features:		
Alcoholic beverage sales	MUP	
Floor area over 10,000 sf	UP	
On-site production of items sold	MUP	
Operating between 9pm and 7am	UP	
Neighborhood market	MUP	
Restaurant, café, coffee shop	MUP	
Services: Business, Financial, Pr	ofession	al
ATM	P	_
Bank, financial services	P	
Business support service	P	
Medical services: Clinic, urgent care	MUP	
Medical services: Doctor office	P	
Medical services: Extended care	UP	
Office: Business, service	P	
Office: Professional, administrative	P	
Services: General		
Day care center: Child or adult	MUP	17.44.060
		17.44.110
Day care center: Large family	P	17.44.060
Day care center: Small family	P	
Lodging: Bed & breakfast inn (B&B)	MUP	
Public safety facility	UP	
Personal services	P	
Transportation, Communications, Infrastructure		
Parking facility, public or commercial	UP	
Wireless telecommunications facility	UP	17.46

End Notes	
NA	Use Not Allowed
UP	Use Permit Required
MUP	Minor Use Permit Required

Permitted Use

2-16

Grass Valley Development Code - September 2006





 $^{^{\}rm 1}\,\mathrm{A}\,\mathrm{definition}$ of each listed use type is in Article 10 (Glossary).

 $^{^2\,\}mathrm{Allowed}$ only on second or upper floors, or behind ground

A Simplified Approach to Use

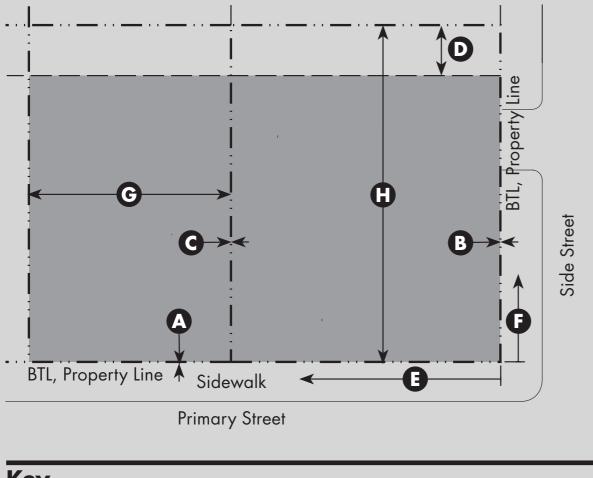
Retail	
Bar, tavern, night club	UP
General retail, except with any of the	P
following features:	
Alcoholic beverage sales	MUP
Floor area over 10,000 sf	UP
On-site production of items sold	MUP
Operating between 9pm and 7am	UP
Neighborhood market	MUP
Restaurant, café, coffee shop	MUP
Services: Business, Financial, Pr	ofessional
ATM	P
Bank, financial services	P
Business support service	P
Medical services: Clinic, urgent care	MUP
Medical services: Doctor office	P
Medical services: Extended care	UP
Office: Business, service	P
Office: Professional, administrative	P
Services: General	

Key	
P	Permitted Use
MUP	Minor Use Permit Required
UP	Use Permit Required
NA	Use Not Allowed
End Notes	

 $^{^{1}}$ A definition of each listed use type is in Article 10 (Glossary).

² Allowed only on second or upper floors, or behind ground floor use.

Prescriptive & easy to use



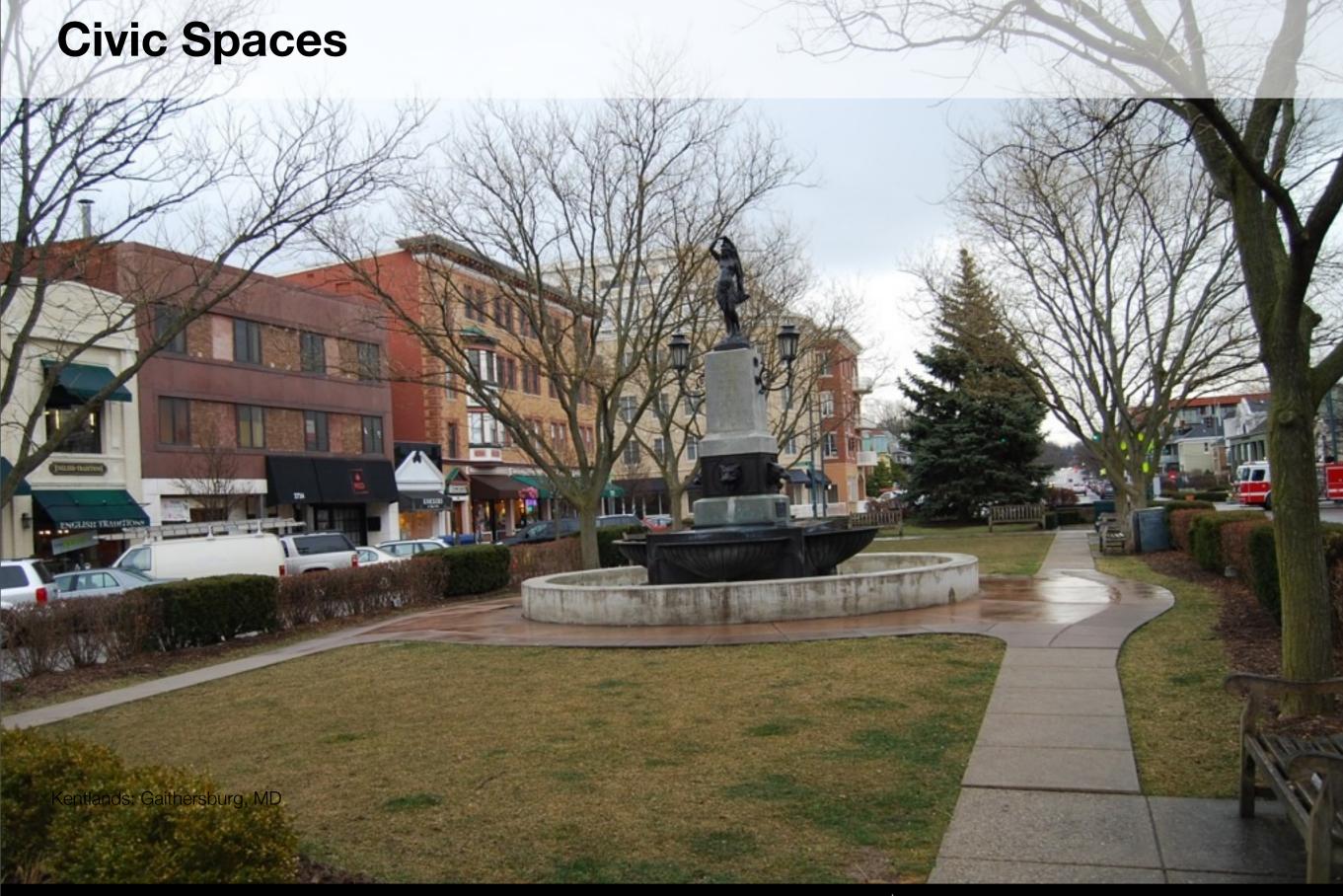
Key	
Property Line	Setback Line
Build-to Line (BTL)	Building Area

Building Placement		
Build-to Line (Distance from P	roperty Line)	
Front	0'	A
Side Street	0′	В
Setback (Distance from Prope	rty Line)	
Side	0′	G
Rear		
Adjacent to NG Zone	8′	O
Adjacent to any other Zone	5′	O
Building Form		
Primary Street Façade built to BTL	80% min.*	3
Side Street Façade built to BTL	30% min.*	G
Lot Width	125' max.	G
Lot Depth	100′ max.	0
*Street façades must be built to BTL alor	ng first 30′ from ev	ery corner.

