

A Paradox

Jeffrey Karl Ochsner

The primary focus of this issue of *Cite* is planning. Planning has become a topic of frequent discussion among architects, real estate investors, planners, developers, government officials, political candidates, and the general public in Houston and Harris County.

In this issue we first trace the general history of planning in Houston and then focus in detail on two major areas of current planning interest: the city's proposed Compendium of Plans process, and the planning of METRO's regional transit system. The approaches in these two plans are very different - the first incremental, seeking to create a city plan by compiling a series of area plans; the second seeking first a broad regional consensus, then focusing in detail on specific areas.

It is important to recognize that these are only two of the many on-going planning processes which deserve attention. Other areas of significant plan development now underway in Harris County include infrastructure (water supply, including subsidence; sewage, including regionalization of treatment; and flooding and storm drainage, focusing on detention ponds), streets and thoroughfares (thoroughfare plans and mobility plans for Houston, Harris County, and several surrounding counties), and major highway planning (both improving the existing freeway network and adding new freeways). The City of Houston and the METRO planning processes have received the most attention, but plans for infrastructure, for streets and thoroughfares, and for highways may ultimately have the greatest impact on the shape of the future urban form of the region.

But beyond these areas of planning, and perhaps beyond the scope of this issue of *Cite*, many in our city are asking: Has the time come to reconsider the role of land-use controls? For more than 20 years, the city has grown without controls and to this day, as a result of the bitter 1962 referendum, the word "zoning" remains unacceptable in Houston. But clearly a consensus is emerging that some land-use controls are necessary. Initially these controls have taken the form of a scenic-district ordinance, a development ordinance, a billboard ordinance, and similar ordinances, but concern already has arisen over the inability of such blanket ordinances to differentiate among the new and old neighborhoods making up the city.



(Photo by Paul Hester)

Land-use controls may be conceived in two ways - conservative and visionary. Conservative controls are implemented to protect (to conserve) existing assets. Controls which provide for buffer zones between incompatible uses (such as parking garages and cooling towers backing up to residential neighborhoods) or which reinforce existing deed restrictions (thereby protecting existing residential neighborhoods), or similar types of controls are essentially conservative. Visionary controls go further and actually attempt to shape the city or region by directing or limiting uses or other features such as height, floor area, or density of structures or developments. Such controls must begin from a consensus about a desirable future shape of the city and then regulate future development to guide it in that direction.

While traditional forms of zoning may be inappropriate for Houston, a broad consensus of public opinion (even including a range of development and real estate interests) appears to agree on the need for some types of controls, if only the conservative, protective type. The consensus necessary for visionary, city-shaping controls does not yet exist - perhaps it must wait for a visionary, but as yet undefined, "Goals for Houston" process which will bring citizens together to address the kind of future we want for our city.

Still, even now, real estate and development interests, government officials, and others are coming to recognize the paradox of planning and controls - that the preservation of land values and of existing buildings and areas, as well as the full development of the city, may actually depend on the implementation of some restrictions. Indeed, what urban theorist Nathan Lewis wrote over 70 years ago in *The Planning of the Modern City* may be paradoxical, but it is nonetheless true:

... that a policy of restrictions tends to fuller utilization of land than a policy of no restriction. The reasons lie in the greater safety and security of investment secured by definite restrictions. The restrictions tend to fix the character of the neighborhood. The owner therefore feels that if he is to secure the maximum returns from his land, he must promptly improve it in conformity with the established restrictions.

While this issue of *Cite* is only about planning, and not about controls, perhaps we need to ask ourselves, is planning enough? ■

Planning in Houston:

Stephen Fox

Like so many characteristics imputed to Houston, its reputation as an unplanned city is the result of selective and uncritical historical reflection. It is more accurate to say that Houston is a partially planned city in which successive episodes of rapid expansion have outstripped whatever planning progress might theretofore have been achieved. The notion of planning Houston's urban growth and development is not new. But support for constructing a public policy of planned development has been sporadic and inconsistent, dependent upon the personal commitment of individual citizens or public officials rather than institutionalized city policy.

