

## **COLUMBIA PIKE, ARLINGTON COUNTY VIRGINIA**

### **BACKGROUND**

To proactively stem the tide of minimal investment and/or disinvestment in the Columbia Pike Corridor, the County Board announced the creation of the Columbia Pike Initiative in 1998. The goal of the initiative was to build a safer, cleaner, more competitive and vibrant Columbia Pike community. Through the course of numerous meetings with the community in 2000 and 2001, a long-range vision and plan was established that focused on economic development, land use and zoning, urban design, transportation and public infrastructure initiatives, as well as existing and future open space and recreational needs. The development of the resulting two-volume *Columbia Pike Initiative - A Revitalization Plan*, adopted in March 2002, was a cooperative effort between County staff, the Columbia Pike Revitalization Organization (CPRO) and area residents, business and property owners.

Following the adoption of this plan, the community participated in an intensive charrette in the fall of 2002 that produced specific design recommendations which became the basis of the Columbia Pike Special Revitalization District Form Based Code, adopted in February 2003. The Form Based Code represents a cutting-edge, revitalization and redevelopment tool. It is a legal document that regulates land development by setting careful and clear controls on building form – with broad parameters on building use – to shape clear public space (good streets, neighborhoods and parks) with a healthy mix of uses. With proper urban form, a greater integration of building uses is both natural and comfortable. The Code uses simple and clear graphic prescriptions and parameters for height, sitting and building elements to address the basic necessities for forming good public space.

### **COMMENTS**

**INTA MALIS:** Planning Commission Member and Chair of the Form Based Code Working Group

*Background/Process:* “Once you have your vision, you select a tool. We choose to use FBC in the Columbia Pike Area. In this area, many decisions are made in advanced. The community and political leaders fill a position of monitoring for compliance. The planning commission theoretically reviews it for compliance, yet only sees projects of a certain size. If the site is large (40,000 sq. ft.) , we will review it. If smaller, those projects do not go to the board. Although the Planning Commission does review some projects, we are only reviewing it for compliance with FBC. The board has little ability to modify a proposal, and of the modifications that we can make, they are minor in nature. The hearings in front of the Planning Commission and then the County Board are less of an opportunity to change projects, but more of an opportunity for citizens to speak and to vent if they needed to, but nobody ever does. For us, not having the ability to change the requirements for a developer was very important part. If commissioners and board members believe they have the right to change something about a project there is an expectation of negotiation. We didn’t want that. “

*Community Impressions:* “The community is satisfied. None of the projects completed or currently proposed have been meet with any controversy. Pike people appreciate the predictability, and since they were a part of the process of creating the code, they know what they are going to get, and have approved it a long time ago. Also the FBC process, was incorporated in what the community wanted, like pedestrian access, sidewalks and on-street parking. Showing the community what could be

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accomplished with the FBC made the idea tangible to the community. It brought a community that was removed from the process and knew little about planning into a very active and involved community.”

The reason we pick the FBC for Columbia pike was because commercial area that is declining. It was to jump start re-investment. Developers like the process simple because of the quicker process and higher predictability. The FBC has allowed the Columbia Pike area to grow from a declining area to an area of reinvestment. “

*Change in Control:* FBC has offered less control of projects for planning commissioners, yet in the end there is higher predictability. With FBC, you lose the ability to negotiated. “The community really wanted reinvestment in this area. That reinvestment in the area was worth the loss in control of site review. Yes, you lose some degree of control, but it is still worth the benefit of having predictable development. In fact, the code did exact what we wanted it too. The projects we have gotten using the FBC are really good. The nice thing from a staff perspective is a lot of work happens before the actual application. In that process if you are a skill staff member, you can help shape that project. There are several opportunities for staff to get better quality. Even though the public doesn’t have obvious opportunities to make changes, staff does, and the developers have an idea of what this community wants and have been willing to work with staff. The buildings we are getting with the FBC are just as good as or better than the buildings we get with the highly negotiated review process.

*Changes/Do-Overs:* After the FBC was approved, we realized the code wasn’t perfect. It wasn’t perfect because there were technical issues, like a provision is in conflict. We categories for changes to the code, 1.) change to the vision 2. Technical shy away from changing the vision. We had problems like, what happens to the façade when it turns the corner? We had to go back and change the requirements for civic buildings. Also, we had a building type for townhouses that could be compliance but still create stacked apartment flats which wasn’t really our intent. These types of things were missing in the FBC. I recognized that the code would need to be modified, so to review issues and make recommendations we set up a community working group that meets on a monthly basis to handle these issues. We still have some unfinished work such as where we located alleys. All in all we are getting exactly what we wanted out of the code, and make modifications as needed along the way.

