planning advisory service

AMERICAN SOCIETY OF PLANNING OFFICIALS
1313 EAST 60th STREET — CHICAGO 37, ILLINOIS

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CHURCHES AND PLANNING CONTROLS*

> Bitter opposition and some approval for rezoning of a tract in the south end of Bayside, which would allow a church to be built there, was voiced Thursday night. . . .
>
> Apparently seeking to keep heads as cool as possible, Jack Collins, Village President and Chairman of the /Plan/ Commission asked at the outset that everyone 'refrain from quoting the Bible.' The issue, he said, was 'whether there is a logical plan or not'. . . .
>
> The Milwaukee Journal, December 13, 1957

We can assume that in most discussions between churchmen and zoning boards or plan commissions it is not necessary to take extraordinary precautions to keep the discussants cool. Nevertheless, disputes on church location problems do get into the newspapers, and strong feelings get bluntly expressed. It is a subject with great emotional potential, but at the same time one that often inhibits frank expression.

One development accompanying the rapid urbanization of the nation since World War II and one that was probably not generally expected, has been the definite increase in church membership, the "return to religion" by the people of the nation. Statistics on church membership are notoriously questionable, but the following table does show that there is a rapid increase in church affiliation because of the increase in percentage of adherence applied to the increase in absolute numbers of the population.

The effect of this boom in church affiliation has been a corresponding boom in church construction. In 1945 expenditures for religious building construction were $26 million. By 1950 the amount had risen to $409 million, and by 1956 was $775 million. Since the end of the war more than $5 billion

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Table 1

CHURCH MEMBERSHIP AND POPULATION

Year	Church members aged 13 or over (in millions)	Est. pop. aged 13 or over (in millions)	Church members as per cent of pop. 13 or over
1926	45.2	85.9	52.7
1930	48.9	91.5	53.4
1935	51.0	98.0	52.1
1940	52.4	103.2	50.7
1950	71.2	111.6	63.6

Note: For another version of this information see Table A in appendix. There is also a brief discussion of the shortcomings of church membership figures.

Source: J. Frederic Dewhurst and Associates, America's Needs and Resources (New York: The Twentieth Century Fund; 1955) p. 17

has been spent in religious building construction, and church leaders estimate as much as $7 billion for the next decade.

From the viewpoint of city planning and urban development, there are two reasonably distinct problems connected with church location. One relates to the church in the changing neighborhood -- the church in urban redevelopment and renewal. Does the congregation go or stay? What can the church do to aid renewal, to stabilize the neighborhood, to serve newcomers to the neighborhood?

While this report does not attempt to discuss the problems of the church in the changing neighborhood, it is pointed out here that there was an excellent general discussion of the problem by Rabbi Solomon F. Kleinman at the 1957 National Planning Conference in San Francisco. Rabbi Kleinman's analysis is considerably more realistic than a number of other analyses of the same problem. A careful study of experience in several cities appeared in The Church Serves the Changing City.[1]

[1]Ross W. Sanderson (New York: Harper and Brothers; 1955).

The second problem involving churches and land use control relates to the construction of new churches or major additions to existing churches.

Additional room will be build on a church building to take care of an expanded church program or a larger congregation -- or both.

A new church may be built on the site of an existing church because the building had been badly damaged by fire; or because the existing church has become inadequate and demolition and reconstruction is the most economical course of action.

A new church will be built on a new site to house an old congregation that has moved from its former location for any of several reasons, including the need to leave a neighborhood because the center of residence of the congregation is no longer in the neighborhood. An established congregation may also seek a new site because of complete inadequacy of the old site and inability to expand properly (although it is loath to do this).

Finally -- and this probably accounts for most church building today -- there is the new congregation that seeks a site for and builds its first church edifice. These are the buildings that churchmen think of when they speak of "churching the suburbs."

Since 1953, there has been a committee of the American Institute of Planners on churches and city planning. The committee has met at least twice each year, at the annual conferences of the American Institute of Planners and of the American Society of Planning Officials. The committee has done much to illuminate the problems of church location for city planners and the problems of city planning for churchmen. Out of the activities of the committee came the pamphlet, Church and City Planning, by Robert C. Hoover, a professional city planner, and Everett L. Perry, a clergyman and church technician with the Board of National Missions, Presbyterian Church in the U. S. A. The pamphlet was published by the National Council of Churches of Christ in the U. S. A.

A much better understanding of problems involved exists because of the activities of this committee. However, there is still much to be done and we must look forward to many more years of close cooperation and application to the solution of the problems. This PLANNING ADVISORY SERVICE study is in the nature of an interim report on the problems of church location and zoning for churches. There are so few definite statements that can be made on the subject that we are inclined to say that the only certainty is that nothing is certain.

The Nature of Religious Groups

There are a number of reasons why city planners and the persons responsible for building new churches do not see eye to eye. One impediment to mutual understanding is a lack of information on churches, religious groups, and religious organization by city planners. A complete and objective explana-

tion is not available and probably never will be, but there are even now hundreds of volumes discussing religion from every possible viewpoint. In this report, we shall be able to give only a sketchy idea of the mechanics of religion, but it may be of some assistance to city planners when they are called on to meet with churchmen on the problems of zoning or location of churches.

In an objective analysis, a first question might be: Is religion really necessary? It may seem strange to one even moderately religious that there should be any question as to whether there is a human need for religion. But the question is posed from time to time and was probably most seriously discussed during the depression preceding World War II. The noticeable decrease in church membership during that time led many people to believe that religion might be on the way out. However, as we have seen in Table 1, the back-to-church movement has reversed the experience of the depression.

At that time, it was reasoned, decreasing church membership indicated that whatever human desires and needs religion had fulfilled in the past, the fulfillment of those needs was gradually being taken over by other institutions. The reverse trend since 1950 indicates that if people had thought earlier to have found a substitute for religion, it was certainly only a temporary substitute.

Religion performs several important functions in society:[2]

1. Religion promotes social solidarity. Religion is " a unified system of beliefs and practices which unite into one single moral community . . . all those who adhere to the system." (Durkheim)

2. Religion elevates social standards.

3. Religion is an agent of social control. Those practices that common experience finds harmful to society eventually find their way into proscription on religious grounds.

4. Religion has a profound effect on other institutions, such as the political and economic.

5. Religion acts as a therapeutic agent, perhaps its most important function in modern society.

In general, religious groups can be classified through a range of organizational forms, beginning with cult and varying, more or less continuously, through sect to church (or ecclesia) and denomination.[3]

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[2]Adapted from "Religious Institutions" by J. O. Hertzler in Annals of the American Academy of Political and Social Sciences (Philadelphia), vol. 256, March 1948, p. 13.

[3]The statements that follow in this section represent what seem to be a concensus. Among sociologists there are innumerable variants of all explanations.

The cult is a small group based on personal acquaintanceship whose members are recruited on a voluntary basis (as opposed to membership on a traditional or inherited basis). The store-front congregation is a typical cult in today's society.

If a cult is to survive, it must change sociologically, and the next step is to become a sect. A sect has some of the characteristics of a cult but it is usually larger, its prestige is somewhat greater, it begins to adopt symbolism, it begins to recruit through tradition. It is often persecuted and is always ascetic. The best chance for the survival of a sect is for it to isolate itself geographically and live safe from intrusion by the outer world. Typical sects are the Dunkers and the Hutterites.

The church or ecclesia is the most highly developed form of religious group and also the one most able to survive. The church has a large heterogeneous membership. Recruitment is primarily traditional, rather than voluntary. It has built up a body of dogma and a hierarchical organization. It has learned to adjust itself to the realities of the world. Its members, far from isolating themselves, are found throughout the larger society. The obvious example of the "church" is the Roman Catholic Church.

The denomination is the extreme of secularization among the religious groups. It is a large and fairly homogeneous group, recruiting its membership both through tradition and voluntary affiliation, but principally through tradition. A denomination is inclined to use its power (which it has in great measure) for a reform of the world in general. Large Protestant religious groups such as Baptists and Methodists are denominations.

The denomination was described as being the most "secular" of the groups. Another method of classifying religious bodies is on a scale from "sacred" to "secular." This classification does not correspond to the cult-sect-church-denomination classification but pertains to the rigidity or permeability of the culture of a particular religious group. A sacred society is one that imparts to its members an unwillingness to adapt to the culturally new -- a high degree of resistance to change. A secular society, on the other hand, is one that gives to its members a readiness and capacity to change and adapt themselves to the ways of the world. It will be apparent that the stronger the sacred character of a religious group, the less able it will be to serve persons in the community besides its own members. Islam is an example of the sacred group, with the Humanist movement an example of the secular group.

It is not necessary or particularly important that the planner or the plan commission member be able to classify quickly and accurately the form of a particular religious group; nor be able to tell how vulnerable its value system is to alteration from the outside. But it is valuable to recognize the differences among religious groups and, further, to know that these differences are deep and permanently fixed by the very nature of the group. These differences are not susceptible to change by argument or reasoning, nor by virtue of physical location of a church edifice.

More or less as a jumping-off point, churchmen and planners have taken the "neighborhood unit," as proposed by C. A. Perry in the Regional Plan of New

York and Environs (1929), as the first rational approach to church location planning in a new development. One of Perry's proposals was that there be one "liturgical" church and one "nonliturgical" church located on the common green in the neighborhood center. This almost indicates that it is proper to divide religious groups according to whether an extensive liturgy is used in the services. This would also seem to indicate that there is interchangeability among churches based only on whether liturgy is used in the religious services.

The major liturgical church groups in the United States are the Roman Catholic, the Protestant Episcopal, the several eastern Catholic groups, and the several Lutheran groups. There is quite obviously little interchangeability among these groups -- a member of the United Lutheran Church cannot substitute a Roman Catholic mass for his own church services.

When we consider that among the nonliturgical groups we would have the Russelites (Jehovah's Witnesses), the Friends, the Christian Scientists, and the Disciples of Christ, it is easy to recognize that there is little chance for interchangeability among the nonliturgical groups either.

> Because of the heterogeneity of most American urban neighborhoods, seldom can one church serve all people, or even a majority of an entire neighborhood. At least among the three major religious groupings in America -- Protestant, Roman Catholic, and Jewish -- there is relatively little possibility of mutual exchange of constituents, except through conversion. Within each of these three major divisions there are further subdivisions of denomination or ethnic character which tend to limit neighborhood service.[4]

A final classification of religious groups is on the basis of the amount of ecclesiastical organization. A minimum organization calls for a highly spiritual concept of fellowship within the group and almost total rejection of organization, law, and discipline. There is insistence upon the principle of equality. An example of a group with minimum ecclesiastical organization is the Quakers. In a group with maximum ecclesiastical organization, there will be unqualified acceptance of tradition and usually apostolic succession (uninterrupted passing of church powers from the apostles of Jesus to the current head of the group). Roman Catholicism, Anglicanism, and Mormonism are leading examples of maximum ecclesiastical organization.

The Organization of Religious Bodies

The most complete tabulation of the statistics on religious bodies appears annually in the Yearbook of American Churches (currently edited by B. Y.

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[4]Robert C. Hoover and Everett L. Perry, Church and City Planning (New York: National Council of the Churches of Christ in the U. S. A.; 1955) p. 10-11. /A "subdivision" in the Roman Catholic Church would be on the basis of nationality and mother tongue, not on the basis of any real division within the church organization./

Landis and published by the National Council of Churches of Christ). The 1957 edition listed 258 religious bodies in the United States. Although the listing takes in a number of bodies that are quite small, it is generally recognized that there are an equal and even greater number of religious groups that are not listed. The majority of the unlisted groups are, however, the many cults that spring up and die each year in our great cities, plus some sects that are in the nature of secret fraternities. The Yearbook probably lists more than 98 per cent of national church membership and an even greater proportion of the groups financially able to undertake building construction.

