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REPORT ON HOUSING AND HEALTH

PART I

THE POSSIBILITY OF CODES EMBODYING NEIGHBORHOOD STANDARDS

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I. Background

The American Public Health Association report, "Planning the Neighborhood," has served for more than 25 years as a guide to practice in neighborhood design, and as a guide to standards of neighborhood appraisal. The standards which the report and the subsequent rating method proposed included 24 enumerated physical facilities or services (water, sewer, schools, etc.) and a number of qualities (density, site design, accessibility) required of the neighborhood. In some cases these requirements were specified quantitatively (e.g., dwelling density); in other cases where quantitative specification was possible (water volume and quality) such specification was not quantified. In still other cases no quantitative expression of standards was then possible. Despite these limitations the standards have been universally recognized as the most authoritative existing, and elements of them appear in local planning reports, and sometimes in local ordinances.

The American Public Health Association companion standards for the dwelling unit were more specific; they were followed by an appraisal or rating system also developed by APHA, which was widely used for rating substandard housing areas in urban renewal programs in all parts of the country. These standards were still later embodied in housing codes, enacted by local authorities, and which provide the basis for housing code enforcement activity in almost all large cities and many smaller ones.

While the Neighborhood Standards were similarly embodied in a rating system, in its Appraisal of Neighborhood Environment there has been no comparable development of neighborhood codes on a widespread basis. The rating system was initially used in a number of cities to delineate renewal areas, although in practice simplified forms have been more common, where

used at all. In part this failure of development may be attributed to the comparative lack of acceptance of the standards adopted, or to the comparative weakness of the empirical support for the standards. In part it may be attributed to an inability to deal with the problem of enforcement against the congeries of agencies responsible for neighborhood conditions.

The condition of the dwelling unit has long been conceived as a responsibility of the property owner. A health standard could therefore be enforced on the owner, and where appropriate on dwelling occupant. The condition of an existing neighborhood, however, results from the acts or derelictions of numerous parties, many of whom are public agencies. They include home owners, store keepers, churches, settlement houses, public utilities, but most importantly the municipality, the school district, the county, and numerous special districts which provide or fail to provide specific neighborhood facilities and services, streets, water, sewerage, playgrounds, schools, and the like. Often these facilities and services are provided subsequent to development, usually they are provided incrementally through time, often they are provided in symbolic rather than significant quantities. Few local areas offer all of the services enumerated by the APHA at the indicated service levels for even the highest-class residential areas, and important deficiencies will be found in some services in almost all other types of neighborhoods in almost every city.

Even in theory it is difficult to envisage the adoption of a neighborhood standard code by a municipal or county authority which has been unable or unwilling to meet many or most of the standards required. It is conceivable that a local jurisdiction might apply such standards to new development, in effect requiring the developer to provide or to make payments

adequate to support a full range of community facilities. The agreement recently reported between the sponsors of Columbia, Maryland, and the county of jurisdiction, providing assurance to the county that the new development will provide an industrial or commercial tax base in support of residentially required services, such that the new community will impose no new tax burdens on the rest of the county, is a proxy for such a standard. Other instances could be cited. In these instances, however, the existing level of services, a relatively low standard, is the measure, rather than any standard set. In other cases the remedy for a neighborhood deficiency may be against nonexistent parties. Under national traditions wherein many health, welfare and other services were supplied by private agencies, the absence of the service was scarcely legally actionable. But in recent years the public has assumed far broader responsibilities in these fields, and today two major federal grant programs make "citizen action" a condition of aid; i.e., where no appropriate authority or service exists the community is under an obligation, if it desires another service, to initiate the needed one.

II. The Applications of Neighborhood Standards

While the application of standards for neighborhood facilities and services may have been utopian a generation ago, today such standards may not only be viable, but may also be indispensable, in both developing and in renewal areas. While these two classes of cases must be distinguished, certain characteristics of contemporary government operate in both. The first of these are grant-in-aid systems which require standards as a basis for the distribution of state and federal funds. In housing and urban renewal aids, open space grants, grants for secondary and higher education,

health and welfare facilities, public works grants including those for sewer, water, utility and other facilities, highway and scenic highway grants, and some phases of area development, economic opportunity and poverty programs, a local plan and local standards are required. In some instances, as in the "workable program" requirements for housing and renewal aids, these standards are multi-functional, i.e., they require not merely housing codes, but also comprehensive city planning and citizen action toward plans or programs in other fields.