Houston's engagement with city planning began as a result of local interest in developing a park and boulevard system tied to the regional network of bayous. Between 1910 and 1917, during the reform administrations of Mayor H. Baldwin Rice and his successor, Ben Campbell, a city plan document, *Houston: Tentative Plans for Its Development* (1913), was prepared and published by the Cambridge, Massachusetts landscape architect, Arthur Coleman Comey, and the first increments of a city-wide park and parkway system were completed. This latter task was carried out under the direction of the St. Louis landscape architect and planner, George E. Kessler; its centerpiece was the development of Hermann Park and Main Boulevard. Comey's recommendations, although received with interest, must have seemed too ambitious, both politically and administratively, to be implemented. Comey addressed not only the development of a city-wide park system (his report was commissioned by the Board of Park Commissioners), but also the compilation and use of data, traffic and transportation planning, control and regulation of housing and building construction, and legal measures that might be taken to establish a "Metropolitan Improvement Commission" to plan, regulate, and coordinate the city's and county's public-works projects.

The enthusiasm that sustained Houston's forays into public and private planned development in the 1910s ran its course by the end of the first world war. The subsequent revitalization of the cause of planning during the 1920s at first may appear as a logical - and even more successful - sequel to the achievements of the previous decade. Yet this revitalization masked the radical weaknesses that eventually retarded efforts to establish public planning as a normative procedure in Houston: an exclusive dependence on individual citizens committed to planning; the apathy, if not hostility, of the general public to the purpose and mechanisms of public planning; and the ambivalence of public officials, who supported the "progressive" appearance of planning while only reluctantly according statutory authority and financial support to public planning agencies.

Achievement and Failure

From the 1920s, three individuals stand out prominently in the history of Houston planning: Will C. Hogg, the rich, mercurial, impulsive lawyer who made public planning his personal cause; Oscar F. Holcombe, who, between 1921 and 1957, would serve 11 non-consecutive terms as mayor; and S. Herbert Hare, who, from the time of Kessler's death in 1923 until his own death in 1960, was the city's professional planning consultant.

In terms of achievements, the record of the 1920s was impressive: the creation of a City Planning Commission, the acquisition of Memorial Park and smaller parks, creation of the Buffalo Bayou and Brays Bayou parkways and of a downtown Civic Center, the preparation of a major street and thoroughfare plan, and the publication of a second city-plan document, *The Report of the City Planning Commission* (1929), issued as a record of the commission's recommendations and achievements. Moreover, the effects of public planning were adumbrated by those of private planning, especially in the development of planned garden subdivisions. The largest and most comprehensively developed of these was Will Hogg's River Oaks, begun in 1923 and carried out by Hogg, his brother and sister, Mike and Ima Hogg, and his associate Hugh Potter as a model of the benefits of planned community development.



