

Appendix D:
Spectrum of Zoning Techniques

CONVENTIONAL CODES Place Heavy Emphasis on Land Use Regulation and Minimal Focus on Character				HYBRIDS: Tools Incorporated into Euclidean Zoning to Enhance Flexibility and Character				CHARACTER BASED CODES Alternatives to Conventional Codes that Place Greater Emphasis on Community		
	Euclidean	Subdivision Regulations	Unified Development Ordinance	Overlay	Planned Development	Incentive Zoning	Special Districts	Composite Zoning	Performance Zoning	Form Based Code (& Smart Code)
General Description	Known as the "Building Block of Zoning". The most traditional approach to zoning. It is land use-based and partitions specific land uses into set geographical districts within a community.	A set of regulations apart from the zoning code that regulates how property is divided and establishes minimum infrastructure standards.	Consolidates all development-related regulations into a single code and blends zoning, subdivision and design standards into one comprehensive document.	An additional zoning district that is superimposed or placed on top of an under-lying use-based zoning district.	A zoning technique typically used for a major portion (or all) of a development that allows flexibility in the established standards in exchange for other considerations.	Incentive zoning establishes a series of incentives (typically density or relaxation of other requirements) to entice applicants to exceed minimum standards established in development requirements.	An option that allows entirely different (often character based) requirements to apply in designated areas.	Breaks development regulations into a mix of three main components: use, site and architectural characteristics with each of the three main components divided further into categories. Areas of the community are assigned a category from each component in a way that attempts to capture desired character.	Performance zoning is exclusively designed to focus on community character and the ability of a site design to "perform" according to the community's vision. Performance zoning continues to consider use as an instrumental component of character.	Places particular emphasis on urban form as a basis for community character. Land use is a minor consideration compared to form and character. Mix of land uses is anticipated and desired in a Form-Based system.
Typical Applications	Euclidean zoning codes are utilized by the majority of communities in the United States, including Annapolis. This traditional approach separates land uses by district - residential uses in one district, commercial uses in another district, etc. Form is addressed through setbacks, height limits, floor to area ratios, and other means.	Typically a separate set of regulations that are referenced in the zoning code. Subdivision Regulations deal with the relationship of the lot to the street, utilities and sidewalks.	As Euclidean codes became more and more complex to deal with design and urban form, UDO's have become a popular means to streamline and integrate development standards and processes.	Overlay districts typically apply another layer of specific development standards to a site. An overlay district deals with special circumstances through additional building setbacks, bulk requirements, architectural controls, additional limits on use or other means. In cases of conflict, overlay requirements supercede base requirements (typically to further restrict uses). There is no limit to the number of overlay districts that can be placed on a site.	Planned Developments are utilized to negotiate a specific outcome to ensure specific uses and development standards in exchange for other desired elements, such as open space, density limitations, etc.	As an addition to a traditional, Euclidean Code, incentives are typically used to encourage a limited number of concepts, such as increased tree canopy or open space, and reduced parking fronting the roadway. Incentives are a typical and highly utilized part of Character Based Codes as a means of exceeding minimum character requirements.	An increasing number of communities have incorporated character based codes in very specific areas by designating the area as a "special district".	Composite zoning has been nicknamed a "cafeteria-style" approach to character. It has enjoyed an increased level of interest among communities seeking a means of capturing some level of community character while continuing to place strong emphasis on use.	Focuses on easily understood general character classes, such as Urban and Sub-Urban with a variety of more highly defined subcategories. Performance zoning is appropriate for communities that seek extensive flexibility and creativity in site design and in achieving community character. The number of districts used in performance zoning is dictated by the number of character classifications. Performance zoning is particularly well designed to adapt to existing conditions.	Form Based Code is best known for its attachment to New Urbanism. It focuses on six districts ranging from Natural Areas (T1) to Urban Core (T6) based on intensity of development and various additional urban design criteria. Form Based Code is considered the antithesis of Euclidean zoning due to its minimal consideration of land use.
Pros	In its basic form, it is easy to understand and implement, largely as a result of decades of implementation.	With a Euclidean zoning code, a separate set of subdivision regulations is how urban form is regulated. Subdivision Regulations are critical to regulate the way property is subdivided and infrastructure is constructed including streets, water and sewer.	Provides a consistent set of regulations, common definitions and can provide greater predictability within the development process.	Overlay districts can address the uniqueness of a specific area and provide a widely accepted means of better addressing community character and urban form. Although rarely done, a site can be located within more than one district to even further address distinct circumstances.	Planned developments provide flexibility and "guarantee" through zoning that a development proposal will be constructed as proposed to an agreed upon standard.	Provides flexibility and reflects community values in a market friendly fashion.	Allows the community the opportunity to fully address character in a limited area, either as the area with the immediate potential for use or greatest impact, without completely revising current requirements.	Provides a more holistic approach to community character than hybrid tools added to Euclidean zoning. Selection of components from an established menu allows for a wide variety of combinations and reduces the need for variances. The menu of previously established options provides flexibility while making the process more predictable.	Provides flexibility in site design within the context of achieving a desired level of character while eliminating negative impacts. Number of districts can be as extensive or limited as needed. Works exceptionally well with incentives.	Considered to be the most "market friendly" form of development regulations due to its lack of focus on land use. In its purest sense, a form based code can be the simplest code to implement. The Smart Code, a derivative of Form Based Codes has been created to respond to more traditional planning needs.

