Stated in its broadest and most general form, the purpose of this research was to determine how private and public land use controls affected urban spatial and social structure. Secondarily, it was to test the effectiveness of zoning against the goals set for it. The city planners and reformist lawyers who developed and supported zoning hoped it would plan and direct growth and development in new areas while preserving or improving residential quality in existing neighborhoods.

The research thus consisted of two parts. First, it examined the actual process of residential land development to see if the patterns found in cities that developed prior to land use controls also existed in a city whose growth occurred after their adoption. Second, it examined the application of zoning, focusing not on the political or administrative process but on the product—the land itself. It looked at zoning as a planning device to explore its role in determining land use. Together, the two parts explored how the long-term application of land use controls affected urban form as the city grew.

Sources

Public records of actions affecting land use and development were the major sources of information for this study. Real estate and fire insurance atlases, produced at various intervals since the 1880s, gave detailed information about the level and nature of the city's development. Annexation maps and data revealed the physical expansion of Columbus and its suburbs. The Franklin County auditor's and recorder's offices held records on land development. These included subdivision plat maps, maps and petitions for municipal incorporation, and deeds recording property
ownership. Deeds indicated any private restrictions or covenants limiting the use or development of land. Municipal records provided detailed information on the legal framework within which land use controls operated, as well as the controls’ specific provisions. These included all ordinances (zoning related and otherwise) passed by a city council and actions taken by boards of zoning appeals or adjustment.

**Structure of the Study**

As noted in the introduction, it was not possible to study the development and zoning actions of the entire metropolitan area in the detail desired because of its size. Consequently, I sampled the city, choosing six linear strips or corridors that stretched from the inner edge of residential development in 1920 to its outer edge in 1970. Examining changes in land use in these linear strips, I could thus observe the advancing fringe of development and see changes in development trends or controls applied within each area. I wanted the areas collectively to produce a picture of the city as a whole, but also to include those places where development occurred first and continued strongest. After examining land use maps from several eras, I delineated study corridors on the north, east, south, west, northwest, and northeast sides.

As the area within the present inner belt was fully developed and largely commercial and industrial by 1920, that freeway (formed by the circular intersection of I-70 and I-71) marked the bottom of each corridor. The outer limit was the present outer belt (I-270). A major transportation artery that had also been a street railway line formed at least one side border of each corridor. These included U.S. 40 (the old “National Road”) on the east and west sides of the city and U.S. 23 (which also extends to Ohio's borders) on the north and south sides. The other side border of each corridor was determined by the boundaries of the platted subdivisions within it, and was a second major artery, a river, or (on the northwest and northeast sides) an irregular line.

In Columbus, as in many other cities, development occurred along both sides of major streets. To have defined the study areas
with the major arterials in the middle, rather than along one side, would have posed problems, however. I would have had either to double the size of the study to include entire platted subdivisions or to examine only parts of most subdivisions (to keep the total amount of land area studied within manageable limits). Since the subdivision was the basic unit of development, I opted to examine only whole subdivisions and thus restricted my areas to one side of each artery. I chose the following corridors, illustrated in Figure 1, for research: (1) north—the west side of High Street to the Olentangy River; (2) northeast—along Cleveland Avenue; (3) east—between Broad and Main Streets; (4) south—the east side of High Street to Parsons Avenue; (5) west—between Broad Street and Sullivant; (6) northwest—north and east of Goodale Avenue and Dublin Road, paralleling the Scioto River.

I did not confine the study to the municipal limits of Columbus. I examined land within each study corridor that was never annexed to the city as well as land within suburban municipalities. The seven suburbs lying wholly or partially within the corridors are Riverlea and Worthington on the north, Bexley and Whitehall on the east, and Grandview Heights, Marble Cliff, and Upper Arlington on the northwest.

I researched the process and nature of development in each study corridor up through 1970 from what had been the urban fringe in 1920 (before Columbus or any of the suburbs adopted zoning). For each corridor, I defined the fringe as being that point or area below (or within) which almost all land had been subdivided and built upon, at which most land was subdivided and at least half built, and beyond which relatively little was built and much not yet platted. For the land development portion of the study, I collected information on all subdivisions at or beyond the 1920 fringe, regardless of when they were actually platted. Since platting sometimes preceded building by more than twenty years, this included some subdivisions platted before 1900. I examined how zoning was applied to all land in each corridor (not just that beyond the fringe), since zoning decisions concerning fully developed land could have implications for land use in developing areas. This also allowed for some comparison of the application of zoning in older developed areas with its application in newer parts of the city.
Data Collection and Processing

The information collected from public records produced two data sets, which I coded for computer processing using the Statistical Package for the Social Sciences (SPSS) program. As development occurred irrespective of municipal boundaries, I had a single development data set that included 335 subdivisions, with the individual subdivision being the case, or unit, of analysis. The zoning information was divided into six data subsets, one each for Columbus and five of the suburbs. (So few actions occurred in Marble Cliff and Riverlea that computerized analysis was not meaningful.) Because each city's zoning ordinance was unique, I had to examine each city's actions in terms of the provisions of its own ordinance. In these data sets, the individual zoning request was the case for analysis. These included 1,858 for Columbus, 212 for Bexley, 297 for Grandview Heights, 649 for Upper Arlington, 260 for Whitehall, and 185 for Worthington. The SPSS functions performed on both data sets were frequencies and crosstabulations. Tables A1 and A2 list the variables for each data set and indicate on which variables frequencies and crosstabulations were performed.

I allowed the observations themselves to determine the organization of the analysis and text, establishing time frames for discussion based on when groups of events actually occurred. This same clustering of events produced the three-mile and six-mile intervals for the discussion of zoning actions in Columbus.