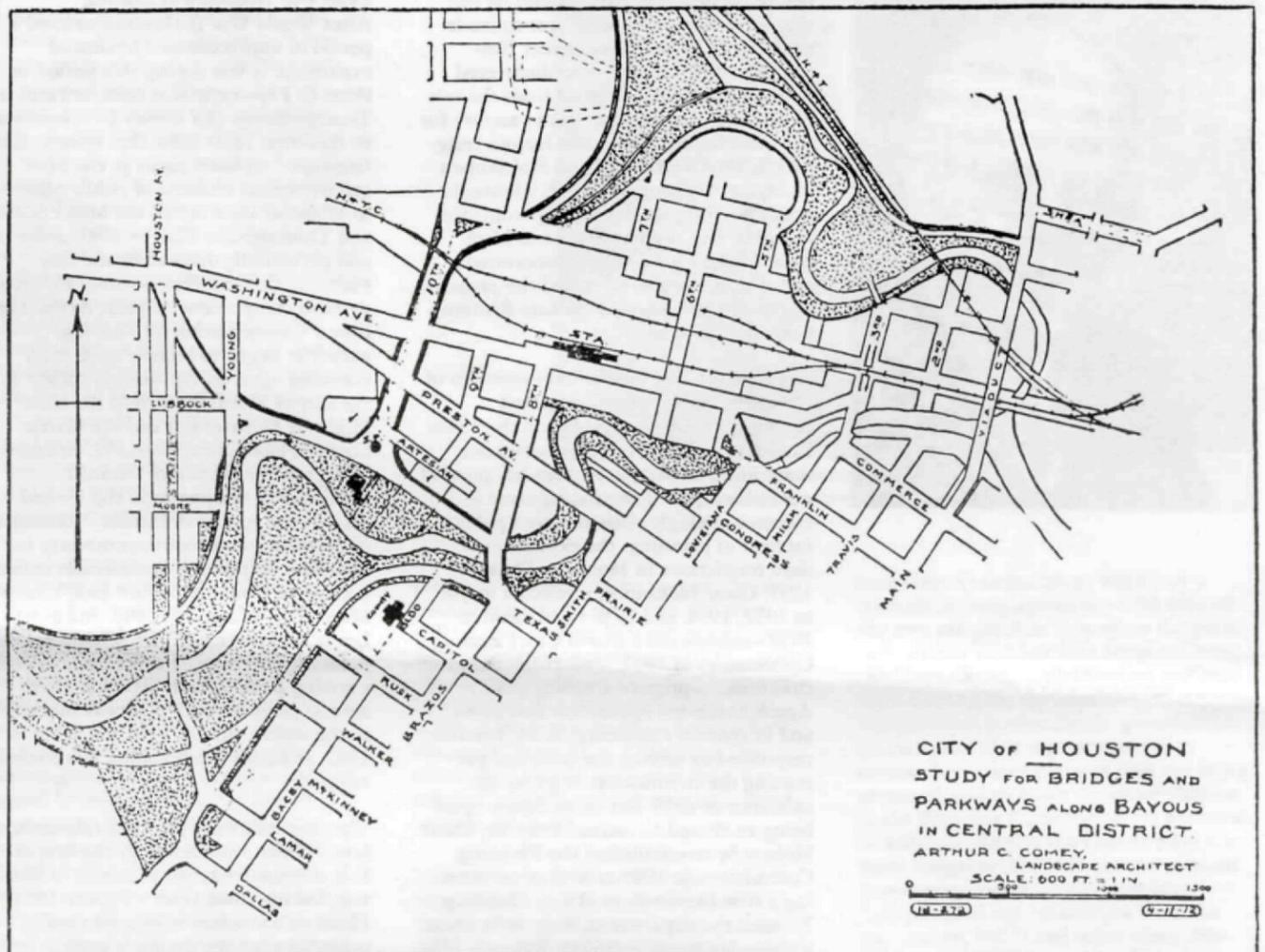
A Historic Overview



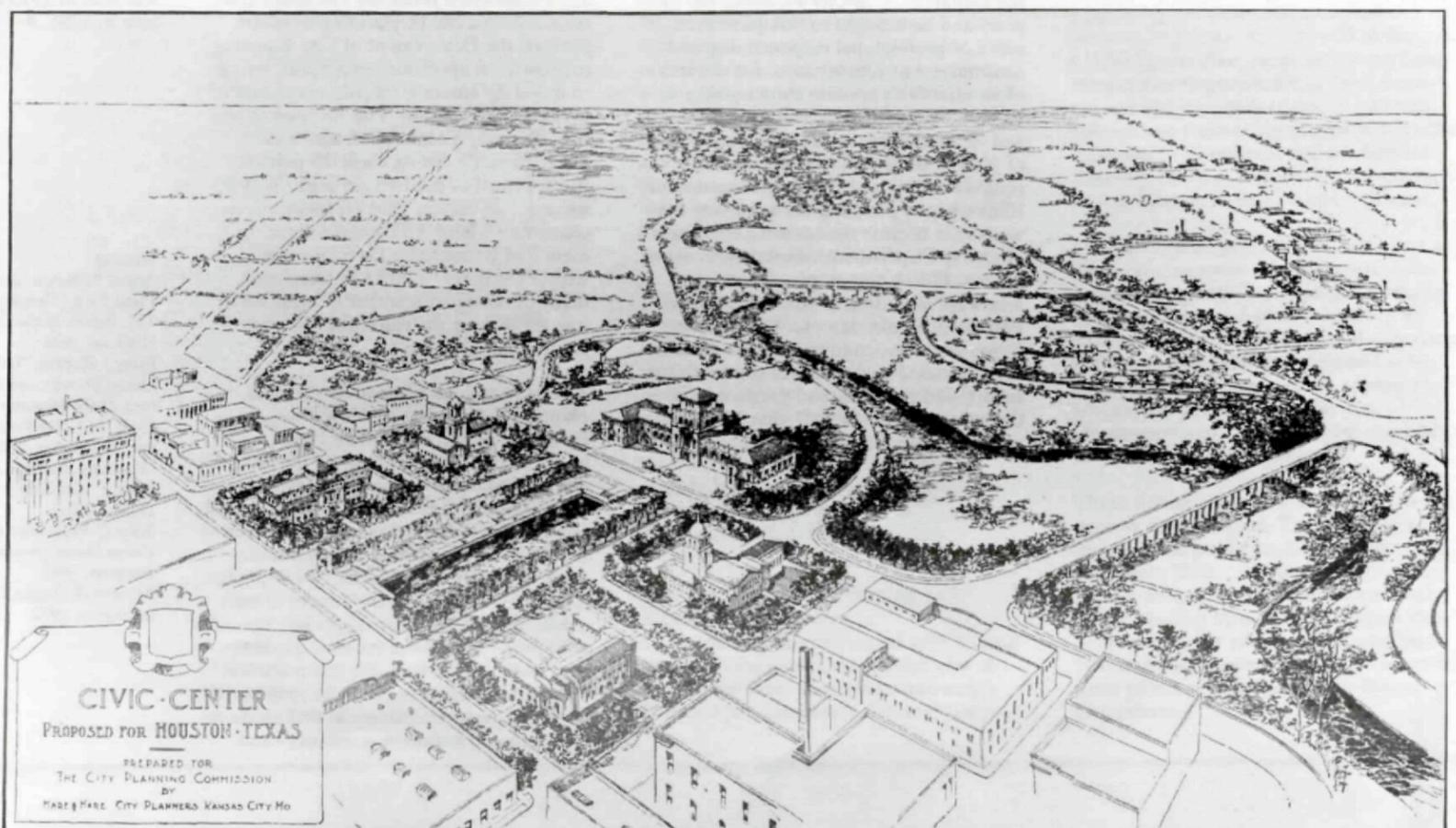
George E. Kessler (Photo by D.P. Thompson, The American Magazine, January 1912)

However, when these achievements are balanced against the shaky course of planning as public policy, the complete dissolution of public planning in Houston in 1930, during the first attempt to adopt a zoning plan, becomes comprehensible. Mayor Holcombe appointed the first City Planning Commission in 1922, but the City Council neither established it by ordinance nor authorized any funds to support its work. The members quickly ceased meeting and in 1924 Holcombe had to appoint a second commission, one established by ordinance and provided with a budget and a charge by the City Council. Hare and Hare were retained by the new commission to prepare a zoning plan, a Civic Center plan, a park plan, a major street and thoroughfare plan, and plans for beautifying the city's bayous. By 1926 Hare and Hare had produced a series of proposals for physical improvements, particularly for the Buffalo Bayou Parkway and for the Civic Center. However, when the commission's appropriation was depleted, its work ended and the commission members again ceased meeting. It was due to Will Hogg's intervention and his willingness to spend his own money for a cause that he supported which enabled property to be acquired for the parkway between downtown and River Oaks and for the Civic Center.

