

Building Crime Prevention Into Land Use Codes

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Too many of today's land use regulations are unsuited to current crime trends.

A suburban community conditioned a permit for a nightclub in a shopping center on the maintenance of a six-foot-high fence of evergreen plantings to buffer an adjacent residential area. However, after the plantings repeatedly failed to survive, residents asked municipal officials to consider other options. Although a tall wood fence is normally the least costly option for a buffer, the shopping center management ruled it out for security reasons. The center, it seems, had become a popular hangout for local gangs.

Even in the suburbs, crime now influences how the built environment is managed. But the role of local government land use regulations in crime management still remains largely unaddressed. Nonetheless, police departments increasingly are recognizing and acting on a connection between the physical environment—whether a business establishment, street, or neighborhood—and the incidence of crime. Community-oriented policing has become a common strategy among both city and suburban police forces as law enforcement professionals emphasize crime prevention as well as crime investigation and prosecution.

Besides getting out of their squad cars and back on foot patrol, community-oriented police officers have become de facto community development professionals. They now deal directly with crime predictors such as poor housing code enforcement, inadequate street lighting, abandoned cars, noise, overgrown shrubbery, insufficient recreational opportunities, and vacant buildings.

One approach to crime prevention is to apply the concept of "defensible space" popularized by Washington University professor Oscar Newman.

In the 1972 book *Defensible Space*, Newman argued that retrofitting neighborhoods with street closures, speed bumps, front porches, pedestrian paths, "border definition," and landscaping treatments would increase community surveillance, discourage outside traffic, and reduce the number of public areas vulnerable to criminal activity. Other urban experts such as William Whyte and Jane Jacobs have disputed the street-closure strategy, maintaining that better access and greater vehicular and pedestrian traffic make neighborhoods safer.

Zoning and Crime

One of the most potent means available to communities for controlling their physical environment is the broad array of land use regulations that they are authorized to enact. These regulations—most commonly zoning ordinances, subdivision codes, sign controls, landscaping regulations, and historic preservation codes—govern the form of new and redeveloped buildings and additions, other structures, open spaces, and streets. They therefore can play an important role in determining community safety.

While such regulations exercise comprehensive control over subdivisions in newer suburbs, their usefulness and effectiveness in shaping and reshaping the environment of fully developed central cities and older suburbs—where the crime problem typically is most severe—are often overlooked. And because drugs, gangs, and other contemporary manifestations of social disorder have spread even to exurban and rural communities, land use regulations can also help incorporate a measure of security into the environment there.

Regulations in crime-plagued central cities often are directly copied from or indirectly based on regulations that assume the environment is essentially crime free—an assumption that unfortunately is not valid, even in the suburbs. Many city planners even in large cities spend little time thinking about crime and often less time interacting with law enforcement professionals. Further, planning organizations and university planning departments have devoted scant attention to the subject.

As a result, few communities have developed or amended their land use regulations with crime prevention in mind. The regulations' statements of intent rarely cite security and crime prevention as a predominant concern. In addition, the drafters of the regulations seldom consult police and sheriff's departments before submitting the regulations for adoption. It is therefore not surprising that some provisions directly undermine efforts to prevent crime. Others, however, reinforce those efforts, whether inadvertently or by design.

Rules Impairing Crime Control

Conflicts between crime control goals and land use regulation are reflected in a number of elements of the urban/suburban environment. A few illustrations suggest the nature of the problem.

Screening and Landscaping. Mandates for tall screening with fences, hedges, walls, or evergreen plantings are almost universal in today's zoning ordinances. Such screening, often five to six feet in height, is typically required along side or rear lot lines that separate homes from business properties. The intent is to shield residents from the glare, noise, odors, and unpleasant views associated with parking or loading areas or dumpsters. Yet such tall, opaque barriers can also conceal criminal activity. Though less effective in blocking noise or light, lower fence-



Brightly illuminated signs and awnings can supplement streetlights and increase safety.

ing or plantings can mitigate unpleasant views while ensuring adequate visibility.

A few cities have mistakenly required tall opaque screening between off-street parking areas and the street. Such installations can pose security risks. If planners are concerned with the physical appearance of the street, low or less-opaque screening can meet aesthetic objectives.

Light. Every police department understands that light is a crime fighter. A well-lighted street, park, transit station, or commercial district is a safer one. But land use regulations alternately support or overlook the role of lighting. Some zoning ordinances, for example, mandate minimum levels of illumination for off-street parking areas used at night, a clear plus for safety. But elsewhere these same ordinances often classify high levels of illumination as "glare" and generally discourage or prohibit high-illumination lights near residential areas or where they might adversely affect adjacent property.