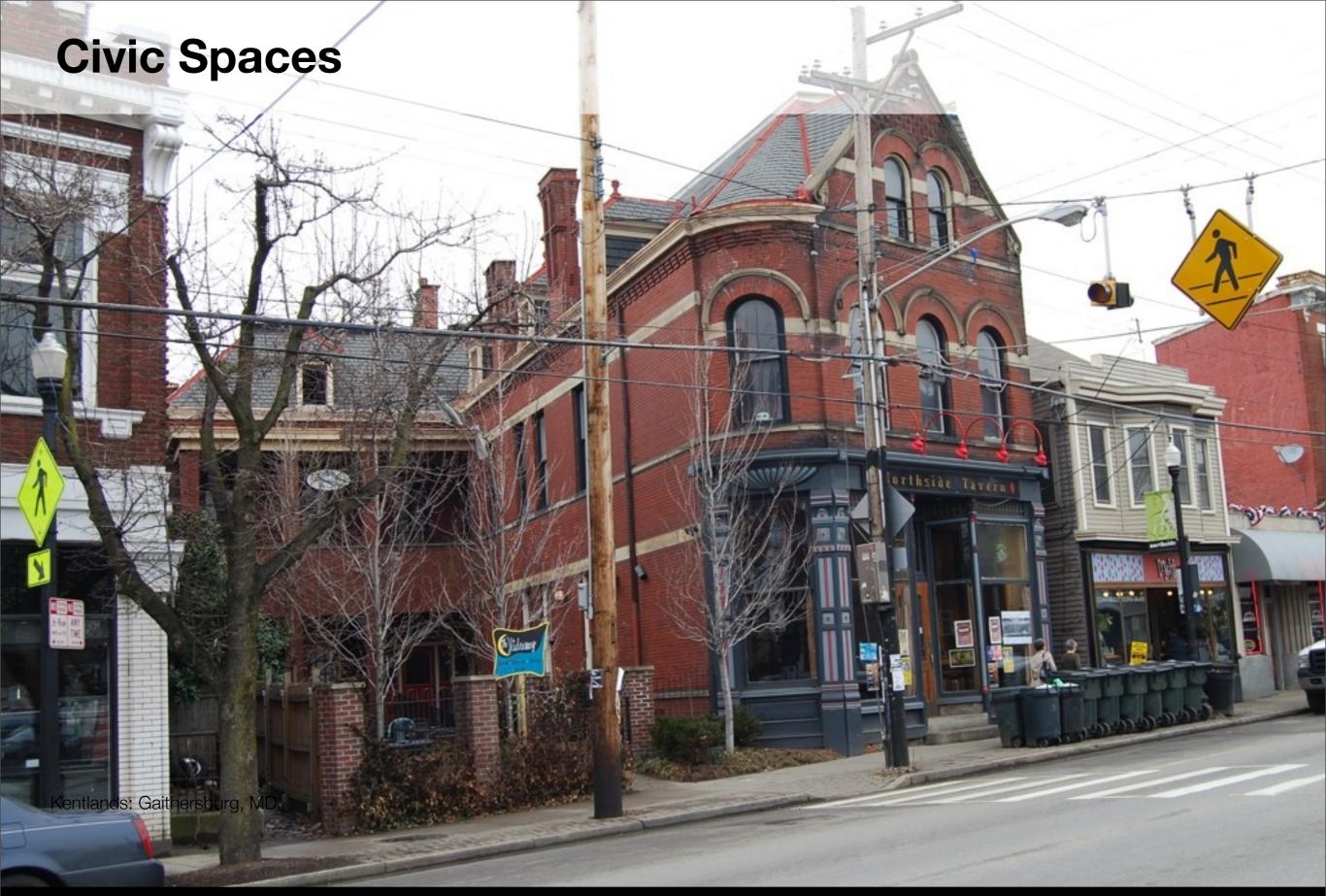
Benicia Downtown Mixed-Use Master Plan, Opticos Design