The diversity of church groupings, even within larger classifications, is remarkable, as Table 2 shows.

Table 2

MAJOR "FAMILIES" OF RELIGIOUS BODIES

Family	Number of separate bodies	Total membership (in millions)
Baptist	27	19.4
Eastern Orthodox	20	2.6
Lutheran	19	7.3
Methodist	21	11.9
Presbyterian	10	4.0

Source: Yearbook of American Churches, 1958

For a more detailed breakdown of religious bodies and their membership, the current Yearbook should be consulted. However, it is of interest to note the major religious bodies, in terms of membership, in the United States, as shown in Table 3. The table includes only religious organizations with memberships of more than two million, as of the latest estimate or enumeration.

In Canada, religious preference is a characteristic regularly enumerated in the national census. (A proposed enumeration of religious preference by the Bureau of the Census in 1960 has been turned down.) Table 4 is a condensation of the information obtained in the most recent Canadian census.

Earlier in this report there was a quotation from Church and City Planning, which spoke of the "three major religious groupings in America -- Protestant, Roman Catholic, and Jewish." The United States is generally classified as a "Christian nation" and sometimes as a "Protestant nation." For some pur-

Table 3

RELIGIOUS BODIES WITH
MEMBERSHIP OVER 2,000,000 (1956)

Name	Membership
Roman Catholic Church	34,563,851
The Methodist Church	9,422,893
Southern Baptist Convention	8,700,481
Jewish Congregations (1954)	5,500,000
National Baptist Conventions, U.S.A.	4,557,416
Protestant Episcopal Church	2,852,965
Presbyterian Church in the U. S. A.	2,717,320
National Baptist Convention in America	2,668,799
United Lutheran Church in America	2,174,500
Lutheran Church, Missouri Synod	2,076,550

There are nine groups with memberships between 1 million and 2 million and a total of 82 groups having memberships in excess of 50,000.

Source: Yearbook of American Churches, 1958

poses these classifications are useful and reasonably accurate. Table 5 shows a method of grouping religious bodies according to a breakdown in the Yearbook of American Churches. Two comments on this table are important.

While the "Protestant" group is the largest one listed, the unlisted group of persons who are not affiliated with any church (not listed in table) is still larger, numbering about 64 million persons. It should also be noted that blanketed in with the "Protestant" group are several religious bodies that do not subscribe to the beliefs that seem to link a large number of Christian groups together as "Protestants."[5]

[5]See "What Is a Protestant?" by Henry P. Van Dusen in Guide to the Religions of America (New York: Simon and Schuster; 1955).

Table 4

MAJOR RELIGIOUS GROUPS IN CANADA, 1951 CENSUS

Name	Membership	Percentage of entire population
Roman Catholic	6,089,496	43.4
United Church of Canada	2,867,271	20.5
Anglican Church of Canada	2,060,720	14.7
Presbyterian	781,747	5.6
Baptist	519,585	3.7
Lutheran	444,923	3.2
Jewish	204,836	1.5

Source: Canada Year Book 1956 (Ottawa: Bureau of Statistics; 1956) p. 165

The Yearbook of American Churches takes group membership, as reported by the headquarters of the group, as the measure of the size of the religious groups. Another way of looking at the size of religious groups is by tabulating the answers to the question: "What is your religion?" This was the basis of a sample count of religious preference made by the United States Bureau of the Census in March 1957. As the bureau said: "The question did not relate to church membership, attendance at church services or gatherings, or religious belief. The results are not directly comparable with reports on membership issued by religious organizations."[6] The count was taken only on persons 14 years of age and over. Table 6 is adapted from the published report of the bureau's findings.

The survey showed that 96 per cent of the population over 14 regarded themselves as having a religion, with two-thirds of the 96 per cent regarding themselves as "Protestant" and one-fourth as Roman Catholic. The survey did not differentiate among the "families" of religious groups (such as the 21

[6]Religion Reported by the Civilian Population of the United States: March 1957 (Washington, D. C.: United States Department of Commerce, Bureau of the Census) Current Population Reports: Population Characteristics, Series P-20, No. 79; 1958.

different kinds of Baptists), nor did it report on any other religions than those shown in Table 6.

No person or agency can speak for Protestants. There are, however, some voluntary cooperative agencies in church work, and probably the best known is the National Council of the Churches of Christ in the U. S. A. The council is a cooperative agency of 30 Protestant and eastern orthodox denominations having something more than 37 million members and approximately 144,000 local congregations. The council was organized in 1950 as a merger of 12 previously existing interdenominational agencies. Of the large Protestant religious bodies listed in Table 3, all except the Southern Baptist Convention and the Missouri Synod of the Lutheran Church are members of the National Council of Churches. Neither the Roman Catholic Church nor the Jewish congregations are members, of course, since the council is a Protestant Christian agency. Another voluntary association of conservative Protestant churches is the National Association of Evangelicals, with which some 50 denominations, conferences, and church associations have affiliated.

In Canada, a group similar to the National Council of Churches is the Canadian Council of Churches.

Table 5

MAJOR GROUPINGS OF RELIGIOUS BODIES (1956)

Name	Number of churches or congregations	Membership	Percentage of total population
Buddhists	48	63,000	.04
Old Catholic and Polish Nat'l.Catholic	287	351,068	.2
Eastern Churches	1,425	2,598,055	1.5
Jewish Congregations	4,079	5,500,000	3.3
Roman Catholic	21,121	34,563,851	20.6
Protestant	281,687	60,148,980	35.9
Total -- All groups		103,224,954	

Source: Yearbook of American Churches, 1958

Table 6

RELIGIOUS PREFERENCE: PERSONS 14 YEARS AND OLDER, MARCH 1954

Religion	Total number	Per cent distribution
Total 14 years and over	119,333,000	100.0
Protestant	78,952,000	66.2
Baptist	23,525,000	19.7
Lutheran	8,417,000	7.1
Methodist	16,676,000	14.0
Presbyterian	6,656,000	5.6
Other Protestant	23,678,000	19.8
Roman Catholic	30,669,000	25.7
Jewish	3,868,000	3.2
Other religions	1,545,000	1.3
No religion	3,195,000	2.7
Religion not reported	1,104,000	0.9

Source: Religion Reported by the Civilian Population of the United States: March 1957 (Washington, D. C.: United States Department of Commerce, Bureau of the Census) Current Population Reports: Population Characteristics, Series P-20, No. 79; 1958

In "families" of religious bodies there may also be cooperative associations. For example, among the Lutherans there are two voluntary groupings -- the National Lutheran Council and the Lutheran Synodical Conference of North America.

Not only can no one person speak for all Protestant denominations, but there are relatively few among the major religious bodies in which there is one central office that can speak for all congregations within the group. Most church affairs are under the direct supervision of the local congregation. Even in the Roman Catholic Church, which is cited as an outstanding example of hierarchical control, there is no single person at the head of it in the United States. The bishop of each diocese is head of the church in his dio-

cese for those matters relating to the location and construction of new religious buildings or additions to existing buildings. In the United States there are 127 Roman Catholic dioceses.

From the viewpoint of the local planning agency, the most important voluntary group of churches is the local council or federation of churches. Although there may be a superficial resemblance between the local council of churches and the National Council of Churches of Christ, the one is not a local "chapter" of the national organization. A local council may have representation from religious bodies not included in the national council and it may lack representation by other bodies that are on the national council. The decision to affiliate or not to affiliate locally is nearly always made locally.

In 1945 there were 230 local councils in the United States. By 1955 the number had increased to 959, and more are being established every year.

While the local church federation is in most cities a "Protestant" group, in a few cities the Roman Catholics or the Jewish congregations or both are active participants in the cooperative work.

Planning agencies see as the most important work of local church federations their operation under a comity agreement. This method, which churchmen use to cooperate on church expansion in suburban areas, will be discussed in more detail later in this report.

Church Activities and Buildings

Stripped to the minimum, a description of religion -- any religion -- will show it to be a system of beliefs and manners of thinking by human beings on a number of subjects -- on life, death, morals, ethics, the hereafter, God, prophecy, and so on. Obviously such a description of religion does not embrace a great number of activities that take place in the name of religion. The audible, visible, tangible evidences of religion vary greatly; and nearly all religions include ritualistic actions deemed absolutely indispensable to the practice and observance of the several faiths. The range of religious activities is wide and would include, as well as the observance of ritual, such activities as preaching, singing, ringing church bells, construction and use of buildings for religious training and celebration, and an ever growing list of social and community activities.

In 1926, H. Paul Douglass published the results of a survey of the activities of 357 Protestant churches.[7] Even at that time there was a surprisingly long list of organizations and activities sponsored by churches, including classes in such subjects as sewing, music, health, English, dramatics, and gymnastics. There were social events of all kinds, lecture series, libraries, sponsorship of orchestras and bands, sponsorship of visiting nurses, and the operation of kindergartens, day nurseries, and outpatient clinics.

[7] One Thousand City Churches (New York: Harper & Brothers; 1926).

This division between the essence of religion as a system of beliefs and religious practices and activities seems to churchmen to be a harsh judgment. Yet a second's reflection will demonstrate that for true objectivity (which the planner must try to maintain) such division is necessary. If we think of the constitutional guarantee of freedom of religion, we know that it does not extend without question to all religious practices. For example, we are certain that freedom could not be granted for the ancient Mayan practice of human sacrifice, which was truly a religious rite. We know that exception under the law is not granted even today for the snake bite ritual of certain mountain cults. As humane beings, we approve the sanctions placed on such practices because they are completely unacceptable in our more sophisticated viewpoint. Nevertheless, we cannot deny that they were and are religious practices.

The current programs of religious groups are even wider and more varied than Douglass found in 1926. In a modern city church the program of social activity, athletics, welfare ministry, fund raising endeavors, education, and the host of miscellaneous undertakings seems to get further removed from the corpus of religion -- the system of beliefs and guides for human conduct.

At the same time, as the programs move from the sacred to the secular, they become indistinguishable externally from the same activities carried on under nonreligious auspices. To use a simple illustration, there is no difference between equal amounts of auto traffic generated by a basketball game when that game is sponsored by a Sunday school league, a parochial school league, a public school league, or by a promoter of professional basketball.

The amount of activity carried on by churches will vary considerably. For example, Douglass found that 100 per cent of the 357 Protestant churches he studied operated Sunday schools, while only 3 per cent had day nurseries. There is some correlation between the position a particular group occupies on the scale from cult to church-denomination and the amount of auxiliary activity. The cult confines its activities to more strictly religious and ritualistic undertakings. The church or denomination is more inclined to branch out into accessory activities in welfare, education, and socializing. There are also differences among individual congregations of the same religious body; and even differences within a single congregation from time to time, according to the different clergymen or governing boards for the congregation.

It is also clear that there is a definite evolution among practically all groups and all individual congregations toward an increase in the accessory activities centered around the church edifice. A study of urban churches, published in 1932, commented on some of the elaborate programs in city churches and pointed out that the annual operating budgets of individual churches ran as high as $10,000. Today there are any number of urban churches with budgets in excess of $100,000! It is particularly important that the planner recognize this trend toward additional church centered activities and that he account for it in his recommendations for locating and regulating churches.

The prospect of having a church move into a neighborhood quite frequently arouses strong opposition from the residents of the neighborhood. If the

church happens to be of a different religious body than that to which a protesting neighbor belongs, he is always careful to disclaim religious discrimination as the reason for his protest. And there are plenty of instances of strong opposition, even by the communicants of the denomination that wishes to move in. For example, in Congregation Adath Jeshurun v. Cheltenham Township, 70 Montgomery County Law Reporter 345 (Pa. 1954), all persons objecting to the Jewish synagogue were Jews. While it certainly is possible that some of the objections to the location of churches could be traced to religious intolerance, it is generally clear that the objectors do have real fears and probably valid objections. They believe that the value of their property will depreciate because of the proximity of a church.

