

**Introduction to Urban Planning**  
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**Lecture - 33**  
**Evolution and Growth of Planning Legislation- II (USA)**

Welcome to the course, introduction to urban planning. In today's session we are going to discuss about growth and evolution of planning legislation and specifically we are going to talk in the context of USA and we are going to go walk through this legislation journey of USA to understand about the development and understanding we had developed in this course of time and how various planning laws and legislation came to address those requirements.

While we go through this lecture, I would request you to reflect upon our aims and objectives of planning and also link the sustainability and planning issues as well as look at all the contextualization series lecture; which we went through. So in this we see that key transformation which happened through the act for us the key reference for us would be American planning association publication for this particular lecture.

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Coverage		
1 Time line of USA Planning Legislation		
1789 Public Land Ordinance	1949 Comprehensive Housing Legislation	1978 Penn Central Transportation v. NYC
1855 First "model tenement" built in Manhattan	1954 Housing Act	1982 Habitat Conservation Plan Amendment
1862 Homestead Act	1954 Supreme Court Rules on Eminent Domain	1985 Comprehensive Planning and Land Development Act
1864 New York Council of Hygiene	1956 Federal Aid Highway Act	1986 Low-Income Housing Tax Credit
1867 First major tenement house law	1961 Housing Act of	1990 Americans with Disabilities Act
1867 San Francisco prohibits specific obnoxious uses	1964 Creation of CAP, Community Action Programs	1993 Federal Enterprise Zones and Empowerment Communities
1879 Debut of the "Dumbbell Tenement".	1965 Housing and Urban Development Act HUD Launches-	1993 Omnibus Budget Reconciliation Act of
1880-84 Building of Pullman, Illinois, a model industrial town	1966 National Historic Preservation Act	2000 Disaster Mitigation Act
1879 "DUP" NY tenement house law	1966 Model Cities Program	2005 Supreme Court Rules on Takings
1903 New York State Tenement House Law	1968 Fair Housing Act	2012 Expansion of Housing Discrimination Laws
1906 Antiquities Act	1968 Ginnie Mae	2012 Housing Discrimination laws
1907 local planning board	1970 NEPA	
1916 Comprehensive Zoning Resolution	1970 Environmental Protection Agency	
1913 National Planning Board	1977 Community Development Block Grant program	
1948 Code of Professional Conduct for Planners-	1977 Community Reinvestment Act	
1948 Housing Act	1978 Hawaii State-wide Zoning	

Accordingly the coverage would include that we are going to walk through the timeline of USA planning legislation from 1700 to nearly 2020. And our learning outcomes would be that while you go through this legislation;

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### Learning Outcomes

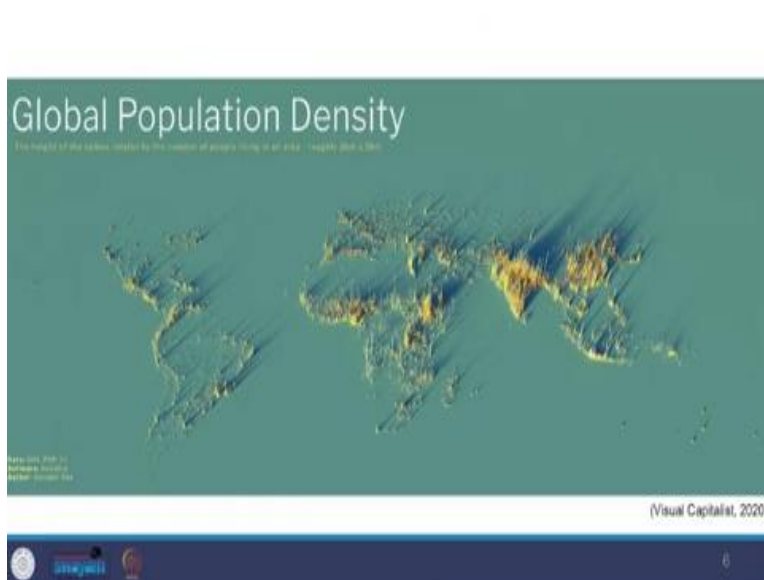
- ① Review Evolution of **Community, Environment and Planning and Legislation.**
- ② Comprehend with other part of the World and **Legislation In USA**
- ③ Contemplate **Future Directions**



You should be able to review how our understanding about the community environment and planning was evolving and how we addressed it through legislation you should be able to connect it with the other part of the world how the legislation was evolving as well as you should also look at the future direction for this. Let us briefly look at the early timeline of US legislation for the purpose of locating ourselves in the domain of urban planning.

One of the most prominent differences between European and American city is vast available land area in the USA.

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In comparison to; what we saw in the previous lecture in comparison to Europe where the density was very high. So we see that here there is a lot of availability of land and then there is also car oriented cities. First looking at 1785; planning land ordinance.

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### Public Land Ordinance- 1785

One section = 36 square miles  
One township = 36 square miles

(Britannica,2015) (Chapter Presidents Council Planning History Timeline, 2019) (Ohio history central,2021)

This was an ordinance which was adopted on May 20th, 1785 which laid the foundation of American land policy until the passage of Homestead Act in 1862 after the Indian title had been purchased the surrendered lands were to be systematically surveyed prior to sale or settlements into townships 6 mile square. So this was the time when they started documenting the land and of started to sell the land for the purpose of settlement.

Later we see in 1855 first model Tenement Act built in Manhattan and later we see in 1862 Homestead Act opened lands of the public domain to settlers for a nominal fee and 5 years residence.

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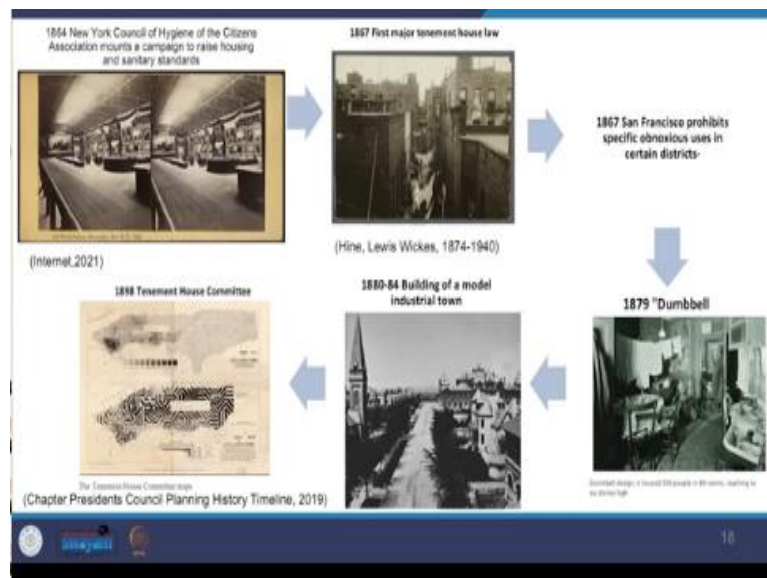
### Homestead and Morrill Acts-1862

(walvoordhistory, 2014) (Chapter Presidents Council Planning History Timeline, 2019) (Britannica,2021)

So this Homestead and Moral act of 1862 in US history was a significant legislative action that promoted the settlements and the development of the American west it was also notably for the opportunity it gave African Americans to own land, so people could own land with this with a nominal fee. President Abraham Lincoln signed the Homestead Act on May 20, 1862.