Public Space Standards: Thoroughfares and Civic Spaces

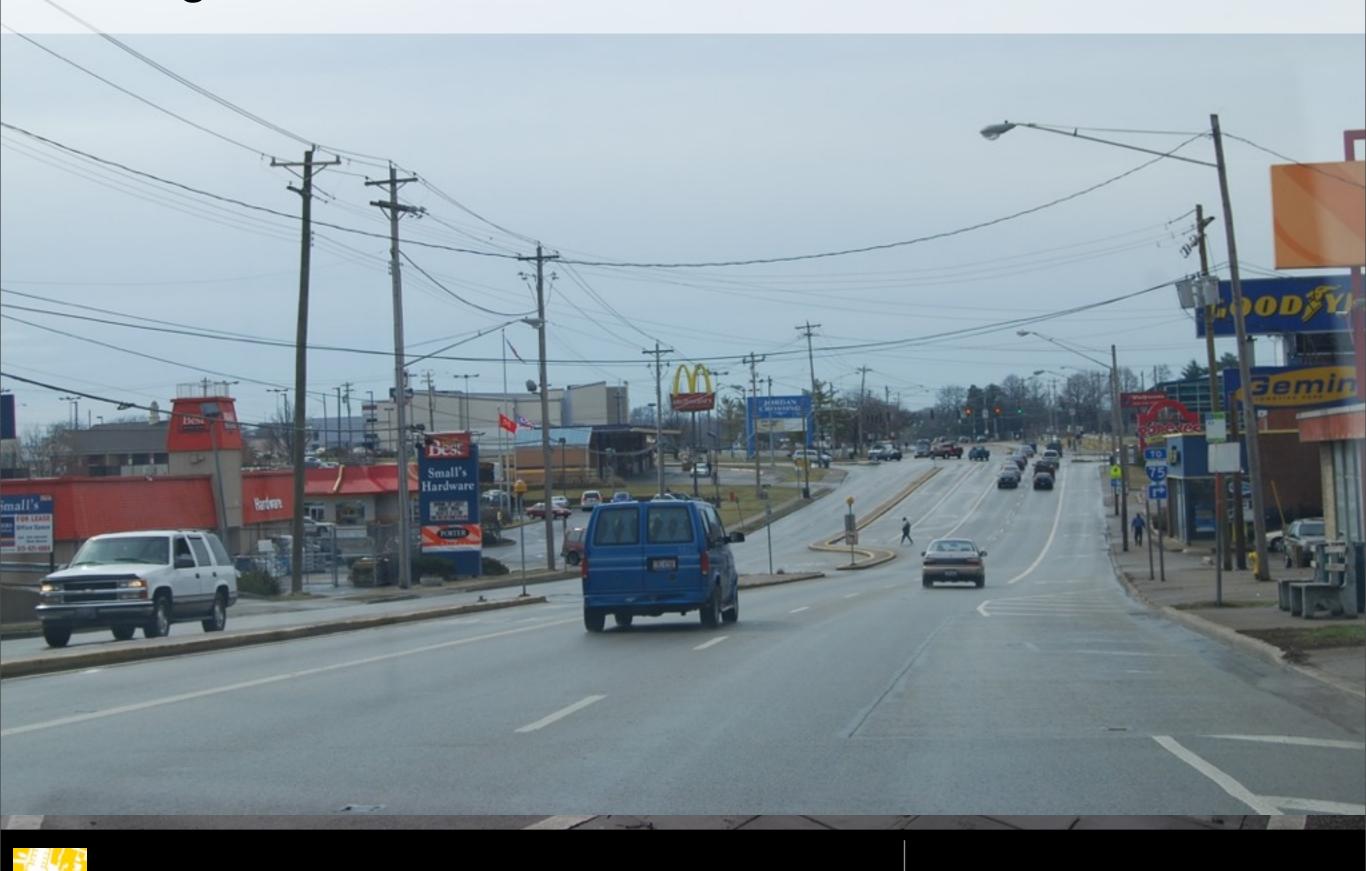




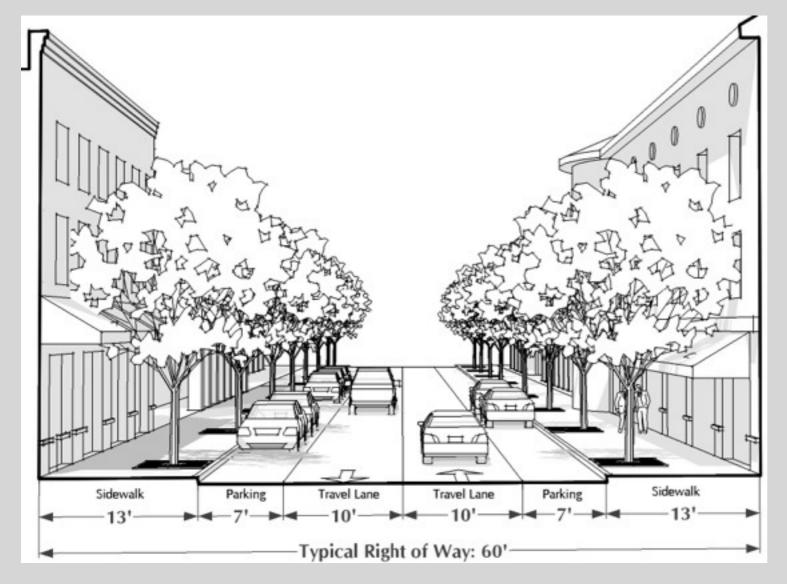




Thoroughfare Standards: Good Places Need Good Streets



Thoroughfare Standards

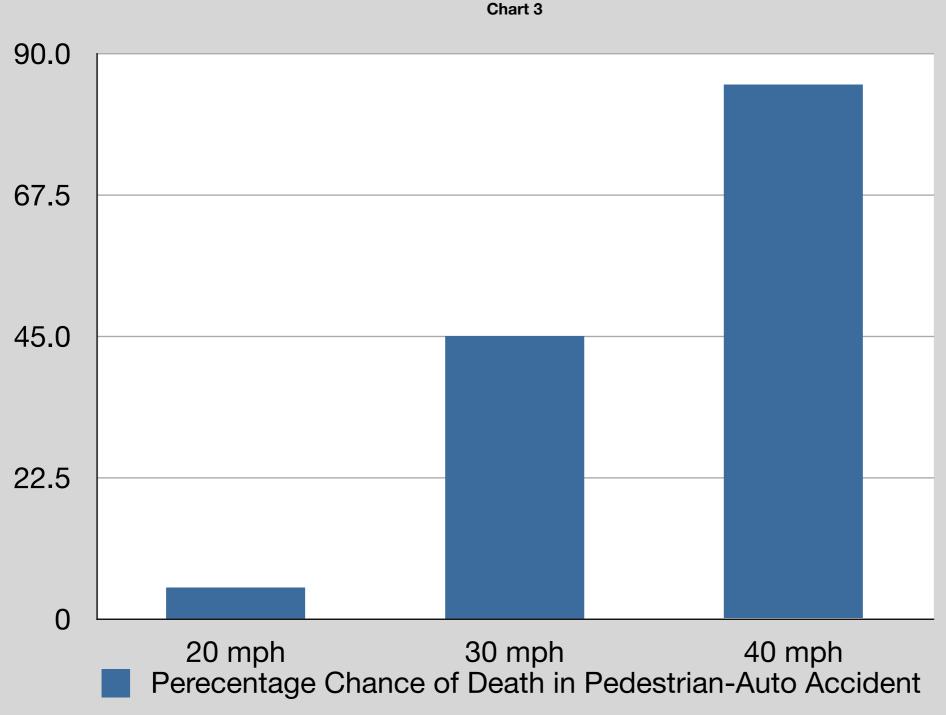


Design Standards	
Design Speed:	20 mph
R.O.W. Width:	56'
Width of paving:	36'
On-Street Parking:	8'
Travel Lane Width:	10'
Bicycle Lane Width:	N/A
Drainage Type:	Open
Width of Sidewalk:	5' (typical)
Sidewalk Easement:	N/A
Width of Planter:	5' (typical)
Type of Trees:	Medium
Spacing of Trees:	40'

Sarasota County, Florida (Dover Kohl & Spikowski Planning Associates)



Pedestrian Safety and Street Width



Source: National Highway Traffic Association and the Insurance Institute for Highway Safety.



