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AN ANALYSIS OF PUBLIC AND PRIVATE DESIGN REVIEW  
NEO-TRADITIONAL DEVELOPMENT STANDARDS  
AND HISTORIC PRESERVATION ORDINANCES

Jean Ellen Janson

A THESIS

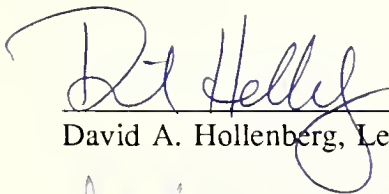
in

Historic Preservation

Presented to the faculties of the University of Pennsylvania in  
Partial Fulfillment of the Requirements for the Degree of

MASTER OF SCIENCE

1993




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## **PREFACE**

This year-long project is intended to fulfill the master's thesis required by the Graduate Program in Historic Preservation, and the professional project required by the Graduate Program in City and Regional Planning. As a joint degree candidate for the Master of Science in Historic Preservation and Master of City Planning, this project enabled me to select a topic related to both fields of study, and to combine my research and written work into a single document.

I would like to thank my advisors, David Hollenberg, Lecturer in the Graduate Program in Historic Preservation and John Keene, Professor and Chair of City and Regional Planning, for their constructive criticism over this past year. Both have challenged me to think and write more clearly, and I appreciate their probing questions and patience in letting me answer. Thanks also to those faculty in both departments who have given advice on this topic, Lee Copeland, Stephen Putman, and Christa Wilmanns-Wells.



## INTRODUCTION

The neo-traditional movement appeared in the design and planning fields in the early 1980s, prescribing a re-evaluation, appreciation, and re-creation of the American small town as the solution to an increasingly disillusioned view of the suburban environment. Andres Duany and Elizabeth Plater-Zyberk are perhaps the most outspoken and well-known of the architects, planners, and urban designers who support a neo-traditionalist perspective. Other practitioners who have been identified as neo-traditionalists, or who support the movement include Peter Calthorpe and Douglas Kelbaugh on the west coast, who have collaborated on the "Pedestrian Pocket," a concept of urban villages now under study by regional planning associations such as Thousand Friends of Oregon and the Puget Sound Council of Governments; Jonathan Barnett; Alan Ward of Saski and Associates Architects in Boston; RTKL Architects in Baltimore; and the planning firm Teska, located in Evanston, Illinois. But of all the neo-traditionalists, Duany and Plater-Zyberk have received both the greatest accolades and criticism.

The work of their firm, Andres Duany and Elizabeth Plater-Zyberk Architects Inc.<sup>1</sup> is continually debated in mass media such as the *Wall Street Journal*, *Time*

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<sup>1</sup>For the remainder of this thesis, the architecture and planning firm, Andres Duany and Elizabeth Plater-Zyberk Inc., will be referred to as DPZ.



*Magazine*, various trade journals, and architectural and planning journals, including *Historic Preservation*. Their work is well-known in Europe; the Prince of Wales has hired DPZ to write urban codes for Poundbury, a new town he is developing in Great Britain. DPZ is best known for its innovative urban codes that regulate accepted vernacular architectural forms and their arrangement, and is primarily engaged in designing new towns, the forms and layout of which recall the traditional villages and small towns of America. (See Figure 1.) It is most widely recognized for the design of the new town Seaside, in northwest Florida. Since designing Seaside in the mid 1980s, two books and an exhibition at the Harvard Graduate School of Design have chronicled DPZ's new town commissions, which in 1992, resulted in \$1.5 million in billings.<sup>2</sup>

Duany and Plater-Zyberk consider these current planning practices to be the cause of suburbia: zoning and building codes that prevent pedestrianism and community centered developments; road requirements administered by state and county highway departments that thwart neighborhood environments, and a general lack of ingenuity by both individual developers and planners. Duany continually cites studies (which he does not footnote), that show that the majority of Americans, including those presently living in suburbia, would prefer to live in a pedestrian-friendly, small town community.<sup>3</sup>

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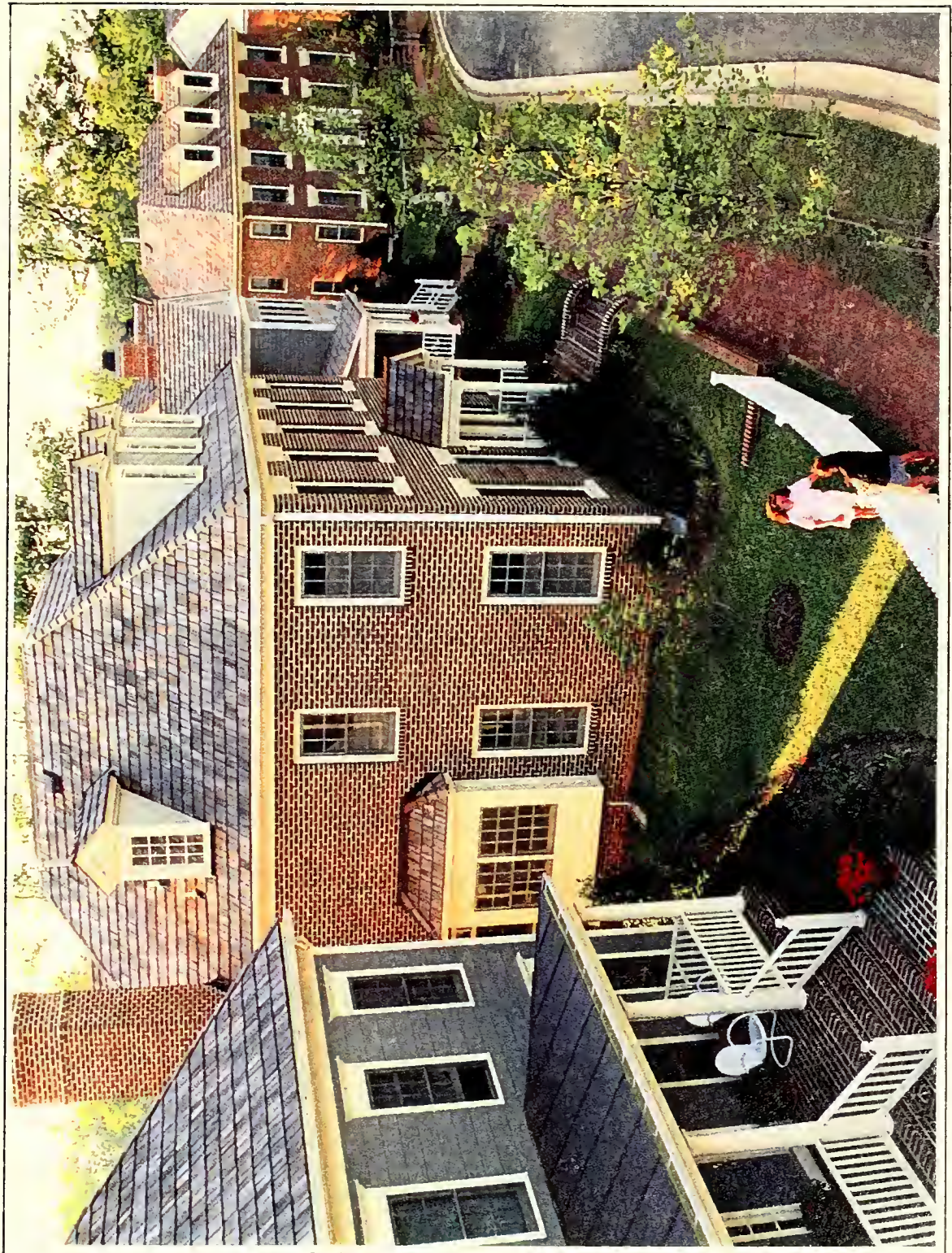
<sup>2</sup>Eric Morgenthau, "Old Style Towns Where People Walk Have Modern Backers." *Wall Street Journal*, February 1, 1993, sec. 1.

<sup>3</sup>Andres Duany, "Traditional Towns," *Architectural Design* 59 (Sept/Oct 1989): 64.





**Figure 1.** Neo-Traditional street scene, Holmard Street, Kentlands, Gaithersburg, Maryland. Andres Duany and Elizabeth Plater-Zyberk, et. al., Town Planners.







By designing towns using pre-industrial imagery and arrangements, re-centralizing and increasing the density of development, and therefore redefining the organization of suburbia, DPZ presumes that planners and architects can alter and improve American community and society. But perhaps the most controversial and inseparable feature of DPZ's master planning is its overwhelming dependence on design review to implement its vision. By re-creating the physical forms of the towns DPZ admires, the firm concludes that it can also change the underlying social characteristics of suburbia, some of which include: lack of affordable housing, isolation of the elderly and young, dependence on the automobile, and lack of community unity.

The motivation for this thesis was an article published in the May/June 1992 issues of the magazine, *Historic Preservation* by Andrea Oppenheimer Dean entitled "Their Town, Andres Duany and Elizabeth Plater-Zyberk's Embrace of Traditional Community Planning isn't Just Nostalgic, it's Intelligent." Dean suggests a commonality between historic preservation and neo-traditionalism in their shared fundamental interest in, "salvaging a traditional American way of life."<sup>4</sup>

Because DPZ has a great supporter in Vincent Scully, and because their planned communities resemble in some instances the historic districts preservationists are advocating, Dean accepts the neo-traditionalist's arguments, and writes, "what is perhaps Duany and Plater-Zyberk's greatest accomplishment is the ability of their

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<sup>4</sup>Andrea Dean, "Their Town, Andres Duany and Elizabeth Plater-Zyberk's Embrace of Traditional Community Planning isn't Just Nostalgic, it's Intelligent," *Historic Preservation* 44 (May/June 1992): 56.



urban plans to make and grow communities."<sup>5</sup> Dean allows Duany and Plater-Zyberk's self-promotion to ring unfiltered through the text of her article. Her uncritical attitude is perhaps best exemplified in her choosing to allow Duany to end the article, with a criticism of "suburban pods" that look like old town centers, claiming these pods may "photograph better than our work, but their urban plan won't mitigate the social, environmental, or traffic problems of suburbia."<sup>6</sup>

My reaction to this article was that Dean drew a parallel between two disciplines which wrongly suggested an equation between neo-traditionalism and preservation. Furthermore, it was apparent that Duany and Plater-Zyberk vastly oversimplified the issues associated with the causes and criticisms of suburbia. Neo-traditionalism focusses only on the physical and aesthetic expression of suburbia, not on the social and economic realities which create it. Therefore their methods would be ineffective in transforming suburbia on a large scale. With a practice based almost entirely on the physical control of space, neo-traditionalism suggests a continuation of the physical determinist philosophy characteristic of urban renewal in the 1950s and 1960s, and the modernist movement in architecture of the 1920s that theorized that buildings alone could affect social structures.

Essays by and about neo-traditionalism suggest that the identification and eradication of blight, the language of urban renewal, has shifted from urban cities to

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<sup>5</sup>Ibid. 61.

<sup>6</sup>Dean: 61.



the suburbs.<sup>7</sup> While the field of historic preservation is also based on the control of the physical environment, it recognizes the limitations of design control, advocating the renewal and recognition of the past, rather than its replication.

This thesis grows out of the belief that an analysis of the phenomenon of neo-traditionalist planning, such as Dean's, should present a more balanced picture and give preservation planners an opportunity to make their own judgements as to whether the techniques or ideas put forth by Duany and Plater-Zyberk are worth learning from, if at all. This thesis explores and answers this very question; **what should historic preservationists learn from the neo-traditionalist experiment?** In order to answer this question, we must understand neo-traditionalism's motivations; their place within the history of city planning; specific methodology; and the potential influence of their work in the field of preservation practice. My purpose is to prove to preservation planners that neo-traditionalism is working within a specific physical and aesthetic objective that its practitioners maintain will bring about social and environmental changes. Neo-traditionalism must be analyzed before it is presented as such a panacea. This thesis offers an opportunity to re-think the purpose of design-oriented planning, and its relationship to community character. The topic of design review will be limited to the scale of urban planning at which the neo-traditionalists work, the small town or village size. Though historic preservation takes place in communities of all sizes, neo-traditionalism has focussed less on the problems of already urbanized

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<sup>7</sup>For example, see Mark Jenkins, "The End of Suburban Blight." *Warfields* (April 1990): 60.



areas.

Historic preservation and neo-traditionalism do in fact overlap in their extensive use of design regulation to affect a physical objective. One important difference, however, is that preservation controls occur in the public domain, while neo-traditionalism is carried out entirely through private design control. The architectural firm of DPZ implements new towns through a set of detail-laden "codes," to be used by residents and building contractors to comply with the designers' vision, and to be enforced by the "town architect" and made legally binding through deed covenants. Historic Preservation at the town planning level is implemented through state enabling laws, which permit the designation of historic districts through local preservation ordinances. The architectural and/or historical significance of the district is protected through the review powers of the preservation commission, or in Pennsylvania, the Historic Architectural Review Board, the names varying from state to state.

State enabling laws and historic preservation ordinances in many ways derive their power from the respective state constitutions and thus vary from state to state in their strength. In addition, they also vary in the length of time which has passed without having been updated. For example, in Pennsylvania, the state preservation office is still responding to inquiries for a sample ordinance with a model written in 1978, though some cities and towns in Pennsylvania are taking it upon themselves to revise their preservation ordinance.

After researching the purpose and means of neo-traditionalism, and exploring





historic district review, the limitations of both will be more apparent. Yet it will be clear that public design control, as demonstrated through historic preservation ordinances, offers a much more effective and inclusive means of affecting planning issues that fall outside of aesthetic considerations. Examples of the kinds of steps communities have taken in the last decade to expand the impact of design review will illustrate the direction such regulation is heading.



# CHAPTER I

## INFLUENCES ON NEO-TRADITIONALISM

The work of Andres Duany and Elizabeth Plater-Zyberk suggests three essential influences: plans and impressions of early American villages and towns, theories of predecessors in the field of urban design, including those who participated in the New Town Movement of the early twentieth century, and a contempt for suburban development patterns dominated by the automobile, separation of uses, and featureless architecture.

### **Pre-Industrial Villages**

Towns and villages planned and built as early as the seventeenth century serve as important models to DPZ in its design of new communities. To DPZ, towns such as Marblehead, Massachusetts; Annapolis, Maryland; and Key West, Florida; are places where residents enjoy a sense of community, contain basic elemental forms of successful urban settings, and which are in good working order. Duany calls them, "places among the great collective memories of America."<sup>8</sup> They serve as models that provide information on the physical characteristics of towns: street patterns, lot size, street width, and placement of public buildings. DPZ attempts to replicate these

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<sup>8</sup>Duany, "Traditional Towns": 61.



functional elements, asserting that the presence of public squares and well designed streets will evoke the feeling of community found in their 18th and 19th century predecessors. I perceive a risk in this practice of replicating physical formulas without a clear understanding of the process, historical, environmental and/or social forces that created them. It should be noted that DPZ's models are also characteristically resort or tourist oriented locations that maintain their appearance in part because of the tourism industry. Princeton and Georgetown are university towns and high income residential areas, Annapolis is a state capitol, and Key West is a vacation destination. No town with an industrial or manufacturing background is present, no worker housing, no industrial buildings. My suspicion is that DPZ did not study these towns first and then develop theories from their research, but rather, that these models fit its aesthetic preferences.

A short exploration of pre-industrial town planning and an analysis of the characteristics it shares with neo-traditionalist design follows. While DPZ does not specify this time period, all of the models which it uses were settled prior to the 1850s. Many though remained partially developed until the nineteenth century, when commerce and business districts grew to their present size. These models also seem to affect DPZ architecturally; its work appears to adhere only to colonial revivalism; no examples of Victorian period architecture are to be found in its master planned towns. While three centuries of planning may seem like a broad span to condense so drastically, few changes actually occurred in town planning until after the second half of the nineteenth century, when industry and the railroad suburbs began to transform



the countryside. DPZ does not reproduce a particular regional example, but synthesizes elements common to the Mid-Atlantic and New England, and includes particular elements of baroque planning provided by American examples. By intermingling elements rather than replicating whole towns, DPZ is able to selectively eliminate characteristics which don't meet its criteria; for example industrial districts or low income neighborhoods.

