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QUARTERLY  
JANUARY 1929

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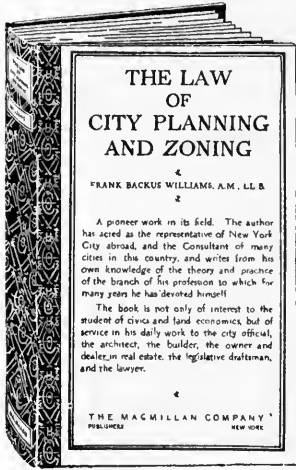
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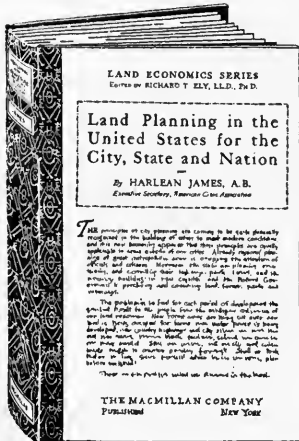
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## CONTENTS

Architecture and the New City . . . . .	GEORGE B. FORD	1
What Zoning Ought to Be . . . . .	WAYNE D. HEYDECKER	25
The Standardization of Zoning Symbols. <i>With colored plate supplement</i> . . . . .	ZONING STUDY GROUP, LOS ANGELES COUNTY	34
Instruction on City Planning in the United States . . . . .	NATIONAL CONFERENCE ON CITY PLANNING	43
EDITORIAL . . . . .		46
CURRENT PROGRESS:— <i>Local Business Centers for Milwaukee—China—Minneapolis Building Lines</i> . . . . .		47
ZONING ROUNDTABLE:— <i>Question Box</i> . . . . .		54
LEGAL NOTES:— <i>Establishment of the City Plan—Falmouth Billboard Decision</i> . . . . .		57
N. C. C. P. & A. C. P. I. NEWS:— <i>Next Conference—Briarcliff Meeting</i> . . . . .		61
BOOK REVIEWS & BOOK LISTS:— <i>Reviews—New Publications Received</i> . . . . .		62

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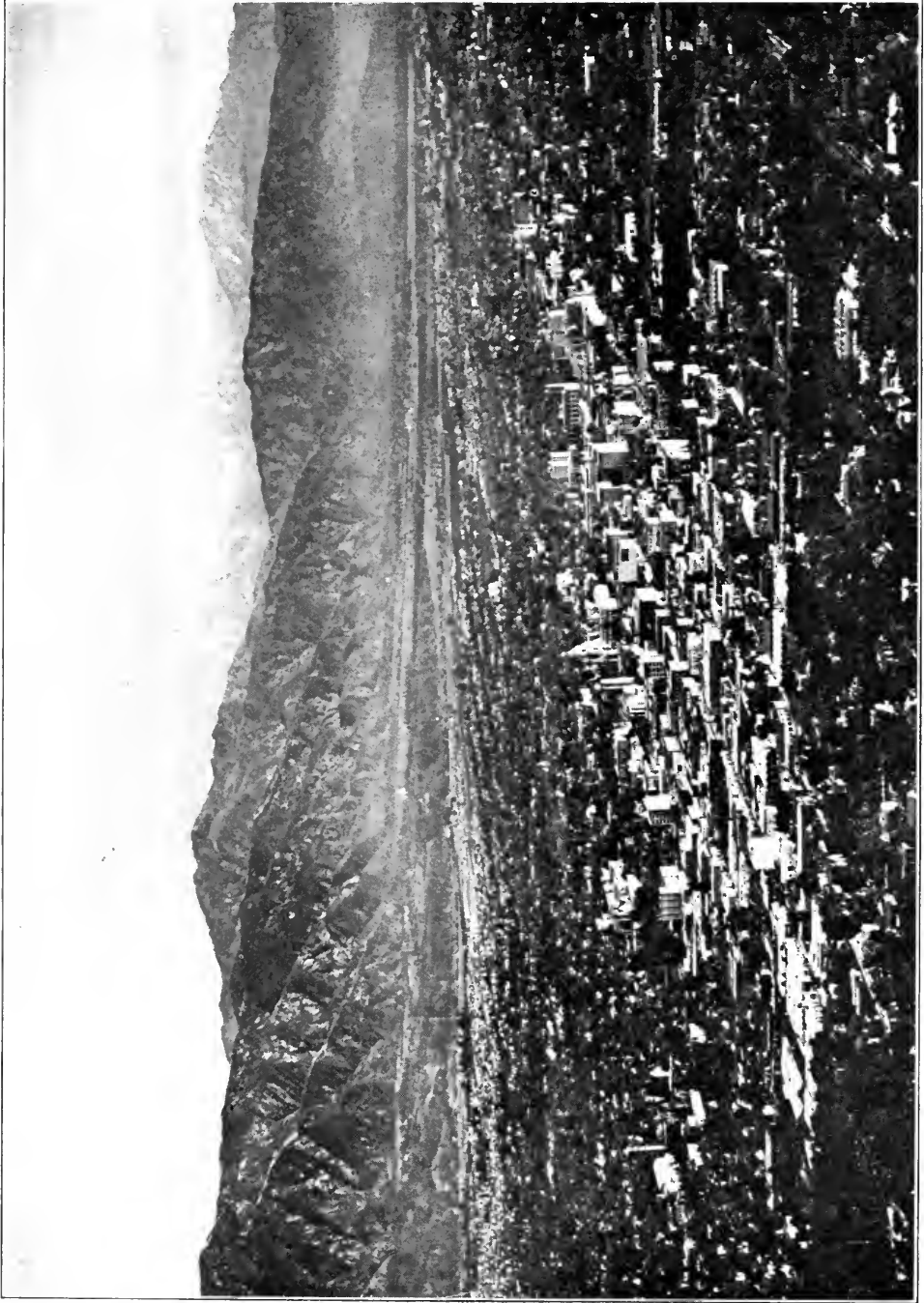
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### **PASADENA, LOS ANGELES COUNTY, CALIFORNIA**

This city is one of the forty-four municipalities whose officials are working with the Regional Planning Commission of Los Angeles County to provide for local growth in harmony with the development of the metropolitan district.



# CITY PLANNING

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## ARCHITECTURE AND THE NEW CITY\*

By GEORGE B. FORD

**W**HAT is the new city? How does it differ from the cities we all have known? Are cities beginning to express in their building the great changes now under way in the economic and social order? A city is at best a great compound home, a highly intricate organism. As such it should consistently reflect the changes going on within it, changes which are themselves a part of its growth. A city exists to satisfy a logical need for a medium of congregate functioning. People flock to cities and are bound to continue to do so to enjoy cumulative advantages that the city alone can give,—the business or industrial contacts which it offers, or the unusual intellectual, artistic, or spiritual opportunities. The larger the city the greater the range and variety of satisfactions that it can offer.

On the other hand the larger the city the greater the inconvenience and discomfort of living. In fact, the real brake on the growth of the larger cities is the constant question: do the disadvantages of living (in New York, for example) outweigh the advantages? It follows that the great problem of the city planner to-day is to see how the exceptional offerings of the larger cities can be combined with advantageous conditions for living, working, and playing.

Now a city is entitled to call itself a new city when it is trying to ameliorate the discomforts and inconveniences that modern conditions

\*The substance of this article was given by the author at Harvard University in lectures in the City Planning course, and also as the Phi Beta Kappa Oration at Columbia University, April, 1928.

have imposed upon it; when it performs its newer and special functions effectively, expressing that functioning truly and in a manner that gives it a distinct personality.

Rarely has function been so perfectly expressed in form as in to-day's automobiles or in some of the latest monoplanes. By the same token many a recent grain elevator and power house arrest the imagination by their essential fitness, by their appearance of being stripped for action, and their technical requirements often add a picturesqueness of mass that is quite beautiful. Brooklyn Bridge through its beauty of line and feeling of fitness gives, as does the Parthenon, by these means a sense of repose and inevitableness.

Among governmental cities Washington and the new Australian capital, Canberra, stand out as designed to express the dignity and spaciousness of a great centralized government. They are both essentially monumental in plan, as a great governmental city should be. On the other hand many of our western cities express their orderly functioning of business and industry in their rectangular broad-streeted plans, while the winding streets of their subdivisions back on the surrounding hills portray the charm and repose that should be expected in the sections where people live.

A city's personality is its greatest asset. Whenever we think of Charleston or New Orleans or Quebec we call to mind an old-world charm and a courtly beauty of living that have survived in spite of these days of faster tempo and staccato movement. Boston, San Francisco, and Cincinnati each has a distinct, surviving personality and charm due in part to topography and climate and in part to an architectural inheritance.

In Rome the ancient glory is continued to-day in the nobility of its modern buildings. Fortunately Mussolini's plans for the rehabilitation of the city foster Rome's unique personality. Medieval cities, like Rothenburg, Carcassonne and Siena, still preserve almost intact their setting of the Middle Ages, while the Renaissance in all its brilliancy is conserved in Venice, Florence, Nancy, Versailles and, to an extraordinary degree, in Paris.

But what about the personality of the modern American city: does it have, indeed can it have, a real personality? Assuredly, and much more than most people seem to realize. When we think of Pittsburgh we see broad rivers lined endlessly with reddish mills, a web of bridges, viaducts, and terraced roads weaving back and forth over the river among the buildings and up and down the framing hills, all mounting to a dark, forbidding apex above the point where the two rivers come together. It is the very embodiment of economic organization marching irresistibly toward its goal. By contrast, Dayton, Ohio, another industrial city, where types of industries are lighter and cleaner, has its distinct personality of orderly living agreeably expressed in its broad streets and rectangular blocks and its charming open residential sections. True, it has no heights or depths, no great sting to the imagination, as has Pittsburgh; but, straightforwardly, it expresses efficiency and well-being.

The mass and form of a city, its silhouette and sky line, often reveal its personality. One of the most striking silhouettes in the world is that of lower Manhattan, as seen from the lower bay. It towers like a Mont St. Michel, without the mountain! An even more impressive view of Manhattan can be had from the upper windows of the new apartment houses on the south side of 57th Street near the East River. There the sea of buildings of Brooklyn, Queens and the east side of Manhattan—with its wave crests in the new Borough Hall Center in Brooklyn, in scattered factories, and in the towers of the bridges—suddenly breaks into a great roaring surf at Lexington Avenue, and mounts higher and higher to the great towers of central Manhattan,—comber on comber, fantastic and appalling in its mass.

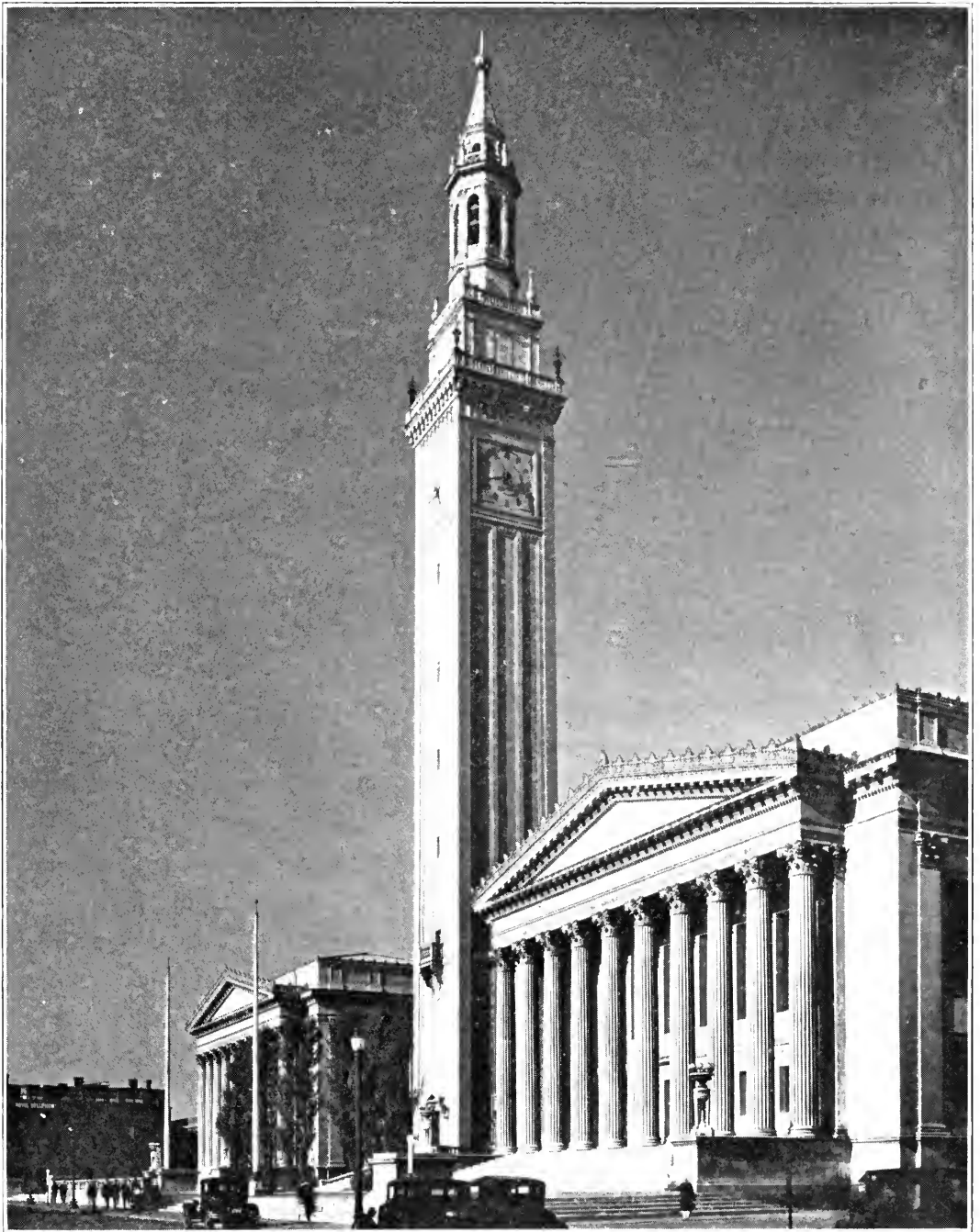
Many old-world towns and cities are famous for having achieved a charming or a striking contour: Oxford seen across the fields, Le Puy in central France, and the many-towered San Geminiano. They essentially fit their sites, and actually improve upon the natural landscape. Yet how often a charming mass is spoiled unthinkingly by incongruous buildings, such as the modern tall American apartment houses which

have intruded themselves in the fascinating hillside picture of San Juan, Porto Rico, and such as the ugly square-topped roofs of the Equitable Building and the Adams Express Company Building which spoiled the silhouette of lower Manhattan until fortunately they were masked by the terraced skyscrapers that have since surrounded them.