Traffic and Parking

A common and vehement objection arises because churches generate traffic and cause parking problems. At the turn of the century, attendance at a church might be limited to Sunday morning services and Wednesday evening prayer meetings. Now there may be added to this a youth meeting on Monday night, a bridge club on Tuesday night, a public lecture on Thursday night, a teen-age dance on Friday night, and some type of popular fund raising activity on Saturday night, together with numerous daytime activities all week through. Because of today's habit of driving an auto for any trip longer than one block, church going generates traffic and creates parking demand. It is quite clear that excessive traffic past residential property does depreciate the value of property.

Noise

Noise is another specific annoyance from church activity. In addition to the noise that always accompanies the traffic generated by a place of public assembly, there is the noise of music, church bells, and carillons. To those residents who live immediately adjacent to church property, the most beautiful of church music in large volume becomes less than attractive. The noise of outsoor social affairs and bazaars can also be annoying.

One source of church generated noise is a delicate subject to handle. At the same time, it is a type of noise that meets with most violent objection. This is the noise attendant upon the hysterical religious worship services of some cults and sects. In short, the shouting, wailing, and moaning characteristic of some groups at all times and of other groups during the frenzies of "revival" and "protracted" meetings is objected to most strenuously by present or potential neighbors.

Schools

Parochial schools and private shcools operated under the auspices of a religious group also inspire strong objections from residents. By far the

greatest proportion of general education schools under church auspices is operated by the Roman Catholic Church. Table 7 shows the extent of the Roman Catholic educational system in the United States in 1955. The four million Catholic elementary and secondary students comprised about 10.6 per cent of the entire school enrollment in that year.

Table 7

ELEMENTARY AND SECONDARY SCHOOLS OPERATED BY THE ROMAN CATHOLIC CHURCH, 1955
(Continental United States, Alaska, and Hawaii)

Type of school	Number of schools	Number of students
Elementary, parochial	8,843	3,253,608
Elementary, private	542	95,685
Total elementary	9,385	3,349,293
High school, parochial and diocesan	1,557	398,192
High school, private	842	241,415
Total high school	2,399	639,607
All schools	11,784	3,988,900

Source: Official Directory of the Catholic Church, 1955

In addition to church schools operated by Roman Catholics, several other religious groups also operate them, although they are not nearly as extensive as that of the Roman Catholic Church. Several Lutheran bodies operate schools -- in particular the Missouri Synod. Many schools are also operated by the Protestant Episcopal Church and by the Seventh Day Adventists. In 1937 it was estimated that there were 110,000 students attending 2,000 Protestant church schools. By 1952, it was estimated that the number of schools had increased to 3,000 and the number of students to 187,000.

The objection to church schools quite obviously has no relation to the fact that they are operated by religious groups. The same kind of objections with the same amount of vigor will be observed in discussions on the location of public elementary and high schools. Elementary school children make a lot of noise, and residential properties immediately adjacent are

probably depreciated because of the noise. Secondary schools are not only noisy from activities and voices of the student, they are also traffic generators, particularly in view of the growing use of cars by high school students. And there can be no doubt that the traffic generated by athletic contests at high schools can easily depress residential values for some distance on all borders of the high school campus.

It was stated above that Roman Catholic school enrollment amounted to only a little more than one-tenth of the total school enrollment of the nation. This does not give a true picture of the importance of parochial school education in urban areas. The Roman Catholic Church is predominantly a city church -- even predominantly a large city church. The proportion of the population that is Roman Catholic is lowest in rural areas. Therefore the Roman Catholic school system becomes much more important in large cities and metropolitan areas. While accurate figures are not readily available, it is known that Roman Catholic Church schools enroll from 25 per cent to more than 50 per cent of all elementary and secondary students in some larger cities.

In 1955, an article in The Reporter (Sept. 8, p. 19) stated: "Today, the best estimate of New York [City] population put Catholics at 55 per cent, Jews at 25, Protestants at 23. . . ."

The 1957 Bureau of the Census survey (see footnote 6) broke down some of the data on the basis of residence location. This information is shown in Table 8.

A widening range of church connected activities, an increasing number of church members, an increasing interest in church related activities -- all of these mean ever larger and more elaborate buildings and facilities. In line with the trend toward one-story sprawling schools, the architecture of religious buildings has also embraced single-story sprawling design. While it is hardly likely that the first edifice built by a congregation will be elaborate, it certainly should be anticipated by planners that if the congregation is successful it will ask to expand its plant. We can be sure that the members will have their caps set for a much more elaborate layout than the one with which they start.

The planning department and the plan commission should assure themselves that they are aware of the ultimate building plans of a new Roman Catholic church or of any other church that has a stated policy of educating the children of its parishioners. A typical Roman Catholic plant in a new development would include a church, a rectory, an elementary school, and a dormitory or living quarters for the nuns who teach.

If there is any validity to minimum area standards for public schools (and planners and educators have good reason to believe there is), those standards should apply equally to sites for parochial schools. A generally accepted minimum for elementary schools is five acres plus one acre for each 100 students in the school. Thus for a school designed for 500 pupils, the minimum site area would be ten acres. If we apply this standard to the parochial school and then add to it the proper additional areas for church, rectory, and nuns' quarters, we will see that an adequate site for a Roman Catholic

church-school campus is quite large.[8] Of course, if it is quite certain that the only building on the proposed site will be a church, the site requirement will be considerably lower. However, at least in a new development, it would be rare if a religious group pledged to parochial education chose a site that would never be used for more than the church alone.

Table 8

URBAN-RURAL RESIDENCE OF PERSONS 14 YEARS OLD AND OVER: PER CENT BY RELIGION; MARCH 1957

Religion	Per cent				
	Urban			Rural nonfarm	Rural farm
	Total	Urban areas 250,000 or more	Other		
Total, 14 and over	100.0	100.0	100.0	100.0	100.0
Protestant	58.6	49.1	71.3	77.8	83.2
Roman Catholic	31.7	37.8	23.4	16.6	11.9
Jewish	4.9	7.7	1.0	0.5	0.1
Other Religion	1.6	1.9	1.2	0.8	0.9
No religion	2.3	2.2	2.4	3.4	3.3
Religion not reported	1.0	1.3	0.6	0.9	0.7

Source: Religion Reported by the Civilian Population of the United States: March 1957 (Washington, D. C.: United States Department of Commerce, Bureau of the Census) Current Population Reports: Population Characteristics, Series P-20, No. 79; 1958

[8]This standard does not correspond with that suggested by N. K. Van Osdal, an architect, which is shown in Table 10.

Churches in Suburbia and Comity Agreements

A problem that showed up quite quickly in the booming development of suburban areas after World War II was the lack of conscious provision for churches in suburbia. Churchmen were -- and still are to a great extent -- inclined to blame "planners" for "forgetting" that human beings need churches and religion. The activities of the AIP committee on churches and planning has done much to give churchmen a better idea of the problems of urban expansion. Especially, it has shown them that land use patterns in suburbia are principally determined not by planners but by developers and "home builders." It is also becoming clearer that there are certain Solomon-like judgments that planners should not be called on to make.

In a nation that has an established or state religion, or even a clearly dominant religion, it is conceivable that the location and density of churches could be worked out on a fairly objective and quasi-scientific basis. In the United States, and also in Canada, complete freedom of religion and lack of an established religion make it extremely difficult to say which churches should come into a new neighborhood, which should stay out. There is a limit to the amount of land that can be reserved for churches It is uneconomical for a developer to devote too large a percentage of his land to churches, and the government obviously cannot buy and reserve land for churches as long as separation of church and state is maintained. It is also uneconomical to hold land for churches indefinitely. The developer must ask that a church site be built upon within a reasonable length of time, or he reaches the conclusion that it is not needed.

If there are too many churches in a given area, the potential communicants are split into such small groups that some, if not all of the congregations, are unable to support a church. It was recognition of this problem that led to the development of church "comity" agreements. It was believed better for church and parishioners alike to have a few strong and healthy congregations than many weak ones.

There is reproduced below a statement of urban comity principles as adopted under the auspices of the National Council of Churches. It should be noted that under Article I, the National Conference on Church Extension has recommended a downward revision of the population figures. The first sentence of this article should read: "An urban or suburban area should be regarded as adequately churched when it has one church for each 1,500 to 2,500 available population of Protestant preference." A similar adjustment should be made in the first phrase in Article III to show that "overchurching shall be recognized when there is more than one church to from 1,500 to 2,500 available population. . . ."

This statement of urban comity principles, and practically all comity agreements entered into by local councils of churches, refer basically to Protestant churches. This does not mean that federations of Protestant churches do not recognize the need for non-Protestant and even non-Christian churches. Whether non-Protestant and non-Christian churches are members of or cooperate with the local council of churches, the local council always tries to recognize the church site needs of these groups and to cooperate with them wher-

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VOL. II, No. 1 MARCH, 1

URBAN COMITY PRINCIPLES

Applicable to Metropolitan Communities consisting of a Central City, Outlying Residential Sections and Suburbs.

(Approved by the Committee on City and Bilingual Work of the Home Missions Council, in January 1947.

Revised by Joint Commission on Planning and Adjustment of Local Inter-Church Relations, in May, 1950.

Approved by the Joint Commission on the Urban Church, in June 1950.)

I. *An urban or suburban area shall be regarded as adequately churched when it has one church for each* 2,000 *to* 4,000 *available population of Protestant preference*

1. Within a territory constituting a natural parish —i. e. one which is partly or fully enclosed by primary barriers (rivers, lakes, irregular terrain, large parks or cemeteries, industrial installations, railroad sidings, multiple railroad tracks, and kindred phenomena)

2. In which population is relative homogeneous as to race and language, and

3. Exhibits social affinity for the existing churches and

4. Is not connected with churches elsewhere; provided also

5. That the existing churches receive into Christian fellowship all evangelical Christians.

II. *Determination of the size of the exclusive parish of a given church and the distance between churches should recognize that (A) within a denomination, churches should not be placed nearer than one and three-fourths miles; and (B) within Protestantism clustering may be permitted according to the density of the population of Protestant preference.*

1. The parish should be associated with the area of local social patterns such as school attendance, trade, and recreation.

2. In densely populated areas, the clustering of churches in places of strategic location is not necessarily competitive, especially if the churches are complementary of character and provided that the ratio of available Protestant population suggested above is regarded.

3. In areas not densely settled there should be not less than one mile between churches of different denominations.

III. *A condition of overchurching shall be recognized when there is more than one church to from* 2,000 *to* 4,000 *available population in a natural parish as defined in paragraph I* especially when connected with declining population, either absolutely or of that type of population which historically has furnished the constituency of the existing church; or a condition of declining churches as to numbers, support, and character of programs; and of increasing demand on the part of churches for denominational assistance.

IV. *In determining whether or not a church is meeting adequately its religious responsibility for an area so that it may be neither underchurched nor overchurched, qualitative considerations shall always be regarded.*

A working standard may be found in the average size, facilities, program, and quality of leadership found in similar churches of this or similar cities, together with standards for urban churches advocated by representative denominations. (Standards as to church buildings and appointments have been suggested by the Interdenomination Bureau of Architecture, associated with the Home Missions Council.)

V. *In urban situations, comity decisions must be made in the light of those prospective changes which are habitually characteristic of cities with the growth of peripheral and suburban areas.*

Such needs should be met by the assignment of parishes to the cooperating churches under joint planning, with equitable consideration in each particular case for the adequate churching of the community; also with due regard for adequate opportunity for all cooperating denominations, and in harmony with the wishes of the people of each locality.

