

# THE KENTLANDS CODE

Mike Watkins pays homage to a master developer and to the city fathers of Gaithersburg

Joe Alfandre, the original master developer of Kentlands, wanted to build a mixed-use, pedestrian-friendly neighbourhood in Gaithersburg, Maryland but it was illegal in 1988. I write this from a seat at my local diner in downtown Kentlands just a few blocks' walk from my home. I am, along with 2400 families and over a hundred businesses, grateful to Alfandre for his vision and grateful to the City leaders of that time for making the realization of this vision possible.

## ADMINISTRATIVE CONTEXT FOR DESIGN CODES

Through changes in its zoning ordinance and subdivision regulations, the City of Gaithersburg had inadvertently made it illegal to build the traditional American neighbourhood and instead mandated single-use, automobile-dependent sprawl. In fact, if Gaithersburg's own downtown were to have burned to the ground it would not have been possible to be rebuilt it under the zoning ordinance in place at the time of Alfandre's request to build Kentlands.

Alfandre agreed to write new chapters for the City's zoning ordinance to permit the traditional neighbourhood and the accessory apartments, and a road code waiver to permit a palette of traditional streets and alleys. He also agreed to set a higher standard for the architecture, offering to prepare a design code and attach it as a covenant to the land so that all subsequent landowners would be required to comply with its requirements.

Generally, the zoning ordinance controls the permitted uses and densities, the subdivision ordinance the streets, and the design code what happens on the private lots.

## CODING TO ACHIEVE A VISION

Virginia's first city, Alexandria, was planned around a tight grid of streets and lots but without architectural controls. John Carlisle built the first house, quite a handsome one, but he built it well back from the street. His colleagues realised that if others followed suit the result would not be the city they envisioned. So, they wrote a design code. Among the requirements: that private buildings be built across 100% of their front property line with a horizontal eave to the street while public buildings may set back and must have a gable end to the street. These simple rules resulted in a city that remains beloved to this day. Today, subdivisions may have design controls but frequently they control much less important elements such as colour and mailbox design.

Alfandre had a very clear vision of the type of place he wanted Kentlands to become. He hired Duany, Plater-Zyberk & Company (DPZ) to record the vision in a masterplan and design code. The Mayor of Gaithersburg and the Director of Planning and code Administration understood and embraced the vision and, working with Alfandre and DPZ, they laid the groundwork for Kentlands. The importance of a clear vision when writing a design code cannot be understated. Nearly anything can be coded. The challenge is clearly identifying the desired end result.

The motivation for Alfandre was his desire to build neighbourhoods in which community would flourish. Community has everything to do with the relationships that exist between individuals. Similarly, communities are about the relationships that exist between individual buildings. The Kentlands Design Code was initiated to regulate the design of the space between buildings. This is an area typically neglected by planners and architects.

Alfandre voluntarily subjected Kentlands to a design code



Coding, for designers of neo-traditional neighbourhoods, involves the selection of the best urban and architectural practices from the past

Top Kentlands masterplan (Duany Plater-Zyberk & Company)  
Above Aerial view of Kentlands as built



**Top** Downtown Kentlands today ©2006 Sandy Sorlien  
**Above** A mix of uses and higher density residential on Main Street ©2006 Sandy Sorlien

in order to produce the community he had envisioned and provide certainty to buyers about what would be built there. It further served to demonstrate to the city, and to purchasers, his willingness to raise the standard of design.

**THE PROCESS**

DPZ led a team of architects, planners, engineers, landscape architects and builders through a seven-day public design charrette in 1988 during which the Kentlands Design Code, as well as the complete set of masterplan documents, was produced. The general public, municipal staff and officials contributed to the design code, largely through clarifying the vision of the desired end result. Builders and their designers scrutinized the details of the code to verify that the requirements were consistent with market demands and their budgets, particularly in relation to the cost of materials.

Consultation with all affected parties during the preparation of the code at the charrette allowed its implications to be assessed fully from all vantage points. Although builders did find loopholes as they began building Kentlands, a provision in the code allowed the developer to make changes to the code, so the loopholes could be closed. Provision for such flexibility in a design

code is essential. While it may seem risky to some, allowing an unscrupulous developer to weaken the code, there are many good reasons for allowing it that outweigh this minimal risk. New materials and techniques become available, and additional building types may be added to meet changing market demands.

