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Form Regulation to Address New Construction in Historic Districts

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Form Regulation to Address New Construction in Historic Districts

Abstract

This thesis will evaluate several tools that cities are currently using to regulate the form of new construction, large alterations, and additions in designated historic areas. A number of tools are available to achieve this type of regulation, but the most popular tools tend to be place-specific design guidelines derived from the study of a historic district, associated with an overlay designation established by the city's zoning code. Throughout this thesis, this type of regulation will be referred to as "traditional tools." "Non-traditional tools," as used herein, include things like form-based codes or neighborhood conservation districts. These are tools that have not been as widely used or are relatively new to the regulatory landscape. The tools evaluated in this thesis will be examined through case studies and include a mix of traditional tools and non-traditional tools. The traditional tool case studies are New Orleans, LA, and Savannah, GA. The non-traditional tool case studies are Beaufort, SC, which is used a case study for both traditional and nontraditional tools, and Philadelphia, PA.

Keywords

Form-Based Code, Design Guidelines, Neighborhood Conservation Districts, Zoning, Beaufort

Disciplines

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FORM REGULATION PRACTICES TO ADDRESS NEW CONSTRUCTION IN
HISTORIC DISTRICTS

Meredith Seiz Johnson

A THESIS

in

Historic Preservation

Presented to the Faculties of the University of Pennsylvania in
Partial Fulfillment of the Requirements of the Degree of

MASTER OF SCIENCE IN HISTORIC PRESERVATION

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Dedication & Thanks

I dedicate this to all thesis to all the women whose ceiling became my floor.

Thank you to my advisor, David Hollenberg, for his wisdom, his patience, and his unwavering support.

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Chapter 1: Introduction

The regulation of form for new construction and large alteration projects, including additions, in historic districts is a significant task because a failure to regulate new construction can destroy the defining character of a district. This is especially true if the new construction regulations are mismatched with the historic district building size, site planning, materials, or window and door rhythms. In some worst-case scenarios, regulations that are too lenient regarding the form of new construction in historic districts can ultimately lead to an increase in demolitions because, for many developers, an empty lot is more attractive than renovating an existing building. Justification for this may vary, but often the reason is a mismatch between the zoning and the historic built environment. Demolitions, of course, are an irreversible loss of historic fabric.

Fortunately, the regulation of form for new construction and large alterations can assist in retaining the look and feel of the historic environment. When successful, such regulations should result in new construction that contributes to the district. However, developing form regulation that will be used to address new construction in historic districts, as opposed to form regulation that is used for new construction greenfields or empty lots, is particularly tricky.

This thesis will focus on three primary challenges that arise when developing form regulations for new construction in historic districts: the first challenge is legibility, the second challenge is ensuring that the regulations focus on form rather than function, and the third challenge is the strength of the regulations.

If the historic district form regulations are poorly written, misunderstood by applicants, regulators, or the public, or otherwise flawed, the risk of new construction merely copying existing forms is very high. This is especially true when the new construction can be substantially larger by right than the historic context. In the world of preservation design, copying is not often seen as a high form of flattery. Poor form regulation may also result in a construction project that disrupts the underlying holistic rhythm that characterizes the district, which could ultimately result in the erosion if not entire loss of a district's historic value. In order to achieve quality and sensitive design, the regulations for new construction, large-scale alterations, and additions should be legible to non-professionals, be form-focused rather than use-focused, and be powerful enough to influence form without promoting copying.

Legibility of development regulations has been overlooked by code writers for far too long. Many historic districts primarily consist of residential properties or small businesses, which means that any type of development proposal will likely come from a range of interests, including homeowners, developers, and landlords. While these are not always nonprofessionals in terms of development, they may be inexperienced with historic districts and their regulations. Development in historic districts is often tightly regulated and includes a commission review on top of the typical work permit review. If the individual or organization proposing the work cannot understand the regulations that dictate this unfamiliar review process, they are more likely to stray from, or even ignore, the review process and the regulations. This, of course, increases the of non-

compatible proposals within the sensitive environment of the historic district. This leaves the correction to retroactive enforcement procedures, which are typically not as strong as regulatory review procedures. For this reason, the burden of understanding the regulations necessitates their clarity to the full range of stakeholders they affect in support of the municipalities, which are the entities charged with protecting public assets, including historic building fabric. This also applies to the review boards for historic districts, which are often comprised of citizens with varying degrees of professional skill and knowledge. For the sake of preservation, municipalities would benefit from regulations that are more legible to all readers.

In the mid-20th Century, the modernist movement began using the phrase “form follows function.” The phrase refers to the idea that the use of the building should be reflected in the look of the building.¹ This phrase has since been applied beyond architecture and can be seen in the zoning regulations that emerged around the same time. The idea behind the regulation of function, or use, can be seen in zoning, which has been used to separate residential uses from nuisance or non-residential uses. For all its benefits, the extreme separation of uses over large swaths of land has often emerged into what planners now refer to as sprawl. Beginning in the late 20th Century, planners began to acknowledge that such extreme separation of uses can kill the public life of places; this is particularly true for dense, old places that were originally designed to

¹ “E.H. Gombrich’s Adoption of the Formula Form Follows Function: A Case of Mistaken Identity?” Michl, Jan, Human Affairs, 2009. <http://janmichl.com/eng.gombrich-fff.pdf>. Accessed March 4, 2019.

accommodate a mix of uses, such as retail and residential. This is one instance where zoning plays a big role. The zoning should permit an appropriate mix of uses for the area so that the supplemental form regulation document can focus on form rather than function. The documents regularly do not communicate, but the idea of regulating form rather than function in historic areas through form-first regulatory language is one that intends to honor, at a minimum, the original design and, where appropriate, mixed used, of the historic place and thus requires the support of zoning. In some cases, the regulations have been altered to address form and function, in an attempt to promote the return of a historic district to its former mixed-use glory.

In conjunction with the push for form-first regulation, most historic districts are formalized on their distinctive look and feel, rather than their uses. When it comes to new construction in historic areas, it is the design compatibility, or lack thereof, that will be most obvious when compared to its context, not the use. With this in mind, cities would benefit from ensuring that their regulations in historic districts paid as much attention to the form of new construction as to the function.

As seen later in this thesis, many cities approach the regulation of form for new construction, additions, and large-scale alterations through suggestive design guidelines, rather than prescriptive form regulations. Such guidelines, while they often provide insight to the city's history and the unique architecture, often lack regulatory power on their own, but rather support the regulations they illustrate. The complexity of form regulation will be discussed in the case studies, but a lack of clear codified form

regulation runs a high risk of yielding incompatible new construction. Cities charged with protecting their historic assets must establish enforceable form regulations for new construction projects within the historic district in order to accurately protect the look and feel of those districts. As mentioned previously, a lack of strong regulation for new construction in historic areas can lead to a loss of fabric through incompatible design or even through unchecked demolitions. Cities should take the time to establish codes and review processes to protect and manage change within their historic districts.

This thesis will evaluate several tools that cities are currently using to regulate the form of new construction, large alterations, and additions in designated historic areas. A number of tools are available to achieve this type of regulation, but the most popular tools tend to be place-specific design guidelines derived from the study of a historic district, associated with an overlay designation established by the city's zoning code. Throughout this thesis, this type of regulation will be referred to as "traditional tools." "Non-traditional tools," as used herein, include things like form-based codes or neighborhood conservation districts. These are tools that have not been as widely used or are relatively new to the regulatory landscape. The tools evaluated in this thesis will be examined through case studies and include a mix of traditional tools and non-traditional tools. The traditional tool case studies are New Orleans, LA, and Savannah, GA. The non-traditional tool case studies are Beaufort, SC, which is used a case study for both traditional and nontraditional tools, and Philadelphia, PA.

Additionally, it should be noted that this thesis, though not specifically about zoning, will touch on zoning because the issue of form regulation is inherently a zoning-related topic.

Chapter 2: Methodology

This thesis will examine a range of regulatory tools that focus on the form of new construction, additions, and large-scale alterations in historic districts. As mentioned, the tools will be examined through case studies. The selection of the tools and the case studies occurred almost simultaneously, as the case studies needed to be representative of a particular tool. It would be impossible for this thesis to examine every tool or every city using a particular tool. Thus, the case studies had to also be representative of other common uses of the same tool. Needless to say, selecting case studies to represent tools was a difficult task, necessitating comparison of how a similar tool has been used in multiple municipalities, and then selecting the most apparently representative use.

The first tool selected would be obvious: the traditional design guideline and historic district by zoning method. This may be one of the most widely-used tools in the United States partially, but not solely, due to its age. These traditional tools have been explained many times over. For example, in 1980, Robert Cook published his instructive book, Zoning for Downtown Urban Design: How Cities Control Development. This book, an excellent reference for other tools that cities can use, discusses the importance of preserving historic fabric and recommends historic districts as a tool that can help cities manage new construction proposals. This book arrived at a time when suburbs were booming, but downtowns had largely been left untouched. At the time Cook published this book, developers were re-examining downtowns for cheaper real estate and cities

were interested in revitalization efforts but needed advice on how to manage developments that were not on greenfields.²

The selection of the case studies for the traditional tools was difficult due to the sheer number of cases available. New Orleans, LA, and Savannah, GA, were finally selected because they were early adopters of this tool and have each broadened and refined its use throughout periods of significant growth within their historic districts. Additionally, the architecture of these cities is well known and the amount of information available about each city's architecture and development periods was plentiful. Though these cities use the same tool, they implement the tools differently—differences that would help to explain the full breadth of the tool as it applies to the regulation of form for new construction in historic districts.

The first non-traditional tool was fairly easy to identify. Form-based codes are on the rise in planning dialogues but were an obvious selection in this context because they are almost the opposite of the traditional zoning tool. Form-based codes were introduced in the 1980s as an alternative to the results of traditional zoning code, in particular to sprawl. The new codes were designed by architects, planners, and urban designers to capture the elements of construction that feel most important to the public

² "Greenfield: Farmland and open areas where there has been no prior industrial or commercial activity, and therefore where the threat of contamination is much lower than in urbanized areas." *A Planner's Dictionary*, Davidson, Michael and Dolnick, Fay, American Planning Association, 2004.

realm. Elements include walkability, a mix of uses, revitalization of old buildings, and sustainability.³

Form-based code is a tool that is designed to replace a traditional zoning code, meaning it would be applied to an entire municipality rather than just a district like an overlay. The structure of a form-based code includes graphic-heavy content to communicate form regulations than typically seen in a traditional zoning code. In terms of content, form-based codes are considered to be more focused on form than use. This is not to say that traditional zoning is completed devoid of form regulation. Traditional zoning tends to regulate the form of single developments using ratios, like the number of dwelling units per acre or the number of parking spaces per square foot of retail space, or through hard limits, like the minimum distance a building is allowed to be setback from the street or the maximum distance a wall can extend before it is required to have an indentation that also extends for a maximum distance.⁴ Any additional form regulations, such as fenestration or architectural detail, are added in the form of supplements, like design guidelines that, as “guidelines” are typically optional, or at least have less explicit regulation than their underlying regulations.

A major concern with this method, according to supporters of form-based codes, is that the traditional zoning code does not address the building’s relationship to the

³ Parolek, Daniel, Parolek, Karen, and Crawford, Paul, *Form-Based Codes: A Guide for Planners, Municipalities, and Developers* (John Wiley & Sons, Ltd, 2008), Page 9.

⁴ “Conventional Zoning Vs Form-Based Code.” Harriman, accessed April 20, 2019, <https://harriman.com/inspirations/conventional-zoning-vs-form-based-code/>.

public realm, nor the public realm itself. Form-based codes tend to include topics like architectural detail for the primary facade, a range of acceptable heights, desired ratio of window to wall, and/or even a menu of acceptable materials. All of these regulatory items are put into context with the form-based code's emphasis on the public realm. Simply put, the context of a form-based code focuses on how the look of a building influences the physical character of a place and the people who experience it, rather than how its use fits in with other uses.

One organization, Place Makers, a promoter of the form-based code tool, conducted a study in 2017 to identify the municipalities that had adopted, or were in the process of adopting, either full or parts of a form-based code.⁵ There are over 650 municipalities on this list. The list can be organized by category, including by cities that prioritized historic preservation in their codes. The City of Beaufort is on this list and is identified as having an award-winning code.⁶ A review of these codes helped to narrow down the options. The review examined the age of the code and the coverage area of the code (an overlay vs a whole municipality). Most importantly, the review examined which codes included significant language regarding historic preservation, preferably in the form of its own chapter. The City of Beaufort was finally selected because it has a long history of using traditional tools, as defined by this thesis, and because of its path

⁵ "Form-Based Codes? You're not alone," Place Makers, accessed April 20, 2019, <http://www.placemakers.com/how-we-teach/codes-study/>.

⁶ The Driehaus Form-Based Code Award is an annual award sponsored by the Form-Based Code Institute, a professional organization that focuses on promoting form-based codes. More information on the award criteria can be found here: <https://formbasedcodes.org/driehaus-form-based-codes-award/>

from the use of the traditional tools to its adoption of the form-based code, and because of the documentation that exists about how the code applies to the city's preservation goals.

Representative examples of conservation districts, the second non-traditional tool, were more difficult to find. Again, many cities are using the conservation district method as part of their suite of traditional tools. At first it seemed like there might be some variation in the conservation district methods, but after some examination it was determined that the tool is broadly similar across many cities. Fortunately, a meeting with the Philadelphia Planning Department revealed that conservation districts are another tool used to regulate new construction in areas with distinct physical character that may or may not be formally considered historically significant. Further research revealed two theses from the University of Pennsylvania Historic Preservation Department that have assessed conservation districts in Philadelphia. The first, a 1990 thesis by Laura Trieschmann called *Neighborhood Conservation Zoning: A Feasibility Study for Philadelphia, PA*, evaluated conservation districts as a tool that could be used to preserve the integrity of the historic built environment in Philadelphia before conservation districts were utilized in the city.⁷ The second, written two decades later by Lindsey Allen, is titled *Philadelphia Neighborhood Conservation: Using Public Policy to*

⁷ Trieschmann, Laura Virginia, "Neighborhood Conservation Zoning: A Feasibility Study for Philadelphia, PA (Master's Thesis Historic Preservation)", *University of Pennsylvania School of Design Department of Historic Preservation*.

Protect Historic and Threatened Residential Neighborhoods.⁸ Allen's thesis, slightly broader than Trieschmann's, examined how the tool was currently being used in Philadelphia.

Since Allen's thesis, Philadelphia has increased the number of conservation districts. There are now six, and each has its own section in the city's zoning code. Interestingly, none of these districts are local historic districts, but some overlap with the National Historic Register. The conservation districts are focused on regulating the form of new construction, but do not additions. These nuances, along with the existing documentation around the Conservation Districts, led to the selection of Philadelphia as the final case study.

⁸ Allen, Lindsey E., "Philadelphia Neighborhood Conservation: Using Public Policy to protect Historic and Threatened Residential Neighborhoods (Master's Thesis historic Preservation)," *University of Pennsylvania School of Design Department of Historic Preservation*.

Chapter 3: Traditional Tools

The traditional tools that cities use to regulate the form of new construction in historic districts often include an overlay district, defined by the zoning code, with an external, non-codified design supplement, or a design guideline. This type of regulation tool is attractive for three primary reasons. First, this is the most common method of regulating form in historic districts and often appears to be the tried-and-true method. The National Park Service has even published guides for writing and using such design guidelines.⁹ Second, neighborhood-specific guidelines can be more detailed than zoning codes. For example, a zoning code cannot regulate roof shape, but a design guideline can offer more specific suggestions based on historical evidence. Third, neighborhoods often feel pride in their design guidelines because the guidelines are specific to that place. For example, the design guidelines that work in New Orleans, Louisiana, would not work well in Savannah, Georgia. This is because each place has its own distinct architectural character, or sense of place, that is captured in the guidelines, often leading communities to formally celebrate their architectural values.

Unfortunately, design guidelines are often seen as a one-time investment, meaning municipalities tend to not update their design guidelines as frequently as they probably should, an issue also seen with zoning codes. Of course, updating a zoning

⁹ “Creating + Using Design Guidelines: Role They Play,” National Park Service, US Department of the Interior, accessed April 20, 2019, <https://www.nps.gov/tps/education/workingonthepast/roletheyplay.htm>.

code or its related regulations, especially in a major city, is a massive undertaking. Other cities that have recently redone their zoning codes include Chicago, Miami, and Denver. The City of Philadelphia, for example, has worked to improve their zoning multiple times. The original code was adopted in 1962. The first major edits occurred in the 1980s as a huge re-mapping effort that was aimed at bringing the zoning in self-selecting neighborhoods into conformance with the existing conditions. The second effort was a complete re-write that occurred between 2007 and 2012. The re-write addressed legibility and simplifications. At the time, the code contained more than 50 zoning classifications.¹⁰ This 5-year re-write brought the code down from about 700 pages down to about 400 pages.¹¹

Design guidelines can be left behind in the same way a zoning code can. While a city may have initially adopted design guidelines in response to a change within the historic district, a lack of upkeep to the design guidelines will permit them to become outdated with current trends, specifically in regard to new construction, additions, and alterations. The regulatory priority is misplaced in this scenario because the real threat to historic districts is often new construction and large alternations. Design guidelines additionally fail to address this threat if they only focus on the existing historic urban fabric and do not include sections that address new construction or additions. The issue

¹⁰ "News & Resources: A Brief History of Land Use Regulations," Kaplan Stewart Blog, February 14, 2017, accessed April 20, 2019, <https://www.kaplaw.com/blog/brief-history-land-use-regulation/>.

¹¹ "The Philadelphia Code," City of Philadelphia, PA, accessed April 30, 2019, [http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/thephiladelphiacode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:philadelphia_pa](http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/thephiladelphiacode?f=templates$fn=default.htm$3.0$vid=amlegal:philadelphia_pa).

that this traditional tool then poses is not about whether form is regulated in historic districts, rather it is about how well the forms of new construction, additions, and alterations are regulated. Do the design guidelines, as a supplementary tool within a traditional zoning and overlay context, actually serve the historic district through form regulation of new construction?

Section 3.1: Case Study of Savannah, Georgia – Traditional Tools

Savannah, Georgia, makes for an interesting study in design guidelines as a component of a traditional zoning overlay, because it was one of the first cities in America to adopt this method in the mid-1960s. The method continues to be used today. An important note here is that the City of Savannah does not itself regulate the historic districts. Instead, it is the County, through its Metropolitan Planning Commission, or MPC, that carries the authority and responsibility of creating regulations and reviewing projects for Savannah's historic districts.

Savannah's first historic district was the Downtown Historic District, shown in *Figure 1* in Appendix A, established in 1966 following the National Historic Preservation Act.¹² The county then partnered with a local historic foundation to conduct a historic building survey of the district in 1968, a survey that has been used and amended

¹² *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 5.

throughout the years. This survey was followed by an update to the state's constitution to allow Savannah to adopt a unique set of zoning policies that would specifically pertain to the historic areas. The constitution amendment also enabled the city to review and regulate historic preservation projects, similar to the way they were reviewing and regulating non-historic district construction projects. Once the amendment was passed, an official Historic District ordinance was adopted in Savannah. The ordinance also established the county's Historic District Board of Review in 1968.¹³ In 1973, the historic preservation ordinance was updated to include design elements called "Visual Compatibility Factors." The Visual Compatibility Factors identify the primarily character-defining elements of a district, such as height and massing, both of which are typically under the purview of traditional zoning.

Despite consistent updates to the design guidelines, maps, and other supplemental documents related to the historic district, the city and county realized that the original form regulations were not working to regulate new construction in the historic district. From the mid-1970s to the end of the 1980s, numerous demolitions and inappropriate new construction had occurred.¹⁴ Demolitions occur for many reasons in historic areas, but one major issue that plagues many cities is the mismatch between the existing historic fabric and the size of new construction permitted by the zoning

¹³ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 5.

¹⁴ *Ibid.* Page 6.

code. For example, if a historic lot is plotted at 60 feet wide by 100 feet long, the historic houses would be thin and long. If the zoning code has a maximum lot size of 120 feet wide by 100 feet long, then new construction projects are more likely to use two lots and demolish the existing historic structures in order to take advantage of the maximum allowable zoning.

The last straw for Savannah was the Lucas Theater.¹⁵ In 1986 the historic theater was slated for demolition. The Lucas Theater was built in the 1920s and was a popular place for entertainment through the late 1940s. Once television became popular, and Savannah's downtown populations left for the suburbs, the theater struggled to stay relevant until 1976 when it closed completely. Over the next decade the building decayed. Once word of the proposed demolition got out, a group of concerned citizens got together to purchase and restore the building.¹⁶ These events drew attention to the failure of the historic preservation regulations in Savannah. A gem like the Lucas Theater should have never found itself on the chopping block.

Through the 1990's, the MPC and City of Savannah worked to create new design standards that would address new construction in an attempt to yield more historically compatible designs. The new language specifically attempts to regulate the height and massing of new construction. These extensive revisions, developed by a hired

¹⁵ Reiter, Beth Lattimore, "Preservation in Savannah," accessed April 20, 2019, <http://www.davenportmuseum.org/wp-content/uploads/2010/09/Reitertimeline.pdf>.

¹⁶ "The History of the Lucas Theater," Tybee vacation rentals, April 15, 2018, accessed April 20, 2019, <https://www.tybeevacationrentals.com/blog/local-tips-tidbits/history-lucas-theatre>.

consultant, were adopted in 1997.¹⁷ An additional set of revisions were developed by a committee of citizens working with the MPC and the City through the early 2000s.¹⁸ These revisions were adopted by the City in 2001. Unfortunately, just a few years after these new regulations were adopted, they were yet again challenged. Savannah's downtown, the primary historic district, experienced a lot of new construction, particularly large-scale developments, between 2003 and 2007. These large developments frequently received variances, or relief from regulations. The result of these variances, when they occurred in the historic districts, were either buildings that did not match the character of the historic district or the demolition of historic buildings.¹⁹ Variances, however, are not a flaw from the design guidelines; variances come out of the zoning code, and are an inherent and, from a regulatory standpoint, essential component of zoning codes. In 2008, another committee was formed to address this issue. This committee decided that they needed to improve the clarity of the historic district's "Visual Compatibility Factors," to improve the public's understanding of Savannah's significant architectural features. The committee hired an urban design consultant who helped the committee to draft regulatory language that would address the look and feel of large-scale new construction projects in historically-sensitive areas. The new language for large-scale developments in historic areas

¹⁷ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 5.

¹⁸ *Ibid.* Page 5.

¹⁹ *Ibid.* Page 7.

addressed footprint, massing, height, materials, entrances, and windows. Additionally, the section is written in a way that does not dissuade large-scale buildings, but instead encourages developers to consider the historic significance of smaller-scale buildings. The new language was adopted into the zoning code in December of 2009.²⁰ The reaction to the variances that triggered such regulatory change gives an insight into how strongly Savannah feels about its historic fabric.

In 2009, the goal of the revisions was to create more compatible developments within the defined historic districts. The revised Visual Compatibility Factors, shown in Appendix A as *Figure 2*, regulate the following:

- building's height
- the proportion of the structure's front façade
- the proportion of the door and window openings
- the rhythm of solids and voids in the front façade
- the rhythm of structures on the street
- the rhythm of the building's entrance or porch projection
- the relationship of materials in both texture and color
- roof shapes
- walls of continuity

²⁰ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 7.

- scale of the building
- directional expression of the front façade.²¹

This set of regulations looked a lot like design guidelines, but it wasn't until 2011 that Savannah finally published the Design Manual for the Savannah Historic District.