VI. *Where there is declining population and deterioration in central and older urban areas the situation should be met by the consolidation of existing churches; or by the coordination of their programs within a united church project; or by orderly withdrawal or by the transfer to Protestant congregations of other races or traditions; or by adaptation of program.*

VII. *The whole process both of expansion and contraction should be a matter of continuous study rather than of isolated decisions in individual cases.*

VIII. *Necessary adjustments to changing urban situations should be made by the proper location and adaptation of denominational churches.*

IX. *In the case of exceptional populations, national or linguistic, a realistic definition of available population should be insisted upon.*

1. The possibility of the assimilation of divergent populations by existing churches, with the consequent modification of church programs, should be thoroughly considered.

2. The actual likelihood of their accessibility to Protestant ministries should be appraised in the light of experience.

3. Interdenominational solutions in the service of non-Protestant populations should be freely used. Competitive expenditure of mission funds should be regarded as particularly inexcusable in the case of such situations.

X. *The conflicting claims of the downtown and outlying churches should be adjusted progressively.*

The central churches bring prestige, often a high quality of services and superior advantage to their individual constituents; all of which are of value to the total cause of religion in the city. However, pastors and denominational leaders should be encouraged to cooperate through Councils of Churches in drafting a comprehensive strategy of work in the city, thus preparing for such necessary adjustments among downtown churches as changing conditions may warrant.

XI. *There should be at least one strong Protestant church maintained in the downtown areas of every city.*

1. Not all downtown churches can possibly survive.

2. Some should move. Others may continue for prolonged periods to render highly essential services, although with a reduction of strength.

3. Those that should remain may have to intensify and broaden their ministries so that the church program will become increasingly relevant to the needs of both residents of the immediate neighborhood and of remote parts of the city. Continuance of self-support is highly desirable and should remain the objective of downtown churches.

XII. *The outlying churches should be developed on a selective basis in growing residential areas and promising suburbs, according to definite plans of colonization.*

Under such plans the central churches ought to be willing to surrender members at a reasonable rate both for the sake of the religious solidarity of the family and the nurture of its youth, and in order to assure the development of strong outlying churches. But they should not be called upon to surrender members to inferior churches, unnecessary in numbers, unable to maintain reasonable standards, and planlessly established. If cooperative planning can undertake to develop a reasonable number of outlying churches located so that all have a chance to develop adequately, the downtown churches which are no longer needed on account of population changes should progressively transfer their strength to the residential sections.

XIII. *The applicability of comity principles depend upon a faithful and continuous use by the members of cooperative church planning and of the comity procedures which have been established and justified by experience. This procedure should apply no less to the inner city than to the growing suburbs.*

Even the most complex of urban situations is resolvable by painstaking analysis and can be solved in the light of general cooperative purpose and strategy.

XIV. *The principles of comity applicable to town and rural fields, as developed by the Home Missions Council, are regarded as supplementing these principles and may apply to small and detached suburbs.*

The above Principles are from "Some Protestant Churches in America—THE COMITY REPORT" by H. Paul Douglass, a 48 page pamphlet based on the studies of the Committee for Cooperative Field Research ($.35, National Council of Churches).

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ever possible. The problem of "overchurching" applies to the Protestant groups.

The allocation of church sites under a comity agreement poses some difficult questions. If, for example, we assume that within a "natural parish," as defined under the urban comity principles, there will be 20,000 persons of Protestant preference when the area is fully developed, what churches will be permitted to build in the area? Assume that we have taken a standard of one church for each 2,000 potential Protestants. This means that we will admit ten Protestant churches in the parish area. It is extremely unlikely that in any average group of 20,000 Protestants we would find as few as ten Protestant church preferences. As a check, if we take the combined membership of the ten largest Protestant groups, we will find only 60 per cent of the total Protestant membership in these ten church groups.

A basic assumption of comity agreements is that there is a great deal of interchangeability among Protestant churches. In other words, many communicants of any one church are not so attached to the dogma and principles of that church that they are perfectly willing to go to a church of another persuasion if the second church is easier to reach than the first. There is no doubt that such adaptability exists, but there are strong reasons to believe that it is not as common as churchmen wish.

The Rev. Joseph Merchant, secretary for Inner-City Work of the Board of Home Missions of the Congregational and Christian Churches and formerly executive director of the Department of the Urban Church of the National Council of Urban Churches, in reviewing a manuscript version of this report pointed out, however, that the records indicate considerable adaptability among Protestant churchgoers. The Rev. Mr. Merchant said:

> Among the larger liberal Protestant bodies -- Congregational, many American Baptists, Presbyterian, Methodist, Disciples of Christ, even considerable numbers of Episcopalians -- two facts are widely recognized: one, socio-economic factors count much more heavily in local church preference than does denomination for the majority of members; and two, these bodies are aiming at serving community as well as constituency. Under comity, each body agrees to serve all Protestants in their area equally (who are willing to be served), regardless of prior background. For example, in the first church (Methodist) to result from a common initial Protestant chaplaincy temporarily established at Levittown, Pennsylvania, there were something like 29 different denominational backgrounds in the first 100 (or maybe less) members. These figures are from memory, but I got them directly from the chaplain, and it is the normal and expected experience. This may be due to "indifference" to dogma and principles -- probably often is -- but it could also be due to socio-economic and other than dogmatic differences in origin of the denominations. Actually in dogma and principle, these major liberal bodies are much alike. Walter Muelder of Boston University School of Theology has studies proving this beyond question, and I also suggest you check H. Richard Niebuhr's Social Sources of Denominationalism.

> Further -- though comity is often nomimal or nonexistent in many areas, and, therefore, could be much better than it is as an instrument of church planning, it serves as a check on something worse than institutional competition: divisive influences in a community. Overchurched areas are always underserved areas. The goal of service to the community gets lost in the competitive struggle. We need more comity that is truly cooperative church planning to meet community needs!

While a comity agreement may work out the method by which the several Protestant bodies will respect each other's parish boundaries, there will still be a problem of persuading developers to set aside church sites. This is much more difficult in an area where all developments are relatively small, so that even one church site out of his land might strike a developer as excessive and unreasonable. When the development is large enough so that under the standards of one church for each 1,500 to 2,500 Protestant population there would be several churches, then the local church federation may be able to agree with the developer on "churching" the development. In fact, the wise developer will do well to avoid arbitrating among the several Protestant denominations and hand the job over to the local church federation.

In 1955, John Halko of the Philadelphia Council of Churches wrote (American City, March 1955, p. 7):

> The Danherst Corporation, which is building Fairless Hills (5,100 homes scheduled) . . . has donated four church sites based on surveys and studies and cleared through the Department of Research and Planning of the Philadelphia Council of Churches.
>
> Levitt & Sons have donated 10 excellent sites to churches in Levittown (17,000 homes scheduled), in Bucks County, Pennsylvania. Levitt & Sons, themselves, chose the church sites and selected their donees.
>
> Recently, Edmund N. Bacon, Executive Director of the Philadelphia City Planning Commission, incorporated 13 church sites in plans for the vast C-1 Housing Project for Northeast Philadelphia (15,000 homes proposed).

In the appendix we have reproduced a memorandum of understanding that was entered into by a local council of churches and a developer in a metropolitan area of about one million population. It has not been reproduced as a model agreement; at the same time, it seems to be fairly reasonable and equitable.

It should be pointed out, however, that with the exception of three groups, the "Roman Catholic Church, the Christian Science Church, and the Jewish Church" (sic) the developer agrees that "no sites will be reserved for churches of denominations or other associations which are not either now or in the future affiliated with the council."

It so happened that one family of Protestant bodies, one of the largest in the nation, was not represented by any group on this particular local council.

They refrained from joining the council because of some unacceptable provisions in the local bylaws. However, it is a group that is customarily found in local church federations and is a member of the National Council of Churches.

Under the agreement as signed, this particular group of Protestant bodies may not build in the development unless they first join the local council of churches.

The solutions of problems such as these are not within the jurisdiction of the professional planner or the plan commission. However, it is certainly desirable that planners try to get a complete understanding of the problems.

Standards

If it is at all possible to establish standards for aspects of urban development, planners are always interested in doing so. For this reason, planners have pressed churchmen to set up standards for church size, site areas, location, and so on. Churchmen themselves, particularly those involved in denominational expansion programs, have also sought standards for measuring sticks to help them assess their jobs.

If we start with average membership in local congregations, we find the information given in Table 9.

Table 9

AVERAGE MEMBERSHIP PER LOCAL CHURCH OR CONGREGATION

Year	Number of members
1916	191
1926	235
1936	262
1940	265
1945	249
1950	304
1956	334

Source: Yearbook of American Churches, 1958

The average size of congregations has increased about 42 per cent during the past 30 years. However, an average size is not necessarily the desirable size for a church.

If we assume an average of two members a family, then the 1956 local congregation would represent about 165 families. While there are some strong differences of opinion on the desirable size of a congregation, it would probably be accepted that 165 families is fewer than desirable -- it is a smaller group than can easily support a local church.

Actually, there is not and cannot be complete agreement on the ideal church size. Some churchmen emphasize the face-to-face relationships that can be obtained in a smaller congregation and would like to limit membership to 300 or 400 families. If the group expanded beyond 400 families, they believe the governing body should encourage the formation of a new congregation.

On the other hand, another group of churchmen, particularly clergymen who have been successful in attracting new communicants, advocates congregations of 1,000, 2,000, or even more member families. The advocates of the large church point out that it is only through the large church that large welfare programs can be carried out, that adequate church structures can be built, and that enough money can be raised to help finance new churches and churches in low-income areas.

The truth is that there will always be small congregations and large congregations -- and medium sized congregations that are on the way to becoming larger, or on the way to becoming smaller. No real uniformity of size will ever be reached.

As pointed out earlier in this report, the statement on urban comity principles of the National Council of Churches suggested one church for each 2,000 to 4,000 available population of Protestant preference, and this has since been reconsidered to suggest one church for each 1,500 to 2,500 persons in the same group.

According to the Reverend Joseph H. Fichter, S.J., "the normal urban Catholic parish is a territorial unit which contains from five to ten thousand parishioners" (Church and City Planning, p. 12). The total membership of a church will depend on a number of factors, including the density of the population it will serve -- both the density of the neighborhood and the density of its own communicants. To some extent, size will depend upon where the particular religious group stands in the cult-sect-church-denomination classification. Those groups closer to the cult and sect will probably have smaller congregations than those that are churches or denominations.

There have been several attempts to suggest area standards for churches. Hoover and Perry in Church and City Planning (p. 28) state: ". . . if the church is providing all of its own grounds and surrounding green space, three acres certainly appears to be minimum if not stingy."