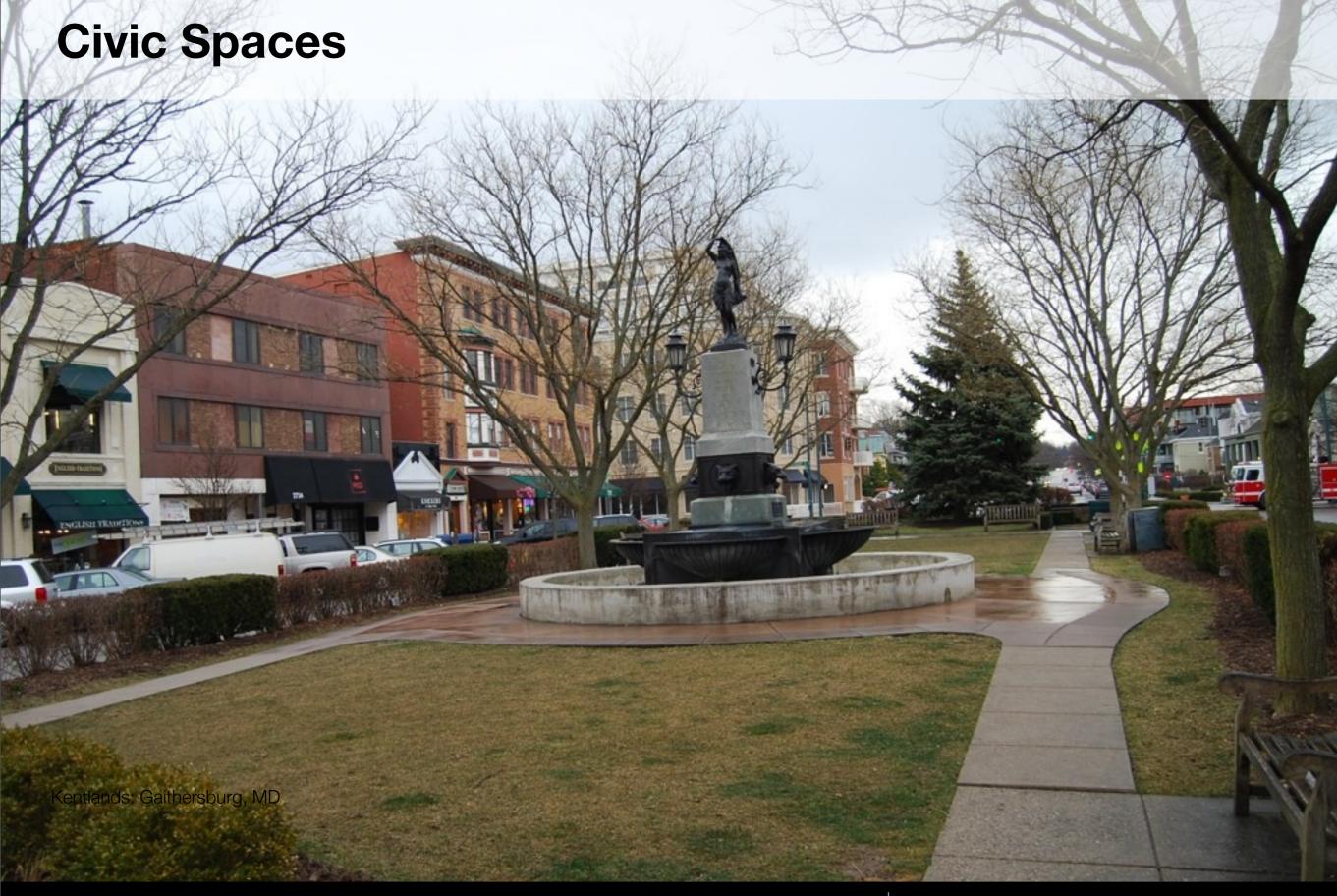
Frontage Types



Frontages: Reinforcing Unique Character of Place









Building Types

Building Type Pallete

Live/Work























Building Type Pallete

Bungalow Court







Townhouse









Duplex, Triplex, Fourplex







Live-Work







Rowhouses













Missing Middle Residential



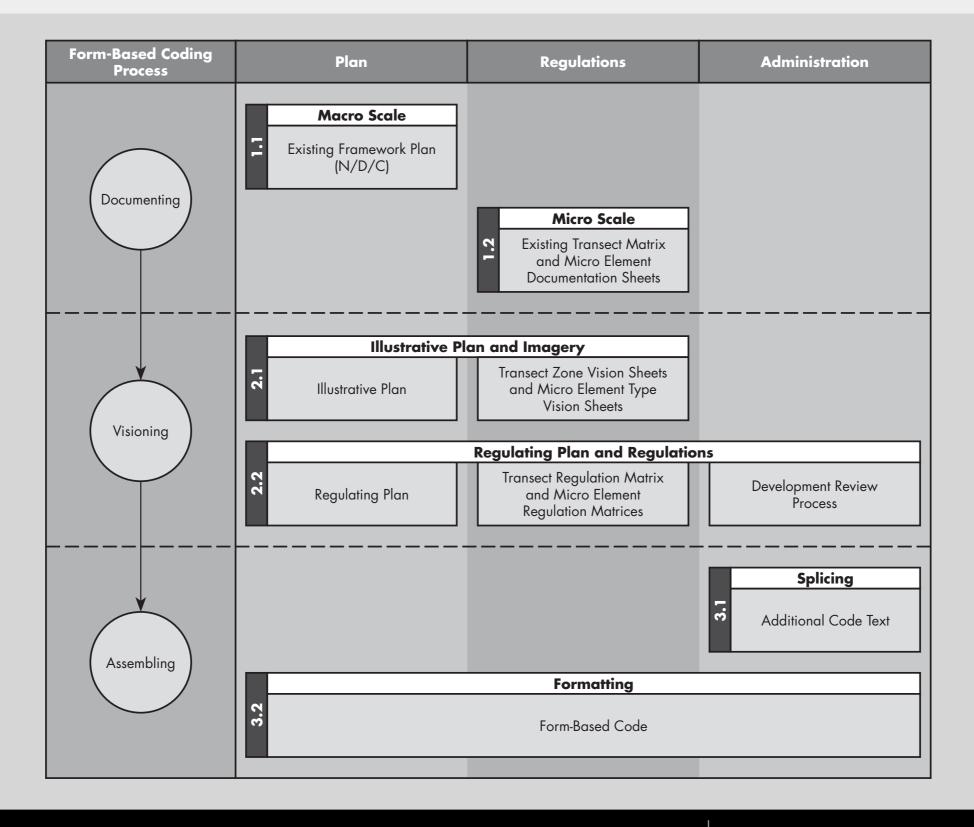




Form-Based Code Process

Three Important Steps

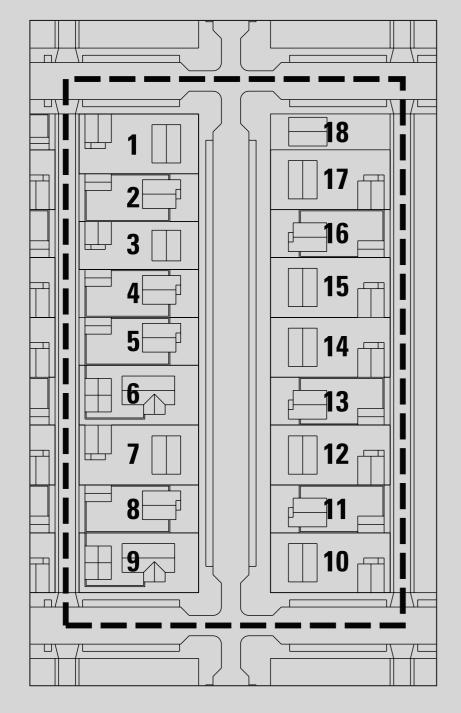
Process



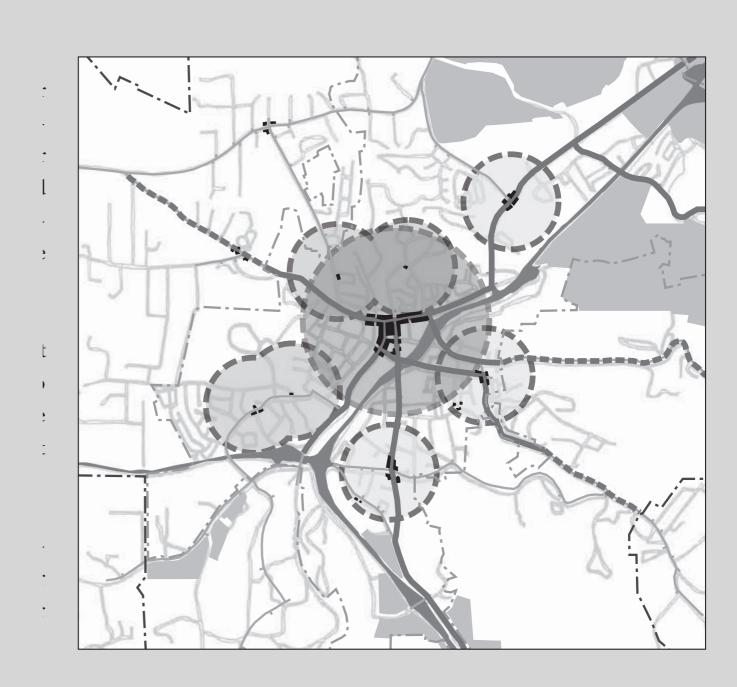




Phase I: Documenting the Place



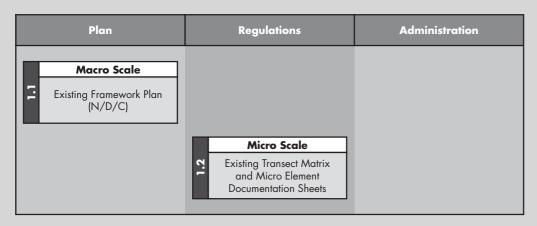
Micro-Scale Analysis

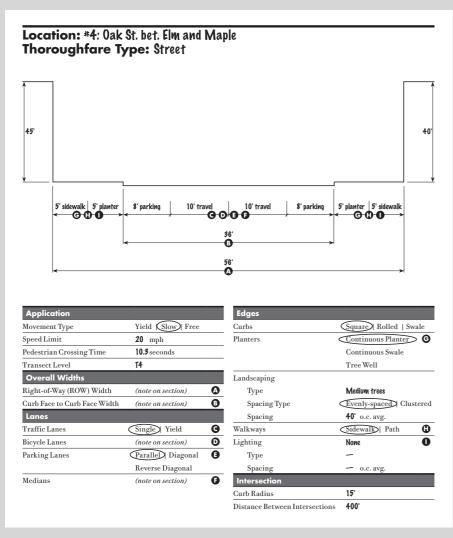


Macro-Scale Analysis



Phase 1: Documenting





		3		Γ4 — · · ·		5	
FPO I mages Only>	Typical Mid-block	Typical Corner	Typical Mid-block	Typical Corner	Typical Mid-block	Typical Corner	
Tro images omy							
City Width of Largest Historic Building	120' Apartment Bldg						
Block Perimeter Length	15	1530'		1600'		1600'	
Length (Primary Street)	52	525'		400'		400'	
Depth (Secondary Street)	24	240'		400'		400'	
Shape		R		R		R	
On-street parking spaces within 1/4-mile radius		50 	200		200		
Length of Building at Front BTL from Corner Left End of Block				80'		100'	
Right End of Block			100'		100'		
Building Placement Lot Size	,,,,,,,,,,,,,,,						
Width	45' - 50'	50' - 60'	25'	30'	<i>75' -</i> 1 <i>25'</i>	<i>75' -</i> 1 <i>25'</i>	
Depth	110'	110'	100'	100'	100' - 150'	100' - 150'	
Square Footage	5,500	6,600	2,500	3,000	12,500	12,500 sf	
Distance From	P	P	P	P	P	P	
Location of lot	М	C	М	C	М	C	
If it is a corner lot, where does the building face? Front (Main Body of Building)		P 15' - 20'	- 5'	P 5'	0,	0'	
Side Street (Main Body of Building)	-	15' - 20'	_	5'	_	0,	
Left Side, Main Building							
Right Side, Main Building		8' - 10'	0,	0,	0,	0,	
Left Side, Ancillary Building	01 001	0'	01	0.			
Right Side, Ancillary Building	0' - 60'		0,		_	_	
Rear, Main Building	40'	40'	40'	40'	_	_	
Adjacent Use/Transect Level	14	T4	t4 & T5	T4 & T5	_	_	
Rear, Ancillary Building	6' - 8'	6' - 8'	6'	6'	-	-	
Length of Building at Façade Line (BTL) Front	60% - 100%	50% - 80%	100%	100%	90% - 100%	90% - 100%	
Side Street, Main Building	- 00%-100%	30% - 35%	100%	70%	- 100%	90% - 100%	
Side Street, Ancillary Building		100%		70%			
Width of Building/Lot Width (%)		,,,,,,,,,,		///////////////////////////////////////	annan	minni	
Front	35% - 55%	35% - 50%	100%	80% - 100%			
Side Street	60%	60%	_	70%	_	80% - 100%	
Miscellaneous Number of Buildings on Lot	2	//////////////////////////////////////	2	2	1	1	
Number of Main Buildings	1	1	1	1	1	1	
Number of Ancillary Buildings	1	1	1	1	0	0	
Distance between Main and Ancillary Buildings	25' - 30'	25' - 30'	20' - 30'	20' - 30'	_		
Sidewalk Edge Treatment where there is not a Building	3' fence	3' fence	3' fence	3' fence	6' street wall	6' street wall	
Treatment between Building and Sidewalk (if any)	- 101.00			01.00		501 11011	