As mentioned, during the massive design guideline overhaul, the City of Savannah had also added a section for historic districts into their zoning code in an attempt to codify and strengthen some basic design regulations. The zoning code talks about the same Visual Compatibility Factors as the design guideline and uses the word the “shall” to indicate what is required for permit approval.²² The City's codified standards address the same Visual Compatibility Factors that exist in the *Design Manual*. Additionally, the zoning code, relevant section of which are shown in Appendix A as *Figure 3*, has been expanded to include the same Design Standard elements as the *Design Manual* including:

- street and lanes
- height
- building form
- setbacks
- entrances

²¹ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Pages 14-15.

²² A regulation that is required usually uses the word “shall.” A variance is required to depart from these regulations. However, variances from the Historic District Height Map are not permitted.

- exterior walls
- windows, shutters, and commercial storefronts
- awnings, canopies, and shade structures
- roofs
- lanes, garages, and carriage houses
- Parking areas
- Service areas, utilities, and mechanical systems
- Large-scale development
- stoops and porches
- monumental buildings
- character areas ²³

As before, the zoning code identifies how such elements are required and evaluated, while the *Design Manual* goes into depth regarding the best practices, historical context, and desired outcome for each item. The *Design Manual* could be considered a road map for obtaining a “Certificate of Appropriateness”, the approval of the Historic District Review Board that is needed to receive building permits when building in a local historic district. The “Certificate of Appropriateness” review process and the typical new construction building permit processes are shown in *Figures 4 and 5* of Appendix A.

²³ City of Savannah Zoning Ordinance, Section 8-3030 Historic District, Table of Contents.

Despite the similarities between the two documents, each one addresses the standards in very different ways. Take for example the Visual Compatibility Factor, roof shapes. The zoning codes states: “The roof shape of a structure shall be visually compatible with the contributing structures to which it is Visually Related.”²⁴ The *Design Manual* states: “The shape of a roof should be visually compatible with contributing structures. Historic buildings should determine the predominant roof shape, such as hipped, gable, shed, gambrel, or mansard, on a block or ward, and new construction should provide a roof line and shape that is compatible with the historic roof line of the block or ward.”²⁵ The *Design Manual* also includes an image of a sequence of similar roof types to further explain the objective of the factor. This example demonstrates how the zoning code and the *Design Manual* should jointly communicate in order to achieve compatible designs, particularly for new construction projects.

Like most cities, Savannah requires a project in the historic district to be granted a Certificate of Appropriateness, which is granted by the Historic District Review Board. The zoning code expresses the elements that are required, (or would need an approved variance request if the developer did not want to include those elements.) In this case, Savannah has included the same elements in the zoning code as they did in the *Design Manual*. If a developer only looks at the zoning code, they will at least include the items

²⁴ City of Savannah Zoning Ordinance, Section 8-3030(1)(m)(8)

²⁵ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 15.

listed. This system is safer than only identifying the Visual Compatibility Features in the *Design Manual*, which could be ignored due to its suggestive nature.

The relationship of the zoning code historic district standards and the historic district design guideline standards is made evident when the context of their development is understood. The first iteration of what would become the *Design Manual* was used to identify the major contributing features of the existing urban fabric through survey and documentation. However, this method failed to regulate the visual compatibility of new construction in the district, so the tool was revised, in conjunction with the zoning code, in an attempt to address this problem. This initial revision took over 10 years to complete. The process included civic engagement and resulted in the tools becoming more refined, as evident through the changes in the height regulation map.²⁶

Revisions occurred yet again when the height restrictions proved to lack strength by themselves. This time, the visual compliance was expanded to the 11 elements seen today and the height restrictions were strengthened by not allowing variance departures from it. Through this process, the governing bodies have learned that their tools are not perfect and require revisions in order to stay up to date with trends and balances concern for preserving the City's character with demands from the development community. The regulatory bodies acknowledge within the design

²⁶ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 6.

guideline document that new construction and diverse architecture can add to the character of a district: “Savannah differs from other historic cities, which often rely on a small palette of development patterns and street elevation types, because the power of Savannah's grid, its system of subdivision, its courtyards, and the lushness of vegetation on its streets and squares, both encourages and tolerates significant architectural diversity and richness.”²⁷

Additionally, Savannah benefits from an in-depth understanding of its own development history, which is integrated as justification and context throughout the design guidelines. The guidelines include original maps of the city, sequencing images of the same street, historic photographs of significant buildings, and written explanations of each guideline to explain its context and importance. This contextual evidence and in-depth analysis separates the design guidelines from the zoning regulations.

The zoning regulations do not include images or examples of “good design;” the guidelines do. Instead, the zoning code articulates very specific regulations that must be met. For example, under the section about balconies, stairs, stoops, porticos, and porches, the zoning code states “Front stair treads and risers shall be constructed of brick, wood, precast stone, marble, sandstone, or slate.”²⁸ Compare this to the language of the design guidelines: “Additionally, Savannah’s architecture is rich in carefully

²⁷ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 3.

²⁸ City of Savannah Zoning Ordinance, Section 8-3030(n) (10) d.

crafted details, often integral to the overall design of the building. Contemporary artistic craftsmanship can enrich the visual texture of the city. Incorporation of the follow kinds of details are encouraged: cast iron decorative railings, downspouts such as the dolphin downspout, etched and stained glass, moulded terracotta, lamp brackets, decorative vent covers, decorative tiles, corner quoining²⁹ In just this single example, the guidelines are more approachable, use common language, give visual examples, and offer flexibility in design and materials as compared to the zoning code regulations, which are rigid, lack graphics, use professional language, and offer limited options in material or designs. These two documents support each other because each one fills in what the other lacks. In this case, the zoning code enforces a base standard of design that must be met. If a new construction project were to only follow the zoning regulations, the result would be likely minimally compatible to the district. Despite all this, the codes and design guidelines are not what make a design good. A good designer, or team of designers, who understand historic sensitivities and compatibilities of new construction are essential components of good design results. The codes and guidelines are designed for applicants who may lack this ability or experience. They increase the likelihood that bad design will, at the very least, be minimized.

²⁹ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 37.

Luckily, the Historic Overlay District, which is established by the zoning code, requires new construction projects to be reviewed by the Design Review Board.³⁰ As seen in a previous example, the board can then use the design guidelines to ask the design to refine or otherwise improve their compatibility elements, or even to reject the design completely based on non-compliance which could halt a project. In a sense, the historic district review process is an opportunity for the Historic District Review Board to explain why certain elements matter. Of course, the overall review process is complex when elements of the zoning code come into play, like variances. As seen earlier in Savannah's history, the variance requests could result in a design that is non-compatible to the historic district. For this reason, design guidelines need to be backed by the zoning code, like the way Savannah uses "shall" to support the Visual Compatibility Factors or completely elements the possibility of a height variance. The zoning code can and should act as a safety net for the design guidelines, because the design guidelines do not have any regulatory power in and of themselves.

Section 3.2: Case Study: New Orleans – Traditional Tools

In contrast to Savannah, the City of New Orleans takes on the full responsibility of regulating their historic districts. Not long after the federal government passed the

³⁰ *Design Manual for the Savannah Historic District*, (Chatham County-Savannah Metropolitan Planning Commission, 2011), Page 11.

National Historic Preservation Act and Savannah created its first historic district, New Orleans adopted its own enabling legislation that ultimately would prove flexible enough to create space for historic form regulation.³¹ Except for the earlier Vieux Carre Commission, as described below, the ordinance created the first historic district commission, the New Orleans Historic District Landmarks Commission, or HDLC, to regulate the entire city's historic districts, and the first historic district. Two years later in 1968, the Central Business District Historic District Landmarks Commission, or CBD HDLC, was created to focus on downtown historic elements.³²

As of 2019, the City of New Orleans has 19 established local historic districts that vary from residential to commercial to industrial uses, shown in *Figure 1* of Appendix B. New Orleans is unique because the majority of its design guidelines for these districts are organized by architectural type and material, rather than by district as most cities tend to do. The full list of Design Guidelines is shown in *Figure 2* of Appendix B. This allows the city to take a unified approach to its preservation efforts, which is important because of the amount of historic fabric that exists in New Orleans.

The sole exception to this is the Vieux Carré Commission, or VCC, which was established by the State Constitution of Louisiana in 1936, about thirty years before the National Preservation Act. The State considered the Vieux Carré, also called the French

³¹ "Historic District Landmarks Commission: Mission & Governing Policies," City of New Orleans, accessed January 23, 2019, <https://www.nola.gov/hdlc/hdlc-mission-ordinances/>.

³² *Ibid.*

Quarter, to have value at a state level as well as a local level. The VCC became a National Historic Landmark District in 1965, adding to the protection and value of the area.³³ Due to the VCC's long history and nationally ranked value, the area has its own preservation commission, its own design guidelines, and its own enabling ordinance. For the purpose of this study, the VCC is not included in discussions the city-wide design guidelines and districts. Within the City of New Orleans, the VCC operates independently from the rest of the HDLC or the CBD-HDLC, as reflected in this thesis.

To understand the historic districts outside of the VCC, one must read three documents: first, the Guidelines Introduction, second, the Historic District maps, and third, the Building Types and Architectural Styles. The Guidelines Introduction document introduces the districts and explains the review process, common definitions, and work categories that might occur within the districts, including new construction. The Historic Districts document is the map and description of the historic districts, excluding the VCC. This document identifies the character-defining features and primary architectural styles found in each district. Finally, the Building Types and Architectural Styles document is designed to help a user to identify the building types and architectural styles either within their district or of their own building. The document uses accessible language, for example when it compares a building to a wedding cake or a Greek

³³ "Guidelines Introduction: Vieux Carré Commission," City of New Orleans, January 2019, Accessed April 30, 2019, https://www.nola.gov/nola/media/HDLC/Guideline%20Update/20190111/2019-01-11_01-Introduction.pdf.

temple. The Styles document is arranged by date and includes a brief history of each building type with simple floor plans and basic elevation drawings that show how the style might have changed over time. The document even provides the source material, in case any questions arise. While not explicitly stated on the City's website, it seems that these documents should be read prior to reading the rest of the guidelines, especially the New Construction Guideline.

The City does in fact provide a specific guideline to address new construction and additions in the historic districts, shown in *Figure 3* of Appendix B. The guide begins by discussing the review process before moving on to discuss the Compatible Design Principles. Similar to Savannah, New Orleans has identified 10 design features that could make or break a new construction project or an addition's compatibility assessment within the defined historic context. This list includes: scale (height and width), building form and massing, setback, site coverage, orientation, architectural elements and projections, alignment (which includes rhythm and spacing), façade proportions (includes windows and door patterns), trim and detail, and materials.³⁴ Each element is given a short description, a simplified illustration, and a bulleted list of what is "generally appropriate" and "generally inappropriate." Without even reading the descriptions, a user could obtain a general sense of compatible design and incompatible

³⁴ "City of New Orleans HDLC – Guidelines for New Construction, Additions, and Demolitions," City of New Orleans, January 2019, Accessed April 30, 2019, https://www.nola.gov/nola/media/HDLC/Guideline%20Update/20190111/2019-01-11-12_NewConstruction-Additions-Demo.pdf

design just based on the illustrations. The goal of the New Construction and Additions guidelines is clearly to allow for, and even promote, architectural creativity while protecting the existing historic fabric. The guidelines state: “To continue the evolution of the built environment, the HDLC encourages creative solutions that reflect current design and are sensitive to the character of their historic surroundings.” By simply acknowledging that new construction occurs, the guidelines become more like a statement of values rather than a list of tasks to accomplish in a design. Similar to Savannah, the New Orleans Design Guidelines fit within the Certificate of Appropriateness review, as shown in *Figure 4* of Appendix B.

New Orleans should receive high praise for creating easy to read and image-heavy documents. Additionally, their organization approach of addressing common needs, rather than organizing the guides by district, feels more useful but does require the user to read three sizable documents before addressing their initial question. However, this is a unique organizational style, as most cities organize their design guidelines by district. The organization style also seems likely to require less work when a new district is created because the regulations for the district’s architectural styles and materials likely already exist. Additionally, the design guideline’s organizational style is also followed in the City’s zoning code.

The City of New Orleans Zoning Code include four articles that address historic districts. The articles, however, are arranged by use as either residential or non-residential and by period of development, either the colonial period or the 19th

Century.³⁵ The zoning code is surprisingly traditional, given how forward-thinking the design guidelines are. The articles include a list of uses, site design standards, and other typical zoning regulations. As seen in *Figure 5* of Appendix B, a few photos of building forms are included, but the code generally refers to the design guidelines for anything beyond site standards. One reason for this might be that the zoning code yields to the design guidelines. In other words, even though the zoning code has more power than the design guidelines, because it is codified rather than suggestive, the absence of design-centric language leaves space for the design guidelines to dictate. Aside from the photographs and illustrations that use recommended historic building forms, the zoning code for the historic districts could easily be confused with any other traditional, non-historic zoning code due to its lack of form regulation.

³⁵ City of New Orleans Zoning Code, Articles 9-12.

Chapter 4: Non-Traditional Tools

The tools explored in this section are primarily used by cities that have found that “Traditional Tools” – i.e. as used in this thesis’ terminology, the typical historic district regulations—were unable to adequately meet their specific needs. Many of the cities used as case studies in this section tried the traditional tools method of design guidelines with zoning code support. For one reason or another, that method failed to regulate new construction, additions, and large renovations in a way that was acceptable by the city. Some cities, like Beaufort, South Carolina, completely scrapped their zoning code in favor of something totally new. Other cities, like Philadelphia, Pennsylvania, decided to incorporate a new civic-led tool. While the tools and codes used in these cities are different, and the issues that led to these tools are the same, events proved them to be not fully responsive. Those traditional tools did not put form first, did not have enough strength, and were not legible to all code users.

Section 4.1 Case Study of Beaufort, South Carolina – Path to Form-Based Code

The City of Beaufort, located in South Carolina, has a long development history coupled with a relatively long history of trying to control the form of new construction in the oldest parts of the city.³⁶ Beaufort is a significant case study because the city used

³⁶ Beaufort was likely established in the early 1700s, as a British outpost, according to the 1979 *Beaufort Preservation Manual*.

traditional tools to regulate the form of new construction in the historic district, before turning to the current non-traditional tools—i.e. both of the tool categories defined in this thesis. For most of its regulatory history, Beaufort relied on design guidelines to regulate the form of new construction, additions, and large-scale alterations. Throughout the late 20th century, Beaufort updated its design guidelines several times, citing a concern about a lack of clarity from both developers and regulators as justification for the update. Skip ahead to 2017, the City of Beaufort had adopted a city-wide form-based code. If clarity, or lack thereof, is the primary reason for utilizing this new tool, does the form-based code help or hinder the city?

The earliest documentation of Beaufort’s historic fabric was published in 1968. *The Report on the Inventory of Historic Buildings, 1968-1969*, contained a thorough evaluation of the City’s historic built environment. Likely a response to the recent influx of restorations, new construction projects, and demolitions, the *Report* gives a detailed explanation of the residential development in Beaufort, including site orientation, exterior architectural details, and interior features.³⁷ The *Report*, written in prose with little imagery, summarizes the Beaufort Style as “...a two story building more or less square in plan, raised on a high masonry foundation, approached on the south by a central outdoor stair. The south façade front is faced with a two level verandah supported by light wooden columns, frequently of different design on the first and

³⁷ *Beaufort Preservation Manual* (1979), page 12.

second levels. The verandah extends across the entire front. Verandah doorways at both levels are formally designed. The verandah is supported by an arched masonry base.”³⁸ This language is significant because it gives a detailed description of the architecture in Beaufort’s historic district and explains why it matters. It is within this report that readers can learn about Beaufort’s early existence as a swamp and that the raised base level of the houses is designed to resist flooding.³⁹ In 1969, following the publication of this report, Beaufort’s historic district became a National Register Historic District. This signified the importance of Beaufort’s built fabric on a national level. In 1973, Beaufort was also designated as a National Historic Landmark District. A map of Beaufort’s historic district can be found as *Figure 1* of Appendix C.

About 10 years after the *Report* was published, the *Beaufort Preservation Manual* was published in 1979. This document built on what the *Report* started in that the *Manual* presented additional detail and history about Beaufort’s fabric and acknowledged that the historic districts had, and would continue, to experience change through alterations and new construction. Unlike the *Report*, however, the *Manual* honed in on the specific architectural styles and character-defining building details found throughout the historic district. The *Manual’s* intent was to be a guide that would

³⁸ *1968 Historic Resource Survey*, (1969), page 11.

³⁹ “There are many elements of Beaufort architecture worthy of note, indicating that these buildings were designed and built by well-trained specialists who were not only experts in their craft, but were able to make major design adjustments to fit the needs of the owners, to meet the exigencies of the hot summer weather, and to protect the occupants and the buildings from the dampness of the flat low-lands on which the town is built. Also they were aware of the attractions of the riverfront and the views across the water from well shaded grounds.” Beaufort Report, page 3.

help homeowners and designers understand the elements of the Beaufort's historic district when they decided to renovate a building, construct additions, or build something new altogether. The *Manual* also aimed to educate Beaufort's regulatory bodies, specifically the historic district design review board, which was primarily comprised of citizen volunteers who did not necessarily have a background in preservation, design, or the built environment. Similar to the *Report*, the *Manual* is a response to increased construction that occurred in the historic district during the late 20th Century. To do this, the *Manual* provided sketches of the styles and details to help homeowners and designers understand the features in greater detail. These illustrations are showing the "most appropriate means of stabilization and repair of specific items."⁴⁰ Following the in-depth description and illustrations of the existing architecture is the chapter on new construction. A sample of the *Manual* is shown in *Figure 2* of Appendix C.

An unusually strong portion of this chapter is its extensive explanation of why new construction regulation matters in historic districts, particularly the section about incremental changes: "Uncontrolled demolition, alterations, and new construction irretrievably alter the City; once gone, the ambience of Beaufort could not be recaptured with any degree of authenticity...Alterations and loss of building stock occur in small increments, and many times do not seem to warrant public protest in and of

⁴⁰ *Beaufort Preservation Manual* (1979), page VII.

themselves. Herein lies the greatest threat to Beaufort, and other communities alike..."⁴¹ Not only does this section preface the upcoming guidelines, this section sets the tone for a strict regulatory review. The chapter goes on to articulate guidance on scale, absolute size, massing, orientation, proportions, materials, forms, siting, high density construction, and street-specific façade restorations. It should also be noted that Beaufort has two distinct historic areas. The first, called The Point, is more high-style. The second, located in the northwest sector of the district, is more vernacular. The northwest section ultimately uses a lighter touch than the Point and functions, from a regulatory standpoint, similar to a conservation district, which will be discussed later in this thesis.

In 1990, Beaufort issued a supplemental document to the *Manual*. The *Supplement* builds on the *Manual's* initial product by further addressing restoration and architectural review practices, by including information on commercial facades and, technically, by including a chapter that expands on the review procedures within the historic districts, and by drafting guidelines for a proposed "Beaufort Conservation Overlay District."⁴² The *Supplement's* intent is to support and expand the 1979 *Manual*, not to replace it. Based on the language in the *Supplement's* introduction, readers can assume that the *Manual* not only did not provide clear enough review guidelines for the

⁴¹ *Preservation Manual Supplement* (1990) page 41.

⁴² *Preservation Manual Supplement* (1990) page vii.

Board of Architectural Review, BOAR, but also, in its relatively soft regulatory approach, did not produce the intended result with alterations and new construction projects.

Further evidence of the need for stronger repair and design guidance is found within the regulatory language of the *Supplement*. For example, one note states that “Deteriorated features shall be repaired rather than replaced.”⁴³ The use of the word “shall”, in the planning and development world, indicates that the note is a requirement, rather than a suggestion, as shown in *Figure 3* of Appendix C. Strong language for a design guideline.

The New Construction chapter received several updates in the *Supplement*. To start, the chapter was renamed to include Additions and Demolitions, which allows each of the new sections to receive individual attention. The section on new construction added the following guidelines: elevation of the first floor, bays, windows and doors, forms, high density/large scale construction, and secondary structures. The next section, on additions, covers the same topics, including the original new construction topics from 1979: scale, massing, orientation, proportions, materials, forms, and siting. The new topics further define the architectural and site design elements of Historic Beaufort. Additionally, the new topics expand the range of the BOAR’s review because they increased the range of topics that the BOAR could comment on. This expansion of topics, in turn, increased the BOAR’s ability to request more compatible designs when

⁴³ *Preservation Manual Supplement* (1990) page 4.

reviewing proposals for new construction projects, alterations, or additions. While this does not increase the BOAR's power, because the *Manual* and *Supplement* are both guidelines, this does expand the BOAR's scope of review. An expanded scope increases the opportunities for the BOAR to educate project owners on the elements of Beaufort's historic style and increases the types of recommendations they can make to ask for design changes before a permit is granted.⁴⁴ The attention given to additions allows the BOAR to value them in the same way they might value a new construction project, meaning that the additions are now viewed as new elements introduced into the historical fabric in the same way as a new construction project would be. These changes, however, continued to yield unsatisfactory results, particularly in the form of new construction projects. Though Beaufort has historic districts, the city felt that the significant features of those districts expanded beyond their boundaries. Beaufort updated its new construction regulations again about 15 years later, but this time the city's entire development code was revisited to address new construction compatibility throughout the city.

In 2005, Beaufort started the process of creating a long-range, comprehensive plan called *Vision Beaufort*. The process started after both the city and county realized

⁴⁴ As is common in many cities, Beaufort's Historic Review Board can only give recommendations for approval, recommendations for denial, and recommendations for changes to proposed new construction projects. These recommendations are given to the Planning Review Board for the final permit decision.

that Beaufort's population was predicted to increase dramatically by the next census.⁴⁵ This predicted population increase also indicated a likely increase in construction to accommodate the growth. The comprehensive plan included a growth management plan, which included a section development regulation. Specifically, the comprehensive plan called for mixed use development, compatible architecture, and walkable urban design.⁴⁶ After some long discussions, the City decided that they needed to completely scrap their current development regulations and replace them with Form-Based Codes. Form-based codes are development regulations that prioritize form over use, as traditional zoning codes do. The form-based code, or FBC, does this by loosely dividing the land by use intensities, from rural to urban, called transects. The FBC then uses those transects to guide design regulations that are either geared towards maintaining those distinct transects or developing them in some way. This choice and definitions are driven by the city's comprehensive plan. A zoning code, on the other hand, divides the land by use first, such as residential and commercial and industrial, and uses regulations to ensure that the uses do not intermix inappropriately. While zoning codes are increasingly permitting mixed-use developments, which typically include both residential and commercial uses, these traditional codes still put the primary focus on use rather than form.

⁴⁵ Saunders, Gwyneth S., "Growing pains come with town, country growth," The Bluffton Sun, June, 2017, accessed February 25, 2019, <http://www.blufftonsun.com/growing-pains-come-with-town-county-growth-cms-2341>.

⁴⁶ *Vision Beaufort: 2009 Comprehensive Plan*, (2009), page 11.

Though form-based codes have more commonly been used to regulate new construction, or greenfield construction, the City of Beaufort decided that this tool would be the right fit for their growing community because the design-focus of the codes showed strong promise to be applicable in existing communities, particularly communities with architecturally-significant fabric and faced with the likelihood of increased levels of new construction.⁴⁷

Additionally, the most important note about the use of FBCs in this particular case is that they were originally influenced by design guidelines, and thus they naturally work well and support the regulation of new construction within the historic districts by reflecting the design guidelines.⁴⁸ Essentially, the FBCs can support the historic district design guidelines through the regulation of form for new construction projects within the district. The FBCs thus add strength to the form regulation by codifying portions of the historic form regulations. The FBCs are also designed to be easily understood because they include more images and simpler language than a traditional zoning code. The City of Beaufort had spent a lot of time evaluating and extracting the most important architectural features of their historic district, and they had finally found a development code that would support these efforts.

