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## ZONING: READY TO BE REFORMED?

### Neal Peirce



CHICAGO--Are the zoning codes that shaped America's great 20th century suburban boom ready for a retread--or a replacement?

Chicago is in the midst of a massive rewrite of its zoning codes, aimed at preserving pedestrian life and the city's vitality by protecting the great shopping streets from strip malls and drive-throughs, and the residential neighborhoods from looming blank walls and loss of front yards.

But in selected spots from South Florida to Tacoma, Wash., Nashville, Tenn., to Fort Collins, Colo., the very practice of zoning is getting challenged by alternative land regulations--increasingly called "form-based codes."

Old-fashioned zoning practices are delaying and discouraging the current surge of mixed-use developments in the nation's cities, Bruce Katz of the Brookings Institution asserted at a meeting here in January jointly sponsored by Brookings and the American Planning Association.

We're not about to jettison all land use regulations--they've been around since the Norman invasion of England and are necessary on many grounds, APA executive director Paul Farmer told the group of public-sector planners, architects, developers, and land-use academics from across the nation. But, said Farmer, it's time we develop new and more flexible codes that can "serve all citizens far more effectively than their 20th century predecessors."

The central problem, say critics, is that we've stopped creating--as earlier Americans did--great cities, towns and neighborhoods, places with public squares and greens that invite monuments. Nor such inviting features as shopfront windows lined up along inviting sidewalks.

The chief villain, they say, is zoning, and not just because most of it is written in arcane language with complex mathematical formulas. Even worse, zoning focuses so narrowly on protecting us from bad development that it ends up thwarting healthy mixed-use communities in our time.

Zoning first sprang up to segregate and separate uses--to protect residential areas, for

example, from such blight as tanneries and industrial plants. In today's world of office, light industrial and residential uses, that's an almost irrelevant concern.

Now zoning fosters the big single-use pods of suburbia--malls and big box stores, subdivisions, industrial parks, isolated office buildings, plus massive parking requirements. Net result: big distances, auto dependence, vast road networks, and dull cookie-cutter places.

So what's the nature of form-based codes, the substitute now being pushed by advocates of richer mixed-use developments? Peter Katz, founder and former director of the Congress for the New Urbanism, reeled off the claimed benefits at the Chicago meeting.

The new codes, he says, focus less on what's forbidden and more on what's desired--the kind of town or city that people indicate they want. Mixed use is welcomed back. Basic rules are specified--for example a range of acceptable building types from apartments and townhouses to detached villas or high-rise towers (leaving individual design, for the most part, to owners). There are regulations, but fairly modest ones: typically the new codes specify minimum and maximum height, avoiding blank walls, and especially building out to the sidewalks to create a sense of place.

Underlying the codes, says Katz, each area needs a vision or plan--a community design, if you will--so that private building decisions more easily harmonize with and add excellence to the *public realm* we've so neglected in recent decades, especially our communities' streetscapes, squares and public buildings.

Let the form-based codes, he suggests, be simple and straightforward, backed up by easily accessible, computer-based graphics, and avoid the legalisms and obscurities typical of so much zoning.

There are barriers: Only a handful of town planning firms are adept with the new codes--nearly all with some connection to the Miami-based firm of Duany Plater-Zyberk, which "invented" the technique with its 1982 plan for Seaside, Fla.

And of those firms, even fewer have conducted the "charrettes" of week-long community meetings to focus on redesign of individual neighborhoods or commercial centers and gauge public choices from real alternatives. Such meetings (which Seattle planner Mark Hinshaw would call "public workshops") establish the vision on which local codes can then be fashioned.

What's against form-based codes is that they're new and disturbing to many developers, politicians and homeowners afraid of any change. And they aren't familiar (and thus reassuring) to big lenders. At worst, University of Pennsylvania land use expert Jonathan Barnett told the Chicago gathering, introducing form-based codes says to politicians: "Let's anticipate every land use fight we could have in the next 20 years, and have it now."

Most likely, the new codes will make their mark first for individual projects and only go citywide or countywide later.

What they have on their side is their relative simplicity and "transparency"--a clear

vision of future development that a community can grasp. Compare that to the dinosaur zoning codes, and it's hard to believe history doesn't ride with them.

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