The earliest American settlements in the Mid-Atlantic region were established as business ventures by the English Crown or British trading companies, and were regulated by charter. These charters reflected the English tradition of town planning, but also included provisions appropriate to the new world regarding the proper configuration of the settlement. For example, in 1606, the London Company gave instructions to the settlers at Jamestown that guided the overall layout with the following advice:

and seeing order is at the same price with confusion it shall be adviseably [sic] done to set your houses even by a line, that your streets may have a good breadth, and be carried square about your market place, and every street's end opening into it, that from thence with a few field pieces you may command every street throughout, which market place you may also fortify if you think it needful.<sup>9</sup>

The provisions of each charter provided specifics on location, internal arrangement, and a list of required public buildings. Location was determined by health concerns such as distance from swamps, proximity to dry high land, defense from Indian

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<sup>9</sup>Quoted in John Reps, *The Making of Urban America: a History of City Planning in the United States* (Princeton: Princeton University Press, 1965), 90.





attacks, and access to rivers and supplies. The internal arrangements also were dependent on defensible barriers, a central meeting place for times of emergency, market day, worship, or public punishment. Hierarchy of status in the community was reflected in these arrangements, with the governor's home and the church closest to the central square. Thus the plan of the settlement depended upon such overriding practical goals of health, defense, commerce, and order. To the settlers, these provisions represented a familiar pattern, in stark contrast to the wilderness surrounding them. The fact that the success of these settlements depended upon community effort resulted in an architectural and urban image often revived in the colonial style, a period associated with strong feelings of community unity and unselfish behavior. DPZ appears to be reviving both the colonial architecture, and the spiritual message it carries.

As settlements became more common and more sophisticated in their living conditions, so too did the regulations covering their physical planning. In 1662, model legislation from England was enacted in Maryland and Virginia, which read:

The towne [sic] to be built shall consist of thirty-two houses, each house to be built with brick forty foote [sic] long, twenty foote wide, within the walls to be eighteen foote high above the ground, the walls to be two brick thick to the water table, and a brick and a half thick above the water table to the roof, the roof to be fifteen foote pitch and to be covered with slate or tile.<sup>10</sup>

These governing regulations, designed to protect against fire and dampness, also created order and a uniformity which is considered aesthetically appealing by DPZ.

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<sup>10</sup>Reps, 1965, 93.



Both Fredericksburg and Alexandria, Virginia, followed a directive that established a grid plan centered on a market area with an adjoining meeting place.<sup>11</sup>

The nuclear village concept found in New England is similar in many respects to this Mid-Atlantic example. According to Mumford, "its form was dictated by social and economic conditions," which consisted primarily of danger from Indian aggression, and necessitated a meeting house as a central gathering place in case of attack.<sup>12</sup> All the town residents lived in the center with their homes facing the main square, with a small amount of land in the rear for a garden. The main square served for common herding and grazing land, a mustering place for adult males, and the location for the most important civic building, the town meeting house. Houses in New England villages were sited evenly along the main street; the setback distances and sideyard distances were prescribed by the town leaders. As in the Mid-Atlantic, the location of a house in relation to the town green indicated social status within the community. Differences in the size of home lots reflected marital and economic status. Married men were entitled to more acreage than unmarried.<sup>13</sup> The main agricultural lands were located at the outskirts of the village; farmers traveled daily to their fields to cultivate their land. The meadows, pastures, and forests were owned in

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<sup>11</sup>Reps, 1965, 97. "Both Fredericksburg and Alexandria indicate that the rather elementary but serviceable plan forms first used to carry out the provisions of the town acts of the seventeenth century persisted for many years after those general acts were repealed."

<sup>12</sup>Lewis Mumford, *Sticks and Stones, a Study of American Architecture and Civilization* (New York: Horace Liveright, 1924), 21.

<sup>13</sup>Ibid. 22.



common.<sup>14</sup> Of course this organizational vision of property ownership is not shared by the twentieth century.

Cities and towns of the Mid-Atlantic and New England region provide DPZ with specific models for its master planned communities. Examples frequently cited by the firm as ideal models include Savannah, Georgia; Marblehead, Massachusetts; Princeton, New Jersey; Georgetown in Washington D.C; and Annapolis, Maryland. What DPZ borrows specifically is their size and internal arrangement. These techniques will be discussed in detail in the following chapter, but suffice it to say that the firm uses the size, layout, and general characteristics of the settlements described above in its design and planning.

The typical size of a DPZ village is between sixty and one hundred acres, a size based on assessments of walkable distances, and on historical example. In commissions over one hundred acres, DPZ will divide and organize the land into village units. Internally DPZ has adopted the town plan with a central square and has surrounded it with the important public buildings such as the post office, bank, shops, community center, and churches. The square is treated as a public gathering place and the hierarchical importance of community buildings is emphasized by their placement in relation to the square. The entire community is typically laid out on a grid pattern, formally enlivened by an additional DPZ mannerism, the use of elements characteristic of baroque planning as it has been practiced in the United States.

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<sup>14</sup>Paul Brooks, *The View from Lincoln Hill* (Boston: Houghton Mifflin Company, 1976), 142.



DPZ most frequently admires Annapolis, Maryland and its town plan, conceived by Francis Nicholson in 1695. The baroque organization of two circles joined by radiating diagonal streets has, of course, been replicated in other American cities, such as Detroit, Michigan, and perhaps most famously, by Pierre L'Enfant in his plan for Washington D.C. (It is thought that Nicholson was familiar with the baroque plan through his many travel throughout Europe, especially in England and France.<sup>15</sup>)

Annapolis is built where the Severn River meets the Chesapeake Bay and is dominated by two hills. The Maryland State House sits atop one hill, and church circle, the other. Radiating out from these hills are roads penetrating into the rest of the city. Nicholson located the remaining important public and private buildings such as schools, banks, house lots, and common lands around these two important hilltop landmarks. Annapolis is a physical expression of the hierarchy of state, church, and the people, and a carefully planned response to a specific topography. Perhaps the most important influence of Annapolis on DPZ are the vistas of the major radiating streets that end in a public building or monument. This planning device adds grandeur to a plan, as well as a means of measuring and organizing space. At Annapolis the alignment was carried out in an imprecise manner, resulting in a somewhat informal high style and charm.

The use of vistas is commonly practiced by DPZ. At Seaside, gazebos are situated at major intersections, and bath houses where the beach meets the land. In

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<sup>15</sup>Reps, 1965, 106.





other new towns, DPZ has built monuments at important street intersection and public spaces which remain undedicated. These monuments serve aesthetic purposes but do not bear any relationship to the purpose of a monument itself, to serve the memory of the community.

The last discussion of physical influences is the manner in which established towns, particularly in New England, managed population increases and physical expansion. This material is meant to show how DPZ often misinterprets the source of community feeling as deriving exclusively from the buildings within. In the eighteenth century the plan of many towns which neo-traditionalism looks to as models were formed not by official charter, but through the gradual growth and separation of an outlying village into an independent town. As a town grew the common lands would be divided into more lots, but eventually the population became too large for the amount of available land. When agricultural lands became so far from the town center that travel and therefore church attendance became difficult, a new town would be formed to serve the needs of the outlying settlers.<sup>16</sup> The size of every town was thus limited by a radial distance from the town center, or meeting house, beyond which daily or weekly travel was prohibitive.

Although specific legal practices may have differed from colony to colony, when a group of outlying villagers banded together in order to form their own town, their request would be answered with a grant of land from the legislature of their Colony. The villagers named in the legislative act were known as the proprietors, and

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<sup>16</sup>Mumford, 1924, 16.



were responsible for organizing their grant into agricultural land, village, and commons. The amount of land each villager received depended on their wealth, social status, family size, or occupation.<sup>17</sup> Once houses and a meeting place were built around a central square, the farming land would be divided into long, thin strips. Their shape was long and rectangular to permit plowing with a minimum of turns of the oxen. The acre measurement is derived from a lot size of 1-by-10 chains, and represents the amount of land which could be plowed in a single day. Long and narrow lots also allowed homes to be close to one another and the merchants and other activities of the town.

Lincoln, Massachusetts, is an example of a town that was formed by separation from its parent, Concord, Massachusetts. The residents of the Lincoln area were dismayed at the style of worship practiced in the Concord church by a new minister, and further dismayed at the long distance they had to travel in order to hear the revivalist preacher.<sup>18</sup> The residents of the future Lincoln banded together and petitioned the General Court of Massachusetts in 1744 to gain status of a precinct, which allowed its residents to build a meeting house. In their request, the villagers asserted that

your Petitioners labour [sic] under great Difficulties and Inconveniences by reason of their distance from their respective places of publick Worship in said Towns, their Families being many of them Numerous, in the Winter Season more especially, they have been obliged for many

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<sup>17</sup>Reps, 1965, 120.

<sup>18</sup>Brooks, 50.



years past to promote and Maintain the preaching of the word of God amongst them in a private House<sup>19</sup>

Their petition was granted two years later in April of 1746, though in the meantime, the villagers had already set about building their new meeting house. Approval as a precinct led to the desire to become a separate town, a desire opposed by the leaders of Concord who feared the loss of tax revenues and the expense of roads already built through Lincoln. Lincoln, like many towns in Massachusetts, did emerge as a legally recognized community because of the dedication of its people to the community.

Eventually the population increases of New England towns were so great that it was no longer possible for farmers to travel daily to distant farms and farmsteads were built instead in their farmlands. The time and hardship of daily travel was unjustified once the need for communal village defense became unnecessary. The distinction between the village center and countryside around it was blurred as farmers began to leave the villages and populate the countryside.

It is clear from these descriptions of early town planning that necessity more than any other factor determined the village form as depicted in every nostalgic illustration of small town living, not aesthetic desires. Each early colonial town was formed by a group of people bound by an agreement to care for each other and their business investor if one did exist, in what was primarily a business opportunity. Even when the urgency of survival was no longer the primary consideration, residents recognized the importance of community action and unity, as shown by the example

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<sup>19</sup>Records of the General Court of Massachusetts, August 1744. Quoted in Brooks, 50.



of Lincoln, Massachusetts. This alliance was emphasized in the very first of colonial settlements, when the London Company instructed the settlers at Jamestown:

It were necessary that all your carpenters and other such like workmen about the building do first build your storehouse and those other rooms of publick [sic] and necessary use before any house be set up for private persons, yet let them all work together first for the company and then for private men.<sup>20</sup>

The only physical expression of the community of Lincoln was the meeting house, built even before proper roads could provide access. There were no other signs of a town, yet the community which submitted the petition and built the meeting house felt strongly and acted with fellowship. This is an excellent example of the community expression which permeates contemporary images of the New England Village, but which is difficult to recapture in the twentieth century. The meeting house was the primary physical expression of Lincoln's desire to organize, and the most effective and meaningful expression it could make. Thus the town of Lincoln has a strong community structure, though in actuality, the town center never progressed beyond the meeting house. If you drove through Lincoln, you would not find a recognizable center.

The small town or village typical of New England and other parts of the East Coast have become an icon of "community" to the public. D.W. Meinig, in his essay, "Symbolic Landscapes," interprets the meaning that is now associated with villages,

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<sup>20</sup>Quoted in Reys, 1965, 90.





the image of New England is widely assumed to symbolize for many people the best we have known of an intimate, family-centered, Godfearing, morally conscious, industrious, thrifty, democratic community.<sup>21</sup>

The reason why this meaning is associated with the village can be traced to several sources. First, it was promoted by the media of motion pictures, magazine illustrations, and associated with the well-known authors who lived in or wrote about villages, such as Ralph Waldo Emerson, Henry Thoreau, and Thornton Wilder. Meinig asserts that the motion picture industry also contributed when it used the village setting to promote an "overtly propagandistic" view of virtuous American life, filming the same village set over and over again.<sup>22</sup> Other media images, such as Norman Rockwell's illustrations for the *Saturday Evening Post*, focussed on small town life, in an endearing and nostalgic language. Emerson's essays, including "Self-Reliance," helped inspire a late nineteenth century movement calling for a return to the "Simple Life" that associated the village with virtuousness and desired a return to colonial simplicity.<sup>23</sup> In short, the village has become the "model setting for the American Community."<sup>24</sup> DPZ does not share Meinig's critical position on the

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<sup>21</sup>D.W. Meinig, "Symbolic Landscapes," in *The Interpretation of Ordinary Landscapes, Geographical Essays*, ed. D.W. Meinig, (New York: Oxford University Press, 1979), 165.

<sup>22</sup>Ibid. 175.

<sup>23</sup>See Peter Schmitt, *Back to Nature, The Arcadian Myth in Urban America* (Baltimore: Johns Hopkins University Press, 1969); David Shi, *The Simple Life, Plain Living and High Thinking in American Culture* (New York: Oxford University Press, 1985); and William Bowers, *The County Life Movement in America 1900-1920* (Port Washington N.Y.: Kennikat Press, 1974).

<sup>24</sup>Meinig, 167.



overuse of the village image, and instead promotes the village overtly for its organization and layout, and more subversively for its symbolism of neighborly America.<sup>25</sup>

Perhaps though, communal behavior and urban form are not as inextricably linked as DPZ would have us believe. Lincoln never developed a central market area, nor does it have the kind of town center which is espoused by DPZ, but has always had just as strong a sense of community as neighboring Concord or Lexington. Mumford foreshadows these reservations about neo-traditionalism in his early book, *Sticks and Stones*,

It is a much more substantial matter than the building of perpendicular churches or Tudor country-houses in painfully archeological adaptations. If we wish to tie up with our colonial tradition we must recover more than the architectural forms: we must recover the interests, the standards, the institutions that gave to the villages and buildings of early times their appropriate shapes. To do less than this is merely to bring back a fad.<sup>26</sup>

The purpose of this discussion is to point out, as Mumford does, that the historic village form existed to meet particular needs that are not present in society today and that these needs cannot be meaningfully incorporated into the villages designed by DPZ. The assertion that by recreating buildings and design its towns will create the same community feelings found in colonial America is easily called into question. One danger of physically recreating the colonial village, is also recreating its social homogeneity, which would be considered intolerant and exclusionary in today's

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<sup>25</sup>Clifford Pearson, "The New New Towns," *Builder* (January 1990): 294.

<sup>26</sup>Mumford, 1924, 30.



culturally diverse society.

### **Predecessors in New Town Planning**

The work of DPZ bears some relationship to the New Town Movement in America that resulted in such new towns as Radburn, New Jersey, or Columbia, Maryland. However, it evokes a greater connection to the realized and unrealized theories of English planners such as Ebenezer Howard, and Raymond Unwin, and the neo-classicist architect, Leon Krier.

The New Town Movement began with Howard's *Garden Cities of Tomorrow* 1902, and was then brought to the United States by the members of the Regional Planning Association of America, in particular, Clarence Stein and Henry Wright. Though initiated by Stein and Wright's plan for Radburn of 1921, it was not until after World War II, that the greater number of new towns were built. Roused by the seemingly unending migrations of countryfolk to London and other English cities in the 1890s, Ebenezer Howard developed his Garden Cities concept to alleviate the problems of swelling city population. By contrast, neo-traditional development tries to prevent Americans from overwhelming the countryside and furthering suburbanization. Both Howard and DPZ reach the same conclusion- the solution must be to provide a viable alternative to the city and the countryside:

No remedy can possibly be effective which will not present to the people or at least to considerable portions of them, greater 'attractions' than our cities now possess, so that the force of the old 'attractions' shall be overcome by the force of new 'attractions' which are to be



created.<sup>27</sup>

For Howard the solution was the "third-magnet;" a garden city, but for DPZ the "greater attraction" must be in contrast to both the developed suburbia and the undeveloped countryside, which they call "the traditional American town."<sup>28</sup>

Proponents of DPZ's ideas conclude that Howard's influence, "unfortunately, instead of [creating] self-sufficient towns, [it] begat the parasitic garden suburb, which many of Howard's disciples unwittingly produced."<sup>29</sup>

The question of how the work of DPZ fits into the context of the New Town Movement is complex. Examples such as Radburn, Columbia, or Greenbelt, Maryland, all emphasize the neighborhood unit, pedestrian pathways, and community centers, but beyond such components, which are similar to those employed by neo-traditionalism, are distinctive goals and attitudes which cause these towns and those designed by DPZ to contrast greatly. Alex Krieger suggests the difference between neo-traditionalist and New Town communities stems from a desire of the New Town planners to de-centralize cities and towns, a desire shared by other fields of planning and evident in urban renewal:

New communities such as Columbia, Maryland and Reston, Virginia, were posited as alternatives on the one hand, to overgrown older cities,

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<sup>27</sup>Ebenezer Howard, *Garden Cities of Tomorrow* (1902: reprint, London: Bradford and Dickens, 1946), 45.