And on January 1863 Daniel Freeman made the first claim under the act which gave citizens or future citizens up to 160 acres of public land provided they live on it improve it and pay a small registration fee the government granted more than 270 million acres of land while the law was in effect. So we see here the document of the act here.

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Later we see in 1864 New York council of hygiene of the citizens association mounts a campaign to raise housing and sanitary standards. In 1867 first major Tenement House Law particularly New York comes which restricts the physical condition and later we see in same time in San Francisco which prohibits specific obnoxious uses in certain districts beginning of land use zoning.

So we see that in the same time you are seeing that we are coming up with Tenements House Law which is focusing on how the physical condition would be for the people who live there, as well we see that in San Francisco knows land use zoning is been coming into picture which is prohibiting certain land uses. Later on we see in 1879 the Dumbbell Tenement Act which comes in a form of multi-family housing widely built in the New York and notorious for poor living conditions.

So you see that Dumbbell Tenement which comes up in 1879 which is very well known for its poor living condition and it was like kind of a multi-family housing which was widely built in New York. Later we see in 1884 building of Pullman Illinois a model industrial town by George Pullman here. In 1879 you see that the there was old New York Tenement House Law as per the Tenement houses reform from the social welfare history project.

In the late 19th century the public began to comprehend the extent of terrible living conditions enduring by the immigrants and the working class poor in the New York City. The tournament house committee formed in 1898 would lead to creation of New York state commissions that oversaw passage of the New York Tenement Act of 1901. So in 1890 how the other half lives by Jacob Reese was published you may recollect a contextualizing city series where we looked at the pictures.

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Photograph of a New York City tenement  
Shelter for immigrants in a New York City tenement,  
photograph by Jacob Riis, 1888.



Baby in a Slum Tenement

(Riis, 1888)

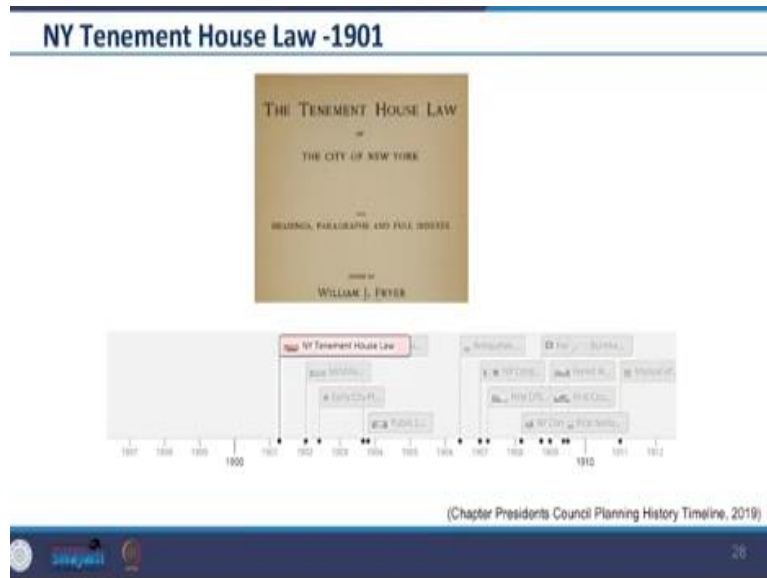
So this was published and it was very powerful in moving people to understand the lives of the people who lived there. Because of this in 1901 New York state tenement house law came into picture which is the legislative basis for the revision of city courts that outlaw tournaments such as Dumbbell Tenement. So that Dumbbell Tenement was removed after this 1901 New York state tenement house law.

If you look deeper into this particular Tenement law as per the Tenement house reform from the social welfare history project the New York state Tenement House act of 1901 was one of the first laws to ban the construction of dark poorly ventilated tenement buildings in the state

of New York this progressive era law required new buildings to have outward facing windows, indoor bathrooms, proper ventilation and fire safeguards.

Prior to the passage of this law dumbbell tenements with tiny apartments opening into the air shafts were common tenement houses built after the passage of the New York state tenement house act of 1901 are sometimes referred to as a new law tenements.

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The New York state Tenement act of 1901 or the new Tenement law was the housing reform law aimed at improving living conditions in New York Tenement buildings technically a Tenement. If you look at the meaning of Tenement was any building that housed three or more families but the term had come to mean housing for poor families that lacked proper amenities.


We see that the loss set requirements for new buildings to improve light and air quality for residents including external facing windows in each room, an open courtyard, improved ventilation, indoor toilets and better fire safety.

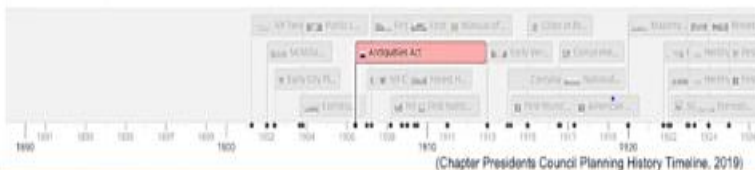
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## Antiquities Act-1906

The President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments...

*Theodore Roosevelt* **JUNE 8, 1906**





(Chapter Presidents Council Planning History Timeline, 2019)

Moving forward we see in 1906 Antiquities Act came in this the president Theodore Roosevelt signed the Antiquity Act into law to preserve archaeological sites on public lands. So we see that how we have started taking care of all the heritage which is there the act also authorized the president to protect landmarks structures and objects of historic or scientific interest by designating them as natural monuments.

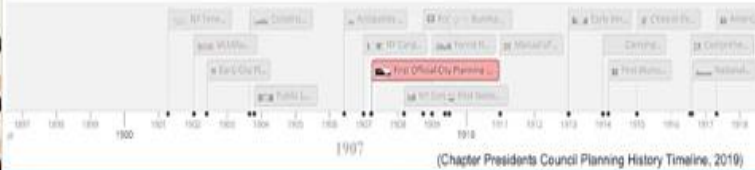
So you may recollect we also saw such kind of provision in UK, we will also see in Indian context it was a landmark in the preservation of historic places and structures as well as cultural resources. Devil's tower in Wyoming was the first monument to be protected under the act.

