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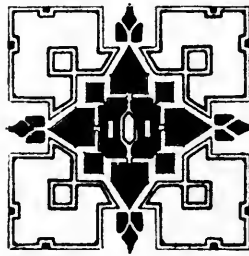
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QUARTERLY  
JANVARY 1926

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Regional Planning—Rural Planning—Town Planning

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QUARTERLY

Vol. II

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No. 1

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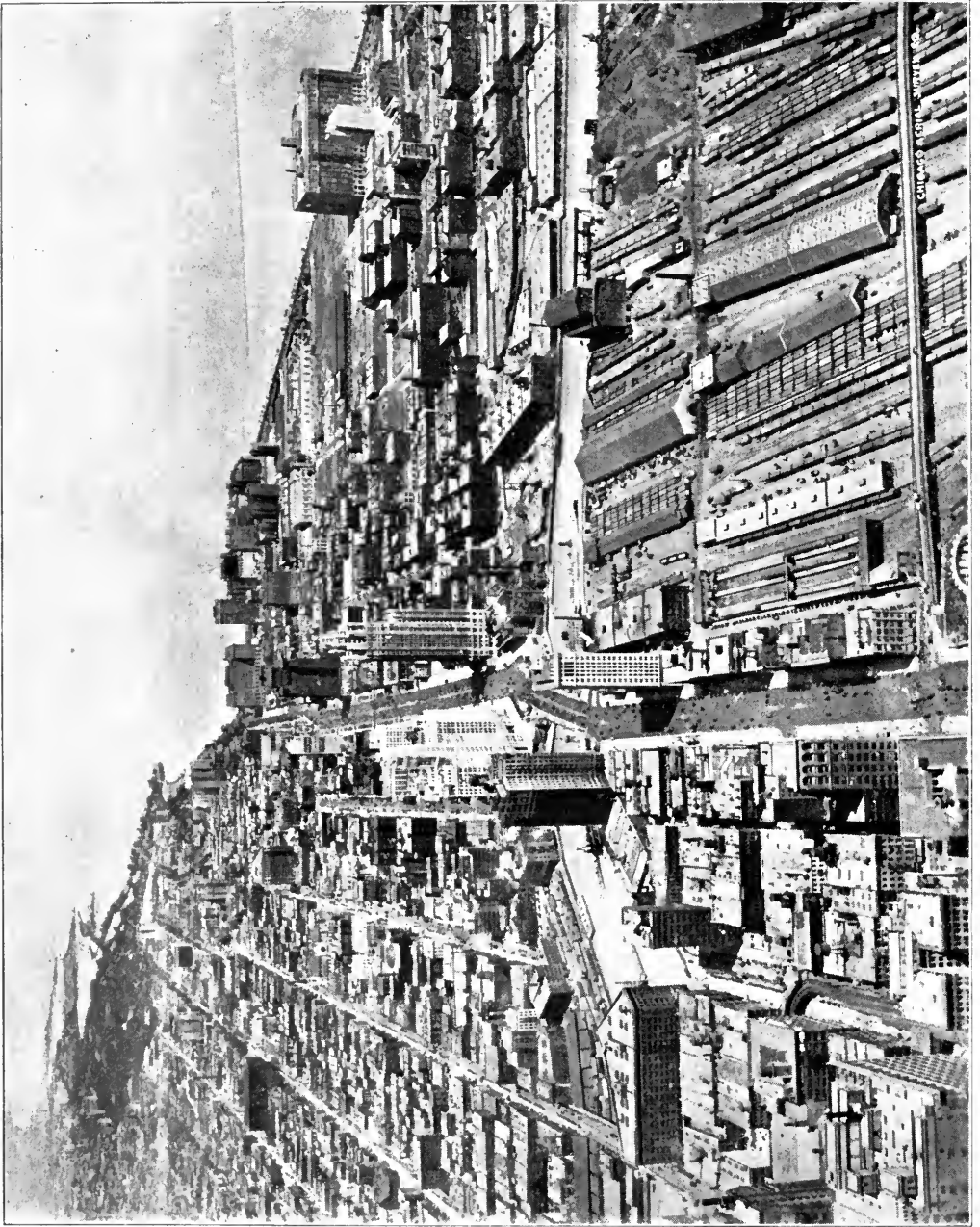
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CHICAGO

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January, 1926

No. 1

## "WHAT OF THE CITY"

CHICAGO:—VISION—PLANNING—PROMOTION—REALIZATION

By CHARLES B. BALL

Department of Public Health, Chicago

Secretary, City Planning Division, American Society of Civil Engineers

**C**ITY building is slow work. It is no task for impatient spirits. The vision and its commitment to a sketch, its exemplification in a plan which interprets ideals to others, its broadcast publication, the teaching of its benefits to the rising generation, followed by patient years of waiting for the youth to become men, all these are but steps to be taken before the community is ready for the later program of detail design, financing and actual construction.

One who, an interested observer only, has seen vision develop into reality in the last two decades with a promise of continued unfolding in the future, wishes here to set down what he has witnessed in a few short years.

**THE BEGINNINGS OF CHICAGO: From a Fort to a City. 1803 to 1833.**

In order to rightfully understand the Chicago of today, comprehending two hundred and five square miles in its extent and numbering 3,000,000 souls, one must visualize its site as this existed one hundred and twenty-five years ago.

At that time, one would have seen the low shore of the great lakes, the sluggish river, the vast flat plain, rising to an older lake margin a few miles from the waters edge. None of these, nor all of them together, held any disclosure of an incipient city.

That such an uninviting location was chosen by the early settlers as the place in which to live, instead of the high wooded shores a few miles to the north on which they might have settled, is explained by the portage. This crossing was well known to the Indian guides who brought the early French adventurers along the shores of the lake to behold the lowest point of division between the great watersheds of the Mississippi and the St. Lawrence river basins. At high water, loaded boats could here pass from the headwaters of the Chicago River and through the swamps in which the Des Plaines has its rise, without unloading cargoes, while at periods of the lowest drought, it was only a distance of three or four miles, at the most, from one water system to the other.

The summer of 1803 saw a body of United States soldiers erect on the sandy plain, at the mouth of the river, a wooden stockade enclosing a log fort within its walls, which they called Fort Dearborn, naming it after the Secretary of War.

Three early events in land arrangement and involving the origin of the City are of interest to City Planners: the Treaty of Greenville, The Federal Land Survey, and the contract to lay out blocks and streets.

The Treaty with the Indians made in Greenville (Ohio) Aug. 3rd, 1795, gave to white men, of fourteen areas described in that instrument, "One piece of land six miles square at the mouth of the Chicago River emptying into the southwest end of Lake Michigan, where a fort formerly stood." There seems no evidence that this land-grant was ever staked out on the ground.

The strategic importance of this trading point was early recognized by the General Land Office which applied to the region in June, 1821, the formal method of land subdivision which fixes for all time the square mile as a permanent unit.

The Canal Commissioners of the Illinois and Michigan Canal, appointed by the Legislature in 1829, were empowered "to locate the canal, lay out towns, to sell lots, etc." They employed James Thomp-

son to survey and plat the town of Chicago on Section 9, Twp. 39, Range 14. The completion of this survey and the filing of this plat Aug. 14, 1830, may be taken as the date of geographical location of the town, incorporated Aug. 12, 1833 (now the city) of Chicago.

About 1820, the first notable civic improvement was effected by the soldiers from the fort, who dug a channel across the small bar in the lake directly opposite the river's mouth which prevented the passage of any but the smallest craft.

This improvement, with the resources at hand, is quite comparable with the expenditure of \$4,550,000 proposed in our day for straightening the Chicago River through the railroad district, and its value was proven by the fact that in 1834 Congress was prevailed upon to make an appropriation of \$25,000, which was expended in enlarging this river mouth. The entrance of the sailing vessel "Illinois," in September, 1834, was celebrated by a joyful gathering of the inhabitants.

#### INCREASE IN POPULATION AND IN AREA. THE GREAT FIRE.

The City's growth since 1840, is shown below:

<i>Date</i>	<i>Population</i>	<i>Percent of Increase</i>	<i>Area Sq. Miles</i>
1840	4,470	.....	.....
1850	29,963	570.3	9.8
1860	109,260	264.6	18.0
1870	298,977	173.6	35.8
1880	503,185	68.3	35.8
1890	1,099,850	108.6	179.2
1900	1,698,575	54.4	190.6
1910	2,185,283	28.7	191.3
1920	2,701,705	23.6	199.4
1925	3,000,000	11.0	205.0

This recital would be incomplete did it not mention the destruction wrought by the Great Fire of 1871. "Unparalleled" is correctly applied to the holocaust which on October 8th and 9th of that year caused a loss of 200 lives, the destruction of 13,500 buildings out of the 18,000 then existing, and the burning up of values amounting to more than \$200,000.00.

The characteristic energy and resourcefulness of this people resulted in an immediate recovery from the shock, the rapid rebuilding of destroyed houses and stores, the buying of new stocks of goods and the resumption of business of all kinds.

**THE PLAN OF CHICAGO: The Bestowal of a Continuing Charter of Guidance and Inspiration.**

The Plan of Chicago, embodying the vision of Daniel H. Burnham and his colleagues, especially Edward H. Bennett, was a gift to the City of Chicago by the Commercial Club, a group of wealthy citizens whose devotion to the program thus set forth is witnessed by its money gifts, which from the inception of the scheme to the present exceed \$300,000.00.

This donation of a comprehensive program was the occasion of the immediate appointment, on Nov. 1, 1909, by Mayor Fred A. Busse, of the Chicago Plan Commission. This Commission, having only advisory powers, consists of 328 members, "truly representative of all Chicago and every element of our civic life." Its ex-officio members include the Mayor and his Cabinet, the members of the City Council, Cook County Commissioners, Trustees of the Sanitary District, and certain other officials.

As stated in the introductory pages of the plan, "The origin of the plan of Chicago can be traced directly to the 'World's Columbian Exposition' \* \* \* The World's Fair, 1893, was the beginning, in our day and in this country, of the orderly arrangement of extensive public buildings and grounds."

**THE BEGINNINGS OF REALIZATION: Status of Early Projects in 1913.**

The achievements of the first few years of operations under the City Plan were explained in detail at the meeting of the National Conference on City Planning held in Chicago, May 5-7, 1913, where were displayed the marvelous original drawings which so well illustrate the salient features of the plan; and the Conference was advised by Mr. Edward H. Bennett, co-worker with Mr. Burnham, regarding the extended scope proposed to be included. The Conference looked and



listened with attention, but could hardly be convinced of the possibility of accomplishment, within a generation, of such a comprehensive program.

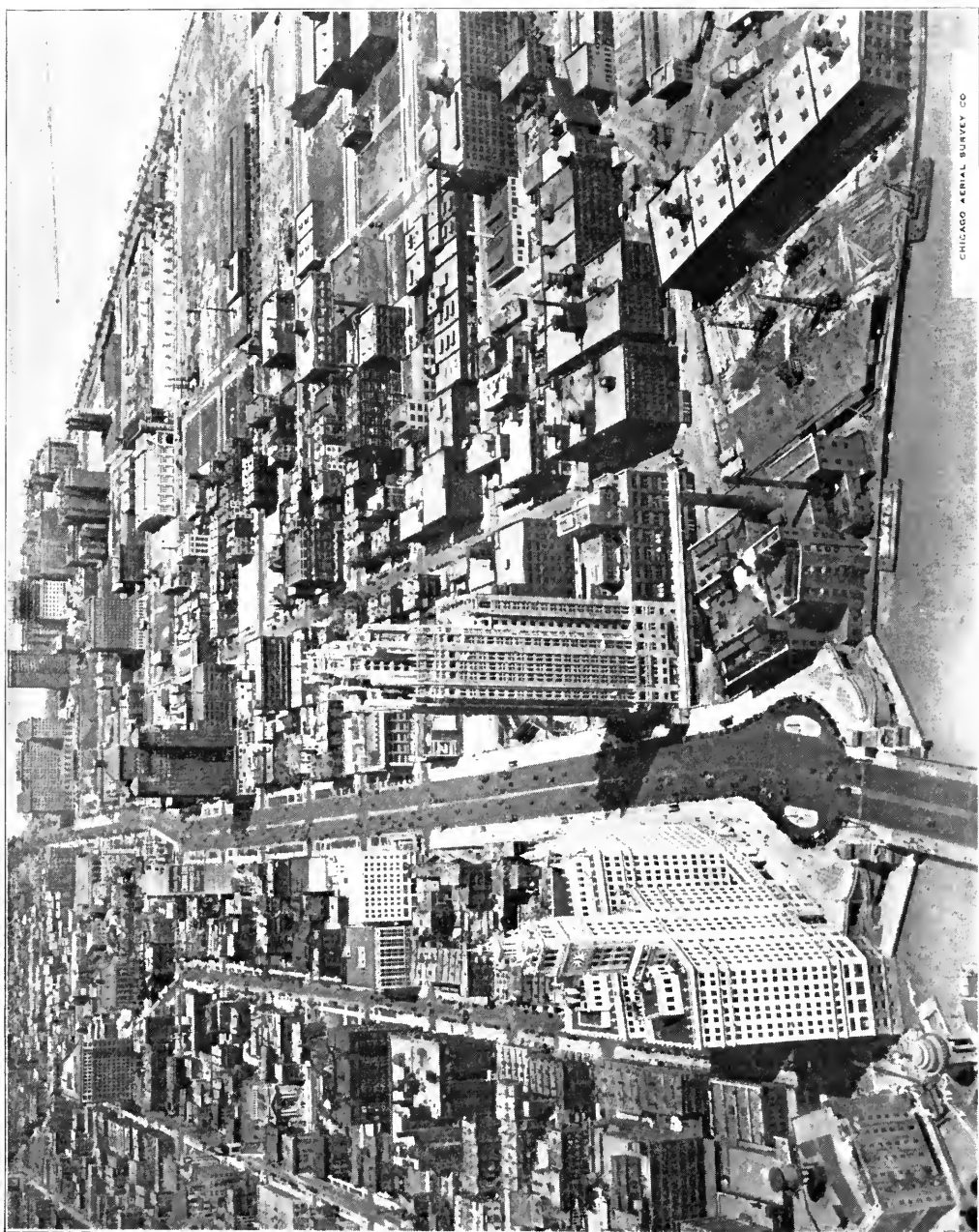
At the Conference dinner, an eloquent statement of the methods used and the status of the work was made by Mr. Charles H. Wacker, President of the Plan Commission, in an inspiring address, which is one of the most logical arguments for city planning ever delivered. As to the state of progress on the various major projects then undertaken,—the widening of Twelfth Street from 66 to 108 feet had been approved by popular vote in November, 1912; the first public hearing by the Board of Local Improvements was about to be held on the widening and extension of Michigan Avenue. The prophecy then made that “Chicago is going to create in that thoroughfare a street which will assuredly become one of the great streets of the world” is now fully realized. Reference was also made to the “magnificent work for the future of our city in the negotiation with the Illinois Central Railroad, whereby it relinquishes the riparian rights along our Southern lake shore”. He stated that this settlement opened the way for the erection of the Field Columbian Museum (now established) at the foot of Twelfth Street, and also for the creation of more than 1500 acres of park lands.

The splendid beginning of work on these projects has been carried steadily forward, with the prosecution of others from time to time in the face of almost insurmountable obstacles of civic indifference and even opposition, and we can now recount them in greater detail with their status severally at the end of the quarter century.

#### **FOUR STREET PROJECTS COSTING \$55,500,000.00: The Inner Quadrangle of Down-Town Streets.**

The Chicago Plan, as developed by the Commission, includes for a major group improvement, in order “to provide an adequate, free circulatory traffic medium surrounding the heart of the city”, the widening and extension of four important business thoroughfares: Roosevelt Road (formerly Twelfth Street) on the South, Michigan Avenue near and parallel to the lake front on the East; Canal Street on the





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Michigan Avenue, Chicago, with the Wrigley Building and the Tribune Tower

West; and South Water Street on the North. The program of improvements as above set forth is now, at the end of 1925, substantially completed.

**Roosevelt Road: Twelfth Street.**

It was deemed wise to begin operations with the widening of Roosevelt Road from 66 feet to 108 feet East of Ashland Avenue, condemning a strip of 42 feet on the South for a distance of  $1\frac{1}{2}$  miles, reconstructing the bridge over the river and also rebuilding the viaduct over the railroad from Canal to State Street with a width of 118 feet, the whole scheme being two miles in length.

By popular vote, bond issues were approved for the amounts respectively of \$1,750,000 and \$1,200,000. 34,000 pieces of property were assessed and 302 pieces were taken for the widening. On December 20, 1917, amid popular rejoicing the widened street was opened to traffic, excepting an incomplete portion of the viaduct, which is now practically finished.

Through well-nigh interminable court proceedings enlivened by the scrapping of crafty lawyers and the opposition of obdurate angry owners, the searching of musty records to establish titles, the making of thousands of computations to correctly spread the assessments, and the interruptions of a World War, the work has progressed.

We saw in the old days Twelfth Street an ordinary narrow, cramped, congested thoroughfare. Notwithstanding that the sordid money-counting present set itself against dreams of future utility and beauty, we now behold the vision become substance in the widened Roosevelt Road.

**Michigan Avenue: A boulevard of international distinction.**

The Michigan Avenue Improvement, constituting the east side of the quadrangle, parallel to the lake, and including the building of the great bridge across the Chicago River and the extension of the Avenue by widening Pine Street,—in all a distance of nearly one mile,—was a spectacular event, much in evidence to the passerby.



Courtesy of Charles B. Ball

**Two-Level Bridge over Chicago River on Michigan Avenue**

The completed street consists of two levels of roadway for about half its length, and besides longitudinal traffic, allows the passing through of seven streets, and a double street car line, without interrupting the stream on the upper level, from north to south, of pleasure automobiles. The street was widened from 66 to 130 ft. south of the river, and from the same width to 141 ft. north of the river. The street now carries on its two levels nearly 73,000 vehicles per day, compared to 9,725 which crossed the old Rush Street Bridge in 1911, when the improvement was instituted by the Chicago Plan Commission.

Less than seventy-five years ago, in 1849, the City Council authorized the establishment of a rope ferry across the river at this point. On July 26, 1851, the ferry ordinance was expanded and repassed. It then declared the ferryman to be a public official, fixed his salary at \$30.00 per month, authorized him to collect a 5c fare from his passengers, and (strange perquisite) stipulated that after 10 P. M. he could retain the fares instead of accounting for them to the City Treasurer. What a marvelous contrast was this means of communication to the boulevard link bridge, a two-level double-width bascule crossing 235 ft. long and 90 ft. in width, which was opened for traffic on May 14, 1920, and cost with its magnificent approaches the round sum of \$2,000,000.

Significant dates, in connection with the progress of this stupendous undertaking, are as follows: The project was recommended by the Chicago Plan Commission to the City on July 10, 1911. The Engineer's estimate of cost was passed by the City Council in May, 1913. The widening ordinance was passed by the City Council on July 14, 1913, by a vote of 57 to 7. It contained technical errors and was repassed on March 23, 1914, the vote at that time being unanimous, 62 in favor. The court trial began on February 14, 1916, and the assessment was confirmed March 2, 1918. The first building was wrecked April 13, 1918.

Bond issues were approved by popular vote on:

Nov. 5, 1914	Majority 78,846	\$3,800,000
Nov. 5, 1918	148,003	3,000,000
Nov. 4, 1919	100,157	2,000,000
		\$8,800,000

The assessment proceedings were inaugurated under Mayor Harrison and most of the construction work was executed during the administration of Mayor Thompson.

A word as to the multiplication of property values. Rarely have the expectations of city builders (dreamers so-called, prophets in fact) been so fulfilled in a few years as in the present case. The vision of a spacious boulevard, encanyoned in towering, splendid structures, has been realized. Quiet Pine Street, with a front foot value of \$200.00 or at the most \$300.00 has been transformed into Michigan Avenue a wide rushing torrent of automobiles, underlaid with a steady stream of loaded trucks, on which frontage property has a value at least 10 times as great, \$3,000 to \$4,000 per ft.

The end is not yet. Imagination is out-distanced in the race with actual development. The area which constitutes the Chicago Avenue district, nearly a square mile in extent, lying between Michigan Avenue and the lake, is subject to rapid occupation and growth. Speculation will appear. Increased values will result with the cutting through of the new street and an additional magnificent bridge. Money will be lost, but fortunes will be made. In the end, the world will come to see the changes which have been wrought from prairie to a modern city.

#### **Canal Street.**

The widening and change of grade of Canal Street, on the west side of the quadrangle, has been so dependent on the adjustment of the street program to railroad plans for west side freight and passenger terminals, especially the rebuildings of the Union Station, that some reference to these projects is needed before describing the reconstruction of Canal Street itself.

The flat plain on which Chicago is situated favors the layout of railroad tracks in every direction, and the plan of tracks and yards in the region within and adjacent to the city shows that the convenience of the railroads was the controlling factor of their location. The terminals in the business portion of the city, both for freight and passengers, were long since recognized as insufficient by the roads and the city authorities, but the complicated nature of the problem seemed to

render it impossible of solution until in August, 1912, when negotiations were begun for the reconstruction of the terminals west of the river. A rearrangement was proposed by four important roads: The Chicago, Milwaukee and St. Paul; Chicago, Burlington and Quincy; the Pennsylvania Lines; and the Chicago and Alton.

The program submitted by these railroads was objected to by the Chicago Plan Commission in a number of particulars which were presented by Chairman Wacker, in a hearing held by the Committee of the City Council on May 24, 1913. Some of the conditions which were ultimately assumed by the railroad interests were the widening of viaducts crossing their properties, coöperation in straightening the river channel, the widening and grading of Canal Street for a distance of over one mile, and the adjustment of its surface to a more uniform grade.

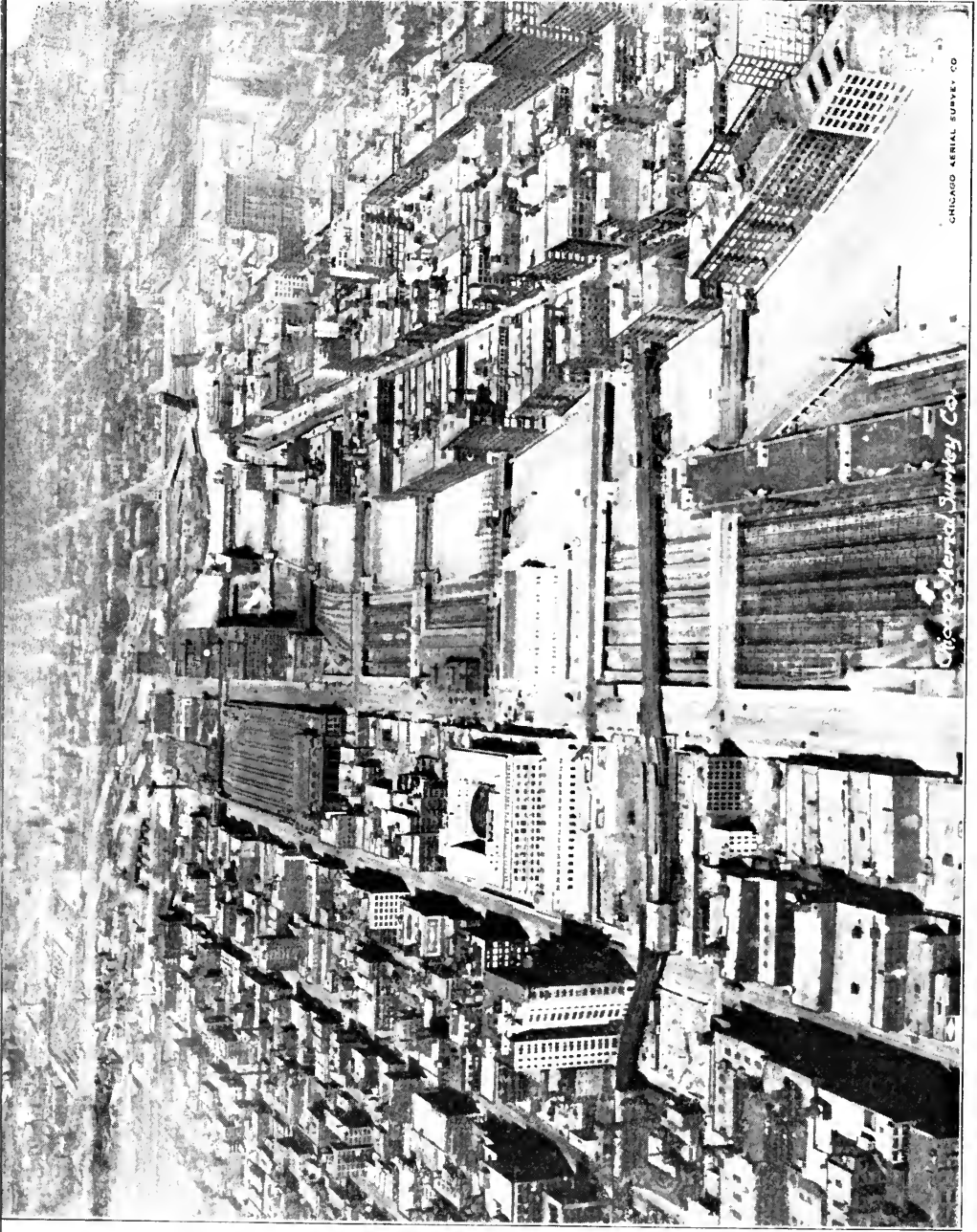
The Chicago Terminal Commission, appointed by Mayor Harrison May 24, 1914, and the Citizen's Terminal Plan Committee, a voluntary organization of business men who contributed funds to provide expert legal and technical counsel, rendered efficient service in the formulation of the adopted program.

Besides the construction of terminals, which will later be described more in detail, Canal Street is widened from 80 to 100 feet and paved from Twelfth Street to Washington Street at a cost of \$6,500,000.00 and has become a great distributing thoroughfare for the service of the public and the railroads.

#### **South Water Street.**

The Plan of Chicago suggests: "Another great opportunity comes from the fact that the (Chicago) river flows through the center of the business district." It points out also that "it has been the experience of European cities, that the banks of a river, although at first devoted only to commercial purposes, sooner or later are transformed into places which combine business uses with drives and promenades for traffic and for the pleasure of the people".

Almost since the founding of Chicago and before any other industry was established except the trade in furs the Pottawattomies, brought food supplies, consisting of grapes, vegetables, corn and par-



Canal Street, Chicago, with New Union Station

tridges. In later years large warehouses were built for food storage and thus the city became a center of food supplies. For over 30 years the dealers in such products have given consideration to the need for a new location of their business.

On November 23rd, 1917, the Plan Commission recommended the reconstruction of South Water Street as a double-deck street for a distance of nearly one mile. A bond issue for \$3,800,000 was passed on November 4th, 1919, by popular vote with a majority of 99,058 in favor. In his argument for prosecuting this work during the war, Mr. Charles H. Wacker justly charged "South Water Street today is an economic waste; a burdensome charge on all the people; a drawback to Chicago progress; an obstruction to its prosperity; and a conflagration danger to the whole loop district."

The double-decked street consists of a commercial traffic level 135 ft. in width, 9 ft. below the former street grade, of which 25 ft. will be open river quay. An upper level roadway 60 ft. wide with both inner and river sidewalks surmount it. Ramps are conveniently located to pass from one level to the other and to communicate with adjacent streets. These ample driveways are supported on 685 concrete caissons placed about 30 ft. apart which extend to hard pan 80 to 90 ft. below the old level and vary in diameter from 4 to 6 ft. The upper level roadway will be paved with asphalt, the lower with granite. Both levels connect directly with the corresponding level at Michigan Avenue.

This stupendous undertaking has been proceeded with during 1925 and has now progressed to a point where the old buildings have been removed, and foundations laid over more than half the distance along the river front, while the completed two-level roadway is in use for about one-quarter of the distance. Surpassed only by Michigan Ave., the improvement will bring South Water Street into its destiny as a logical and dignified site for downtown stores, offices, theatres, club houses and other high grade structures. The street will possess all the advantages of a boulevard on the upper level and all those of a heavy traffic way below with the additional advantages of a river quay. One has only to project his thought a few years into the future to see this splendid thoroughfare become one of the show places of the city.





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South Water Street and the Chicago River  
Construction Work Started



South Water Street under Construction



Courtesy of Charles B. Ball

Part of New South Water Street, Chicago, showing two levels and connecting ramp



Last Day in the Old Produce Market



Courtesy of Charles B. Ball

New Produce Market, Chicago

**THE NEW PRODUCE MARKET**

Having been driven by the course of events from the old location a new produce market has been established at 15th and Morgan Streets. This extended group of buildings was completed with great rapidity, and without a question constitutes the greatest establishment in the world for sale of produce, dressed poultry, butter, eggs and cheese. In extent of area, and the size of stores and warehouses, the economy of their arrangement, as well as in the amount of annual transactions, it has no rival.

The offerings brought in by the Indians a hundred years or more ago were the foundations of this great business now amounting to more than \$500,000,000 per year. The list of carloads of fruits and vegetables brought into Chicago is about 100,000 per year. The dressed poultry amounts to 88,000,000 pounds, and butter, eggs and cheese in proportionate quantities. Although it is true that a considerable quantity is re-shipped out of the city, the figures given do not include the tremendous amounts trucked into the city from local farms.

Two related simultaneous events took place on August 31, 1925; the opening of about one-quarter of the completed South Water Street to the public use, and the moving of the produce dealers into the new market buildings.

The new market, more than three blocks long and on both sides of the street, cost upwards of \$17,000,000 and will effect an annual saving in food handling over the old methods estimated at \$10,000,000 per annum. Besides the saving due to increased facilities, the construction of the new stores shows great improvement in sanitation and maintenance. Thus the industry ranking second in the city is re-housed in adequate quarters and gives another proof of the remarkable renaissance that Chicago is undergoing in these latter days.

*In an early issue of CITY PLANNING will appear a second part of this article which Mr. Ball has prepared especially for our readers. Attention is also called to the new pamphlet of the Chicago Plan Commission "The Plan of Chicago in 1925."*

# RAPID TRANSIT AND SOCIAL VALUES

*By* FREDERICK LAW OLMSTED

**W**HILE a large amount of efficient rapid transit is essential in a great city, it stands to reason that in respect to rapid transit (as in respect to all other forms of transportation) there is some limit beyond which it is economically and socially inexpedient, and some limit beyond which it is economically impossible permanently to increase the proportion of the total resources of any community (in man-hours per average day and in invested capital) which is devoted directly and indirectly to the business of "hauling and being hauled."

The people of any community have only twenty-four hours per capita per day for all the activities of life and for all the necessary intervals of rest; and the more that limited commodity is consumed in furnishing and using transportation, the less there is for everything else. Transportation, however important, must be conceded to be almost exclusively a means to other ends and not an end in itself.

The development of new and more effective agencies of transportation, such as the automobile, such as electric rapid transit, such as railroads and steam navigation, have in each case made it possible to get more of the possible advantages of transportation, more of the ultimate values of life—for the obtaining of which transportation is but one of the tools—for a given unit of cost (in terms of man-hours and of capital charges devoted to this business of hauling and being hauled) than was previously possible. And this fact often justifies, in view of such developments, the expenditure of a larger proportion than before of the rigidly limited total of twenty-four hours per day per capita in the creation and operation and use of transportation facilities, but only in so far as this will make it possible for the people of the community within the reduced amount of time which is left for all the other things in life to obtain greater values (that is to say values quantitatively larger or qualitatively more perfect) in the realm of those things which are of direct human benefit and are not merely means to some other end.

It is characteristic of our entire modern civilization,—and it is sound and wise in the face of our increasing ability to use the forces and materials of nature as tools for the pursuit of ulterior aims of real or imagined direct value to us—that an increasing proportion of our time and energy should be devoted to the manipulation of these tools, even when that manipulation brings little or no satisfaction of basic human needs in itself, provided, and only provided, that in the reduced time which remains at our disposal for the direct satisfaction of all our real human needs we can reasonably expect to do so more fully and more perfectly as a result of such use of our new tools. But with this absolute limit of twenty-four hours a day per capita staring us in the face, and little prospect of a radical change in the average number of days in a life time, this process plainly confronts a law of diminishing returns as the fraction of our time steadily diminishes which is left available, after what we devote to the operation of mechanisms purely as means to some other end, for enjoying the basic and ultimate values of life.

We certainly do not know enough today to say with any confidence what is the optimum proportion of the total time and energy and capital that can be made available in any community which should be devoted to any one form of transportation, or to all forms of transportation together; but certainly evidence abounds on every hand that in the somewhat evanescent enthusiasm for its use which every new tool inspires we often go beyond the optimum in the development and use of such mechanisms. The only final answer is by a process of trial and error. After a community finds it has bought too much of a good thing, there generally comes a more or less salutary even though wasteful reaction. But where the extensive and rapid development of any such mechanism to a point which may prove to be beyond a permanent optimum involves enormous capital expenditures and very complex readjustments of the whole social and economic fabric of a sort very difficult to recede from, it seems to me very dangerous to stimulate the indefinite continuation of the active demand for that development by artificially removing, from those whose use of the mechanism expresses the demand for it, the burden of meeting the cost involved in its continued growth in use.

The general thesis of those who advocate rapid transit fares much lower than the cost of providing the service, at the expense of the comparatively helpless body of general taxpayers, and who advocate long-distance rapid-transit hauls at the same fare as short hauls or at a rate much lower in proportion to cost, is that the general social welfare will be promoted thereby through encouraging a wider dispersion of places of residence in relation to places of work, especially through thus subsidizing a generally less congested residential development at the cost of a more costly (and often also more congested) transportation system. There is a real basis of truth for this thesis, but it seems to me to ignore quite unduly two other factors of very great importance.

The first is that a corollary of being able to travel rapidly for long distances between widespread residential districts and established centers of business at low fares, made possible by charging up a large part of the cost to some one else (i. e. the general taxpayer), is that it gives an artificial inducement for great numbers of people to do business in those centers who would otherwise be gradually forced by economic pressure to do business elsewhere, in decentralized localities, nearer their places of residence and involving immensely less transportation burden on the community. Such forcing out tends to free the aforesaid centers measurably of congestion to the great benefit of the activities for which a central location is so much more advantageous, or even essential, that those engaged in them can afford to pay the full economic cost of such long-distance rapid transit service as is necessary to enable them to function there effectively.

The second is a question of scale as between cities of moderate size on the one hand, especially cities of a size and character appropriate to having a single important and unspecialized business district, and on the other hand great complex metropolitan areas like New York, in which a large number of business districts more or less specialized in character are advantageously possible, and are in fact existing and constantly developing. For the former the familiar old slogan of "one city, one fare" is relatively appropriate, and the advantages of residential dispersement stimulated by the flat-rate fare principle, and even by fares at less than cost, are offset by relatively few disadvantages. For

the latter, if they are to continue to be, or are to become, fit places for millions of people to live and work and have their being in, local specialization of functions and a large degree of local segregation of the normal daily activities of most of the population is a *sine qua non*.

In a small city nearly all the business and social activities which are of common concern to any considerable parts of the population can advantageously be grouped together in a limited central space. The intra-urban transportation can be almost exclusively radial, and if the stimulus to a dispersed residential development seems worth the price, a subsidy which permits fares below cost extending into the undeveloped environs has much to be said for it as a social measure. In a metropolis as large and complex as New York the conditions are wholly different. Even with fares below cost and an actively extended but costly rapid transit system, a burdensome amount of time must be consumed in travelling between most of the existing centers of business and any regions still so extensively undeveloped that the competition among the vendors of accessible vacant land will in itself automatically result in large lots and a beneficially dispersed type of residential development. The practical effect of rapid transit below cost under such circumstances will be, for the great majority, not so much the stimulation of relatively sparse or uncongested residential areas and low rents by bringing outlying undeveloped lands into the market in large quantities for the average citizen, but rather the stimulation of an economically and socially wasteful habit of travelling long distances between places of business and places of residence without any adequate compensating advantage.

Except for the small majority whose circumstances enable them to live in the remote fringes of suburban development on the periphery of the metropolitan region, the effect of universally low fares on the residential conditions in such a region, through affecting the operation of demand and supply as expressed in rents and quality of accommodations, is likely to be almost negligible.

If ten absolutely self-contained cities, of a million people each, occupy the whole of a given area, but are separated from each other by such transportation obstacles that no one habitually working in one of



these cities ever lives in another, the average conditions as to demand and supply of residential accommodations would not be materially changed by the removal of those transportation obstacles. If the most perfect inter-city transportation service were furnished free at the expense of the taxpayers, or even by a benevolent philanthropist, it would, so far as demand and supply in housing are concerned, merely pool ten times the demand in ten times the area. If the segregated units were on the scale of a few score people each, the equalization from such pooling and fluidity would be important; where the units are in terms of millions of people, a substantially "free market" condition has already been established and there is no substantial gain from broadening its scope without changing the average relation of supply and demand.

The New York Region, where the rapid transit problem is most acute, is neither an overgrown village, with practically all its important common activities concentrated in one center surrounded by purely residential or agricultural areas doing business exclusively with that one center; nor is it a group of contiguous but wholly self-contained cities. It partakes and always will partake of the former character as regards a fraction of the inhabitants whose homes are scattered throughout the region and whose work is done in one or more of the several unique specialized centers of the region; and it partakes of the latter character as to a much larger and growing fraction of its inhabitants, whose homes are or could most advantageously be grouped near the respective satellite centers where they severally work and to which alone they have frequent occasion to travel. It is highly desirable, so far as it is practicable in the development of such a system, to work away from the idea of a uniform rapid transit fare at less than cost in the direction of a system of zone fares approximating in rates what would meet the actual cost of providing the service and delimited as to zone lines with thoughtful regard to the effect of the economic burden which the fares impose toward *checking* rather than *subsidizing* socially unfruitful transportation.

# THE PRESENT STATE OF COURT DECISIONS ON ZONING

*By* ALFRED BETTMAN \*

THE past year has been a triumphant one for the constitutionality of zoning. The question has come up in one form or another in many courts, both courts of first instance, appellate courts, and supreme courts; and the year has been marked by favorable decisions of the highest courts of several of the states before whom the question had not previously come. The present situation may be summarized as follows:

The constitutionality of zoning has been upheld by the highest courts of California, New York, Louisiana, Wisconsin, Massachusetts, Ohio, Minnesota, and Kansas.<sup>1</sup> The Supreme Court of Maine has rendered an advisory opinion supporting the validity of a zoning enabling act.<sup>2</sup> As against this the constitutionality of zoning has been ruled adversely by the highest courts of only Missouri, Maryland and New Jersey;<sup>3</sup> to which might be added a recent decision in Delaware which is adverse in its intimations, but leaves the question hanging.<sup>4</sup> In this connection attention might well be drawn to the fact that none of these three states (Missouri, Maryland, and New Jersey) had a general state zoning law of the type of the modern zoning statute and that each of them is now engaged in drafting and, no doubt, passing such a statute. Of those jurisdictions in which the question has not yet reached the highest court, lower courts in Pennsylvania, Tennessee and the District of Columbia have upheld the validity of zoning,<sup>5</sup> whereas the Euclid Village decision of the United States District Court for the Northern District of Ohio represents the only adverse ruling, and even in that case the Court expressly stated that the decision did not necessarily invalidate all zoning.<sup>6</sup> In fact the same Court has since upheld one of the regulations in the same ordinance. The Euclid Village case is now pending in the Supreme Court of the United States. The above

\* Paper given at Ohio State Conference on City Planning, October, 1925.

tabulation is exclusive of Illinois, where the situation is in suspense for the time being: the lower courts having upheld the validity of zoning in two cases, one of which has come before the Supreme Court, which upheld the constitutionality of zoning in general, while deciding adversely in the particular case upon grounds which are practically prohibitive of zoning in built-up areas, and then granted a rehearing, at which stage the cases are now pending.<sup>7</sup> There can be no doubt whatever, therefore, that the overwhelming weight of authority supports the constitutionality of zoning; and American urban communities may safely proceed upon the assurance that the validity of zoning is established.

This does not signify that every zoning ordinance is necessarily valid just because it is a zoning ordinance. Even if the text of the ordinance contains no provisions which are on their face unconstitutional, the map itself might be invalid because arbitrary and therefore unreasonable. Nor does this signify that every ordinance which calls itself, or whose supporting attorneys call it, a zoning ordinance is necessarily thereby made valid. In this paper zoning means the comprehensive districting of the territory of the city or region with height, use, and area or bulk regulations for each district. The cases which arose in the courts previous to the present type of comprehensive zone plan were concerned with either height or bulk regulation, and this gave rise to the fear that use regulation was the unconquered portion of the battle-field and might have greater difficulty in establishing its constitutional validity. A careful analysis of the decisions, however, will show that these fears were not justified. Almost all of the favorable decisions referred to in the foregoing tabulation were concerned with use regulation. Essentially use regulation and height and area regulations have and involve identical social and economic motives and considerations and, consequently, identical constitutional bases.

The single-family district from which the apartment house or multiple-family structure is excluded is the feature about whose validity the most anxiety has been felt. So far, however, the decisions do not

warrant any such fear. A careful analysis of the reported decisions does not disclose that any court which has sustained other use regulations of a zone plan has declared the single-family home district feature invalid. And this creation of single-family home districts has been expressly upheld by the supreme courts of California, Massachusetts, New York, Minnesota, Kansas and by an Ohio court of first instance.<sup>8</sup>

The recent judicial opinions are noteworthy in that they show a realization by the courts of the vital importance, as a favorable factor in the constitutional problem, of the comprehensiveness of the ordinance, that is, of the fact that the measure under attack represents a comprehensive zone plan for the whole territory of the community, and not a mere attempt to pick out specific spots or portions and exclude special uses or developments therefrom. Some of the recent cases also show a realization of the importance, from a constitutional standpoint, of the fact that the zone plan is a portion of a general city plan. When a legislative measure is attacked as a violation of the fourteenth amendment of the federal constitution and analogous clauses of a state constitution (which is generally the line of attack in zoning cases), the validity of the measure turns upon its reasonableness. In constitutional law, reasonableness may be said to mean intellectual genuineness and thoroughness, in contrast with the arbitrariness of a haphazard, guess-work, careless solution of the problem before the legislative body. The fact that the zone plan is genuinely and carefully wrought to secure a development of the territory of the city which will promote the health, safety, convenience, prosperity and social welfare of the people of the city, and that the map and regulations are all based on a careful and thorough survey and a genuine taking of the economic and social factors into account, will demonstrate the reasonableness of the ordinance. The constitutional validity is the product of, or, we might say, the reward of the social and normal validity of the plan, its sincerity and thoroughness. Obviously, therefore, the comprehensiveness of the ordinance is an element supporting the demonstration of reasonableness, and obviously the fact that the zone plan is an organic

part of the whole city plan furnishes an additional item of proof of its reasonableness.

The statements contained in this paper are not intended to assert that block or residential district ordinances are necessarily invalid,—that is, the type of measure which picks out a specific portion of the territory of the community or existing residential blocks and prohibits specified uses or developments therein. For the discussion here is intended to be limited to true zoning. If an ordinance which simply excludes stores from existing residential blocks be valid, then the same prohibition contained in a comprehensive zone plan is at least equally valid; but if the block ordinance be held invalid, the invalidity of the same prohibition in the comprehensive zone plan, based on a comprehensive survey, is by no means a logical consequence. The latter could more easily prove its reasonableness. The slap-bang measure, rushed into and through council to stop some impending apartment house or manufacturing plant, finds little justification in the principles of constitutional law, though it might be quite praiseworthy as a stop-gap while the zone plan is in preparation or as a means of educating the community up to a more thorough piece of work.

In the realization of this importance of the factor of comprehensiveness and of the factor of relationship to the general city plan, perhaps the most significant of recent judicial declarations are contained in the opinions of the Supreme Court of Ohio in two cases, *Pritz v. Messer* and *City of Youngstown v. Kahn Bros. Bldg. Co.*, which were heard simultaneously and decided simultaneously. The former was concerned with the Cincinnati ordinance, a true comprehensive ordinance based upon a survey which formed part of the surveys for a general city plan and adjusted to the highway and other features of the general plan. The case was concerned with a proposed apartment building in an apartment house district and involved bulk restrictions only. The builder of the proposed apartment house won the judgment by virtue of the specific provision of the ordinance which exempted buildings whose plans had been filed and approved previous to the passage of

the zoning ordinance. The court, however, expressly upheld the Cincinnati ordinance as a comprehensive zone plan for the regulation by districts of the height, bulk and use of buildings and, through Judge Florence E. Allen, rendered a keen opinion which stressed the comprehensiveness of the zone plan and its integral relationship to the city plan as factors supporting the constitutionality of the ordinance.

Simultaneously, in the second case, the Court invalidated the Youngstown ordinance. That was not—it is well to note and emphasize—that was not a zoning ordinance. It selected one portion of the city and sought to exclude multiple-family structures and other specified uses therefrom, but without any zone plan. The opinion of the Court, also written by Judge Allen, emphasizes this distinction between the Cincinnati and Youngstown enactments. “It will be observed,” the Court said, “that in distinction to the case of *Pritz v. Messer*, this day decided, which construed a comprehensive ordinance that had been thought out in most careful detail, dealing with every section of the city of Cincinnati, the ordinance in this case covers merely a small fraction of the entire city of Youngstown . . . . In other words this is not a comprehensive zoning ordinance, but is a so-called block ordinance, relating only to a certain small district of the city of Youngstown.” The city filed a motion for a rehearing, basing its motion mainly on the ground that the comprehensiveness of the ordinance should not be decisive of the constitutional question. The Supreme Court refused a rehearing.

In a splendid recent decision, *Miller v. Board of Public Works*, the Supreme Court of California upheld single-family residential zones in the Los Angeles zone plan, stating:

“It may be safely said, we think, that it is the consensus of opinion that the regulation of the development of a city, under a comprehensive and carefully considered zoning plan, does tend to promote the general welfare of a community and there is no doubt it seems to us that the adoption and enforcement of such a plan, when fairly conceived, and equably applied, is well within the scope of the police power. The increase of our urban population makes regulation necessary. As the congestion of our cities increases, likewise do the problems of traffic control and police, fire and health protection. Com-

prehensive and systematic zoning aids in the successful solution of these problems and obviously tends thereby to affirmatively promote the public welfare. . . . .

"It can not be gainsaid, however, that many municipalities, evidently upon the theory that zoning is a panacea for civil ills, have, under the guise of zoning, sought to enact and enforce unreasonable and discriminatory ordinances. Some of these attempted regulations have been palpably for the exclusive and preferential benefit of particular localities. The duty, therefore, devolves upon the Courts to determine in each instance whether or not the ordinance, either in whole or in part, is invalid. In the determination of this problem two questions present themselves; (1) is the scheme of zoning as a whole sound, that is to say, is the method of classification and districting reasonably necessary to the public health, safety, morals or general welfare, and (2) has the scheme of classification and districting been applied fairly and impartially in each instance? . . . . .

"Obviously, the purpose of comprehensive zoning is the attainment of unity in the construction and development of a city along lines of reasonable regulations which tend to promote the health, safety, morals and general welfare of the community, and it is equally obvious that to accomplish this purpose there must be definitely in the minds of the makers of comprehensive zoning, a plan, in outline at least, sufficiently extensive so that when embodied in an enacted ordinance a reviewer thereof may say with confidence that it will rebound to the welfare of the city as a whole and that any part of that plan is reasonably related thereto. Of course, a comprehensive zoning plan should contemplate and provide for the planning from time to time of the execution of further details, extensions and such modifications of existing features as unforeseen changes, occurring in the civic conditions, make necessary to the perfection and perpetuation of the plan."

The city of Los Angeles had not yet enacted its whole plan into law; but the city was able to show that the particular ordinance in question was referable to and a part of the whole plan, and the Court held that sufficient.

A recent case which arose in Buffalo, New York, is another illustration.<sup>9</sup> The city did not take the trouble to prepare a true zoning ordinance, mapping or districting the territory of the city. It chose instead to enact a measure containing no map, but simply defining residential areas according to actual residential development and excluding various non-residential uses therefrom. The case arose from

the exclusion of a moving picture theatre. The constitutionality of zoning is well established in the New York courts; but in this case the court held the ordinance invalid. A similar illustration is furnished by the decision of the Supreme Court of Louisiana on an ordinance of Shreveport.<sup>10</sup> Louisiana has upheld zoning in decisive fashion. This Shreveport ordinance, however, instead of mapping the city into districts, set forth a definition of residential districts according to actual occupancy for residential purposes and sought to protect such districts against specified uses. This ordinance was held invalid, the Court expressly basing its decision upon the ground that the districts had no fixed boundaries.

The establishment of the constitutionality of zoning in any state does not preclude the courts of that state from inquiring into the validity or the merits of a particular zoning ordinance or of a specific feature of the ordinance. This is well illustrated by another recent holding of the Supreme Court of California.<sup>11</sup> At about the same time at which that court upheld a single-family structure district and other residential district features of the Los Angeles ordinance, it invalidated an ordinance of the town of Atherton because the plan restricted the business district to the territory then occupied by business; the court stating that this had the effect of granting a monopoly to existing business areas and that the ordinance was unreasonable in that it allotted to business uses an area so small as to be unreasonably restrictive. The case brings out clearly that, basically and primarily, zoning is not to be planned or justified as a protection to existing uses of property, but rather as a community design for future development of the territory of the city for the promotion of community benefits. Indeed, in one of the Los Angeles cases, *Zahn v. Board of Public Works*, the California court said:

"The power of the city council to zone is not limited in our opinion to the protection of established districts. To so hold would be to defeat in a large measure the very purpose of zoning which is to control future development in the best interest of the city. Zoning in its best sense looks not only backward to protect districts already established, but forward to aid in the development of new districts according to a comprehensive plan having as its basis the welfare of the city as a whole."



In the Cincinnati case above referred to, the Supreme Court of Ohio pointed out that the business and industrial districts provided by the map were ample for future growth. The real issue in the Euclid Village case was whether the ordinance provided a reasonable boundary line between the industrial and residential districts, and, from the point of view of the zoning movement, it would have been more fortunate if the attorneys had restricted their contentions and the court had restricted its opinion to that issue.

The Atherton, California, case illustrates another interesting aspect of the legal problems in zoning cases. If the plan be an organic plan for the reasonable allotment of the territory of the community amongst the various uses, residential, business and industrial, from the point of view of the best future development of the territory for the promotion of the public health, safety, prosperity, convenience and welfare, and if one of the zones be found by the court to be so unreasonable as to be declared unlawful, will the invalidity of that zone carry down the whole plan, even though the ordinance contain the customary saving clause to the effect that the invalidity of any provision shall not affect the validity of other provisions? In this case, the court held that the mapping or districting was so organic a unity that the invalidity of the business zone, as laid out on the map, necessarily destroyed and carried down the whole plan. There is much logic in that decision. It emphasizes the importance of the carefulness and thoroughness with which the mapping or defining of the zones should be done.

On the question of set-backs as part of the zone plan, there have as yet been no decisions one way or the other; that is, there have been no decisions, favorable or unfavorable, on the question of the constitutionality of set-backs as a part of a comprehensive zoning ordinance; and this remains for the time being an open question. In the advisory opinion rendered by the Supreme Court of Maine, the court intimated that the control of population density by means of front and other yard or bulk regulations in a zoning measure would not be a constitutional exercise of the police power. That opinion was not in a litigated

case nor concerned with any actual zoning ordinance, and has not, therefore, the authority which a decision in a litigated case would have. In a recent case in the Supreme Court of New York, the zone boundary line cut through a lot, with the result that the twenty-five foot set-back requirement, applied to that portion of the lot which fell into the residential zone, made the use thereof for residential purposes a practical impossibility. This was held invalid, the court rightly stating that the ordinance was "not a well-considered plan." The court expressed doubts concerning the validity of set-back requirements, but the case was so special in its nature as not to require a determination of the broader question.<sup>12</sup> The question of the constitutional validity of the control of building intensity by means of set-backs in a zoning ordinance remains, therefore, an open one, with ample indication that the ultimate decisions will be favorable. The official syllabus of the above-cited case of *Pritz v. Messer* (Supreme Court of Ohio) reads:

"An ordinance enacted by a municipality under Article XVIII, Section 3 of Ohio Constitution and under Sections 4366-1 to 4366-12, General Code, dividing the whole territory of the municipality into districts according to a comprehensive plan, which, in the interest of the public health, public safety and public morals, regulates the uses and the location of buildings and other structures and of premises to be used for trade, industry, residence or other specific uses, the height, bulk or location of buildings and other structures thereafter to be erected or altered, including the percentage of lot occupancy, *set back building lines*, and the area of yards, courts and other spaces, and for such purpose divides the city into zones or districts of such number, shape, and area as are suited to carry out such purposes, and provides a method of administration therefor and prescribes penalties for the violation of such provisions, is a valid and constitutional enactment."

The *Euclid Village* case raises another interesting issue, namely, whether the validity of a zoning ordinance or any provision thereof may be tested in court previous to the time of the application for a building permit and refusal of the permit. The decision of the United States District Court in that case enjoined the enforcement of the ordinance, though the property owner who brought the suit had no immediate intention of building on the property and did not know to

what use the land would later be put and in fact was holding the unimproved property solely for sale purposes. A recent ruling of the Supreme Court of Kansas is to the contrary effect, the court holding that until the property owner desires to build and apply the land to a specific use and is refused a building permit, any attack on the ordinance brings into issue the validity of the ordinance as a whole and that, under such circumstances, the ordinance must be treated as valid upon the general principle of the validity of zoning.<sup>13</sup> Analogously, in a case in New Jersey, a state in general unfavorable to zoning, the court threw out the case because the plaintiff was not ready to build his proposed apartment, not yet having acquired all of the land necessary for the purpose.<sup>14</sup>

The *Pritz v. Messer* case determined another interesting and important issue, namely whether the owner of property adjacent to or in the neighborhood of the lot upon which the proposed violation of the zoning ordinance is to occur, has the right to enforce the ordinance by bringing an action for injunction or whether the enforcement of the ordinance falls within the exclusive province of the public officials. The Supreme Court of Ohio held that the proposed apartment building, if in violation of the ordinance, would cause such special injury to the adjoining property owner as to give the latter the right to apply for and obtain an injunction. The zoning statute of Ohio does not expressly provide for any such injunction; and this is, therefore, express authority that, even in the absence of such express statutory provision, the neighboring property owner will suffer such special injury from violations of the ordinance as to give him the right to institute action.

This paper refers specifically to those cases only in which the opinion of the court illuminates the issues and points which have been discussed. There have been many other cases on other than constitutional issues, as for instance, the interpretation of the language of a statute or ordinance. Some of these deal with the scope of the dis-

cretionary powers of boards of appeal or adjustment, but none, as yet, deal with the constitutional limit of the scope which may be given to such boards.

### SUMMARY

*The validity of zoning is established by the overwhelming weight of authority in both higher and lower courts. However, the courts are realizing that by zoning is meant the comprehensive zone plan based on a comprehensive survey; and if the zone plan be part of a more comprehensive city plan, it derives from that fact an additional element of reasonableness and therefore has an additional constitutional support. The court may, and will, however, examine into the reasonableness of specific provisions of the ordinance, including the map; and consequently the ordinance will find its best support in the carefulness and thoroughness with which it was prepared and with which it took into account the economic and social considerations involved in a sincere effort to district the territory of the community for the promotion of the public health, convenience, comfort, prosperity and general welfare.*

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- <sup>4</sup> City of Wilmington v. Turk—Del. Ch. 1925, 129 Atl. 512.
- <sup>5</sup> In re American Reduction Co., 72 Pittsburgh Legal Journal 321, 326.  
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- <sup>6</sup> Ambler Realty Co. v. Euclid Village (U. S. Dist. Ct. No. Dist. of Ohio, Eastern Div.) 297 Fed. R. 307.
- <sup>7</sup> Deynzer v. City of Evanston.
- <sup>8</sup> People ex rel. Morris v. Osborn, 22 Ohio N. P. (N. S.) 549, 31 Ohio Decisions 98, 197.  
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- <sup>9</sup> Wertheimer v. Schwab, 210 N. Y. Supp. 312, 124 Misc. 822.
- <sup>10</sup> State ex rel. Dickason v. Harris 105 So. R. 33, 158 La. —.
- <sup>11</sup> Ex parte White 234 Pac. R. 396.
- <sup>12</sup> Hecht-Dann Construction Co. v. Burden 208 N. Y. Supp. 299.
- <sup>13</sup> West v. City of Wichita supra.
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# GRADE SEPARATION AT STREET INTERSECTIONS\*

By WILLIAM D. HUDSON

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THE traffic capacity of streets cannot exceed the capacity of their intersections. Two streets of equal width, intersecting at right angles, have maximum theoretical capacities of only fifty per cent each, because of alternating movement at the intersection. Actually each has a capacity of considerably less than 50 per cent because of lost time in the stopping and starting of vehicles. By widening the intersections and their approaches, the efficiency of each street could be brought close to 100 per cent, but this would be too expensive and wasteful a process for universal adoption. By complete separation of street grades at street intersections there would be possible 100 per cent traffic efficiency on each street. Whether this latter method would be possible seems worthy of investigation.

We have but one or two actual examples of such street grade separations for which figures are available. The newly opened Michigan Boulevard Link of Chicago is a double-decked street. It is Chicago's most used thoroughfare. Its cost was approximately \$15,000,000, of which \$6,000,000 is the extra cost attributable to the double deck construction. Here two great currents of traffic crossed the north and south passenger vehicle flow and the trucking movement between the Loop on the west and the freight houses east. It has been estimated that the actual money value of time delays in vehicle movements eliminated by the double decking of Michigan Boulevard capitalized, approximates twelve million dollars, i. e. twice the cost of the double deck construction. This double-decked street appears to justify its cost. †

\*Based on Studies for Major Traffic Street Plan of Los Angeles.

†See discussion by C. D. Hill and Jacob L. Crane, Jr., in Proceedings of the American Society of Civil Engineers, May, 1924, Page 713.

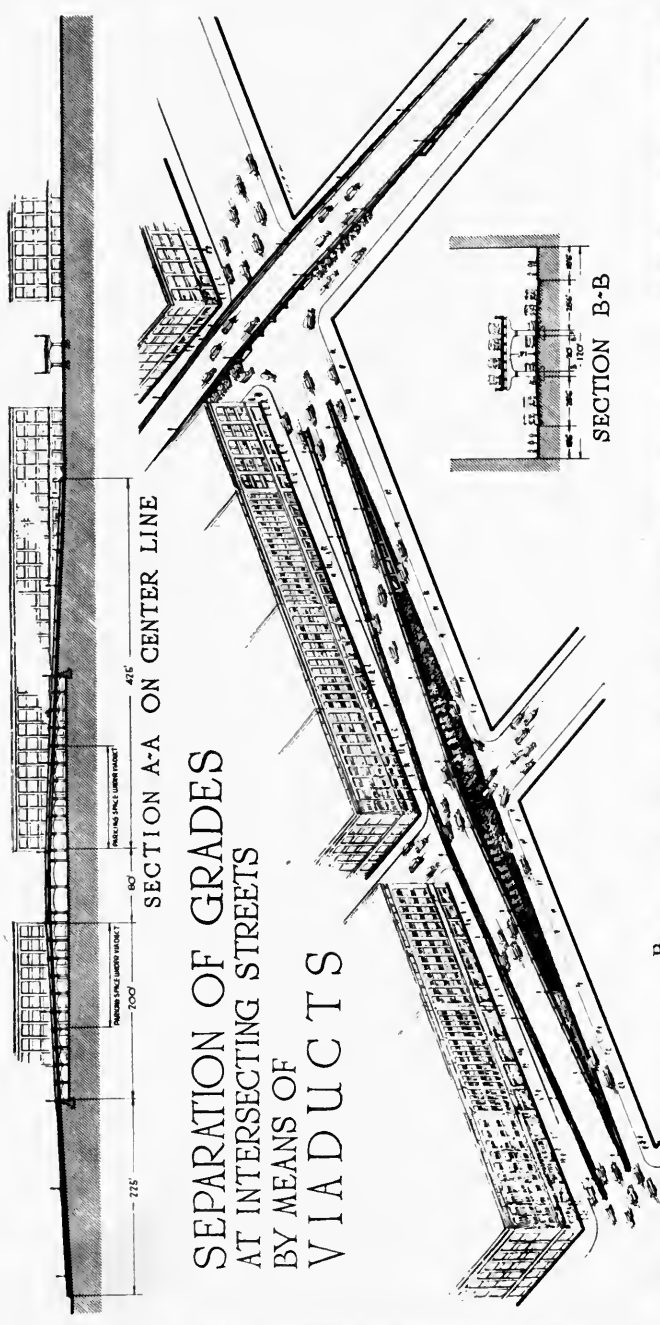
It has long been proposed to double deck South Water Street in Chicago. This project is estimated to cost \$22,000,000, of which \$11,000,000 is attributed to double decking. On the basis of value of time delays saved in vehicle movements, only \$5,000,000 can be justified. And yet South Water Street is one of the most busy streets of Chicago, perhaps second only to Michigan Boulevard.

If, therefore, in a great city like Chicago, double decking of streets is obviously justifiable only for a short distance upon its most busy street, how utterly hopeless is this form of traffic congestion relief in even the most limited degree in any city! How idle the splendid plans recently prepared by Mr. Harvey Corbett and his committee of architects for New York!

Since universal street grade separation is not financially possible can there be certain modifications of the principle in certain peculiar circumstances? This it was attempted to discover in Los Angeles. In this city, as in many others, there is an occasional intersection of two important thoroughfares where huge volumes of traffic cross each other and where favorable topographic conditions indicate that a single street grade separation might be justified. This has already been done in one instance in Los Angeles at the intersection of Glendale and Sunset Boulevards. The results of our investigation follow. The estimates were prepared by the writer, and are based upon Los Angeles unit prices.

It was found that relief of traffic congestion by means of grade separation could be justified only at the intersections of great streams of traffic. One instance would be where high speed arterial or state highway traffic is crossed by urban traffic. Another, where the more or less rectangular or crosstown intra-city traffic itself is very dense and of about equal volume. A third type of situation occurs where high speed urban traffic—morning and evening current of city workers—is intersected by the slow moving but dense flow of commercial vehicles.

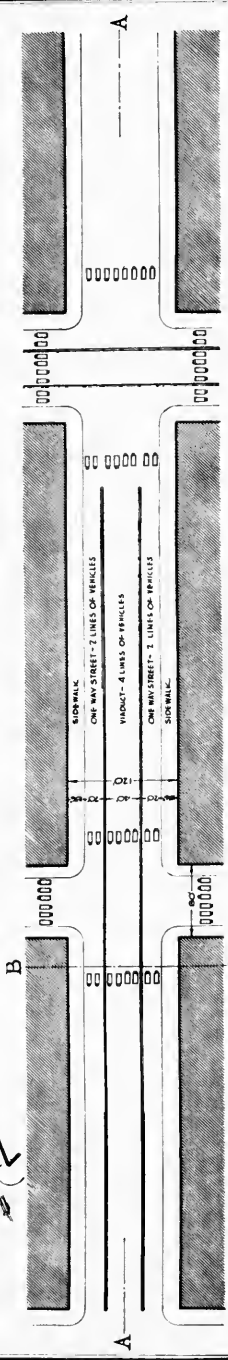
Crossings made by arterial highway traffic and urban traffic usually occur at infrequent intervals so that a few grade separations might effect a decided change. Intersections of crosstown traffic, however,



SECTION A-A ON CENTER LINE

SECTION B-B

# SEPARATION OF GRADES AT INTERSECTING STREETS BY MEANS OF VIADUCTS



THE COMMITTEE ON THE  
LOS ANGELES PLAN OF  
MAJOR HIGHWAYS  
217 WRIGHT & CALENDAR BUILDING

P L A N

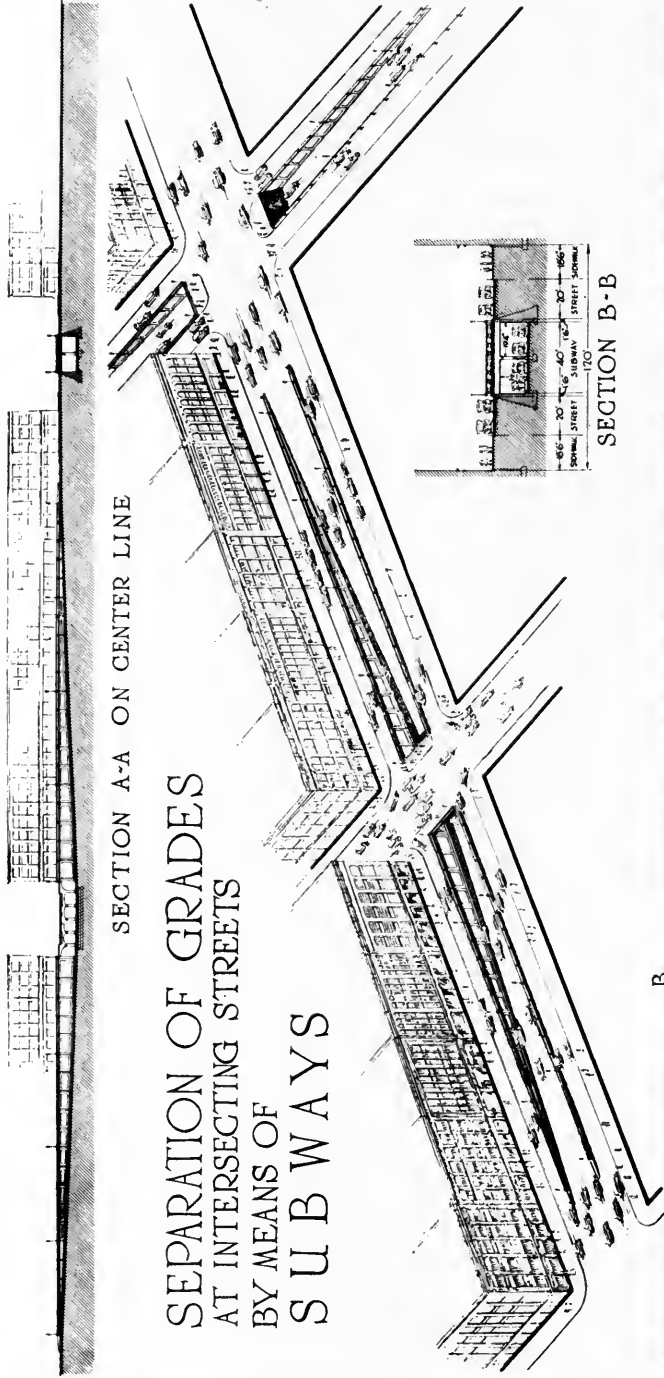
CONSULTING BOARD  
FREDERICK LAW OLDMIST  
HARLAND BARTHOLOMEW  
CHARLES H. CHENEY

Courtesy of Harland Bartholomew.

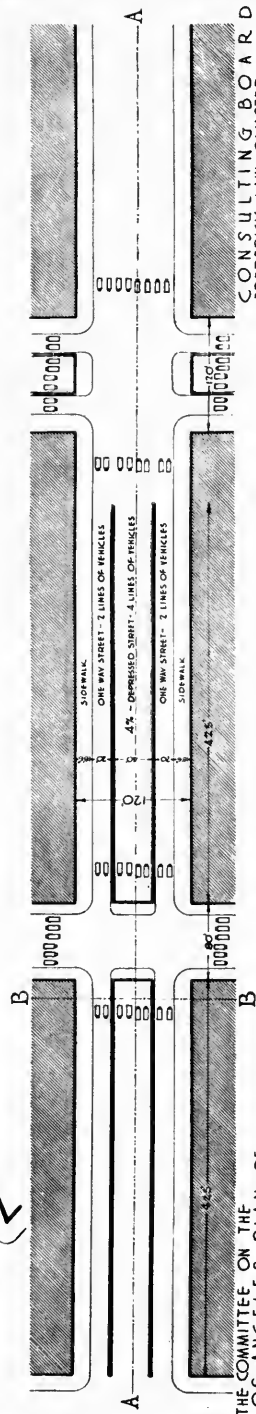


SECTION A-A ON CENTER LINE

SEPARATION OF GRADES  
AT INTERSECTING STREETS  
BY MEANS OF  
SUBWAYS



SECTION B-B



THE COMMITTEE ON THE  
LOS ANGELES PLAN OF  
M. J. O. R. HIGHWAYS  
217 WRIGHT & CALENDAR BUILDING

P L A N

CONSULTING BOARD  
FREDERICK LAW OLMSTED  
HARLAND BARTHOLOMEW  
CHARLES H. CHEEY

Courtesy of Harland Bartholomew

are apt to occur so frequently that a single separation of grade will not appreciably increase the efficiency of the streets. But where crosstown currents of traffic between different centers intersect at a few specific points outside of the principal business district, it may be feasible to undertake a grade separation. The nearer the approach to the heart of the city, the more frequent and the more costly will the grade separation become. The situation most difficult to relieve is that created by the intersection of slow moving traffic, such as trucks, with the high speed currents of morning and evening urban traffic. It may be necessary in this case to provide a complete separation of roadway by means of a continuous elevated highway, with approach ramps from side streets.

A first consideration in the separation of street grades is that ample width be available for the street which is to be either elevated or depressed. The width of the street which remains at surface grade need not be so great.

The ideal method of separating grades is by the use of a subway, built for four lines of travel in a street 120 feet wide. This will permit of four lines of vehicles at surface grade and two sidewalks 18½ feet wide. In case a street of narrower width must be used, the sidewalks will have to be narrowed, and if less than 100 feet in width is available it may be necessary to provide for only two lines of vehicles either in the subway or on the surface.

The choice between the use of a viaduct or subway to separate grades is largely a matter of topography and environment. If the approach grades are rising toward the intersection, the length of a subway would be correspondingly shortened, while that of a viaduct would be increased. The question of length of the structure is very important because of its relation to block lengths. Where existing grades are level it is impossible to bring such a subway or viaduct to grade within the length of an ordinary block on either side of the intersection, providing a four per cent grade is used. A grade of four per cent is considered the maximum desirable. If existing grades are

level, a subway is much more expensive to construct. The estimated cost of a four-line subway is about \$270,000, as compared to \$130,000 for a viaduct of equal capacity. This provides for a grade of four per cent, and for methods of permanent construction. In many situations viaducts are considered objectionable because of their obstructiveness and darkening effect. However, artistic design can overcome much of the objection to viaducts, and their comparative cheapness recommends their adoption wherever the character of adjoining development permits. The use of subways for grade separation also involves consideration of provision for future underground rapid transit.

A continuous elevated roadway for four lines of vehicles, built of reinforced concrete, would cost approximately \$930,000 per mile, and each approach ramp from side streets about \$55,000. This estimate is exclusive of consequential damages. Where for effective relief as many as seven grade separations per mile would be necessary, a continuous elevated roadway would be cheaper as well as more efficient.

Where either subway or viaducts are used, street car lines, if desired, can be maintained on the surface on either side of the viaduct or subway.

It is not possible to estimate directly the benefits of street separations. The value of adjacent property is usually not increased, but a better development and higher values of suburban sections results. This method of accelerating street traffic must be classed as an heroic measure to be adopted only when an impasse has been reached and the other usual means of relief prove inadequate.

# THE BUFFALO ZONING CAMPAIGN

By A. EDMERE CABANA  
Secretary, Buffalo City Planning Association

**B**UFFALO, for many years, has realized its need for a zoning ordinance. In fact, when the organization of the City Planning Committee was authorized by the Council in 1918, it was for the express purpose of devising "a comprehensive planning and zoning system for the City of Buffalo." One may indeed say that it was largely the recognized need for such protection that brought about the organization of this city planning body.

When the City Planning Committee sat down to its work in this field, however, it was immediately met by certain difficulties. It said to itself, "Yes, we need a zoning ordinance and the City Planning Committee is the proper body to take this matter in hand. Zoning stabilizes; it provides that certain types of development shall not encroach upon other types; it provides adequate territory for business, for industry, for homes. But," it asked, "how can this Committee draw intelligent conclusions as to what provisions are adequate, unless it has data on which to base its conclusions? In which direction will the city grow? Where will new industry locate? In what sections will business centers develop to satisfy the needs of neighborhoods? How many streets will Buffalo need for heavy traffic? How many for light traffic? How about our railroad terminals, and our water-front development along park and industrial lines?"

The Committee found that to answer these questions entailed temporarily laying aside the zoning problem itself and making comprehensive studies of the questions enumerated above. This was accordingly done and a City Plan made.

Even before this comprehensive city plan was made and adopted, Buffalo set about securing the legal authority for adopting a zoning ordinance with the vital Board of Appeals proviso. On May 10th, 1922, a temporary Zoning Ordinance was passed by the Council, but this proved to be as unsatisfactory as all zoning ordinances are which do not rest on well-considered bases.

The New York State Enabling Act provides that any city of the second or third class can adopt a zoning ordinance with a Board of Appeals. Of the three first-class cities, New York and Rochester have special acts covering their individual zoning requirements.

In 1923, a bill was introduced into the Legislature to allow Buffalo to adopt a zoning ordinance with a Board of Appeals, but this failed of passage in the jam which occurred at the end of the session. During the next legislative session (1924), a similar bill was introduced but was not passed. In the fall of 1923, the Home Rule Amendment to the New York constitution was voted upon favorably by the electorate and under it a local bill, such as one proposed for Buffalo, would have required a special emergency message from the Governor to the Legislature and a two-thirds vote of both houses to pass it. Such a measure was felt to be un-

necessary since the act making the Home Rule Amendment effective extended the various powers given to municipalities. Under it such powers were granted as were felt would permit Buffalo to act for itself in this matter.

Under the authority conferred upon it by the Home Rule Act, Buffalo did, on July 23d, 1924, enact a Zoning Enabling Act providing for a Board of Appeals. The City Planning Committee, its zoning studies completed, set about drafting an ordinance which should meet the provisions of the Enabling Act and which should be in accord with the best zoning thought of the day. In the beginning of its work on zoning, Harland Bartholomew acted in an advisory capacity to the Committee.

The Buffalo City Planning Association, the citizen group which, since 1920, has had for its object the promotion of all city planning projects in the City of Buffalo, now comes into the picture. Foreseeing the need of wide-spread understanding of the necessity for and character of a proper zoning ordinance in a city of Buffalo's size and prestige, in 1922 the Association instituted a plan through which general information on zoning was distributed. It invited the organized club life of the City to undertake group study of the subject of zoning—a subject usually treated more or less technically in technical literature and consequently frequently misunderstood by the general public.

As a result of this invitation, more than 120 clubs responded by appointing Zoning Committees or delegates to act as liaison officers between their clubs and the Association as distributor of information. In addition, each school district was invited to name two or more representatives. These liaison officers formed a part of a city-wide Zoning Committee, which, as early as November 1924, numbered about 450 and which later was much larger. This group, already aware of the importance of zoning, formed a valuable nucleus in the campaign to develop an intelligent public opinion on the subject.

A branch of the Association's Speakers' Bureau was trained for special work on zoning and its members were sent out as speakers on this subject. Illustrated talks vividly pictured the pros and cons of an adequate ordinance and won many advocates for zoning.

A mimeographed simple but comprehensive statement of the purpose of zoning was issued by the Association and sent to all such interested groups and individuals. Through the press, considerable other zoning information was issued periodically.

A special "Zoning Book Shelf" was compiled and widely distributed. These books were assembled at the offices of the Association and the general public was invited to make use of them.

During the winter of 1924, an aggressive speaking campaign was carried on, but April 1st, 1925 ushered in the most intensive period of the whole campaign.

By this time the City Planning Committee had prepared base zone maps, showing the present status of all property. It had carefully studied past and present tendencies of business, industrial and residential property and had used this knowledge in its plans for future development. It had drafted a zoning ordinance and prepared maps of the City which showed the districts to which the various control features of the ordinance were to be applied.

Beginning April 1st, the Zoning Committee, the Publicity Committee and the Board of Directors of the Buffalo City Planning Association held Round Table discussions three times a week at the Association's offices, from which headquarters the campaign was conducted. Careful record was kept of the action taken at Round Table sessions and a mimeograph service of minutes to all members of the Zoning and Publicity Committees and to the Board, sent out the day of the meeting, served to keep everyone in intimate touch with the situation and as reminders to those who undertook definite responsibilities.

Additional office space and clerical workers were provided and the services of a publicity man were secured in addition to the regular publicity member of the Association's staff. This publicity man acted as Secretary of the Zoning Committee and assumed the responsibility of blocking out the campaign and of following through its multitudinous details.

Throughout the whole period, the daily and Sunday papers were extremely generous in the space which they assigned to our publicity releases. The weekly papers and the monthly magazines of the Chamber of Commerce and the leading clubs also coöperated in very splendid fashion. The Association devoted two issues of "City Facts"—its periodical—to zoning. One of these—an outline of the zoning ordinance—at this time was widely distributed through the Association's membership and the many clubs interested.

The City Planning Committee prepared a pamphlet which contained a resumé of the principles of the ordinance, as well as graphic charts of the use, height and area provisions of the ordinance. This likewise was broadcasted to the Association's membership and to the organizations of the city.

The entire membership of the Association was appointed to serve on the city-wide Zoning Committee. They responded splendidly and did most effective work during the following weeks.

Early in April, a letter was sent to the presidents of all Clubs in our files. The organizations which had not already appointed delegates were asked to do so, a postal being enclosed to facilitate their action in this matter. All clubs were asked to pass resolutions in favor of the principles of zoning and a suggested resolution was likewise enclosed for their guidance. The many delegates who were already appointed were sent literature and asked to inform their organizations on late zoning developments.

Each member of the Board of Directors was assigned certain leading organizations to follow up and make sure that resolutions were passed by them. This personal follow-up work was found to be of immense value, since questions which presented themselves to the clubs could be settled at once by the Board members. The Association did not offer to send speakers to the clubs at this time, because the principles of zoning had been explained in the winter's speaking campaign and the character of the ordinance itself was, in its very nature, so complicated that only two or three members of the City Planning Committee were really qualified to discuss it in all its ramifications.

On April 15th, a follow-up letter was sent to the club presidents and delegates and a mimeograph news service was instituted for the clubs. This carried items regarding resolutions passed by the larger and more influential groups and was a powerful stimulant to the organizations which had not already acted. Many large clubs wrote special letters to their membership urging their support of the ordinance. A circular letter was sent to all school teachers and principals and was personally signed by the Chairman of the School Board, who was also a member of the Association's Board of Directors.