⁴⁷ Walking, Philip, "Yoking Form-Based Code and Historic Districts: How to get the best combination" Planning Magazine, March 2014, Accessed April 30, 2019, <http://www.walkercollaborative.com/images/FBC-Article-Walker.pdf>

⁴⁸ Ibid.

The process was long and difficult at times. Form-based codes tend to have a negative connotation in the field of architectural design because the design field worries that the code will be overbearing to their creativity. In Beaufort, the process became so difficult because of this negative connotation that the City decided to stop calling the new code a “form-based code” and instead called it a “downtown code.”⁴⁹ Architects, however, are not the only ones who were skeptical of this new product. The preservation community was also skeptical. This new tool, a non-traditional tool, would be able to regulate design elements that were previously only in the *Manual* or the *Supplement*, such as fenestration patterns. The preservation community remained unconvinced about the new code until the conversation turned to infill in the historic districts.⁵⁰ The new code could specifically address infill construction with regulations instead of leaving the responsibility with the BOAR, who again, are not always professionally-trained design experts. The preservation community in Beaufort recognized that infill regulation was a weak point in Beaufort’s history, and decided to give this new form-based code tool a chance.

The South Carolina State Historic Preservation Office, or SHPO, did not publish an opinion on Beaufort’s new code. However, Beaufort’s code appears to follow portions of

⁴⁹ Walking, Philip, “Yoking Form-Based Code and Historic Districts: How to get the best combination” Planning Magazine, March 2014, Accessed April 30, 2019, <http://www.walkercollaborative.com/images/FBC-Article-Walker.pdf>.

⁵⁰ Ibid.

the SHPO's Preservation Plan, which was published in in 2007.⁵¹ For example, the SHPO's *Preservation Plan* emphasizes the need to preserve archaeological sites. In response to this, Beaufort's new form-based code addresses archaeological sites specifically by stating that "Archeological Resources Shall Be Preserved in Place or Mitigated."⁵²

The new code was adopted city-wide in 2017. The historic districts remain in the code, though the Conservation District Overlay appears to have been removed. Both the *Manual* and the *Supplement* continue to be used as guiding documents for both developers and the BOAR. Chapter 4 of the new development code addresses Building Design and Infill Standards, and section 7 of this chapter focuses on infill in historic districts. The beginning of this chapter addresses the importance of preservation and offers support of the design guidelines: "...carefully preserve the character of Beaufort's National Historic Landmark District while permitting appropriate growth."⁵³ A sample of the chapter is shown in Figure 4 of Appendix C. The chapter goes on to address contextual compatibility: "All buildings possess a number of common elements that combine to express a structure as an entity and as a part of the larger community."⁵⁴

⁵¹ "Preserving Our Past to Build a Healthy Future: A Historic Preservation Plan for South Carolina, 2007-2015" State Historic Preservation Office, South Carolina Department of Archives and History, Accessed April 30, 2019.

[https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20\(SHPO\)/Publications/Preserving%20our%20past%20to%20build%20a%20healthy%20future%20prezplan07W.pdf](https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20(SHPO)/Publications/Preserving%20our%20past%20to%20build%20a%20healthy%20future%20prezplan07W.pdf).

⁵² *The Beaufort Code*, Section 4.7.2.A.2

⁵³ *Ibid.* Section 4.1.1.E

⁵⁴ *Ibid.* Section 4.3.1

The guidelines for this section address conformity to the Civic Master Plan, rhythm of development on the street, and massing and articulation; these elements overlap with the *Manual* and the *Supplement*. Later, in the same chapter, is a section called Historic District Infill Design Guidelines. While the rest of the code regulates the whole city's compatibility with the historic Beaufort fabric, this section directly addresses new construction in the Historic District.

Beaufort's zoning code section on Historic District Infill establishes seven principles to guide new construction within the District:

- The first principle states that “District as a Whole is the Resource, Not Only its Individual Parts.” This principle sets the stages to allow new construction and rehabilitation projects in the historic district to be reviewed as individual architectural pieces as well as contributing pieces to the whole look and feel of the district, or the integrity of the district. The first principle uses language similar to that included in the *Manual* and *Supplement* when it identifies guidelines that are to be used to determine the integrity of a project, which includes location, design, setting, materials, workmanship, feeling, and association.⁵⁵
- The second principle is “New Construction Shall Reinforce the Historic Significance of the District.” The use of shall in this principle indicates that

⁵⁵ *The Beaufort Code*, Section 4.7.2.A.2

it is a requirement for any proposed project. Departure from this principle would likely result in denial of a permit. This principle may seem difficult to pin down, but the code refers to the language of the district's National Historic Register Nomination's Statement of Significance as a way to more directly identify the physical elements contributing to the significance. This is a smart move by the City because it utilizes an existing, and significant, document to reduce ambiguity about the significance, a topic that could be interpreted a variety of ways.

- The third principle states that “New Construction Shall Complement and Support the District.” While at first glance this principle runs the risk of seeming repetitive to the first principle, it actually helps to reinforce the elements of the design guidelines by specifically calling out the need for new construction to follow the elements identified in the guidelines: “Infill buildings should not deviate in a detracting manner from these elements, but appear as complementary members of the district.”⁵⁶
- Principle four states: “Infill Shall Be Compatible Yet Distinct,” meaning that new construction and additions should not attempt to be exact replicas of a historic building. This is a common theme in form regulation of historic districts.

⁵⁶ *The Beaufort Code*, Section 4.7.2.C

- The fifth principle states that the “Exterior Envelope and Patterning of New Buildings Shall Reflect District Characteristics.” Again, the new construction should use similar “patterns of fenestration, building divisions, setbacks, and landscapes...”⁵⁷ The language here again reinforces the use of the design guidelines as regulatory tools.
- The sixth principle addresses demolitions: “Contributing Buildings Should Not be Demolished to Create Infill Opportunities.” For obvious reasons, concerns about regulating demolitions is commonly seen in historic districts because there has yet to be a perfect tool to address demolitions. Here, Beaufort must use influential language, rather than regulatory language like “shall,” and they risk a legal backlash if they were to ban demolitions entirely.⁵⁸
- Finally, the seventh principle states that “Archeological Resources Shall Be Preserved in Place or Mitigated.” Uniquely, the code uses this principle to reinforce the included archeological assessment guidelines that are provided later in the code. New construction in historic districts runs the risk of destroying historical evidence that have been lost in groundcover. This principle creates space for the City to step in with a

⁵⁷ Ibid. 4.7.2.C.E.1

⁵⁸ This thesis does not cover demolition regulations in depth but recognizes the importance of examining these regulations as part of new construction regulatory practices.

procedure if archeological items are expected to be disturbed or effected during the construction process.

Beaufort seems to have found a solution to its need for new construction regulation within its historic district. The first form-based code adoption, which occurred in 2014, did not include the seven principles of infill for the historic district.⁵⁹ The City learned that in order to fully protect the historic integrity during this boom of new construction in the historic areas, the city-wide code needed to incorporate supportive, preservation-forward language. Beaufort, like other cities that have form-based codes in historic districts, realized that the language could be tailored to fit the precise needs of the community and the existing fabric.⁶⁰ Another notable part of Beaufort's FBC process is that the City took time to educate stakeholders, particularly those in the preservation realm.⁶¹ The city was willing to compromise on the first code adoption and only use the FBC in specific areas to prove the concept. This time was used to refine FBC sections that would address the historic fabric, including the seven principles. Three years later, in 2017, the historic preservation community was on board and the full FBC was adopted city-wide.

⁵⁹ "Die by a thousand cuts': Beaufort historic district champion leaves with tips for future," Lauderdale, David, February 2019, accessed February 24, 2019, <https://www.islandpacket.com/opinion/opn-columns-blogs/david-lauderdale/article225414995.html>.

⁶⁰ Project: The Beaufort Code, Coastal Conservation League, accessed February 25, 2019, <https://coastalconservationleague.org/projects/beaufort-code/>.

⁶¹ Walking, Philip, "Yoking Form-Based Code and Historic Districts: How to get the best combination" Planning Magazine, March 2014, Accessed April 30, 2019, <http://www.walkercollaborative.com/images/FBC-Article-Walker.pdf>.

Section 4.2: Case Study of Philadelphia, PA – Neighborhood Conservation Districts

The City of Philadelphia is known worldwide for the historic building fabric it holds within its city limits. Philadelphia has had a tumultuous history trying to preserve its significant buildings and districts. Philadelphia does designate historic districts on the local level, with what is acknowledged to be one of the strongest local preservation ordinances in the United States. To supplement it, the City is testing a new, less widely used tool: conversation districts. The conservation districts, also sometimes called neighborhood conservation districts, can be difficult to categorically define and may vary greatly from city to city. However, there are generally two types of popular conservation districts: those that function similarly to historic districts, if less rigorously, and those that do not.⁶²

The conservation districts that function like historic districts typically contain some nomination-worthy building fabric and are typically managed by the city's historical commission. A city may use this type of conservation district to protect fabric that is important but does not meet the criteria of their preservation ordinance.⁶³ The conservation districts that do not function like historic districts are commonly regulated by the planning commission, or a similar organization. The goal of the district may be to

⁶² Salganicoff, Lori, *Neighborhood Conversation District Study*, Preservation Alliance of Greater Philadelphia, August 2013, accessed April 30, 2019, <http://www.preservationalliance.com/publications/Conservation%20District%20Description.pdf>.

⁶³ McClurg, Jessie, AIA, *Alternative Forms of Historic Designation: A Study of Neighborhood Conservation Districts in the United States*, University of Minnesota, February 2011, Accessed April 30, 2019, http://www.cura.umn.edu/sites/cura.advantagelabs.com/files/content-docs/CD_Reporter_Final.pdf.

retain the look and feel of the public realm, regardless of historical significance.⁶⁴ Both conservation district types are aimed at regulating the form of new construction, including additions, to ensure that the projects adhere to the look and feel of the district.

The conservation districts in Philadelphia make for an interesting case study because they function as non-preservation conservation districts but are often set in neighborhoods with distinctive physical character, and even a significant amount of historic fabric. The conservation districts, or Neighborhood Conservation Overlay, as they are called in Philadelphia, herein NCDs, are regulated by the City Planning Department's Urban Design Division and are designated in the zoning code as a separate kind of overlay than a local historic district. As of the date of this thesis, there are six NCDs in Philadelphia, as shown in *Figures 1 through 6* in Appendix D.

The established intent for the NCDs is as follows:

- (a) Promote the public welfare of the City by encouraging conservation and preservation through the revitalization of the physical environment that is unique to a specific neighborhood;

⁶⁴ Conservation Districts or Historic Districts: Which one to use? Fact Sheet, PCPC, accessed March 2, 2019, <https://www.phila.gov/CityPlanning/resources/Publications/Conservation%20districts%20fact%20sheet.pdf>.

- (b) Provide a reasonable degree of control over the alteration and improvement of the exterior facades of existing buildings and the design of new construction to preserve the aesthetic fabric of these areas, without modifying the availability of permitted and special exception uses in the neighborhood pursuant to Chapter 14-600 (Use Regulations);
- (c) Enhance the City's attractiveness as a place to live, work, and enjoy its cultural, social, and historical opportunities and also to foster a renewed feeling of pride in one's neighborhood;
- (d) Complement the goals of the Planning Commission and the Historical Commission as they seek to develop, revitalize, preserve, and conserve the many diverse and historic neighborhoods of the City; and
- (e) Promote building improvements and maximize the economic, social, and educational value of neighborhood transformation.⁶⁵

The intent of the NCDs is significant because it acknowledges the goal of preserving physical fabric as a public service, the opportunity that the NCDs permit to the Historical Commission in the form of partnership, and the significance of a form-first regulatory review for new construction proposals. It should be noted that NCDs cannot regulate

⁶⁵ Philadelphia Zoning Code, Section 14-504(1)

demolitions and the majority, 5 out of 6, do not regulate alterations. Local historic districts do regulate demolitions and they almost always regulate alterations.

The first NCD in Philadelphia was established in the Queen Village neighborhood in 2008, the result of careful planning and implementation by the Queen Village Neighborhood Association. The neighborhood had experienced an increase in development that disrupted its character: “Old, but not ‘historic’” properties were being demolished and replaced with houses with garage fronts; buildings that were not appropriately scaled for some of our smallest streets, even though they complied with the Zoning Code, were replacing charming, smaller houses; incompatible materials were being used in new house construction that changed the 18th and 19th century character of our older streets and courtyards.”⁶⁶ The savvy neighbors brought the issue to their City Councilman and the Philadelphia Planning Commission and designed a solution, the Neighborhood Conversation District Overlay. In the case of Queen Village, the community knew that they did not want to become a local historic district, which is a common concern for citizens. Specifically, the Queen Village neighborhood knew that local historic districts could not regulate new construction, which was the biggest concern for this community as they had just experienced an influx in developments that were largely considered to be non-compatible because of the street-facing garages. Additionally, the historic designation process is not only cumbersome, but also

⁶⁶ Queen Village Neighbors Association Neighborhood Conservation District Overlay accessed January 20, 2019, <https://qvna.org/zoning-nco>.

unpredictable in Philadelphia and many other cities generally due to its lack of clear design guidelines. In Philadelphia, a local historic district's regulatory power exists primarily in the City's Historical Commission, and not with the community itself. A feature that many citizens, including those in Queen Village, find troubling. The Queen Village community was seeking a solution that would give them more input when it came to the regulation of the form for new construction projects in their neighborhood, thus they elected to create a new tool: a neighborhood conservation district.

Creating an NCD in Philadelphia is a community-led process. The city places the onus on the community to state that they would like to establish an NCD and to create regulations for the NCD. This of course means that the results of the NCD creation process will vary. In Queen Village, knowledgeable and savvy professionals from within the community conducted an in-depth survey of their existing building fabric to better understand the contributing elements. The community then developed design guidelines that are now used to inform the community-led reviews of new construction proposals. The Queen Village design guidelines address concerns that pertain to the height of a building, the look of a building—especially the elimination of garages on primary facades—the parking lot configuration, and the siting of a building.⁶⁷ The Queen Village process may look and feel very similar to that of a traditional historic district review with a set of design guidelines. Not all communities in Philadelphia are fortunate

⁶⁷ Philadelphia Zoning Code, Section 14-504(5)(c) and (d)

enough to have local professionals to assist in their process, so again it is important to note that the results of the NCD process can vary greatly. Queen Village is the only NCD in Philadelphia, so far, that has a set of design guidelines beyond the broad design-centric language included in the Philadelphia Zoning Code for what are now five additional NCDs.

Since the Queen Village NCD was established in 2008, there have been five more NCDs created throughout the City of Philadelphia: Overbrook Farms, Central Roxborough, Ridge Park Roxborough, Powelton Village, and Wissahickon. Presumably these other neighborhoods observed the way that Queen Village could regulate the form of new construction and decided that they could use a similar tool. The communities that have adopted the NCD strategy are those that feel strongly about the built environment as part of their neighborhood identity and value. In Roxborough, the community had experienced the loss of several old structures but found the historic designation process off-putting. Despite the lack of demolition-related context, the community decided that an NCD would be a good middle-ground solution, “While not as restrictive as a historic-district designation, the Central Roxborough Neighborhood Conservation Overlay would ensure that developers maintain the ‘human-scaled design, interesting and pedestrian friendly facades through rules related to building setbacks,

height, construction materials and parking.”⁶⁸ In this case, Roxborough decided that regulating the look and feel of new construction would be effective and impactful in their neighborhood. Though Queen Village is considered to have the strictest regulations of the NCDs, the other neighborhoods tend to regulate similar elements, such as materiality, height, parking, and siting. The Powelton Village NCD also regulates the form of windows, porches, and alterations, similar to Queen Village, though Queen Village does not regulate alterations. To understand the nuances between the NCDs, a matrix is provided in *Figure 7* of Appendix D.

The primary differences being the community can lead the initial dialogue in defining and defending compatibility rather than the city, and the design regulations are within the zoning code rather than a separate document. However, many of the Philadelphia NCDs use repetitive language. The language appears to be copied, verbatim, from previous NCD districts. For example, the Residential Design Standards regulations for Central Roxborough NCD include the following requirements:

- a) The principal building shall have a habitable room on the front of the first floor with at least one window facing the street. A habitable room shall be defined as in the Property Maintenance Code, Section PM-202.0.

⁶⁸ Jaffe, Alan, “Rare neighborhood-development overlay proposed for Roxborough,” November 2014, accessed March 2, 2019, <https://why.org/articles/rare-neighborhood-development-overlay-proposed-for-roxborough/>.

- b) Porches are permitted on all blocks and may be located in the required front setback. Porches shall be required if at least one of the immediately abutting lots contains a porch. Porches shall be a minimum of 5 ft. in depth, as measured from the front wall of the enclosed main structure, out toward the front property line.
- c) New utility meters and HVAC equipment located on frontages shall be screened with landscaping, fences, or walls. Any other utility structures and their conduits facing a frontage shall be painted to match the wall or otherwise have their visibility minimized. This provision shall not apply to satellite dishes less than one meter in diameter or window air conditioning units.
- d) Flush mounted windows shall be prohibited. Sills must project from the wall a minimum of one inch.

These same standards are repeated in the regulations for the Ridge Park Roxborough NCD and in the regulations for the Wissahickon NCD. It should also be noted that none of the NCD districts regulate demolitions, and only one specifically addresses alterations in their regulatory language. The primary focus of an NCD is new construction.

The use of the NCDs in Philadelphia is significant to the discourse of form regulation in historic places because the process acts in opposition to historic districts, which is noticeable in a city that houses some of the nation's most valuable built fabric, because Philadelphia regulates new construction within its local historic districts only

under very specific circumstances. It is evident from the language in the NCD regulation's that new construction is the main focus of the regulations. These Philadelphia communities rely on the NCD to regulate new construction. The NCD designations, however, do not address the communities as historic and they do not guarantee that the community's fabric is historically significant. Only two of the NCDs is a National Historic Register District, Overbrook Farms and Queen Village. However, communities listed on the National Historic Register do not receive development protections from this title. It is only the local-level designations that grant protections from demolitions or incompatible construction projects.

To speak to the overall critiques of this thesis, the NCDs in Philadelphia can be relatively form-centric, offering communities a way to regulate new construction projects, but they are not necessarily legible to nonprofessionals. This thesis of course does not offer a complete comparative study of Philadelphia's six NCDs. The lack of attention to demolition regulations in the NCDs is a stark contrast to other tools, especially in Philadelphia where the struggle to wrangle with demolitions is constant. The future of NCOs in Philadelphia will be interesting to watch, particularly if they gain popularity over local historic districts, or if language around demolitions is added to the NCDs, or if the local historic districts begin to address new construction.

Chapter 5: Conclusions

Section 5.1: Design Guidelines

Design guidelines are a well-known tool that many cities use, in conjunction with an overlay or a district that has been established by the zoning code. It should be noted, however, that design guidelines act as a supplement to the historic districts established by zoning in that they often fill in the gaps because zoning typically lacks desired specificity. First, design guidelines are neighborhood-specific. Think of a scalpel and a hammer. Design guidelines are the scalpel, which can complete fine and detailed work, whereas a zoning code is the hammer, which completes its work with broad, less defined results. Second, design guidelines should thus be more specific than zoning. Design guidelines are most often used when a neighborhood needs the specific regulations that zoning does not provide. For example, the design guidelines used in New Orleans addresses the detailed framing of a window for a specific architectural style. This is not something that zoning can, or should, do. Third, design guidelines can use more simplistic, nontechnical language and will often use more images and sketches than traditional zoning codes.

Despite these positives, design guidelines do also have drawbacks that should be considered. First, design guidelines often lack strength. These documents are meant to suggest and guide designs, as suggested in the name, not to demand and dictate the way a zoning code might. Additionally, because the design guidelines are merely suggestive, the documents end up only to be as strong as the historical commissions or

design review boards allow them to be. This means that if a historic commission does not understand the guidelines, or simply cannot appropriately advocate for the design guidelines when a new construction project is undergoing review, then the design guidelines have little or no power. To further complicate this issue, many historic commissions or design review boards do not have the final power to grant a permit. Their power is to advise recommendation for approval to the planning commission or city council, as seen in Savannah, depicted in *Figures 5 and 6* of Appendix A, and in Beaufort, shown in *Figure 5* of Appendix C. This is not the case in Philadelphia, however, where the Historical Commission has full determination power, in that its approval is required in order for the Department of Licenses and Inspections to grant a permit. An appeal to the decision from this body would go through the local court system, similar to most planning commissions. If the other reviewing bodies do not understand or support the purpose and content of the design guidelines, the guidelines again have no power.

In an attempt to address the issue of clarity, design guidelines often include illustrations or images to clarify the written guidelines. The illustrations or images are often an example of the best-case scenario, or the scenario that will almost certainly result in a permit or certificate of appropriateness. In such a format, if the image guidance is completely ignored, the project is very unlikely to be approved in its current state. In this sense, design reviews are a negotiation between the applicant and the reviewing body because the applicant could propose a concept that is not illustrated in

the design guidelines but is not completely ignoring the guidelines either. The illustration and imagery method has been replicated in form-based codes, which were originally modeled after design guidelines, and are now being implemented into zoning codes that have undergone more recent revisions. Not every design guideline has illustrations and images, however, and not every zoning code is devoid of these elements. It is important to understand that these tools can be manipulated to work together and fit the municipality's needs.

Another drawback to design guidelines can be in the topics that they do or do not address. Some guidelines do not address new construction and additions as unique topics. This of course threatens the entire district's significant fabric by risking incompatible developments and potential demolitions. If design guidelines do not address new construction and additions, then the reviewing body has no basis for their judgements when a new construction project is proposed. One way to combat this, if a section on new construction is not expected to be added, is to include a thorough and clear statement of purpose that can be used to guide all decisions, regardless of the project.

Section 5.2: Form-Based Code

While form-based codes may strengthen form regulations for new construction in historic districts through legibility, imagery, and a form-first philosophy, arriving to the point of adoption may be difficult. In Beaufort, the code re-write took over a

decade. In this time, the city and the consultants needed to convince stakeholders that the form-based code was the right tool for their city. As mentioned earlier, the process became so controversial, that the City decided to stop calling it a “form-based code” and call it a “downtown code.”⁶⁹ A city should be aware of the processes that FBC cities have gone through in order to understand the process they too may undergo.

A form-based code offers some benefits when it comes to regulating new construction in a historic area. First, the FBC allows cities to codify the quantifiable elements of design regulation, such as fenestration rhythms, building height, site location, exterior materials, and even roof shapes. While all of these elements could also be included in a design guideline, the form-based code’s regulatory status will make these elements required, rather than optional. If a developer wants to depart from these regulations, they will need to seek a variance, which has its own sets of stipulations. To sum it up, codifying these elements will make it more difficult for a developer to ignore them. Second, form-based codes are generally more black-and-white than design guidelines. Applicants frequently say that design guidelines can lead to an unpredictable review process due to their suggestive nature. On the regulatory side, only using design guidelines to regulate form can be risky for this same reason. If a historic review board grants permission to one project but not to another, despite their

⁶⁹ Walking, Philip, “Yoking Form-Based Code and Historic Districts: How to get the best combination” Planning Magazine, March 2014, Accessed April 30, 2019, <http://www.walkercollaborative.com/images/FBC-Article-Walker.pdf>.

surface-level similarities, the City is left to explain nuances to the non-permitted applicant. While this seems reasonable, disgruntled applicants pose a risk for cities legally, politically, and physically when dealing with historic districts. Form-based codes can add a level of rigor and transparency to the review process, meaning the code can be very explicit about what will or will not be approved in a way that design guidelines cannot. For example, a development code can use the words “shall” or “may” to differentiate between requirements and suggestions. Design guidelines are suggestive in nature. Applicants may be confused about the denial of a permit based on a design guideline suggestion. Finally, form-based codes offer an opportunity to educate citizens, developers, and regulators about the city’s historic building fabric in a way that might have been overlooked by design guidelines. A quality form-based code begins with a survey of the current building stock in order to understand the architectural features, similar to the start of a design guideline. Form-based codes may offer an opportunity for a fresh look at the existing and historic building stock without the holdovers of past experiences. To be effective, both design guidelines and form-based code provisions should be regularly reviewed and updated.