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## First Official City Planning Commission-1907



Colt Memorial Park, Hartford, Connecticut

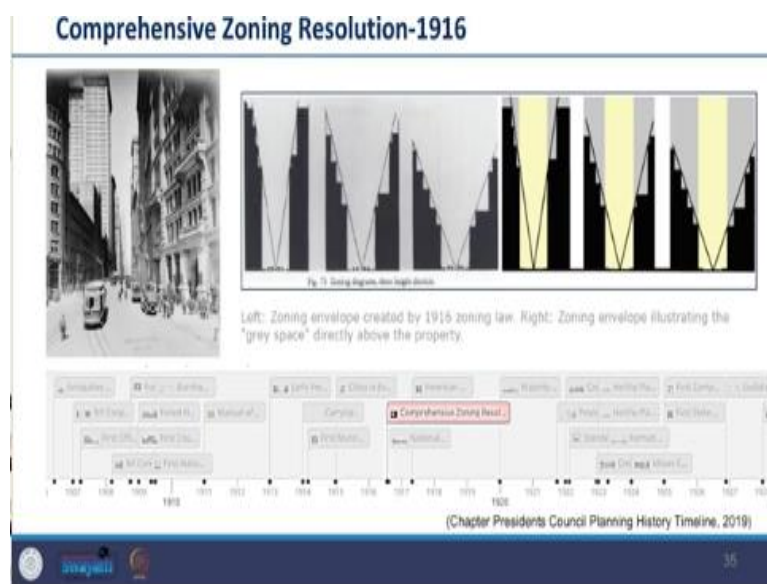


(Chapter Presidents Council Planning History Timeline, 2019)

Moving forward we see that in 1907 in Hartford first official and permanent local planning board was formulated, so Hartford in Connecticut we see that it recognized how the planning commission would come in. Further we see that in 1907 in Hartford Connecticut first official and permanent local planning board was set up. Hartford Connecticut today is recognized as the pioneer in the city planning field as it had the first permanent city plan commission in the United States.

Moving forward we see in 1909 in Los Angeles first land use zoning ordinance was passed, it was the first American use of zoning to restrict future development in Los Angeles. So we see how that through land use zoning we are exerting more control over the usage of land. Later in 1916 we see in New York first comprehensive zoning ordinance comprehensive zoning resolution was passed.

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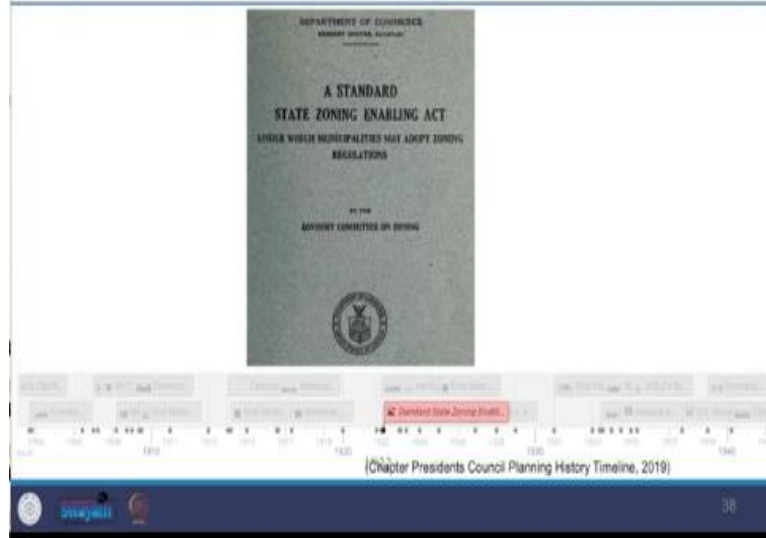
Zoning resolution was written by George Macanney and Edward Bassett as a response to concerns about over development in New York City. So based on that the resolution divided the city into zones based on the primary activity in that area and created building heights and setback guidelines for each zone. It is considered the first city wide zoning code in the United States. So you see kind of a building regulation coming in where it is determining what kind of building height and setbacks would be given. So that happened in 1916 in New York City.

Moving forward we see in 1923, we see that standard state zoning enabling act was issued by US department of commerce.

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## Standard State Zoning Enabling Act-1923




So the US department of commerce committee issued the third draft on the standard state zoning enabling act which was a modern law developed to help states create zoning restrictions in their jurisdictions. So, it created a modern law and guided the states how they can create zoning for their own states here. This draft contained important language defining a zoning commission and calling for a plan for zoning regulations.

This was followed in 1927 by a Standard City Planning Enabling Act to help states understand the organization and power of city and regional planning commissions. The making of the city and regional plans and controlling the layout of new subdivisions. These acts still provide the institutional structure for planning and zoning in many states. Later in 1933 we see national planning board was established under the authority of public works administration.


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## National Planning Board-1933

- Established under the authority of the Public Works Administration.
- Board-Frederick Delano, Charles Merriam, Wesley Mitchell, and Charles Elliot, worked to promote the idea of planning in public




*NATIONAL PLANNING BOARD FINAL REPORT, 1933-1934*  
Federal Emergency Administration of Public Works



STATE PLANNING BOARDS  
To Survey Growth of National Planning Board

Legend:  
 State Agencies  
 Legislation for Help  
 Associated with National Planning Board

A map from the 1933-34 final report of the NPB tracking the existence of state planning boards across the country



(Chapter Presidents Council Planning History Timeline, 2019)

The board which included Frederick Delano, Charles Merriam, Wesley Mitchell and Charles Eliot worked to promote the idea of planning in public works and push for comprehensive regional plans. So we had seen comprehensive regional plans also in our previous lectures. So this came into formal system in 1933. Over the next decade the National Planning Board evolved into National Resource Board. The National Resource Council and finally The National Resource Planning Board.

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## Code of Professional Conduct for Planners-1948

- Professional conduct for Planners  
Focus : Profession's responsibility to the public, the client, and other planners.

**AICP CODE OF PROFESSIONAL CONDUCT\***

The American Institute of Planners is a national organization of professional scientists whose particular sphere of activity is the planning of the united development of urban communities and their environs, and of states, regions, and the nation, as required through determination of the comprehensive consequences of land use and land occupancy and the regulations thereof. Two bodies work in the national field of general, social, economic, and land planning. The professional services of their work require the acceptance by planners of principles of conduct in their relations with the public, fellow members of their profession, their clients, their subordinates, and members of the profession.

The members of this Institute subscribe to the following Code of Professional Conduct:

**The Public**

1. Since the basic objective of planning is the promotion of the general welfare, the professional planner will accept the personal responsibility to his own, one's co-workers, to one's clients, to one's subordinates, to one's colleagues, to one's neighbors, to one's community, to one's nation, to one's world, and to one's posterity.


2. He will recognize that all land is a natural resource of the nation as well as the property of some individual or group, that he will seek, in planning or consultation, to be fair to all.

\* Adapted to "The Institute of the morning," Chicago, January 12, 1948.

the consequences of land use and occupancy and the regulations thereof, to justice and equity to public and private interests, and to the protection of the public interest.