The multi-functional aspect of these functional program requirements appears to be spreading. Legislation proposed by the Advisory Commission on Intergovernmental Relations and already passed by one house (S.561) would extend the planning requirements of this type to many Federal government aids. Federal grants for health facilities, among the leaders in improving planning requirements, now extend aids, de facto, only to communities which have health facility plans, and de facto, given the level of grants available, this is all urban areas. The same comments apply to Highway Trust Fund programs. Thus the increasing utilization of grants in aid, and their almost universal acceptance, have created conditions under which virtually all urban areas are now recipient of aids which impose both procedural planning requirements and implicit or explicit standards. Under these circumstances the obligation to adopt neighborhood standards would be widely accepted, aids to the attainment of any given standard will be increasingly available and the willingness to adopt some minimum standard may be assumed. The promulgation of a set of standards by an authoritative agency would be of considerable assistance, both in the administration of aids by the states and the Federal government. It would be invaluable to local groups seeking the adoption of local standards.

Even if such a set of standards were not to be imposed as a grant-in-aid requirement generally they would have considerable value for yardstick purposes, as a means for measuring the quality of a neighborhood for many purposes, and as an administrative guide for demonstration projects. In urban renewal planning, for instance, neighborhoods are usually rated upon a basis of the condition of the stock of individual buildings, with far less reference to the network of neighborhood facilities. Building condition rating systems are invariably used in renewal planning. Neighborhood rating systems are rarely used, though notable deficiencies are often enumerated in local reports. Many potential renewal areas may contain relatively small ratios of substantial dwellings, yet are so deficient in community facilities as to be a physical or social menace to the inhabitants and the community. A modern set of standards would provide criteria for identifying such areas, and establishing priorities for their treatment.

Demonstration programs are an increasingly effective tool for the testing of policy alternatives, and for the education of the community and its public and private leadership toward higher standards. A neighborhood code would provide criteria for selecting such programs, and for evaluating them. Some city-wide demonstration projects have been undertaken on a functional basis, and multi-functional demonstration programs impend at this scale. We may anticipate such efforts in poverty areas, involving the programmed application of poverty, renewal, health, education, and welfare aids on a city-wide basis. Prototypes already exist in Pittsburgh and New Haven.

Finally the development of planned community zones and increasing activity in the building of new communities create demands for the application of neighborhood standards. Planned community zones have been increasingly

adopted by local governments, making the development of neighborhood standards imperative. Such zones commonly confer discretionary authority upon the planning staff and a lay commission to approve or disapprove plans for neighborhood scale developments under only the most vague criteria regarding required neighborhood facility and service standards. While the concept is intrinsically attractive, in order to permit innovation, to encourage design effort, to encourage economy in development and for other reasons, in the absence of standards it opens the way for abuses, and places the parties at action under unreasonable pressures. Quite similar problems face the developers of new communities, and the county governments with which they usually deal.

Thus there appear to be opportunities for the application of neighborhood standards which did not exist a generation ago and needs for the embodiment of such standards in neighborhood codes which are quite new.

III. Deficiencies in the Standards System

Existing standards suffer from a number of deficiencies, many of which were recognized at the time of their development, and others of which arise from new discoveries or concepts. A few of these are briefly discussed below.

First, "Planning the Neighborhood" and most similar if less ambitious efforts necessarily relied upon normative standards for which there was little empirical foundation. The standards of housing density, for instance, reflect the judgments of a group of skilled professional people regarding the amount of light, air and open space needed to maintain health, even though the health consequences of higher densities had to be inferred from

fragmentary or unscientific evidence. It is now quite evident that other standards with respect to light and air may have no detrimental effect on health, that technological developments have made possible the substitution of mechanical devices for light and air under certain circumstances, and that higher densities are possible if certain other conditions can be satisfied.

The community facility requirements stated in the standards contained similar weaknesses. They relied upon impressions and judgments where behavioral evidence was lacking. Requirements for recreation space or for retail stores, for instance, might be substantially modified in the light of present knowledge regarding the actual utilization of open space or consumers' actual behavior with respect to shopping. This type of correction of standards could readily be made in the light of existing knowledge, though the task of assembling that knowledge and of filling gaps in it will involve substantial staff effort in a number of specialized fields. A contemporary set of standards would, in short, be more behaviorally based, and would rely more heavily upon empirical support.