While the process of writing a code may be similar from one instance to the next, the end results may vary greatly. Early on, as Alfandre shared his vision, DPZ quickly identified local precedents. Several English precedents were also studied. Public spaces and the surrounding buildings were carefully documented. Coding, for designers of neo-traditional neighbourhoods, involves the selection of the best urban and architectural practices from the past. Certainly, the early neighbourhoods that first accommodated the automobile, such as those by Raymond Unwin and John Nolan, demand careful study. The best of the desired models are retained but also transformed into the newly envisioned place.

**THE DESIGN CODE**

Most design codes consist of a plan that identifies exactly where in the masterplan particular requirements apply and urban regulations which generally control building type placement and the location of parking. Design codes also dictate building materials and how the materials are used. Design codes may dictate a specific style or styles but this is not essential – it depends on the vision. The most widely accepted practice is that the materials and methods of construction grow out of local practices which have a demonstrated record of success. This was certainly the case in Kentlands.

The Kentlands Design Code consists of two 24” by 36” pages. The first, the Urban Regulations, is based on lot size and controls, where a building sits on its lot, the height of the building and the location of parking. The second, the Architectural Standards, identifies the permitted building materials and the configuration and techniques for the use of those materials.

It makes a distinction between “requirements” (expressed using “shall”) and “recommendations” (expressed using “should”). Both requirements and recommendations may be expressed in written text, drawings or both. The Kentlands Code did not provide examples or illustrate the architectural code requirements, so as to avoid the problem of identifying one acceptable solution and that solution then becoming the dominant one, while also inadvertently limiting creativity. Instead, the code establishes criteria within which any number of possible solutions exists. Kentlands’ Urban Regulations are a combination of drawings and text, while the Architectural Standards are all text.

**ENFORCING THE CODE**

Initially the developer was responsible for enforcing the code then, after occupancy of a building, this role passed to the Kentlands Citizens Assembly (KCA), to which all landowners are required to belong. Gradually the developer relinquished control of the KCA Board to the residents and then the KCA took over control of the code.

The Kentlands Code is written in such a way that compliance can be verified administratively. However, it is beneficial to have someone with a design background serve as the Town Architect and, in fact, the KCA documents require this. The code was privately administered by the Town Architect, who was employed first by the developer and then through the KCA. DPZ has served as the Kentlands Town Architect from the beginning.

An economic downturn led to Alfandre turning control of the project over to the Chevy Chase Bank whose subsidiary completed the development. The relevance of this to the design code is two-fold. First, the design code prevented the lender from reverting to conventional suburban development. In fact the lender chose to continue developing Kentlands because its

OWNER GREAT SENECA DEVELOPMENT CORPORATION		THE KENTLANDS CODE URBAN STANDARDS						TOWN PLANNERS ANDRES DUANY & ELIZABETH PLATER-ZYBERK P.C. A.C.	
	TYPE IA.B RETAIL/OFFICE	TYPE IIA.B RETAIL/RESIDENTIAL	TYPE IIIA.B.C RETAIL/RESIDENTIAL 60 FT. SIDE LOT (1,1/1)	TYPE IV RESIDENTIAL 44 FT. SIDE LOT (1,1/1)	TYPE VIII RESIDENTIAL 44 FT. SIDE LOT (1,1/1)	TYPE V RESIDENTIAL 66 FT. SIDE LOT (1,1/1)	TYPE VI RESIDENTIAL 66 FT. SIDE LOT (1,1/1)	TYPE VII RESIDENTIAL 66 FT. SIDE LOT (1,1/1)	SPECIFICATIONS
<b>HEIGHT</b> AS SHOWN ABOVE EXCEPT FOR HEIGHTS SPECIFIED IN THIS TABLE. HEIGHTS SHALL BE MEASURED TO THE TOP OF THE ROOF.									<p>1. THERE IS NO HEIGHT LIMIT ON STRUCTURES LOCATED WITHIN THE FRONT YARD OF ANY LOT.</p> <p>2. THE HEIGHT OF ANY STRUCTURE LOCATED WITHIN THE FRONT YARD OF ANY LOT SHALL BE LIMITED TO THE HEIGHT OF THE ADJACENT SIDE YARD.</p> <p>3. THE HEIGHT OF ANY STRUCTURE LOCATED WITHIN THE FRONT YARD OF ANY LOT SHALL BE LIMITED TO THE HEIGHT OF THE ADJACENT SIDE YARD.</p> <p>4. THE HEIGHT OF ANY STRUCTURE LOCATED WITHIN THE FRONT YARD OF ANY LOT SHALL BE LIMITED TO THE HEIGHT OF THE ADJACENT SIDE YARD.</p> <p>5. THE HEIGHT OF ANY STRUCTURE LOCATED WITHIN THE FRONT YARD OF ANY LOT SHALL BE LIMITED TO THE HEIGHT OF THE ADJACENT SIDE YARD.</p>
<b>YARD</b> AS SHOWN ABOVE EXCEPT FOR YARD REQUIREMENTS SPECIFIED IN THIS TABLE.									
<b>PORCH</b> AS SHOWN ABOVE EXCEPT FOR PORCH REQUIREMENTS SPECIFIED IN THIS TABLE.									
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<b>OFF-STREET PARKING</b> AS SHOWN ABOVE EXCEPT FOR OFF-STREET PARKING REQUIREMENTS SPECIFIED IN THIS TABLE.									<p>1. THE MINIMUM NUMBER OF PARKING SPACES SHALL BE AS SPECIFIED IN THIS TABLE.</p> <p>2. THE MINIMUM NUMBER OF PARKING SPACES SHALL BE AS SPECIFIED IN THIS TABLE.</p> <p>3. THE MINIMUM NUMBER OF PARKING SPACES SHALL BE AS SPECIFIED IN THIS TABLE.</p>