<sup>28</sup>Andres Duany and Elizabeth Plater-Zyberk, "The Second Coming of the American Small Town," *Wilson Quarterly* 16 (Winter 1992): 21.

<sup>29</sup>Alex Krieger and William Lennertz, ed. *Andres Duany and Elizabeth Plater-Zyberk, Towns and Town Making Principles*, Catalogue to the Exhibition, Harvard Graduate School of Design, (New York: Rizzoli, 1991), 12.





and on the other, to unplanned urban sprawl. While Columbia and Reston were conceived of as a means of urbanizing suburban patterns, many consider their influence to be the opposite, of serving as a model for suburbanizing the center of cities in order for cities to be able to compete with the perceived advantages of places like Columbia.<sup>30</sup>

The villages of DPZ on the other hand, are meant to recentralize suburban population though development at a higher density. De-centralization strives for a park-like city enveloped within a garden environment, while the recentralization implicit in neo-traditionalism strives for a more pastoral image of the landscape, in which the city remains distinct and is placed within the countryside.<sup>31</sup>

The scale of construction in each concept demonstrates this difference. In 1985 Columbia had a population of 65,000 with a potential population of 100,000 on 14,000 acres.<sup>32</sup> Because of the density at which Columbia is built and its size, it should really be called a suburbanized city. The city is dominated by natural features around it, and low densities that allow a park-like setting. The developer of Columbia, James Rouse, claimed that Columbia did not reject suburbanism, but was "an improvement upon it."<sup>33</sup> Further confusing this issue is the fact that both the neo-traditionalists and the New Town planners use the village unit as its starting point.

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<sup>30</sup>Krieger, 10.

<sup>31</sup>According to Howard Segal the definition of "pastoral," is "a mediation between primitivism, or nature, and civilization." This is in contrast to the "middle landscape," which Segal associates with the suburban Garden City. Howard Segal, "Leo-Marx's Middle Landscape," *Reviews in American History* 5 (March 1977): 137-150.

<sup>32</sup>Carol Christensen, *The American Garden City and the New Towns Movement*, (Ann Arbor MI: UMI Research Press, 1986), 108.

<sup>33</sup>Christensen, 109.



DPZ works at a variety of development scales, but defines and begins each master plan with a village unit that consists of a commercial/retail/public center and surrounding residential neighborhoods. In large commissions the firm simply ties together groups of villages. At Columbia and Reston a similar system was used- each city is divided into distinct neighborhoods centered around an elementary school, shopping, recreation and community center.<sup>34</sup> Neighborhoods are combined to make villages, and villages are combined around an urban "downtown" core area.

Thus the relationship of neo-traditionalism to the New Town Movement is made more complex by the fact that certain elements of DPZ's work do appear to share New Town principles. For example DPZ is dedicated to incorporating a surrounding greenway with each of its new towns; each of their designs to date has included the provision of a greenway. According to Duany, "for us greenbelts have become mandatory, which is interesting because they have always been an ideal."<sup>35</sup> Duany is clearly making a reference to Howard, and pointing out that the firm's Traditional Neighborhood Development, a model ordinance which synthesizes their techniques and is meant to be incorporated into local zoning, requires an "Edge Area" that is defined as, "a continuous open area surrounding the Neighborhood along a minimum of 75% of its perimeter, and no less than one hundred feet wide at any place."<sup>36</sup>

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<sup>34</sup>Ibid. 108.

<sup>35</sup>Beth Dunlop, "Our Towns," *Architectural Record* 179 (October 1991): 112.

<sup>36</sup>"Traditional Neighborhood Development" published in Krieger, 102.



An element of DPZ's work that seems to derive from Radburn is dual access to residential dwellings; at Radburn footpaths were used to separate pedestrians and automobiles, and to connect adjacent neighborhoods. At Seaside and in the firm's other master plans, the roadway, however, not the rear pedestrian alleyway, is considered the principal public facade.

Thus while DPZ's work at times does seem to reflect New Town principles and concepts, Krieger disagrees, calling these similarities, "points of origin," and that DPZ's overall goals are completely unrelated to the New Town Movement,

poignantly, the American New Town Program was among the many stray roots of the British Garden City movement, both a point of origin, and a nemesis for Duany Plater-Zyberk's work.<sup>37</sup>

A "nemesis" because, though the firm is designing new towns, it does not consider association with the New Town Movement to be consistent with neo-traditionalist philosophy.

The writings of Sir Raymond Unwin, and in particular, his book *Town Planning in Practice* published in 1909, serves as another influence on DPZ. Unwin's chapter headings could even be treated as a list of the main issues addressed in DPZ's work; "Of Civic Art as the Expression of Civic Life...Of Boundaries and Approaches...Of Plots and the Spacing and Placing of Buildings and Fences...Of Buildings, and how the variety of Each must be dominated by the Harmony of the Whole...Of Co-operation in Site Planning, and how Common Enjoyment benefits the

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<sup>37</sup>Krieger, 10.



Individual."<sup>38</sup> Unwin advises that design guidelines would aid individual builders in carrying out a master plan,

So much, indeed, is site planning bound up with the planning of the buildings, that to secure the best result possible from any site the architect who plans it should be in close co-operation with the designer of the buildings, or should himself design them. Where this can be arranged the laying out of the land may be done with some degree of certainty that the aims of the site planner will be realized.<sup>39</sup>

Unwin also suggests that local customs and methods of building should be respected because local contractors will have less trouble carrying out the plans.<sup>40</sup> Thus advocating regional vernacularism serves both an aesthetic and a practical purpose. The sketches, photographs, and sample plans in Unwin's book give examples of densely built, urbanistic, small communities that respect the English village. The firm is particularly enamored of the "page after page of illustrations showing the many ways that intersections can be cleverly used to terminate vistas."<sup>41</sup> Unwin, like DPZ, was interested in architectural and planning precedents found in existing villages. However, he warned that

Though the study of old towns and their buildings is most useful...we must not, even if we would, reproduce the conditions under which they were created...While, therefore we study and admire, it does not follow that we can copy; for we must consider what is likely to lead to the best

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<sup>38</sup>Selected chapter headings from Raymond Unwin, *Town Planning in Practice* (New York: Charles Scribner's Sons, 1909), xi.

<sup>39</sup>Unwin, 1909, 328.

<sup>40</sup>Ibid. 329.

<sup>41</sup>Duany and Plater-Zyberk, "The Second Coming": 42.





results under modern conditions.<sup>42</sup>

These instructions, similar to those of Mumford quoted earlier, suggest that community meaning should not be a replica of colonial interests, "standards and institutions," as Mumford wrote, but rather according to Unwin, should reflect modern conditions of community and changed hierarchies.

Leon Krier, an architect who writes on the topic of physical planning, has also exerted a major influence on the work of DPZ.<sup>43</sup> According to Andres Duany, "through his writings, Leon Krier showed us how a real city is made."<sup>44</sup> Of Krier's several books, the recent *Houses, Palaces, and Cities*, and *Drawings*, offer examples of the statements which appear to relate to the firm's work. Krier writes on the subject of internal arrangement of spaces:

The FORM [sic] of the city and of its public spaces cannot be a matter of personal experiment. Public spaces can only be built in the form of STREETS and SQUARES. They must present a permanent and familiar character; their dimensions and proportions being obtained and verified from a millinery[sic] culture of STREETS and SQUARES.<sup>45</sup>

DPZ argues for a grid system of streets and square blocks to establish relationships

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<sup>42</sup>Unwin, 1909, 13.

<sup>43</sup>It has been suggested to me that Krier is imitative of Camillo Sitte. Duany and Plater-Zyberk do not mention Sitte among their influences, and for the purposes of this thesis, the relationship between Krier and Sitte was not researched.

<sup>44</sup>David Mahney and Keller Easterling, ed. *Seaside, Making a Town in America* (New York: Princeton Architectural Press, 1991), 62.

<sup>45</sup>Leon Krier, *Drawings, 1967-1980*, (Brussels: Aux Archives D'Architecture Modern, 1980), xxvii. The word "millinery" may be a typographical error in the text from "millenary," meaning a period of 1000 years, or "military". However, Krier certainly is not referring to ladies hat making.



between uses and define spaces. Their Traditional Neighborhood Development Ordinance requires that, "95% of all streets shall terminate at other streets within the TND; the average perimeter of all Blocks within the TND shall not exceed 1300 feet; no Block face shall have a length greater than 300 feet."<sup>46</sup>

Krier also places great importance on using historical example to inform physical planning decisions,

"The form and quality of urban space can be verified only by historical models... of buildings which are not so much the result of art but of building tradition."<sup>47</sup>

Krier perhaps motivated DPZ to use American models in much the same way he relies upon European examples in his own plans for urban redevelopment and designs of new towns.

Like Krier, DPZ has great contempt for a zoning language that discourages its brand of urban development. The firm sees zoning as generally practiced as an obstacle to good urban design, and proposes to reinvent the zoning codes to match its way of thinking. According to Duany,

inadvertently, over the years, codes have been modified to the point that we can no longer build traditional American towns. We can no longer build Williamsburg, or Winter Park, or Nantucket, or Annapolis.<sup>48</sup>

Krier speaks even more strongly against zoning:

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<sup>46</sup>Krieger, 103.

<sup>47</sup>Leon Krier, *Houses, Palaces, and Cities*, ed. Demetri Porphyrios (London: Architectural Design, 1984), 21.

<sup>48</sup>Duany, "Traditional Towns": 61.



The highly repetitive and reductive nature of purely residential blocks caused by functional zoning [has] neither the cultural content nor a social purpose important enough to inspire highly artistic results over a long period of time.<sup>49</sup>

The first imperative of zoning is to transform every part of the territory (city or countryside) in such a way that every citizen can finally only accomplish; only a single task; in a defined place; in a determined manner; at the exclusion of all other tasks. The second imperative of zoning is the daily and effective mobilization of society in its entirety (all social classes of all ages: infants, children, adults, the elderly, the rich, the poor).<sup>50</sup>

Both Krier and Duany agree that while codes were once necessary to upgrade living conditions in cities, the codes as written now, have outlasted their usefulness and result in unlivable urban spaces. Krier's main purpose in reformulating urban codes is to redefine the separation of urban and rural. Krier is not an advocate of Ebenezer Howard's "third-magnet," but rather proposes a return to the clearly delineated city and civilization to "re-establish a precise dialectic between city and countryside"<sup>51</sup>

### **Facing Suburbanization and its Causes**

The methods DPZ uses to ensure that its designs are implemented by others are meant to provide an alternative to traditional subdivision practices and zoning regulations, the "codes," about which DPZ speaks so frequently. Where "blight" was once a word associated only with urban areas, DPZ now writes of solutions to the blighted physical characteristics of the suburbs. Where high density and a lack of

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<sup>49</sup>Krier, 1984, 48.

<sup>50</sup>Ibid. 22.

<sup>51</sup>Ibid. 30.



public intervention were once thought to cause blight, now these same controversial tools are posed as the solution to suburban problems. Duany gives frequent lectures attributing suburban development patterns to Euclidian zoning codes and the automobile. If Duany is able to change these patterns, he believes that the social characteristics of a place will also change. However, Duany completely ignores causes of suburbia far more numerous and significant, but perhaps less visible to one so involved with the physical environment.

One of the main criticisms Duany makes of suburbia is the dominance of the automobile over all other forms of transportation, and the effect this has on planning and architecture. An example of the overplanning required by the automobile which he cites are parking lots in retail centers which are sized according to day-after-Thanksgiving shopping needs. Duany is adamant in his opposition to planning which primarily accommodates automobiles because it limits choice, reduces contact between people, isolates children and elderly, and consumes too many working hours.<sup>52</sup> According to Duany, if the average worker commutes one hour each morning and evening over 243 working days, that worker will have spent 60.75 working days in the automobile.<sup>53</sup> Duany believes that the automobile has overtaken good sense in town planning.

While Duany agrees that the automobile makes us more mobile, he contends it also makes us less productive with our time. DPZ believes new development should

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<sup>52</sup>Duany, "Traditional Towns": 60.

<sup>53</sup>Ibid. 61.





respond to eighteenth and nineteenth century models because within their physical forms, are found the basic elements of every successful community. Towns of the eighteenth and nineteenth century were created prior to the automobile and are able to maintain a pedestrian emphasis. Because of their pedestrian orientation, Duany believes they provide an example of how to adapt the automobile to urban space, rather than the other way around. To Duany, the optimal situation is the "walk to the corner grocery," village of the nineteenth century.<sup>54</sup>

Dependence on the automobile also prevents walking. As a result, "there is no public realm, there's no street life, there's no social life."<sup>55</sup> Children are driven from school to recreation, to friends, to the library, because they cannot reach them on their own. Duany asserts that "a single family house in Florida, for example, rated at 13 trips per day."<sup>56</sup> There are no sidewalks along many minor streets and most major streets, road widths and turning radius are unpleasant or dangerous to cross on foot, high speeds prevent on-street parking, and setbacks are wide. Because cars cannot park on the street, there are parking lots to accommodate them.

When Duany speaks of codes, he is also referring to zoning ordinances that include Planned Unit Development provisions, a planning tool that allow the approval of master plans for large, multi-use subdivisions. DPZ maintains that these master plans have only three undesirable objectives, "free and rapid flow of traffic, parking

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<sup>54</sup>Pearson: 294.

<sup>55</sup>Duany, "Traditional Towns": 61.

<sup>56</sup>Ibid. 61.



in quantity, and the rigorous separation of uses."<sup>57</sup> One of the main purposes underlying all discussions of neo-traditional design, as described by its practitioners, is to provide an alternative in physical form and social content to what John Herbers calls the "New American Heartland," the suburbanization found throughout the United States.<sup>58</sup> Duany calls these divisions within suburbia artificially created "pods," based on a Euclidean separation of housing, commerce, and industry,

every generation of planners attempts to relive that last great victory of the planning profession by separating more and more elements, more and more functions.<sup>59</sup>

His contempt for zoning codes relates to more than just their separation of uses.

Duany also beleaguers the prohibition of accessory structures, road requirements that are too concessionary to the automobile, parking requirements to accommodate capacity parking the day-after-Thanksgiving, and setbacks that place buildings as far as possible from the street. There are others in the planning field who agree with Duany's contempt for current zoning. Jonathan Barnett contends that

the idea that commerce belongs in narrow strips along highways made sense when small-city and suburban zoning ordinances were first drawn up in the United States during the 1920s. Zoning confirmed existing Main Street shopping patterns.<sup>60</sup>

Barnett also agrees that codes, more than the private sector, or public sector

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<sup>57</sup>Krieger, 102.

<sup>58</sup>See John Herbers, *The New American Heartland, America's Flight Beyond the Suburbs and How it is Changing our Future* (New York: Times Books, 1986).

<sup>59</sup>Duany and Plater-Zyberk, "The Second Coming": 23.