Clubs, delegates and members of the Association were sent petition blanks, the signers of which endorsed the principles on which the proposed ordinance rests. Each petition blank contained room for ten signatures and carried a statement regarding the genuineness of the signatures, to be acknowledged before a notary public by the person obtaining the names. This feature gave greater weight to the petitions and caused no hardship since the services of the two notaries in the office were offered to those securing signatures. To a selected list of petitioners, petition blanks were sent with the request that they likewise secure ten or more signatures.

Then came the hearing before the Council on April 30th. We had been accumulating resolutions and by that date 225 organizations had taken favorable action. There was absolutely no opposition, since there was unanimous agreement on the principles of zoning and they found wide-spread support.

The hearing itself was divided into four parts. The Chairman of the City Planning Committee, George H. Norton, outlined the principles embodied in the proposed zoning ordinance. Then Edward M. Bassett, Esq., of New York City presented a masterly summary of the principles of zoning in general, and the way in which zoning has spread and is functioning in other cities. The President of the Buffalo City Planning Association, Chauncey J. Hamlin, presented to the Council a file of the various resolutions passed by organizations throughout the city and read the list, which was most impressive. After this, there was some discussion from the floor and by members of the Council.

The result of the hearing was that the Council endorsed the principles of the ordinance and authorized the City Planning Committee to present its application and the height, area and use maps to the general public for its information and discussion in accord with the City Planning Committee's recommendation.

Tentative plans had already been laid for 18 district hearings and after the April hearing, the plans were immediately made definite and carried out. Beginning on May 11th, the Round Tables were held daily. The City was divided into 18 districts and it was decided to hold a hearing in each of these. The use of public schools was secured for each district hearing and extensive publicity was given all meetings. The daily papers published maps showing the exact districts and their boundaries and carried the full details on district hearings several times before they began. Then, day by day, advance notice of each hearing was given. A report of the proceedings and the result of each meeting was printed in the press on the day following.

These hearings were held for each of nine consecutive evenings, eliminating Saturdays and Sundays. They began on the 7th of May and continued through the 20th. Members of the Association's Board, particularly familiar with Zoning and all its phases, were asked to act as secretaries of these district hearings. The secretaries were provided with attendance sheets through which they secured a record of those attending the hearings. The Association provided stenographic service for each hearing.

The day before each set of hearings, dodgers were distributed through all school children in the district. These dodgers carried a map showing the territory within the district, gave the place and hour of the district hearing, and invited every citizen to attend. A total of 115,000 dodgers were so distributed. To distinguish them from the ordinary hand-bill, they were printed on a tinted paper of good quality.

The Secretary of each district committee, representing the Buffalo City Planning Association in its publicity campaign, opened each district hearing and presided while a district committee, with chairman and vice chairman, was organized. After the chairman had assumed the chair, either George H. Norton, Chairman of the City Planning Committee, or Harry J. March, Executive and Engineer of the City Planning Committee, explained the ordinance and the use, height and area maps were presented and discussed. It was made clear to the group assembled that the ordinance expressed the best judgment of the City Planning Committee and its advisors, and that the Committee felt that those in the immediate neighborhood would have many constructive suggestions to offer. Those in the district were asked to make such suggestions freely, since it was to be a "people's ordinance," and since it had been specifically designed to bring the largest possible measure of protection to the citizens of Buffalo. Usually there was discussion from the floor, and frequently an endorsement of the application of the ordinance to the district in question was passed. In a number of instances, the local district committee held further meetings for the purpose of additional discussion and for formulating suggestions.

With each district committee the City Planning Committee left a copy of the text of the ordinance, a copy of the use, height and area maps, and a blank map of the district upon which the Committee could chart any suggestions it might have. It was required that such suggestions be presented to the City Planning Committee within ten days after the first district hearing. This was to make it possible to have any desirable modifications made within a stated period.

Such suggestions as were presented to the City Planning Committee were thoroughly discussed with the district committees and those affected by the provisions in question. Some valuable suggestions were received and accepted; others were found to be impractical and the reasons therefore were explained to their advocates. In some instances, a compromise was evolved. Very little objection was evinced. It was evident that Buffalo, as a whole, was "sold,"—not only on the value of zoning, but on the value of the proposed zoning ordinance. Buffalo, as a whole, wanted this zoning ordinance made effective, and Buffalo, as a whole, wanted it made effective at once.



Just on the threshold of the final hearing on the adoption of the ordinance, the adoption of the Home Rule Amendment to the Constitution, under the authority of which the City of Buffalo had passed its Zoning Enabling Act, was held to be irregular and hence any action taken under it was invalid. Our plans were accordingly held up for the time being. In the early fall of this year, the Court of Appeals reversed the decision of the lower court and held that the Home Rule Amendment was properly adopted and hence an integral part of the Constitution of the State.

Immediately the City Planning Committee completed the preparation of the maps and sent them to the printers. As soon as these maps were ready, the date for the final hearing was set for November 19th. The organizations of the city were once more rallied and the response was such as to pack the Council Chamber to overflowing when the hearing was called to order at two o'clock on that day. Throughout the hearing, it was evident that it was in truth a "people's ordinance" and that a fully informed citizenship was demanding its enactment.

The history of zoning in Buffalo was briefly reviewed by Mr. March, the district hearings were described, representatives of the several district committees appeared to urge the adoption of the ordinance and Mr. Bassett discussed special points of interest with members of the Council.

Only one opposing voice was raised and this on the application of the ordinance to a certain block. The question as to whether this block should be business or residential was postponed for future discussion.

The following organizations which had made a special study of the ordinance were prepared to advocate its adoption: Buffalo Real Estate Board, Builders' Exchange of Buffalo, Buffalo Chapter of American Institute of Architects, Buffalo Chamber of Commerce, Allied Building Trades Council, Building Managers' Association, Buffalo Hotel Association, Engineering Society of Buffalo, Buffalo Section of American Society of Civil Engineers, Main Street Association, Delaware Avenue Association, Retail Merchants' Association, Wholesale Merchants' Association.

Also prepared to speak were organizations which represented home-owners, such as the Federations of Women's Clubs, Democratic Club of 1000 Women, Catholic Business Women's Club and many others.

The final result of the discussion of the ordinance and this evidence of tremendous backing of the ordinance was that two minor amendments were suggested and then, by a *unanimous* vote, the Council voted to adopt the ordinance in its amended form.

At the date of writing—the day after this hearing—the formalities required in the adoption of this comprehensive ordinance have not been complied with, but the machinery to do so has been set in motion. If the Council's plans carry, as they undoubtedly will, the zoning ordinance will be in operation by the first of the new year, and will begin to exert its powerful influence on the future development of our city.

Once more the citizens of the City of Buffalo have looked into the future and gauged their needs; they have made "no little plans," but big ones; they have indeed accepted Daniel Burnham's behest to "let their watchword be order."

# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM

## SUGGESTIONS FROM RECENT EUROPEAN PLANNING

THE Third International Congress of Cities which took place in Paris from September 28 to October 3 was a great success. Thirty-five countries and over three hundred cities were represented officially, and from at least seven or eight countries there were official delegations from National Associations of Cities.

Three days of the conference were devoted to reports on what the various National Associations are doing, and more particularly a session was devoted to the discussion of each of the following subjects:

1. Relationship between municipalities and the State or Federal Government.
2. Municipal land policies with special reference to municipal housing.
3. Unified administration of metropolitan areas.

With regard to the first question, it was felt quite generally that the British control over municipal development, as exercised by the Ministry of Health, was well worth while and should serve as a model to other countries.

As to municipal land policies, it was generally felt that cities are bound to enter the municipal housing field, either directly or by means of subventions, as there appeared to be no other practical solution of the housing problem.

With regard to the third problem of unified administration of metropolitan areas, there was decided difference of opinion, as about one-half of the delegates believed that annexation should be insisted upon, whereas the others believed that the outlying communities should be allowed to keep their autonomy, and that a regional administrative council should be developed. The discussion of this latter subject, while nowhere nearly as exhaustive nor as practical as the discussion of the same subject in Pittsburgh on November 19, 1925, followed very much the same line of thought and arrived at much the same conclusions.

Paris and London presented striking examples of regional coöperation in the development and control of public utilities. About Paris 120 municipalities have created a common parliament or a syndicate, which treats as a unit with the various public utilities. This syndicate offers an interesting example of effective regional administration.

Most of the delegates to the Congress were convinced that the International Union of Cities meets a real need, and that everything that can be done to increase its effectiveness as an exchange or clearing house for municipal information, should be done as quickly and as extensively as the means available will permit.

The United States Federation of State Leagues of Municipalities was represented officially by Mr. John G. Stutz, who is also Secretary of the International City Managers Association. The latter organization was represented officially by its President, Mr. C. Wellington Koiner, the City Manager of Pasadena, California. The other American delegates included Mayor William McGee of Pittsburgh; Mayor Richard F. Watson of Greenville, South Carolina; City Manager Herlong of Jacksonville, Florida; Harold S. Bottenheim, Editor of the American City Magazine, and the writer.

At present the chief means used by the International Union of Cities for the dissemination of municipal information is by monthly publication in French of what are known as the "Municipal Tablettes". Mr. Stutz, on the part of the Federation of State Leagues of Municipalities, offered to translate and print these in English and place five hundred copies in English at the disposal of the International Association.

Mr. Harada, representing the Secretariat of the League of Nations, said that their Bureau of Relations with Municipalities would be glad to coöperate in every possible way. In fact, at the last Assembly of the League of Nations, a resolution was passed urging each of the fifty-five member nations to encourage, if they did not already exist, the creation of national associations of municipalities. Mr. Milhaud, representing the International Bureau of Labor of the League of Nations, requested the International Union of Cities to devote especial attention to municipal programs for the execution of public works during periods of unemployment.

The Canadian Union of Municipalities invited the International Union to hold its next annual meeting in Canada.

Four days were devoted to visits to the various municipal undertakings of the Paris Metropolitan Region, especially the seven or eight housing colonies which have been developed by the Department of the Seine. This municipal suburban housing has developed of late almost exclusively into one-family detached houses. We saw a number of well-built masonry four and five room houses, which together with their small plot of land, cost within \$1,500 at the present rate of exchange. This low price is due to big scale operations and exhaustive study and experimenting in cutting down construction costs.

The most attractive housing, although somewhat more expensive, was that visited in the city of Rheims in what is known as Foyer Remois.

While in Rheims the members of the Congress had the opportunity of seeing for themselves how most of the city plan of Rheims was actually being carried out on the ground. The city has already purchased almost all of the land necessary to carry out the plan, for which it has spent 17,000,000 francs. It has already spent 6,000,000 francs on street construction, while it expects to spend 23,000,000 francs more before the plan is completely executed.

G. B. F.

## THE REGIONAL PLAN OF NEW YORK

The Editor of CITY PLANNING has asked us for a note as to the progress of the work of the Committee on the Regional Plan of New York and its Environs.

The task which the Committee set itself has not proved to be any less great in scale nor bewildering in detail than was anticipated. To begin with there was no map showing the towns and cities in the New York Region on one scale or according to any uniform principles of map-making, and the mere assembling and analysis of physiographical data, including existing town plans, was a very considerable undertaking. The Committee finally made an arrangement with the U. S. Geological Survey by which the familiar topographic sheets were stepped up to a scale of 2000 feet to the inch and revised in some respects. These large sheets have recently been received and are being filled in with—(1) information that has been collected by the Committee, (2) projects for study and recommendation. The Committee has been able to supply extra copies of this large-size map to other agencies of the Region and has thereby facilitated their work.

It was the Committee's conception at the outset that planning for the future of what is already one of the world's greatest metropolitan centers must be conceived as requiring an analysis of the economic and social forces which seem to be shaping its physical development. Accordingly one of the first undertakings was an economic study of the industries in New York City and the neighborhood, particularly with reference to their geographical location and their tendency to move outward or crowd inward. Eight monographs embodying the results of this study have been published and a final volume is being prepared. These studies should throw light on the questions which can be briefly grouped in one query—"What is crowding out what?"

The Committee has also made numerous studies that are more "social" than "economic", relating to housing, the location, distribution and adequacy of space requirements for parks, and so forth. The results of these enquiries have not yet been published, but are in a form to assist the staff in arriving at plans.

The Engineering Division of the staff has assembled and published information and some suggestions regarding highway traffic in New York and its environs and has prepared a report on Transportation and Transit which will shortly be published. The Legal Division of the staff has published a bulletin on "Zoning Practice in the New York Region" and another on "A Form of State Enabling Act, Looking to the Planning of Unbuilt Areas in the New York Region", in addition to advising numerous individuals and agencies who are working on zoning, building regulations and the control of subdivision.

On the whole, it may be said that the investigative and preliminary phase of the Committee's work has occupied most of its time thus far. But the greater part of the energy of the staff will now be devoted to reducing the information that has been accumulated and the tentative projects which have resulted from the preliminary studies to such a form that they can be recommended to the public as a plan for the Region.

HENRY JAMES.

*Regional Plan of New York and its Environs.*

## THE OHIO STATE CONFERENCE ON CITY PLANNING

The Ohio State Conference on City Planning held its seventh annual meeting in Dayton, Ohio, October 22nd and 23d of this year. The conference was an exceptional success from the point of view of the organization because of the number of persons attending and the immediate today's, tomorrow's and this year's importance to Ohio of the subjects discussed. The Conference is perhaps of interest outside the state because it is so typical of similar state organizations and because of its interesting difference from a national conference.

Like most such state associations the Ohio State Conference on City Planning was organized through the city plan committee of the chamber of commerce of the state's largest city, Cleveland. Its organization members, which supply most of its sinews of war, are the chambers of commerce, the real estate boards, builders' exchanges of the large cities, the engineering and architectural societies of the state, together with some of the great manufacturing plants which either built the cities in which they operate or which they practically dominate. The individual membership of the Conference is more than a quarter made up of city executives, mayors, city managers, law directors, city engineers. Another quarter are members of city plan commissions.

Those who attend the meetings of the National Conference on City Planning are, to a large extent, those who make city plans or who wish to hear how city plans are made, together with a sprinkling of city executives who come to learn of the qualifications of city planners whom they desire to employ to do their local planning. On the whole, however, the men who attend state conferences come to learn not how to make a city plan but how to put a city plan in whole or in part in force. After a city plan has been made, and even after it has been adopted by a city council, the mayor, city manager, law director, finance director, auditor, engineer, finds his work is just beginning. In Ohio he finds that it is from just such informal meetings as the Ohio State Conference supplies, with its round table luncheons and dinners, that he gets the immediate help he needs.

It is the custom of the Ohio Conference to spend the first morning in hearing three-minute reports from the various municipalities. A state conference differs again from a national conference meeting in the fact that a plan presented for one city is subject to detailed criticism by men and women from neighboring cities who are not so far away but that they have a first hand knowledge of the particular street, taxation situation, or flood condition under discussion which is lacking in an audience of a national conference. Ohio has 95 cities. Of these 24 have city plan commissions and as many more have in their chambers of commerce city plan committees which will probably evolve with almost the same personnel into city plan commissions. Ohio has also 705 villages, municipalities of less than 5,000 inhabitants at the last federal census, each of which has enough governing machinery for a city of ten times its size. Ohio is an organizationally minded state and these villages are separate governing units for every variety of political or economic reason. This last does not always imply poverty. There is a village contiguous to

the city of Cleveland, for example, where the assessed valuation in 1924 was more than \$76,000.00 per capita. These villages also have their planning problems.

Such an audience, the members of which have the day to day direction of the physical building of a city, is rather restive under generalities, though Mr. John Nolen's talk the first day of the conference before a combined Chamber of Commerce and Rotary Club membership found the members of the Conference most appreciative listeners. Mr. Nolen spoke on "The Viewpoint of City Planning", a clear, logically built up and beautifully expressed statement of the purposes of the city planner. More than one harried city executive who had come to the conference to learn from Mr. Alfred Bettman, the chairman of the conference legislative committee, how to make an interim zoning ordinance stick until a comprehensive plan could be made, expressed himself as grateful to Mr. Nolen for the breadth and beauty of the vision afforded him.

It is the hope of the Conference to make each of its meetings of service to the city which entertains it. This year the Dayton city plan commission took advantage of the fact that the Ohio Conference was meeting in the city to make it the occasion for presenting for the first time their studies for Dayton's city plan. To an audience of about two hundred of their fellow townsmen and women, besides the members of the Conference, Mr. Charles H. Paul, member of the Dayton City Plan Commission, presented clearly and in some detail Dayton's new plans for thoroughfares, bridges and changes in their railroad terminal plans.

The Conference earns its title as a state organization by promoting such permissive legislation through the State Assembly as enables the cities to progress in their planning work. The law granting power to establish city plan commissions, the permissive zoning act, legislation empowering appointment of county or regional planning commissions, a codification of the platting laws, were all drawn by and enacted through the influence of the comparatively small group of persons and organizations united in the Conference.

The immediate problem before the organization, the result of its latest legislative activity, is just now a political one, and that is the endeavor to secure a favorable vote on a constitutional amendment to be submitted to the voters in August 1926, removing the fifty per cent limitation on the cost of public improvements assessable against the benefited property. Ohio is one of the few of the more heavily populated states which still forces its cities to overtax their treasuries for these improvements. A discussion of the means of securing this popular support occupied the second morning of the session.

CHARLOTTE RUMBOLD,

*Secretary, Committee on City Plan, The Cleveland Chamber of Commerce.*

OFFICERS OF THE OHIO CONFERENCE 1925-26

W. T. Jackson, President, Director of Public Service, Toledo, O.

Alfred Kelley, 1st Vice Pres., Kelley, David & Cottrell, Attys., Cleveland

Charlton D. Putnam, 2nd Vice Pres., Realtor—Pres. City Plan Commission, Dayton

Charlotte Rumbold, 3rd Vice Pres., Assistant Secretary, The Cleveland Chamber of Commerce, Cleveland

Myron D. Downs, Sec.-Treas., City Planning Engineer, City Plan Commission, Toledo

## THE PLAN FOR SPRINGFIELD, ILLINOIS

The plan for Springfield, Illinois, is regional in character, as all city plans must be to serve their true purpose. There was first of all prepared in connection with the Springfield Plan a comprehensive zoning plan covering an area approximately three times that of the present city, and the first point of consideration in connection with this zoning plan was the placing of future factories. Topography, the direction of prevailing winds, and proximity to future adequate water supply, as well as the location of existing railroads and the possibility of railroad changes, all had important bearing upon the location of this district. Other proposed districts going to make up the comprehensive zoning plan were then laid out in such a manner as to form a satisfactory relationship with the factory area.

The broad zoning plan thus prepared was used as the foundation of the entire city plan, involving the location and treatment of all other elements, such as railroads, street cars, parks, and streets, and was made the ultimate objective of the immediate or first-step zoning plan applicable to the city's present needs, laid out to cover a smaller area and made official by the City Council.

By having such a comprehensive zoning plan as a logical objective, the zoning commission is given guidance in allowing successive enlargements of the first-step zoning plan as the city enlarges and is kept from making mistakes common in many cities where changes and enlargements in the zoning plan are made without a definite program.

To insure the building up of future industries and especially the utilization of vast coal deposits under this area in producing electrical energy, a careful study was made of the possibility of securing adequate water supply. This study led to the recommendation of an impounding lake with a capacity of twenty-five billion gallons, sufficient without replenishment to supply the domestic needs of a city of 200,000 for a period of three years. Incidentally, the creation of such a body of water with a shore line of nearly fifty miles would have an important bearing upon the park problem of the city, as has been found true in the nearby cities of Decatur and Danville, where artificial lakes have recently been created.

Upon the completion of the comprehensive zoning plan, the plan for railroad changes was prepared with careful consideration given to railroad economics, as well as to the satisfactory disposition from a city standpoint of main lines, switch lines, classification and distribution yards, local freight terminals, and passenger station.

Briefly, the results to be obtained by carrying out the plan as proposed would be as follows:

The elimination of nine miles of main track within the present city limits and twenty-two miles of main track within the area affected by the railroad program; the releasing of two important streets now used by the railroads; the rerouting of the interurban electric line in order to use the proposed union station; the elimination of ninety-two grade crossings and the changing of twenty-four main line cross-

ings to switch line crossings; the removal of barriers formed by wide railroad yards, and the consequent enhancement of property values over large areas in the present city.

The plan calls for the consolidation of all railroads into two groups, one traversing the city north and south, and the other east and west, and the elevation of these groups to do away with all main line grade crossings within the area of the greater city. This plan would in turn bring about the possible location of the union passenger station at a strategic point with relation to the State Capitol group and the municipal group proposed to be developed around the old Lincoln Homestead. Estimated annual savings in the operation of railroads amount to \$261,000 or 17% of the entire estimated cost of the work.

Urban transit was handled as a combination of two problems—that of giving adequate transportation by electric cars and busses to the present population, and providing adequate service at proper intervals over the entire extended area; gross and net revenue to be figured on the basis of present conditions applying to street car transportation, which may or may not represent a low water mark in this industry.

Under the Illinois law giving the control of street platting to municipalities for one and one-half miles outside the corporate limits, a total of 10,497 acres was platted with streets in such a way as to conform to the other major elements of the plan. A figured net saving of approximately \$23,000,000 is shown in comparing the plotting in this area with that of the present city aggregating 6,643 acres. This is based upon the saving of land and the cost of street improvements per acre involved.

The problems of interior street corrections, school site enlargement, park and playground distribution, and the arrangement of future public buildings were dealt with in the ordinary manner.

MYRON H. WEST,  
*American Park Builders.*

## STEUBENVILLE'S TOPOGRAPHICAL PROBLEM

Through the efforts of the Steubenville (Ohio) Chamber of Commerce, the City Council has passed legislation for a City Planning Commission, of which Mayor Frank A. Hawkins and Service Director Russell P. Price, are ex-officio members. On account of the present rapid development and growth of the city the Commission will begin work at once, in order to take care of many contemplated subdivisions. Steubenville is one of the oldest cities in the upper Ohio Valley. Growth during the past ten years has built up the hilltops within the city, and now expansion is being made beyond the corporation limits. The new City Planning Commission will not only encounter the usual problems found in an old city of 30,000 population, but will also have to deal with the special problems arising from new development on hills and in valleys.

C. O. HANES,  
*Secretary, Steubenville Chamber of Commerce.*



## NEW PLANS FOR DENVER

The City of Denver is working on an elaborate extension of its Park and Boulevard system in connection with a correction of its system of main traffic arteries. The city is divided into four park districts. The study for the North Denver district has been completed and the first steps have been taken for the acquisition of ground necessary. Twenty-five miles of boulevards are included in the program and approximately five hundred acres of park land were added to this district.

For the South Denver District a similar extension of the park and boulevard system has been studied. The plans of the other two districts, including the central business district, are still incomplete. When finished these plans will give the City of Denver several new radiating traffic boulevards and three distinct circular boulevards. Part of the inner boulevard was constructed years ago. Another one with a total length of over forty miles is the one for which the ground is now being acquired.

A new idea in boulevard construction is worked out by having the boulevards skirt the parks and not run into them.\* Several of the city's old parkways discharge this traffic into the main parks and are now crowding these parks with a great deal of unnecessary traffic. In the new boulevards this will be changed by running the traffic lines along the edge of the parks. Together with this the city is redesigning the roadways in the parks to eliminate some of the unnecessary park traffic.

S. R. DEBOER,

*City Planner.*

\*In this connection the readers of CITY PLANNING are referred to an article by Mr. F. L. Olmsted in LANDSCAPE ARCHITECTURE for January, 1926: "Border Roads in Parkways and Parks."—Editors.

## INSTRUCTION IN CITY PLANNING\*

During the school year 1923-24, in the Engineering School at the University of Colorado, a course in City Planning was given for the first time, for one quarter. It was optional for Senior Civil Engineers. There were ten in the class in City Planning, out of a total of twenty-four Senior Civil Engineers. In the year 1924-25, City Planning was made a prerequisite for Municipal and Sanitary Design. This time there were nineteen Senior Civil Engineers, and ten others in the class: a growth of approximately 300%.

The reason for making City Planning a prerequisite for Municipal and Sanitary Design was that those of the class who had had City Planning far outdistanced those who had not. Municipal and Sanitary Design is a problem course which puts together a number of preceding courses. A topographical map is given the class and they are instructed to lay out an ideal industrial town. The city is laid out, the streets paved, the water supply system planned, and the sewerage taken care of. "The Planning of the Modern City," by Lewis, and "Industrial Housing," by Knowles, are the texts used.

J. B. MARCELLUS,

*Professor of Civil Engineering, University of Colorado.*

\*Additional Note to article in July 1925 issue of CITY PLANNING.

## NATURAL ZONING IN MIDDLETOWN

Middletown, Connecticut, one of the oldest cities in the state and situated about 25 miles from the mouth of the Connecticut River, has recently been showing a considerable interest in zoning and city planning. The subject is being agitated by the local chamber of commerce, which has prepared a tentative zone map and has had this published in the local newspaper together with an outline of the proposed zoning regulations.

The zoning problem in Middletown is greatly simplified by the fact that during its long slow growth the city has largely zoned itself according to logical principles of development. There exists a low-lying industrial area largely utilized by the local factories and needing but the installation of certain additional public service facilities to make it readily available for industrial expansion; business and residential sections are well defined; a wide belt of open land, ideal for first-class residential development, practically surrounds the built-up portions of the community. An exceptionally wide main business thoroughfare running almost the entire length of the retail district bears testimony to the far-sightedness of the founders of the town. The proposed ordinance will probably include a definite park zone, thus uniting as far as possible the city planning and zoning programs.

T. L. HINCKLEY,

*Secretary, Middletown Chamber of Commerce.*

## PRIZE ESSAY CONTEST IN CINCINNATI

The Department of Sociology in the University of Cincinnati is conducting an essay contest for prizes donated by the United City Planning Committee: a prize of \$100 open to graduate students in sociology, and \$25 to undergraduate students. The completed manuscripts must be handed in before April 30, 1926. Graduate treatises are understood to involve personal, firsthand investigation of an original character. Ten thousand words is suggested as a probable minimum length. Undergraduate treatises are to be more nearly of "essay" character, and may be prepared from secondary sources if desired. Four thousand words is suggested as a probable minimum length.

Subjects are to be within the general field of the relationship of city planning to civic well-being. The following subjects are suggested; but other, related subjects may be chosen if previously approved by the Department of Sociology:—

1. City Planning (or zoning) as a factor in relation to one of the following: Crime, Vice and Delinquency, Poverty, Disease, or Recreation and Uses of Leisure.
2. Life history of a selected district of Cincinnati (District selected to be previously approved).
3. Unutilized resources of a selected district.
4. The single-family vs. the apartment residence: a study in comparative values.
5. City beautification and its importance (Particularly in its relation to utility).
6. Factors in population distribution.
7. Recreation planning in relation to public schools.
8. Planned vs. unplanned districts (or cities): a comparison of results.
9. The consequences of the application of the provisions of the Cincinnati Plan.

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## ZONING IN NEW JERSEY

WITH the exception of zoning cases, there have been no notable legal events in the city planning field during the last three months. The present state of zoning law in this country is admirably presented in a paper by Alfred Bettman, Esq., which appears in this number of the Quarterly. Any review of the situation at this time naturally takes that paper as a point of departure.

The only outstanding occurrence of later date is the decision by the highest court in the state of New Jersey of the case of Krumgold and Sons Inc. v. the Mayor and Alderman of Jersey City.<sup>1</sup>

Our readers will remember that prior to 1924 the statutes of New Jersey authorizing the municipalities within it to pass zoning ordinances were many and of various forms. None of these statutes provided adequately for a board of appeals, appointed by the municipality, to which are referred exceptional cases of hardship and injustice. In the application of zoning ordinances to the numberless sorts of buildings to be constructed for various uses on lots of every conceivable size, shape and location such cases are sure to arise. Without some method of eliminating them, they will force the courts to declare entire sections of zoning ordinances unconstitutional and void. The only way of avoiding this outcome is by giving some local authority, familiar with the facts, discretion in such cases to waive the letter of the ordinance in order to preserve its spirit and intent. Under the old laws there had been many decisions of the New Jersey courts hostile to zoning, notable among which was the Nutley decision<sup>2</sup> holding that provisions excluding a store from a residential district were invalid. This case was followed and extended by later cases in New Jersey, leaving little hope for zoning in New Jersey under the existing law.

In the effort to save the situation the friends of zoning framed and succeeded in passing a statute<sup>3</sup> applying uniformly to all municipalities in the state and providing adequately for boards of appeal. This law was modeled on that prepared by the Department of Commerce at Washington and was similar to the laws in New York and other states where zoning is well established. It was hoped that the New Jersey courts would recognize the change in the legal situation and uphold the law and zoning ordinances passed under it. In order to do this boards of appeal must function; and to that end cases must be sent to them and go up to the courts on certiorari, the well established method of reviewing discretionary findings,

<sup>1</sup>Court of Errors and Appeals, reported in N. J. Adv. Rep. Vol. III, No. 43, p. 1546.

<sup>2</sup>Ignaciunas v. Risley, 125 Atl. Rep. 121.

<sup>3</sup>Laws of 1924, Chap. 146.

previous resort to mandamus not being allowed. For some time the lower courts in New Jersey have been divided on this question, some allowing mandamus under the statute of 1924, some refusing to do so on the ground that, under the new statute, the Nutley case was not conclusive. The decision of this point by the Court of Errors and Appeals, the highest court of the state, has therefore been awaited with great interest, and that decision has now been rendered. In *Krumgold and Sons Inc. v. The Mayor and Aldermen of Jersey City* the judges in a unanimous decision uphold the immediate use of mandamus, saying on this point:

“The last point argued by the appellants is that the respondent should have taken an appeal from the zoning commission’s rejection of the application to the board of commissioners sitting as a board of appeal, which is created by the provisions of the Jersey City ordinance. The city commissioners rejected the respondent’s application. The appellants now contend that the respondent should have appealed to the same commissioners under another name which refused to grant the building permit before the respondent is entitled to appeal to the Supreme Court for a writ of mandamus. The answer to this provision is that the ordinance is ineffective to deprive the respondent of its right to the use of its property for store purposes. The ordinance being void so far as it prohibits the proposed use of respondent’s property, no appeal thereunder to the board of appeal was necessary.”

Also of interest is the New York case<sup>1</sup> holding that a group of one car garages on separate lots, leased and operated individually, are not violative of the provisions of the New York City zoning resolution prohibiting the use or erection within a business district of a garage intended to be used for more than five motor vehicles.

<sup>1</sup>*Matter of Multiplex Garages, Inc. v. Walsh*; *Matter of Ashley v. Same*, Supreme Court, reported in *New York Law Journal*, June 28, 1924, p. 1222; Appellate Division, reported in 213 *App. Div.* 155, 210 *N. Y. Supp.* 178; Court of Appeals reported in *New York Law Journal*, October 28, 1925, p. 383.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## WHAT IS CITY PLANNING?

Some of us would say that zoning is a part of city planning. We would say that city planning consists in fixing the legal character of different land areas by law for the benefit of the community,—for instance, the stamping of the street character on a strip of land, of the park character on a land area, of a residence district character on an area of buildable land.

But along comes the resolution of the National Association of Real Estate Boards adopted at Detroit June 26, 1925, as follows:

### “Separation of City Planning and City Zoning

Whereas, It has been customary to refer to city planning and to city zoning as part of the same subject matter, and

Whereas, There is a general agreement throughout the country upon the desirability of city planning everywhere, while there still remains some opposition to municipal zoning, and

Whereas, The handling of these two matters together tends to delay city planning until the question of zoning can be more fully worked out in certain communities; now, therefore, be it

Resolved, that the National Association favors the consideration of these matters separately and the pressing of the subject of city planning independently, and as a desirable prerequisite to the question of city zoning.”

The above is a plain statement and will be generally understood. The authors consider city planning one subject and zoning another. They assume that city planning is the planning of streets, parks and other public land areas. But plainly this is not all of city planning. Fixing bulkhead lines and fire limits is city planning, but they would say no. Placing a public sewer under private land would be city planning but they would say no. Public parks and public building sites can be properly zoned because they are buildable land. When one thinks of these things it becomes plain that city planning does not depend on whether the land affected is public or private.

But without further argument, let us substitute the words “planning streets, parks and public places” for the words “city planning” in the resolution and see how it looks. Here it is:

Whereas there is general agreement throughout the country upon the desirability of planning streets, parks and public places everywhere, and

Whereas the handling of such planning and of city zoning at the same time tends to delay the planning of streets, parks and public places until the question of zoning can be more fully worked out in certain communities; now therefore be it

Resolved that the National Association favors the consideration of these matters separately and the pressing of the planning of streets, parks and public places independently, and as a desirable prerequisite to the question of city zoning.

Progressive real estate developers throughout the country consider that street widths, block sizes and park locations have an intimate relation to the proposed use of the land, whether detached residences, apartment houses, business or industry. Yet the resolution proposes that streets, blocks and parks should first be laid out and then and not till then the zoning should be considered.

E. M. B.

## A NEW KIND OF GARAGE

A new kind of garage is appearing in cities whose downtown streets are greatly congested. It is the daytime garage that stores all cars above the ground floor. Ramps or elevators are used. Some are operated by department stores for customers. The garage of this type is for clean storage only. No repairs of cars should be carried on and no power machinery should be allowed. It is likely that present zoning ordinances that prohibit public garages in business districts must be amended to allow this new type of garage.

Let us take a hack at this subject of parking. Some say that a way must be found to compel the private owner by law to set aside space for parking. This cannot be done. The experience of cities is that the supply of downtown private parking space depends on the strictness of prevention of parking in the streets by the police. The city can undoubtedly prohibit parking in the public streets entirely. The degree to which private owners will furnish private parking space depends upon their willingness and the pressure of economic considerations. No law can directly compel them to furnish such private space.

The solution of the problem of parking in the crowded downtown public streets is for the city to stop parking. Then the demand for parking will be supplied by private parking space. Some stores will furnish it for their customers. The new type of garage will be built more numerously. Zoning ordinances can help in the solution. The city streets are after all for traffic, and parking is not traffic.

E. M. B.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**THE BUILDING OF SATELLITE TOWNS**, by C. B. Purdom. London, J. M. Dent & Sons, 1925. 368 pages. Illus. plans.  $9\frac{7}{8}$  x  $7\frac{1}{2}$  inches. Price 25/ net.

This book is a full description of the progress of the Garden City idea to date, with especially detailed discussion of the two notable and only consistent exemplars of the idea, Letchworth and Welwyn. Since so many ventures, good and bad, have been irresponsibly called garden cities, we may well refresh our memories as to what a garden city really is, by the definition of its own proponents. The council of the Garden Cities and Town Planning Association says: "A garden city is (1) a *town*, (2) *designed* for healthy living and industry, (3) of a *size* that makes possible a full measure of social life, but not larger; (4) surrounded by a *rural belt*; (5) the whole of the land being in public ownership or held in trust *for the community*."

Thanks largely to the early pioneering and the subsequent enthusiasm of Mr. Ebenezer Howard and his followers, we have come to accept all the purposes of the Garden City as good ideas worth striving for. We believe that, for the ordinary citizen, residence in a reasonable-sized town is better than residence in a great city. We know well that a planned town is better than an unplanned one. We believe that access to some kind of open country is essential to the people of any town. We have had plenty of experience of the evils both of private scrambling for and of private passive possession of the unearned increment of land value in growing communities:

And many of the above ideals have been put in practice in American cities and subdivisions. The one great point which stands unproved because really untested is the possibility of restriction of the size of the community, and with this, ultimate preservation of the open areas.

What will actually happen when all the land set aside for residence and for industry in a garden city is full of dwellings and factories at the maximum allowed density? Will the people know their own good so completely that they will send new factories and new population elsewhere, giving up the profits from turning over agricultural land to more intensive use? Will they say, "Growth up to now has been gain, but hereafter it is loss"? Perhaps they will in England; but if they do in America, it will be because they have unlearned a mental attitude which up to now has been characteristically American.

H. V. H.

**ASHEVILLE CITY PLAN**, by John Nolen. 1922. Published by the Asheville (N. C.) City Planning Commission, 1925. 48 pages. 5 double-page plans. 12 x 9 inches.

The Asheville Chamber of Commerce has sent this plan report to the Editors of City Planning; and while it will be noticed in the Annual Survey of City Planning in our Spring issue (along with a number of other important reports such as Cincinnati's Official Plan), the form of this publication deserves especial mention here. The future of Asheville as the "hub of Western North Carolina" causes its officials to believe firmly in the wisdom of a fore-sighted plan. The mayor and the commissioners of public works and public safety state this belief as an introduction to Mr. Nolen's survey and recommendations. The text is very attractively presented, with a wide margin broken by red-ink topic sentences epitomizing the accompanying paragraphs. The set of double-page plates showing the plans for thoroughfares, parks, and zoning are clearly reproduced and very intelligible. It is worth noting that the park plans show a real "belt of green" about the city which should help to preserve its individuality as one of the well known health and pleasure resorts of the Seaboard states. Another point of historical interest to students of town planning is the existence in Asheville's limits of Biltmore Village planned by the Senior Olmsted in connection with the Vanderbilt estate, and characterized by Mr. Nolen as "one of the best examples in the United States of town planning and construction".

T. K. H.

**THAMES VALLEY JOINT TOWN PLANNING COMMITTEE**, Final Report upon the Regional Planning Scheme, by Thomas Adams and Longstreth Thompson. London, July 1925. 52 pages. Plates. plans, including large folded map. 12 x 9 $\frac{3}{4}$  inches.

A report of this character has interest not only to the local authorities and citizens of the Thames Valley towns, but also to the many travellers from abroad to whom this "pleasure ground of London" has long been familiar and dear. To technical town planners, the large clearly-presented map, on which the regional projects are drawn out, and the details of suggested road arrangements, with cross-sections, are especially interesting.

That the Thames Valley region is destined to remain predominantly residential and recreational, the consultants Messrs. Adams and Thompson take for their thesis; and the report deals comprehensively with zoning, building lines, civic and shopping centers, park systems and communications with special reference to the predominant uses.

An excellent series of photographs, showing the characters to be preserved and enhanced, supplements the clearly stated proposals of the text. As an example of a regional report, the volume is a distinct addition to our American library shelves.

T. K. H.



**EAST KENT REGIONAL PLANNING SCHEME**, by Patrick Abercrombie and John Archibald. University Press of Liverpool, 1925. Plates.  $12\frac{1}{2} \times 11\frac{1}{2}$  inches. Price 10s.

The handsomely printed and fully illustrated report from the President of the Town Planning Institute of Great Britain, Professor Abercrombie, in collaboration with Mr. Archibald as field worker, on "East Kent Regional Planning Scheme Survey" is a valuable book for Americans interested in regional planning.

The problem in East Kent has an almost American flavor because this region is "about to undergo a revolution in the course of its existence." The discovery of coal and iron deposits at workable depths is expected to result in a transformation of a dominantly agricultural area into a great industrial center.

The region includes many resorts such as Dover, Ramsgate, Broadstairs and Folkestone, and many places of great historic interest such as Canterbury, Roman Reculver and Rutupiae, and the Cinque Ports.

As might be supposed, the survey deals extensively with geological and topographical conditions. The suggested lines of further investigation and development are introduced with clarity and decision. The suggestions concerning the location of new towns, and the development of railways and highway communications in relation to pit heads, anticipate a doubled population and eighteen coal pits. Perhaps the most encouraging suggestion of the report is the possibility of developing electric power at the coal mines for transmission to London only sixty miles away. A smokeless and fogless London is almost too much for the imagination.

C. W. E., 2nd

**COUNTY BOROUGH OF NORTHAMPTON, (ENGLAND).** "Proposals for Development and Reconstruction," by Thomas H. Mawson & Sons in collaboration with Thomas Adams and Longstreth Thompson, 1925. 128 pages. Illustrations, maps and plans (John Dickens & Co., Ltd.).  $11\frac{3}{4} \times 9$  inches. Price 16 shillings on application to Town Clerk.

The Plan for the County Borough of Northampton differs from most English Planning Schemes because it contains proposals for both the "development and reconstruction" of the city. Under the Town Planning Acts, planning work in Great Britain has dealt almost exclusively with the undeveloped surroundings of cities and towns and only rarely with built-up areas.

The Town Planning Proposals, as the recommendations referring to the outlying districts are called, deal with by-pass streets, estate development, parks and zoning, and other matters commonly considered in English reports.

In the preparation of the Improvement Schemes for the built-up area, historical features, topography, and social and economic conditions have been carefully considered. To an American observer this consideration for historical sites and buildings is of special interest. The difficult situation in regard to the railroads, especially the need for a Union Station and for the abolition of the Bridge Street Grade Crossing, and the recommendations of the consultants in relation thereto, will strike a responsive note among city planners in this country.

C. W. E., 2nd.

## IMPORTANT NEW PAMPHLETS

**PLANNING OF UNBUILT AREAS IN THE NEW YORK REGION**, a form of State Enabling Act with Annotations. Prepared by Edward M. Bassett. Regional Plan of New York, 1925. Publication No. 10.

"Providing for the establishment of an official map or plan at the option of every municipality, the approval of plats, the protection of mapped streets, the setting aside of small parks for playgrounds, the modification of zoning in platted areas, and the control of building permits".

As to the protection of mapped streets, Mr. Bassett's proposals should be compared with the method of protection by eminent domain presented in 1924 by Judge Nichols, and further developed by him and endorsed by Mr. Bettman at the annual meeting of the Massachusetts Federation of Planning Boards last October.

**HIGHWAY TRAFFIC IN NEW YORK AND ITS ENVIRONS.** By Harold M. Lewis in collaboration with Ernest P. Goodrich. Regional Plan of New York and its Environs, 1925. Engineering Series. Monograph Number one. Fully illustrated.

**A CITY PLANNING PRIMER**, by G. E. Lommel and F. G. Bates. Bulletin of Purdue University, Lafayette, Ind. July 1925, vol. 9, no. 5. Illustrated.

A very interesting document inspired by the Indiana City Planning Association, and containing illustrations chosen to show Indiana conditions and proposals.  
T. K. H.

A considerable number of other very interesting city plan reports have been received since the last Quarterly, and these are being held for review in the Annual Survey of City and Regional Planning in the United States for 1925, to be published in the April issue of CITY PLANNING.

## NEW ARGUMENTS FOR ZONING

In the opinion of Mr. Bassett the brief (available in printed form) of Mr. Frazer in the Ridgewood (New Jersey) case is "a most important Zoning document. It is the very best statement of why the applicant should follow the board of appeals and court review. It also shows clearly how badly off the state is that gets started on the wrong track". He is using this brief to advantage in several states where zoning is going wrong.

Also as supplementary to the list by Miss McNamara in the July 1925 issue of CITY PLANNING "Recent References to Arguments for Zoning", especial note should be made of the sections in the 1925 *Fire Prevention Year Book* entitled "Overlap of Zoning and Fire Prevention" and "Zoning and Water Supply as seen by experts". (Published by the Baltimore Underwriter and National Agent, American Bldg., Baltimore. Price 50 cents.)

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**ADDITIONAL REFERENCES TO LAWS AUTHORIZING  
PLANNING AGENCIES FOR MUNICIPALITIES,  
COUNTIES AND REGIONS**

Compiled by the DIVISION OF BUILDING AND HOUSING,  
U. S. DEPARTMENT OF COMMERCE, December, 1925

(Supplement to the list published in the October 1925 issue.)

**CONNECTICUT**

Special Laws of 1925, No. 8.

Charter amendment for the City of Hartford.

Special Laws of 1925, No. 95.

Special Act, authorizing Town Planning Board for the Town of Stratford.

Special Laws 1925, Special Act No. 383.

Commission on Town Plan for Town of Manchester.

**FLORIDA**

Laws of 1923, Chapter 9899, Act No. 781.

City Planning Commission for City of Sanford.

**GEORGIA**

Laws of 1923, Act No. 215.

Charter amendment, authorizing Board of City Planning for City of Columbus.

Laws of 1925, Act No. 145.

Charter amendment, authorizing Park, Tree and Zoning Commission, for city of Waycross. (Authorizing certain city planning regulations).

Laws of 1925, Act No. 175, sec. 6.

Charter amendment, authorizing City Planning Commission for City of Rome.

Laws of 1925, Act No. 284.

Charter amendment, authorizing City Planning Commission for City of East Point.

Laws of 1925, Act. No. 320.

Charter amendment, authorizing City Planning Commission for City of Cairo.

Laws of 1925, Act No. 326.

Charter amendment, authorizing City Planning Commission for City of Augusta.

**INDIANA**

Laws of 1923, Chapter 92.

Amending Laws of 1921, Chapter 209, Section 10.

## KANSAS

Laws of 1923, Chapter 92.

City Planning Commissions in cities of the first, second and third class.  
(Repealing Chapter 99, Laws of 1921.)

## MAINE

Laws of 1917, Chapter 201 (Special), p. 688.

City Planning Board for City of Auburn.

## MARYLAND

Laws of 1910, Chapter 114.

City Plan Commission for City of Baltimore.

## MASSACHUSETTS

Laws of 1921, Chapter 41, Sections 70-84.

City Planning Commissions for Cities and Towns; over 10,000 compulsory—under 10,000, optional. Boards of Survey for Cities and Towns. Art Commissions for Cities and Towns.

## NEVADA

Laws of 1921, Chapter 131.

City or town planning commissions for incorporated cities and towns.

## NEW YORK

Laws of 1925, Chapter 539, amending,

Laws of 1909, Chapter 29.

Regional Planning Boards.

## NORTH CAROLINA

Laws of 1921, (Extra Session), Chapter 169, as amended by

Laws of 1921, (Extra Session), Chapter 246.

Planning Commissions for Cities and Towns in the Counties of Buncombe, New Hanover and Wake.

## TENNESSEE

Private Acts of 1923, Chapter 412, as amended by

Private Acts of 1925, Chapters 93, 248 and 298.

Charter amendment, authorizing City Plan Board for City of Knoxville.

## ZONED CITIES

Twenty-seven of the 33 largest cities in the United States, having populations of over 200,000 inhabitants, have now adopted zoning ordinances.

# INSTITUTE NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## WINTER MEETING OF INSTITUTE

The winter meeting of the American City Planning Institute will be a joint session with the American Society of Civil Engineers, January 21st and 22nd, New York City. The Engineers are having an all-day session on the 21st and will consider the following subjects: "The Plan of Cincinnati" by George B. Ford of New York; "The Plan of Mariemont" by Frederick H. Fay of Boston; and "The Relation of Town Planning to the Various Professions Engaged in the Execution of Community Development" by John Nolen of Cambridge. On Friday morning, at the Institute session, the subject of "The Use of Hexagonal Blocks and Other Designs in City Planning" will be considered. This will be presented by Mr. Noulan Cauchon of Ottawa, Canada, President of the Canadian Town Planning Institute.

## NATIONAL CONFERENCE 1926 IN FLORIDA

The National Conference on City Planning will hold its annual meeting of 1926 in Florida; March 29th, 30th and 31st, at St. Petersburg, and April 1st at West Palm Beach. It is planned to have this meeting not at St. Petersburg or a West Palm Beach or even a state-wide conference, but to make it a southeastern regional conference. The program has not been completed but the following subjects will be considered:

Planning of New Towns and Suburbs—President's Address, Planning of Pleasure Resorts, The Recreational Use of City Water Fronts, The Water Front in Florida, The Location of the Railroad in the Modern City, Planning Opportunities and Dangers of Rapid Development, The Laws Necessary for the Better Organization and Development of Municipal Areas, How to Tell the Public the Meaning and Merit of City Planning. Zoning sessions, as conducted by Mr. Bassett, which have become a valuable part of the annual meetings, will be continued in the Florida sessions. F. S.

## PLANNING PROBLEMS OF TOWN, CITY AND REGION.

Discussions at the [International City and Regional Planning] Conference held at New York City, Apr. 20 to 25, 1925. Published for the Conference by Norman, Remington Co., Baltimore, Md., 1925. 530 pages. plates. maps.

Being also the proceedings of the 17th National Conference on City Planning, and a very important addition to its series of volumes. For subjects of papers included see program of the Conference published in CITY PLANNING for April 1925.

REPLANNING CITIES  
NEW TOWN PLANNING

REGIONAL PLANNING  
SUBURBAN PLANNING

# TOWN AND CITY PLANNING

By JOHN NOLEN and ASSOCIATES

1905---1925

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## REPLANNED CITIES (Including City Extensions)

Savannah, Ga.	1906	*Bridgeport, Conn.	1914
*Roanoke, Va.	1907	Kingsport, Tenn.	1916
*San Diego, Cal.	1907	*Akron, Ohio	1916
*Montclair, N.J.	1908	*Flint, Mich.	1917
*Glen Ridge, N.J.	1908	*Niagara Falls, N.Y.	1917
*Reading, Pa.	1909	Charlotte, N. C.	1917
*Madison, Wis.	1909	La Crosse, Wis.	1919
Scranton, Pa.	1910	Janesville, Wis.	1919
Milwaukee, Wis.	1910	*Bristol, Conn.	1920
*Chattanooga,		Green Bay, Wis.	1920
Tenn.	1910	*Elkhart, Ind.	1920
St. Paul, Minn.	1910	Spartanburg, S.C.	1921
Lock Haven, Pa.	1911	*Asheville, N. C.	1922
*Wayland, Mass.	1911	St. Petersburg,	
*New London,		Fla.	1922
Conn.	1911	West Palm Beach,	
Cohasset, Mass.	1912	Fla.	1922
*Erie, Pa.	1912	*No. Adams, Mass.	1924
*Schenectady,		*Sarasota, Fla.	1924
N. Y.	1912	San Diego, Calif.	1924
Keokuk, Iowa	1912	*Columbus, Ga.	1924
*Little Rock, Ark.	1912	Berkeley, Calif.	1925
*Walpole, Mass.	1913	Clearwater, Fla.	1925
Sacramento, Cal.	1913		
Total	42		

## REGIONAL PLANS

La Crosse, Wis.	1919	New York and En-	
Janesville, Wis.	1919	virons(Associated)	1924
St. Petersburg,		Sarasota, Fla.	1925
Fla.	1922	Belmont-on-the-	
Farm City,		Gulf, Fla.	1925
Pender Co., NC.	1922	Clearwater, Fla.	1925
Wyomissing, Pa.	1922	Myakka River, Fla.	1925
San Diego, Calif.	1924	Aituras, Fla.	1925
		Tamiami City, Fla.	1925
Total	13		

## NEW TOWNS AND SUBURBS

Westover Heights, Lynchburg, Va.	1907
Round Top, Madison, Wis.	1910
Myers Park, Charlotte, N. C.	1911
Westerly Gardens, Bound Brook, N. J.	1912
Neponset Garden Village, Walpole, Mass.	1913
The Evergreens, Bound Brook, N. J.	1914
Irving Park, Greensboro, N. C.	1914
Kistler, Mt. Union, Pa.	1915
Crystal Springs Land Co., Roanoke, Va.	1915
Green Acres, Waterbury, Conn.	1916
Allwood, Passaic, N. J.	1916
Kahkwa Park, Erie, Pa.	1916
Lawrence Park, Erie, Pa.	1916
Overlook Colony, Claymont, Del.	1917
Loveland Farms, Youngstown, Ohio	1917
Dawson, Colo.	1918
Union Park Gardens, Wilmington, Del.	1918
Niagara Falls, N. Y.	1918
Seneca Heights, Olean, N. Y.	1920
Overlook Heights, Janesville, Wis.	1920
Camp Greene, Charlotte, N. C.	1922
Mariemont, Cincinnati, Ohio	1922
Westminster, Erie, Pa.	1922
Beaver Lake, Asheville, N. C.	1922
Clewiston, Fla.	1922
Oakbrook, Reading, Pa.	1923
Berkshire Heights, Reading, Pa.	1923
Babson Park, Wellesley, Mass.	1923
Wyomissing Park, Wyomissing, Pa.	1923
Belleair, Clearwater, Fla.	1924
Venice-Nokomis, Fla.	1924
Bay Point, Venice, Fla.	1924
Newagen, Me.	1924
Windsor Farms, Richmond, Va.	1924
Maximo Estates, St. Petersburg, Fla.	1924
St. Augustine Beach, Fla.	1924
San Jose Estates, Jacksonville, Fla.	1925
Point Loma Estates, San Diego, Calif.	1925
Broad Acres, Glens Falls, N. Y.	1925
Belmont-on-the-Gulf, Fla.	1925
University Park, Gainesville, Fla.	1925
Bay View, Jacksonville, Fla.	1925
Myakka River Tract, Venice, Fla.	1925
Villa De Soto, Sarasota, Fla.	1925
Alturas, Polk County, Fla.	1925
Tamiami City (near Fort Myers), Fla.	1925
Total	46

\* Printed reports

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QUARTERLY

Vol. II

APRIL 1926

No. 2

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Vol. 2

April, 1926

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## NEW TOWNS VERSUS EXISTING CITIES

By JOHN NOLEN

**T**HERE are two main divisions of city planning directly connected with the better distribution of population: one is the replanning and rebuilding of existing towns and cities; the other is the laying-out and construction of new communities, either what are known as "Satellites"\* of existing cities or complete and separate new towns in new locations,—what is termed in England "a Garden City".\*\*

New communities are constantly coming into existence, either casually or deliberately. The main point of the town planning movement so far as new communities are concerned, is to make action more deliberate, to plan and build new towns and cities by intention, with knowledge and skill and understanding. In this respect the problem is different from the replanning of existing cities. It need not be approached so conservatively. These new towns should express new standards and new ideals, and be an attempt to meet in new ways the modern conditions of life and the peculiar opportunities that these conditions offer.

\*"By a satellite town is therefore meant a town in the full sense of the word, a distinct civic unit with its own corporate life, possessing the economic, social and cultural characteristics of a town in these present times, and, while still maintaining its own identity, in some sort of relation of dependence upon a great city. The term does not mean a village, because a village is essentially not a town; neither does it mean a suburb or any form of community which is absorbed, or in process of absorption, into another community. The word "satellite" is used in a pseudo-astronomical sense: that is to say, of a body that is under the influence of a more powerful body, but physically distinct."—From "The Building of Satellite Towns" by C. B. Purdom.

\*\*"A Garden City is a town planned for industry and healthy living; of a size that makes possible a full measure of social life, but not larger; surrounded by a permanent belt of rural land; the whole of the land being in public ownership or held in trust for the community."—"Town Theory and Practice" by C. B. Purdom.

The question is not whether our effort shall be given either to the replanning of existing cities or to the laying-out of new communities. If there is to be a better distribution of population both of these solutions must be employed and must both go on concurrently.

There are illustrations of dead cities, of cities that have ceased to be, but the civilizations that these cities represented have gone with them. And there are also illustrations of cities that through changes in industrial, economic or other conditions have become less important. This is the case with mining towns. But existing cities, generally speaking, are permanent and will remain permanent through the ages. Existing cities are not only permanent in the fact that they continue to exist, but they are largely unchangeable in all their main features. A review of the form of cities in this country or in other countries will bring to mind the comparatively small changes that have taken place in them. Consider how little change is made in the plan of a city even when a great conflagration, earthquake, or flood occurs, sweeping all buildings and improvements from the land. London, San Francisco, Baltimore, Galveston and Dayton are examples.

Furthermore, a review of American cities for the last twenty-five years, during the period of most active modern city planning work, will show that notwithstanding substantial changes and fine achievement in many directions, the form of these cities remains much the same. A study of Chicago, St. Louis, and Detroit, or of other cities that have a record of vigorous progress in modern city planning, would illustrate the point that even under the most favorable circumstances the replanning and rebuilding of existing cities must be done in most instances from a conservative point of view.

Almost everything else that mankind has produced is periodically destroyed and changed to meet the new conditions. Very little remains even of cities except their general plans, meaning by general plans the location of streets and the distribution of the organic parts of the city—the location of the principal features, both public and private. But these general plans, these principal features remain much as they were originally.

It can be demonstrated that old cities are not well adapted to the new conditions and cannot be greatly changed. Why then cannot existing cities be scrapped, if they are so unsuitable for their purposes? The answer is: first, they have certain great advantages of location with reference to harbors or railroads or topography or raw materials or agricultural products, etc.; secondly, the vested interest of individuals and corporations or of the whole body of citizens represents too great an investment of capital in land and improvements.

There are two reasons of major importance for building new communities. The first is to take care of new territory which is from time to time opened up; and the second is to meet the new requirements and new standards by new planning.

Some of the causes for the opening up of new territory are the following:

1. The extension of the railroads and main highways and the construction of new harbors and canals. The transcontinental development and the settlement of the middle west, the northwest, California and the southwest can be traced to this cause. Many of the new towns and cities in Florida also are the result of railroad extensions, especially the Florida Western and Northern (Seaboard Air Line) recently constructed across the state; or of highway extension such as the Dixie Highway and the Tamiami Trail.

2. The occupation of new lands as a result of the discovery of gold or oil or other minerals, or of new agricultural or industrial products, etc.

3. The establishment of new industries due to new inventions such as the automobile, the airplane and the radio.

4. The construction of a series of industrial or manufacturing plants distributed more or less over the whole country, such, for example, as the U. S. Steel, General Electric, various automobile companies, Sears Roebuck, etc.

5. The drainage and irrigation of newly opened lands. The reclamation service of the government, or similar work carried through by

private enterprise, calls for new communities. The building of islands, as in Florida, is the actual creation of new land for occupation, giving opportunity for new planning and construction on new lines.

6. Resort communities for winter and summer occupation, and the possibility of their development due to the accumulation of surplus wealth seeking investment. Mr. Roger Babson, the economist, speaks of "Going-away winters"—as a new industry.

7. Miscellaneous causes such as the establishment of new colleges or other educational institutions, etc.

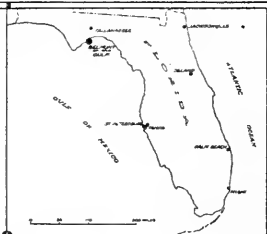
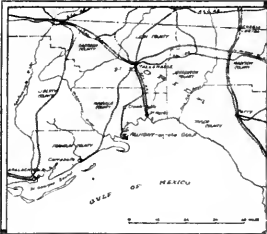
8. May we not add another cause for new towns? There is a limit to the size of cities. What this limit is may be open to discussion, it is true, but human capacity to organize and govern, or at any rate the law of diminishing advantages in cities (like the law of diminishing returns in agriculture), will fix a limitation to existing cities and compel new population to seek settlement in new communities.

But it is not only because new territories are opened up that new cities should be planned and constructed; changes have come in the requirements of cities. New requirements of city life could be illustrated from the following:

1. The public school and its expansion; the steam railroad; the trolley and cable car; the automobile; the motor truck and the motor bus; the moving picture and radio; changes in building methods and materials; steel construction; the elevator; changes in municipal public utilities; and in city engineering such as modern pavements and sidewalks and street lighting. All of these changes in the equipment of cities do actually require a city planned differently from a city laid out as it was a hundred years ago, or even fifty years ago. At least these changes give advantages where new planning can be employed.

2. New habits and tastes of the city dweller. Home life is different from what it was a century ago. The apartment house has come into existence, with a greater and greater dependence upon cafés and res-

REGIONAL PLAN  
 BELMONT-ON-THE-GULF  
 FLORIDA  
 JULY-1925



JOHN NOLAN - CITY PLANNER  
 PHILIP W. SUTLER - ARCHITECT  
 HARVARD SQ. (CAMBRIDGE MASS) - IN - JACKSONVILLE FLA.

HELIOTYPE TO RUPPIN  
 Courtesy of Mr. Nolan

taurants. The servant problem has arisen. The love of nature has developed. Country clubs have become a necessity of city life. It is only in the last seventy-five years that public parks and playgrounds have come to be an integral part of a city's layout, also wild reservations, bathing beaches and provision for winter sports.

3. Changes in municipal sanitation and sanitary standards, illustrated in new methods of city water supply, disposal of wastes, etc. Also in the lowering of the death rate from about 20 per 1000 in 1880 to 12.3 per 1000 in 1923.

4. Economic changes and the raising of the standard of living, expressing themselves in city conditions as a result of the increase of per capita wealth, which in 1850 was only \$300, and today is over \$3,000.

5. Changes in leisure and its use, and new ideas with regard to outdoor games and sports and physical recreation. The working day fifty years ago was two or three hours longer than it is today, the Saturday half holiday was unknown, and Sunday was looked upon as primarily a day for religion and rest. No existing city, large or small, practically finds it possible to provide today adequate open areas for its well-recognized requirements. The problem of properly employing the new leisure depends upon new planning to provide for the new ideals of recreation.

New towns cannot for one reason or another be planned, perhaps, to meet all of these new requirements, but very much more successful provision can be made in planning new towns as compared with the replanning of existing cities. The difference is much like the success with which old buildings constructed fifty or one hundred years ago could be revamped to meet the needs of a modern office building or a metropolitan city hotel, as compared with new construction. Furthermore, the new communities can and should be planned not only to take care of present requirements, but to anticipate those of the future, permitting more frequently the easy conversion of city territory to different uses and changed conditions.

**WHAT SHOULD THE NEW TOWN OR CITY BE LIKE?**

1. The new town or city should have the right location geographically. This is a matter of primary importance, and is related closely to national and regional planning.

2. The local plan should be based upon topographical conditions, and be worked out in relation to railroads, main highways, water frontages or other controlling natural features. This also is a matter of primary importance.

3. The character of the town should be rightly conceived with reference to its purpose and use. The plan should recognize the different requirements of cities, whether primarily industrial or residential or recreational, and so on, as well as topographical and climatic conditions.

4. The probable size of the town must have some consideration. Otherwise the fundamental planning, the parts not easily changed, cannot be satisfactorily determined. Even though there is no intention of controlling the ultimate size of the town, some approximate idea of its size should be kept in mind when the original plan is made. The growth of cities is one of the chief difficulties that concern us today in existing communities. In the planning of new towns there should be an elastic element, however, to provide so far as possible for error in overestimating or underestimating the size of the town. Great industries like the U. S. Steel and General Electric recognize the limits of efficiency in connection with the size of plants and deliberately start new units.

It would seem worth while in the discussion of this subject to consider some of the essential features of a city. This article does not call for detail, but even a brief summary of the essential features of a city from the planning point of view will bring to mind the considerations that should control and influence new planning and the degree to which such considerations could have weight in new planning as compared with the revision of old or existing planning.

Take, for example, the railroads, and consider the situation in existing cities, and how little can be done to bring about railroad changes, and even then the great cost involved. The problems would

include the location of right-of-ways; the separation of grades; the reduction in number of crossings by local streets; the location of passenger and freight stations; adequate platforms for the use of passengers; the unification of right-of-ways; the relation of railroads to industrial property; the coördination of rail and water transportation, etc. It is difficult to revise such matters as these in an existing city, but in new planning a proper and convenient layout could readily be secured.

This comparison is equally true of waterfronts, whether for industry or recreation. The logical division of the waterfront for the use of industry and recreation has been a source of controversy in many existing American cities. San Diego is an apt illustration. In new planning a satisfactory line could quite readily be established. The same situation exists with regard to other waterfront problems.

The most striking comparison, perhaps, of new towns and existing cities could be made with regard to streets. In new cities the selection of locations for major streets and the fixing of their width, alignment and grade involve no great difficulty beyond the technical skill necessary to an understanding of the requirements. In an existing city, on the other hand, the changes in the major streets necessary to take care of modern requirements are a baffling problem, and one that has not yet been fully solved in any city of importance.

This contrast of new and old could be applied readily to other subjects, as, for example, public buildings and their grouping and the selection of open spaces. The latter is one of the most far-reaching factors in modern city life. It involves the setting aside of natural features for parks and recreation, the distribution throughout the city area of play space and the establishment of neighborhood and recreation centers.

Someone has said that what finally remains and is most permanent in a city is "the determination of the legal quality of the various land areas for various purposes."\* It is quite obvious that by the proper application of skill to the planning of new areas, combined with restrictions and early zoning, it is possible to determine this legal quality of

\*Cf. "What is City Planning" under Zoning Roundtable in *CITY PLANNING* Vol. 1, No. 2, page 130.



land in a much more satisfactory manner than is possible with an existing city where conditions are firmly established and more or less unchangeable.

The housing standards in many American communities, both large and small, are not as high as they should be. Here again there is the contrast between the potentialities of the two situations. In the planning of new communities it is feasible from many points of view to apply housing standards that are much higher than in existing cities, especially the large existing cities, in such matters as the size of lots and the provision of light, air, sunshine and agreeable environment. Also the securing of neighborhood recreation and other essential facilities for family life, more particularly the requirements of children.

#### PRACTICALLY WHAT CAN BE DONE?

Must the control of the location of towns be left to accident or the sporadic promotion of the owners of property, as for example in Florida, or could such development be regulated and controlled in any way by the governing authorities? Would national planning and regional planning give opportunities to control the location of towns? No answer can be given now to these questions, but at any rate, here are some of the definite ways in which the development of new towns could be initiated and to some extent more wisely directed: (1) the Federal Government has had a great opportunity in the past, and still has some opportunity, to influence favorably the location and development of new communities; (2) the railroads have been instrumental in the past and might continue to be in the future in establishing and developing new towns of all classes—industrial, commercial and residential; (3) national industrial corporations, such as the U. S. Steel and General Electric, have it in their power to inaugurate in many places new towns planned to meet the new conditions of modern life, especially the industrial and labor conditions, combined with proper housing; (4) there is an unlimited opportunity for work along the lines represented by Letchworth and Welwyn, the garden cities of England, and by “Mariemont” and other new town associations in this country; (5) the Farm

Communities Association, recently organized, could develop well-ordered and well-located villages and towns in the country as new centers of agricultural life.

In the formation of public opinion to stimulate, encourage and back up these various forms of action leading toward new town planning, might be mentioned the various national technical and popular groups concerned with this subject. Considerable influence could be contributed by the new technical town planning knowledge that is being developed at universities and special schools, such as Harvard University and various other institutions in this country; also the University of Liverpool in England, and higher art and technical institutions elsewhere. Above all, attention should be drawn to the International Federation for Town and Country Planning and Garden Cities, which would be especially useful because of the value of the international exchange of ideas and experience.

The new order of community life, such as is here roughly depicted as being possible in the planning of new communities the better to meet new conditions, ought to include more of the things that make life worth living: decent homes; cities clear of slums; children well fed, with fit bodies and active minds; cities which see the sunlight and do not live in a canopy of smoke; cities more free of noise; safer cities. In these new cities we could, if we would, add to the decoration and adornment of life and its legitimate amusements and recreation. We could help to better physical and esthetic conditions, giving cities more color and individuality. We could have more libraries and a wider enjoyment of music and art. We could secure ample playgrounds, parks and forest reserves. Indeed, by building anew we could raise the whole standard of life, physical, mental and spiritual, and at the same time by good planning actually lessen the cost of developing and maintaining cities, because of the more practical ways in which provision would be made for the requirements of railroads and highways, of business and other economic factors upon which the welfare of cities rests.

# THE CIRCUMFERENTIAL THOROUGHFARES OF THE METROPOLITAN DISTRICT OF BOSTON

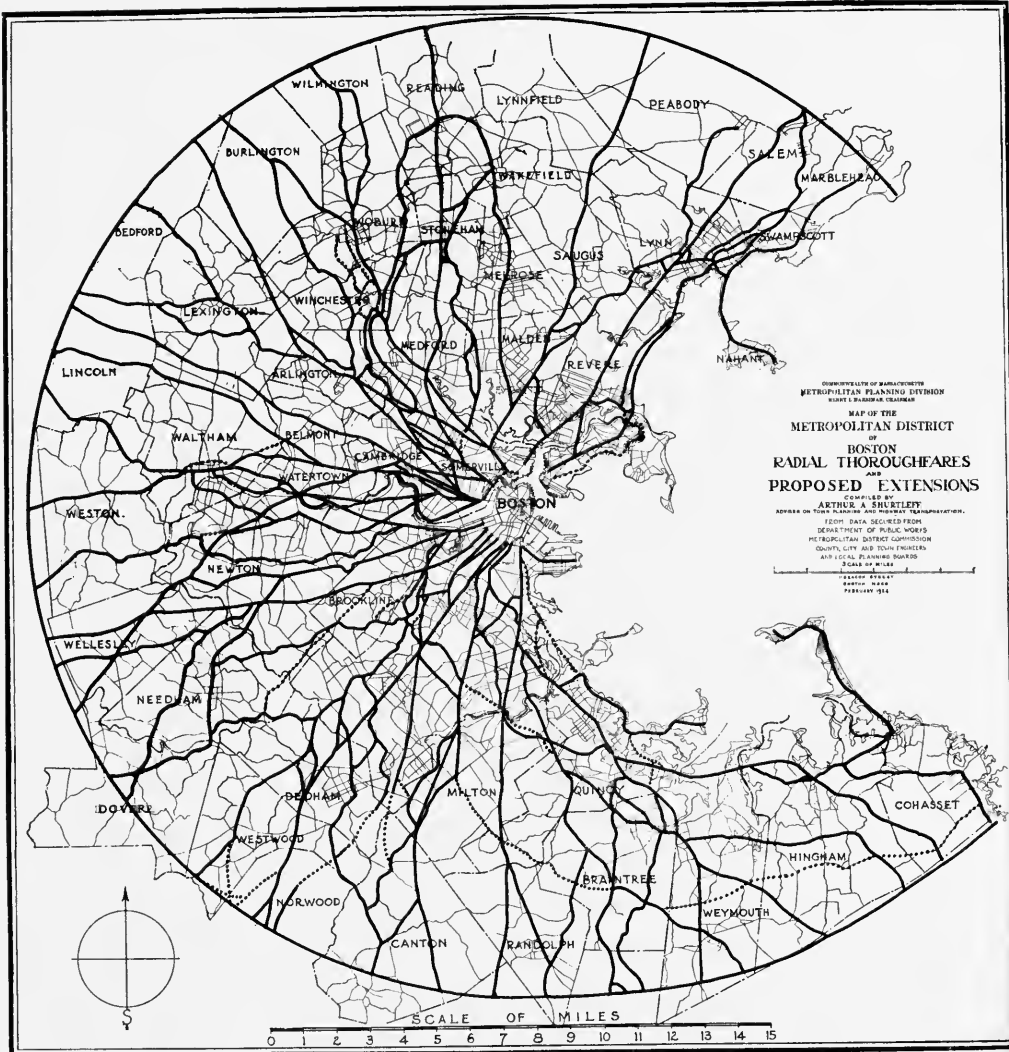
*By* ARTHUR A. SHURTLEFF

THE spoke-like arrangement of the main thoroughfares of the Metropolitan District of Boston is singular among American cities in at least four respects; first, these radials are many in number embracing about thirty-five, measured at a distance of eight miles from the center of the City; second, they are spaced with remarkable regularity as the first accompanying plan indicates; third, they are very direct in their general courses although none of them are absolutely straight except for short reaches; fourth, they are all crossed where they pass through villages, towns, and cities, by transverse roads which branch nearly at right angles. These cross-roads, near the local centers, are remarkable for their persistence all around the circle. They change orientation to correspond with the adjacent radial highway.

To speak of these transverse roads as "cross-roads" is not accurate because as a rule an offset occurs in almost every case where they might be expected to carry smoothly across the corresponding radial. A useful system of circumferential thoroughfares would have been realized if these offsets were not present. These characteristic jogs came into existence in early days when the social and business interests of the villages and towns which surrounded Boston were not intense enough to carry across intervening communities. With the coming of the automobile era, lateral communication has become exceedingly important.

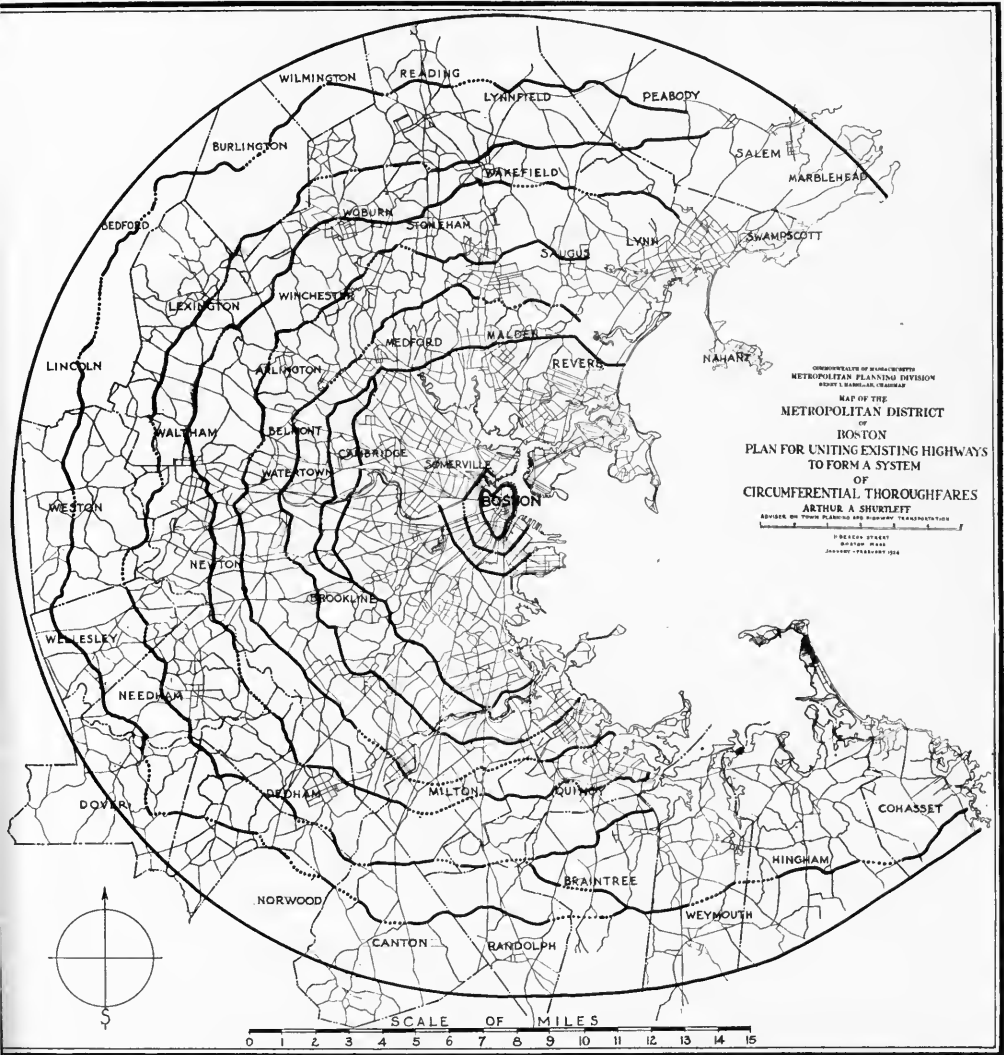
A moment's consideration of the foregoing shows the plight of congestion into which Boston and its thirty-nine surrounding Metropolitan cities and towns are automatically forced. Boston is swamped with vehicles which pour into it from all sides through converging radials from which there are no well-arranged circumferential escapes or by-passes. Moreover, the surrounding villages and towns are needlessly congested with Boston traffic which clogs each "Main Street", especially

# RADIAL THOROUGHFARES OF METROPOLITAN BOSTON



Compilation of Existing and Proposed Radial Thoroughfares, 1923-1925.

**CIRCUMFERENTIAL THOROUGHFARES FOR METROPOLITAN BOSTON**



Plan for Uniting Existing Highways of the District to Form a System of Circumferential Thoroughfares. Studies of 1923-1924, Arthur A. Shurtleff, for the Metropolitan Planning Division.

where the transverse streets are offset. Evidently relief both for Boston and all its neighbors is to be found by the gradual creation of a system of unbroken circumferential thoroughfares based upon the rudimentary but useful fragments which already exist. The extent to which these fragments can be linked together is shown by the second plan.\* Upon this plan are shown existing circumferential fragments and possible connections. Many variants of these connections are possible both with regard to radii, distance apart, and diagonal connections.

With few exceptions all the great radial thoroughfares of the Boston Metropolitan area and all the extensive fragmentary circumferential routes have come into existence without concerted planning for the whole area. Moreover, each of the surrounding thirty-nine cities and towns has acquired its own streets without adherence to a predetermined local plan. It is astonishing that so many useful and logical highways should have been evolved in this haphazard method during two centuries. During the past ten years, however, local planning boards have sprung up in all these communities, but not until 1923 was a permanent Metropolitan Planning Board established\*\* to plan the transportation systems of the entire region. This Board has already brought about the creation of several much needed Metropolitan thoroughfares.

Of the work of this Board, the proposal made during the past few months to create an initial circumferential thoroughfare, is of special interest in connection with the foregoing account of the general highway system of the District. The project for this circumferential is shown on the third plan. The dotted lines represent new roadways and the solid black and double lines existing highways or parkways. This circumferential has a length of nearly forty miles of which only a little over twelve miles will require new construction. This group of links was

\*The author of this article prepared plans Nos. 1 and 2, for the Metropolitan Planning Division as Adviser regarding the Metropolitan highway system of Boston in 1923-1924.

\*\*This Commission consists of seven unpaid members. Three including the Chairman are appointed by the Governor, and the others are designated by the following State Commissions: Department of Public Works, Public Utilities Board, Metropolitan District Commission, and the Transit Department of the City of Boston.

chosen because it offered an opportunity to give circumferential circulation with a minimum amount of new construction just outside the region of most serious congestion and near a convenient route for north-south flow. It is hoped that this line will be authorized during the coming



Courtesy Metropolitan Planning Division

**Plan for the First Circumferential, 1926.**

year to give relief both to the central portions of the District and to all the cities and towns around Boston whose streets are now clogged unnecessarily with radial traffic. Similar relief will be needed within and without this encircling highway and can be accomplished, of course, by the gradual linking together of other highway fragments to create additional circumferentials.

It is of general interest that the existing street system of the Metropolitan District of Boston has none of the characteristics of the gridiron layout of most American cities and that the future development of the rudimentary circumferential thoroughfares will further intensify this difference.

## THE RELATION OF TOWN PLANNING TO THE VARIOUS PROFESSIONS ENGAGED IN THE EXECUTION OF COMMUNITY DEVELOPMENT\*

By JOHN NOLEN

President, National Conference on City Planning, Cambridge, Mass.