Analysis of the results produced a picture of the residential environment of the metropolitan area as it changed over seventy years, showing where development occurred at different times and the scale and nature of the development. The results also indicated to what extent private development controls through deed restrictions shaped that development and, by extension, the city itself. At the same time, they showed the application of zoning controls to the land. By examining what uses or use changes governmental bodies permitted on different parcels of land, I saw how public land use controls also affected the city. Examining the two processes together, I determined the relative influence of private and public land use controls on the metropolitan area's spatial and social structure.
Table A.1
Subdivision Data Variables and Functions

Number of Cases: 335

Variables:
- Corridor: north, northeast, east, south, west, northwest
- Municipality: none, Columbus, Riverlea, Worthington, Bexley, Whitehall, Marble Cliff, Grandview Heights, Upper Arlington
- Year platted: pre-1901, or actual for 1901-70
- Year annexed: actual
- Distance from city center: actual to 0.5 mile
- Acreage: actual to 0.01 acre
- Number of lots: actual
- Subdivision history: platted once only, replatted, vacated
- Setback: actual building line in deed or plat
- Building type: single family, residential, commercial, and so on
- Minimum building value: actual $ specified
- Minimum building size: actual square feet
- Race restriction: none, Caucasian only, blacks excluded, other ethnic group excluded, combination, association membership required
- Termination date: actual
- Duration: actual number of years
- Era: one of six created by grouping values after examination of frequency results by year
- Lot size: 0.75 acreage divided by the number of lots (75% was computed as the mean amount of land actually platted into building lots after subtracting reserves and streets)
- Acres and lots: recoded from acreage and number of lots, respectively, to create groups of similar size for some analysis
- Density: lots per acre
- Size and value: recoded from minimum building size and minimum building value, respectively, to create groups of similar size for some analysis

Frequencies for variables: corridor, municipality, year, distance, era, acres, lots, setback, building type, building value, building size, race, termination, duration

Crosstabulations for variables:
- era by race, size, distance, acres, lots, setback, density, building value
- municipality by era, lots, acres, density, setback, building type, size, value, race
- corridor by era, lots, acres, density, setback, building type, size, value, race
- building type by lots, acres
- race by lots, acres, building type
Table A.2
Zoning Data Variables and Functions

Number of cases:
- Columbus: 1,858
- Bexley: 212
- Grandview Heights: 297
- Upper Arlington: 649
- Whitehall: 260
- Worthington: 185

Variables:
- Corridor: north, northeast, east, south, west, northwest
- Municipality: Columbus, Worthington, Bexley, Whitehall, Marble Cliff, Grandview, Upper Arlington
- Year of action: actual to 1970
- Actor: city council or zoning board
- Distance from city center: actual to 0.5 mile (for Columbus only)
- Present use zone: single family, apartment, commercial, industrial, and so on
- Requested use zone: single family, apartment, commercial, industrial, and so on
- Setback: variance for main structure, for addition to main structure, for accessory building
- Height: variance from stated maximum
- Lot: variance for area or frontage for main structure, for accessory building
- Floor: variance for floor area for main structure, for accessory building
- Nonconforming use: allow, expand or extend, alter (change from one to another)
- Decision: none recorded, granted, denied, denied on second hearing, granted on second hearing, withdrawn or tabled, vetoed or repealed
- Other action: special permit, fence, sign variance, parking exception, and so on

Frequencies for variables: corridor, year, actor, distance, present use zone, requested use zone, setback, height, lot, floor, nonconforming use, decision, other

Crosstabulations:
- decision by actor, setback, lot, height, floor, nonconforming use, other
- present use zone by requested use zone

All listed crosstabulations were performed on each of the five suburban data sets. For Columbus, the same crosstabulations were performed but for each of nine time frames. Then, a second set of operations crosstabulated corridor by distance for various actions in each time period.
NOTES

Introduction


3. U.S. Department of Commerce, Bureau of Standards, *Zoned Municipalities in the United States*, pp. 10, 16, 19; undated letter from the American Planning Association, Houston Section, received spring 1990 by the Planning Director of the City of Fort Worth, TX. A referendum on zoning failed to pass November 2, 1993, but may be submitted to voters at a later date.

4. Marc Allan Weiss, in *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning*, discusses the real estate industry's active role in planning and zoning. However, his work and the comments made by private developers at the National Conference on City Planning throughout the 1910s and 1920s indicate that members of the real estate industry were much less concerned than city planners and reformist lawyers about the public purposes of zoning.

5. In Theodora Kimball Hubbard and Henry Vincent Hubbard, *Our Cities To-Day and To-Morrow: A Survey of Planning and Zoning Progress in the United States*, the authors note that initially Milwaukee zoned for commercial use three times the amount of land in commercial use at that time, and Santa Barbara zoned 91 percent of its land for business and apartments.

6. The research is thus modeled on methods developed by Sam Bass Warner in *Streetcar Suburbs*, his study of metropolitan growth in Boston.

7. The appendix provides a detailed description of the research methodology and delineation of the study areas.
Chapter 1

1. Unless otherwise noted, information in this chapter was derived from decennial reports of the U.S. Bureau of the Census from 1870 through 1970, and from examination of the following maps and atlases: *Caldwell's Atlas of Franklin County and the City of Columbus, Ohio* (Columbus, Ohio: J. A. Caldwell and H. T. Gould, 1872); "Map of Franklin County, Ohio" (Columbus, Ohio: G. J. Brand, 1883); untitled map in *Columbus and Its Attractions* (Columbus, Ohio: Columbus Railway Company, 1901); Topographical Map, quadrant 82'45"–83'15", 39'45"–40'15" (U.S. Geological Survey, 1912); *Baist's Real Estate Atlas of Surveys of Columbus, 1920* (Philadelphia: G. William Baist, 1920); *Insurance Maps of Columbus, Ohio* (New York: Sanborn Map Company, 1922, updated to 1937); *Plat Book of Columbus and Vicinity, Franklin County Ohio* (Philadelphia: Franklin Survey Company, 1937); and "Housing Patterns in Franklin County Ohio," a map prepared by the Housing Opportunity Center of Metropolitan Columbus from 1970 U.S. census data. The author has also relied on her own observation of the city over a period of twenty years' residence.