<sup>60</sup>Jonathan Barnett, "Accidental Cities: the Deadly Grip of Outmoded Zoning," *Architectural Record* 180 (February 1992): 94.



intervention, have been the cause of suburban growth patterns: "what has directed the new urbanization up to now is not so much the invisible hand of the market place as the deadly grip of outmoded zoning ordinances."<sup>61</sup>

The energy DPZ expends on criticizing zoning, planners, and the automobile would be better spent researching the other vast social forces and public policies which contributed to the growth of suburbia, and which continued historical trends and events begun shortly after World War II.<sup>62</sup> These social forces continue to cause the same type of suburban development. One of the most significant policies was the investment in infrastructure throughout the United States. The Interstate Highway Act of 1956 made the metropolitan fringes accessible, where large areas of undeveloped land were available for new construction, and increased the competitiveness of trucking to rail as means of transit. Automobile transit along the highways decreased the need for public transit, eventually nearly eliminating it altogether. Suburbs began to grow along the new highways, as they once had along railroads. The advent of trucking allowed industry and retailing to move out of the central business district to the now accessible suburbs; three-quarters of all new jobs between 1950 and 1970 were in the suburbs.<sup>63</sup> Investments in water and waste treatment facilities also facilitated growth.

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<sup>61</sup>Barnett: 96.

<sup>62</sup>Several texts provide further information on the growth of the suburbs. Joel Garreau, *Edge Cities, Life on the New Frontier* (New York: Doubleday, 1991); Robert Fishman, *Bourgeois Utopias* (New York: Basic Books Inc., 1987); Kenneth Jackson, *Crabgrass Frontier* (New York: Oxford University Press, 1985).

<sup>63</sup>Fishman, 182.



During this same period, a substantial increase in housing units was encouraged through public incentives. Mortgage insurance and loan guarantees by the Federal Housing Administration and Veterans Association provided a means for families to obtain loans and purchase homes in the new subdivisions. The housing stock in the United States went from shortage conditions prior to 1945, to a 50% increase in the number of available units between 1950 and 1970.<sup>64</sup> The new suburbs were populated almost entirely by white families. A "racial turnover" during the 1950s and 1960s created urban black slums in the cities, and white enclaves in the suburbs which were divided by invisible income boundaries.<sup>65</sup>

One of the most significant factors affecting suburban patterns is the relationship between work and residence location. Before the advent of reliable private transportation, the need to be close to work or public transportation limited Americans in their residence location. Today the labor force is far more independent as a result of the automobile and the extensive road networks.

Some of the issues DPZ is attempting to counteract are so deeply ingrained in our society that a physical change in the way suburbs are designed is not likely to have a substantive effect on the patterns of suburbanization over a region.

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<sup>64</sup>Fishman, 192.

<sup>65</sup>Peter Muller, *Contemporary Suburban America* (New Jersey: Prentice-Hall, Inc., 1981), 55.





## CHAPTER II

### NEO-TRADITIONALISM AND DESIGN REVIEW

#### **Designing the Master Plan**

The methods DPZ uses in crafting a master plan for a new community are essentially the same from site to site. A DPZ designed new town currently under construction in Maryland described in this chapter illustrates the role of design regulations in its work.<sup>66</sup> The process of designing the master plan is guided by a series of self-formulated principles that govern each community component within the plan. In 1987 DPZ refined and documented its principles into a "Traditional Neighborhood Development" ordinance. This model ordinance appears to be more of an educational tool rather than a regulatory mechanism, as it is meant to quickly convey the tenets of DPZ's work, though it could be adapted into the zoning regulations of the municipalities where their new towns are planned. The Traditional Neighborhood Development outlines the overall planning strategy used to achieve the physical characteristics the firm believes are essential to a neo-traditional town:

1. The neighborhood area is limited in size, with clear edges and a focused center.
2. Shops, workplaces, schools and residences for all income groups are located in close proximity.
3. Streets are sized and detailed to serve equitably the needs of the

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<sup>66</sup>For a complete list of DPZ projects and their status as of 1990, see Krieger, 112.



automobile and the pedestrian.

4. Building size and character is regulated to spatially define streets and squares.

5. Squares and parks are distributed and designed as specialized places for social activity and recreation.

6. Well-placed civic buildings act as symbols of the community identity and provide places for purposeful assembly.<sup>67</sup>

These physical characteristics are thought to influence the following social objectives:

1. The compact organization reduces the requirements for infrastructure, automobile use, and pollution, and facilitates public transit.

2. The full range of housing types and workplaces helps to integrate all groups and economic classes.

3. The provision of comfortable public places allows residents to come to know each other and watch over their collective security.

4. The provision of most of the necessities of daily life within walking distance allows the elderly and young to gain independence of movement.

5. Suitable civic buildings are intended to encourage democratic initiatives and the balanced evolution of society.<sup>68</sup>

The objectives listed above are reminiscent of the conditions Jane Jacobs defined thirty-two years ago as necessary ingredients for a livable and diverse urban area: short blocks to provide more corner businesses and a variety of pedestrian routes, primary uses to bring a range of people into a community, buildings of variety and character which are affordable to live in, high density to provide security and liveliness, and public buildings to act as social and spatial anchors.<sup>69</sup> Like Jacobs, DPZ asserts that the combination of these physical features leads to desirable social

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<sup>67</sup>Krieger, 102.

<sup>68</sup>Ibid. 102.

<sup>69</sup>See Jane Jacobs, *The Life and Death of Great American Cities* (New York: Random House, 1961).



characteristics, and will foster diverse communities with a public spirit.<sup>70</sup>

DPZ's designs begin with a grid system of streets. A grid system allows short blocks, and streets that are easier to navigate and open to outsiders. These features of the grid system lead some to say the grid is favored by the neo-traditionalists because it is democratic.<sup>71</sup> Furthermore, DPZ contends that a grid system will reduce congestion by diverting traffic along a greater number of streets. A DPZ plan also typically includes a baroque element such a grand circle with radiating streets, though this feature appears to be entirely aesthetic in its purpose. Grids preclude cul-de-sacs, which do not allow through traffic and result in the isolation of segments of the community. On-street parking within the grid is meant to create a safety buffer between pedestrians and street traffic.

The center of the DPZ community is an area defined by public spaces and buildings mixed with residential, retail and commercial uses. The purpose is to re-create the vibrancy, though not necessarily the linearity, of the American "Main Street". Duany and Plater-Zyberk prefer the idea of creating public rooms, which require the contained spaces of squares, rather than a long line of shops. Strategically sited public parks and buildings help create these "public rooms," within which people of different ages and incomes are expected to interact.<sup>72</sup> Surrounding the town center are streets built at a pedestrian scale which are narrow in width and dotted with a

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<sup>70</sup>Pearson, 294.

<sup>71</sup>Reid Ewing, *Developing Successful Communities* (Washington D.C.: Urban Land Institute, 1991), 79.

<sup>72</sup>Ewing, 79.



variety of uses. The overall intent of such planning devices is to break from the automobile-dominated streets and monotonous subdivisions of typical suburbia. Rear alleys are favored by DPZ because they bring all the unsightly uses out of the public street; garages and driveways, utility meters, and garbage pick-up for example. "Granny" apartments above garages are meant to provide affordable rental housing, and extra income to supplement mortgage payments. Surrounding the community DPZ envisions a greenbelt of preserved open space to provide accessible recreation within the community.

In his book, *Developing Successful Communities*, Reid Ewing contrasts the differences between such neo-traditional development plans and those of the typical suburban community they are acting against. Ewing's comments are summarized in the following table.<sup>73</sup> (See Figure 2.)

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<sup>73</sup>Ewing, 79.





**Figure 2. Contrasting Neo-Traditional and Suburban Development**

FEATURE	NEO-TRADITIONALISM	TYPICAL SUBURBIA
OVERALL PLAN	orthogonal street grid	curvilinear street layout with cul-de-sacs
STREETS	narrow streets with parking, no driveways	wide streets with parking, in driveways
SIDEWALKS	sidewalks at curbs	side walks wander, not directly at street
ACCESS	front and rear, alleys and garage behind dwelling	access from street only
SPATIAL DEFINITION	semi-enclosed spaces defined by buildings	wide open, golf courses and greenways provide open space
SETBACKS	shallow	deep
SHOPPING	"public rooms", more accessible to pedestrians	auto accessible only, malls and strip centers
RESIDENTIAL AREAS	mixed uses, mixed lot sizes	single use, every lot identical



The genesis of a DPZ town begins with the organization of these neo-traditionalist elements. To produce a site plan DPZ uses the charette method; an intense week-long session beginning with site walks, group discussion, and finally, group design. The parties involved include the architects and their staff, the developer, elected officials, and the local planning staff. The result is a site plan that lays out the locations of the principal public and civic buildings, public parks and recreation, locations for commercial and retail uses, and the location of residential building types, divided into a range of architectural styles, shapes, and sizes. The site plan acts as the unifying organizational surface, upon which DPZ arranges uses and buildings into a readable and well-ordered community. This practice originated in the design for Seaside, in which a layer of maps, each indicating the location of a particular use or style of building, was combined to reveal a coherent image of DPZ's design for the physical arrangement.

Once DPZ has established the placement of uses within the town, the architects shift in scale to the qualities of building types and their design that are codified into the Urban and Architectural Standards. Before defining such standards, DPZ visits the region and studies the local historic vernacular architecture. The purpose of their research is to understand and therefore to respond to the local architecture in their standards.<sup>74</sup> An added benefit of this research is that it provides an opportunity to investigate what housing types and styles sell well in the local housing market, and to

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<sup>74</sup>Pearson, 299.



respond to those market trends.<sup>75</sup>

The resulting Architectural and Urban Standards, are, according to Duany, the tool that implements the town design in three dimensions, ensuring that its streets and squares are spatially defined and that the assignment of building types is respected during a build-out which may well exceed the lifetime of the designers."<sup>76</sup>

It should be noted that DPZ does not design the individual buildings within their town, but sees as its mission the creation of mechanisms to guide the work of architects and subcontractors as they build on lots for resale, or work on individual commissions. By remaining outside of the final design DPZ believes that this process allows each builder to contribute to the style and character of the development. A good code according to Duany, will allow a variety of solutions and bring out the "urban quality" of a place.<sup>77</sup> Though the use of codes is meant to bring a degree of homogeneity across the community, within those standards a certain amount of variety is desired, "A single firm cannot achieve authentic variety; only the work of many can achieve the character of a true town."<sup>78</sup>

### **Kentlands, Maryland**

DPZ's first widely recognized town plan was for Seaside, a project designed on eighty acres of land in northwest Florida which has the potential for seven hundred

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<sup>75</sup>Pearson, 299.

<sup>76</sup>Mahney and Easterling, 63.

<sup>77</sup>Ibid. 63.

<sup>78</sup>Ibid. 63.



and fifty dwelling units. Seaside is widely criticized as a poor example of a new town, largely because it has become a resort community of second homes with few permanent residents and fewer employment opportunities. Kentlands is a DPZ community now under construction in Gaithersburg, Maryland and challenges the firm to work on a larger scale more closely resembling an actual town, and to adapt its ideas to the problems typically found in a larger community such as affordable housing, regional shopping, employment centers, and school facilities. The site for the Kentlands is a 352 acre portion of a farm once owned by the Kent family. Joseph Alfandre, a Maryland developer, purchased the site in the mid-1980s for \$40 million, while the remainder of the farm was donated to the neighboring National Geographic Society and is now a bird sanctuary. Kentlands is located on Route 28, a corridor of the Interstate 270 network. The Shady Grove Station of the Washington Metro public transportation network is several miles away. At build-out the development will include 1600 residential structures, with a projected population of 4500, resulting in an overall density of 12.7 persons per acre, or 4.5 dwellings per acre. The purpose of this density, which is higher than those found in a typical subdivision, is to reduce the overall number of automobile trips, though it also provides the added benefit of decreased infrastructure costs, and increased opportunities for public transit.

The Kentlands site plan is driven by the topography of the site, which includes several natural and manmade lakes, wetlands, steeply sloped areas, as well as the re-use of the original farm buildings. Primary ingredients included were a public zone identified by an as yet undedicated church and elementary school, and a regional





shopping center. (See Figure 3-6.) The list of public amenities at Kentlands when completed will consist of the elementary school, village town green, parks, Lake Lynette , Lake Inspiration, and Lake Helene and their surrounding walking trails and pier, Quarry Park, a day care center, tot lots, recreation center, and community church. (See Figure 7-8.) Original plans called for 1.2 million square feet of commercial space and an additional million square feet of office space.<sup>79</sup> In reality the shopping center currently under construction is only 375,000 square feet, and only a fraction of the office space will ever be built.<sup>80</sup> This is due to the current real estate market, and to the over-optimism by Alfandre and DPZ that retail and commercial businesses would choose to locate at Kentlands rather than in a strip center or office park.

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<sup>79</sup>Krieger, 53.

<sup>80</sup>Mike Watkins, Community Architect, Kentlands, Maryland. Interview, March 12, 1993, Kentlands, Maryland.





**Figure 3.** Church, Tschiffely Road, Kentlands, Maryland.



**Figure 4.** Church, Tschiffely Road, Kentlands, Maryland.





**Figure 5.** View to rear of Church and Rachael Carson Elementary School, Kentlands, Maryland.



**Figure 6.** Rachael Carson Elementary School, Kentlands, Maryland.







**Figure 7.** Lake under construction, Kentlands, Maryland.



**Figure 8.** Day Care Center, left, Church, right, Kentlands, Maryland.





Kentlands is organized around five loosely defined and interconnected neighborhoods: Old Farm, near the former farmhouse and outbuildings; Midtown, with a mixture of housing types, offices, and shops; Hill District; the Gatehouse District area near the elementary school, and the Lake District.<sup>81</sup> As dictated by the site plan, the neighborhoods were placed upon a grid pattern of streets and roads; alleyways provide service entrances, and public squares are placed throughout. (See Figure 9-11.)

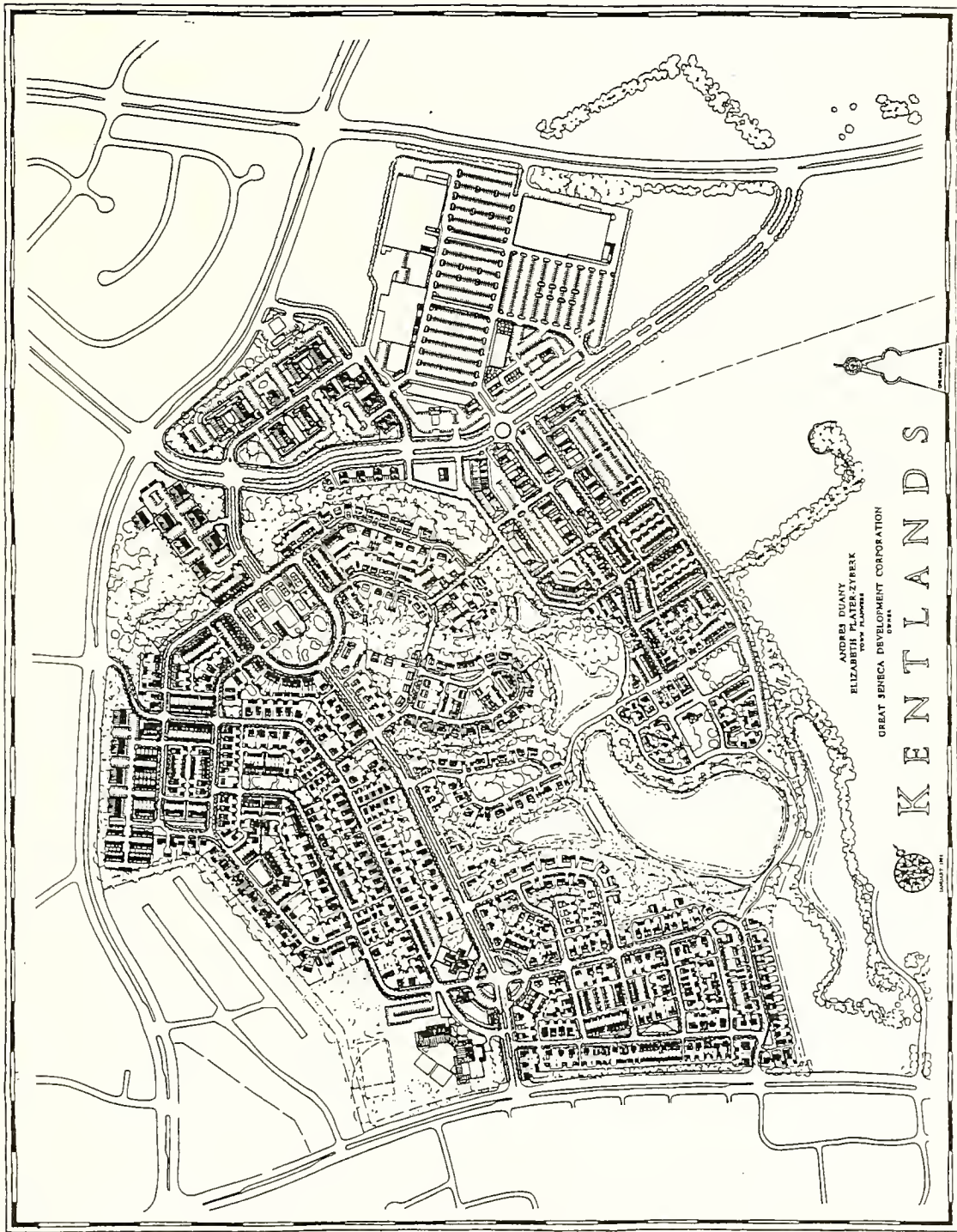
An interesting component of the site plan is the re-use of the former Kent Family Residence and the farming outbuildings. The barn is currently used as the Information Center and meeting place for the homeowner's association. (See Figure 12-13.) The guest house is undergoing conversion into a single family home for sale. (See Figure 14-15.) The firehouse is used to store construction and maintenance equipment, and the mansion is designated for community use. (See Figure 16.) The buildings have been well integrated into the development scheme, but a sense of the relationships between the original farm buildings and their environment has been lost because of nearby construction. An old greenhouse has been left in complete disrepair, and it is not clear if any research was done regarding the history of the farm or its architecture, which is really quite refined for buildings of this use. While the mansion and barn may have inspired the new brick structures to either side, the guest house has been altered with a new addition.

