

Subject: Form-based Zoning and 4-Story Residential - Public Communication Plan Draft
Attachments: Smart Growth for a Thriving Community - Form-Based Code Frameworks.pdf

From: Brian Chambers

Sent: Monday, March 24, 2025 2:36 PM

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Subject: Re: Form-based Zoning and 4-Story Residential - Public Communication Plan Draft

I meant to also provide a PDF, as not everyone may want to access a Google.doc

My conclusion:

Cities using form-based codes to allow four-story housing, while limiting lot consolidation in neighborhoods combine:

- Maximum lot sizes & mandatory lot splits
- FAR & unit caps to control density
- Context-sensitive height restrictions
- Parking & infrastructure constraints to discourage large-scale development

Brian

On Mon, Mar 24, 2025 at 1:59 PM Brian Chambers wrote:

Planning Commission, City Administrator Dohoney, Mayor, Council and Comprehensive Plan project leaders:

This email is to provide a potential communication to Ann Arbor residents regarding Form-based Zoning and the potential for 4-story residential structures based on it. There is neighborhood concern over the heights, but also the potential for developers and investors to aggregate multiple parcels for a larger overall facility.

See: https://docs.google.com/document/d/1GQtnjc_N6zffVZt24fxfU3wP9HyRl9cd/edit?usp=drive_link&oid=107192480295005192650&rtpof=true&sd=true

The first page provides the overall descriptions of Form-based Zoning, and how it might be applied to Low Rise Residential that addresses some of the concerns that are getting amplified. The rest is for more internal consideration, as it may be more detail than necessary for general public use.

Obviously, if you consider using this framework, please verify and clean it up, as appropriate.

Brett, please share this with the Planning Commission.

I hope this is helpful to your purposes.

Brian

Smart Growth for a Thriving Community: How Form-Based Codes Help Create More Housing Options


As Ann Arbor continues to grow, we face a critical challenge: **how do we provide more housing options for workers, families, and long-time residents while maintaining the character of our neighborhoods?**


To address this, the City is considering introducing **Form-Based Codes (FBCs)** to guide new housing development in a way that:

- **Maintains walkability and neighborhood character**
- **Encourages affordable housing near jobs and transit**
- **Prevents large-scale investor-driven developments**
- **Creates opportunities for small, community-oriented housing**


Unlike traditional zoning, which focuses only on what type of housing is allowed (single-family, multi-family, etc.), Form-Based Codes focus on building size, shape, and design—ensuring that new housing blends into existing neighborhoods while increasing housing choices.


Key Features of Our New Approach to Housing:


 **Missing Middle Housing:** Allowing **duplexes, triplexes, and fourplexes** to be built on lots where only single-family homes were previously allowed—helping provide more options for working families and critical workers.


 **Lot Size Protections:** Setting a **maximum lot size** to prevent developers from buying multiple properties and building oversized projects. This keeps new housing **small-scale and neighborhood-friendly**.

 **Height & Step-Backs:** Allowing **three- and four-story buildings**, but otherwise requiring **gradual height transitions** to fit the surrounding area.





 **Accessory Dwelling Units (ADUs):** Making it easier for homeowners to build **small backyard cottages or basement apartments**, creating affordable rental options while letting families stay together.

 **Walkable Neighborhoods:** Encouraging **cottage courts, townhomes, and small apartment buildings** that face the street with porches, stoops, and green space—just like Ann Arbor’s historic neighborhoods.

 **Reduced Parking Requirements:** Encouraging **transit-friendly development** by removing costly parking mandates that make housing more expensive to build.

 **Affordable Housing Incentives:** Offering **fast-track approvals and fee waivers** for developments that include permanently affordable homes for local workers and lower-income families.

How This Helps Our Community

-  **Lowers Housing Costs** by creating more supply and reducing barriers to affordable homeownership.
-  **Prevents Large Investor-Driven Developments** by limiting lot consolidations and focusing on community-scale housing.
-  **Protects Neighborhood Character** by ensuring that new housing follows design rules that fit the area.
-  **Supports Sustainability** by encouraging housing near jobs, schools, and transit—reducing traffic and carbon emissions.

Form-based codes (FBCs) provide a flexible approach to increasing density while maintaining an area's desired character. They regulate the physical form of development rather than just land use, making them an effective tool for integrating greater density into traditionally low-density single-family residential areas. Here are some key provisions that cities use to allow for quadplexes and even four-story residential buildings:

1. Setbacks & Lot Coverage Adjustments

- **Reduced front setbacks:** Traditional single-family zoning often requires deep front yards. FBCs may reduce front setbacks to bring buildings closer to the street, reinforcing a walkable, urban feel.
- **Minimal or no side setbacks:** Allowing structures to be built closer together or even attached (such as townhomes) can increase density while maintaining privacy with design elements like staggered facades or strategically placed windows.
- **Higher lot coverage allowances:** Instead of limiting buildings to a small portion of the lot, FBCs often allow more coverage, enabling multi-unit housing on smaller parcels.

2. Building Heights & Massing Flexibility

- **Gradual height transitions:** Some FBCs allow for incremental height increases, such as permitting higher structures along main streets or corners while maintaining lower heights in interior residential areas.
- **Height bonuses for missing middle housing:** Some cities grant additional height (e.g., up to 45-50 feet) for projects that provide affordable housing or integrate multiple units into a traditionally single-family area.
- **Step-backs on upper floors:** To maintain neighborhood compatibility, taller buildings may be required to "step back" on upper levels to avoid overwhelming adjacent homes.