As important as the silhouette of the city, is its mosaic, or pattern, as seen from above. One never forgets the quaint charm of the pattern of Florence as seen from the heights of Fiesole, the brilliant mosaic of Monte Carlo as seen from La Turbie, the monumental pattern and color of Paris from Montmartre, and the dignified charm of Washington from the top of the Monument. In the not distant future some of our best views of cities will be from the air. Hence the best of the modern city plans are laying special emphasis on the pattern of the city. This is notably true in the recent plans for Paris, Barcelona, Rheims, and Washington, plans which have all the beauty of form and color, light and shade of a fine oriental rug.

Another component element of personality is scale. Scale in architecture is almost the hardest thing of all to attain. It is the proper relationship of architectural treatment to the human being. St. Peter's in Rome and the new Ziegfeld Theater in New York are much too big in scale,—that is, a human being in order to be in proper relation to them would have to be several times his normal height. On the other hand, the Frick Mansion on Fifth Avenue is too small in scale,—that is, a human being would have to be shorter than normal in order to appear to have the right relationship to it. All of these buildings would be more impressive if they were more nearly at the right scale. One of the best examples in New York of good scale is St. Thomas' Church on Fifth Avenue, which not only appears in its right relation to a human being but at the same time by its strength of mass can carry and hold its own with any skyscrapers that may be erected around it.

Atmosphere, color, and, to a certain extent, texture also enter into personality. When we think of Rome, our residual impression is of whiteness. Paris is a gray city with many soft pastel shades. London, on the



Photograph by Tebbs & Knell, Inc.

Pell and Corbett, Architects

**THE MUNICIPAL GROUP, SPRINGFIELD, MASSACHUSETTS**

other hand, is reddish brown running into a soft dark gray. Pittsburgh is black to a dark gray, whereas Venice is white and gold. Venice, too, is smooth in texture, thanks to the smooth-finished marble of which it is built, whereas London is rough in texture due to its predominating use of brick.

Most fortunately the modern tendency in city building in the United States is away from drabness and monotony. Our cities are becoming gayer, with a constantly increasing variety in color and texture. So far, however, this tendency has been largely uncontrolled with the result that the cumulative effect is often rather kaleidoscopic. But on the whole there is an encouraging consciousness of the value of silhouette, pattern, scale, texture, and color.

The first impression of a place is what counts most. If the first approach to a city has been unpleasant, it often takes years of later acquaintance to overcome the first bad impression. There are four possible approaches to a city: by road, rail, water, and air.

Astonishingly few cities assume any form at all from a distance as one approaches them by road. It is only when a town is set on top of a hill as is Topsfield, Mass., or when a city has striking heights as has Cincinnati or San Francisco, that one can thus get the picture. Most often the first impression is confined to the environment of the arterial highway by which one actually penetrates the city. How sordid and commonplace most of these highways are! With what a feeling of hesitation, often repugnance, one plunges into the maelstrom of the city. How much more enjoyable it is and how much pleasanter a first impression one has, when entering Boston by the Fenway, or New York by the Bronx River Parkway, or Cincinnati down the river, or Chicago south along the Michigan Boulevard, or Philadelphia along its Schuylkill River Park, than if one came by most of the other avenues of approach. The monotony of the city may be not far distant but at least it is masked by a charming foreground.

Contrast various entrances to cities by bridges. What a difference between the simple aspiring lines of the Brooklyn Bridge and the awkward distorted lines of the Queensboro Bridge. What a difference be-

tween the soaring mass of the buildings of lower Manhattan, as seen from the Brooklyn Bridge, and the unformed spasmodic grouping of buildings in the center of Philadelphia, as seen from the new Camden Bridge. Budapest, Cincinnati, New Brunswick, and Boston appear at their best when first viewed from the approach of their bridges. The approach plazas of the new Camden Bridge and of the Holland Tube under the Hudson River between New York and New Jersey are inspiring in their amplitude. The latter expresses function to an extraordinary degree: it gives the sense of a great vortex into which automobiles are inevitably sucked, to disappear into the yawning mouth of the tube. The ideal bridge is the one of perfect adaptation to function, of perfect proportion and perfect line, graceful yet adequate. Such a bridge is the *Ponta Santa Trinitá*, Florence, or the *Pont Neuf* in Paris, or the new Memorial Bridge at Washington.

If the average approach by highway is sordid, the approach by rail to most cities is appalling and depressing. Cities seem to delight in presenting their worst side to the railroad, a curious inhospitality that often counteracts the best efforts of the local chambers of commerce. No city has to turn its back to the railroad. It is only indifference that permits it. On the other hand, where the proper approach has been studied we have some pleasing first impressions: coming into Washington from the South; Salt Lake City from the West; Albany from the East; Cleveland from the West; Cincinnati from the South; or St. Louis from the East. Paris is always impressive coming in from Versailles up the river. Venice is always impressive,—a fascinating mirage, seen across the water. Princeton, from the Pennsylvania Railroad, presents a most inviting composition.

The gateway of the railroad, the station, is most important in contributing a good first impression. Fortunately our stations have vastly improved in dignity and even beauty within recent years.\* However, despite their big open spaces and generous motives, they express function rather worse than most buildings. The ideal station is yet to be

\*For a view of the new Chicago Union Station, see *CITY PLANNING*, July 1926.

designed. Almost all the great stations in the larger cities are crowded into their surroundings with little regard to the effective handling of the great crowds of people and vehicles that surge in and out of them. To secure such space some stations have been moved far out where large plazas can be obtained. Sometimes this has even been carried too far, as in Richmond and in Kansas City. One of the best is the Union Station in Washington, which is eminently fitted to its function, has great nobility, is not too far from the center of the city, and yet has entirely adequate space for circulation and parking about it,—giving a marked sense of amplexness.

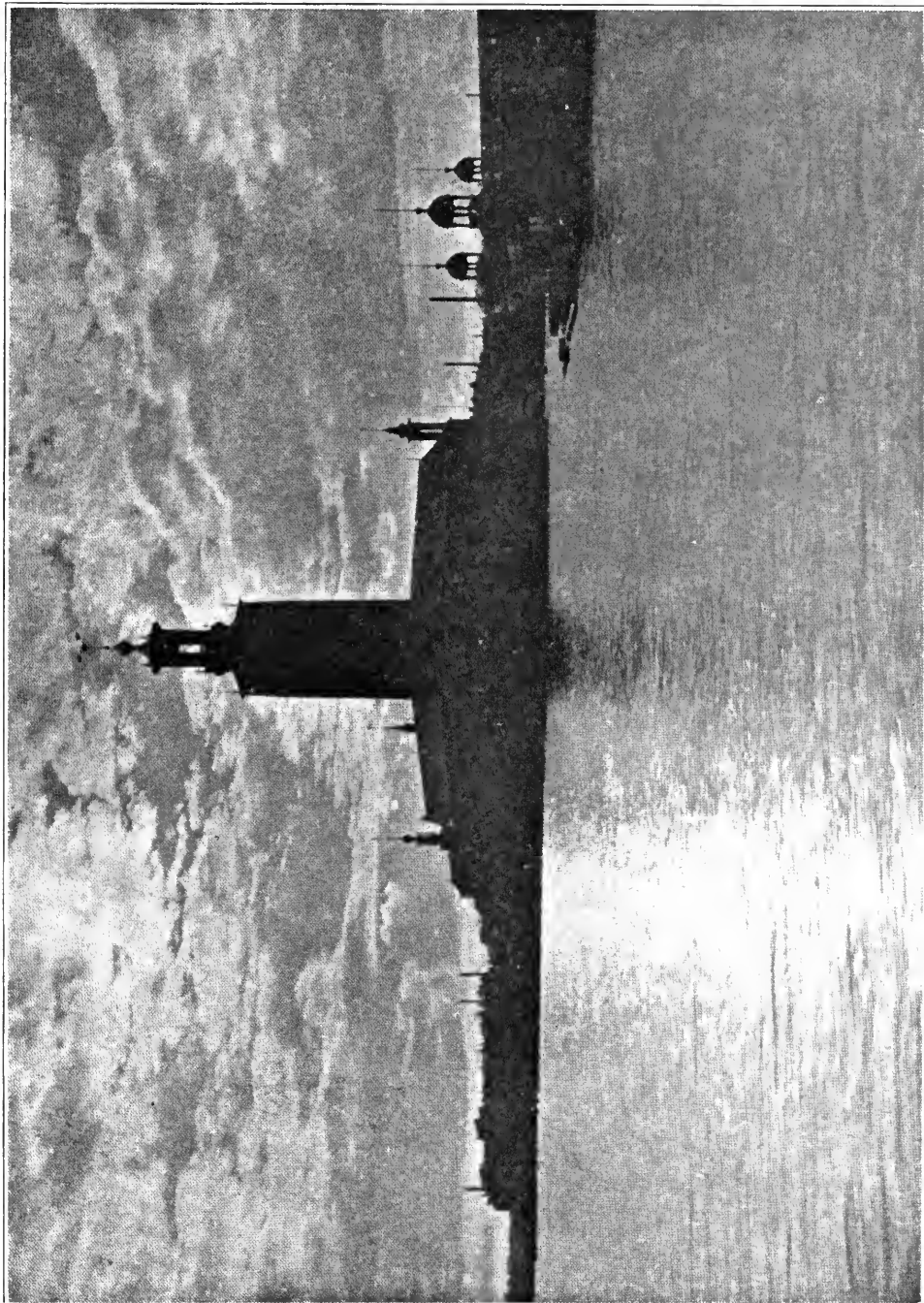
Most cities are much more impressive when approached by water than by land. What could be more striking than the entrance to New York from the harbor; or the approach down the Danube to the beautiful city of Budapest, especially if the arrival be at sunset; or the impression made by the great arches along the quays of Algiers; or the theatrical effect of Rio de Janeiro from the water; or the quaint charm of San Juan, Porto Rico; or the studied picturesqueness of Albany?

So important is this first view from the water that various cities are now studying it consciously; and the projects which have recently been made for the waterfronts of Ottawa, Chicago, Detroit, Saint Louis, and New York present new and well composed sky lines.

Closer in are the docks and wharves, the real gateways to the city when entering by water. In Philadelphia, Boston, Baltimore, San Francisco, and New York,—to say nothing of many foreign ports,—a great deal of attention has been paid of late to making the water gateways impressive. Large simple surfaces and great arched openings give that combination of dignity and welcome which may mean so much to the visitor.

The new way in which many will be gaining their first impressions of the city is from the air. How gloriously alive and full of color becomes the mosaic of Washington, Paris, Vienna, Detroit, and Savannah, as seen from the air! In Germany planning commissions are already beginning to design their cities from the airplane point of view. The United States Army is laying out its new airfields and camps from the





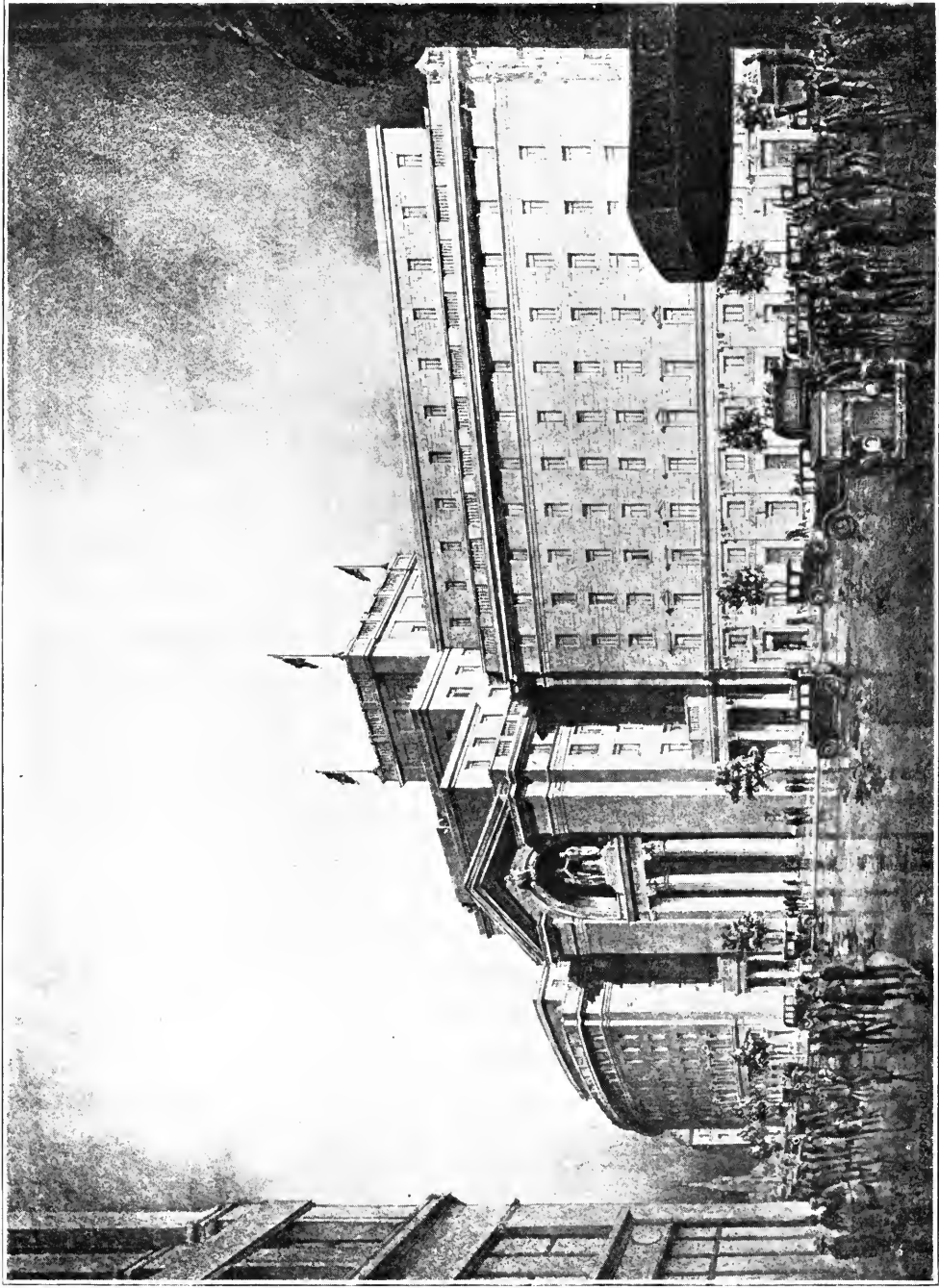
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THE NEW TOWN HALL, STOCKHOLM

air, so that hereafter they will be not only practical and convenient, but will also present an attractive pattern when seen from above. Many of the same principles are used as in designing a beautiful rug or floor mosaic: the blue of water, the green of trees and grass, the red of tile roofs and the gray of pavements, all have their proper places in the palette of the new city designer.