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<sup>81</sup>Though Edward Gunts reports a total of seven neighborhoods, Mike Watkins, the Community Architect at Kentlands suggests these five neighborhoods. Edward Gunts, "Plan Meet Reality," *Architecture* 80 (December 1991): 116.



Figure 9. Site Plan of Kentlands, Gaithersburg, Maryland.









**Figure 10.** Public Square, corner of Beckwith and Thrift Street, Kentlands, Maryland.



**Figure 11.** Rear Alley, Beckwith Street, Kentlands, Maryland.





**Figure 12.** Kentlands Information Center, former Kent Farm Barn, Selby Street, Kentlands, Maryland.



**Figure 13.** Kentlands Information Center, former Kent Farm Barn, Selby Street, Kentlands Maryland.







**Figure 14.** Rear of Kent Farm Guesthouse, Inspiration Lane, Kentlands, Maryland.



**Figure 15.** Entrance to former Kent Farm Guest House, Selby Road, Kentlands, Maryland.





**Figure 16.** Former Kent Family Residence, Selby Street, Kentlands, Maryland.



## **Implementing the Master Plan**

Throughout DPZ's Kentlands Codes are references to the authority of the Office of the Community Architect, a satellite office of DPZ, located in a building on the Kentlands property. The Community Architect's primary responsibilities are to review building plans checking for compliance with Kentlands' Urban and Architectural Standards, to make suggestions regarding design changes, and to review requests for variances from the Standards. Residents must go to the office to gain approval of "all paint and other finish colors," and to select from sanctioned brick or stone samples, to select "all exterior hardware, mailboxes, newspaper boxes, exterior lighting, lettering and numbering, and garbage cans."<sup>82</sup> Any materials that a community resident wishes to use that differ from those specified in the Standards, must be approved by the Community Architect. His office exerts a degree of control far more intrusive to property owners than that found in publicly enforced design control. The level of review the architect conducts is almost entirely aesthetic, only asking if the structure will meet the code requirements. DPZ is able to police their codes through this office, ensuring compliance in their absence from building design itself. Duany's comments about the freedom given to outside architects and builders, and the variety this produces, are less convincing knowing the extent of their design review.

Mike Watkins is the Community Architect at Kentlands and has been working

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<sup>82</sup>Andres Duany and Elizabeth Plater-Zyberk, et. al., Town Planners, "The Kentlands Codes, Architectural Standards," September 6, 1990.





at the site since the original design charette in 1988. He has seen changes in the attitude of builders and the level of enforcement he is able to achieve. The first buildings at Kentlands do not conform completely to the architectural standards, because of the difficulty of getting local builders to accept their marketability. In some cases the Office of the Community Architect was forced to relax attention to materials and design details in order to enforce the spatial requirements and achieve a small-town feeling.<sup>83</sup> With time, builders have become more familiar with the project and its goals, understand the purpose of the codes, and are able to follow them more closely.

The Urban and Architectural Standards at Kentlands, like design controls in a typical suburban subdivision, are privately-enforced agreements between the developer and homeowner which are not controlled by the public sector.<sup>84</sup> These agreements known as covenants, are written into the text of the homeowner's agreement, and outline the terms of the restrictions placed upon the purchaser. The covenants are also recorded within the subdivision plat, ensuring that successors of the original parties will have sufficient notice of the covenants at the time a property is purchased. These two steps will confirm that covenants "run with the land," meaning they are enforceable against subsequent purchasers of property within Kentlands. The ability of covenants to run with the land is especially important at the Kentlands, because of

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<sup>83</sup>Watkins Interview.

<sup>84</sup>For an explanation of covenants see Daniel R. Mandelker, "Controlling Residential Development," in *Planning and Control of Land Development* (Charlottesville, VA: The Mitchie Company, 1990), 505-525.





the number of ownership changes which have already taken place over the past few years. The original developer, Joseph Alfandre fell into bankruptcy, and in July of 1991, his lender, Chevy Chase Federal Savings Bank, took over the project. The bank then turned the project over to a subsidiary, Great Seneca Development Corporation. Construction has continued, with contractors purchasing groups of lots, building homes, and selling the improved lots to homeowners, or homeowners buying their lots directly.

When a lot is purchased from the developer, the purchaser succeeds the developer in the right to enforce the covenants against another property owner, thus receiving both the "benefit and the burden" of the covenant.

Where the existence of a building scheme or general plan of restrictions is proved, it will be inferred that each lot was intended to be subject to both the benefit and burden of the restrictions, and that each of the original lot purchasers relied either on an oral or tacit promise or representation to that effect when he decided to purchase his lots.<sup>85</sup>

Homeowners or builders who have purchased lots on the terms of the covenants, expect those covenants to be equally applied to their neighbors, and can enforce compliance on their neighbor through the court system.

### **Urban and Architectural Standards, Kentlands, Maryland**

The residential building types described in the Urban Standards are single family dwellings, cottages, townhouses, condominiums, and apartments. Within these uses DPZ further categorized the physical properties of each building into types,

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<sup>85</sup>Mandelker, 518.



ranging from Types IA,B to Type VII. The following pages summarize and illustrate the content of the urban codes and the visual results.<sup>86</sup> (See Figure 17-26.)

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<sup>86</sup>All information summarized from Andres Duany and Elizabeth Plater-Zyberk, et. al., Town Planners, "The Kentlands Codes, Urban Standards," September 6, 1990.

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

$$\begin{aligned}
 & f(x) = \int_0^x \frac{1}{1+t^2} dt \\
 & \text{for } x \in \mathbb{R}.
 \end{aligned}$$

**Figure 17.** Excerpt from the Kentlands Code, Urban Standards,  
Andres Duany and Elizabeth-Plater Zyberk, et. al. Town Planners.

	<b>TYPE IIIA,B,C</b> <b>RETAIL/RESIDENTIAL</b> <b>22 FT WIDE LOT (+/-)</b>	<b>TYPE IV</b> <b>RESIDENTIAL</b> <b>44 FT WIDE LOT (+/-)</b>
<b>HEIGHT</b>  THE VERTICAL DISTANCE BETWEEN THE AVERAGE ENFRONTING STREET ELEVATION AND A SPECIFIED POINT ON A STRUCTURE		
<b>YARD</b>  AN AREA LEFT FREE OF STRUCTURES MORE THAN 2 FT. IN HEIGHT		
<b>PORCH</b> AN UNGLAZED ROOFED STRUCTURE  <b>STOOP</b> AN UNROOFED STAIR		



**Figure 18. Summary of Urban Codes, Kentlands, Gaithersburg, Maryland.**

<b>TYPE I A&amp;B RETAIL/ OFFICE</b>	Height should be between four and eight stories, or two stories at minimum, Facade must be 100% of lot width.
<b>TYPE II A&amp;B RETAIL/ RESIDENTIAL</b>	Height should be between four and six stories. A one story outbuilding is permitted. Footprint must be in courtyard type, with a 50% minimum facade width.
<b>TYPE III A,B&amp;C RETAIL/ RESIDENTIAL</b>	Rowhouse type on a 22 ft. wide lot. Height limited to three stories. Optional porch must be one story in height, with a depth of 4 to 8 ft. Foundations must be at least 2 ft. above grade. A two story outbuilding with a maximum footprint of 460 sq. ft. is permitted. Front yard depth varies between 4, 8, or 12 ft. depending if lot is at corner or midblock.
<b>TYPE IV RESIDENTIAL</b>	Residence on 44 ft. wide lot, facade must be at least 22 ft. wide. Same height restrictions as above. Same porch and foundation restrictions as above, with a porch depth of 6 ft. Same outbuilding permitted as above. Requires a front, one side and a rear yard.
<b>TYPE V RESIDENTIAL</b>	Residence on 66 ft. wide lot, facade must be at least 22 ft. wide. Same height restrictions as above. Same porch and foundation restrictions as above, with a porch depth of 8 ft. Same outbuilding permitted as above. Requires yards on all sides.
<b>TYPE VI RESIDENTIAL</b>	Residence on 88 ft. wide lot, facade must be at least 40 ft. wide. Same height restrictions as above. Same porch and foundation restrictions as above, with a porch depth of 10 ft. A two story outbuilding with 500 sq. ft. footprint permitted.
<b>TYPE VII RESIDENTIAL</b>	Residence on 88 ft. wide lot. Restrictions same as above, except with larger setback requirements.







**Figure 19.** Condominiums, Tschiffely Road, Kentlands, Maryland. Though not originally written into the codes, the apartments and condominiums at Kentlands give an indication of the buildings projected under Type IIA,B.



**Figure 20.** Apartments, Beacon Square Court, Kentlands, Maryland.





Figure 21. Type III, Rowhouses, Briscoe Street, Kentlands, Maryland.



Figure 22. Type III, Rowhouses, Hart Road, Kentlands, Maryland.







**Figure 23.** Type IV, left, Type III, right, Beckwith Street, Kentlands, Maryland.



**Figure 24.** Type IV, constructed in cottage style, Tschiffely Road Footpath, Kentlands, Maryland.





Figure 25. Type IV, brick construction, Beckwith Street, Kentlands, Maryland.



Figure 26. Type V, wood construction, Firehouse Lane, Kentlands, Maryland.





In each of these types, building height is regulated by the number of stories above grade, not height in feet. There is no height limit on buildings less than 215 square feet in footprint; a provision which originated at Seaside meant to encourage towers. All porches and stoops must be at least two feet above grade, and front yard depth requirements must be followed exactly, whereas other yards are limited to a minimum only. Types IV-VII must have fences built along all street, alley, and footpath property lines.

The Architectural Standards for the Kentlands are organized in a matrix of construction elements cast against requirements for materials, configuration, and techniques.<sup>87</sup> (See Figure 27.) For example, concerning "External Walls," these are limited to a number of materials including: cedar shingles, wood clapboard, wood beaded siding, masonite siding, hardboard siding, brick, stone, or stucco. (See Figure 28.) Issues such as exposure to weather of shingles and clapboard, selection of brick or stone, and finish are also controlled. External walls are regulated as to the number and position of materials used, corner boards and trim boards, chimney materials and their dimensions, side and front facades on corner lots, and turning the corner on brick facades. As for techniques, brick may only be laid horizontally with raked or grapevine mortar joints, and stone may only be set in "an uncoursed ledgerstone pattern."

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<sup>87</sup>All information summarized from Andres Duany and Elizabeth Plater-Zyberk, et. al., Town Planners, "The Kentlands Codes, Architectural Standards," September 6, 1990.



Figure 27. Excerpt from the Kentlands Code, Architectural Standards.

# THE KENTLANDS CODE ARCHITECTURAL STANDARDS

## MATERIALS

1. External building walls may be built of smooth cut cedar shingles (four to six inches exposed to the weather recommended).
2. External building walls may be built of wood clapboard (four to six inches exposed to the weather recommended).
3. External building walls may be built of wood shingle siding (seven inches exposed to the weather recommended).
4. External building walls may be built of *Mansard Superette*, handboard siding with smooth or pine texture not greater than eight inches exposed to the weather.
5. External building walls may be built of brick or stone selected from the Office of the Community Architect.
6. External building walls may be built of stucco with smooth finish.

## CONFIGURATION

1. External building walls of wood or handboard shall have openings returned in wood boards of two to four inches in width, and its corners returned in wood boards of four to six inches in width. Doors may have wider turn of more the one building material shall only change material along a horizontal line, and not along a vertical or diagonal line. Additionally, the heavier material shall always go beneath the lighter material.
2. External building walls of wood or handboard shall be finished in stucco or wood.
3. External building walls of brick or stone shall be finished by wood or vinyl siding with not greater than 1-1/2" of space between the boards.
4. Chimneys shall be of brick, stone or stucco, and shall have a dimension of 1'-6" in any direction above the roofline, along a side facade is finished a stone, the front facade shall be made of the same material, and shall be finished in stucco or wood.
5. When brick or stone is used only on the front facade it must return onto the side facade a minimum of 8" and a maximum of 12".

## BUILDING ELEMENTS

1. Piers and arches shall be built of brick, or block with stucco finish.
2. Piers, columns, and buttresses shall be built of wood.
3. Railings shall be built of wood or wrought iron.

1. Masonry arches shall not be less than 8" in thickness.
2. Keyholes when employed in masonry arches shall be centered on the arch and have sides radii of 1/2" and 1/4" respectively.
3. Piers of masonry shall be no less than 12" in width and 8" in depth.
4. Posts of wooden construction shall not be less than 6" nominal in width or depth.
5. Columns and pilasters, etc., shall be of the Tuscan or Doric orders as prescribed by The American Institute of Architects.
6. Buttresses shall not exceed a 1-1/2" on center.
7. Pier openings shall be vertical in proportion.
8. Lintels shall extend horizontally beyond the window opening a dimension equal to the height of the opening, except brick soldier lintels, which shall extend a minimum of one brick beyond the opening.
9. Wood window flower boxes are strongly encouraged.

## ROOFS

1. Roofs may be built of steel standing seam.
2. Roofs may be built of cedar shake.
3. Roofs may be built of asphalt shingles.
4. Gutters shall be built of wood, copper, steel, or aluminum, when provided.
5. Gutters shall match the roof when the roof is steel standing seam.
6. Roof materials other than those specified may be used subject to the approval of the Office of the Community Architect.

1. Roofs shall be simple and symmetrically pitched, and only in the configuration of gables and hips. Roofs shall be pitched between 8:12 and 14:12.
2. Shed roofs (roofs which pitch in one direction) shall only be permitted when the ridge is attached to an exterior wall of the principal building. The pitch of the roof shall be between 11:12 and 14:12.
3. Steeply pitched roofs are permitted only when they are acceptable and acceptable from an interior room, and must be offset by a railing or parapet. The railing pattern is subject to the approval of the Office of the Community Architect.
4. Gutters shall be half-round in profile on overhangs and open when there is no overhang.
5. Gutterhouse shall be half-round in profile.
6. Downspouts shall only be flat in profile.
7. Styling, vent stacks, solar panels, etc., shall not be visible from the street.



The category, "Building Elements," refers mainly to the use of porches, railing and balustrades, arches, and other details. (See Figure 29.) For example, porches should be vertical in proportion, and may be supported by wood posts or columns in the doric or tuscan order; builders are told to refer to *The American Vitruvius* for illustrations.<sup>88</sup> Balustrades or railings at the edge of a porch may be built of wood and painted white, or steel or wrought iron, which must be painted black. Piers must be constructed of masonry, and arches must be built of brick or block with stucco finish, meet a minimum thickness, and have centered keystones. As for decorations to the structure, "wood flower boxes are strongly encouraged."