Town planning, if it is to accomplish its purposes in a worthy manner, must be broad in the professions which it employs. If permanent results of a high order are to follow, the engineer, the architect, the landscape architect, and also the lawyer, and those of other allied professions, must be united in a joint enterprise,—one which should have variety, harmony and unity. The planner of the town himself may be an engineer, an architect or a landscape architect. Professionally he ought to be technically educated, well trained and widely experienced in at least one of these fields, but he must know something vital of them all. Successful town planning cannot be the work of a narrow specialist. It calls for versatility. It is engineering plus something; architecture plus something; or landscape architecture plus something; and that “plus” is as indispensable as the direct professional equipment in the more usual and better recognized fields. Moreover, the town planner needs to know both design and construction in those public works and improvements that draw upon and employ the skill of several of these professions jointly, and especially those works that have constantly the double requirement, if it can be so-called, of use and beauty. We must, as someone has said, create harmony and beauty on a foundation of the practical.

In human affairs which have the variety and complexity of town planning, perfection is not possible, but a much higher degree of public convenience and private enjoyment may be secured with a considerable saving of costs, and distinctly better quality of urban beauty obtained, if a method is employed of harmonizing the work of the various professions with town planning principles and ideals.

\*Part of a paper presented at the Joint Meeting of the City Planning Division of the American Society of Civil Engineers and the American City Planning Institute, New York, January 21, 1926.



# PLAYGROUNDS IN NEW LAND SUBDIVISIONS

By WILLIAM E. HARMON

President, Harmon Foundation

**M**Y first realization of the shortsightedness of disregarding play space as an essential feature of a suburban development came to me about ten years ago when I visited two of our early subdivisions—one in Pittsburgh and one in Detroit. A thousand lots had been sold in the first, twenty years previous, and nearly one thousand houses built without a foot of play space for the hundreds of children; in the second, 500 lots had been sold, and every lot built on but two, and only the streets left for the public.

Realizing that we had over one hundred important subdivisions in which the same ultimate situation was inevitable, I became conscious of my shortsightedness, or selfishness, or both. We subdividers are so apt to think of our properties in terms of our own active participation in them when there is an abundance of vacant land. Instead of this we should think of these development enterprises as they will go down into history. If we are reasonably unselfish, or indeed if our point of view is that of enlightened selfishness, we will take stock with ourselves and the things posterity will say of us.

We have learned by actual experience that no sacrifice is involved in setting aside a reasonable amount of land for recreation purposes in each subdivision, and no subdivision now goes on the market under the name of Harmon in which land is not either dedicated or, if that is impractical, held for future dedication. In the first instance when I took \$60,000 worth of lots off the market on a property called "Kings Club" in Brooklyn, I encountered the opposition of my associates, and to a certain extent my own conscience. It seemed an unnecessary sacrifice of the interest of our stockholders, but I took the architectural proverb for my guide, that when you have to incorporate an objection-

able characteristic in a building, the best way to handle it is to make a feature of it. I made a feature of our increased prices necessitated by the segregation of a large amount of land, distributed the \$60,000 over the balance of the property, and by energy and enthusiasm with our selling staff, sold the idea to them, so that I found that they used it as an effective argument for selling, which increased in effectiveness as buildings began to encroach upon the land areas.

We now regard our playgrounds and recreation fields as important, not only from the commercial point of view, but from every consideration of ethics. Automobile travel has made streets literally death traps for children, as is attested by the enormous total that automobiles exact each year. The farsighted developer recognizes that many improvements and conveniences that used to be considered frills have become necessities in successful projects, and that the public is gradually learning to select their future homes in districts that are properly improved, and that have recreation, as well as school accommodations. To my mind it is a great pity that mandatory legislation cannot be passed that will compel the segregation of a certain area of each subdivision to be dedicated for recreation purposes.

The Harmon Foundation, in which I am deeply interested, is about to offer honorariums or awards to the subdividers who, in 1926 and the first half of 1927, make the most important contributions to recreation in the form of dedication of land areas in their developments.

# SURVEY OF CITY AND REGIONAL PLANNING IN THE UNITED STATES, 1925\*

By THEODORA KIMBALL HUBBARD  
Hon. Librarian, American City Planning Institute

(For the List of Plan Reports for 1925, see page 145)

THE year 1925 in City Planning shows a solid gain. If we are to continue for comparison with last year our map, like the monthly business maps issued by the Chamber of Commerce of the United States, we can say for 1925 that, for lack of any city planning news received, only four states need be marked black, as against six in 1924. Twenty states as a whole must be marked in gray to show that their city planning rating was only fair, although six of these states contain large cities—Birmingham, Denver, New Orleans, Portland (Ore.), Seattle, and Salt Lake City—which have individually shown notable activity. Twenty-five states—as against twenty-two for 1924—and the Territory of Hawaii could be marked white to indicate that business was active, Maryland and New Jersey in spite of zoning disasters being kept in this list on account of broad port development, highway, and park system projects. In addition, California, Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Wisconsin, and the District of Columbia repeat in the white list from 1924, while Georgia, Missouri, and North Carolina also appear.

News is at hand from about four hundred and fifty cities and towns, a hundred more than for 1924, and two hundred more than for 1923. Of the sixty largest cities in the United States, only one (San Antonio) has not been heard from; and all the very largest, from Washington, D. C., up, have regional as well as municipal projects under way. Over a hundred of the four hundred and fifty communities reported have a population of less than five thousand. In Massachusetts during 1925 thirteen new planning boards have brought the state's total of active planning boards to seventy-seven, with fifteen also reported in the making. No other state can show so striking a record in proportion to its total population.

Another striking figure reported for 1925, from the Division of Building and Housing of the Department of Commerce, reveals the number of people in the country living in zoned municipalities as over twenty-seven million. It is to be expected that the tremendous impetus to zoning given by the Department's Standard State Zoning Enabling Act will be followed by the promotion of more comprehensive city planning when the Department completes and puts forth its Standard Act permitting municipalities to create city plan commissions.

\*This is the second of the series of Surveys in CITY PLANNING, which continues the series carried in LANDSCAPE ARCHITECTURE from 1912 to 1924, covering the period from 1910 on. No attempt has been made to include here the important field of housing, because this is treated so fully and so well by Mr. Lawrence Veiller in the files of *Housing Betterment*. The legislative history of the year 1925 will be found covered in the regular Legal Notes department of CITY PLANNING conducted by Mr. F. B. Williams (see page 136 of this issue). Acknowledgment is here made to the many officials and consultants who have contributed information for this present Survey, and also to my Secretary, Miss Frazier, to Miss McNamara, Librarian (see page 145), and Mr. Howard K. Menhinick, a student in the Harvard School of Landscape Architecture, for assistance in assembling the very great quantity of matter on which the Survey is based.

In addition to the American City Planning Institute, there are some thirty national organizations listed in the *American City's Municipal Index* for 1925 which are known to be actively interested in problems of town and regional planning. Among the leaders in 1925 were the National Conference on City Planning, National Association of Real Estate Boards, the Chamber of Commerce of the United States, the American Civic Association, the American Society of Civil Engineers, the National Housing Association, the National Municipal League, and the National Safety Council. The establishment of the quarterly CITY PLANNING in April 1925 has created a new opportunity for the exchange of ideas and experience among those in the forefront of the work, whatever their professional or official viewpoint.

That city planning has become recognized as an absolute necessity appears from the staggering figures given for the economic losses caused by traffic congestion and traffic accidents, in large measure preventable or possible of correction. In the New York region \$1,000,000 per day is the estimated loss from traffic congestion; in Chicago, the newest figures place the losses as \$120,000,000 for the past year. Boston loses over \$6,000,000 annually in trucking costs alone. Traffic congestion costs Cincinnati \$100,000 per day and the typical smaller city of Worcester, \$35,000 per day. The actual cost of rectifying mistakes in the street system caused by poor subdividing in Des Moines is estimated at nearly \$2,000,000 in the last seven years.

The annual economic loss to the whole country from street and highway accidents is computed at over \$600,000,000. In St. Louis alone, not counting loss of time in connection with injuries, traffic fatalities and accidents cost the community over \$5,000,000 yearly. It will be worth while for those who obstruct the progress of comprehensive city planning, on the ground of expense, to read in the 1925 *Municipal Index*, Mr. Arthur Shurtleff's list of fourteen kinds of costs which may thereby be saved.

### **International Interest.**

The success of the International Town Planning Conference in New York last April,—the first held in this country,—has been attested in the press both here and abroad. Many came, from Canada, Great Britain, Ireland, Australia, and New Zealand, Mexico, Argentina, and Peru, Sweden, Norway, Finland, Holland, France, and Switzerland, Germany and Austria, Poland, Czechoslovakia, Jugoslavia, Serbia, Bulgaria, Greece, and Turkey, China and Japan,—over a hundred foreign representatives. Of our own states, thirty-four were represented by mayors, city officials, and delegates of planning commissions from several hundred cities and towns.

The keynote of the conference was the need for regional planning and for better distribution of the population now crowded into great cities. This was the message of Mr. Ebenezer Howard and his English colleagues of the garden city movement. This was the real remedy agreed on for the appalling street traffic congestion reported from all over the country. This was the lesson of New York, carried home by delegates both to their far countries and to our own cities. It is worth noting that the local newspaper account of an interview with the Secretary of the Plan Commission in Oklahoma City stated that, as a result of his trip, the zoning ordinance might be amended in accord with his leading message: limit building heights and decentralize instead of making ever-wider streets.

Both of our next-door neighbors were heard from at the Conference, the contribution from Mexico by Mr. Contreras (see CITY PLANNING for July 1925) bringing before the meeting the National Planning movement into which regional and state schemes must ultimately fit. Of European achievements, the great Ruhr district plan was presented by Dr. Schmidt. To the young students attending from schools, many names familiar on the backs of books and reports came alive: Unwin, Stuebben, Brix, Purdom, Pepler, Kelley, Bruggeman.

The Pan-American Conference on Capital Cities held in Washington under the auspices of the American Civic Association was another international event in which many foreign delegates participated, making it a point of departure for the tours which several groups made after the New York meetings. Our visitors' impressions of America have been variously recorded in their own professional journals; but, whatever their strictures on our heterogeneous development and congested streets, it is pleasant to read that they enjoyed our American entertainment as much as we have theirs at preceding international meetings. In September we were able to pay our respects in Paris to many recent visitors through our delegates to the Third International Congress of Cities, including Mr. George B. Ford, retiring president of the National Conference on City Planning, to whom we owe much for our successful repayment of international city planning hospitality. In the early summer, before the Congress of Cities, its leading spirit, Senator Vinck of Belgium, made a visit to this country, which, it is hoped, may help toward the establishment of a real Center of Civic Documentation in Washington to cooperate with the International Union. A step forward in 1925 also may be recorded, as a direct result of the Paris Congress, where Mr. Stutz of Kansas, Secretary of the International City Manager's Association, promised to translate and publish in full in the Association's Monthly Magazine the important bibliography of civic affairs (including city planning) hitherto published only in French, known as the *Tablettes Documentaires*.\*

### Notable Events.

Every few years some great flood, fire, or earthquake fills us with horror, but not always does such a disaster as visited Santa Barbara find a city so well prepared for re-building. Shortly before the earthquake its major street and park plan (see CITY PLANNING, October 1925) had been adopted, zoning was already in operation, and the Community Arts Association under the leadership of Mr. Bernard Hoffman had created strong interest in the preservation of local architectural individuality. Recent reports indicate that the Architectural Board of Review created by municipal ordinance, the first of its kind in the country,\*\* aided by the Citizens' Advisory Committee, can rely on community cooperation to produce a central district, largely in the Spanish tradition, far surpassing the old in beauty and convenience.

In Florida, too, Spanish architecture has been followed in the building of the many new resort towns springing up like magic along the shores. The whole sensational development of Florida is indeed one of the outstanding city planning events of 1925, to be more fully appreciated and understood after the Florida meeting of

\*These are already known to readers of the *American City* in the interesting extracts prepared by Mr. Stephen Child, which will now be discontinued.

\*\*See also comment by Mr. Williams, page 138 of this issue.

the National Conference on City Planning in March 1926. When the land boom aspects have cleared away, the solid achievements of officials and city planners in the creation of new communities (see the paper by Mr. Nolen on page 69) and in the improvement of existing centers will have much to teach the rest of the country.

Another Southern state, Georgia, has come to the front in 1925 in legislative preparation for many communities to follow the successful example of Atlanta. The State of Pennsylvania may again benefit by renewed activity on the part of the Bureau of Municipalities at Harrisburg, which, after an unfortunate interim, has secured sufficient appropriation for Mr. Haldeman's return. The establishment of the Bureau of Plans and Surveys in Baltimore, an official city planning agency under Major Shirley's direction, enlarging and continuing his well-known Topographical Survey work, is important, and encouraging as a basis for the ultimate victory of zoning in Maryland.

In New York State, the Niagara Frontier Planning Board created by the 1925 Legislature began to function on July first, one of the most notable regional undertakings in the country. The Los Angeles city and county major street plan, recorded last year, reports \$32,000,000 of street openings and widenings already ordered or under way. Dallas sends news of good progress in carrying out features of the Kessler Plan (see *CITY PLANNING*, October 1925). The steps recently taken for protecting and extending the Plan of Washington are reported elsewhere (page 141) in this issue.

Readers of Mr. Ball's article in our January 1926 issue realize the astonishing progress on the Chicago Plan, which is further revealed in the Plan Commission's Fifteen-Year booklet, a record that inspires the whole country. We shall hope soon for an estimate of the savings in food costs to the citizens of Chicago effected by the moving of the produce market and the facilitating of truck movements. Springfield, the state capital of Illinois, has this year produced and published an officially-adopted Plan intended to preserve worthily the monuments of the Lincoln tradition. Cincinnati's official plan and the progress towards its realization are great achievements. Kenosha, a city of about the size set as ideal by many garden city proponents (50,000), comes to the front with first place for city planning in the Wisconsin Better Cities contest: it has a plan and it is carrying it out. St. Paul is fortunate in having an active city planning commission to make the readjustments caused by the coming to St. Paul of the \$10,000,000 Ford plant.

Camden (N. J.) received especial mention at the International Conference in New York for progress on its civic center, bridge plaza, and other projects, and this city is coöperating with Philadelphia and Wilmington in the Tri-State Regional Federation. On the other side of the continent, Seattle, said to have the first American regional plan (by Bogue, 1911), has established in 1925 an official city planning commission, with the hearty support of the State chapter of the American Institute of Architects.\* Out in the Pacific, Honolulu reports a very active City Plan Commission and staff (see *CITY PLANNING* for October 1925). New Orleans is encouraged by an appropriation of \$20,000,000 in the 1926 budget for the work of the City Planning and Zoning Commission. To Louisville, where a notable Health Survey was published in 1925, we now look for a more comprehensive following up of the city planning beginnings already mentioned in previous Annual Surveys.

\*See address of Mr. Charles H. Bebb before the Chapter in 1923.



Courtesy of United City Planning Committee

From the Official Plan

**Proposed Street Improvement in the Cincinnati Basin**

### **Educational Work.**

The need for a brief readable statement of what city planning is and how it can be brought about has been met in 1925 by several interesting documents. The "City Planning Primer" by Professors Lommel and Bates of Purdue University, was prepared for the Indiana City Planning Association and contains excellent illustrations chosen to show Indiana conditions and proposals. Also in Indiana, the inquiries called forth by our notice, in the last Annual Survey, of Evansville educational methods caused Mr. Blanchard, secretary of the Plan Commission, to draw up a typewritten memorandum circulated for the benefit of other cities. To aid the League of Minnesota Municipalities in its educational campaign to secure proper enabling legislation, Mr. Herrold of the St. Paul City Planning Board wrote "A Monograph on City and Village Planning and Zoning," published by the League, which should appeal to local town officials and voters by its sensible statements and its appendix of favorable zoning experiences assembled by a questionnaire.

The bulletin "City Planning Procedure for Iowa Municipalities," prepared by Mr. Wallis, secretary of the state association, has particular interest, because, by the enabling act approved in April 1925, every city and town in Iowa has the power to create a plan commission. Unlike the Monograph for Minnesota where legislation is yet to be secured, this "primer" does not discuss the history and advantages of city planning, but devotes itself to explaining what city planning work includes, how to secure and organize a commission, its functions, and how to get the plan adopted. Two previous bulletins devoted to zoning, also by Mr. Wallis, complement this very clear and excellent little city planning manual for the Iowa citizen or newly appointed plan commissioner. Directed to a much younger audience is the school primer of Dallas Civics now in preparation, with the approval of the School Board, for use in seventh grade classes, so that Dallas citizens may grow up with the Kessler Plan.

The long-expected booklet on the usefulness of city planning, a companion to the Zoning Primer, prepared for the Department of Commerce by Secretary Hoover's Advisory Committee on City Planning, is shortly to appear, and should be helpful not only by itself, but also as a basis for the preparation of local primers such as the very interesting group just discussed. In the nature of a primer of village improvement is the Farmer's Bulletin, issued March 1925, "Rural Planning: The Village" by Mr. Wayne C. Nason, which teaches by examples of well planned and improved small communities. "A Catechism of Zoning", by Mr. Grant, published by the New Rochelle (N. Y.) Chamber of Commerce, raises and disposes of a number of questions which citizens might have asked, and thus must have contributed to the successful passage of the comprehensive ordinance secured in 1925. A different and also interesting sort of publicity is anticipated in Cincinnati when the prize essay contest instituted in 1925 is adjudicated, the prizes being offered by the United City Planning Committee to students in The University of Cincinnati (see CITY PLANNING for January 1926) who will thus become more imbued with The Official Plan of Cincinnati.



The educational campaign in Dallas, of which the civics primer just mentioned forms a part, has been carried forward during 1925 with great zeal and vigor, the Kessler Plan Association backing up in all stages the projects undertaken by the City Plan Commission. In Boston, more intelligent coöperation of the important groups directly affected by city planning enterprises has been secured for the City Planning Board through the Advisory Committee on City Planning appointed by the Mayor along the lines of the very successful citizens' advisory committee which helped "put over" the Boston zoning ordinance.

The other side of the picture is presented from New Haven, in the little "Valedictory" of Mr. George Dudley Seymour, long the soul of city planning there, who felt himself obliged to resign after long service as Secretary of the City Plan Commission and after constant educational effort, because of official indifference to the need for comprehensive planning. His pioneering will be justified if the new combined city plan and zoning commission can get any results from the extensive zoning studies made for the former zoning commission by the Technical Advisory Corporation,—a precarious condition being said to exist from swapping horses while crossing the stream. From Toledo, where a vigorous campaign was made in support of city plans intended to help the city compete with Detroit and Cleveland, comes an item: "Citizens who supported the civic improvement plan, which failed to receive the approval of voters at the recent election, are to continue the educational campaign"! Not every city can expect quick success, but Mr. Wacker's message from Chicago, "Perseverance in City Planning" (see CITY PLANNING, April 1925), is a note of high encouragement to overcome temporary obstacles.

Newspapers in various parts of the country during 1925 have devoted much space to city planning, but not every paper has made it a front-page feature like the Rochester *Democrat-Chronicle*, which ran a long series under the title "City Planning: Rochester's next Important Task", to present "the most important subject confronting Rochester, now that the city manager form of government has been adopted." Long itself a leader in city planning, Rochester quotes Buffalo in the feature article at hand. And to Buffalo many cities may well turn for suggestions for effective publicity, since the work of the Buffalo City Plan Association\* and the newer Niagara Frontier Planning Association have been crowned with deserved success.

Any account of educational work for city planning in 1925 would be incomplete without mention of the great exhibition in connection with the show at the Grand Central Palace in New York last April, under the auspices of the American Institute of Architects, American City Planning Institute and other organizations, and the simultaneous special show at the headquarters of the International Town Planning Conference. Time scarcely permitted an adequate study of the very important contributions from the many foreign countries as well as our own. City planning exhibitions of note were held successfully in Pittsburgh, before New York, and in Philadelphia afterwards. A knowledge of up-to-date technical methods of presenting plans and surveys could be gained first hand, especially from the large number of drawings shown in New York, which a study of recent plan reports can only echo. Two reports this year, however, are particularly

\*See the account of the zoning campaign by Miss Cabana in CITY PLANNING for January 1926.

full in explanation of methods in city planning surveys; Cincinnati's Official Plan, prepared by the Technical Advisory Corporation, and the Lewis-Goodrich Highway Traffic study in the Regional Plan of New York Engineering Series.

### State Activities.

The New York State Commission of Housing and Regional Planning, under the chairmanship of Mr. Stein, presented at the International Conference its remarkable beginnings of a plan for the State of New York, with an exhibition of the State Survey material already prepared. The New York State Federation of Planning Boards held its first meeting in New York at the same time. This State Commission and its Bureau have also done notable work in promoting regional planning in the state, issuing up to May of 1925 a monthly bulletin (which is shortly to be resumed) mainly devoted to the larger aspects of planning. The *Civic Improvement Items*, edited by Mr. Wallis for the Iowa Town Planning Association, has appeared steadily, full of useful news. Several news sheets, two valuable bulletins on special subjects and an annual report have come from the Massachusetts Division of Housing and Town Planning and the Massachusetts Federation of Planning Boards, among which the state field worker, Mr. Hartman, has been productively active, as witness the seventy-seven boards before mentioned. The Federation's twelfth annual meeting was held in Boston in October.

The Ohio State Conference on City Planning held its seventh annual meeting in Dayton also in October, an exceptionally successful conference, reported by Miss Rumbold in CITY PLANNING for January 1926, with an analysis of its make-up which ought to be valuable to states about to start similar organizations. The Indiana City Planning Association held its third annual conference in Evansville in April 1925, which was well attended and at which the Primer (already referred to) was presented. The principal work of the League of Minnesota Municipalities for city planning (see mention of Monograph above) has been the securing of support for bills for city and village planning and zoning, which unfortunately, after passing the House of Representatives, were killed in the Senate. The campaign is being renewed, with good hope for 1927.

One bulletin of the Pennsylvania Association of Cities of the Third Class appeared in 1925, issued from the Bureau of Municipalities after Mr. Haldeman's return. City planning and zoning are active in Pennsylvania and the Bureau is giving advice to secure operation on a sound basis and to avoid the adoption of unfortunate ordinances. The State of Pennsylvania in 1925 issued its Giant Power Report which included a state-wide survey of sources of electric power and of the market available for this when developed. The State of New Jersey is making a study of its water supply to see what policy shall be most equitable in the apportionment of potable water. The work of the State Highway Commission in New Jersey and several other states is an important factor in broad planning.

The League of Kansas Municipalities helped to promote the passage of city planning and zoning enabling legislation for that state in 1925. The League maintains a staff available to assist cities and planning commissions desiring to initiate work under the new legislation. The Illinois Municipal League, which like the Kansas League publishes a monthly magazine, has given attention to city planning,

particularly the new coöperative undertakings of the Chicago region. From a northern New England state, a section backward in city planning enterprise, comes news of an Institute of Municipal Affairs held in February 1925, in Montpelier, Vermont, under the auspices of the Bureau of Research of Norwich University, at which the need of municipal planning was strongly emphasized.

### **Regional and Metropolitan Planning.**

A fundamental contribution to the presentation of the regional ideal may be found in the *Survey Graphic* regional planning number for May 1925, emphasizing some of the conceptions discussed at the International Town Planning Conference the previous month, and adding some social aspects engendered by our "dinosaur cities". We cannot fail to hope that the splendid regional enterprises now under way in this country will result in a better distribution of population within our own lifetime. In 1925, progress in regional planning organization is reported from Philadelphia, Chicago, Milwaukee, St. Paul-Minneapolis, Detroit, Pittsburgh, Boston, New York City, Albany, Buffalo, Los Angeles, and San Francisco besides counties in New York, New Jersey, Ohio and Pennsylvania, all of these having commissions or associations officially or voluntarily created.

The bill permitting the establishment of regional planning boards in New York State, signed in April 1925, has resulted in immediate activity on the part of the official Niagara Frontier Planning Board (including Niagara and Erie counties) which has already carried through studies for the park development of the region. Its first annual report is expected shortly from the press. The Niagara Frontier Planning Association, organized in 1924, continues its work of securing publicity and support for the Board it was instrumental in forming. The Capital District Planning Association comprising Albany, Schenectady, and Rensselaer counties, was organized early in 1925. The eleven districts created in New York State for the administration of parks and parkways include some existing county agencies in addition to some new boards. The reports of these regional park commissions will be discussed later under the Parks section of this paper.

The exhaustive surveys of the Regional Plan of New York and its Environs have continued, it now being nearly four years since the work was announced to the public. Valuable maps have been made available, legal aid effectively given, coöperation promoted among local authorities in the region, and a stimulus given to the formation of county, city, town and village planning organizations. The enormous numbers of facts collected are now being translated by the Regional Plan into a usable preliminary guide toward the solution of the most important physical problems, and this publication is expected during the coming summer. The pages of striking points printed in the front of the Economic Survey Monographs and of the Traffic Study (which begins the Engineering Series) should stir municipal and county officials, as it has the Regional Plan, to press on toward meeting the increasing congestion with some creative plans.

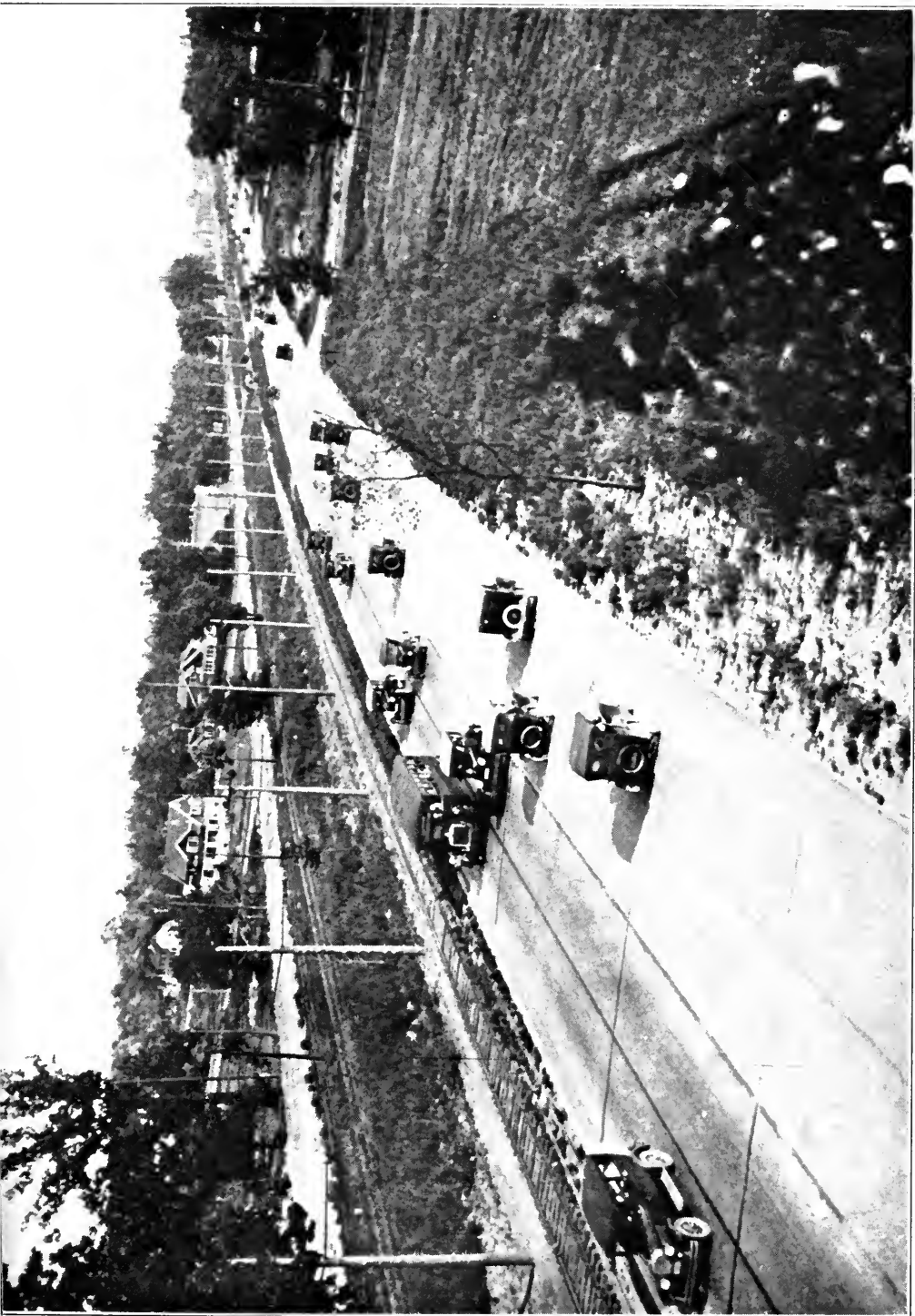
Regional projects in New Jersey affiliate themselves with New York on the North and Philadelphia on the South, the Northern County Park Commission, North Jersey Transit Commission, Camden County Park Association, all being engaged on important public improvements.

In Massachusetts the Metropolitan Planning Division has continued its study of main highways for the district (see article on page 79 with plans); and coincidentally, through the same consultant (Mr. Arthur Shurtleff), the City of Boston has made special studies of its future park system in relation to the Metropolitan District as well as the city. In Wisconsin the Milwaukee County Regional Planning Department recounts in its first annual report that it has devoted its initial efforts to the county parkway system, with regional platting and zoning next on the program. From St. Paul comes the news that the Metropolitan Planning Association is making some headway, and hopes that the sewage problem studies just being made public will help sell the regional idea of control to the St. Paul-Minneapolis neighborhood. In the St. Louis region, difficulties are constantly encountered from lack of control over development in the county outside the city limits. A constitutional amendment has been adopted and a metropolitan district is being considered.

The Regional Plan Association of San Francisco Bay Counties under leadership of Mr. Fred Dohrmann, Jr., issued in September 1925 a little preliminary report by Mr. Bartholomew setting forth the most pressing problems of the region with an outline of the program for comprehensive study, and urging the establishment of a regional planning authority. It is stated that the major highways of the region are the most inadequate of any great metropolitan center in the whole country. San Francisco Bay should be aided by the precedent of Los Angeles City and County and the splendid progress recorded on the major traffic street program there.

The Regional Planning Federation of the Philadelphia Tri-State District, growing out of the Committee on Regional Plan for the Philadelphia Metropolitan District (see article by Mr. Strong, Director, in *CITY PLANNING* for July 1925) was formally launched in December 1925, its work having been going on for over a year with Mr. Haldeman now acting as technical adviser. A little bulletin informs us of hearty coöperation from state and local authorities, especially in connection with the highway and traffic study, recognized as the most urgent and productive line of attack. For several projects under way in the region, the Federation is undertaking to supply population data, and useful advice has also been furnished to outlying towns. The Allegheny County planning authority, for the Pittsburgh region, is actively at work under the chairmanship of Mr. Knowles. The Detroit Metropolitan area not only records far-reaching additional studies and the acceptance on referendum of the Master Street Plan, but can actually report the opening of the Super-highway from Detroit to Pontiac.

The Chicago Regional Planning Association has a most creditable report to make for 1925: its organization has been completed and surveys begun of the various public works going on within a fifty mile radius. One of the principal achievements of the Association is the agreement entered into between the U. S. Bureau of Public Roads, Illinois Division of Highways, Cook County Department of Highways, and the Chicago Plan Commission, that the system of highways now tentatively drawn up would not be departed from by any one of the four parties without submitting the change to the other three. The Regional Planning Association is trying to "iron out" discrepancies in present proposals, not by the aid of a large special technical staff, but by action through the local groups and experts



©Courtesy of Underwood and Underwood

Four-Track Super-Highway, Detroit

already at work. While plans to meet immediate needs are now being compiled, a fundamental survey of the region is being undertaken by committees (see the article by Mr. Kingery, the Association's Secretary, in *CITY PLANNING* for October 1925). Not every region is as fortunate as Chicago in having an outstanding Plan Commission which has blazed the way for such coöperation.

For the development of the Metropolitan area around our National Capital, the meeting in October had great significance, when Virginia's regional planning committee, appointed by the Governor to represent Arlington and Fairfax Counties and Alexandria, was invited and also a representation appointed by the Governor of Maryland, full coöperation having been pledged by Governors of both states in the Federal District regional planning project.

### **Comprehensive Plan Reports.**

An unusual number of comprehensive reports, several of them considerable volumes, have been published in 1925. For two of the largest the Technical Advisory Corporation is responsible: Cincinnati, Ohio, and Worcester, Mass. The Official City Plan of Cincinnati published by the City Plan Commission is a fully illustrated book of nearly three hundred pages, with remarkably well reproduced maps and plans, full of technical data and detailed information; and to the Plan as published all future development must conform, under the state law of 1923 (see page 117 of this issue). The chapters on zoning and subdivision platting are of particular interest. The Worcester Planning Board's City Plan for Worcester, as also the Cincinnati Plan, contains an emergency program to meet immediate deficiencies, following the extensive discussion of each feature of the comprehensive scheme. The Worcester Plan is interesting to compare with the final report published in 1924 for the neighboring city of Springfield (Mass.).

The City Council of Springfield, Ill., adopted in 1924 and made its official city plan the report prepared at the instance of the Zoning and Plan Commission by Mr. West of the American Park Builders and published by the city as a handsome volume in 1925. Since the city desires to have the State Capitol and historic features connected with Abraham Lincoln worthily enshrined, a striking feature of the plan is the clearing away of railroad obstacles and poor surroundings for the linking of public features by large parked areas. The zoning plan has already been described in *CITY PLANNING* by Mr. West (January 1926).

Two comprehensive reports prepared by the Bartholomew organization, Wichita, Kan., and Kenosha, Wis., were published in 1925, although the Wichita report bears the date 1923. The Wichita City Plan Commission had each phase of the plan reported upon by a special committee so that the recommendations may be truly called the work of the citizens and entire planning body. This railroad center for the southwest, a "boom" city of the '80's, has opportunity for guiding development in the very sparse settlements which sprang up in areas still without public utilities. The Kenosha City Planning Commission has reason to be especially proud of its plan because of the remarkable progress in execution described in the report. To the student this publication will repay study for clear reproductions of plans and general all-around presentation.



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W.F. STUART  
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Courtesy of W. E. Stockwell, Engineer Secretary of the Planning Commission, El Paso, Texas

**El Paso from the Mountain Rim Road**

The City Planning Commission of New Brunswick, N. J., has published its Plan prepared by Mr. Swan and associates, incorporating and completing the studies issued last year. Of particular interest are the section on auto parking and the suggestions for control of subdivisions. The photographs showing local conditions good and bad are most effective.

The conditions to be remedied in El Paso, Tex., are set forth in many pictures in the very interesting report of the City Plan Commission, started by Mr. Kessler before his death and written up by Mr. Stockwell. The Kessler plans are reproduced, and all parts of the comprehensive city plan discussed in detail except zoning (that because of adverse Texas decision). El Paso, situated on the international boundary, offers striking scenery, to be taken advantage of by the "Rim" drive and other features attractive to visitors.

Two reports come from Mr. Nolen's office, both for winter resorts which offer quite different attractions from El Paso. The city plan for Sarasota deals comprehensively with a rapidly growing Florida town, possessing a fine bay front, and emphasizes the shore park areas necessary to keep the resort pleasurable. Interesting features of the report are the airplane views (see our Frontispiece) and the discussions of the agricultural development of the surrounding region. The city plan for Asheville, the "Hub" of western North Carolina, includes a real belt of green to preserve the individuality of this beautiful mountain health resort (see the fuller review of this report in CITY PLANNING for January 1926).

As a good example of a report for a small community, we should have to look far to improve on the 1925 Report of the Wakefield (Mass.) Planning Board, containing the proposed plan for Wakefield by Mr. Comey, both as to character of text and illustrations. Another near-by residential town, Winchester, issued a plan in 1925, contained in the compiled reports of the Town Officers for 1924. Although the report's form is less individual, the text by Mr. Arthur Shurtleff is well worth study.

The Report of the City Planning Commission of Canton, Ohio, is a brief preliminary survey and program, drawn up with the advice of Mr. Knowles. The City Plan Commission of Detroit's annual report of January 1925 and the Boston City Planning Board's report of the same date show signal progress on comprehensive planning. The Santa Barbara and Schenectady reports, both of which treat several phases of planning, are discussed later.

### **New Communities.**

Several of the new communities designed on modern town planning principles have now reached the stage where their excellences may be seen. The Mariemont Company's Pictured Story of the town is worth securing, although the diversity of architecture in the houses being erected argues an unfortunate lack of art jury control. In Palos Verdes, however, designed by Olmsted Brothers and Mr. Cheney, all structures have to be submitted to a permanent art jury, and this requirement has resulted in buildings of great appropriateness and charm. Since construction began in 1923, around three million dollars have been spent at Palos Verdes for roads and utilities, and the shopping plaza, inn, and golf club are now serving the numerous householders already in residence.



Florida has been called "the last frontier of the United States", but unlike the sections settled by early pioneers, the settlement of Florida is going forward "under modern conditions with almost unlimited resources of capital, experience, and business initiative". The group of new developments in Florida recently designed by Mr. Nolen and his staff includes Alturas, Belmont-on-the-Gulf, Clewiston, Tamiami City, Bay View and San José estates near Jacksonville, Myakka River Tract at Venice, and University Park near Gainesville. Another interesting new Florida city is Homosassa, designed in 1925 by the Bartholomew organization, for the Florida West Coast Development Corporation,—an area of approximately a hundred square miles. In the central section utilities are being installed, prior to the sale of any land,—thus differentiating this town-planned type of city from the stock picture plans published in the newspapers to allure the settler from far parts only to have him find a palm-fringed swamp. Among existing Florida communities, the Planning Board of West Palm Beach is notable in guiding new developments with the advice of Mr. Leavitt of New York.

In the vicinity of Chicago, Mr. Crane reports the development of a model suburb at Westchester, Ill., with his previously-reported scheme at Woodmar, Ind., now being constructed. Mr. Nolen's Windsor Farms, Va., is also well under way, and Longview, Wash., has progressed satisfactorily, with the advice of Hare & Hare. Additions to the very interesting industrial town of Kohler, Wis., are going forward, according to plans prepared by Olmsted Brothers.

None of the new communities begun in this country could really be classed as garden cities in the English sense. The visit of Mr. Ebenezer Howard to the International Conference in New York, and the meetings held in his honor there and in Boston subsequently, look towards the initiation of an American Garden City Association, as already described in CITY PLANNING for July 1925. The success of the City Housing Corporation at Sunnyside, Long Island City, offers hope that limited dividend companies can be made to succeed in America, as in England. Mr. Alexander Bing, President of the City Housing Corporation, stated in his article (part of the notable *Survey Graphic* already mentioned): "Profiting by their experience (the English companies)', and aided by the greater resources of America, such an enterprise ought to be a great financial success. If the tremendous energy and resources which would be mobilized for such an undertaking were to be harnessed to that abundant store of idealism which is latent in us, splendid results might be looked for". May the scale of operations in Florida spur us to this at once idealistic and practical venture.

### **Planning Unbuilt Areas.**

The greatest developments of the next few years will not, however, be entirely new towns, but the extensions outward of existing communities. The phrase "planning unbuilt areas" is taken from the very important publication by Mr. Bassett in the Regional Plan of New York Series, consisting of a form of state enabling act with annotations. If a municipality took advantage of the act, it could establish an official map and protect the streets mapped thereon; it could require the approval of plats and the setting aside of small parks for playgrounds, and permit modification of zoning in platted areas. In the exercise of discretionary

powers by city planning commissions in the approval of plats before recording lies the great opportunity for wisely regulated suburban development.\* As part of their work for the Regional Plan of New York, Messrs. Bassett and Williams have prepared bills along these lines for the states of New York, New Jersey, and Connecticut, to be brought to the attention of the state legislatures.

The advantages to be secured by the above proposals are provided in a somewhat different way in the zoning ordinance for Westerly, R. I., drawn by Mr. Whitten and adopted in the spring of 1925. This is believed to be the first ordinance adopted that provides for a combination of zoning and planning in the unbuilt areas. A special State Enabling Act to provide for this was procured for Westerly. Under the ordinance adopted, the general or master plan will be modified by the Zoning Board at the time of its approval of each new subdivision plat so as to definitely fit the street and block lay-out and the zoning regulations to the particular type of development proposed for the subdivision. The ordinance also provides for the setting aside of adequate areas for the recreational use of the residents of the subdivision.

The American City Planning Institute at its June meeting at Detroit (see account in CITY PLANNING, October 1925) joined with the Subdividers Section of the National Association of Real Estate Boards in discussing the subject of regulating subdivisions. A joint committee of the Institute and the Subdividers Section was formed to study subdivision control by legislation and other means, not only areas within cities but also areas outside corporate limits. Also a study of the subject is being made by a subcommittee (Mr. Veiller, chairman) of the Hoover Advisory Committee on zoning and city planning as one feature of the proposed standard city planning commission enabling act.

On the cover of a pamphlet "Land Subdivisions and the City Plan" issued with the *National Municipal Review* for July 1925, is the statement: "a city which has obtained subdivisions which are well designed and which dovetail into each other satisfactorily has taken one of the most substantial steps towards the realization of an efficient and comprehensive plan". Messrs. Swan and Tuttle, the authors of the pamphlet, give carefully-drawn rules suggested for the guidance of plan commissions in approving new plats, with an explanation of each section. Some good diagrams showing "Wildcat" planning are those Mr. Swan used also in the New Brunswick report. It is worth noting that a number of cities advised by Mr. Swan in 1925 have adopted subdivision rules presumably along the lines of the model set.

Cincinnati (already discussed) is now an outstanding example of a city which can control the development of unbuilt areas. Since, however, building in mapped streets is not forbidden by the present Ohio laws, further legislation is necessary to prevent the enforcement of the Official Plan from becoming unduly expensive. The subdivision platting rules given in the Plan Report are accompanied by a discussion of the specific problems most often met by a Plan Commission in administering these. Interesting sets of subdivision rules, either in operation or proposed, are given in the Bartholomew reports.

Unless cities can control areas outside their present political limits, the acquisition of new territory may be a heavy burden. It is stated in a newspaper account

\*See the Symposium, page 117 of this issue.

of the National Association of Real Estate Boards' inquiry in twenty-four representative cities as to existing plans for regional subdivision control, that Tulsa, Okla., is one of the few cities in the country that already exercise complete supervision in the laying out of suburban additions. The account states further that the Tulsa Real Estate Board was well represented on the city planning board that secured the state enabling act (1923). There is much hope that the fine spirit of co-operation on the part of realtors will bring about a great advance in the quality of the hundreds of small developments that go to make up our suburbs.

### Zoning.

The figures from the Department of Commerce up to December 31, 1925, show that the total number of municipalities zoned was 422, 86 being added in 1925. Only five states lack zoning enabling acts: Montana, New Mexico, South Dakota, Vermont, and West Virginia. Five states passed such legislation in 1925, bringing the total number of states which have followed the Department's Standard Zoning Act up to 19, out of the 44 having zoning enabling legislation. The immediate effect of court decisions on zoning activity appears from the fact that while Massachusetts records 21 ordinances passed in 1925 and New York 13, New Jersey has not a single one. Of the 20 largest cities in the United States there are only 4 without zoning ordinances,—Philadelphia, Detroit, Cleveland, and Newark. Of the 20 next largest, only three have not passed ordinances, and all of these are reported as preparing for zoning. Of the 20 cities next in size, 9 lack ordinances, making 44 with, and 16 without, out of a total of the 60 big cities.

Several brief publications in the nature of drafts or explanations of zoning ordinances have been issued in 1925, in addition to the many well-printed booklets and maps recording the ordinances after passage. An Extract of Proposed Zoning Ordinance with explanatory diagrams was published by the City Planning Committee of the Council in Buffalo, where the ordinance passed on Dec. 16, 1925, after a remarkable campaign described by Mr. March and Miss Cabana in previous issues of CITY PLANNING. The Davenport (Iowa) Zoning Commission also issued a booklet explanatory of the preliminary zoning plans, being drawn by Bennett, Parsons, and Frost, and the ordinance has passed. The Des Moines proposed ordinance issued by the Zoning Commission has also been passed, and published without additional matter. Mr. Bartholomew acted as consultant there and also for Evansville, Ind., where an unusually interesting publicity campaign preceded the passage of the ordinance last August. For both of these cities major street reports appeared this year, fitting with the zoning ordinances as part of comprehensive plans. In the pamphlet for the Denver\* ordinance, passed in February 1925, there is a very clear set of diagrams illustrating height and area provisions.

In the Second Annual Report of the Lowell (Mass.) Planning Board, there is a Proposed Zoning Ordinance drawn by Mr. Comey. Two other Massachusetts communities should be mentioned: Wakefield with a zoning ordinance passed, and also a comprehensive plan by Mr. Comey; and Duxbury, a small town increased by a summer population, which has requested extraordinarily liberal density regulations in the zoning by-law prepared by Mr. Charles W. Eliot, 2nd.

\*See also account of new features by Mr. Whitten, who drafted the ordinance, in CITY PLANNING for July, 1925.

Of the many cities and towns which have passed zoning ordinances in 1925, Santa Barbara, Calif., Jacksonville, Fla., Duluth, Minn. (see page 142 of this issue), Topeka, Kan., and Fargo, N. D., might be especially mentioned, while of those with studies in progress, Birmingham, Ala., New Haven and Hartford, Conn., (in the latter an interim ordinance exists), Manchester, N. H., Dayton, O., and Harrisburg, Pa., are notable. States in which a considerable number of communities are reported as actively at work for zoning are Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Iowa, and Florida.

The blow to New Jersey zoning seems complete unless a constitutional amendment can change the situation. In Governor Silzer's special appeal to the Legislature to secure the enabling act which then held hopes of rescue, he stated that already homebuilders were being driven from New Jersey by the impunity with which inappropriate buildings were being located. In St. Louis since the zoning ordinance was declared unconstitutional, residential neighborhoods have been so badly invaded that the pressure for new legislation is very strong and a new ordinance has been prepared. The blow meted out by the Maryland Court of Appeals to Baltimore where the ordinance had also been based on thorough and comprehensive studies, was quite staggering, but, unlike St. Louis, Baltimore has been able to take such emergency measures as have produced the result intended by the discredited ordinance, while forces in the city have combined to secure a constitutional amendment. The people of Baltimore want zoning so overwhelmingly that they intend to get it!\*

To check off against the blows is the encouragement from New York State, with the splendid statement for zoning in the Wulfsohn decision; and from Illinois, a before-Christmas present to the many communities in the state holding off in the now-fulfilled hopes of a reversal of the Aurora decision. A support for zoning, too, is the remarkable paper by the late Professor Whipple, "Zoning and Health", published by the American Society of Civil Engineers in 1925, something to quote as evidence before a court, as indeed also are the statements on zoning in the Fire Prevention Year Book for 1925. Secretary Hoover's championship of zoning on the grounds of elimination of waste are being productively echoed. Mr. Bassett's long championship of the board of appeals in zoning is more than justified by the court decisions of 1925 (see Mr. Williams's review on page 136 of this issue).

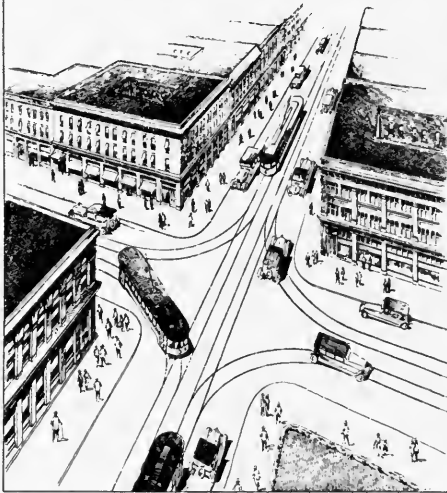
### **Highways and Street Traffic.**

Among thoroughfare reports, "Carrying out the Master Plan" by the Advisory Committee to the Common Council of Detroit is a monument to achievement. The first edition was issued prior to the referendum on November 3, 1925, as an explanation to voters of the proposals involved, and the second edition, of December 26, records the overwhelming votes for charter amendments and authorizations for improvement districts, set-back lines, financing, rapid transit, and "wider Woodward, Gratiot and Michigan", the three main arteries first in the scheme. The Detroit "Vernor Highway" report urges increase of width to 120 feet for the thoroughfare project formerly known as "Dix-High-Waterloo".

\*See statement by Mr. Grinnalds in CITY PLANNING for October 1925.

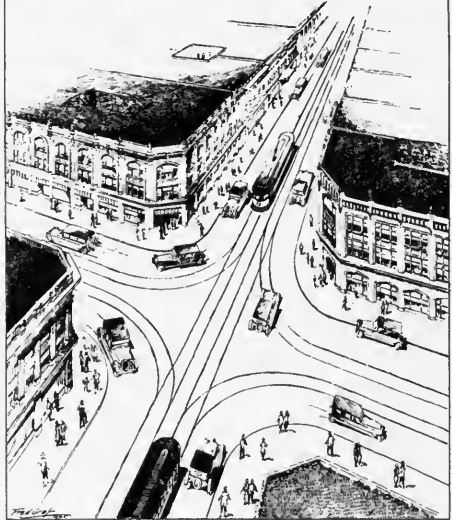
**STREET INTERSECTIONS, KENOSHA, WISCONSIN**

**OLD TREATMENT OF STREET INTERSECTIONS**



BUILDINGS ERECTED TO STREET LINES AT CORNERS RESULTING IN INADEQUATE RANGE OF VISION OF APPROACHING TRAFFIC—SMALL CURB RADII—AND INTERFERENCE OF VEHICULAR & STREET CAR MOVEMENTS IN MAKING TURNS

**NEW TREATMENT OF STREET INTERSECTIONS**



BUILDINGS SETBACK FROM THE CORNERS THUS INCREASING RANGE OF VISION—CURB RADII—AND ELIMINATING INTERFERENCE OF VEHICULAR & STREET CAR TRAFFIC AT THE TURNS—SEE VISION CLEARANCE IN ORDINANCE

CITY PLANNING COMMISSION

From Kenosha Report by Courtesy of Bartholomew and Hudson



**An old corner in Kenosha which suggested the requirement**



**Vision clearance as required by Zoning Ordinance**

In the Schenectady City Planning Commission preliminary report, transit and parks are treated as well as major streets, to be followed later by the publication of the comprehensive report in preparation with the advice of Mr. Bartholomew. Schenectady is called especially deficient in street and park space and possessed of a very great number of street jogs and dead ends. The first of a series of studies for a comprehensive plan for Des Moines, also by the Bartholomew organization, was issued by the Zoning Commission in 1925 as Major Streets Existing and Proposed, which was initiated as a prerequisite to zoning. The splendid accomplishments of Des Moines in a somewhat unrelated series of public improvements should now be linked up and coordinated. In this report and also that for Evansville, Ind., cross-sections for main thoroughfares, business and residential streets, and parkways are worth noting, as embodying Mr. Bartholomew's revised desirable figures for width and arrangement. The City Plan Commission's report on System of Major Streets for Evansville, also the first of a series of studies, is a very interesting publication, both in form and content, especially in view of the cordial public support gained for it by the Commission. One of the street plans given shows typical subdivisions of outlying land within the five mile zone under the jurisdiction of the Evansville City Plan Commission; another shows regional thoroughfares.

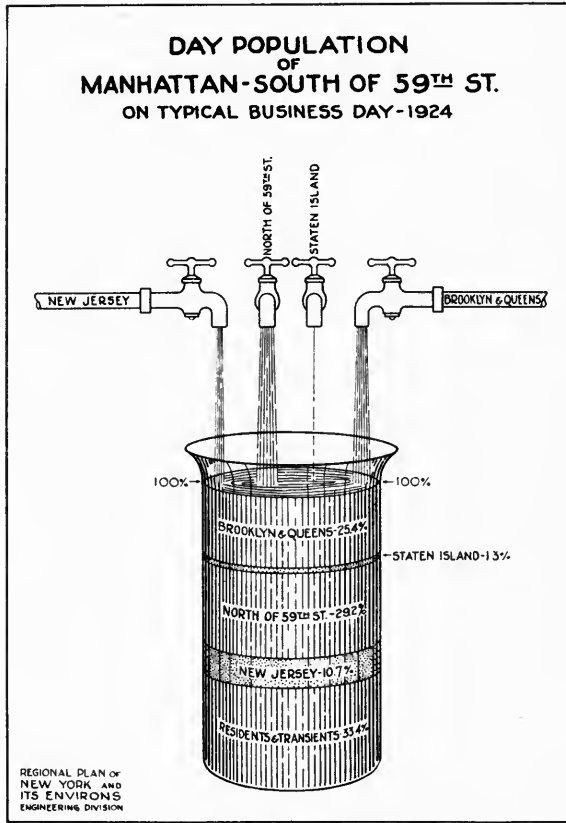
The Westerly, R. I., thoroughfare report, prepared by Mr. Whitten for the Town Planning Committee, includes the whole town, but meets especially the problems caused by the Boston-New York through traffic. The discussion of automobile parking and street traffic in relation to retail trade is of particular interest.

Santa Barbara's foresight in having a plan at hand when emergency arose has already been mentioned. The major street plan section of the report, by Mr. Cheney, contains also brief chapters on the boulevard system treated at greater length in the Park System report by Olmsted Brothers. A successful method of street widening in the center of Santa Barbara has been the arcading along shop-fronts. Subdivision map filing rules as laid down by the City Planning Commission are given in the report.

Among thorough major street plan studies now in progress should be mentioned Boston and Metropolitan District, Providence, Hartford, Harrisburg, Cedar Rapids, and San José, from which interesting future reports may be looked for.

Secretary Hoover's National Conference on Street and Highway Safety brought before the public the most pressing human aspect of our present traffic situation. The National Safety Council has been featuring the need for city planning, with the statement: "one of the greatest causes of avoidable traffic accidents is improperly planned streets". In the study made by the Council on Accident Hazards and Problems of Cleveland, there are numerous references to city planning problems. In St. Louis, a follow-up of the Hoover Conference was called by the St. Louis Safety Council and sponsored by city officials, with a series of meetings in May 1925, followed by a most valuable report entitled, St. Louis Conference on Street and Highway Safety. The statistics collected are analysed in relation to policing, elimination of grade crossings, and so on, and definite recommendations made for a Central Traffic District, with no parking, and for engineering and city planning improvements, in which section the city plan engineer (Mr. Bartholomew) co-operated. By traffic control, law enforcement, and further education of the driving

and pedestrian public in safety consciousness, the frightful human waste reported in St. Louis as in all great cities should be immediately reduced. While the Building Owners and Managers Association of St. Louis does not concur in the immediate prohibition of central district parking, their report agrees largely with that of the Safety Conference and was prepared in consultation with the preliminary findings of the Safety Council.



**Diagram from the First Monograph of the Engineering Series, Regional Plan of New York and Its Environs**

An interesting aspect of traffic safety is brought forward in the small suburban community of Milton, Mass., which is intersected by several main state routes and unfortunately noted for automobile collisions. Mr. Arthur Shurtleff prepared a report for the town, with the coöperation of Metropolitan and State authorities, on a system of directional signs (see *American City*, November 1925) intended so to direct and warn traffic that accidents may be eliminated.

Grade crossings of railroads by highways are one of the most fertile sources of fatalities, and several reports include "death maps" showing the distribution of recorded accidents. The National Safety Council states that its statistics show that 70% of crossing accidents occur in the daylight and 63% at crossings with open

view, showing that elimination is the only real solution. Baltimore has an elimination plan under way, and many cities report progress in the separation of grades at one or more dangerous crossings. The thorough study for Dayton has arrived just as we go to press and is discussed on page 110.

A monumental work on traffic congestion appears as the first monograph in the Engineering Series of the Regional Plan of New York, Highway Traffic in New York and its Environs, prepared by Mr. Harold Lewis, in collaboration with Mr. E. P. Goodrich, following the program laid down by the late Mr. Nelson Lewis. The report embodies the studies made to present a plan for highway relief. It states and analyses, but does not itself propose or indicate any endorsement of the selected list of highway projects of urgent importance. A great technical contribution to the subject and source of exact information to those with immediate problems to solve, the report has especially significant chapters on methods of relieving traffic congestion (by regulation, zoning, and physical improvements) and estimates of future traffic with a comparison of proposed facilities. There is a remarkable set of charts ranging all the way from the simple (see previous page) to the most complicated yet seen in plan reports.

The extreme congestion in Detroit, said to be greater in certain spots than even in New York, is analysed in the report by the Rapid Transit Commission, Detroit Vehicular Traffic in 1925, with Mr. Turner as consultant to Mr. J. P. Hallihan, Engineer-in-charge. An interior thoroughfare system connecting with the master plan can be obtained without great difficulty; and encircling the central district, a traffic belt is proposed, which will relieve the heavily overtaxed Grand Boulevard.

For Boston an Intermediate Thoroughfare is offered by the Boston City Planning Board and its Advisory Committee as imperative to the relief of the traffic and especially the trucking situation. The Board issued a progress report giving the history and status of the \$28,000,000 plan, and recommendations for the establishment of a Major Highway Improvement Fund for its financing. After two years' study the report of the Special Committee appointed by the State Legislature to consider the plan agrees substantially with the Boston City Planning Board. A Special Traffic Advisory Committee for Boston is suggested in the 1925 Annual Report of the Planning Board. The Metropolitan Planning Division's proposal for an outer route around Boston (see article by Mr. Shurtleff on page 79 of this issue) will meet not only local transportation requirements but also help towards the provision of a by-pass around the "Hub". Such a by-pass is also urgently needed for Providence where the central congestion is extreme, and will doubtless be included in the comprehensive studies already mentioned as in progress.

The St. Louis Building Owners report referred to above, dealing with congestion in the "Loop District" of St. Louis, gives a number of statistics on high buildings and tenants intended to be useful for future analysis. On stores and theatres rather than office buildings is laid the blame for greatest congestion. In San Francisco, central traffic congestion in the vicinity of the ferry has been somewhat alleviated by the new Market Street vehicular subway, the first one of its kind on the Pacific Coast. The Holland Tunnel from New York to New Jersey is well along.



Kansas City (Mo.) will be benefited by a system of main traffic ways proposed by the City Plan Commission to relieve congestion in the business district. In Philadelphia a Mayor's Committee on Traffic Congestion is trying to solve the problem of narrow streets and unzoned high buildings.

The millions of dollars lost from traffic congestion in the heart of Chicago give weight to the latest proposals for relief, offered by the Chicago Plan Commission in a report to the City Council on Through-Traffic Streets. These studies set forth a "boulevard-stop" plan of forty-four new through routes for fast-moving traffic over existing streets, later to be improved in width and alignment, and also to be paralleled by a "heavy traffic major street system" for trolleys, trucks, and slower vehicles. It is estimated that suburban motorists with daily business in Chicago could be saved one-third the present time consumed.

With this plan, the great two-level improvements, the proposed river straightening, and the regional highways now being worked out, Chicago can vie with Detroit in spectacular treatment of traffic problems. The Detroit Master Plan already discussed has inspired Cleveland to aim at super-highways, a system of four great roads as outlets leading to rural centers having been proposed by the City Manager. The linking of the super-highways of the future with State and National road systems, such as are already being coördinated in sectional conferences between state and federal authorities, is the next step towards a really national highway plan.

### **Transit, Transportation, and Port Development.**

The acute situation in Chicago as to rapid transit is reflected in the budget of reports in connection with Mayor Dever's proposals for a municipally-owned and operated comprehensive local transportation system, passed by the Common Council, but turned down by the people on referendum in April, 1925. To the present elevated lines, extensions were to have been added, subways into the Loop were to be built, and the surface lines also acquired, so that a complete unified service would be offered.

The situation in the City of New York was thoroughly analysed in the report by the Commissioner appointed under the Morelands Act to investigate the transit tangle, summarized in the newspapers of February 1925. New subway construction, completion of projects under way, improvements in operating, and the raising of fares to finance new lines were recommended. For the improvement of New Jersey service, the North Jersey Transit Commission has been at work, with a report shortly to appear in which Mr. Herbert Swan has been concerned as a founder and member of the Commission.

In Boston subway extension has progressed, and in Philadelphia, the Broad Street subway is well begun. For Pittsburgh, there is a report published by the Traffic Commission, prepared by Messrs. Turner and Haydock\* on Recommended Subways in the First and Second Wards, a proposed first step in a rapid transit program. In 1919, \$6,000,000 was voted by the citizens of Pittsburgh for such a subway, and in 1924 a Traffic Commission becoming the Bureau of Traffic Relief was named to determine the character and route. The Report strongly recommends

\*The transit report published in 1923 by the Citizens Committee on City Plan, for whom Mr. Haydock was engineer, is similar in its recommendations for through routing.

construction with a sub-street to care for pedestrians and such a route as will spread the business district out from the over-concentrated "Triangle". The plans and diagrams to show the advantages of through-routing are of particular interest.

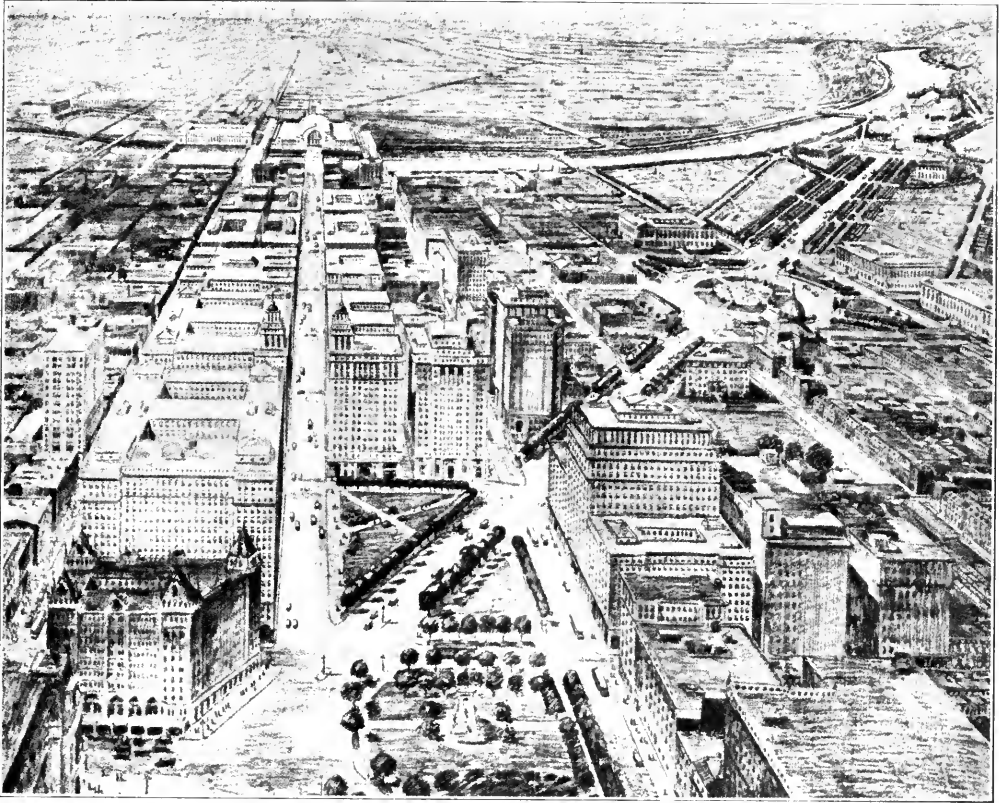
In the Bartholomew Schenectady report including transit problems, and also in his Kenosha city plan, there are some very interesting survey studies of employees' transit time zones in relation to the principal industries of the city, which the student should note, particularly the striking flame-like diagrams which point so clearly the difference between real and transit-time distances.

The Greater Cleveland Transportation Committee, a voluntary organization, submits a valuable report on Passenger Transportation in the Cleveland Metropolitan Area to the city councils of constituent municipalities and the Metropolitan Council. The chief recommendations are for coordinated operation of street cars and motor-coaches as an immediate solution, with some re-routings, prevention of duplication, and substitution of motor-coaches for uneconomical car-lines; and for the future, dependence on the Van Sweringen plans for rapid transit. The Board of Aldermen of St. Louis are at work on a rapid transit survey, of which brief progress reports appeared during 1925. The Public Utilities Commission of the District of Columbia issued (in mimeographed form) an elaborate 1925 Transportation Survey, prepared by McClellan and Junkersfeld, Inc., engineers, in two volumes with many plates. For San Francisco there is a little report by the City Engineer on Municipal Railway Extensions, discussing recent improvements, new projects and extensions, and bus operation. The real crux of the surface transit situation seems to be unified operation of carriers with and without tracks where each can render the most economical service. In the formation during 1925 of such correlating agencies as the New England and the Midwest Transportation Councils, there is also evident a similar recognition of the interrelation of long distance rail transportation and the transportation of freight over highways.

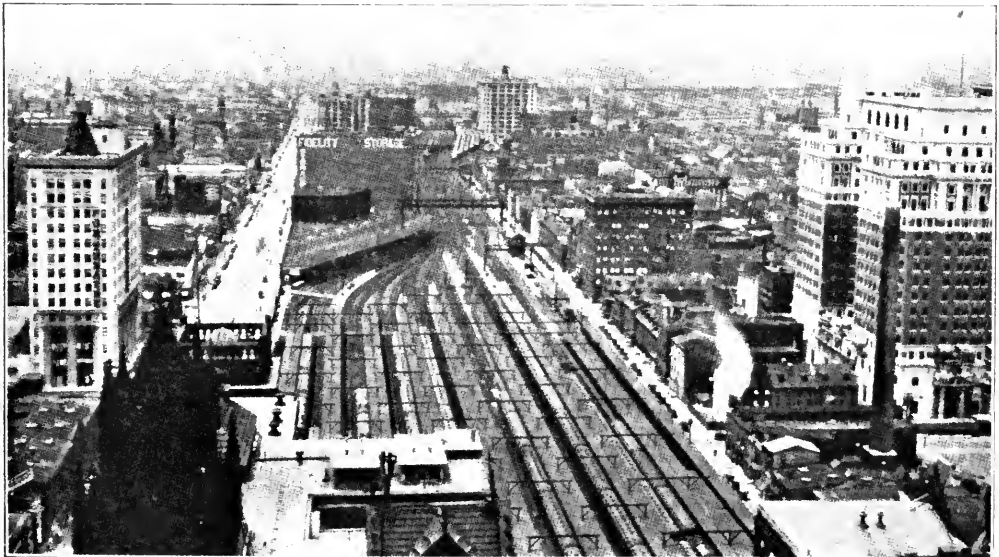
Of the 1925 reports dealing with railroad problems, the most conspicuous is the study for Dayton, Ohio, issued by the City Plan Board, and prepared by the Technical Advisory Corporation as part of a comprehensive city plan. While intended primarily to solve the acute grade crossing situation, it makes a complete analysis for the improvement of railroad conditions in Dayton, offering various alternative schemes, one of which the Plan Board endorses for immediate execution. The charts and illustrations are very effective, especially the gruesome warning photograph of a grade crossing accident.

In Cincinnati conferences between City Plan officials and railroad interests are going forward in relation to location of union terminals. In Philadelphia there have been some slight beneficial modifications of the splendid central improvement agreed on between the Pennsylvania Railroad and the City, whereby the tracks into Broad Street are depressed and, above the tracks, a new thoroughfare eighty feet in width is created. The entire improvement is expected to be completed within five years. The comprehensive plan studies by Mr. Swan in Harrisburg have been used as a basis for agreement between the Pennsylvania Railroad Company, the Reading Railroad Company, the State Highway Commission, the State Capitol Grounds Commission and the Public Service Commission as to the specific manner in which the Market Street subway is to be straightened, widened, and reconstructed, and

**PENNSYLVANIA RAILROAD-CITY OF PHILADELPHIA IMPROVEMENT**



**Proposed Station and Boulevard**



Courtesy of the Pennsylvania Railroad Company and Fairmount Park Art Association

**View from City Hall over same area in July 1925**

as to the location of the future new Pennsylvania Railroad station. In St. Louis ambitious and far-reaching plans have been proposed by the St. Louis Chamber of Commerce involving a \$100,000,000 traffic improvement, tending to reduce congestion at the river crossing from East St. Louis, and said to be looked upon with favor by all the railroads involved.

Among water terminal and port projects, in addition to the continued progress of the Port of New York Authority, the newly-created Albany Port Commission has one of the most important projects under way, culminating the work of the Deeper Hudson Committee. A report has been prepared by the Port Commission's consultant, Mr. E. P. Goodrich, but not yet released, which conforms to Federal Government requirements and provides for terminals, warehouses, elevator, and a publicly-controlled belt line railroad connecting the terminals with all railroads entering the Capital District. The estimated expenditures to be made by the Government aggregate over \$10,000,000, with a sum almost as great to be expended under the direction of the Albany Port Commission. On the Pacific Coast San Francisco and Seattle are both improving port facilities in commercial rivalry, and the smaller city of San Diego has initiated an interesting scheme of waterfront zoning.

As to air service terminals, an important contribution comes from Detroit, in the Annual Report of the City Plan Commission, January 1925, which contains a detailed account for the benefit of other cities of the studies made in connection with the Detroit airport, for which the site is now being acquired. In Chicago a plan for a great airport on the lake front is being projected under the auspices of the Chicago Association of Commerce.

### **Parks and Recreation.**

The rapid development of parks in the State of New York during the last few years, and the voting of a \$15,000,000 State bond issue for further progress, gave rise to the need for a coördinating agency; and to fulfill this the State Council of Parks was created as a bureau of the Conservation Commission. In the Council's first annual report, 1925, its initial coördinating and planning activities are recounted, following the compilation of a map showing all present New York State and County park areas. The Council's planning committee, composed of three representatives of each constituent agency, is instructed to report on a unified park and parkway system embracing the entire state. One of the most successful agencies is, of course, the already existing Westchester County Park Commission which has developed a very fine system financed solely by the County; but the funds for the Bronx Parkway extension, under the Westchester Commission's charge, are provided by the State. These facts are brought out in the Commission's super-illustrated report of April 30, 1925, which contains not only beautiful views by Mr. Owen, but numerous park plans bearing the signature of Mr. Downer, chief engineer, and Mr. Clarke, landscape architect. The list of parks and parkways authorized totals over ten thousand acres, involving an expenditure of some \$17,000,000. In the three years of the Commission's life, its speed and unanimity of action have produced a record probably unmatched by any other similar governmental unit.

That Long Island is a much larger and far from homogeneous area, with no single spontaneous planning agency, is doubtless the cause of the unfortunate con-

flict of opinion revealed in the group of 1925 publications relating to Long Island Parks. Certain proposals offered in the first report of the Long Island State Park Commission, created in 1924 and appointed from Albany, as to the program for expenditure of the rather inadequate \$1,000,000 allotted to Long Island, do not seem to be based on an intelligent view of the needs of the present residents of the area, and a wise harmonization of these with the desires of citizens of Greater New York for access to seafront reservations. The chief feature of the report is the location of so-called parkways, which are resolved merely into motor speedways, with a lamentable lack of appreciation of landscape values. As opposed to these Long Island State Park Commission proposals are the statements and counter-projects of the Nassau County Committee, advised by Mr. Charles Downing Lay, set forth in a series of brief reports published during 1925. In these, the interests of the homeowners of Long Island itself are presented, with due regard for the pressing situation that the only beaches in the whole New York region available for development are along the Island, largely the South Shore. To aid in the solution of these difficulties, the Regional Plan of New York is making public in a series of bulletins its accumulated knowledge of the chief factors as related to a comprehensive plan and predictable local development. Undoubtedly the creation of a strong Nassau agency, dealing with all aspects of county planning, would result in locating parkways and park areas more in accordance with the desirable future character of the districts concerned.

Analogous to the New York State Council of Parks, a voluntary organization known as the Committee on Open Spaces for Massachusetts\* has been organized in 1925, with representatives from all the leading private organizations in this field, and with Mr. Charles W. Eliot, 2nd, as secretary. The first reports of the Committee will be issued in 1926.

From New Jersey comes a valuable illustrated report covering the progress from 1923 to 1925 of the Union County Park Commission, which has been developing its system since 1922 with the advice of Olmsted Brothers. The Commission reports the most gratifying fact that the property donated to the park system exceeds in number of parcels and valuation the property acquired by condemnation proceedings. In a report from the neighboring County of Essex, also advised by Olmsted Brothers, the future of the Passaic River appears as the special problem.

Two new Olmsted reports are particularly interesting, being park system studies for Birmingham, Ala., and Santa Barbara, Calif. Birmingham, now very deficient in park and playground area, can easily develop river valley parkways, and the illustrations in the report show largely waterway park opportunities as successfully taken advantage of in the Boston, New York, and Chicago regions. The Santa Barbara report, amalgamated with the Cheney street plan study already mentioned, shows how to preserve the present park-like character of the city which contributes to its popularity with tourists and people seeking health. The development of shore-front and lake opportunities, connecting parkways, and playground areas are shown in detail on the plans printed with the report.

\*See account in *Landscape Architecture*, October 1925.

A county parkway system is the main feature of the Milwaukee County Regional Planning Department's first report, already referred to, developed with the advice of Mr. Wyman as landscape architect. The legislation stated as necessary to carry out the system (the parkway assessment law) has been passed since the preparation of the report.

As preliminary to a comprehensive report\* on the future development of the Boston park and playground system (often quoted as a model for other cities but even now inadequate for a growing population), the Boston Park Department issued a special report in 1925 dealing with certain striking features already under way,—notably the zoo and the great pleasure bay park. It is really a sort of guide book, to be treasured by visiting students, with large clear photographs, project drawings, and a key map and index to recreation areas in Boston.

Among other comprehensive park studies in progress may be mentioned the extension of the park and playground system of Baltimore, coördinated as far as possible with the entire city plan; and the park and boulevard extension for Denver (see CITY PLANNING for January 1926). The further development of the already famous park and riverfront development of Harrisburg is contemplated as part of the city plan program now under way.

The stimulus to playground development given by the Harmon Foundation in its national Playground Improvement Contest and the collection of reliable data by committees of the National Conference on Outdoor Recreation, especially its municipal park study, should be reflected in important contributions to published information during 1926.

### **Civic Centers and Civic Art.**

One of the first large civic center schemes embarked upon as an aftermath of the Chicago World's Fair is now well along toward realization. It is reported this year from Cleveland that the last parcel of land for the group plan, totalling nearly twenty acres, has been purchased. Five great buildings have been erected, leaving three yet to be built in addition to the completion of the mall. It has been proposed but not decided that the city acquire adjacent land to provide a proper approach to the group plan site and also that an immense stadium be built on the lake front rounding out the scheme. Splendid planning progress in Des Moines was reported at the International Conference, including the civic center, on which \$4,000,000 has already been spent. Kenosha, Wis., is also notable for carrying out a civic center scheme which is a real expression of the city's exceptional community consciousness.\*\*

In Los Angeles the selection of civic center plans has been a burning topic. The Board of Supervisors of Los Angeles County has finally officially adopted the administration center plans prepared by the Allied Architects' Association which are more ambitious than the alternative plan submitted by Cook and Hall, landscape architects. In the adopted scheme approximately fifty square blocks are required for city, county, state, and federal uses,—the area largely at present a

\*Dated as of November 1925 and received just as this article goes to press. A very important report, full of illustrations, which will receive fuller notice in a future issue.

\*\*See description in *American City* for January 1926.

blighted district. The Allied Architects Association of another city, Denver, are concerned in the new city and county building being added to the civic center; and as a further unit in the group an art museum for Denver is proposed.

Florida communities are bethinking themselves of the attractiveness of well-grouped public buildings, and many plans are under way, such as the Lakeland amphitheater and civic center being developed with the advice of Mr. Leavitt of New York. In Birmingham, Ala., there is a strong sentiment in favor of a civic center, which was expected to crystalize in a special referendum. War Memorial Square in Baltimore is proposed to be developed as an adequate setting for memorial, city hall, and other structures in the future. In Detroit various sites appear to be favored for the proposed memorial hall and civic center, but the report on the subject by the Detroit Bureau of Governmental Research points out the qualifications of the needed site without recommending any one. One site is, however, thoroughly analysed and found to meet the requirements of proximity to the business and hotel district and of accessibility to all parts by means of the proposed new interior highway system.

In Philadelphia, possibilities of civic beauty are opened up by the new Pennsylvania terminal plans and Schuylkill Embankment, added to the progress on the new Art Museum at the head of the Fairmount Parkway. The Sesqui-Centennial Exposition group, including a number of permanent structures, goes forward in South Philadelphia, including all of League Island Park, the general design being in charge of Olmsted Brothers, landscape architects, who originally laid out the Park. In Washington, the proposed Roosevelt Memorial prize design by Mr. John Russell Pope, architect, is to be submitted to Congress. The site in the Tidal Basin selected for the competitors' designs is the last great vacant focal point in the monumental scheme for Washington revitalized in the Park Commission Plan of 1901.

Of purely imaginative monumental conceptions, the "Pictorial Pageant of New York, the Titan City", inaugurating the new Wanamaker building, deserves mention. We are already familiar with the sky-piercing pile upon pile depicted by Mr. Ferriss, but imagination is carried still further under Mr. Corbett's direction, into an extreme of artificial and stupendous beauty,—the outward cloak of an inner life of ugly tumult when presented as the "Dinosaur City" by Mr. Stein, or of coldness and lack of humanity as presented by Mr. Mumford in "The Sacred City".\*

The important contribution to civic esthetics from Santa Barbara has already been mentioned, the news coming from Mr. Cheney with the message that in ten years such an Architectural Board of Review should be as common as zoning now is. If all cities are not as progressive and homogeneous as Santa Barbara, at least we may hope that the art jury principle as applied to private buildings may be developed in some form as surely, if not as rapidly, as zoning.

### Future Plans.

Among the published reports prepared in 1925 and now in press or shortly to appear are Norfolk, Va. (Technical Advisory Corporation), Columbus, Ga. (Nolen), Stamford, Conn., and Belleville, N. J. (Swan). There is a long list of cities and towns reporting comprehensive plans recently prepared or under way, some of which

\* *New Republic*, January 27, 1926.

will probably be published in 1926: Keene, N. H.; Arlington, Malden, Milton, Norwood, Plymouth, and Weston, Mass.; Newport, R. I.; Greenwich and Wethersfield, Conn.; Chattanooga, Tenn.; Durham, N. C.; St. Augustine, St. Petersburg, Clearwater, Ft. Myers, and Venice, Fla.; New Orleans, La.; Houston, Tex.; Pasadena, Calif.; Topeka, Kan.; Cedar Rapids, Des Moines, and Sioux City, Ia.; Duluth, Minn.; Sheboygan and Kohler, Wis.; Highland Park, Homewood, Libertyville, Mundelein, and Waukegan, Ill.; Ashtabula, Dayton, and Wyoming, Ohio; and Detroit, Pontiac, Royal Oak, and Saginaw, Mich.