The air gateway to the city is the airport. It, too, is developing its new type of architecture with the great simple swinging lines of the hangars and the soar of the mooring mast. Already several hundred communities in the United States have airports, most of them crude as yet, but while the field is still open there is a great opportunity to plan ahead so that these can be made not only to suit their purpose to the utmost, but to mosaic attractively as well. The Army is already planning in this way at Mitchel, Selfridge, and March Fields, and various cities are making good beginnings with their municipal fields.

Once having entered the city by one of its many gateways, we are most vividly impressed by the pictures of the streets and squares. If they are lined with monotonous buildings whose sky line jumps up and down, whose great advertising signs hang across the sidewalk, while the streets are cluttered with poles, the effect is restless in the extreme,—a curious unassimilated jazz. By contrast with this, if one is greeted by the ordered calm of the Rue de Rivoli, or the Place Royale, in Paris, it is a delight indeed, though such harmonious uniformity is seldom practicable. However, thanks to the height regulations of our Zoning Ordinances we can already visualize the new type of street, such as West 45th and West 46th Streets, between Fifth and Sixth Avenues, in New York, where the many new buildings all rise to the same height and then begin to terrace back and up with a most interesting play and movement. If nothing else, the uniform 125-foot cornice line of Fifth Avenue is serving to give the street order and dignity. The opposite extreme is the unlicensed riot of the Great White Way in New York, where there is no scale and no harmony of form or color, just a gorgeous kaleidoscope, expressing perhaps all unconsciously the mood of the average theater-goer.



**BUSH HOUSE, LONDON**

Helmie and Corbett, Architects

One of the great charms of the streets of Paris is their innumerable vistas which terminate in outstanding buildings. They do not recall Trinity Church, New York, as seen looking up Wall Street, squeezed in and almost overwhelmed by the mighty buildings which enclose the vista, nor again the new building now being erected at the 46th Street terminus of Park Avenue which suffocates what was recently an open and inspiring outlook. The new Bush Terminal Building in London at the foot of Kingsway is a modern example greatly to be preferred, or the new Art Museum in Philadelphia crowning the hill at the head of the new parkway, or, best and most glorious of all, the Lincoln Memorial in Washington as seen from the Monument.

Even squares and open spaces can easily lose their character, as is happening rapidly in Gramercy Park, New York, now fast becoming a mere well. There is a just relation between the height of buildings and the open space on which they abut. This relation is maintained far better in Washington Square where the tall hotel just completed a block to the north does fit ideally with the low foreground preserved about the square.

It is comparatively easy to make a river-front street attractive. One has only to think of the Thames Embankment, the Paris Quays, the Charlesbank in Boston, or the Riverside Drives of Harrisburg, Springfield, and New York, to realize how much such a development can mean to a city. In each case the streets present a succession of beautiful views terracing up, tier on tier, from the water to the generally uniform cornice line of the abutting buildings.

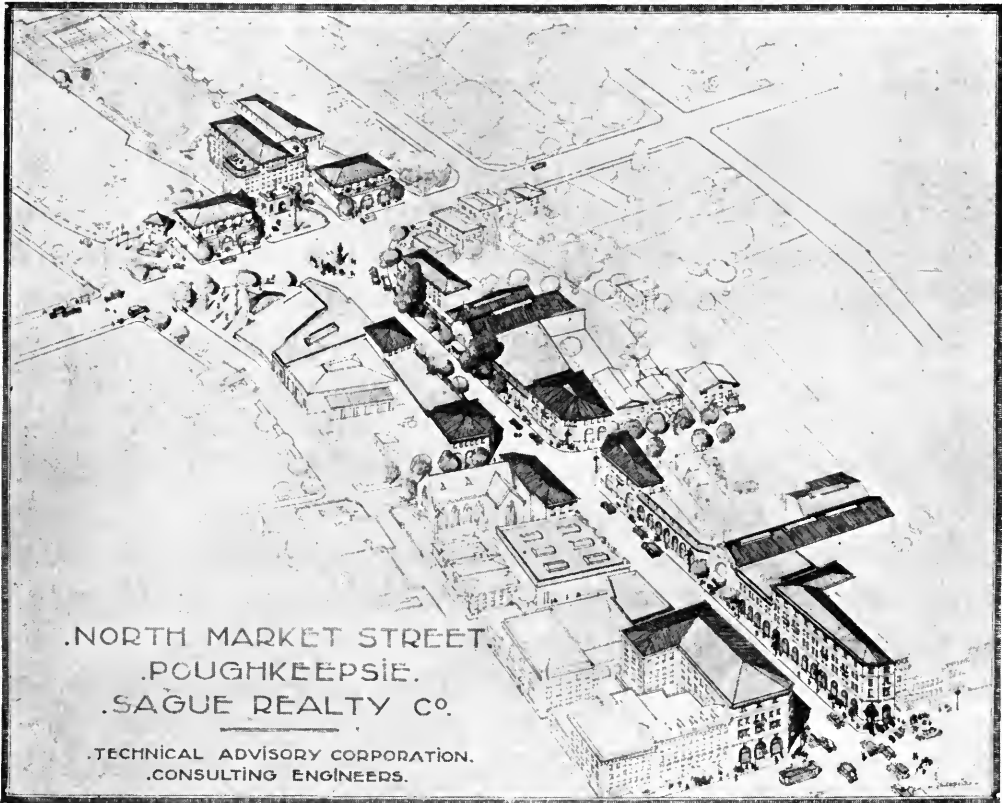
As we leave the gateway to the average city, be it railway station, dock, airport, or arterial highway, we so often are obliged to pass through an area devoted to industry and warehousing. In the early days of American industry the factory building had some charm. At least it was rather substantially built with strong lines and deep shadows and often with a setting of trees and lawns. Then with the rapid growth of industry the factory became just a box. Now fortunately the pendulum is swinging back again. There is many a modern plant to be seen with

low buildings, well designed in a setting of trees, shrubs, and flowers. Some are most picturesque, such as the Gruen Watch or the Rookwood Pottery groups in Cincinnati. Some have strong simple lines repeated indefinitely as in the great Army Base or the Bush Terminal plant in South Brooklyn. Many have the interest that comes from fitness and perfect expression of function, as have the grain elevators and power plants or the Larkin Soap building in Buffalo. In fact, there is a School of Modern Art in Europe to-day that looks on these later developments of ours as the most promising symptom of modern architecture.

As we leave the industrial areas we pass through the general business areas with their department stores, office buildings, and hotels,—soaring buildings many of them, pushing each other up like forest trees to get to the light, creating sunless areas around their bases. It was this anomaly and waste which brought about zoning. When it was realized that the taller the buildings in proportion to the width of the streets, the more the people and vehicles would block each other's way, and when it was proved that a given width of street could take care of only about so many people and vehicles effectively and that the only way to keep the street patronage within bounds was to limit the height or bulk of buildings, then it was found that if the buildings were all to be cut off to a uniform line the streets would be almost as canyon-like as before. This led to the idea of pushing the street-walls back the higher up they rose by terracing them back from the street line, whence the new street cross section, which is now becoming so familiar in New York and is being so rapidly adopted by most other cities with skyscrapers. Since a uniform cornice line with uniform terraces above would have been most monotonous, the framers of the zoning ordinance—studying the new possibilities by making models cut out of harness soap—provided for a great variety of types of towers, dormers, and projections which would conserve the principle of bringing light and air down into the street and at the same time permit variety and play in architectural treatment.

As we leave the general business district we come out into local business areas along the main highways or near local railway stations, usually surrounded by residential areas. In the past these local business

centers have been highly individualistic and uncontrolled. The result has been chaos. Of late it has been found to be good business to design groups of stores as a unit, as in Upper Montclair, N. J., Fairfield, Conn., Bronxville, or Scarsdale, N. Y., Forest Hills Gardens, Long Island, Forest Park, Chicago, or the Country Club District, Kansas City. The same idea was carried much further in Santa Barbara after the earth-



quake where nearly the whole business area was rebuilt in a harmonious Spanish and pueblo style of architecture. In Poughkeepsie, N. Y., the principle has been carried further yet: there one individual is creating an entire new business center for the city, doing it all in accordance with one unified architectural scheme, which maintains a harmony of color and texture and a rhythm of silhouette throughout the whole composition. A recent tendency is to group local business centers with local clubs, churches, and other public buildings, at the same time providing

for adequate parking and loading space in and around the center where it will not interfere with through circulation.



Drawing by Hugh Ferriss

Sullivan W. Jones, State Architect

**The New Architecture as seen in the Medical Center, New York**

As we leave the local business districts we enter the closely built-up residential districts. In New York or Boston it would be an apartment-house district, while in Philadelphia or Baltimore it would be a row-



house area. In Chicago, or Saint Louis, or Los Angeles it would probably be three-story apartments. It is an extraordinary fact that up to recently there has been surprisingly little improvement in the design of multiple-family houses. However, in the larger apartment or tenement house, particularly in New York City, a new tendency is now evident. The multiple-family houses that have recently been built for the Metropolitan Life Insurance Company at Sunnyside, Long Island, the houses at Jackson Heights, the new Rockefeller tenements in the Bronx, and some of the new tenements in Manhattan and Bayonne have all succeeded in getting away from the curse which was inadvertently placed on tenement houses throughout the country by the present New York Tenement House Law. This law went as far as its framers dared to go in 1900 and limited the area of tenement houses to 70 per cent of their lots. But unfortunately what had been intended as a maximum limit of cover became a standard as well: the result was thousands and thousands of dark rooms. The new type tenements, however, never cover over 50 per cent of the lot area, and some of them cover less than 35 per cent; the result is sunshine, air, pleasing outlook, more privacy, and more fire protection. This led in the proposed new Dwellings Law in New York to the idea of restricting the bulk of tenements and apartments by terracing them back according to the principle first applied in the Zoning Law, all of which would vastly improve the livableness of the city.

In effect it is the multiple-family dwelling that most needs the designer's attention. It is that building, more than all others put together, which can make the difference between enjoyable, comfortable, convenient city living and a drab and intolerable existence. It is conceivable that in the city of the future there will be a new type of housing where every room will get plenty of sunlight and air, where every window will look out over terraces and park-like areas, where there will be privacy and protection, where charming vistas will open in all directions, where there will be plenty of space for play and recreation near at hand,—all within relatively easy walking distance of the various things



that people want to do during the day or evening. The buildings would be tiered, terrace on terrace, all calculated in their form and orientation so as to let sunlight reach the lowest windows. Some of the newest apartment houses, notably the Beverly on Lexington Avenue with its many terraced gardens, suggest some of the possibilities of the hanging gardens of the apartment of the future.

Still further from the center, we reach the suburban residential districts with never more than two families, rarely more than one family, to the house, with open spaces at the front, side and rear, plenty of trees, grass, shrubs and flowers, a back yard for the children to play in, a garden perhaps, and space for the private garage. This type is universal throughout the United States. Unquestionably it means a great deal to the well-being of the average citizen, although it is interesting to note that the proportion of families living in multiple houses to those in one-family houses is rapidly increasing. Some of the most outstanding examples of well planned home districts are: the Country Club District in Kansas City, Forest Hills Gardens on Long Island, Mariemont near Cincinnati, Roland Park, Baltimore, Palos Verdes (with its extraordinary control over all architectural development) near Los Angeles, and finally, Radburn, the "garden city" now in the making near Paterson, New Jersey, where the City Housing Corporation is attempting to combine all the newest and best principles of garden city design in one model scheme, the slogan being "Safety First".

