

URBAN DESIGN CODES

2.1. ABSTRACT

Research Project:	Chances and Risks of Urban Design Codes for German Cities – Examination of Urban, Architectural and Building Law Effects
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1. Aim of the research task

Today numerous cities in Germany hold urban design codes (“Gestaltungssatzungen”) or zoning maps with legally binding design guidelines (“Bebauungspläne mit Gestaltvorgaben”). But in most cases it is not clear on which principles and investigations these codes are based on. Many architects, on the other hand, who have to deal with these codes regard these guidelines above all as an unjustified restriction of their artistic freedom and basically cast doubt on their purpose. Nevertheless, no real broad and adequate discussion about this decisive instrument of urban planning has been taken place up to now. With its critical contributions this research wants to build a profound and broad foundation for this discussion.

The aim of the research plan was a critical analysis of the chances and risks of urban design codes for German cities. Their particular architectural effects and effects on historical building foundations, urban building as well as on building law effects were examined.

2. Realization of Research Task

At the beginning of the research project a workgroup was established which accompanied the project all the way and which gathered for several workgroup meetings. In the winter semester 2008/2009 several lectures of external experts were organized on different dates. On April 21st 2009 a public conference with further experts took place in the Rudolph-Chaudoire-Pavilion at TU Dortmund where, among others, heads of municipal planning and building offices, architects, city planners and lawyers held speeches and took part in discussions. The specialized press already appraised this conference in a positive way (see Deutsches Architektenblatt, No. 7, July 2009, p. 24-28, therein chief editor Roland Stimpel and editor Nils Hille).

In the context of this research project about 250 codes all over Germany were examined – mostly urban design codes or zoning maps with design guidelines. To get an overall and area-wide overview a databank covering these codes was built. In this data bank basic data like code area, location of code area (inner city, city expansion, suburb, village), federal state, year and exact title were recorded. Furthermore, the kind of code was noted (design code, conservation code, ensemble protection code, local building regulations, zoning map, etc.). For each kind of codes examples were chosen, with the focus clearly on the categories urban design code and zoning map.

Out of these approx. 250 codes 26 were exemplarily selected for detailed analyses. The 26 codes were selected to allow an exemplary overview of design codes and zoning maps with design guidelines in German cities. It ranges from big cities (Berlin, Hamburg, Köln, Frankfurt am Main, etc.) to medium-sized towns (Fulda, Gelsenkirchen, Marburg, Speyer, Weimar, Wismar) through to small towns (Binz on Rügen, Wangen).

The third volume of the final report contains tabular analyses of these 26 exemplary urban design codes, whose exact wording can be found in the annex of the same volume. In these analyses single features of each code were listed in categories and recorded in note form. Exact statements of the paragraphs of the codes (for example, roof-, opening-, material- or façade-statutes) were also recorded in the data bank. In detail regulations concerning the eave or gable fronted position of the building in relation to the street, the maximal allowed gable or ridge height, the required roof shape, roof inclination and roofing, the arrangement of roof elements, the relation of the share of the opening in relation to the closed wall surface and the desired format of the façade openings, the showcase design, the vertical or horizontal façade

structure and the material and color design of the façade, the permissibility of additional components as well as the topic advertising installations.

Statements like “the façade structure following the original subdivision”, “saddle roof with scaled roofing in brick or slate”, “vertical façade structure”, “façade plastered in natural stone”, “windows in upright format”, or “advertising installations only at the place of service” could often be found. The most frequently used guidelines were differentially recorded for each code in the data bank via checkboxes. Regulations which are rather rare and very specific for a place were recorded as specialties. Additionally, each set of data includes a short summary of the particular code so that the provided information can be checked or single items be examined.

For the further contentual analysis the aim also was to examine whether local basics and reasons precede the guidelines of each code like, for example, townscape analysis or comprehensive inventories of the place.

Based on the studies those questions were developed which are made a subject of discussion in the single paragraphs of volume I:

In the first part of volume I general investigations can be found dealing with the topic from the architectural theory, under building law, monument preservation and the architectural and political point of view. In his basic thoughts Jasper Cepl deals with the question, in how far place and law have always been connected, how important conventions are for the city and how they can be integrated into law. Today's risks and chances of design codes are examined by Georg Ebbing who discussed necessary preinvestigations as well as other additional instruments of urban design. General questions concerning building law are dealt with by Bernhard Schneider whereas special thoughts under building law about the relation of climate protection and monument protection in codes are commented on by Dieter Martin. Christoph Mäckler and Klaus Theo Brenner, who both initiated several design codes, write about their point of view as architects in dealing with design codes. The political point of view is represented by Hand Stimmann who issued numerous codes as “Senatsbaudirektor” in Berlin.