**The Profession**


3. The professional planner will endeavor to secure the highest quality of planning practice and that others will play a part in the exchange of his opinion and knowledge with others in the same field of the profession and the public.



**AICP Code of Ethics and Professional Conduct**

Adopted by the American Institute of Planners, 1948

Section 4 - Principles to Which We Agree



(Chapter Presidents Council Planning History Timeline, 2019)

For that we see in 1948 we see that the American institute of planners published an early code of professional conduct for planners focusing on the professions, responsibility to public, the client and other planners. This code of conduct was revised many times but eventually became the current AICP code of ethics and professional conduct.

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## Housing Act of 1949

- Also known as Wagner- Ellender-Taft bill
- First comprehensive housing legislation
- Aim : To construct 800,000 housing units. Inaugurated urban renewal.
- It provided funding for urban redevelopment



Signing of First Reservations Under the Title I Housing Act of 1949.  
(Trumanlibrary, 1950)



Sprawling public housing projects like Chicago's Cabrini-Green were one result of the Housing Act of 1949.  
(Chapter Presidents Council Planning History Timeline, 2019)




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Later on in 1949, we see Housing Act came up housing act Wagner –Ellender- Taft bill. It was the first comprehensive housing legislation which aimed to construct nearly 8 lakh housing units and inaugurated urban renewal. So you see how urban renewal initiatives started taking place. Majorly through this act it provided funding for urban redevelopment.

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## U.S. Comprehensive Housing Legislation-1949


- President Harry Truman's Fair Deal Initiative
- Funding allocated to improve housing in urban areas.
- The act's main elements included
  - Slum clearance and urban renewal
  - Building more public housing,
  - Expanding federal housing authority mortgage insurance.
- Created
  - open-space land,
  - neighbourhood facilities,
  - and basic water and sewer facilities eligible





Building being torn down in Boston's West End. The small print on the sign reads

**SLUM CLEARANCE and URBAN REDEVELOPMENT**

UNDER TITLE I OF THE HOUSING ACT OF 1949



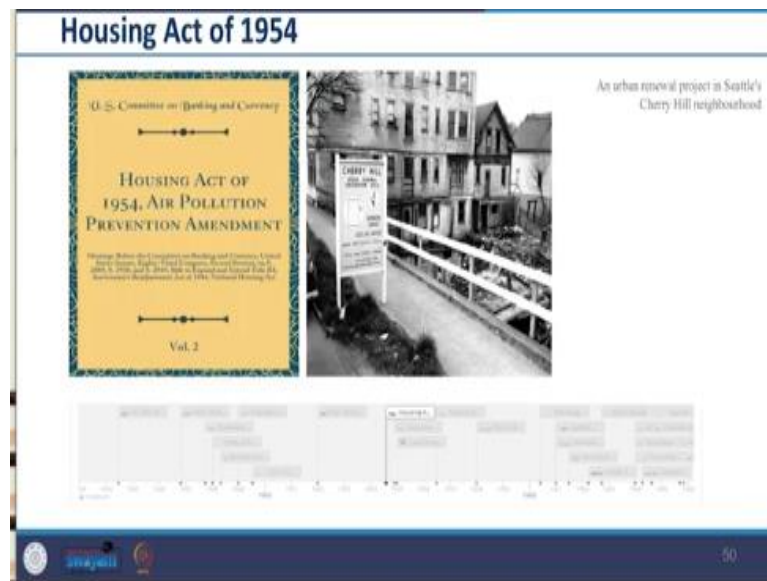
(Chapter Presidents Council Planning History Timeline, 2019) 1949



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Later on we see in 1949, US comprehensive housing legislation act came up as a part of President Harry Truman's Fair Deal initiative. It allocated fund to improve housing in urban areas especially for American poor in hopes of countering the effects of suburbanization, if you remember suburbanization lot of elite people were moving out of the core city. The acts main element included slum clearance and urban renewal, building more public houses and expanding federal housing authority, mortgage insurance.

The act has been criticized you remember that it was rolled back, so the act has been criticized for ultimately eliminating more housing than it created as well as for destroying cheaper housing in the minority neighbourhoods and replacing it with more expensive alternatives that residents could not afford. However it also made open space land neighbourhood facilities and basic water and sewer facilities eligible for federal assistance. So we see that funding started coming for all these kind of things.

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Later on we see 1954 housing act came which stressed slum prevention and urban renewal, rather than slum clearance and urban redevelopment it stimulated general planning for cities under 25,000 section 701 funding later extended to first state-wide, inter-state and sub-state regional planning. The Housing Act of 1954 managed by the federal housing authority provided funding to support urban renewal and slum prevention as opposed to redevelopment.

The legislation also created programs which funded planning assistance for communities, contributing to the spread of planning and comprehensive plans throughout the United States. The program originally targeted small local governments but it was so popular that it was gradually expanded to cover almost all jurisdiction types in the country.


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## Supreme Court Rules on Eminent Domain-1954

- *Berman v. Parker*, the U.S.
- Eminent domain- Congress can seize property for any public purpose.

Southwest Washington, D.C., in July 1959.




(Chapter Presidents Council Planning History Timeline, 2019)

Further we would also see that at the same time we see Supreme Court rules on eminent domain in the case of *Berman V. Parker*. The US Supreme Court ruled that congress can seize property for any public purpose under eminent domain. The case centred around the district of Columbia redevelopment land agency seizing property for the purpose of beautification, which appellant had argued violated the fifth amendment’s taking clause.

So you see how a planning intervention can have conflict with the rights of the people which we discussed in our initial lecture. Later in 1956 we see that federal aid highway act came in President Dwight Eisenhower signed the federal aid highway act;


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## Federal Aid Highway Act-1956



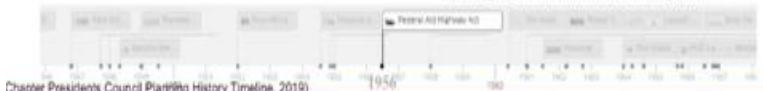
THIS IS THE FIRST PROJECT IN THE UNITED STATES ON WHICH ACTUAL CONSTRUCTION HAS STARTED UNDER PROVISIONS OF THE NEW FEDERAL AID HIGHWAY ACT OF 1956. MISSOURI STATE HIGHWAY COMMISSION. DAMERON, JOYCE & COMPANY CONTRACTORS.

First interstate highway project to begin construction after the passage of the Federal-Aid Highway Act of 1956.



Artist's conception of an interstate highway with at-grade crossings on a four-lane highway designed in conformity with the standards approved in 1945.