From the foregoing review it will be seen that perhaps the most substantial gain of 1925 has been along the lines of regional planning, and that the most pressing single problem to be pursued in 1926 is street traffic congestion with its related evils, not as an isolated difficulty but as part of a comprehensive ordering of community life. To quote President Coolidge in his address last May to the automobile club secretaries gathered in Washington:

*"Some recent studies by engineers and sociologists have led to doubt whether the superior efficiency of the very great cities as business, industrial, and agricultural centers can be taken altogether for granted. They have advantages, but they also have disadvantages, and the disadvantages seem to be multiplying faster. . . . There is need for concerted fundamental and courageous consideration of all the questions involved. They reach a hundred times deeper than the mere superficial problem of getting streams of motor cars moved through city streets."*



# SYMPOSIUM

## EXTENT OF POWERS OF PLANNING BOARDS

### ADVISORY, LEGISLATIVE, ADMINISTRATIVE

*A great deal of discussion has resulted from a paper on this subject given by Mr. George B. Ford before a joint meeting of the American City Planning Institute and the City Planning Section of the American Society of Civil Engineers on January 21, 1926. The Editors of CITY PLANNING have collected some of the comments and suggestions made at the meeting and later by correspondence, and now present a group of these statements in this symposium. References to "Laws Authorizing Planning Agencies" will be found in the October 1925 and January 1926 numbers of CITY PLANNING.*

### THE CINCINNATI CITY PLAN IS NOW LAW\*

By GEORGE B. FORD

**A** CRUCIAL problem has come to the fore as a result of recent experience in Cincinnati with its city plan. For the first time in the United States, a complete comprehensive city plan has become the law of the city. The whole plan actually has teeth, thanks to the exceptionally broad powers granted to the city planning commission by the state laws and the city charter.

Elsewhere throughout the country, city planning commissions are strictly advisory. They rarely have any power except that in some states they have the right to control the layout of subdivision plats and in some instances they have art jury powers permitting them to veto the location of public works of art and sometimes to control the appearance of public buildings and structures. The Cincinnati City Plan Commission goes infinitely further than this, for under the statute and the charter there can be no departure from any item of the city plan, once adopted by the city planning commission, except by a two-thirds vote of the full membership of the city council, after public notice and hearing, accompanied by the approval of the department head most affected.

Therefore the problem, which deserves most earnest discussion, is whether our city planning commissions throughout the country, and our regional planning commissions as well, should continue to have merely advisory powers or whether extensive powers such as those granted by the Ohio Statute are really practical or desirable.

The general impression of those who are watching the effect of the Cincinnati method is that it is proving highly successful and a distinct improvement on the strictly advisory powers of most other planning commissions. It means that the presumption is in favor of the plan because it is the law and also because it has been worked out with a great deal of care and thought. It means that the obligation

\*Part of a paper presented at the Joint Meeting of the City Planning Division of the American Society of Civil Engineers and the American City Planning Institute, January 21, 1926.

rests with anyone who wishes to depart from the city plan to prove that, all things considered, the city plan can be improved upon, and then the burden rests upon him to present a better solution and to convince the city planning commission or the city council that he is right. In other words, it means stability and carry to the plan as a whole; features which do not exist in anything like the same degree in most other states.

On the other hand, it is true that in a city like Memphis, Tennessee, the mayor and the city council, on account of their interest in the city plan, virtually give it the force of law and so it has a carry that approximates that of the Cincinnati plan in its ultimate effect; but this presupposes that there is a strong and continuing interest in the plan on the part of the leading city officials.

In Springfield, Massachusetts, the city council passed an ordinance that no city official or department should in any way depart from the city plan without first trying to secure the approval of the city planning board, and failing that, the approval of the city council. This method too has worked out well in practice, thanks to the activity of the city planning board and the general public interest in the plan, although again, the effectiveness of this method depends on a continuing active interest in the plan on the part of leading public officials.

The Cincinnati method has the advantage of continuing the effectiveness of the plan through changing administrations and even over periods of possible public apathy.

Personally I have felt until recently that the powers of a city planning commission should be purely advisory, but I am bound to say that in light of this recent experience in Cincinnati I am coming to believe that if city planning is going to be vital in the functioning of communities, the Cincinnati method should be applied generally to city and regional planning. Of course the success of this method in any particular case depends on the quality of the planning commission, but my experience in working with over one hundred different commissions convinces me that most of them would measure up to the job. In fact the very seriousness of the responsibility entrusted to them would inspire them to make the plan a masterpiece in which all would take pride.

## THE OHIO STATUTE

*By* ALFRED BETTMAN

A city plan contains two main divisions: one relating to control of private property development—that is zoning; the other to the design for location of streets, public buildings and other public improvements.

In order that the zone plan may be enforceable, it must be translated into law, which is done by means of a zoning ordinance. That the enactment of law regulating private conduct shall not be within the power of appointive administrative bodies, but only within the power of the elective representatives of the people, such as council, general assembly or congress, is of the very essence of American govern-

mental principles. The power to enact into law that portion of the city plan which deals with private property should, therefore, never be granted to a planning commission, but belong exclusively to an elective legislative body.

As regards the public improvements, the plan is a grand design to govern or influence the actual location of the improvements as they are built from year to year. It looks long ahead, a generation or two. A city council and the regular city administrative officials have their time, attention and capacities exhausted by daily and immediate problems and are subject to the current social and political pressures. By virtue of the very nature of their functions, they have not the capacity for the long-range, long-distance sort of task which is city planning. This task of a grand design, intended to influence the up-building of the city for one or two generations, needs to be performed by a body aloof from these daily current pressures, assisted by technical men equally aloof. Consequently, the making of the design can be appropriately and effectively reposed only in an appointive, administrative body like a planning commission.

The actual building of the improvements, including the locating of them, will be taken up from month to month and year to year and involve the raising of public funds by taxation or bonds and the expenditure of these funds. The power to raise and expend these funds belongs, under the American governmental system, to the elected representatives of the people, such as the city council, and should not be reposed in an appointive, administrative board such as a planning commission.

Consequently, the power to carry out the plan, whether by zoning regulations or by the actual locating and construction of public improvements, should not be reposed in the planning commission. The question arises, therefore, what effect upon council's determinations of zoning regulations or public improvement locations should be given to the city plan by law. The Ohio statute provides that council shall not violate or depart from the plan, until it shall have submitted the departure to the planning commission and, if the planning commission disapprove, a two-thirds vote of the members of council is required to carry out the departure. This is obviously giving the plan something more than merely advisory effect, but something less, in fact very much less, than binding or compulsory effect. This Ohio legislation represents the best policy.

A city plan, no matter how well made, does not carry itself into execution. Its power to produce conformance in actual legislation or actual location of public improvements comes mainly from two sources, first, a comprehension of the plan by the legislative body, and second, the support of the plan by the people of the community. If council proceeds in the old way to locate public improvements and pass legislation with little attention to the plan, the plan will gradually die away. By forcing council into contact and discussion with the planning commission, whenever a proposal would depart from the plan, council will learn to realize the value of city planning and the merits of the plan. The requirement, therefore, that no departure from the plan may be put into effect without submission to the planning commission and that more than a majority vote must be obtained to override the planning commission, furthers this process of education.

Similarly, this compulsory controversy, so to speak, notifies the people of the city that a departure from the plan is under discussion and enables public opinion to be aroused and mobilized and to express itself. Giving the plan a legal effect something more than merely advisory, has, therefore, the effect of supplying the plan with a force, prestige and power which it would not otherwise have.

In stating that the Cincinnati plan has the force of "law", Mr. Ford is using an expression which, from the point of view of lawyers, is inaccurate. Law means a standard of action or conduct enforced by the courts. The Ohio statute simply gives the planning commission an influence somewhat analagous to the veto power of a mayor or other chief executive. If the mayor proposes a measure which passes in a shape disapproved by him, and he vetoes it, and the statute requires a two-thirds vote of council to override his veto, no one would claim that the mayor's proposal has the force of law. The mayor's influence comes from his right to propose and his right to force a reconsideration and a two-thirds vote of council to override his proposal. Similarly, the city plan initiates, and a reconsideration and two-thirds vote is requisite to override it. The point is more important than a mere question of terminology. For if the notion is spread about that the city planning commission has the power to enact law, then sooner or later there will be a hostile public reaction against city planning. For while the exigencies of contemporary, complex urban life require that administrative bodies be given a regulatory power which in some degree approaches legislative power, still the fundamentals of democratic government require that, in the last analysis, legislative power shall remain in the elected legislative bodies.

## ADVISORY POWERS AND PUBLIC COÖPERATION

*By* ARTHUR A. SHURTLEFF

Advisory powers exercised by able Planning Boards with competent advice have accomplished work of vast importance in the cities of this country. Thus far advisory powers in able hands have been strong without executive or legislative powers in shaping public opinion and in carrying important projects through. I think executive and legislative powers would weaken the hand and needlessly encumber the work of most planning boards. The thing most urgently needed at present is to awaken the public to a much fuller appreciation of the valuable work which planning boards can accomplish, and thus strengthen the powers of all the boards whose coöperation is needed to carry desirable public improvements through to the end.

## THE IMPORTANCE OF THE QUALIFIED CONSULTANT

By THOMAS ADAMS

It is obvious that the execution of city plans is more important than their preparation. Regional plans need to be elastic, and regional planning commissions or committees advisory; but city plans should be prepared on definite lines for purposes of statutory application, and city plan commissions should have power to put them into effect. It is so in England, where regional plans have no legal power behind them and town planning schemes have the effect of Acts of Parliament.

That the plan of Cincinnati has become the law of the city is a significant fact. It is a sign of progress. Mr. George B. Ford and Mr. Alfred Bettman deserve all praise for their achievement, and the city authorities congratulations on their wisdom. The important question that still remains to be settled is whether the safeguards created to prevent undesirable changes are adequate for the purpose, or, alternatively, whether these safeguards will be so effective in preventing undesirable changes that they will prevent or delay desirable changes. The test will come when any considerable changes become necessary and decisions have to be made as to what are reasonable and proper changes under conditions that affect numerous private interests in property. No perfect plan can be made. Every plan should be capable of being adjusted to meet new conditions and new forms of growth. Therefore, next in importance to getting power to carry a plan into legal effect, and as part of the means needed to maintain the exercise of that power, there is required an expert judicial body having the knowledge and power to make suitable adjustments from time to time. Mr. Ford believes the average city plan commission will measure up to that standard. I doubt it, unless they retain a permanent consultant like Mr. Ford to advise them on all important issues.

The success of zoning in New York City since the resolution was passed has been due to the wise decisions of the Board of Appeals, following the expert guidance of Mr. Edward M. Bassett, in permitting changes to be made. The success of the Cincinnati plan will depend on the way in which the discretionary power of the City Plan Commission is used, in relation both to the Council whose powers have been delegated to it, and to owners of property whose interests will be affected.

What Ohio and Cincinnati have done is obviously sound in principle. It will also prove sound in practice so long as the City Plan Commission of Cincinnati retain a qualified adviser to assist them in maintaining the integrity of the plan and in preventing, modifying, or making changes. It may be that in many cities the city engineer will be qualified to give the necessary guidance to the city plan commission. When so qualified he is, in many ways, the best person to give this guidance, because he is always on the spot and is more familiar with local conditions than any outside expert can be. But too frequently he is susceptible to political or real estate influences. On the whole it is better that an expert be permanently retained to take the chief responsibility for important changes, but acting always in collaboration with the city officials. If this is done there should be no difficulty in proving that Cincinnati has done the right thing—and has led the way in removing the greatest defect in city planning administration in America.

## THE SCOPE OF PLANNING COMMISSIONS

By EDWARD M. BASSETT

City planning is making a dynamic plan of the city. If a determination cannot be shown on such a plan, it is not city planning.

1. Planning commissions may have power to give advice to the local legislative body. They are then advisory like the planning boards of Massachusetts.

2. They may have power to prepare a report which the legislative body must await before it can act on specific subjects. The Greater New York districting commission was such a commission. It was advisory.

3. They may have power to prepare a proposed plan which the legislative body must follow, or if the latter departs from it, it must do so by more than a majority vote. This method induces comprehensive planning and prevents careless changes. Such a planning commission is advisory.

All the above commissions are not subject to court review.

On the other hand, planning commissions may have power within a rule prescribed by a competent legislative body to approve plats before the plats can be filed. This is an administrative function and subject to court review. Such commissions, acting under a law which prevents constructing misplaced private streets, prevents the issue of building permits on such streets, provides for small parks in the plats and allows the commission to adjust zoning to harmonize with plats, can bring about an intimate method of good planning by coöperation between authorities and land owners. This is especially important in unbuilt areas.

Planning commissions can be clothed with all the powers outlined in the four foregoing groups. As slumbering community powers are more and more invoked, this will be likely to be the case.

The Cincinnati Planning Commission has all the functions enumerated in the foregoing groups, but its powers regarding adjustment of plats before recording do not extend so far as is suggested above.

Planning commissions may have power to make the plan, like the zoning commissions of Boston and the District of Columbia. They are legislative and not subject to court review. I omit them in this discussion because municipalities will ordinarily prefer legislation by elected officials.

## THE ESSENTIALS

By ERNEST P. GOODRICH

I should state as essentials: first, that the plan commission should have some power; second, that the plan must be elastic and contain some device which would adapt it to changing needs; third, there should be a permanent independent citizens body, in addition to the plan commission, to represent the community and the community's plan.

## PLANNING POWERS IN MASSACHUSETTS

By ARTHUR C. COMEY

At the outset sharp distinction should be made between planning powers for cities and powers for boards. Presumably students of the subject are in general agreement that cities and towns should have the power to make city and town plans and to make them to some degree effective, but there is at present no such agreement as to lodging any of these powers in planning boards. Such diversion of power from the elected representatives, the council, is considered by some a violation of the fundamental tenets of American democracy, though seemingly no more so than many other powers conferred upon appointed administrative officers. However, in cities of ten thousand or more the effect of clothing boards with powers other than advisory may be to so engross them with executive detail that their peculiar function of breadth of view and foresight in city affairs is lost.

In Massachusetts cities the executive work of supervising plats, so far as it is effective, is usually lodged in a separate Board of Survey; in towns, the Selectmen exercise the powers of such a Board. In this state the Planning Boards are advisory only, but in municipalities of ten thousand or more they exist by compulsion. The result is what might be expected: good boards, poor boards, in a few places no boards, but on the whole, year by year, better and better boards. Ignored, often even ridiculed at first, they are now in many cases a vital cog in the municipal machinery and so recognized. Recently zoning has given them a great impetus, yet in this they illustrate clearly the practicability of advisory boards. The zoning scheme has in every case been adopted by the legislative body; the planning board is not even named in the enabling act; yet in practically every instance the board has been the body to draw up and promote the zoning scheme and is often charged with the duty of reporting on all subsequent changes before action is taken.

It may well be desirable that all municipal improvements should be held up for a limited period until the Planning Board can report. In the course of time it may be found advantageous to give Planning Boards some form of partial or even complete veto over projects it disapproves as inharmonious with the adopted city plan. But at present, in Massachusetts at least, it is likely to be a slow development, with each step thoroughly tested out before another is taken.

## IN PENNSYLVANIA

By B. A. HALDEMAN

In no case have any plans prepared by me been officially adopted. I do not as a rule recommend the official adoption or approval of so-called comprehensive city plans unless they have been prepared in sufficient detail to show exactly what is proposed. I much prefer that if any action is taken by responsible authorities, the plans be accepted and recommendation made that they be used as guides for the preparation of detailed plans after the projects have been sufficiently studied to permit such details to be accurately determined. The adoption or approval of the ordinary run of so-called comprehensive city plans might possibly result in some very embarrassing situations under the Pennsylvania laws relating to the validity of city plans and under decisions of the courts relating to financial obligations and debt limitations.

## PUBLIC SUPPORT AND UNDERSTANDING

By HARLAND BARTHOLOMEW

We do not always find it wise to recommend that plans be officially adopted. Sometimes modifications are necessary and an officially adopted plan may be as much a complication as if there were no plan. We try to secure public support and understanding of our comprehensive plans and usually succeed in having them thoroughly accepted by city officials. This moral commitment usually turns out to be just as effective as official adoption.

There can be no uniform rule for handling this question. The Ohio law would not work in St. Louis. We have a partisan city council and it is always possible to get a 90% vote. I fear that there may arise in Cincinnati official resentment against the plan and the plan commission which may seriously affect its success. In Detroit the plan commission has much power and the city council cannot even initiate street opening ordinances; they must come from the city planning commission. There has been much friction and an open break has been avoided only because of the efforts of Mr. Glenn Phillips. He has the confidence of the plan commission and of the council.

The St. Louis plan commission, on the other hand, has no power, but it was getting such strong public support that an unsympathetic administration tried breaking down its personnel by political appointments. Fortunately the administration was changed. The test came a few months ago when the location of the courthouse on the plaza, which was an element of the city plan, was attacked by every downtown commercial organization and by the Mayor, and the City Council.\* The result was a two to one vote in favor of the plan.

The function of a plan commission is, first, to develop a plan, and always to develop public opinion. There can never be 100% accomplishment in city planning, but strong support by the public is necessary for any considerable accomplishment. It is more important than legal checks and safeguards.

## ENABLING ACT IN BRITISH COLUMBIA

Mr. J. Alexander Walker, Secretary of the Vancouver Planning Commission, has brought to the attention of the Editors a new Enabling Act recently passed by the Legislature of the Province of British Columbia which provides in Section 6 as follows:

“Town Plan shall be followed.”

“The approval by the Council of any plan for the purpose of the official town plan shall not commit the Council to undertake any of the projects therein suggested or outlined, but the effect of the approval shall be to prevent the undertaking by the Council of any public improvements within the scope of the plan in any manner inconsistent or at variance with such plan, unless the variation from such plan is approved by a vote of two-thirds of the members of the Council, and unless the Council, in the event of a Town Planning Commission having been created pursuant to the provisions of this Act, first submits the plans to such Commission for its consideration and report.

\*(See CITY PLANNING October 1925, page 181.)



**BUREAU OF CITY PLANNING**

By EDWIN A. FISHER

A study of the Cincinnati Plan has convinced Mr. Ford that city planning commissions should have more than advisory powers. The writer, from his experience in the Bureau of City Planning of Rochester, N. Y.,\* believes thoroughly in the Cincinnati method. Rochester, with a population of over 300,000, has a Bureau of City Planning in the Department of Engineering, deriving its authority directly from the State Legislature. The Bureau is made up of a Superintendent, appointed by the City Engineer, having the duties ordinarily given to a Commission, and an Advisory Board of four citizens, appointed by the Mayor, together with the Corporation Counsel, *ex officio*. The action of the Superintendent is not effective unless approved by the Advisory Board, or upon an appeal, and after a public hearing, by the Mayor. This Bureau has been in successful operation for over eight years. The writer was Superintendent of the Bureau for six years and has been Consulting Engineer for the last two years.

The Superintendent, with the approval of the Advisory Board, has power:

1. To accept streets offered for dedication.
2. To pass upon all plans for opening, widening, extending or discontinuing streets, and an ordinance for any such purpose must not be adopted without his recommendation or approval.
3. To fix the width of pavements and sidewalks.
4. To prepare a city plan and set forth thereon streets which the proper development of the city requires to be opened, widened, extended or discontinued, and the width thereof; also sewer systems and water mains and the location of buildings, docks, parks, playgrounds, schoolhouses and municipal buildings. The plan covers all territory within the city and within one mile outside the boundaries, and as much further as the Superintendent deems proper. The authority of the Bureau, except for making plans outside the city, is confined to the city limits.
5. To zone the city for "use," and to make regulations relating thereto, which have the same force as ordinances of the Common Council.
6. To approve maps of subdivisions and resubdivisions before such maps can be filed with the County Clerk.
7. To approve of ordinances of the Common Council for zoning for "height" and "bulk" of buildings before the same become effective.
8. To employ experts, with the approval of the Mayor, for specific work.

A Charter provision makes a violation of any rules, regulations, restrictions or prohibitions made by the Superintendent of City Planning and duly approved, a misdemeanor, and provides the same penalties as for a violation of any other municipal law.

The City also may maintain actions in the County Court, the Supreme Court and other courts of record of competent jurisdiction to restrain violations of rules, regulations, restrictions and prohibitions made by the Superintendent of City Planning and duly approved.

\*Cf. Page 121, CITY PLANNING, July 1925. "Planning Administration in Rochester".

A private street not accepted or opened by the City must not be lighted, cleaned, swept or sprinkled at public expense. Water mains must not be extended into a private street, and sewers in such private street must not be connected with city sewers, and a private street intersecting a public street must not be connected.

The Bureau has complete control of all subdivisions within the city, and up to August first, last, 317 street openings, having a length of over 56 miles, 40 per cent of which were dedications, were accepted or approved by the Superintendent of City Planning. Forty-four (44) street extensions, about 12 miles in length, 16 per cent of which were dedications, were accepted or approved by the Superintendent. Six hundred forty-one (641) subdivisions or resubdivisions were approved by the Superintendent.

While the Bureau has authority to approve of the action of the Common Council relative to extending or widening streets, it has no authority to say as to the order in which such extensions or improvements shall be taken up. The Bureau also has no authority with reference to the paving of streets; its only authority is to fix widths of pavements and sidewalks.

The success of the Bureau during the past eight years has been due largely to the high character of the members of the Advisory Board and to the coöperation of the Common Council.

## ADDITIONAL REFERENCES TO LAWS AUTHORIZING PLANNING AGENCIES

Submitted by FRANK B. WILLIAMS as supplement to lists published  
in October 1925 and January 1926 issues

### INDIANA

Laws of 1925, ch. 178.

County Surveyor in counties in which there is a city of the first class made a member of City Commission.

### IOWA

Laws, 1925, ch. 117. City plan commission law.

### NEW YORK

Laws 1925, ch. 267.

Counties and the local communities within and along the Niagara frontier authorized to appoint regional planning commission.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## REMARKABLE SCOPE OF VARIANCES

The Board of Appeals of Greater New York makes above five variances each week. Assisted by court decisions this board has developed a remarkable adaptability in framing permits that will avoid arbitrariness and at the same time protect the neighborhood. This is accomplished by allowing variances on conditions. Sometimes these conditions are esthetic. Why not? The applicant appeals to the discretion of the board, and that discretion would negative the application unless the conditions become a part of the variance. The whole includes all its parts. Here are two chosen at random:

The applicant's plot was in a residence district adjoining a business district and next to a store. The decision reads:

"Whereas, the board deemed that the applicant was entitled to relief on the ground of practical difficulties and unnecessary hardship,

"Resolved, that the board of appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, only so far as it affects the 1st story, street level, on condition that the use and occupancy of the 1st story shall be restricted to the conduct and operation of retail stores or shops; the occupancy or operation of a delicatessen or a fish store on any part of the premises is specifically prohibited by this resolution; the use and occupancy of the remainder of the premises throughout shall be restricted to conforming dwelling uses; that there shall be no commercial openings, windows or doors, of any nature or description on Dahill road, other than for the accommodation of the living quarters and dwelling use above the 1st story; that the street wall on the Dahill road street front shall be returned on Ditmas avenue, at the corner formed by the intersection, for not less than 16 inches; that the exterior face of building on the entire street fronts of Dahill road and Ditmas avenue, other than the store show windows, shall be finished with light-colored face brick with architectural terra cotta or stone trimmings; the westerly gable wall, for a distance of 12 ft. from Dahill road, shall also be faced with front brick; that there shall be no signs or advertising of any nature or description permitted on the Dahill road front, and any advertising on the Ditmas avenue front shall be restricted to the plate glass show windows of the stores; and all permits necessary for the prosecution of the work shall be obtained within nine (9) months and the building completed within eighteen (18) months from the date of this action."

The next is a case where the applicant's plot was part in a business and part in a residence district. The decision reads:

"Whereas, the board deemed that the applicant was entitled to relief on the ground of practical difficulty and unnecessary hardship, and the board also deemed that the application comes within the rules of exception provided for under section 7a and 7c.

"Resolved, that the board of appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the building shall be limited to a four (4) story structure above grade; that a rear yard of not less than 10 ft. depth for the entire width of the property shall be provided in accordance with the zoning resolution; that the front elevation shall be finished with face brick, architectural terra cotta or stone trimmings; that the westerly gable wall shall be unpierced throughout its entire height and length; that an enclosed stair hall shall be located at the extreme westerly end of this proposed structure, directly at the street front; that the elevator installed shall be located at the extreme easterly end of this proposed structure, and that the use and operation of this structure shall be restricted to the use and occupancy and conduct of the business adjoining to the east, in conjunction with the operation of a retail furniture business; this application is granted specifically on condition that there shall be no material stored, loaded or unloaded on the sidewalk of this premises outside the building line; that there shall be no advertising sign of any nature or description permitted on the front of this building; all permits necessary for the prosecution of the work shall be obtained within nine (9) months and the building completed within eighteen (18) months from the date of this action."

E. M. B.

## **THE IMPREGNABLE STRUCTURE OF ZONING DECISIONS BUILT UP BY THE COURT OF APPEALS OF NEW YORK**

While the courts of New Jersey are breaking down the zoning plan, the courts of New York are gradually strengthening it. In New Jersey the courts declare that neither the state legislature nor local councils can prevent stores in residence districts. In New York the courts say they will uphold zoning wherever its application is reasonable. In New Jersey the courts take the subject out of the hands of legislative bodies. In New York the courts wisely allow legislatures to legislate.

The New York Court of Appeals has from the beginning of zoning shown an inseeing sympathy with the efforts of cities to organize themselves for the health, safety and welfare of the community. It has with great vision upheld old principles but recognized new applications of them.

Three decisions of this court have been monumental in the field of zoning.

The first case is *Lincoln Trust Co. v. Williams Bldg. Corp.*, 229 N. Y. 313, decided in 1920, which holds that reasonable zoning is lawful and that zoning regulations do not constitute encumbrances on land.

The second great case is *People ex rel. Sheldon v. Board of Appeals*, 234 N. Y. 484, decided in 1923, which upholds broad powers of variance in boards of appeals, subject to court review. This opinion establishes the machinery for effective zoning. It puts the safety valve where it belongs. The courts when they review the decisions of the board of appeals iron out the arbitrary instances instead of declaring the regulations unconstitutional. Zoning is placed on the firm basis of court adjustment the same as the assessment of property for taxation.

The third and latest case and perhaps the most complete vindication of zoning ever written is *Matter of Wulfsohn v. Burden (Mt. Vernon)*, 241 N. Y. 288, handed down on November 24, 1925. The opinion specifically upholds the lawfulness of regulating new apartment houses in open residence districts by compelling 50-foot set-backs from the street, upholds zoning for the general welfare, and supports reasonable zoning all along the line, giving for the first time full reasons for the attitude of the court and building up a complete and irresistible argument which is the last word in zoning in this country.

E. M. B.

# INSTITUTE NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## EIGHTEENTH NATIONAL CONFERENCE ON CITY PLANNING

St. Petersburg, Florida, March 29, 30, 31, 1926, and West Palm Beach, April 1st, 1926

### PROGRAM\*

#### MONDAY, MARCH 29, 1926—AT ST. PETERSBURG.

- 12:00 WELCOMING LUNCHEON  
2:00 DEVELOPING CITY WATER FRONTS FOR RECREATIONAL USE  
THE FLORIDA WATER FRONT Judge James F. Glenn, Tampa, Florida  
8:00 PLANNING REVIEW OF 1925  
SECRETARY'S REPORT Flavel Shurtleff  
NEW COMMUNITIES PLANNED TO MEET NEW CONDITIONS  
PRESIDENT'S ADDRESS John Nolen

#### TUESDAY, MARCH 30, 1926

- 10:00 THE LAWS NECESSARY TO PROTECT HOMES AGAINST INVASIONS OF  
HURTFUL BUILDINGS; TO PREVENT MISPLACED PRIVATE STREETS;  
TO STABILIZE GOOD STREET LAY-OUTS AND TO PRODUCE AUTO-  
MATICALLY SMALL PARKS AND PLAYGROUNDS  
Edward M. Bassett, Counsel, New York Zoning Committee  
Professor Ernst Freund, University of Chicago  
12:30 CIVIC LUNCHEON;  
THE PSYCHOLOGY OF BROAD PLANNING OR WHAT CITY PLANNING  
MEANS TO THE COMMUNITY  
Allen D. Albert, Chairman of Jacksonville, Florida, Plan Commission  
2:30 AUTOMOBILE TOUR  
8:00 PLANNING OPPORTUNITIES AND DANGERS IN PERIODS OF RAPID DE-  
VELOPMENT  
THE PLANNING OF RESORT COMMUNITIES Frederick Law Olmsted

#### WEDNESDAY, MARCH 31, 1926

- 10:00 THE PLACE OF THE RAILROAD IN THE CITY PLAN  
Harland Bartholomew, City Planning Engineer, St. Louis, Mo.  
C. F. Loweth, Chief Engineer of Chicago, Milwaukee & St. Paul R. R.  
2:00 WHAT CITY AND REGIONAL PLANNING CAN CONTRIBUTE TO THE  
SOLUTION OF THE TRAFFIC PROBLEM  
Col. A. B. Barber, U. S. Chamber of Commerce  
CAMPAIGNING FOR CITY PLANNING  
Carl Hunt, Exec. Vice-President of Orlando, Florida, Chamber of Commerce, for-  
merly General Manager Associated Advertising Clubs of America.  
4:30 BUSINESS SESSION OF THE CONFERENCE  
7:00 ANNUAL DINNER

#### THURSDAY, APRIL 1, 1926—AT WEST PALM BEACH

- 9:30-12:30 TOUR OF THE WATER FRONT  
12:30 LUNCHEON  
2:00 THE PLACE OF THE EAST COAST IN A STATE PLAN FOR FLORIDA  
WHAT ZONING SHOULD MEAN TO PALM BEACH  
ROUND TABLE: "ZONING ORDINANCES AND THEIR ADMINISTRATION"  
Edward M. Bassett  
6:30 P. M., Monday and Tuesday and 8:00 A. M., Tuesday and Wednesday  
"FUNCTIONS OF THE CITY PLANNING COMMISSION".  
Time and leader will be announced on the final program.

\*The order of papers is subject to change when the program is made up in final form. Other speakers will be announced at that time.

## INSTITUTE MEETING

January 21-22, 1926 at New York City

On Thursday, January 21st, the members of the Institute met with the City Planning Section of the American Society of Civil Engineers for a joint session. On this occasion, MR. JOHN NOLEN presented a paper (partially reprinted on page 84) on the "Professions Engaged in the Execution of Community Development". His paper was illustrated by slides of Mariemont, Ohio.

MR. FREDERIC H. FAY gave an illustrated talk on the Mariemont work.\*

MR. THOMAS ADAMS, in discussion said: "A good plan may be ruined by bad management. This does not mean that the planner should be dominant or that the business administrator should be dominant. They should be two separate dovetailing organizations with an arbiter in case of irreconcilable differences. The same lack of harmony which has damaged many great building enterprises is also found within the city planning group. There are city planning groups among the engineers, among the architects and among the landscape architects, but there should be a more complete understanding between these groups, and one way of working this out is to have the American City Planning Institute strengthened by bringing in the city-planning-minded architects, engineers and landscape architects."

MR. EDWARD M. BASSETT: "We have had planning for the community and of the community, but planning by the community is still so incomplete that it is ineffective. When the control of Mariemont is turned over to the community by Mrs. Emery, all the city planning that will be left will be the streets, the open spaces, the sewers, the gas lines, the zoning—in other words, certain land areas on which a legal quality for public purposes has been impressed. This is all there is to city planning. After that the architect has his opportunity in design of public buildings, the engineer in the design and construction of the utility conduits, the landscape architect in the design of golf courses and parks and playgrounds. The impressing of the legal quality requires help from all these professions."

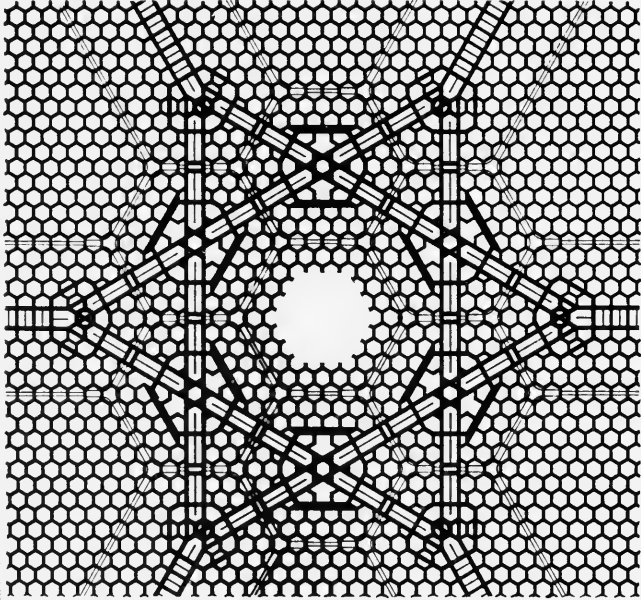
MR. NOULAN CAUCHON: "City planning must be the impression of the will of the community and not the mere map and advice of an expert. If it is the community expression it cannot be changed overnight by a temporary municipal council."

MR. ANDREW WRIGHT CRAWFORD: "We cannot separate design and construction, and consequently I differ from Mr. Bassett. The engineer should be taught more sense of design. I don't despair at all of collaboration between the three professions most interested in city planning. There are half a dozen places in America already where the results of this collaboration can be seen, notably in Union Park Gardens, Wilmington, Delaware.

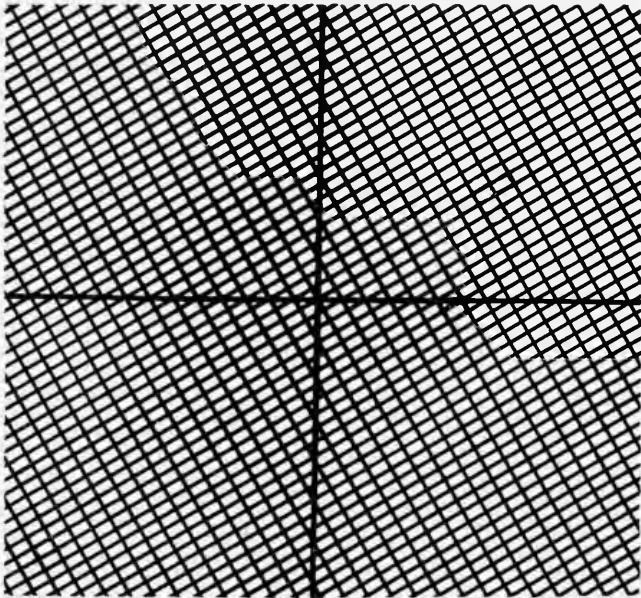
At the afternoon session, after a welcoming address from the new President of the American Society of Civil Engineers, MR. GEORGE B. FORD presented a paper on

\*Papers before Sections of the American Society of Civil Engineers ordinarily appear in the Proceedings of the Society and are, therefore, not reproduced in CITY PLANNING.

COMPARATIVE • CIRCULATION  
NOULAN CAUCHON • CONSULTING • ENG. & ARCH. PLANNER  
OTTAWA • CANADA • NOVEMBER • 1925  
HEXAGONS • INTERCEPTER & ORBIT



RECTANGULAR GRIDIRON & DIAGONALS





"The Cincinnati Plan is now Law". Parts of this paper and the discussion which followed will be found on page 117 as part of a Symposium on the "Powers of Planning Boards".

On Friday morning Mr. Noulan Cauchon, President of the Town Planning Institute of Canada, presented a paper on "Regional Planning, Interceptor and Orbit", being a full development of a theme submitted at the International Conference last April (See CITY PLANNING July 1925, page 94.) Mimeograph copies of the paper may be obtained from the Secretary of the Institute at 130 East 22nd Street, New York City. There has been no attempt to make an abstract of the paper, but the following will suggest its contents.

Congestion comes of ill-proportion and lack of planning in relation to the "fluid" of population and the "population-shed". From time immemorial, people have been planning cities with squares when the heart of the problem is based on circles. The circle is the most economic boundary, but circles do not assemble economically. Sewers, etc., must be built in straight sections. The hexagonal unit seems to meet the requirements. Mr. Cauchon spoke of the history of the hexagon block and particularly of the Governor's Plan of Detroit of 1807 as an example of a hexagonal system of major arteries. The interceptor was described as an artery which carries through traffic free from cumulative local traffic.

The gridiron system, Mr. Cauchon believes, is a relic of primitive two-dimensional thinking. When we study a gridiron plan at an angle of 45 degrees for traffic relief, the indirection of routing arouses an almost instinctive longing for diagonal directness. The accompanying diagram shows the comparative merits of the gridiron and hexagonal plans.

Mr. Cauchon's paper was illustrated by a number of other diagrams, one of which showed the orbit principal of "establishing balanced centripetal and centrifugal mass movements of traffic that would set up a form of gravitational attraction, swaying and converting the inevitable peaking of the focal surge of traffic into rotation".

MR. GOODRICH then proceeded to discuss the relative merits of hexagonal and rectangular blocks for interior playground development. He pointed out, in regard to the traffic value of the hexagonal system, that it has been found that this system in Detroit actually congests things more than the direct route system. Furthermore, the people who live in the particular area that is now planned hexagonally are the only ones who know how to get out of it.

He explained the theory of traffic movement in different communities, such as Cincinnati and Norfolk, where special studies were made, and described a system of what he called spider webs connecting existing nuclei. Between these various spider webs he thought the hexagonal system might be applied to advantage. Mr. Goodrich had spent some time working out the actual ratios of distance and economies in traffic between the hexagonal and straight line gridiron system and had determined that, "generally speaking, it is disadvantageous to move by the hexagonal route compared with the rectangular one in the margin of 10 or 15 percent".

He also discussed the problem of traffic regulation and considered that the difficulties of regulation with the hexagonal system would be very much greater than those with the rectangular system. The whole problem, he believed, is "one of economics of administration based upon such a scheme as will produce the best possible acquisition of sunlight and traffic feasibility in any community". As between the rectangle and the hexagon systems, it seemed to him that those two elements are in favor of the rectangle, in spite of the other brilliant suggestions of Mr. Cauchon.

In regard to sunlight in modern city development, Mr. Goodrich dissented from Mr. Cauchon's contention that the hexagon is the proper shape. He presented diagrams to show that the best development to get sunlight was to have streets more nearly north and south than was possible for the majority of streets under Mr. Cauchon's scheme.

MR. VEILLER remarked that he thought that Mr. Cauchon was subconsciously applying his plan to an existing built-up community and especially to a great city like New York, although Mr. Cauchon in previous presentations had absolutely disclaimed any such idea. He suggested that Mr. Goodrich's criticism of the indirectness of the hexagonal method and of the lack of relation to existing nuclei was beside the point, because when you build a new town these problems don't exist.

MR. NOLEN pointed out that we must recognize that in the nature of a city there is a biological principal of growth, and that in Mr. Cauchon's subject there is a fundamental question of whether a city can be planned with any sense of completeness. He believed that in attempting to make too large a mechanical or standardized plan there is an immediate invitation to trouble, because standardization is not the nature of either the human being or human life.

MR. FORD suggested there might be some value in variety of winding and straight roads and in different shaped lots, and felt some doubt as to the total road space requirements of the hexagonal as compared with the rectangular system.

MR. CAUCHON in closing the discussion, suggested that the use of the interceptor might take up the 10% advantage which has been previously referred to. A field of hexagons would discourage through traffic and allow narrower streets in residential areas. The playground area in a hexagonal block would be better and more economically related to abutting lots than is possible with the rectangle. Finally, in relation to sunlight, he claimed that the top and bottom of the hexagon is a great deal better in that regard than the usual east and west streets in the rectangular system. The hexagon is not perfect; all the exposures are not as good as on the north and south streets, but in the gridiron system all the streets do not run north and south.

F. S.

## INTERNATIONAL CONFERENCE ON HOUSING AND TOWN PLANNING

The Annual Conference arranged by the International Federation for Town and Country Planning and Garden Cities will be held in September 1926 at Vienna. The meeting will be held under the auspices of the Mayor and Council, and an exhibition dealing with subjects to be discussed will be arranged at the same time. The principal subjects for discussion will be:

A. Examination of the conditions of land tenure in each country and how far they permit practical results respecting town and regional planning.

B. The rational distribution of cottage and tenement houses.

Further information may be obtained from the Organizing Secretary of the Federation at 3 Gray's Inn Place, London, W. C. I.

### CITY PLANNING PRIZE ESSAY

Mr. Frank B. Williams, a member of the Board of Governors of the American City Planning Institute, is offering as he did last year, a prize of \$250 for the best essay on "Administrative Bodies acting under Rules prescribed by a Legislature and their Function in City Planning."

The competition is open to undergraduates and graduates of not more than three years standing, of the Institutions in the United States *giving instruction in city planning*, and to undergraduates and graduates of three years standing of law schools. Mr. Williams is anxious that the competition be called to the attention of students and recent graduates of law schools, schools of landscape architecture, of engineering, of social ethics and departments of government in colleges where city planning instruction is given. He believes that for solid accomplishment in planning, a sound legal basis is necessary. He also believes that many of the larger city planning enterprises can better be accomplished by the collaboration of specialists in the various phases of this many-sided subject.

The Committee of the American City Planning Institute which will conduct the competition is thoroughly in accord with Mr. Williams, and it is with the hope that a competition of this sort will induce collaboration that the prize is offered.

The right is of course reserved to modify in any necessary particular the conditions of the competition. The conditions as announced are as follows:

The essay should contain not more than 3500 words.

To the essay may be appended material such as tables, diagrams, plans, bibliography, indexes, etc., not exceeding in all 3000 words or its equivalent in pages. Two or more competitors may collaborate, the prize to be divided among them in case they are successful.

The essays should be typewritten and signed with a fictitious name, and should be accompanied by a sealed envelope containing the name and address of the competitor or competitors. They should be sent to Flavel Shurtleff, 130 East 22nd St., New York City, so as to reach him on or before June 1st, 1926.

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## CITY PLANNING LAW IN 1925

THERE has been considerable progress in city planning law during 1925. As before, activity has been greater in zoning than in any other portion of the field. In zoning there has been a large number of enabling acts passed, and in the Courts the victories for comprehensive zoning with provisions for its proper administration have been notable. Many statutes authorizing the appointment of regional and local planning commissions, however, have been enacted, and there has been legislation in all the other main departments of planning.

### REGIONAL PLANNING

Michigan has passed a joint resolution<sup>1</sup> for a constitutional amendment authorizing the creation of metropolitan districts for the control and development of sewerage, water, light, and transportation facilities; New York by general statute<sup>2</sup> has authorized counties and local governments within them to appoint regional planning commissions, and by a statute<sup>3</sup> applicable only to counties and local governments on the Niagara Frontier has given them the power to create similar commissions.

Everywhere there are many difficulties to contend with in the planning of regions, parts of which are situated within the limits of different local governments. In the United States we have the problem, not usually encountered elsewhere, of planning as a unit areas located in different states which, to a very large degree, are in full control of local administration. In New York and in New Jersey, a few years ago, the problem of creating a single authority to plan the Port of New York, partly in each of the states and containing about 200 local governments, was solved by amending a compact between the states, entered into by them and ratified by the United States in 1834.<sup>4</sup> A problem, similar in law, is the control of interstate and international rivers. Legislation looking toward the formation of compacts to that end were entered into by a number of states in 1923 and 1924,<sup>5</sup> and similar legislation was passed in 1925.<sup>6</sup>

<sup>1</sup>No. 2 subject to ratification by the people in 1926.

<sup>2</sup>1925, ch. 539.

<sup>3</sup>1925, ch. 267.

<sup>4</sup>See Williams, *Law of City Planning and Zoning*, Macmillan Co., 1922, pp. 594, 597.

<sup>5</sup>See the Session Laws for these years of Arizona, California, Colorado, Montana, Nevada, New Mexico, Nebraska, North Dakota, South Dakota, Utah, Wyoming.

<sup>6</sup>Montana, 1925, Senate Res. No. 8; New Mexico, 1925, ch. 114; Washington 1925, ch. 8.

## STATE PARKS

State Parks should be, and usually are, designed to serve the local communities of a considerable region; and in many cases they are planned to satisfy the need of an entire state or even areas of contiguous parts of more than a single state. State park legislation during 1925 was enacted by Indiana,<sup>1</sup> Iowa,<sup>2</sup> New Jersey,<sup>3</sup> and Tennessee.<sup>4</sup>

## PLATTING

There was no platting legislation, novel in principle, during the year. Worthy of study, however, is the Michigan Statute<sup>5</sup> for the elaborate system which it sets up.

## PLANNING COMMISSIONS

As already stated, the number of statutes authorizing local governments to appoint planning commissions has been considerable. Many of them, however, were special acts applicable to single communities. A table of these planning commission statutes is given below.<sup>6</sup>

## EXCESS CONDEMNATION

Michigan is the only state that has acted on this subject during the year. That state passed a joint resolution<sup>7</sup> for the amendment of the State Constitution granting the Legislature of the State the right to confer the power upon local governments.

## BUILDING LINES

Indiana has passed a statute<sup>8</sup> for the establishment of building lines by eminent domain and Massachusetts has amended her statute passed for that purpose.<sup>9</sup>

## OUTDOOR ADVERTISING

The abuses of outdoor advertising are still with us, but public sentiment against these abuses is growing, as evidenced in part by the steady increase of statutes regulating such advertising. The statutes for that purpose, passed during the year, are noted below.<sup>10</sup>

<sup>1</sup>1925, ch. 212.

<sup>2</sup>1925, ch. 121.

<sup>3</sup>1925 p. 536.

<sup>4</sup>1925, chs. 55, 120.

<sup>5</sup>1925, No. 360 (p. 677).

<sup>6</sup>Connecticut; Special Laws 1925, No. 8; Charter Amendment (City of Hartford); Special Laws 1925, No. 95 (Town of Stamford); Special Laws 1925, No. 383 (Town of Manchester); Special Laws 1925, No. 490 (New Haven).

Georgia, 1925, No. 175, Sec. 6, p. 1540 (City of Waycross); 1925, No. 175, Sec. 6 (City of Rome); 1925 No. 284, p. 1011 (City of East Point); 1925, No. 320, p. 917 (City of Cairo) 1925, No. 326, p. 863 (City of Augusta).

Indiana 1925, ch. 178 (Certain Counties).

Hawaii 1923, No. 150, Now Rev. Laws 1925, Sec. 1738, par. 9 (City and County of Honolulu).

Iowa, 1925, ch. 117 (General).

New York, 1925, ch. 539 (Regional—General); 1925, ch. 267 (Regional—Niagara Frontier).

Tennessee, Private Acts 1925, chs. 93, 248, 298 (City of Knoxville).

<sup>7</sup>No. 3, Subject to ratification by the people in 1926.

<sup>8</sup>1925, ch. 206.

<sup>9</sup>1925, ch. 130, Amending Gen. Laws 1921, ch. 82.

<sup>10</sup>See footnote (a) next page.

## ESTHETICS

The City of Santa Barbara has established an Architectural Board of Review, with power to regulate the design and construction of structures erected by private owners on their own land with a view to the improvement of the esthetic effect of the city. This attempt is not altogether without precedent in this country. Massachusetts has passed a constitutional amendment<sup>1</sup> for the regulation of billboards, which, it would seem, may be exercised for esthetic reasons. New York has passed a statute for a measure of esthetic control over outdoor advertising on private property in a neighborhood of especial beauty.<sup>2</sup> In the Philippines the courts have sustained regulations similar in principle throughout the islands.<sup>3</sup> The result of the experiment in Santa Barbara will be awaited with great interest.

## ZONING STATUTES

The progress of zoning continues, as evidenced by the continued passage of statutes whose purpose it is to enable local governments to frame and pass zoning regulations. A table of the statutes for this purpose passed in 1925 is given below.<sup>4</sup>

## ZONING DECISIONS

The Constitutionality of zoning in this country, already reasonably assured, has been established beyond question by the judicial decisions of the last year; and the cases cited as adverse, in states in which at the critical period adequate laws enabling local governments to zone were lacking, or proper administrative machinery was not created, only serve to emphasize the soundness of the principles upon which zoning is based. These decisions sustaining zoning have been so numerous that only a few of those which are more important can be mentioned at this time, and in the most summary manner.

*a*(Note <sup>10</sup> from preceding page)

Statutes making the placing of advertisements on public property without consent a crime are marked with a star (\*); those giving any person the right to remove it without legal process are marked with a double star (\*\*); those making advertising on private property without the consent of the owner a crime are marked with a dagger (†); Statutes making it a presumption that the person whose goods are advertised authorized the unlawful placing of the advertisement are marked with a z (z); Statutes taxing outdoor advertising or requiring a license for it, are marked with a double dagger (‡); Statutes forbidding advertising obscuring a railroad crossing, etc., are marked with a section (§); Other statutes are especially annotated. Statutes authorizing local governments to tax or regulate, and local regulations are not given.

Hawaii, Rev. Laws, 1925, Secs. 2066, ff. \*†‡.

Maine, 1925, ch. 188, \* §.

Michigan, 1925, No. 359 †; No. 108, Sec. 5 \*; Sec. 6, ‡

North Dakota, 1925, chs. 145 \*§; 182 §.

Pennsylvania, 1925, No. 388 \*.

South Dakota, 1925, ch. 186 § (Along highways outside cities and towns, not more than 20% of surface exposed must be red).

Vermont, 1925, No. 32 ‡ §.

<sup>1</sup>Article "L".

<sup>2</sup>Laws 1924, ch. 512; See The Regulation of Outdoor Advertising by Law, being Bulletin No. 25 of the Municipal Art Society of New York, February 1926, by the writer.

<sup>3</sup>See Williams, "Law of City Planning and Zoning", The Macmillan Company, 1922, page 392.

<sup>4</sup>Arizona, 1925, ch. 80.

Connecticut, 1925, ch. 242 (general) amends 1923, ch. 279; Special acts, 1925, authorizing the following local governments to pass zoning regulations: the town of Darien (No. 462, p. 922); the city of Hartford (No. 9, p. 553, No. 484, p. 987); the city of New London (No. 487, p. 997); the city and the town of Norwich (No. 494, p. 1024); the Pawcatuck fire district (No. 467, p. 931); the town of West Hartford (No. 469, p. 934); and amending the zoning law with regard to the town and borough of Greenwich (No. 408, p. 881); and the City of New Haven (No. 490, p. 1006).

Continued on next page.

In California, the cases of *Miller v. Board of Public Works of Los Angeles*<sup>1</sup> and *Zahn v. Same*<sup>2</sup> had been decided, in the lower courts, adversely to zoning. The victory in the upper court, in both these cases, in which the constitutionality of zoning was affirmed, was all the more complete. These cases also were in favor of the reasonableness of creating single-family house districts, from which not only business and industry, but multi-family dwellings, were excluded.

In Illinois the case of the City of *Aurora v. Burns*<sup>3</sup> was decided upon a provision of the Illinois Constitution peculiar to that state, forbidding "local or special" laws granting any special or exclusive privilege, immunity or franchise. In *Aurora*, as is generally the case, districts were created by the zoning ordinance, in which structures originally erected for a non-conforming use were allowed to remain, and to continue to be employed for the purposes for which they were erected. The court at first decided that this in effect was the granting of a special or exclusive privilege, immunity or franchise to the owners of business structures in a residence district contrary to the Illinois Constitution; but were careful to add that zoning which did not violate this clause of the Constitution might be valid. Such zoning, however, is practically impossible, and it is gratifying to note that, on rehearing, the court reversed its ruling, holding that the continuance of the non-conforming use did not render that portion of the ordinance illegal.

And in the case of *Deynzer v. City of Evanston*,<sup>4</sup> heard at the same time, the single family house district was sustained.

In Maine an Opinion of the Justices<sup>5</sup> is in favor of the general principles of zoning, and while an opinion of this sort has not, technically, the force of a decision in a litigated case, it seems reasonably certain that zoning will be sustained by the courts of the State of Maine.

(Continued from previous page)

Florida, 1925, County of Pinellas (West Palm Beach) 1925 ch. —.

Georgia,

1925, No. 280, Counties having not less than 200,000 inhabitants;

1925, No. 326, Augusta;

1925, No. 320, Cairo;

1925, No. 191, Columbus;

1925, No. 284, Sec. 12, East Point;

1925, No. 298, Sec. 75, Macon;

1925, No. 97, Monroe;

1925, Nos. 145, 146, Waycross.

Illinois, 1925, Amending 1921, being Callaghan Stats. Ann. ch. 24, secs. 521 ff.

Indiana, 1925, ch. 125 (amends 1921, ch. 225).

Kansas, 1925, ch. 100, superceding R. S. 1923, sec. 13-1101.

Maine, 1925 ch. —.

Massachusetts, 1925, chs. 116, 219 (Boston).

Minnesota, 1925, ch. 284 (amending 1921, ch. 217 as amended by 1923, ch. 364).

New Hampshire, 1925, ch. 92.

New York, 1925, ch. 394 (amends Gen. City Law by authorizing regulation of density of population).

North Carolina, 1925, ch. —.

Pennsylvania, 1925, No. 200, (amends 1923, p. 54).

Rhode Island, 1925, ch. 643 (amends Gen. Laws ch. 57, as amended by 1923, ch. 430) ch. 766 (enables town of Westerly to appoint a single board for both zoning and platting); amends 1922, ch. 2299,

Rev. Public Laws, 1923, ch. 538.

Tennessee, Private Acts 1925, ch. 209 (Nashville).

Utah, 1925, ch. 119.

<sup>1</sup>234 Pac. Rep. 381.

<sup>2</sup>234 Pac. Rep. 388.

<sup>3</sup>319 Ill. Rep. 84.

<sup>4</sup>319 Ill. Rep. 226.

<sup>5</sup>128 Atl. Rep. 181.

In Maryland<sup>1</sup> and New Jersey<sup>2</sup> the highest courts ruled during the year, adversely to zoning. The Maryland case involved the validity of the ordinance of the City of Baltimore, which claimed the right to zone under its general home rule powers, but had no specific statutory authority to do so. In New Jersey the statutes authorizing zoning had provided inadequately for boards of appeal; and although a statute passed in 1924 remedied this defect, the courts refused to change their ruling which was, in all practical effect, that zoning is unconstitutional in the state of New Jersey.

The most recent case is that of *Wulfsohn v. Burden, Inspector of Buildings of the City of Mount Vernon*, in the highest court of the State of New York.<sup>3</sup> This case, decided by a unanimous judgment of the highest court in the State, is perhaps the leading authority with regard to zoning in the country. It sustains and supports by forceful reasoning the validity of zoning generally and in all its principal details,—the limitation of heights, the establishment of both the general residential district and the district from which the multi-family house is excluded, set backs, and even incidental regulations to preserve the appearance of the neighborhood. More important, however, even than the specific points it decides, is the reasoning upon which the decision rests. No summary of the case can give an adequate idea of it; every student of zoning should read it in its entirety.

F. B. W.

<sup>1</sup>Goldman v. Crowther, Inspector of Buildings of Baltimore City, 147 Md. 282.

<sup>2</sup>Krumgold and Sons, Inc., v. Mayor and Aldermen of Jersey City, Court of Errors and Appeals, N. J. Adv. Rep. Vol. III, No. 43, Oct. 24, 1925, p. 5148.

<sup>3</sup>241 N. Y. 288.



# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM

## FEDERAL CITY PLANNING BILL PASSED THE HOUSE

A bill providing for a commission "charged with the duty of preparing, developing and maintaining a comprehensive, consistent and coordinated plan for the National Capital and its environs" passed the House of Representatives on February 8th, 1926.

In the spring of 1923 the American Civic Association revived a committee which had existed in Washington but had disbanded during the war, under the name of the Washington Committee of One Hundred on the Federal City. After a year of study of the many needs of Washington, two distinct projects developed, which the Committee set out to achieve. These were set forth by Mr. Frederic A. Delano, the Chairman, in these words:

"1. Just as the founders looked forward 100 years in their planning, so we must look forward. Correcting past errors is expensive. Intelligent planning for the future is economy. Some machinery adequate for such planning should be set up.

2. This Federal City was set amidst hills and valleys that were notable for their trees and shrubbery of a remarkable variety. If that condition is to continue in the future, ample reservations for forests and parks should be made. Other cities in our country are far in advance of Washington in these respects."

The Committee was impressed with the necessity for prompt action if areas suitable for parks and playgrounds were to be preserved, and it undertook as its first piece of legislation to report the National Capital Park Commission Bill, which passed congress and was signed by the President in June, 1924.

The National Capital Park Commission created by that Act is now a functioning body. Its accomplishments in building up an adequate park system for Washington and its environs are only limited by the appropriations at its command. The work of acquiring park areas is in capable hands.

But experience in city building all goes to show that the exceedingly intricate modern problems of planning highways, parks and parkways, drainage, sewerage and water distribution, the development of water-fronts, the platting of subdivisions, the choosing of sites for public buildings, the zoning of unoccupied areas and all the numerous other elements of planning must be brought together and correlated before really satisfactory results can be achieved.

In order to prepare an adequate bill, the most eminent experts in the country have collaborated in framing the provisions. On December 2nd Mr. Delano invited

special committees of the American Institute of Architects; American Society of Civil Engineers; American Society of Landscape Architects; American City Planning Institute and the National Conference on City Planning to confer with the public officials on the form of the bill. There was a distinct demand for setting up a separate plan commission, but when attention was called to the fact that the National Capital Park Commission had no responsibility for administering the parks of the District of Columbia, and that the only executive function which it possessed was that of park purchase, it was agreed by the group that an amendment to the Capital Park Commission Bill, which would add to its personnel and increase its powers, would be the best plan of procedure. It was proposed also to abolish the Highway Commission and transfer its powers to the new Commission.

The bill as it first passed the House of Representatives provides for a commission composed of the Chief of Engineers of the Army; Engineer Commissioner of the District of Columbia; the Director of the National Park Service; Chief of the Forest Service; the Director of Public Buildings and Public Parks of the National Capital; the Chairmen of the District of Columbia Committees of the Senate and House of Representatives and "four eminent citizens well qualified and experienced in city planning, one of whom shall be a bona fide resident of the District of Columbia." The Commission will be an unpaid Commission but will be authorized to employ necessary personal services "including a director of planning and other expert city planners such as engineers, architects and landscape architects."

An effort will be made in the Senate to increase the members of the Commission and one or two other slight changes may be proposed, but it is expected that the bill will pass the Senate substantially as it passed the House.

The progress which the bill made in the House is due in large part to the interest and skill of Col. Ernest W. Gibson, who as chairman of the sub-committee, coöperated with Mr. Zihlman to secure the passage of the bill.

If the bill becomes a law, the machinery will be set up for preparing the first comprehensive revision for the Federal City Plan since the L'Enfant plan of 1791 and for preparing the first comprehensive regional plan for the District of Columbia and its environs.

HARLEAN JAMES,  
*Executive Secretary, American Civic Association.*

## ZONING IN DULUTH

The City of Duluth, Minnesota, has just taken its first major step in City Planning: it has adopted a comprehensive zoning ordinance. A review of our experience may be of interest and possibly of help to others.

Simultaneously with the preparation of the usual data, maps and surveys to show local conditions, the Planning Commission carried on various other zoning activities. First we took up the problem of interim protection for residence districts. Upon advice from various cities, city planning and legal experts, we decided against an Interim Zoning Ordinance. We found another way. In 1915 our state legislature

authorized municipalities to create residence districts under Eminent Domain. This method is of course too rigid and, in the long run, a hindrance to proper city growth. But every cloud has a silver lining, and we found one here. We proposed an amendment to the Building Code, to delay for thirty days the issuance of permits for apartment buildings in blocks where less than twenty-five per cent of the frontage is occupied by apartments, business or industry, and of permits for business and industrial buildings in blocks where less than twenty-five per cent of the frontage is so used; also to notify adjacent property owners of such permit applications. Where the property owners object to the proposed building, they have ample time to file a petition under the 1915 law. A petition signed by fifty per cent of the property owners in any area and filed with the city clerk, automatically stops the issuance of permits for any structures other than one-family or two-family homes, churches or schools. Past experience in Minnesota shows that upwards of two years time elapses between the filing of such application and the completion of condemnation proceedings. It was our thought that the comprehensive zoning ordinance would be adopted in shorter time, and that the city council would then cancel all pending Eminent Domain petitions. This amendment was adopted June 1924. Up to the date of publication of the zoning ordinance, October 26th, 1925, 97 permits were held up by this amendment, thirty-eight petitions for restricted residence districts were filed, and in one case the condemnation proceedings were completed. The greatest benefit from this amendment, however, was realized in the final thirty days elapsing between publication of the zoning ordinance and the date it took effect. The thirty-day-delay provision prevented a last minute rush for permits for non-conforming buildings in Residence and Multiple Dwelling districts.

The matter of publicity developed some very interesting features. We had gathered considerable literature on the benefits of zoning and launched a program of public education. We went to the leading citizens, explained zoning, furnished them literature and asked each to write an article for the newspaper on the relation of zoning to his particular field of activity. As anticipated, only a few articles were written, but the whole group learned a good deal about zoning and developed favorable atmosphere in the various organizations of which they are members. This resulted in invitations for talks and in the endorsement, first of the principle of zoning, and finally of the specific ordinance as proposed.

A resumé on publicity work shows the following: forty addresses before professional and civic clubs, five public hearings in various parts of the city under auspices of the Planning Commission, about two hundred newspaper articles on zoning, including thirty-one editorials, in our two leading newspapers.

Another important problem the Planning Commission had to consider was billboard regulation. Duluth already had a billboard ordinance regulating construction features and requiring for location outside the fire limits, the written consent of fifty-one per cent of property owners on each side of the street in the block of proposed location. But various civic clubs demanded complete prohibition of billboards. Acceding to them, the City Council refused a large number of applications and as a result twenty-three court cases are now pending. At a conference

of civic organizations, the billboard interests and the city council, the entire matter was referred to the Planning Commission. The billboard representatives agreed to abide by the regulations in the coming zoning ordinance and requested the Court to hold these twenty-three cases under abeyance. After a national survey of billboard regulation and a conference with billboard representatives we reached the following conclusions: in the zoning ordinance to go no farther than prohibiting them in Residence and Multiple Dwelling districts, but in addition, to recommend an amendment to the present billboard ordinance to further regulate them in the Commercial, Light Industry and Heavy Industry districts. A committee of the Planning Commission has placed before this body the following recommendations,— (a) to prohibit billboards entirely in blocks zoned Commercial, where less than twenty-five per cent of the frontage is used for business or industry; (b) in blocks zoned Commercial, where at least twenty-five per cent of the frontage is used for business or industry, to permit not more than fifty-five feet of billboard length on each side of the street in the block; (c) in a block where the majority of the frontage is used exclusively for dwelling purposes, the consent of the majority of the property owners shall be required, regardless of zoning classification, for billboard location. The billboard representatives have expressed themselves as finding these proposals acceptable. No final action has as yet been taken.

The ordinance forbids obstructions to view on corner lots within 75 feet of the intersection of the street centerlines, except main buildings and retaining walls. No rear dwellings are allowed. Platters of land who deed park areas to the city are allowed an increased number of families on the rest of the plat equal to the housing possibilities on the deeded area, provided the plan is approved by the city council.

The Board of Appeals provision may be of interest. The Minnesota Enabling Act does not authorize such a board. Our city attorney advised that our Home Rule charter powers are sufficient to validate such a body, and we proceeded on that opinion. At the last moment, it seemed best not to risk attack on this provision, so we made all the findings of the Appeal Board subject to City Council approval but left the organization in the previous form in all other respects. We anticipate an amendment to the state enabling act by the next legislative session, which will give the Board the needed authority. At that time, no material reorganization of the Board will be necessary for proper functioning.

Outstanding features in the passage of the zoning ordinance were the attitude of the Duluth City Council and the work of members of the Planning Commission. The city councilmen are to be most warmly commended for their patience and fairness in listening to all sides of the question, for not permitting themselves to be scared out by the claims and criticism of individuals pleading personal interests, but of keeping the best interests of the public uppermost at all times. The Planning Commission has taken a far more active part in the work here than is usual. Some members gave a great deal of their valuable time in checking the work and in frequent public hearings. Their reward, of course, is the satisfaction of great public benefit realized because of their efforts.

A. B. HORWITZ,

*Zoning Engineer, City Planning Department, Duluth.*

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

## LIST OF PLAN REPORTS, 1925\*

Compiled in the Library of the School of Landscape Architecture at Harvard University  
by Katherine McNamara, Librarian.

(To accompany Annual Survey, see page 87)

**ASHEVILLE, N. C.** NOLEN, JOHN. Asheville city plan. City Commission, 1925.  
48 p. plans.

**BIRMINGHAM, ALA.** OLMDSTED BROTHERS. A system of parks and playgrounds  
for Birmingham; preliminary report upon the park problems, needs, and  
opportunities of the city and its immediate surroundings. Park and Recrea-  
tion Board, 1925. 31 p. photos., folded plans.

**BOSTON, MASS.** CITY PLANNING BOARD. Eleventh annual report, for the year  
ending Jan. 31, 1925. 46 p. plans (part folded).

Of particular interest are the studies for the location of health units.

———. CITY PLANNING BOARD, with the coöperation of The Advisory Com-  
mittee on Public Improvements. Progress report on proposed intermediate  
thoroughfare. Dec. 1925. 38 p. plans.

———. SPECIAL COMMISSION ON LAYING OUT AND CONSTRUCTING NEW  
THOROUGHFARE AND THE EXTENSION AND WIDENING OF CERTAIN STREETS  
IN CONNECTION THEREWITH. Final report. Published as supplement to  
*Current Affairs*, Boston, Dec. 21, 1925. 17 p. plans.

Commission composed of the chairman of the Division of Metropolitan Planning, the  
chairman of the Boston City Planning Board, the chairman of the Boston Finance Com-  
mission, the chairman of the Transit Department of the City of Boston, and the chairman  
of the Board of Street Commissioners of the City of Boston.

———. PARK DEPARTMENT. Special report. 1925. 36 p. photos., plans and  
perspective (part folded). (Arthur A. Shurtleff, landscape architect.)

———. ————. Future parks, playgrounds and parkways; Report of  
Arthur A. Shurtleff, landscape architect, Nov. 1925. 61 p. photos., maps,  
and plans (part folded), diagrams.

**BUFFALO, N. Y.** CITY PLANNING COMMITTEE OF THE COUNCIL. Extract of pro-  
posed zoning ordinance for buildings and uses. 1925. 10 p. diagrams.

\*This list does not include unpublished reports nor annual reports in course, unless these contain  
notes for a comprehensive plan or other special matter. On account of their great number, it has  
been possible to mention only those zoning documents either issued as reports of plan commissions,  
or describing zoning procedure, with explanations or recommendations additional to the text of the  
ordinance.

- CANTON, OHIO.** KNOWLES, MORRIS. Preliminary report and program for city planning at Canton, Ohio. The City Planning Commission, Dec. 1924. Published 1925. 44 p. chart, tables.
- CHICAGO, ILL., AND REGION.** PLAN COMMISSION. The plan of Chicago in 1925: a report to the citizens of Chicago setting forth what has been accomplished by united civic effort during the past fifteen years. Nov. 1, 1925. 53 p. photos., plans, drawings.
- . ———. Through traffic streets, prepared for the City Council Committee on Efficiency, Economy and Rehabilitation. Dec. 1925. 23 p. plans.
- . CITY COUNCIL. Various pamphlets concerning local transportation, with plans. Published 1925.
- Special message of Honorable William E. Dever, Mayor, concerning Chicago's local transportation problem. Submitted to the City Council, Oct. 22, 1924. 23 p.
- Sundry proposals and plans for the development of local transportation facilities in the city of Chicago, including elevated railroads, street railways, passenger subways, motorbus lines. Nov. 1924. (Contains: Chicago Rapid Transit Company's program of proposed extensions of elevated railroad lines, by Samuel Insull. 13 p.; Outline of a plan for a comprehensive system of local transportation, by Henry A. Blair. 6 p.; Proposal of the South Side Street Railway Lines, by Leonard A. Busby. 8 p.; Suggestion of a franchise grant to the Chicago Motor Coach Company, by James G. Condon. 16 p.; Plan for an independent municipal system of rapid transit lines including elevated railroads and subways, by R. F. Kelker, Jr. 52 p.).
- Outstanding features and salient provisions of an ordinance providing for a comprehensive municipal local transportation system, by Francis X. Busch. Passed by the City Council, Feb. 27, 1925. (Failed on referendum, Apr. 7, 1925.) 12 p. (Full text of ordinance printed separately. 63 p.)
- See also publication of Chicago North West Side Commercial Association entitled: Local transportation in the City of Chicago, by Tomaz F. Deuther.
- . CHICAGO REGIONAL PLANNING ASSOCIATION. Outline of the regional problems and the purpose; organization scheme; accomplishments to date; treasurer's report for 1925. 17 p. mimeographed.
- CINCINNATI, OHIO.** CITY PLANNING COMMISSION. The official city plan of Cincinnati, Ohio. Adopted by the City Planning Commission, 1925. 276 p. photos., maps and plans (part folded and part colored), cross-sections, diagrams, tables. (Technical Advisory Corporation, consultants.)
- CLEVELAND, OHIO, AND METROPOLITAN AREA.** GREATER CLEVELAND TRANSPORTATION COMMITTEE. Report on passenger transportation in the Cleveland metropolitan area. 1925. 46 p. map.
- . NATIONAL SAFETY COUNCIL. The accident hazards and problems of Cleveland, Ohio. Chicago, The Council, Dec. 1924. 26 p. mimeographed, maps and blue prints, diagrams, tables.

- DALLAS, TEX.** HEAD, LOUIS P. The Kessler city plan for Dallas; genesis and development of the plan of 1910; the supplement plan of 1920; progress in fifteen years. Reprinted from *The Dallas Morning News*, Dec. 22, 1924 to Jan. 13, 1925. 37 p.
- DAVENPORT, IA.** ZONING COMMISSION. Zoning Davenport: an explanation of the preliminary zoning plans for the city of Davenport. Jan. 1925. 7 p. photos., map. (Bennett, Parsons, and Frost, consultants.)
- DAYTON, OHIO.** CITY PLAN BOARD. Grade crossing elimination: the improvement of railroad conditions, Dayton, Ohio. 1925. 71 p. photos., maps and plans (part folded), diagrams, tables. (Technical Advisory Corporation, consultants.)
- DENVER, COL.** ZONING COMMISSION, CITY AND COUNTY OF DENVER. Building zone ordinance and zone map and amendment to the city charter. Published and effective Feb. 11, 1925. 23 + 12 p. diagrams.
- DES MOINES, IA.** BARTHOLOMEW, HARLAND, AND ASSOCIATES. A preliminary major street plan for Des Moines, Iowa. Des Moines, City Commissioners, Zoning Commission, 1925. 68 p. maps and plans (part folded), cross-sections, diagrams.
- This is the first section of a comprehensive plan.
- ——. ZONING COMMISSION. Proposed zoning ordinance. 1925. 4 p. folded to 16 p. maps. (Harland Bartholomew, city plan engineer.)
- DETROIT, MICH.** ADVISORY COMMITTEE OF COMMON COUNCIL. Carrying out the master plan. Report by committee appointed Apr. 14, 1925. Oct. 2, 1925. 40 p. photo., plans. (John P. Hallihan, engineer in charge.)
- ——. BUREAU OF GOVERNMENTAL RESEARCH. The proposed memorial hall and civic center: a memorandum submitted to the Special Committee composed of the Committees on Ways and Means and Public Buildings of the Wayne County Board of Supervisors. July 1925. 14 p. mimeographed. plan.
- ——. CITY PLAN COMMISSION. Annual report, 1924. Submitted Jan. 15, 1925. 23 p. photos., map and plans (part folded), drawing. (T. Glenn Phillips, consultant.)
- Special feature is plan for air port.
- ——. CITY PLAN COMMISSION AND THE RAPID TRANSIT COMMISSION. Vernor highway. Sept. 8, 1925. 13 p. folded plans.
- ——. RAPID TRANSIT COMMISSION. City of Detroit vehicular traffic in 1925. Oct. 8, 1925. 29 p. folded plans and diagrams, tables. (Daniel L. Turner, consulting engineer; John P. Hallihan, engineer in charge.)

**DISTRICT OF COLUMBIA.** PUBLIC UTILITIES COMMISSION. 1925 Transportation survey, by McClellan and Junkersfeld, Inc., Engineers: report to Public Utilities Commission, District of Columbia, 1925. 2 vol. mimeographed; vol. 1, 187 p. and 274 plates; vol. 2, appendices I-VI, maps, tables, charts.

**DUXBURY, MASS.** ZONING COMMITTEE. The action of the town of Duxbury of Mar. 7, 1925, concerning a zoning by-law, and the report of the committee appointed to consider, to report and to recommend. Issued to the citizens of Duxbury, Aug. 18, 1925. 14 p. folded map. (Charles W. Eliot 2d, consultant.)

**EL PASO, TEX.** CITY PLAN COMMISSION. The city plan of El Paso, Texas. Published by authority of the Mayor and City Council, 1925. 71 p. photos., maps and plans (part folded), cross-sections. (George E. Kessler, consultant; W. E. Stockwell, Engineer and Secretary of City Plan Commission.)

**EVANSVILLE, IND.** CITY PLAN COMMISSION. Plans for the development of a system of major streets, Evansville, Indiana. 1925. 56 p. maps, plans, cross-sections, diagrams. (Harland Bartholomew and associates, city plan engineers.)

The first of a series of city planning studies.

———. Zone ordinance of the City of Evansville, Indiana. Published Sept. 1, 1925, under the authority of the Common Council of the City of Evansville, Indiana, and under the supervision of the City Plan Commission. 37 p. folded maps. (Ordinance no. 1269.)

**KENOSHA, WIS.** CITY PLANNING COMMISSION. The city plan of Kenosha, 1925. 112 p. photos., maps and plans (part folded and part colored), cross-sections, diagrams, birdseye perspectives (part folded). (Harland Bartholomew and Associates, city plan engineers.)

**LONG ISLAND, N. Y.** LONG ISLAND STATE PARK COMMISSION. First annual report . . . to the Governor and legislature of the State of New York, May 1925. 72 p. photos., map and plans (part folded), drawings. (Henry Hicks, landscape adviser.)

———. NASSAU COUNTY COMMITTEE. Reports, 1925.

A park system for Long Island: a report to the Nassau County Committee by Charles Downing Lay. Privately printed, 1925. 16 p. folded map.

Planning Nassau County: a report by Charles Downing Lay. June 1925. 7 p. plans. (Nassau County Committee report no. 2.)

The development of Jones Beach, Long Island, as a great ocean park. Oct. 1925. 7 p. diagram. (Nassau County Committee report no. 3.)

The Nassau County Committee and state parks on Long Island. Oct. 19, 1925. 6 p. map. (The same with a note on the proposed transfer of Hempstead's town lands to the state was also published by the committee.)

———. REGIONAL PLAN OF NEW YORK AND ITS ENVIRONS. The present critical situation on Long Island. Dec. 8, 1925. 8 p. map.

The first of a series of bulletins now in course of publication.



**LOUISVILLE, KY.** EMERSON, HAVEN AND ANNA C. PHILLIPS. Hospitals and health agencies of Louisville, 1924: a survey made for The Health and Hospital Survey Committee of The Louisville Community Chest. 1924. 174 p. maps, charts, tables.

**LOWELL, MASS.** PLANNING BOARD. Second annual report. Jan. 15, 1925. 32 p. folded map.

Contains proposed zoning ordinance prepared for Planning Board by Arthur C. Comey.

**MARIEMONT, OHIO.** THE MARIEMONT COMPANY. A descriptive and pictured story of Mariemont, a new town, "A national exemplar". Cincinnati, 1925. 64 p. photos., map and plans, drawings, chart.

**MILWAUKEE COUNTY, WIS.** REGIONAL PLANNING DEPARTMENT. First annual report. 1924. 45 p. photos., plans. (W. F. Cavanaugh, county highway commissioner and planning engineer; E. A. Howard, supervising engineer; Phelps Wyman, landscape architect and engineer.)

**NEW BRUNSWICK, N. J.** CITY PLANNING COMMISSION. The New Brunswick plan. 1925. 92 p. photos., maps and plans (part folded), drawing, cross-sections, diagrams. (Herbert S. Swan and Associates, consultants.)

Follows two special reports of 1924 on Civic Center and Raritan River Bridge which are also incorporated in this report.

**NEW YORK STATE.** STATE COUNCIL OF PARKS. First annual report . . . to the Governor and Legislature of the State of New York. Albany, Conservation Commission. Oct. 1925. 77 p. photos., maps and plans (part folded), folded chart, drawing.

**NEW YORK METROPOLITAN REGION.** REGIONAL PLAN OF NEW YORK AND ITS ENVIRONS. Bulletin. New York, 1925.

No. 10: Planning of unbuilt areas in the New York region: a form of state enabling act with annotations, prepared by Edward M. Bassett. 11 p.

———. Economic series: Monographs. New York, 1925.

No. 7, 8, 9: The clothing and textile industries, by B. M. Selekman, Henriette R. Walter, and W. J. Couper. 104 p. diagrams, tables.

No. 11: The wholesale markets, by George Filipetti. 69 p. diagrams, tables.

———. Engineering series: Monograph. New York, 1925.

No. 1: Highway traffic in New York and its environs, including a program by Nelson P. Lewis, for a study of all communication facilities within the area, by Harold M. Lewis in collaboration with Ernest P. Goodrich. 127 p. photos., maps (part folded), diagrams.

