



City of Rowlett
Special Work Session Meeting Minutes
City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

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Monday, July 13, 2011

6:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**Present: Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Davis
Councilmember Pankratz, Councilmember Kilgore and Councilmember
Gallops**

1. CALL TO ORDER

Mayor Pro Tem Gottel called the meeting to order at 6:30 p.m.

2. WORK SESSION ITEM (6:30 P.M.)

2A. Conduct a Work Session to provide the City Council with an overview of form-based zoning codes.

The purpose of the meeting was to provide City Council with a background of form-based zoning codes. City Manager Humble explained to the Council that the Planning Division took the initiative to bring this item forward as an educational opportunity due to the fact that the Council is likely to see formal form based code proposals within the next year as the Realize Rowlett 2020 Vision Plan is implemented. The background included an explanation of the main tenets of form-based codes, as well as a comparison to Euclidean (traditional) zoning codes. Staff made a PowerPoint presentation. Background information was provided with referenced examples of existing form-based codes incorporated into the presentation. Staff indicated that at the conclusion of the Work Session, the City Council should have a better knowledge of form-based codes, as well as an understanding of how form-based codes might be integrated into the framework of the City's existing zoning regulations.

“A form-based code is a method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm by controlling physical form primarily, and land uses secondarily, through city or county regulations.”

Source: Form Based Codes Institute

“These [form-based] codes focus less on the uses in buildings, which often change rapidly, and more on the forms of buildings, which are more long-lasting and determine the character of public space by their massing, overall character, and placement on the site.”

Source: Designing Community; David Walters

The following zoning differences were explained:

Standard Zoning

Density, use, floor to area ratio (FAR), setbacks, parking requirements, maximum building height,

Design Guidelines

Density, use, FAR, setbacks, parking requirements, maximum building height, frequency of openings, surface articulation specified,

Form-Based Codes

Street and building types (or mix of types), build-to lines, number of floors, percentage of building site frontage specified,

The following chart was reviewed:

Conventional Planning and Zoning Codes	Form-Based Codes
Auto-oriented, segregated land-use planning principles	Mixed use, walkable, compact development-oriented principles
Organized around single-use zones	Based on spatial organizing principles that identify and reinforce an urban hierarchy, such as the rural-urban transect
Use is primary	Physical form and character are primary, with secondary attention to use
Reactive to individual development proposals	Proactive community visioning
Proscriptive regulations, regulating what is not permitted, as well as unpredictable numeric parameters, like density and FAR	Prescriptive regulations, describing what is required such as build-to lines and combined min/max building heights
Regulates to create buildings	Regulates to create places

Questions were answered throughout the presentation regarding restrictions, visioning, cookie cutter developments, niche market demands, downtown development limits, variances etc. Prescriptive rather than restrictive is an important component in form-based codes.

Templates of graphs, charts and other items were presented in the slide presentation. Percentages of defined areas are no longer specified but building types are defined with less restrictions as to what can be located within the buildings (some specific restrictions will apply, i.e. no slaughter houses next to residential uses).

Balancing employment centers with retail with living spaces is a difficult challenge. Time, patience and market will help define it all.

The following community type developments were discussed and how these can be adapted and made specific to each City's definition.

- Clustered Land Development (CLD):** aka "Hamlet"; appropriate for a location on a simple thoroughfare; weak commercial component
- Traditional Neighborhood Development (TND):** aka "Village", suitable for crossroad locations; design equivalent of a complete urban neighborhood, albeit standing free in the landscape.
- Regional Center Development (RCD):** aka "Regional Center" or "Town Center"; supports substantial commercial development (both retail and office) as well as residential and civic functions; adaptable to light rail or Bus Rapid Transit.

One reason for the Work Session was the potential use of form-based codes as a regulatory instrument in the *Water's Edge* development. The proposed *Water's Edge* development is generally bounded on the north by Main Street, the south by Miller Heights Drive, the east by Lake Ray Hubbard and the west by President George Bush Turnpike less the area allocated for Rowlett High School. The Coyle House, Rowlett Community Centre and Wet Zone Water Park were shown within the overall boundary, but are not to be redeveloped as part of the proposed *Water's Edge* development. It is anticipated that a formal application for the *Water's Edge* development (including form-based code components) may be submitted within the next several months.

The initial topics of the work session involved the comparison of Euclidean (or traditional) zoning versus Form-Based Codes. Euclidean or traditional zoning was borne out of the desire for separation of uses for both health and safety concerns, as well as economic concerns. (The name "Euclidean" used to identify this type of zoning stems from the 1926 landmark case, *Village of Euclid v. Ambler Realty Co.*, which upheld the constitutionality of a comprehensive zoning system.) Euclidean zoning and its intent to separate uses has continued to evolve, with the separation of uses being exacerbated by the advent of the automobile. Furthermore, zoning codes have become cumbersome regulatory documents that are generally good at providing regulations that focus mostly on the development parcel to define spaces and pay little attention to the holistic view of the community.

Form-based codes attempt to depart from the proscriptive regulatory controls (i.e., what you cannot do) in Euclidean zoning that focus on defining spaces and make an effort to provide prescriptive regulations (i.e., what you can do) that focus on creating places. Although Form-Based Codes are relatively new as a zoning regulation control, the types of places that they create are not new. The goal is to define spaces or communities and allow the market to dictate the uses that are located in the buildings.

Councilmember Phillips left the work session at 7:36 p.m.

The opportunity to develop the 100 acres in a complementary process to see the vision in the context of the greater good using comments and suggestions from the citizens involved with Rowlett 2020 is a good basis to begin.

Thoroughfares into the areas, the determination of two lanes or four lanes, angled parking, back-in parking, sidewalk regulations, bicycles and trails (walking and bicycle) are other issues to be discussed and decided by Council establishing guidelines.

The presentation covered the following topics specifically pertaining to the development, implementation and administration of Form-Based Codes.

- Visioning Process
- Regulating Plan
- Standards
 - Public Space
 - Building Form
 - Frontage Type
 - Block
 - Building Type
 - Architectural
- Code Administration

Other issues to discuss regarding form-based codes in future meetings are as follows:

- Implementation (consider parallel/floating zone)
- Warrants & Variances vs. Conditional Use Permits, Special Use Permits & Variances
- Visioning Component and prescriptive nature of Code allow for more administrative oversight

Questions regarding the Planning and Zoning Commission concerns were addressed. Consultants are crucial to the success of making all of this work properly. Money has been budgeted. Other resources for Council to review were discussed to assist the Councilmembers in learning more about form-based codes for cities.

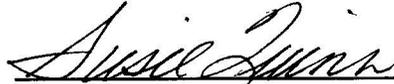
Consensus by Council expressed agreement to move forward with the development of the process for form-based codes especially in the undeveloped areas (Downtown, Waterfront, Entertainment and possibly North Shore).

3. **ADJOURNMENT**

Mayor Pro Tem Gottel adjourned the meeting at 8:17 p.m.



Todd W. Gottel, Mayor



Susie Quinn, City Secretary

Date Approved: August 16, 2011