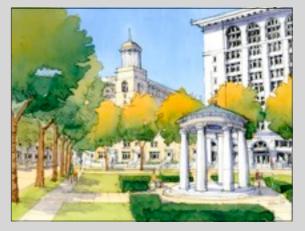


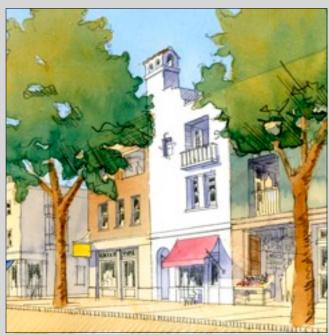
Step II: Visioning

Study and Illustrate Detailed Options to Inform Code





















Charrette Schedule: Ways to Participate

Opening Presentation

Monday 4:30 pm - 6:00 pm

Open Studio

Tuesday & Wednesday 12:00 pm - 1:00 pm

Brown Bag Lunch Presentation

Tuesday & Wednesday 9:00 am - 4:00 pm

Final Presentation

Thursday 6:00 pm - 8:00 pm

	Monday	Tuesday	Wednesday	Thursday	
9:00 AM					
10:00 AM		Open Studio	Open Studio		
11:00 AM					
12:00 PM		Brown Bag Lunch Presentation: Building Types and Density	Brown Bag Lunch Presentation: Pedestrian Oriented Street Design		
1:00 PM					
2:00 PM		Open Studio	Open Studio		
3:00 PM					
4:00 PM					
5:00 PM	Opening Presentation				
6:00 PM		Public Open House	Public Open House	Final	
7:00 PM				Presentation	
8:00 PM					

See www.charretteinstitute.org

How is This Different? Several Days of

Consistent Engagement





How is This Different? Several Days of

Consistent Engagement

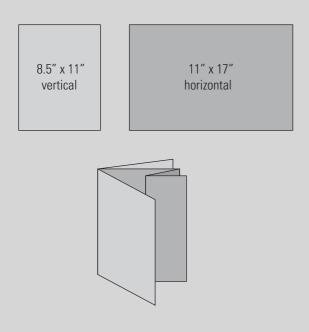


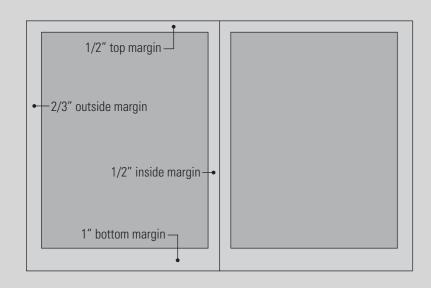


Step III: Assembly



Phase 3: Assembling





Left Justified

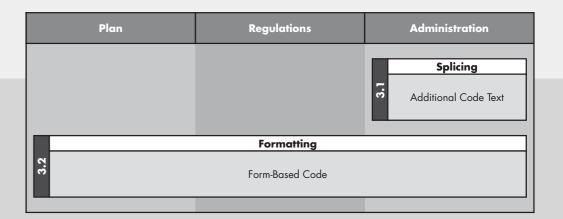
For lots 70' wide or wider, the courtyard must be enclosed by the building on at least three sides. Otherwise, the building courtyard must be enclosed by the building on at least two sides.

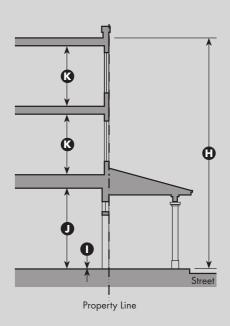
Center Justified

For lots 70' wide or wider, the courtyard must be enclosed by the building on at least three sides. Otherwise, the building courtyard must be enclosed by the building on at least two sides.

Fully Justified

For lots 70' wide or wider, the courtyard must be enclosed by the building on at least three sides. Otherwise, the building courtyard must be enclosed by the building on at least two sides.



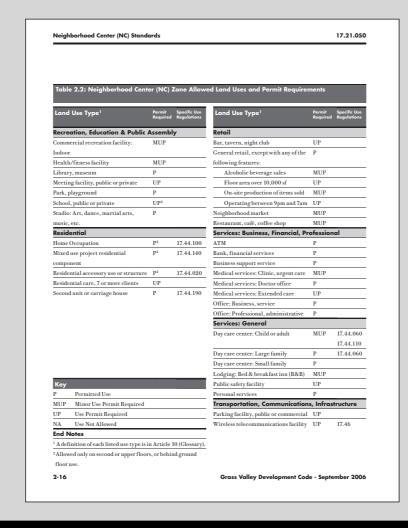


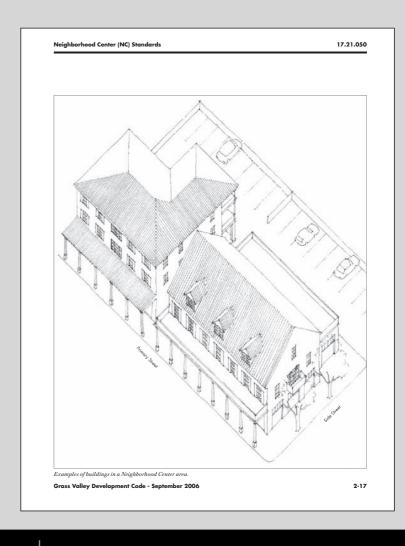
Building Form		
Height		
Main Building	22' min.;	0
	3 Stories max.	0
Ancillary Building	2 Stories max.	
Ground Floor Finish Level	6" max. above sidewalk	0
Ground Floor Ceiling	12' min. clear	0
Upper Floor(s) Ceiling	8' min. clear	ß



Two Elements to Proposed Options:

- How to plug the Form-Based Code into the existing zoning code document
- The process in which the Form-Based Code is created and applied for each neighborhood



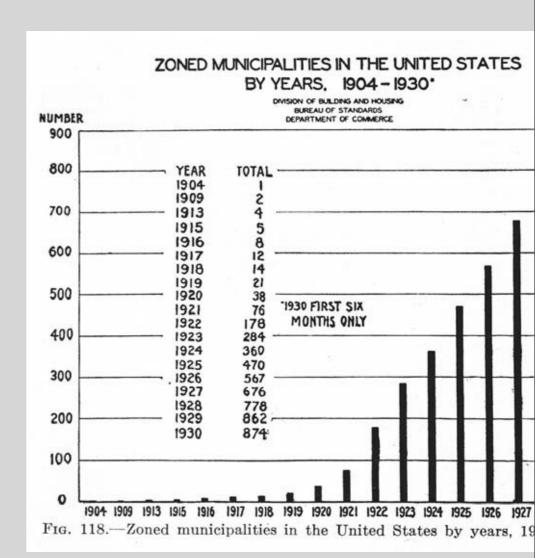






How Are FBCs Being Used?