Further, in some quarters the whole theory of the neighborhood has been seriously challenged as being based upon a single set of values which were in conflict with other values of equal importance to our society. The current claims of those concerned with civil rights, that the neighborhood concept contained implicit segregationist aims, and that our civil rights objectives now necessitate that these be subsumed to other objectives, are a case in point. Behavioral evidence suggests that the earlier, more simple concept of the neighborhood as a single service district for many functions was unrealistic, and that increased mobility has attenuated, at least, its remaining force. It is now recognized that different functions

in fact require different service areas. It follows that many essential neighborhood services may be provided outside the neighborhood, or at greater distances than those originally contemplated, at least for some population groups, and that standards for these must be built into neighborhood standards through criteria of accessibility which are increasingly available. These concepts are of course indicated in tentative form in the existing standards, but without the dimensioning now possible.

Next, the original APHA committee was unable to give adequate attention to the concept of substitutibility in its standards system. We now recognize that within certain limits space may be a substitute for a facility (low density for a community sewer system), that accessibility or transportation facilities may in some instances permit a higher level of de facto service than a local facility or service, and even that demographic characteristics (high income) or social controls may in some cases obviate the need for a facility or service which may be essential under other conditions. A refined system of standards would take cognizance of these distinctions and would define the conditions under which each standard is required, the degree of the requirement, and the degree of tolerable substitutibility.

A closely related weakness of the exposition of the original APHA standards is their dependence upon an assumed and unreal population. They assumed a population composition for a neighborhood which reflected only one of the many common types of neighborhoods with respect to population composition. "Planning the Neighborhood" did not adequately provide, even within the set of standards adopted, for the range of variation in demand for different kinds of facilities which would arise, for instance, in neighborhoods consisting of very high proportions of children, such as those

which characterized most postwar suburban tracts, or neighborhoods with very high proportions of older adults which exist in most metropolitan areas. It ignored the possibility of substantially higher densities, in some instances, or for substantially less open space in other instances, or for higher or lower proportions of schools depending upon projected child population through time. In practice, of course, the standards have been used flexibly and practitioners have developed nomographs for the conversion of APHA's neighborhood standards in various fields to differing population groups. Nevertheless, even with standards fixed, it is evident that improvements can be made in the manner of presentation, as well as in the assumptions themselves.

During the last generation the concepts of performance standards, and of the performance of a system, have been widely adapted in other fields. The performance criterion has been implied in much of the preceding. What is sought by the standard is not the described facility or service, or the absence of an enumerated type of activity deemed detrimental, but a result, which it is implied the service can provide. While the shift to performance standards cannot be made universally, and in some areas the older descriptive facility or service standards may retain utility, their incorporation where feasible will vastly improve the product. The systems approach presents similar opportunities and difficulties. It will necessitate a careful examination of the tradeoffs, interchangeabilities, or substitutibilities of the different services or facilities deemed necessary, and statements of conditions under which substitution is feasible, or under which different service levels may be required.

The dimensions of time, change and rates of change require insertion into a neighborhood standards system. Neighborhoods develop through time.

Facilities are not available at once, but through time, and what is essential in the attainment of a set of standards is a rate of change or development which will assure their availability when required, or that can make compensatory services available in the interim. This distinction is critical when a standard is converted to a code. The typical suburban tract of the postwar period, with its high population of young, pre-school children, did not initially require high schools or teen-age recreation facilities. It did require space for their ultimate provision, transportation services for the tiny number of teen-agers who were resident, and institutional arrangements which would reasonably assure the provision of facilities of special types when needed. Even a momentary consideration of the demographic changes which have occurred in most existing neighborhoods through the last thirty years suggests that the factor of adaptability may be the most critical in any set of neighborhood standards. A variation of adaptability through time is the dual standard concept which is discussed below.

Finally, during the years since the original APHA standards were promulgated, our standards have risen in some respects, and our knowledge has expanded. The existence of an elementary public school is no longer accepted as sufficient evidence of school service. While it may be difficult to construct a performance measure for education, if we were to redesign these standards today we would doubtless use at least some measure, such as children per room, or expenditure per child, as an indicator of acceptable or unacceptable facilities or services. The public is probably now willing to exclude from residential use land subject to flooding more frequently than every twenty years. On the other hand, certain classes of industrial activity have come to be welcomed in proximity to residential areas.

IV. A.) Actionability of a Minimum Standards Code

A workable "minimum standard" neighborhood code could be developed upon the basis of existing neighborhood standards and rating systems. While such a code is technically possible, it would embody the major weaknesses of existing standards and rating systems described above. Such a code would have to be based upon arbitrary standards, ignore the substitutions that can be made between services and facilities, rely upon normative rather than behavioral or performance standards. Under the circumstances, a review and redesign of the basic standards for neighborhoods would be a preferable approach.