(Federal Highway Administration Research and Technology, 2017)

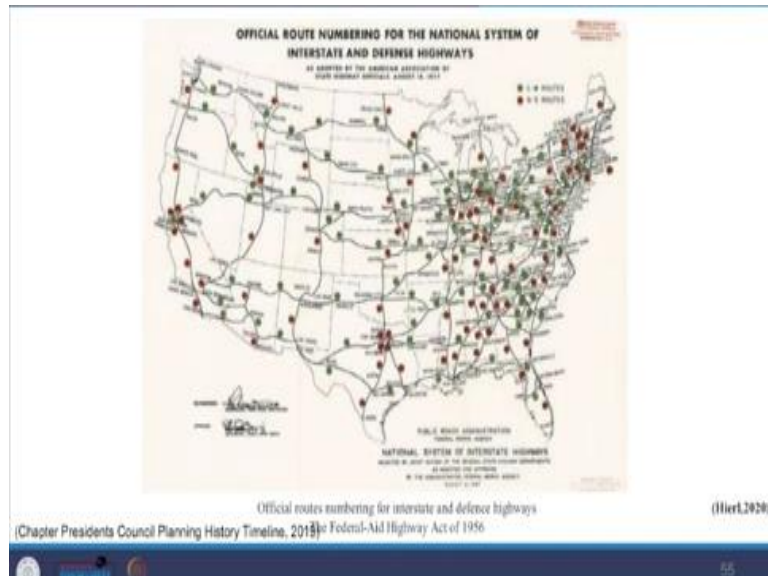


Chapter Presidents Council Planning History Timeline, 2019

Or the national interstate and defence highways act into law with a plan to fund nearly 41,000 miles of interstate highways over a period of 10 years. Under the act 90% of the construction

cost came from a highway trust fund while states paid the remaining 10%. The act contributed to an increase in driving by Americans as well as to the growth of suburbs and the decline of cities.

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So you had seen how we had car cities car suburbs and so on, so that was all interlinked with this thing.

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### Housing Act of 1961

- Approved by President John Kennedy
- Authorized \$4.9 billion for housing programs.
- This included funding for
  - Acquiring open-space land,
  - Improving mass transportation,
  - Urban renewal,
  - Building farm housing.

President John Kennedy signs the Housing Act of 1961

(Chapter Presidents Council Planning History Timeline, 2019) 1961

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Later in 1961 we see Housing Act came in, this housing act was approved by President John Kennedy authorizing nearly 5 billion dollar in new funding for a wide array of housing programs. This included funding for acquiring open space land improvement of mass transportation, urban renewable and building farm housing. The American society of

planning officials welcomed the act as providing opportunities which was never possible before;



And it also provided opportunity for coordinated planning of community development. In 1964 we see that Urban Mass Transportation Act came in, this was by President Lyndon Johnson's Urban Mass Transportation Act.

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
**Urban Mass Transportation Act-1964**

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- By President Lyndon Johnson's
- Provided funding for mass transportation projects in cities
- Created the Urban Mass Transportation Administration(Later Federal Transit Administration)
- Primary mode of financing mass transportation projects → Federal grants and Loans



(Chapter Presidents Council Planning History Timeline, 2019) 1964


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It provided funding for mass transportation projects in cities. It also created the urban mass transportation administration, later the federal transit administration. The act shifted the primary mode of financing mass transportation projects to federal grants and loans. So you may recollect our contextualizing cities lectures as well here. Further moving on, in 1964 we see that there were creation of community action programs CAPs.


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## Creation of CAPs-1964

- Community Action Programs(eliminating poverty)



PRESIDENT LYNDON JOHNSON VISITS A FAMILY LIVING IN POVERTY IN 1964. PHOTO BY WALTER BENNETT/TIME & LIFE PICTURES/GETTY IMAGES (community action history, NA)



(Chapter Presidents Council Planning History Timeline, 2019)

So a title two of the federal economic opportunity act established community action programs which were aimed at eliminating poverty. The programs were controversial because they gave the power for deciding how money would be allocated to the communities impoverished population as opposed to elected officials, so there was conflict although CAPs community action programs were generally ineffective because of high expectations and insufficient funding.

Among other issues they raised awareness in the planning fields of the need to include the community and look beyond mere physical redevelopment to social economic and political development as well. Later in 1965 we see the HUD, housing and urban development was launched. The department of housing and urban development act of 1965 created the US department of housing and urban development as a cabinet level agency.

So you see how the agencies are now created at different levels. Robert Weavers was the first secretary of the department making him the first African-American appointed to a cabinet positioned in US government.

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## Housing and Urban Development Act -1965

HUD's mission

- equal access to housing
- community-based employment opportunities
- fund new housing, public housing, and housing rehabilitation projects
- Insures mortgages and protects consumers
- financing for planning projects

Signing of the Housing and Urban Development Act

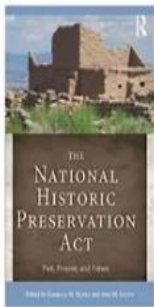




(Chapter Presidents Council Planning History Timeline, 2019) 1965


HUD's mission was to make sure that there is equal access to housing and community based employment opportunities as well as to fund new housing, public housing and housing rehabilitation projects. The department also ensures mortgages and projects consumers. HUD is an important source of financing for planning projects.

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## National Historic Preservation Act-1966

National Historic Landmark.



(Chapter Presidents Council Planning History Timeline, 2019) 1966

Later in 1966 we see that National Historic Preservation Act came into picture. This act was signed to protect historic sites from development. It was a response to the impact of urban renewable and highway construction on important landmarks in urban areas. The act also established the national register of historic places and national historic landmarks program. Many communities now consider historic preservation through stand-alone plans or as part of a larger comprehensive plan.

In 1966 we see that model cities program came up the demonstration cities and metropolitan development act of 1966 was signed into law by President Lyndon Johnson.

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**Model Cities Program-1966**

**Aim:**  
 Urban renewal,  
 Grants (80 percent of the cost of developing city demonstration programs and Technical assistance from the Department of Housing and Urban Development)  
 Funded -the costs of developing and implementing comprehensive plans, Education, job, recreation, and leadership opportunities for inner-city residents

In 1961, North Philadelphia was designated for renewal under the Model Cities program. The area was chosen because of the other deindustrialization had on its neighborhoods, which became filled with abandoned properties.

Timeline: 1966 Model Cities Program

(Chapter Presidents Council Planning History Timeline, 2019)

The act which was aimed at the urban renewal established grants that would pay as much as 80% of the cost of developing city, demonstration programs and technical assistance from the department of housing and urban development. The acts model cities program funded the cost of developing and implementing comprehensive plans as well as providing education, job recreation and leadership opportunities for inner city residents.

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**Fair Housing Act-1968**

(Ntira, Nadra Karim, 2021)

The Rev. Martin Luther King Jr. passionately fought for housing equality in Chicago. Robert Elliott Segler - Getty Images

The Fair Housing Act is signed. Democratic Senator from Minnesota Walter Mondale (third from right) and Republican Governor from Massachusetts Edward Brooke (fourth from left) at the signing of the landmark civil rights law on April 11, 1968. Johnson - AP/Wide World

(Time, 2018)

Timeline: 1968 Fair Housing Act

(Chapter Presidents Council Planning History Timeline, 2019)

Later in 1968 we see fair housing act came into picture, title 8 of the civil rights act of 1968 also known as the fair housing act was signed into law. The act prohibited discrimination against a property renter or buyer on the basis of race, colour, religion or national origin.

