

# FROM MODEL HOMES TO FEDERAL LAW: BHA, HOOVER, THE ZONING ACTS, AND EUCLID

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 COMPANION TO "VENEERS OF HISTORY IN GREEN HILLS EAST", NASHVILLE SCENE

## FINDING

The single-family zoning Green Hills East now preserves descends from one federal apparatus: Hoover chaired the Better Homes board while his Commerce Department drafted the model zoning acts 35 states copied, and that child-welfare gospel gave Euclid its general-welfare rationale in 1926.

## SUPPORTS IN THE ARTICLE

- the Better Homes in America movement nationalized an arrangement that predated it
- Hoover chaired its board while running the Commerce committees that drafted the model zoning statutes
- the child-welfare gospel supplied the general-welfare rationale that won Euclid in 1926

## ABSTRACT

The single-family zoning the Green Hills East overlay would reinforce descends from one federal apparatus. Herbert Hoover chaired the Better Homes in America board while his Commerce Department drafted the model zoning statutes that most states copied. The personnel of the two efforts overlapped, and the child-welfare argument the movement had spent a decade building supplied the "general welfare" rationale the Supreme Court accepted in *Euclid v. Ambler*. *Euclid* rested on the same police-power precedents Louisville had argued and lost in *Buchanan v. Warley* nine years earlier; the opinion never cites *Buchanan*, and the Court opened comprehensive use-zoning without revisiting its bar on race-based zoning. For how the appraisal and mortgage industries codified the same premise, see [The Racial Theory of Value](#).

## SOURCES

### Primary documents

- [Village of Euclid v. Ambler Realty Co., 272 U.S. 365 \(1926\)](#). U.S. Reports printing — opinion of Sutherland, J. Read for the "general welfare" holding, the "pig in the parlor" formulation (388), the "apartment as parasite" passage (394–95), and the cited police-power line (*Hadacheck, Cusack, Welch, Reinman, Jacobson*).
- [Buchanan v. Warley, 245 U.S. 60 \(1917\)](#). U.S. Reports printing. Read for Day's rejection of property-value protection as a police-power justification for race-based zoning (~82), and as the limit *Euclid* did not revisit.
- Advisory Committee on Zoning, U.S. Department of Commerce. [A Standard State Zoning Enabling Act](#) (1924; rev. ed. 1926). The model statute.

- Advisory Committee on City Planning and Zoning, U.S. Department of Commerce. *A Standard City Planning Enabling Act* (1928). The companion model statute.
- Public Acts of Tennessee, 1935, Chapter 33 (county zoning enabling act) and Chapter 44 (municipal zoning enabling act). Drafted by Alfred Bettman as TVA consultant, modeled on the 1924 SZE; Chapter 33 now codified at Tenn. Code Title 13, Chapter 7, Part 1.

## Scholarship

- Karen Benjamin. *Good Parents, Better Homes, and Great Schools: Selling Segregation Before the New Deal*. Chapel Hill: University of North Carolina Press, 2025 (esp. Ch. 9–10, pp. 234, 241–242). The anchor for the BHA-to-*Euclid* pipeline and the child-welfare rationale.
- Dr. Karen Benjamin, interview with the author, May 18, 2026 (cited verbatim where a finding rests on her words).
- Ellis W. Hawley. "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State,' 1921–1928." *Journal of American History* 61, no. 1 (June 1974): 116–140. On Hoover's method of governing through convened committees and voluntary movements.
- Ruth Knack, Stuart Meck, and Israel Stollman. "The Real Story Behind the Standard Planning and Zoning Acts of the 1920s." *Land Use Law & Zoning Digest* (American Planning Association) 48, no. 2 (February 1996): 3–9. The APA's own institutional history of the model acts.
- Keith D. Revell. "The Road to *Euclid v. Ambler*: City Planning, State-Building, and the Changing Scope of the Police Power." *Studies in American Political Development* 13, no. 1 (1999): 50–145. On how the zoning advocates reworked the police power toward *Euclid*.
- Marc A. Weiss. *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning*. New York: Columbia University Press, 1987. On the real-estate industry's hand in the federal zoning and subdivision standards.
- Seymour I. Toll. *Zoned American*. New York: Grossman, 1969. The classic narrative history of American zoning to *Euclid*.
- Christopher Silver. "The Racial Origins of Zoning in American Cities." In *Urban Planning and the African American Community: In the Shadows*, ed. June Manning Thomas and Marsha Ritzdorf, 23–42. Thousand Oaks: Sage, 1997.
- Michael Allan Wolf. *The Zoning of America: Euclid v. Ambler*. Lawrence: University Press of Kansas, 2008.
- Sonia Hirt. *Zoned in the USA: The Origins and Implications of American Land-Use Regulation*. Ithaca: Cornell University Press, 2014.
- Jade A. Craig. "Pigs in the Parlor': The Legacy of Racial Zoning and the Challenge of Affirmatively Furthering Fair Housing in the South." *Mississippi College Law Review* 40 (2022): 5. On the racial reading of *Euclid*'s "pig in the parlor" metaphor.