2. In the 1970s the Leveque tower was surpassed by a state tower housing government offices, and these two have since been joined by other tall office buildings.

3. Thomas Hines, *Burnham of Chicago: Architect and Planner*, includes Union Station in the appendix listing buildings by D. H. Burnham and Company and dates it 1896. The firm also designed two Columbus office buildings in the 1890s. There is nothing to indicate, however, that Burnham was involved in city planning activities in Columbus either then or later. An impressive structure, Union Station was demolished in the 1970s for a convention center-hotel-office complex despite the efforts of preservationists.

4. Columbus's industrial development, which did not begin in earnest until 1870, was later than that in Cincinnati, Cleveland, or other midwestern cities and consequently was slower and of less importance. See Henry L. Hunker, *Industrial Evolution of Columbus, Ohio*, and Eric H. Monkkonen, *The Dangerous Class: Crime and Poverty and Columbus, Ohio, 1860–1885*.

5. Both Monkkonen, *Dangerous Class*, and Hunker, *Industrial Evolution*, date serious industrialization in Columbus from about 1870 and attribute its relatively late start to geographic factors. Central Ohio lacked the extensive mineral deposits found in the southeast part of the state and Columbus's location was not conducive to early industrialization. Wade, in *The Urban Frontier: The Rise of Western Cities, 1790–1830*, has noted that urban and industrial development in the eastern Midwest occurred first in
the Ohio River Valley system and then along the Great Lakes. Midway between the two, Columbus got a late start.

6. Monkkonen, Dangerous Class, pp. 113–15. Monkkonen's case study, which examines the relationships among urbanization, industrialization, poverty, and crime, provides a good picture of the post-Civil War Columbus population.

7. The single most comprehensive work on this era and type of city planning, which focuses on medium-sized cities, is William H. Wilson, The City Beautiful Movement. The role of the business community and its relationship to municipal government in city planning are spelled out in Mansel G. Blackford, The Lost Dream: Businessmen and City Planning on the Pacific Coast, 1890–1920. The 1909 Plan of Chicago and its promotion are the subject of Thomas J. Schlereth, “Burnham’s Plan and ‘Moody’s Manual:’ City Planning as Progressive Reform.”


9. The use of experts from the design fields was typical in this era before the formation of the American City Planning Institute.


11. Ibid., “Part Two: Parks, Parkways and Recreation Grounds.”

12. Ibid., “Part Three: The Civic Center.”

13. Wilson’s City Beautiful Movement subtly develops this concept of comprehensiveness in city planning, a concept quite different from that reflected in city plans of the 1920s and 1950s.

14. Lord et al., Plan, p. 27.


16. Ibid., pp. 41–44.


19. Ibid., pp. 314; 350–32. Warner notes that the strong vote was not indicative of overwhelming support for home rule, however, as many fence straddlers voted in favor of home rule only when they realized supporters had garnered enough votes to assure passage.


21. Ibid., pp. 338–43.

22. In the 1970s Columbus still retained the same basic form of government, with the elected mayor as chief executive or administrator and a seven-member, at-large, council.

25. Ibid.

27. Like many cities, Columbus benefited from the same economic prosperity in both the 1920s and 1950s that affected the nation as a whole, which was reflected, in part, by extensive real estate development. As discussed below and in chapter 2, developers often annexed their subdivisions to the city to gain services.

28. A Bexley official indicated that the detachment occurred because one of the residents of this tract wanted to run for mayor of Columbus, which would have required that he be a resident of the city. Rather than move his place of residence, he "moved" the corporate boundary.

29. This process is described in chapters 2 and 4. It is much like that described for other cities in Marc A. Weiss, *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning*, and William S. Worley, *J. C. Nichols and the Shaping of Kansas City: Innovation in Planned Residential Communities*.

Chapter 2

1. The terms *restrictive covenants* and *deed restrictions* are used interchangeably throughout this work to refer to those covenants of a restrictive nature inserted into property deeds at the time of transfer.


5. Ibid., pp. 27–31.

6. Deeds for one of the subdivisions examined in this research prohibited planting of catalpa trees.


8. Ibid., pp 28–38. Monchow's 1928 study found that thirty-nine of eighty-four subdivisions' deeds she examined required construction approval.

9. Ibid., pp. 46–50. In *Shelley v. Kramer*, 344 U.S. 1 (1948), racially restrictive covenants were not ruled illegal as such but were held to be not
legally enforceable, as they would be a denial of property rights that individuals would be “willing and financially able to acquire and which the grantors are willing to sell.”


12. Ibid., pp. 56–57. Current practice holds that the rule against perpetual restraints, although applicable to restrictions on the alienation of property, does not apply to covenants affecting use: Urban Land Institute, *The Homes Association Handbook*, p. 335. This point was somewhat ambiguous in the 1920s, however, and as the same set of covenants often addressed both alienation and use, land developers were on the firmest legal ground by specifying a duration.


15. At the time of Monchow’s 1928 study there was some question as to whether municipal enforcement would be upheld by law, since the covenants were a private contract. However, in 1973 Ellickson noted that municipal enforcement had been the general rule in Houston; Robert C. Ellickson, “Alternatives to Zoning: Covenants, Nuisance Rules, and Fines as Land Use Controls.” Indeed, the Texas state legislature explicitly granted Houston the power to enforce deed restrictions; Diane T. Vague, “The Evolution of Land Use Planning for the City of Houston, Texas: ‘Free-Market’ Forces Versus Public and Private Controls in the Twentieth Century,” p. 33. Houston appears to be the exception in this respect, however.


17. The comment was in a speech Ford made to the eighteenth annual meeting of the National Association of Real Estate Boards, quoted in William S. Worley, *J. C. Nichols and the Shaping of Kansas City: Innovation in Planned Residential Communities*, p. 89.