The most striking recent influence on suburban residence is the present widespread control over subdivision platting, which to-day most cities regulate, whereas only a few years ago platting was quite unlicensed and chaotic. Furthermore the real estate men of the country now recognize that private restrictions in deeds are of the utmost value, even in low cost development. They are beginning to realize that trees in a subdivision may be a real asset, and no longer level the trees and the irregularities of contour as a matter of course. A number have even gone so far as to recognize that an Art Jury to control the architectural treatment of all structures erected may be a distinct help. In the subdivisions of the future these controls will all be axiomatic and at the

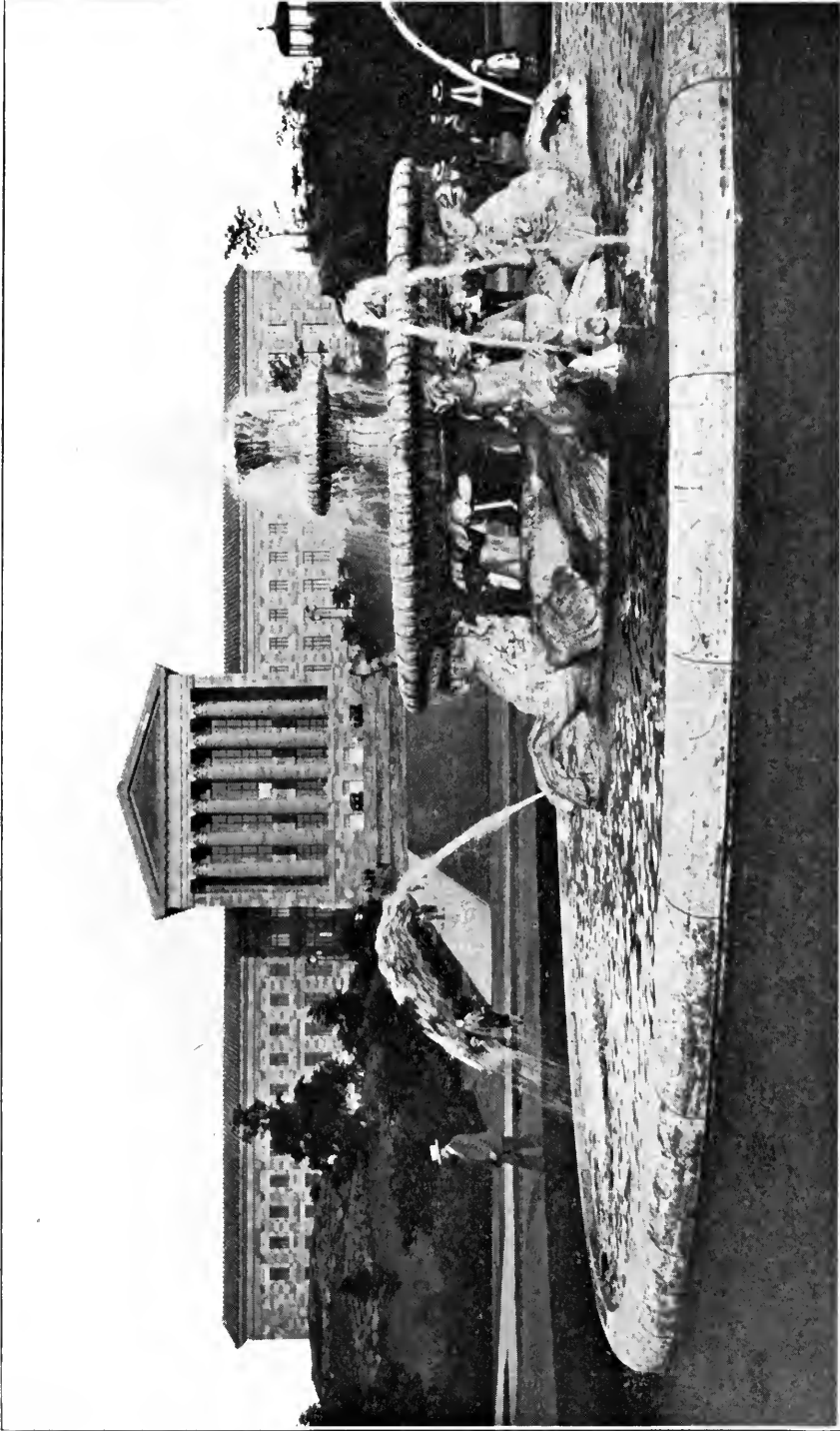
same time they will be so exercised as not to stifle individuality and imagination on the part of the designer. Perhaps a further ideal—at present rarely realized—will be the grouping of single-family houses and multiple houses in the same neighborhood, in a fashion distinctly to the advantage of both.

However, the greatest opportunity for architecture in the new city is to be found in the public buildings. A wonderful new vision was set before us in the World's Fair in Chicago in 1893. It definitely started a new epoch in American city building. Many a person returned to his rather drab home city with his eyes opened, disgusted with what he saw there, wondering whether he could bring a little of that vision into his own surroundings. The first result was a series of civic centers: Columbus, Denver, Cleveland, Springfield (Mass.), where much of the monumental beauty of the Court of Honor was actually recalled in the more cramped settings of these cities. Another result was a series of state capitols and buildings, such as those in Harrisburg, Saint Paul, Denver, Madison, and Providence. However, all of these buildings were distinctly classic in character. They had no particular relation to the cities which crowded in about them. They were rather cases of standardized beauty holding itself aloof from its surroundings.

Then came the great dignified parkway in Philadelphia from the old City Hall up to the distant hill at Fairmount, on which is now set the impressive new Art Museum, classic to be sure in motive and color, but new in its feeling.

Next followed some of the newer city halls, like the annex to the old Boston City Hall and the new City Hall in Pittsburgh, both excellent buildings as a matter of pure architecture, but utterly failing to express their function and thoughtlessly cramped in in the heart of the congested business districts where it is impossible to find any way to take care of the traffic which they engender.

Perhaps the greatest recent developments in public buildings is to be found in the schools. It is well known that the proportion of the total city funds being allotted for schools is constantly increasing. The



Courtesy of The Pennsylvania Museum, Memorial Hall, Philadelphia

**THE PHILADELPHIA MUSEUM OF ART: THE RIVER FRONT**  
The fountain in the foreground is the gift of the Italian Government, 1928

*An aerial view of the Museum showing its relation to the Fairmount Parkway and the City  
(taken before the new Italian fountain was erected) will be found in CITY PLANNING, April 1928*

result is that every city, town, and village is building new schools, many of them excellent in design and expressive of their function. Best of all, they are at last being set in adequate grounds with good landscape treatment and with ample playgrounds available. In the design of the buildings themselves there has fortunately been an escape from the rubber-stamped types, and the new buildings are now presenting infinite variety in plan and silhouette. Usually, too, they no longer overtop the neighboring residences, but spread out over the ground one, two and, at most, three stories high, with wide setbacks. Even in the tenement districts of cities they harmonize with their surroundings and provide on their roofs those playgrounds for which space is lacking on the ground.

Churches, too, are showing a tendency to conform to the new conditions. If they are set in the heart of a crowded district they are striving for the strong lines or compelling mass of St. Thomas' Church in New York, or for the picturesque mounting of terrace on terrace of St. Bartholomew's in New York. Best of all, they are tending to conserve their dominance in a city of towers by mounting to the hilltops, as in the case of the Cathedral of St. John in New York, or the Washington Cathedral, or Sacré Coeur in Paris.

For real dignity of setting there is probably no building in the country that compares with the Lincoln Memorial in Washington, especially when viewed down the length of the lagoon at sunset. Inspiring in another way is the mounting mass of the new Presbyterian Hospital in New York: how heavy these buildings would have been if they had been all the same height, and how much lighter and more cheerful they appear terracing up as they do!

The latest development in civic groups can be seen in cities like Cincinnati, Saint Louis, Memphis, Dayton, Worcester, and Norfolk, where they are trying to get away from the older stereotyped civic center and create something that will be more nearly in harmony with the surroundings: buildings in scale with their surroundings, plenty of open space for setting and parking, ample circulation, even a harmony of color and material with the buildings in the neighborhood. Every



THE PROPOSED CAPITOL  
OF NEBRASKA AT LINCOLN  
BERTRAM GROSVENOR-GOODHUE ARCHITECT  
TWO WEST FORTY SEVENTH STREET, N. CITY.

Courtesy of Bertram Grosvenor Goodhue Associates

**THE NEBRASKA STATE CAPITOL, LINCOLN**

attempt is being made to make these centers fully worthy and an inspiration to the citizen and the passer-by.

In Cincinnati inspiration has carried the citizens even further, for there on the ring of jutting hills, which closes in the basin where the central city lies, they are planning a crown of jewels, an appropriate group of semi-public buildings on each of the promontories in the ring of hills, all placed so that their silhouettes will be pleasing when seen from below. Mount Adams in Cincinnati is setting an inspiring example for the whole.

Two of the finest modern civic buildings—the two which will probably most influence the architecture of the new city—are the new Town Hall in Stockholm and the new State Capitol at Lincoln, Nebraska. Each has solved a present day problem in a new and striking manner. In Stockholm the new Town Hall rises from its level setting on the water through a long light arcade, up through great wall masses, with a beautiful play of texture and fenestration, to a gay yet dignified sky line, culminating in a most original and yet harmonious tower. It is post-war feeling expressing itself in a new way. In the same spirit of adventure the Nebraska Capitol by Bertram G. Goodhue departs from precedent. It features the great simple horizontal lines of the plains of the Platte in its mass and then contrasts with them the aspiration of that simple central shaft, culminating in the glory of its beautifully fashioned crown.

At the International City Planning Conference, held in New York in 1925, the many foreign delegates, most of whom were visiting America for the first time, were politely appreciative of what they were seeing here but obviously had reservations. Finally, after several weeks, they admitted that they were greatly disappointed. They had expected to see something radically different. True, they were impressed by the tall buildings and by the luxury of it all and by the classic beauty of the architecture, but they had expected to see our new economic and social life and our enormous advance in science and engineering fittingly expressed in a new architecture. Instead, our skyscrapers were cloaked in a skin that had been stretched from some Italian or French Renais-

sance building. "Why", they said, "with your wonderful new materials and methods of construction should you not have evolved a new and appropriate architecture?" Nor did they mean by this that the predominating characteristic of modern America is jazz and that the architecture should express jazz, for they realized that architecture is too permanent a thing to use as a medium for expressing a transitory mood. However, they all wanted us to express ourselves and not to continue to copy them, not breaking with precedent, but using precedent as a point of departure from which to evolve a new and more fitting architecture. They felt that most of all our architecture should have rhythm, a compelling, moving, expressing rhythm which would tell its story in a way that all could read.

Even in the short time since these disappointed visitors made their observations we can see many indications of the more expressive architecture, and of how the city of the future will probably tend. The fact that many cities and subdivisions now have progressive Art Juries controlling their types of architecture is in itself a most happy augury for the future. Again, the Committee of Advisory Architects in Washington, which offers its advice free to anyone about to erect a building, and the Fifth Avenue and other street associations that have been so effective in preventing the erection of inharmonious buildings, are a distinct step forward. Coöperation is the key word in this new movement, coöperation for the common improvement of city architecture.

Undoubtedly the city of the future will be decentralized as far as it is practicable to spread the city and still maintain the essential connections between its parts. In the perfect city plan of the imagined future each part of the city will have a street system interspersed with open spaces, peculiarly and fittingly designed for its purpose, whether the quarter be for business, industry, recreation, education or residence. In the business sections it is not inconceivable that lighter industry, that can not be decentralized, will be placed at the lowest levels with warehousing and offices above and terraced apartments at the upper levels, where outlook is most important. Artificial sunlight and air will

help to provide the health and amenity essential on the lowest stories. Public buildings will be out where they can have ample setting without blocking traffic. Parking will be on the ground or upper levels where it will not encumber the means of circulation, or space which is vitally needed for parks and playgrounds.

The aspiration of the city will be exemplified by the towers or spires of certain public buildings which alone will be permitted to mount above a limiting height, and these accents in the sky line will be so placed as to make a striking silhouette from whatever direction the city is approached. Seen from the air, the city will appear like a great, living pattern spread out below full of color, fascinating in texture, light, and shade, alluring and mysterious. It will be a city of order, order in which imagination and individuality expressing function have been given full play.



**THE NEW CITY HALL, LOS ANGELES**

The grounds are in course of being planted with trees and shrubs, with generous lawn areas. The bank building to the left will be removed and the ground used for additional park area.



# WHAT ZONING OUGHT TO BE\*

By WAYNE D. HEYDECKER

Chairman, Planning Board, Mount Vernon, N. Y.

WHEN "zoning" came into being in New York in 1916 it represented a great step forward toward an unformulated ideal. It was an improvement over preëxisting conditions, but the men who conceived it would have hesitated to formulate any ideal standards. Zoning as applied then and, in fact, wherever applied, is a compromise between *what is* and a vague comprehension of *what ought to be*.

After twelve years of experimentation, during which zoning has swept over the country and, upheld in a sweeping decision of the United States Supreme Court, found its validity as a proper exercise of the police power, it may not be amiss to attempt to put into words a concept of *what ought to be*. This task is undertaken with a full realization of the difficulties and dangers inherent in such an attempt, but it is hoped that such a formulation of the author's concept of "what ought to be" may prove a stimulant to others and may be provocative of discussion which will in turn prove helpful.

In general zoning ought to be a positive constructive attempt to impress upon the land of a community those legal qualities which will harmonize with and promote the development of the community according to a master plan. Zoning ought not to be conceived as a collection of limitations, even though the exigencies of law may give it that appearance, nor as a sanctification of the *status quo*.

A zoning scheme should provide for various types of living accommodations and for all necessary and usual community services. While recognizing the necessity of conserving existing social and economic values, the emphasis in zoning should ever tend toward sound future growth rather than merely against disturbing the present.

Assuming that a zoning expert has a fairly clean slate on which to start,—a piece of virgin territory,—what conditions should he aim to produce?

\*Based on studies made in collaboration with Ernest P. Goodrich for the Regional Plan of New York.

Let us begin by stating that the ideal conditions should include:

1. For all areas, adequate light and air.
2. For business and industrial areas, such an adjustment of building bulk to street area as to afford ample freedom of movement for both goods and persons.
3. For residential areas, an adequate amount of open space for trees and grass and playgrounds for all ages of the population.
4. Such a coordination of use areas as will bring the residential areas within reasonable distance of the central business area while at the same time providing that openness which is essential to the peace and quiet of residence neighborhoods.
5. Such a distribution of local or neighborhood business centers as is necessary to bring all the residential areas within easy walking distance of such local shops.

Assuming the attainability of such ideal conditions, what regulations should apply?

Medical science has established the great value of sunshine as a general tonic to the human body, and as a specific curative and preventive agent in at least two diseases, rickets and "surgical" tuberculosis. It follows, therefore, that as a means of promoting health, residences and business structures alike should be so designed and spaced as to permit sunlight to penetrate. We know that there is general agreement among scientists that the healing power and tonic power of sunlight, while present in all sunlight, appear to be greatest in the band of sunlight ranging from 2900 to 3200 Angstroem units, which band is almost entirely excluded by ordinary window glass. As city planners we are not concerned with this defect of glass, for pending the general adoption of window glasses already on the market, which will pass this "vital range" of sunlight, it is obvious that from the standpoint of public policy no buildings should be so erected as to cut off the access of sunlight to other buildings, leaving to the owners of such other buildings the option of using one of the new types of window glass or not as they please.

Calculations carefully worked out for the latitude of New York City show that sunlight penetration of buildings amounting to one-half

hour of noon intensity or its calculated equivalent, can be secured by separating buildings at different distances, depending on the orientation of the streets on which they face.

In general such distances vary for buildings 25 feet square and 25 feet high from 31 feet to 44.5 feet.

Minor variations can be effected by using different periods of the day for the attainment of the suggested half-hour standard. If the buildings are limited to a depth of 25 feet, they can on an east and west street, for example, be spaced even as little as 19 feet apart between side walls and still attain the standard. Where, however, the labor of calculating the minimum distances is more costly than a few extra feet of land, the convenient method is to require a space between structures in all directions equal to twice the height of the building. On a fifty-foot street this would permit the erection of buildings 25 feet square and 25 feet high right on the front line of the property, and require lots with a 75-foot frontage and a 50-foot depth. Blocks would then be 100 feet in depth and as long as topography and convenience dictated. This would represent the open development of small homes. For dwellings 40 feet square and 35 feet high lots would have to have a frontage of 110 feet with space between buildings of 70 feet in all directions. Under this scheme blocks would be 150 feet through and might be larger if some of the 70 feet of street between buildings were put into front yards.