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<sup>88</sup>Warner Hegemann and Elbert Peets, *The American Vitruvius: an architects' handbook of civic art*. ed. Alan J. Plattus. (New York: Princeton Architectural Press, 1988). This new edition reprinted from the 1922 original begins with a preface by Leon Krier.





**Figure 28.** A variety of External Wall Treatments, Tschiffely Road Footpath, Kentlands, Maryland.





DPZ gives detailed instructions regarding the treatment of "Roofs", in both their pitch and permitted materials. (See Figure 30.) Materials may include painted or galvanized steel standing seam with matching gutters, cedar shakes, natural slate or an artificial slate approved by the Community Architect. Roof configurations must be limited to gables and hips, and be symmetrically pitched; a range of 9:12 to 14:12 is permitted. Shed roofs may only be used on structures attached to the main building, and flat roofs may be used only when they cover a balcony or deck, and are edged with a railing or parapet. The profiles of gutters are also regulated, as are their materials and finishes. Skylights or other protrusions from a roof must not be visible from the street.

"Windows and Doors" are also monitored in the architectural codes. (See Figure 30.) All street-facing windows must be built of wood but may be covered in white vinyl. The lights must be clear glass, though frosted glass, tinted glass, or glass block may be used when it is not visible from the street. Doors may be of wood, steel panels, or fiberglass with wood veneer. Again, other materials may be used on the rear facade. DPZ is particular about shutters and demand that they are built of wood or vinyl, and that they are functional and sized correctly to the windows they frame. Windows must be square or vertical in proportion, and be single hung, double hung, or casement. Other shapes, such as circular or semi-circular may be used, but only once on any facade. Snap-in muntins, the members which divide a window into lights, may be used.

The final regulations concern the "Gardens," or yard areas of each lot, and the





**Figure 29.** Examples of Building Elements, and Gardens, Clagett Crossing Place, Kentlands, Maryland.



**Figure 30.** Examples of Roofs, Doors and Windows, Beckwith Street, Kentlands, Maryland.



type of fencing and plant materials which may be used. (See Figure 29.) Fences must be wood and painted white, or iron and painted black, and should be built at the front and street-side yards. Hedges will also be permitted. The fence patterns and their locations must be approved by the Office of the Community Architect. Fence height must be between waist and breast level at front or side yards, while other fence locations are more flexible in their height and materials. Gates should be in the same material as the fence. Permanent walls surrounding a yard or retaining walls must be of brick and should reflect the principal structure. Again, walls not visible from the street are allowed greater flexibility. Plant material must be selected from the Kentlands list of native plants, or approved by the Community Architect. The codes specify typical garden structures that are allowed in the Kentlands such as garages, guest houses and studios, pavilions, green houses, gazebos, trellises and arbors. Other permitted uses are listed because they will be present in the community recreation center, but would not normally be found on a private lot: in-ground swimming pools, outdoor tubs, sauna, handball and squash courts, pool houses and equipment enclosures.

### **Criticisms of Neo-Traditionalism and Kentlands**

The cost of a project like Kentlands is very high. Alfandre purchased the property, 352 acres, for \$40 million, and in addition, must also pay the cost of all the internal infrastructure for the town; roads and sidewalks, water and sewer, storm water management, lighting, and landscaping. The public buildings and recreation



sites are built by the developer, and he may also subsidize local convenience shops until there is sufficient population to support them. At the Kentlands these costs are expected to add up to \$160 million.<sup>89</sup> Adding up all these amounts results in a significant financial commitment by the developer. Alfandre planned to recover these costs through income gained from the resale of land to a regional shopping center developer, and from the sale of building lots. While there may be a few development companies that are able to raise these funds, there are not enough to make the development of a DPZ town a common occurrence. Duany is more optimistic and claims, "there are dozens of tracts this size laid out every year, all of them potentially towns...the land is there, and the market is there, but the designers are not there."<sup>90</sup>

The high cost of housing is also problematic. Single family homes range in price from \$229,000 up to \$489,000. Cottages range from between \$149,000 to \$216,000, townhouses from \$182,000-\$253,000, and condominiums \$118,000 to \$164,000. The apartments units are also in the upper bracket with rents ranging from \$735-\$1,325 per month.<sup>91</sup> It is difficult to see how any goals for affordable housing will be met at these prices. According to 1990 census data 89% of Gaithersburg's 6,000 owner occupied units are valued between \$100,000 and \$300,000, with almost a third of the total between \$100,000 and \$149,000. Rental units account for just over

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<sup>89</sup>Mark Jenkins, "The End of Suburban Blight," *Warfields* (April 1990): 63.

<sup>90</sup>Mahney and Easterling, 71.

<sup>91</sup>"Kentlands Base Prices and Sales Office Hours," Kentlands Information Center, Kentlands, Maryland, 1993.





half of all housing units; 50% pay a monthly rent below \$750.<sup>92</sup> The demographics of Gaithersburg reveal a city in which 72% of the population is white, located within a county which is 77% white. The median family income is \$49,454.<sup>93</sup> There is no indication that the Kentlands will meet the goal of a culturally and economically diverse community. Its demographics are likely to resemble or even reinforce the suburbia it is trying to counteract.

Other inherent difficulties include finding appropriate sites and gaining public approval. Gaithersburg is an incorporated city within Montgomery County, and, unlike most of the communities located in this County, it oversees its own zoning and subdivision regulation. Kentlands was approved under an MXD, or Mixed Use Development § 24-160D.1.1, provision in the Gaithersburg zoning code, which is specifically designed to accommodate "comprehensively planned, multi-use projects."<sup>94</sup>

DPZ has been highly criticized for the detailed regulations found in the Urban and Architectural standards, because they are thought to stifle architectural creativity. The street scenes which the codes create are said to be no more than nostalgic recreations. At Kentlands DPZ relies upon models such as Annapolis and Georgetown, but in doing so creates fictitious history and characteristics that in reality

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<sup>92</sup>United State Bureau of Census, *Census of Population and Housing, 1990*. Washington D.C.: United States Department of Commerce, 1990.

<sup>93</sup>"Gaithersburg, A Look at the City" Public Information Office, Gaithersburg City Hall, Gaithersburg, Maryland, August 1992.

<sup>94</sup>Gaithersburg City Code, Division 19, MXD Zone, Mixed Use Developments § 24-160D.1.



take decades to arise. The provision within the Standards that, "variances may be granted by the Office of the Community Architect on the basis of architectural merit," is thought to be empty of meaning as the real objective is not architectural merit, but architectural homogeneity.

Perhaps most disturbing is the limited impact Kentlands will have on the suburbanizing factors in the region. Independence from the automobile only occurs within the boundaries of Kentlands, where residents are able to walk to recreational facilities, convenience stores, or the regional shopping center, and children are able to walk to school. Once residents leave the development there is no alternative to the automobile; there is no public transit. So while internally there are opportunities for behavior to change, there is no guarantee that residents who drive to work will not continue to make mid-day trips for personal errands, or find themselves caught in evening rush hour traffic. The number of automobile trips at the regional level will remain unchanged.

There is also no suggestion that residents of Kentlands will work in the town. This is especially true given the high cost of housing and the pay level of the only currently available and potential local jobs, teaching at the elementary school or work at the shopping center. DPZ believes the situation would be different if the commercial and retail centers had been built first and the jobs had preceded the homeowners; "If the workplaces go in first, then people who work there will consider living there."<sup>95</sup> Other problems associated with suburbia discussed earlier- lack of

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<sup>95</sup>Jenkins: 63.



diversity, and the cost of housing- will also remain unaffected at the regional level.

The most likely scenario is that Kentlands will become just another theme subdivision, a theme more innovative than a golfing community, but one that does not affect the area outside its borders. The challenge DPZ set for itself was to take the neo-traditional plan to another level, and to bring Kentlands far beyond the concept in place at Seaside. With forty master plans completed by the DPZ firm, a better example may yet be built, but only if the problems inherent in neo-traditionalism as illustrated by Kentlands are corrected.



### **CHAPTER III**

## **HISTORIC PRESERVATION AND DESIGN REVIEW**

Historic preservation and neo-traditionalism share a common desire to affect the nature of the built environment. While preservation's efforts are primarily directed at specific and existing historically and architecturally significant resources- sites, buildings, and districts among them- neo-traditionalism is engaged in creating new building environments through the use of design regulation and review. Design review associated with historic preservation is enforced by the public sector through historic preservation ordinances, while the design controls crafted by neo-traditionalists rest on private agreements between the developer and subsequent purchasers of property and are enforced through restrictive covenants.

Because private design review is a discretionary choice on the part of the purchaser, these controls may be more stringent than public design review, which is subject to a variety of statutory and constitutional doctrines that limit and define governmental action, such as due process, takings, and the existence of statutory delegation of power. While there are many technical aspects of preservation ordinances that need updating, an equally pressing need is an increased awareness of the potential impact of new construction in historic districts, and an improvement in the review process.





## Application to an Urban Setting

Design controls are administered by local governments throughout the United States, in special use districts, historic districts, and within traditional zoning. The use of design review apart from historic districts is enforceable when aesthetic controls are tied to the purpose of protecting property value, as was upheld in *Stoyanoff v. Berkeley* 458 S.W.2d 305 (Mo. 1970), or supported by courts that accept aesthetic regulation as a part of general welfare subject to police power.<sup>96</sup>

In December of 1990, Phoenix enacted an ordinance that requires design review of all commercial and multi-family projects throughout the entire city.<sup>97</sup> A survey of 285 local governments that practice design review showed that 60% of review occurs in historic districts; 17% waterfront or other scenic areas; 19% environmentally sensitive areas; 31% downtown or center; 19% residential neighborhoods; and 22% neighborhood commercial districts. However, specialized review boards exist in only 36% of these communities, with local planning staff performing the greatest percentage of review.<sup>98</sup> Given the variety of officials carrying out design directives, the clarity of the recommendations and requirements are critical to their enforcement.

Within local historic districts, which are authorized and regulated by state

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<sup>96</sup>See *Berman v. Parker* 348 U.S. 26 (1954), in which Justice Douglas wrote, "[t]his court has recognized, in a number of settings that the States and cities may enact land-use restrictions or controls to enhance the quality of life by preserving the character and desirable aesthetic features of a city." (129.)

<sup>97</sup>Grady Gammage Jr., "Phoenix Does it Citywide," *Planning* (May 1991): 15.

<sup>98</sup>Benda Leightner, "Survey of Design Review Practices," *Planning Advisory Service Memo*, American Planning Association (January 1993): 1.



enabling legislation, design review is one accepted means of protecting historic significance. Historic district boundaries that contain an entire town or village can exert a significant impact on a community.

In Pennsylvania, the state enabling act permitting local governments to create historic districts and regulate new construction, demolition, and alterations was passed in 1961 as P.L. 282 No. 167. As of 1991, Pennsylvania had 75 local historic districts in 59 municipalities.<sup>99</sup> According to Act 167, as it is known, the purpose of creating historic districts is:

protecting those historical areas within our great commonwealth, which have a distinctive character recalling the rich architectural and historical heritage of Pennsylvania, and of making them a source of inspiration to our people by awaking interest in our historic past, and to promote the general welfare, education and culture of the communities in which these distinctive historical areas are located.<sup>100</sup>

Act 167 requires that any locality adopting a preservation ordinance establish an Historical Architectural Review Board (HARB), to "give counsel to the governing body" of the local government, concerning the "erection, reconstruction, alteration, restoration, demolition, or razing of any building, in whole, or in part, within the historic district or districts within the political subdivision."<sup>101</sup> Any proposal that merits evaluation and involves design considerations must be reviewed by the Historic Architectural Review Board. The members of this board are appointed in accordance

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<sup>99</sup>Brenda Barrett, "Historic Preservation: Balancing Private Property and the Police Power," Bureau for Historic Preservation. A presentation to the HARB/CLG training workshop, October 26, 1991.

<sup>100</sup>Laws of Pennsylvania, 1961, Act 167 §2.

<sup>101</sup>Ibid. §3. and §4.a.



with a set of minimum criteria prescribed by the state enabling legislation:

The board shall be composed of not less than five members of whom a majority shall be residents of the historic district. One member of the board shall be a registered architect, one member shall be a licensed real estate broker, one member shall be a building inspector, and the remaining members shall be persons with knowledge of and interest in the preservation of historic districts.<sup>102</sup>

The means and extent of design review required of the Historic Architectural Review

Board are the

appropriateness of exterior architectural features which can be seen from a public street or right of way, only, and ... the general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings and structures in the district.<sup>103</sup>

In response to Act 167, the Department of Community Affairs in the Bureau of Community Planning produced a model ordinance in 1978 that set a regulatory standard for local communities to follow. The model also presents the expectations of the state for preservation ordinances, thereby establishing state policy. The purposes of the model ordinance expand upon the broad definitions of Act 167 by adding economic and social objectives. One purpose is to "promote the use and reuse of the portions of the township," for the people of the township, state, or nation. Economic purposes include strengthening the local economy, "by stabilizing and improving property values within the historic district," and to "encourage new buildings and developments that will be harmonious with the existing historic and architecturally

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<sup>102</sup>Act 167, §3.

<sup>103</sup>Ibid. §3.b.



important buildings."<sup>104</sup>

In the area of design review, the model ordinance also broadens the state legislation by expanding upon the directions given to the HARB. The model ordinance states that the "HARB shall consider the Design Guidelines set forth in Section 500 and 501."<sup>105</sup> Article V §500, provides very generalized written guidelines which cover the following issues;

1. The effect of the proposed change upon the general historic and architectural nature of the District;
2. the appropriateness of the exterior architectural features which can be seen from a public street or way;
3. the general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the District.
4. The HARB shall grant variations in a manner that will be in harmony with the character of the other buildings or structures on the street and/or district.
5. The height of any new building or structure shall not exceed the height of the tallest adjacent building or structure by more than ten (10) percent. This requirement shall also apply to any proposed modifications to existing buildings and structures.<sup>106</sup>

The bulk of the review occurs within item three above, concerning general design, in which the HARB is instructed to consider the following: proportion of buildings' front facades; proportion of openings within the buildings; rhythm of solids to voids in the

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<sup>104</sup>Bureau of Community Planning, "Proposed Historic Preservation Ordinance," Department of Community Affairs, March 1978. §101- Purposes.

<sup>105</sup>Ibid. §501.D.

<sup>106</sup>Ibid. §500.





front facade; rhythm of spacing of buildings on streets; rhythm of entrance and/or porch projections; materials; textures; color; architectural details; roof shapes; walls of continuity; landscaping; paving materials; directional expression of front elevation; and scale.<sup>107</sup> While this does present a comprehensive list of factors to consider, they are not arranged in any particular order of priority, nor is graphic description suggested.

### **Design Review Using the *Standards for Rehabilitation***

Over time the Pennsylvania HARB guidelines appear to have become progressively less suitable to addressing the questions HARB's are increasingly asked to answer. A Pennsylvania state document that provides information to prospective Certified Local Governments (CLG) and published by the Pennsylvania Bureau for Historic Preservation, states that design standards used by preservation boards in Pennsylvania are recommended, but not required, to "conform with the Secretary of Interior's ten basic *Standards for Rehabilitation*."<sup>108</sup>

The Certified Local Governments Program was created by the National Historic Preservation Act Amendment of 1980, as a means of releasing federal project grant monies to local governments that meet a minimum criteria of established preservation planning and protection. One of the criteria considered in the federal designation of a

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<sup>107</sup>Proposed Historic Preservation Ordinance, Article V, §500.

<sup>108</sup>Bureau for Historic Preservation, "Guidelines for Implementation of the Certified Local Governments Program in Pennsylvania," Pennsylvania Historical and Museum Commission, February 11, 1987, 2.



local government as a CLG, is an "adequate and qualified historic preservation review commission."<sup>109</sup> The federal law does not specify the method that commissions are to use in design review, but leaves the responsibility of stating preferred practice to each state preservation office.