In many ways, form-based codes may seem very similar to design guidelines. This is an accurate assessment because the idea for form-based codes stems from design

guidelines.⁷⁰ Legally, however, form-based codes often cannot replace design guidelines due to state-level historic preservation office guidelines. A state’s historic preservation office, or SHPO, often has its own set of guidelines that inform how a city should organize and regulate itself so as to preserve its history.⁷¹ Additionally, SHPOs might need to conduct reviews on certain sites, particularly tax-credit projects, Section 106 issues, National Historic Landmarks, or state-level landmarks.⁷² A city that goes against their SHPO’s guidelines may encounter issues with maintaining their Certified Local Government, if it exists.⁷³

At this time, many SHPOs see form-based codes not as a viable, single method for regulating historic districts—a reasonable concern considering many FBCs do not address existing buildings—but rather as a supplemental tool. This is primarily due to the newness of FBCs, but it could also be due to the general lack of historic preservation-focused language in FBCs. Beaufort, for example, included small sections of historically-focused language, but the bulk of the sections in the Beaufort code apply to new construction outside of the historic districts. The goal of Beaufort’s code is to encourage compatible infill, as shown in *Figure 4* of Appendix C, which on one hand

⁷⁰ Walking, Philip, “Yoking Form-Based Code and Historic Districts: How to get the best combination” Planning Magazine, March 2014, Accessed April 30, 2019, <http://www.walkercollaborative.com/images/FBC-Article-Walker.pdf>.

⁷¹ “What is a State Historic Preservation Officer?” National Conference of State Historic Preservation Officers, <http://ncshpo.org/about-us/what-is-shpo/>. Accessed March 15, 2019.

⁷² “What is the National Register of Historic Places?” National Parks Service accessed March 15, 2019, <https://www.nps.gov/subjects/nationalregister/what-is-the-national-register.htm>.

⁷³ “Local Preservation,” National Park Service, Accessed April 30, 2019, <https://www.nps.gov/clg/local-preservation.html>.

justifies the relative lack of preservation language. On the other hand, the historic districts may be left vulnerable without their own sections in an FBC, similar to the distinct sections that exist in Savannah's or New Orleans' zoning codes.

Section 5.3: Neighborhood Conservation Districts

Neighborhood Conservation Districts, or Neighborhood Conservation Overlays as they are called in Philadelphia, often offer communities the opportunity to craft their own design regulations. However, the Neighborhood Conservation Overlay route may lack the same city-wide benefits that historic districts offer. In Philadelphia, the NCD process is driven almost entirely by the community that will use and benefit from the restrictions. The amount of regard given to a city's holistic preservation goals is dependent upon the community's values. For some cities this hyper-local tool may also assist in further development of neighborhood identities, but for others this tool may increase the gap disparities between neighborhoods because the NCD process requires both time and knowledge, both of which may be more prevalent in some communities than others. This issue, however, could be eliminated if the city establishes a standard procedure for creating NCDs. Philadelphia does not have this and relies on communities to voice their desire for an NCD. Communities in Philadelphia are also expected to do most of the work in creating the NCD. This allows the more affluent Philadelphia neighborhoods to primarily benefit from the NCD process.

When the NCD tool is in place, it offers municipalities a different method to regulate the form of new construction, additions, and sometimes alterations in neighborhoods that have value, especially those that have historic value. Considering the negative connotation that often comes with local historic preservation designations, the NCD tool offers a new approach that could achieve a lesser, but, to the neighborhood, acceptable degree of preservation without as much of a fight. Finally, the NCD tool works well for communities that have National Register status or that struggle to achieve, (maybe through an increase in incompatible development), or simply are not interested in a local historic register status.⁷⁴ National Register Districts are unfortunately not protected by this status, except in Section 106 proceedings and through access to federal tax credits. The NCD tool offers regulatory power that could be customizable to the National district's unique needs. The other side of this argument considers national-level recognition indicative to a local-level designation. When considering NCD or local designation, municipalities should consider the project review process, particularly when it comes to the regulation of form for new construction projects. Remember that in Philadelphia, local historic districts regulate new construction only under very specific circumstances.

Best practices for creating a neighborhood conservation district primarily revolve around community engagement. Philadelphia recognizes this by requiring the

⁷⁴ Luberns, Rebecca and Miller, Julia, *Protecting Older Neighborhoods through Conservation District Programs*, Preservation Law Reporter, Jan-Mar 2002-03.

community to take the lead on initiating and establishing the NCD. However, unlike Philadelphia, other cities should create and publish clear guidelines and expectations for their conservation districts. Increased transparency not only makes the process more available to all communities, but also sets the expectation for communities when they decide to pursue this district type. Once the conservation district is established, the best practices include writing a clear purpose statement, establishing clear guidelines for the reviewing body that will use the tool, and using quantifiable elements. These best practices are similar to those recommended for design guidelines. Within the code, the Philadelphia NCDs lack imagery, except for Queen Village, which could make the regulations difficult to understand for nonprofessionals and community members who were not part of establishing the NCD. Outside of Queen Village, the NCDs regulate so simply that their language needs little more nuance than it already has.

Section 5.4: All Tools Compared

Each of the tools examined in this thesis address the issues of legibility, authority, and form-centralism in their own ways. However, these tools also share problems, which should be addressed. One unavoidable drawback to all of the tools examined in this thesis is the risk of human error in either missing information, misunderstood information, or unintended consequences of regulations. While this is an understood risk in code writing for many planners, the stakes are much higher when regulating historic districts. One method a municipality can use to mitigate this issue, as

it is sure to arise regardless of the tool used, is to create a clear protocol for amending, deleting, or adding regulations to the selected tool.

None of these tools are perfect and none provide an absolute solution for every city. The tools should be evaluated and adopted based on circumstance, including political support, educational opportunities for reviewers and users, neighborhood goals, and time. However, municipalities should consider all of these tools available to them. If this thesis has any conclusion, it is that these tools should act as arrows in a quiver, available for use when a problem arises, rather than singular options with strict prescriptions that preclude the appropriate use of other tools.

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Bibliography

1. City of Beaufort, "1972 Beaufort Preservation Plans," 1972
2. City of Beaufort, "1979 The Beaufort Preservation Manual," 1979
3. City of Beaufort, "1990 Beaufort Preservation Manual Supplement," 1990
4. "2016 Guide to Facilitate Historic Preservation through TOD." Accessed September 12, 2018. <http://cues.fau.edu/cues/wp-content/uploads/sites/16/2016-Guide-to-Facilitate-Historic-Preservation-through-TOD.pdf>.
5. "2019-01-11-12_NewConstruction-Additions-Demo.Pdf." Accessed April 30, 2019. https://www.nola.gov/nola/media/HDLC/Guideline%20Update/20190111/2019-01-11-12_NewConstruction-Additions-Demo.pdf.
6. "A Brief History of Land Use Regulation." Kaplin Stewart, February 14, 2017. <https://www.kaplaw.com/blog/brief-history-land-use-regulation/>.
7. Allen, Lindsey E. "Philadelphia Neighborhood Conservation: Using Public Policy to Protect Historic and Threatened Residential Neighborhoods," 2010, 125.
8. "American Legal Publishing - Online Library." Accessed April 30, 2019. [http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/thephiladelphiacode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:philadelphia_pa](http://library.amlegal.com/nxt/gateway.dll/Pennsylvania/philadelphia_pa/thephiladelphiacode?f=templates$fn=default.htm$3.0$vid=amlegal:philadelphia_pa).
9. Bandarin, Francesco, and Ron van Oers, eds. *Reconnecting the City: The Historic Urban Landscape Approach and the Future of Urban Heritage*. Oxford, United Kingdom: John Wiley & Sons, Ltd, 2015.
10. Ben-Joseph, Eran. *The Code and the City: Standards and the Hidden Language of Placemaking*. Cambridge, MA: MIT, 2005.
11. Berendt, John. *Midnight in the Garden of Good and Evil: A Savannah Story*. First. New York, New York: Vintage Books, a division of Random House, Inc., 1999.
12. Braun, Eric M. "Growth Management and New Urbanism: Legal Implications." *The Urban Lawyer* 31, no. 4 (1999): 817–21.
13. "Central Places Model Zoning." Accessed September 12, 2018. <http://www.co.delaware.pa.us/planning/pubs/CentralPlacesModelZoning.pdf>.
14. "City of Philadelphia: Bill No. 080080-A,"
15. "Comprehensive Plan Update." Accessed April 22, 2019. <https://www.cityofbeaufort.org/DocumentCenter/View/3510/Comprehensive-Plan-Update-?bidId=>.
16. Preservation Alliance of Greater Philadelphia "Conservation District Survey," August 2003.
17. PCDC "Conservation Districts vs Historic Districts," 2005.
18. "Conventional Zoning vs. Form-Based Code." *Harriman* (blog). Accessed April 21, 2019. <https://harriman.com/inspirations/conventional-zoning-vs-form-based-code/>.
19. Cook, Robert. *Zoning for Downtown Urban Design: How Cities Control Development*. Lexington, MA: DC Health and Company, 1980.
20. "Creating and Using Design Guidelines." Accessed April 21, 2019. <https://www.nps.gov/tps/education/workingonthepast/roletheyplay.htm>.
21. Davern, Jeanne. *Urban Design as Public Policy*. New York, New York: Architectural Record, 1974.
22. Davidson, Michael, and Fay Dolnick, eds. "A Planners Dictionary." American Planning Association, 2004.
23. "Design Guidelines: Main Street New Jersey." Accessed August 29, 2018. <https://www.nj.gov/dca/divisions/dhcr/offices/docs/msnj/msnjdesign.pdf>.
24. "Enabling Better Places: Users' Guide to Zoning Reform." Congress for the New Urbanism, 2018.
25. Fischer, Claude. *The Urban Experience (Second Edition)*. Orlando, FL: Harcourt Brace Jovanovich, Inc., 1984.
26. "Form Based Codes Reign in the Queen City." *The Cornell Policy Review*, November 18, 2014. <http://www.cornellpolicyreview.com/form-based-codes-reign-in-the-queen-city/>.

27. "Form-Based Codes Defined." Form-Based Codes Institute at Smart Growth America. Accessed April 21, 2019. <https://formbasedcodes.org/definition/>.
28. "Form-Based Codes: Lessons Learned from a Mount Holly, NJ Case Study." Accessed September 12, 2018. <https://www.dvrpc.org/reports/12071.pdf>.
29. Frey, Hildebrand. *Designing the City*. New York, New York: Routledge, 1999.
30. Geller, Richard. "The Legality of Form-Based Zoning Codes." *Journal of Land Use & Environmental Law* 26, no. 1 (Fall 2010): 35–91.
31. Ghel, Jan. *Cities for People*. Washington, DC: Island Press, 2010.
32. "Growing Pains Come with Town, County Growth." *The Bluffton Sun*, June 20, 2017. <http://www.blufftonsun.com/growing-pains-come-with-town-county-growth-cms-2341>.
33. "Historic Beaufort: A Report on the Inventory of Historic Buildings, 1968-1969," 1969.
34. "Historic Beaufort Foundation Leader Retires after 21 Years | Hilton Head Island Packet." Accessed April 22, 2019. <https://www.islandpacket.com/opinion/opn-columns-blogs/david-lauderdale/article225414995.html>.
35. Jacobs, Jane. *Life and Death of Great American Cities*. New York, New York: Random House, 1992.
36. "Kick the Tires on Your Local Zoning Code." Strong Towns. Accessed April 21, 2019. <https://www.strongtowns.org/journal/2018/3/21/kick-the-tires-on-your-local-zoning-code>.
37. Leech, Ben. "Historic Districts Make A Comeback." *Hidden City Philadelphia*, October 2018, 12.
38. "Local Historic Districts." Accessed April 21, 2019. <https://www.thempc.org/Historic/Lhd>.
39. "Local-Historic-District-Certification-Policy-Checklist.Pdf." Accessed September 12, 2018. <https://www.phmc.pa.gov/Preservation/About/Documents/Local-Historic-District-Certification-Policy-Checklist.pdf>.
40. Lubens, Rebecca, and Julia Miller. "Protecting Older Neighborhoods through Conservation District Programs." *Preservation Law Reporter*, January 2002, 42.
41. Lynch, Kevin. *The Image of the City*. Cambridge, MA: MIT Press, 1960.
42. Marshall, Stephen, ed. *Urban Coding and Planning*. New York, New York: Routledge, 2011.
43. McClurg, Jessie. "Alternative Forms of Historic Designation: A Study of Neighborhood Conservation Districts in the United States." *Center for Urban and Regional Affairs, University of Minnesota*, 2011.
44. Michl, Jan. "E. H. Gombrich's Adoption of the Formula Form Follows Function: A Case of Mistaken Identity?" *Human Affairs* 19, no. 3 (January 1, 2009). <https://doi.org/10.2478/v10023-009-0041-9>.
45. "Misconceptions About Form-Based Codes." Form-Based Codes Institute at Smart Growth America, October 20, 2014. <https://formbasedcodes.org/articles/misconceptions-form-based-codes/>.
46. Morris, Marya, ed. *Smart Codes: Model Land-Development Regulations*. Chicago, IL: American Planning Association, 2009.
47. Mullins, Ashton Elise. "Form-Based Codes and Historic Preservation: Recommendations for Communities Considering the Adoption of Form-Based Codes," 2008, 85. Accessed September 12, 2018. https://getd.libs.uga.edu/pdfs/mullins_ashton_e_201008_mhp.pdf.
48. "NPS Design Guidelines Example: Raleigh, NC." Accessed April 22, 2019. https://www.nps.gov/tps/education/workingonthe/past/raleigh_guidelines.pdf.
49. Parolek, Daniel, Karen Parolek, and Paul Crawford. *Form-Based Codes: A Guide for Planners, Municipalities, and Developers*. John Wiley & Sons, Ltd, 2008.
50. "Pennsylvania Municipalities Planning Code," 2008., 7.
51. "PlanPhilly | Queen Village Is the First Neighborhood Conservation District in Philadelphia." Accessed April 22, 2019. <http://planphilly.com/articles/2008/12/19/5470>.
52. "Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns." Accessed September 12, 2018. <https://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm>.

53. South Carolina State Historic Preservation Office “Preserving Our Past to Build a Healthy Future.” Accessed April 30, 2019.
[https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20\(SHPO\)/Publications/Preserving%20our%20past%20to%20build%20a%20healthy%20future%20prezplan07W.pdf](https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20(SHPO)/Publications/Preserving%20our%20past%20to%20build%20a%20healthy%20future%20prezplan07W.pdf).
54. Richards, Lynn. “How Can We Accelerate Local Code Reform? Act More like the Tortoise, Less like the Hare.” Congress for the New Urbanism, April 25, 2017.
<https://www.cnu.org/publicsquare/2017/04/25/how-can-we-accelerate-local-code-reform-act-more-tortoise-less-hare>.
55. *Savannah Design Manual*. The Chatham County-Savannah Metropolitan Planning Commission, 2011.
56. “Savannah Zoning Code, Section 8-3030,”
57. “Sense of Place.” Accessed April 22, 2019. http://www.preservationalliance.com/wp-content/uploads/2014/09/SenseofPlace_final.pdf.
58. “State, Tribal, and Local Plans & Grants.” Accessed April 22, 2019.
<https://www.nps.gov/clg/index.html>.
59. “The Beaufort Code.” Coastal Conservation League. Accessed April 22, 2019.
<https://coastalconservationleague.org/projects/beaufort-code/>.
60. “The Goals of Zoning Reform, Part III: Protecting Philadelphia’s Natural and Historic Resources.” PlanPhilly | The Goals of Zoning Reform, Part III: Protecting Philadelphia’s natural and historic resources. Accessed September 12, 2018. <http://planphilly.com/articles/2011/08/25/goals-zoning-reform-part-iii-protecting-philadelphias-natural-and-historic-resources>.
61. “The History of the Lucas Theatre | Tybee Vacation Rentals.” Accessed April 21, 2019.
<https://www.tybeevacationrentals.com/blog/local-tips-tidbits/history-lucas-theatre>.
62. “The Secretary of the Interior’s Standards for Rehabilitations & Illustrated Guidelined on Sustainability for Rehabilitating Historic Buildings.” Accessed September 12, 2018.
<https://www.nps.gov/tps/standards/rehabilitation/sustainability-guidelines.pdf>.
63. Trieschmann, Laura Virginia. “Neighborhood Conservation Zoning: A Feasibility Study for Philadelphia, PA,” 1990.
64. Walker, Philip. “Yoking Form-Based Codes and Historic Districts: How to Get the Best Combination.” *American Planning Association*, March 2014.
65. “What Is a SHPO?” NCSHPO, December 8, 2015. <http://ncshpo.org/about-us/what-is-shpo/>.
66. “What Is the National Register of Historic Places? - National Register of Historic Places (U.S. National Park Service).” Accessed April 22, 2019.
<https://www.nps.gov/subjects/nationalregister/what-is-the-national-register.htm>.

APPENDIX A: List of Figures for Savannah

Figure 1: Map of Savannah's Historic Downtown from the Design Manual.

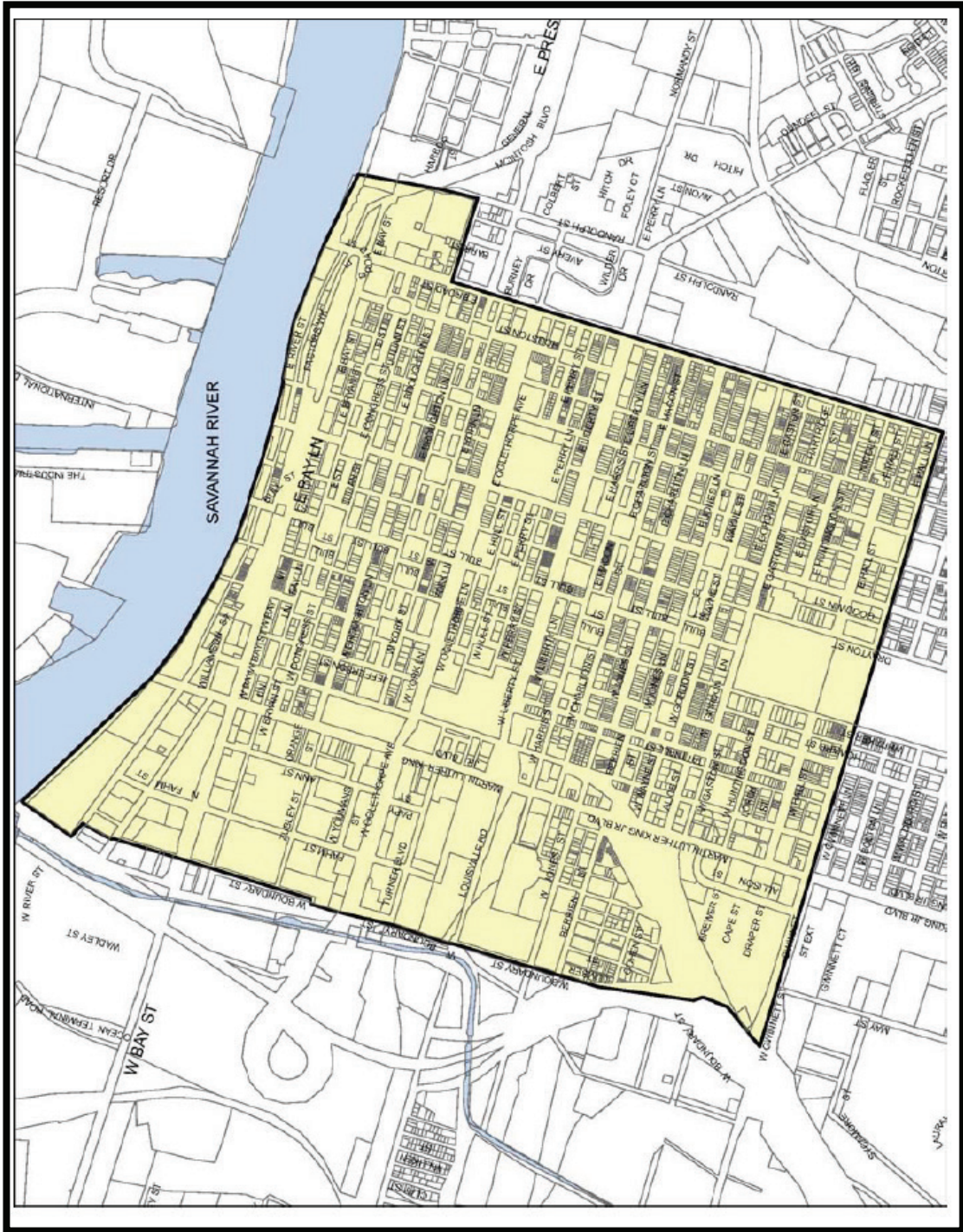


Figure 2: Savannah Design Manual Sample

Visual compatibility creates harmony between infill and existing structures within the Historic District.

New construction and existing buildings and structures and appurtenances in the historic district which are moved, reconstructed, materially altered, repaired or changed in color shall be visually compatible with structures, squares, and places to which they are visually related.

Eleven factors determine whether a structure is visually compatible with its surrounding structures:

1. **Height.** The Historic District has a variety of building heights. To determine proper height for a new building the Historic District Height Map (Figure 8.3) was developed. New construction will be permitted to build the indicated number of stories on the map, provided the dimensional height is compatible. The height of the building's individual components must be visually compatible with the building height and with surrounding contributing structures (Figure 7.1).



Figure 7.1: Buildings with same number of stories at different scales .

2. **Proportions of structures front façade.** To create a harmonious façade, building width and height should be proportional to one another and to contributing structures (Figure 7.2).



Figure 7.2: Proportionate façade, height and width.

3. **Proportion of openings.** Window opening should be proportionally related to and visually compatible with surrounding contributing structures. The openings of a structure should match in width and height with the portions of the building (Figure 7.3).



Figure 7.3: Proportionate openings along the façade.

Figure 2: Savannah Design Manual Sample, continued

8. **Roof shapes.** The shape of a roof should be visually compatible with contributing structures. Historic buildings should determine the predominate roof shape, such as hipped, gable, shed, gambrel, or mansard, on a block or ward, and new construction should provide a roof line and shape that is compatible with the historic roof line of the block or ward (Figure 7.8).



Figure 7.8: Gable roofs as predominate roof shape in this block.

9. **Walls of continuity.** Walls and fences should create a consistent enclosure along the street and should be consistent with the historic precedent of the ward or block (Figure 7.9).



Figure 7.9: Masonry fence creating a wall of continuity, defining the street edge and corner.

10. **Scale of a building.** The mass of the overall building and its individual components, columns, stairs, balconies, and additions, should be visually compatible with contributing structures to which it is visually related (Figure 7.10).

