

AICP STUDY GUIDE

Podcast

Episode 29: You're Such an Enabler, Wisconsin

And welcome to the twenty-ninth episode of the VERY UNofficial AICP Study Guide Podcast. I'm Jonathan Miller, and thank you so much for joining.

I hope everyone's had time to balance relaxing and studying this summer. I know it can constantly feel like it is just one thing after another, but just keep your head down and keep pushing forward. You'll get there.

Anyways, for your deadline update, you have a week until your application is due if - that's if - you plan on doing the experience essays. Otherwise, you have basically forever, or October 4th. But either way, why wait?

So, to recap the last episode and provide a little more context, we covered the City Efficient Movement which is sometimes called the City Practical Movement.

We talked about how Frederick Winslow Taylor, an engineer in the steel industry, wrote a book called, "The Principles of Scientific Management," which ended up promoting a more efficiency-based model that translated to government - and subsequently - planning.

Really, the whole movement could be summed up as a movement that brought engineers and lawyers into the planning field by promoting data and heartless corporate efficiency models, and that while data is a good thing, the City Efficient Movement largely failed to look holistically at the data; resulting in biased and misinformed policy-making because it also removed any humanistic or social science component.

That's why City Efficient largely can be characterized as promoting auto-centric designs, and also the beginning of slum clearance, and also the beginning of zoning enabling acts; but we'll get to that later.

Now, onto the main topic of today: miscellaneous state developments in planning. Woo!

What does that mean? Well, we'll talk about the first State Enabling Act - that's before the Standard State Enabling Act by the way, and some states that created new legislation to make platting and planning mandatory.

So, let's head on over to America's Dairyland: Wisconsin, specifically, Madison.

(02:35)

Madison, Wisconsin in the early 1900's saw some crazy changes - like most cities at the time. The industrial revolution saw expanding boundaries and even some leap frog development. There were changes in transportation with the automobile, and there were sanitation improvements as well.

All of these factors led the City of Madison to say, "Hrm, we need a comprehensive plan to make sure we're growing like we should be." And with that, 300 Madisonites came together to make this comprehensive plan a reality.

But, who was this organization? Could they even have an organization? Who got to be in the organization? Because of course, you can't have a 300 person committee.

Now, I know what you might be saying, "But Jonathan, we already talked about the first planning commission in Hartford Connecticut in 1907. Why is any of this special?"

Well, remember that the first planning commission in Hartford was actually formed by the State. It was the State of Connecticut that passed legislation which created the planning commission, and they did so in a one-off kind of way: "We're creating a planning commission for the City of Hartford." That kind of thing.

Wisconsin however, didn't want to do the one-off thing I guess, because they just came out and said all cities that are first, second, or third tier - whatever that means - can create a planning commission.

So, is that all it did? Just say, "go ahead and create a planning commission?" Of course not. It also went ahead and laid out: who is on this commission, how they are selected, and what they are tasked with doing.

(04:48)

So, who is on this commission?

Well, that act said that each commission would be made up of 7 members: the mayor, the city engineer, the president of the park board, one member of the common council, and three citizens at-large. And if the city didn't have a park board? Well, then the mayor would appoint 4 members instead of the original three.

The council member would be selected by two-thirds vote of the Council, and this would be done every year. The three citizen members would be appointed, each on a different time span: 1 on a 3-year term, 1 on a 2-year term, and 1 on a 1-year term. And if there wasn't a Park Board? That citizen rep would be appointed yearly.

None of these member by the way, may be a part of the commission if they are, "actively engaged in the buying or selling of real estate in such city, and all citizen members shall be persons of recognized experience and qualifications."

Oh, and no one gets paid for it.

So, what is this group of seven extraordinary people tasked with?

Well, the common council is tasked with diverting all questions regarding location and architecture of a public building to the Commission for their opinion. The commission also considers the location of statues and memorials, and basically anything having to do with streets; i.e. the location, extension, widening, blabby-blah - you know the laundry list of synonyms for modification - and all plats and replats.