- Downtown Master Plans
- 2. Transit-Oriented Development
- 3. Corridor Revitalization Plans
- 4. Neighborhood Revitalization Plans
- 5. Specific Plan Development Standards
- 6. Historic Resource Preservation Planning
- 7. Greyfield Redevelopment
- 8. University/Community Interface Plans
- 9. Subdivision Ordinances
- 10. Complete Development Code Updates
- 11. Model Codes
- 12. General Plan Updates
- 13. Regional Plan Implementation



Resources:

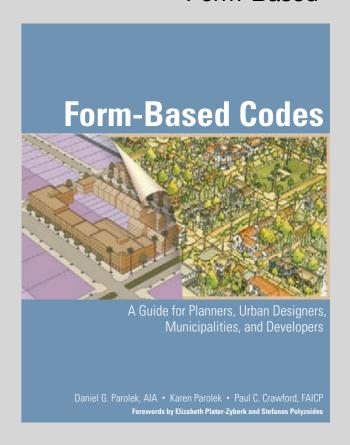


Day Long Course: ABCs of Form-Based Codes in Covington, KY November 10, 2010

www.opticosdesign.com

"Form-Based Codes" Available on Amazon.com or at opticosdesign.com

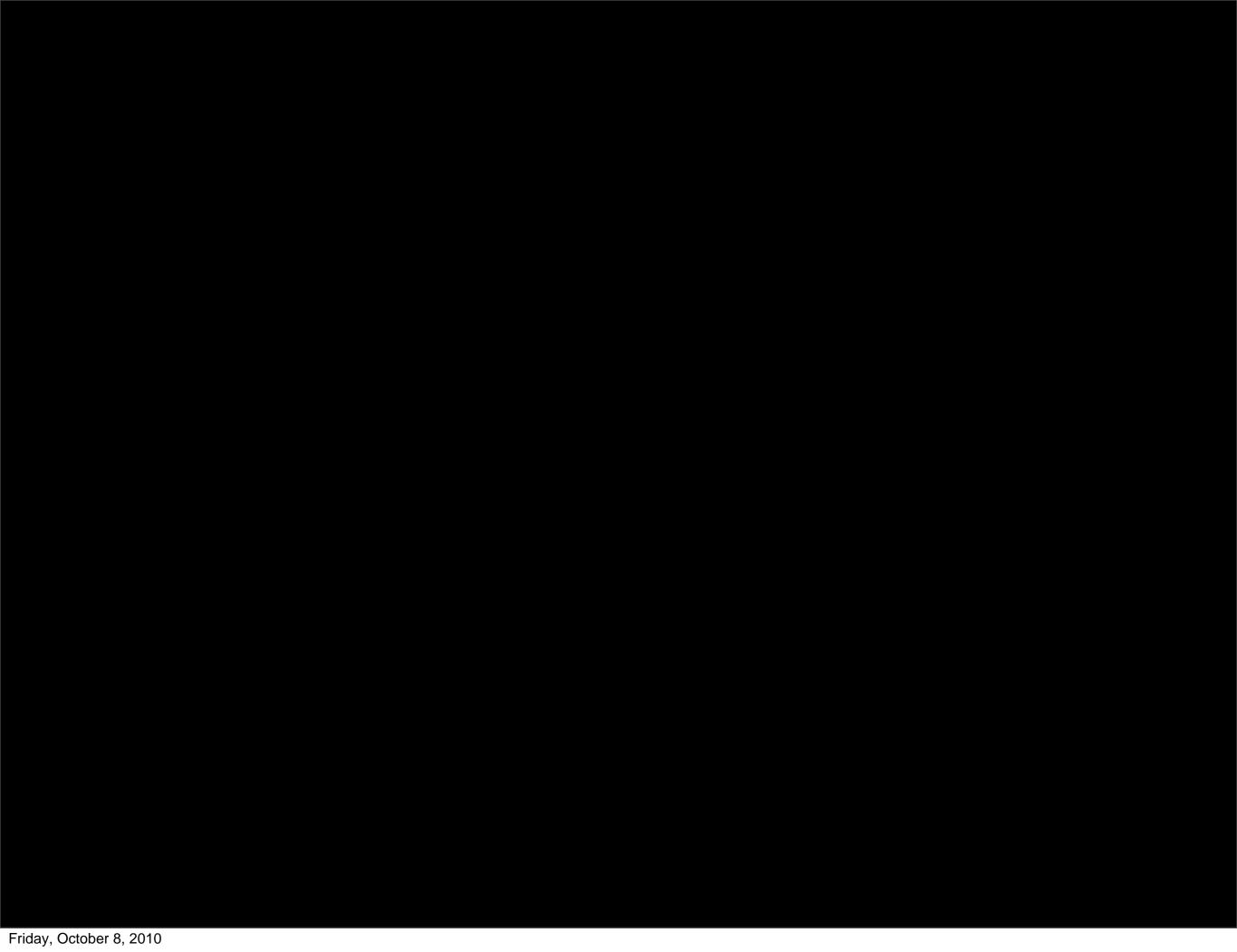
"The Most Comprehensive Source for Form-Based