11. **Directional expression of the front elevation.** The directional expression; vertical, horizontal or nondirectional; should be visually compatible with contributing structures within the block or ward. In blocks and wards, where buildings read horizontally in character, new construction will also read horizontally in character (Figure 7.11).



Figure 7.10: Harmoniously scaled building and components.



Figure 7.11: A horizontally divided structure.

Figure 3: Savannah Zoning Code Sample

- (m) *Visual compatibility factors.* New construction and existing buildings and structures and appurtenances thereof in the historic district which are moved, reconstructed, materially altered, repaired or changed in color shall be visually compatible with structures, squares and places to which they are visually related. The following factors shall be considered in determining the visual compatibility of such a building, structure or appurtenance. These factors shall not be the basis for appeal of an adverse decision. Greater weight shall be given to adjacent historic structures.
- (1) *Height.* New construction shall be permitted to build to the number of stories as shown on the Historic District Height Map [see Height (n)(2)] and the Height of a building and the height of individual components of a building shall be visually compatible to the contributing structures to which it is Visually Related.
 - (2) *Proportion of structure's front facade.* The relationship of the width of a structure to the height of its front facade shall be visually compatible to the contributing structures to which it is Visually Related.
 - (3) *Proportion of openings.* The relationship of the width of the windows to height of windows within a structure shall be visually compatible to the contributing structures to which the structure is Visually Related.
 - (4) *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the facades visible from the public right-of-way of a structure shall be visually compatible with the contributing structures to which the structure is Visually Related.
 - (5) *Rhythm of structures on streets.* The relationship of a structure to the open space between it and adjacent structures shall be visually compatible with the open spaces between contributing structures to which it is Visually Related.
 - (6) *Rhythm of entrance and/or porch projection.* The relationship of entrances, porch projections, and walkways to structures shall be visually compatible with the contributing structures to which they are Visually Related.
 - (7) *Relationship of materials, texture and color.* The relationship of materials, texture and color of the facade of a structure shall be visually compatible with the

- predominate materials, textures, and colors used on contributing structures to which the structure is Visually Related.
- (8) *Roof shapes.* The roof shape of a structure shall be visually compatible with the contributing structures to which it is Visually Related.
 - (9) *Walls of continuity.* Appurtenances of a structure such as walls, wrought iron, fences shall form consistent walls of enclosure along a street.
 - (10) *Scale of a building.* The mass of a structure and size of windows, door openings, porches column spacing, stairs, balconies and additions shall be visually compatible with the contributing structures to which the structure is Visually Related.
 - (11) *Directional expression of front elevation.* A structure shall be visually compatible with the structures to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.

Figure 4: Savannah's Certificate of Appropriateness Review Process

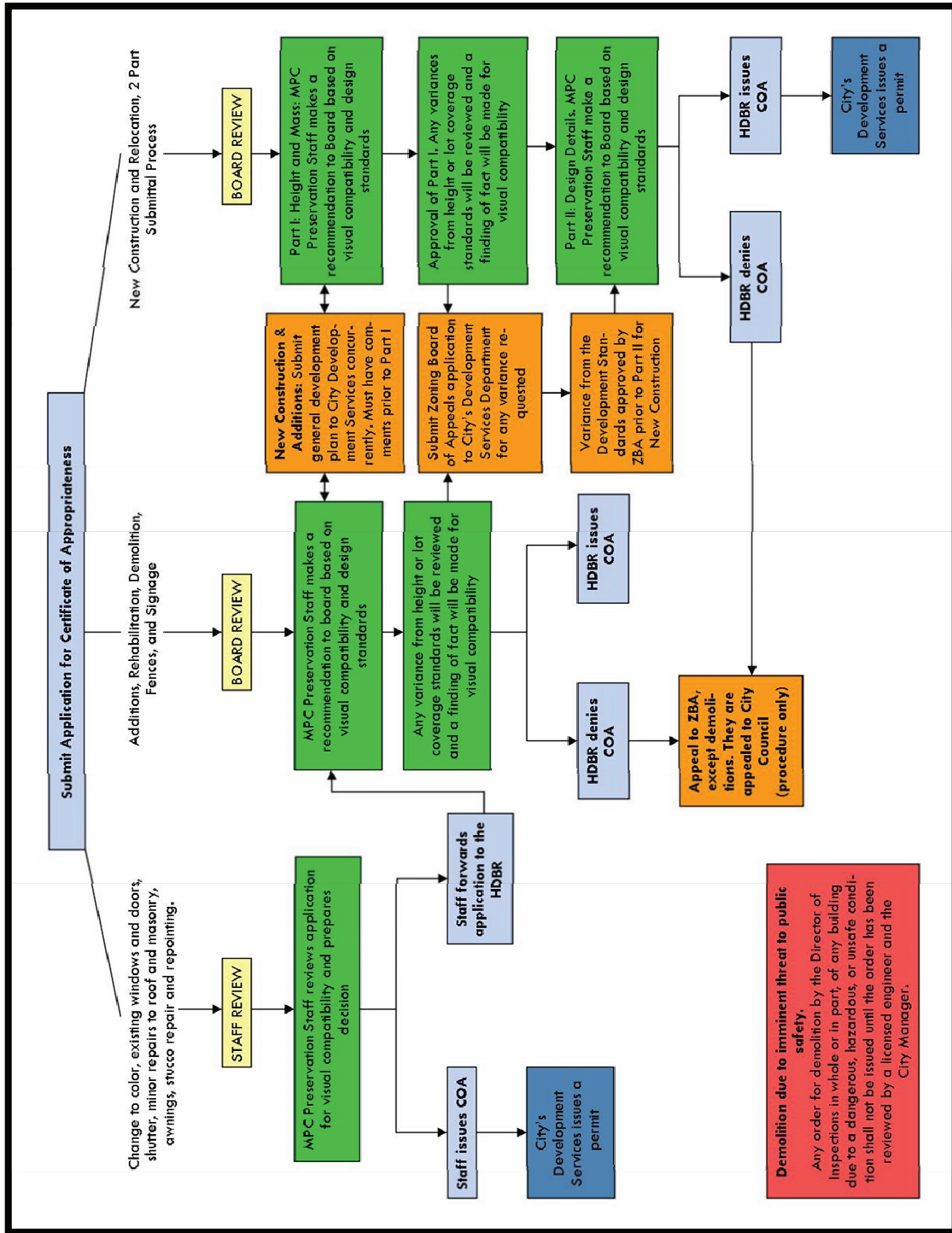
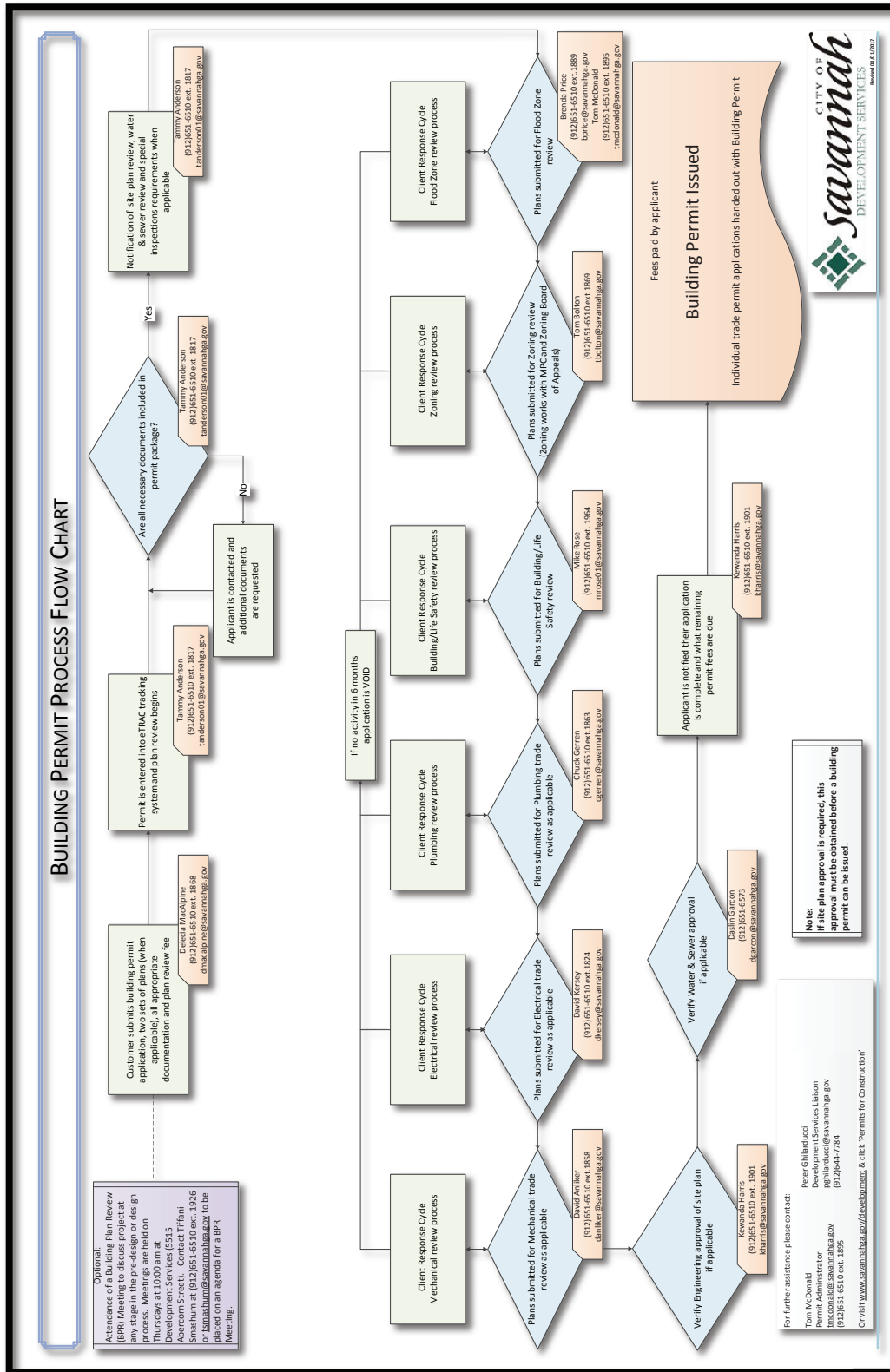


Figure 5: Savannah's Building Permit Review Process



APPENDIX B: List of Figures for New Orleans

Figure 1: Map of New Orleans' Historic Districts from the Guidelines Introduction

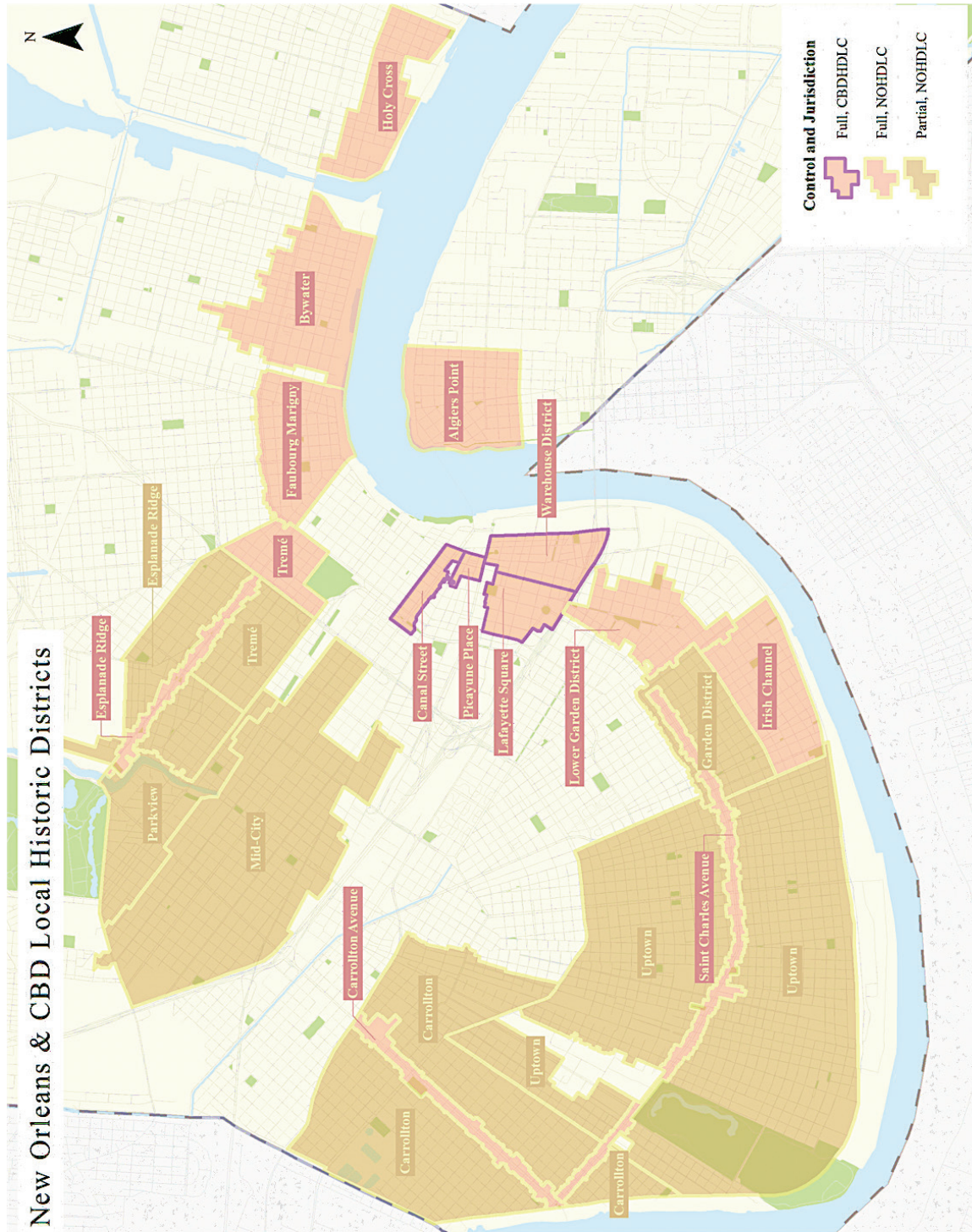



Figure 2: Website View of the New Orleans Historic Design Guidelines


- Historic District Landmarks Commission
- Map
- How To Apply
- Design Guidelines
- Commission Meetings & Agendas
- HDLCL Mission & Ordinances
- Document Library
- Commissioners & Architectural Review Committee
- FAQ
- Historic Landmarks
- Contact Us

DESIGN GUIDELINES




Introduction

An introduction to the HDLC, its two commissions, the property rating system, application process, Architectural Review Committees, application types, Demolition by Neglect, preservation resources, and frequently asked questions.




Historic Districts




Building Types and Architectural Styles

A brief overview of building types such as the Creole Cottage, Townhouse, Center Hall Cottage, Shotgun, Bungalow and architectural styles such as Creole, Greek Revival, Queen Anne, Eastlake, Italianate, Colonial Revival, Neoclassical, Edwardian, Arts and Crafts, Eclectic, and Exotic Revival.




Exterior Maintenance

A step by step guide for recognizing and addressing maintenance issues common to historic structures including typical building maintenance, building envelope deterioration, property checklists, maintenance manual, termite prevention, safety precautions and building code.




Exterior Roofing

A guide to roof forms and materials, dormer windows, gutters, downspouts, chimneys, ridge tiles, cresting, finials, ventilation systems, mechanical equipment, satellite dishes, antenna's, solar collectors, skylights, and mobile telecommunications equipment.




Exterior Woodwork

A discussion of woodwork including a glossary, common siding and shingle types, maintenance and repair guide termite issues, vinyl and aluminum siding guidelines, siding and shingle replacement and exterior painting.




Masonry and Stucco

Types of masonry and stucco in New Orleans, components of masonry walls and piers, bricks, concrete masonry units and stone, mortar, stucco, typical masonry and stucco problems, repainting




Windows and Doors

Window types and styles, historic window problem solving, vinyl and aluminum replacement windows, storm windows, door types and styles, historic door problem solving, garage doors, shutter types and materials, shutter hardware, window and door screens, storm doors, security doors and grilles, hurricane shutters and blinds




Porches, Galleries and Balconies

Explanation of porches, galleries and balconies, stoops, stairs, handrails, newel posts, ornament, brackets, ceilings, vents, columns, posts, dividers, privacy screens, ornamental metals, lighting, security cameras, ceiling fans, air rights, ramps, enclosing porches, galleries and balconies and alternate materials.



Site Elements

Guidelines for metal picket fences, wood picket fences, wood privacy fences, masonry walls, automatic gates, chain link fencing, pedestrian and vehicular gates, parking strips, parking pads, paving, landscape features, play equipment, small structures, carports, pergolas, mechanical equipment.



Contact Us

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Hours of Operation:
Monday–Friday
8:00am–5:00pm

Phone: (504) 658-7040
Fax: (504) 658-7211

Click [here](#) for full contact information.

Apply To Do Work In An Historical District




Figure 2: Website View of the New Orleans Historic Design Guidelines, continued



[Commercial Buildings](#)

Commercial building types, institutional buildings, guidelines for storefronts, display windows, bulkheads, typical store doors, storefront canopies, abat-vent, signage, awnings, valences, illumination, LED signage, neon, raceways, accessibility ramps and lifts, lighting, security cameras, televisions, ceiling fans, building equipment, roll down security doors, parking, ATM machines, refuse.



[New Construction, Additions and Demolition](#)

Guidelines for new construction, construction of additions, rooftop additions, accessory buildings, service buildings, carports, garages, relocation of buildings, demolition.



[Storm Preparedness](#)

A review of steps owners can take to prevent storm damage and make their property more resilient. Building maintenance, roof system protection, window and door protection, porch, gallery and balcony protection, guidelines for elevating buildings, systems and equipment.



[Glossary](#)



[Chapter 84](#)



[Rules & Regulations](#)



[Index](#)

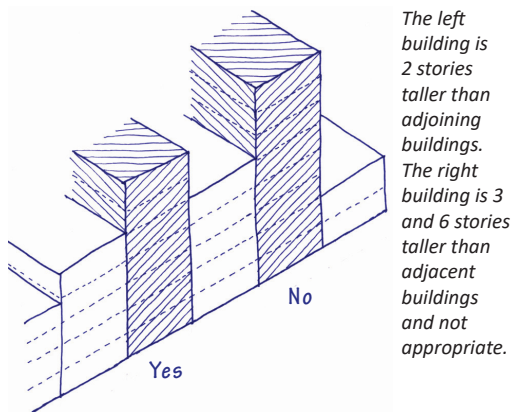
Figure 3: New Orleans Design Guideline for New Construction Sample

PRINCIPLES FOR NEW CONSTRUCTION

Scale: Height and Width

The proportions of a new building and its relationship to neighboring buildings establish its compatibility within a neighborhood or block. The height-width ratio is a relationship between the height and width of a street façade and should be similar in proportion to neighboring buildings. New construction should neither be visually overwhelming or underwhelming when compared to its neighbors.

Where 3- and 4-story buildings are the norm in the CBD and 1- to 2-stories are the norm in other parts of the City, buildings that digress from these standards by any great degree can negatively impact a neighborhood. If large-scale construction is considered, particular attention will be given to the location, siting, setbacks of the building and its upper stories, façade treatments (materials, window and door openings, etc.) and the effect of the proposed building on the streetscape and neighborhood as a whole.



It is Generally Appropriate to...

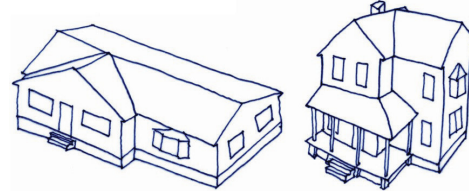
- Construct a new building that is similar in height and width to buildings on adjacent sites
- Construct a new larger building than adjacent buildings by breaking the building mass, dividing its height or width to conform with adjacent buildings
- Construct taller portions of the buildings away from the street



The height and width of new construction should be visually similar to neighboring properties.

It is Generally Inappropriate to...

- Construct a new building that appears significantly larger, wider, taller, shorter or bulkier than surrounding buildings
- Construct a new building that does not maintain or suggest the widths and/or heights of adjacent buildings



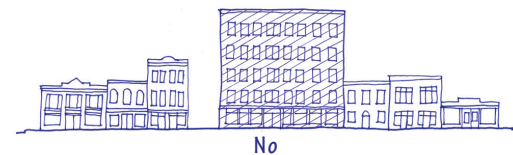
Although both of the proposed houses have intersecting gable roofs, the massing and proportions of the house to the left are significantly more horizontal when compared to the more traditional house at the right.

Building Form and Massing

Building form refers to the shape of major volumes while massing refers to the overall composition of the major volumes, its overall “bulk” and how it sits on the site. Elements that are typically used to define building form and massing include the roof form, as well as wings, ells and other projecting elements, such as bays. New buildings with similar form and massing to adjacent construction will allow the new building to be compatible with the surrounding neighborhood.

It is Generally Appropriate to...

- Construct a new building with similar form and massing to buildings on adjacent sites
- Construct roof forms, wings, ells and bays and other projecting elements that are similar to those found on the block of the proposed building
- Match adjacent cornice heights



The central building in each case is 5-stories tall. In the top example, it abuts adjoining walls and steps up in the center. The new 5-story building in the lower example is a single volume and appears more massive.

It is Generally Inappropriate to...

- Construct a new building whose form and massing are not found in the immediate vicinity of the project site

Figure 3: New Orleans Design Guideline for New Construction Sample, continued



Compatible new construction, particularly in residential neighborhoods where surrounding architecture is relatively similar, is important in order to preserve the overall character of the District.

NEW CONSTRUCTION IN NEW ORLEANS

The HDLC recognizes that when new construction is compatible, it has a positive and revitalizing impact on a neighborhood and the city as a whole. Compatible new construction can preserve the neighborhood by enhancing the historic, architectural and cultural features of a historic property.

In many cases, the most successful new buildings are those that are clearly contemporary in design but compatible with the character of neighboring properties. The information presented in these Guidelines is intended to provide the principles of appropriate design when constructing a new building within a historic New Orleans context, regardless of architectural style. However, it is not intended as a mandated checklist of requirements.

These principles are intended to promote maximum creativity while allowing plans to be assessed fairly, objectively and consistently. Building designers are encouraged to consider New Orleans' unique and wide range of existing historic building types, styles and detailing and not mimic examples from other communities. An understanding of the existing building fabric should be viewed as a starting point in the design process and not a limiting vocabulary or kit of parts.

BUILDING TYPE AND ARCHITECTURAL STYLE IN A HISTORIC CONTEXT

The HDLC does not impose a single building type or architectural style for new construction. Instead, it encourages a review of the area surrounding the project site, to influence and direct the proposed design. In the review of new construction, the HDLC encourages quality and excellence of design that relates to its historic context to allow for the creation of the City's future landmarks.

In cases in which a property owner prefers to construct a reproduction of a historic building type or style, the HDLC requires that all dimensions, profiles, details and materials match the historic building type or architectural style being duplicated correctly.

New Construction in the CBD

Historically, the commercial activity in New Orleans was concentrated in the Central Business District (CBD). The evolution of the CBD is evident in its architecture with a variety of building styles including the early Federal style, highly decorative Italianate, streamlined Art Deco, simpler Colonial Revival and stately Classical Revival. Recognizing this evolution of the built environment, new buildings should have high quality design and materials to establish themselves as future landmarks in the City's development.