20. Ibid., pp. 73–74.


22. The above discussion has drawn heavily on Helen Monchow's 1928 study of the development of deed restrictions, the most thorough study for its era. She examined deeds in eighty-four subdivisions in the United States and Canada and noted some regional variations in the use of deed restrictions, but she concluded that they were a widely used development device in the 1920s. However, she focused primarily on the technique's development and application and not on its effect on urban structure, a major consideration of this work.

23. In *Streetcar Suburbs: The Process of Urban Growth in Boston (1870–1900)*, Warner explains the “walking city” as one whose radius is no greater than the distance one can comfortably walk within a reasonable length of time—generally a radius of one and one-half to three miles.

24. Unless noted otherwise, information in the remainder of this chapter has been derived from examination of real estate and fire insurance atlases, subdivision plat maps, and recorded deeds. As outlined in the introduction and appendix, this research did not study the entire metropolitan area but examined all subdivisions—a total of more than three hundred—platted beyond the 1920 urban fringe (regardless of when they were platted) in six “corridors.”

25. Since all these subdivisions were beyond the urban fringe when platted, they were not within any incorporated municipality. Figure 2, as well as other figures, tables, and all discussion in this study, thus places each subdivision within the municipality to which it was later annexed.


27. The remaining half would be annexed to Columbus in the 1920s.

28. Ohio law did not differentiate between incorporated municipalities on the basis of size (i.e., between “cities,” with more than five thousand inhabitants, and “villages,” with fewer than five thousand) in granting annexation powers. As long as adjacent landholders were agreeable, incipient suburbs like Grandview found it as easy as Columbus did to expand physically.
29. As noted in chapter 1, in 1922 Columbus sought to expand by annexing Bexley, Marble Cliff, Grandview Heights, and Upper Arlington as well but was not successful.

30. Marc Weiss's *Rise of the Community Builders* discusses the land development boom in California during the 1920s, explaining how problems created by the boom and its aftereffects led realtors to become active supporters of the push for municipal zoning ordinances. In *Only Yesterday: An Informal History of the Nineteen-Twenties*, Frederick Lewis Allen describes the Florida land boom and the enormous pressure that real estate speculation put on land values during the 1920s.

31. Given that the proportion of foreign born had been steadily decreasing since 1870 and had dropped to 7 percent by 1930, this last restriction seems unnecessary. Still, the northeast was the logical direction of expansion for the small Italian community.

32. In *Only Yesterday* Allen provides *New York Times* averages for the stock market indicating a 50 percent drop in value between September 3, 1929, and November 13, 1929 (p. 280). The Florida land boom bubble had burst almost as quickly in 1926 (pp. 234–238). The depression-induced drop in building permits in Columbus, Ohio, on the other hand, took months, and the number of permits issued did not reach its ebb until four years after the crash. Meanwhile, land development continued, although at reduced levels, in the suburbs.

33. Otis L. Graham Jr.'s *Toward a Planned Society: From Roosevelt to Nixon* describes the extensive network of government agencies and economic controls set up to mobilize the nation for the war effort. The structure was dismantled almost in its entirety at the war's conclusion (pp. 69–90).

34. For uniformity in time as well as space, it was standard practice for deed restrictions for all lots in a subdivision to have a common expiration date, regardless of when the individual lots sold, and January 1 of a year ending in zero was often chosen. As Riverlea was platted during the boom days of the 1920s, its developer could have reasonably expected that the fifteen-year duration of the restrictions would provide sufficient protection to the development. By that time it could be annexed into the growing Columbus and public land use controls could take over.

35. Monchow, *Deed Restrictions*, p. 72. As indicated in n. 22, Helen Monchow’s *The Use of Deed Restrictions in Subdivision Development* examined deeds from eighty-four subdivisions in the United States and Canada. Her study was the first in a series of works that the Institute of Research in Land Economics and Public Utilities, under the direction of economist Richard T. Ely, published as monographs because they were too extensive.
to be included in the institute's quarterly journal. Monchow's intent was to examine, from an economic perspective, the impact of deed restrictions on the land and the relations between buyer and seller, which she felt was important given the amount of real estate development during the 1920s.


37. It has often been the norm in the United States for building lots to be noticeably deeper than wide, for in many communities the cost of improvements (e.g., water and sewer lines, street paving and sidewalks) is assessed per foot frontage. Thus, a forty-by-one-hundred-foot lot would have a lower assessment than a fifty-by-eighty-foot one, although both would contain the same amount of acreage.


39. Ibid., pp. 12-14, 40-41.

40. Ibid., pp. 2-6.

41. This technique could also be used to exclude others on the basis of various group or individual characteristics. The provision mandating civic association membership applied only to the four subdivisions Thompson platted in the 1950s; however, it applied not only to the original purchasers of unimproved lots but also to subsequent purchasers of homes.

42. The Federal Housing Authority (FHA) requirement regarding deed restrictions had no real impact at this time. The FHA, which was established in 1934, required deed restrictions in subdivisions qualifying for government-insured mortgages. But Columbus developers in the 1930s and 1940s were trying to appeal to a higher income group than FHA mortgages were designed to assist. Thus, minimum FHA standards, even into the 1950s, would not have been high enough to serve the developers' purpose.

Chapter 3

1. Peter Hall, Cities of Tomorrow: An Intellectual History of Urban Planning and Design in the Twentieth Century, chap. 2; Roy Lubove, The Progressives and the Slums: Tenement House Reform in New York City, 1890-1917; William H. Wilson, The City Beautiful Movement; and Allen F. Davis, Spearheads for Reform: The Social Settlements and the Progressive Movement, 1890-1914, all describe these conditions in detail.

2. Mel Scott, American City Planning Since 1890; Donald A. Krueckeburg, ed., Introduction to Planning History in the United States.