Clearly, in Pennsylvania, great importance has been given to the use of the *Secretary of Interior's Standards for Rehabilitation* in conducting design review. A recent preservation ordinance passed in West Whiteland Township in 1986 instructs its HARB and Board of Commissioners to follow the *Standards for Rehabilitation*, and the related *Guidelines for Rehabilitating Historic Buildings* in making "Determinations of Appropriateness."<sup>110</sup> Determinations must be made in proposals for, "erection, reconstruction, alteration, restoration, demolition, or raising of any building or structure," in an historic district.<sup>111</sup> The ten basic provisions of the *Standards* are reproduced in the ordinance for the benefit of the public. The use of the *Standards* points to one of the most significant flaws of design review in historic districts, the minimal guidance provided for the evaluation of new construction.

The *Standards* and *Guidelines for Rehabilitation* offer little or no guidance for the review of new construction. As a guide aimed at rehabilitation, the *Standards*

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<sup>109</sup>Department of the Interior, "Procedures for Approved State and Local Government Historic Preservation Programs," National Park Service 36 CFR §61.5,.2.

<sup>110</sup>West Whiteland Township, Article 13, West Whiteland Preservation Ordinance, §1312.3.C.

<sup>111</sup>*Ibid.* §1312.3.C.



offer advice on a related subject; the replacement of lost historic features from an existing building. Discussion of replacements may be more specific as the building itself provides much of the information needed to ascertain and replicate lost features. New construction offers a challenge of a different kind, and can certainly not be regarded as replacement. The *Standards* speak briefly to new construction, but it is considered only as new construction in the form of additions to historic buildings.

The two basic standards most related to new construction are:

(9) New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.<sup>112</sup>

Thus the only two standards that mention new construction at all do not suppose that construction to be of an entirely freestanding new building, and do not offer much guidance for appropriate design review.

In addition to this flaw, other problems arise when using the *Standards* to conduct design review. Foremost among these are that the *Standards* were originally written to guide the Advisory Council on Historic Preservation in federal preservation planning. At the local level, the *Standards* lose much of their relevance because they

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<sup>112</sup>Department of the Interior, *The Secretary of the Interiors Standards for Rehabilitation and Guidelines for Rehabilitation* (Washington D.C.: National Park Service, 1990), 6.



are non-site specific. The period of "Review and Comment" required of the Advisory Counsel for Section 106 analysis, is by nature of different significance and purpose than design reviews required of a local preservation commission.<sup>113</sup> For example, the first standard states the importance of compatible or identical uses in historic buildings. Architectural Review Boards, however, are generally permitted to directly regulate only building design and appearance, not use.<sup>114</sup> Other language within the standards is vague and unfrontational, using terms such as "avoid when possible," or "should be discouraged," all terms which can place the applicant on the offensive and the board on the defensive. These terms benefit the applicant because there is no definitive "do not," and negotiations favor the applicant. Will the extra cost of replicating historic materials, for example, allow an applicant to circumscribe the "whenever possible," plea by the *Standards*? According to Katherine Ridley, Associate Director of the Preservation League of New York;

If the legislative instructions are so vague that commissions cannot implement them without filling in large gaps themselves--or if the commissions embroider on or depart from their legislative instructions in reaching their decisions, commission decisions can be overturned.<sup>115</sup>

The only alternative to the *Standards* in the West Whiteland Preservation Ordinance is the following list of considerations:

- (1) Mass (height, bulk, nature of roof line)
- (2) Proportions (height to width)

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<sup>113</sup>Katherine Ridley, "The Secretary's *Standards* and Local Preservation laws: Roadsigns in a Foreign Tongue," *Landmarks Commission News* (Summer 1990): 2.

<sup>114</sup>*Ibid.* 3.

<sup>115</sup>*Ibid.* 2.





- (3) Nature of yard space
- (4) Extent of landscaped areas versus paved areas
- (5) The nature of facade openings (doors and windows) - their size, locations and proportions
- (6) The type of roof (flat, gabled, hip, gambrel, mansard, etc.)
- (7) The nature of projections (porches, etc.)
- (8) The nature of the architectural details and style
- (9) The nature of the materials
- (10) Color
- (11) Texture
- (12) Ornamentation
- (13) Signs<sup>116</sup>

These appear to be summarized from the directives contained within the model ordinance, although in this section they are so abbreviated as to be almost cursory, rather than meaningful material. Thus the HARB is left to make recommendations based predominantly on the ten *Standards* published in the Ordinance.

### **The Imperfect Preservation Ordinance**

Evidence of ongoing efforts by local government to update their ordinances to meet improved standards and methods of design review suggests that many preservation ordinances are out of date. Advances in preservation law and the resources towns are willing to protect has changed the nature of design review since 1978, the year the Pennsylvania state model ordinance was written. In many communities the technical aspects of preservation ordinances and their enforcement have been updated and these changes could prove effective elsewhere.

Other communities still have room for improvement. For instance, in Cleveland, Ohio, the preservation commission must inform the city planning

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<sup>116</sup>West Whiteland Township, §1312.3.c.



commission before making recommendations on designations to the legislative council.<sup>117</sup> The result of this provision is that the political motives of not only the council members, but also the planning commission have the potential to interfere with designations that do not conform to their goals. An example of a potential conflict is the need for preservation pitted against the desire for tax revenues from new development. In addition, there is no protection provided to buildings under consideration for designation, leaving them open for demolition during the review period.

In contrast to Cleveland, other cities and small towns have made innovations that could be adapted into other historic preservation ordinances. For example, in the Massachusetts town of Hingham, the local preservation ordinance provides protection to any building within two hundred feet of the boundaries of a local, state, or federal historic district.<sup>118</sup> The purpose is to create a buffer area around the historic district to mitigate negative influences on the district itself, and to protect historic sites that were not included in the district. The ordinance requires that applications for demolition within the buffer be reviewed by the historical commission, which has thirty days to make a preliminary determination of significance. If a building is found significant, the town must then conduct research and provide a full report on the building. The force of the ordinance is that if a building is demolished without a

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<sup>117</sup>National Center for Preservation Law, "Cleveland: A Major City with a Minor Preservation Ordinance?" *Preservation Update* 33 (August 23, 1990).

<sup>118</sup>National Center for Preservation Law, "Demolition By-Law Protects Structures Near Historic Districts," *Preservation Update* 45 (December 30, 1991).



permit, before or during an assessment of significance, the property owner cannot be issued a building permit for a period of three full years. The result is that the boundaries of a historic district are effectively expanded farther into the community, emphasizing the relationship and importance of an historic district to the surrounding area, and the frequency of demolition followed by new construction is deterred.

The preservation ordinance of San Antonio was also revised to be more applicable to current issues in its regulation of historic sites. The ordinance was updated in 1987 to strengthen its review of demolition permits and prevent demolition by neglect. Controlling demolition seems to be the favored method of diverting new construction. To regulate demolition the ordinance requires documentation on the replacement building including: a project concept, preliminary elevations and site plans, dimensional schematic design drawings, and a structural report provided by the city engineer.<sup>119</sup> To ensure completion of a construction project the developer must post a performance bond and payment bond.<sup>120</sup> The performance bond guarantees that if the contractor should fail to complete the project, the surety (guarantor) named in the bond is responsible for either providing the funds for completion to the developer, or overseeing the work itself. A payment bond requires the surety to pay

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<sup>119</sup>National Center for Preservation Law, "San Antonio Adopts New Historic Preservation Ordinance," *Preservation Update* 5 (March 9, 1987). See also "Preservation Ordinance May Require Demolition Applicant to Present Plans for New Development on Same Site," *Preservation Update* 27 (July 30, 1990), regarding Albany, New York, preservation ordinance.

<sup>120</sup>For a information on these and other types of construction bonds, see Richard Peiser, *Professional Real Estate Development* (Washington, D.C.: Urban Land Institute, 1992).



any outstanding liens on a property, e.g. subcontractors, suppliers, laborer, if the contractor defaults on these payments. In this case, the surety makes both guarantees to the municipality, promising the city that a project will not be left unfinished. The terms of the ordinance cover not only privately owned buildings, but also city-owned buildings and utilities.

San Antonio also places a high priority on the regulation of demolition by neglect. It requires that property owners, "keep all property including vacant property, clear of all weeds, fallen trees or limbs, debris, abandoned vehicles, and all other refuse."<sup>121</sup> The building inspector can also require repairs to "preserve and protect," a building.<sup>122</sup> The penalties for demolition by neglect are robust; if a building must be demolished because it is a public safety hazard, which is defined by any building in receipt of two or more violation notices, then a building permit for the same site cannot be requested for the following two years; and in addition, the property owner may not receive a curb cut permit for surface parking. The goal is to prevent historic buildings from becoming parking lots.

The interpretation of preservation ordinances is difficult if their language is not clear. For example, the difference between "alteration" and "demolition" is not always defined in preservation ordinances even though it affects the intensity of public review. Because they are potentially far more disruptive, demolition requests trigger a more comprehensive review, whereas alterations may not be so tightly controlled.

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<sup>121</sup>*Preservation Update 5* (March 9, 1987).

<sup>122</sup>*Ibid.*





For example, a debate arose in Alexandria, Virginia, when a property owner requested an "alteration" review for the removal of a rear wing on a house built in 1812. The Board of Architectural Review insisted that the removal should be defined as a demolition, not an alteration, because of the radical change to the building.<sup>123</sup> The difference between the two concepts was not fully defined even though the ordinance permitted reviews of demolition more stringent than reviews of alteration.

In Charleston, South Carolina, a similar situation arose when a property owner applied to the preservation commission for permission to gut the interior of a building. In the case of demolition, the local ordinance allowed a review of the effect on the entire building, while alterations only allowed a review of the effect on the exterior. Again the problem was defining the action of the property owner and the correct level of review by the city allowed in the ordinance. If the interior work was considered demolition, then it would be possible for the city to deny a certificate of appropriateness.<sup>124</sup> Where should the line be drawn? Is any action less than 100% demolition considered an alteration, or should it be 80% or 20%? Should an alteration be defined as an action which is followed by replacement?

The preceding examples illustrate weaknesses in the enforcement and protection of historic building laws. Are there shortcomings within historic district ordinances that actually lead to the destruction of historic resources, counteracting the aim of

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<sup>123</sup>National Center for Preservation Law, "Defining Partial Demolition and Alteration," *Preservation Update* 1 (February 2, 1987).

<sup>124</sup>*Ibid.*



protecting architectural significance? Though a new building planned for construction within an historic district may meet review criteria and use standards established by zoning, the two public goals may conflict. Historic buildings are often found in areas which are zoned for commercial, retail or industrial uses, where zoning pressures encourage demolition or conversion to uses that may be destructive.<sup>125</sup> The opposite may also be true. For example, large residential buildings of historic significance may be located in residential zoning districts, where viable uses such as bed and breakfast facilities or apartments are not permitted. In the latter example, the building would be better served by a use not permitted in its zoning class.

Sometimes the solution to preservation and zoning conflicts has been to include a clause in both zoning and preservation ordinances stating that the historic preservation ordinance takes priority in cases where conflicts appear. However, even with such a clause, design review boards are typically not permitted to comment on use regulations, except in communities that recognize this limitation as a drawback. Of course, members of preservation boards are not always as well practiced as planners in making land-use decisions, but the input of a review board can give suggestions which the local planning board may not have considered.

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<sup>125</sup>Stephen A. Morris, "Zoning and Historic Preservation," *Local Preservation*, National Park Service (August 1989): 5.



## **CHAPTER IV**

### **CONNECTING DESIGN REVIEW WITH TRADITIONAL PLANNING**

The failure of neo-traditionalism to affect changes in the suburban environment through design control should not suggest that design controls in themselves are of little use. Preservationists have long realized that while guidelines may protect the exterior of a structure, they do not create markets for historic buildings, find buyers, provide financing, or produce customers for failing businesses. Preservation laws only protect the architectural and historical significance of a resource, and if a property owner can prove financial distress in a demolition application then such market considerations may prevail over public intervention. It is the neo-traditionalists who have yet to realize that design review is not 100% of the solution to urban or suburban development conditions. Because DPZ is critical of traditional planning, it does not notice that design control serves best when coordinated with traditional zoning practices, rather than standing alone.

Planning at the village level seems to establish an arena for interpreting how design control can be connected to other planning disciplines. A comprehensive village plan begins with a thorough evaluation of the village itself, taking into consideration such factors as existing land uses; architectural features; spatial relationships between buildings; historical information; evolution over time; landscape



features around and within the village; patterns of movement over time of both people and automobiles; and the overall condition of the village.<sup>126</sup> Neo-traditionalists and preservationists frequently practice one or more of these information gathering techniques in determining what a village is or should be. The village planning process brings all such concerns to the table, but also includes further reaching research techniques such as analysis of the surrounding landscape, growth pressures, and factors which directly influence growth, such as existing sewer and water conditions.<sup>127</sup> Successful examples of connections between concern for community well-being and the use of design regulations can be found in village plans. The following examples give some indication of the expanded role public design review is taking.

### **Village House Concept**

The Village House Concept is a new construction guideline similar to the Urban Standards devised by DPZ for Kentlands that has been adopted by municipalities within Bucks County. It was created by a former Bucks County planner, Carter Van Dyke, who based his design on examples in the historic borough of Doylestown. Units built under Van Dyke's instructions are meant to bear similarities to houses found in Bucks County villages and towns, easily assimilating into these urban areas

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<sup>126</sup>For extended reading into village district planning methods, see Bucks County's *Village Planning Handbook* (Bucks County, PA: Bucks County Planning Commission, 1990).

<sup>127</sup>*Ibid.* 6.





and maintaining the existing patterns of development.

A single family dwelling under the Village House Concept is built at a setback from the sidewalk of ten-by-twelve feet, a shallow setback similar to that found at Kentlands. In addition, a dwelling must subscribe to at least two of the following requirements:

- a. One canopy tree per lot, or two flowering trees per lot.
- b. An unenclosed porch, running across at least three-quarters of the house front and being at least seven feet in width.
- c. A front yard raised above sidewalk grade by at least 18 inches, with a retaining wall of at least 18 inches at the sidewalk line.
- d. A front yard enclosed by a permanent wall or fence of wood or masonry construction at least 30 inches in height.
- e. Hedge yard: one of the following or similar species per 18 inches: (list of 6 species choices).<sup>128</sup>

Garages, like at Kentlands, must be removed from the street facade and set back twenty feet or more from the front of the building, and may be placed as little as five feet from the rear yard setback lines.

There are similarities between the Village House Concept and Type IV housing in Kentlands' Urban Standards, but unlike at Kentlands, these buildings are not subject to specific architectural demands. An Historic Architectural Review Board could possibly take responsibility for reviewing architectural design of a Village House unit in conjunction with new construction in an historic district. Many villages in Bucks County in addition to Doylestown are historic districts, including Fallsington Borough, Spring Valley Village in Buckingham Township, New Hope Borough, Hulmville

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<sup>128</sup>Suzanne Sutro, *Reinventing the Village, Planning, Zoning, and Design Strategies*. Planning Advisory Service Report 430 (Chicago: American Planning Association, 1990), 7.



Borough, Langhorn Borough, and Edgewood Village in Lower Makefield Township; there are fifteen historic districts in Bucks County altogether. Though a number of townships and boroughs have adopted the Village House Concept, according to Suzanne Sutro, a Montgomery, Pennsylvania planner who has researched this subject, few examples have been built in urban areas. More have been built as housing types within cluster and subdivision developments, giving it a purpose somewhat akin to the housing types devised by DPZ for Kentlands.

One benefit of the Village House Concept is that it provides relevant examples for new construction in a Bucks County village. Rather than letting new construction be presented to town officials as "infill," which suggests filling space between two more important buildings, specific information is available prior to the approval process on the type of building that should be constructed. Buildings found in historic districts that encompass an entire borough or village play a role far greater than providing an architectural image. Each building contributes to a spatial dynamic which is not only visual, but also related to the "features of the society which inhabits it."<sup>129</sup> Not all design guidelines are associated with an historic district ordinance, but may be, like the Village House Concept, adopted as part of general zoning. One weakness of preservation ordinances is that unless specific design guidelines are written by the community, the ordinance may not provide information on new construction in historic districts. The lack of focus on new construction in the *Standards for Rehabilitation* helps to propagate this flaw. In contrast, neo-

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<sup>129</sup>Kevin Lynch, *Good City Form* (Cambridge MA: MIT Press, 1990), 138.



traditionalism provides the most detailed standards and not only deals with the final architectural design, but also building use, placement, proximity to public spaces, movement, and clarity.