Two of the common features found in CBD buildings are their construction along the front property line with shared "party walls", and their organization in three parts:

- A ground floor storefront with large display windows or paired doors along the streetscape
- Upper floors with operable windows that appear to be "punched" through the flat, relatively solid, typically masonry wall surfaces, in a regular pattern that does not necessarily align with the storefront openings below
- An ornamental building "top" that can be a cornice, parapet, pediment or other decorative feature that provides a visual termination at the top of the building



Traditional forms and materials were used for this new building in the Central Business District. The overall design and materials meet the new construction design principles.

New Construction in Residential Areas and Along Commercial Corridors

Unlike the CBD, many of the residential sections and traditional commercial corridors such as Magazine Street, St. Claude Avenue, Frenchmen Street, St. Charles Avenue, Esplanade Avenue and North Rampart Street have a more cohesive architectural style with buildings of similar form, mass, scale, setbacks and materials.

Recognizing this cohesion in New Orleans's residential and traditional commercial neighborhoods, new buildings in these neighborhoods should seek to maintain the historic ambiance with sympathetic and compatible design.

Figure 4: New Orleans' Certificate of Appropriateness Review Process

CERTIFICATE OF APPROPRIATENESS APPLICATION REVIEW PROCESS

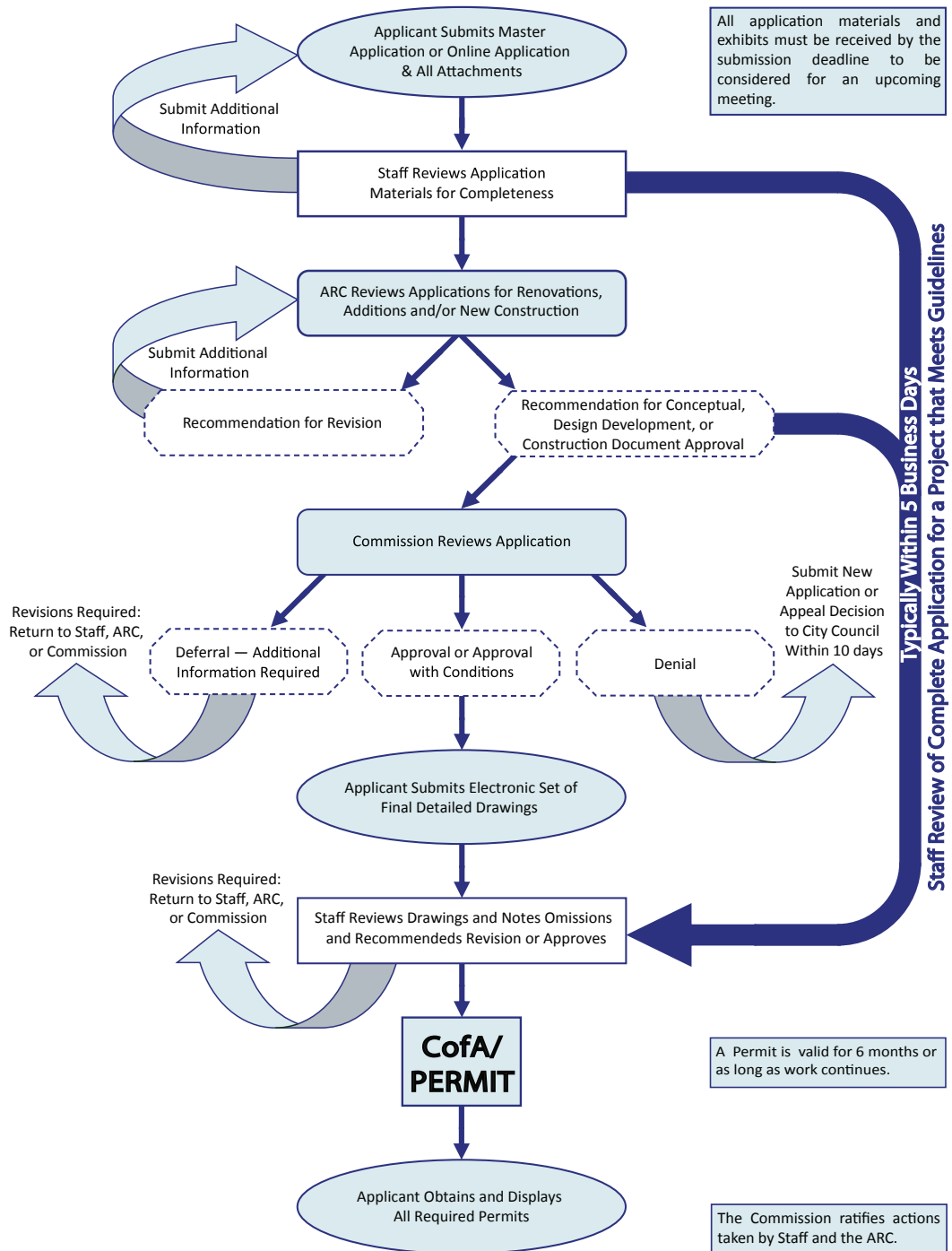


Figure 5: New Orleans Design Zoning Code Sample

ARTICLE 10 HISTORIC CORE NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

PURPOSE OF THE HISTORIC CORE NEIGHBORHOODS

The Historic Core Neighborhoods are the neighborhoods that developed during the City's colonial period, including adjacent areas that continued those development patterns. Consisting of the Vieux Carré, Faubourg Marigny, Tremé, Bywater, and portions of surrounding neighborhoods, the Historic Core Neighborhoods reflect a scale resulting from historically pedestrian movement.

The non-residential districts of the Historic Core Neighborhoods contain regulations to preserve and reflect the historic development pattern and the dense mixed-use environment. The districts allow for a variety of uses, including residential, commercial and entertainment, integrated throughout the district as a whole and at times within a single structure.

CHARACTER OF THE HISTORIC CORE NEIGHBORHOODS

The character of the non-residential districts of the Historic Core Neighborhoods is defined by:

- » Numerous historic structures that date to the end of the 18th century and early part of the 19th century, which are protected by historic district regulations and the Vieux Carré Commission and Historic District Landmarks Commission
- » A mixed-use, pedestrian-oriented environment, including a variety of residential dwelling types and commercial uses integrated throughout the neighborhood as well as within a square
- » Dense development patterns with minimal to no setbacks between structures and between structures and the street
- » Structures vary in height from single story cottages to four stories, often designed with commercial uses on the ground floor and residences above



10.1 PURPOSE STATEMENTS

10.1.A PURPOSE OF THE VCC-1 VIEUX CARRÉ COMMERCIAL DISTRICT

The VCC-1 Vieux Carré Commercial District is intended to provide for restricted retail stores and service establishments that will attract and service local residents and tourists, and that will not adversely affect the character of nearby residences or detract from the overall character of the Vieux Carré.

10.1.B PURPOSE OF THE VCC-2 VIEUX CARRÉ COMMERCIAL DISTRICT

The VCC-2 Vieux Carré Commercial District is intended to provide for retail and service establishments that attract and service local residents and visitors, permitting more intensive commercial uses than in the VCC-1 District, yet protecting the quality of life of the adjacent residential uses and the overall character of the Vieux Carré. This district includes the major shopping area of the Vieux Carré.

10.1.C PURPOSE OF THE VCE VIEUX CARRÉ ENTERTAINMENT DISTRICT

The purpose of this district is to provide for entertainment places and restricted retail stores that attract and serve visitors and local residents.

10.1.D PURPOSE OF THE VCE-1 VIEUX CARRÉ ENTERTAINMENT DISTRICT

The purpose of this district is to provide for entertainment places and restricted retail stores along Decatur and N. Peters Streets that attract and serve visitors and local residents.

Figure 5: New Orleans Design Zoning Code Sample, continued

10.2 USES

10.2.A PERMITTED AND CONDITIONAL USES

Only those uses of land listed under Table 10-1: Permitted and Conditional Uses as permitted uses or conditional uses are allowed within the Historic Core Neighborhood Districts. A "P" indicates that a use is permitted within that zoning district. A "C" indicates that a use is a conditional use in that zoning district and would require a conditional use approval as required in Section 4.3 (Conditional Use). No letter (i.e., a blank space) or the absence of the use from the table indicates that use is not permitted within that zoning district.

Table 10-1: Permitted and Conditional Uses

USE ¹	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	USE STANDARDS
RESIDENTIAL USE											
Bed and Breakfast – Accessory								P	P	P	Section 20.3.I
Bed and Breakfast – Principal								P	P	P	Section 20.3.I
Day Care Home, Adult or Child – Small	P	P			P	P		P	P	P	Section 20.3.T
Day Care Home, Adult or Child – Large	C	C			C	C		C	C	C	Section 20.3.T
Dwelling, Above the Ground Floor	P	P	P	P	P	P		P	P	P	
Dwelling, Single-Family	P	P			P	P		P	P	P	
Dwelling, Two-Family	P	P			P	P		P	P	P	Section 20.3.Y
Dwelling, Multi-Family	P	P			P	P		P	P	P	
Group Home, Small	P	P			P	P		P	P	P	Section 20.3.GG
Group Home, Large	P	P			P	P		P	P	P	Section 20.3.GG
Group Home, Congregate	C	C			C	C		P	P	P	Section 20.3.GG
Permanent Supportive Housing	P	P			P	P		P	P	P	Section 20.3.PP
Residential Care Facility	P	P			P	P		P	P	P	Section 20.3.YY
Short Term Rental, Commercial			P					P	P	P	Section 20.3.LLL
COMMERCIAL USE											
Adult Use			C, P ⁷								Section 20.3.B
Amusement Facility, Indoor			P	P	P	P		C	C	C	Section 20.3.E
Animal Hospital		P			P	P				P	
Art Gallery	P	P	P	P	P	P		P	P	P	

Figure 5: New Orleans Design Zoning Code Sample, continued

10.3 SITE DESIGN STANDARDS

10.3.A GENERAL REGULATIONS

Table 10-2: Bulk and Yard Regulations establish bulk and yard regulations for the Historic Core Neighborhood Districts. (Highlighted letters in Table 10-2 indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

Table 10-2: Bulk & Yard Regulations											
Table 10-2: Bulk & Yard Regulations											
BULK & YARD REGULATIONS	DISTRICTS										
	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	
BULK REGULATIONS											
MINIMUM LOT AREA	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	None	SF: 1,500sf/du 2F: 1,200sf/du MF: 900sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF - 3 Units: 800sf/du MF - 4+ Units: 600sf/du Non-Residential: None
A MAXIMUM BUILDING HEIGHT	50'	50'	50'	50'	50'	50'	50'	50'	40'	50'	55'
MINIMUM OPEN SPACE RATIO	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	Residential or Mixed-Use: .30 Non-Residential: .20	Residential or Mixed-Use: .30 Non-Residential: None	Residential or Mixed-Use: .30 Non-Residential: None
MINIMUM PERMEABLE OPEN SPACE	None	None	None	None	None	None	None	None	15% of lot area	15% of lot area	15% of lot area
MAXIMUM FAR	None	None	None	None	None	None	None	None	1.4	2.2	2.5
MAXIMUM TOTAL FLOOR AREA ¹									Non-Residential: 3,000sf	Non-Residential: Any use over 10,000sf is a conditional use	
MINIMUM YARD REQUIREMENTS											
B FRONT YARD	None	None	None	None	None	None	None	None	None	None	None
C INTERIOR SIDE YARD	None	None	None	None	None	None	None	None	None	None	None
D CORNER SIDE YARD	None	None	None	None	None	None	None	None	None	None	None
E REAR YARD	None	None	None	None	None	None	None	None	None	None	None

TABLE 10-2 FOOTNOTES

¹Total floor area limits per commercial use

Figure 5: New Orleans Design Zoning Code Sample, continued
 (Vieux Carré Districts)

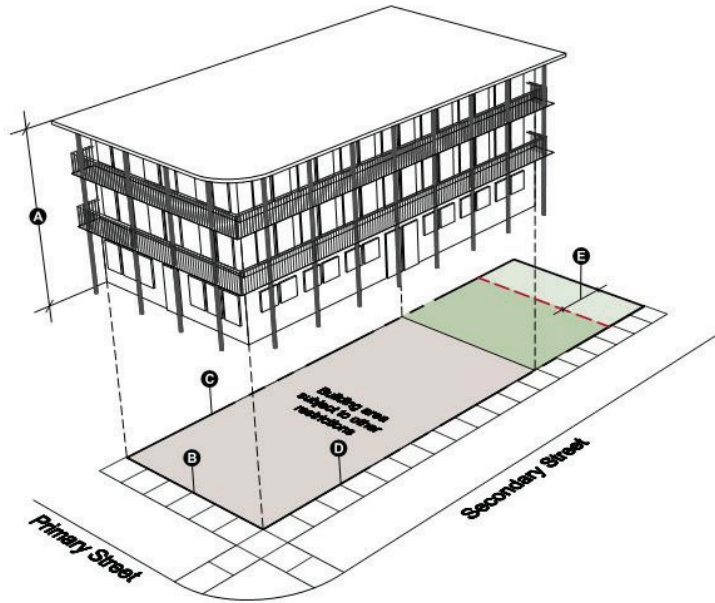


Illustration of site development standards



Range of potential building forms (not all development outcomes represented)

Photographs may be substituted at the discretion of the Executive Director of the City Planning Commission with the approval of the City Planning Commission.

APPENDIX C: List of Figures for Beaufort

Figure 1: Map of Beaufort's Historic Districts

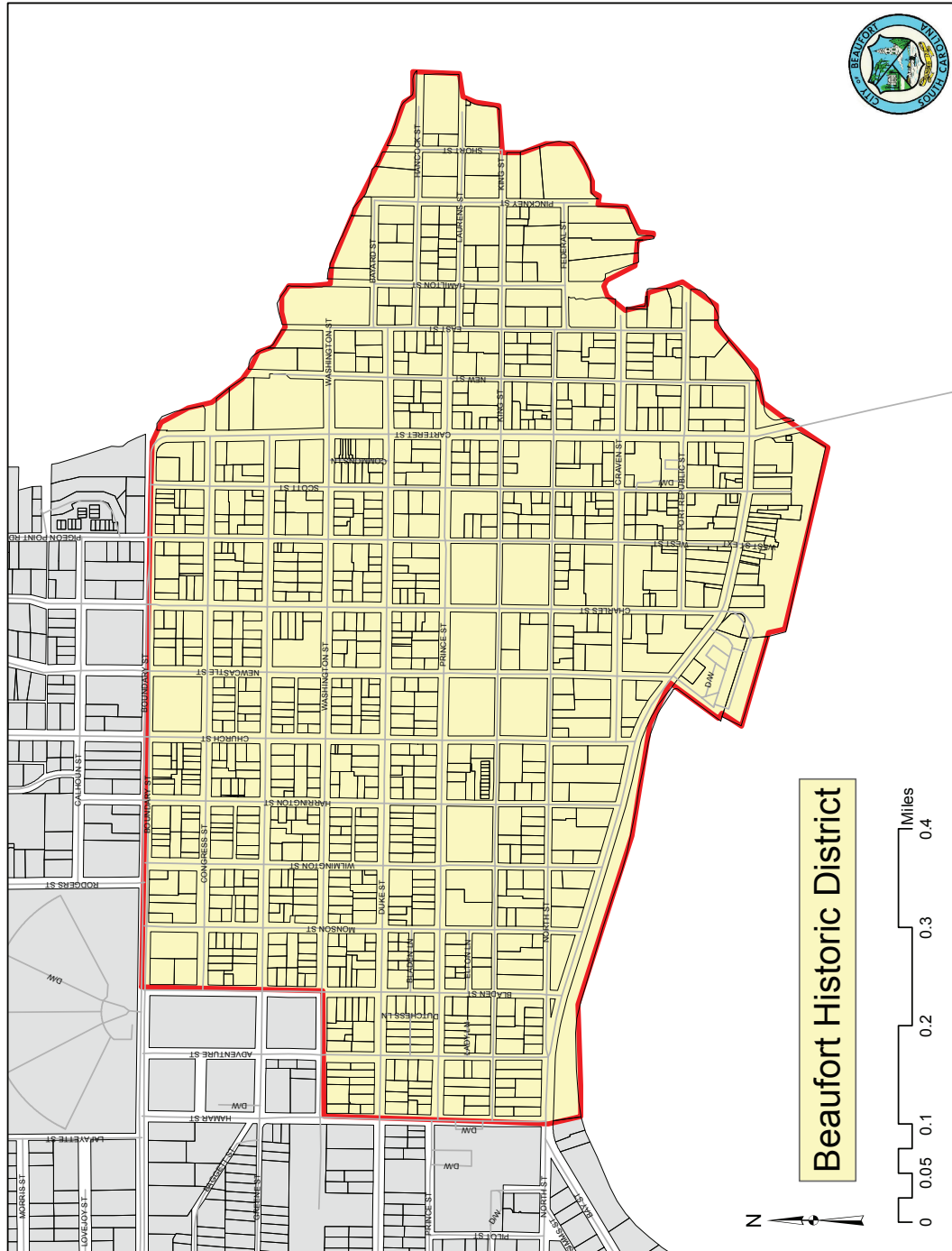


Figure 2: Beaufort Preservation Manual, 1979, Selections

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Figure 2: Beaufort Preservation Manual, 1979, Selection, continued



Mid-Eighteenth Century House Form

1745-1760. This displayed a chaste exterior which was nevertheless expanded to a two-story-over-raised-basement, double-pile plan. The major feature of this big box was the roof which was hipped or hip-on-hip. A similar elevation survives today at the corner of Boundary and Carteret Streets.³⁸

In another undated but bold example, a house built at the east end of Bay Street, there was a decided, almost Dutch, flair to the lower edge of the roofline. The cornices were coved, typifying the earlier William and Mary phase of classical evolution in American architecture. Each of these mid-century examples is conservative in its use of subtle detail, such as the single-stage porch. Each also stressed a piered basement, one high and the other low.



Mid-Eighteenth Century House Form

In 1768, Carolina's government reorganization not only placed Beaufort in a judicial district of an area somewhat comparable to today's Beaufort, Jasper, and Hampton counties, but it made the port town the district seat as well.³⁸ This was a plus for the town's development, though few buildings of any pretension seem to have been built as a result. Those on record were architecturally "aware" but, in relation to structures built elsewhere at the same time, they were conservative in both form and exterior detail.³⁸ The local versions built in the 1760's were represented by the William Elliott House and the John Barnwell House. The John Barnwell House has been so radically changed that its date provides us with no clues about fourth generation Beaufort architecture. The William Elliott House (The Anchorage) has also been changed, but it retains its original form and can be documented by old photographs. These suggest that, in 1760, dwellings were still single pile in depth, of frame construction, and featured a hipped roof from which architectural chimneys broke on the east and west slopes. The facade was five bays wide with a center entrance or double entrance which was both protected and emphasized by a single stage front veranda. It could be that the 1760 examples differed from the modest earlier houses in only two respects; they were three stories high and they apparently featured a "T" wing which provided extra depth to all three stories rather than just the principal floor. This is in significant contrast to the known double-pile examples.

Despite the moderation this conclusion suggests, these mansions were decidedly Georgian in their sense of proportions and attention to balance. In the William Elliott House at least, the axial fenestration of the facade was underscored by a pediment applied low on the front slope of the roof and proportioned to the openings.

Just as local agriculture began to encourage the trade which had made mid-century new construction possible, the growth was interrupted by war with England. The c. 1776 William Johnson House is thought to be one of the very few structures built between 1770 and 1780. In form, this house harkened back to the second period, single-pile plan with exterior chimneys. Its attention to new concepts seems to have been concentrated on the interior where cornices, mantels, and other trim were delicately carved.⁴⁰



Eighteenth Century House Form

The Federal Period

In 1781, the local seat of government was moved inland to Coosawhatchie, causing Beaufort to forfeit the gain provided by the role of a court town. The town relied then on the port and on its own growth potential. In 1785 an Act, initiated by the local legislature of the new state of South Carolina, directed the commissioners to ascertain the number of vacant lots in Beaufort, to sell those not previously granted, and pay the proceeds to the State Treasury.⁴¹ According to land records, few lots had not been granted as of 1776 (see Map 1). While the statute underscores public concern for full development of the town to strengthen the economy of the locale and supply the new state's coffers, it also suggests that some lots which had been granted had not been built upon as planned.

By 1790, a tidal rice culture developed, encouraged by the invention of a rice husking mill. By the late 1790's also, the island plantations near Beaufort, in order to substitute for the declining interest in indigo, began to grow long staple cotton, a strain which simplified the separation of the seed from the fibrous material. The chore of separating the boll, or fluff, from the seed was attended to by the large slave labor force which was integral to the area's economy. The invention of the cotton



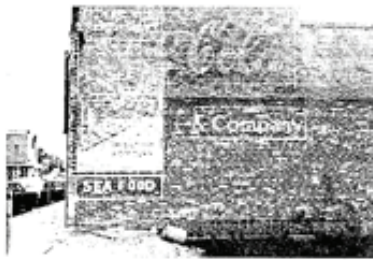
Federal Era House Form

Figure 2: Beaufort Preservation Manual, 1979, Selection, continued

requires that the review board build upon the ordinance and take into account the principles and components inherent in the design process in order to render informed, objective decisions. If the board is to serve as an implement of positive change rather than in impediment to community growth, it must also be prepared to offer constructive criticism and design alternatives which are aesthetically and economically acceptable.



The following section discusses the design components which should be taken into consideration in evaluating proposed structures within the District. These guidelines emphasize the "principles" involved in good design as elements which can be objectively assessed. It is the intention of this section to provide the review board with the information needed for it to assist the property owner and builder by guiding the direction of new construction. Sample designs, specific design restrictions, and other overly inhibitive requirements are intentionally avoided since such oppressive recommendations seriously limit the potential quality to be realized in creative and innovative design.



Similar flexibility is desirable for signage guidelines. If too strict, such guidelines have the tendency to relate signs to each other rather than to the buildings they serve. Once again, an awareness of the basic components of good signage should help to foster sound judgement on the part of the review board. An understanding of the general historical development of American storefront and signage design is particularly useful in this regard. A brief account of that development is described in this chapter.

New Construction - Design Criteria

All buildings possess a number of common elements which combine to express the structure both as an entity and as a part of the larger community. No building is so insulated from its surroundings as to avoid an impact on the townscape, whether that impact is positive, negative, or neutral. These design elements, when identified and their interrelatedness defined, can be used by the review board in evaluating the appropriateness of proposed construction. In so doing, the board, or individual homeowner, can avoid wholly subjective responses in their appraisal of new buildings.

The basic elements of exterior building design consist of scale, absolute size, massing, orientation, proportions, materials, form, and siting. Each of these design components, along with their roles in assessing new construction, is discussed below.

Scale - The "scale" of a building is its degree of relatedness to the size and proportions of both the human body and adjacent construction. The following factors affect a building's scale.

Cornice or eave height. New construction, especially in such densely built streets as 700-900 Bay or 500-600 Craven, should not ignore the dominant cornice height of adjacent buildings. New construction disrupting this line, such as the unfortunate example of 705-709 Bay, destroys the rhythm of the street. While inordinately low buildings create a void at the second floor level that interrupts the feeling of enclosure, disproportionately tall buildings will overpower the majority of the early structures. In some instances, streetscapes have evolved in such a way that a rhythm of varying cornice heights exist. Infill construction should be scaled to augment this rhythm, falling into the pattern of height variations if one exists. In cases where the street does **not** have a dominant or discernable rhythm of cornice heights, the decisions of the board should be more affected by the considerations of absolute height and massing described below.