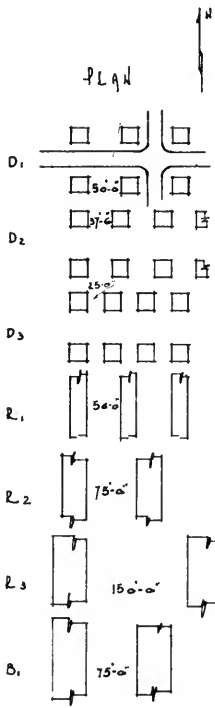
Formulas are available, if desired, for determining the building bulk which, on an already established street system, would assure such a sunlight standard both to the building under consideration and to its neighbors. Such formulas and the cruder rule of open space on all sides equal to twice the building height are more costly in land than the exact method of calculation, but the labor of the latter may prove more costly and the difficulty of understanding it makes the crude rule more applicable generally.

Let us therefore adopt the crude rule as the ideal standard for the open form of residential development and call such district "open construction" in which only free-standing structures are permitted and

those well spaced apart, thus assuring the sunlight standard on three sides of each structure.

For denser occupancy we can next permit row houses or apartments which attain the standard on only two opposite sides. Such buildings must obviously run in a general north and south direction; in fact they should not vary by more than  $10^\circ$  from true north. They still must observe the rule of space in an east and west direction equal to twice the height. This we may call "close construction". Where greater density is required, as in the main business centers, we shall have to compromise, but even here we can maintain a semblance of the standard. Let us permit business buildings on streets which run north and south to equal in height the width between them, thus conforming to the well established English practice of requiring a  $45^\circ$  angle of light. This is not a standard but a compromise. It does, however, guarantee to all windows above the middle height of the building the same amount of sunlight and skylight which is attained in the "close construction" districts. For convenience, let us call this district the "1 to 1" or " $45^\circ$ " district. This should be the maximum density. Practical considerations will often make desirable greater height than is here permitted, hence we may permit such structures to rise above the 1 times limit by setting back in the  $45^\circ$  plane from both east and west, permitting dormers and also towers not over 50 feet along any face and covering not over 25% of the area of the lot to any height. Such towers are ornamental. They cast shadows it is true, but the shadow of a tall narrow tower moves fast and is relatively less objectionable than that of a wider lower structure.

We have thus established three basic types—"open" residence construction; row or apartment house or "close" construction; and the " $45^\circ$ " or business district. In practice it will be desirable to provide several gradations of intensity for each of these, but before doing so certain general observations should be made. All row housing should run as nearly north and south as possible both for the purpose of getting sunlight into all rooms and also for the purpose of flooding the street



RATIO HEIGHT STORIES · ELEVATION ·  
HEIGHT TO WIDTH · LIMIT OF  
STREET WALL

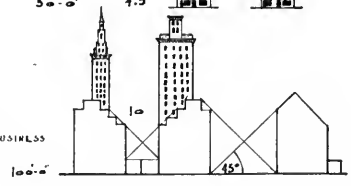
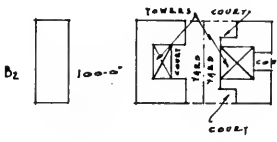
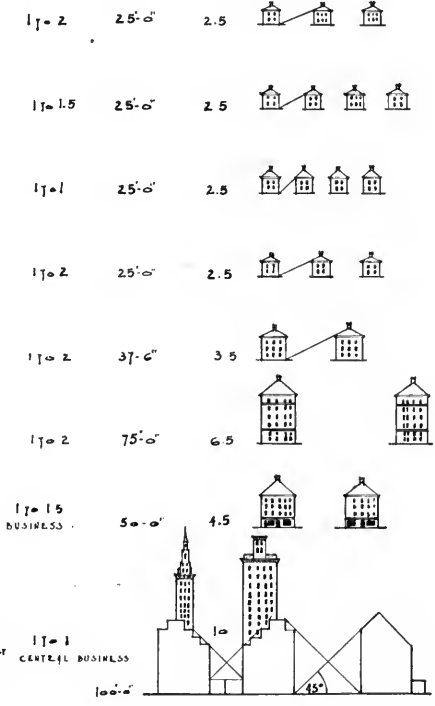


DIAGRAM ILLUSTRATING HOW  
BUILDINGS OUGHT TO BE SPACED  
TO PROVIDE SUITABLE LIGHT

WHAT ZONING OUGHT TO PRODUCE

with sunshine, melting snow and ice, and killing bacteria in sputum, etc. For the same reasons business streets should also run nearly north and south. On the other hand, streets in open residence construction districts may vary, but in general the houses should be as nearly square with the compass as possible. Moreover, such districts may vary in density without appreciably reducing the actual sunlight penetration. Thus if we insist on 50 feet between the rear walls of houses fronting on east and west streets we may reduce the combined side yard widths from 50 feet to 37.5 feet and again to 25 feet. So long as the maximum house depth is 25 feet from front to back and the houses are situated on an east and west street, we can get sunlight into the side windows diagonally. Thus we have three possible densities for dwelling districts, assuming the space between houses N to S to be constant at 50 feet:

Dwelling District 1 (D 1)—space between houses	E and W—50 feet, ratio of height to width 1 to 2
Dwelling District 2 (D 2)— “ “ “	E and W—37.5 feet, ratio of height to width 1 to 1.5
Dwelling District 3 (D 3)— “ “ “	E and W—25 feet, ratio of height to width 1 to 1

For the Row or Apartment house districts it is desirable to keep the ratio of height to width constant at 1 to 2 but to encourage several different groupings of such buildings according to size. Consequently we suggest

- Row District 1 (R 1)—houses limited to 25-foot height at the street wall and 25-foot depth, with 50 feet between opposite rear and front walls. In other words, residences in rows or row or group housing.
- Row District 2 (R 2)—houses limited in height to 37.5 feet and to 37.5 feet in depth with 75 feet between opposite rear and front walls. In other words, to low apartments or large row or group houses.
- Row District 3 (R 3)—houses limited in height to 75 feet and to 50 feet in depth with 150 feet between opposite front and rear walls. In other words, to large apartments.

*Note:* Except in fairly large suburban developments it will be better to omit the Row District 3 entirely as the apartment houses permitted in Row District 2 will suffice. However, where there is a strong demand for the taller elevator apartments, the Row District 3 may be adopted, thus permitting the taller building but holding the ratio of width to height.

In the case of the business districts two types are desirable, one for neighborhood business and the other for central business sections. For the former a 75-foot street is considered sufficiently wide to provide ample diagonal parking space and to permit constant movement of traffic. This would provide two 10-foot sidewalks and 55 feet of paved roadway allowing diagonal parking on both sides and keeping two lanes open for moving traffic. With 75 feet between front and rear walls a ratio of 1 to 2 would limit height to 37.5 feet, but for such a neighborhood business section in a fair sized city such strict limitations appear unnecessary. A ratio of 1 to 1.5 may be more logical. The latter assures sunlight to any apartments that may be erected over stores, and limits the building height to 50 feet at the street line. Assuming 12.5 feet as the average height of the store section of such building, the residence section above the stores—the upper section above the stores with its height of 37.5 feet—conforms to the 1 to 2 ratio since the space between buildings is 75 feet. Such buildings should be limited to a depth of 50 feet, and like the row houses should so far as practicable be on north and south streets; but exceptions to this latter rule will undoubtedly occur. Where they do, care should be taken to observe the ratio of 1 to 2 for all dwelling floors of such structures.

An alternative scheme and one better for small communities is simply to permit neighborhood stores in the first floor of row dwellings at certain intersections, thereby maintaining the same height and yard standards as prevail in the district in which such row dwellings are situated.

For the central business area it is obvious that greater concentration is required and a compromise in the ratio is inevitable. A practical solution would be to require business streets to run in a north and south direction so far as possible, to adhere strictly to the 45° angle of light both front and rear, and to require 100-foot streets, which will permit buildings 100 feet high at the street wall. Such buildings should be limited to a maximum depth of 75 feet over 60% of their frontage above the 25-foot level. The remaining 40% of the frontage should have a

maximum depth of 50 feet. Loading space or parking area should be provided either within the building or on the same lot and may be covered, thus permitting 100% coverage of the lot on the ground floor. If 15 feet of height is required for such ground floor, the next 10 feet of height above that, between the rear lot line and the rear wall, may be lighted by skylights. Above this 25-foot level the 45° plane of light should be established, beginning at a point 25 feet above the ground and 25 feet back of the abutting rear property line. Such limitations of building depth and the slope of buildings in the rear will assure reasonable light penetration of rear offices. The front offices are protected by the 1 to 1 ratio of street wall to street width. Towers not over 50 feet along any face set back 25 feet from all lot lines and covering not over 25% of the lot may be erected to any height provided the bulk of the building including the tower does not exceed the maximum, which would have been permitted without the tower. This results in an exchange of base space for tower space, maintains the relationship of bulk of building to street area for traffic purposes, and in return for the tower privilege gives increased light and air to adjoining and opposite buildings.

An alternative method and one which has much to commend it is to limit all structures in business districts to a depth of 70 feet leaving 30 feet or more at the rear of the lot for loading and parking. This method would give better light to the rear of first floors in business structures and would limit such structures to 60 feet in height at the rear before setbacks were required. As a matter of fact a front height limitation of 60 feet and setbacks on a 45° plane above that would provide a practical design that would be adequate for most medium-sized communities.

Since it is suggested that all streets in the central business area be 100 feet in width with blocks 200 feet in depth and as long as topography and convenience require, it is apparent that there is space for considerable flexibility in the paving program. A 100-foot street will provide two 20-foot sidewalks and six lines of moving vehicles, or four moving lanes and two parking lanes. Or if diagonal parking is permitted



on each side, the 100 feet may be divided as follows: four 10-foot moving lanes, two 15-foot diagonal parking spaces, and two 15-foot sidewalks. If motor traffic is very heavy and foot traffic light, parking can be forbidden and seven or even eight lanes of moving traffic can be accommodated and still leave 15-foot sidewalks.

Turning back to our statement of the five ideals, it is apparent that the suggested regulations guarantee adequate light and air to all types of area, thereby meeting condition number one. They provide for the maintenance of a constant ratio of building bulk to street area in the business section and the denser residential areas, thereby meeting condition number two. They also, without any specific attempt to do so, provide about the homes and apartments open space for gardens, trees, and grass, and for home playgrounds for small children. This meets most of the requirements of condition number three. Other recreation facilities must be consciously provided for in the general plan of the community.

The coördination of use areas so as to bring the residential areas within reasonable distance of the central area, and the distribution of local business areas, like the location of playgrounds, are matters that must be covered separately in the making of the plan. They are not by-products of planning for light and air, but are very important features of the general plan which must be given special consideration. In part they will be determined by topography, by the location of major arteries, and by the extent and location of the various housing districts. Their relation one to the other is more a matter of planning than of zoning, but they illustrate perfectly the now generally accepted idea which is almost an axiom that zoning and planning require such close coördination that they succeed best if done simultaneously.

The tests have been met so far as they may be in the abstract. Planning for light and air is basic. Heretofore it has proceeded on a rather haphazard basis of "getting more light and air". Here is a quantitative statement of methods which fairly meet the ideals first stated. Time will tell whether the author is "just another dreamer" or whether he has set forth here a practical method of approaching a soundly conceived ideal.

# THE STANDARDIZATION OF ZONING SYMBOLS

FOR USE IN

## THE COUNTY OF LOS ANGELES

PREPARED BY THE ZONING STUDY GROUP, LOS ANGELES, CALIFORNIA  
JULY, 1928

NOTE: Southern California, most particularly the County of Los Angeles, is probably more active in the field of zoning than any other portion of the country.

The incorporated cities and the unincorporated communities of the County are so closely related that some uniform method of designating the various types of zones should be employed, by color designation of these zones and by black and white symbols on published maps.

The County of Los Angeles, the City of Los Angeles, and many cities throughout the County are at present using varying methods to show these things on their maps and in their ordinances, which is very confusing to the general public.

Slight confusion may be experienced at first in changing any method now used; this may be overcome by earnest coöperation in a very short time, and will result eventually in our having a well balanced set of rules and regulations.

### ZONING STUDY GROUP AND COMMITTEE

A ZONING Study Group was started about eighteen months ago for the purpose of gathering together all those who were interested in zoning and zoning problems throughout the County; that group, comprising representatives from the Los Angeles City Planning Commission, Los Angeles Chamber of Commerce, Regional Planning Commission,\* Long Beach Planning Commission, and many others, has held monthly meetings at which many and varied discussions have taken place, and those who have regularly attended these meetings testify that a great deal of good has come from them. About three months ago, the question arose as to what method should be employed to bring about a standardization of zoning mechanics throughout the County. We found that the methods now used are many and diversified, much to the inconvenience of city officials and the general public. It was agreed that a committee should be formed to investigate the present methods that are used, and to make recommendations for the standardization of such methods, without interfering too much with present existing conditions.

That committee was formed, and immediately proceeded to find out and tabulate existing methods. The committee found that it was impossible to set

\*The Committee wishes to extend thanks to the Los Angeles County Regional Planning Commission, who so kindly furnished the plans which accompany this report, and which were drawn by Mr. R. B. Wyatt of that office.

down a set of rules that would not interfere to a large degree with methods now used, for the reason that the existing conditions were so varied and confusing. The committee was then immediately faced with devising a set of rules that would be used universally over the county. First, consideration was given to the symbols designating the various types of zones; a great deal of time and study was given to this. Paramount to everything was simplicity, and we believe that the symbols shown on the accompanying chart accomplish that very thing. To enable the easy recording and recognition on zoning maps of the status and the permissibility in the use and development of land, a constructive system of basic classification symbolism is recommended. This system is of such simplicity as to be easily comprehended by the most inexperienced, and in practice has proved particularly successful and has expedited the field work tremendously.

#### DESIGNATION OF ZONES

It is generally recognized that there are three basic zones—Residential, Commercial, and Manufacturing. We came to the conclusion that the letter R should be used for Residential, C for Commercial, M for Manufacturing, and that any subdivision of those zones should be designated by its letter followed by a number, i. e., R<sub>1</sub>, Single Residence; R<sub>2</sub>, Two-Family; R<sub>3</sub>, Multiple; R<sub>4</sub>, Unlimited; the same method to be used for the Commercial and Manufacturing Zones. To mention three examples used at present will give some idea as to the non-conformity: City of Pasadena's "A" Zone, Industrial; City of Los Angeles' "A" Zone, Single Residence; County of Los Angeles' Zone 1, Single Residence.

