ESP 171 Urban and Regional Planning

Class 2: The Basis for Planning

Introduction

On-going tensions in planning:
- Self-interest vs. greater public good
- Planners vs. public deciding what is for the greater good

Two traditions:
- Design/architecture \(\rightarrow\) general plan, master planned communities
- Regulation/law \(\rightarrow\) zoning, subdivision ordinances

Regulation/Law

Legal Basis: roots in “common law”, shaped by courts over time
1. Nuisance law: “curtail activity that constitutes a nuisance”
2. Police power: “protect the public health, safety, welfare, and public morals”

Early Use: Public restriction of private businesses

Milestone: 1916 New York zoning ordinance
   “Cumulative Zoning” – single-family at the top of the pyramid

Court challenges:
- Early on: “due process” or “equal protection” – re. fairness
- More recently: “just compensation” for “takings” – what constitutes a “taking”?

Key Case: 1926 Village of Euclid, Ohio et al. vs. Ambler Realty Company
   “Euclidean zoning” – “exclusionary” – separation, segregation

Design

The City Beautiful Movement – make the city better
   \(\rightarrow\) Urban renewal – starting with 1949 Housing Act
   See Koyaanisqatsi, showing Pruitt-Igoe demolition

Garden City Movement – move out of the city, back to the land
   See Charley in New Town, showing UK Garden City ideal
   \(\rightarrow\) Mass suburbanization – actively encouraged by planners

\(\rightarrow\) New Urbanism, Smart Growth – the new paradigm?

Planning Today?

Readings: Chapter 3, “Toward Ecological Cities,” “Green Manhattan,” “Healthy Planning”