The Commission is also allowed to consider pretty much anything else the Council wants to send to them, and can partake in making plans for the City ...

The other thing this planning enabling act of 1909 did was permit cities to acquire lands through a variety of means: purchase, gift, condemnation, as long as it was for public uses.

(07:14)

Now, it's important to note here too that this planning enabling act by Wisconsin ends up being the template that the federal government would end up using for the Standard State Zoning Enabling Act, but like I said, we will get to that later.

Wisconsin wasn't the only state though looking at expanding these powers, or at least making them legit. In 1913, New Jersey became the first state to make the referral of subdivision plats mandatory, which

marked the beginning of subdivision control by planning boards.

And then again in 1913, Massachusetts said “we won’t be outdone,” and they became the first state to make planning mandatory for local governments.

And then, California went a step even further and made subdivision plats mandatory for extraterritorial lands in 1915. FYI, extraterritorial lands are the unincorporated areas around the municipality that is contiguous to the corporate limits of the city. It gets more complicated based on population, but that’s all that’s important for now, required referral of subdivision plats for extraterritorial lands.

(08:42)

Well, we kept it pretty bare bones this time.

For your recap:

Madison, Wisconsin - seeing a lot of unplanned growth and activity from the industrial revolution - wanted to get some more orderly and controlled growth and development. So, they were like “we need a damn comprehensive plan.”

They didn’t really have the power to put one together. In fact, no local governments really did at the time which is why planning commissions were always being made through state legislation. But Wisconsin one-upped everyone and said “Well, we’ll just make a legislation that lets local jurisdictions in general.” In this case, tier 1, 2, and 3 cities, able to make their own planning commissions.

They outlined who, how, and why they would be made, and really let the local jurisdictions take it from there. Side note, they did their comp plan a year later: Madison, A Model City.”

And with that, the wave of states passing legislation began. In 1913, New Jersey was the first up by passing legislation that made the referral of subdivision plats mandatory, and in that same year Massachusetts made planning mandatory for local governments.

Two years later, in 1915, California made subdivision plats for extraterritorial lands mandatory too.

Now, all of this is a build-up to - you guessed it - the Standard State Zoning Enabling Act, and that’s where we’re going next week.

(10:42)

Well, thanks again for joining me!

If you have any questions, feel free to reach out to me at theveryunofficialaicpguide@gmail.com, and I’ll do my best to help out if I can.

And we’ve made it! We’ve made it to the point where the legal speak starts governing planning, engineers have infiltrated the profession, and now we get lawyers too! Awesome!

For those who tuned in last week, our question was, “Who were the two founders of the first private urban planning consulting firm?” And that would be, Ernest P. Goodrich and George Burdett Ford. As a bonus, their firm – the first urban planning firm – was the Technical Advisory Corporation, founded in 1913.

If you want to play along this week, our question is, “How many people made up the planning commission, as outlined in the 1909 Wisconsin legislation, and who/how were they selected?”

Anyways, don’t forget to subscribe to this podcast on whatever platform you use for podcasts, and feel free to sign up on the show’s website so you can follow along with future episodes, help prepare for the exam, and supplement all of your other study regimens.

And share this out with any planners you know, and don’t forget to leave a review either.

Tune in again next week. Like I mentioned earlier, this was the build-up to the Standard State Zoning Enabling Act, so we'll talk about that, and it's sibling, the Standard City Planning Enabling Act.

Thanks again everyone, 'till next time.

Links:

Wisconsin Planning Enabling Act:

<https://docs.legis.wisconsin.gov/1909/related/acts/162.pdf>

<https://www.law.du.edu/documents/rmlui/conference/powerpoints/2013/Meck-RMLUI-2-6-2013v2.pdf>

<https://www.planning.org/awards/landmarks/#Wisconsin>

<https://digicoll.library.wisc.edu/cgi-bin/History/History-idx?type=HTML&rgn=div1&byte=439621224>

