

BOOK REVIEW

THE LAST LANDSCAPE. By William H. Whyte. Garden City, New York: Doubleday and Company, Garden City, New York, 1968. Pp. 376. \$6.95. Reviewed by: Robert Bruton* and John G. Day**

Mr. Whyte of *Organization Man* fame has written a lucid and entertaining account of the dimensions and dynamics of urban sprawl and of the difficulties of channeling it into more desirable and aesthetic patterns of development. More specifically, *The Last Landscape* is concerned about the realities and usefulness of preserving and maintaining open space not only in the center city but on the urban fringe as well.

While Whyte views the urban scene as a conservationist, finding his inspiration in unspoiled nature, he does not advocate the maintenance of open space simply for its own sake. Throughout the book, he reminds the reader that the location and the configuration of land is often more important than sheer size. For example, a compact parcel one mile square on the outskirts of a city will usually be far less relevant to the inhabitants of the city than a strip eight miles long and 1/8 of a mile wide meandering through heavily populated areas.

Whyte also reminds us that high population densities have their virtues as well as disadvantages. Such densities provide wide and varied markets that support specialization and maximize the variety of services that makes a city attractive and exciting. Of course, propinquity also has its drawbacks: pollution, noise, slums, poverty and disease, to name a few. Although Whyte's emphasis upon open space preservation fails to focus on many of these obvious problems, he does advocate a useful methodology for approaching most urban problems: concentrate on minimizing the disadvantages of high population densities and not on the difficult, if not impossible, task of lessening them.

For these reasons he is sharply critical of the overly ambitious and utopian approaches towards land use planning, such as the "New Town" movement and the "Year 2000" plans, which rely on reserving

* Urban Planner, Department of Transportation; A.B. and B.S., Lehigh University (1957).

** Associate Professor of Law, Osgoode Hall Law School. York University; A.B. Oberlin College (1958) LL.B. Western Reserve University (1961).

Messrs. Bruton and Day wish to state that the views expressed herein do not necessarily reflect those of the Department of Transportation or the Osgoode Hall Law School.

large wedges of open space to "channel" development. These efforts are characterized as "clean-slate" approaches that "vault over the messy present and the near future." Whyte rightly questions these solutions since there is no practical way to "freeze" the large blocks of required land or to limit development to certain corridors, particularly in view of the sharply rising demand for land. Existing legal controls and political machinery are clearly inadequate. Is it realistic to expect one municipality to resist exploitive development with its promise of a larger tax base, while its neighbor reaps the immediate economic rewards of a more "pragmatic" policy? Will the "right" landowners "elect" to keep their land open while neighbors exploit their land at high profits? This list is endless: developers, speculators, public utilities and highway builders will ignore the lines on the planner's map as they pursue their own interests. The remaining alternative—outright acquisition—is simply too expensive given the other demands of the public purse.

The utopian plans are also criticized for lulling us into a false sense of security that something useful is being done. These plans also divert our attention from the less ambitious and more feasible goal of salvaging what can be salvaged while there is still time.

As the foregoing suggests, the main theme of the book is to "use land or lose it." Urban land is becoming increasingly scarce, particularly where urbanization is advanced. This land can be put to many useful purposes. Some are compatible with undeveloped open space; others are not. Whyte graphically points out that the main thrust of planning should allocate these different uses so as to achieve the desired quality of urban development. Any attempt to maintain open space *solely* for the purpose of channeling development is doomed to failure. If land is to be kept open it must be *regularly used* by the population in a manner compatible with the preservation of open space, which requires that city residents have ready and frequent access to it. If this is not achieved, social and economic pressures will compel its use for less aesthetic purposes.

Despite Whyte's frequent warnings that it is almost too late to do anything constructive, he seems to be optimistic about what can be done. While he talks about far reaching reforms, particularly with respect to changes in the political structure (such as regional government) his emphasis is on a "here and now" approach. His solution calls for a "new" look at open space and population density, a realistic appraisal of existing social and economic forces and a more imaginative and flexible use of existing legal machinery for land use

control. Whyte is at his best in describing the legal intricacies and limitations of the various land acquisition techniques. He illustrates how government policies can work at cross purposes and how legislative programs aimed at land use control often do more damage than good. Whyte continually highlights the need to periodically reexamine how our laws actually operate.

For example, large lot zoning often assures rather than prevents haphazard and inefficient land use. The expanding city merely vaults over the "protected" area. As this area becomes surrounded by development, pressures for the use of the "protected" land increase, particularly along the main transportation arteries. Land values and taxes increase. Eventually the lots along the major highways are subdivided and sold to smaller developers with little regard for efficient land use. Once this partial disintegration takes place it is usually too late for corrective action. Unsightly strip development removes any incentive to keep the remaining land open. The extensive areas of zoned land behind the strip development is effectively sealed-off to large scale and high density cluster development. Low density sprawl eventually fills up the remaining area as the land is sold on a piecemeal basis to smaller residential and commercial developers.

Similar results have accompanied preferential property tax legislation designed to ease the farmer's tax burden. In theory such legislation will prevent the development of farmland on the metropolitan fringe. In actual practice it merely permits him to stay on the land until prices are sufficiently inflated to ensure its profitable sale. Or, it is used by the speculator to ease his burden of holding land until it is ripe for development. The speculator simply maintains "token" farming operations or leases the land to the farmer at moderate rents.