- Ana Cláudia Castilho Barone. [“Harland Bartholomew and Racially Informed Zoning: The Case of St. Louis.”](#) *Revista Brasileira de Estudos Urbanos e Regionais* 20, no. 3 (2018): 437–456.
- Selma Siew Li Bidlingmaier. [“Gentrification through Housing: Urban Eugenics and Lawrence Veiller’s 1900 Tenement House Exhibition.”](#) *Amerikastudien / American Studies* 64, no. 2 (2019): 265–90.

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## THE HOUSE EXISTED TO PRODUCE THE CHILD

Better Homes in America began in 1922 as a magazine promotion and within two years had become a quasi-official national movement, with Herbert Hoover — then Secretary of Commerce — as president of its board and Harvard sociologist James Ford as its executive director. The movement taught Americans to want, build, furnish, and own the single-family house through tens of thousands of local “demonstration” committees that staged model homes during an annual Better Homes Week. It tethered intensive, modern parenting to white, middle-class single-family ownership: the house existed to produce the white, middle-class child.<sup>1</sup> Asked whether the tie between Better Homes and child-rearing was incidental or structural, Benjamin located it in Hoover himself:

“If you think about that — just even in the person of Herbert Hoover as Secretary of Commerce, who’s very interested in things like the Better Homes movement because it blends together two things that he cares about a lot: children and issues related to children, and then housing and issues related to housing. I’ve seen that described as these are his two most important issues, and I would say those aren’t two different issues in his mind — that was one issue. You needed better housing because that was important for raising better children.”<sup>2</sup>

The single-family house was the only respectable setting for that child: “there’s something wrong with raising your kid in an apartment, that that would be a bad influence on the child, that you needed that single-family house, surrounded by a lawn and surrounded by other people who own a single-family house as well.”<sup>2</sup>

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## HOOVER’S COMMERCE DEPARTMENT WROTE THE MODEL ZONING ACTS

Hoover’s Department of Commerce convened the Advisory Committee on Zoning, which produced *A Standard State Zoning Enabling Act* (SZA) in 1924, and the Advisory Committee on City Planning and Zoning, which produced *A Standard City Planning Enabling Act* in 1928. The committees were advisory in name only: states enacted their templates verbatim, as intended, and thirty-five states had adopted the SZA by 1930.<sup>3</sup> The committee that wrote it drew from the urban reform movement: Edward M. Bassett, Irving B. Hiatt, John Ihlder, Morris Knowles, Nelson P. Lewis, J. Horace McFarland, Frederick Law Olmsted Jr., and Lawrence Veiller, with John M. Gries as secretary — activists alongside the real-estate and building interests that shaped the standards from the start.<sup>45</sup> Veiller, the committee’s housing-reform member, ran a tenement-reform program scholars read as “urban eugenics” (see [The Better Homes Board: An Interlocking](#)

Directorate).<sup>6</sup> Hoover instructed the Division of Building and Housing to “encourage zoning to protect homeowners from commercial and industrial intrusions.”<sup>3</sup> The same Commerce Secretary who presided over the Better Homes board convened the zoning advisory committee, binding the child-welfare movement to the model zoning statute.

Hoover’s method at Commerce was the *associative state*: the federal government convened trade associations, professional committees, and voluntary movements, which produced standards that lower levels of government and private actors then adopted on their own.<sup>7</sup> Better Homes in America and the model zoning acts were two applications. The Commerce Department assembled the committees and movements that normalized both the single-family house and its protective zoning, then enlisted states and homebuyers as “volunteers.” Commerce wrote the model law; the states enacted it.