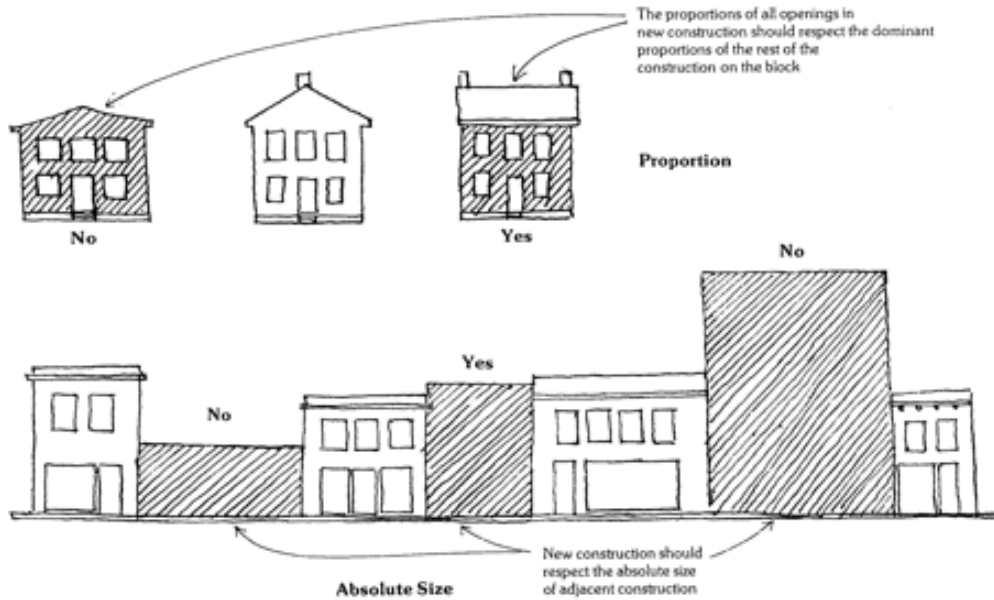
Elevation of first floor. The typical residential street in the Historic District is fronted by houses with prominent steps leading to raised first floor porches. These streetscapes would suffer greatly from the impact of any new construction with an on-grade entry. The raised floor is still an excellent response to the climatic conditions of Beaufort (see "Energy") and should be encouraged for new construction wherever possible.

Floor-to-floor heights. This important element of scale is often ignored in new construction which tends toward lower ceiling heights. The loftier rooms of the nineteenth century provided a far more appropriate response to climatic conditions. Where a relatively consistent floor-to-floor height is expressed in the facades of a given street, a new construction should be encouraged to conform.

Bays, windows, and doors. The scale of a building is strongly affected by proportions, both of the building as a whole, and of its principal facade components. Proportions, in turn, are largely dictated by the height/width relationships of door openings, window openings, and porch column spacings. These features also divide the building visually into what are commonly termed "bays." For example, a first floor facade which contains four windows and a central door is generally referred to as "five bay." The facade of a proposed building should draw upon the proportion and number of bays contained in neighboring structures, if it is to appear compatible with its surroundings.

Absolute Size - When the scale of neighborhood buildings, or those of an entire community are relatively consistent, new construction should be restricted from drastically altering these relationships. In the case of Beaufort, the two and three story structure is the norm, and structures which digress from this standard to any great degree seriously impact the District. Because of this relative consistency, some limitations can be placed on the range of overall acceptable sizes of new buildings. In general, it is desirable that new structures in the District be limited to two and three story structures (in terms of height, if not in number of actual floor levels). This applies equally to commercial and residential structures. Obviously, there will exist circumstances where exceptions must be granted. Specific uses, development projects critical to Beaufort's economy, etc. may dictate structures of larger scale, mid-to-high density design.

Figure 2: Beaufort Preservation Manual, 1979, Selection, continued

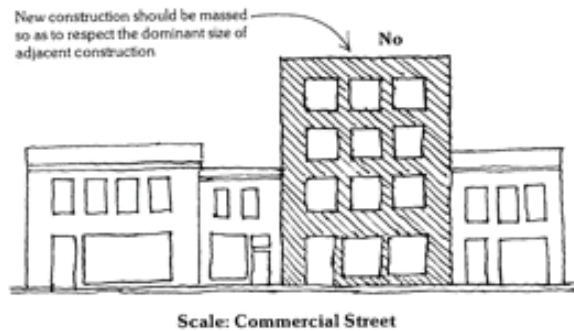
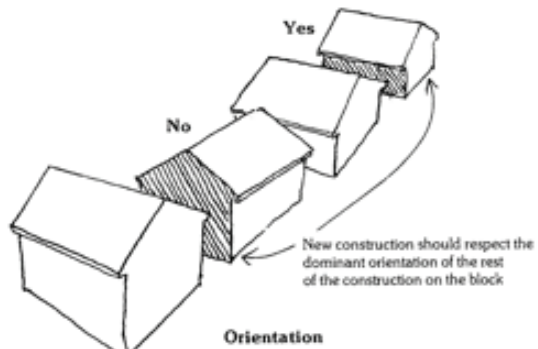


Each of these situations must be evaluated on its own merits, and this impact upon the District carefully weighed. If large scale construction is to be allowed, particular attention should be given to locational aspects, siting, setbacks, and facade treatments. This situation is discussed in more detail under a subsequent section on "High Density Construction."

Massing - Massing refers to the relationship between solids and voids, as well as the differentiation of planes (i.e. projections) of a facade. The surface of a building is made up of "solids" (the siding or walling) and "voids" (window and door openings). The relationship between these two areas, combined with the three dimensional aspects of projecting bays and overhangs defines the "mass" of a building. Large overhangs, small window areas, and expansive brick or stucco walls lend a feeling of weight and solidarity to a structure - vis-a-vis the term "massive." Conversely, large expansive windows, light trim, and vertically elongated elements create a feeling of lightness and delicacy. Obviously, a new one-story structure composed of windowless masonry walls would severely conflict with a neighboring Queen Anne cottage. However, the example need not be this extreme to create discord between the facades of a given street. New

facades should attempt to relay the feeling of either lightness or weight of its neighboring structures through the use of similar massing techniques.

Orientation - Principal facades of new construction should be oriented in the same direction as the rest of the buildings on a street. In Beaufort, the prevalence of south-facing residential construction and a strict north-south/east-west street grid reinforce the importance of this basic design decision.



Proportions - New construction should relate to the dominant proportions of the styles present in its immediate neighborhood. The proposed design should pay close attention to height/width ratios of overall building proportions as well as for doors, windows, and porch bays. In Beaufort, this would generally discourage the construction of long, low-slung buildings such as the Sea Island motel or 510 Carteret Street, as well as elements such as square or round windows. A new structure should emulate the proportions of the major elements of its early neighbors to the degree practicable.

Figure 3: Beaufort Preservation Manual Supplement, 1990, Selection

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The Beaufort Conservation Overlay District

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Figure 3: Beaufort Preservation Manual Supplement, 1990, Selection, continued

Chapter 3

New Construction, Additions, Demolition, and Signage

Introduction

Both Beaufort's current Zoning Ordinance and the draft Amendment require that all demolition, new construction, and additions or alterations to existing buildings under BOAR jurisdiction receive a Certificate of Appropriateness prior to issuance of a building permit. The Ordinance further provides that in reviewing applications for a Certificate of Appropriateness, the BOAR will consider among other things "the general design, the character and appropriateness of design, scale of buildings, arrangement, texture, material and color of the structure in question, and the relation of such elements to similar features of structures in the immediate surroundings". The Ordinance further stipulates that grounds for refusal to grant a Certificate of Appropriateness may be:

arresting and spectacular effects, violent contrasts of materials or colors and intense or lurid colors, a multiplicity or incongruity of details resulting in a restless and disturbing appearance, the absence of unity and coherence in composition not in consonance with the dignity and prevailing character of the neighborhood in the case of a new building.



Unfortunately, it is easier to define inappropriate construction than it is to prescribe appropriate construction. New construction and additions in Beaufort should blend

harmoniously with the historic fabric of the city. They should have a positive visual and functional relationship to the historic buildings already in the District. New construction and additions should enhance the perceptual quality of the District. These guidelines are intended to encourage excellent contemporary design that is compatible with the character of the District. Specific guidelines follow for new construction and additions to existing buildings, along with a discussion of the issues raised by demolition.

Signage guidelines were included in the *Manual* and were updated and expanded in 1989 by a *Pride-of-Place* project team sponsored by Main Street Beaufort, USA and led by Thomason and Associates of Nashville, Tennessee. A discussion of these guidelines is also included in this Chapter.

Design Guidelines for New Construction

The guidelines below are adapted with few changes from the *Beaufort Preservation Manual*. Restoration, "period architecture" and the rigid quotation of architectural elements and details is not their intent. Rather, their intent is the preservation of the cohesive ambience of the District by compatible, sympathetic, and contemporary construction. They are written with the understanding that the more strict are the guidelines for new construction, the more severe are the limitations placed on creative and innovative design solutions.

The design guidelines below are intended to clarify the elements and principles of appropriate design in such a way as to allow maximum design freedom while allowing plans for new construction to be assessed fairly, objectively and consistently. These guidelines encourage the designer of new construction to consider existing historic buildings as a starting point in the design process, and not as the final goal.

The following guidelines should be considered in permit applications for the construction of new structures under BOAR jurisdiction:

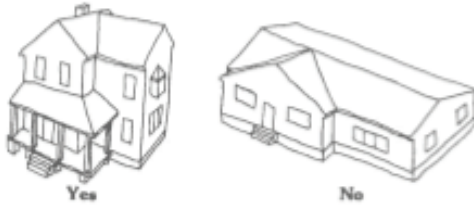
Scale: New construction should reflect the dominant cornice and roof heights of adjacent buildings. This guideline becomes more important as a given street increases in density. In cases where the street does not have a dominant or discernable rhythm of cornice heights, the decisions of the BOAR should

Figure 3: Beaufort Preservation Manual Supplement, 1990, Selection, continued

Proportions: New construction should relate to the dominant proportions of the styles present in the immediate neighborhood. The proposed design should reflect closely the height/width ratios of overall building proportions as well as that of doors, windows, and porch bays.



Proportion Of Openings



Proportion Of Volumes

Materials: New construction should use materials in a manner sympathetic to the historic buildings in the Historic Beaufort District. Materials should be of similar or complementary color, size, texture, scale, craftsmanship, and applicability to function performed.

It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail, nor that new construction attempt to imitate historic structures. Rather, it is a matter of determining the compatibility of the new with the old. Certain materials are potentially so visually intrusive that their use for new construction in the Historic Beaufort District should be discouraged if not forbidden. These materials include:

- * exposed concrete masonry
- * painted concrete masonry
- * ornamental pierced concrete masonry screens and walls
- * "antiqued" brick
- * vinyl and metal siding
- * wrought iron and aluminum porch columns
- * exposed chain link fencing
- * carpeted porch floors
- * flush exterior doors
- * inappropriate window treatments:
 - o jalousie windows
 - o glass block
 - o picture windows
 - o windows with horizontal glazing
- * asphalt siding
- * unpainted wood

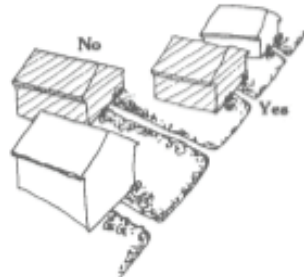
Forms: New construction should reflect and be sympathetic to the form of adjacent historic structures. These sympathetic historic forms include hip and gable roofs, projecting bays or ells, the shapes of window and door

heads, architectural chimneys and overall porch configurations. Conversely, horizontal window bands, flat or gambrel roofs, and "colonial" bay windows, etc. are inappropriate elements in the Historic Beaufort District. Every attempt should be made to discourage their use in new construction in the District.



Variety Of Appropriate Forms

Siting: New construction in the Historic Beaufort District should respect the dominant set back line of existing construction, over and above what might be the setback lines prescribed in the Ordinance.



Inappropriately Large Set-Back

High density/large scale construction: It is possible that development pressure in the City of Beaufort will eventually result in proposals for projects involving structures larger than the predominant scale of the District. Whenever possible, alternative sites for large structures should be sought outside the Historic Beaufort District, and the City of Beaufort should provide assistance to the applicant in identifying every possible alternative site that would mutually benefit the applicant and the City. If alternative sites are not available, the means by which the negative impact of large scale buildings must be minimized are as follows:

- * Seek the locations within the proposed Historic Beaufort Overlay District which best accommodate larger scale structures, such as areas previously intruded upon by modern construction, large lots which can be easily screened, areas with a few or no historic structures, or areas which can best accommodate parking facilities.

Figure 4: Beaufort Form-Based Code Sample

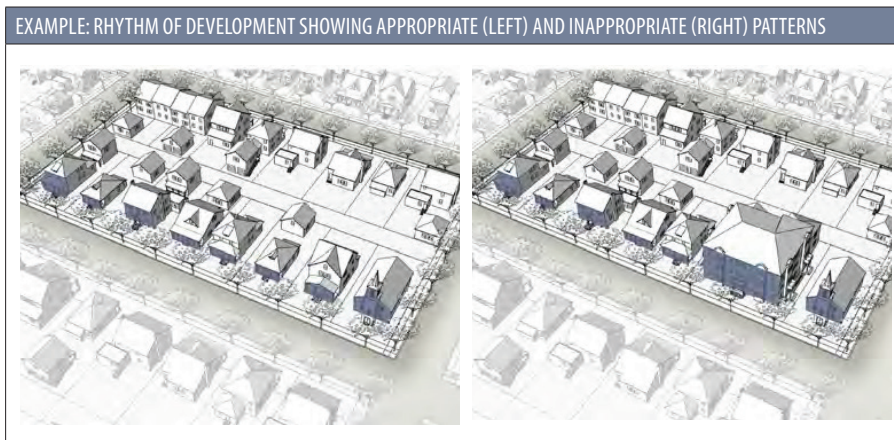
4.3: CONTEXTUAL DESIGN GUIDELINES

4.3.1 PURPOSE AND APPLICABILITY

All buildings possess a number of common elements that combine to express a structure both as an entity and as a part of the larger community. No building is so insulated from its surroundings as to avoid an impact on the surrounding context. Applications that require Major Design Review (Section 9.8) and Certificate of Appropriateness, Major (Section 9.10.2), are subject to the additional contextual design guidelines of this section. These guidelines shall be used by the Design Review Body as applicable, to evaluate the appropriateness of the proposed construction to its immediate context and the character of the broader community.

4.3.2 SPECIFIC GUIDELINES

- A. **Conformity to Civic Master Plan:** The Civic Master Plan provides site-specific guidance for the development of many parcels within the city. The intent of this Code is to facilitate the vision and ensure the visions are permitted. In instances where the Civic Master Plan provides guidance for building and site design standards on a particular parcel, development applications on that parcel should meet the general intent of such guidance to the extent practicable, as determined by the Design Review Body.
- B. **Rhythm of Development on the Street:** Monolithic massing that disrupts the predominant building pattern of the neighborhood and corridor is strongly discouraged.



C. Massing and Articulation

1. New construction should complement the massing of neighboring buildings by utilizing roof forms, architectural trim, differentiation of facade planes, and a relationship of solids (siding and walls) to voids (window and door openings) that are consistent with the patterns established in neighboring buildings.
2. When large scale construction is proposed that is not consistent with the predominant building height and lot width of the surrounding area, special attention shall be paid to specific building design elements in order to articulate a building form that is appropriate to the neighborhood context. These include the items listed in the paragraph above, along with siting, setbacks, and facade treatments.

Figure 4: Beaufort Form-Based Code Sample, continued

C. Scale/Height

1. The scale of civic buildings should be larger and more monumental than corresponding buildings in order to be more prominent and visible across greater distances.
2. Floor-to-floor heights and architectural details should be proportionately larger than those of private buildings that exist or are anticipated within adjacent blocks.

EXAMPLE: CIVIC SCALE AND FLOOR-TO-FLOOR HEIGHTS



3. Prominent roof forms and additive elements, such as cupolas, should be used to visually extend the height of the building.

EXAMPLE: ROOF FORMS AND ELEMENTS THAT DISTINGUISH CIVIC BUILDINGS



D. Materials/Details

1. Civic buildings should evoke a civic character and be carefully designed to reflect the architectural character of Beaufort.
2. Civic buildings should be made of durable, high-quality materials that create a sense of permanence and lend civic identity to the city. Preferred materials include brick, stone, and cast concrete. Stucco should only be utilized when applied over structural CMU.
3. Building details should be designed at 2 scales. At the larger scale, details should be robust, so as to be read from a distance. Nearer to the building, the details of the lower levels should include another measure of refinement that can only be seen up-close at a pedestrian scale.
4. Building design elements should be used which allow civic buildings to act as focal points of the community. Depending on the architectural style of the building, the following

Figure 5: Beaufort Review Process for General Construction Projects

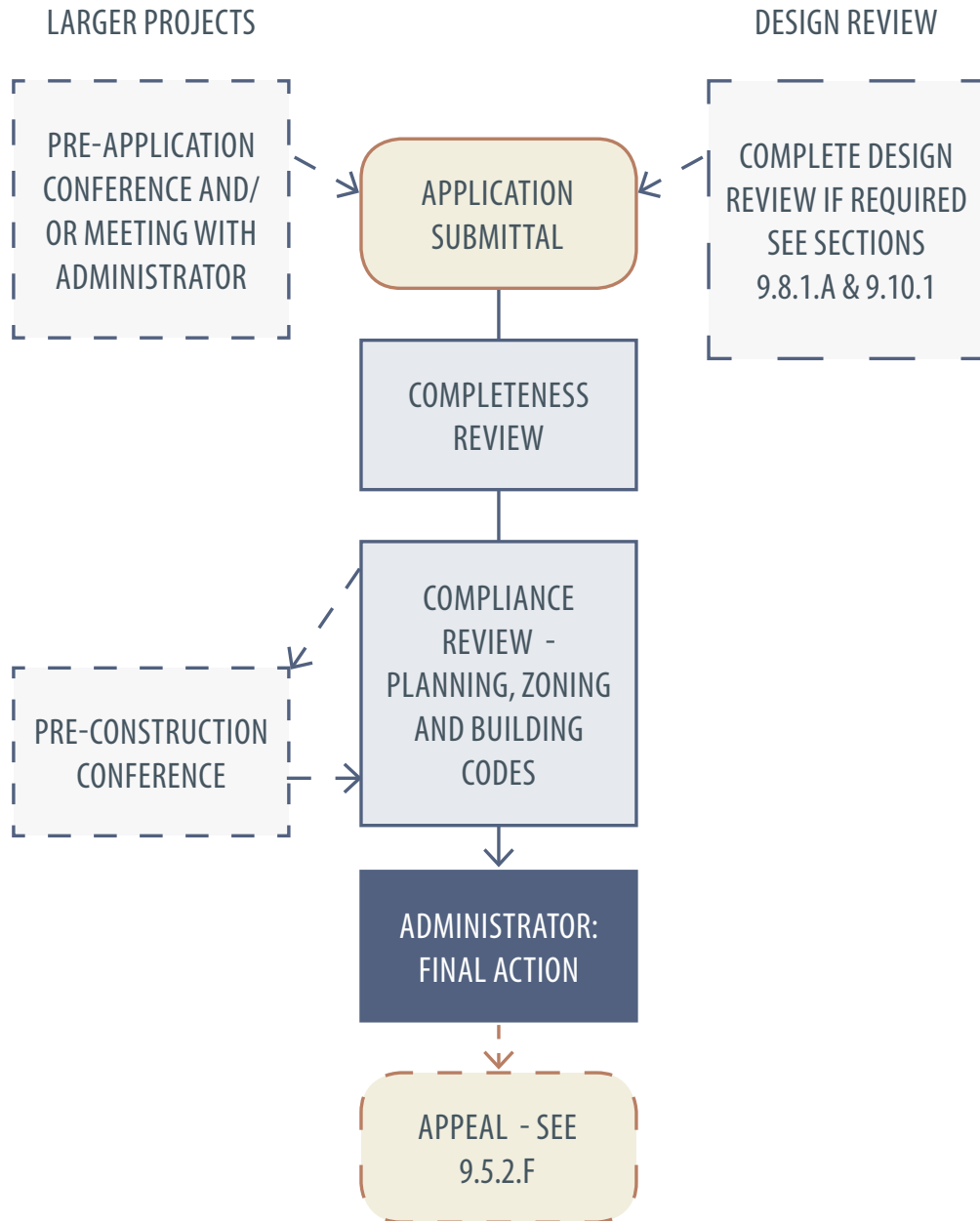


Figure 5: Beaufort Review Process, continued, the Historic Districts

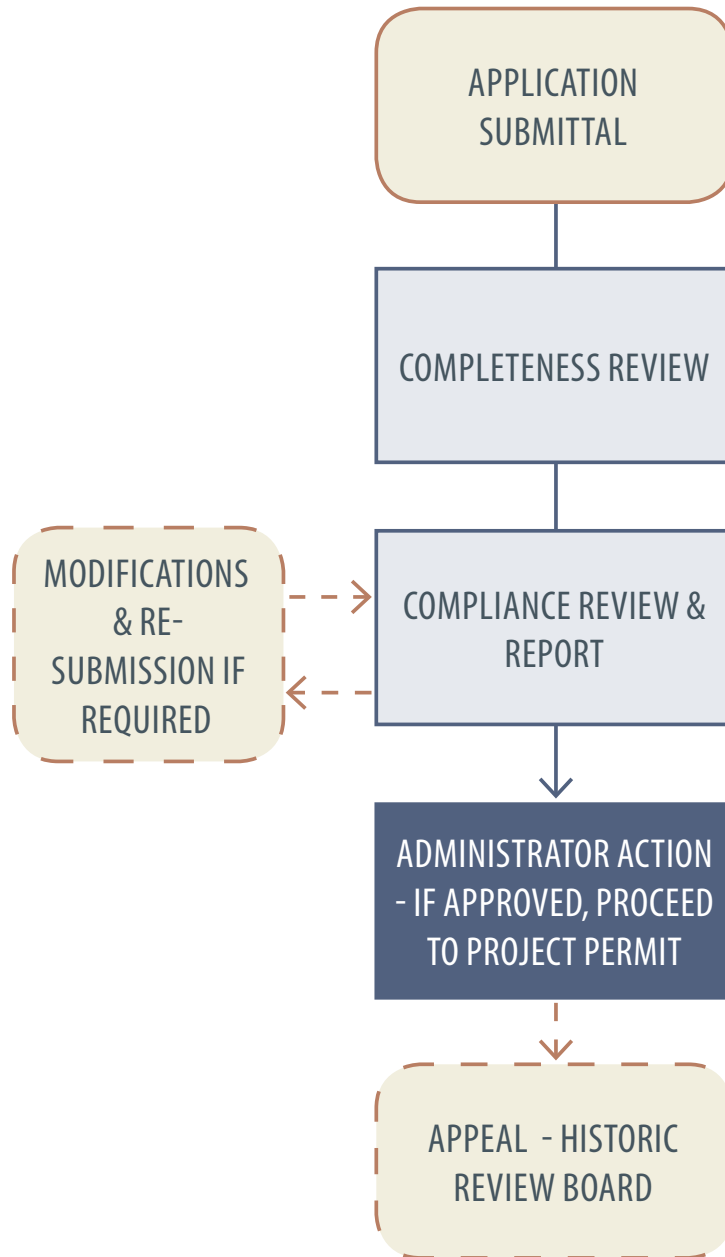
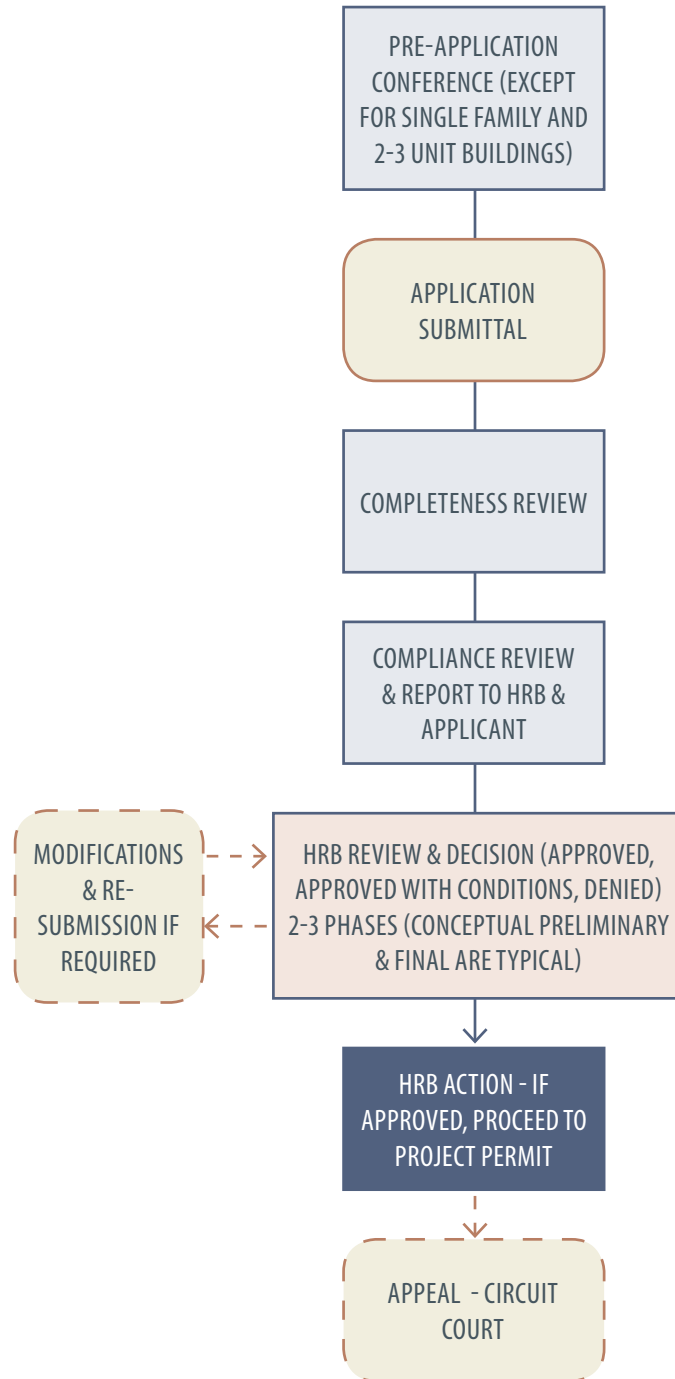


Figure 5: Beaufort Review Process, continues, Large Projects in the Historic Districts



APPENDIX D: List of Figures for Philadelphia

Figure 1: Map of Philadelphia's Queen Village Neighborhood Conservation Overlay District, from zoning code.