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Cons	It is very rigid and provides the least amount of flexibility. Focus exclusively on land uses and the strict separation of uses with little emphasis on character can inadvertently prohibit traditional walkable mixed-use developments and encourage sprawl. Commonly considered outdated, economically inefficient and unable to keep pace with changes in uses and the market. Attempts to address character results in creation of excessive number of "fine-tuned" use based districts and additional incorporation of form based measures.	Subdivision regulations establish minimum standards for subdividing land with little or no emphasis on urban character or form. For example, there is little or no flexibility when designing a street section in a mixed-use development.	No increased benefit specific to community character or urban form. Many UDO's are simply the combination of all regulations into one document with little additional focus on the city's urban form or function.	Because of their wide acceptance as a simple solution to character and urban form issues, overlay districts can be over utilized. Multiple zoning districts on a single site can be cumbersome to follow or administer. Over use of overlay districts is a typical indication that base development requirements may be out of date or not appropriately aligned with community values.	Planned Development is a time-consuming and tedious process that involves multiple parties including the Planning Commission and Board of Appeals, in addition to the efforts of staff. Planned Development can be difficult for staff to administer because each planned development is unique and the development standards vary. Like overlays, too many attempts to implement Planned Developments is a typical indication of significant flaws in typical development requirements.	Incentives are unreliable because they are an option. Incentives can become complex to administer and require more staff time, particularly in regards to educating developers. Incentives must be regularly evaluated to make sure they align with the community's goals, are in proportion with what the City is obtaining, and are sufficiently attractive to achieve their objective.	Literally requires staff to operate under substantially different standards in designated locations in a manner similar to Planned Development. Different requirements can require increased time and effort from staff and additional education for developers and property owners.	The number of possible combinations of use, site and architectural elements can be confusing and difficult to administer and maintain. Simple changes that may have previously been accommodated administratively requires a complete rezoning of a property.	If permitted, performance criteria can become complex and difficult to interpret or follow. Some criteria may require extensive understanding and training by staff. Use as part of one or more special districts could become difficult if the number of performance districts is extensive.	Placing existing developed areas into the Transect can be difficult and the source of significant debate. As a result, it can difficult to convert an entire existing community to a Form Based Code. Form Based Code and the Transect are not intended for use with automobile oriented development patterns. Incorporation of intensive design requirements (an option is implemented, to a certain degree, in almost all form based codes) can make the code "design-heavy", cumbersome and less market-friendly.
Current Use in Annapolis	Annapolis utilizes a Euclidean based code with attempts to address character using various hybrid tools.	Annapolis utilizes a separate set of Subdivision Regulations, although usefulness is limited under nearly built-out conditions.	Annapolis does not utilize a unified code.	Annapolis currently offers four types of overlay districts with distinctly different purposes. The most recent, the Eastport Gateway Conservation Overlay District, perhaps comes closest to addressing a common sense of community character.	Annapolis offers three types of Planned Development, including Residential Planned Development, Business Planned Development and Special Mixed Plan Development.	Incentives have been used by Annapolis as a means of encouraging development of affordable housing units, however, results have because maximum allowable densities are rarely met.	No special districts are currently used in Annapolis.	Not currently used in Annapolis.	Not currently used in Annapolis.	Not currently used in Annapolis.
Potential to Meet Comprehensive Plan Policy Requirements	Difficult to implement the Comprehensive Plan without use of hybrid tools.	Difficult to implement the Comprehensive Plan without use of hybrid tools.	Difficult to implement the Comprehensive Plan without use of hybrid tools.	A reasonable option, but with a risk of resulting in too many overlays or creating a system that is complex and difficult to manage or use. Overlays should be used on a limited basis and in a designated area.	Only recommended for clearly unique circumstances such as major TOD sites or in other instances where typical character based tools would be insufficient.	Like overlays, incentives are a reasonable option, but should be used to promote a minimal and strategic number of desired traits. Broad use would require critique of existing bulk requirements for market "reality check."	A clear and reasonable option that would allow Annapolis to test character based planning in critical areas such as Outer West Street.	An option for Annapolis as a complete conversion of the existing code. Composite zoning may be difficult to incorporate into existing zoning as one or more special district because it results in a myriad of districts.	Particularly suited to the Annapolis Comprehensive Plan as a complete conversion of existing development regulations. Performance zoning could initially be used in "opportunity areas" established in the new Comprehensive Plan.	A difficult option for communitywide implementation. An option for Annapolis in opportunity areas, particularly in regards to the Katherine Properties.