**NIAGARA REGION, N. Y.** NIAGARA FRONTIER PLANNING ASSOCIATION. Bulletin no. 1, Apr. 1925. Tonawanda, N. Y. 4 p. map.

- PENNSYLVANIA.** GIANT POWER SURVEY BOARD. Report to the General Assembly of The Commonwealth of Pennsylvania. Harrisburg, Feb. 1925. 480 p. photos., maps, diagrams, tables. (In charge of the Survey: Morris Llewellyn Cooke, director.)
- PITTSBURGH, PA.** TURNER, DANIEL L., AND WINTERS HAYDOCK. Report on a recommended subway in the first and second wards of Pittsburgh; or, proposed first step in a rapid transit program. Pittsburgh, Traffic Commission, Bureau of Traffic Relief, Jan. 23, 1925. 54 p. maps and plans (part folded), diagrams, cross-sections.
- ST. LOUIS, MO.** BOARD OF ALDERMEN. St. Louis Rapid Transit Survey, 1925: three progress reports, by C. E. Smith, consulting engineer. Printed by the Civic Council on Rapid Transit, 1925.
- Financing rapid transit for St. Louis. 11 p.
- Population; street car travel. Apr. 1925. 15 p.
- Relation between street car and automobile traffic in congested district. Oct. 1925. 9 p. folded maps.
- ——. BUILDING OWNERS AND MANAGERS ASSOCIATION OF ST. LOUIS. The St. Louis traffic problem. Apr. 14, 1925. 24 p. photos., map, plans, cross-sections, diagrams, tables.
- ——. ST. LOUIS CONFERENCE ON STREET AND HIGHWAY SAFETY. Report of Conference, May 20-21, 1925. 68 p. maps, diagrams.
- SAN FRANCISCO, CALIF., AND REGION.** O'SHAUGHNESSY, M. M. Report on municipal railway extensions. Board of Supervisors of the City and County of San Francisco, Feb. 26, 1925. 12 p. table.
- ——. BARTHOLOMEW, HARLAND. The San Francisco Bay region: a statement concerning the nature and importance of a plan for future growth. Submitted to the Regional Plan Association of the San Francisco Bay Counties, Sept. 1925. 30 p. map.
- SANTA BARBARA, CALIF.** CHENEY, CHARLES H., AND OLMSTED BROTHERS. Major traffic street plan, boulevard and park system for Santa Barbara, California. Adopted by the City Planning Commission, Sept. 30, 1924; Board of Park Commissioners, Nov. 20, 1924. Published 1925. 70 p. plans (part folded).
- SARASOTA, FLA.** NOLEN, JOHN, AND PHILIP W. FOSTER. Report on comprehensive city plan for Sarasota, Florida, based on the planning survey and existing conditions map previously prepared and submitted. Cambridge, Mass., 1925. 24 p. photos., map and plans (part folded and part colored), tables.
- SCHENECTADY, N. Y.** CITY PLANNING COMMISSION. Preliminary report on major streets, transit, parks and playgrounds, 1924. Published 1925. 26 plates with accompanying text. photos., maps and plans (part folded), cross-sections, chart. (Harland Bartholomew, consultant.)

**SPRINGFIELD, ILL.** WEST, MYRON HOWARD, AND STAFF OF AMERICAN PARK BUILDERS. City plan of the city of Springfield, Illinois, prepared . . . under the direction and approval of the Springfield Zoning and Plan Commission; adopted by the City Council of the city of Springfield, and made official city plan, 1924. Published by order of the City Council, 1925. 95 p. photos., plans (part colored), perspectives, diagrams, cross-sections, charts.

**UNION COUNTY, N. J.** UNION COUNTY PARK COMMISSION. Report for period from January 1923 to October 1925. Elizabeth, N. J., 1925. 47 p. photos., folded colored plans, chart, tables. (Olmsted Brothers, consulting landscape architects.)

Contains development plans for park system.

**WAKEFIELD, MASS.** PLANNING BOARD. Report . . . to the citizens of the town, 1925; a proposed plan for Wakefield, by Arthur C. Comey; a proposed zoning by-law. 1925. 20 p. photos., maps, plans (part folded and part colored), cross-sections.

Zoning by-law adopted Nov. 16, 1925, also printed separately.

**WASHINGTON, D. C.** See **DISTRICT OF COLUMBIA.**

**WESTCHESTER COUNTY, NEW YORK.** WESTCHESTER COUNTY PARK COMMISSION. Report to the Board of Supervisors of the County of Westchester, State of New York, Apr. 30, 1925. 111 p. photos., folded plans (part colored), perspectives, tables. (Jay Downer, chief engineer; Gilmore D. Clarke, landscape architect.)

Contains plans for extension of park system.

An historical account of Westchester County parks by J. Downer, and J. Owen was reprinted in pamphlet form from History of Westchester County, 1925.

**WESTERLY, R. I.** TOWN PLANNING COMMITTEE. Report consisting of recommendations for correction of street plan north of the railroad, and west of high street; thoroughfare plan of entire town; plan for lowering and widening of Union Street, and of a new business street; plan for widening Broad Street. 1925. 39 p. photos., map, plan. (Robert Whitten, city planning consultant; Charles F. Fisher, associate.)

**WICHITA, KAN.** CITY PLAN COMMISSION. A comprehensive city plan for Wichita, Kansas, 1923. Published 1925. 128 p. photos., maps and plans (part folded), perspectives, cross-sections, diagrams. (Harland Bartholomew and Associates, consultants.)

**WINCHESTER, MASS.** PLANNING BOARD. Report for 1924. Published as part of Reports of Town Officers, p. 177-192. folded plans. (Arthur A. Shurtleff, consultant.)

**WORCESTER, MASS.** PLANNING BOARD. A city plan for Worcester, Mass., submitted by the Planning Board to the Mayor and City Council as their annual report for the year ending Nov. 30, 1924. 173 p. maps and plans (part folded), birdseye perspective, tables. (Technical Advisory Corporation, consultants.)

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QUARTERLY

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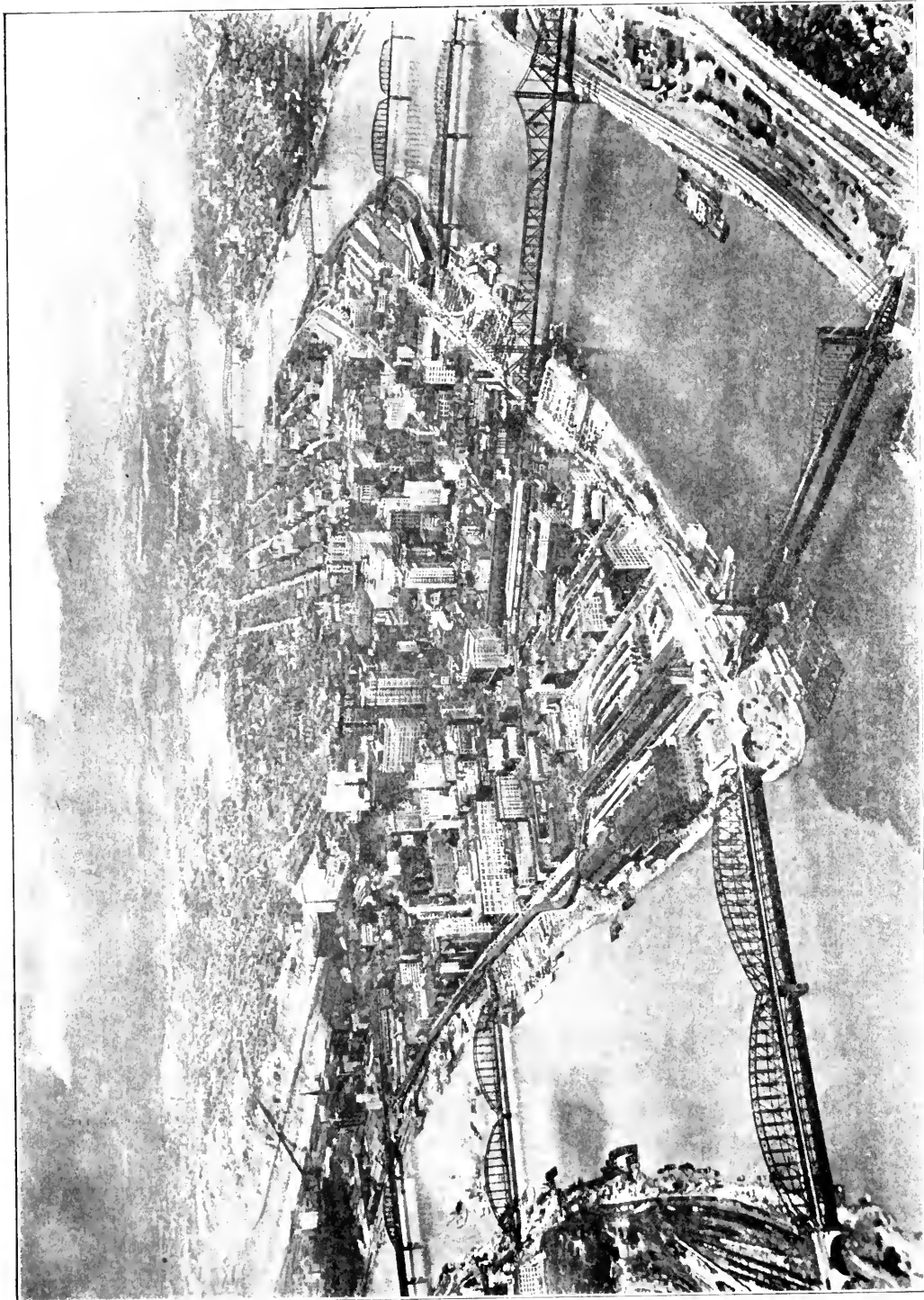
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NATIONAL CONFERENCE ON CITY PLANNING  
QUARTERLY

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Vol. 2

July, 1926

No. 3

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## THE CITY ENGINEER AND CITY PLANNING\*

*By* MORRIS KNOWLES, Chairman, and U. N. ARTHUR, Chief Engineer,  
Pittsburgh City Planning Commission

THE rapid growth of urban districts during the last half century has brought with it many new and complex problems, including those of sanitation and sewerage systems, adequate and dependable supplies of water, widening of existing and development of new streets, provision for and control of interurban traffic on thoroughfares, transit and transportation problems, with their attendant terminal facilities. During recent years, these and many other problems have become the ever growing responsibilities of city officials and particularly of those with technical training and special responsibility. The number, magnitude, and intricacy of these problems have created the engineer's opportunity.

Prior to the dawn of the present century few engineers in municipal service were clothed with any governmental or administrative power or executive responsibility. As a rule they served as mere mechanical adjuncts in the hands of laymen who operated as the political executives. The duties of these technical men were largely to make surveys according to preconceived instructions, to give lines and grades for streets and other kinds of works, to prepare detail plans and estimates of cost, and

\*The words in this title are not to be understood as being delimiting in effect. Not only is the term "City Planning" used in its broadest sense to include all forms of foresighted municipal activity, but the term "City Engineer" is to be taken as including that type of technical man in the city employ who is concerned with the various activities of public works and improvements, some of which are not always assigned to the City Engineer's office as such, but may be to operators of municipally-owned public utilities or consultants engaged in the several fields.

to supervise construction. With these factors, their responsibility began and ended, if everything were fortunate; but oft times they were held severely to account, if mistakes occurred, either in the conception of the piece of work or in the execution thereof. Not they but others had to do with the original conception, and were expected to look ahead and plan for the future.

### **Poor Coördination and Topographic Difficulties**

In the development period of our early American cities the factors of planning and the economies to be derived therefrom gave way largely to political considerations and expediencies. The prime example of this lack of coördination is the addition of unrelated pieces during the early growth of cities. Such additions consisted largely of the development of single tracts or farms, laid out with such arrangement of streets, and alignments widths and grades as seemed to best serve the selfish interests of the developers. Little did they care if such plans barred their neighbors from access to streets in their own subdivision. As a natural consequence of this general neglect it is no wonder that many of our streets are uneconomically located with respect to alignment and gradients, and particularly as to jogging street intersections with an adjacent plan.

Another type of unfortunate development is found in cities with steep slopes, where utter disregard of rugged topography has now brought about serious problems in the upkeep of streets and other public works, both because of excessive grades and the poor design of sewerage and drainage systems. These results of a rectangular layout of streets on steep hillsides have been so frequently found in the past—yes, found now—that to call attention to such a layout is enough to bring back to the mind of the reader the many troubles that come from such poor planning.

An illustration of this type of development is the so-called "City District Plan", authorized by the Legislature of Pennsylvania, in 1836. This embraced an area of 3,200 acres of undeveloped territory, immediately east of the City of Pittsburgh, to which it was contemplated

at that time to annex it. This act authorized the appointment of a Commission, gave it power to employ a competent surveyor, and directed the Commission as follows:

“To make and lay out a general plan of the said district; to survey, locate and mark therein such streets, alleys and squares as they shall think proper, giving to the same such arrangement and dimensions as shall in their judgment be best calculated to meet the wants and convenience of any future population, and the said commissioners shall cause to be erected or inserted at suitable points within the said district landmarks of durable materials, from which the boundary lines of the said district, sections, streets, alleys and squares, contained in the said general plan may at any time be retraced and determined”.

The act, however, restricted the work of the Commission by providing:

“that all streets, lanes and alleys within the said district which shall have been, previous to the making of the said plan, laid out and appropriated by private persons or otherwise for public use or for the use of the owners of lots fronting thereon, or adjacent thereto, shall be adopted, inserted in and made part of the said general plan, with such increase of width and extension as the said commissioners may think in any case necessary and expedient”.

This act provided, in its essence, an excellent beginning for a comprehensive plan for the development of this important section which later became part of the present city. The Commission, however, failed to give due consideration to the rugged topography and, in many cases, located streets with excessive grades in conformity to the then general belief that a rectangular plan was the best. This was no doubt due, in some large measure, to the fact that at that time sufficient data as to topography were not acquired. Thus there was practically no reliable guide as to the proper location of streets if it were desired to have the blocks other than rectangular. In some instances those streets which later became important thoroughfares were of insufficient widths. All

of these facts, coupled with the opposition of property owners and the failure to visualize the needs of the forthcoming city which we have today, rendered this first attempt to make that which might have been a comprehensive plan for directing the growth of the city, really of little effect.

### **Annexation Chaos**

A factor that has entered largely into the illogical and chaotic development of some of our large American cities is the growth by annexations. Cities have frequently been built up by the grouping of several smaller municipalities, such as the annexation of small cities, boroughs, townships, villages, etc., to the larger one. Each of these frequently has its own development as a local unit, with streets and open spaces suited to its individual character, but which were never correlated or planned so as to fit in with the final arrangement of the larger city of today.

This disturbing condition has been realized for some time and we find in several states legislation which authorizes the proper planning body of the city to extend its jurisdiction for some reasonable distance outside the city limits. Three to five miles is a good distance, but in some states it is even greater. The purpose is so to control developing allotments that, when the time comes and when they are made part of the municipality, the job of the City Engineer in fitting together the streets, sewer systems and other public facilities will not become too burdensome and difficult because of haphazard developments in the past. With the extension of authoritative powers and appreciation of the benefits to be derived therefrom, it is to be hoped that this trouble of coördinating annexed territory will be avoided in the future.

### **Extension of Responsibilities**

With this recent growth of American cities, the engineer has come to assume a more responsible position, i. e., he has had more planning and directing influence for individual activities, but again, all too frequently, this responsibility has been confined to a single function.

Complete executive control for single operations, like a new water works system, or operation of the existing one; the design and sometimes operation of the sewerage system and its treatment and disposal plants; the design and construction of bridges and important thoroughfares; the design and operation of sanitary works, in connection with garbage and rubbish disposal have not been unknown, particularly in the last quarter of a century. Even yet, however, it is all too frequently true that this same engineer has had but little opportunity to visualize all of the municipal activities in their multiplicity, and to study and understand the relationship of the various factors that go to make up the fabric of the city life.

There are, however, indications that he is becoming more conversant with this wider field of municipal activity and has had the chance to see the relationship between the various branches of service controlled by the central government and administered by the several bureaus. The engineer gradually has become impressed with the necessity for the comprehensive plan that will serve as a basis for the correlation of all the activities of the city government. The development of the "City Manager Plan" of administration, in its effect, has been the elevation of the competent engineer to the position of the managing city-executive. This has had the joint result of showing the necessity for such coördination and of demonstrating the fact that no one activity of the city can be pushed to the extreme and all others forgotten.

Now that engineers are beginning to assume executive positions of responsibility with breadth of influence, as frequently under the City Manager plan, and now that they have become more thoroughly convinced of the necessity of comprehensiveness in consideration of the future growth of the city, another danger has loomed. Immediately, there is evident the responsibility of maintaining the ordinary house-keeping activities of the city; i. e., keeping the daily functions moving, of supplying water, disposing of sewage, cleaning streets, and numerous other activities, which are so little noticed and appreciated when everything is going right, but particularly annoying if not kept in good condition. So much occupies the time of this new type of executive,

that he has but little time available for consideration of larger developments and more ambitious general plans for the future. In addition, even where future plans are being considered, the superficial and visible things are the first to attract attention. It is much easier to secure attention and to raise money for attractive schoolhouses, parks, boulevards, and such improvements than it is for the sometimes more fundamental but out-of-the-way, out-of-sight, important activities, such as large water mains in the street, or sewer or drainage systems, which are under the ground.

### **Financial Considerations a Check**

Another vital factor, which acts as a retarding element in providing for the necessary surveys and extensions to meet growing demands, is that of financing. In many of the large cities, even after comprehensive plans have been prepared, sometimes through the agency of groups of public-spirited citizens organized for this purpose, or perhaps by the regularly constituted department of the city government, it becomes difficult to find the wherewithal to finance the extension of city improvements. The desire for the orderly, logical and comprehensive plan for the building of the city may be evident and recognized, but improvements that are essential or urgent to meet current needs may prevent its fulfillment.

What has been the cause? There are many, and not in all cases can we point to the same reason, although, in general, such failure centers around improper planning in the past or unwise adjustment of the burden of caring for the city's present activities. Sometimes previous works, like street improvements, have been provided by bond issues extending over a greater length of time than the reasonable life of the substructure or foundations, not to say the surfacing. Again, public works of a revenue-bearing nature, like water works and similar activities, constructed out of bond funds, have frequently been carried on with rates too low properly to provide for the necessary operation, repairs, maintenance (immediate and deferred), and the depreciation account. Thus when it becomes necessary to meet these demands, we

find no funds available for major up-keep and replacements and have to resort to new bond money. Similar remarks may be made regarding the substitution of water mains and sewers by larger units, replacement of antiquated fire department equipment and rebuilding of bridges, rendered too light for modern automobile equipment. The result has been disappointment, and inability to carry out to fulfillment ambitious plans for city development and provisions for future growth.

### **An Example from Pittsburgh**

In the City of Pittsburgh there has recently occurred an example of this disappointment to city planners. Some time ago a patriotic group of citizens, known as the "Citizens Committee on City Plan", issued one of a series of reports, entitled "The Major Street Plan". This comprised a study of the whole thoroughfare system of the city and particularly the arteries extending into and through the environs. During 1925, the City Council made a liberal appropriation to the City Planning Commission for making a detailed study of the "Inter-district Traffic Circuit". This included the principal elements of a thoroughfare study, as far as it related to the "Downtown Business Section" and "Triangle". The Planning Commission, with its staff and advisory experts, spent some nine months upon this detail study and issued the report in December. This report covered seventeen different groups of principal systems, each of which was subdivided into items varying in number from one to four.

The cost of the whole list of improvements vitally needed to care for future growth in the downtown district would probably amount to as much as \$50,000,000. This in fact is a part of a whole improvement program, amounting to about \$300,000,000, which will be required in the next quarter of a century. The plan called attention to those items which are important for immediate consideration. Those considered in this group were estimated at between \$15,000,000 and \$20,000,000.

The several projects studied are shown upon the accompanying map. The dotted lines indicate new thoroughfares or widening of exist-

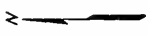
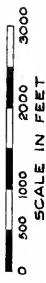
ing streets. It will be noted by those familiar with the city that they provide cross-town through connections, some of which are elevated to prevent interference with traffic.

This complete report, made to the City Council before the close of the fiscal year of 1925, was expected to become the basis of discussion for a proposed bond issue early in the year 1926. What was the result? Immediately upon attention being directed to the interests of the city and the discussion for the bond issue, it was apparent that such improvements as would be proposed within the limits of the city's credit would be entirely exhausted by several of the kind of items previously mentioned. Many of these represent the ordinary municipal house-keeping and the necessity of placing public works of the city in a proper condition to perform their functions. It was found that such fundamental items as reconstruction of streets rendered inadequate by heavy traffic, bridges rendered unsafe by heavier motor loads, sewer systems found insufficient to care for storm water flows, new waterworks pumping machinery and reconditioning of reservoirs, incomplete items of previous bond issues for which there was not sufficient funds, institutions for dependents,—together would require all the money that could be obtained under the limits of the proposed bond issue. This amount was about \$20,000,000, and the question was placed before the people to be voted upon Tuesday, May 18th. Because of the realization of the need and necessity of all of the ten items, each was carried by a large vote. The only item of the bond issue included in the study by the City Planning Commission is the widening of Grant Street.

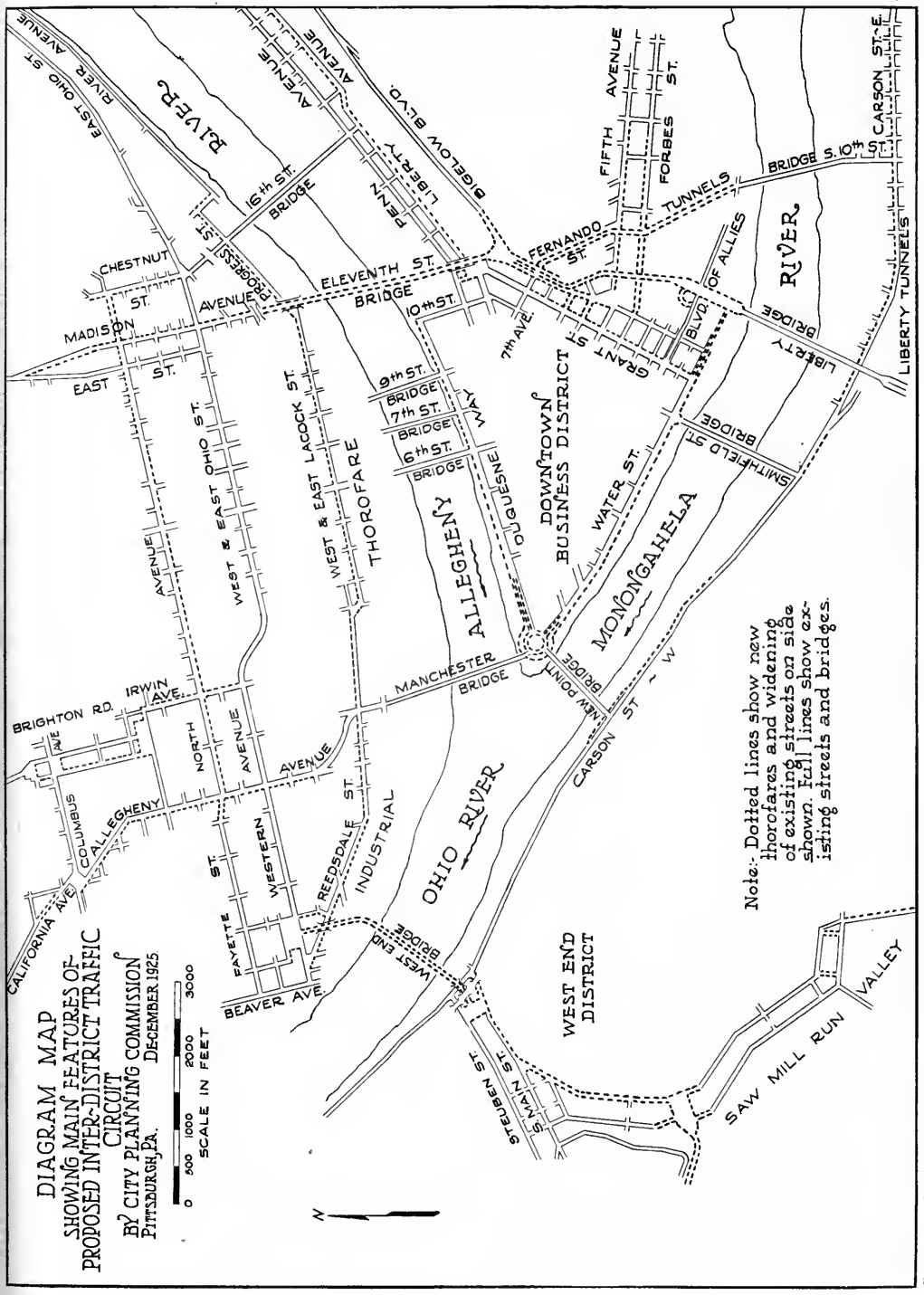
However, the City Planning Commission and its technical staff are not discouraged, for they realize that an important public service has been fulfilled by this study and by having called attention to the fact that, when and if undertaken, these new improvements should follow a logical and predetermined plan and arrangement. It is hoped that the study will have the effect of preventing ill-considered, piece-meal items being done in the future, in a way not to fit in with the general plan.



DIAGRAM MAP  
 SHOWING MAIN FEATURES OF  
 PROPOSED INTER-DISTRICT TRAFFIC  
 CIRCUIT  
 BY CITY PLANNING COMMISSION  
 PITTSBURGH, PA. DECEMBER 1925



Note: Dotted lines show new  
 thoroughfares and widening  
 of existing streets on side  
 shown. Full lines show ex-  
 isting streets and bridges.



### **Maintenance and Planning**

What is the lesson? The responsibility of the city officials and particularly the men in technical service—the engineers—to look ahead and prepare for the future needs, and to see that the ordinary maintenance and up-keep is provided through current funds. When the time arrives for major improvements, there will then be opportunity to carry these out as the demands arise. He who knows the conditions and the need for money should, without ever tiring or ceasing, call attention to these annual requirements, and meet emergencies in the same way that private corporations meet them.

Certain improvements should be met out of assessments upon benefited property wherever situated. This, in many states, requires constitutional changes and new enactments. Some expenses should be paid out of tax levies, notwithstanding the ever increasing pressure to keep these down. Maintenance, repair and renewal of certain types of public works, which are revenue-producing, together with depreciation funds for replacement, should be provided out of rates which will allow these properties to be self-sustaining. Thus there may be accumulation of municipal credit and the opportunity to build new and important improvements out of bond funds, as well as assessments where such are proper.

In addition to assessments for public improvements, another method which is provided in some states is that of excess condemnation, by which large improvements can be carried on with lessened expense to the municipal purse. Where it is possible, the taking by eminent domain should include all of the needed area and, at the same time, the jagged excesses. Then the excess land may be converted into attractive areas or re-sold, with the resultant lessening of the total cost, by virtue of the money received.

There is visible evidence that engineers and technical men are coming to assume more important posts—in advising and sometimes in directing the affairs of municipalities. Through the advent of the City Manager, the thoroughly trained and public-spirited engineer in city

service, and through the advisor to the Planning Commissions, the public has been convinced of the importance of preparing and providing for the accomplishment of a comprehensive plan. Expert service, in consideration of rates for public utilities, has developed a wider knowledge that municipal, as well as private utilities, should be financed on the basis of paying their way. Engineers have long been foremost in understanding and in promoting a realization on the part of the public that complete topographic maps are excellent guides for all developments. Thus we may hope soon to avoid the troublesome examples of rectangular layouts upon rough topography; of offset street intersections, where adjacent developments meet; and examples of sewer systems, found to be inadequate soon after the area is somewhat developed with impervious surfaces. Not the least important result to be obtained from such complete information will be the ability to lay out thoroughfares where they will be required in the future, as well as the planning of narrower streets where topography indicates and where the area is to be largely residential. The combined result of such knowledge and looking ahead will be to prevent undue street gradients and cause the flow of traffic through thoroughfares with less interruption than now occurs with poorly planned intersections.

Last, but not least, is the increasing appreciation that adequate and comprehensive zoning ordinances will aid in the planning for the future. The engineer and the public utility developer realize this and appreciate the importance of knowing in advance what the uses and development of certain property are to be.

These considerations, and many others not mentioned but included within the scope of this article, will make it possible for our cities to look ahead and plan reasonably for the future. They will make the work of the engineering administrator of the next quarter of a century materially less irksome than it has been in the past, and the conduct of our city affairs far more efficient. They will give us cities more convenient in which to do business and more enjoyable in which to live.

# MILESTONES IN THE PROGRESS OF OUTDOOR ADVERTISING REGULATION\*

## THE PRESENT STAGE OF THE BILLBOARD CAMPAIGN

By HAROLD A. CAPARN

**T**WO principles of restraint have emerged to the surface of public antipathy to the scenery-defacing billboard in the past twelve years or so. One of them is the growing recognition by advertisers that advertising that is offensive in itself does not pay, but actually creates a prejudice against the goods it aims to market; the other is the formal recognition by courts in two states and one dependency of the esthetic principle of regulating billboards, by which is meant that, under certain conditions, the community has a grievance against things whose offence is conveyed through the sight as much as against those offending through the nose and ears.

The real difficulty behind the esthetic grievance lies in the fact that most people are agreed as to the intolerableness of many sounds or smells, but that great numbers appear quite insensitive to sights that cause discomfort in others. Beauty or its reverse is so much a matter of individual opinion or feeling that these two opposites cannot be classified and put into separate pigeonholes, convenient as this would be for many reasons and purposes. Though the unseemliness of sights, sounds and odors alike passes through physical senses, yet the sights appeal to a different set of sensibilities and one probably far more refined and complex than the other two: sensibilities, in fact, which appear to those who have them, to be more or less dormant in a great part of mankind. So it is no wonder that the practical legal mind is unwilling to admit distinctions so difficult to define as those between the beautiful and the ugly. Yet the attempts to classify these unclassifiable qualities are incessant and widespread; and if there is a great deal of failure, the failure is by no means complete, for there is large consensus of opinion all over civilization as to what is beautiful and

\*The writer is much indebted to Mr. Albert S. Bard of the New York Bar who has edited this article and supplied valuable suggestions and legal material, and to Mr. Frank B. Williams who has read it and aided with helpful criticism.

what is not. Even though no one can demonstrate the beauty or ugliness of anything, there is so extensive a body of agreement as to the beauty of many things, for instance, natural scenery, many classes of painting, sculpture, architecture, music and literature, that to all intents and purposes, the quality of beauty in these particular cases may be regarded as proven.

So with billboards. The agreement as to their unsightliness and unseemliness in many situations is so general that it may be said to need no demonstration. Innumerable people suffer more or less acute annoyance from them. Others suffer not mere annoyance, but also the actual lowering of their property values which shows that they cause annoyance to prospective buyers and discourage them from purchase.

When a thing is offensive and a cause of resentment to a sufficiently large number of citizens, it becomes a public nuisance, and the community is justified in taking its own methods to suppress it. But in a law-abiding country public resentment finds expression through the law as interpreted by the courts; and so far, our courts have rarely been impressed by the weight of public opinion sufficiently to overcome their reluctance to recognise the grievance against billboards as real and amenable to the law.

Yet this grievance is a real one, and not an outgrowth of mere whim or petulance. The dislike of billboards is not a fad, a fashion, an outburst of temporary popular feeling: it is founded on the consciousness that rural billboards are flagrant examples of the wrong thing in the wrong place, eyesores causing unnecessary and avoidable annoyance. Does not this word "eyesore" contain in itself the substance of the anti-billboard argument?

It is not that the advertiser is trying to sell his goods to as large a public as possible, for that is what nearly everyone with any kind of goods for sale is trying to do, and commerce depends upon it; it is that in the process of exploiting the public the advertiser is depriving it of one of its inalienable rights, the unimpeded view and enjoyment of natural scenery. In this term "natural scenery" is included a vast extent of personally-owned and humanly-created scenery. And if it

should seem to some that the use of such landscape is the concern of the owners only, it must not be forgotten that the billboard derives its advantage entirely from the public thoroughfares from which it is visible. (See the opinion of Justice Trent, quoted below.)

The organised billboard industry has begun to realise all this and is trying to improve the quality of the boards themselves, so that many of them are now well designed and less unsightly than others. But this does little or nothing to justify their presence in many locations. If the processes of Nature working together for ages have produced some composition of foliage, rock and water so harmonious and striking in character that the ordinary motorist will stop his car to look, this is just the place where many an advertiser will desire to rear a rectangular structure of carpentry and paint. But though the carpentry be workmanlike and the paint be laid on adroitly, there is no harmony between the natural picture and the visual shriek about goods for sale.

The truth is, that the design of the billboard makes little difference to its hopeless unfitness for many situations. The intensity of popular resentment against it is not due to its being frequently hideous in itself, not to its containing an advertisement, but to its being put where it is. If there is a spot where the passer-by desires to rest his gaze, that is just where the live billboard man desires to intercept and disturb it. On the theory that the basis of advertising is the attracting of public attention, he jumps to the conclusion that the only thing that matters is the attention, not the means by which it is attracted, and he forever seeks the points of vantage where the public gaze is most likely to rest so that he can entrap it with one of his boards; but instead of *attracting* public attention, he tries to *arrest* it, forgetting that an arrest, even though it may be only of a gazing eye, is usually submitted to unwillingly, and is as likely as not to retard the sale of his goods, excellent though they might be.

Thus it inevitably results that the rural billboard, whether well or badly designed, is a highly unwelcome intruder, a hopeless misfit, and as such, challenges and receives some of the obloquy it deserves.

But not, by any means, all. For the irritation it produces in innumerable discriminating people is a small evil compared with the wrong done to innumerable others whom it does not irritate. They are so used to the ubiquitous billboard that they accept it as a matter of course, as part of the regular order of things like buildings and railroads and daily papers and taxes, and are thus educated to regard an unfit and incongruous thing as proper and normal, to accept glaring emblazonments of tires and soap and cigarettes as substitutes for their natural scenery and the repose and amenity of their countryside. They learn to tolerate a personal vaunt in exchange for the impersonal beauty that is the right of all. It is like teaching them false principles of art or law or philosophy or of any other of the less material subjects that occupy and elevate the human mind. Is not this a real infringement of the community's rights and a hindrance to the advance of civilization? Should not this come within the control of the law which exists to protect the rights of the people?

In the history of the efforts to restrain the excesses of outdoor advertising under the esthetic principle, three notable events are on record. First in order of time is the decision of the Supreme Court of the Philippines written by Justice Trent (*Churchill v. Rafferty Collector of Internal Revenue*, 1915, 32 Phil. p. Rep., 580) in the course of which he says:

“Without entering into the realm of physiology, we think it quite demonstrable that sight is as valuable to a human being as any of his other senses, conduces as much to his contentment as the care bestowed on the senses of hearing or smell, and probably as much as both together.” Again “Objects may be offensive to the eye as well as to the nose or ear. Man's esthetic feelings are constantly being appealed to through his sense of sight. Governments have spent millions on parks and boulevards and other forms of civic beauty, the first aim of which is to appeal to the sense of sight. Why then should not the Government interpose to protect from annoyance this most valuable of man's senses as readily as to protect him from offensive noises and smells?”

It is well to guard against confusion between physical damage to the eye and offense to the mind or sensibilities of the beholder, of which the eye is only the channel. The billboard does not injure his sight: it outrages his sensibilities, or gets on his nerves for reasons that I have tried to set forth.

This decision sustained a statute empowering the Collector to remove billboards if they are objectionable to the sight, as a proper exercise of the police power. Justice Trent further said:

“The success of billboard advertising depends not so much on the use of private property as it does on the use of the channels of travel used by the general public. Suppose that the owner of private property who so vigorously objects to the restrictions of this form of advertising should require the advertiser to paste his posters on the billboards so that they would face the interior of the property instead of the exterior. Billboard advertising would die a natural death if this were done, and its real dependency, not upon the unrestricted use of private property, but upon the unrestricted use of the public highways, is at once apparent. Ostensibly located on private property, the real and sole value of the billboard is in its proximity to the public thoroughfares. Hence we conceive that the regulation of billboards and their restriction is not so much a regulation of private property, as it is a regulation of the use of the streets and other public thoroughfares.”

When this opinion was written, it shed a light upon the subject that was all the more striking for its being so very obvious. Now it is one of the commonplaces of the anti-billboard argument.\*

The second notable event is the 1918 amendment to the Constitution of Massachusetts (Amendment L, now Art. 72 of the 1919 Re-arrangement of the Constitution) as follows:

“Advertising on public ways *and on private property within public view* may be regulated and restricted by law.”

The adoption of this article followed the recommendation of a special legislative commission of three eminent lawyers, including the

\*As far as known, the only previous use of this argument was by Dr. Edward Hagaman Hall, Secretary of the American Scenic and Historic Preservation Society, in the Report of the Mayor's Billboard Advertising Commission of the City of New York, 1913.



Attorney General, which had reported that such an amendment was necessary to legalize the restriction of outdoor advertising "because of its unsightliness" (H. doc. 1637 of 1915). The ratification of this amendment by popular vote established the competency of the police power to regulate unsightly advertising on private property under the authority of the state constitution.

Under this article the present billboard law and regulations (Gen. Laws of Mass. Chap. 93, Secs. 29-33) were passed. This law gives to the division of highways of the Massachusetts Department of Public Works general jurisdiction over advertising signs throughout the state with minor exceptions which do not interfere with the general principles of the law. These exceptions are certain powers enumerated in Chap. 85, Sec. 8, as given to local highway boards and to the Massachusetts State Automobile Association. It is to be noted that the jurisdiction referred to does not include the prohibition of unsightly outdoor advertising, but only its restriction.

The combined bill-posting companies of the United States, through able attorneys backed by ample financial resources, are attacking the law in the Supreme Judicial Court of the Commonwealth on the claim that it is unconstitutional. They have applied for an injunction restraining the Massachusetts Department of Public Works from enforcing the state regulations for billboards, and for a similar injunction upon the Selectmen of Concord who are trying to enforce their local by-law against advertisers maintaining illegal billboards in their historic town.

All restriction of billboards in Massachusetts is thus held up by temporary injunction, pending the argument and decision in these cases. If the State Court sustains the law, the billboard interests will appeal to the Supreme Court of the United States. A long and expensive legal contest has been started, the final issue of which will either establish legal regulation of billboards in this country on a safe foundation, or destroy our best hope of effective restraint of this growing evil.

The third outstanding event is a decision by Police Justice Hugh Knowlton sustaining an ordinance of the village of King's Point, Long Island, N. Y. (*People of the State of New York vs. Wolf and Jennings*,

decided Dec. 7, 1925). This ordinance is summarized as follows by Mr. Albert S. Bard of New York:

(1) An advertising sign erected on private property may be made illegal although neither creating unhygienic conditions, nor itself immoral nor physically dangerous. The power of the legislature to regulate the use of private property is wider than the mere protection of public health, morals or safety. Its power to enact measures to promote the general welfare is very great, and the discretion it has with respect to a choice of the means it shall employ to that end is also very great.

(2) The legislature may, in the exercise of the police power, regulate the use of private property on esthetic grounds alone, provided such regulation be reasonable in view of the circumstances of the case.

(3) Ugliness is becoming increasingly recognized as detrimental to property values, and outdoor advertising may be so regulated as to compel it to conform to esthetic conditions appropriate to the particular community.

(4) An ordinance prohibiting or regulating outdoor advertisements, although adopted for the purpose of maintaining a certain esthetic standard, is valid if reasonable in the particular circumstances of the community in which it is to operate. A restriction which would be unreasonable if applied to one place is not necessarily unreasonable when applied to another where the circumstances are different.

(5) Accordingly, a village ordinance, operative in a small homogeneous and exclusively residential village, free from and protected against commercial structures, was held to be reasonable and valid, although it prohibited outdoor advertising generally, and restricted "to let" and "for sale" signs to four feet square, and prohibited their location nearer a public street or highway than twenty-five feet, or, in the case of developed property, nearer than the building line applicable to such property.

The King's Point decision, though the latest in date of the three, yet lacks the authority of the other two, as it proceeds from an inferior local court, and has not yet received the endorsement of the higher courts. (See Addendum note, page 174).

For many years a stream of protests against the billboard evil in the form of lawsuits has been fed from nearly every state in the Union. (See especially Andrew Wright Crawford, "Important Advances toward Eradicating the Billboard Nuisance," published by the American Civic Association, Union Trust Bldg., Washington, D. C.; "The Billboard Blight," published by the Municipal Art Society of New York, 119 E. 19th St.; Frank B. Williams, "The Law of City Planning and Zoning"; "Municipal Aesthetics and the Law" by Newman F. Baker in the *Illinois Law Review* for February 1926.) It seems to the writer that most, if not all these lawsuits, no matter what the ostensible grounds of complaint, had for their compelling motive the esthetic principle. People disliked billboards in themselves, or found that they injured property values, which comes to the same thing, for this simply means that other people disliked them. Court decisions against them have almost always been based on their danger as firetraps, falling bodies, screens for filth or immorality and so forth. But these detriments are easily remedied without abolishing the boards altogether. They are all found in houses, yet no one tries to abolish houses. If a house is defective, people repair, improve or remove it and build a better one. They have no grievance against it as a house, nor against the kind of thing it is, but for being a poor or unsuitable thing of its kind.

Thus the esthetic principle is the motive behind not only most of the litigation against billboards, but behind most of the adverse court decisions. This may be inferred, not merely from the willingness of the courts to stretch the interpretation of the "order, safety, morals and general welfare" of the community to the utmost limit, but from a number of opinions of writers on law and from actual court decisions.

Now, billboards can be controlled only by the police power, which is defined as the power to enact laws to promote the "order, safety, health, morals, and general welfare" of the community. Much is necessarily left to the discretion of the legislating authorities: (see synopsis of the King's Point case above) and in fact, it is difficult to assign limits to this power, except as the power is expressly limited by a Constitution, and even then changing ideas and new experiences

modify the interpretations of these express limitations. The legal aspect of the billboard question, therefore, seems to depend entirely on the interpretation of the term "general welfare." So far, the courts have been usually unwilling to include esthetics in this term, but this is because, hitherto, there has been no public opinion wide and strong enough to assure the courts that a sufficiently large public takes esthetics seriously. In this connection, it will be well to quote the opinion of the Court in *State v. Wilson*, 101 Kansas 789, 794, 168, (1917): "The assumption that the police power extends only to the health, safety and morals of the public, which was at one time quite general, is now out of date. The modern view is that the State may control the conduct of individuals by any regulation which, upon reasonable grounds, can be regarded as adapted to promoting the common welfare, convenience and prosperity." Also the pithy conclusion of Mr. Newman F. Baker's article referred to above: "As soon as the average person may be thought to have developed an appreciation of the beautiful, the courts will, no doubt, sanction legislation for esthetic purposes."

This article should not close without reference to the recent activities of the organized billboard industry which suggest the present situation as the billboard people themselves see it.

In the autumn of 1925 the two branches of the organized outdoor advertising industry, the poster advertising agents and the painted bulletin advertising agents united into a more general association called the Outdoor Advertising Association of America, and at its Kansas City convention held in October adopted "Standards of Membership" for its members, and the following "Standards of Practice" as a five year program:

- (1) No structures to be erected which will constitute hazards to traffic.
- (2) No structures to be erected which will mar or impair scenic beauty.
- (3) No structures to be erected within the limits of state or municipal highways (public right of way).

(4) Structures to be erected only upon land owned or leased by the member companies.

(5) No copy to offend the moral sense of the public or to suggest violation of the law.

(6) No tacking, tying, pasting or placing cards, panels, or signs of any description, other than standard structures.

This reads like a half dozen of really good resolutions; but it should be noted that all this is to be "Progress Through Self Regulation". In other words, the billboard people themselves are to be the judges of what is good and what is not, both in the boards and their location. It seems quite clear that the outdoor advertising people already have a lively sense of the public indignation at the billboard excesses, and are trying to set their house in some sort of order in order to stave off as long as possible the inevitable regulation of billboards by the police power. The courts are moving away from the doctrine that billboard legislation must be based solely upon considerations of safety, health and morals, and have already reached the point where esthetics may be regarded as a legal basis of action when esthetics are incidental and subordinate (matter of *Wulfsohn v. Burden*, Mt. Vernon Zoning Case 241 N. Y. 288; 303). Within a short time the courts seem likely to recognise legislation based upon esthetics alone as inextricably and necessarily a part of the "general welfare" of the community, as well as affecting real estate values and therefore the rights of private property in neighborhoods. *But the outdoor advertisers themselves proclaim a policy of reserving this domain to themselves and to their own judgments.*

Among other interesting features of the present effort of the organised outdoor advertising industry to stem the tide of unpopularity and outspoken criticism of its business, is its endeavor to enlist the economists as allies, especially university and college professors. By some twist or association of ideas, recognition of the importance, propriety and usefulness of advertising generally as an economic factor in connection with manufacture and distribution is supposed to suggest or imply approval of outdoor advertising as now conducted; and expressions of a general nature by the economists applying, and intended

to apply to economic factors alone, especially when not guarded against such use, are cited in defense of current practices by members of the outdoor advertising industry. The recognition of this fact will carry its own corrective.

It is necessary to state that the fight against the billboard evil is not directed against all billboards, but only against those that are improperly placed. There are many locations in business districts where outdoor advertising can be installed with profit to the advertiser and without detriment to the community; in many such situations it is possible to imagine advertisements so well placed, worded and designed as to be improvements to their surroundings. This principle of discriminating between the bad and the harmless billboard was first made the basis of a fight against the billboard evil by Mrs. W. L. Lawton of Glens Falls, N. Y., who, as Chairman of the National Committee for Restriction of Outdoor Advertising, has done very great service in presenting the whole question to the public in its true light, and in bringing the organized outdoor advertising industry to understand that it has overreached itself, and must prepare to be tolerated only so far as it serves the community without impairing its amenity.

ADDENDUM.—The following note has just been received from Mr. Bard: "On June 3, 1926, after this article was written, Police Magistrate Knowlton's excellent and reasonable decision was reversed on appeal by County Judge Lewis J. Smith of Nassau County, New York. In Judge Smith's opinion the ordinance 'is not calculated to remedy any existing evil', 'does not tend to promote general welfare', and 'is discriminatory, in that it permits one kind of advertising and prohibits all other kinds'. This last point refers to the fact that real estate situated within the village may be advertised for sale, if done within the limitations prescribed by the ordinance. Judge Smith seemingly takes his stand with the legal fundamentalists. Readers may judge for themselves of the comparative merits of the arguments made by these respective judicial officers."

This reversal does not interfere with the fact that Police Magistrate Knowlton's enlightened decision was made, and will probably be followed by others of a similar character.—H. A. C.

# “WHAT OF THE CITY”

## CHICAGO—PART II\*

By CHARLES B. BALL

### FOUR BACKBONE STREETS: A Basis of Planning for the Future.

The gigantic checkerboard framework of square mile units on which Chicago is built was forever fixed by the Federal rectangular survey in 1821. A few great radial thoroughfares have since developed in an accidental way, mostly from Indian trails, but these diagonals are insufficient in number to merit much consideration in a scheme of comprehensive city planning.

One might conclude that a spacious plan built up of one mile squares would produce long and uninterrupted avenues of communication. Unfortunately, such is not the case. Obstacles which interrupt the continuity of many streets are the branches of the Chicago and Calumet Rivers, railroad yards, cemeteries, undivided land, huge industrial plants and numerous lesser obstructions. Only three streets extend without a break from the north to the south city limits, and twenty-two, less than an average of one per mile, from the lake to the western boundary.

The spacing of streets by giant strides, a mile apart at a step, brings us in turn from State to Halsted Street and then to the so-called avenues—Ashland, Western, Kedzie, Crawford, Cicero, Central, and so on to the Mississippi River, if need be.

The City has in 1926 four long arterial highways extending from north to south for almost incredible distances. These streets are destined to form the main channels for traffic, and the principal sites for business for many years to come, and must be widened to serve these purposes.

#### State Street.

State Street, reaching 16.6 miles from Lincoln Park to open prairie on the South, is at first a fine residence street, then a common business street, then for eight blocks a world-famous frontage of department

\*The first part of this article appeared in CITY PLANNING for January, 1926.

stores, again an ordinary store street for six miles, then built up with dwellings and finally, at its southern extremity, passes through farm land.

The only reason for hesitancy in improving State Street as an extraordinary traffic and business street, is the nearness to it of that superb artery, Michigan Avenue, which passes along Grant Park for more than a mile, and is already one of the most noted thoroughfares of the world. This show street is destined to maintain supremacy both for pleasure and business uses and leaves for State Street only opportunity to become the great teaming and carline route, demanding unusual width because it is an uninterrupted section-line street.

#### **Halsted Street.**

Halsted Street, a kaleidoscope of uses and polyglot of races, extends 21.5 miles from a notable bathing beach development on the north, through a few blocks of fine residences and apartment hotels, then includes 14.5 miles of ordinary store districts and congested dwellings, a mile of Stock Yards, and on the extreme south newly-built homes, and finally open country, the field of the subdivider carving farms into city lots. Its miles of stores deal in food, clothing, furniture, houses and lots, and everything else that can be bought and sold.

In 1909, The Plan of Chicago said of it: "No less important than the widening and extension of Michigan Avenue is the improvement of Halsted Street, often called 'The King of Streets' by reason of its extreme length". And again, "This street will inevitably be called upon to bear a very heavy burden of traffic. One of the longest business streets of the world, it is bound to become also one of the most important."

The opposition of property owners to extensive widening of this thoroughfare proposed in 1906, became not only strenuous, but violent. Those who advocated this improvement in public did so at peril of life and limb, and it was, therefore, found advisable to abandon the project. More recently the widening of this street from 66 to 100 feet for a distance of 6 miles north from the southern city limits has been provided for by ordinance of the City Council and by a favorable vote on April 13, 1926, approving of \$850,000.00 bonds for this improvement.



**Ashland Avenue: An interrupted street.**

Ashland Avenue, still further west, was recommended by the Plan Commission to be widened on December 20, 1919, and is of special note because in its length of 23.7 miles it is discontinuous for four considerable portions of its length, and varies in width from 42 to 100 feet. It is to be opened where closed, and to be made uniformly 100 feet wide. A bond issue of \$5,800,000.00 for the public cost, was approved November 4, 1919, and a second issue of \$1,635,000.00 on April 13, 1926. Substantial progress has been made in the reconstruction work. At its south end nine miles are completed. It has been opened and widened on the north 1.7 miles, a part of this distance being merged with Clark Street, also widened. The work will make rapid progress during this summer and will be mainly completed in 1926.

**Western Avenue: The industrial Boulevard.**

Western Avenue is a striking example of the continuous straight street, extending for 23.5 miles and connecting with thoroughfares in other jurisdictions. It now has various widths from 66 to 330 feet, the latter width consisting of a wide park strip having a boulevard drive on one side and a traffic street with double street car line on the other. It is proposed to widen it in the narrow parts to a minimum of 100 feet, and this has been accomplished at its extremities for a distance of 3.5 miles on the north and 11 miles on the south. There remain 9 miles to be widened, most of which is through improved territory, although many of the buildings are old and perhaps as much as one-tenth of the frontage consists of new buildings already set back to the new building line.

**OGDEN AVENUE—THE GREAT DIAGONAL: A New Street from Union Park to Lincoln Park.**

The careful reader of the Chicago Plan is at once impressed with the desire felt by the great designer Burnham for the opening of important diagonal streets, both in the city itself and in the country surrounding. This wish is manifested on almost every page of the plan and the need is reiterated in the text.

In discussing the principles involved, his conclusion is summed up in these words: "In order, however, to care for the traffic which flows from northeast to southwest, and from northwest to southeast, and vice versa, diagonal avenues become a necessity in order to save time and consequent expense. \* \* \* \* As a rule, when diagonal streets become a prime necessity they must be created at large expense, and with great temporary inconvenience. Yet *whatever the expense, such thoroughfares must be opened*; and the city itself is the gainer in each instance."

The only diagonal element thus far proposed within the city is that of the Ogden Avenue extension, a new street 2.7 miles long, the land for which is all acquired and the improvement of which, except for less than half a mile in length, involving subways, a viaduct, and two new bridges, is finished. The thoroughfare is open and in use, partly on a temporary route. This street has been built to a width of 108 feet at a total expense thus far of \$8,000,000.00. It has incidentally resulted in the destruction of 450 dwellings, many of which were not worth moving to a new site.

The Plan Commission recommended this project on Dec. 14, 1916; it was under discussion during the War, but the ordinance authorizing it was not passed by the City Council until February 28, 1919. Court Commissioners were appointed March 14, 1919, and a bond issue approved for \$5,400,000 on Nov. 4, 1919.

#### A GREATER LA SALLE STREET.

Among the dozen major street projects well in hand, but likely to escape the notice of the observer, because the work upon it has not reached the stage to thrust itself before the eye, is the widening of La Salle Street for a distance of  $2\frac{1}{2}$  miles, from the heart of the loop district at Washington Street, to Lincoln Park at Eugenie Street on the north. This artery, an 80-foot street, becomes a project of the first magnitude by widening to 120 feet south, and 108 feet north of Ohio Street, where the existing buildings are more valuable, are nearer the center, and constitute a greater impediment. In twelve months the street will have advanced from a project to a well begun accomplish-

ment. \$15,000,000 is the estimated cost of the new street, and includes a \$2,650,000 bond issue for the bridge over our mammoth obstacle, the Chicago River.

The re-birth of La Salle Street, making it a second Lake Shore Drive, will fulfill another chapter in the story of the transformation of the near North Side.

#### THE FIVE RAILROAD PASSENGER TERMINALS.

The gigantic game being played by the railway interests for a "place in the sun" with the traveling public, concerns not only Chicago, but the nation. Five groups are striving for adequate passenger terminals at Chicago, in which shall be focused a network of lines reaching from ocean to ocean. Two stations are completed and in use; another is in progress; and one or two more are to be built from plans not yet given to the public.

First: The Chicago & Northwestern Railway occupies alone its accessible, modern and commodious station completed in 1911, in which are accommodated on its 16 tracks, more than half a million passengers every week.

Second: The Union Station, opened July 23, 1925, is preëminent among the stations of the world and affords shelter to the traffic of four great systems, the Pennsylvania, Burlington, Alton, and Chicago Milwaukee & St. Paul. It is not an idle boast to claim of the Union Station, "In respect to both architecture and utility, the new station is one of the most impressive". The two buildings of which it consists are a station 320 x 372 feet and a concourse 245 x 204 feet. There are 10 station tracks on the north and 14 on the south, its total capacity being 256 passenger cars.

The west side project, of which the passenger terminal forms so prominent a part, extends for nearly two miles north of Twelfth Street, and includes the widening and changing of grade of Canal Street, the rebuilding and extending of the twelve cross streets leading toward the East, the construction of a mail handling building (3,000 tons per month) seven stories in height and nearly 800 feet long, and the erection

of three extensive freight terminals for the Pennsylvania, Alton, and Burlington lines, of which the capacities are respectively 375, 250 and 279 freight cars, besides storage and teaming facilities.

The various features of the gigantic scheme cost upwards of \$75,000,000 and, including delays incident to the War period, required about eleven years in construction, 1915-1925.

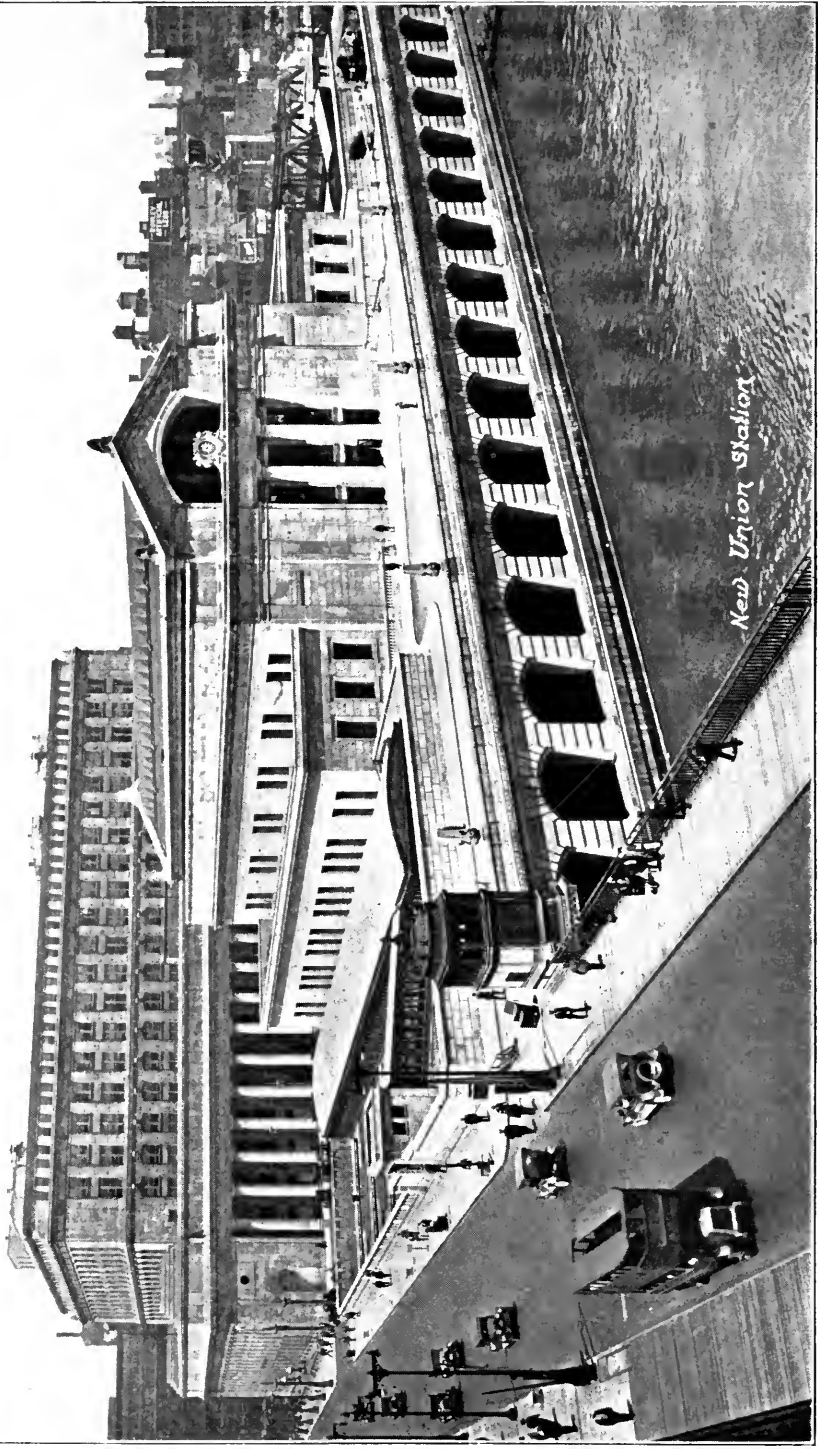
Third: The Central Terminal. The Illinois Central Terminal at Roosevelt Road and Michigan Avenue on its capacious site comprising 135 acres, is assured of construction on a scale of grandeur, expense and convenience, which will equal, and perhaps exceed, any existing terminal facilities. The replacement of its present station, which also houses the Michigan Central and Soo Lines, awaits only the determination of the question as to how many other railroads it can secure for its tenants through persuasive argument; and construction will follow speedily the electrification, almost ready for operation.

Fourth: The New York Central and Rock Island railroads are cramped in the La Salle Terminal, which they expect to replace on a larger scale in the immediate future, along plans not yet publicly announced.

Fifth: The Santa Fe, Grand Trunk (Canadian National), Erie, and Wabash, with a number of smaller lines, are housed in a very inadequate manner in the Dearborn Station, and will soon rebuild this in appropriate style, or else join in with other roads in a new terminal.

A combination of the fourth and fifth groups is being considered, but may not take place unless a number of the roads decide to use the Illinois Central Station.

The smaller roads, and perhaps some of the larger ones, are willing to become tenants or even junior partners of some one of the great enterprises. The plans of the Illinois Central, the New York Central, and the Santa Fe are still elastic, and may be accommodated to the number of roads which join each group. The final adjustments cannot yet be predicted, but it is certain that the outcome will be of great advantage to the City of Chicago, to the convenience of the railroads, and above all, to the public whom they serve.



Courtesy of Charles B. Ball

New Union Station, Chicago

**THE CHANGING LAKE FRONT: The Water Entrance to the City.**

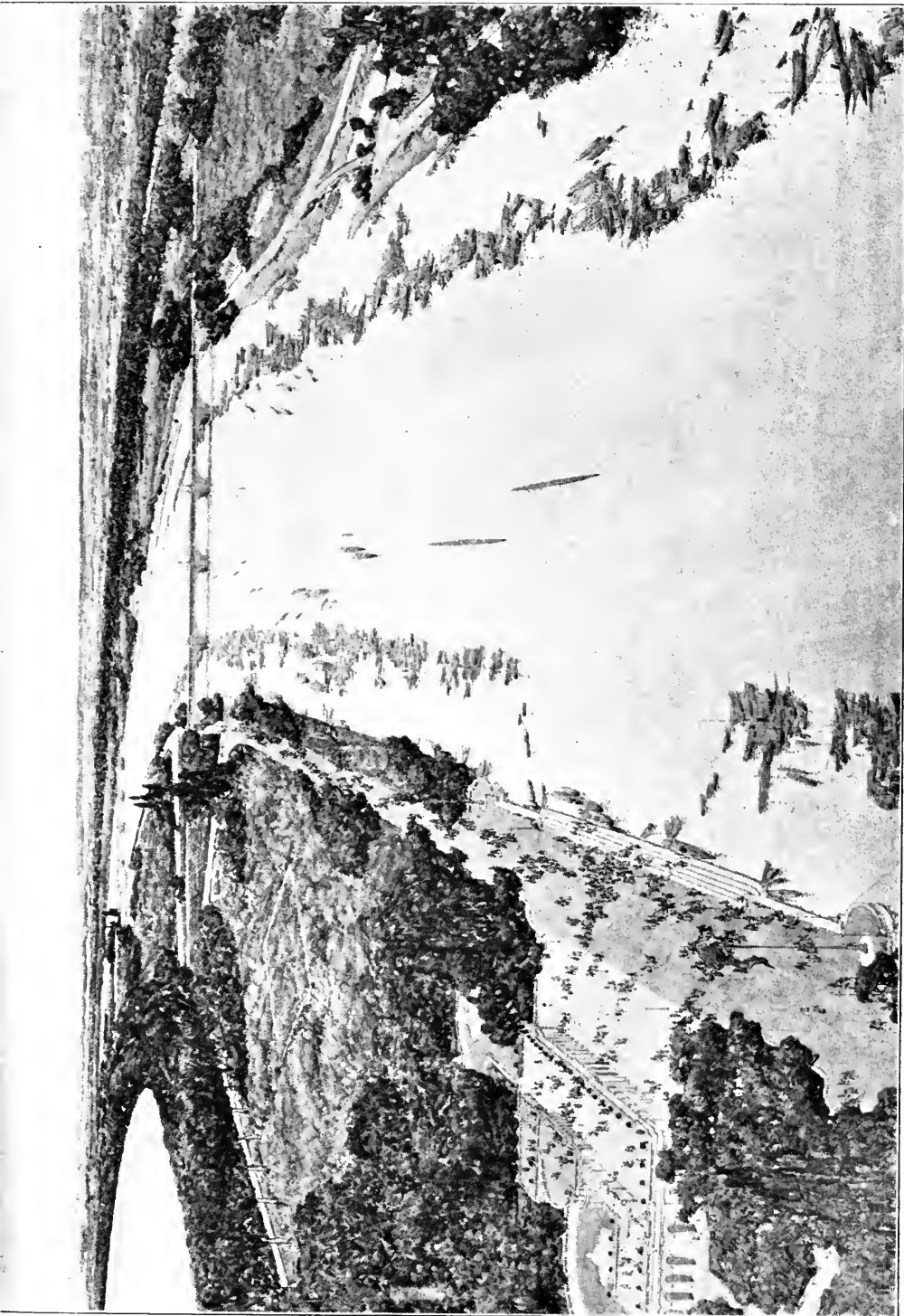
The great swing of the lake front, an arc more than 25 miles in length, is a characteristic feature of Chicago and the most capable of artistic development of any factor of the city's beauty. Concave toward the lake, its far-reaching sweep exceeds the limit of human vision, and requires the imagination of the city planner to suggest its scenic value.

Most water frontages are backed nearby by bluffs and hills. In this, its very flatness is an element of harmony with the far-reaching aspect of the water surface. Ordinary buildings do not break its wide spread continuity: even the broadest and tallest are not sufficient to do this.

What did the Plan of Chicago predict in 1909 for a Shore Park? After describing the park opportunities of London, Paris, Boston, and Washington, it paints this enchanting picture: "Wherever possible, the outer shore should be a beach on which the waves may break; and the slopes leading down to the water should be quiet stretches of green, unvexed by the slight irregular piers and the various kinds of projections which today give it an untidy appearance. Except where formal treatments are demanded, the inner shore should be a planted space. There should be lagoons, narrow and winding, along the north shore, and wider with more regular lines, along the south shore, both margins of these lagoons should be planted with trees and shrubs, so arranged as to leave openings of various sizes, thus making vistas of the water and the life upon it, to be enjoyed by the people passing along the driveways or living in the homes that line park streets." Is this coming to realization scarce two score years later? The status this summer of the South Shore development is ample proof that it is.

**THE SOUTH SHORE PARK DEVELOPMENT.**

The extending miles of the South Shore development along the lake front begin at Roosevelt Road with the magnificent marble structure, the Field Museum of National History, and the partly completed Stadium known as Soldiers Field immediately adjoining on the south. On the west, the Illinois Central Terminal, an imposing building of



Courtesy Chicago Plan Commission

**Original Proposal for the Lake Front Park, Chicago**

similar architecture, is already begun. To the east, ground is being made ready for the Shedd Aquarium, and, nearby, the Central Aviation Field is to be constructed in the next few months.

The continuous lagoon, 6 miles long, pictured in the Chicago Plan, is now in process of construction. Its western margin is nearly all marked by the course of the breakwater, behind which the filled ground will extend inshore 400 feet or more. The eastern limit for a mile or so from its northern end is now well defined in the lake and in another year will make great progress.

The extension of the South Shore Park into the lake and to the Southward will not be many months in the future and the boulevard along this east margin of the improvement will begin to take form.

#### **LINCOLN PARK: Complete and Incomplete.**

Lincoln Park, the most northerly of our chain of parks, was established in 1864, and its popularity has doubtless had much to do with suggesting recreational possibilities for our remaining lake front. The park originally comprised only 60 acres, but has been extended from time to time by purchase, condemnation, accretion and reclamation of submerged lands until its area now comprises about 800 acres, which is subject to constant increase by extension toward the north. The completed portion, from the Municipal Pier to Irving Park Boulevard, comprises some  $4\frac{1}{2}$  miles of lake frontage; and the plans proposed will extend this frontage as much more to the City Limits. From the Municipal Pier to North Avenue the limits of the Park consist of an attractive boulevard, with a bathing beach outside of this for three-quarters of a mile. At North Avenue the park area is extended inland to a width of about 1300 feet. The completed portion with width varying up to 1800 feet comprises driveways, lagoons, a yacht harbor, bathing beaches, golf grounds and numerous other features. It has been so long in existence, and the portion which was originally purchased was so well wooded, that its forest features are well developed and interesting. The outer drive for a considerable portion of its length on the lake margin is especially attractive in the heat of summer.



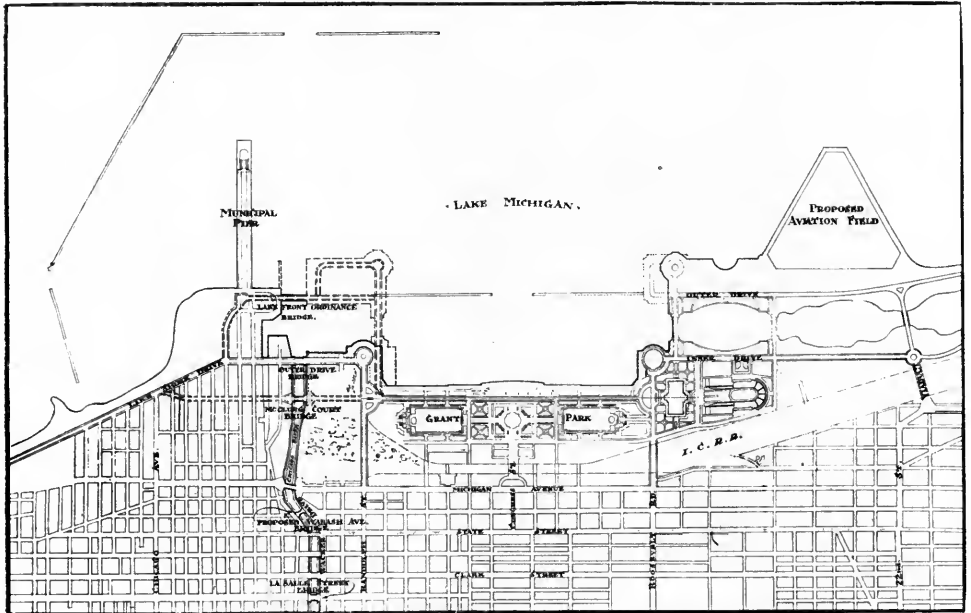


CHICAGO AERIAL SURVEY CO.

South Shore Park, Chicago, 1926

### GRANT PARK: The Restful Front Door Yard of a Busy City.

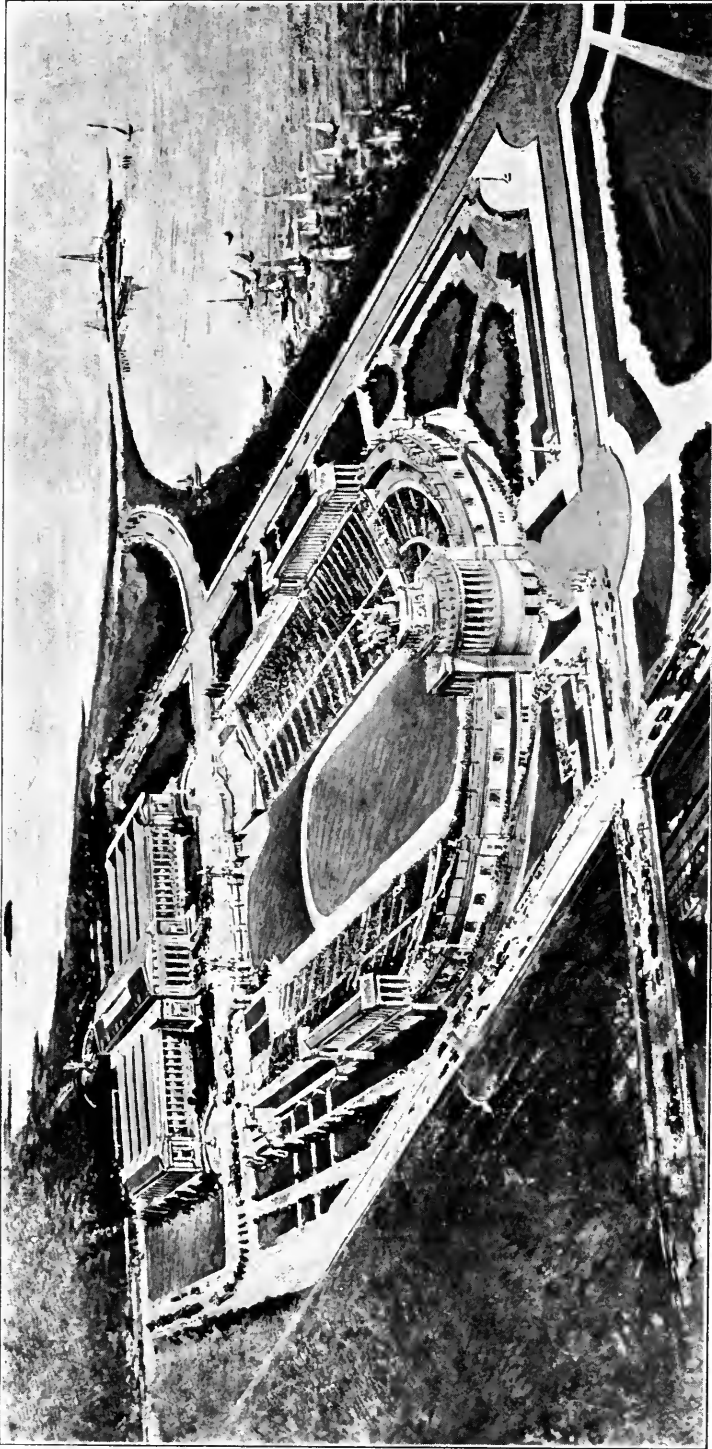
The 303 acres of Grant Park lie between Michigan Avenue, the eastern boundary of the business district with its skyscrapers, and the lake front. Its freedom from buildings, with the single exception of the Art Institute of Chicago, constitutes a tribute to Montgomery Ward, who insisted that the agreements under which the Park was



**Grant Park: Field Museum and Stadium at Right**

established should not be violated, even by the construction within its precincts of so imposing a structure as the Field Museum. Its surface is approaching completion so that one may visualize its formal design and planting. The sunken garden at the south and the peristyle at the north are suggestive of its final glories.

Its important central feature, the Buckingham Memorial Fountain, now under construction, is destined to be the most imposing ornament of its kind in the world, having only one rival, much smaller in size, the famous Latona Fountain at Versailles.



Proposed Development of Soldier's Field showing Stadium, and Field Museum

**SOUTH PARKWAY.**

South Park Avenue, recently renamed South Parkway, the extension north of Grand Boulevard for a distance of 7,260 feet and a width of 198 feet, is one of the most extensive and valuable improvements proposed by the Chicago Plan. This wide street with a central parking space 45 feet in width and on each side a paved roadway of 56½ feet, cost \$3,736,000.00 for land and \$1,174,000.00 for the improvements, and has constituted since its completion a second noteworthy means of entrance from the south side to the loop district.

This magnificent drive crosses the Illinois Central tracks to the outer shore by a viaduct 1500 feet long and attains a height of 50 feet above the lake level. Although this height constitutes but slight elevation in a hilly country, its value on a plain is great. The rise affords the sightseer a vista to the northward of park, stadium and museum, of wonderful scope, especially as its remote background is the magnificent loop fringe of skyscrapers. Whatever else the visitor to Chicago at the end of its century of progress may not see, he should make it his purpose to witness this incomparable scene.

**THE FOREST PRESERVE OF COOK COUNTY: A Play Field Thirty Miles Long.**

Nature lovers and city lovers alike rejoice at the increasing acreage, now 30,000, of woods and prairie, lowlands and hillside, which have come into public ownership in Cook County for recreation purposes since 1904. The first group enjoy the present, the second foresee the significance of public lands in a generation or two hence, when the swift waves of development will have rolled past the great play space to farms beyond. In 1904, Dwight Heald Perkins foreshadowed to the City Council the creation of an agency to acquire lands outside the city limits. This report describes the various areas suitable for purchase: the bluff and ravines at Glencoe, near the north line of the county; the Skokie Marsh, unbroken for miles; Peterson Woods, a virgin forest 7 miles from the Loop; the Des Plaines Valley, 25 miles long; the Salt Creek groves; and Palos Park with 7000 acres available.

An Act of the legislature on May 18, 1905, authorized the formation of a reserve district, but was declared unconstitutional and super-



Courtesy of Forest Preserve Commissioners

**Oldest Tree in Cook County Forest Preserve**

ceded on June 27, 1913, by a later Act which was held to be valid (271 Ill. 449) and has been followed by constant acquisitions of territory. The Forest Preserve District was organized November 6, 1914, by a popular vote of the citizens.

Less than a century ago this region was in the unquestioned possession of the Indians, except the unsurveyed six-mile square at the mouth of the river, ceded by them in 1795 to the Federal Government, and included in the 20 mile strip extending from the lake southwestward and lying between the so-called Indian boundary lines. Within that measure of time dwellings, factories, warehouses and skyscrapers have risen no more than an hour's ride from the sites of Indian villages, portages and trails, haunts of bygone deer and wild fowl. Nowhere else can be found a city at whose doors is such a great arc of land reaching from north to south, a veritable woodland fringe, ready to be utilized as a playground for on-coming millions.

The Commissioners favor what the law requires, protecting and preserving "such lands, as nearly as may be, in their natural condition, for the purpose of the education, pleasure and recreation of the public." This wise purpose can and must be executed with foresight and anticipation of the needs of future generations for open spaces and wide highways. Park structures when necessary should be designed for permanence and beauty. The natural features must be protected by scientific means. Room, which is the greatest need of city dwellers, must ever be the first attraction of the Forest Preserve.

#### THE CHICAGO RIVER AND ITS BRIDGES.

A debit and credit account between the City and the Chicago River will enumerate during the century past a number of items on each side of the ledger.

Is the River, about 200 feet wide, only a few miles long, a hindrance to progress, or a blessing in disguise? The cost to the City and the Federal Government has been great, beginning at the time of removal of the entrance bar, nearly a century ago, and continuing with constant expense to make and maintain a navigable depth of water, against steady accumulation of silt on the bottom.



Courtesy of Forest Preserve Commissioners

**Rest Rooms in the Lansing Forest Preserve**

From ferries to bridges, the cost of crossings has been tremendous, say for fifty bridges, \$100,000,000.00, and more to follow. The interest on such an investment swallows a few more millions annually. Another \$50,000,000 was expended to reverse the flow of the river, in order not to contaminate our drinking water. Charge up also the damages paid for flooding down-state lands, the loss of time and vexations innumerable when crossing is delayed.

On the credit side, note that the river and the portage back of it are responsible for the location of the city on the southwest shore of the lake rather than on the southeast; the sheltering of hundreds of craft from the tempestuous waters of the inland sea, before the protection of the breakwater was devised; the giving of sites for large industries along its banks; the cooling of huge steam engines to operate these industries; the saving of thousands of human lives from the dread typhoid since its current began to flow from the lake towards the west; and now affording place for a mile of Wacker Drive and its rising skyscrapers. All these good gifts will far outweigh what the river has cost, when civic bookkeeping balances its books at the end of the century.

But we need more bridges from north to south. The Michigan Avenue Boulevard Link Bridge is now taxed to capacity and traffic is sometimes quite at a standstill due to an increase of more than seven hundred percent in the number of vehicles in the last five years. Five bridge sites have been under advisement.

The first measure of relief proposed was a bridge near the river's mouth, its north end located as near as possible to the great Municipal Pier. The South Park and Lincoln Park authorities desired this, but objection was promptly made to this site as limiting the space for construction of wharves and docks so greatly needed.

A second site was suggested opposite McClurg Court, which could be widened to a fine street reaching the Lake Shore Drive adjoining the new buildings of the Northwestern University. Court proceedings necessary for this project would take a number of years, even if pressed with unusual speed.