The obvious concern that high levels of light might disturb or prevent sleep in occupants of nearby homes must, however, be weighed against the advantage of the enhanced safety of brightly lit yards, parking areas, streets, alleys, and driveways. Another consideration is that residents can deal with unwanted light by installing light-blocking shades and drapes and other mechanisms. Regulatory strictures against glare might perhaps be more narrowly tailored with safety objectives in mind.

Illuminated commercial signs are another aspect of the light issue. Some regulations require these signs to be turned off after the close of business or after a certain hour. Some jurisdictions ban all illuminated signs in certain sections of town or prohibit internally illuminated signs, which are often brighter. Planner opposition to the new backlit awnings has in some places led to regulations curbing their use. Yet there is little doubt that bright light from illuminated signs and awnings not only helps make business premises more secure but also spills over onto sidewalks and



In crime-prone areas, screening regulations allowing low plantings (foreground) are preferable to those mandating tall screening.

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streets, supplementing streetlights and helping to make the environment safer. Moreover, a commercial area illuminated by brightly lit signs looks "open"—even if it is not—and is therefore less inviting to the miscreant.

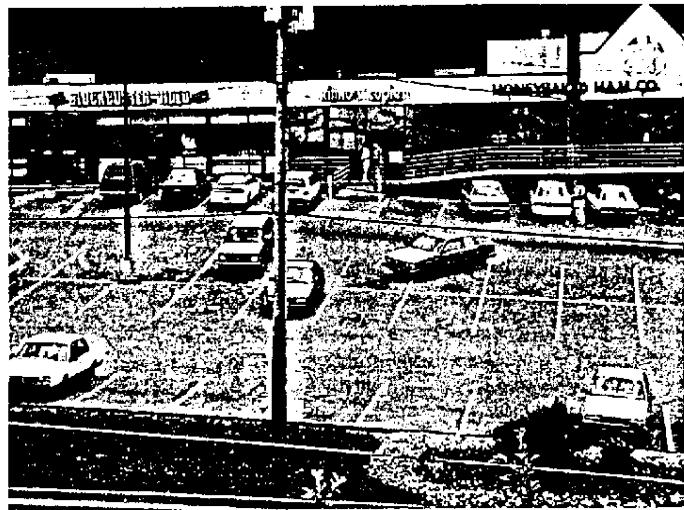
Open Space. Regulatory mandates or incentives for green spaces or plazas in urban locales reflect the high value planners attach to open land. But such open spaces are often devoid of human activity. Law enforcement professionals know that many kinds of criminal pursuits—whether drug dealing in parks or assaults on a lonely stretch of greenway—thrive in open spaces and undeveloped areas where people and lawful activities are a rarity. Big-city residents recognize certain parks as risky to visit at night and even by day, and suburbanites have long opposed public greenways that thread through subdivisions because of their limited visibility from the street.

Regulations that make infill development of vacant parcels difficult can also lead to unsafe open areas. At worst, empty lots in urban settings become junk-strewn pockets of blight and, at best, hint at depressed neighborhood conditions.

Regulatory provisions, procedures, and actions that directly or indirectly foster the planning of open or vacant areas should be reviewed with crime prevention in mind. Public and common open spaces will continue to benefit the community if regulatory standards take into account open space accessibility, visibility, and security. Similarly, outdated or unduly stringent land use and environmental restrictions that discourage the reclamation of vacant infill parcels should also be reconsidered.

Alleys. Most suburban subdivision ordinances prohibit alleys. Where they do exist, alleys are typically narrow, dark and deserted at night, and beyond the scope of street-focused police patrols. Nonetheless, many city planners advocate the inclusion of alleys in subdivision design, especially in neotraditional suburban developments, because they allow architects to avoid garage-dominated front facades. Communities that choose to allow alleys could foster their safety in at-risk areas through dimensional standards or perhaps mandatory lighting.

Frontyard Parking. Under certain circumstances, zoning regulations prohibit or discourage off-street parking that abuts the street. These regulations rest on aesthetic considerations—rows of parked cars rarely create the most pleasant streetscape. In downtowns or historic districts, parking restrictions sometimes focus on preserving a traditional pedestrian-friendly development pattern. But at night and in some places even during the day, parking lots are safer when located adjacent to the street to maintain their visibility. For facilities rarely used at night, such as offices and some industrial plants, parking lot location is much less of a concern than at commercial or entertainment establishments where patrons and



While regulations sometimes prohibit frontyard parking as visually undesirable, parking lots visible from the street can be more secure after dark.

employees return to their cars at late hours. Because highway retail uses often insist on parking that is visible to potential customers, rearward parking mandates are sometimes limited to office, industrial, institutional, and multifamily properties. This approach makes sense from the standpoint of crime control.