Several other area requirement standards have been suggested and they are listed here:

Table 10

AREA REQUIREMENTS FOR CHURCHES AND RELIGIOUS BUILDINGS

Source	Acres recommended for church site
Conference on Church Extension Standards based on:[1](below)	
0-400 membership	1 acre
400-800 membership	2 acres
800-1,200 membership	3 acres
1,200 or more membership	4 acres
Presbyterian Board of Missions[2]	3 acres (on the average)
Urban Land Institute[3]	3-5 acres (preferably near a shopping center)
Van Osdal[4]	5-6 acres (for a 600 seat church with 150 parking spaces)
	8 acres (for a Catholic church with a parochial school)
National Association of Home Builders[5] - 500-750 seating capacity	2-2½ acres

[1]Ross W. Sanderson, op. cit.
[2]Everett L. Perry, "Selection of a Church Site," The City Church (New York: Department of the Urban Church National Council of Churches of Christ in the U. S. A.) September 1953
[3]Community Builders Handbook (Washington, D. C.: Urban Land Institute; 1954) p. 89
[4]N. K. Van Osdal, Jr., "The Church and the Planned Community," The City Church; May 1952
[5]Home Builders Manual for Land Development (Washington, D. C.: National Association of Home Builders; 1953) p. 203

The provision of off-street parking for churches has caused a great deal of discussion and some litigation. Hoover and Perry (in Church and City Planning, p. 29) have the following to say:

> The provision of off-street parking must not be made in accordance with rigidly applied standards, or great harm can be done to both the church and the neighborhood.
>
> According to the neighborhood unit theory . . . the neighborhood interior is to be set aside as a safe, quiet refuge for home life, free from the disturbances of high volume vehicular movement. The neighborhood is designed for the safety of young children. Its physical dimensions are such

> that people within the area may normally walk, not ride, to the neighborhood center.
>
> Therefore, a minimum of off-street parking should be provided around church institutions located at the geographical center of the neighborhood. This will encourage walking and discourage vehicular penetration.
>
> However, parking for peripheral denominational churches is an entirely different problem. They rely on major streets to bring their membership to worship. For the needs of this type of church, the recommendation of the Conference on Church Extension seems adequate. The Conference suggests 100 square feet of off-street parking for each member of the congregation. This is the equivalent of one car space for each three members.[9]

Planners will not quarrel with the sentiment expressed here, i. e., that excessive traffic into the center of a residential neighborhood should be discouraged. However, in view of the ever increasing use of automobiles for ever shorter journeys, particularly in inclement weather, it is questionable that traffic would be discouraged in any appreciable amount just because there are not adequate off-street parking facilities at the church site. It is the instinctive realization of this situation that leads to such vehement objection by the neighbors when a new church is proposed.

So far as we are aware, the proposal of the Conference on Church Extension (quoted above) to base off-street parking on the membership of the congregation is the only instance of such a basis for calculating parking space. Since most churches hope and plan to increase their membership, and since many churches, notably the Roman Catholic, have two or more services each Sunday, a more practical basis for determining off-street parking requirements is the seating capacity in the church structure.

In 1950, the Highway Research Board reported the following:[10]

> Churches -- For one reason or another, churches are specifically exempt from ordinance requirements concerning parking facilities in a number of municipalities. In at least 15 localities, however, churches are required to provide specified amounts of parking space . . . The average of 11 of these is 28.8 square feet of parking space per seat of a church (or parish house or Sunday school building), ranging from 12.6 to 50 square feet.
>
> In one additional place, .14 space per seat is prescribed; in another, 20 per cent of the area of the premises used

---

[9]Ross W. Sanderson, Condensed Report, Conference on Church Extension (New York: National Council of Churches; 1953) p. 26.

[10]David R. Levin, Zoning for Parking Facilities, Bulletin No. 24 (Washington: Highway Research Board, 1950) p. 50.

for a church, chapel, clergyman's residence, or other building used in connection with church, is to be arranged for parking purposes. A third requires 50 square feet per employee, and a fourth, the provision of adequate parking space as approved by the board of zoning appeals.

As in the case of other types of uses, the location of a church, among other things, will determine the extent of off-street parking facilities needed. Generally speaking, it is suggested that one parking space of the standard size be provided for each four seats in a church, plus one space for each of the church officials resident on the premises, plus additional spaces equal in number to 50 per cent of the number of permanent employees of such church or accessory facilities.

In the same bulletin (p. 100) there are model provisions for off-street parking for churches, and the following wording was suggested:

. . . For churches,_____parking space for each four seats, plus____additional space for each church official resident on the premises, plus additional spaces equal in number to at least____per cent of the number of permanent employees thereof. Where individual seats are not provided, each twenty inches of benches or other similar seating shall be considered as one seat for the purposes of determining requirements hereunder.

The Highway Research Board published in 1955 a supplement to Bulletin 24 (Bulletin 99) titled Parking Requirements in Zoning Ordinances. The information in the supplement was presented principally in tabular form and the following is an adaptation of Table 21, which appears on page 35 of the bulletin.

In addition to the provisions that have been summarized in Table 11 (covering 66 ordinance provisions), the Highway Research Board survey quoted other provisions on parking for churches that were not susceptible to summary tabulation. In all, the Highway Research Board checked 311 ordinances containing off-street parking provisions and found requirements for churches in 79 of them -- 25.4 per cent of the ordinances studied.

From Table 11 it will be seen that a high proportion of the ordinances have set a standard of one off-street parking space for each ten seats in the church. It would probably be difficult to find another off-street parking requirement standard so generally used. However, it seems to be much too low, and most churchmen agree on this. If anything, this inadequate standard for churches is an indication of the awe -- or perhaps fear -- that municipal legislators have of requiring churches to observe the rules of proper municipal conduct. It undoubtedly arises from a fear (somewhat justified) that courts will frown on any rules affecting churches as interference with

Table 11

PARKING REQUIREMENTS IN ZONING ORDINANCES FOR CHURCHES, 1954

Number of seats per parking space	Number of ordinances containing this provision
3	1
3 (persons)	1
4	3
5	5
6	5
7	2
8	6
8 (persons)	2
10	30
12	5
15	4
20	2

Adapted from Parking Requirements in Zoning Ordinances (Washington, D. C.: Highway Research Board; Bulletin 99; 1955)

the freedom of religion; and partly on the belief (perhaps questionable) that religious groups can do no wrong.[11]

The National Association of Home Builders, in the Home Builders Manual for Home Development (p. 203), recommended that parking space be "provided at a desirable rate of one car for every five seats," and that in an area of "2 - 2½ acres, one acre should be reserved for parking space."

In 1953, the St. Paul planning board made a study of local demand for off-street parking for churches. Planners found a range of two and a half to eight seats per car, with an average of four seats per car.

Church Sites and Zoning

In the earliest zoning ordinances in the United States, churches were usually omitted from all mention. W. K. Newman pointed out in an ASPO conference speech ("Churches and City Planning" in Planning 1957, p. 22):

> . . . Bassett in his book on zoning indicates that in general zoning ordinances do not restrict the location of churches. Those who have drafted many zoning ordinances have taken this for granted and have not mentioned churches in the ordinances, with the result that persons interpreting ordinances later have raised a question as to whether a church can be erected in an area set aside for single-family dwellings. . . .

In most states the decision as to whether to include churches in zoning ordinances is one for the municipality, although whether such action was proper may later be decided by a court. In Massachusetts, however, the state legislature has made the decision and the state zoning enabling act reads: ". . . no ordinance or by-law which prohibits or limits the use of land for any church or other religious purpose or for any religious sectarian or denominational educational purpose shall be valid." A similar restrictive amendment was introduced into the New York legislature in 1956 but failed to get out of committee.

But in most states churches and religious buildings are not mentioned in the zoning enabling act. The intent of the legislature was apparently that they be judged and regulated, as far as land use is concerned, in the same manner as other urban land uses are judged and regulated.

---

[11]The preponderance of this one ratio has already been cited as some kind of authority: "In Bishop Dun's preliminary letter to Mr. Lewis of 2 November 1956, we stated that if off-street parking requirements were to be applied to new construction, a ratio of one parking space per ten seats of church seating capacity would be the most restrictive limit we feel practicable, and we noted that this 1:10 ratio conforms with the most widely used zoning practice in the United States today, as we understand it." (From "Recommendation of the Diocese of Washington /Protestant Episcopal/ Relating to the Lewis Zoning Final Report," 24 May 1957.)

Where should churches be located?

Hoover and Perry suggest that the church be located in the neighborhood center where neighborhood unit planning prevails.

William H. Claire, writing in the Journal of the American Institute of Planners on "The Church and the Growing City" (Fall 1954), makes the following recommendation:

> The church site should be near the center of community or neighborhood activity. There the church can be regularly seen by all and stand as a reminder that it is always there and ready to serve the spiritual needs of man. It should be on the natural travel pattern of the community. It should be near the maximum number of people possible for walking between church and home, and for this reason may be located properly near apartment houses. The church can double here as a buffer between apartment houses (or single-family homes) and commercial developments.
>
> Accessibility with ease of entrance and exit for pedestrian and driver is a key factor in the selection of a church site. Near, or even on, an arterial route is desirable, providing the noise level is tolerable. Here is another opportunity for the church to benefit the neighborhood plan as a buffer between traffic and residential uses of land, and benefit itself by being in a position to attract the occasional churchgoer and first-timer or, as they say in the commercial world, the impulse trade.
>
> A corner lot is preferable for the church in order to be in full view of the public. The corner lot provides much greater flexibility for arrangement of the component parts of the church plant than would be offered by a plot of ground in the interior of the block.
>
> A site adjacent to, but not in, a commercial area is desirable. Sites to be avoided are those near large non-residential areas, such as industry, or railroad property, and those which present topographical barriers in the form of steep terrain or large bodies of water. [Emphasis in original article]

With some qualification, we can say that the churchman likes to see full permission given for churches to locate in any residential district. He does not appreciate Claire's proposal that the church serve as a "buffer." He agrees that the church should not be in a commercial area, and in many instances, not even adjacent to a business district.

Also with suitable qualification, we may say that the planner is not inclined to give the church carte blanche to locate anywhere it sees fit, particularly not in every residential district. The planner is naturally

influenced by the objections of residential property owners and by the characteristics of churches and church activities as he actually sees them.

The churchman understandably is thinking of his particular church, which he sees as a power for good and a benefit to the neighborhood. The planner thinks of all churches that he knows, of all sizes and breeds, of quiet and restrained groups and of boisterous groups. The planner knows that he dare not say "we will let an A-group church in, but not a church of the B-group."

In a footnote we quoted the opinion of the Protestant Episcopal Diocese of Washington on an off-street parking requirement in a proposed zoning ordinance. The report was prepared by a diocesan committee on zoning and submitted by the bishop of Washington to the zoning commission for the District of Columbia. It contains several other statements, quoted below, that indicate not unusual reactions by a church group when it faces fairly strict zoning controls.

> The long-range impact of a basic zoning philosophy affects church properties in a number of ways. It may add to the cost of maintaining such properties in conformity with specific zoning provisions. It may increase -- or decrease -- the economic value of land and improvements. . . . Noting that the objective of zoning is to assure satisfactory living and working conditions . . . the church is sympathetic to the objectives upon which zoning specifics are based. . . .
>
> While most of the following comments are limited to our "church" institutions, there are overtones involving the various other types of public service institutions affiliated with the Diocese, so that these other types of institutions should be kept in mind by the Commissioners and their expert advisers /sic/in reviewing the Lewis proposals. . . .
>
> We recommend that churches or other places of worship, including related plant, administrative, and living facilities -- i. e., such facilities as: parsonage, vicarage, rectory, staff living quarters, Sunday school and day school buildings (or other religious education building, including "pre-school" age facilities), parish house or place of public assemblage, operated and maintained in each case as an adjunct of an adjacent or nearby church or other place of worship -- should not be regarded as "non-conforming" in any zoning district of the city. . . .
>
> With regard to off-street parking proposals, no restriction should be placed on existing "churches" (here and throughout this statement the word "church" is used in the broad sense defined under the previous caption) under any circumstances, now or in the future. As to new construction, we note below three reasons why we recommend exemption of "churches" from compulsory compliance with an off-street parking requirement. . . .

> Church-related schools should not be specifically excluded from any zoning district of the city, including residential zones. . . .
>
> Regulations which may be adopted should not prohibit the development of nursery schools or day schools within presently existing parish house and church facilities. . . .
>
> It is our view that all church-related institutions and supporting facilities should be classified in the same category by the zoning administrators as "churches" ("places of worship") and not under various alternative classifications. . . . [Emphasis in original report.]