The model preservation ordinance provided by the state does not ask local government to consider the purpose and role of new construction in an historic district, yet the Village House Concept shows how new construction could be more easily integrated into the community. Design review which is based on such examples would elevate the importance of integrating new buildings in both their urban forms and uses into historic districts.

### **Village District Regulations**

Townships in Pennsylvania are redefining conditional uses and special exceptions in their zoning codes to reflect the historic significance of a village district. By conditioning use on historic significance the village gains an added measure of control not provided by historic districts alone. In the Lower Salford Township village of Harleysville, approval of conditional uses are contingent on a design review process similar to that found in historic districts, covering the same issues of architectural features, massing, fenestration, and so on.<sup>130</sup> New construction in Lower Salford must also undergo design review to ensure its compatibility to the surrounding buildings. As for alterations, changes to the front and side of a building

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<sup>130</sup>The Harleysville Village Commercial District in Lower Salford Township was adopted in 1987.



are not permitted, and expansion may only take place at the rear of a building and must be in scale with the principal structure. If the front and side facades of a pre-1940s building are preserved then the developer may be awarded a bonus in the size of the permitted expansion.<sup>131</sup>

Demolition on Main Street is completely prohibited; should a building be demolished illegally then conditional uses will not be permitted on those lots. Lower Salford's list of conditional uses include: sales of appliance, electronics, furniture, and auto parts/supplies; restaurants; bakeries; wholesale uses; drugstores; hardware stores; convenience food stores; funeral homes; clubs or lodges; hotels and bed and breakfasts; day care or elementary schools; and permitted uses on non-conforming lots. In addition there is a list of uses that are prohibited outright such as drive-in banks, fast food, gas stations, car washes, and uses which require large land areas such as building supply sales or automotive sales.<sup>132</sup>

Other townships are taking similar steps. For example Salford Township, to protect the rural village of Tylersport, considers all non-residential uses as conditional, and gives approval only if the use will be in an existing building. The application must include an "outline [of] the architectural features of the building and its relationship to the overall character of the village."<sup>133</sup> Penn Township limits the size of an addition made to accommodate commercial uses, and has adopted dimensional

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<sup>131</sup>Sutro, 10.

<sup>132</sup>Information provided by table "Selected Village Zoning Ordinances From Bucks and Montgomery Counties, Pennsylvania," in Sutro, 35.

<sup>133</sup>Sutro, 8.





standards that limit building height to 35 feet or three stories, and building width to 2.5 times building height. A village with an historic district would have the benefit of both preservation controls, and the ability to limit uses which are destructive to historic buildings. The importance of historicism and design review is no longer associated with special overlays like historic districts, but has become an integral part of mainstream zoning.

### **West Whiteland Preservation Ordinance**

One important means of giving preservation ordinances greater control over the districts and sites they protect is to allow preservation boards to review and comment upon issues that are traditionally left to a planning commission or a board of supervisors. West Whiteland takes this step in its preservation ordinance by greatly expanding the authority of its Historical Commission to control actions which affect not only the architectural and historical significance of the district, but also land-use planning. Though the commission does not have "approval" powers, its comments are now part of the official review process. West Whiteland is trying to balance the desire for profitable and taxable commercial, retail, and residential uses, with maintaining a well balanced and functioning community.

The West Whiteland Township Preservation Ordinance, which was adopted in September of 1986, was written with the assistance of the Brandywine Conservancy, a land trust organization based in Chadds Ford, Pennsylvania. The purposes outlined for this ordinance are more specific to the locality and its needs than the 1978 model



ordinance discussed in Chapter III. The first purpose is to "promote the general welfare by protecting the integrity of the historic resources of West Whiteland Township."<sup>134</sup> The second purpose is to "establish a clear process by which proposed changes affecting historic resources are reviewed." An issue that did not even appear in the model ordinance is also addressed: "to mitigate the negative effects of proposed changes on historic resources," and further, "to encourage the continued use of historic resources and facilitate their appropriate reuse." This suggests that the Township accepts that changes will have to be made to historic buildings in order to permit use and reuse, but will only tolerate specific levels of change. This is a stronger statement than that provided in the state's model ordinance, because it is coupled with the next purpose, "to encourage the continued use of historic resources and facilitate their appropriate reuse." The ordinance will also "tailor protective measures to those clearly delineated historic resources in West Whiteland worthy of preservation." Here the Township is assuring property owners that the determination process for historic significance will not be arbitrary, but will be limited to those buildings or sites identified on the town inventory maps. Another feature of the ordinance is the Township's commitment to historic resources other than buildings; purpose 6) reads, "to encourage the preservation of historic settings and landscapes." The state's model ordinance makes no mention of landscape preservation. The last purpose is "to discourage the unnecessary demolition of historic resources." Again, the model ordinance made no mention of demolition.

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<sup>134</sup>West Whiteland Township, §1300.



The provision which makes the West Whiteland Preservation Ordinance more progressive compared to the state model, is the stated duty of the Historical Commission to review and comment upon issues usually left to the planning commission, including proposed uses, subdivision and land development proposals, and requests for special exceptions. The ordinance accomplishes this by first separating historic resources into three categories:

Class I-

- (1) Certified historic structures;
- (2) Contributing resources, i.e, buildings, sites, structures, and objects filed as such the with National Register of Historic Places;
- (3) Buildings, sites, structures, objects and districts which have received a Determination of Eligibility.

Class II-

Buildings, sites, structures, objects, and districts not meeting National Register Criteria, but determined to be of historical or architectural significance to West Whiteland and appropriately documented to that effect by the West Whiteland Historical Commission.

Class III-

Buildings, sites, structures, objects, and districts included in the historic resources inventory of the West Whiteland Historical Commission and not included in either Class I or Class II, above.<sup>135</sup>

These classes are used to determine the level of restrictions attached to each historic resource. For example, the Commission has ninety days to review demolition applications for Class I resources, but only forty-five days for Class III resources. A commercial, residential, or village district could potentially fall into anyone of these

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<sup>135</sup>West Whiteland Township, §1302.



categories. Each class is identified on an historic resources map which is supervised and maintained by the ten member West Whiteland Historical Commission. In addition to its duty to fulfill the role of an Historic Architectural Review Board under Act 167, the Commission is also charged with the following duties:

c. Advise the zoning officer and Board of Supervisors on the issuance of demolition permits for historic resources as set for in §1304.

d. Review and comment on subdivision or land development applications which affect historic resources, in accordance with the requirements and procedures of the West Whiteland Township Subdivision and Land Development Ordinance.

g. Advise the Zoning Hearing Board and Board of Supervisors on all requests for special exceptions conditional uses, or variances affecting historic resources.<sup>136</sup>

These duties are in addition to those typically assigned a preservation board, including reviewing applications for rehabilitation, enlargement, or alteration of historic resources. Though the Commission is limited to review and comments, there is potential for the Commission to impact planning approvals by the West Whiteland Board of Supervisors.

West Whiteland has also brought design review into the realm of traditional zoning by limiting the number of uses applicable to Class I historic resources. The following matrix shows how the Township accomplishes this through conditional use and special exception provisions, similar to what was described in Lower Salford Township. (See Figure 31.)

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<sup>136</sup>West Whiteland Township, §1303.4.





Uses	Zoning Districts									
	R-1	R-2	R-3	R-4	MU	TC	C-1	C-2	P-1/P-2	I-1/I-2
Dwelling, Single Family	-	-	-	-	BR	BR	BR	BR	BR	SE
Home Occupation, §1305.3	-	-	-	-	BR	BR	BR	BR	BR	SE
Residential Conversions, §1305.5	-	-	-	-	-	-	-	-	-	-
Professional or Business Offices	CU	CU	CU	CU	-	-	-	-	-	CU
Cultural Studio	CU	CU	CU	CU	CU	BR	BR	-	-	CU
Cultural Facility	CU	CU	CU	CU	BR	BR	-	BR	BR	SE
Guest House, §1305.6	BR	BR	BR	BR	BR	BR	BR	BR	BR	P
Inn	CU	CU	CU	CU	CU	BR	BR	BR	CU	P
Eating &/or Drinking Est.	CU	CU	CU	CU	CU	-	-	CU	CU	CU
Neighborhood Commercial, §1305.7	P	P	P	P	-	-	-	-	CU	CU
Combination of Permitted Uses	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

Figure 31. Use Provisions for Class I Historic Resources, West Whiteland Township Preservation Ordinance.



Any request for a conditional use or special exception in a Class I resource automatically initiates a design review process that is identical to the review by a HARB under Act 167. Class II and Class III resources are unaffected by the matrix. The use matrix is arranged so that uses which might be destructive to an historic resource are classified in a category other than by-right.

In West Whiteland the *Standards for Rehabilitation* are used as the main design review reference:

unless otherwise specified under each additional use opportunity below, any rehabilitation, alteration, or enlargement of a Class I historic resource to utilize the opportunities shown in [the table] must be in substantial compliance with the standards contained in the [Standards for Rehabilitation].<sup>137</sup>

By subjecting Class I resources to these restrictions, uses which would require substantial changes to a building are averted, in effect encouraging the continuation of current uses. In addition to applications for uses in the matrix, Class I resources may also apply to the zoning hearing board for special exceptions to the area and bulk restrictions found in the underlying zoning codes. This allows flexibility in regulating resources on difficult sites, permitting compromises in the setback, height, and zoning standards.

The ordinance further requires the submission of an Historic Resource Impact Study in association with certain activities affecting historic resources. Only the Board of Supervisors or Zoning Hearing Board may waive this requirement. Activities which must submit an impact study include proposals for land development

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<sup>137</sup>West Whiteland Township, §1305.b.



or subdivisions plans that are located within one hundred feet of the walls of an historic resource; land development or subdivision plans that would require alterations or demolition to an historic resource; and, bridge or road construction within one hundred feet of the walls of an historic resource. Like other requirements, in this ordinance, the impact study only applies to Class I resources.

These are just a few examples of the alternative methods used to make public design review an effective partner with traditional zoning.



## CONCLUSION

Preservation ordinances and the use of design control in traditional zoning continues to evolve, seeking new means of affecting the built environment. This thesis has shown that public regulation is a more rational and justified approach to design review than the private regulation found in neo-traditionalism. Planners and architects will continue to be fascinated by the role of architecture in the well-being of a community. The experience of neo-traditionalism and its failures should provide preservation planners with the knowledge to seriously update design review and public policy in their field of practice.

The debates surrounding neo-traditionalism and the success of its aesthetic orientation will surely continue, although my research shows that private design regulation in DPZ's suburban developments has had little affect on regional planning issues. While some long-term regional plans are advocating high density and pedestrian oriented development, these techniques are proposed in conjunction with regional public transit plans and urban growth boundaries, for example: Thousand Friends of Oregon, "Making the Land Use Transportation Air Quality Connection,"; Puget Sound Council of Governments, "Vision 2020,"; and City of Seattle Planning Department, "Mayor's Recommendations, Comprehensive Plan Framework Policies."





Strict design review alone is recognized as inadequate. Even Jonathan Barnett, who agrees with Duany on the need to rewrite zoning codes and create more compact and high density development, realizes that the most important fault of low density development is that it prevents the efficient use of public transportation.<sup>138</sup>

Andrea Dean's article in *Historic Preservation* wrongly supposed that neo-traditionalism and historic preservation are "salvaging a traditional American way of life."<sup>139</sup> Preservationists do not ask property owners to return to a lifestyle matching the date of an historic building, but rather seek the means to accommodate a twentieth century lifestyle without endangering the historical or architectural significance of an historic resource. Public design review works because it allows twentieth century planning concerns and private property rights to have a voice in the review process. Historic Architectural Review Board regulations require that preservation review be carried out by a group of unpaid volunteers who are required by law to represent a variety of competing professions. This is in great contrast to the Community Architect at the Kentlands who works alone to enforce design controls which have only an aesthetic purpose- a process far less democratic than public design review.

DPZ supposes that if a community has picket fences and homes in a historic vernacular style (e.g. colonial revival) that Americans will somehow reverse those political and social forces which over the last forty years have been responsible for the suburban environment. Clearly it makes no difference to overall regional conditions if

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<sup>138</sup>Barnett: 96.

<sup>139</sup>Dean: 61.



a homeowner selects a fencing material or mailbox which does not meet DPZ's design standards. But, regional conditions are affected by the commercial and residential mix of an historic village. At some point DPZ's controls become entirely superficial to the success of a community. Consider the undedicated monuments found in its master plans; not only does this practice trivialize the memorial purpose of monuments, it also dilutes the right of residents to leave their own mark on their community.

Preservationists, unlike neo-traditionalists, recognize that cultural evolution as evidenced in physical resources is a positive value to be preserved and adamantly oppose reconstructions which falsely represent themselves as authentic. Current preservation ethics accepts reconstructions only as a last alternative, and even then requires public acknowledgement. This is true of small scale conservation treatments to the rehabilitation of individual buildings.

Public design review also has its critics. Architects insist that it restricts creativity, and is arbitrarily enforced. Others, like Brenda Leightner, writing for the American Planning Association, suggest that public design review does not go far enough into urban design issues:

compared to a real urban design idea such as those represented by Regents Street or Sixtus V's plan for Rome, or even Seaside, the guidelines cannot be said to constitute urban design at all.<sup>140</sup>

Leightner must also be reading Krier. So perhaps review has landed somewhere in the middle, taking it only as far as it will affect public welfare, but not so far as to constitute physical planning or urban design.

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<sup>140</sup>Leightner, 4.



constitute physical planning or urban design.

By contrast, DPZ wants Kentlands to look and feel like Annapolis. Its marketing slogan, "A Place Like Kentlands Comes Along Only Once Every 200 Years," is a statement which to a preservationist trivializes if not ignores the significance of a genuine historic city like Annapolis.<sup>141</sup> Even more unenlightening are Duany's views on the value and longevity DPZ's work. Duany insists that DPZ's goal is to ensure that "the future is of equal value to the past, and that tomorrow's preservationists have something worth conserving from our time."<sup>142</sup> With such a limited knowledge of preservation practice and its broad scope, Duany all but dismisses the value of preserving any twentieth century landmark. Andrea Dean does not even question this statement in her article.

At Kentlands DPZ re-imagines an eighteenth century capital city, but cannot avoid twentieth century realities: growth, socio-economic disparity, and complex influences on land use. Many of the assumptions DPZ made about the influence of physical attributes on social conditions did not prove true at Kentlands; DPZ underestimated the cost of housing, overestimated the market for retail and commercial space, and misidentified Kentlands as a village rather than as the subdivision it really is. Perhaps these architects hold onto a view of physical determinism that is no longer considered adequate by the majority of architects,

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<sup>141</sup>Kentlands, Maryland, Marketing Information, "Marketing Brochure," Kentlands Information Center, Kentlands, Maryland, 1993.

<sup>142</sup>Dean: 56.



planning professions, and preservationists. Richard Sellers, in his article "Why Take a Trip to Bountiful- Won't Anaheim Do?" reminds us that "the greater the manipulation, the greater the contrivance." As an example, Sellers describes the reconstruction of Old Fort Bent in Colorado, as a

form of historic representation, not preservation. Only the terrain itself, upon which rests a make believe historic structure, has genuine ties to the historic past- a kind of latitudinal and longitudinal matter, the place where it happened. The fort to some degree may reflect the past, but it is not of the past.<sup>143</sup>

The same is true of neo-traditionalism. Its brand of restrictive design review creates a local phenomenon that is neither of the past, nor influential on the future.

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<sup>143</sup>Richard Sellers, "Why Take a Trip to Bountiful- Won't Anaheim Do?" *Courier* (October 1990): 11.





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