Front Porches. While some architects favor front porches because they tend to train residents' eyes on the street, zoning mandates for large frontyards often prohibit front porches either on new homes or as additions to existing residences. In this and other respects, some cities' zoning ordinances are in conflict with the existing development patterns in older neighborhoods. In some cases, standards for yards and lot coverage in older cities are based on lower-intensity models designed for newer suburbs. In other cases, planners merely assume that stricter requirements are better requirements.

Rules Supporting Crime Control

Some common land use regulations support crime prevention efforts, and the jury is still out on whether other regulations help or hurt them. Four examples of the former and one of the latter illustrate this point.

Open Storefronts. Some stores paper over their display windows with signs that largely conceal the interior from the street. Many sign codes, however, allow signs to cover only a specified maximum percentage of storefront window area. In some downtown retail districts, city regulations require a minimum percentage of the ground-floor front facade of new buildings to remain unobstructed, thereby preserving the pedestrian shopping environment. From a security standpoint, both regulations are sound. They ensure that police and other passers-by have a direct view of the interior of an establishment, where a crime may be in progress. This consideration is, of

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Regulations barring complete coverage of store windows by signs help promote store security.

course, especially important for such businesses as convenience stores that are open late at night.

Intersection Sight Clearance. Nearly every zoning ordinance bars buildings, massive signs, and other large, opaque obstructions that cut off visibility within a triangular area at street intersections. The intent is traffic safety rather than the prevention of criminal behavior. Yet, because street intersections are often high-crime areas, increased visibility in these areas can help deter crime significantly.

Property Maintenance. Many cities codify property maintenance regulations in a separate ordinance or in various zoning or housing regulations. They mandate such actions as maintenance of landscaping, control of litter and weeds, repair of broken windows, and removal of graffiti. These actions have also become common practice under community-oriented policing. If the mandates are respected and properly enforced, they can help prevent deterioration of the environment, which tends to encourage both crime and the fear of crime.

Site Plan Review. Many communities permit discretionary site plan review for certain kinds of development. Such reviews go beyond checking for zoning compliance to allowing city disapproval of site plan features that meet the code but are otherwise undesirable. In this way, the reviews permit control of development characteristics that may be difficult to specify in the code. If the police force is involved in site plan review, the review can offer an excellent opportunity for eliminating building or open-space features that hinder crime prevention efforts.

Cul-de-Sac Streets. For reasons that have nothing to do with safety, many subdivision ordinances prohibit culs-de-sac while others allow them. Some cities like Chicago have even considered plans to convert existing through-streets into culs-de-sac as a way of deterring crime. Culs-de-sac, which typically

go nowhere except to a limited number of residential lots, are short, low-traffic streets. But because they discourage outside traffic, culs-de-sac protect against drive-by malefactors looking for targets. They also make it easier for residents to spot people or vehicles that do not "belong" in the area, assuming residents' eyes are on the street with some frequency. With today's busy two-worker households, surveillance is, however, probably less common than in the past.

Proponents of culs-de-sac also note that the streets make it harder for perpetrators to escape. But unfortunately the same can be said of their intended victims. While there is no consensus on whether culs-de-sac help or hinder crime prevention, communities where crime may be a problem should weigh the claims on both sides when considering or reconsidering regulatory changes relating to culs-de-sac.

Adding Crime Prevention to the Code

By setting the rules for the development, redevelopment, alteration, and maintenance of the physical environment of cities, towns, and suburbs, local land use regulations can support or undermine community-oriented policing and crime prevention objectives. At present, they do a little of both.

Mayors, local government managers, and community leaders would therefore do well to broaden the process of preparing and updating land use regulations to include not only planners and planning commissions but also public safety agencies, neighborhood groups concerned with crime control, and businesses threatened by diminishing security. Too many of today's land use regulations are based on antiquated assumptions and, as a result, are unsuited to current crime trends and other realities of today's communities.

Development and environmental regulations must be formulated after all factors, including crime prevention, are fully and carefully considered. The optimally safe environment would doubtless be unlivable because it would require too much sacrifice of other values. So while security concerns need to exercise greater influence over land use regulations, crime prevention must at times yield to other objectives.

Land use regulations are hardly the only or the most effective means of crime-proofing the residential environment. However, it makes little sense to continue regulating real estate as if crime did not exist or as if land use regulations had no effect on how crime is managed. ♦

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