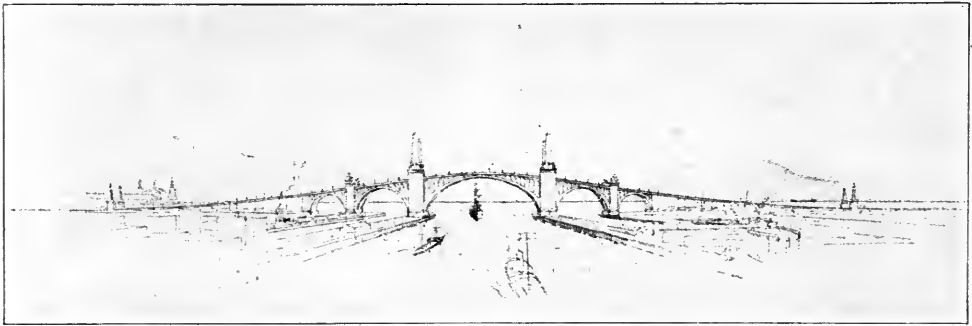
A bridge at Wabash Avenue, immediately west of Michigan, was



urged by property owners who showed how great has been the advantage to land values resulting from that crossing.

The La Salle Street widening, already mentioned, with a new bridge will constitute the second important route to the north.

Quite recently a new situation for the outer bridge has been proposed by the Chicago Plan Commission about midway between McClurg Court and the river mouth. This has a much shorter right of way to condemn on the north and a symmetrical connection with Grant Park intersecting the axis of Randolph Street, and is for many reasons a favorable site. It is safe to predict the erection here of a dignified and convenient structure within a very few years.



**Proposal for Bridge at Mouth of Chicago River**

#### **THE STRAIGHTENING OF THE CHICAGO RIVER.**

Every city planner is familiar with the indignities which our great city has imposed upon that innocent stream which is in so large measure responsible for Chicago's place upon the lake. The first was cutting through the bar at the point of entrance into Lake Michigan. The second was the discharge, into its lower stretches, of unspeakable filth from city sewers, which was then augmented by foul drainage from the Stock Yards and other industries increasing along its banks. The climax of insult was reached when the city, at a cost of \$60,000,000.00 more or less, caused the river to turn its course into the Mississippi system, rather than through Lake Michigan to the St. Lawrence. Only

two small indignities are now proposed, one to build a movable dam across its mouth to control the entrance of Lake water; the other, to change a part of its channel, assuming that nature was not sufficiently aware of the needs of the city to place the river where it ought to be.

During the discussion by the city with the railway interests when the plans for terminals were evolved, including the Union Station, it was proposed to change the river bed between Polk and 18th Streets, a distance of some 4,800 feet.

Comprehensive reports were published in 1915 by the Chicago Railway Terminal Commission, and in 1921, by John F. Wallace, setting forth the advantages of transferring 49 acres from the west to the east side of the river.

To bring into agreement the 15 owners of real estate involved, 7 of them railroads, was the task given to Mayor Dever's Citizens Committee, consisting of five foremost business men, willing to labor without ceasing at one of the City's most perplexing problems of allocation of lands and wharves. The report of this Committee has received assent from the railroad interests and an ordinance will be presented to the City Council before the summer vacation, which is expected to pass at once and receive promptly its formal acceptance. As soon as these final steps are completed the work will proceed. The cost to the City is estimated at \$1,689,946.00 and to the railroads about \$7,500,980.00.

The tremendous advantages which will accrue from the extension of seven important streets through the railroad area south of the central business district, relieving the increasing congestion in this area, can hardly be over-estimated.

#### ZONING.

Some forward citizens were convinced ten years ago that Chicago could not afford to go on without the protection of zoning. Through the coöperation of many important civic groups, two zoning enabling acts were passed by the legislature. One of these was approved June 28th, 1919, and the second on June 28th, 1921. By ordinance of the City Council, in accordance with this legislative authority, the Mayor

was authorized to appoint a zoning commission for the purpose of making a survey and framing a zoning ordinance. This commission, consisting of 22 persons, of whom 8 were Aldermen, was appointed on July 22, 1921. Its Secretary was Charles H. Wacker, its Executive Secretary Eugene S. Taylor, and the technical work was performed by Edward H. Bennett and his staff.

A comprehensive study of existing uses, and a complete analysis of industries was made and an ordinance drawn up. This was discussed in a series of public hearings, covering a period of more than three weeks. The ordinance was then reported to the City Council, and passed by unanimous vote on April 5, 1923, as the last act of the Thompson administration.

The new administration under Mayor Dever, has shown marked interest in supporting zoning control and a Board of Appeals was appointed in July, 1923, and has dealt with some hundred cases.

No change has been made in the text of the ordinance since its passage; although, mainly through the influence of speculative builders, numerous amendments have been made to the map classification of districts. There is no question in the public mind of the value of zoning and that the ordinance will be increasingly effective.

#### THE CIVIC CENTER.

The vision of a splendid civic center expressed in the Chicago Plan in vivid words, and pictured by the skill of the artist in more vivid pages, will not fail because of obstacles which may not now be overcome. If the site chosen at first on the line of Congress Street cannot be realized because of the great cost of land, choose another and make it the focus of great boulevard frontages for monumental structures, which in turn will come to pass.

Let us think of the city at the end of the half century reaching from the lake to the Des Plaines River, and let us visualize the prediction of such a magnificent group of civic buildings as the plan describes and illustrates, located half way between these natural limits of growth. Let us scan the map of east and west thoroughfares between Division

and 22nd Streets and, forgetting the argument made for Congress Street as the controlling civic axis, find some other suitable place where the cost of ground is not prohibitive, and there purchase a site for the civic center that is to be, not now, but at the end of the century.

As the Plan, speaking of this, urges: "Land should be acquired in quantities sufficient to carry out a plan commensurate with Chicago's need and with her dominating position in the region". But this culmination of such a forecast depends upon action at the present. The City of Chicago and the County of Cook must unite on a location and must acquire at once the needed space, say a thousand acres, of farm and market gardens, before the swift waves of impending development, lapping up the open prairie, submerge it with the built-up city.

#### CONCLUSION.

The millions of dollars expended in planning and replanning Chicago in the last score of years are justified by their purely commercial results in a four-fold manner.

First, the economic advantage of saving expense in the transaction of business.

Second, the increased value of property over the large areas favorably affected by public improvements.

Third, the advertising value of possessing a comprehensive City Plan as its important features are brought out.

Fourth, the commercial value of added attractions to visitors.

These material values are not, however, worthy of comparison with the humanitarian values which result. No man is worthy to be called a City Planner who does not count the value of service to humanity his greatest achievement.

The World's Fair still lives in the vision of men of the present. The glories of its Court of Honor with its magnificent scenes and structures have enriched the souls of men and will inspire them for generations to attempt and achieve convenience and beauty in the cities of the future.

The Anniversary of 1933 will surpass the conceptions of 1904. Successive generations with their succeeding anniversaries will each in turn outdo the past. The reach of finite imagination is not sufficient to span the increasing beauty and permanency of design in city planning, in architecture, and in art, which the long perspective down the endless corridor of Time will reveal.

Visionless souls will decry the possibility of bringing to pass, even over a long period of years, of certain items of this program. These weak-kneed and faithless souls will proclaim "visionary", "chimerical", "impracticable", "impossible". We may make two answers to this indictment: The first, the words of the great designer of the plan; "Remember that our sons and grandsons are going to do things that would stagger us"; the second, the actual achievements of the last score of years; a century unfolds five score.



In Jackson Park, Chicago

## EDITORIAL

We notice, among the "Letters to the Editor" in the May number of the Journal of the American Institute of Architects, a letter which is so perfect of its kind that we cannot refrain from quoting it *in extenso*.

To the Editor of the Journal:

I have just received, as President of a Chapter of the American Institute of Architects, a communication from the Secretary of the National Conference on City Planning, enclosing a circular letter from the President of the American Institute of Architects to the members of the Institute.

In the President's letter, it is stated that the Institute "is not taking its full part in City Planning." I take exception to that statement, a statement which I do not consider by any means in accord with the facts, and a statement which, even if true, should not be made before a professional group which is certainly secondary to the American Institute of Architects.

There are a great, and increasing, number of members of the American Institute of Architects who are taking a very active interest in City Planning. One knows of several who are doing City Planning, Town Planning, Community Planning themselves—and who are doing it very well. Certainly there have been very few—if indeed any—papers on these subjects that have been as valuable as the last two annual reports of our own Institute Committee on Community Planning. I am a subscriber to what appears to be a semi-official organ of the City Planners, and with all due respect to that magazine, I have never seen in its pages any contribution which shows the study and thought and thorough knowledge that were presented to the last two Conventions of the American Institute of Architects by its Committee on Community Planning.

If things in this world might take their normal and proper course, and the curse of "Specialists" might cease to appear to be a necessary evil—there would be no need for City Planners at all. All Cities, Towns, Villages, and other groups of buildings and open spaces, would be designed by the Architects. Once upon a time it was thus—and some day, if the number of Architects interested in City Planning continues to increase, it may be thus again.

In the meantime, the American Institute of Architects has no reason at all to humble itself before the National Conference on City Planning, or the National Conference on anything else. Of all the Professional Societies concerned in any way with the Arts of Building, we, the American Institute of Architects, are the Master Society, and we owe no apologies to any other. The American Institute of Architects may "patronize" if it will, but it need never apologize.

HARRY F. CUNNINGHAM,  
*President, FLORIDA CHAPTER*

Now we know that this sophomoric attitude of vociferous satisfaction with one's own profession is gradually going where "Deutschland

über alles" has already gone. We know that it is not typical of architects any more than it is of engineers, landscape architects, or lawyers. But we know also that while it lasts it does harm,—harm to its holder, and, more important, harm to those forward movements of civilization which are in their essence coöperative. For it is hard to coöperate with anyone who puts his professional patriotism before his facts. For instance: these "city planners" who so annoy Mr. Cunningham are in many instances themselves architects. The articles in CITY PLANNING which he finds less good than the work of the Institute Committee on Community Planning were many of them written by architects, such as Mr. Saarinen, Mr. Corbett, Mr. Unwin, and one indeed by Mr. Stein of the Institute Committee just mentioned. But there is much, too, in the magazine and in the subject, not contributed by architects.

City Planning is coöperation,—coöperation of fallible humans each contributing what he can. And only a small part of the required total is to be found in the bounds of any one profession. The city planner is a recorder of the decisions of many men; he is not in himself the Olympian decider of human destinies.

Architects are doing much in city planning. The President of the American Institute of Architects says that they have the power and therefore the duty to do more. Surely this attitude is more likely to bring results than the attitude that through some unexplained God-given right they should wave aside the rest of the world while they do it all.

### DIAGRAM ON COVER

The Editors are indebted to Mr. Arthur A. Shurtleff for the suggestion of a series of city plan diagrams on the cover of the magazine, and for this first diagram illustrating Chicago.

# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM

## NATIONAL CAPITAL PARK AND PLANNING COMMISSION

The Federal City Planning Bill\* has passed both Houses of Congress and was signed by the President on April 30th. On May 19th the President announced that he had appointed on the National Capital Park and Planning Commission:

Frederick Law Olmsted, of Brookline, Mass., for six years; Frederic A. Delano, of Washington, D. C., for five years; J. C. Nichols, of Kansas City, Mo., for four years; Milton B. Medary, of Philadelphia, Pa., for three years. These "four eminent citizens, well qualified and experienced in City Planning" will serve with seven ex officio members. The personnel will be as follows:

Brig. Gen. Edgar Jadwin, Chief of Engineers, U. S. A., (who takes the place of General Harry Taylor retired); Colonel James Franklin Bell, Engineer Commissioner of the District of Columbia; Major U. S. Grant, 3rd, Director of Public Buildings and Public Parks, who is Executive and Disbursing Officer for the Commission; Colonel William B. Greeley, Chief of the Forest Service; Stephen T. Mather, Director of the National Park Service; Senator Arthur Capper, Chairman of the Senate Committee on the District of Columbia; Representative Frederick N. Zihlman, Chairman of the House Committee on the District of Columbia.

HARLEAN JAMES,

*Executive Secretary, American Civic Association.*

\*Cf. "Federal City Planning Bill Passed the House" Page 141, CITY PLANNING, April 1926.

## MINNEAPOLIS, ST. PAUL AND ENVIRONS REGIONAL PLAN

Minneapolis and St. Paul, with a population respectively of 400,000 and 275,000, and with only an imaginary line known as the city limits dividing them, have joined hands in a planning movement that may have far-reaching results.

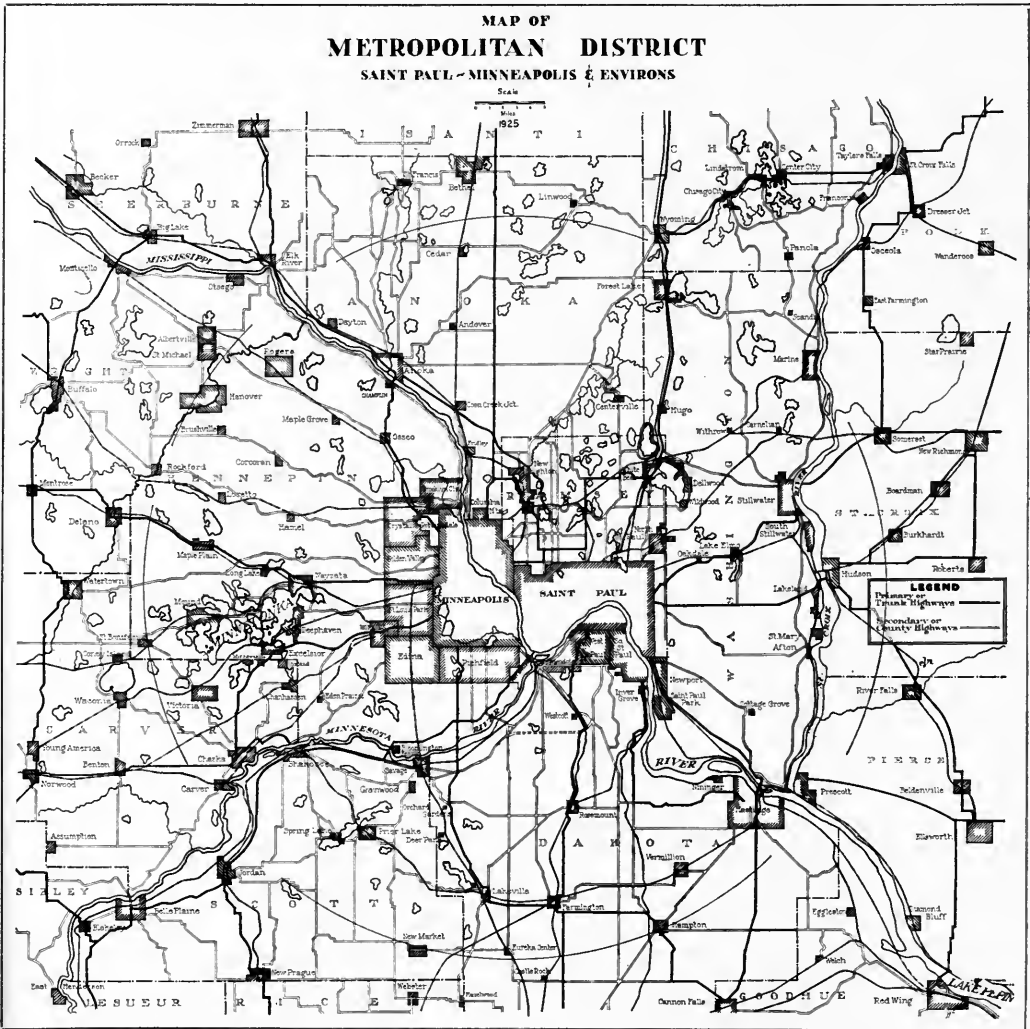
In 1923 the Northwestern Section of the American Society of Civil Engineers—largely a Dual City group—called attention to the increasing number of engineering problems which these cities faced that could only be solved adequately and economically by the two municipalities and their suburban districts acting together.

The water supply of this Metropolitan area is one important problem. Each city has developed and maintains separate water supplies—Minneapolis using Mississippi River water and St. Paul using water from a group of lakes at Center-ville. St. Paul has now built a conduit and pumping plant for pumping river water to augment the lake supply. These two river pumping plants overlook each other, a part duplication of buildings, a part duplication of machinery and a duplication of organization.

Again, all of the sewage from the two cities is emptied into the Mississippi River, and while the flow of the river during the larger part of the year is ample to dilute this sewage, a new problem has been introduced. The high dam power plant at the southerly boundary line of Minneapolis was put into operation last



year and all of the Minneapolis sewage and a part of the St. Paul sewage is now impounded in an open cesspool formed by the dam. The interception and diversion of this sewage around the dam is an immediate problem and one to be solved jointly by the two cities. Other problems are the conservation of lakes and the control of drainage; game preserves; provision of future parks for a probable population of



Courtesy of George H. Herrold

3,000,000 people in twenty years; a "Grand Round" Boulevard which will include the dalles of the St. Croix on the East and Lake Minnetonka on the West; a Metropolitan Highway and Bridge Plan with adequate and correlated transit systems; and control of the platting of suburban lands.

It was the view of the Engineers that as the people did not know of the problems they faced and as neither governing bodies were making financial plans for solving these problems, it was the business of some group—those who did know—to make

them public. Several meetings followed with representatives of the Civic and Commerce Associations of the two cities, the Real Estate Boards, the Planning Commissions, the Institute of Architects and citizens of outlying towns. These meetings resulted in a voluntary organization known as the *Metropolitan District Planning Association of St. Paul, Minneapolis and Environs*. The district has an approximate radius of twenty-seven miles. The Association is now being financed by contributing memberships from individuals, communities, organizations, corporations or foundations.

A folder with map has been published entitled "Why Grow by Accident" and is being circulated as an educational feature. One report has already been made and published on the Sewage Disposal of the two cities and their environs. It was prepared by a special committee of which Mr. W. L. Darling, former Chief Engineer of the Northern Pacific Railway Company, was chairman. It covers a study of sewage disposal in seven cities and states the problem, and points the way for the solution of the problem here.

Minneapolis and St. Paul present an interesting study for students of cities—here will be worked out probably the first practical demonstration of the theory of "decentralization". Here are two highly developed central business districts connected by an Avenue 120 ft. in width and 10 miles long. This street is intensely built up for its entire length with homes, retail stores and industries. Abutting on this Avenue in St. Paul are the grounds of the Capitol of Minnesota; in Minneapolis the grounds of the University of Minnesota. Lying between and extending generously to the North and South is first a residential district, second a manufacturing district, and third a residential district. What is the ultimate destiny of this street?

The Metropolitan District Planning Association will work along lines of coordinating the activities, necessities and community habits of the eighty-four satellite towns and villages within its influence and within the economic and social touch of this trading center. We recognize the smaller communities as an essential element, for they have lost their isolation and are now desirable places of residence, socially, economically and spiritually: they are not to be regarded simply as food for the maw of an ever encroaching city. Here we have virgin areas to work with, we are less hampered than many older cities by established things.

GEORGE H. HERROLD,  
*City Planning Engineer.*

## PLANNING AND THE HOOVER CONFERENCE ON STREET AND HIGHWAY SAFETY

*"It must not be forgotten that if we are to find a permanent solution for the problem of traffic accidents we must at the same time discover a permanent solution for the problem of traffic itself. . . ."*

*"The Committee on Metropolitan Traffic Facilities has presented to you a startling picture of the material losses resulting from congestion and inadequate facilities. It has stated that these great annual losses constitute a most conspicuous and widespread economic waste, reaching every individual not only through the menace to life and safety but also through increased costs of nearly every necessity of life. It has devoted its report very largely to the need of a program for improvement of traffic facilities and methods of organization for the carrying out of such a program. The magnitude and ramifications of this work are such as to deserve not only the careful consideration but the active assistance and coöperation of every citizen of every community in this country."*

In these words Secretary of Commerce Herbert Hoover, in his opening address before the Second National Conference on Street and Highway Safety, emphasized the fundamental relationship of traffic planning to traffic safety. The Conference, held in Washington March 23-25, 1926, was called primarily for the purpose of devising and recommending measures to reduce the traffic accidents which are estimated to have resulted in some 23,900 deaths and 600,000 injuries last year. Careful preparation had been made for the conference by the appointment, nearly a year previously, of six committees, all of whose reports were completed and printed in advance of the March meeting. These six reports covered "Uniformity of Laws and Regulations" (including a suggested model for a Uniform Vehicle Code), "Enforcement," "Causes of Accidents," "Metropolitan Traffic Facilities," "Statistics," and "Public Relations."<sup>1</sup>

Of special interest to city planners is the report of the Committee on Metropolitan Traffic Facilities. As a result of this document, and of reports on allied subjects which had been submitted to the First National Conference on Street and Highway Safety (references to which are given in the foot notes) the 1926 Conference embodied the following paragraphs in its final report:

"A comprehensive traffic improvement program, including urgent immediate items and long-time items, should be undertaken in every community or metropolitan area confronted with a traffic problem. In the preparation of such a program due consideration should be given to the relation of costs to benefits in safety and acceleration of traffic, and the program should be properly worked out and budgeted."<sup>2</sup>

"The traffic improvement program should be based on a thorough traffic survey giving the necessary physical and traffic data and kept up to date, and due attention

<sup>1</sup>Copies of these documents and of the final report of the Conference itself are obtainable on application to the National Conference on Street and Highway Safety, Department of Commerce, Washington, D. C. Copies of the committee reports of the 1924 Conference can also be secured from the same source.

<sup>2</sup>Report of Committee on City Planning and Zoning, 1924, pp. 8 and 9, conclusion 8, and p. 19; Committee on Public Relations, 1924, P. 9; First Conference on Street and Highway Safety, pp. 16, 19 and 23; Committee on Metropolitan Traffic Facilities, 1926, p. 10, conclusions 2-4, and p. 19.

should be given to city and regional planning and zoning in their effect on traffic. The program should include:

“(a) A transit plan, covering facilities for the mass movement of population by vehicles of all classes, including rapid transit, steam railroad commuter service, street car lines, bus lines, private automobiles and other means.

“(b) A street and highway plan, providing for main thoroughfares, bypass and interconnecting thoroughfares, secondary streets, business and industrial streets, and local residence streets, with any necessary enlargements and improvements required to carry the traffic with expedition and safety.

“(c) A traffic control plan, to provide for the orderly improvement of facilities and measures for the safe, efficient and complete utilization of street and highway capacity.

“A sound financial program should be established which will insure properly balanced progress in such improvements and will properly distribute the burden of providing the necessary funds.<sup>1</sup>

### **Traffic Planning Organization**

“To insure proper planning of traffic facilities and traffic control, to assure coöperation of the different departments of city or local governments concerned and to enlist public support, a traffic planning organization should be created in each city or metropolitan area as follows:

“(a) In each city there should be an official traffic commission, including such officials as the chief of police, city engineer, engineer of the city plan commission, chief of the fire department, a representative of the public authority supervising city transit and transportation, a member of the city council, and a representative of the city's legal department. This commission should be a permanent body having the services of an engineering staff, preferably in charge of a trained traffic engineer, and should prepare a comprehensive traffic plan, make and keep up to date a traffic survey, and recommend a traffic ordinance and regulations or recommend from time to time any necessary modifications in the existing ordinance and regulations.

“(b) It will also be of value to have a traffic committee not made up of officials but including representatives of street railway companies, motor bus companies, taxicab companies, trucking organizations, chambers of commerce, automobile clubs and associations, safety councils, merchants' associations and other interested groups. The traffic committee should serve in an advisory capacity to the traffic commission and assist in securing the interest and support of various representative organizations and the public generally. If there is no traffic commission the traffic committee may temporarily carry out the functions of both bodies.

“(c) In the improvement of main highways leading to and from large centers of population it is frequently found that administrative jurisdiction over various sections of the road is divided among municipal, county, state and even national authorities. In such cases practical results in relieving traffic congestion will usually

<sup>1</sup>Report of Committee on Traffic Control, 1924, p. 10, conclusion 9, and p. 18; Committee on City Planning and Zoning, 1924, pp. 7 and 8, conclusions 1, 3, 5 and 7, and pp. 10-18; First Conference on Street and Highway Safety, pp. 21-23; Committee on Metropolitan Traffic Facilities, 1926, pp. 10 and 11, conclusions 5-7, and pp. 19-23.

be obtained most quickly by voluntary coöperation between the authorities concerned through the creation of joint boards to consider and determine policies of location, construction, maintenance and use of the highways.

“(d) To provide unified consideration and treatment of traffic problems in metropolitan areas which include more than one city or a city and politically independent suburbs, it will generally be necessary to depend upon an enlargement of the unofficial traffic committee of the central city by adding proper representatives of important suburban communities, or, in the case of two large cities in a single metropolitan area, to form a joint traffic committee with representatives of suburban communities added. When developments warrant, an official metropolitan authority should be created to control physical growth and provide for proper traffic facilities within large population centers.<sup>1</sup>

### **Playgrounds As Safety Measures**

“Adequate playgrounds throughout the community should be provided, and particularly there should be available a playground for every school as a safety measure to keep the children off the streets. Schools and playgrounds should, as far as practicable, be so located that children will not have to cross busy traffic streets in going to and from them. Adequate provision for skating and coasting, where practicable, should be made in parks and playgrounds, properly lighted and supervised, or on streets set apart, safely marked and traffic controlled during the hours used for these purposes.<sup>2</sup>

### **Federal Stimulus and Local Action**

The Conference, in its final report, voiced a strong plea for state and local action in order that its recommendations might become realities. On this subject the final report said:

“As accident reduction and the improvement of street and highway traffic conditions are primarily a problem concerning the states and municipalities, state, regional and local conferences will in many cases furnish a valuable means for working out the application of the National Conference recommendations to the conditions in various sections of the country. In communities where safety organizations already exist, such conferences should furnish the means for stimulating their work; and in cases where no safety organizations exist, the formation of such organizations, of a type appropriate to the size and condition of the community, should be a logical outcome of state, regional or local conferences. Such conferences will afford opportunity for appropriate activity by the associations and groups undertaking to promote the adoption of various parts of the Conference program.”

<sup>1</sup>Report of First Conference on Street and Highway Safety, p. 16; Committee on Metropolitan Traffic Facilities, 1926, pp. 11 and 12, conclusions 8-10, pp. 24-28.

<sup>2</sup>Report of Committee on City Planning and Zoning, 1924, p. 8, conclusion 6, and pp. 17 and 18; First Conference on Street and Highway Safety, p. 19.

And said Secretary Hoover, in his closing remarks:

"I have conceived this Conference and the Conferences that will flow from it of this character, as perhaps a new step, or a part in a new step in the various conception of government, not government from a central authority, but government by stimulation of the local community to its responsibilities and the education of the local community to intelligent action. That seems to me to be far wiser, and a more nearly correct solution than the constant drive to centralize the government of the United States. That has been the sense of this whole Conference, and it is the final expression of your wish that we should dissolve this Conference and its work back to the responsibility of the local community."

H. S. B.

## EDUCATIONAL WORK IN NEBRASKA

The Conservation and Survey Division of the University of Nebraska has for two years been extending a limited city planning service to several of the larger cities of the state. Local contact with the cities has been through their Chambers of Commerce which in each case have requested assistance. The service extended has stressed the importance of informing the public as to the meaning and value of better city planning, developing the interest of civic groups of citizens in the subject, and suggesting general procedures for promoting and developing city planning projects. Use is made of lantern slides, newspaper articles, and exhibits of charts showing drawings, maps and photographs typical of city planning principles to help illustrate the broadness of the field and the need for comprehensive planning. The radio has also been used to get across state-wide and more general discussions of the field of city planning.

The Chambers of Commerce and officials of several cities are now coöperating in making surveys of their existing conditions as a basis for study for future action, and others have considerable actual accomplishment to their credit. Much good could be done in the smaller cities of the state, but because of lack of personnel our efforts are confined mostly to the larger cities, where the problems are more pressing for solution. These larger cities are rapidly coming to appreciate the advantages of zoning and through concerted action hope to obtain suitable enabling legislation at the next session of the state legislature.

The writer gives only a portion of his time to the above extension service and feels that when suitable enabling legislation is had, our principal objective in providing the extension service will have been attained. In our work so far, the Chambers of Commerce concerned have paid all travel and incidental expenses involved, including the costs of their local surveys and mapping. In most cases local engineers and architects have been available for assistance on the technical problems.

MORRIS I. EVINGER,

*In charge of City Planning, Conservation and Survey Division,  
University of Nebraska.*

## REGIONAL PLANNING FEDERATION OF THE RUHR COAL DISTRICT (Germany)

As is probably well known, the towns and country districts of the *Rhenish-Westphalian Industrial Region* are united in a legal Federation in order to regulate the intercommunal problems of town planning, traffic and extension of towns. The Federation was founded in 1920 and the last annual meeting was held on the 29th of March of this year.

The general director of the Federation, Dr. Schmidt, has given his report from which can be seen the development of the work up to the present. Last year the Federation began *building the main roads*, so called "Verbandsstrassen", for which up till now only the building lines had been fixed. At first a road east to west was taken in hand, half of which comprised roads already in existence. These existing roads will be rebuilt bit by bit so as to be suitable for motor traffic. At first the building of the connecting roads will be started, i. e. those new roads to be made around instead of through the narrow villages. In the first place a motor roadway 9 meters broad will be built (so as to allow three motors to pass) and on each side a sidewalk 1.5 m. wide. Later on, when necessary, an electric tram line can be built on one side of the motor roadway, as well as roads for local traffic and foot-paths. It will probably take five years to build the first main road.

The Federation has taken particular care for the *open spaces* under their control; the owners have been given the means to plant their woods and keep them in order. In this district, where everything is injured by the smoke, the upkeep of woods is not a paying business; therefore it is necessary that some public money should be given to assist the owners.

A great number of new traffic lines have been marked out and are kept free from being built on; they are the so called "traffic tracks" (Verkehrsbänder), on which at some future time railway or tramway or perhaps private industrial ways can be made.

Besides the work laid down by law the Federation has begun to draw up exact *regional plans* for some districts and parishes under its control; these plans are now often called in Germany "economic plans" (Wirtschaftspläne). Particularly for those districts in which the industry is extending, such plans are of great benefit, not only for the development of the town but also from the commercial standpoint. For this reason the industries have given what help they could to the Federation in this respect. The plans are nearly ready for six towns, for four country districts and for several smaller towns.

During the last year the necessity for general regional planning in such a congested industrial district has become very clear and been recognised by every one.

DR. ING. RAPPAPORT,

*Beigeordneter des Siedlungsverbandes Ruhrkohlenbezirk, Essen.*

## REGIONAL PLANNING IN THE NIAGARA FRONTIER

A most interesting application of the idea of Regional Planning has been undertaken by the Niagara Frontier Planning Board in the counties of Erie and Niagara, New York State. This Board is the first of its kind in the State, if not in the United States, to be authorized by special Act of the Legislature to study the needs and conditions of Regional and Community Planning and to prepare plans adapted to meet such needs and conditions, in a region composed of a multiplicity of political units.

The Niagara Region is divided by natural configuration of the land into four somewhat distinct natural subdivisions: first, the tableland at the north, bordering Lake Ontario, and extending with gradual rise in elevation to the Lewiston Escarpment. This subdivision is known as the Niagara Fruit Belt, being devoted largely to fruit growing, but with extensive general farming.

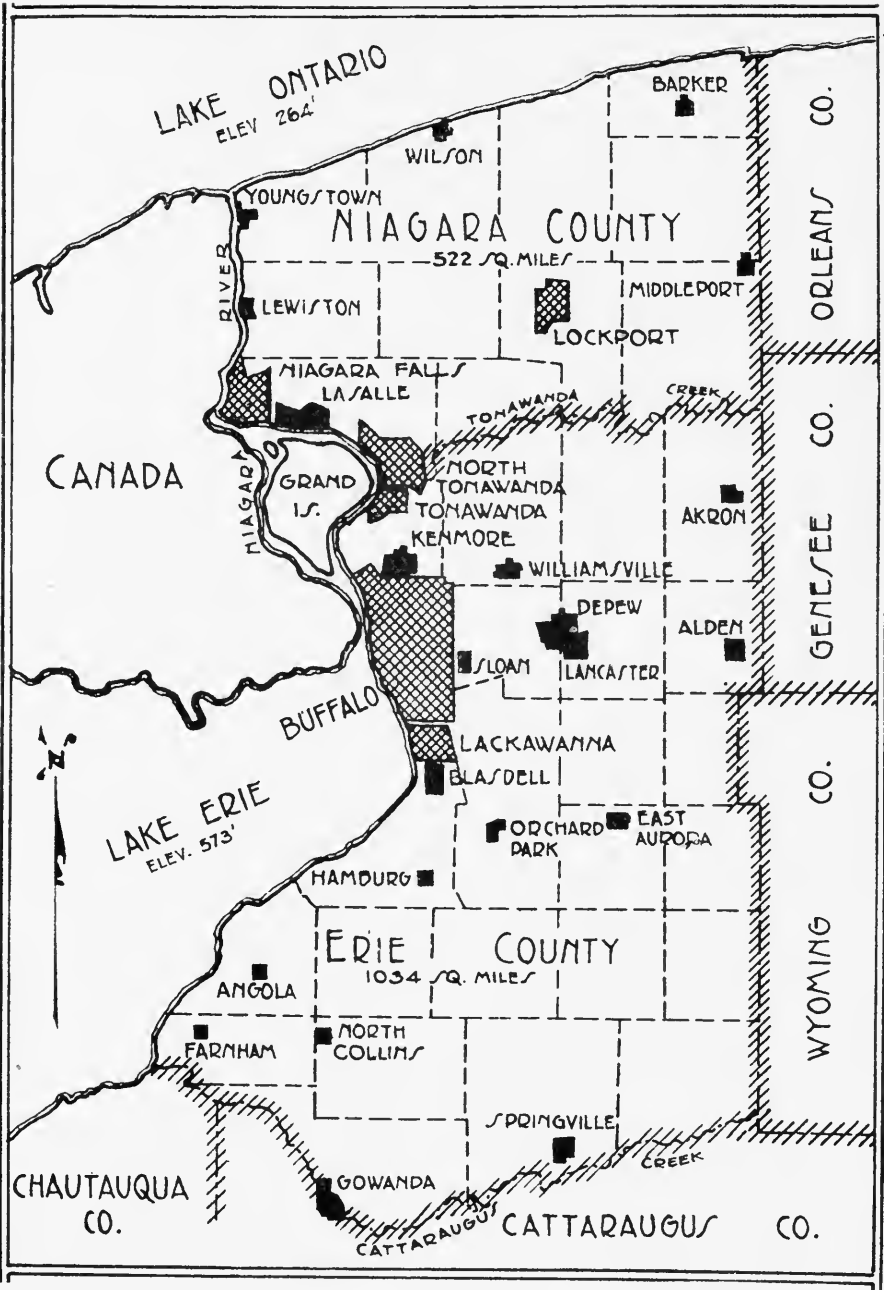
At the Escarpment, the elevation rises rather abruptly from an average of four hundred feet above sea level on the lower table, to another general level of fairly flat country averaging eight hundred feet in elevation above sea level. In this second table, are located the six thriving cities and the network of railroads, main highways, and navigable waters, and here the tremendous industrial development of the Region is largely confined.

The third subdivision comprises rolling uplands at average elevations above sea level of from eight hundred to twelve hundred feet, devoted largely to the dairy industry and to general farming, while the fourth subdivision in the extreme southern portion of the Region is fairly mountainous in character, rising to an extreme elevation of seventeen hundred feet above sea level. While some portions of this hilly country are not easily accessible, it contributes liberally to the food supply of the Region from some excellent farm development.

From this sketchy description of the Region, it is evident that the Niagara Frontier Planning Board has been charged with the solution of a most interesting and intricate problem, that of developing new communicating highways, parks, rapid transit facilities, regional zoning to provide for the proper location of industrial and residential areas, the location of bridges within the Region and across the Niagara River, the furtherance of parks, parkways, recreational centers, boulevard extensions, water supply, sewage disposal, harbor and canal improvements, etc.

The Region contains one of the most beautiful and valuable natural resources in the world,—the great Falls of Niagara,—and the future importance of the Region to the rest of the State and to the country as a whole cannot be overestimated. With the unprecedented increase in population, resulting from the continued advance in the development and distribution of Niagara electric power, and of the other boundless natural resources of the Region, the limitless possibilities of the Niagara Frontier may be realized only through intelligent and comprehensive planning. Given the constructive coöperation of all of the local and county governments in this extensive area, the orderly, economic development and growth of this important Region is now assured.





Courtesy of the Board.

Niagara Frontier Region

In order to secure the constructive coöperation of the six Cities, thirty-seven Townships and twenty-two incorporated Villages located in the Region, the Board is authorized by law to designate such agencies as it may elect to assist in its work. Exercising this authority, the Board has designated as its agent, the Niagara Frontier Planning Association, which is composed of representatives of the various Cities, Towns and Villages and of Business Men's Clubs, Industrial and Manufacturing organizations, etc., which Association is working in close coöperation with the Board in the furtherance of its plans and in the development of public sentiment, looking to their ultimate consummation.

The Association is meeting with most flattering success in its attempts to affiliate the representatives of such bodies. At the time of the writing of this article, 90% of the total population of the Region, are connected with the Association through formal membership appropriations, passed by the various City Councils and Town and Village Boards.

In view of the remarkable progress which has been accomplished since the organization of the Board, July 1st, 1925, it appears that it is not beyond the bounds of reasonable expectation that before any considerable length of time has elapsed practically all of the Towns and Villages in the Region which have not yet affiliated with the Association will do so, developing what bids fair to be a most unique coöperative effort on the part of an unprecedented number of citizens, looking to the improvement of industrial, economic and living conditions in the Region wherein they have elected to reside.

HOWARD E. LONG,

*Executive Secretary,*

*Niagara Frontier Planning Board, and Association.*

## PROGRESS IN WICHITA, KANSAS

All statements as to the progress of city planning development in this city must be qualified by the observation that it is a little difficult for me to see where City Planning begins and City Engineering leaves off, or vice versa; because I am City Engineer and an active member and Secretary of the City Planning Commission.

The Zoning Ordinance adopted four years ago is being actively enforced by the Building Inspection Department. It has not been amended for two years, but certain amendments are now pending. Most of these are minor changes in the boundary of existing Use Districts. A few have to do with set-back modifications in districts which are at the edge of the boundaries of the Use Districts.

Our people generally are quite well satisfied with the results obtained under the ordinance. The most noticeable result, perhaps, is the radical change in the character of buildings used for commercial purposes in residence districts. In fact it is now proposed to require all buildings in Commercial or Industrial Use Districts to be made of fireproof construction.

Another outstanding accomplishment toward the full application of the City Plan lies in the fact that a very large per cent of major streets have been paved into new territory within the last two years. There is no law governing such

improvements, but it has been accomplished by working with and through interested property owners. No major street openings have been completed, although a number of short sections have been opened and widened in establishing the major street system. One street widening on a major traffic street is tied up by appeals to the District Court.

A mile and a quarter of the river, including both banks, was acquired by the city in accordance with the plan to extend the Park System, and preliminary clearing is now under way. A neighborhood park containing approximately twenty-four acres has been acquired in territory which formerly had no neighborhood park facilities. Two entirely new neighborhood parks have been acquired and fitted with swimming pools, tennis courts, baseball diamonds, and two other parks have been equipped with similar facilities.

The City Planning Commission has recommended the condemnation of an important connection in a major street which is now being undertaken by the City Commission. The City Planning Commission is also entering an active campaign to open a long radial street, opening out territory which is now held back because of lack of street and transportation facilities.

P. L. BROCKWAY,  
*City Engineer, Wichita, Kansas.*

## EUROPEAN TOUR

The Secretary of the Federated Societies on Planning and Parks has arranged a tentative route for the members of the National Conference on City Planning and the American Civic Association, who expect to join a party to attend the Conference of the International Federation for Town and Country Planning and Garden Cities to be held in Vienna, September 14th-19th. The tour will include inspection of Planning, Housing and Park Developments in England, Scotland, Holland, Belgium, France, Germany, Czecho-Slovakia and Austria.

The party will leave New York on the S. S. Andania July 31 and upon arrival in England will travel by motor northward on a long trip including Liverpool, Manchester, Lake Country, Glasgow, and Edinburgh and return to London via the east coast cathedrals. The program includes motor trips about The Hague, Amsterdam, Brussels and Paris.

There will also be days spent in Mayence, Jena, Dresden, and Prague. It is planned to return home by the S. S. Suffren, arriving in New York on October 7.

Persons interested in joining this tour should communicate with Miss Harlean James, 905 Union Trust Building, Washington, D. C.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## ZONING TRIP

Here is the zoning story of my trip to the National Conference on City Planning held at St. Petersburg, Florida, March 29th. On March 19th my party of four started through *New Jersey*, where the city attorneys are quite discouraged about enforcing zoning ordinances, and a constitutional amendment for zoning is brewing. About four out of five decisions handed down by the courts are against zoning. Boards of appeals never had a chance in this state because the early medley of zoning enabling acts was utterly confusing and nondescript in this particular. The boiler had to function without a safety valve and sooner or later it was sure to blow up. The Nutley case held that it was unconstitutional to prevent a store in a residence district. Some of us think that a functioning board of appeals could have prevented this. Maybe not. Anyway the courts have cited the Nutley case to throw out all sorts of zoning considered proper in other states. A new zoning enabling act, one of the best in the country, did not stop the onslaught. Recently the court went to the limit and said that no applicant need go to the board of appeals before getting direct action through the courts. This was the last straw that broke the camel's back. First, the courts said that zoning was unconstitutional because it was unreasonable, and then they scrapped the only method thus far devised to make zoning reasonable wherever its incidence was unreasonable.

And so to *Pennsylvania* where Philadelphia still has no zoning ordinance, nor for that matter any state enabling act. Skyscrapers were the rock on which the ship met disaster although probably 90% of the people want the zoning plan. All the other kinds of municipalities in the state have procured good zoning enabling acts and are zoned or are proceeding to zone. Meeting with good success too.

*Delaware* was next. A good enabling act and an excellent ordinance in Wilmington. However, a dangerous looking slant in the only important zoning decision has caused a feeling of suspense in this state.

*Maryland* has no general zoning enabling act. Baltimore zoned under supposed home rule powers. The highest court of the state declared that it had these powers, but that the exclusion of a store from a residence district was unconstitutional. At present the use map is being enforced according to the discretion of the building inspector who passes judgment on each application as it comes up, deciding whether its allowance would affect the community health, safety, morals and general welfare. This, of course, is not zoning. A zoning plan tells each land-owner what he can build as a matter of right. The rest of Maryland hardly knows what to do. Cumberland is waiting.

In the *District of Columbia* the successful Steerman case, in which the District Court said that a store could properly be excluded in a residence district, is on its way to the United States Supreme Court. But the attorneys for Steerman obtained the consent of that court to postpone argument until after the Euclid Village (Ohio) case is decided. Unexpectedly the Euclid Village case was reopened so that a further brief could be submitted, thus postponing the final decision in that case until next fall or winter. Zoning is operating as smoothly in Washington as it can in any place where the law does not establish a board of appeals. No one knows where or when the lightning will strike.

*Virginia* has up to now been limping so far as zoning is concerned. Norfolk has a good ordinance and Richmond a medium. The trouble has been a defective state law. But in March of this year a standard enabling act became law.

*North Carolina* has a good enabling act under which Raleigh and Greensboro have passed ordinances. Asheville is getting started. Mayor Cathey, who attended the Conference, hopes to see the zoning of the city accomplished before he goes out of office. This city, heretofore somewhat inaccessible, is now the important point on a great new automobile highway extending from Johnson City to Atlanta through the heart of the Alleghanies. This route is bound to attract automobilists away from the flat country and into the mountains as they travel between Atlanta and Harrisburg. The cities of this state are enterprising and up to date. All are looking into the subject of zoning. The cotton weaving industry is bringing a great deal of money into the state. *South Carolina* has a good enabling act, but its cities have been slow in taking advantage of it. Columbia is fairly well zoned.

Then we come to *Georgia* where we all thought that zoning was going swimmingly. Atlanta has an excellent special enabling act and one of the best ordinances in the country. It has a board of appeals and all the requisite outworks. But the lightning struck where it was least expected. A lot owner in a residence district and on the borderline of a business district applied for a permit for a storebuilding. In all other well zoned cities, the applicant after being refused a permit by the building inspector would be compelled to go to the board of appeals. In New York the board of appeals is weekly making adjustments that solve these borderline cases or at least turn them into court review. Not so in Atlanta. The board of appeals refused to take jurisdiction when the applicant appealed to it. This opened the door wide for the applicant to bring an injunction suit on the grounds of unconstitutionality which he won all the way up to the highest court. The court was forced into a corner. After it was evidently convinced that the situation of the applicant under the strict letter of the law was arbitrary and unreasonable, it could not command the board of appeals to issue a variance. It could do nothing but declare the instance unconstitutional, and while it was about it the court wrote an opinion which looked for all the world like the Nutley decision. Georgia in four short months passed from the light into darkness so far as zoning is concerned, all unnecessarily.

And now at last we have arrived in *Florida*. Legislation like everything else in this state is done rapidly. The result has been a large number of half-baked special enabling acts for zoning. Four of them are good. The rest vary from about

30% to 60%. The ordinance of St. Petersburg based on a good special enabling act was defeated on referendum. Two out of three of all these special acts are only a little better than nothing at all. West Palm Beach, St. Augustine and Miami Beach are good. Jacksonville and Orlando are from fair to middling. Several progressive cities tried to induce the state legislature at its last session to pass a zoning enabling act applicable to all cities. If the legislature had wanted to save time, it should have done this. Instead it wasted a lot of its time on poor enabling acts and brought about no end of confusion. The best landscape work and the most skilfully drawn private restrictions will not take the place of good fundamental laws.

The states where zoning is having the worst luck just at present seem to be along the coast from the Hudson River to the Mississippi River, omitting western Pennsylvania, District of Columbia, North Carolina and South Carolina which up to the present are bright spots, and speaking softly about Delaware, Alabama and Louisiana.

E. M. B.

## HOTELS

The discussion of Hotels in relation to zoning in the October 1925 issue of CITY PLANNING raises certain questions which should at least receive consideration. Mr. Bassett says that a hotel "rightly seeks to be in a quiet and attractive location." He has in mind the family or tourist hotel in a high grade residential development. The question is, is this done "rightly"? Such a hotel is a business. Its business chances are advanced by allowing it to go into a residential area, but this is also true of apartments, stores, garages and many other kinds of business. Good living conditions are the main justification for zoning. If we admit the hotel we will have to admit the apartment house and many other businesses that are "just as good". The courts hold that the better possibilities for a business where it is excluded are no justification for admitting it. Therefore a hotel "rightly" seeks a residential area no more than does an apartment house, a store, or a garage.

By all of our zoning we must, if it is to be justified, use methods which will get us somewhere, somehow, sometime. If home areas are to be made right by protection the only way to secure them will be to protect them. If the conditions of admitting a hotel are such that it can not by any possibility injure the home area the theory of admission may be admitted, but in the main we will have to take it for granted that requiring 1,000 square feet of land for each room in a hotel, while it at first sight seems prohibitive, will in reality give very little protection to a high grade residential district. A hotel with forty-three rooms on one acre of land would be avoided by all high grade developments and it would therefore have to be deemed an injury.

E. T. HARTMAN,

*Massachusetts State Consultant on Housing and Planning.*

## CINCINNATI ZONING DECISION

There was a recent decision by the court here in Cincinnati which seems to be of great interest and value to zoning.

The plaintiff in the case was the Salvation Army and the defendant was named *Frankenstein*, and it was in the Court of Common Pleas of Hamilton County, Ohio. The defendant was about to erect a moving picture theatre. As a matter of fact, though not appearing in the pleadings or the arguments, it was a theatre intended for negroes, being just on the edge of an existing negro neighborhood where the latter touches a neighborhood of fine homes, though unquestionably declining as a large home single family district. The Salvation Army had installed a few years ago a maternity home in one of these old residences, being on the second lot from and at some 200 feet from the proposed theatre. One question in the case was as to where the boundary line was between the business and residential district. The zoning ordinance permitted the theatre in a business district. The boundary question arose from certain alleged uncertainties on the map. The court decided to refrain from passing on the boundary question until after that question had been submitted to and decided by the Zoning Board of Appeals and refused to interfere by injunction. The court also held that any use permitted by the zoning ordinance could not, so far as mere construction of the building is concerned, be treated as a nuisance, and that the zoning ordinance legalizes that use in any zone in which such use is permitted.

ALFRED BETTMAN.

## BOSTON ZONING CASE

The Washington Chapter of the American Institute of Architects asks: "Is the sense of security which comes from the knowledge that a zone once established will stand indefinitely, the real justification of a zoning law, and has any one today that sense of security?" This question is being echoed in many minds in Massachusetts as a result of the decision in the case of *Norcross v. Board of Appeals*, a Boston case.

An applicant desired to erect a 155 foot building in a 100 foot district. The Board of Appeals, considering that the lot was within half a block of a 155 foot district, and that the land was expensive, granted the variation. The court considered the action as in conformity with law, although both the state enabling act and the Boston law say that variations may be granted only in conformity with "the intent and purpose of the law but not otherwise".

The facts, which were not admitted, are that the lot is in a 100' district, that it is next to property on which the state has imposed an 80' limit of height and that the lot fronts on Arlington Street and the Public Garden.

Because of these facts the decision is unfortunate. But the further question arises whether all decisions of a board of appeals, if rendered with due observance of the forms of law, are to be upheld. What about the purpose and intent of the law?

If an area within a half-block of a 155 foot district is itself in the 155 foot district, all such areas, whether in 100 foot, 80 foot or 35 foot districts are in the 155 foot district. And if zone lines are thus meaningless in regard to height, why not in regard to area, and use?

If such decisions by boards of appeal are to be upheld, they more than justify the early objections to such boards. If they hold, zoning laws become a matter of discretion in all respects, a matter of men and not a matter of law, as brought out in *Wulfsohn v. Burden*, 210 N. Y. Supp. 941.

Massachusetts has been proud of the zoning decisions of her highest court but she is now in doubt as to where she stands or what her zoning laws are worth. She is convinced that she is in for much trouble if all zoning laws are to be matter of discretion on the part of officials.

E. T. HARTMAN.

## COMMUNITY ORGANIZATION FOR CITY PLANNING

**1. A City Plan Office** should be an officially recognized part of the administrative machinery. It may be a superintendent of city planning with an advisory board, as in Rochester, New York; a planning engineer attached to the city engineer's office, as in several cities; a city planning board with its own engineer executive as in many more cities; or a city planning board or committee using the city engineer's office for technical assistance. Any of these may be adequate with the support of public opinion and the coöperation of the other municipal departments. Without such backing none of them can accomplish much.

**2. A City Plan** should cover the street system, parks and playgrounds, public building sites, and zoning as a minimum. The interpretation of the plan, its modification when needed, are the continuing functions of the city planning office, which should also recommend at the right time items of the city plan for execution.

**3. Public Support.** From the beginning of planning activity, the support of the public should be secured. In large cities this may necessitate a citizens' planning association, with a budget for publicity purposes.

From report of Flavel Shurtleff, Secretary,  
National Conference on City Planning, Florida, 1926



# INSTITUTE NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## FLORIDA CONFERENCE

The Florida Meeting of the National Conference afforded a unique opportunity to those interested in City Planning to see and hear what is going on in that land of "rapid development". Those who went on the tours of Pinellas Peninsular and along the ocean front at Palm Beach saw the most recent and some of the oldest developments in the state. Those who had the good fortune to visit Mountain Lake before the Conference or to motor to Miami after the final meeting, discovered the monotony or variety (as you prefer) of natural and architectural beauty which Florida now boasts. Some will remember the red roads of Mountain Lake, some the ambitious paved areas at Boca Raton, some the architectural wonders at Coral Gables or at the Rolyat Hotel, but all will remember mile after mile of stakes at the corners of fifty foot lots. All who attended the Conference will also remember a free newspaper at St. Petersburg, and the hospitality of those who entertained us at both of the cities where we met.

The addresses and papers given at the Conference covered the usual variety of subjects.\* The inspiring address of Mr. Allen D. Albert at the Civic Luncheon showed us the opportunities ahead. Mr. Olmsted with his delicious recipes for making and cooking "resort communities" contrasted the European and American methods of procedure and warned of the danger of "killing the goose". Mr. Steele's exposition of the Relation of the Architect to City Planning raised the hopes of all present for more active participation of architects in city planning endeavor.

One whole session was devoted to transportation and traffic problems and another session to campaigning for and teaching city planning.

With all this variety, the emphasis throughout the Conference was upon the problem of zoning and planning control of unsubdivided areas. Mr. Bassett has prophesied that we "will look back upon this St. Petersburg Conference as being almost the first groping after lawful methods to bring about comprehensive planning." From the first session with the discussion of "Planning Opportunities and Problems in Periods of Rapid Development" to the final paper by Mr. Whitten, this groping and progress were evident.

*Mr. Carl C. McClure* in his paper expressed it as his opinion that the greatest danger attendant upon periods of rapid development is that of mistaking promotion for development. "He considered that the 'postage stamps lot'—50 x 100 feet—has become a positive evil in Florida". Mr. McClure is President of the Florida Association of Real Estate Boards, the legislative committee of which "is at the present time at the instance of the Board of Governors, considering the promotion of legislation to regulate and control subdivisions."

\*See program printed in CITY PLANNING for April, 1926, page 170.

*Mr. Whitnall* considered that "most of the problems of City development are the result of an entire failure to accept the opportunities when they were opportunities, and before they became problems."

"During 1925 there were put on record in the Los Angeles district over 1,400 new subdivisions which if combined would create a considerable community. In these new subdivisions, the city will secure an additional 150 miles of major thoroughfares comparable to the one we are re-making in the heart of the city, every mile of which is properly located for the present and future needs of the community. If we had not exercised control over these subdivisions but had left until tomorrow the task of remodeling, . . . . ., you can readily figure that the job of remodeling would have cost the city the sum of one hundred and fifty million dollars. These figures are of great significance to the people of a community which is bonding itself heavily for street widenings. They need no more argument on the value of planning. I mention this chiefly to emphasize that the first incentive of the average individual developer is to cause as rapid a turnover of land as possible, with as great a financial return as possible. Consequently the ultimate community welfare is not always borne in mind. The result of this practice leaves the dregs to the community later to dispose of in the way of expensive if not insurmountable problems. It follows, therefore, that the community has a moral right, if not a legal duty to inject itself into the process in order to prevent these problems."

*Mr. Irving Root* presented a Progress Report of the Joint Committee appointed by the National Association of Real Estate Boards and the National Conference on City Planning on the subject of "Subdivision Control". The Joint Committee has agreed on the following points:

- (1) The necessity of a state planning act delegating to cities and counties the authority to prepare general plans and approve subdivisions.
- (2) Under the authority of such an act a master plan should be prepared for the area of control, showing the locations of major highways, open spaces, and designating areas for specific uses, (zoning).
- (3) The approval or rejection of new subdivision plans should be in the hands of a plan commission or similar agency which would have the power to prevent the use of land if not platted in accordance with the master plan.

The prevention of the use of land is the difficult problem. The Committee is now working on the suggestion that building permits be refused to owners of lots in unapproved subdivisions.

*Mr. Bassett* felt that the building permit suggestion was sound, but that to avoid litigation and adverse court decisions a Board of Adjustment or Appeals would be essential just as in administering zoning. In his paper at the third session of the Conference, he developed this theme, stating the difficulties in the way of preventing misplaced streets and lack of playgrounds, and emphasizing the need of State Enabling Acts to provide planning control.

*Mr. Bartholomew* thought that the building permit suggestion could not work. In the first place, innocent purchasers would be penalized instead of the original subdivider. In the second place, building permits would not be refused in many jurisdictions. His suggestion was that the city should start condemnation procedure

immediately if a subdivider attempted to sell lots in an unapproved subdivision or in a subdivision in which the streets did not conform to the master plan.

*Mr. Dalton Moomaw* of South Bend, Indiana, explained the procedure now used in his city. If the plat is not accepted, the owners are refused all street improvements, sidewalks, sewers, etc.

*Mr. Ihlder* called attention to the fact that the condemnation method may be very expensive and considered that refusal to provide water and sewer was anti-social. The community would thereby harm itself in order to punish individuals who have not complied with requirements.

*Mr. Whitten* in his paper given at Palm Beach, suggested the development of a system of main thoroughfares at half mile intervals forming a pattern of 160-acre tracts. "Each of these 160-acre tracts can then be planned as a complete neighborhood unit." The unit is a good one because when fully built up it would have a school population easily accommodated in a single school. It is also capable of being cut into 40-acre tracts which is an equally serviceable unit for apartment house development.

"A company organized to build a neighborhood community is performing a most important function in the interest of the city and state. It should have the right of condemnation just as that right is granted to the railroad or other public utility company. In return for this grant of state authority the development company should be subjected to a sufficient measure of public control to insure the building of a real neighborhood community with proper provision not only for the necessities but also for the amenities of neighborhood life."

#### RESOLUTION ADOPTED AT THE FLORIDA CONFERENCE

"Experience during the last year and discussions at the present Conference have emphasized, as never before, the fundamental importance of state enabling acts to effective city planning. Municipalities cannot avoid congestion, prevent misplaced streets, protect homes, provide safe and sufficient traffic facilities, and acquire adequate and permanent playgrounds without proper state legislation. We commend to the legislatures of the several states and to municipal officials and civic organizations interested in such legislation, the standard zoning enabling act prepared by the United States Department of Commerce, and the suggested model for a uniform vehicle code drafted by the Second National Conference on Street and Highway Safety. The adoption, under competent legal advice, of such legislation and of other needed enabling acts will make possible the more rational development of our cities and metropolitan regions and the saving to future generations of social and economic costs beyond all computation."

## INSTITUTE MEETING AT WASHINGTON

At the meeting of the Institute, in Washington on May 6th, "Planning Control of Unsubdivided Areas", was again the chief subject of discussion.

*Mr. Williams* explained the two acts recently passed by the New York Legislature (see page 222), and briefly discussed the scheme under consideration in Massachusetts which Mr. Philip Nichols presented at the 1925 Conference.

*Mr. Bettman* distinguished the two methods by saying: "One would have streets and parks reserved by the community in accordance with a master plan under the exercise of the police power. The other agrees on the master plan, but takes an easement for streets and parks by the exercise of eminent domain". He feared that there is too much discretion allowed under the New York Law and advised "defining standards" on which boards of appeal could make their decisions.

*Mr. Ford* questioned whether if we agree that we are taking something valuable when we demand mapped streets, why it is not better to pay for these takings? He suggested a revolving fund from benefit assessments and general taxation. Mr. Williams pointed out that, under the police power method, privileges granted by a Board of Appeals might compensate for land takings.

*Mr. Black* cited the case of Akron where for some time a definite percentage of all newly-subdivided land was dedicated for park purposes. He considered that many so-called park areas resulting from this method were liabilities to the city.

*Mr. Lonnquist* stated that the National Association of Real Estate Boards has endorsed a resolution for 5% of area of subdivisions for parks.

At the Joint Session with the American Institute of Architects, *Mr. Henry Wright*, Chairman of the Community Planning Committee, stated that the architect "is interested personally and professionally in the best working and living conditions for all classes in the community, but it is useless to conceive of better layouts for living while most of the forces inherent in our present city expansion tend to destroy the results of our efforts almost as rapidly as they can be accomplished."

*Mr. Nolen* pointed out that "the architect cannot have the right lots or blocks to work with unless there is an underlying plan which produces them. It has been said that there are four wheels to the city planning coach—the engineer, the architect, the realtor and the landscape architect."

*Mr. Veiller* suggested that the taste of the architect in design is wasted in a community without a plan, and conversely a city with a plan is unattractive unless the hand of the architect has been in the designing of its buildings.

*Mr. Atterbury* wished that the fourth wheel, which is the architect, should be on the coach at the beginning of the journey rather than at the end of the road.

*Mr. Stein* said, "City planners produce a skeleton of the city—main roads, and parks, but they leave great spaces to be filled by the individual subdivider who often does the damage; and the architect is left with lots that are unfit to work with."

*Mr. Gray* pointed out that the realtors and subdividers are merely giving the public what it wants, and the public must be better educated if we are to get fit lots to work with.

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 D. Everett Waid, 1 Madison Ave., New York City  
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# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## IMPORTANT PLANNING LEGISLATION IN NEW YORK

NEW YORK has enacted two laws for the solution of old planning problems in a new way. These laws, passed by the legislature of 1926, are Acts Chapter 690, applicable to cities, and Chapter 719, applicable to villages in the state. The two laws, identical in purpose, and practically the same in wording, are based upon a model statute contained in a Pamphlet "Planning of Unbuilt Areas in the New York Region—A Form of State Enabling Act with Annotations," by Edward M. Bassett, published by the Regional Plan of New York and Its Environs, 130 East 22nd Street, New York City. The reader will remember a mention of the Model Act in our *Legal Notes* for July, 1925.

The new laws:

(1) Contemplate that a planning board, established by the legislative authorities of the municipality, shall prepare a master plan showing present and future streets and parks, same not to be binding in any way but merely a guide for comprehensive planning.

(2) Contemplate and empower the legislative authorities of every city and village to establish an official map of streets and parks. Main thoroughfares will be early determined for outlying districts. Later the secondary streets will be filled in through coöperation with the land owners.

(3) Require the planning board to advise the legislative authorities before they lay out streets or parks on the official map, or make changes therein. This assures careful and comprehensive planning.

(4) Prevent the issue of permits for buildings on streets not on the official map, supplying, however, adequate safeguards for exceptional cases.

(5) Prevent the issue of permits for buildings in the beds of streets shown on the official map, supplying, however, adequate safeguards for exceptional cases. This preserves the integrity of the city plan.

(6) Prevent the filing of plats containing new streets without the written approval of the planning board. Such new streets then become part of the official map. This stops the erection of buildings on misfit private developments, and thus stops misfit street layouts.

(7) Permit the planning board in proper cases to lessen street widths shown in plats and in lieu thereof set aside playgrounds.

(8) Permit the planning board to accommodate developers in making reasonable zoning changes for their plats.

The New York legislation is so important and so novel that every city planner, whatever his views on the subjects with which it deals, will wish to give it careful

study; and for this reason the city law is given below, in full.<sup>1</sup> Space is lacking in which to analyse the legislation with any fullness; the reader, desiring any such treatment of the subject, is referred to the abundant literature with regard to it already in print.<sup>2</sup> In considering the law the reader should remember that:

1. It is *planning* lay-out with which the law deals, not physical lay-out which involves the taking (and paying for) the necessary land. After planning lay-out, the owner continues to own and use all his land as before, except only that he cannot ordinarily build in the bed of a planned street.

2. Usually planning lay-out benefits the owner. Often he employs experts to do such work. A common objection to the planning of thoroughfares in advance is that it may so raise the value of the land as to make it too expensive later to construct the road.

3. Whenever, in the exceptional cases, the owner is damaged, he is allowed to build, or in some other way his full claim to damage is met. He never suffers an uncompensated damage.

4. The reservation of small parks or playgrounds is recognised, ordinarily as a financial gain to a developer of a tract of land; and in the exceptional case, he is not required to reserve it.

5. This law does not create exceptional cases; they exist in the nature of things and cannot be removed. All that can be done is to create a machinery to deal justly with the exceptional case, as in this law.

## ZONING AND PLANNING NOTES

*Florida.* From the case of *State ex rel. Shad v. Fowler*, 105 Southern Reporter 733, it seems that reasonable zoning, if authorized by a proper state law, is constitutional in that state. Florida has many special zoning enabling acts of various degrees of excellence, but as yet no general act.

*Georgia.* The Supreme Court, in *Smith v. City of Atlanta*, has held that the clause in the Atlanta Charter with regard to zoning, in so far as it authorizes the exclusion of stores from residential districts, is invalid.

*Massachusetts.* *Bradley v. Board of Zoning Adjustment of the City of Boston* 150 North Eastern Reports, 892 holds valid the law establishing that board, whose members were appointed on nomination of various private technical societies.

*Norcross v. Board of Appeal*, 150 North Eastern Reports 887 sustains the ruling of the board allowing in its discretion, on the facts of that case, a building in an "L 80" height district in Boston to go to a height of 155 feet. (See page 215)

*New Jersey.* The legislature has passed the following Constitutional amendment:

"The legislature may enact laws under which municipalities other than counties may adopt zoning ordinances limiting and restricting to specified districts and

<sup>1</sup>See end of "Notes."

<sup>2</sup>See a paper by the writer in the proceedings of the International City and Regional Planning Conference held at New York City, April 1925 (published by The Norman Remington Co., Baltimore, Maryland, U.S.A. 1925, under the title *Planning Problems of Town, City and Region*) p. 392, and the paper by Philip Nichols, ib., p. 378.

regulating therein buildings and structures according to their construction and the nature and extent of their use, and the exercise of such authority shall be deemed to be within the police power of the state."

To become effective, the amendment must be passed at the next session of the legislature and be ratified by popular vote.

It will be noted that the amendment does not authorize the regulation of land, as such. It is often convenient to restrict such uses, as taxi stands, junk yards, lumber piles, etc., on vacant land. Apparently no provision is made for such regulation.

*District of Columbia.* The Congress of the United States has passed a law, approved April 16, 1926, amending the act approved June 1, 1910, regulating the height of buildings in the District of Columbia. The act of 1910 fixed the maximum height limit at 110 feet. The amendment allows the building to be erected at the southeast corner of Fourteenth and F. Streets (the Press Club) to go to a height of 140 feet.

A law of this sort is much to be regretted. The height, area and use of buildings in Washington is regulated by a zoning ordinance made with relation to the maximum height limit established by the law of 1910. To this regulation there should be no special exception. Any relief on account of injustice or hardship in special cases should be allowed only on proof under general regulations giving any person feeling himself aggrieved by the existing rules the opportunity to obtain relief.

On April 30, 1926, the National Congress created "The National Capital Park and Planning Commission" with advisory powers. This was done by repealing section 1 of act 43 Stat. 463 and substituting a new section 1 therefor. The remaining sections of the act 43 Stat. 463, as amended February 26, 1925, remain unchanged. These remaining sections give the commission certain powers for the acquisition of land for park purposes. (See page 200)

\* **BILL BOARDS.** The importance of the subject warrants the mention here of the fact that The Municipal Art Society, 119 East 19th Street, New York City, in February, 1926, issued a bulletin written by the editor of these Notes, entitled "The Regulation of Outdoor Advertising by Law." Copies of the second edition of the pamphlet may be obtained on application to the society.

F. B. W.



**STATUTES, NEW YORK, 1926, CHAPTER 690****AN ACT****To amend the general city law, in relation to official maps and planning boards.**

Section 1. Chapter twenty-six of the laws of nineteen hundred and nine, entitled "An act in relation to cities, constituting chapter twenty-one of the consolidated laws," is hereby amended by adding thereto a new article, to be article three, to read as follows:

**ARTICLE 3.**

Section 26. Official map, establishment.

27. Planning board, creation and appointment.

28. Planning board, officers, employees and expenses.

29. Official map, changes.

30. Planning board, reports on matters referred to it.

31. Planning board, general reports.

32. Approval of plats.

33. Approval of plats, additional requisites.

34. Record of plats.

35. Permits for buildings in bed of mapped streets.

36. Municipal improvements in streets; buildings not on mapped streets.

37. Planning board, changes in zoning regulations.

38. Boards of appeal.

§ 26. Official map, establishment. Every city by ordinance or resolution of the legislative body which has the authority to lay out, adopt and establish streets, highways and parks may establish an official map or plan of the city showing the streets, highways and parks theretofore laid out, adopted and established by law, and such map or plan is to be deemed to be final and conclusive with respect to the location and width of streets and highways and the location of parks shown thereon. Such official map or plan is hereby declared to be established to conserve and promote the public health, safety and general welfare. Said ordinance or resolution shall make it the duty of some appropriate official or employe of said city at once to file with the clerk or register of the county or counties in which said city is situated a certificate showing that the city has established an official map or plan.

§ 27. Planning board, creation and appointment. Such legislative body of each city is hereby authorized and empowered to create by resolution or ordinance a planning board of five members to be appointed by the mayor with authority to remove any member of such board for cause and after public hearing. Of the members of the board first appointed, one shall hold office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, one for the term of five years, from and after his appointment. Their successors shall be appointed for the term of five years from and after the expiration of the term of their predecessors in office. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term. In any city in which there is a planning commission created in accordance with article twelve-a of the general municipal law the ordinance or resolution instead of providing for the appointment of a new planning commission or board may provide that the existing commission shall continue, the members thereof thereafter to be appointed in accordance with the provisions of said article twelve-a, with the powers and duties as specified for a planning board appointed as provided in this article in addition to the powers and duties as specified in said article twelve-a; provided, however, that in any such city section two hundred and thirty-eight of the general municipal law shall not be in force.

§ 28. Planning board, officers, employees and expenses. The mayor shall designate the member of said planning board to act as chairman thereof; or on his failure so to do, the planning board shall elect a chairman from its own members. It shall have the power and authority to employ experts and a staff, and to pay for their services and such other expenses as may be necessary

and proper, not exceeding, in all, the appropriation that may be made for such board. Each city is hereby authorized and empowered to make such appropriation as it may see fit for such expenses, such appropriation to be made by those officers or bodies having charge of the appropriation of the public funds.

§ 29. Official map, changes. Such legislative body is authorized and empowered, whenever and as often as it may deem it for the public interest, to change or add to the official map or plan of the city so as to lay out new streets, highways or parks, or to widen or close existing streets, highways, or parks. At least ten days notice of a public hearing on any proposed action with reference to such change in the official map or plan shall be published in an official publication of said city or in a newspaper of general circulation therein. Before making such addition or change the matter shall be referred to the planning board for report thereon, but if the planning board shall not make its report within thirty days of such reference, it shall forfeit the right further to suspend action. Such additions and changes when adopted shall become a part of the official map or plan of the city, and shall be deemed to be final and conclusive with respect to the location of the streets, highways and parks shown thereon.

The layout, widening or closing, or the approval of the lay out, widening or closing of streets, highways or parks by the city under provisions of law other than those contained in this article shall be deemed to be a change or addition to the official map or plan, and shall be subject to all the provisions of this article.

§ 30. Planning board, reports on matters referred to it. The body creating such planning board may by general or special rule provide for the reference of any matter or class of matters to the planning board before final action thereon by the public body or officer of said city having final authority thereon with or without the provision that final action thereon shall not be taken until said planning board has submitted its report thereon or has had a reasonable time to be fixed in said rule to submit the report.

§ 31. Planning board, general reports. The planning board shall have full power and authority to make such investigations, maps and reports and recommendations in connection therewith relating to the planning and development of the city as to it seems desirable providing the total expenditures of said board shall not exceed the appropriation for its expenses.

§ 32. Approval of plats. The body creating such planning board may by ordinance or resolution authorize and empower the planning board to approve plats showing new streets or highways. Before such approval is given, a public hearing shall be held by the planning board which hearing shall be advertised in an official paper or in a newspaper of general circulation in said city at least ten days before such hearing. The planning board may thereupon approve, modify and approve, or disapprove such plat. The approval required by this section or the refusal to approve shall take place within forty-five days from and after the time of the submission of the plat for approval; otherwise such plat shall be deemed to have been approved, and the certificate of such city as to the date of the submission of the plat for approval and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written endorsement or rather evidence of approval herein required. The ground of refusal of approval of any plat submitted shall be stated upon the records of such planning board.

The ordinance or resolution authorizing the planning board to approve plats shall make it the duty of some appropriate official or employee of said city to file with the clerk or register of the county or counties in which said city is situated a certificate showing that said planning board has been so authorized and shall specify the officer or employee of said city who shall issue in its behalf the certificate of failure to take action as aforesaid.

§ 33. Approval of plats, additional requisites. Before the approval by the planning board of a plat showing a new street or highway, such plat shall also in proper cases show a park or parks suitably located for playground or other recreation purposes. In approving such plats the planning board shall require that the streets and highways shall be of sufficient width and suitably located to accommodate the prospective traffic and to afford adequate light, air and access of fire-fighting equipment to buildings, and to be coördinated so as to compose a convenient system; that the land shown on such plats shall be provided with proper sanitary and drainage conditions; and that the parks shall be of reasonable size for neighborhood playgrounds or other recreation uses. In making

such determination regarding streets, highways and parks the planning board shall take into consideration the prospective character of the development, whether dense residence, open residence, business or industrial.

§ 34. Record of plats. No plat of a subdivision of land showing a new street or highway shall be filed or recorded in the office of the county clerk or registrar until it has been approved by a planning board which has been empowered to approve such plats, and such approval be endorsed in writing on the plat in such manner as the planning board may designate. After such plat is approved and filed, subject, however, to review by court as hereinafter provided, the streets, highways and parks shown on such plat shall be and become a part of the official map or plan of the city. The owner of the land or his agent who files the plat may add as part of the plat a notation if he so desires to the effect that no offer of dedication of such street, highways, or parks or any of them is made to the public.

In so far as provisions of law other than those contained in this article, require the approval of a plat, map or plan of land by the authority of the city, as a prerequisite of its record, or allow it to be recorded on failure of the city to approve or disapprove of the same within a given time, said provisions shall not be in force in so far as they apply to plats, maps or plans of land within the limits of any city which has established an official map or plan and authorized a planning board appointed by it to approve plats of land within said city showing new streets and highways, under this article.

§ 35. Permits for building in bed of mapped streets. For the purpose of preserving the integrity of such official map or plan no permit shall hereafter be issued for any building in the bed of any street or highway shown or laid out on such map or plan, provided, however, that if the land within such mapped street or highway is not yielding a fair return on its value to the owner, the board of appeals or other similar board in any city which has established such a board having power to make variances or exception in zoning regulations shall have power in a specific case by the vote of a majority of its members to grant a permit for a building in such street or highway which will as little as practicable increase the cost of opening such street or highway, or tend to cause a change of such official map or plan, and such board may impose reasonable requirements as a condition of granting such permit, which requirements shall inure to the benefit of the city. Before taking any action authorized in this section, the board of appeals or similar board shall give a hearing at which parties in interest and others shall have an opportunity to be heard. At least fifteen days notice of the time and place of such hearing shall be published in an official publication of said city or in a newspaper of general circulation therein. Any such decision shall be subject to review by certiorari order issued out of a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of such board upon zoning regulations.

§ 36. Municipal improvements in streets; buildings not on mapped streets. No public sewer or other municipal street utility or improvement shall be constructed in any street or highway until such street or highway is duly placed on the official map or plan. No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the official map or plan. Where the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways, the applicant for such a permit may appeal from the decision of the administrative officer having charge of the issue of permits to the board of appeals or other similar board in any city which established a board having power to make variances or exceptions in zoning regulations, and the same, provisions are hereby applied to such appeals and to such board as are provided in cases of appeals on zoning regulations. The board may in passing on such appeal make any reasonable exception and issue the permit subject to conditions that will protect any future street or highway layout. Any such decision shall be subject to review by certiorari order issued out of a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of such board upon zoning regulations.

§ 37. Planning board, changes in zoning regulations. The body creating said planning board is hereby authorized by ordinances or resolution applicable to the zoning regulations of such city or any portion of such zoning regulations, to empower it, simultaneously with the approval of any

such plat either to confirm the zoning regulations of the land so platted as shown on the official zoning maps of the city or to make any reasonable change therein, and such board is hereby empowered to make such change. The owner of the land shown on the plat may submit with the plat a proposed building plan indicating lots where group houses for residences or apartment houses or local stores and shops are proposed to be built. Such building shall indicate for each lot or proposed building unit the maximum density of population that may exist thereon and the minimum yard requirements. Such plan, if approved by the planning board, shall modify, change or supplement the zoning regulations of the land shown on the plat within the limitations prescribed by such legislative body in said ordinance or resolution. Provided that for such land so shown there shall not be a greater average density of population or cover of the land with buildings than is permitted in the district wherein such land lies as shown on the official zoning map. Such building plan shall not be approved by the planning board unless in its judgment the appropriate use of adjoining land is reasonably safeguarded and such plan is consistent with the public welfare. Before the board shall make any change in the zoning regulations there shall be a public hearing preceded by the same notice as in the case of the approval of the plat itself. On the filing of the plat in the office of the county clerk or registrar such changes, subject, however, to review by court as hereinafter provided, shall be and become part of the zoning regulations of the city, shall take the place of any regulations established by the board of estimate or other legislative authority of the city, shall be enforced in the same manner and shall be similarly subject to change.

§ 38. Boards of appeal. Any person or persons, jointly or severally aggrieved by any decision of the planning board concerning such plat or the changing of the zoning regulations of such land, or any officer, department, board or bureau of the city, may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to the court within thirty days after the filing of the decision in the office of the board.

Upon the presentation of such petitions, the court may allow a certiorari order directed to the planning board to review such decision of the planning board and shall prescribe therein the time within which a return thereto must be made and served upon the realtor's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the order shall stay proceedings upon the decision appealed from.

The planning board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such order. The return must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified.

If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

Costs shall not be allowed against the planning board, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

All issues in any proceeding under this section shall have preference over all other civil actions and proceedings.

§ 2. This act shall take effect immediately.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

## FOUR IMPORTANT NEW PUBLICATIONS

The preliminary edition of the long-expected **City Planning Primer**, prepared by the Advisory Committee on City Planning and Zoning, Division of Building and Housing of the Department of Commerce, has come out in mimeographed form, dated May 1926. In the considerable period of its preparation several other local primers have appeared in various states or cities, with which a reviewer naturally compares this more studied and authoritative piece of writing. A great deal of information of general application has been compressed into the dozen or so pages of the Department of Commerce Primer, and the arguments in favor of comprehensive planning are convincingly presented, ending with a snap-of-the-whip summary of outstanding points. What such a general publication without pictures or plans must lose in popular appeal,—as against some of the attractive local publications prepared for a known audience,—it gains in availability for newspaper syndication and for the use of pertinent selections on almost all phases of planning for publicity purposes. The distinguished composition of the Advisory Committee—as of all Secretary Hoover's Committees—and the sanction of the Department of Commerce give a weight to statements of city planning advantages which local campaigners will appreciate. With the Department's "Zoning Primer" and this new publication, a large amount of concentrated ammunition is now available.