After a reworking of the existing concepts of neighborhood standards, a "minimum standard" neighborhood code could be developed. Such a code might have the following characteristics.

1. It would provide an overall point score for the neighborhood environment and services, based upon a scoring system which recognized the varying needs of different population groups in different locations and densities at different times, and with systems of services which were believed to provide minimum essential standards of health and livability.
2. Some sections of the rating system would contain "reject" ratings, i.e., scores which should rank a neighborhood as "unsafe for human habitation." Such scores would presumably indicate the most urgent priorities for public or private investment or expenditure, or for code enforcement.
3. Cumulative scores should distinguish relative conditions of neighborhoods such that they could be used to identify priorities in the provision of community facilities or services within neighborhoods, indicating alternative forms of remedial action required. The cumulative scores would desirably constitute a measure which could show change through time,

i.e., progress in remedying deficiencies.

4. Hopefully, the scoring system would also suggest, if not positively indicate, where services in one field might temporarily offset, if not entirely eliminate, deficiencies in another. For instance, where neighborhood or nearby health facilities are not available, a community service worker dispensing information, and convenient transportation service to the health facilities, should be rated as an acceptable temporary substitute.

5. The standards and the resulting codes should take cognizance of factors arising outside the neighborhood which have a direct bearing upon health and livability within the neighborhood, e.g., hazards of air pollution or flooding, or community facilities outside the area but serving it. The absence of health facilities in the original rating system is an example.

It should be recognized that most existing neighborhoods will reveal major neighborhood deficiencies on any defensible rating system or code, though many will have offsetting favorable scores arising from demographic, accessibility or other measures. All slum areas, however, will have serious deficiencies without such offsetting scores. Thus a high density-high income apartment zone on Park Avenue, New York, might have exactly the same score on physical facilities as a nearby Harlem slum of comparable density. In the first instance, the income composition of the population, with its resulting greater access to health, recreation and other services, will substitute for these deficiencies. In the latter case, inputs of service must be provided to achieve tolerable standards.

Further, it should be recognized that the application of a neighborhood code to an existing area will be a source of embarrassment to many agencies

of local government and will tend to focus attention upon their inability or unwillingness to provide facilities and services at minimum standard levels. On the other hand, the increasing availability of Federal and state grants in aid, and the prospect that neighborhood codes will be used as criteria for aid allocation should somewhat abate these problems and may have very positive effects on local programs in generating competition for grant aids. As such codes become accepted and recognized they should set performance standards for local governments.

The absolute code standard had the virtue of setting a high standard, but the weakness of unattainability. The result was systematic non-enforcement. Implicitly society recognized that the cure could be worse than the evil sought to be remedied. A "minimum" neighborhood code should recognize these limitations, not by abandoning the standards, but by calling attention to the processes necessary to remedy conditions through time, and conceivably by rating risks of failure to improve. In this way, it may be hoped, deficiencies can be recognized, and as resources become available, be remedied steadily rather than sporadically.

B.) Actionable Desirable Standards

A "desirable" standard will have many of the system characteristics of a minimum standard. Its emphasis will vary in certain respects.

1. Higher standards of performance may be attainable and required in newly developing areas, in clearance and redevelopment areas, or in extensive rehabilitation. This is already recognized in distinctions made in renewal.

2. These standards are enforceable against new construction. Sponsors may be required to provide or assure community facilities as a condition of permission for construction, or for mortgage loans or insurance.

Many large scale developers now recognize this necessity and some communities enforce some standards of this sort.

3. The standards may be enforceable against local government agencies through FHA mortgage insurance and other Federal or state aids. Why should any Federal aids for development be made available to a community which permits residential construction in areas subject to floods, subsidence or firestorm. Why should any Federal aid for additional development be made available to a community which fails to provide adequate sewerage? While it is clear that the Congress, the state legislatures, and the public have not yet reached a level of understanding which would tolerate the early adoption of such a standard in all Federal aid programs, it is equally clear that they are moving rapidly in that direction. The studies of the Advisory Commission on Intergovernmental Relations, for example, at the Federal level, and of New York State on water pollution at the state level, are evidence of such trends in public thinking. The existence of neighborhood standards and a draft neighborhood code would undoubtedly accelerate and aid in the evolution of such policies.