Provisions in zoning ordinances concerning churches vary widely and no great advantage would come from trying to make an exhaustive or statistical survey of them. However, if we were to tabulate the methods of treating churches, we would probably find that in the majority of ordinances there would be either (1) no mention of churches at all; or (2) churches would be permitted in the "highest" residential district and, because of the pyramidal arrangement of the zoning ordinance, automatically permitted in every other district in the city.

Two fairly recent and carefully prepared zoning ordinances that do this are the Providence ordinance and a proposed zoning resolution that appeared in the Plan for Rezoning the City of New York.[12]

Providence, Rhode Island: (churches exempt from zoning ordinance)

> Section 22 -- Buildings and Uses Affected by Zoning. Buildings housing religious bodies, churches (except rescue or temporary revival missions), convents, hospitals (except hospitals or sanitariums for contagious, mental, drug or liquor addict cases, and animal hospitals), libraries, homes for aged, and museums, whenever such libraries, homes for the aged, or museums are operated on a non-profit basis, are exempt from the provisions of this ordinance; otherwise no building or land shall hereafter be used and no building and part thereof shall be erected, moved or altered, unless in conformity with the regulations of this ordinance.

New York City: (churches permitted in all zoning districts) -- All uses in the proposed ordinance (referred to previously) were divided into use groups, of which there were 18.

> Use group 4 consists primarily of those uses which either:
>
> 1. Are of a community service character, and so are required in all residential areas for the convenience, safety, and amenity of the residents, or

[12]Harrison, Ballard & Allen (New York: 1950), p. 173.

2. Are open uses of land providing additional amenities and not creating any objectionable influences.

A. The following community service uses:
Churches and parish houses
Community centers
Government operated health centers
Schools, except trade schools for adults

Also included in this group are agricultural uses, golf courses, tennis courts, ice skating rinks, and public parks and playgrounds. The proposed resolution permitted uses in group 4 to be located in every district within the city. This was the only one of the 18 use groups so permitted.

Another fairly common practice is to permit churches in residential and commercial areas but prohibit them in industrial districts. The Denver ordinance (adopted 1955) provides for 18 zoning districts. Churches are permitted in all five residential districts, in all five business districts, and in two out of three "special" districts. The purpose of the "special" district: "to retain in effect a special zone-plot plan approved prior to the passage of this ordinance." The third such special district does not permit churches and they are also not permitted in any of three industrial districts, in the one open land district, or in the one off-street parking district.

The Greensboro, North Carolina ordinance (1955) permits churches in all residential districts, in all commercial districts, and in the one institutional district. They are prohibited in industrial districts. The specific description is "churches and other places of worship, including parish houses and Sunday school buildings."

There follow provisions dealing with churches in residential districts. These have not been selected with any idea of presenting them as models; rather, they are given to illustrate some of the several ways in which problems of churches are handled in various zoning ordinances.

Los Angeles, California:

Permitted in the A1 and A2 agricultural zones:

> Churches, and non-profit libraries and museums, provided they are located at least 25 feet from all lot lines.
>
> Permitted in the RA suburban zone and R4 multiple dwelling zone: Churches (except rescue mission or temporary revival) and non-profit libraries and museums with yards as required in Section 12.21-C,3.
>
> Permitted as a conditional use: The /City Planning/ Commission shall have authority to permit the following "conditional uses" in any zone, if it finds that the proposed location of any such uses will be desirable to the public convenience or welfare and will be in harmony with the various elements and objectives of the master plan:

(a) Airports or aircraft landing fields;
(b) Cemeteries;
(c) Churches (except rescue mission or temporary revival);
(d) Educational institutions;

. . . . . .

In permitting the above uses, the Commission may impose such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood and which are in harmony with the objectives of the master plan. In order to secure an appropriate development of an entire project in keeping with the general purposes of the master plan, the Commission shall determine the height and area regulations for the "conditional uses" under its jurisdiction, including those "conditional uses" lawfully existing on the date these regulations become effective. The height and area regulations required by other provisions of this chapter shall not apply to said "conditional uses."

In Los Angeles the zoning administrator is authorized to permit a large number of "conditional uses." However, neither churches nor private schools are among the "conditional uses" within his jurisdiction.

In general, the minimum lot size in the A1 agricultural zone is five acres; however, churches may be located on a lot of "not less than two acres." There are no special area provisions for churches in the three other zones in which they are permitted as a matter of right.

Springfield, Oregon (1947):

In R-1 single-family district: Churches (except rescue missions or temporary revival) may be allowed by a special permit from the Planning Commission after public hearing and examination of the location has convinced the Planning Commission that such a church will not be unduly detrimental to adjacent and surrounding property; providing that:

a. Front yards shall be as established for residence in Section VI F 1, below.

b. Side and rear yards shall have a minimum width or depth of 20 feet; the depth of a rear yard may include the width of a dedicated alley if the property is contiguous thereon.

c. Parking space shall be provided for as required by Section XIV B 1 b 1, below, and shall be located within 500 feet of the church building proper.

In RA suburban district: . . . provided that any buildings used for church purposes shall have minimum side and rear yards of 50 feet and front yard of 30 feet, except that on corner lots, side yards may be 30 feet.

On special permit from city council after public hearing and provided "that such a church will not be unduly detrimental to adjacent and surrounding property."

Faribault, Minnesota (1949):

In R-1 and R-2 districts: No building to be used as a place of assembly, as a church, private or parochial school, shall be erected on any lot that is not four times the area of the building foundation, nor shall any such building be nearer than 30 feet to any residence lot line.

Palo Alto, California (amended 1953):

In all residential districts: Churches and religious institutions, provided that the structure in which this use is located was build, designed and constructed for the purpose and that the site upon which it is located contains at least 40,000 square feet. /Use permit required for churches and religious institutions located on sites of less than 40,000 square feet./

Muskegon, Michigan (1952):

In residential districts: Churches located not less than thirty (30) feet from any other lot in any "R" District.

Ferguson, Missouri (amended 1952):

In residence A district with parking: Churches, but only when off-street parking space is provided upon the lot or within three hundred (300) feet thereof, which space is adequate to accomodate one (1) car for every five (5) persons for which seating is provided in the main auditorium of the church and exclusive of the seating capacity of Sunday school or other special rooms.

Oak Park, Illinois (1947):

Off-street parking for new churches erected in single-family residence districts: Churches, but any church that is on a new site shall provide off-street parking space upon the lot or within two hundred (200) feet thereof, which space is adequate to accomodate one (1) car for every ten (10) persons for which seating is provided in the main auditorium of the church exclusive of the seating capacity of Sunday school and other special rooms.

Dearborn, Michigan (1953):

In residence A district: A church or other place of worship, together with the social rooms or other public facilities normally incident thereto.

A public or parochial day school, when located on a lot not less than two hundred (200) square feet in area for each student normally enrolled therein, or for whom such school is designed.

A convent, dormitory, infirmary or similarly Class "B" dwelling incidental to a school, college or church, when located on the same lot therewith or one contiguous or opposite thereto; provided that the lot on which such use is located has an area, in addition to other area requirements of this ordinance, of not less than fifteen hundred (1,500) square feet for each person for whom accommodation is provided therein.

Legal Decisions

Two excellent analyses of legal decisions on zoning and churches appeared in 1957. The first of these was the paper, "Legal Restrictions on Church Building" by William Kincaid Newman, delivered at the ASPO National Planning Conference in San Francisco in March 1957 and published in Planning 1957. The second paper was a legal note that appeared in the June 1957 Harvard Law Review, called "Churches and Zoning."

The following extracts are from Mr. Newman's paper:

> It is difficult to generalize with regard to zoning ordinances because every community has a different ordinance and every state has different enabling legislation on which communities base their zoning ordinances. It is, therefore, necessary in each case to examine: (1) the ordinance to determine its applicability; (2) the enabling legislation to determine whether the ordinance comes within its terms; (3) the state constitution to determine whether the enabling legislation and ordinances are constitutional; and (4) the United States constitution to determine whether the legislation infringes on the constitutional provisions for freedom of religion and establishment of religion or infringes the due process clause of the 14th amendment.
>
> There are cases that seem to indicate that in California, Illinois, and Oregon zoning ordinances may prohibit the erection of churches in residential areas; while in Florida, Indiana, Michigan, Nebraska, Nevada, New York, Ohio, Texas, and West Virginia the courts have permitted the erection of churches notwithstanding purported restriction.
>
> The lead case in California seems to be the Corporation of the Presiding Bishop of the Church of Jesus Christ of the Latter Day Saints v. the City of Porterville, decided by the District Court of Appeals in 1949 (203 Pac.2nd 823). The Supreme Court of California refused to review this case,

and appeals to the United States Supreme Court were dismissed (338 U.S. 805 and 338 U.S. 939). In this case, property was acquired by the Latter Day Saints with a view to erecting a house of worship. A building permit was denied on the ground that such erection would violate the zoning ordinance. The court in a three to two decision held that it was not necessary to produce evidence to show that the erection of the building would be unfair to the property owners in the residential area and cause a diminution in their property values and that refusing the permit was in no way denying freedom of worship.

A subsequent case in California involved a Baptist church in the town of Chico, where permission was also refused. But in the Chico case, the church had not exhausted its remedies under the zoning ordinance and the church was not represented by an attorney.

I mentioned these cases because it has seemed to me that we encounter more roadblocks in getting churches erected in California than in other states. Paradoxically, the tremendous growth in population in California has created a need for new church building probably greater than in any other state in the country.

A quite different view of the law was taken in two cases which seem very much to the point: In Mooney v. Village of Orchard Lake (333 Mich. 389, 53 N.W.2d 308, 1952), the Supreme Court of Michigan dealt with the problem of a Catholic church that had been refused permission to erect a church building in an area zoned residential. The church showed in the evidence that of the total area of the town 90 per cent was zoned residential and only 10 per cent was available for public purposes and other categories of construction, including churches. The court held that the land available for churches was so small that the zoning ordinance constituted a total prohibition of church building anywhere in the town and was, therefore, unconstitutional.

A similar case frequently quoted arose in the state of New York (Concordia Collegiate Institute v. Miller, 301 N.Y. 189, 93 N.E.2d 632). In this case, the town of Bronxville had refused permission for the erection of a college library in a residential area adjoining the campus of the college. Ninety-seven per cent of the town was zoned residential. The ordinance allowed construction of commercial, industrial, and eleemosynary buildings on only 3 per cent of the land, and this land was located near the railroad tracks. The court held that the ordinance violated the state constitution and the federal due process clause, distinguishing between the building of garages and other offensive uses in favor of an "educational use which is clearly in furtherance of health, safety, morals and general welfare of the community."

The same question raised in the aforementioned California cases was raised in Roman Catholic Welfare Corporation v. City of Piedmont (287 Pac.2nd 438, 1955). Piedmont endeavored to prevent the erection of a Roman Catholic parochial school in a single-family residential area, in violation of local zoning ordinances. Public schools were located at regular intervals in the same residential area. It was shown that the ordinance barred private schools from 98.7 per cent of the land in Piedmont. In an undivided opinion, the Supreme Court of California referred to the Mooney case with approval and decided that the ordinance could not limit the space for erecting private schools as it purported to do. But in distinguishing the Porterville case, the court decided, on the somewhat strange ground, that since the ordinance there forbade all churches, it was inapplicable.

Two cases have recently been decided by the Court of Appeals, New York's highest tribunal, giving permission for the erection of a synagogue in Sands Point on Long Island and a Roman Catholic church and parochial school in a Rochester suburb. Said Chief Justice Conway: 'We think that we should accept the fact that we are the successors of 'We, the people' of the Preamble to the United States Constitution, and that we may not permit a municipal ordinance to be so construed that it would appear in any manner to interfere with the 'free exercise and enjoyment of religious profession and worship'."

