

Breaking the Code

Fremont frees up its zoning

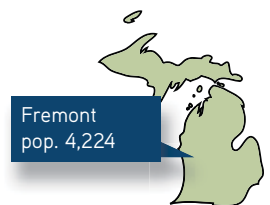
The city of Fremont set out to make some real changes to the physical environment of the city. In 2005, it created a downtown redevelopment plan through the Blueprint for Michigan Downtown program and has worked ever since to implement it. One of the recommendations in Fremont's Blueprint plan was to add some pizzazz to the downtown. The city has done so by implementing a rental rehabilitation program, a façade grant program, and a façade revolving loan program. The city now has something to boast about—decorative downtown banners, an extensive flower program, new downtown signage, as well as its new city-wide way-finding signage.


Mayor Rynberg explains, "All these programs made significant positive changes in our city's streetscape; but we also wanted to promote changes to the built environment city-wide, which required major changes to our zoning code."

Further, he says, "We needed to create a new zoning code that promotes a style of development which would retain the historic character of our residential neighborhoods and downtown business core while preserving rural areas that may be threatened by conventional development."

By Michele Ribant

21c3 Asset: Physical Design & Walkability





The previous ordinance adopted, in 1982, was outdated and conventional. The uses were segregated, which contributed to urban sprawl within the small city of approximately 4,500 residents. Fremont, like many communities, was not happy with the results of development under the conventional code. The code did not promote practical ways to grow smarter. It was quite obvious the city had to adopt a new zoning ordinance to achieve the desired changes in the overall built environment. The thought was, if the city adopted a form-based zoning code, which was prescriptive in that it specifically outlined what is required of new design, it would achieve the look in community design, both residential and commercial, that was desired. Therefore, in 2005, the city contracted with LSL Planning to facilitate the development of a new zoning code.

City officials wanted to make sure their vision of the community matched the citizens of the community, so before the

and dimensional requirements, whereas form-based zoning focuses more on building form and how it relates to the public streetscape. In Fremont's new code, the commercial and residential districts are form-based, whereas some of the districts, such as the Industrial District, are better suited for development under the traditional yet updated regulations.

The elements of Fremont's form-based regulations that have produced desired results are as follows:

- The streetscape has been defined by the building placement fronted along required sidewalks with minimal, if any, parking in the front yard.
- Mandatory façade elements (e.g., base panel) are required on commercial buildings that help retain or create historic character.
- Building façades facing public streets have a minimum and maximum percentage of window and door openings.

“The old code contributed to urban sprawl...[and] did not promote practical ways to grow smarter.”

creation of the new zoning ordinance began, a charrette was conducted. It was clear from the results of the charrette that the community wanted a zoning code that did the following in order to create their vision for Fremont of “rural sophistication with historic character:”

- Creates and preserves places that are pedestrian-friendly
- Promotes mixed-uses
- Pays attention to integrating the public realm with the private realm in order to create a “sense of place”
- Focuses on creating site design and building form that retains the historic character of the community in both residential and commercial areas

City staff also wanted to do the following:

- Simplify the code itself by using more graphics and less text
- Create a set of definitions that spell out the code's technical terms
- Make the development review process easier for developers so they know exactly what is expected

The challenge was to develop regulations that bring to life the community's vision, and the form-based zoning code seemed the way to do that. After a two and a half year process, in October 2007, the city adopted a hybrid form-based code.

A hybrid code combines elements of form-based zoning and conventional zoning. Conventional zoning focuses on use

- Building lines state exactly where the front of the building is required to be placed instead of stating minimum setbacks.
- Building heights have a maximum and a minimum requirement in the Downtown Main District.
- In the Downtown Main District, regulations are in place to promote retail uses on the first floor and residential or office uses on the second floor.
- In residential districts, there are requirements for front porches or stoops and sidewalks.
- Building materials are regulated in commercial and residential form-based districts.
- The code has minimum and maximum parking requirements in commercial districts.

The Fremont Planning Commission has fine-tuned the code since its adoption. If the same request is made on different projects for deviations to the form-based elements of the code, the issue is reviewed, which has resulted in zoning ordinance amendments. The planning commission


FREMONT'S HYBRID CODE

A hybrid code combines elements of form-based zoning and conventional zoning. Conventional zoning focuses on use and dimensional requirements, whereas form-based zoning focuses more on building form and how it relates to the public streetscape.



Clockwise from left: Spanky's Pizza demonstrates Fremont's regulation of building materials through form-based codes; the movie store is typical of a pre-form-based code building; whereas the Newaygo County Credit Union typifies what the city hoped to achieve by requiring sidewalks and parking in the rear as opposed to the front of buildings.

strives to adopt regulations that promote the 10 tenets of *Smart Growth*, which are the community's goals as outlined in the Fremont Community Joint Comprehensive and Growth Management Plan.

In terms of the success of the hybrid form-based zoning ordinance, Mayor Rynberg states, "While the average citizen may be skeptical regarding the role zoning plays in creating the look or feel they like in the community, the city has received many compliments on the quality of new development, which is in large part due to the regulations in the new code." Mayor Rynberg contends that city officials, including the planning commission, are charged with ensuring the community's vision for Fremont's built environment is realized. Rynberg states that his hope is that the citizens enjoy the higher quality of life that goes along with the implementation of the community vision. 

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