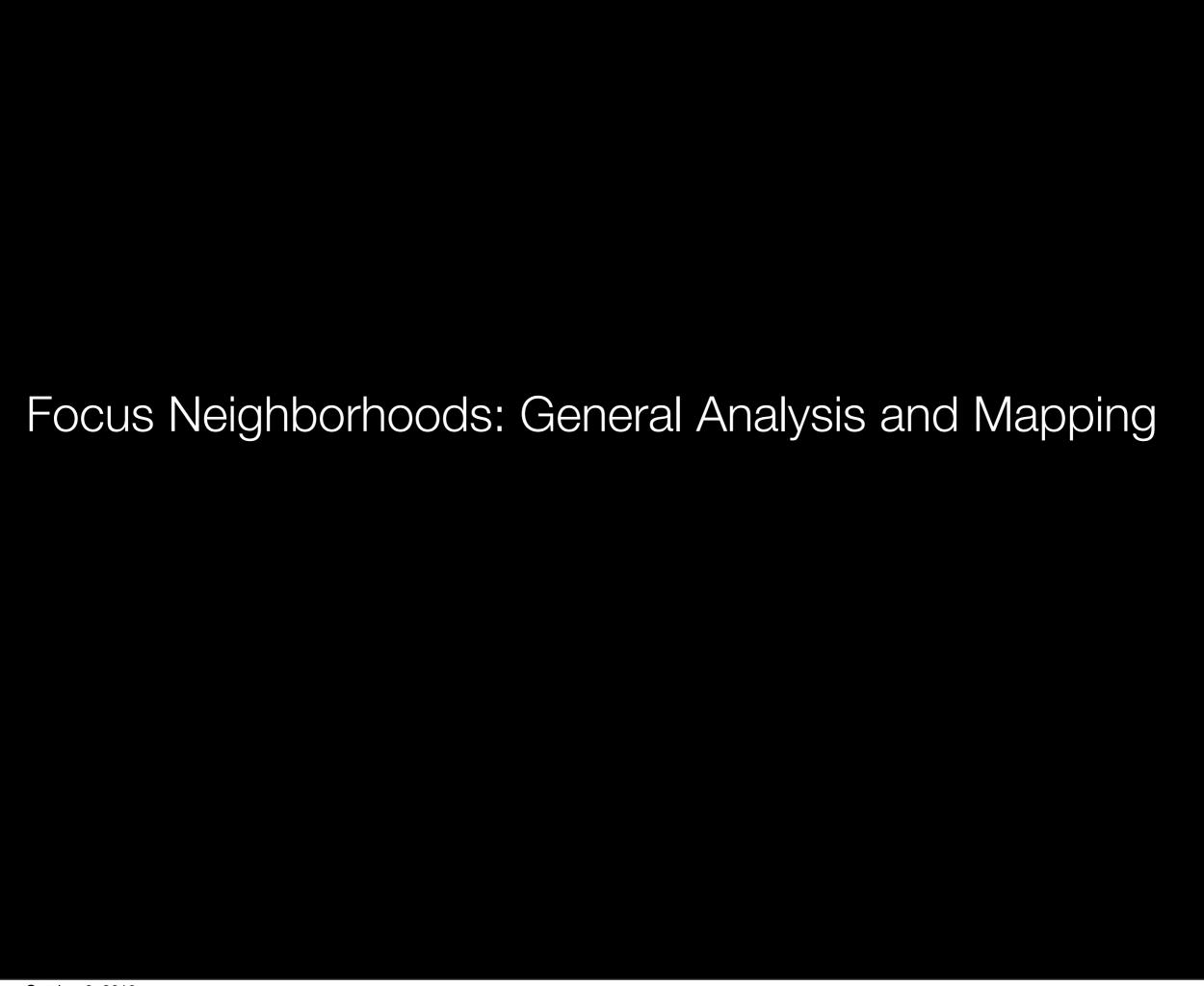


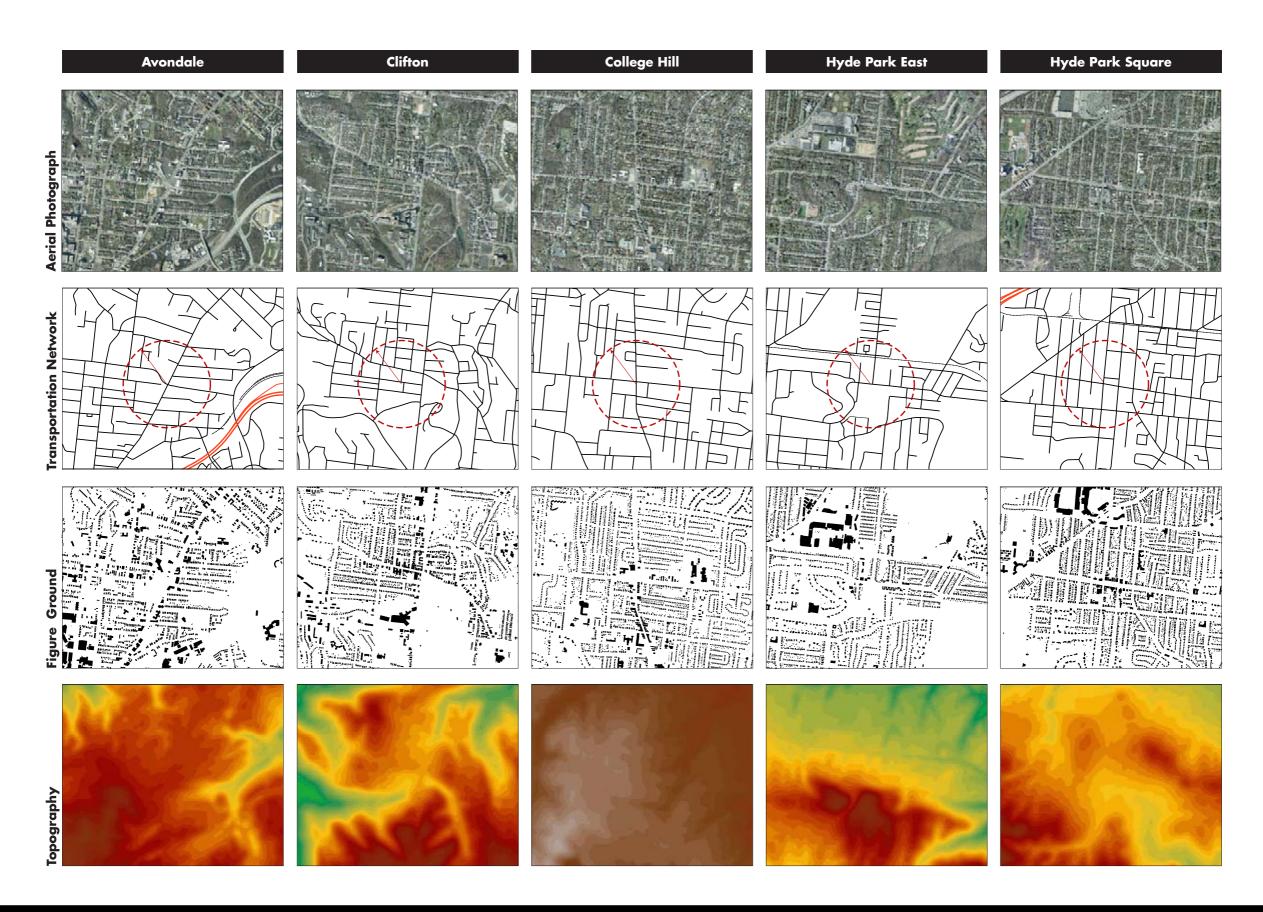
Questions and Discussion

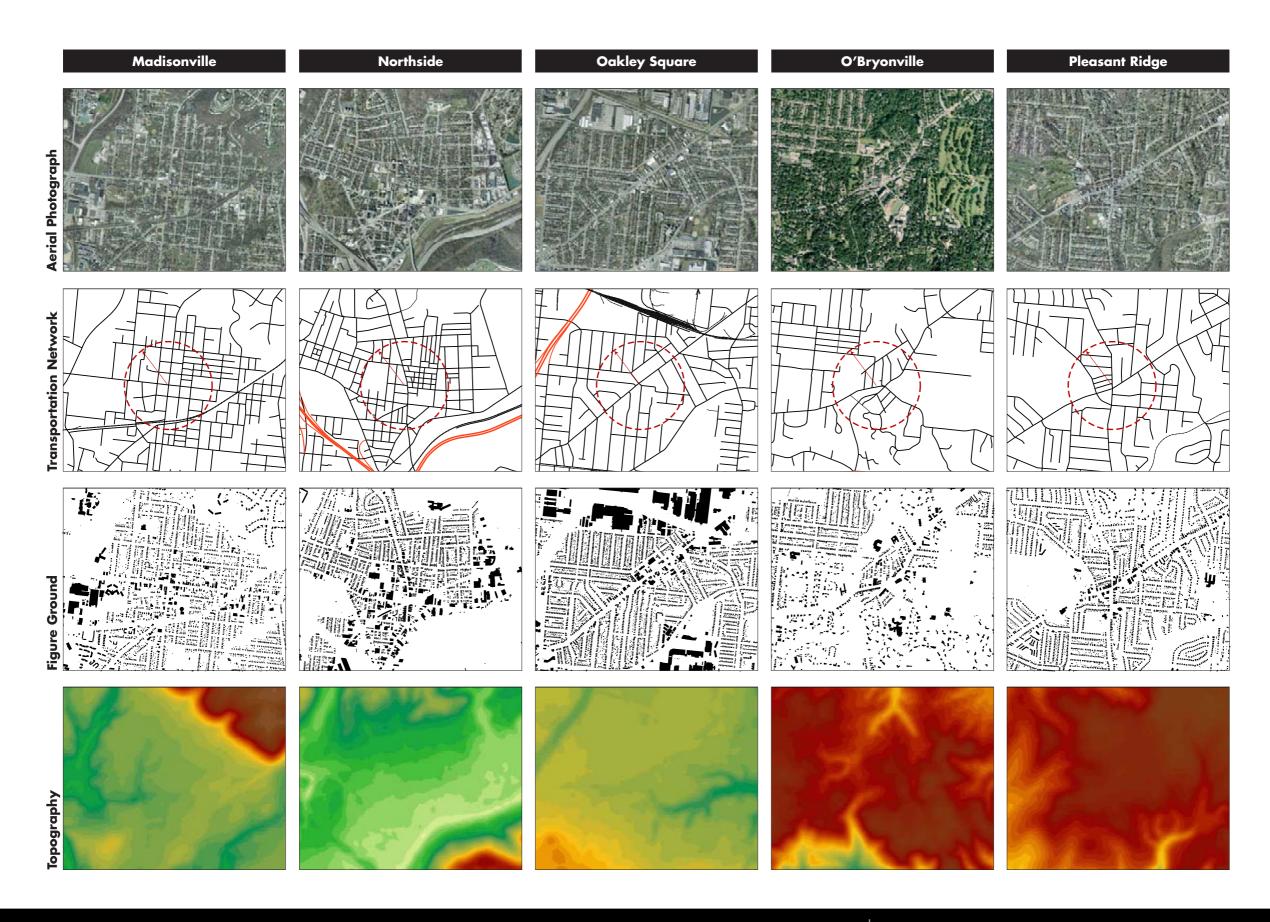




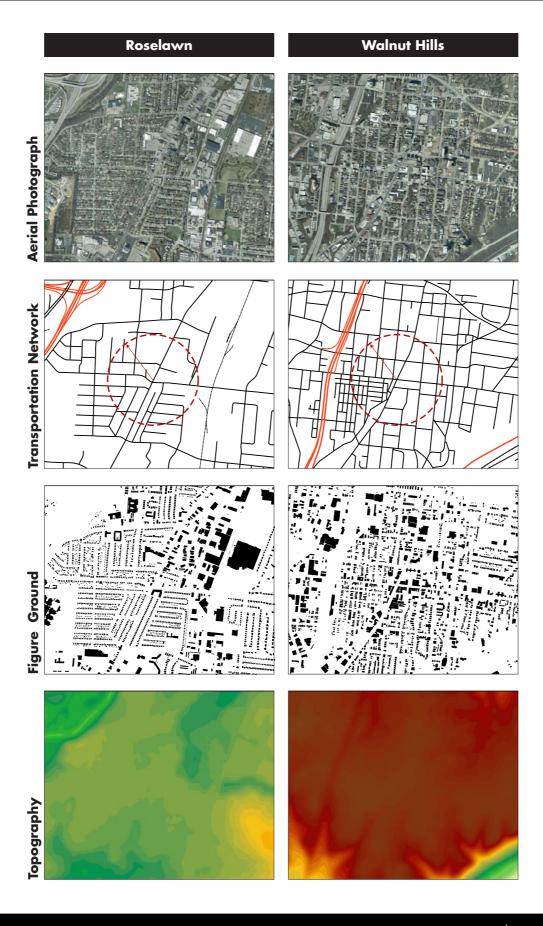












College Hill: General Character









College Hill: Existing Zoning & Figure Ground





College Hill: Overlays





College Hill: Connectivity

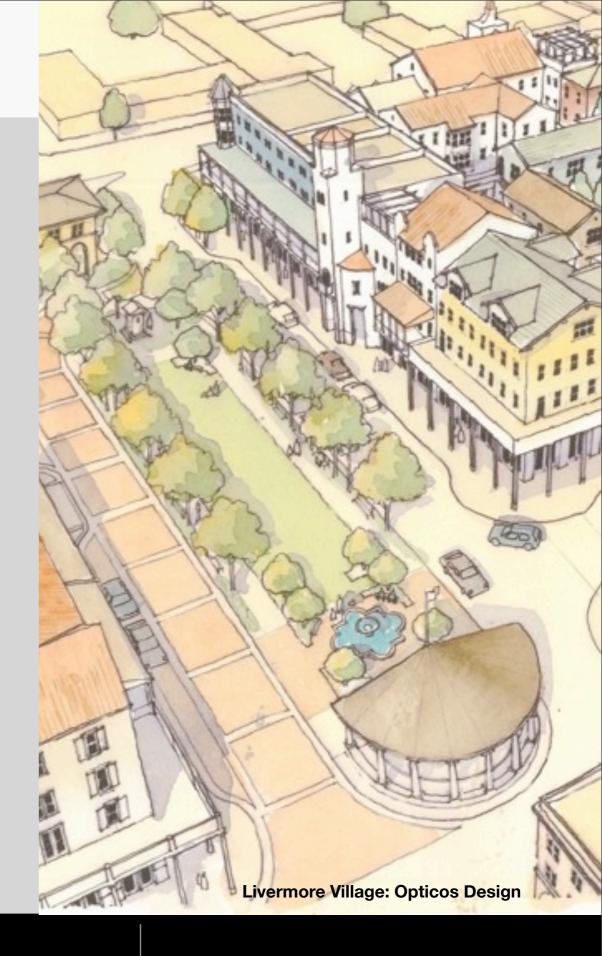






Next Steps

- Citywide charrette and Form-Based Code Drafted in Spring/Summer 2011
- 2. This gives the neighborhoods the Form-Based Code as a tool to implement a neighborhood vision
- 3. Neighborhood process is primarily about creating a vision and drafting a Regulating Plan to replace existing zones with form-based zones (transect zones)