*Advice:* “I work with FBC and helped create it so I’m not entirely unbiased. It’s a zoning tool that has some advantages and disadvantages. By in my view, the advantages out weight the disadvantages. FBC is really in favor of neighborhood control and that’s a positive thing. Neighborhoods have assurance that development will look good. All planning is intended to create predictability, and site plan review is not predictable. It gives community members an advantage. I don’t think you will go wrong with the FBC, and I vote yes for the FBC.”

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**TAKIS KARANTONIS** Executive Director, CPRO Columbia Pike Revitalization Organization. CPRO is a coalition of businesses, civic associations, property owners, and the Arlington County Government.

*Background:* The Columbia Pike area is an urban area, with a strip mall style building layout with no exit from the major highways. Typical urban corridor in 50s and suburban irregular grid. Is roughly a 4 mile stretch and before the FBC experienced a 30 year period with no new development. With the FBC, this area has really grown. 12,000 new apartments have been already built. This project has increased density and has residents already living in it. Furthermore, the FBC has influenced the redevelopment of buildings, bringing them closer to the street and putting more sidewalks in to create a more walkable area. This walkable attracts customers and has encouraged more business to come and more to

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redevelop. “We are still in a transition phase, and not everything is pretty, but Columbia Pike is now a destination, it is a place because of FBC.”

*Predictability:* “Key feature is that FBC makes development predictable.” “Nothing more power than predictability.” Huge process difference. Went from a potential two years process to a six month process. Developers like the predictability, and it is this predictability that has increased growth and development in an area that has been stagnant for 30 years.

### **Challenges**

*Modifications:* To deal with potential problems or future code modifications Columbia Pike has a FBC advisory committee which is comprised of planning staff, civic associations, this organization, general citizens, and sometimes attorneys. This committee exists to make recommendations to revise the code. Example of problems that the advisory committee has discussed: Are there different levels of privacy of first floor depending on the use?, How much parking space for a hotel, since in the current FBC its is considered commercial, and potential infeasibility of underground parking.

*Fear of change:* Some citizens, a minority actually, were concerned or skeptical. They had misconceptions like, “You want to build skyscraper!” Neighborhoods, single family homes were concerned. What are you going to build? Not easily understand.

*Response to change:* The process of adopting the FBC included citizens (business owners, residents and other civic organizations). Creating transparency. Here, the citizens were highly participatory and wanted to be involved. CPRO and staff had charrettes in which citizens participated. “It creates a far more engaged community but also creates more buy-in for all parties. Citizens feel like they have an investment in the future of the community.” It involves them. Input of a whole region. At the end far more educated. Staff and CRPO asked citizens to slip into the shoes of others. Asked broad members to think like a developer and asked developers to think like a resident of the community they wanted to build in. Perspective of someone else. Ask them to discuss issues like open spaces and public transportation, and really wanted people to think of how they live. Asked questions like, “What do you think it would take to get development/economic development/growth/jobs in this area? To questions like, “Why do we need sidewalks? “ Wanted to really educate its citizenry. “This process created invaluable civic equity”. Workshops were held to educate community. Exported public education to other company. “Our citizens are comfortable with this code because they know what it is going to look like. “The citizen and commercial stakeholders are very satisfied with the product. The expectations and results are very tangible. People can relate.” “The FBC has created a sense of place and people love it here. People feel connected.”

### **General**

“FBC really delivers value. It is a different tool, but is an exercise that creates excellence for a community.”

“I love it. It has deliver better than anything else!”

“The community that doesn’t need a car, is beginning to be highly competitive.”

“Not deciding for today but deciding for tomorrow. Imagine your city 30 years from now. “

“Being closer to a higher density urban area is going to be a benefit to property values.”

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“Your role as a planning department is going to change. You are now a department that is advisory and is a regulating unit. With the FBC, you will be more of an educator.”

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### **JENNIFER SMITH: Arlington County - CPHD - Planning Division**

#### ***Plan Review***

*Background:* Historically, the Columbia Pike area was stagnant in development with mostly low scale auto-oriented commercial buildings. In between the commercial areas were garden apartments that were constructed decades ago. Since that era, not much has changed for Columbia Pike.