An objection in Sands Point had been made because the synagogue intended to carry on social and recreational activities in addition to services of worship. This was overruled by Chief Justice Conway, who said: "A church is more than merely an edifice affording the people the opportunity to worship God. Strictly religious uses and activities are more than prayer and sacrifice, and all churches recognize that the area of their responsibility is broader than leading the congregation in prayer. Churches have always developed social groups for adults and youth where the fellowship of the congregation is strengthened, with the result that the parent church is strengthened."

It can therefore be seen that there is considerable question whether a zoning ordinance that purports to exclude churches from residential areas is constitutional and that it is quite possible that a decision would turn on whether in a given situation ample land within the town limits had been provided for church building purposes.

The Harvard Law Review note reported a total of 30 appellate decisions directly involving churches and zoning. This apparently included all cases decided in 1956 but none later. It is interesting to note that in 1957, ZONING DIGEST, published by ASPO, cited eight cases involving churches and zoning, or more than one-fourth as many in one year as had been heard in the previous

30 years -- since Euclid v. Ambler. This is an indication of the increased activity in church building and the increased interest on the part of city zoning authorities in controlling religious buildings.

One of the interesting findings reported in the Harvard Law Review article was related to court decisions on zoning as a violation of the constitutional guarantee of freedom of religion:

> Although the central issue in determining the validity of an ordinance excluding churches from a zoned area would seem to be whether the restriction interferes with the first-amendment guarantee of freedom of religion as incorporated in the fourteenth, none of the decisions invalidating these ordinances has explicitly rested on this ground. Although the Supreme Court has been strict in its prohibition of prior restraints on freedom of religion or speech, it has held that reasonable regulations of time and place are valid.

In relation to this, the Supreme Court of the United States said in American Communications Assn., CIO v. Douds, 339 U.S. 382, 397-98 (1950):

> When the effect of a statute or ordinance upon the exercise of First Amendment freedoms is relatively small and the public interest to be protected is substantial, it is obvious that a rigid test requiring a showing of imminent danger to the security of the Nation is an absurdity. We recently dismissed for want of substantiality an appeal in which a church group contended that its First Amendment rights were violated by a municipal zoning ordinance preventing the building of churches in certain residential areas. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints v. Porterville, 338 U.S. 805 (1949).

The basis on which most courts have overruled zoning exclusion of churches is that the zoning ordinance has deprived the church group of its property without due process of law. This is the basis, for example, of the important recent decision in New York, Diocese of Rochester v. Planning Board of Brighton, 136 N.E.2d 827 (1956) (Vol. 8 ZONING DIGEST, pp. 64, 241).

Harvard Law Review notes in connection with the decisions on due process:

> . . . it seems almost undeniable that the same effects which have been held to justify the exclusion of other buildings may also result from the presence of a church in a residential area. Like other places of assembly, churches produce noise, congestion, and traffic hazards. These conditions disrupt the residential character of the neighborhood and therefore tend to depress the value of surrounding property. . . .

And these effects have been found of sufficient effect in depreciating the amenities of the neighborhood to justify zoning exclusion of churches. See Corporation of Presiding Bishop v. Porterville, 90 Cal. App. 2d 656, 203 P.2d 823, appeal dismissed 338 U.S. 805 (1949), (1 ZD 35, 39); West Hartford

Methodist Church v. Zoning Bd. of Appeals, 121 A.2d 640 (Conn. 1956), (8 ZD 164); Miami Beach United Lutheran Church v. Miami Beach, 82 So.2d 880 (Fla. 1955), (8 ZD 16); and Galfas v. Ailor, 81 Ga. App. 13, 57 S.E.2d 834 (1950), (2 ZD 68).)

If an actual count were made, it would probably be found that in the majority of decisions, the courts thus far have refused to uphold the exclusion of churches by zoning. A leading case on this was State ex rel. Synod of United Lutheran Church v. Joseph, 39 N.E.2d 515 (Ohio 1942).

However, the total decisions on the subject of churches and zoning do not add up to definite findings one way or the other. There may be a slight trend for the courts to become less lenient in allowing churches to do anything they wish to do. For example, for a number of years it has been almost certain that the courts would permit a parochial school in any zone in which a public school was permitted. However, in State ex rel. Wisconsin Lutheran Conference v. Sinar, 65 N.W.2d 43 (Wis. 1954), (6 ZD 169) appeal dismissed 349 U.S. 913 (1955) the Supreme Court of Wisconsin upheld the exclusion of a private high school in a residential zone in Wauwatosa, although a public high school would have been permitted in the district.

It would be gratuitous to discuss in any great detail all nuances of court decisions on churches and zoning in light of the excellent Harvard Law Review article. In the appendix, however, we have listed citations including those that have been reported since the Harvard Law Review note was published. For anyone who is interested in pursuing the subject further, the Law Review note and the cases are recommended for study.

Conclusion

As stated in the beginning of this PLANNING ADVISORY SERVICE report, this study is primarily an interim review of a subject that is very much alive.

In a February 1958 release, Architectural Forum reported religious building construction costs of $868 million for the year 1957. Forum went on to estimate costs of $920 million for 1958, $900 million for 1962, and $950 million for 1967.

This is an enormous amount of religious building construction, but it does not seem to be an unrealistic estimate. Construction in this amount, and distributed widely as it will be, poses difficult and important problems. The increase in church zoning litigation is confirmation that the problem is already here. The problem will take continuing work by both planners and churchmen. It is difficult to work with because of the emotional -- almost superstitious -- content of its many aspects. It is important that everyone -- planners, churchmen, laymen -- try to approach the situation as objectively as possible.

Appendix

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Note on Church Membership Figures

The comparability of membership counts by the different religious bodies is poor. Nevertheless, it is the best that we can get, and until there is another census count, we will have to be content with it.

While the figures are not comparable, they can still be valuable if the user understands the principal differences.

The Roman Catholic Church counts all baptized persons as members, including infants. Jews regard as members all Jews living in communities having a Jewish congregation, regardless of whether they are affiliated with a congregation. The Eastern Orthodox churches include all persons in their nationality and culture group as members. Most Protestant churches count only full members, most of whom are more than 13 years of age. Recently, however, the Protestant Episcopal church and several Lutheran bodies have started reporting all baptized persons instead of only those who have been confirmed.

Part of the creed of the Church of Christ, Scientist (Christian Scientist) forbids the enumeration of members and the publication of figures on membership. Therefore, in all tabulations of church membership, the Christian Scientist membership is given as 268,915 -- which is the figure from the last United States census count, made in 1936.

There are also in the United States groups of Muslims, and now there is a mosque for the group in Washington. It is estimated that there are 15 to 20 Muslim churches and somewhere between 10,000 and 20,000 persons of the Mohammedan persuasion in the United States.

Table A

CHURCH MEMBERSHIP AS PERCENTAGE OF TOTAL POPULATION

Year	Number of church members (in millions)	Total population (in millions)	Church members as per cent of total
1850	(3.7)	23.2	16
1880	(10.0)	50.2	20
1900	(27.4)	76.0	36
1920	(45.5)	105.7	43
1926	54.6	117.1	47
1930	(57.8)	122.8	47
1940	64.5	131.7	49
1950	86.8	151.1	57
1956	103.2	167.5	62

Source: Yearbook of American Churches, 1958 (Figures in parenthesis have been interpolated.)

Table B

CONSTRUCTION OF RELIGIOUS BUILDINGS
SELECTED YEARS 1920-1956

Year	Value of construction (in millions)	Year	Value of construction (in millions)
1920	$ 55	1948	$251
1925	165	1949	360
1930	135	1950	409
1935	28	1951	452
1940	59	1952	399
1945	26	1953	474
1946	76	1954	593
1947	126	1955	736
		1956	775

Source: Yearbook of American Churches, 1958 taken from Construction Volume and Cost, U. S. Department of Commerce.

Churches and Zoning: Legal Decisions

"Churches and Zoning," legal note in 70 Harvard Law Review 1428-38 (June 1957). This note presents such a thorough coverage of court action that it would be redundant to try to improve on the comments and citations. For that reason, the reader is referred directly to the article.

The first seven cases given below are some of the leading cases and are also cited in the Harvard Law Review note. The remaining citations are to decisions that have been handed down since the note was written.

Corporation of Presiding Bishop v. Porterville, 203 P.2d 823 (Cal. 1949) appeal dismissed, 338 U.S. 805 (1 ZD 39). (Prohibition of church in single-family residence district upheld.)

State ex rel. Synod of United Lutheran Church v. Joseph, 39 N.E.2d 515 (Ohio 1942). (Exclusion of church from residential district held illegal.)

Diocese of Rochester v. Planning Bd. of Brighton, 1 N.Y.S.2d 508; 136 N.E.2d 827 (N.Y. 1956) (8 ZD 241). (Refusal of planning board to issue special permit for Catholic church and school in residential district declared illegal.)

State ex rel. Anshe Chesed Congregation v. Bruggemeier, 115 N.E.2d 65 (Ohio 1953) (6 ZD 19). (Among other invalid reasons, neither tax exemption of church property nor residence of most of congregation outside municipality are sufficient to justify denial of special permit to allow church in residence district.)

Roman Catholic Archbishop (Mooney) v. Orchard Lake, 53 N.W.2d 308 (Mich. 1952) (4 ZD 152). (A zoning ordinance that operates to exclude churches completely from municipality is invalid.)

Catholic Bishop v. Kingery, 20 N.E.2d 823 (Ill. 1939). (Parochial schools may be excluded from districts in which public schools are permitted.)

State ex rel. Wisconsin Lutheran High School Conference v. Sinar, 65 N.W.2d 43 (Wis. 1954) (6 ZD 169), appeal dismissed 349 U.S. 913 (1955). (Parochial high school may be prohibited in district in which public high school is permitted.)

Cases since Harvard Law Review note:

Application of Garden City Jewish Center, 133 N.Y.S.2d 523 (N.Y. 1956) (9 ZD 5). (Refusal of special permit on basis of inadequate off-street parking held to restrict "freedom to worship.")

Wofford v. Gainesville, 96 S.E.2d 490 (Ga. 1957) (9 ZD 112). (Refusal to issue permit to build church in residential district upheld on basis of no case made by plaintiff church.)

Appeal of Trustees of Jehovah's Witnesses, 130 A.2d 240 (Pa. 1957) (9 ZD 150). (Refusal to issue permit for church on basis of inadequate off-street parking

and too close proximity to existing church -- less than one-quarter of a mile -- upheld.)

Mahrt v. First Church of Christ, Scientist, 142 N.E.2d 567, 678 (Ohio 1955-1956) (9 ZD 185, 187). (Off-street parking lot for church permitted in residence district on undue hardship basis, permit held legal.)

State ex rel. Jehovah's Witnesses v. Wenatchee, 312 P.2d 195 (Wash. 1957) (9 ZD 212). (Refusal of special permit for church in first residential zone held arbitrary and illegal.)

Tolar v. Meyer, 96 So.2d 554 (Fla. 1957) (9 ZD 252). (Zoning does not abrogate deed restrictions against church construction.)

Gray v. Stanislaus County, 316 P.2d 678 (Calif. 1957) (10 ZD 15). (Court held that use permit to build a church had been properly granted.)

In re O'Hara's Appeal, 131 A.2d 587 (Pa. 1957) (9 ZD 176). (Refusal to permit construction of diocesan high school held illegal.)

Memorandum of Understanding on Reservation of Church Sites

Parties and Purpose:

This understanding is entered into between the Council of Churches of Centerville (hereinafter referred to as the "Council"), XYZ Companies (hereinafter referred to as the "Developer"), and The Centerville Community Development Company (hereinafter referred to as "CCD Co."), and has as its purpose the establishment of policies and procedures intended to initiate, promote, and control the reservation and disposition of sites, construction of buildings, and organization of congregational activities with respect to the provision of Christian churches for and within the Oak Manor Project Area (hereinafter referred to as the "Project").