In acknowledgment of Hogg's work (which included securing passage of legislation by the Texas State Legislature in 1927 enabling cities to adopt zoning laws and to control the platting of subdivisions), Holcombe appointed him to chair a third City Planning Commission in 1927. But Hogg resigned in 1929, the year



Arthur C. Comey's diagram of proposed parkways along Buffalo and White Oak bayous in central Houston (Houston, Tentative Plans for Its Development, 1913)



Hare and Hare's perspective of a proposed civic center organized around Hermann Square at the head of a proposed Buffalo Bayou Parkway, 1925 (Report of the City Planning Commission, 1929)



Right: Mayor Oscar F. Holcombe (left), City Planning Director Ralph S. Ellifrit (center), and Planning Commission Vice Chairman M.E. Walter (right) reviewing Houston zoning map, 1947 (Photo courtesy Ralph S. Ellifrit). Below: S. Herbert Hare (Photo courtesy of Ochsner, Hare & Hare)



before his death, in part because he felt that local political support was so inadequate. In 1928 he helped defeat Holcombe's re-election after he discovered that the mayor had profited from the sale of property that the city was to acquire for the Civic Center. Following Hogg's resignation, the City Council and Holcombe's successor as mayor, Walter E. Monteith, began hearings on the zoning ordinance and plan drawn up by Hare and Hare. Taken aback by a display of concerted opposition, the council tabled the proposal and once again allowed the City Planning Commission to lapse.

In reaction to the laissez-faire attitudes of the 1920s, public planning gained tremendously in prestige during the 1930s. In Houston, however, it remained dormant until, as Barry J. Kaplan has pointed out in his study of the zoning issue in Houston, a single crisis renewed public interest in planning: the expiration of deed restrictions in Montrose Place in 1937. Oscar Holcombe, re-elected mayor in 1932, 1934, and 1936 - and again in 1939 - established a fourth City Planning Commission in 1937, with Hugh Potter as chairman, to prepare a zoning plan. Again, concerted opposition developed and Holcombe's successor, R. H. Fonville, responded by tabling the issue and permitting the commission to go out of existence in 1939. But immediately upon being re-elected to succeed Fonville, Oscar Holcombe re-established the Planning Commission in 1940 as well as constituting a new Department of City Planning. To head the department, Holcombe chose a young landscape architect, Ralph S. Ellifrit, who came to Houston in 1939 as Hare and Hare's local representative.

Ellifrit retained the position of director of the Department of City Planning for 23 years and he brought to this position a sense of professional responsibility and continuity that compensated for the lack of an effective planning constituency in Houston. During the war years Ellifrit and Herbert Hare revised the park plan of 1929 and the Major Street and Thoroughfare Plan of 1929. At the same time, Ellifrit began planning for a freeway network that became the basis for the Texas Highway Department's eventual Houston system. Ellifrit was responsible for the westward extension of the Brays Bayou Parkway, the creation of a White Oak Bayou Parkway, and the addition of many neighborhood parks. He set standards for subdivision planning and produced a new Civic Center plan in 1957 that led to the renewal of the Civic Center district.

Post-War Attempts at Zoning

After World War II Houston entered a period of unprecedented territorial expansion. It was during this period, as Peter C. Papademetriou demonstrated in *Transportation and Urban Development in Houston, 1830-1980*, that streets - and freeways - replaced parks as the basic infrastructural element of public planning in Houston. As a result, the Major Street and Thoroughfare Plan of 1943, enforced and periodically updated by the City Planning Commission, became the city's *de-facto* comprehensive plan. At the same time a fragmentation in planning authority began to become evident as planning agencies not directly subject to the City of Houston, such as the State Highway Department and the Harris County Flood Control District, emerged. However, the symbol of planned municipal development in the United States - the zoning ordinance - continued to occasion tremendous controversy in Houston, despite the considerable support it received from established local interests. Mayor Otis Massey, in 1946, and Mayor Lewis W. Cutrer, in 1959, initiated public planning and hearing procedures to draft a zoning plan. In each instance, after several years' work, a plan was submitted to the voters, first in 1948 and again in 1962, and both times zoning was soundly rejected.