Gender was added in 1974 and disability and family status in 1988. So you can see our initial lecture we talked about inclusivity about people of different race, colour, religion, orientation so on.

So we see how in the act it happened in 1968 eventually in 1974 and 1988. That was heavily and contentiously debated in congress but president Johnson put pressure on the legislators to pass it after the assassination of Martin Luther king Junior although the fair housing act and other initiative helped reduce racial segregation by community slightly over the following decades. Many studies continue to show heavy segregation even now.

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**Government National Mortgage Association (Ginnie Mae)-1968**

- To provide additional mortgage funding for moderate-income families
- Allocated \$250 million in funding for New Town projects
- Example Jonathan, Minnesota; Park Forest South, Illinois; Flower Mound, Texas; and St. Charles, Maryland

Jonathan, Minnesota (Minneapolis, 2019)

(Chapter Presidents Council Planning History Timeline, 2019)

Later in 1968 we see that housing and urban development act of 1968 established Ginnie Mae to provide additional mortgage funding for moderate income families, the act also located 250 million dollar in funding for new town projects. The towns funded under this initiatives were Jonathan, Minnesota; Park Forest South, Illinois; Flower Mound, Texas; and St Charles, Maryland.

Further we see in 1970 by this time and when environmental consciousness started getting strong. So we see by 1970 National Environmental Policy Act came into picture. It created a mandate for federal agencies to consider environmental impacts when making decisions on any project that involves federal funding, work performed by federal government or permits used by the federal agency.

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## NEPA-1970

Map for an environmental impact statement required under NEPA.

President Nixon signs the National Environmental Policy Act (NEPA) on January 1, 1970.

(Chapter Presidents Council Planning History Timeline, 2019) [1970]

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National environmental policy act also abbreviated as NEPA is considered to have opened the door for later environmental legislation such as the clean air act of 1960, the clean water act of 1972, the coastal zone management act of 1972, the endangered species act of 1973 and the superfund act of 1980 among many others. Collectively these act established significant new national requirements for environmental protection.

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## Environmental Protection Agency-1970

- Environmental Impact Statement (environmental assessment)

(Chapter Presidents Council Planning History Timeline, 2019) [1970]

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So in 1970 we see environmental protection agency was established president Richard Nixon proposed the creation of environmental protection agency to examine and counter the impact of humans on the natural environment. The EPA, environmental protection agency administers federal environmental regulations that can impact planning projects such as an environmental impact statement.

You must be familiar with environmental impact assessment, EIA or an environmental assessment in the US context. Later in 1971 we see the court case related with zoning ordinance being exclusionary.

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The slide features a title bar at the top with the text "Court Finds Zoning Ordinance Exclusionary-1971". Below the title, on the left, is a summary of the court case: "Oakwood at Madison, Inc. v. Township of Madison, 62 N.J. 183 (1972)", "Sept. 18, 1972 - Superior Court of New Jersey", "62 N.J. 183", "OAKWOOD AT MADISON, INC.", "v.", "TOWNSHIP OF MADISON". To the right of this summary, it states: "Zoning ordinance was illegal Because it prevented as many as 90 percent of the region's residents from getting housing in the township". Below the case information, it says "Opinion" and "Certification to Superior Court, Law Division granted, Nov 11/91, 7 April 111". At the bottom of the slide, there is a timeline interface with a search bar and a date selector set to "1971". The text "(Chapter Presidents Council Planning History Timeline, 2019)" is visible below the timeline. The slide number "77" is in the bottom right corner.


So in the case of Oakland at Madison west township of Madison, a New Jersey judge ruled that Madison township's zoning ordinance was illegal because it prevented as mainly as 90% of the region's residents from getting house in the township. This was the first time that the zoning ordinance was completely invalidated for being exclusionary. So as discussed before how your planning interventions can have negative impact of the people.

And when it would be really bad for the community is an important judgment to be made, so for that we look at all legislation and the legality of the planning process. So here with this example you see how the entire zoning ordinance was considered invalid and was considered exclusionary. Further in 1974 we see the establishment of community development block grant program. The housing and community development act of 1974 created the community development block grant.

**(Refer Slide Time: 29:18)**

## CDBG Program-1974

- Community Development Block Grant program.
- Flexible community development funds is distributed annually using a formula that considers **Community Population, Poverty, Age of Housing, Housing Overcrowding, and Growth Lag**
- The act also created Section 8 housing support for housing rental assistance to low-income households, and the first federal urban homesteading initiative




(Community Development Block Grant, NJ, 2021)

(Chapter Presidents Council Planning History Timeline, 2019)

CDBG program, under this program a block of flexible community development fund is distributed annually using a formula that considers community population, poverty age of housing, housing overcrowding and growth tag the act, also created section 8 housing support which provides housing rental assistance to low income household and the first federal urban house studying initiative. Later in 1977 we see community reinvestment act.

**(Refer Slide Time: 29:59)**

## Community Reinvestment Act-1977



Meeting of National People's Action.




(Chapter Presidents Council Planning History Timeline, 2019)

So we see that President Jimmy Carter signed the community reinvestment act into law to address discriminatory lending practices including redlining practices that prevented racial minorities from getting housing loans. This issue was brought to the fore by community activist groups led by Chicago based national people's action. Research has shown that community reinvestment act was successful in increasing loans in low to moderate income neighbourhoods, although it is not clear to what degree.

Further in 1978 we see the first state with state-wide zoning coming into picture the Hawaii state Planning Act made.


(Refer Slide Time: 30:48)

### Hawaii State-wide Zoning-1978



- The Hawaii State Planning Act made **Zoning applicable across the state.**
- Included **policy, planning, implementation, and monitoring.**

Honolulu, Hawaii, in 2015



Chapter Presidents Council Planning History Timeline, 2019


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Hawaii the first state to institute zoning across the state. The state-wide planning system created under the act included policy, planning, implementation and monitoring.


(Refer Slide Time: 31:04)

### Penn Central Transportation v. NYC -1978

- The U.S. Supreme Court ruled in *Penn Central Transportation Co. v. New York City* that restrictions on development due to historic landmark status do not constitute takings.



Exterior of Grand Central Terminal circa 2008



Chapter Presidents Council Planning History Timeline, 2019

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Further in 1978 we see a very critical court case this was between Penn Central Transportation was New York City we also saw it in our previous lecture. So we see here our understanding further develops about how they can be conflict in the planning process and the objectives. We see that the US Supreme Court ruled in Penn Central Transportation

Corporation with New York City that restrictions on the development due to historic landmark status do not constitute takings, means it is not taking away the rights of the people.