Delegation of Responsibility to Council:

For, and in consideration of the services agreed herein to be rendered by the Council, the Developer hereby delegates to the Council the right and responsibility of establishing all Protestant churches to be planned for by the Developer and intended to be constructed by various Christian church groups within the Project, subject to the terms and conditions stated below.

Planning Considerations and Standards:

It is the present understanding of the parties to this agreement that the project tract will be organized into six (6) residential neighborhood areas, generally as delineated on the Master Plan, Oak Manor Showing Proposed Revision. (In addition, the plan makes provision for a Regional Shopping Center and light industrial areas contiguous to residential areas, but having no direct bearing on church planning problems.) The Master Plan is not to be construed as fixed and final in designation of roads, land uses, and neighborhood boundaries, and is subject to revision, refinement and modification from time to time by the Developer, with the advice and consent of CCD Co.

The Master Plan indicates specific sites in central neighborhood areas reserved for church use. Such sites are not to be construed as fixed and final in reference to location, size and numbers, but are subject to further definition under the operation of this memorandum.

It is the joint determination of the Council, the Developer, and CCD Co. that the following standards should be established and observed in reference to site planning for churches:

1 -- Neighborhood Protestant Churches:

For each neighborhood, one centrally located site containing not less than three (3) acres shall be reserved and made available for purchase and development by the Developer to the Council, or to its designee. Each central neighborhood church site shall be used for the construction of a church

and such associated structures, parking areas, etc., as are required to provide adequate housing and normally acceptable religious services to meet the normally anticipated demands of the neighborhood in which it is located, as determined by the Council. Provided the responsibilities assumed by the Council under this agreement are and continue to be met, no other intra-neighborhood Protestant church sites will be established by the Developer in such neighborhood, except as otherwise provided below.

2 -- Central Protestant Churches:

Within that neighborhood containing the "Municipal Center" (tentatively indicated on the Master Plan to be Neighborhood "D"), the Developer will establish and reserve a minimum of two (2) additional church sites, of size and location, and possibly additional numbers, to be determined by mutual agreement following further studies, such sites to be used for construction of Protestant churches drawing their congregations from the Project as a whole, as distinguished from neighborhood churches intended to draw their membership from the immediate geographic areas in which they may be located.

3 -- Non-Affiliated Churches:

The Developer will negotiate separately with representatives of the Roman Catholic Church, the Christian Science Church, and the Jewish Church concerning site planning criteria and standards to govern the size, location, and number of sites to be established and reserved for such churches. The Developer reserves the right to conduct such negotiations and to determine such conclusions independently of the provisions of this understanding. With the specific exception of the three non-affiliated church groups to be dealt with separately under the understanding of this paragraph, no sites will be reserved for churches of denominations or other associations which are not either now or in the future affiliated with the Council.

Objectives of the Developer:

The objectives of the Developer and CCD Co. in entering into this understanding are:

1 - To assure that churches will be provided when and as needed to meet the religious desires and requirements of future residents of the Project;

2 - To assure that such churches as are agreed to be established will have the opportunity to draw their membership from a sufficient number of families as to give reasonable promise of economic security to the congregational undertakings of such churches;

3 - To assure that neighborhood churches will be sufficiently liberal in their policies, procedures and practices as to welcome unreservedly to their membership all families desiring to join such churches, regardless of prior denominational affiliation of such families;

4 - To assure that neighborhood churches, in their provision of religious and community services to specific geographic areas, will offer such services with maximum possible appeal and attractiveness to the families of widely diversified Protestant denomination backgrounds who will reside in such neighborhoods;

5 - To assure that adequate financial assistance consisting of reasonable loans and/or grants will be offered and available to both Neighborhood and Central Protestant churches through the Council or through its affiliated denominational groups to enable the establishment of such churches, the employment of ministers, acquisition of church sites and the erection of church structures as such facilities are needed and commensurate with the growth of both individual neighborhoods and the Project as a whole.

Objectives of the Council:

The objectives of the Council in entering into this understanding are:

1 - In keeping with the provisions of Article II of its Constitution, to achieve in the most effective possible manner the objectives of the Christian religion as they relate to the foreseeable needs of the future residents of the Project;

2 - To recognize in the present planning, and impending development of the Project, an unusual challenge and opportunity to provide a new community and all of its residents with a strong and constructive system of Protestant Christian churches through the agency of interdenominational cooperation;

3 - To welcome into such interdenominational cooperative endeavor all churches who are now or may have become members of the Council, and who are willing and prepared both procedurally and financially to undertake, subject to the guidance of the Council, the establishment of churches of the type and character proposed under the terms of this understanding;

4 - To fulfill to the greatest practicable degree the objectives of the Developer as herein stated;

5 - To avoid the establishment in the Project of many churches of limited appeal to minority groups, and of questionable future financial security.

Conditions of Understanding:

It is understood and agreed by the parties hereto:

1 - Planning: The parties hereto will consult with respect to location, size, and road and utility services to be provided of and to church sites,

and in so far as the Council's recommendations are deemed practicable and sound by the Developer, site planners and engineers such recommendations will be followed;

2 - Conveyances: Church sites falling under the terms of this understanding will be reserved by the Developer and conveyed to the Council or its designee under terms and conditions to be determined by negotiation between the parties to the specific conveyance. However, in conformity with policy relating to conveyance of land for public school facilities, it is agreed by the Developer that the price to be established for conveyance of any church site to the Council or its designee shall not exceed 80% of the appraised value of such property as determined by the Centerville Real Estate Board;

3 - Reference of Applications: The Developer and CCD Co. will refer to the Council all applications and requests for church sites which may be received from churches other than the Roman Catholic, Christian Science, and Jewish churches, or such other churches as may be subsequently agreed upon by the parties hereto as not reasonably falling within the perview of this understanding;

4 - Establishment of Churches: The Council will select from its membership those parent churches prepared to establish churches in the Project in conformity with the intent and objectives of this understanding during each succesive stage of Project development. It is understood by the parties hereto that criteria as to size of churches in respect to anticipated neighborhood and Project population will be established through research by the Council, controlled by the purpose of providing adequate but not excessive plant facilities. The program of church construction will be organized by the Council in such a manner that each parent church will be prepared to erect and complete an appropriate church structure ready for use by the time not more than 75% of the residential units planned for any neighborhood are completed by the Developer. The site planning for and architectural design and specifications for any proposed church shall be determined by the Council and/or the parent church, and shall be submitted to the Developer for approval. Should the Developer fail to approve such plans as submitted, he may be represented in a Board of Design Arbitration to be composed of an architect of his selection, an architect selected by the Council or the parent church, and a third architect to be selected by the representatives of the parties to the arbitration. Expenses of arbitration shall be shared equally by the parties, and the Board's determination shall be final.

5 - Preparation of Comprehensive Church Development Plan: At the earliest practicable time, and within a period of one year of the date of signing of this Memorandum of Understanding, the Council will submit to the Developer a comprehensive Church Development Plan for the Project as a whole, upon which will be indicated the proposals of the Council for construction of Neighborhood and Central churches, the Council's selection of parent churches which have agreed to assume sponsorship and financial responsibility for such churches, and the proposed size and capacities of such churches. The Developer will provide the Council with such current and corrected data as may have bearing from time to time on questions of population to be served, and timing of the development program, to permit any necessary amendments to the Comprehensive Church Development Plan. Council agrees that the Developer may pub-

licize such church development plan, and represent to prospective purchasers of Project homes that the Council has assumed responsibility for carrying out commitments essentially as expressed in such plan;

6 - Terms of Understanding: This understanding shall continue in effect for a period of ten years from the date hereof, and may be amended, extended, or cancelled at any time, by mutual agreement of the parties hereto. Either party hereto may withdraw from the understanding upon the failure or alleged failure of the other party to conform to the terms of the agreement, provided, however that any legal contract theretofore entered into in conformity to the intent and spirit of this understanding shall not be affected by such cancellation or withdrawal. This understanding as it relates to the Developer and the Council shall not be affected by the dissolving or withdrawal of CCD Co. from further participation in Project planning or development. Subject to the provisions of this paragraph, this understanding shall continue in effect with reference to any successor or assign of the Developer in ownership of the Project or affected parts thereof, and shall continue in effect with reference to any successor of the Council which may be established to acceed to Council's functions and responsibilities;

7 - Administration: The provisions of this understanding shall be administered by a committee consisting of Executive Secretary of the Council, an appointed representative of the Developer, and the Manager or other appointed representative of CCD Co., to which committee may be added from time to time the appointed representative of any parent church selected by the Council to be responsible for establishment of any Neighborhood or Central Church.

This Memorandum of Understanding has been signed by the parties hereto in Centerville this _____ day of _____, 195___.

KING COUNTY PLANNING COMMISSION
County-City Building
Seattle 4, Wash.

CHURCHES

Please furnish this office with -

1. Application in writing for approval of church site.

2. Legal description and location address of property.

3. Letter from Council of Churches giving their opinion.

4. PETITION, with signatures of adjoining property owners, within 300 ft. in all directions, showing approval or disapproval of church location and off-street parking rezone for proposed church.

5. Number of seats in the chapel and nave.

6. SITE PLAN -

   (1) Show proposed church located on property, with setbacks;
   a. Setbacks are (minimum):
   (a) Front yard - 20' from property line;
   (b) Back yard - 25' to rear property line;
   (c) Side yard - 5' from interior lot lines;
   " " 10' from side street if on a corner lot.

   (2) Off-street parking:
   a. Space for one car equals area 10x20 ft. or 200 sq. ft., plus ingress and egress.
   b. Provide one parking space for each 5 seats in chapel and nave.
   c. Ingress and egress must be from a minor street and not from a busy thoroughfare.
   d. Parking area may not occupy front yard setback.
   e. If sufficient parking area not available on church lot, parking may be provided within 1000 ft. of church door -- either through ownership or 10 year lease, but MUST BE zoned as such.
   f. ALL church parking area must be zoned and a petition presented (see #4 above).
   g. There is a fee of $25.00 in connection with this parking rezone petition.

7. SKETCH, showing proposed church location upon the property, parking area and location of adjoining property owners (within 300 ft.) in relation to the church property, with house numbers of property owners and streets noted thereon.

8. Are there any easements or restrictions effecting the title to this property which are inconsistent with the new zoning applied for? If so, please explain.

1313 EAST 60TH STREET
CHICAGO, ILLINOIS 60637

BIBLIOGRAPHY

The following brief bibliography lists only articles on churches and city planning that have appeared in planning literature recently, plus two pamphlets. No attempt has been made to list references in church publications nor any of the extensive literature on the sociology, philosophy, organization, and other facets of religion.

Periodicals:

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CHURCHES IN NEW SUBDIVISIONS. Ontario Planning, May 1955. Ontario Department of Planning and Development, 454 University Avenue, Toronto 2, Ontario, Canada.

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THE NEED FOR CHURCH PLANNING. John H. Shope. Journal of the American Institute of Planners, Summer 1954. American Institute of Planners, 2022 Q Street N.W., Washington 9, D. C.

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Conference papers:

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Pamphlets:

CHURCH AND CITY PLANNING. Robert C. Hoover and Everett L. Perry. National Council of the Churches of Christ in the U. S. A., 297 Fourth Avenue, New York 10. 1955. 36 pp. 50 cents.

NEW CHURCHES FOR A NEW AMERICA. Two papers: "Population Movements and the Evangelical Church" by David O. Moberg; and "Problems of Church Extension" by Neil A. Winegarden. National Association of Evangelicals, 108 North Main Street, Wheaton, Illinois. 1957. 39 pp.