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### THE CHILD-WELFARE GOSPEL SUPPLIED THE “GENERAL WELFARE” RATIONALE *EUCLID* ENDORSED

American zoning is an exercise of the police power, which the states may use only to protect health, safety, morals, and the general welfare. The constitutional question in the 1920s was whether single-family zoning served those public ends or private preferences. The Better Homes movement promoted the answer: the single-family district protected children, and protecting children was the general welfare.<sup>1</sup> In the 1926 case *Village of Euclid v. Ambler Realty Co.*, the Court upheld a comprehensive zoning ordinance against a Fourteenth Amendment challenge. Justice Sutherland’s opinion reads as movement literature. The apartment building, Sutherland wrote, “is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district,” until “the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed,” so that apartment houses “come very near to being nuisances.”<sup>8</sup> A century later, the standard it set still governs: “A nuisance may be merely a right thing in the wrong place, like a pig in the parlor instead of the barnyard. If the validity of the legislative classification for zoning purposes be fairly debatable, the legislative judgment must be allowed to control.”<sup>8</sup>

Scholars since have read the metaphor as a statement about people: land-use law casting Black residents as the pig in the parlor, the right thing in the wrong place.<sup>9</sup> *Euclid* legitimized facially neutral exclusionary zoning for the century that followed,<sup>10</sup><sup>11</sup> and American single-family zoning became more restrictive and more widespread than any European analog.<sup>12</sup> Since *Euclid* the police power has expanded from abating concrete harms to ordering land use comprehensively.<sup>13</sup> Sutherland did not cite Better Homes in America, and no opinion says the village prevailed because zoning protects children; the rationale the Court accepted had become common knowledge.<sup>1</sup>

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## **EUCLID REBUILT THE PRECEDENTS LOUISVILLE HAD LOST ON**

The legal link between Better Homes, *Euclid*, and racial covenants is in the citations. Nine years before *Euclid*, in *Buchanan v. Warley*, the Court had struck down Louisville's racial-zoning ordinance. Justice Day had rejected the property-value rationale as a justification for race-based zoning: property "may be acquired by undesirable white neighbors or put to disagreeable though lawful uses with like results."<sup>14</sup> Louisville had defended its ordinance on a line of police-power precedents: *Hadacheck v. Sebastian*, *Welch v. Swasey*, *Reinman v. Little Rock*, *Jacobson v. Massachusetts*. Louisville lost. In *Euclid*, Sutherland rebuilt those precedents as the foundation for use-zoning generally; his opinion never cites *Buchanan* at all.

Southern cities knew what to do with the silence. In the decade after *Buchanan* they hired professional planners to fashion "legally defensible" racial zoning and, where that failed, "racially informed comprehensive planning" that produced the same bifurcated city without naming race.<sup>15</sup> In St. Louis the planner Harland Bartholomew gave the city's racial geography the form of a comprehensive plan.<sup>16</sup> Charleston wrote the nation's first zoning ordinance protecting a historic district, paired with a general plan under which the district "was to become White" and the displacement of Black residents was an "implicit goal."<sup>15</sup> From their first decade, the people who built single-family zoning and historic-district zoning understood them as substitutes for the racial zoning the Court had barred.

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## **NASHVILLE ZONED ON RACIAL LINES**

Tennessee passed its zoning enabling legislation in 1935: Chapter 33 (counties) and Chapter 44 (municipalities) of the Public Acts of 1935, both drafted by Alfred Bettman and both modeled on the Standard State Zoning Enabling Act.<sup>17</sup> But Nashville had received the power to form a planning commission via state private act in 1925. The city enacted its first zoning ordinance in 1933 and drew the map on the color line: the "best" residential class, Residence A, averaged roughly 5 percent Black population; the lowest, Residence D, roughly 70 percent.<sup>18</sup> Five of six Residence A areas were under 10 percent Black; every Residence D area was over 50 percent. The zoning locked in a pre-existing segregation pattern; its engineer, Gerald Gimre, had mapped "the location of the negro population" as a classification input.