Figure 2: Map of Philadelphia's Wissahickon Neighborhood Conservation Overlay District, from the zoning code.

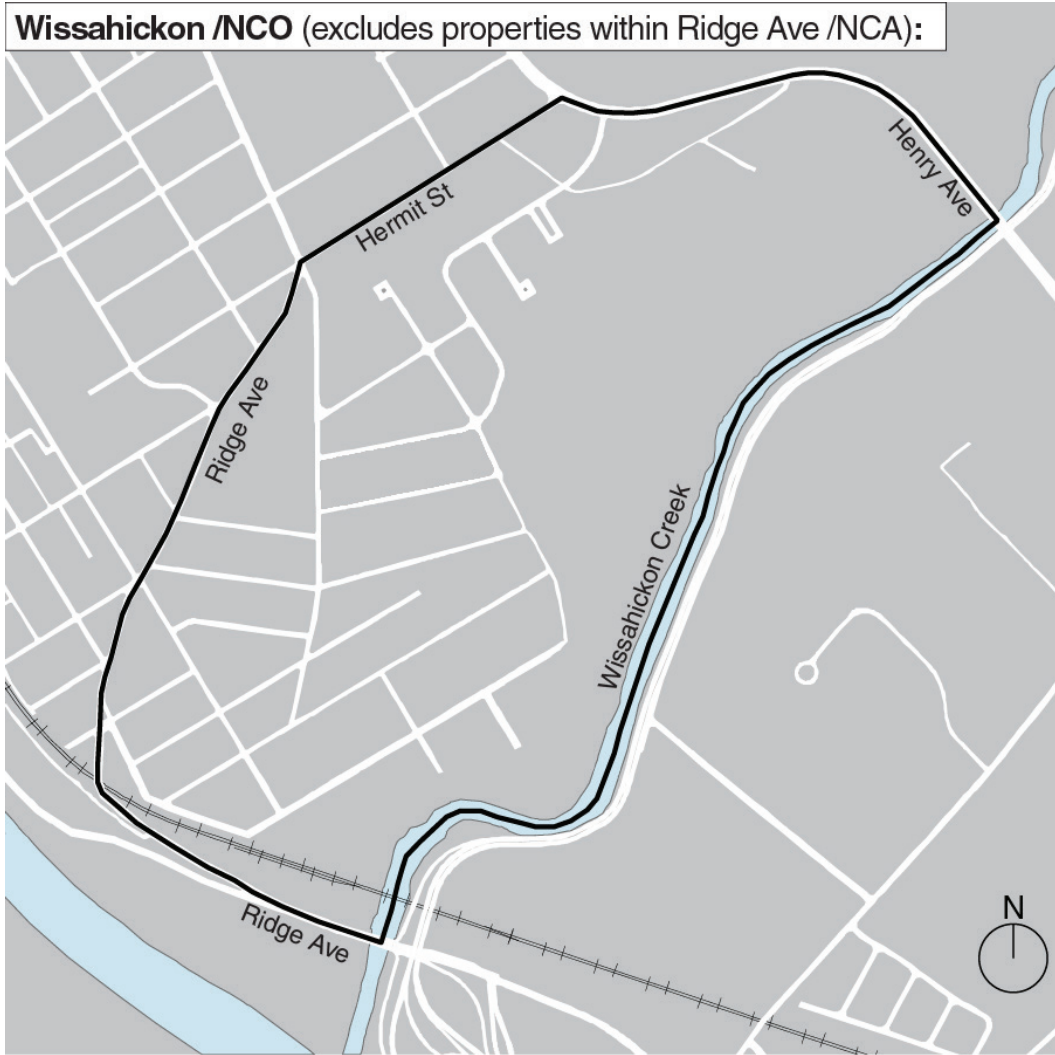


Figure 3: Map of Philadelphia's Overbrook Farms Neighborhood Conservation Overlay District, from the zoning code.

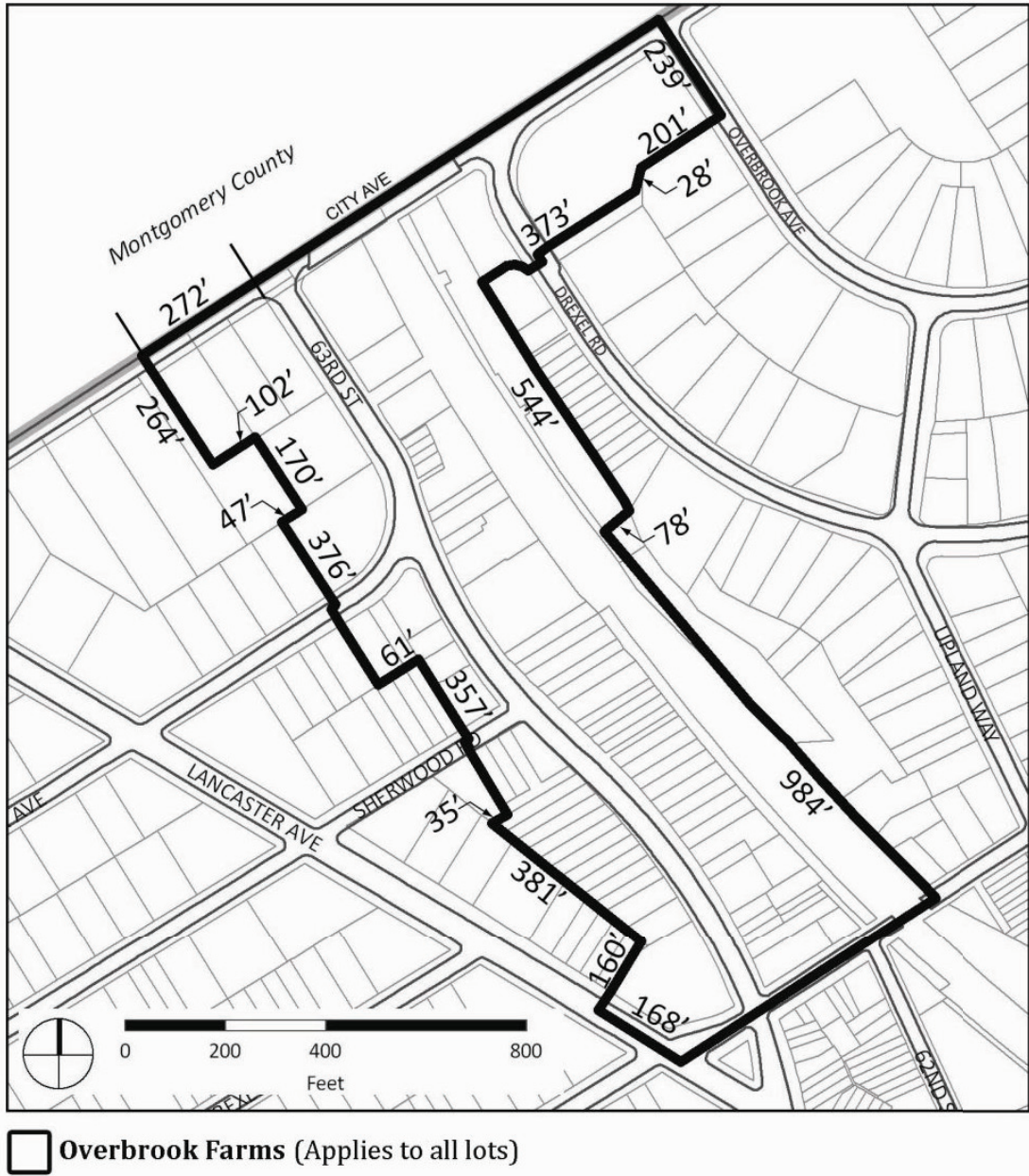


Figure 4: Map of Philadelphia's Central Roxborough Neighborhood Conservation Overlay District, from the zoning code.

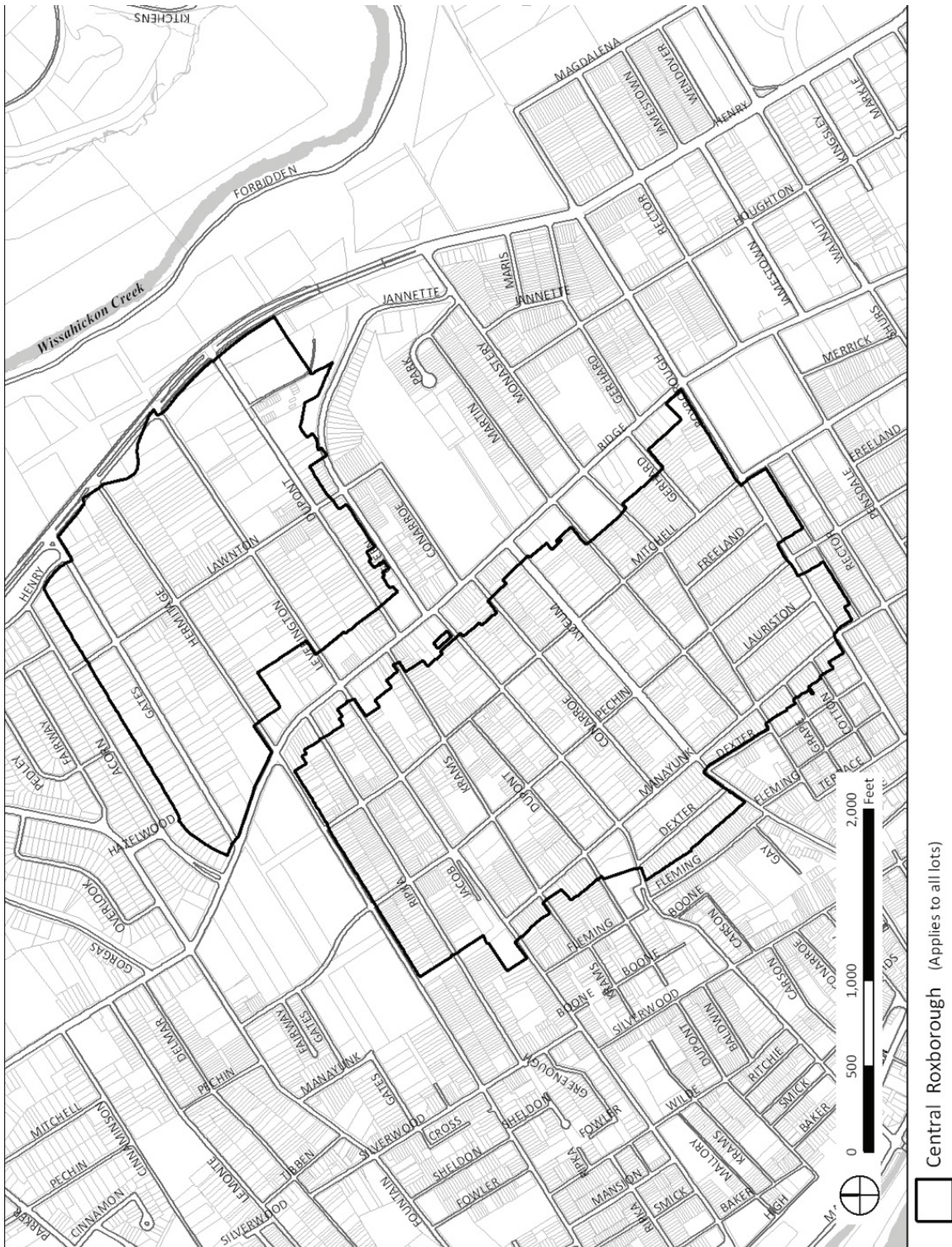


Figure 5: Map of Philadelphia's Ridge Park Roxborough Neighborhood Conservation Overlay District, from the zoning code.



Figure 6: Map of Philadelphia's Powelton Village Neighborhood Conservation Overlay District, from the zoning code.

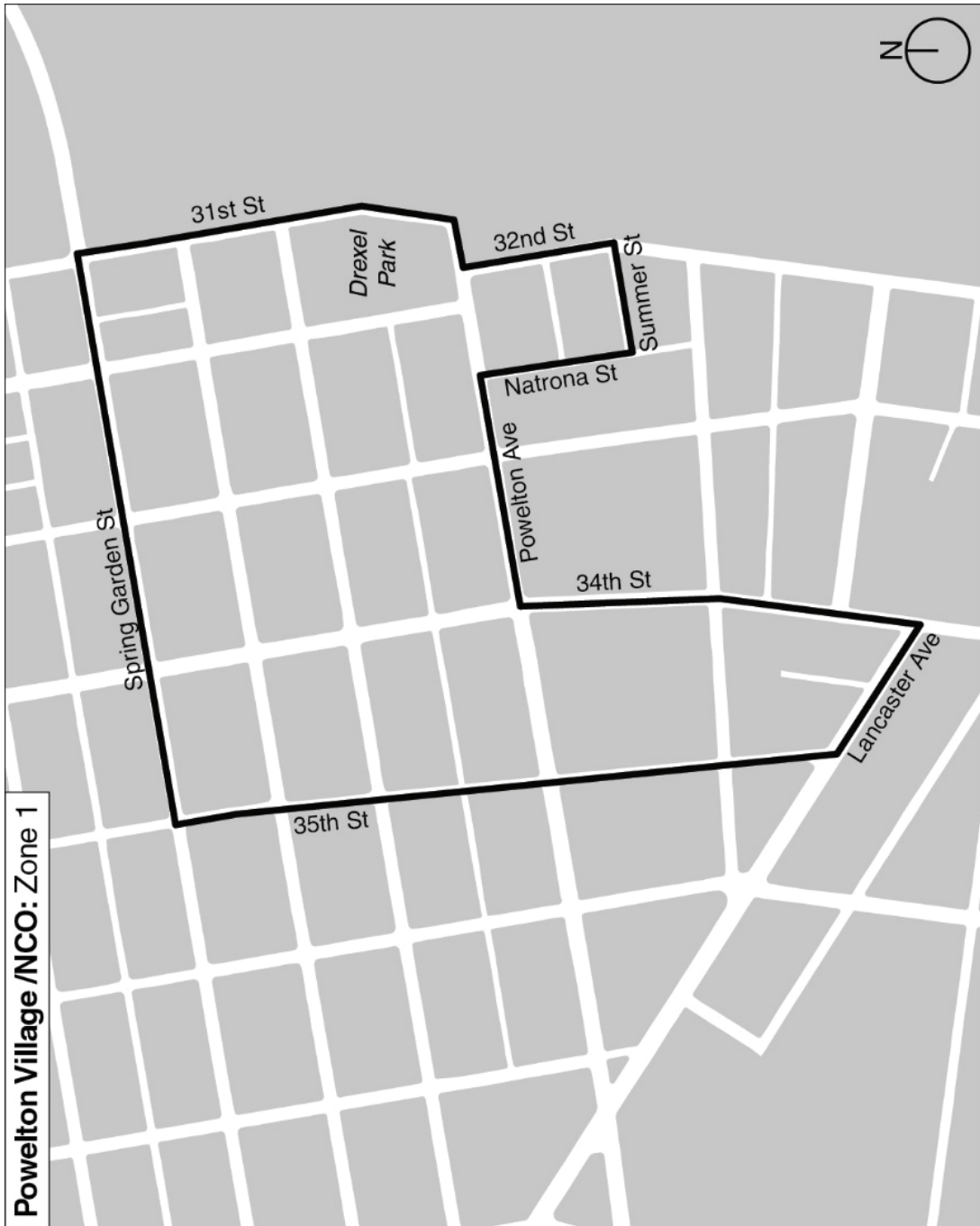


Figure 6: Map of Philadelphia's Powelton Village Neighborhood Conservation Overlay District, continued

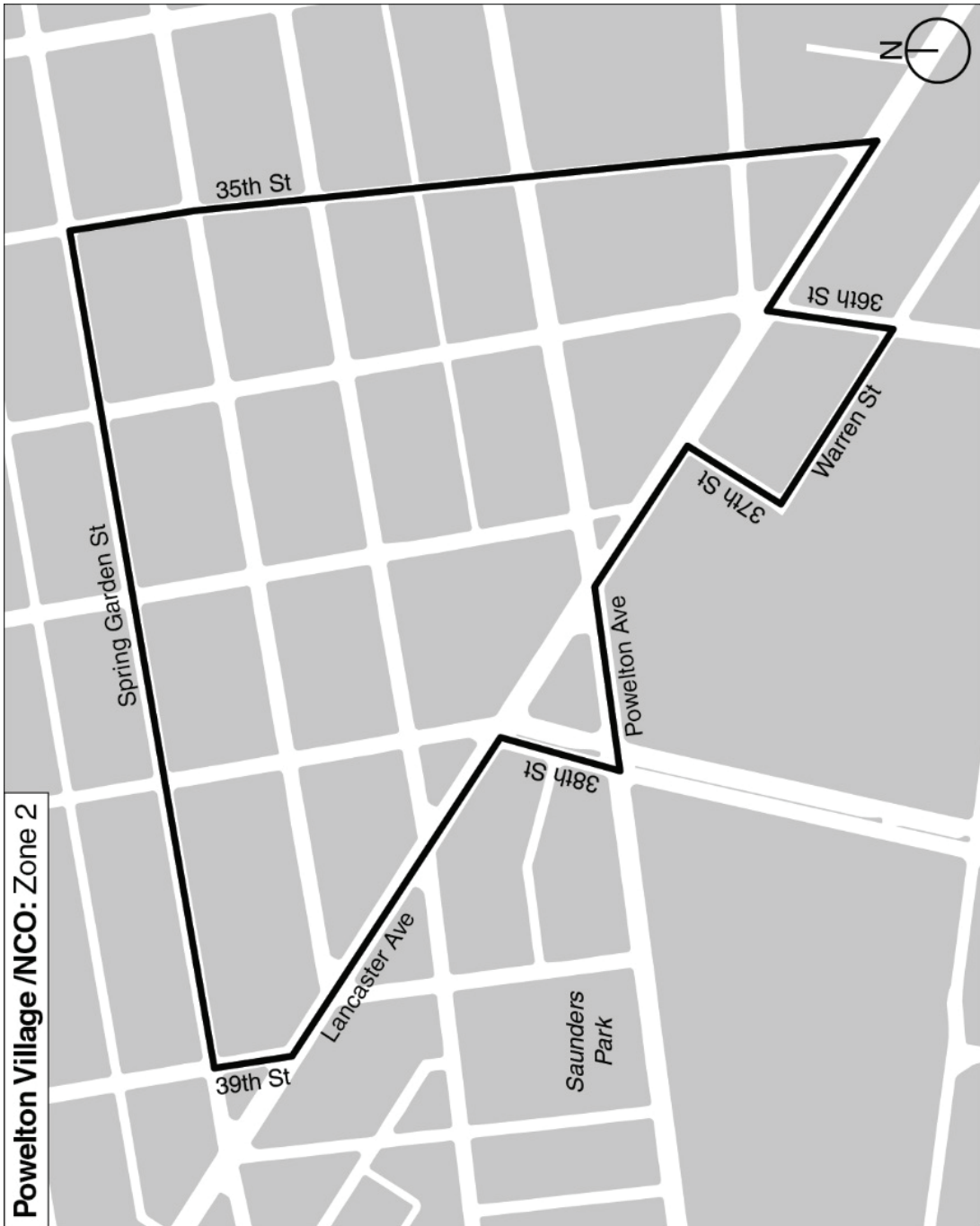


Figure 7: Philadelphia’s NCO Districts Compared

Location/ Regulatory Elements	Queen Village	Overbrook Farms	Central Roxborough	Ridge Park Roxborough	Powelton Village	Wissahickon
Residential Building Setback Line	X		X	X	X	X
Residential Height Restrictions	X	X	X	X	X	X
Residential Design Guidelines: Windows	X	X	X	X	X	X
Residential Design Guidelines: Roof Decks		X				
Residential Design Guidelines: Porches			X	X	X	
Residential Design Guidelines: Parking			X	X		X
Residential Design Guidelines: Utilities				X	X	X
Residential Design Guidelines: Building Details		X		X	X	
Residential Design Guidelines: Materials		X	X	X	X	X
Commercial Building Setback Line	X					
Commercial Parking & Loading	X					
Commercial Façade Design			X		X	X
Commercial Utilities Design Guidelines					X	
Commercial Materials	X	X			X	
Addresses Alterations		X				
Addresses Public Realm/Street Design			X			
National Historic District	X	X				

APPENDIX E: List of Acronyms

1. NCD – Neighborhood Conservation District
2. *BOAR*- Board of Architectural Review
3. FBC – Form-Based Code
4. HPC – Historic Preservation Commission
5. P&Z – Planning and Zoning Commission
6. ZBA / ZBOA– Zoning Board of Adjustments

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