

SmartCode Implementation Options

	Description	Pros	Cons	Examples
SMARTCODE MUST BE USED:				
Mandatory/ Exclusive (mapped at time of adoption)	The SmartCode is the exclusive and mandatory land development code in all or part of the municipality.	<ul style="list-style-type: none"> Requires TND development, so prevents development patterns the municipality does not want. Staff, public officials, and development industry only have to know one system. 	<ul style="list-style-type: none"> Usually generates heavy political opposition, which creates strong political pressure to water down the code. Staff, public officials, and development industry must learn a new system all at once. 	<ul style="list-style-type: none"> Miami 21 Petaluma CA (downtown) Pike Road AL (certain sectors) Montgomery AL (downtown)
LANDOWNER CAN CHOOSE TO USE SMARTCODE OR CONVENTIONAL CODE:				
Parallel (mapped at time of adoption)	The previously existing conventional Euclidean zoning code and the SmartCode are both mapped and available. The landowner elects which one to use (i.e. the SmartCode is available by right without a rezoning), subject to certain limitations. Once the landowner chooses to use the SmartCode, all requirements apply.	<ul style="list-style-type: none"> Provides two alternative development options More choice leads to reduced political opposition to adoption Less political pressure to water down the code Incremental approach to adoption, which provides time for staff, public officials, and development industry to learn the review and approval process 	<ul style="list-style-type: none"> Using the code is optional, so it may never be used. Does not require TND development Staff, public officials, and development industry must be familiar with two different kinds of standards 	<ul style="list-style-type: none"> Lawrence KS – in process
Floating Zone (not mapped at time of adoption)	The SmartCode is adopted, but no regulating plans are mapped. If a landowner wants to use the SmartCode, s/he must get the land rezoned and prepare a New Community Plan that includes the regulating map. This option is similar to a conventional Planned Unit Development (PUD) process, with the SmartCode requirements serving as the PUD standards.	<ul style="list-style-type: none"> Does not require mapping Sectors and T-Zones at the time of adoption Provides an option for developers who want to create TND Less political pressure to water down the code Incremental approach to adoption, which provides time for staff, public officials, and development industry to learn the review and approval process 	<ul style="list-style-type: none"> Using the code is optional, so it may never be used. Does not require TND development Staff, public officials, and development industry must be familiar with two different kinds of standards 	<ul style="list-style-type: none"> Montgomery AL (original adoption and currently outside downtown)
Use Added to Existing Zone (change to code only; no change to zoning map)	SmartCode provisions are added as a by-right or conditional use within existing zone(s)	<ul style="list-style-type: none"> Provides an option for developers who want to create TND Less political pressure to water down the code Incremental approach to adoption, which provides time for staff, public officials, and development industry to learn the review and approval process 	<ul style="list-style-type: none"> Using the code is optional, so it may never be used. Does not require TND development Staff, public officials, and development industry must be familiar with two different kinds of standards Location of existing zones may not match desired locations for SmartCode provisions. 	<ul style="list-style-type: none"> New Castle County DE – in process