As Whyte points out, the major obstacle to effective land use control is lack of money. Many of the more effective controls involve a taking of property that requires compensation. If, on the other hand, a restriction on land use can qualify as an exercise of the police power, compensation is not required. Whyte rightly believes that the police power has not been used to maximum advantage. For example, he argues that the existing police power can be used to create the skeleton of "a comprehensive open space" system based on the natural drainage network that permeates our metropolitan areas. This drainage network (which frequently contains the more scenic portions of our metropolitan landscape) has important uses intimately related to the public welfare, such as drainage and flood and water quality control. Realization of these functions requires that this land be left

undeveloped or at least limited to land uses compatible with the planner's traditional concept of scenic open-spaces, such as farming or golf courses. This overlay of benefits to the public at large thus permits the indirect use of the police power to control development in such areas. The drainage network, in turn, winds through the metropolitan region providing linkage to other open space networks and maximizing effective exposure with the community. This skeleton can then be fleshed out by land whose acquisition cost can be made more palatable through the increased use of the easement, sale and leaseback, and installment plan buying.

The general failure to use these legal tools seems to partially stem from a propensity to view them as separate and distinct entities rather than as a *system* of land use controls. Another, and perhaps, even more important influence is the attitude of many government officials. For example, the very legislators that regularly reprimand federal and state agencies for using antiquated and costly land acquisition techniques are reluctant if not adamantly opposed to the creation of revolving funds or to the appropriation of advance funds essential for advanced acquisition or installment buying. Attitudes within the executive branch are also important. On the one hand, fish and game personnel, who have had long experience working closely with landowners, are more receptive to the easement approach. Highway officials, on the other hand, will traditionally prefer to have it done with once and for all and will usually insist upon a fee simple. Whyte persuasively argues for greater flexibility: "The point is combination. Alone, any single device is limited; together they strengthen each other. If we zone flood plains, for example, it will be much easier to buy open space in them later and the price will be more reasonable when we do; if we buy land in fee simple, it will be easier to buy easements on land that buffers them. Each step makes another easier."

This flexible use of existing land control techniques fits hand in glove with Whyte's admonition not to value open space for its own sake with the emphasis upon land size rather than configuration. We often forget that our cities abound with abandoned rights-of-way, vacant lots and gullies, forgotten waterways and derelict waterfronts. Out in suburbia there remain many oddshaped pieces of open land. A little imagination, some creative landscaping efforts and modest investments in small parcels for land linkage could turn these remaining open spaces into readily accessible hiking trails and recreation areas *within* rather than outside existing metropolitan areas.

The Last Landscape, though it is clearly valuable for its descriptions

of the political, legal and economic factors in urban development and for Whyte's insights and philosophy on what can and ought to be done about open space preservation, is not without some fundamental shortcomings. Most important, is the isolation of open space concepts from other urban problems such as poverty, pollution, congestion, and center city decay. No one can deny land use planning has a substantial impact upon these problems. While Whyte should have dwelt more on these inter-relationships, it is equally evident that a more balanced treatment might have seriously detracted from his message regarding open space preservation. Nonetheless, one must remember that a broader consideration of urban problems might lead one to a somewhat different perspective of what is needed in urban land planning.

A second deficiency arises from Whyte's political analysis. With few exceptions his politics consists of rigidly categorized groups espousing some purest doctrine. There are the developers, the gentry, the simon-pure conservationists, the farmers, the townspeople, the engineers and the planners. Although, in fact, the rigidity of these classifications softens as his discussion develops, the damage has already been done in the first chapter. After reading it, anyone who has had even peripheral contact with the problems of urban land development will find himself almost irrevocably placed in one of Whyte's categories—a position from which it is difficult to read the remainder of the book with a sense of objectivity.

Even more damaging is the fact that Whyte uses these political categorizations as gimmicks to develop his substantive arguments. In place of analyzing and evaluating the substance of the various theories and attitudes toward urban land development, he tends to set up straw men holding extreme positions which he can cut down with ease. In this fashion the reader is led to the inevitable truth and practically of Whyte's own beliefs. This technique, while entertaining, gives Whyte's arguments an air of contrivance. This is particularly unfortunate because many of his arguments are intrinsically sound.

In this book, Whyte has placed himself in the middle of the long standing controversy between those who view modern urban size and density as basically harmful and those who view it as inevitable and in many respects beneficial. Many believe that a humane society is impossible in the context of dense urban living. Others, including Whyte, believe that while existing cities may be in many respects inhumane, they can be made civilized and hopefully flowering seats of human culture. As increasing population densities appear inevitable, he argues that improvement of the human environment must come from a

reshaping of the existing city and not through attempts to develop some smaller and less dense alternative. The fact that Whyte—a conservationist whose primary inspiration comes from nature—should side with those who favor the dense urban center makes *The Last Landscape* an important book in the history and evolution of urban planning philosophy.

The Last Landscape is a book for everyone. For those that know little or nothing about urban land planning, Whyte has written a superb introduction to the subject. The book includes a basic reading bibliography of planning literature for those who want to explore it further. Legislators, lawyers, and law professors and students are reminded again of the many discrepancies between the law in theory and practice. Planners will benefit from having many of their hallowed principles and theories called into question and critically examined. Government officials are given a “bird’s-eye” view of the many federal, state and municipal activities that influence development and are shown how their individual best intentions often work at cross purposes. For the politician Whyte provides a useful though somewhat simplistic description of the “politics” of open-space preservation. He catalogues the many “gimmicks” and tactics of developers, speculators and the “bug and bunny” people that are the bane of public highway and other government officials. And for all of the above who must make speeches, the book is full of quotable quotes—a refreshing characteristic not common to planning literature.