*Adoption:* Pike Revitalization Plan started in 1990s as a long-range planning project and finished and was adopted in 2002. The plan started because of the community there was calling for changes. Before the adoption of FBC, this area followed a typical site review process of special exception and discretionary review. Longer process and was always viewed by planning commission and then county board. “This project started out of community interest and that may be different from the initiation FBC in Dublin, Ohio.” The idea to use the FBC also came from a county commissioner who heavily supported the idea of creating a FBC for Columbia Pike and was instrumental in getting it approved. Additionally, since the adoption of the Pike Revitalization Plan in 2002, the county has made large investments in transit making bus routes very efficient and are heavily used. Dover, Kohl & Partners worked as Columbia Pike’s consultants on the FBC. The community was involved every step of the way and they had hundreds of meetings. “If that partnership with the community didn’t happen, I don’t know if the code would have made it.” At the adoption of the FBC, the actual parcels did not get rezoned. Each land owner had the option to use their zoning and go through the typical site plan review process or they could opt to use the FBC. “In a way, the FBC for this area became our new by-right zoning for the parcels.”

“FBC was intended to incentivize development in the Columbia Pike area. The community said they wanted a streamlined process and more predictability.”

#### ***Process***

Development review fees are much smaller.

“ Much shorter approval process, developers are looking at a one to two month zoning review process from start to finish.” “Project review is abbreviated and limits community review. It is no longer a community conversation.”

#### ***Preliminary Submission***

“One thing we did to ensure compliance and streamline approval was to have a preliminary submission process. Until a developer can demonstrate that the project is in compliance with the FBC, they are not permitted to submit an final application. A team of inter-departmental staff members are responsible for reviewing the preliminary application. Each review is completed in 30-45 days. To do this we have an online checklist of the FBC requirements. Each staff member goes through the checklist to review the application. After the completion of the checklists, we meet with the developer to review the checklists and discuss where the application is noncompliant. We repeat this process if needed, however, at this

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point we hope that they would be making adjustments. The window of review time for the revisions review would decrease normally. “

### *Final Application*

We have two tracks for approval, those proposals under 40,000sq. ft. and those over 40,000sq ft. In the less square footage proposal, staff and the community group reviews the preliminary submission(s) and is responsible for the approval of that final application (This is typically a one month or 30 days process). For those proposals greater than 40,000 square feet, and for those applicants requesting a modification or deviation from the FBC requirements at any size are required to have approval from the county board of commissioners (This is typically a two month or 60 day process).

### *Community Group*

“When someone is approx 95% complete we schedule a meeting with the community working group. This group compromise of 12-15 people (one representative from each civic associations, an architect, and chaired by a planning commission member). Staff meets with this community group regularly. Their responsible is go through checklist much like staff. When the community group agrees with staff, then the applicant may file a final application.”

### *County Board*

For the County Board approval it requires the community meeting as well a meeting with the planning commission. These meetings are completed within that two month time frame. The conversation at these meetings is suppose to be, “ Staff has accepted this application as compliant with FBC regulations, do you concurred?” The conversation gets grayer if there is a modification request. However, applicants do not go to either the community meeting or the planning commission unless staff approves.

### **Completed Projects**

We have approved 1,200 apartments and 250,000 commercial space since 2003 with a majority of it constructed. Roughly 170 apartments have yet to be built, as well as 80,000sq. ft. commercial space since developing. Of these projects, one includes a community center done by the city (64,000sq. ft.) Arlington Mill Community Center (two-frontages) was approved and adhered to the public buildings format, which is different than normal. Behind the community center are 122 affordable apartments under construction.

### **Developers Reaction**

“We have approved a lot. Brand new tool, a lot of developers said they like this. According to them its quicker more predictable process.”

### **Challenges and Advice**

“The process in 2002 to adopt the FBC was about six months at the most from start to finish. If we could do it all over again, we would want more time to test drive the code. “ “My advice to your community is to take more time and really test the code before you adopt it.” “In retrospect, we would have taken hypothetical parcels and pretended to be an architect, an engineer, an developer and actually apply the code much like they would.” “One of the biggest challenges has been when reviewing applications and realizing the requirements weren’t quite what we were looking for or that the requirements weren’t

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clear enough. For the developer, this process of staff re-evaluating the code while also reviewing the proposal is frustrating and is something we would have liked to avoid.”