3. Jon A. Peterson, "The Impact of Sanitary Reform upon American


8. Wilson, City Beautiful, chap. 3.

9. Wilson, City Beautiful; Hall, Cities of Tomorrow, chap. 6.


17. Lubove, Progressives, p. 236.

18. Ibid., p. 245; Seymour I. Toll, Zoned American, chap. 4.


20. Ibid., p. 378.


22. John Robert Mullin, “American Perceptions of German City Planning at the Turn of the Century.”

23. Ibid.; Senate Doc. 422, 61st Congress, 2d session.

24. Ibid.; Senate Doc. 422, 61st Congress, 2d session.
36. The real estate field's interests in planning and zoning are developed at length in Weiss, *Community Builders*.
37. If building codes required windows but did not provide for building setback lines, the first structure on a block could be built to the lot line and use the full land area for construction, but subsequent structures on adjacent lots would only be able to use a portion of their lots in order to allow for windows on side walls.
40. Ibid., p. 237.
44. NCCP, *Proceedings* 1921, pp. 32–35
45. Ibid., pp. 26–27.
46. Ibid., pp. 28–29.
47. Robert Whitten, "Social Aspects of Zoning."
48. While many works discuss American racial problems in the 1920s, one of the most insightful is Carl Sandburg’s *The Chicago Race Riots: July, 1919*. As a reporter, Sandburg had begun investigating the racial situation in Chicago just prior to the outbreak of violence in July. The riots provided impetus to complete his work and led to the publication of his newspaper articles in book form.

52. Hubbard and Hubbard, *Our Cities*, p. 164.
54. It is also referred to as the City Practical and the City Functional.
55. Hall, *Cities of Tomorrow*; Wilson, *City Beautiful*.
57. NCCP, *Proceedings 1927*.
58. Ibid., p. 19.


60. Ibid., p. 86.
61. Ibid., p. 86; Toll, *Zoned American*, p. 117.
70. Ibid., p. 165.
72. Ibid., pp. 1158–63.
73. Ibid., pp. 1163–65.
74. Ibid., pp. 1165–66.
75. Ibid., p. 1167.
76. Ibid., pp. 1166–70; Daniel R. Mandelker, "The Role of the Comprehensive Plan in Land Use Regulation."
80. Logan, "Americanization," p. 383; Flint, "Zoning and Residential Segregation," p. 21; M. Christine Boyer, *Dreaming the Rational City: The Myth of American City Planning*, p. 94. Realtors', developers', and planners' thoughts on land use controls were all presented at the National Conference on City Planning and are reported in the *Proceedings* of the 1910s and 1920s, especially 1915, 1916, 1921, 1925, 1926, and 1927. The real estate industry's views are also in Weiss, *Community Builders*.
82. Ibid., pp. 188–89; Delafons, *Land-Use Controls*, p. 93.
84. Ibid., pp. 237–44.
88. Ibid., pp. 208–09.
89. Ibid., pp. 299–304.
99. This same ambiguity of purpose has been noted for economic regu-
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Reformers sought the establishment of agencies such as the Interstate Commerce Commission to serve the public interest while those being regulated often turned the process to their own advantage. See Thomas K. McCraw, "Regulation in America: A Review Article."

100. Weiss, Community Builders, pp. 162–163.
105. Unless otherwise noted, discussion of zoning in Columbus is based on examination and analysis of the actions of City Council and the zoning board as described in the appendix.
107. Frank S. So, "Planning Agency Management," in Frank S. So and Judith Getzels, eds., The Practice of Local Government Planning, pp. 401–03. In later years, cities created planning departments, with a director who reported to the mayor, city manager, or city council as an element of local government. The planning department (with its paid professional staff) would handle implementation or administration of planning matters, while the independent planning commission (still composed of unpaid citizen volunteers) defined policy and made recommendations to city council. The planning department staff also could provide information and advice to the planning commission on specific planning problems or concerns.
108. Ordinance 34010, August 6, 1923; Columbus Dispatch, August 7, 1923, p. 2. Examination of local newspapers from the date the proposed code was first announced until three weeks after its adoption revealed no letters to the editor regarding the code and no articles discussing the public's response.
110. The potential for a parcel to produce income from industrial use is more dependent on external site characteristics such as rail or water access than on zoning designation. Throughout the rest of this work, the planning/zoning framework will be applied, with the single-family home being the highest property use and industrial the lowest. This is appropriate given that one of the initial purposes of zoning was to prevent deterioration of residential areas thought to result from expanding commercial and industrial districts.
111. Unfortunately, the city has few records on Planning Commission rezoning actions, so there is no way to determine how often council either followed or overruled the commission's recommendations. The City Bulle-
tin, which published all council actions on a weekly basis and which was the principal record source on rezoning actions for this research, did not indicate Planning Commission recommendations.

112. Ordinance 37138, June 21, 1926.
115. Real estate and fire insurance atlases, prepared between 1920 and 1954, indicate the use of structures on all parcels mapped.
116. Information in this chapter regarding actions of City Council or the zoning board was derived from the results of the frequency and cross-tabulation operations performed on the zoning data set discussed in the appendix. For the City of Columbus, this set included all zoning actions of council in each study area through 1970. It includes all zoning board actions from 1923 through 1970 except for the years 1933 and 1934. The City Bulletin recorded requests before the BZA and its decisions regularly though 1932. In the first months of 1933, however, the City Bulletin recorded requests but few decisions, then ceased recording BZA actions altogether. The Records Department of the Development Regulations Division has BZA actions on microfiche or in its files beginning with the year 1935. Consequently, there are no extant records of BZA activity for 1933 and 1934. The combined total number of actions taken by both bodies through 1970 is 1,858.
117. Three hundred fifty-one requests were made but decisions have been recorded for only 324. As some decisions involved more than one action (e.g., a property owner might request both a use change and a setback or lot variance), totals for the various types of actions do not equal the number of decisions made.
118. Columbus City Council and Board of Zoning Adjustment actions affected land in the north, northeast, east, south, and west sections of the study. No northwest side land was affected, as none was within the municipal boundaries by 1970 and thus it was not subject to the city's zoning ordinance.
119. Single-family districts would be A area dwelling house zones while row house districts were B area dwelling house zones.
120. One hundred six actions were requested, for which 83 decisions have been recorded.
121. Given that no BZA records exist for 1933 and 1934, the proportion of decisions the board issued was probably even greater.
122. Housing was a permitted use in commercial districts, so a rezoning was not necessary. However, property owners building row houses for
rental may have wanted to make certain that no future tenants engaged in commercial activities, which were prohibited in the dwelling house zone.