4. The standards may emphasize the time dimension; i.e., they may establish a schedule for the provision of facilities as a neighborhood develops. It may be feasible to prepare institutional standards which will lead to the provision of facilities or services as population grows, and to have these standards tied to facility requirements. This is sometimes done, as where a private sewerage plant, connected to homes, is permitted as a temporary expedient, with the further requirement that a sewerage district be organized to take over private facilities, and that water charges be established in escrow to the new district, at a rate which will support the district when

the appropriate development stage is reached. Such systems will abate the presently universal practice of hiding the ultimate costs of development, and of shifting them to existing inhabitants or future owners.

5. The standards may emphasize the provision, upon development, of space required for future facilities. Requirements for neighborhood recreation space are now often imposed as a condition of subdivision approval, pursuant to which a substantial body of subdivision law has already developed. No comparable body of practice has yet appeared with respect to other facilities or to facilities serving more than a single development, although various fee arrangements and land pooling arrangements have been proposed.

6. The standards may look to state or county enforcement rather than to municipal enforcement. To date, most standards have been viewed as a matter of local responsibility. Unfortunately competition between local governments for development effectively limits the power of local officials to impose or enforce such standards even though they might be accepted if enforced upon a state or metropolitan basis. The recent adoption of state standards, as in state housing codes, and of metropolitan agencies, as in air pollution, attest to the growing governmental awareness of these problems. Again, the availability of a code would facilitate state adoption of standards, perhaps for local implementation, which would render such standards enforceable.

V. A Program of Action

1. The American Public Health Association, the American Institute of Planners, and the National Association of Housing and Renewal Officials should appoint a joint committee to reconsider standards for neighborhood planning, and to develop a code or set of codes pursuant thereto.

2. The U.S. Public Health Service should indicate its willingness to provide research and development funds for such an effort over a four-year period.

3. The Committee should retain an executive secretary to assist in program planning and to organize and coordinate technical subcommittees and prepare summary reports.

4. The Committee, in consultation with the Public Health Service, should select an appropriate research agency with special competences in housing, planning and renewal to conduct the main studies and to arrange for the subcontracting of special studies. It should be noted that in most fields there now exist standards, performance measures, behavioral data and the like, and that in almost every field additional research will prove to be desirable and necessary. The central thrust of the Neighborhood Standards effort should be to utilize existing knowledge, to improvise new measures from conceptual studies and very small samples, and to concentrate upon the relations between standards under varying circumstances. With this emphasis a preliminary framework can be developed in a one-and-a-half to two-year period, and be circulated for testing and comment. The "final" product, hopefully produced within four years, may benefit from other, independent research stimulated by the standards effort. Nevertheless, it should be issued recognizing that later knowledge will modify any standards proposed.

5. A neighborhood standards development program must be coordinated with other scientific and professional efforts. Of these, three deserve special mention. The American Law Institute is conducting a major attempt to codify land use and land planning law. This program will be reviewing many of the standards involved from a legal standpoint during the next few years. Community Renewal Programs in a number of major cities are developing

formal models of neighborhood growth and change. Some of these are simulation models, others are of the optimizing or linear programming type, and still others are designed to measure impacts of public policy or other changes. As these evolve they present an exceptional opportunity for testing of policy alternatives in neighborhood standards. Transportation-land use studies offer similar data sources, particularly on accessibility. A third field of research endeavor which may prove significant to a neighborhood standards program is the application of systems analysis to poverty programs, something which is now in its early stages. These efforts may be expected to expand, and to provide both data and concepts for use in neighborhood standards.

6. Detailed research topics would appropriately be provided by the project sponsors, or a research institution. Suffice it to say here that research might focus upon the following areas.

- a.) A review of public actions in the local areas which were rated during the years 1940-50, to secure indications of the levels of public response to substandard conditions, the types of response, and the responses that might have resulted from the existence of a code.
- b.) A review of changing standards for each of the items embraced by the old standards, to update them.
- c.) A review of new factors or conditions now requiring inclusion, e.g., smog or other specific air pollutants.
- d.) An examination of public policies, as evidenced by legislative and executive actions of the several levels of government in each of the standard areas, to define changes in public willingness to assume responsibility for new standards. These might

include new uses of zoning powers, the standards used in master plans and community renewal programs as opposed to those embodied in codes or regulatory processes.

- e.) Theoretical studies of the relationships between required services and facilities and of methods for measuring their combined effects, as through linear or dynamic programming methods.
- f.) Behavioral studies on the actual utilization of the enumerated facilities or services to specifically identify service-deficient groups and areas.

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