## Adopt Design Standards/Guidelines for Improved Compatibility

**Purpose and Use**

A number of communities are developing and using design guidelines

(1) to clarify what aspects of the community's existing character are valued by the community and what are the community's expectations for new development,

(2) to ensure that new development complements rather than disrupts existing neighborhood character,

(3) to ensure that new development is well connected to the larger neighborhood through continuous streets and sidewalk patterns and other visual and functional linkages, and

(4) to raise the general quality of development. As noted above, residents may fear change and new development in their neighborhoods, based in part, on past experiences with poorly designed and poorly functioning development. Proposed new development, which seems out of context with the existing neighborhood, will likely provoke lengthy debate and sometimes outright opposition by neighbors. If the debate can be focused on design, rather than the red flag issue of density, chances of neighborhood acceptance will be greater. Experience with visual (design) preference surveys suggests indicates that residents often show preference for well-designed higher density housing examples over lower density examples of standard design. Design guidelines can allow flexible choices for preserving those qualities that are vitally important to community residents, but which are difficult to quantify in prescriptive zoning standards. Design guidelines can be tailored to unique situations and to address the relationship between properties. Therefore, they can achieve results that can not be accomplished by conventional zoning regulations that are applied across the board. Design guidelines offer an effective way of illustrating and communicating desired qualitative relationships between uses.

A comprehensive set of design guidelines will seek to relate new development to the surrounding context at several levels. Guidelines for infill areas are typically concerned with the relationship between the new development and its immediate neighbors. For instance, guidelines may encourage/require similar scale and height as that of neighboring uses, or window placement which respects the neighbor's privacy. In addition, to be effective, design guidelines should be concerned with how new building(s) fit with patterns established along the block (such as typical setbacks or streetscape). They should also be concerned with the broader context of neighborhood character, especially if within a historic district, waterfront district or district with some special function. Surveys of existing structures, block patterns and district character are recommended to document the existing context. The guidelines will be better supported by community residents to the extent that community residents are involved in developing guidelines, and the guidelines express what qualities are most valued by the community.

Design guidelines typically address aspects of site design which can improve compatibility such as landscaping, buffering, parking and garage placement, relation of buildings to the street, sidewalk circulation, or fencing. In addition, they typically address compatibility of building design, which may include similar scale, proportions and mass, window patterns and shape, roof shape, building materials or facade features, such as porches. In general, guidelines for infill within stable neighborhoods should encourage buildings that echo (rather than exactly reproduce) the character of surrounding buildings. Through use of design guidelines, some communities have successfully provided for higher densities and affordable housing types while maintaining compatible building scale and appearance. Design guidelines also typically address connections between old and new development such as street and sidewalk patterns

well-linked into the larger neighborhood. Design guidelines may also encourage common areas, gathering places or other features that facilitate community interaction.

**Review Process**

Communities have chosen different routes for applying design guidelines. Some communities have voluntary guidelines. By alerting developers about what type of development the community desires, the guidelines may influence developers to incorporate desired features. To the extent that developers believe their proposed development will sail more smoothly through the process, they may be motivated to observe the guidelines. Some communities, such as Indianapolis/Marion County, go a step further by offering incentives (such as residential tax abatements or grant eligibility) to developers who conform to design guidelines in target areas (Department of Metropolitan Development, 1993). Some communities require that proposed development conform to specific, non-discretionary design standards, often administered by staff. Although staff review can generally be completed more quickly, administrative staff can not exercise broad discretion. Many other communities require that some types of development go through a design review process, where a design commission exercises some judgment in deciding whether the proposal meets the intent of the guidelines. The latter design review process provides less certainty of approval, but may allow greater flexibility in how the guidelines are met. As noted, below, decisions made by a design review commission can not be arbitrary—they must still be based on clear criteria.

**Legal Considerations**

A recent decision from the Washington State Court of Appeals affirmed that, at least for Washington jurisdictions, "aesthetic standards are an appropriate component of land use governance." *Anderson v. Issaquah*, 70 Wn. App. 64, 82 (1993). However, the Court did not provide local jurisdictions with a blank check in applying design guidelines. The Court voided Issaquah's design guidelines because they were too vague to provide meaningful guidance to decision-makers or applicants. The decision in this case indicates that guidelines should be written (and preferably illustrated), formally adopted, published and readily available to the public. Terms which do not have generally settled meanings (or which are not widely-accepted technical terms) such as "harmonious" should be avoided or defined to provide specific guidance. In general, guidelines should be clear, and specific enough to provide clear direction. To be on the safe side, guidelines and standards should be tied to other legitimate public purposes, for instance, the maintenance of property and other economic values or historic preservation. Although a Washington case, the decision may provide useful guidance for communities in other states, as well.

## *Policy Issues*

- Although design guidelines should be based on existing context, they should not rigidly attempt to recreate the past. The objective should be compatibility rather than a carbon copy of adjacent development. Repetition of patterns should be tempered with allowance for variation and creativity of some design elements—or they will produce boring results. In addition, design guidelines should be adjusted to accommodate new trends and needs. As noted earlier, changing lifestyles, demographics and issues of affordability will require some flexibility to address. Finally, simply being older does not assure that something is better. Community residents will need to determine what aspects of their past they value, and wish to continue as a template for the future.

- Some will argue that aesthetics and design are frivolous concerns—economic, affordability and other issues should take precedence. Local jurisdictions will certainly need to balance whatever burden design guidelines place on property owners with the benefits gained by the community. Quality design can also have economic benefits by improving market value and raising property values in the surrounding area. In addition, design guidelines often address the very qualities of greatest concern to neighbors, and still opposition to allow a project to go forward.