124. Johnson, “Regional Planning,” in Schaffer, Two Centuries; Roy Lubove, Community Planning in the 1920's: The Contribution of the Regional Planning Association of America; Buder, Visionaries & Planners; and Hall, Cities of Tomorrow, chap. 4.


128. Hancock, “New Deal,” in Schaffer, Two Centuries; Scott, American City Planning, pp. 311–16.


131. Hancock, “New Deal,” in Schaffer, Two Centuries; Scott, American City Planning, pp. 300–11.


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Centuries; Richard O. Davies, *Housing Reform During the Truman Administration.*


Chapter 4


2. Columbus City Planning Commission, *Annual Report*, 1957; Interview with Harmon Merwin, July 19, 1990. (Merwin served with the Mid-Ohio Regional Planning Commission and its predecessors for thirty-five years, beginning in 1951. Unfortunately, few written records other than published reports exist for the commission, as many were misplaced or destroyed when the agency moved a few years ago.)


4. Matthew Edel, Elliot D. Sclar, and Daniel Luria, *Shaky Palaces: Homeownership and Social Mobility in Boston's Suburbanization*, pp. 28–31, present a concise explanation, drawing on both sociology and economics, of how homes have traditionally “filtered” down the income ladder, causing deterioration in some neighborhoods.

5. Barry Checkoway, “Large Builders, Federal Housing Programs, and


8. Ibid., pp. 235–36. Eichler's *Merchant Builders* describes how Levitt and other builders also used design features and amenities such as fireplaces or cedar shakes to appeal to particular market segments.

9. H. E. Bracey, *Neighbours: Subdivision Life in England and the United States*, details results of interviews with and questionnaires completed by twenty households in each of six new subdivisions in the United States and in England. All his U.S. subdivisions were in metropolitan Columbus, Ohio.

10. Ibid., pp. 18–19, 34, 86.

11. Ibid., pp. 29, 12, 35–59.

12. Ibid., pp. 30, 41–42, 81.

13. Ibid., p. 48.


15. Ibid., p. 17.

16. Ibid., pp. 31–34.


20. Warner's *Streetcar Suburbs* clearly shows the connections among transportation, urban growth, and suburban location in Boston. Ann Durking Keating's *Building Chicago* and Michael H. Ebner's *Creating Chicago's North Shore: A Suburban History* make the same point about Chicago, although they focus on other aspects of suburbanization.


22. Mary Corbin Sies's “American Country House Architecture in Context” discusses the importance of physical amenities and picturesque locations in developing planned exclusive suburban communities.


24. Ibid.
25. Ibid.

26. The deeds requiring landscaping rarely established specific guidelines, indicating primarily that yards should be planted and maintained. Only one developer, platting subdivisions in the 1920s, imposed the ban on catalpa trees (the pods of which emit a very unpleasant odor after dropping to the ground and beginning to deteriorate). If others found them offensive, they may have believed that no residents would plant the unpleasant trees or that a general prohibition on "noxious" or "offensive" uses, which was standard in many deeds, would provide sufficient protection. To enforce these or other restrictions, a land developer generally either relied on action by neighbors (whose lots, of course, were similarly restricted) or reserved enforcement rights for himself as grantor.


29. In Rise of the Community Builders, Marc Weiss indicates that realtors and developers of new residential areas were among zoning's most ardent supporters.

30. There is no indication in available city records of an attempt by either the developers or the city to annex these areas to Columbus.

31. Although the decline in building activity was neither as sharp nor as rapid as the decline in the stock market, its impact was quite evident.

32. Information on the valuation of building permits is taken from the Polk City Directory for various years, as the city no longer has such records.

Chapter 5

1. The broadening of focus is discussed in both Mel Scott, American City Planning Since 1890, and Peter Hall, Cities of Tomorrow.

2. As the provision of housing is not the focus of this work, readers are referred elsewhere for more information on the housing sections of the 1949 act and the planning implications of those sections. Both Hall, Cities of Tomorrow, and Scott, American City Planning, discuss them in general terms. Case studies of housing and planning activities in Philadelphia and Cincinnati are John Bauman, Public Housing, Race, and Renewal: Urban Planning in Philadelphia, 1920–1974, and Robert B. Fairbanks, Making Better Citizens: Housing Reform and the Community Development Strategy in Cincinnati, 1890–1960, respectively.
4. Ibid., p. 501.
9. Merwin, interview.
11. This was seen as preferable to hiring additional temporary staff or taking existing staff from their regular tasks for the special effort. See Columbus City Planning Commission, *Annual Report* (1957).
12. Merwin, interview.
16. Ibid., p. 4.
17. Ibid., p. 153.
19. Ibid., p. 56.
20. Ibid., p. 57.
21. Ibid., p. 57.
23. Property owners submitted 659 requests, 16 of which were later withdrawn. City records do not indicate the disposition of the remaining 11.

24. The number of requests was 402, with no decision being recorded for 6 requests.

25. Reflecting increased enrollment in the 1950s and 1960s, Ohio State expanded both north and south with new dormitories. Code provisions were such, however, that land did not need to be rezoned for the dormitories; so the north side's preponderance of requests is not skewed by the university's growth.

26. This procedure benefited the developer financially as residentially zoned land cost less per acre than commercial property.

27. Joyce Thomas, "Bryden Road," unpublished research seminar paper submitted to Professor Richard J. Hopkins, August 1985, indicates that the near east side had begun to deteriorate by the 1920s.