unique market position - that of a traditional neighbourhood surrounded by stalled sprawl developments - commanded an 11% premium from buyers compared to nearby subdivisions. Second, with changing control, the design code ensured the realization of the original vision in the absence of the visionary.

Some architects and designers will complain that a design code stifles their creativity. In fact, the opposite is true. When anything is possible, a designer is hardly needed, precisely because anything is possible – a condition evident in the American suburbs. When some constraints are in place, the challenge is greater and good designers rise to the challenge of demonstrating their ability to design an excellent building within these constraints.

Initially builders submitted plans to the developer who forwarded them to the Town Architect for comment. The developer then negotiated compliance (or not) with the builders. When control reverted to the lender, builders submitted plans directly to the Town Architect who negotiated compliance with the builders and wrote a review letter indicating compliance (or not) to the City Planning Commission for their consideration at the time of their architectural approval.

After a property is occupied, the code is enforced by the KCA via the voluntary Board of code Compliance, a group of residents appointed by the KCA, which issues fines pursuant to the KCA documents each owner signs at the time they purchase their property. The KCA also has the right to restrict benefits of membership in the KCA if necessary, for instance, access to the community pool!

**MANAGING THE RESULTS**

One major weakness in the system at Kentlands was the lack of inspection of the built work for compliance with the Design Code. The City routinely inspects buildings prior to occupancy, primarily for compliance with life/safety codes and, to a much lesser extent, compliance with the approved design drawings. DPZ lobbied for post-construction approval prior to a Certificate of Occupancy, but it was not until the last two years of construction that such a provision was implemented.

However, it is widely recognized that Kentlands is clearly a different place, a community, not just another subdivision development. Kentlands is a single community of several neighbourhoods, each with a mix of uses and residential types assembled on a network of pedestrian-friendly streets. The

masterplan supported by the code has certainly achieved Alfandre's vision for a built environment that fosters community. Is it as beautiful as it might have been? No. Design codes cannot replace talented designers.

**LESSONS**

Among the important lessons learned from Kentlands and the nearly 200 other design codes that we have written:

- Build consensus around a clear vision. With this done, precedents can be identified and documented and a new place codified.
- Code only what matters then hire good architects. Surprisingly little is essential to code most great places. As the list of rules grows in an effort to outlaw kitsch, the opportunity to produce truly excellent buildings may diminish.
- Enforce the code with an eye toward exceptions. The importance of enforcing the code is obvious. While enforcing the code, permit exceptions which make the place, well, exceptional.

Design codes for New Urbanist communities give priority to choices that benefit community, at times at the expense of our individual choices. For those who value community, a design code is an excellent tool to balance the physical requirements of community with the individual needs of its citizens. Design codes have proven to be successful in this part of the country for over 200 years.

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Kentlands Urban Regulations (Duany Plater-Zyberk & Company)