The zoning map sorted the city by race and drew its lines around private covenants (see [From Covenant to Code: Nashville's 1933 Zoning Map](#)). Told that the Green Hills model home and its racial covenants predated Nashville zoning, Benjamin said: "when you start to see zoning follow, you see the same language: that the zoning is protection. And once again, a lot of it is protection for child-rearing."<sup>2</sup>

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## NOTES

1. Karen Benjamin, *Good Parents, Better Homes, and Great Schools: Selling Segregation Before the New Deal* (Chapel Hill: University of North Carolina Press, 2025), esp. ch. 9–10; on the child-welfare rationale and its relation to the *Euclid* outcome, 234, 241–42. ↩↩↩
2. Karen Benjamin, interview by the author, May 18, 2026. ↩↩↩
3. Ruth Knack, Stuart Meck, and Israel Stollman, “The Real Story Behind the Standard Planning and Zoning Acts of the 1920s,” *Land Use Law & Zoning Digest* (American Planning Association) 48, no. 2 (1996): 3–9 (the SZEAs as the mechanism diffusing comprehensive zoning to thirty-five states by 1930; Hoover’s instruction to the Division of Building and Housing, at 3; the history’s silence on *Buchanan* and race). ↩↩
4. Advisory Committee on Zoning, U.S. Department of Commerce, *A Standard State Zoning Enabling Act* (1924; rev. 1926), committee roster: Edward M. Bassett, Irving B. Hiatt, John Ihlder, Morris Knowles, Nelson P. Lewis, J. Horace McFarland, Frederick Law Olmsted Jr., and Lawrence Veiller, with John M. Gries as secretary. ↩
5. Marc A. Weiss, *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning* (New York: Columbia University Press, 1987). ↩
6. Selma Siew Li Bidlingmaier, “Gentrification through Housing: Urban Eugenics and Lawrence Veiller’s 1900 Tenement House Exhibition,” *Amerikastudien / American Studies* 64, no. 2 (2019): 265–90. ↩
7. Ellis W. Hawley, “Herbert Hoover, the Commerce Secretariat, and the Vision of an ‘Associative State,’ 1921–1928,” *Journal of American History* 61, no. 1 (1974): 116–40. ↩
8. *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926), at 394–95 (the apartment “as a mere parasite”) and 388 (the “pig in the parlor” standard). ↩↩
9. Jade A. Craig, “Pigs in the Parlor: The Legacy of Racial Zoning and the Challenge of Affirmatively Furthering Fair Housing in the South,” *Mississippi College Law Review* 40 (2022): 5. ↩
10. Michael Allan Wolf, *The Zoning of America: Euclid v. Ambler* (Lawrence: University Press of Kansas, 2008). ↩
11. Seymour I. Toll, *Zoned American* (New York: Grossman, 1969). ↩
12. Sonia A. Hirt, *Zoned in the USA: The Origins and Implications of American Land-Use Regulation* (Ithaca, NY: Cornell University Press, 2014). ↩
13. Keith D. Revell, “The Road to *Euclid v. Ambler*: City Planning, State-Building, and the Changing Scope of the Police Power,” *Studies in American Political Development* 13, no. 1 (1999): 50–145. ↩
14. *Buchanan v. Warley*, 245 U.S. 60 (1917), at ~82 (Day, J., rejecting property-value protection as a police-power justification for race-based zoning). ↩
15. Christopher Silver, “The Racial Origins of Zoning in American Cities,” in *Urban Planning and the African American Community: In the Shadows*, ed. June Manning Thomas and Marsha Ritzdorf (Thousand Oaks, CA: Sage, 1997), 23–42 (the post-*Buchanan* turn to “legally defensible” racial zoning and “racially informed comprehensive planning”; the Charleston historic district “to become White”). ↩↩
16. Ana Cláudia Castilho Barone, “Harland Bartholomew and Racially Informed Zoning: The Case of St. Louis,” *Revista Brasileira de Estudos Urbanos e Regionais* 20, no. 3 (2018): 437–56. ↩
17. Public Acts of Tennessee, 1935, Chapter 33 (county) and Chapter 44 (municipal), drafted by Alfred Bettman and modeled on the 1924 Standard State Zoning Enabling Act; Chapter 33 codified at Tenn. Code Ann. tit. 13, ch. 7, pt. 1. ↩
18. The author’s reconstruction joining a hand-traced copy of the 1933 Nashville zoning map to 1930 U.S. Census tracts (IPUMS NHGIS): Residence A averaging roughly 5 percent Black population, Residence D roughly 70 percent; five of six Residence A areas under 10 percent Black, every Residence D area over 50 percent. Detailed in *From Covenant to Code: Nashville’s 1933 Zoning Map*. ↩

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