28. Unfortunately, census tract boundaries do not correspond to the study area, or to whole-mile intervals from the city center. However, population figures for those tracts that contain the portions of each side of the city within the three-mile zone reveal a population decline in these older areas. The total 1950 population for all relevant tracts was 75,481 persons; the 1970 population of the same area was 58,230—a drop of 22.92 percent.

29. Barbara J. Flint, "Zoning and Residential Segregation," indicates that zoning was used for explicit racial purposes elsewhere.

30. Housing Opportunity Center of Metropolitan Columbus, "Housing Patterns in Franklin County Ohio," a map prepared from information in the 1970 U.S. Census.

31. Michael O. Sutcliffe, "Neighborhood Activism in Sociohistorical Perspective: Columbus, Ohio, 1900–1980," studies eighty years of neighborhood activism, grouping incidents of such activism into six categories, two of which concern rezonings.

32. Ibid., p. 24.

33. Ibid., pp. 31–32.

34. Ibid., p. 84. This increase is in line with rates of homeownership in the United States overall (Matthew Edel, Elliot D. Sclar, and Daniel Luria, Shaky Palaces: Homeownership and Social Mobility in Boston's Suburbanization, pp. 291–95). Changes in mortgage financing and suburban development nationwide, combined with annexations in Columbus, collectively explain the increase.


40. Scott, *American City Planning*, chaps. 7, 8; Hall, *Cities of Tomorrow*, chap. 10. The debate over the nature and scope of city planning, which has continued since the 1960s, is extensive and beyond the scope of this work. Faludi's *Reader in Planning Theory* provides some sense of it, however, as do works by John Friedmann and John Forester.

41. *Planning* 1960, pp. 172–86. In the early 1950s, the American Society of Planning Officials (ASPO) began to publish the proceedings of the annual national planning conference under the title *Planning*, designated by the conference year. References to items from those conference proceedings will thus be cited under that title, followed by the year and pages.


47. Ibid., pp. 4–14.


51. The findings of this research thus substantiate the general thrust of
Constance Perin’s *Everything in Its Place: Social Order and Land Use in America*. Perin concludes that tenants (which group includes most low income persons and many minorities), lacking property interests, tend to be treated as second-class citizens. Having no fiscal stake in the community (i.e., they do not pay property taxes directly), they also have no voice.

Chapter 6


3. Exclusionary zoning did not get major attention in the courts until the 1970s.


5. The information in this chapter comes from examination of public records in seven suburbs: the cities of Bexley, Grandview Heights, Upper Arlington, Whitehall, and Worthington, and the villages of Marble Cliff and Riverlea. However, full records do not exist for all seven and variations exist in their governmental structures, making comparisons somewhat difficult. As each community is discussed, a note will indicate what information was available and which administrative board served in which capacity.

6. The village’s ordinance books are the only source of information on zoning activity in Riverlea. A wholly residential community of about six hundred people, Riverlea has no municipal offices, and what records exist have been kept in the home of either the mayor or the village clerk. A long-time resident of the village, the clerk at the time of this research indicated that to her knowledge no zoning board or commission has ever functioned in Riverlea. What few variances from zoning provisions might have been requested would have been decided by the building inspector, and there are no records of such actions. However, it is unlikely that many lot area or building setback requests were ever made, as most homes in Riverlea sit on parcels consisting of two or three lots, thus providing spacious yards.

7. Text of Riverlea Ordinance 1, quoted in Ordinance 17. No complete record of Ordinance 1, passed July 18, 1838, remains.


10. Riverlea Ordinance 31, November 14, 1947; Riverlea Ordinance 273, January 15, 1968. In permitting a multifamily dwelling, Ordinance 273 required that each unit contain at least 1,200 square feet of floor space.

11. Like Riverlea, Marble Cliff has a population of about six hundred persons. In contrast, it does have a municipal building where all records are kept. Unfortunately, a fire destroyed records of all actions prior to April 1928. Thus, the text of the village's first zoning ordinance, passed in 1922, is unknown. A new zoning ordinance, 246, was passed June 29, 1928. Information on Marble Cliff zoning activities was drawn from examination of ordinance books. There are no minutes or records of actions by a planning commission or board of zoning appeals or adjustment. Although the 1928 zoning ordinance called for the creation of such a board, in fact council seems to have functioned in that role through the granting of special permits.


15. Bexley Ordinance 456, October 23, 1923. The text of this ordinance refers to a prior zoning ordinance, 415, passed March 27, 1923, which was repealed by the passage of 456, but no record exists of this prior ordinance and its provisions are unknown.

16. Bill Arter, *Columbus Vignettes*, I (1966), II (1967), III (1969), IV (1971), published by the author. The four volumes of Arter's *Vignettes* contain sketches and brief histories of some of the more interesting or important buildings in central Ohio, including several mansions in Bexley, one of which now serves as the official residence of Ohio's governor.


19. Some of these use changes were rezonings by ordinance passed by City Council. Others were essentially use variances granted either by council or the Zoning Commission. (Zoning Commission is the official title for the board that functioned as Bexley's Board of Zoning Appeals or Adjustment. Since the commission served the same purpose as Columbus's BZA, the terms BZA or zoning board will be used throughout this discussion.) Information on zoning board actions was drawn from minutes of the board's meetings from 1924 (the first year there were any) through 1970.

20. The village attained status as a city in 1931.

21. Riverlea could be construed as a planned residential suburb, but it
consisted of only a single subdivision, whose developer probably anticipated annexation to a larger entity rather than incorporation. Upper Arlington, on the other hand, contained many subdivisions platted by the same developer to achieve a clearly stated plan and incorporated very shortly after the first lots were developed.


25. The original ordinance created a “Zoning Commission” to function as a board of appeals and hear requests for special permits and variances from the ordinance’s provisions. The Zoning Commission functioned in this capacity until 1950, when the Planning Commission began hearing and deciding zoning questions as well as planning matters. Then in 1958 a separate Board of Zoning Appeals was split off from the Planning Commission, separating zoning and planning questions again. For consistency with other jurisdictions and ease of understanding, this research and discussion examines the activities of boards and categorizes them based on function rather than title.