The American Civic Association has again produced a useful bulletin (Series III, no. 1, Jan. 1926) to add to its list of real contributions at critical moments. This one, **City Planning Procedure**, meets the demand for information as to how to begin city planning and also refutes the oft-recurring objection that city planning is an expensive luxury, both as to technical advice and execution of plans. Mr. Delano introduces four papers by Messrs. Bartholomew, Ford, and Purdy, and Miss James. For cities where officials are backward in appreciating the need for city planning and equally for cities where campaigns have failed or are lagging, the distribution of this booklet in quantity ought to attract public interest. All those engaged in consulting city planning work will be interested in Mr. Ford's statements as to reasonable scope and cost of surveys for city plans. In addition to the Procedure Bulletin, the American Civic Association issued in February a number of *Civic Comment* containing the resolutions at the Pittsburgh meetings (where two of the papers in the Procedure Bulletin were first read), the 1926 work of the Association, and several other important news items.

As a work of reference the **1926 Municipal Index** published by the *American City Magazine* (New York City) surpasses the two previous volumes in the series, and forms a really indispensable part of even a very small civic library. Several

new features appear, notably the maps covering all the United States with an index of municipalities of over 1000 population, very compactly arranged and well cross-referenced from the maps. Other new sections are lists of municipally-owned utilities and services, local civic-commercial organizations, and community trusts and foundations, statistics on water-supply, waste disposal, municipal motor trucks, street lighting, street construction, traffic control, and public recreation facilities,—all these comprising matter not previously published in the *American City*. The bibliographies mention numerous new publications on civic topics, and include wisely also some old stand-bys still invaluable for reference, as well as—unwisely—some few other old publications of doubtful service. The large amount of advertising in the volume—which of course makes possible its sale at a reasonable cost—is grouped with related subject matter, thus breaking up the regular book text; but since articles are well indexed, this is no serious disadvantage to their use, and the advantages of a classified trade reference catalogue are secured. Such a volume as this brings strikingly to mind the substantial service which the *American City Magazine* has been rendering in compiling and disseminating useful up-to-date desirable information on a large variety of municipal topics.

From England has just arrived a book of particular interest at this moment to readers of Mr. Caparn's Billboard article on page 164 of this issue: **An Account of the Scapa Society**, by Richardson Evans (published by Constable & Company, London, 1926). This Society has long been working "to preserve scenery, whether in town or country, from disfigurement of the advertising order, and generally to maintain the charm and beauty of out-of-door life". In a future issue the editors hope to review this noteworthy book at greater length, and to find what lessons from the experience of England can help us in regulating and relegating billboards and roadside stands to the places where they properly belong.

T. K. H.

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## SOME RECENT REPORTS AND PAMPHLETS

**City Plan, Columbus, Ga.** John Nolen and associates, 1926. Fully illustrated.

**Report of the North Jersey Transit Commission**, to the Senate and General Assembly of the State of New Jersey, 1926. Fully illustrated. Bertram H. Saunders, Chairman; Herbert S. Swan, Secretary; Daniel L. Turner, Consulting Engineer.

**Zoning Progress in the United States.** Part I. Zoning and the Courts, by Edward M. Bassett. Part II. Report on Zoning Laws and Ordinances, by the Division of Building and Housing, John M. Gries, Chief, Washington, Department of Commerce, April 1926. (Mimeographed.)

**A Civic Survey of an Iowa Municipality: a Preliminary Report on a City Plan for Mason City.** By Rolland S. Wallis. Engineering Extension Dept., Iowa State College, Ames, Iowa. Feb. 3, 1923. Bulletin 76, Part 1; also, Supplement, *Ibid.*, Part 2. Fully illustrated. Mason City was chosen by the Extension Department as a typical rapidly-growing Iowa city.

**Report on a Town Plan for Arlington, Mass.** Arlington Planning Board, 1926. Fully illustrated. Includes Plan Report by Charles W. Eliot 2nd, consultant.

**Open Spaces of Massachusetts.** Bulletin No. 1. Holdings of Trustees of Public Reservation, 1926. Committee on Open Spaces, Charles W. Eliot 2nd, Secretary.

**Second Annual Report of the (Baltimore) Board of Zoning Appeals,** for year ending Dec. 31, 1925.

Of particular interest because of the great difficulties under which the Board has labored and the intelligent analyses which it has made to meet these situations.

**Some Regional Planning High Lights.** Bulletins from the Regional Planning Federation of the Philadelphia Tri-State District. February, March, and May 1926.

Reporting good progress in the basic work of this great coöperative undertaking.

**Parks on Long Island—Both Local and Regional.** Bulletin from the Committee on a Regional Plan of New York and its Environs, Jan. 12, 1926. Continuing earlier bulletins on acute Long Island problems.

**Niagara Frontier Planning Board.** First Annual Report. 1926. See notice of the Board's work on page 208 of this issue.

**Minnesota Municipalities,** May 1926. Containing article: Proposed Legislation on Zoning and Planning, by George H. Herrold, with text of proposed acts.

**American Political Science Review,** February 1926. Containing article Round Table on Regional Planning: Some Regional Problems and Methods of Their Study, by Shelby M. Harrison.

**Quarterly Journal of Economics,** February 1926. Containing article: Toward an understanding of the Metropolis. I. Some speculations regarding the Economic Basis of Urban Concentration, by Robert Murray Haig. (Also reprinted.)

———. May 1926. Containing article: Some Aspects of Regional Planning, by Charles A. Beard.

**Zoning—Its Evolution and Present Status.** By Edward T. Hartman. Massachusetts Federation of Planning Boards, Bulletin 19, May 1926.

A thoughtful and vigorous analysis, of general interest to all communities, as well as to those of Massachusetts.

**Solving the Traffic Problem.** By Hugh E. Young and Eugene S. Taylor. Copyright 1926.

A new method evolved by two men well-known for their experience in Chicago, and covered by patents pending, is explained and illustrated.

**Come Viene Impostato Dalla Città Di Milano Lo Studio Del Suo Nuovo Piano Di Ampliamento.** By Cesare Chiodi. Reprinted from the Bulletin of the City of Milan, July-August 1925.

The author, as chairman of the Plan Commission, sets forth the data for the proposed extension plan, and accompanies the studies by interesting maps of several European cities—Vienna, Brussels, Paris, Madrid, and Monaco—showing the outlines of greater Milan superposed for comparison. An important and valuable report.

## AN OPPORTUNITY

Persons interested in City Planning who do not possess a copy of that brilliantly informing paper by the late Viscount James Bryce, entitled "The Menace of Great Cities", will be interested in learning that there is an opportunity of obtaining a limited number of copies of this important article.

Prepared originally for the Second National Conference on Housing in America (1912) it was included in the Proceedings of that Conference published in a cloth bound book of 380 pages, entitled "Housing Problems in America", Volume 2. A limited supply of copies of this volume has been recently made available, and although it was originally published at \$2. per volume postpaid, the National Housing Association, its publishers, are making a special price to members of City Planning Commissions and City Planning Consultants of \$1. net postpaid.

In addition to Viscount Bryce's article this book contains also an article on "Garden Cities" by Grosvenor Atterbury, a discussion of "The Factory and the Home; Shall the Homes of Factory Employees Go to the City Outskirts with the Factory?" by John Nolen, and "Where City Planning and Housing Meet" by Andrew Wright Crawford, as well as other important articles on different phases of the housing question.

Persons who wish to avail themselves of this opportunity may obtain copies of this book, while the supply lasts, by sending orders to the National Housing Association, 105 East 22nd Street, New York City, accompanied by check, money order or currency for \$1.

L. V.



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OCTOBER, 1926

No. 4

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Courtesy of Fairmount Park Art Association

**PHILADELPHIA, SHOWING THE FAIRMOUNT PARKWAY**

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# CITY PLANNING

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QUARTERLY

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Vol. 2

October, 1926

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## CITY PLANNING IN PHILADELPHIA

By ANDREW WRIGHT CRAWFORD

TO the general public the actual opening of the Fairmount Parkway and of Delaware Avenue, the use of the Delaware River Bridge and the enjoyment of the parks are of fundamental interest. To the special audience of CITY PLANNING, I believe that the motive forces back of Philadelphia's accomplishments are of the greatest interest,—greater even than interest in plans already adopted but not yet accomplished, or in plans still in the making. When the Director of Public Works of one of the British subdivisions of India was in Philadelphia he expressed a desire for this information. He said that they in India lived the contemplative life while we in America lived the constructive life, and he wanted to know why the City Government of Philadelphia began and carried to completion such undertakings as the Fairmount Parkway.

There is always a variety of causes, of motives and of objects that combine to produce extensive accomplishments. Only a few cities in the history of the world have undertaken to destroy a thousand buildings in order to extend a Park to the city's center, to construct a diagonal vehicular thoroughfare, and to provide the locations of three civic centers. That combination was what Philadelphia undertook and has largely completed\* in the case of the Fairmount Parkway.

\*The chief respect in which it is not completed is in regard to the buildings forming the three groups, although some are completed or well on toward completion.



Courtesy of City Parks Association

**The Route of the Fairmount Parkway in 1907**



Courtesy of City Parks Association

**The Fairmount Parkway, July, 1925.**

**The tower at the northeast corner of Broad Street Station is to be removed under the City of Philadelphia-Pennsylvania Railroad agreement.**

**The group of buildings with the large smokestack in their centre, shown at the left, is to become an open plaza under that agreement.**

What was the dominating cause that produced the Fairmount Parkway? Paris has created such boulevards, but London has not; Rome did not; Chicago has not; New York has not. Indeed in the long history of the world from Athens to Philadelphia,—both cities with Greek names,—such roadways have been constructed in few instances. Was it a mere desire for use that produced this result? Was it that fetish of the City Planner in the last six or eight years—"Engineering Desirability"—that was the moving cause? Was it the pressure of motor traffic? The answer is a very clear "No" in each case. The Fairmount Parkway was undertaken long before motors created a serious problem. Mere speed, in the modern sense of the word, in getting from the center of the City to the Park, had not been conceived when the first portion of the Parkway was actually opened. "Engineering Desirability" had not been conceived, much less phrased, as a cause for action on such a scale.

If it was none of the motives City Planners now put forward to the public as reasons for carrying their plans into execution, what was the motive? I fear the answer will be a shock to those City Planners whose actions and reports seem to show that they would advise architects when submitting plans for an office building to a Board of Directors to secure approval by showing the details of the water-supply, of the water outgo, and of the elevators. Architects do not do that. They emphasize the attractiveness of the main façade and such other features of the building beautiful as they think will carry conviction; and the architect whose design appeals to the Board of Directors as most likely to bring the public to the building is, in nearly every case, the architect whose plans are accepted.

In American City Planning of the last ten years, that powerful lever has been purposely thrown away: many City Planners hope to sell to their Board of Directors—namely, the City Councils and the public at large—their plans for city development by emphasizing the water-supply, the sewerage system, and the street system, the latter being of course the system of elevators of a building made horizontal.

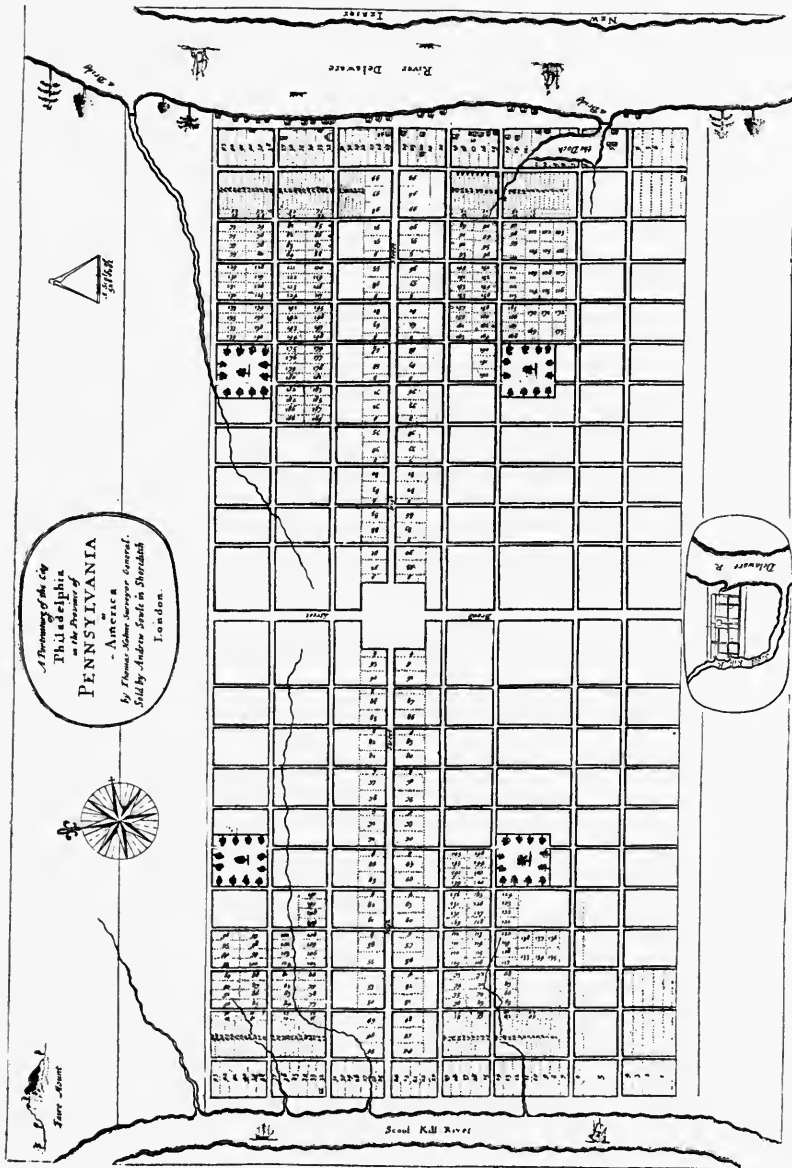
If any such appeal had been made to the citizens of Philadelphia to construct the Fairmount Parkway, the plan would not have been carried out but would be as forgotten as many a well-conceived engineering plan for the development of American cities.

It was a frank appeal for the City Beautiful that created the Fairmount Parkway.

I know all about the danger that many of us have felt in that phrase. I am satisfied there was no danger, but on the contrary a very powerful lever—in the long run the most powerful lever that any City Planner has in his hands. Of course the engineering features must be present. There must be water and sewage pipes; there must be streets for traffic; there must be secondary pipes in buildings, and there must be secondary streets in cities. But the one thing that today is far more effective than anything else, is the desire of American cities to make themselves attractive. Philadelphia and Chicago in their City Plans made a frank appeal for the City Beautiful, and in those two cities greater progress has been made, not only in the creation of the City Beautiful, but in the production of “engineering desirabilities.”

Anything can be overdone. Bookkeeping is very important, but the modern craze for card cataloguing, emphasized by Bureaus of Municipal Research, has greatly over-emphasized the importance of bookkeeping. In the same way the City Beautiful must be sought reasonably. There must be measure in all things. But the watchword of order and the beacon of beauty—harking back to Burnham—remain the great objects of City Planning and at the same time constitute the most powerful lever toward getting such engineering necessities as adequate traffic-ways.

When William Penn laid out Philadelphia, he made the provision of four squares in the four quarters of his oblong community, which provision has justly been the admiration of many individuals in considering his work in the seventeenth century. But a great deal of praise should be given to his foresight in making his main east and west axis—then called High Street, now Market Street—100 feet wide and his main north and south street 113 feet wide, much wider than the streets of the cities of his day.



Courtesy of Fairmount Park Art Association

**Thomas Holme's Plan for the City of Philadelphia, 1683**

It is interesting to note that Holme showed nothing outside the limits of old Philadelphia except "Fair Mount," which is today a pivotal point in the replanning of central Philadelphia.



Penn's city covered two square miles, two miles in length from the Delaware River to the Schuylkill River, and one mile north and south. The City today covers 129 square miles. So powerful was the plan of Penn that Broad Street, which is Penn's main north and south street, is now 113 feet wide throughout the entire north and south extension of the City, from the Southern Plaza on the south to the City Line on the north, a distance of about eight miles. At the Southern Plaza it becomes a Parkway 300 feet wide, and a park route of a distance of about a mile and a half to the entrance of the League Island Navy Yard. High Street—which, by the way, is reproduced eclectically in the Sesqui-Centennial Exhibition—has also extended itself of its full width westward to the city limits.

The pertinacity however of an official plan is shown in unfortunate ways as well as fortunate ways. The streets running north and south paralleling Broad Street were planned by Penn's surveyor, Thomas Holme, as only 50 feet wide; and a great many of them have remained of that width through the territory through which they were opened north and south of William Penn's city, for considerable distances. In only those sections which have been opened in the last ten or fifteen years can one find recognition of the need of additional width.

At the northwest corner of Penn's plan, made in 1683, Holme with a vision that seems prophetic shows a hill which he called "Faire Mount". This hill has exercised and is today exercising a profound influence on the City of Philadelphia and on the City Plan of Philadelphia. When Faire Mount was first acquired for the purposes of the water-supply, Fairmount Park was really begun. That hill remained the southeastern limit of Fairmount Park until the City began the construction of the Fairmount Parkway, just about twenty years ago. The view of the Fairmount Parkway, published herewith, shows how Fairmount Park is in effect continued through Logan Square, one of William Penn's original squares, to the City Hall. On Faire Mount our \$15,000,000 Art Museum (to include the cost of the building, approaches and surroundings) is being built. And it is gratifying to hear the comments made by so many well-informed visitors that, owing to the

design of the building, its location, and the color of the stone (which the Greeks and South Italians used to love), it promises to be one of the three or four greatest and most beautiful buildings in America. This building is placed on Faire Mount, on the exact axis of the Fairmount Parkway, which runs southeasterly from it to the City Hall in the exact center of William Penn's town,—a noble entrance to the center of the City.

The length of the Fairmount Parkway is 6,300 feet. Its width at its narrowest point is 140 feet, this being between Sixteenth and Eighteenth Streets. It opens into three large open spaces; namely, the plaza north of the City Hall, Logan Square, and the Fairmount Plaza at the foot of Faire Mount on which the Art Museum stands. For the land alone, it cost over nineteen millions of dollars. Its construction marked the beginning of the reformation, rejuvenation and regeneration of central Philadelphia and the central banks of the Schuylkill.

The Fairmount Parkway which I have described is the thoroughfare you drive over today. I turn now to the two thoroughfares on the east and west banks of the Schuylkill, over one or both of which you will drive within the next five or ten years.

The Pennsylvania Railroad runs overhead into Broad Street Station. By an agreement between that Company and the City of Philadelphia signed July 13, 1925, that overhead line is to be converted into a subway.\* The main station is to be constructed on the west bank of the Schuylkill immediately north of Market Street and west of the West River Drive. The latter, according to the formally-made contract, is to be constructed from Spring Garden Street (the present southern limit of Fairmount Park) to South Street at the University of Pennsylvania, a distance of slightly more than a mile. This begins the reclamation of the west bank of the Schuylkill.

The agreement of the City and the Railroad Company provides for extending Filbert Street, which is the narrow east and west street immediately north of the Broad Street station, and which now stops at 20th Street, across the Schuylkill exactly on the axis of the

\*See illustrations in CITY PLANNING for April 1926, page 111.

main feature of the new station; and the narrow Filbert Street is to become the so-called Pennsylvania Boulevard, with a width of 80 feet. We still hope that the 80 feet will be given over entirely to vehicular travel, the sidewalks being placed under the buildings in arcades, the street thus becoming in effect 120 feet wide, although the contract now calls only for a width of 80 feet.

The north and south streets, which now run in the manner of rat-like tunnels under the overhead line, are, in a number of cases, to be widened considerably, and the air which is located over the railroad tracks, and which is now occupied only by the smoke of engines, is to be made use of for the same type of office and hotel buildings that line Park Avenue in New York City.

The cost of this transformation of the central triangle of Philadelphia bounded by Market Street, the west bank of the Schuylkill and the Parkway, so far as covered by the contract signed in July of 1925, will be to the Railroad Company \$46,000,000 and to the City \$16,000,000. At two elections, one in September, 1925, the other in May, 1926, loans toward carrying out the City's share of this agreement were submitted to the people and were ratified, the loans totalling \$4,000,000; and the money has been borrowed and appropriated. In addition, at the last election, an item of \$1,000,000 for the improvement and beautification of the east bank of the Schuylkill, as well as the west, was included.

This was in the direction of carrying out the statement made by Hon. Charles B. Hall, President of the City Council, in an address delivered before the Fairmount Park Art Association (a strong protagonist of the Parkway, the Art Museum and the regeneration of the Schuylkill banks) at its annual meeting last January. I suggested to Mr. Hall some such title for his address as "The Utilization of the Banks of the Schuylkill." He changed that title to read "The Beautification of the Banks of the Schuylkill as most essential to the City Beautiful." Engineering-minded city planners (if any such has endured thus far) please observe that significant fact.

At the other end of William Penn's city is the Delaware River,

which rejoiced some thirty years ago in a marginal street 40 feet wide called Delaware Avenue. The present Delaware Avenue at that point is 150 feet wide, and north and south it was widened as the opportunity became greater. A section 250 feet wide in its most southern division has just been opened to use. As a matter of fact this reconstruction of Delaware Avenue is a very notable feature of Philadelphia's city planning accomplishments. Coincident with it has been the construction and reconstruction of a number of municipal and railroad piers, all of which had to be approved by the Art Jury, and all of which are a great advance over previous constructions. Delaware Avenue is a commercial thoroughfare, intended as such, and gives provision for a surface belt line railroad. It connects with Oregon Avenue, a wide street running east and west and affording a quick means of getting to the Sesqui-Centennial Exhibition. Other recently opened wide streets, Packard Avenue and Pattison Avenue, will be noted by the visitors to the Sesqui.

If William Penn's Plan of city "squares," or parks, had been carried out through the enlarged area of the City, we would today have 258 city squares of from seven to nine acres. That would have given us an area of only slightly over 2,000 acres. As a matter of fact the city now owns about 7,500 acres which include the following: 50 city squares; 20 parks between 10 and 100 acres; 44 playgrounds; 25 triangular green spaces; 3 circles; 13 little neighborhood squares or interior parks; 4 large parks in addition to Fairmount Park and Hunting Park, both of which have been largely increased in area.

The greater part of this growth has come since the formation in 1888 of the City Parks Association, a volunteer organization of citizens formed to further the acquisition by the city of parks and playgrounds.

The main park is Fairmount Park, which now in effect actually begins at the City Hall and runs northwestwardly to the city limits, a total distance of nine miles as the bird flies. It covers 3725 acres. Driveways which reach a very large thickly-populated section of suburban Philadelphia, consist, among others, of the Fairmount Parkway for the first mile and a fifth, of the river drive for four miles, and of the

Wissahickon for six miles. Only a mile of the Wissahickon is open to automobiles, but one can reach the upper portion by automobile by going along the Lincoln Drive in Germantown and turning down into the Valley at Valley Green Hotel. The Wissahickon is a deep narrow gorge, the beauty of which can only be equalled in the mountains.

Paralleling the nine-mile line just described and located anywhere from two to four miles from each other are three creek valleys: Cobbs Creek to the southwest, Tacony Creek to the northeast, and the Pennypack still further to the northeast, which have been largely or completely acquired as parks. Connecting the Fairmount Parkway, Hunting Park (a level park of about 100 acres), Tacony Creek Park, and the Pennypack Park, is the Roosevelt Boulevard, 300 feet wide and seven miles in length. It is extended southwestwardly to the Fairmount Park East River Drive by Hunting Park Avenue. The Roosevelt Boulevard is continued northeastwardly by three branches, each 150 feet in width; one of them, Bensalem Avenue, constitutes a link in the Philadelphia-New York route.

It remains a sensation, even after the newest State highways, to enter Bensalem Avenue and swing along its four miles to the beginning of the Northeast Boulevard and then along its seven miles to Broad Street. Such a welcome gives a superb impression of a city. Broad Street is today much torn up by the construction of the subway, but that impression is not lost when the street is in condition. The impression indeed can be heightened by taking a slightly longer route through following Hunting Park Avenue to the River Drive and the latter to the Art Museum and the Parkway, and so to City Hall.

Our natural topography has enabled us to acquire long park valleys of small width, which tends to prove in this day of the automobile, at any rate, that the better located the park system the less area is required for it.

Philadelphia's system of small parks or squares, of about four acres in extent, has been described by a Bostonian as the best in existence in America. Our playgrounds are good as far as area and location are concerned, but they are sadly lacking in that quality of charm and

attractiveness which adds so much to recreation. The playgrounds of Chicago have never been approached in physical and cultural efficiency by Philadelphia's playgrounds because of that fact.

In 1911 the Bureau of Surveys prepared a plan for an outer park system, extending the parks along the upper reaches of the stream valleys which I have mentioned, and including other creek valleys which more or less parallel them; and this system has been adopted and promulgated by the City Parks Association. It was not then called a regional park plan, but that in effect it was. Only very slight and somewhat disappointing progress has been made toward carrying out the plan so far, but the Regional Planning Federation of Philadelphia should be of service in this respect.

Regional Planning has an important service to perform and the Regional Planners will perform that service if they keep in mind that they must produce results. A meticulous study is important, but it is equally important to know when the useful limits of such meticulousness have been reached. If I could evolve a 100% perfect plan for metropolitan Philadelphia today, in a year it would probably be only 94% perfect; perhaps a little more, perhaps a little less. It takes ten years for most big undertakings. It seems to me (with great respect) that some of the regional plans of cities, not only of Philadelphia but elsewhere, would be of far greater benefit if they were submitted in a sketch form than if the planners had the satisfaction of feeling that every possible item of the calculation had been ascertained and computed.

Cities and regions are living organisms. Decisions must be made. The city cannot be stopped until a decision has been reached. Running decisions therefore must be made. There is bound to be some unjustifiable impatience on the part of the public, but I think much of that impatience is frequently justified. Perhaps this "coöperation by way of criticism", which I am offering to my fellows of the City Planning Institute, may be illustrated by contrasting two citizens of Philadelphia. One, a reform Director of Public Works, had a problem which he was considering, and he got no less than seven reports on that problem from one important subordinate. I don't know how many other reports he

got from other subordinates. Needless to say he was a disciple of the inefficient School of Efficiency. The other man was Mr. A. J. Cassatt. He became President of the Pennsylvania Railroad and was invited to Erie by the Board of Directors of one of the Pennsylvania Railroad Company's underlying companies. They had been planning to spend \$3,000,000 on a yard. The problem had been under consideration for several years. Mr. Cassatt went to the location, met the Board of Directors, listened to them for an hour or so and said, "Very well; go ahead".

I wish that that word "DECIDE" could be printed over the doorway and over the desk of every City Planner and every Regional Planner. Decision! Know when it is time to decide! Know or divine when further investigation becomes a hindrance, not a help. If you never decide too soon, it means that you often decide too late.

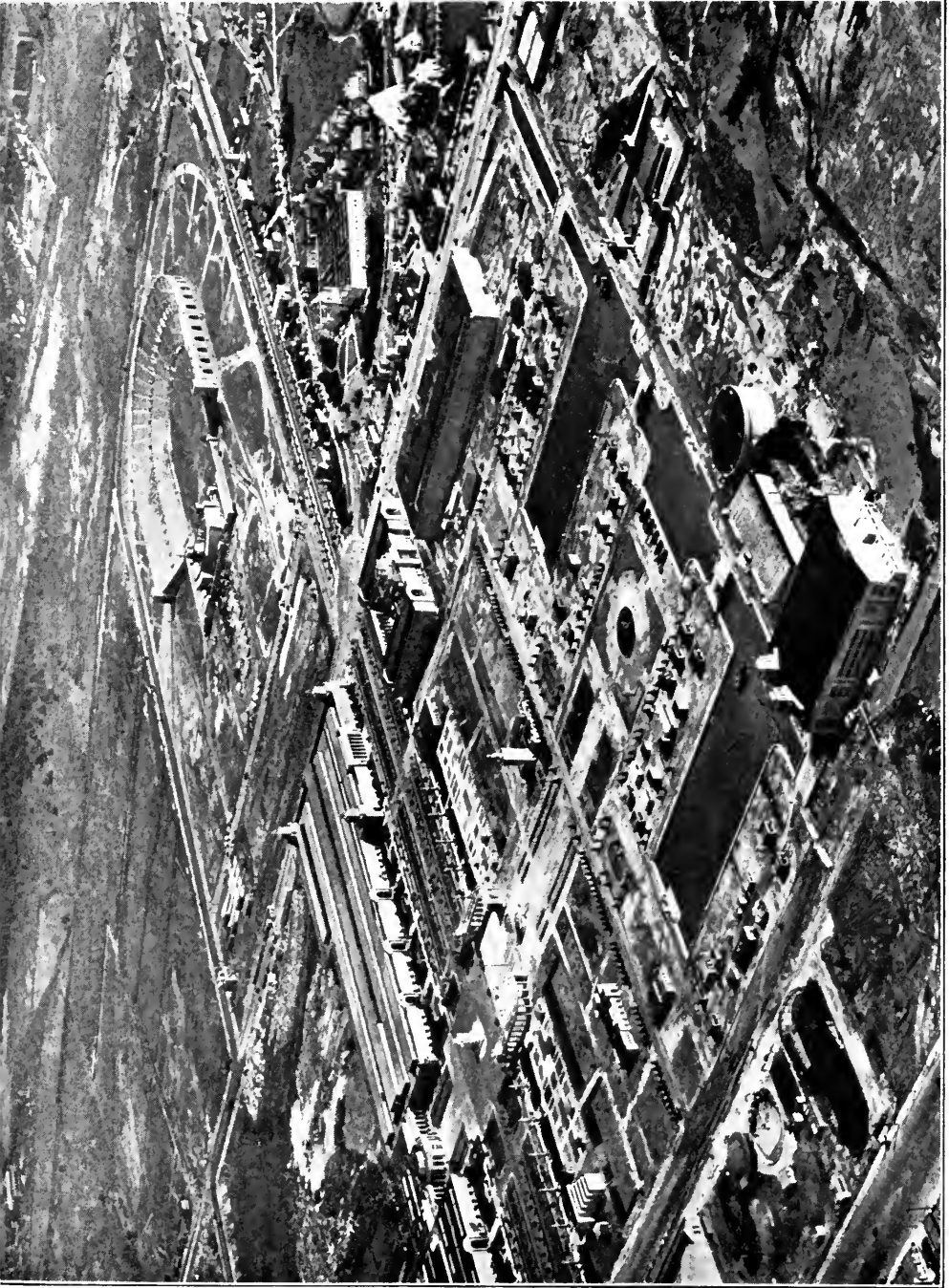
Philadelphia's suburbs, we admit, are not surpassed, if indeed they are equalled, by the suburbs of any other city in the world; and from a very considerable sector of those suburbs one may drive to the center of Philadelphia and be in park or park-like surroundings the entire time. These suburbs are so varied and so various and the roads to reach them are so charming and so devious that it is impossible in an article like this to do other than indicate that one does not see Philadelphia's suburbs in automobile trips on one, two or three occasions. I recollect that when my good friend Thomas Adams first came to Philadelphia we were all enthralled with the idea of the English Garden Suburb; and I was struck by his comment after a trip through our suburbs. He said: "Your entire suburbs are garden suburbs. Maintain them and extend them in the direction of the poorer man." A great deal has been done toward extending them in the direction of the poorer man.

The workman today—and I am referring to the unskilled day laborer—gets better accommodations for 20% of his income than before the War he could get for 25% of his income. This becomes more emphasized in the case of skilled artisans such as brick layers, carpenters, etc. Philadelphia has, within its limits, about 250,000 two-story single-family homes. Many of the more newly built ones are well

worth visiting. The town planning of their localities could be better; nevertheless, there is much of interest, and much worthy of emulation. To the Town Planner, and to the intelligent public, Philadelphia offers a splendid base from which to visit distinctly Town Planning enterprises. I refer to the War Towns which can be readily reached from the City Hall of Philadelphia in anywhere from a half hour to an hour. When these towns were being built, the Philistines sneeringly asked what would become of them when the War was over and the Government had given up control. I urge all Town Planners and all the public to go and see the smashing answer to the sneer. Go to what we used to call Yorkship Village. It is now called Fairview. You will go over the new Delaware River Bridge, a great accomplishment. You will see some of the provisions Camden has made for the approach to the bridge, much of which is good, and then you will see what remains of a very model suburb. Yorkship Village has been taken into the corporate limits of Camden, but it remains a splendid monument to Town Planning. There are a few minor (quite minor) infractions; but after eight years the lesson is intensified that, given a thoroughly good town plan, the plan tends to perpetuate and maintain itself. South Philadelphia, Bristol, the three Government operations at Chester, and Union Park Gardens at Wilmington—the last named the best maintained of all—are all well worth a visit.

But whatever admirable we may have to show,—suburbs, parks, Delaware Avenue and the wider streets, such as one sees in the neighborhood of the Sesqui-Centennial and within its limits,—Philadelphia's performance in the creation of the Fairmount Parkway remains the transcendent object lesson in City Planning that America offers today.





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## THE SESQUI-CENTENNIAL EXPOSITION

Courtesy of Fairmount Park Art Association



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Courtesy of City Parks Association

**Central Philadelphia  
View taken March 18, 1923**

**In spite of strenuous civic effort, Philadelphia is still without a general zoning ordinance. A Zoning Commission is now at work.  
(See pages 297 and 298 of this issue.)**

# THE PHILADELPHIA TRI-STATE REGION

By SAMUEL P. WETHERILL, JR.

President, Regional Planning Federation, Philadelphia Tri-State District

**A** DISCUSSION of the Philadelphia Regional Plan can hardly be even a statement of the problem, for that is as yet largely to be determined.

A great city of two million population, with boundaries unexpanded since 1854, still of ample proportions and with great areas of undeveloped land—a corn field ten minutes from City Hall—but in some directions spilling over its borders and inundating lesser neighbors; a city with the usual maelstrom of swollen traffic streams and congested living quarters, tempered with broad boulevards and spacious park lands; a city until recently somewhat indifferent as to its conditions—good and bad—but beginning to realize the necessity of united and organized effort.

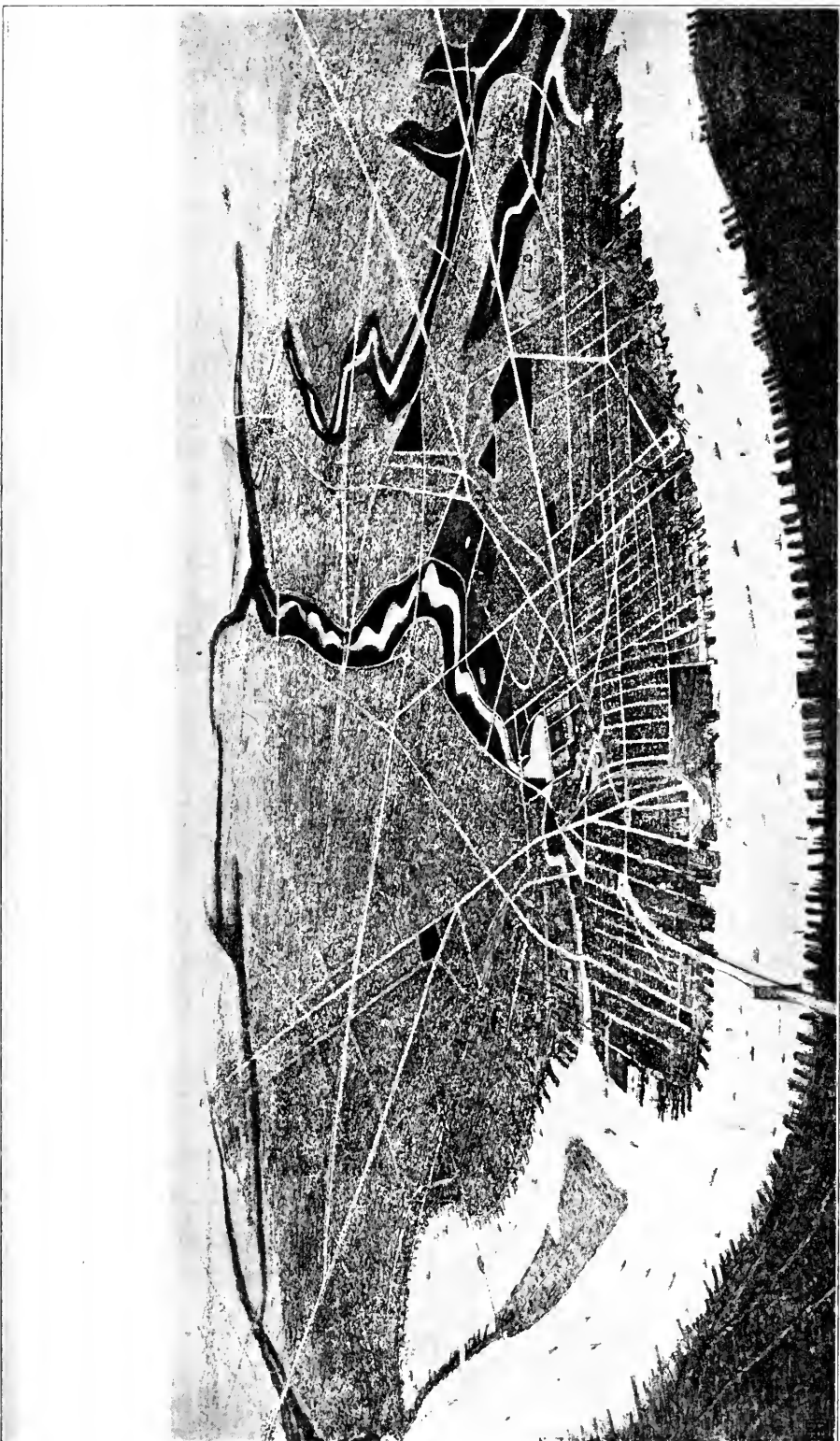
Across the Delaware, a smaller city, only recently connected by a great river span, somewhat jealous of its overgrown neighbor and perhaps suspecting that neighbor of the intention to appropriate more than its share of the good things of the future; a city of mighty ambitions, with which growth is a fetish, but which to its everlasting credit is making ready for that growth—certain to come in the near future—through the preparation and rapid realization of a far-seeing plan with ample parks, circuit and radial highways and other things which a grown-up Camden will need.

Around this great population centers a fringe of towns, some almost swamped by the sudden flood of population and unprepared for the strain which is already coming upon them, a little panicky about it and hastening to build zoning dykes not always too soundly constructed; others hardly aware of the flood and trusting to a blind Providence to stem or absorb it.

A little farther out are other cities and towns and settlements, still largely unaffected by the rising tide, but watching its advance and rapidly awakening to its possibilities.

Three thousand square miles, three millions of people, three states Pennsylvania, New Jersey and Delaware, two cities, Philadelphia and Camden, rapidly becoming in effect a single city of over two million people, fourteen counties, three hundred thirty-seven minor civil divisions, each with its own administrative body, its own plans for the future, its own hopes and ambitions, all politically independent, but all of them rapidly and in a measure unconsciously being molded for better or worse, into a social and economic unit; such is the Philadelphia Tri-state Region.

This is a description applicable, with certain variations, to the metropolitan region of almost any of our larger cities. The physical attributes of the region of course would not be duplicated in detail. The region lacks the specific definition of the mountains and sea of San Francisco, of the Lake and frontier of the Niagara group, or of the sea coast, rugged hills and harbors of New York. The region to the north shades imperceptibly into the New York region, with considerable doubt as to the beginning and end of the influence of the two cities. A similar situation exists on the south, though in less definite degree, with the Capital City and Baltimore extending their influence northward. Thus this city is in a position perhaps, of a liaison unit between the financial center of the nation to the north and the Governmental center to the south. To the west is a gradually attenuating influence, and on the east a group of populous towns near the river, then the intervening meadows, marshes and woodlands of the New Jersey plain, with a band of ocean resorts beyond, which, though fifty, sixty or seventy miles away, are in many respects almost suburbs of the central cities with a considerable seasonal commuting population. The region has unusual uniformity of contour; a low plain generally not 400 feet above the sea, with picturesque rolling farm land, broad valleys, small straggling forests, and comparatively level towns and cities. In New Jersey are thousands of acres of unsettled wooded areas, close to thickly populated centers and available for state, regional, and local parks and recreation areas. The population of the Pennsylvania section of the region, as is common in such a locality, centers along the main lines of travel, both railway and road, leaving great wedges of sparsely settled open lands, approaching



**Perspective of the General Plan for the Future Camden**  
The location of Cooper's Creek at what will be the axial line of Metropolitan Camden makes the acquisition of ground on both sides for park purposes of great strategic value

Courtesy of City Parks Association

surprisingly close to the center of population, and given over to vast private estates, farms, and wooded areas. The Delaware section of the region is still without congestion and in malleable condition. With the exception of the immediate center of population, the entire region offers unusual opportunity for comprehensive and unhampered planning.

The region is possessed of rare good fortune in the presence of forty or fifty creeks, which reach out from the Delaware and Schuylkill Rivers. These creeks, with lovely wooded banks and valleys, and occasional shallow, rocky gorges, are still largely undisturbed, and offer exceptional opportunity for the development of easily accessible, permanent parks and recreation spots. The real estate developers, the seeker after the private estate with landscaping possibilities, the small manufacturing plant owner, are beginning to cast covetous eyes upon these creek valleys; already some portions have been diverted beyond recall, and if considerable sections are to be preserved, action must be speedy and decisive.

There are few large publicly-owned recreational areas in the region. Fairmount Park, of course, with its 1400 acres at the very heart of Philadelphia, is an unmatched boon for the people of a great city. Valley Forge, of equal size, is a sacred national monument, but because of its very nature, is limited in its recreational capacity. The same is somewhat true of the new Washington's Crossing Park on the Delaware above Trenton. Fifty miles away are the coast playgrounds, but for the most part under private control, and a hundred miles to the north are the Poconos, likewise privately held. Nowhere are there public reservations comparable to the great Palisades and Bear Mountain Park on the Hudson or the Blue Hills and Middlesex Fells reservations in Boston, though opportunity for their acquisition still exists among the mountain foothills of Pennsylvania and the pine lands of New Jersey.

As with most small communities we find the majority of towns under-supplied with local playgrounds and other recreational facilities, and usually content in their lack, although there are a few comforting exceptions. There is one unique advantage found in this State of William Penn: by common consent the Friends' cemeteries are in many instances dedicated to the service of living children, and not uncommon-

ly we find a group of Quakers of former days still rendering a lively service through contribution of their respective sixteen feet of ground for the joy of romping childhood. Thus each Quaker burial plot is an actual or potential playground.

The highway system still has the characteristics implanted by its early history—a center of population connected by wagon trails with outlying frontier posts which had little business between themselves, and so, few highway connections. The present system extends fan-shaped from the center of the principal cities with quite inadequate circumferential connections. The traveller bound north and south or east and west, and passing near Camden or Philadelphia, must almost of necessity muddle through congested traffic to the center of these cities and then on out again to his destination.

Many of the smaller cities of the region are still unsewered. A great proportion of the sewage of the entire region is dumped raw into its streams and rivers—from which self-same waterways the greater part of the water-supply of the district is obtained and used after careful treatment. A number of the outlying towns and suburban areas, however, obtain their water from wells and springs through private companies. Trenton is about to cease polluting the upper Delaware, having nearly completed a modern sewage disposal plant. Philadelphia is well launched on a comprehensive system of disposal plants. It is becoming generally recognized that the pure water supply problem is more of a regional than a local one and much study is being given to it.

A new subway transit line within the center of Philadelphia is nearing completion and the railroads are in the midst of extensive electrification programs. The combined plans of the City of Philadelphia, the Pennsylvania Railroad, and the Fairmount Park Commission have more than local significance. They contemplate improvements more far-reaching than were those involved in the construction of the parkway connecting the center of the city with the entrance to Fairmount Park and the Art Museum. Assuming a far-sighted policy on the part of the railroad and a reasonably good zoning ordinance, our city planners and architects should have an unequalled opportunity for large scale modernization of the heart of a great city.

These plans also call for the construction of new bridges and of driveways along both the East and the West banks of the Schuylkill River below the dam, and of intercepting sewers designed to restore the river to its pristine purity. Here as elsewhere there is a shifting of freight, express, and passenger transportation to the motor truck and motor bus, and there is much need of coördinating the transport facilities of the district. Regular airplane service has recently been established between Philadelphia and Washington and interest in aviation is increasing.

The region is in state of flux. It truly presents appalling problems for solution but problems in essence common to all great centers of population and to be solved in much the same fashion. Following the precedent of other regional planning projects, the Regional Planning Federation is making surveys covering economic, social and physical characteristics, and on these will be based studies and definite planning recommendations. Particular effort from the beginning has been made to involve outlying communities in the responsibility for the movement, to secure their participation in the surveys, and to coördinate their efforts and imagination in the ultimate plan.

Just as the plans of William Penn have, even today, left their indelible mark on the physical aspects of the city and region, so have the Quaker traditions and ideals entered vitally into its present day psychological and spiritual make-up. The former within its inevitable limitations was the beginning of regional planning in America, and the latter, in the writer's humble opinion, is rich in promise of further contributions toward the progress and welfare of mankind, the underlying purpose of all of our planning.



# DECLARATION OF INTER-DEPENDENCE

## LOOKING BACKWARD AND FORWARD FROM PHILADELPHIA

By ROBERT WHEELWRIGHT  
University of Pennsylvania

WE know of but few planned cities before the time of Hippodamus, when Greek civilization was spreading rapidly, extending its possessions to all shores of the Mediterranean, and the ideas Hippodamus developed were applied to the regular planning of colonial towns. The Romans, with their uniform plan for military camps, founded many towns that developed on these camp sites and retain vestiges of the Roman camp plan to this day.

One of the more interesting developments in town planning came in the thirteenth and fourteenth centuries with the founding of Bastides, forerunners of our modern land subdivisions. Powerful rulers, extending their dominions, recognized the necessity of colonization by their own people in hostile territory, so they laid out fortified towns on a checkerboard plan and readily colonized them through special inducements to their dependents, giving them lots to build on within the walls and land for farming purposes outside. In addition certain special rights and privileges were granted these settlers.

The ease of laying out a chessboard pattern and of dividing it into lots of equal or graded sizes is obvious; in fact it seems to the writer to be of so obvious and simple a nature that one can hardly claim, as has been done, that the modern gridiron plan is a development of the Bastide. If you wish to divide a square piece of paper in four parts you simply fold it twice; if you wish to divide land into lots, you make a gridiron pattern.

Whereas, in the colonization of a new country, we will always find many communities that have grown and developed in a haphazard manner, it is to be expected that many will be found that have grown on a pre-developed plan. Unfortunately, they seem to continue their growth long after the original plan is built over, with no thought

having been given to any plan for extension. If the city fathers started with a gridiron plan, as is usual, the gridiron is extended ad infinitum, regardless of hills and vales. Such is the case with Philadelphia.

When William Penn laid out that city, he showed great good sense. Selecting a favorable site, he laid down a system of streets in the old Bastide manner, if you would designate it so, but he bettered the absolute gridiron plan with two important features: he bisected the city with a very wide street running north and south, and again with one running east and west. In addition to this, in the middle of each quarter so made, he set aside a fair-sized area as a public park or square. These features are the saving graces of the old city today; without them it would be an almost impossible place to carry on modern life.

As long as Philadelphia remained within the area of the original plan, all was well. On the particular site, with the particular size, Penn had a plan of reasonably complete physical organization serving an economic purpose; and though doubtless it was an example of fitness to use without particular attendant esthetic pleasure, it was a good city plan. And William Penn would seem to have shown a vision that easily leads us to believe that could he have imagined the extent of the city today and planned therefor, we would not witness the stupid extension of the gridiron plan that today leads up and down slopes of impossible gradient, or necessitates the removal of hills and filling of valleys till perfect monotony is achieved.

We like to think of Penn planning what must have seemed to others a city of preposterous size in the midst of a wilderness. He has been called America's first regional planner, though he only planned what is now a small portion of the city of Philadelphia. But he planned so far beyond any immediate needs and he planned what was then such a considerable extent of territory, that he may be said to have planned more than a city. Certainly in relation to the size of the settlement, he was planning a region. Was he not planning a region in relation to social and economic conditions of his time? If, today, we consider the region of Philadelphia as extending from Wilmington to Trenton, with our radio, telephone, telegraph, automobiles, airplanes and trains, have we any greater proportional tract to deal with than Penn had?

When the earth was very large and communities very small, powerful men arose who established themselves as rulers over other men. This is clearly shown in the middle ages when the lords or earls built strongly fortified castles within which they found protection aided by their troops and dependents, who in turn sought protection within the outer walls of the castle. Protection of life, man's first instinct, was dependent upon the power of the feudal lord. It was the *Age of Dependence*.

With the colonization of America the earth was growing smaller. Man was becoming cognizant of its actual size, communities were growing and conditions of life were becoming far more settled. Men were no longer dependent upon a petty lord, nations had developed, and within each nation man was free to do as he desired within the limits prescribed by those who ruled the nation. America afforded a refuge for those who were in any way oppressed, and we see a new age developing, the *Age of Independence*—an age, the arrival of which may be said to be definitely marked by the Declaration of 1776. Independence was an idea that moved the entire world,—it is an event which is foremost in our minds this year, 1926, which marks the 150th Anniversary of the Declaration. But did man interpret it rightly? Within 75 years of its signing, the North and South were embroiled over a dispute that we are apt to consider concerned the independence of the negro, or his freedom from slavery. Yet the great issue concerned the survival of our nation,—recognition of the fact that the North and South could not go their ways in independence but must admit their inter-dependence.

In 1914 Germany appeared to menace the world with a super-medievalism,—a super-dependence. Was it not largely our inter-dependence with all other nations of the earth that brought us to the aid of England, France and the other allies? Whether you like the League of Nations or not, is not the germ of that idea recognition of an inter-dependence between nations?

Now in a much smaller way, I believe Regional Planning is nothing else than recognition of our inter-dependence. We recognize certain

evils in social and economic relations. The house that does not fit the lot because the lot was poorly planned, because the block was badly subdivided, because the streets were badly planned, because there was no good city plan, may not be a case that can be cured, but it may be improved; and the basic trouble can be prevented if we look ahead and plan ahead.

Regional Planning is a way out. For almost two years, preparations have been under way with the objective of working out a Regional Plan for that district that comes under the direct economic and social influence of Philadelphia and Camden. While Philadelphia and its neighboring cities are by no means the first to adopt regional planning, their Regional Planning Federation has been formally launched and 1926 truly marks the inception of its labors. Therefore while we, in Philadelphia, are celebrating the 150th Anniversary of the Declaration of Independence, can we not also from the same city in which that document was signed, proclaim the *Declaration of Inter-dependence*?



Photograph by Philip B. Wallace

Courtesy of City Parks Association

**Logan Square, Philadelphia**

# A CITY GOVERNMENT AND CITY PLANNING—MEMPHIS, TENNESSEE

*By the Hon. ROWLETT PAINE*  
Mayor of Memphis

**F**OR the past sixteen years, Commission Government has prevailed in Memphis, the governing body being composed of a Mayor and four Commissioners, elected by the voters of the city. This Board of Commissioners has the power to legislate and to enforce its ordinances.

Prior to 1920, owing to shifting political relations, some instability existed in the City Government, and as a consequence, a movement was inaugurated having for its purpose the election of a new set of officials. As a result of this campaign, the present Board of City Commissioners assumed office on January 1, 1920. No member of the Commission had ever before held any public office, nor had any one ever taken any part in the political affairs of the city.

The problems which were then pressing for attention were many and varied. There had been an almost complete cessation of public work in the city owing to the War period. The Mayor and Commissioners were conscientiously interested in obtaining the very best advice and applying to the solution of the problems the most valuable information that was obtainable.

The Chamber of Commerce of the City of Memphis, the City Club, and the Engineers Club had for some time previous thereto been giving consideration, through committees, to the subject of City Planning. When this came to the attention of the new Board of Commissioners, they were more than anxious to avail themselves of such information as had been compiled upon this subject. The Mayor, therefore, appointed an unofficial City Planning Committee, drawn from the above-mentioned organizations, and asked that this committee give its very careful consideration to the subject of City Planning in all of its various aspects, and report to the City Commission with recommendations.

The first suggestion made by the Committee was that a city plan engineer should be employed, so that the Committee might have the benefit of his advice, suggestions, and information. After canvassing the field, Mr. Harland Bartholomew, of St. Louis, was chosen by the Committee and his selection was immediately approved by the Board of City Commissioners. Mr. Bartholomew and his corps of assistants worked with the City Planning Committee and the Board of City Commissioners for several months, going into the various details of the subject and preparing for passage by the legislature, which was soon to meet, of the necessary legislation.

Accordingly, in the early part of 1921, bills were drawn and introduced in the legislature, authorizing the City of Memphis to create a City Planning Commission and conferring upon it the usual powers of preparing a complete plan of the city and also authorizing it to establish a Zoning System. As soon as these acts were passed, the Board of City Commissioners constituted the former unofficial committee as an official Planning Commission. This Commission had in the first place been very carefully chosen, having as its chairman a prominent Attorney, who had given considerable time and thought to the subject of City Planning. The other members were a leading Banker of the city, a prominent Real Estate Dealer, an Architect, an Investment Banker, a representative of the public at large, and two ladies. The ex-officio members are the Commissioner of Streets, Bridges and Sewers, who is himself a Construction Engineer, the Commissioner of Public Utilities, Grounds, and Buildings, the Chairman of the Board of Park Commissioners, and the City Engineer.

One of the first steps undertaken by the Commission was the preparation of a major and minor street plan, which the Board of City Commissioners very promptly adopted. In consultation with the City Planning Commission, the Board of City Commissioners picked out certain projects which seemed to be of prime importance in the way of street openings and widenings, so that an easier flow of traffic to and from the city might be had. There is usually, of course, considerable agitation about projects of this character, and more or less pressure is

brought to bear upon city officials to give preference to certain projects; but the approval of the City Planning Commission satisfied the public mind that the projects which were to be undertaken were the ones of greatest importance and those that would confer the greatest benefit upon the greatest number of people. As a consequence, this program went forward with great rapidity, and within less than a year from the organization of the City Planning Commission, several projects were completed and thrown open to the public, and others were under way. This program has been continued since that time, and the public has come to understand that all street improvements of this character must first be approved by the City Planning Commission, and that none will be undertaken that do not form a part of the street program as already adopted. Although in the past public works of this character may have been undertaken in response to the influence of various citizens with the controlling forces in the City Government, the work of the City Planning Commission has nullified such a procedure, and projects now are all undertaken strictly upon merit.

The City Planning Commission rendered a conspicuously valuable service in assisting to bring about a traffic survey, with particular reference to the Street Railway System. Practically all street car lines in the city passed up and down one street, and as a consequence there was always more or less congestion, with a consequent delay to traffic of all kinds. The officials of the Street Railway Company manifested a willingness to have a survey made, and as a result, a complete re-routing of street cars was made. Heretofore, although several efforts had been made to re-route the street cars, nothing was ever accomplished, because it had never been considered in a definite and comprehensive manner, but when the public understood that the City Planning Commission had gone about this matter in a careful and painstaking way, giving reasons for the changes proposed, the re-route plan met with practically unanimous approval. Only a few objections were registered, and they were easily met. As a result, the street car service has been speeded up, at a saving in dollars and cents to the Street Car Company, and a saving in time to the public, including both pedestrians and automobilists.

While these matters were being developed, a sub-committee of the City Planning Commission on Zoning had been earnestly working out its plans, so that within about a year after the creation of the City Planning Commission, a comprehensive Zoning System had been prepared. It was discussed thoroughly in a few public meetings and through the newspapers, and when brought to the City Commission for passage in the form of an ordinance, not a single citizen appeared to protest against its passage. On the contrary, it was commented upon favorably and received practically the unanimous approval of the citizens of Memphis. This Zoning Ordinance has now been in effect for four years, the public understands thoroughly its purposes and its benefits, and it is looked upon as throwing a protecting influence around the homes of the people and also as assisting in the orderly growth and development of the city.

The Zoning Ordinance contained the usual restrictions as to the use of property, the height of buildings, and the setbacks required. In order that this ordinance might be fairly interpreted, it became necessary to establish a Board of Appeals. The authority for so doing was obtained from the State Legislature, and the citizen members of the City Planning Commission were appointed members of the Board of Appeals. The duties of this Board primarily are to prevent irregularities and to avoid undue hardships. Because of the familiarity of the members with the principles of City Planning and Zoning, the Board of Appeals has protected the Zoning Ordinance and has made exceptions only when it was apparent that a gross injustice would be done the applicant for relief.

One very important committee which has functioned to splendid advantage is that on subdivisions. Before subdivisions can be opened to the public, this committee of the City Planning Commission must first give its approval. In this way, the City has absolute check and control over the vacant spaces in the city, and has been enabled to obtain valuable dedications for streets and other public purposes. The real estate men of the city have worked in the closest harmony with the Subdivision Committee at all times and under all circumstances.



The City Planning Commission has been of considerable help in inducing the Railroad Companies to build viaducts or subways. When these transportation companies understand that a definite plan has been adopted and that certain streets will carry an increasingly heavy traffic, they have usually been willing to meet the city in a spirit of fairness and to provide for the building of these grade separations, which not only assist in the easy movement of traffic, but also look to the safety of the public. Several such structures have been built and others have been agreed to and will shortly be under construction.

In many other ways the City Planning Commission has assisted in solving the problems of the city. Other departments have learned to look to the City Planning Commission for advice and suggestions, so that the activities of the city government are made to harmonize, and the city thus moves forward in an orderly and comprehensive manner.

Most of the projects which have been proposed by the City Planning Commission have been financed through the issuance of bonds by the City of Memphis. Before these bonds can be issued, a referendum vote is required. In this respect, the influence of the City Planning Commission has been most beneficial, as the voters of Memphis have been advised in more or less detail of the purposes for which the money will be spent, and have been assured that the projects have been approved by the City Planning Commission and are parts of the City Plan as already adopted. The result is that the opposition to the issuance of the bonds is negligible, and in every election the bond issues have carried by almost a unanimous vote.

In my judgment, the City Planning Commission of Memphis has brought about great stability in the affairs of the city itself, has influenced definitely the growth and development of the city, and has inspired a feeling of confidence in the city, both within and without.

# CITY PLANNING ACTIVITY IN SPAIN

By HARRY B. BRAINERD

Architect and City Planner, New York

THE problem of city planning in Spain is being handled by the architects, and strong emphasis is placed upon realization of proposed improvements. The official organization for planning is known as the Congress of Urbanization, with headquarters at Madrid. Its secretary is Don Gustavo Fernández Balbuena.<sup>1</sup> The architects engaged in planning are listed in the "Anuario" of the Association of Catalanian Architects.

In Madrid a number of architects have submitted schemes for the development of various parts of the city from which it is hoped an official plan may be compiled. One of these was published in *Arquitectura* in April 1924, and is reproduced herewith. Attention is called to the fact that the Avenida del Conde de Peñalver has been extended and widened for a distance of about one-quarter of a mile and is almost completely lined on both sides with handsome buildings, while an extension of the same called Gran Vía running in the direction of the Estación del Norte is now being cut through. The necessity for the numerous avenues indicated on the above plan is to be found in traffic congestion at the Puerta del Sol where not less than ten avenues converge, and also in the existence of a typical medieval network of streets, which may have been suitable for ox-drawn carts but which is not for taxis and heavy trucks.

Madrid has just completed the first two elements of a subway system, one of which follows the long axis of the more or less elliptical city plan,<sup>2</sup> while the other crosses it approximately at right angles in the center of the city. There is a project for the construction of galleries for underground drainage to serve the central zone of one

<sup>1</sup>An article by Don Fernandez Balbuena on the history of urbanization in Spain is to be found in *Arquitectura*, the official organ of the Central Society of Architects, Vol. 5, pg. 325, Madrid, 1923, the title of which is "España en 1860: Urbanización."

<sup>2</sup>A diagram of the present and a proposed street system appears in an article by the architect, J. Luis de Oriol, in *Arquitectura* (Madrid) April 1924, pg. 137.



kilometer radius.<sup>1</sup> There is also a municipal statute affecting urbanization in effect.<sup>2</sup>

Madrid was a small town of 3,000 inhabitants in the year 933 A. D. It has now grown to be an attractive city of 671,175 population (1921). When the old city wall was removed an excellent opportunity was presented for providing an inner circumferential boulevard. On one side of the city, near the former wall was an old English cemetery which today is included in the Paseo de Recoletos. Where this paseo connects with the Paseo del Prado is the Plaza de Cibeles, on one side of which stands a magnificent post office opposed by the offices of the Ministry of War. The Calle de Alcalá leads from this intersection to another roundpoint, the Plaza de la Independencia, in the center of which stands a triumphal arch. The outside of this arch was damaged by a bombardment by the French in 1808. The arch stands at one corner of a large park called El Retiro, an attractive feature of which is an artificial lake faced by a superb equestrian statue of Alfonso XII. Madrid also has a splendid botanical garden.

The royal palace on the opposite side of the city is the largest of its kind in the world. From its courtyard a magnificent view to the west may be had. The rapid slope of the ground from this point to the floor of the Manzanares valley is neutralized by immense substructures of solid masonry. The palace is faced by the new Catedral de Nuestra Señora de la Almudena, of which the crypt only is in use pending completion of the superstructure. The National Library and Museum and the Prado Museum house magnificent collections illustrative of the arts of literature, painting and sculpture.

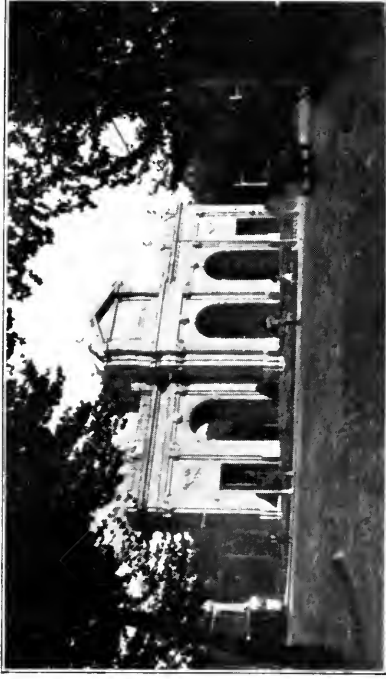
The municipal market is another important structure. A "rag fair" occurs every Sunday morning on the streets between the Calle de Toledo and the Plaza del Rastro. It is said that this is the most extensive fair of its kind in the world.

<sup>1</sup>See Article entitled "Proyecto de red de galerías para canalizaciones del subsuelo" by J. García Cascales and J. Lorite y Krámer in *Arquitectura* (Madrid) Mar. 1924, pages 77-100.

<sup>2</sup>See "Estatuto Municipal" de 8 de Marzo de 1924; and "Reglamentos para la ejecución del Estatuto Municipal" (Segunda Edición).



**Equestrian Statue of King Alfonso XII.**  
Designed by the architect Grases, and located on a small artificial  
lake in El Retiro, the "Parque de Madrid".



**Plza. de Alcalá, Plaza de la Independencia**  
Four important streets diverge from this Plaza. The outside of this  
gateway shows marks of bombardment by the French, 1808.



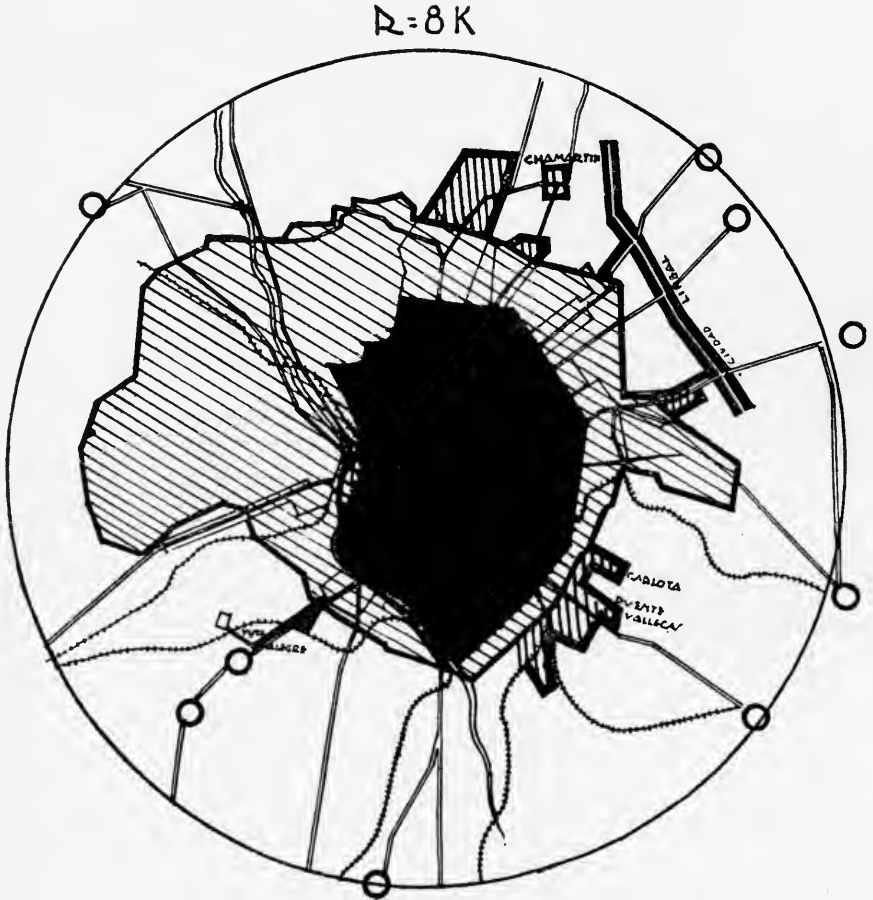
**"Rag Fair" in Madrid**  
Looking toward the Plaza del Rastro from the Tunic Yards on the  
Ronda de Toledo.



Photographs by H. B. Brainerd  
**Example of Low-priced Housing**

**SOME SNAPSHOTS IN MADRID**

Calle de Serrano, one of the chief streets of the Northeast quarter, extends beyond the inner boulevard to a section of the environs of Madrid, where are located the orphanages for girls and boys. Nearby



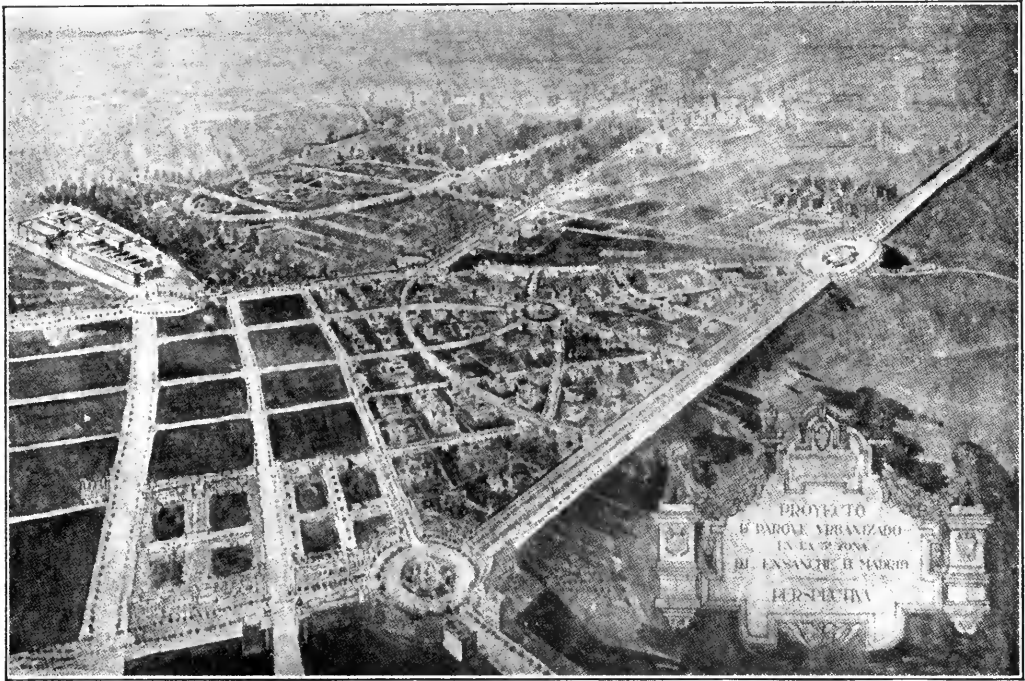
Reproduced from *Arquitectura*

**Diagram showing Location of Ciudad Lineal.**

Black portion, Madrid up to Pasco de Ronda. Light hatching, Madrid to its municipal boundary.  
Heavy hatching, new developments.

is a block of excellent low-priced housing; somewhat further away is the so-called Ciudad Lineal, a new villa-colony. The extension of the new subway should render this development more accessible to the economic and social life of the city than it is at present.

Madrid is the focal point for the national system of railways which, to a casual tourist, seems well equipped and rapid on the radial lines. It is to be hoped that circumferential links may soon be built.



Reproduced from *Arquitectura*

**Typical Project for Urbanization of Madrid Environs**

Urbanization is also proceeding in other cities in Spain. In the city of Barcelona five architects are at work on the official plan of the city under Don José Cabestany, engineer, Director General of the Municipal Technical Service; and Don Ezequiel Porcel y Alabau, architect, Chief of the Division of the Bureau of Urbanization and Public Works.

Barcelona is the most important port in Spain. It is also one of the most important on the Mediterranean. The city dates from a Carthaginian settlement made about 300 B. C.\*

\*Rhys Carpenter, a Rhodes scholar now professor of Classical Archaeology in Bryn Mawr College, in an interesting little book entitled *The Greeks in Spain*, (published by Longmans, Green & Co., 1925) as a result of observations and measurements of the Asklepios of Barcelona Museum, (which appears to be carved from Pentelic marble under Praxitelean influence), contends that from legends, records and inference the Castellón de Ampurias on the Golfo de Rosas, in Cataluña not far north of Barcelona, was originally the Greek town of Emporion, a trading post, possibly dating back to 525 B. C.

The old portion of Barcelona has a maze of streets now traversed by one wide avenue from the water front at the Plaza de la Paz to the Plaza de Cataluña, the present center of activity. This avenue is on the site of an ancient city wall which in the middle ages was torn down to permit the enlargement of the city. After the outer walls were removed in 1845, a gridiron of streets somewhat after the style of Philadelphia, Pa., was adopted in 1860. Recognizing the limitations of this street system the city employed M. Jaussely, one of the winners of the French Grand Prix de Rome in architecture, later engaged on the Burnham plan of Chicago, to prepare a plan for the extension of the city. At present this plan is considered too ambitious for the needs of the community, but it is being adopted in certain respects. An important diagonal street, called Gran Via Argüelles, has recently been constructed from this plan.

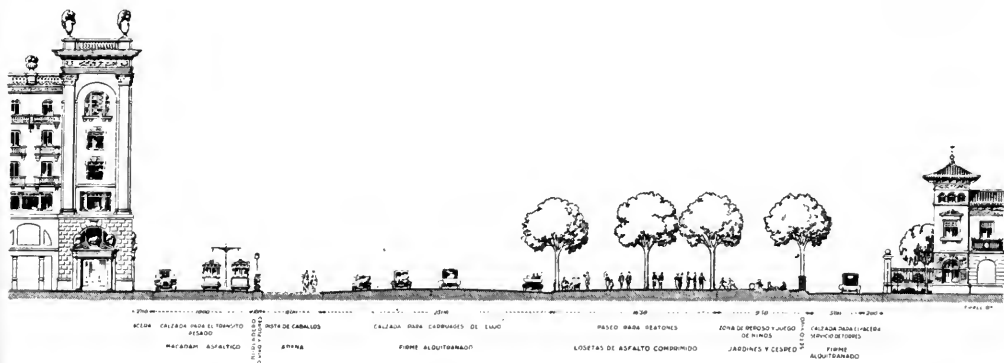
Barcelona lies on a sloping plain between two hills, one of which is nearly twice as high as the Eiffel Tower. On the top of the higher one has been constructed what might be termed in America a "Coney Island". It is reached by a funicular railway. This unusual resort rather curiously has an attractive chapel under construction. From the summit of Tibidabo, as the hill is called, one may glimpse a complete panorama of the region of Barcelona for many miles. On the south side of the city may be seen a lower hill called Montjuich, on the summit of which is an old fortress. At one side of this fort is a new and very attractive park from which one may also have an excellent view of the city. It admits to the buildings of a new permanent industrial exposition group. On the south side of this hill, away from the city, is a very fine cemetery from the slopes of which a splendid outlook over the Mediterranean and the plain of the Llobregat is afforded. This cemetery is laid out somewhat in the manner of American cemeteries, but as far as its beautiful plateresque tombs are concerned is typically Spanish. The beauty which it displays has inspired the city to carry a park treatment around the hill below the fortress to connect with the new park mentioned above. A justification for this proposed





Courtesy of D. Jose Cabestany

**Barcelona, Grand Paseo, prolongation of the Calle de Argüelles**

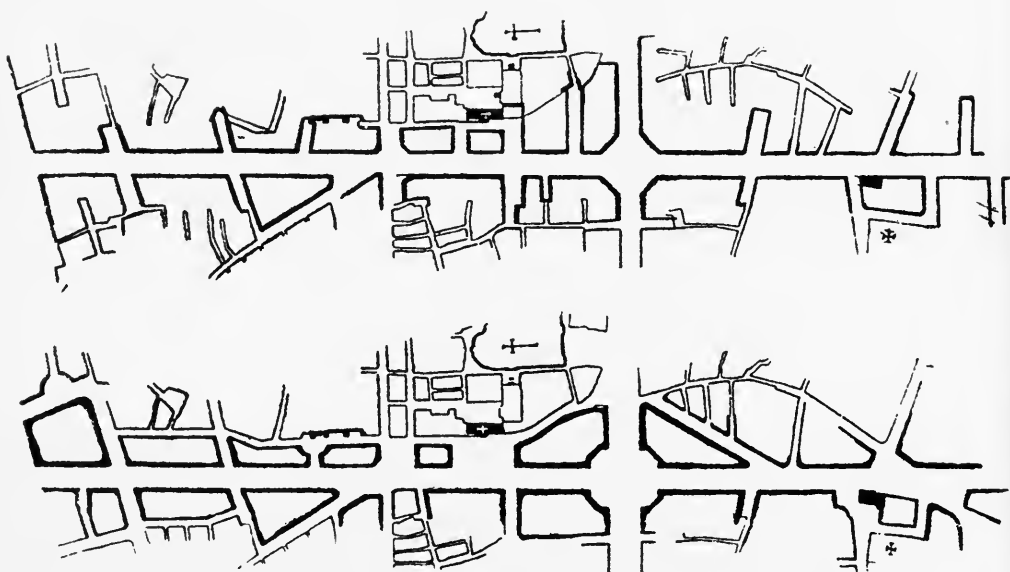


**Section of Paseo as Proposed**

**A recent zoning change permits apartment houses on both sides of this important diagonal**

construction is to be found in the fact that disastrous landslides have occurred at this point, and the parking is to be done for the purpose of holding the shale in position. The rough construction for the roadway ramps is now completed.

From the summit of Tibidabo may be seen the small suburbs of Gracia, Las Corts, Sarria, Horta, San Andrés de Palomar, San Gervasio, San Martín de Provencals and Sans, which will be linked up with the city proper by radial and circumferential boulevards.



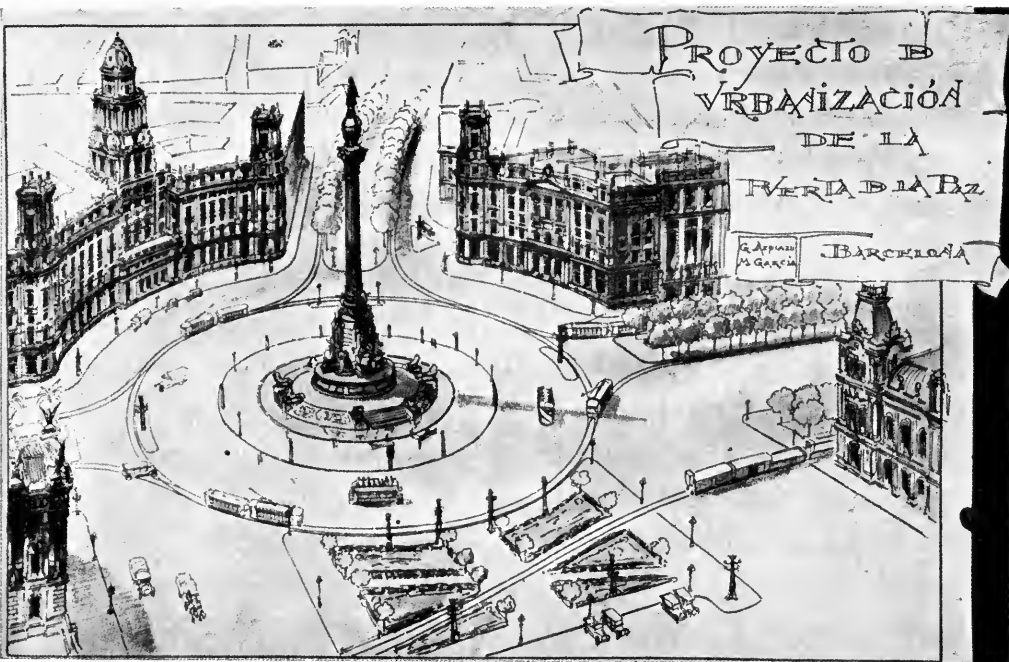
Reproduced from *Arquitectura*

**Barcelona, Via Layetana**  
as constructed (above) and as planned (below)

Like Madrid, Barcelona also has a subway which runs from the heart of the city to the base of Tibidabo and is building another from the Estación del Norte to intersect it at the Plaza de Cataluña and to extend to one of the suburbs. Future radials and a belt line are contemplated. The new subway is also to be used by railway trains from the northeast to the southwest and west of Spain.

Another recent improvement in the planning of the city is to be found in the completion of the Via Layetana from a project plan by the architect Baixeras. Two stages of its development are shown herewith.

This street cuts directly across the old city for a distance of 3000 feet and discharges upon the Plaza de Antonio Lopez and the Paseo de Colón which is the principal boulevard near the water front. At the plaza, a post office is under construction which will form an excellent architectural expression of the entrance to the street. The Paseo de Colón commanding a fine view of Montjuich, is terminated at one end



Reproduced from *Arquitectura*

Project by Student in City Planning at the University, Barcelona  
Showing setting of monument to Columbus

by a rostral column to Columbus and is flanked on one side by two well-designed warehouses which constitute an important architectural embellishment of the city. Barcelona has other well-designed streets and avenues, one of which is called the Paseo de Gracia, which is faced by apartment houses designed in a very original and plastic style.