#### *Designation of Zones*

A more detailed explanation of the subdivisions of the "R", "C", and "M" designations are hereby given:

The R-1 Zone permits only single-family residence uses, together with the usual accessory uses, such as private garages.

The R-2 Zone permits single-family residences and two-family residences only.

The R-3 Zone permits single-family residences, two-family residences, bungalow courts, flat buildings, and all such uses that permit the premises to be used for living quarters.

The R-4 Zone permits all uses before mentioned, and, generally speaking, such uses as hotels, clubs, churches, schools, libraries, fire department stations, lodge halls, post offices, railroad passenger stations, telephone exchanges, etc.

The C-1 Zone permits any use allowed in an R-1, 2, 3, 4 zone; also a certain percentage of the floor space of such building erected, which is built upon streets 80 feet or more in width, can be used for retail stores. (The city using such zone can determine the percentage of floor space that may be used for store purposes.) It will be found to be a very useful zone where hotels are allowed, and where it is not warranted to place the street in the unlimited commercial zone.

The C-2 Zone permits any use allowed in the R-1, 2, 3, 4 and C-1 Zones; also stores and shops of a retail nature only. This zone is particularly adapted for use in outlying residence sections, where the more disagreeable commercial uses should be prohibited. A small neighborhood business center can be created at certain intervals to serve an immediate neighborhood that may be far removed from the central part of a city with the necessities of life.

The C-3 Zone permits any use allowed in the R-1, 2, 3, 4 and C-1, 2 zones; also stores or shops for the conduct of retail or wholesale business, garages, service stations, hospitals, undertaking establishments, cat and dog hospitals, tinsmiths, dancing academies, and other commercial uses that may be permitted in this zone under an ordinance that a city may adopt.

The M-1 Zone permits any use allowed in the R-1, 2, 3, 4 and C-1, 2, 3 zones; also many uses that are known as light manufacturing, such as are carried on in loft buildings, printing establishments where heavy machinery is used, novelty manufacturing, laboratories, textile and clothing manufacturing, etc.

The M-2 Zone permits any use allowed in the R-1, 2, 3, 4 and C-1, 2, 3, and M-1 zones; also all types of industrial uses that are not in themselves highly obnoxious, such as explosives, fireworks, slaughter houses, glue factories, gun cotton products, or the manufacture of any acid, etc.

The M-3 Zone permits everything. There will be some cities, however, having regulations that prohibit certain types of highly obnoxious uses within their city limits.

#### COLOR SYMBOLS

The same confusion was found to exist in the various colors used by cities in the County on office maps. Presentation of zoning maps at public hearings, for exhibition purposes, and for display purposes in the office of those who administer the zoning law, should always be clear cut and understandable. The Committee believes that the colors suggested fit that need.

Generally speaking, three basic colors were used in showing the three basic zones: i. e., yellow, red, and blue, and again dividing those colors in varying shades. It will be noticed that a gradual density of color takes place from the single residence zone down to the unlimited manufacturing zone. We believe that the color green should be eliminated in showing any zone, and should be used only for Parks, Playgrounds, and Recreational Areas. Considerable discussion took place as to whether a color should be used to designate the single-family residence zone, and it will be noted that a very light yellow has been suggested. Considerable confusion has been experienced in not using a color, and we fully realize that the general practice has been to leave this zone uncolored. On the other hand, however, we have this situation existing: a large portion of the County is unzoned in one sense of the word, as is territory in some of our incorporated cities, and where such territory lies contiguous to a now zoned single-family residence district, we find the designation of both areas to be the same. The committee, therefore, came to the conclusion that it would be best to use a color for the single residence zone in order that this confusion might be eliminated.

The accompanying chart gives a varied selection of different kinds of coloring:

water colors, polychromos, and inks, and the various grades to be used in each case. Considerable time was spent in selecting colors that would harmonize with one another in each group. We believe that the use of the polychromos will be more prevalent than the water colors or inks, and we would recommend that it be used, for a very excellent effect can be produced by its proper application.

#### USE OF PROPERTY BLACK AND WHITE SYMBOLS

One of the most important surveys to be made in any zone scheme is the use-of-property survey, showing the use to which every parcel of land is being put. Zoning is not entitled to the name unless it is done comprehensively, and it will be found that out of the many studies to be made, the use-of-property survey will be the most valuable. For the purpose of simplicity, coördination, and visualization, certain symbols and colorings should be conventionalized and used in the manner herein set forth to allow of easy expression of the existing conditions.

We therefore recommend that a detailed set of symbols be adhered to, as shown on the accompanying chart. However, many cities are handicapped for funds and personnel and have not the time to go so thoroughly into detail. In that case, we refer you to the color scheme again, which can be used in designating in a general way the use to which parcels of land are being put. For example, in designating single residences use light yellow; in designating two-family, use the orange; in designating a manufacturing establishment, use blue, and so on.

#### METHODS OF SHOWING DESIGNATION OF ZONES AND SYMBOLS ON PUBLISHED MAPS

The accompanying chart is prepared for your guidance, and gives in a general way the various uses to which property may be put. It would be useless to attempt in any way to list all of the possible uses, for they run into many hundreds. It has been found in practice over a period of three years that the uses given are among the most frequently used. They are sufficient to give a fairly good idea of the general type of development of a given district. Uses that occupy large areas can be shown by writing the kind of use across such area. The accompanying map shows a typical area that has been surveyed in this manner. Prints can be made from the original, and, for illustrative purposes, can be colored in very readily. This makes a very desirable and useful map, and it will be found invaluable in giving advice to applicants who are applying for a variation; it can be determined from such a map, whether the applicant should be advised to apply for such variation or amendment.

The saving of time and money in many cases enters very seriously into the program of many cities, especially in the preparation of zoning maps.

The committee believes again that simplicity should be the keynote in every case. The accompanying map shows clearly the method we recommend. It is legible, easily reproduced, and requires the minimum of time in preparation; in

## RESIDENTIAL & OTHER THAN COMMERCIAL USES.

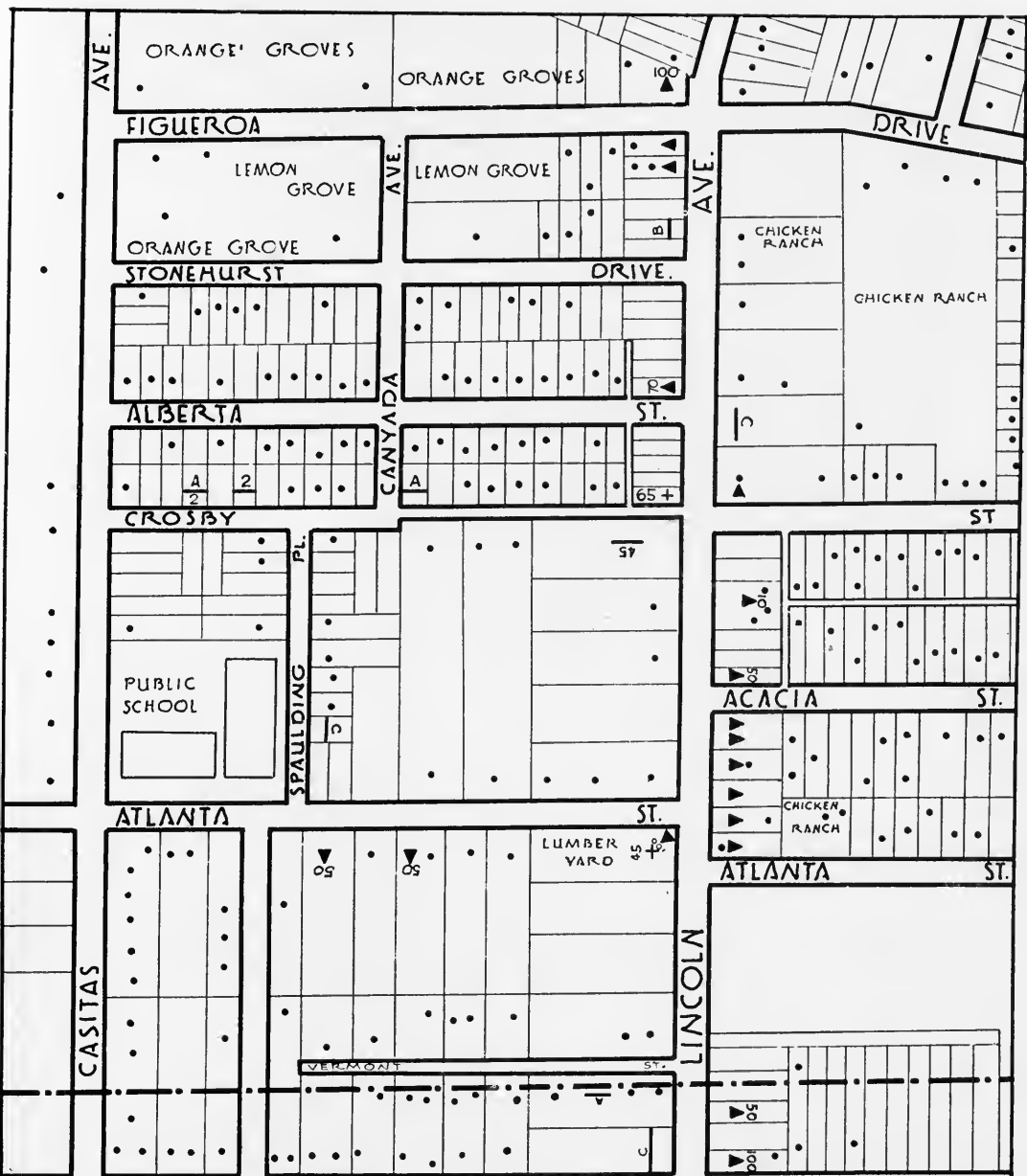
- SINGLE RESIDENCE
- 2 TWO FAMILY
- 3 TRIPLEX
- 4 FOUR FAMILY FLAT
- B BUNGALOW COURT
- A APARTMENT HOUSES
- C CHURCHES
- H HOTELS
- SC SCHOOLS
- HO HOSPITALS
- P PUBLIC BUILDINGS
- S-P SEMI-PUBLIC BLDGS
- SA SANITARIUMS

## MANUFACTURING

- + FACTORY
- + 10 BRICK YARDS,
- + 15 CANNERIES
- + 20 CEMENT WORKS
- + 25 FOUNDRIES
- + 30 JUNK YARDS
- + 35 ICE MANUFACTURING
- + 40 IRON WORKS
- + 45 LUMBER MILL
- + 50 PETROLEUM PRODUCTS
- + 55 ROCK CRUSHING
- + 60 SLAUGHTER HOUSES
- + 65 STONE CUTTING
- + 70 SHEET METAL WORKS

## COMMERCIAL

- ▲ RETAIL STORES
- ▲ RETAIL STORES-APARTMENTS ABOVE
- ▲ 10 AUTO REPAIR SHOP
- ▲ 15 BANK
- ▲ 20 CARPENTER SHOP
- ▲ 25 CAT & DOG HOSPITAL
- ▲ 30 CLEANING & PRESSING
- ▲ 35 FILLING STATION
- ▲ 40 GARAGE - STORAGE ONLY
- ▲ 45 GARAGE - STORAGE & REPAIR
- ▲ HOME OCCUPATION (IN RESIDENCE)
- ▲ RESIDENCE WITH STORE IN FRONT
- ▲ 50 NURSERIES
- ▲ 55 LAUNDRIES
- ▲ 60 OFFICE BUILDINGS
- ▲ 65 PARKING STATIONS
- ▲ 70 REAL ESTATE OFFICE
- ▲ 75 RETAIL LUMBER YARD
- ▲ 80 PAINT STORE
- ▲ 85 PLUMBING SHOP
- ▲ 90 POULTRY KILLING
- ▲ 95 RESTAURANT
- ▲ 100 SERVICE STATION
- ▲ 105 SIGN PAINTING
- ▲ 110 STORAGE (CLOSED)
- ▲ 115 THEATRES
- ▲ 120 UNDERTAKING PARLORS
- ▲ 125 WHOLESALE USES.



TYPICAL EXAMPLE OF A USE OF PROPERTY SURVEY



the end it is cheaper for reproduction purposes, and it can be colored if necessary without interfering with designations.

The present method of using a number of varied types of cross-hatching is very confusing; especially is this true when the map is published. In many cases it is almost impossible to separate one zone from another, and repeated reference has to be made to other records and other maps, much to the inconvenience of the public and the official in charge.

#### ZONE BOUNDARY LINE

It will be noticed on the accompanying sketch that where there is no alley, or other definite line of demarcation, such as a street, etc., the zone boundary line is drawn in showing the actual dimensions of such zone with the zone symbol inserted within those lines. This method has already proved to be successful in actual practice, requiring the minimum amount of time in preparation, and saving untold confusion in the administration of the ordinance.