Not all Focus Neighborhoods are Created Equal

- 1. Economic existing conditions
- 2. Physical existing conditions
- 3. Degree to change (or preservation) intended for each area
- 4. The size and number of opportunity sites within the focus areas



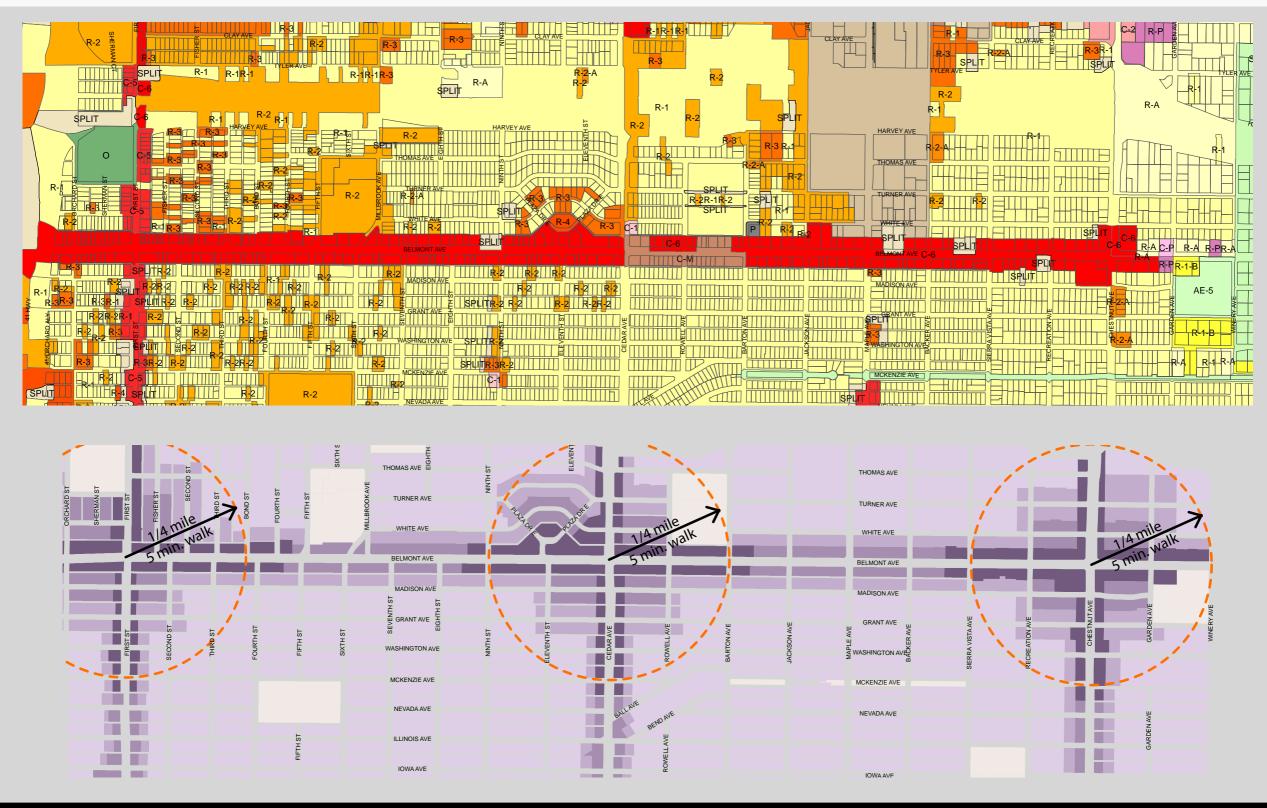


Neighborhood Main Streets: Primary Focus





Neighborhood Main Streets: Primary Focus





Main Streets Lack Sense of Place or Reason to Stop





Do Not Compromise Walkability





Questions and Discussion





The City of Cincinnati, Ohio: Creating a Form-Based Code to Preserve Community Character

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Principal, Opticos Design, Inc.
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