28. Upper Arlington Ordinances 16–57, March 11, 1957; and 96–57, November 11, 1957. The sign regulation was aimed at a local fast-food drive-in restaurant chain whose trademark sign was a multicolored neon “whirling satellite.”

29. With regard to Riverside Drive (State Route 35), for most of its length in Upper Arlington that city’s code applied only to the east frontage. The west side of the road was in either the City of Columbus or unincorporated territory, and much of it was park land along the Scioto River.


31. Ibid., pp. 1–4, 61.


33. Zoning actions for Upper Arlington studied in detail for this re-
search include all actions of City Council or the zoning board affecting land within the northwest part of the larger metropolitan study area. This portion of Upper Arlington is an irregular strip along the city's western border about one mile in width, which covers almost half the total land area of the city.

34. Information on both issues is contained in minutes of zoning board meetings from January through May of 1940.

35. Minutes of a joint meeting of the Upper Arlington Zoning Commission and City Council, May 6, 1940.


37. The only territorial addition to occur after the zoning ordinance was adopted was a 43-acre industrial parcel annexed in 1958.

38. Grandview Heights Ordinance 292, May 24, 1922.


40. These changes were accomplished by council rezoning. Late in 1922 the zoning board of Grandview Heights determined that questions involving property use were beyond its jurisdiction and would not be dealt with.


42. Sorting out zoning board actions in Grandview is a somewhat difficult task. Although the 1922 ordinance created an "Administrative Board" to deal with zoning questions, in 1928 the board's powers were delegated to the Planning Commission by City Council, since the same people sat on both boards. Consequently it was technically the Planning Commission that granted variances, but it did so acting as a board of zoning appeals.

43. The initial code had no fence regulations so all these occurred after the revised code was adopted in 1963.


45. Worthington Ordinance 240, May 1, 1928. This was not Worthington's first zoning ordinance but it is the earliest available. Records indicate that an earlier ordinance, 088 passed December 28, 1923, contained zoning regulations, but the ordinance book recording 088 is missing and 088's provisions are unknown.

46. Worthington Ordinance 0727, June 1, 1942.


51. Annexations and natural growth increased Worthington's population from 2,141 in 1950 to 9,106 by 1960.

52. Worthington Ordinance 5–67, March 20, 1967. Specifically, the ordinance required Municipal Development Commission approval for the following actions: (1) a building to be constructed, remodeled, or enlarged; (2) a sign, wall, or walk to be installed; (3) any demolition or rehabilitation project; and (4) grading, planting, landscaping. Ordinary property maintenance did not require approval if it involved no change in material, design, or arrangement.

53. All zoning board actions concern variances to the 1956 ordinance or its successor. Although the earlier ordinances provided for an administrative board to hear such matters, the city has no records of any zoning board meetings or decisions prior to 1961. Nevertheless, considering how small the town was until well after World War II, it is unlikely that earlier zoning boards faced many requests. From 1961 through 1970, the board heard 105 requests, of which it approved 81.


55. The 1963 zoning code had very strict limitations on the size and number of signs permitted any business. The board granted only nine of twenty sign variance requests.

56. Information on Whitehall's early history and population growth was compiled by the Whitehall city clerk of council from city records and U.S. census reports.


58. In 1947 the county regional planning commission had prepared a zoning resolution for all unincorporated land in the county to serve as a guide for future development. The resolution was advisory only, however, and adoption and enforcement of any of the proposed provisions were matters to be handled by the trustees of each individual township in the county. Whitehall's incorporation negated any provisions that might have been adopted by the township whose land was included within the city's borders.


61. Whitehall also presents a contrast to the other six suburbs in the proportion of zoning actions submitted to council rather than the zoning
board. Council decided half again as many as the zoning board in Whitehall, while elsewhere the zoning board heard several times more cases than city council.

62. This is compared to rates ranging from 77 to 83 percent for the other communities. Under Whitehall's zoning code, the Planning and Zoning Commission heard variance requests; however, that commission also reviewed plats, approved lot splits, and made nonbinding recommendations to council regarding rezonings and special permits. Effective January 1967 Whitehall split the commission into two distinct administrative boards, with the Board of Zoning Appeals being responsible for variance requests and lot splits. For consistency, the term zoning board is used here for the board handling variance and lot split actions, regardless of the proper title of the board deciding the matter when each particular case was heard.

63. None of the other suburbs adopted comprehensive plans either, until the 1960s. However, each followed its zoning ordinance much more closely, using the ordinance to guide future growth and development.

Chapter 7

1. Some parts of Columbus reflect the same pattern as the suburbs, with few use changes either requested or granted. These are generally outlying middle and upper middle income residential areas developed with restrictive deed covenants.

2. Theodora Kimball Hubbard and Henry Vincent Hubbard, Our Cities To-Day and To-Morrow, p. 164.


5. Drawing on a large body of research, Kenneth T. Jackson's Crabgrass Frontier presents a good overview of the history of housing discrimination.

6. This work also agrees with the larger theme of William S. Worley, J. C. Nichols and the Shaping of Kansas City: Innovation in Planned Residential Communities. This is not to imply that private individuals bear sole responsibility, in Columbus or elsewhere. Research on other cities has shown that land development, though carried out by private property owners, often occurred where a municipality extended water and sewer lines or granted a streetcar franchise to operate. In Columbus, however, the city liberally allowed outlying developments to hook up to its water and
sewer lines irrespective of their locations. Thus water and sewer policy (at least until the 1950s) responded to rather than directed developers' activities.

7. This is essentially the principle on which those practicing exclusionary zoning base their actions. William A. Fischel, *Economics of Zoning Laws: A Property Rights Approach to American Land Use Controls*, blames part of zoning's "failure" on the planners' inability to view it in economic terms and consider its effect on land market values.