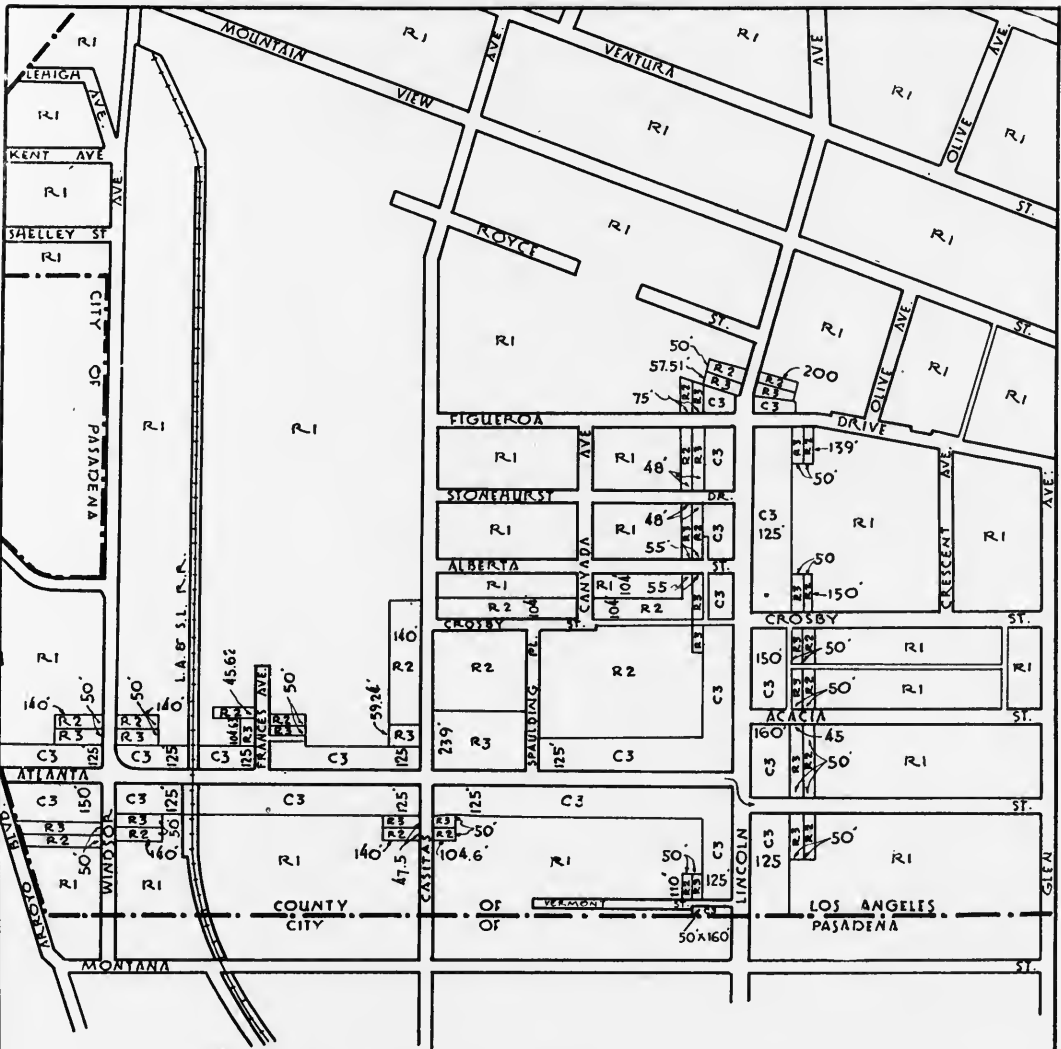
#### "STEP DOWN ZONING"

Careful study of the accompanying map will disclose a method of zoning which is not generally used, and is thought by many to be a very excellent provision. For want of a better name, we call it "Step Down Zoning". For example: we have a street frontage which is zoned for commercial purposes; the key lot which abuts such zone is placed in the apartment house zone. In the majority of cases, it would be unfair to force a property owner to erect a single-family residence, and in some cases would necessitate a variation to be granted in the case of this lot. All the time and worry attached to such cases is eliminated; the next adjacent lot is treated in a like manner, placing it in a two-family zone, so that you get a gradual shading off from the commercial zone to the single-family residence zone. We realize, of course, that this practice cannot always be adhered to, for the reason that many ordinances do not have the number of zones that were mentioned, but wherever possible the committee highly recommends that such a method be used.

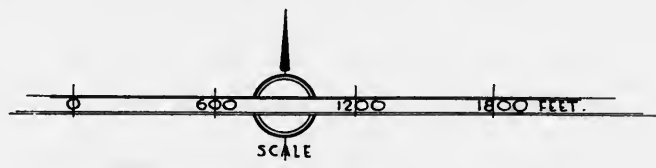
#### PERMANENT COMMITTEE

The committee believes that a permanent committee should be formed for the purpose of assisting those who do not understand the many ramifications of preparing such maps and surveys; also, that if any changes are made from the designations recommended by the committee, the committee pass upon such changes, with the thought in mind that immediately any change is made, a bulletin be issued and sent to all who are using these regulations, for it must be recognized that no set of rules are perfect, but are always subject to changes or additions, and if such changes or additions are made, it would be very confusing if those using these regulations should not be informed immediately.





# RECOMMENDED METHOD OF SHOWING DESIGNATION OF ZONES ON PUBLISHED MAPS



## CONCLUSION

It is, as everyone knows, extremely difficult, not only for the general public, but also for the individual investor and the realtor to understand zoning practices throughout the County.

The Committee fully believes that if such a set of standards as outlined in this report is adopted, it will do away with much of the confusion that now exists.

We realize, of course, that it would be impossible to expect the adoption and use of these standards immediately. It will take time, and should be done with a minimum of inconvenience to each particular city that adopts such standards.

The Committee earnestly requests everyone to cooperate to the fullest extent in this effort to bring about a well balanced zoning plan for the entire County.

## ZONING STUDY GROUP

*Chairman*

A. E. Williamson

Los Angeles County Regional Planning Commission  
Hall of Records

*Secretary*

R. B. Taplin

Chief Engineer, Long Beach City Planning Commission

*Members*

Mrs. Mary A. Lowther	Long Beach	C. H. Morrill, Jr.	Compton
Mrs. Charles F. Gray	Los Angeles	Col. E. F. Underhill	Glendora
G. Gordon Whitnall	Los Angeles	Arthur E. DeMott	Glendora
M. T. Coombs	Los Angeles	J. Carl Schindler	Los Angeles
H. E. Smutz	Los Angeles	M. Butler	Eagle Rock
M. H. Houghton	Long Beach	Mrs. J. Veenhuysen	Monterey Park
C. J. S. Williamson	Santa Monica	Mrs. L. Volmar	Long Beach
N. C. Johnson	Los Angeles	G. L. Shearer	Monterey Park
Hugh R. Pomeroy	South Gate	J. M. Kemmerer	Whittier

## Committee on Standardization

*Chairman*

A. E. Williamson, Zoning Engineer, Los Angeles County Regional Planning Commission

*Members*

R. B. Taplin Chief Engineer, Long Beach City Planning Commission

H. E. Smutz, Los Angeles City Planning Commission

C. H. Morrill, Jr., Secretary, Compton City Planning Commission

*Endorsed by:* LOS ANGELES CITY PLANNING COMMISSION; LOS ANGELES COUNTY REGIONAL PLANNING COMMISSION; LOS ANGELES REALTY BOARD; ASSOCIATION OF CITY PLANNERS; LONG BEACH CITY PLANNING COMMISSION; WHITTIER PLANNING COMMISSION AND CITY COUNCIL; SOUTH GATE CITY PLANNING COMMISSION; MONTEREY PARK PLANNING COMMISSION.

*Copies of this report may be obtained from*

*Mr. A. E. Williamson, Zoning Engineer*

*The Regional Planning Commission, Los Angeles County*

## INSTRUCTION ON CITY PLANNING IN THE UNITED STATES

A Summary of Information Collected by the  
NATIONAL CONFERENCE ON CITY PLANNING

In February, 1928, the Secretary of the National Conference on City Planning sent out a questionnaire to about two hundred selected colleges and universities in the United States, in an attempt to determine the character and extent of city planning instruction now being offered. The forms containing the resulting replies were turned over in September to CITY PLANNING for compilation and editing. It seemed best to present the facts in a tabulated arrangement, which aims to show as clearly as possible the gist of the answer given by each institution which reported any instruction, and the relation of this to other similar courses or lectures. The information turned over by the National Conference has been supplemented in some instances by facts known to the Editors or collected on the first part of the Harvard City Planning Field Study.

## Graduate Professional Courses in City Planning

HARVARD UNIVERSITY 3-year course with outside lecturers in school of *Landscape Architecture*

Instruction in Technical Departments or Courses  
of Architecture, Engineering, Landscape Architecture, etc.

## COURSES IN CITY PLANNING

ALABAMA POLYTECHNIC INSTITUTE course called "Town Planning", under	<i>Architecture</i>
UNIVERSITY OF CINCINNATI lecture course in City Planning for students in	<i>Architecture</i>
CORNELL UNIVERSITY one seminar, credit one hour, for one semester, in	<i>Architecture</i>
MASSACHUSETTS INSTITUTE OF TECHNOLOGY course of 30 lectures called Town Planning, in	department of <i>Architecture</i>
UNIVERSITY OF OREGON one senior course in principles and practice of City Planning; required of	all majors in <i>Architecture</i>
MUNICIPAL UNIVERSITY OF AKRON course in Civil Engineering called "Coördination", using	Department of Commerce Primer, in <i>Civil Engineering</i>
UNIVERSITY OF COLORADO 2-hour course in City Planning; 4-hour course in Municipal and	Sanitary Design; these courses are required in <i>Civil Engineering</i>
UNIVERSITY OF MAINE courses with occasional outside lecturers, in department of <i>Civil Engineering</i>	
UNIVERSITY OF MINNESOTA single elective course in City Planning, in department of <i>Civil Engineering</i>	
UNIVERSITY OF NEBRASKA elective course of lectures, readings, and reports in City Planning, 2	hours a week for one semester, in department of <i>Civil Engineering</i>
UNIVERSITY OF NORTH CAROLINA course on City Planning, called	<i>Engineering</i>
PURDUE UNIVERSITY optional "appreciation" course, 2 semesters, 4 hours each week, for seniors in	<i>Civil Engineering</i>
TUFTS COLLEGE course in City Planning, one semester, under	<i>Civil Engineering</i>
UNIVERSITY OF WISCONSIN courses in City Planning, Industrial Housing, Real Estate Planning,	in College of <i>Mechanics and Engineering</i>
IOWA STATE COLLEGE courses on "City Planning" and "Engineering in City Planning", given	in department of <i>Civil Engineering</i>
and courses on "City or Town Planning", "Suburban and Institution Planning", in department	of <i>Landscape Architecture</i>
UNIVERSITY OF CALIFORNIA courses on "City and Town Planning", "Real Estate Subdivision	Design", "Modern Civic Art", in division of <i>Landscape Design</i>
UNIVERSITY OF CINCINNATI lecture course in City Planning, for students in <i>Landscape Archi-</i>	<i>tecture</i>

- UNIVERSITY OF ILLINOIS courses covering City Planning elements and principles with seminar discussions and visiting lecturer; also problems in City Planning design, in department of *Landscape Architecture*
- MASSACHUSETTS AGRICULTURAL COLLEGE one-term course on City Planning, also one in Regional Planning, and County Planning, in *Landscape Gardening*
- UNIVERSITY OF MICHIGAN courses on City Planning in department of *Landscape Design*
- OREGON AGRICULTURAL COLLEGE senior year course on City Planning, with lectures and drafting, in *Landscape Architecture*
- SYRACUSE UNIVERSITY two courses in N. Y. State College of Forestry, department of *Landscape Architecture*
- WASHINGTON STATE COLLEGE course in City Planning scheduled for seniors in *Landscape Design*
- UNIVERSITY OF SOUTHERN CALIFORNIA course as part of special summer session, in division of *Public Administration*

#### LECTURES ON CITY PLANNING IN COURSES ON OTHER SUBJECTS

*The following lectures are given in Departments of Civil Engineering:*

- BROWN UNIVERSITY several lectures in course on Highway Engineering and Transportation
- CALIFORNIA INSTITUTE OF TECHNOLOGY Highway course touches on planning of major highway systems
- UNIVERSITY OF IOWA lectures in school of Civil Engineering and Sanitary Engineering
- LEHIGH UNIVERSITY City Planning touched on in course on Highways
- UNIVERSITY OF MARYLAND City Planning problems touched on in engineering courses
- MISSISSIPPI STATE COLLEGE lectures in course on Highway Construction
- UNIVERSITY OF NORTH DAKOTA lectures and lessons for several weeks, required of all seniors
- OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGE City Planning and subdivision work taken up
- PENNSYLVANIA STATE COLLEGE lectures in course on City Engineering
- RENSSELAER POLYTECHNIC INSTITUTE 2 lectures and 2 recitations in Surveying Theory and Highway courses
- LELAND STANFORD JR. UNIVERSITY lectures in course on Applied Engineering Economics
- SYRACUSE UNIVERSITY lectures in college of Applied Science
- TEXAS AGRICULTURAL AND MECHANICAL COLLEGE lectures in course on Municipal Administration for seniors; also lectures, reading, and discussion in course on City Management
- UNIVERSITY OF VIRGINIA lectures in course on Highway Engineering
- UNIVERSITY OF WASHINGTON City Planning principles considered in some courses
- VANDERBILT UNIVERSITY lectures in course on Municipal Engineering

- PENNSYLVANIA STATE COLLEGE lectures on City Planning and problems in civic design, in course in department of *Landscape Architecture*

#### Instruction Primarily for College Undergraduates

##### COURSES IN CITY PLANNING

- UNIVERSITY OF CALIFORNIA course called Community Art treats of esthetic problems of community life, in department of *Art*
- CARLETON COLLEGE 3-hour course called City Planning and Landscape Gardening with some discussion of general principles of architecture, in division of *Fine Arts*
- DARTMOUTH COLLEGE course on "City Planning, Civic Art, and Housing", in department of *Art*
- COLLEGE OF CITY OF NEW YORK 2 courses, "City Efficiency" and "Community Promotion", in department of *Government*
- UNIVERSITY OF TOLEDO evening extension course, given principally to teachers, in department of *Political Science*
- UNIVERSITY OF OREGON principles of City Planning and relation to region, state, and national plan, given in school of *Sociology*

#### LECTURES ON CITY PLANNING IN COURSES ON OTHER SUBJECTS

- GEORGIA SCHOOL OF TECHNOLOGY numerous references to City Planning, although no specific lectures, in courses on history of *Architecture*
- CARLETON COLLEGE 1 month on City Planning in course on *Art in Relation to Life*
- 1 week on City Planning in course on *Greek Art and Civilization*
- 1 week on City Planning in course on *Medieval Art and Civilization*
- 1 week on City Planning in course on *Renaissance Art and Civilization*