Barcelona has a university in which city planning is taught. The edition of *Arquitectura* for March 1925 shows a number of *projetos* by students for the embellishment of various plazas in the city.

The so-called port of Barcelona was at first only an open beach, on the east, slightly sheltered by the neighboring hills, but at an early period the advantage of some artificial protection was felt. In 1438 Don Alfonso V. granted the magistracy a license to build a mole; and in 1474 the Moll de Santa Creu was officially begun. Long after this, however, travellers speak of Barcelona as destitute of a harbor; and it was only in the 17th century that satisfactory works were undertaken. Until modern times all the included area was shut off from the open sea by a sand-bank, which rendered the entrance of large vessels impossible. An extension of the former mole, and the construction of another from the fort of Montjuich, have embraced a portion of the sea outside of the bank, and a convenient shelter is thus afforded for the heaviest battleships. From 1873 the work of extension and improvement was carried on systematically, by the addition of new quays, greater storage room, and better means for handling cargo. After thirty years of steady development, further plans were approved in 1903. At this time the port included an inner harbor with a depth of 18 to 30 feet at low tide, and an outer harbor with a depth of 20 to 30 feet. In the following year, 8075 vessels of nearly 5,000,000 tons entered the port.<sup>1</sup>

Barcelona is well supplied with inland communication by rail, and the traffic of its streets is largely facilitated by tramway lines running from the port as far as Gracia and the other chief suburbs.

Another important problem of urbanization is found at Bilbao, "the Pittsburgh of Spain."<sup>2</sup> This is one of the principal seaports of the country and occupies a small but fertile and beautiful valley shut in by mountains on every side except towards the sea. It contains the fortified haven of Portugalet, the industrial town of Baracaldo and the villages of Santurce and Las Arenas.<sup>3</sup> It is said to have been founded by Don Pedro Lopez de Haro about 1300. It comprises two distinct parts,

<sup>1</sup>Cf. *Encyclopedia Britannica*, 1910 edition, *re* Barcelona.

<sup>2</sup>See article entitled "El problema urbanístico de Bilbao" by Ricardo de Bastida in *Arquitectura* (Madrid) Vol. 5, pg. 337.

<sup>3</sup>In 1909 Bilbao had 2038 buildings and 78,958 inhabitants. The municipality of Bilbao occupied a superficial area of 26.55 square kilometers. The total area of public ways was 489,070 square meters. Trans. from *Enciclopedia Universal Ilustrada*.

ancient and modern. The new lies on the left bank of the Nervión, while the old rises on the right in terraces. There are five bridges. The old town has narrow streets, but when the new part was laid out in 1876 fine broad streets, splendid squares and public gardens and buildings came into existence. The old part still constitutes the business district. Few Spanish cities have grown so rapidly in size, importance and wealth in the latter half of the 19th century. In 1870 the population was 18,649; in 1887, 50,734; in 1897, 74,076; in 1900, 83,306.

Mining and metallurgical industries are located here. The steel and iron trades cause the network of railways at this point. In 1877 the harbor was improved by opening a channel and moving a bar. At that time the city made wharves and embankments, lighted the lower reaches of the river by electricity to allow entrance by night, and constructed a breakwater and counter-mole to secure deep anchorage. In 1896 the first drydock was constructed. This was supplemented in 1905 so that it is now the largest in Spain.<sup>1</sup>

In the interior of Spain at Salamanca, some street widening is being done. In this city there exists a central open space called the Plaza Major, dating from the 18th century, architecturally the best of its kind in Spain. It consists of a square park with a bandstand at the center. The parked space is surrounded by a roadway and four-story buildings arcaded at the ground level. Access is secured through arched ways at or near the corners.

San Sebastián in the northeast on the Bay of Biscay is the most fashionable seaside resort of Spain. There is evidence of systematic planning here, as also in the interior of Spain at the royal châteaux of Aranjuez and La Granja. Aranjuez, south of Madrid, was planned in the Dutch manner.<sup>2</sup> It consists of a large private park, originally intended for royal use, and a town for the permanent residents. It has one of the most attractive way-stations in Spain. Another very attractive railway station is to be found in Toledo.

<sup>1</sup>Cf. *Encyclopedia Britannica* 1910 edition, re Bilbao.

<sup>2</sup>See Baedeker's *Spain and Portugal*. Pg. 123.

La Granja, north of Madrid, reached via Segovia, is planned somewhat in the manner of Versailles, but on a still grander scale than that well-known resort.

Among the charming hilltop towns of Spain are Toledo, Segovia, and Ronda, and that hilly part of Granada upon which the Alhambra is located. These are exceedingly interesting sites, and in the cases of Toledo and Ronda very beautiful viaducts span the deep ravines which nearly surround these cities. In Segovia one may see a Roman aqueduct in use to this day. The vistas from these hill towns often fall across wild and deep gorges, and one may look from certain points on the parapets over village and plain to the snow-clad mountains beyond.

Granada is not important from the city planning standpoint. As the ancient seat of the Moors in Spain, the Alhambra is very interesting historically and architecturally, and is famed in literature by Washington Irving, Longfellow, and Keats. On the plain below it are several villages which are representative of the small farming communities of Andalusia. A characteristic type of indigenous farmhouse is found in the orange grove "huertas" on the Valencian plain.

Seville, on the Guadalquivir, was the port of embarkation for the Conquistadores leaving for the Americas in the golden age of Spain, and the point from which Washington Irving started inland. Among its interesting improvements are the Paseo de las Delicias, along the river below the city, and the Parque María Louisa, in which a group of buildings for a permanent industrial exposition are now being erected. Its Plaza de Toros has been the scene of many a stirring encounter in the national sport of the Spaniard.

Geographically the Iberian Peninsula is a comparatively recent geological formation and the soil is still filled with salt except where rivers have sucked it out. The altitude of the central plateau at Madrid is 2,130 feet above sea level and the volcanic Sierra Nevada and Guadarrama ranges rise from this plain to an altitude of perpetual snow.

This formation produces ideal conditions for plentiful water supply for irrigation and hydro-electric development so that Spain may be said to have “skipped the kerosene lamp era and emerged from the candlestick age to the age of electricity.”



Fototipia Thomas, Barcelona

**Salamanca, Plaza Major**

# THE COMMUNITY FOREST AND THE COMMUNITY PLAN

By CHARLES LATHROP PACK  
President, The American Tree Association

THE town or community forest is no longer a theory, nor is it merely an expedient successfully adopted in Europe under different economic conditions and standards of living. It is, instead, a demonstrated American institution worthy of the most serious consideration for inclusion in any well-rounded community plan.

If one conceives the general aim of community planning as so to direct the growth and development of a community that the maximum of social, economic, and recreational benefits and of physical attractiveness may be attained, the brief for the community forest is not one that is difficult to draft or to present.

Allusion has been made to the community forest idea in Europe. There it had its inception, arising largely out of economic need,—the pinch of timber poverty. The idea of a permanent local wood supply furnishing raw material, supplying employment and maintaining certain local industries was invoked so successfully in some instances that it virtually wiped out the burden of local taxation.

The original conception of the town forest in the United States came from a similar economic parent,—the timber poverty of the northeastern states resulting from decades of prodigal exploitation. The idea, however, has progressed considerably beyond this thought, and it is the direction of this progress that commends the community forest to the planner. In envisioning a community's development he is not primarily concerned with the fact that as a nation we are using our forest resources four times as fast as we are producing them. The local forest, he may argue with reason, will not appreciably help this situation. At the same time, if he is possessed of broad vision, the planner will recognize that collectively many such areas will be of distinct value.



Let us accept, then, the incontrovertible fact that the community forest is economically sound and therefore a desirable adjunct to any community. At the same time we will admit that it must justify itself on other grounds before we can expect the community planner to accept it as a vital if not essential part of his plan.

Properly planned and distributed recreational facilities are considered an essential feature of community life today. They may take the form of out-and-out playgrounds, athletic fields publicly operated, conventional parks or parkways along a river bank or lake shore. All of these things, while highly essential, are, nevertheless, artificial. The forest is not. Save where thinning is done in the interest of wise forestry practice, it is natural, and man has yet to improve on Nature.

The community forest, then, offers a recreational resource of immense value. It represents to the city dweller an opportunity to retain a bit of Nature in the wild state, where he will find seats on pine needles instead of park benches, walks along pathways of woodsy softness instead of gravel, and where there is surcease from the high tension and high speed of present day life. Comparatively few can visit our great National Parks and many are restricted to a limited sphere for their recreation. The community forest is within reach of all.

One of the most recent developments in our school curricula is the inclusion of Nature Study. Wherever possible in the work the trees, flowers, mosses, insects, birds, mammals and other forms of wild life are sought in their native habitats instead of between the uninspiring pages of books. Indeed there is small need to argue the tremendous value of such a natural laboratory as a part of the school system. Nor is it less valuable in such extra-curricula fields as the work carried on by the Boy Scouts and Girl Scouts and similar organizations.

As urban life has grown, wild life has gone. The birds and small mammals that the country young people know are known to the city child either in pictures, in cages, or stuffed. A community forest soon becomes a sanctuary and there is more real human satisfaction in glimpsing a cardinal on a branch in the forest than in a zoo cage; or a

rabbit scooting through the underbrush instead of loping disconsolately around an enclosure. It is impossible to place one's finger on the social and mental dividends that this bit of wilderness preserved to the community pays, but dividends there are.

Forests, of course, are important for the protection of watersheds, the prevention of erosion and as buffers against the elements. The wise community planner can so adjust these various considerations that the community forest is serving a variety of purposes. Conversely, areas already timbered and used as safeguards of water-supply can be expanded to other spheres of usefulness.

The City of Fitchburg, Massachusetts, claims the distinction of having officially set aside the first community forest in the United States. This was done only twelve years ago with a threefold purpose of providing a demonstration in practical forestry, of realizing a profit from the sale and use of forest products, and of furnishing a site for public recreation; and the city has already realized a profit from these acres. Sixty-five Massachusetts communities have followed this city in the movement toward local forests. New York, New Jersey, Pennsylvania, Vermont, Ohio and Colorado are states where the idea has taken hold to a degree which should aid the planner as far as precedent is concerned.

In the states of Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania and Vermont special legislation has been enacted to facilitate the establishment of community forests. In most instances there is provision for coöperation on the part of the State Forester in administering the forestry phases of the development. In several of these states large state nurseries offer a supply of seedlings free or at nominal cost to aid the community in reforesting areas needing such treatment. Several states permit cities and towns to incur debt for the acquisition of such areas and in practically every state there appears to be no serious legal obstacle to the creation of community forests.

At the moment, the world seems more or less in the grip of a desire for memorials, a sentimental urge fine of itself but often resulting in

lasting atrocities. Frequently the community planner cannot successfully defend his community against these, so great is the public sentiment. The community forest offers a way out. The late Dr. Eliot has said that there is no more permanent and fitting form of memorial than the forest, and this constitutes an excellent suggestion for the community planner.

Experience has shown that there are several means to the acquisition of a community forest at little or no cost to the community. Civilization has outlawed the poor-farm in many instances and its acreage may be available. Local institutions of public character frequently have large acreage that can be made to serve. Land that has reverted to the community for the non-payment of taxes offers another excellent source for a community forest. Gift is another means. Once public sentiment along this line is aroused in a community, however, purchase of the land is the most businesslike method of procedure; and it is a fine local investment.

The American Tree Association has recently published "Town Forests, Their Recreational and Economic Value and How to Establish and Maintain Them." This bulletin was prepared by Harris A. Reynolds, Secretary of the Massachusetts Forestry Association, and any reader of CITY PLANNING desiring a copy of it may obtain it merely by dropping a note or card to the American Tree Association at 1214 Sixteenth Street, Washington, D. C.



In the day of Washington Today In 2020?

## EDITORIAL

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### CHARLES WILLIAM ELIOT

With the death of President-Emeritus Charles W. Eliot, the country loses its foremost citizen. With his wisdom and his accomplishments in education and in many other fields of thought we are all more or less familiar. We should not forget, however, his early interest and his clear—almost prophetic—vision in the field of City Planning. Let two quotations of his words speak for themselves:

“The concentration of a large proportion of the American people in cities and large towns has already imposed on landscape architects the devising of means of defense against physical and moral damage which city life inflicts on population. The main work . . . for the next twenty years will be the study of the means of giving more air and sunlight and more opportunities for outdoor life to the people who dwell in cities. . . .” —From paper “The Landscape Architect as the Ally of the Sanitarian” in the first issue of *The City Plan*, March, 1915.

“The real contribution . . . of the engineers, architects, and landscape architects who are going to give relief to the congested cities is to be done in the open suburb or the open country beyond. . . . The city planners who are now attempting to bring about improvements in city streets . . . are not proposing to do more than ameliorate conditions for short periods of time. . . . No large American city today provides the means for a family of small or moderate income of bringing up a family of children safely. . . . To the rescue, therefore, all city, town, and village planners.”—From letter to the Editor for the first issue of *CITY PLANNING*, April, 1925.

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It is with great regret that *CITY PLANNING* must announce to its readers that Mr. Charles W. Eliot 2nd has been obliged to resign as assistant editor, owing to his removal to Washington to enter the service of the National Capital Planning Commission. Mr. Eliot's enthusiasm and interest have been invaluable in the establishment of the magazine, and happily these are not to be lost in the future, since he has consented

to serve on the committee in charge of the regular Current Progress Department. We shall hope that some time in the future he may resume an active responsibility in the conduct of the magazine.

In announcing with pleasure the name of Mr. Eliot's successor in the assistant editorship, Mr. Gordon J. Culham, CITY PLANNING reminds its readers of the Williams Prize Essay, submitted in the 1924 contest and published in the issue of LANDSCAPE ARCHITECTURE for October, 1924, of which Mr. Culham jointly with Mr. F. M. Mayer was the winner.

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The Editor is glad to print, as requested, this further interesting communication from the President of the Florida Chapter, A. I. A., in pursuance of his former letter, quoted with editorial comment in our pages for July (*q. v.*):

SAINT PETERSBURG, FLORIDA, 18TH JULY, 1926

To the Editor "City Planning"

Dear Sir:

I was very much surprised to find in your current number of CITY PLANNING, an Editorial, the subject of which was your complete misunderstanding of my letter to the Editor of the *Journal* of the American Institute of Architects. I am afraid that you did not read my letter very carefully—for you have completely missed the point that I wished to make, and then have very completely proven (thinking that you were doing the contrary) that very point.

If you will note carefully the text of my letter you will note that I criticise the President of the American Institute of Architects (who was at that time Mr. D. Everett Waid) for his statement that the Institute is not taking its full part in City Planning. I have no quarrel with the City Planners themselves, some of whom are my friends, many of whom I very much admire, and all of whom are doing their full share toward the creation of better places in which to live and develop a real civilization.

I mention in my letter the fact that many Architects are doing City Planning and doing it well—and that is the principal point of my letter to the Editor. You go part way in proof of that point by mentioning some of the Architects who are doing the very thing I claimed they are doing. I might add the names of Mr. Ford, who was an Architect before he became a City Planner, Mr. Henry Wright, Mr. Atterbury, Mr. Schuchardt, and any number of others. There are very few men, for example, who have been more active in working for coöperation between the various Professions concerned in the making of the perfect City than Mr. Peaslee of Washington, through whose efforts more than those of any other individual, the

recent Bill creating a National Capital Planning Commission was passed. The whole purpose of my letter was to point out to the Architects the fact that our then President had not given them their proper place in the City Plan "layout". The Architect is but one of the "four wheels" mentioned in your resumé of the recent meeting in Washington. My wish, expressed through my letter that raised your ire and unwittingly knocked the proverbial chip from your shoulder, was that the Architect "wheel" be the first—as Mr. Atterbury is quoted in your pages as having wished also.

You speak well, in your pages, of the paper of Mr. Steele, delivered at the Conference in Saint Petersburg. Perhaps you did not know that my own suggestion to my friend Mr. John Nolen, resulted in Mr. Steele's being asked to deliver a paper, and the major part of the very paper that you commend as promising coöperation between Architects and City Planners, was based upon my own suggestions to Mr. Steele, who was my partner.

Will you be good enough to print this letter in a small, out-of-the-way corner of your next issue? And will you please send me fifty copies of your present issue so that I may send them to the members of the Florida Chapter and to the Officers of the American Institute of Architects?

Sincerely yours,

HARRY F. CUNNINGHAM

To us Mr. Cunningham's original letter still seems to convey the same ideas that it did at first. One of these ideas was that the architects had already done much in city planning. We not only admit this, but we loudly assert it. Another was that they might with advantage to the public do more. This we also heartily believe to be true. The third was that it would be a very good thing for the community if they were to do it all,—that is, in effect, if city planning were to be recognized as a part of the profession of architecture, or as a field in which architecture was naturally or logically or effectively paramount. With this idea we entirely disagree, just as we should disagree if in place of the word architecture were to be substituted, for instance, the word law, or engineering, or landscape architecture. It was this point in the letter which made us notice it editorially, since, stated as Mr. Cunningham stated it, it seemed to us to be an unusually complete and typical sample of a certain "anti-coöperative" atmosphere not confined to any one profession, which would be the better for ventilation.

# EXTENT OF POWERS OF CITY PLANNING COMMISSIONS\*

By HARLAND BARTHOLOMEW

The authority vested in City Planning Commissions may generally be classified as follows:

1. Advisory powers only.
2. Powers of recommendation and report subject to Council's veto.
3. Final authority in any or all matters pertaining to the City Plan.

A brief consideration of the relative advantages or disadvantages of the responsibility to be placed upon City Planning Commissions leads at once to the question, "Why should there be any City Plan Commission?" The answer, of course, is that the complexity and magnitude of present urban growth demands scientific study; that administrative officials are too busy to delve into the intricacies of a new and, as yet, somewhat uncertain science. It must furthermore be admitted that too often these administrative officials are politicians rather than disinterested leaders of community thought and action.

Admitting the paramount necessity and importance of city planning, we must find a means of putting into execution the results of our inquiries, studies and plans. Experience shows that substantial results depend upon: (a)—Preparation and adoption of a general city plan. (b)—Careful attention to administrative detail.

To accomplish these it is necessary to have an electorate acquainted with the general principles and advantages of a particular comprehensive city plan, and city officials who understand and are in sympathy with the city plan. An enlightened electorate will insure the success of particular issues at the polls, as well as the election of city officials in sympathy with the city plan.

Of the three classifications of authority to be vested in Planning Commissions, therefore, that which produces the best public understanding would seem to be most desirable. The relative advantages and disadvantages of each classification may be listed briefly as follows:

1. *Advantages*: Necessitates thorough work.—Avoids distraction of administrative detail.—Invites good personnel.—Compels publicity and public education. *Disadvantages*: Results uncertain.—Sustained interest difficult.—Requires tremendous effort.

2. *Advantages*: Necessitates thorough work.—Avoids distraction of administrative detail.—Invites good personnel.—Emphasizes merits and demerits of particular plans.—Compels publicity and public education. *Disadvantages*: Results somewhat uncertain.—Requires much effort.

3. *Advantages*: Necessitates conformity to plan. *Disadvantages*: Undemocratic, places legislative power in non-elective officials.—Antagonizes existing officials.—Insufficient time for thorough study.—Inevitably succumbs to political influences.

\*A continuation of the symposium published in CITY PLANNING, April 1926.

From this it would appear that (2)—powers of recommendation subject to Council's veto—is the most satisfactory.

In attempting to arrive at a conclusion, however, the overwhelming importance of the human factor must not be overlooked. Varying conditions and circumstances may justify one or another of the classifications of planning authority above suggested, with equally good results. Above all things, City Planning requires the most thorough coöperation and coördination of all city officials and departments concerned with public work. Almost every city can well afford a city planning executive who will foster and promote this coördination, as well as a technician to prepare the vast amount of information and plans essential to the control of municipal development in the interests of order, economy, and beauty.



Photograph by Frank Harazim, New York

#### The New Type of Three-Track Road

This speeds up traffic at congested times by permitting passing more frequently and safely than in the "procession" of the crowded two-track road. As the traffic in the middle of the road is not usually as great as at the sides, the center can be made of tar and stone which is cheaper than the concrete of the two outer tracks. This photograph shows a well constructed roadway of this type.



# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM  
CHARLES W. ELIOT 2nd

## CITY PLANNING STUDIES FOR DENVER

WHEN in the spring of 1925 various park districts of the city of Denver requested important additions to the city's park system, the administration thought it the proper time to coördinate these proposals into a comprehensive city planning scheme. These studies are not finished as yet, but tentative plans have been submitted to the City Planning Commission, recently appointed by the Mayor. A great deal of work has been done, but a thorough study of the business section is still to be completed.

To acquaint the newly appointed Commission with the status of the work a Progress Report was submitted. This Report contains a brief review of the past development of the city, a study of the population growth of the city, a preliminary study of traffic conditions, a preliminary study of major street lines, a study for the location of new business centers, park and playground development, location of public buildings, and preliminary ideas on a regional plan with a radius of fifty miles outside of the city.

Denver being the center of a large recreational district, specially for summer tourists, its traffic problem is rather different from that of most other cities. For three or four months in the summer, traffic is increased immensely, and probably reaches double the amount of winter traffic. Accurate traffic counts are now being made for the summer traffic.

On these traffic figures will depend the recommendations for the business district. In a tentative study made in 1916 it was recommended by this office that the business district be surrounded by a belt line boulevard. This idea was worked out more in detail for a number of merchants by McCrary, Culley & Carhart in a report three years ago. These same ideas are to be found again in the preliminary plan submitted to the City Planning Commission. With a final accurate count of traffic taken during the summer season, the route of this belt line will be definitely established.

An interesting problem presents itself in Denver's business district. Ever since the city's pioneer days the business section has slowly moved up town, away from the railroad station. In the blocks lying in the pathway of this movement new values are created, but in the blocks left behind values depreciate. It is taken as part of the problem in this study of the city to prevent this depreciation in the older business districts.

Generally speaking, the plan contemplates a series of radiating lines running out from the center belt line. Some of these radiating traffic lines are in existence,

others need opening or widening. The whole system will give Denver a series of radiating lines that will greatly facilitate connections between the business district and the suburbs.

Parallel with the first belt line, other circular boulevards are proposed. One of these will have the character of an industrial boulevard, connecting as it does all the industrial area, shipping points, viaducts, etc.

The outer boulevards will have the character of parkways and will be planned for scenic value as well as for traffic purposes.

In past years a number of parkways were created that discharge their traffic into the parks. Inasmuch as this turned the parks into short cuts for traffic, it has become one of the problems of these studies to relieve the parks of unnecessary traffic and direct it along the boundary streets of the parks.

The city's playground system was found to be inadequate and a study for extension is being carried on. A systematic plan for playground distribution is one of the items of this study.

Location of at least one suburban railroad station is being considered. Railroads and street car lines in their relation to the city plan are still to be studied.

One of the important items in these studies is Denver's importance in regard to the district it serves. The studies for the city will include a business survey for a large district of some 300 miles radius. It is not the intention to make a regional plan of such a large area, but rather is the intention to outline definitely the part the city should play in the industrial, commercial, financial, and recreational life of the district.

Other studies will be based on Denver as a governmental center, with projected federal, state, and city buildings.

Interesting matters were found in the population study of the city. The city suffered a severe setback during the years of 1893 to 1895. At least such is the opinion of the average citizen who still talks about the panic. Census figures, however, show that the city did not suffer a setback but had a continuous steady growth. Denver's growth has indeed been a very steady and conservative one, and runs parallel to the growth of the country at large. Due partly to lack of confidence created in the "Panic" years, however, Denver's real estate values are low,—more than conservative. A careful survey of real estate values is being made to determine the causes of this.

In these city planning studies it is not so much the intention to produce one definite, well printed, carefully bound volume, as it is to continuously plan the city. In other words Denver's goal is not so much a city plan, as city *planning*.

S. R. DEBOER,  
*City Planner, Denver.*

## PRELIMINARY TRAFFIC PLAN FOR PROVIDENCE

Robert Whitten, Planning Engineer, has submitted to the Ordinance Committee of the City Council of Providence, Rhode Island, a plan designed as a basis for a program for the relief of the traffic congestion in Providence. He has been engaged on the problem as consulting engineer for the City for the past ten months, and has had associated with him Ernest P. Goodrich, consulting engineer, of New York City, and James W. R. Adams, son of Thomas Adams, as resident engineer. The tentative plan will serve as the basis for the complete report Mr. Whitten expects to make and present later in the year.\*

The move by the City of Providence to provide for the future development of its thoroughfares is one of the first of comprehensive character taken up in this country following the first conference on traffic and safety called by Secretary Hoover at Washington in 1925, when it was recommended that the orderly procedure for cities to adopt in handling their traffic problems was to depart from the day-by-day regulations as to parking and other temporary expedients and consider the subject on a large scale and with reference to many years to come.

Mr. Whitten, retained by the City for this purpose, has made a thorough study of Providence and its needs. His report offers a solution of the traffic situation of a metropolitan Providence in 1950 with an estimated population of 591,000 persons owning 257,000 cars. The two greatest needs as shown by Mr. Whitten are for cross-town routes so that local traffic may move from one side of the city to the other without going through the center, and for principal routes around the city so that long-distance traffic not intent on going through the down-town district can avoid causing congestion and experiencing delay as it does at present by moving through the already over-loaded streets of the center of Providence. It is anticipated that this move alone would remove twenty per cent of the traffic in the down-town streets. A proposed subway project for street cars in the down-town district has been submitted to Mr. Whitten by William W. Lewis of Boston as the engineer specialist for that particular project. Mr. Lewis' report will be considered by Mr. Whitten in connection with the Final Plan.

In making a study of the city the engineers found the general planning of Providence streets inadequate to the increasing use made by cars. They found that practically all of the traffic of the city was compelled to travel through the central Market and Exchange Squares in the down-town district, no matter which section it desired to reach, and that further there were no adequate approaches from the several sides into the several parts of the city except through the center, and through what are called bottle-neck approaches, causing great congestion.

In his tentative report Mr. Whitten has proposed twelve major projects which involve the building up of new cross-town roads, one of them 5.7 miles in length, of the general width of 140 feet, with a forty-foot central pavement for through traffic and two twenty-foot service roads for local traffic. Another project proposes the widening of streets and the connecting of routes so as to establish new main

\*A full account of this is expected to appear in the issue of CITY PLANNING for January, 1927.

thoroughfares about and around the city. A belt parkway 9.8 miles in length extending around the city from a proposed new bridge at Fields Point to a principal cross-town road in North Providence is suggested, and if adopted would be part of a continuation of the boulevard that might be carried through by the neighboring city of Pawtucket.

Providence is so closely connected up with nearby cities and towns that a field of unusual opportunity is offered to develop a comprehensive regional plan for the entire area; and plans are under way at the present time to set in motion such a survey. If it is developed in the near future it may result in certain changes being made in the tentative plan as now submitted by Mr. Whitten.

While Providence has never had formulated for it a complete and comprehensive city plan, it has carried through a number of the phases of planning, notably a complete zoning survey which was conducted by Mr. Whitten a few years ago, followed by the adoption of a zoning ordinance; and a study of the public schools and their proper relation to the population in general. Although to carry out the proposals submitted to the Ordinance Committee for a re-arrangement of its principal thoroughfares will involve the expenditure of several millions of dollars, the interest manifested in the plans as proposed by Mr. Whitten is so great as to indicate that, once convinced of the wisdom of the proposals, Providence will not hesitate to launch a program for carrying them out.

RICHARD B. WATROUS,  
*General Secretary, Chamber of Commerce.*

## A YEAR'S PROGRESS IN BERKELEY, CALIFORNIA

The annual report for 1925-26 of the Berkeley City Planning Commission submitted in July has more than local interest. The most important recommendations are for the drafting of a new zoning ordinance regulating property use, combining the two present zoning ordinances, and for an extensive study of the arterial highway system, especially with regard to the necessary setback lines in connection with future street widenings.

The Commission reported a busy year, with 54 petitions for zoning reclassifications. The Civic Art and Design Division has made recommendations for street system improvements, including a new diagonal thoroughfare.

"This division also made an extensive study of the limitation of the maximum height of buildings, from which results they finally decided to recommend to the council an 80-foot maximum height limitation. Before this recommendation had been submitted the Council had passed a resolution to retain the present ordinance governing the limitation of heights of buildings within the City of Berkeley."

Mr. Stephen Child, of San Francisco, has been engaged as consultant to the Commission, by appropriation of the City Council. Among the studies to be made by Mr. Child will be the regulation of heights of buildings and a general regional plan for the city.

## SACRAMENTO HONOR ROLL AND MEMORIAL GIFT COMMISSION

Sacramento has been the recipient of many generous gifts. In order to perpetuate this spirit of loyalty and patriotism on the part of her Citizens, the City Council has created an Honor Roll and Memorial Gift Commission, consisting of nine members whose duties will be the collection of full and complete information relating to all public gifts, donations, legacies and bequests of whatever nature, from the City's earliest history to date. The Commission is to arrange for the appropriate memorialization of the names of the donors and their gifts.

It will also be the duty of this Commission to initiate an educational campaign to encourage the emulation of the spirit of those who have already thus honored their City and themselves by public gifts; acquaint prospective donors with the needs of the City along various lines in the way of Parks, Playgrounds, Schools, Museum, Art, Charitable Service, Libraries, Public Buildings, etc. It is anticipated that the Commission can also secure the means by which features in City Planning and other projects will be made possible.

The Ordinance creating this Commission (No. 283, Fourth Series), which was introduced by Mayor A. E. Goddard, defines the duties of the Commissioners in detail, term of office, meetings, and organization. Commissioners are to serve the City in this capacity without pay. All acts of the Commission are subject to the approval of the City Council and under the supervision of the City Manager. All new gifts are acceptable subject to final approval and acceptance of the City Council.

The measure has been received with strong popular approval, and its objectives may be found of interest to other cities.

H. G. DENTON,  
*City Clerk, Sacramento, Calif.*

## THE COMMITTEE ON CITY PLANNING AND SURVEY OF THE CITY OF NEW YORK

Mayor Walker in appointing a Committee on City Planning and Survey for the City of New York may be setting a precedent which will mean much to municipal government. We have in this country a dozen or more regional planning organizations, but few have any governmental status; usually such bodies are voluntary organizations of public-spirited citizens supported by private subscription. Mayor Walker's idea of choosing a large representative committee of citizens would seem to incorporate all the advantages of the voluntary private organization of citizens, plus the advantages given to it through its establishment as a governmental committee, with the backing and assistance of all the city departments and the Mayor's encouragement and support.

The committee on City Planning and Survey will also have the advantage of the studies so carefully made by the Russell Sage Foundation Committee on Plan of New York and environs, a non-official body, which has issued such splendid

reports in the last few years. Its comprehensive surveys of existing conditions are being made, preparatory to a forecast for the future. Undoubtedly, coördination of the work of the two committees will result.

On June 14th the Mayor announced the appointment of four hundred seventy-one men and women on the Committee. He chose a most representative group of citizens from every walk of life. The Committee's first meeting was held on June 21 when Morgan J. O'Brien, a former justice of the Supreme Court who has been prominent in legal, judicial, financial and social circles, was chosen as Chairman. Joseph A. Warren, Commissioner of Accounts, was named Secretary. The general committee has been divided into seven sub-committees to study (1) Housing, zoning and distribution of population; (2) Port and terminal facilities; (3) Traffic regulation and street uses; (4) Sanitation and harbor pollution; (5) Highways and bridges; (6) Parks and recreational facilities; (7) New sources of revenue. The chairmen of these sub-committees, the Chairman, the Secretary and Vice-Chairman of the general committee, together with five other members at large chosen by the Mayor, will form the Executive Committee.

The Mayor in delivering his message to the Committee emphasized as the most important problem that of the proper distribution of the population. Emphasis was likewise laid on the necessity of avoiding that policy of improvements in the past which had been based upon purely sectional demands without regard to the welfare of the city as a whole. It has been stated by the press that the Mayor himself considers the appointment of this Committee as the greatest accomplishment of his administration thus far. City and regional planning is always a slow process, and the Committee has unlimited possibilities for achievement in the betterment of the City. Although miracles are not to be expected of this Committee, its formation is a forward and progressive step, and it is reasonable to expect that much will be accomplished in the decades to come.

It is planned that the Committee will eventually number five hundred members, names being added from time to time to the four hundred seventy-one persons originally appointed.\*

REBECCA B. RANKIN,

*Librarian, Municipal Reference Library, New York.*

## PERMANENT GROWTH IN GLENDALE, CALIFORNIA

A state, city, town or community is judged by the demonstration it makes of wise provisions for the future. Glendale, California—along with many other progressive cities in the United States—is making an intensive study of its future requirements in order to avoid mistakes that may prove costly later on. This may properly be called City Planning. Without such a study, city growth becomes amazingly wasteful. One billion dollars annually is the conservative estimate of

\*A list of names, with organizations represented, may be found in the New York *Herald* for June 14, 1926. Among the names well known to city planners are: E. M. Bassett, George McAneny, Robert DeForest, F. A. Delano, W. J. Wilgus, D. M. Turner, A. S. Tuttle, H. M. Lewis, Harvey Corbett, Cass Gilbert, A. F. Brinckerhoff, C. N. Lowrie, Lawrence Veiller, and Lawson Purdy.

property loss in American cities made by Mr. Walter Stabler, comptroller of the Metropolitan Life Insurance Company, probably the largest lender of money on real estate. Glendale is making rapid progress in all three of the leading types of city growth,—Commercial, Industrial and Residential. To keep an even balance between these three, it realizes that it is very important to follow a comprehensive city plan. If it did not follow such a plan, a wholesale shifting of neighborhoods, with consequent deterioration of property and depreciation of property values, would take place. Glendale, by adopting a city plan, will obtain the confidence of individual builders, and cheap speculative building will not take place.

To assure the city of the best advice obtainable, the Glendale City Council has made an appropriation to be used by the City Planning Commission for the preparation of a comprehensive city plan by a nationally known city planner. Such a plan contains a thorough study of the six major problems that confront the city: Streets, Transit, Transportation, Public Recreation, Zoning, Civic Art.

The Glendale streets of the future will include commodious main arterial thoroughfares, and minor streets particularly designed for residential purposes, not always following the rectangular system if the topography calls for a study of some other system to fit the existing conditions.

The Glendale street car and motor bus problem will receive consideration under the study of Transit requirements. This does not concern the question of fare, methods of operation, ownership or volume of service except as these questions affect the unity of the system and its direct relation to the distribution of population and the physical arrangement of the city. A unification of all types of transit facilities is to be desired for best results.

The Glendale transportation problem will be taken care of by formulating a study of the different types of traffic with a view to unification of facilities, to economize time and cost in handling both passenger and freight traffic.

Glendale is interested in the construction of community centers, children's playgrounds, neighborhood parks, recreation fields, large parks, boulevards, and outlying parks or reservations, and their location will receive intensive study.

Although every city has given considerable attention to Zoning, it is only after this problem becomes a part of a complete city plan that the regulations in connection therewith become most effective. Therefore this item is being given proper consideration by Glendale so that its development will not be of the hit-or-miss type of growth.

Civic Art is a term not misunderstood by Glendale. It is also a part of our city plan. It involves economic and social considerations. Special attention will be given to the grouping of public buildings at strategic locations, the regulation of poles and wires, certain regulation of signs and billboards, a careful system of street tree planting and numerous other similar activities.

From the above, it will be seen that Glendale intends to become one of those municipalities known for its foresightedness in maintaining its permanent growth in the best possible way by adhering to a comprehensive city plan.

PERCY J. HAYSELDEN,

*President, Glendale City Planning Commission.*

## CIVIC ART IN MIAMI

The Biscayne Boulevard Association of Miami has recently inaugurated an open competition for the following purposes: "(1) to secure designs for traffic signal towers and standards and street lighting standards, appropriate for Biscayne Boulevard, Miami, Florida, (2) to develop ideas for more pleasing filling station designs, and (3) to stimulate interest in the designing of better structures for these purposes than those now in general-use."

The competition closes on October 1, 1926, and is in charge of Bennett, Parsons & Frost, of Chicago, as professional advisers to the Association.

In the very interesting illustrated Program of the competition, there are these comments for the guidance of competitors:

"Biscayne Boulevard is a level 100-foot street, which extends from the center of Miami northward to North East 55th Street (three and one-half miles). It runs along Biscayne Bay for one mile and continues about one block from the Bay through a high-class residential section of Miami. The south end (formerly Bay Shore Drive) is an old street recently widened and improved. The north two and one-half miles is a new street opened by cutting through fourteen improved city blocks, widening a narrow street (formerly North East Third Avenue) through nineteen improved blocks and extending the street thus created through the recently divided estate of Charles Deering, into Bay Shore, a suburb of fine homes. Biscayne Boulevard here becomes the Federal Highway which, combined with the Dixie Highway, extends 360 miles to Jacksonville, Florida, and beyond to the Northern States.

"Buildings are now being demolished along the new portion of Biscayne Boulevard and this section will be opened about December 1st. Already dwellings are giving way to buildings for showrooms, theaters, offices, restaurants and first-class shops. Being a main artery of through traffic, a system of traffic signals is necessary, street lighting will be a feature, and the demand for filling stations along the northern section of the Boulevard must be met.

"The Biscayne Boulevard Association is anxious that such structures shall add to the beauty of the Boulevard. The Association, representing more than 80 per cent of the property, is ambitious to control, in a measure, the architecture and the uses of the street. With the coöperation of the City and the City Planning Board, Royal Palms will be planted the entire length of Biscayne Boulevard. No other planting will be used.

"Aside from practical considerations, it is confidently hoped that these competitions will reveal a vision of public street fixture design. While in recent years progress has been made in the development of architecture and art generally, it has not been shared (with rare exceptions) in the design of street fixtures.

"Miami is a city of moderate size which, in the winter months, assumes importance out of proportion to its normal population, as to magnitude of street traffic and business."



## THE CITY PLANNING DIVISION, A. S. C. E., AT SEATTLE

At the summer meeting of the American Society of Civil Engineers held at Seattle in July, the program of the City Planning Division included three papers:

"Preparing the Groundwork for a City: The Regrading of Seattle", by Arthur H. Dimock, M. Am. Soc. C. E., Consulting Engineer, Seattle, Wash.

"The Removal of the Pittsburgh Hump", by Nathan Schien, M. Am. Soc. C. E., Division Engineer, Bureau of Engineering, City of Pittsburgh, Pa. Discussion opened by R. H. Thomson, M. Am. Soc. C. E., Consulting Engineer, Seattle, Wash.

"The Planning of the Industrial City of Longview, Wash.", by S. Herbert Hare, Fellow, American Society of Landscape Architects; Member, American City Planning Institute, Kansas City, Mo. Discussion opened by Wesley Vandercook, Chief Engineer, Long-Bell Lumber Company, Longview, Wash. B. L. Lambuth, Manager, Real Estate Department, Long-Bell Lumber Company, Longview, Wash.

Past-President Charles E. Loweth presided in the absence of Mr. Knowles. More than fifty persons were present including President George S. Davison, Ex-President C. E. Grunsky, George A. Wallin, the President of the Canadian Institute of Engineers, and Horace S. Seymour, Vice President, Town Planning Institute of Canada. The author of the second paper, Mr. Nathan Schien, was absent and the paper was presented by Allen W. Davison and discussed by Mr. Thompson and President Davison. The author of the third paper, Mr. Hare, was represented by his associate, Leith F. Abbott, and the discussions were as planned. All the papers were illustrated with lantern slides and the Longview paper by two interesting movies.

Readers of CITY PLANNING who desire to study these three illuminating papers are referred to the monthly Proceedings of the American Society of Civil Engineers.

## PLANNING PROGRAM FOR NATIONAL CAPITAL

The National Capital Park and Planning Commission, at its August meeting, adopted a program of work for the next fourteen months. The work naturally divides itself into three main divisions: (a) Collection of general basic data, such as population distribution, population trends, traffic counts, and records of previous proposals and plans; (b) Legal, administrative and fiscal problems, and (c) Physical planning problems proper.

According to the act of Congress approved last April, the "Commission may, as to the environs of the District of Columbia, act in conjunction and coöperation with such representatives of the states of Maryland and Virginia as may be designated. . . ."

Both states have already set up Commissions for this purpose. The work, therefore, is regional in character and studies for the District of Columbia will be carefully related to a regional plan for an area extending about fifteen miles from the White House. At first, the regional work will naturally be largely in the fields of law and administration, but the coöperation already evident from the states and

other district and local governing bodies outside of the District of Columbia indicates that substantial progress in meeting the physical planning problems may be anticipated in the near future.

The first subject to be considered will be a primary system of major thoroughfares for the entire region. The importance of this work is emphasized by the pressure for changes in the highway plan of the District of Columbia. A general study of the region is necessary to secure correct location for the District's future streets. Because parks are the particular province of this Commission, the preparation of a program for future parks and parkways will also be taken up at once. The plan prepared by the MacMillan Commission in 1901 will be reviewed and brought up to date and a new plan for areas adjoining the District in Virginia and Maryland will be developed. It is hoped to have preliminary reports on these two subjects ready for submission at the December meeting of the Commission.

Later meetings of the Commission, if the program progresses as now anticipated, will be devoted to a further consideration of the park program with particular attention to the possibility of establishing neighborhood centers. At each of these centers, it is hoped to provide adequate space for school, playground, library and similar facilities which serve fairly compact or similar districts. Studies of railroads, terminals and markets, and related problems of mass transportation will also be considered.

Mr. Frederick Law Olmsted, a member of the Commission, will give particular attention to the park and thoroughfare plans and Mr. Harland Bartholomew will advise the Commission on traffic and transportation problems.

At this August meeting of the Commission it was also decided to undertake a study of the arrangement and location of public buildings within the triangle between Pennsylvania Avenue and the Mall. A special committee, consisting of Mr. Milton B. Medary, Jr., (who is also a member of the Commission of Fine Arts), Mr. Frederic A. Delano, and Mr. Olmsted, will undertake this study in collaboration with Major Grant, Acting Chairman of the Public Buildings Commission.

The location of public buildings is one of a number of pressing problems. Another is the revision of the Highway Plan which controls the location of new streets within the District. Following the plan has necessitated an enormous amount of work with the steam shovel, with consequent destruction of natural beauty of topography and vegetation. In August the Commission approved six changes in the plan but many more are urgently needed. A first step toward the development of neighborhood centers was also taken at this meeting when the Commission recommended the building of a number of swimming pools in close proximity to existing schools or at established recreation centers.

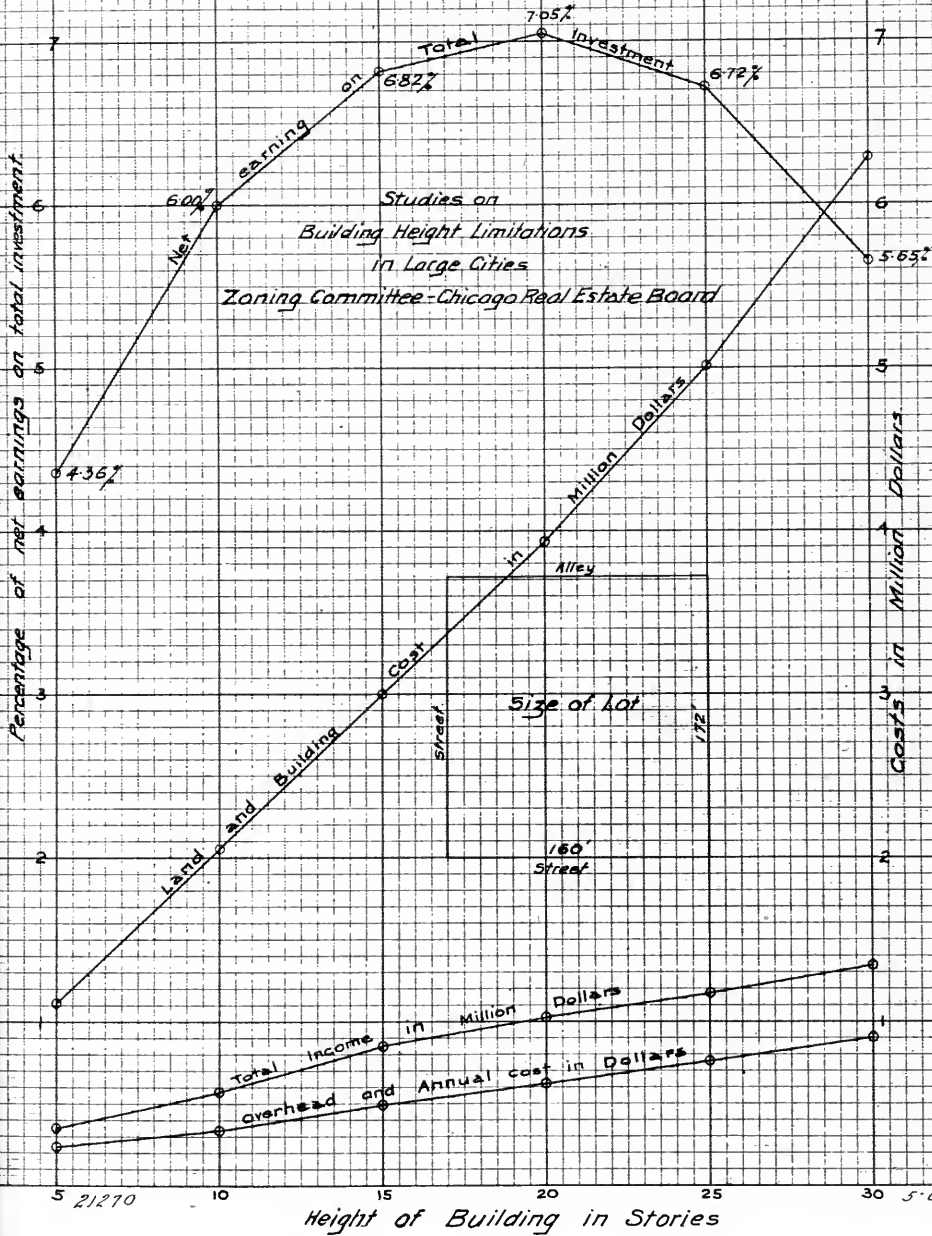
CHARLES W. ELIOT 2nd.

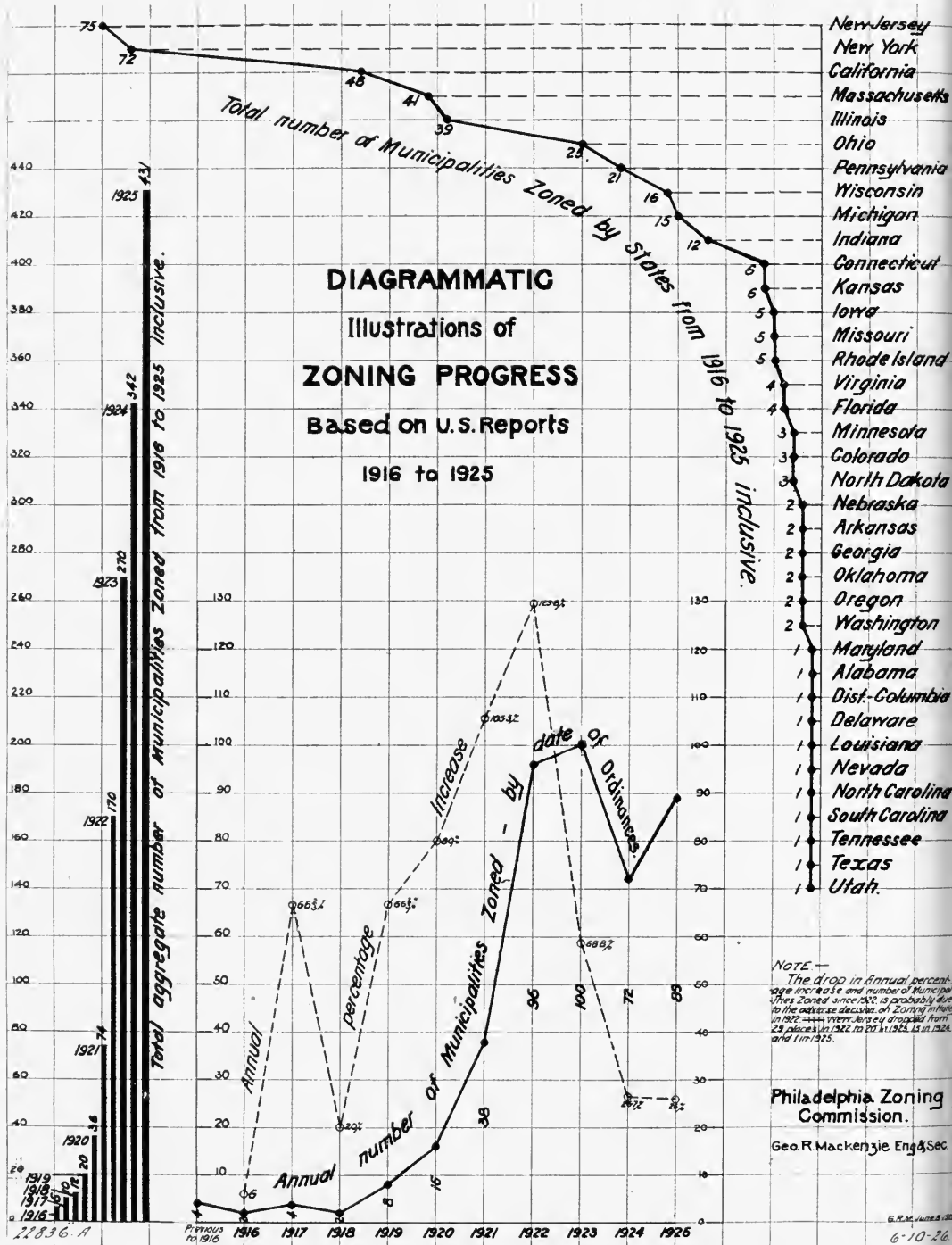
*City Planner, National Capital Park and Planning Commission.*

# DIAGRAMS FROM PHILADELPHIA ZONING COMMISSION

Diagram based on Table of comparative earnings of Modern Office Buildings prepared by Geo. C. Nimmons Chicago Ill. 1922

Phila. Zoning Commission  
Gen. R. Mackeyie  
Eng'r  
1924





# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## CHANGES OF ZONING MAPS IN GREATER NEW YORK

When the building zone resolution was passed by the board of estimate of New York in 1916, many said that it would only be a few years before the law would be devitalized by reason of constant changes of the zoning maps that would diminish the protective features. There are three kinds of use districts,—residence, business and unrestricted. Some said that nearly all the changes would be to alter business districts into unrestricted, and residence districts into business. It is plain that such changes of the maps would relax the protection of the zoning regulations. The districts shown on the area map run from A to F. In the A district buildings can cover 100% of the lot, while in the F district they can cover only 25%. It is plain that, if the changes of the area map gradually substituted A, B and C districts in the place of the D, E and F districts, the protective features of the area map would be relaxed. Similarly if the height map were constantly changed so as to make the allowable height of buildings greater, this would mean a gradual relaxation of the height regulations.

For the first four years of the operation of the law the relaxing changes made by the board of estimate were more numerous than the strengthening changes, but it was noticeable that the proportion of strengthening changes was greater each year. In the fifth year, however, the strengthening changes exceeded the relaxing changes. From that time the strengthening changes have exceeded the relaxing changes each year. Not only have they exceeded the relaxing changes, but the proportion of strengthening changes increased every year to and including 1923. In 1924 there was a slight falling off in the proportion of increase, but nevertheless the strengthening changes largely outnumbered the relaxing changes. Here are the figures showing proportions:

In 1916 there were no strengthening changes; in 1917 the strengthening changes were 16% of the total; in 1918, 23%; in 1919, 35%; in 1920, 56%; in 1921, 61%; in 1922, 77%; in 1923, 77%; in 1924, 70%; and in 1925, 62%.

These figures show that those who early prophesied that the building zone law would come to nothing because it would be relaxed so rapidly were mistaken. Every year after the first four years has seen it strengthened, and each year since that time (excepting 1924 and 1925) has seen it strengthened more than the preceding year. In 1924 the percentage fell from 77 to 70 and in 1925 from 70 to 62. This slight falling off does not necessarily show a wrong tendency. The strengthening changes are still much more numerous than the relaxing changes.

What is the meaning of these changes? In the first place, one must remember that these changes come about because of petitions from the property owners them-

selves which are carefully scrutinized by the chief engineer and the board of estimate before they are passed. In the main the changes fairly represent the normal growth and alteration of the city. The fact that the strengthening changes exceed the relaxing changes show that property owners like the zoning plan and employ it to increase the protection to their property.

During the first four years the tendency of property owners was to iron out some of the districts that they thought were unnecessarily restrictive. This accounts for the relaxing changes made during that period. Then, however, came a period during which property owners more and more discovered how the zoning regulations could be used to make their holdings more desirable, and consequently during this period there was a rapid yearly increase of strengthening changes. This movement reached its height in the years 1922 and 1923. Since then a slight opposite tendency is shown.

It is noticeable that the total changes in 1925 were twice as numerous as before. There were 43 in 1917, 26 in 1918, 20 in 1919, 27 in 1920, 38 in 1921, 61 in 1922, 81 in 1923, 76 in 1924, and 151 in 1925. This reflects a period of great building activity in 1925. It also reflects the extension of building into the furthest suburbs, making desirable the further segregation of large unbuilt areas.

#### Tabulation of Zoning Map Changes in New York in 1925

(1)	Amendments adopted . . . . .	151
(2)	Height amendments adopted . . . . .	2
(3)	Percentage (2) of (1) . . . . .	1%
(4)	Area amendments adopted . . . . .	28
(5)	Percentage (4) of (1) . . . . .	19%
(6)	Use amendments adopted . . . . .	121
(7)	Percentage (6) of (1) . . . . .	80%
(8)	Area strengthening amendments adopted . . . . .	22
(9)	Percentage (8) of (4) . . . . .	78%
(10)	Use strengthening amendments adopted . . . . .	71
(11)	Percentage (10) of (6) . . . . .	59%
(12)	Total strengthening amendments adopted . . . . .	93
(13)	Percentage (12) of (1) . . . . .	62%
(14)	Total relaxing amendments adopted . . . . .	58
(15)	Percentage (14) of (1) . . . . .	38%
(16)	Percentage (12) of (14) . . . . .	160%

E. M. B.

## ZONING UNBUILT AREAS

Where the zoning plan as in Greater New York was applied to areas largely built up and quite entirely covered with officially mapped streets, it is inevitable that changes in the maps will be frequently made as the characters of districts change. One reason for this is because streets even in the suburban areas have widths of sixty to eighty feet. In the outlying localities these streets, if placed in E or F districts on the area map and in residence districts on the use map, will in the first instance develop more or less with one-family detached houses. As the land gradually grows more valuable the property owners petition the council to change the districts so that they can put up apartment houses or stores. Where the streets are sixty, seventy and eighty feet wide, it is difficult for councils to stand against this demand and refuse to change the locality to a more intensive zoning district. Accordingly there is a tendency for the voters to bring about a more and more intensive character of zoning for the sake of the profits that will accrue.

The zoning idea contemplates that there should be a high degree of stabilization of land uses. If the council allows uses to become more and more intensive, congestion follows, residence and business become more and more concentrated instead of distributed, and the purposes of sound city planning are gradually overwhelmed.

In unbuilt areas, however, where streets have not been placed on the official map, there is an opportunity to secure a much higher degree of permanence by zoning. Certain streets may be made from sixty to one hundred feet wide. These in the course of time will be likely to become the more densely built. Many secondary streets can be made as narrow as forty feet. Such streets need not have extensive street utilities, should be zoned for one-family detached houses; and the council should for an indefinite time insist that the zoning of such streets should not be altered to a more intensive character of use. It is plain that the greatest and most enduring benefit from zoning can only be obtained by applying protective regulations at the time the original street widths are determined. Pavements, sewers and water-supply will then be adapted to a one-family detached house district. Councils may then be expected to resist petitions to change the district into an apartment house district or a business district.

E. M. B.

## SYMPOSIUM ON ZONING BOARDS OF APPEALS

In an early issue of CITY PLANNING it is planned to print a collection of opinions on the working of boards of appeals in cities where zoning has been in operation long enough for experience to be of value to other communities. These opinions will be secured and arranged under Mr. Bassett's direction as a feature of his "Roundtable."

# INSTITUTE NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## PROGRAM OF CITY PLANNING DIVISION

### PHILADELPHIA ANNUAL CONVENTION AMERICAN SOCIETY OF CIVIL ENGINEERS

#### Joint Meetings with the American City Planning Institute

#### REGIONAL PLANNING: INCEPTION—METHODS—FUNDAMENTAL DATA—RESULTS

##### First Session—Thursday, October 7th

- 9.30 A. M. Business Meeting.
- 9.40 A. M. BASIC INFORMATION NEEDED FOR REGIONAL PLANNING, by Harold M. Lewis, Executive Engineer, Regional Planning of New York and its Environs.
- 10.00 A. M. Discussions of five minutes' duration each, by: B. A. Haldeman, Chief Engineer, Bureau of Municipalities of Pennsylvania; Russell V. Black, Resident Engineer, Regional Planning Federation, Philadelphia Tri-State District; W. W. DeBerard, Engineer, Chicago Regional Planning Association; George T. Unger, Chief Engineer, Niagara Frontier Planning Board; Arthur A. Shurtleff, Planning Consultant, Boston Metropolitan District; Hale J. Walker, City Planner, Cambridge; Charles W. Eliot 2nd, City Planner, Federal City Plan Commission, Washington; U. N. Arthur, Chief Engineer, Planning Commission, Pittsburgh; Joseph W. Shirley, Engineer, Bureau of Plans and Surveys, Baltimore; Guy W. Hayler, San Francisco Regional Planning Commission; Harland Bartholomew, City Planning Consultant.
- 11.30 A. M. HOUSING AND THE REGIONAL PLAN, by John Ihlder, Manager, Civic Development Department, Chamber of Commerce of the United States.
- 12.00 Noon Discussions of five minutes' duration each, by: Dr. James Ford, Executive Director, Better Homes in America, Inc., Washington; Benjamin H. Ritter, Executive Secretary, Pennsylvania Housing and Town Planning Association; Bernard J. Newman, Secretary, Philadelphia Housing Association; Bleecker Marquette, Executive Secretary, Cincinnati Better Housing League; Chas. B. Ball, Chief Sanitary Inspector of Health, Chicago; Wm. C. Rice, Secretary, City Planning Commission, Pittsburgh.
- General discussion.
- 1.00 P. M. Adjournment.

##### Second Session—Friday, October 8th

- 9.30 A. M. Business Meeting.
- 9.45 A. M. CULTURAL OPPORTUNITIES IN REGIONAL PLANNING, by Andrew Wright Crawford, Secretary, Municipal Art Commission, Philadelphia, etc.
- 10.15 A. M. Discussions of five minutes' duration each, by: Henry Vincent Hubbard, Editor of CITY PLANNING, Boston; Prof. James Sturgis Pray, School of Landscape Architecture, Harvard University; Noulan Cauchon, Past President Town Planning Institute, Ottawa, Canada; Jacob L. Crane, Municipal Engineer, Chicago, Ill.; Chas. W. Leavitt, Landscape Engineer, New York.
- General discussion.
- 11.00 A. M. FORECAST—THE REGIONAL COMMUNITY OF THE FUTURE, by: Thomas Adams, Director, Regional Planning Committee of New York City, Div. Affiliate City Planning, Division Am. Soc. C. E.
- 12.00 Noon Discussions of five minutes' duration each, by: Robert Kingery, Secretary, Regional Planning Association, Chicago; Howard Strong, Secretary-Director, Regional Planning Federation, Philadelphia; Wm. J. Wilgus, Cons. Engineer, New York; Frederic H. Fay, Chairman, City Planning Board, Boston.
- 1.00 P. M. Adjournment.



## THE INTERNATIONAL HOUSING AND TOWN PLANNING CONGRESS AT VIENNA, SEPTEMBER 1926

The American party taking the Federated Societies tour\* before attending the International Congress as delegates, sailed from New York on July 31, and included the following:

- Mr. Henry A. Barker, Sec'y Civic Improvement and Parks Association, Providence, R. I., and Mrs. Barker, Sec'y Drama League, Providence, R. I.
- Mr. George M. Bleecker, Pres., City Planning Committee, Minneapolis, Minn.
- Mr. Helm Bruce, Jr., Realtor, and Mrs. Bruce, Louisville, Ky. and Memphis, Tenn.
- Mr. Arthur C. Comey, City Planner, and Mrs. Comey, Cambridge, Mass.
- Dr. John M. Gries, Chief, Division of Building and Housing, U. S. Dept. of Commerce, Washington, D. C.
- Mr. Thomas L. Hinckley, Sec'y, City Plan Commission, Middletown, Conn.
- Mr. John Ihlder, Manager, Civic Development Department, U. S. Chamber of Commerce, Washington, D. C.
- Miss Harlean James, Executive Secretary, American Civic Association and Federated Societies on Planning and Parks, Washington, D. C.
- Dr. John Nolen, Pres., National Conference on City Planning, and Mrs. Nolen, Cambridge, Mass.
- Mr. Fred E. Reed, Vice-Pres., National Association of Real Estate Boards, and member City Plan Commission, and Mrs. Reed, Oakland, Calif., and Miss Edith J. Jones, Oakland, Calif.
- Mr. J. F. Stephenson, Vice-Pres., Shade Tree Commission, Lakewood, N. J.
- Mr. John M. Tracy, Supt. of School Buildings, and Miss Eileen Tracy, Rochester, N. Y.
- Mr. Frederick C. Zobel, Architect, New York City.

The "Programme of Congress Tours", an interesting well-illustrated booklet of 88 pages, was received in America in good season for study.

The main subjects to be considered by the Congress were: (1) Land Tenure and Town and Regional Planning; (2) The Rational Distribution of Cottages and Tenements. To the latter group of papers Mr. Henry Wright was the American contributor. In the former group, Dr. John Nolen represented America. A brief summary of his paper will be given in the next issue of CITY PLANNING.

\*See CITY PLANNING, July 1926, page 211

## JOINT COMMITTEE ON SUBDIVISION CONTROL

During the recent convention of the National Association of Real Estate Boards at Tulsa there was a meeting of its Committee on Subdivision Control. This committee of Realtors discussed and agreed upon six fundamental points, as follows:

1. The Subdividers' freedom of action in planning and developing subdivisions should be subject to control.
2. This control should be exercised where possible by the local Planning Board.
3. This control should be exercised to the following extent,—control over the street layout, lots, playgrounds, parks and street improvements.
4. We believe that the duty of the governing officials before exercising this control over subdivisions in outlying areas, is to prepare and furnish a definite plan for the development of the territory.
5. We believe that a master plan, when prepared, and including the outlying territory in such plan, should go as far as to Zone such land for Residential, Commercial, Industrial or Recreational purposes where the principle of zoning is successfully applied in the urban territory.
6. We do not believe it practical to require a certain percentage of the land in a new subdivision to be set aside for park or recreational purposes, but believe that the city should make a study of the outlying territory when the master plan is adopted and in the plan provide for future park and recreational areas. If then, when land is subdivided, the city desires to take over such land for recreational or park purposes, it should do so at that time by the usual purchase or condemnation proceedings.

Agreement upon these fundamental points by the Real Estate branch of our joint committee would seem to indicate that there will be no difficulty in formulating an outline of planning procedure and acceptance of plats which will be satisfactory to both the national City Planning and Real Estate organizations.

IRVING C. ROOT,

*Chairman, Committee on Subdivision Control,  
American City Planning Institute.*

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

NEITHER in zoning nor in other parts of the field of city planning have there been events with legal significance of unusual importance during the last three months. Nevertheless two cases have been decided during that period which seem to the writer to be worthy of comment.

The first of these cases is *Thrall v. Thrall*, in the Supreme Court of New York, reported in the *New York Law Journal*, June 30, 1926. The owner of a lot in a residential district applied to the Board of Appeals for permission to erect on that site a five-story elevator apartment of attractive design with stores on the ground floor. His lot was located next to premises in a business district and in business use. This is a situation of affairs which, of course, is constantly arising. There is a real hardship in compelling the owner of such a lot to build a purely residence structure on such a lot; and it is a mere shifting of the injustice to allow an ordinary business building to be erected in that situation. The difficulty cannot be met by a change of use district lines; nor can it be overcome satisfactorily by fixed rules applicable to all lots so situated. A proper buffer between the two districts is needed, and can be created satisfactorily only by a nice adjustment suited in each case to the situation and circumstances of that case; in short it is a problem that can be worked out suitably only by a board of appeals.

The board of appeals in New York City, and no doubt in many other localities, has learned by experience how this problem should be solved; and an extract from the opinion of the upper court describing that method with approval is given below to show just how the board accomplishes this necessary and difficult task.

The board notes that the structure is mainly residential in character, is of a high class and is of attractive design. It therefore gives its permission for the business use of the premises with the condition that this use shall extend only to the first story for a depth of 53 feet, the remainder of the premises to be in conforming residential uses; with the further conditions "that the front elevations on the Eighty-fifth street front and Twenty-second avenue other than store show windows shall be finished with face brick and architectural terra cotta or stone trimmings; that it shall be of attractive architectural design; that there shall be no openings of any nature or description from the store area to the Eighty-fifth street side; that the street wall of the Eighty-fifth street frontage shall be returned on the Twenty-second avenue front for a distance of not less than 16 inches; that the business use on the first story shall be restricted to retail mercantile store use and occupancy, no part of store used to be occupied for meat market, fish store or delicatessen; that there shall be no advertising signs or display erected or maintained of any nature or description on any portion of the building on the Eighty-fifth street front, nor on the Twenty-second avenue frontage other than lettering

on the plate glass show windows of the stores; that the store use shall be separated from the apartment use at the rear by unpierced walls of approved masonry; that return drawings shall be submitted to this board showing the layout of the store floor and façades before submitting same to the superintendent of buildings for consideration; that all permits necessary for the prosecution of the work shall be obtained within nine months and the building completed within eighteen months from the date of this action.

"By certiorari to review the action of the board the matter comes before the court. It is apparent that the determination of the board was induced largely by the existing and rather unusual physical conditions. The property involved was contiguous to the dividing line between a residential and a business zone. The one-half of the block fronting on Bay Parkway adjoining the other half owned by the respondent already was devoted to business purposes. It cannot be said that there was no basis for a finding that such use for general business purposes of one-half the frontage on Bay Parkway did not impair or wholly destroy the availability of the other half for utilization for residential purposes in view of the character of tenants usually attracted to expensive elevator apartments. It cannot be said as a matter of law that the utilization of one-half of this block for business purposes did not present a 'practical' difficulty in the strict enforcement of the zoning resolution against the other half situated in a residential district. The resolution adopted by the board in granting respondent's application contains explicit and detailed provision, both as to the character of the proposed structure and as to the character of that portion thereof to be devoted to business purposes. The conditions and restrictions embodied in the resolution of the board negative any intent to effect a radical departure from the general scheme and intent of the zoning resolution. On the contrary, it evidences a purpose to preserve that resolution unimpaired in its general scope, except to the extent that a variation was necessary in order to do 'substantial justice' in this 'specific case.'" The court therefore decides that it "cannot hold that the action of the board evidences an unwise, abusive or arbitrary discretion, and, therefore," holds that it "should not interfere with the action of the board."

The second case worthy of comment is *People v. Wolf*, in the County Court, New York (127 Misc. Reports 382). The defendants had been found guilty by the judge below of violating an ordinance of the village of Kings Point, forbidding the erection or maintenance, within the limits of the village, of outdoor advertising except for-sale and to-let signs on the property to be sold or let. The village was entirely residential, having been zoned as such in January, 1925. The judge below sustained the ordinance on the ground that esthetic considerations were sufficient to support the exercise of the police power. The upper court reversed this decision.

With the principal reason given by the court for its decision no fault can be found, except that unfortunately the law is as the court states it to be. Except in Massachusetts by constitutional amendment and in the Philippines by judicial decision, esthetics alone is not as yet in our law a sufficient justification for the exercise of the police power. But with the finding that the discrimination between

general advertising and the advertising of activities on the premises where they are carried on is unwarranted it is difficult to agree; nor could any person with a real appreciation of beauty contend that any outdoor advertising in the quiet country village of Kings Point could be so designed and carried out as to be anything but out of place and therefore hideous.

With the principal reason given by the court for its decision no fault can be found; but with the decision itself this is not so clear. General outdoor advertising cannot perhaps be forbidden in Kings Point because it is ugly; but why should not advertising structures be prohibited in that residential district as non-residential structures, as they are in residential districts in New York City and many other parts of this country? If there are reasons why this well established rule is not applicable to Kings Point, they do not appear in the opinion of the learned court.

F. B. W.

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## REVIEW

**PLANNING PROBLEMS OF TOWN, CITY, AND REGION.** Papers and discussion, Florida, 1926, National Conference on City Planning. 213 pages. diagrams. 9 x 6 inches. Price \$2.50.

To the many members of the N. C. C. P. who were unable to attend the very pleasant Spring conference in Florida, the prompt appearance of this volume of proceedings is most welcome. And there is much meat in its pages, as well as entertainment. Seldom has a more amusing—as well as thoroughly sound—paper come to the reviewer's hand than Mr. Olmsted's "Planning of Pleasure Resort Communities" with its recipes for "city planning cookery". In the discussion of Mr. Bassett's valuable paper on State Enabling Acts, the statements by Professor Ernest Freund, the authority on the police power, are important. Mr. Whitten's paper follows out his thesis of combining zoning and planning control over unsubdivided areas. The architect's importance in city planning is set forth by Mr. Steele, Vice-President of the A. I. A., and many local Florida problems are presented in several papers by those engaged in their solution. The Conference President's address on new communities is already familiar to our readers in a slightly different form.\* Other papers touch the subjects of railroads in the city plan, street traffic, billboards, undergraduate college courses in city planning, and publicity methods. The Secretary's Planning Review is accompanied by an interesting map of the United States showing distribution of city planning activity.

T. K. H.

\*See CITY PLANNING, April 1926.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**THE FREEDOM OF THE CITY.** By Charles Downing Lay. New York, Duffield and Co., 1926. 115 pages.  $7\frac{1}{4} \times 4\frac{1}{2}$  inches. Price \$1.00.

It is seldom in these days of garden cities that there appears so enthusiastic a protagonist for the joys of urban congestion. The little book is, we understand, one side of a debate on city *vs.* country, of which Mr. Walter Prichard Eaton takes the reverse in *A Bucolic Attitude*, just issued by the same publishers. Many of the points put forward by Mr. Lay in defense or praise of life in great cities are well made. Some perhaps, although couched in the language of sincerity, may possibly be intended as covert quips of imagination, such as the enjoyment of rides in the New York subways, in which the author says he makes two trips a day for pleasure, besides four for business.

It is interesting to compare the author's prediction in *The Freedom of the City* with some of his earlier writings. In the new book: "We are certain in the future, I think, to have great cities thinning out quickly into suburbs, a few farming districts scattered here and there on the best land where all work is done by machine, numerous golf clubs as nuclei for suburban communities, but at places touching the city there may be forest in which the deer and bear and even perhaps the wolf will roam." In an editorial in *LANDSCAPE ARCHITECTURE*, April, 1918: "To save time, our cities must be dispersed instead of concentrated. . . . the city must be planned in advance for a fixed population per acre, with factories bearing a fixed relation to the zones of residences between them, thus eliminating much transportation. Provision must be made for rapid transit where needed on the surface instead of in subways. . . . This careful planning will be given to the small towns and villages and even to the countryside. . . . Perhaps the English garden city will be the ideal community, fixing as it does, a gratifying mixture of city and country in small communities approaching the conditions of life in New England a couple of centuries ago."

So we are forced to conclude as we read the above and the last sentence of the new book, "Who will be the prophet and genius of the city and build more stately mansions and more convenient kitchenettes?", that after all the author has been for the most part merely enjoying himself,—but not exactly at our expense, because we too can enjoy the freedom of the city!

T. K. H.

*For Review of Proceedings of National Conference on City Planning, 1926, see page 307.*

## SOME RECENT REPORTS AND PAMPHLETS

- What It Means to Zone.** By John M. Kitchen. 1926. Town Planning Institute of Canada Publications No. 1.—Suggests symbols for indicating Home Density and Work Density on Zoning charts.
- Congreso Internacional de Trazado de Poblaciones.** (Nueva York, 1925). Memoria redactada por D. Federico Lopez Valencia. Ministerio del Trabajo, Comercio e Industria, Dirección General de Trabajo y Acción Social, Sección de Casas Baratas y Económicas.—An official report on the Congress by a Member of the Executive Committee of the International Federation.
- Propaganda Cívica.** Cartas al Dr. Eduardo Santos. By Ricardo Olano, Medellín, 1926.—A most interesting contribution from South America, in the form of a series of forceful letters on civic and city planning subjects. With especial reference to Colombia's needs and achievements.
- Recent New York Legislation for the Planning of Unbuilt Areas.** By Edward M. Bassett. Bulletin from Regional Plan of New York and Its Environs, No. 11, 1926.—Text of laws and suggestions as to their administration.
- The Extraterritorial Powers of Cities.** By William Anderson. Reprinted from the Minnesota Law Review, 1926.—With full references to laws.
- Milwaukee County Regional Planning Department.** Second annual report, 1925. Published 1926. Fully illustrated.—Largely devoted to the acquisition and development of the county park system made possible by recent enabling legislation.
- Town and Village Planning.** Published by the Niagara Frontier Planning Association, 1926.—A convenient guide for communities in the Region, with a digest of pertinent laws.
- The Chicago Business Center and the Subway Question.** By Edward H. Bennett. Privately printed and distributed, April 15, 1926.—Proposing interesting plan for raised sidewalks.
- Civic Comment.** Issued occasionally by the American Civic Association, Washington. No. 12, July 19, 1926.
- National Committee for Restriction of Outdoor Advertising.** Progress in 1925. *Also*, What Attracts Tourists to Your Town? Leaflets, with illustrations.
- New Symbols for Social Maps.** Issued by the Russell Sage Foundation, 1926.—An index to standard symbols to be secured in packages for survey use.
- Manufacturers Record.** August 12, 1926. Containing article, Recent Town Planning in Florida: A Broad Scheme of the American Brotherhood of Locomotive Engineers, by John Nolen.

**Report to the City Council of Pittsburgh on the Inter-District Traffic Circuit**, a part of the major street plan proposed by the Citizens Committee on City Plan. Submitted Dec. 1925 and issued in present form in Mar. 1926 by the City Planning Commission of Pittsburgh.

**The Geodetic and Topographic Survey of Pittsburgh and Allegheny County.** By U. N. Arthur and R. H. Randall. Reprinted from papers of Engineers' Society of Western Pennsylvania, Dec. 1925.—A description of this important survey being carried out under the direction of the City Planning Commission by its Chief Engineer.

**Regional Plan of the Philadelphia Tri-State District.** A special report: The Delaware River Bridge Approach, prepared by the Bridge Committee of the Regional Planning Federation, Philadelphia Tri-State District, June 1, 1926.—Howard Strong, Secretary-Director.

## LIST OF THE PRINCIPAL FRENCH PUBLICATIONS ON CITY PLANNING

Contributed by Stephen Child

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### *Theory of City Planning*

AGACHE, D. ALFRED. Nos agglomérations rurales. Comment les aménager—Etude monographique, analytique, comparée, d'un concours de plans de bourgs et de villages. Paris, Lib. de la Construction Moderne, 1917.

BELLET, DANIEL, ET WILL DARVILLE. Ce que doit être la cité moderne—Plan, aménagement, organes, hygiène, monuments et vie. Paris, H. Nolo, 1914.

BENOÎT-LÉVY, GEORGES. La Cité Linéaire, Madrid, Imprimerie Rodriguez.

COUTURAUD, EUGÈNE. Guide pratique pour la reconstruction, l'extension, l'aménagement et l'embellissement des villes et des communes rurales. Paris, Lib. de la Construction Moderne.

CROZAT, H. La cité idéale. Paris, Ed. Besson, 1920.

DERVAUX, ADOLPHE. L'édifice et le milieu. Paris, Ernest Leroux, 1919.

FORD, GEO. B. L'Urbanisme en pratique. Paris, Ernest Leroux, 1920.

———. Aide-mémoire de l'urbaniste. Paris, Renaissance des Cités, 1916.

JOYANT, ED. Traité d'Urbanisme. Paris, Léon Eyrolles, 1923.

LE CORBUSIER. Urbanisme. Paris, G. Cres, 1925.



- MAUNIER, RENÉ. L'origine et la fonction économique des Villes—Étude de Morphologie sociale. Paris, Giart et Briere, 1920. (Bibliothèque sociologique internationale.)
- PRÉFECTURE DE SEINE ET OISE. Plans d'aménagement des communes et lotissements. Versailles, Imprimerie coopérative, 1925.
- RISLER, G., J. DEPINAY, M. DUFOURMANTELLE. La question de la reconstruction des villes et villages détruits par la guerre. Paris, Sté. Française des H. B. M., 1916.
- ROSENTHAL, LÉON. Villes et villages français après la guerre—Aménagement, extension, embellissement, restauration. Préface par L. Bonnier. Paris, Payot et Cie., 1918.
- ROUILLY, P. Les lotissements—Droits et obligations des vendeurs et des acquéreurs. Paris, Lib. Hachette, 1925.
- SITTE, CAMILLO. L'art de bâtir les villes—Notes et réflexions d'un architecte, traduites et complétées par Camille Martin. Paris, H. Laurens, 1918.
- SOCIÉTÉ FRANÇAISE DES URBANISTES. Où en est l'urbanisme en France et à l'Etranger? (Strasbourg 1923). Paris, Léon Eyrolles, 1923.

*Studies in Regard to Certain Cities or Regions*

- AUBURTIN ET DAUTRY. L'urbanisme d'une région parisienne. Paris, Sté. d'Etudes et de Travaux, 1924. 2 vols.
- HÉNARD, ROBERT. Les richesses d'art de la Ville de Paris—Les jardins et les squares. Paris, H. Laurens, 1911.
- MEURIOT, PAUL. Des agglomérations urbaines dans l'Europe contemporaine. Paris, Belin Frères, 1898.

*Evolution of Certain Cities*

- POËTE, MARCEL. L'enfance de Paris—Formation et croissance de la ville des origines jusqu'au temps de Philippe-Auguste. Paris, Lib. A. Collin, 1912.
- . Une vie de Cité—Paris de sa naissance à nos jours. I.—La Jeunesse: Des origines aux temps modernes. Paris, A. Picard, 1924.

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