The year following the 1962 referendum, Louis Welch was elected to the first of five consecutive terms as mayor of Houston. During these years - 1964 to 1973 - Houston continued to expand rapidly, eclipsing even the dramatic growth periods of the 1920s and 1950s. Welch replaced Ralph Ellifrit as director of the Department of City Planning with Roscoe H. Jones, who retained the post from 1964 until 1983. Jones did not adopt Ellifrit's role as a public planning advocate. Instead, the Department of City Planning concentrated upon documentation, trying to maintain accurate records in the face of Houston's expansion. The function of the City Planning Commission also was limited strictly during these 20 years to the approval of subdivision plats. Welch's successor as mayor, Fred Hofheinz, even created divisions of Economic Development and Community Development within the mayor's office to carry out many of the functions that in most American cities were the responsibility of a planning department.

After the zoning referendum of 1962, planning subsided as a public issue in Houston. Yet, in the middle 1960s, it began to re-emerge as a factor in commercial real-estate development. Master plans of development, restrictive covenants, and legal associations charged with maintaining these covenants had been commonplace in Houston residential development since the 1920s. With the advent of suburban office and industrial parks, regional shopping centers, and massive garden-apartment and townhouse communities, these mechanisms began to be employed by developers of commercial real estate to establish and maintain standards - and

property values. The co-existence of private planning and public laissez-faire was sustained by the belief that unceasing economic growth would result in the correction of disfunctional conditions, once they had become apparent, on an ad-hoc basis. Indeed, the real-estate lawyer Bernard H. Siegan used Houston as the model of an economically self-regulating city in his book, *Land Use Without Zoning* (1972).

The imposition of a moratorium on new construction in many parts of Houston in 1974 due to the city's insufficient sewage-treatment capacity indicated, however, that even without a zoning ordinance the municipal government had to play more than a passive role in urban planning. The dizzying intensity of growth and development that lasted until 1982 demonstrated that even the most far-sighted and comprehensive private planning could not address the sort of issues that were becoming more and more problematic: traffic congestion, flood control, air and water pollution, and uncertain public services. Symbolic of a cautious shift in official attitudes toward public planning were a series of actions by the Houston City Council and by a new mayor, Kathryn J. Whitmire, who was elected in 1981. Passage of the Development Ordinance in 1982, authored by council member Eleanor Tinsley, marked a tentative first step toward defining a public planning policy. This was followed by Mayor Whitmire's revitalization of the City Planning Commission, chaired by Burdette Keeland, and the appointment of Efraim S. Garcia as director of City Planning in 1983 to succeed Roscoe Jones.

Yet for Houston the critical issue remains one of public understanding of, and support for, a public planning policy. This was true in 1913 and it remains no less true in 1985. ■

Sources

- Arthur Coleman Comey, *Houston: Tentative Plans for Its Development*, Boston, 1913.
The Report of the City Planning Commission, Houston, 1929.
 Barry J. Kaplan, "Urban Development, Economic Growth, and Personal Liberty: The Rhetoric of the Houston Anti-Zoning Movements, 1947-1962," *Southwestern Historical Quarterly*, vol. 84, October 1980, 137-168.
 "Planning the City: An Interview with Ralph Ellifrit," *The Houston Review*, vol. 3, Winter 1981, 203-219.
 Peter C. Papademetriou, *Transportation and Urban Development in Houston, 1830-1980*, Houston, 1982.
 Bernard H. Siegan, *Land Use Without Zoning*, Lexington, 1972.