3. Lot Splitting & Minimum Lot Sizes

- **Smaller lot minimums:** Many form-based codes allow for smaller lot sizes than traditional zoning, enabling more units to be built.
- **Lot splits and flag lots:** Some FBCs allow existing lots to be divided or configured in new ways, enabling more efficient use of land while preserving green space.

4. Housing Typologies & Unit Flexibility

- **Allowing quadplexes and multiplexes by right:** Instead of requiring special approvals, FBCs can explicitly allow duplexes, triplexes, and quadplexes in zones that were previously single-family only.
- **Cottage courts & courtyard housing:** Some FBCs permit multiple small homes around a shared courtyard, creating a community feel while increasing unit count.
- **Live-work units & small apartment buildings:** Integrating low-scale mixed-use or live-work spaces can further diversify housing options.

5. Parking Reform

- **Eliminating or reducing parking requirements:** Cities often reduce or remove parking minimums for small-scale multi-unit housing to encourage walkability and transit use.
- **Allowing tandem or shared parking:** This can maximize space efficiency while still accommodating residents with cars.

6. Hybrid or Tailored Approaches for Density

- **Missing middle overlays:** Some cities use overlays to allow gentle density increases (duplexes, triplexes, quadplexes) while keeping neighborhood form intact.
- **Corridor-based zoning:** Allowing taller and denser housing near key corridors and transit routes while maintaining lower heights deeper within neighborhoods.
- **Performance-based zoning incentives:** Some FBCs allow additional density if projects meet certain criteria, such as providing affordable units or shared community space.

Limiting Investor Driven Lot Consolidation

Cities that use Form-Based Codes (FBCs) to allow four-story structures while limiting investor-driven lot consolidation often employ a mix of zoning constraints, lot-specific regulations, and incentives for smaller-scale development. Here's how they accomplish this balance:

1. Limiting Lot Consolidation Through Maximum Lot Sizes

Strategy: Instead of traditional zoning that focuses on minimum lot sizes, FBCs often impose **maximum lot sizes** to prevent developers from assembling multiple lots into large-scale apartment projects.

◆ Example Policies:

- **Portland, OR (Residential Infill Project - RIP):** Limits **lot width and size** for new developments, preventing large-scale consolidation while allowing small-scale multi-unit housing (e.g., duplexes, triplexes, and fourplexes).
- **Austin, TX:** Introduced lot size caps in specific zones to encourage "missing middle" housing rather than large-scale projects.

2. Mandatory Lot Splitting for Larger Parcels

Strategy: If a developer acquires multiple lots, FBCs may require them to **subdivide them into smaller parcels** to encourage multi-unit homes that match neighborhood scale instead of large apartment buildings.

◆ **Example Policies:**

- **Minneapolis, MN (2040 Plan):** Eliminated single-family zoning but maintained lot size requirements that discourage large-scale lot consolidation while enabling fourplexes and small multi-family housing.

3. Floor Area Ratio (FAR) and Unit Limits Per Lot

Strategy: Instead of simply regulating building height, FBCs often set **Floor Area Ratio (FAR) limits** and **caps on the number of dwelling units per lot**, preventing large multi-family developments on consolidated lots.

◆ **Example Policies:**

- **Seattle, WA (Mandatory Housing Affordability - MHA):** Implements **unit caps and FAR restrictions** to allow fourplexes and small apartments but prevent large consolidated projects.

4. Context-Sensitive Height Restrictions

Strategy: Cities allow **four-story buildings** but **require step-backs or contextual scaling** to maintain compatibility with smaller existing homes, discouraging developers from assembling lots for larger projects.

◆ **Example Policies:**

- **Charlotte, NC (Unified Development Ordinance - UDO):** Allows **four-story development near corridors** but enforces **transition zones** where lots further from main streets must be smaller and less dense.
 - **Denver, CO (Blueprint Denver):** Uses **form-based height transitions**, requiring mid-block sites to remain lower-density while corner lots or transit-adjacent sites can be taller.
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5. Parking & Infrastructure Constraints

Strategy: Cities use parking minimums (in certain cases) or infrastructure constraints to **discourage large-lot consolidation**, while still allowing small-scale multi-unit housing.

◆ Example Policies:

- **San Diego, CA (Complete Communities Plan):** Allows **four-story buildings** but **prioritizes small-scale projects** by reducing parking requirements for "missing middle" housing while keeping some infrastructure constraints in place for larger developments.
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6. Owner-Occupancy & Affordable Housing Incentives

Strategy: Some cities incentivize **owner-occupied missing middle housing**, making it less attractive for large investors to consolidate lots and build rental-only developments.

◆ Example Policies:

- **Portland, OR (RIP2):** Allows up to **six units per lot** but **only if some are affordable**; otherwise, it limits density.
 - **Seattle, WA (ADU Reform):** Removes parking and owner-occupancy requirements **only for smaller developments**, discouraging investor-led lot consolidation.
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7. Design & Form-Based Review Processes

Strategy: Cities apply stricter **design review** to large assembled parcels, requiring additional community input, which **slows down investor-driven consolidation** but streamlines small-scale multi-unit projects.

◆ Example Policies:

- **Berkeley, CA (Missing Middle Proposal):** Requires a **more detailed design review** for consolidated lots but allows **"by-right" approval** for smaller, missing middle projects.
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Conclusion

Cities using form-based codes to allow four-story housing while limiting lot consolidation combine:

- Maximum lot sizes & mandatory lot splits
- FAR & unit caps to control density
- Context-sensitive height restrictions
- Parking & infrastructure constraints to discourage large-scale development
- Owner-occupancy & affordability incentives to prioritize local buyers