In the second part the topic is explained from the historic perspective. Wolfgang Sonne and Karl-Jürgen Krause show that building law design codes have been a common and successful means of urban design since antiquity and in the medieval cities in Tuscany. Using the city of Paris as an example, Hans Jörg Duvigneau deepens this historic perspective.

In the third part only single concrete codes and their realization are presented by “Bausenatoren”, town master masons, city managers, “Stadtbildpfleger” and architects. In this remarks other instruments like design counselors and competitions are dealt with in detail.

In the last section of volume I there is a comparing analysis of the exemplarily selected 26 codes and a final analysis of the design regulations of the city of Bern. Volume I is concluded with “Theses about Urban Design Codes”, summarizing the results of the study.

As described above, volume III includes a tabular single analysis of the 26 selected codes, whose exact wording can be found in the annex of the volume. Furthermore it includes other documents, among them model codes from Brandenburg and NRW. But, as already mentioned, they are not recommended to be taken as a template.

Within the scope of this research project more than 250 design codes and zoning maps were examined which are enclosed on a CD-ROM.

3. Summary of Results

One of the central results is that in most cases the basics and scientific reasons for urban design codes and design guidelines are not sufficient. The design codes for the historic city of Lübeck with their published preinvestigations which are presented by the Stadtbildpfleger Hans-Achim Körber are exemplary. The instrument of urban design codes in existing cities only makes sense with a profound scientific townscape analysis.

Ultimately the question about design codes is a question about our society and their idea of city and beauty which cannot be finally evaluated here and which always has to be negotiated again. In this context several positions can be found in this work.

Theses about Urban Design Codes

The following theses were developed by the working group of the research project. In the following, the term “urban design codes” always also includes zoning maps with detailed design regulations.

1. The historic and formal identity of a square, street, quarter up to a whole city represents big cultural assets, a fact that essentially contributes to the discriminability of places, the situatedness of people and their sense of home. Ultimately these cultural assets also represent social and economic assets. But it always is about a unit in multiplicity between the two extreme poles of monotony and randomness.
2. A connecting design of streets and houses is not only created by climatic, material, technical and economic conditions at a particular place but also by cultural and aesthetic goals.
3. Since antiquity most urban structures in Germany have been created either by conventions or by regulations concerning form and design of city and architecture. Without design regulations or conventions, no city and no urban quarter with its own identity in the tradition of European urban culture is created. But today we assume that conventions hardly exist and that they have no cultural effect.
4. Regulations can
 - take the form of unwritten conventions, informal agreements, commission regulations up to codes and laws;
 - refer to urban ensembles, streets, squares, building blocks, parcels up to single buildings and building elements;
 - range from general regulations, to building lines, building limits, block size, parcel size and building heights through to specific regulations concerning structure, roof and window forms up to color, materials and decorative elements.
5. All these regulations – from building line to material regulations – represent an encroachment on the ownership of the estate owner as well as a restriction of the artistic freedom of the architect. With regard to property and artistic freedom there basically is no difference between alignment plans, a height restriction and a urban design code.
6. A urban design code based on a democratic process is a legitimate and perspective-giving instrument for urban design in developed and undeveloped areas.

7. A urban design code is no guarantee for good architecture.
8. A urban design code is supposed to prevent gross “disfigurements” and to support identity-establishing, place bound and contemporary architecture.
9. A urban design code has to be publicly discussed before passing. The debate about it is an important step in the search for a local identity.
10. A urban design code has to include an explanation which has to be part of the code as a preamble or published.
11. In case of urban design codes for developed areas a scientific townscape analysis is necessary for all regulations mentioned in the code and has also to be published.
12. In case of urban design codes for developing areas elements unusual for the region should be avoided.
13. Building handbooks with positive and negative examples can complete the urban design code.
14. Model urban design codes lead to uncritical (and illegal) application and are not to be used.
15. Urban design codes should be supervised by a design committee all projects are to be submitted to. The committee should control whether the code is observed and give recommendations.