Penn Central Transportation had planned to build an office structure on top of the grand central terminal in New York City but was prevented from doing so because the proposal involved demolishing part of the historic building and changing its character.

**(Refer Slide Time: 32:04)**

The slide features a night photograph of Grand Central Terminal in New York City. To the right of the image is a text box with the title "Penn Central Transportation v. NYC". The text below the title reads: "The U.S. Supreme Court ruled in Penn Central Transportation Co. v. New York City that restrictions on development due to historic landmark status do not constitute takings. Penn Central Transportation had planned to build an office structure on top of Grand Central Terminal in New York City, but was prevented from doing so because the proposal involved demolishing part of the historic building and changing its character. The company argued that it deserved recompense because the city's decision constituted a regulatory 'taking,' or denial of a reasonable economic use." Below the text box is a timeline interface with various event markers and a search bar.

The company argued that it deserve recompense because the city's decision constituted a regulatory taking or denial of a reasonable economic use. As our environmental consciousness is increasing we see in 1982 habitat conservation plan amendment coming into picture.

**(Refer Slide Time: 32:31)**

The slide is titled "Habitat Conservation Plan Amendment-1982". It contains two photographs: the top one shows a colorful butterfly with black, orange, and white patterns on its wings; the bottom one shows a small white rabbit sitting on a rock. Below the images is a timeline from 1975 to 1990. A marker is placed on the timeline at the year 1982, labeled "Habitat Conservation Plan ...". Other markers include "Establishment...", "Penn. Cent.", and "Low Income...". At the bottom of the slide, there is a footer with the text "Chapter Presidents Council Planning History Timeline, 2019" and a page number "87".



The national endangered species act of 1973 was amended to allow possible exemptions when developers create a habit conservation plan to protect wildlife for while developing a protected area. They are submitted as part of an application for an incidental take permit and described anticipated effects of the development, how developers will minimize these effects and how it will be funded.

**(Refer Slide Time: 32:59)**

*Comprehensive Planning and Land Development Act of 1985*

- Florida passed the Local Government *Comprehensive Planning and Land Development Act of 1985*
- Emphasized consistency between local government plans with **state and regional plans**
- Later *Delaware, Maine, Rhode Island, and Vermont* passed growth management laws

(Chapter Presidents Council Planning History Timeline, 2019)

89

In 1985 we see second wave of growth management. Florida passed the local government comprehensive planning and land development act of 1985 requiring that local government plans be consistent with the state and regional plans or risk losing funding. So we had seen in our lecture different levels of plans and how our different levels of plans types of plans need to be consistent with the higher levels of plans like the perspective plan, the regional plan or the development plan.

So we see here that through this act it was emphasized that the plans need to be consistent with the other higher level of plan otherwise they might lose funding. The act is seen by some as a start of second wave of Quite revolution in the land used laws in the United States which included Delaware, Maine, Rhode Island and Vermont passed growth management laws. Later in 1986 we see low income housing tax credit been launched.

**(Refer Slide Time: 34:06)**

## Low-Income Housing Tax Credit -1986

- Created under the **Tax Reform Act of 1986**
- Tax incentives was given to companies for affordable housing

### How Does LIHTC Work?

(Apah, 2021)

(Chapter Presidents Council Planning History Timeline, 2019)

The low income housing tax credit was created under the tax reform act of 1986 giving tax incentives to companies that develop affordable housing. For some estimates the credit is responsible for about 90% of all affordable housing built in the United States.

**(Refer Slide Time: 34:30)**

## Americans with Disabilities Act -1990

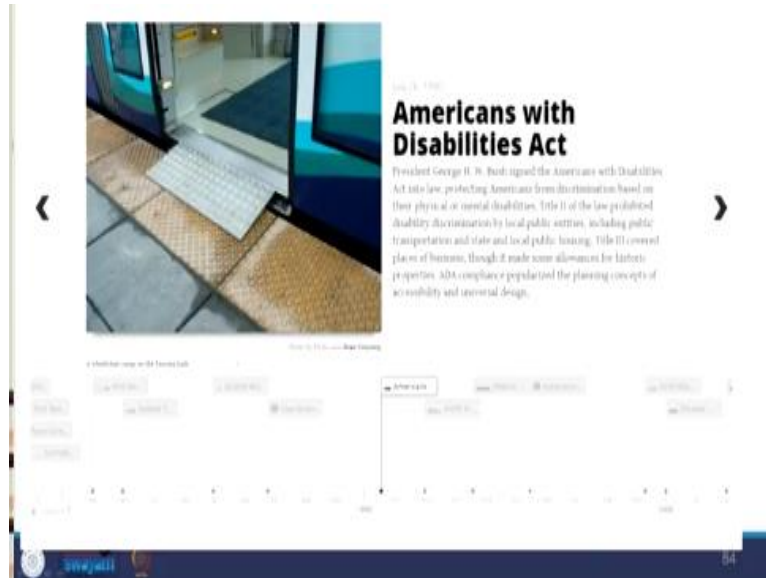
- President George H. W. Bush signed the Americans with Disabilities Act into law, protecting **Americans from discrimination** based on their **physical or mental disabilities**.
- ADA compliance popularized the **Planning concepts** of accessibility and universal design

Activists occupied the San Francisco Federal Building for 26 days to fight for disability rights. (Hulton, 2020)

(Chapter Presidents Council Planning History Timeline, 2019)

Further in 1990 we see Americans with disability act, president George H.W Bush signed the Americans with disability act into law protecting Americans from discrimination based on the physical or mental disability.

**(Refer Slide Time: 34:43)**



So you see that how eventually we are going on making our planning more inclusive by having all these act in place. Further in 1993 we see federal enterprise zones and empowerment communities.

**(Refer Slide Time: 35:01)**



The Omnibus budget reconciliation act of 1993 included legislation creating empowerment zones and enterprise communities for the first time at the federal level these designations applied to specific distressed urban and rural communities and were intended to encourage comprehensive planning and investment by providing tax incentives and social service funds. Later in 2000 we see that disaster mitigation act came into picture.

The Disaster Mitigation act of 2000 was the first disaster relief bill to emphasize mitigation or taking a proactive approach to reducing the impacts of a disaster before it happens. Under

the acts hazard mitigation grant program section committees that had received presidential declaration or disaster could apply for grants for disaster mitigation.

**(Refer Slide Time: 35:51)**



The act also included new requirements for state local and tribal entities to coordinate mitigation planning and implementation efforts. Later in 2005, we see another important court case we see the court case of Kellogg with city of New London the in United State Supreme Court ruled that private redevelopment plans qualify as a public use for taking if they provide sufficient economic growth benefits to a community.


So we see here that even for the public purpose the private developers could also undertake projects. The case centred on the use of eminent domain on properties in New London connecticut as part of the economic development plan based around a pharmaceutical research facility.