“Today, we have processed a laundry list (staff reports available online) with 13-14 modifications. Some of which were changes done after a project was approved, which is something we didn’t want. Other modifications were technical modifications to get at better clarity.” “Lastly, If you haven’t done any outreach with architects you should do some outreach. “

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### **GENE LEAR:** Peoria Planning Department

*Background:* A city of 115,00 people and are 150 miles from Chicago. For years, we like most communities had a zoning ordinance that addressed or was more suited to the automobile and fast food/drive-thru related uses. Auto related uses really left out the pedestrian. Had high degree of separation with residential (single-family) having 5 different classifications. Still in existence in the newer parts of town (Roughly 2/3 of city). This worked for new development mostly, but when it came time to in-fill it was a mess (especially in older district) and required most applicants to apply for variances and etc.

One city council member was a big proponent of a new code. “You really need a council champion to support this and stay with this.” The political entities are huge. “We got swept up in the smart code business. The legislative branch, didn’t understand all of the ramifications but they bought in, but people were saying this is the way to go so it went. Certain people push, and the rest agreed.” Hired consultants to do a form based code. Did one week charrette. Then did a plan on public feedback in 2003. Heart of Peoria was the plan, which was roughly 1/3 of the total city in the older part of town. The FBC area had an existing grid pattern, and the FBC was a 30-40 year plan.

*Process Before:* Fortunately for us, we had a process called the site plan review board. Here city staff such as public works, zoning, inspections, people from utilities, sanitary and sewer, and the health department review plans. So anything that needed a building permit, it came here first. This board usually reviews development applications within a week. If you meet all of the requirements, we issued a certificate. Special uses (PUDs) are rare. We have maybe a total of 5 in the community. Special uses require city council approval. This usually extends the process to 45 days. In the FBC, we omitted special uses.

*Intent:* “ The intent of doing a FBC was to increase quality. If you are going to put up a McDonalds building, you know that its not designed to last. Its fast pace, and not quality. The stuff that is coming in the FBC areas is higher quality and it is because if you are doing something at the pedestrian level, instead of driving past at 45mph, it makes a higher quality building. It begs to have a higher quality nature and sense of place.”

*Implementation:* Large collaboration between the public works department and the fire department. The consultants stated that the older part of town is set for pedestrian activity, yet your code is set for

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suburb and automobile activity. The city wanted pedestrian activity. Friendly plan. You have to calibrate the plan to bring it to ground level.

- Heart of Peoria area has a 13 people commission 13 that were heavily involved in the adoption of the code. Mostly millionaires on that commission. Wanted to help community. At first we were going to use a smart code, because that was recommended by consultants. Tried smart code for about a year, hundreds of meetings to try to get it into place using just city staff effort because we did not have the budget for a consultant at the time. In the meantime (between plan and code)we were keeping the politicians in the loop. Advice “You need that public input, and you need that on a constant basis, because people forgot and don’t understand, without that it simply won’t work.”
- As staff, this process was new to us. We were looking at the new urbanists theme, and at the time we were in over our heads with trying to do a smart code. The director at the time, managed \$180,000 for an RFP to find a consulting firm.
- Within this acreage we look at specific areas. Became political. Here is when we moved to a specific form based code with four different classifications. Because we wanted to incorporate the FBC into more areas of the cities we managed to get a hybrid of the old code and FBC for some of the areas directly outside of the older district.
- Before adoption, we sent the code to everyone we could think of, and presented the information. We sent the code to everyone from school teachers to business leaders, basically anyone that would read it. “I’m grateful for the consulting firm was always there and always answered questions, and we are still calling them today.”

*After Adoption:* “This is not a bed of roses. Developers don’t like change. But in the end, if they can make money from it they will support it.” We have had some develop, and by in large it has worked. In the hybrid area, we have had issues, but that is just due to the nature of the kind of development that currently exists in the area and the type of development that wants to stay in that area. The FBC area had intense public participation, but in the outside area (Hybrid area), we just pulled elements and mixed them with old zoning without a lot of public participation. One of these main corridors is at the time where the fast food places are ruin down and put new buildings. High push back now, and members of this area are wondering why they weren’t involved in the beginning. We need to make improvements to the hybrid area for sure, and plan to do so. Development in the actual FBC area is working, its mostly residential but we haven’t had many problems.

*Acceptance:* Overall, the community was onboard. With the political push of a few key players, everything more or less fell into line. We had several meetings with business leaders, community leaders, the public, and city council, but for the most part, even if people didn’t really understand what we were proposing, enough key players did to push it through. “In the more recent projects (residential) people in the community have been relocating to live in the older district which was a unexpected but pleasant surprise for us.”