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### Supreme Court Rules on Taking- 2005

In *Kelo v. City of New London*,

- U.S. Supreme Court ruled - private redevelopment plans qualify as a public use for takings if **they provide sufficient economic growth benefits to a community.**



A faded sign thanks Connecticut Gov. Jodi Bell for supporting the anti-eminent domain movement in New London.



(Chapter Presidents Council Planning History Timeline, 2019)

The state laws based on the ruling made planning more publicly visible and suggested that eminent domain needs to be tied to the broader planning process when used. Later in 2012 we see expansion of housing discrimination laws

**(Refer Slide Time: 37:11)**

### Housing Discrimination laws-2012

February 3, 2012

- The U.S. Department of Housing and Urban Development published the rule **Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity.**
- The rule prohibited discrimination in HUD-funded housing and programs on the basis of sexual orientation and gender identity.
- It also prevented judgment on **homeless assistance housing** based on a person's marital status, sexual orientation, or gender identity.



Rainbow flag in front of the U.S. Capitol Building



(Chapter Presidents Council Planning History Timeline, 2019)

In this time we see US department of housing and urban development published the rule equal access to housing in HUD programs regardless of sexual orientation or gender identity. The rule prohibited discrimination in hard funded housing and programs on the basis of sexual orientation and gender identity. It also prevented the judgment on homeless assistance housing based on a person's marital status sexual orientation or gender identity.

Later in 2017 we see that mass produced self-driving cars came into picture general electric announced plans to begin mass production of self-driving cars with sales scheduled to begin in 2019.

**(Refer Slide Time: 37:59)**

The slide is titled "Mass-Produced Self-Driving Cars-2017". It features a list of three bullet points on the left side: "Mass production of self-driving cars", "Autonomous Robo-Taxis", and "Planners working for self-driving cars in their Transportation plans". To the right of the text are two images: a larger one showing a futuristic car interior with a steering wheel and a dashboard displaying various icons, and a smaller one showing a white, compact, self-driving car on a road. Below the text and images is a horizontal timeline from 2010 to 2020. A red dot on the timeline is labeled "Mass Produced Self-Drive" and is positioned at the year 2017. At the bottom of the slide, there is a footer that reads "(Chapter Presidents Council Planning History Timeline, 2019)" and the number "104".

The company said its car will be utilized as fleet of Autonomous Robo -Taxis planners across the country are working to accommodate the amending reality of self-serving driving cars in their transportation plans. So we see here driverless cars and after this 2019 or we are in the domain of pandemic about which we have seen specific dedicated series of lectures. So this was the journey about the US legislation.

So far you have seen how from selling of the land to going for building public projects to going for low cost housing, urban renewal and going for tax rebate and then being more inclusive, inclusive for gender inclusive or sexually differently oriented people so on. So we see how the legislation has been expanding to be inclusive so we saw all that today and we also saw about how we also got environmentally conscious.

**(Refer Slide Time: 39:12)**

## Summary

### 1 Timeline of USA Planning Legislation

1789 Public Land Ordinance	1948 Comprehensive Housing Legislation	1978 Penn Central Transportation v. NYC
1811 First "model tenement" built in Manhattan	1954 Housing Act	1982 Habitat Conservation Plan Amendment
1842 Workmen's Act	1954 Supreme Court Rules on Eminent Domain	1985 Comprehensive Planning and Land Development Act
1864 New York Council of Hygiene	1956 Federal Aid Highway Act	1986 Low-Income Housing Tax Credit
1867 First major tenement house law	1961 Housing Act of	1990 Americans with Disabilities Act
1867 San Francisco prohibits specific obnoxious uses	1964 Creation of CAPs Community Action Programs	1993 Federal Enterprise Zones and Empowerment Communities
1870 Debut of the "Dumbbell Tenement".	1965 Housing and Urban Development Act HUD Launches	1995 Omnibus Budget Reconciliation Act of
1880-84 Building of Pullman, Illinois, a model industrial town	1966 National Historic Preservation Act	2000 Disaster Mitigation Act
1879 "Old" NY tenement house law	1966 Model Cities Program	2005 Supreme Court Rules on Taking
1900 New York State Tenement House Law	1968 Fair Housing Act	2012 Expansion of Housing Discrimination Laws
1906 Antiquities Act	1968 Ginkie Mae	2012 Housing Discrimination laws
1907 local planning board	1970 NEPA	
1916 Comprehensive Zoning Resolution	1970 Environmental Protection Agency	
1911 National Planning Board	1977 Community Development Block Grant program	
1948 Code of Professional Conduct for Planners-	1977 Community Reinvestment Act	
1948 Housing Act	1978 Hawaii, State-wide Zoning	

And then also we see further that how technology is also changing our planning interventions so that is what we covered today.

**(Refer Slide Time: 39:19)**

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- <https://www.pullman.org/the-history-of-pullman/>
- <https://www.loc.gov/resource/g3004n.c001463/>

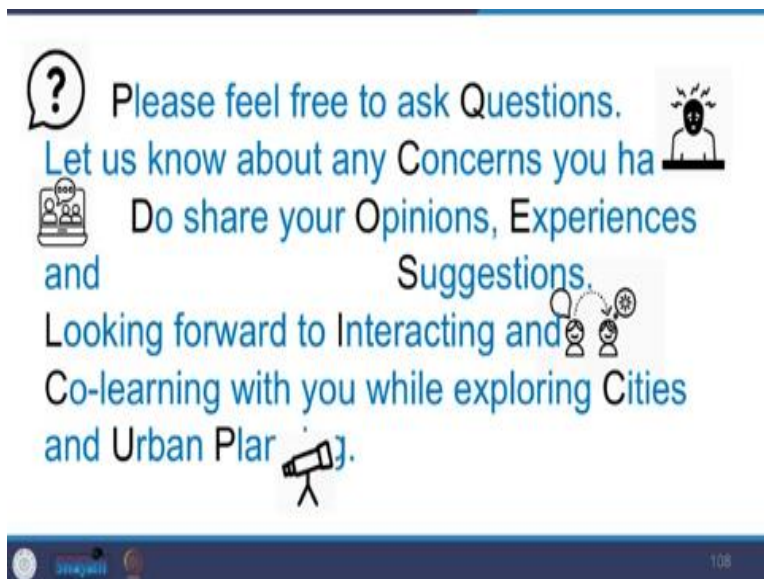
Our key references were APA documents today.

**(Refer Slide Time: 39:24)**



Our coverage was limited with the scope to make you aware of the topic, there are enormous readings and movies available to explore. Few are suggested here this is not an extensive list, you may feel free to suggest more from your experience.

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Please feel free to ask questions, let us know about your concerns you have. Do share your opinion experiences and suggestions looking forward to interacting and co-learning with you while exploring cities and urban planning. That is all for today. Thank you!