- UNIVERSITY OF OREGON lecture in course on *Art Appreciation*
- WELLESLEY COLLEGE 2 lectures in Landscape Gardening course, department of *Botany*
- PURDUE UNIVERSITY few lectures in "The Modern City and its Problems", offered by department of *Education*
- DUKE UNIVERSITY lectures in course called Municipal Government, in department of *Economics*
- INDIANA UNIVERSITY treated in course on *Economics*
- WELLESLEY COLLEGE several weeks on City Planning and Housing problems, in department of *Economics*
- SOUTH DAKOTA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS brief reference in landscape gardening course, under department of *Horticulture*
- UNIVERSITY OF ARKANSAS City Planning touched on in course in *Landscape Architecture*
- KANSAS STATE AGRICULTURAL COLLEGE lectures on "Civic Art", in course in *Landscape Gardening*
- MICHIGAN STATE COLLEGE OF AGRICULTURE AND APPLIED SCIENCE reference to basic principles of City Planning in courses in *Landscape Architecture*
- OHIO STATE UNIVERSITY lectures in courses in *Landscape Architecture*
- OREGON AGRICULTURAL COLLEGE lectures in courses in *Landscape Architecture*
- UNIVERSITY OF PENNSYLVANIA lectures in course in *Landscape Architecture*
- SMITH COLLEGE some lectures in Art course on *Landscape Architecture*
- COE COLLEGE lectures in course called *Municipal Government*
- IOWA STATE COLLEGE lectures in courses on Municipal Problems and *Municipal Government*
- LAFAYETTE COLLEGE lectures in course on *Municipal Government*
- MORNINGSIDE COLLEGE City Planning taken up in course in *Municipal Government*
- UNIVERSITY OF OKLAHOMA City Planning touched in courses on City Government and City Administration, department of *Government*
- UNION UNIVERSITY 3-day study in course on Municipal Problems and *Municipal Government and Administration*
- SYRACUSE UNIVERSITY lectures and investigations in City Manager program, School of *Citizenship*
- UNIVERSITY OF CHICAGO lectures in courses on Municipal Government and Municipal Problems, in department of *Political Science*
- UNIVERSITY OF IDAHO one to two weeks spent on City Planning in course on City and County Government, in department of *Political Science*
- UNIVERSITY OF MICHIGAN lectures in courses on *Political Science*
- OHIO WESLEYAN UNIVERSITY lectures in course on Municipal Administration, in department of *Political Science*
- LELAND STANFORD JR. UNIVERSITY lectures in courses on State and Local Government and Municipal Administration, in department of *Political Science*
- VASSAR COLLEGE City Planning forms part of general Municipal Government course, in *Political Science*
- UNIVERSITY OF VIRGINIA lectures in courses in department of *Political Science*
- WESTERN RESERVE UNIVERSITY lectures in course on "Government of Metropolitan Areas" and "Municipal Administration," in department of *Political Science*
- UNIVERSITY OF WISCONSIN lectures in course on Municipal Administration, in department of *Political Science*
- CLARK UNIVERSITY City Planning touched on in undergraduate and graduate course devoted to study of social conditions of city, basing content on studies for Worcester's City Plan, called *Regional Sociology*
- DEPAUW UNIVERSITY 2 weeks devoted to City Planning, in course in *Urban Sociology*
- MORNINGSIDE COLLEGE City Planning taken up in course in *Urban Sociology*
- OHIO WESLEYAN UNIVERSITY course in Social Pathology touches slightly on City Planning, in department of *Sociology*
- SIMPSON COLLEGE 6 lectures on City Planning in course on *Rural and Urban Sociology*
- UNIVERSITY OF SOUTH DAKOTA City Planning occupies 25-30% of lectures in course on "The City", in department of *Sociology*
- BELOIT COLLEGE 1-week discussion of City Planning, in course on *Urban Communities*

## SPECIAL WORK

- KANSAS STATE TEACHERS COLLEGE OF HAYS extra-curriculum "activity" course, "City Planning from Geographical Point of View"

## EDITORIAL

With this issue, CITY PLANNING begins its Fifth Volume. In four years the Editors have had time to gain a better idea of what the Quarterly's readers want, and they in turn have had time to determine whether they are getting it or not. An increasing number of subscribers encourages the Editors to believe that there is an increasing number of readers, and letters of inquiry and requests for certain features show that some "reactions" occur. Certain lively discussions in the Quarterly, too, produce a stimulating effect. There must be, however, in the minds of many readers suggestions as to what they most desire to see and comments as to what features they find most valuable. The fifth year of a child's life often means the passage from the kindergarten to the primary school stage. Let us hope that some of our readers will assume the rôle of teachers to guide the Quarterly's youthful footsteps!

### THE FIELD STUDY

As CITY PLANNING goes to press half of the route laid out for the field study tour (see Editorials, July and October 1928) has been covered by the Harvard field worker. The reports already sent back are full of interesting facts, some about city planning successes, and some about difficulties, and some—not so many—about failures. The impressive thing about all of it is that an illuminating body of experience is slowly and painfully being acquired by our cities that can guide the way between Scylla and Charybdis, although not as yet without some false lights on the shore and some shipwrecks.

### AN ACKNOWLEDGMENT

Editors and readers of this issue are greatly indebted to the Regional Planning Commission of the County of Los Angeles for the hand-colored plate furnished with the Commission's compliments to accompany the Los Angeles Study Group's Report on "Standardization of Zoning Symbols" published in full on pages 34 to 42.

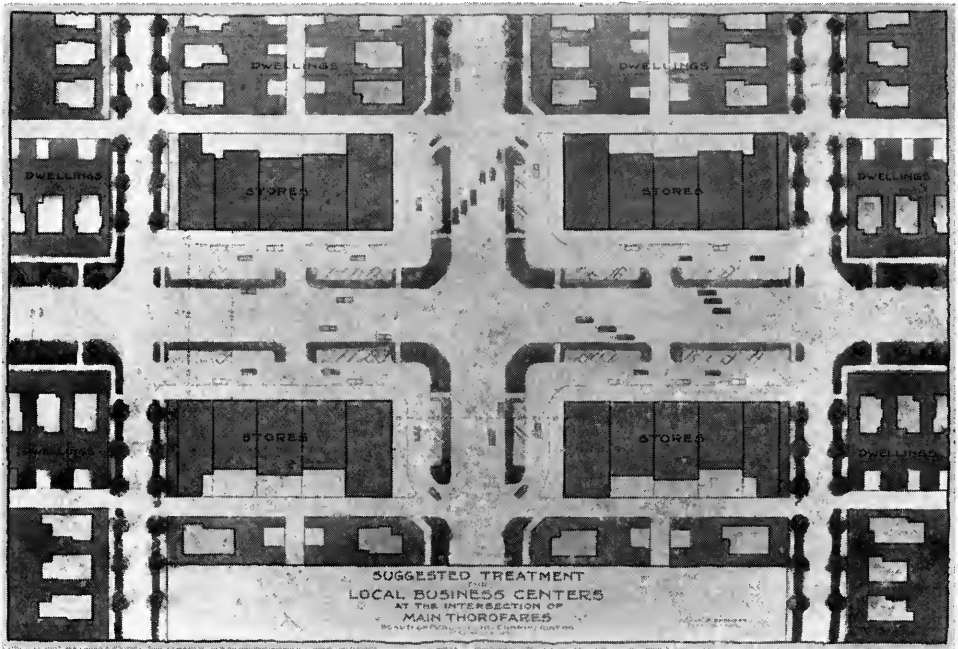
# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM  
ARTHUR A. SHURTLEFF CHARLES W. ELIOT 2nd

## LOCAL BUSINESS CENTERS FOR MILWAUKEE

Through the support of the press and the coöperation of various civic groups there is growing up in Milwaukee a greater consciousness and understanding of the value of good zoning and a resistance to any unwarranted tampering with established zoning restrictions.

On the whole, Milwaukee is well zoned, and the beneficial effects of careful planning are particularly noticeable in the thirteen square miles of outlying territory



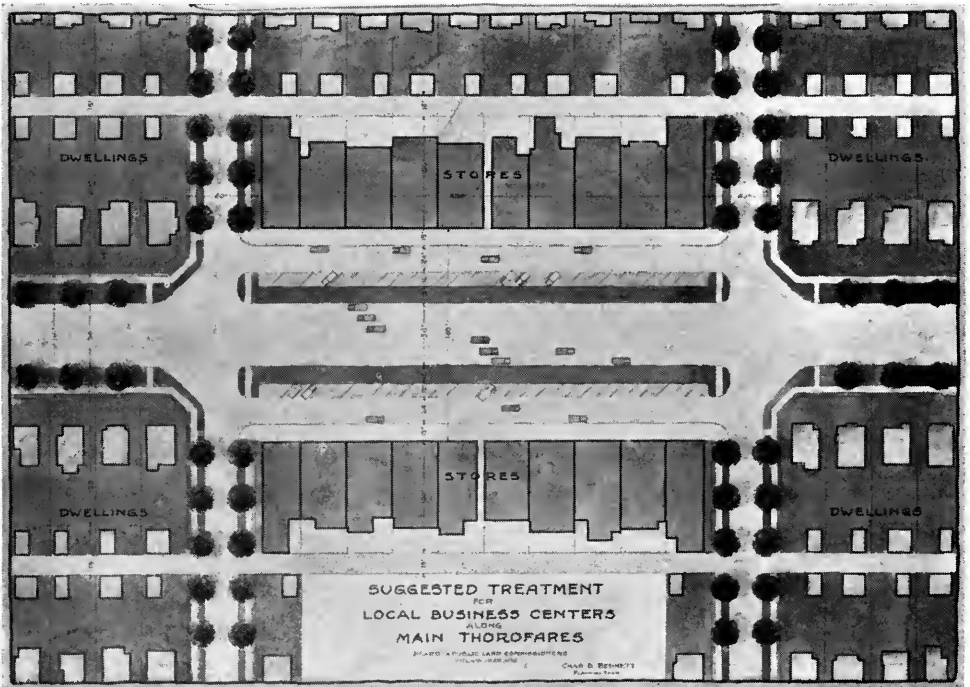
Cut loaned by Milwaukee Board of Public Land Commissioners

annexed and developed within the last six years. Beautiful residential communities have sprung up on the fringes of the old city "over night", so to speak, and to the general public they exemplify more effectively than any theoretical expositions the practical advantages of proper zoning.

However, experience has shown that one phase of zoning has been overdone, and henceforth great care must be exercised to guard against similar errors in the future.

A recent field survey of the local business districts in the City of Milwaukee discloses the fact that only 33% of the frontage so zoned is actually being used for business purposes, with approximately 10% of the existing stores vacant. Obviously, Milwaukee is over-zoned with local business districts, as are a great many other American cities.

When the original ordinance was being prepared in 1920, and the city divided into the various districts, it was the consensus of opinion that all the through streets in the outlying districts accommodating more than a normal amount of traffic and having a scattered business development should properly be zoned for business use. Most of the residential districts adjacent to these streets were restricted to single-

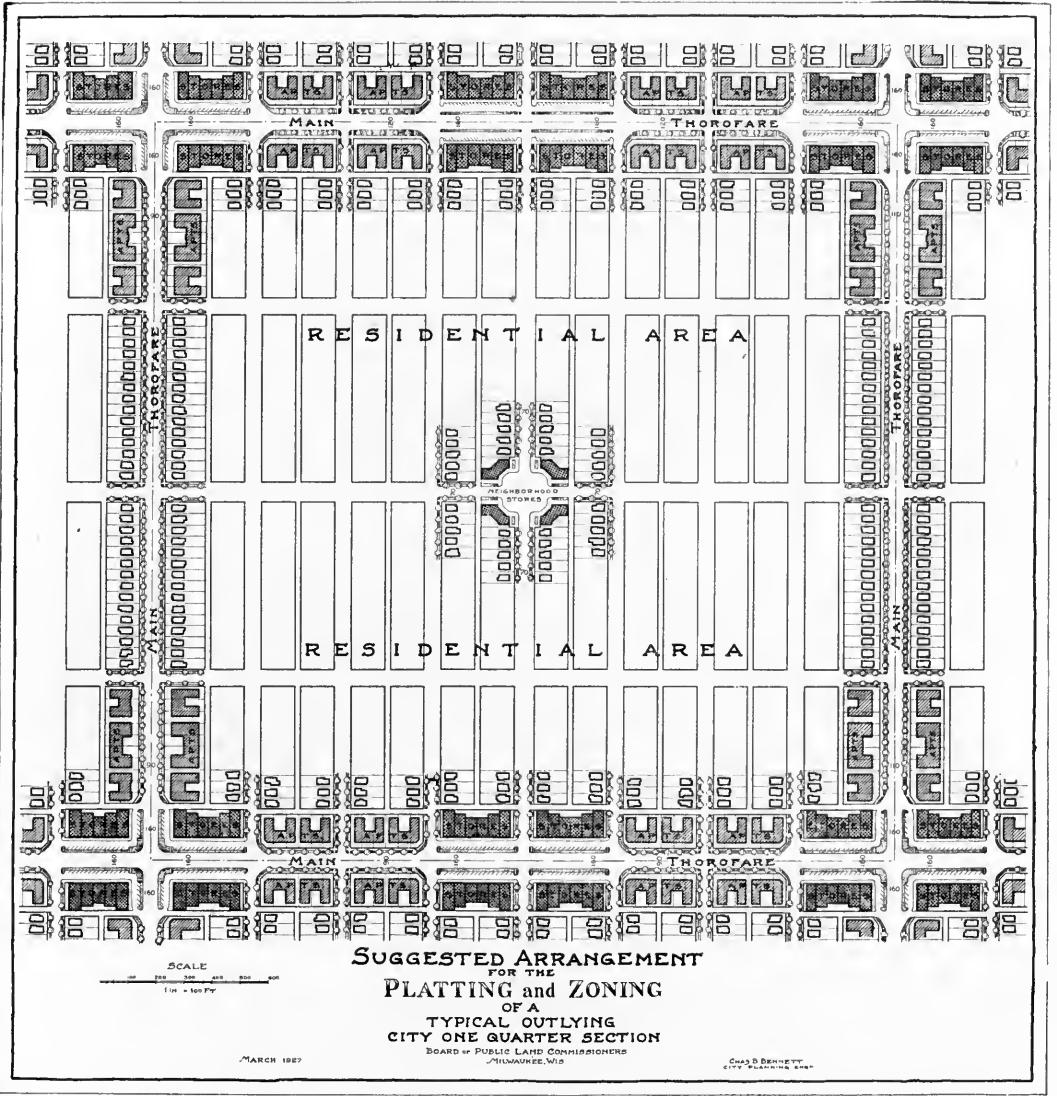


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family and duplex dwelling use, thereby limiting the amount of patronage available for the business which it was felt would locate on the street zoned for that purpose. As a result of this misconception, we find that most of these business streets so zoned were developed partly for business and partly for residence, with a great many vacant lots.

Since the zoning ordinance has been in effect for eight years and many persons have invested their money in this property for business use, it is practically impossible to remedy the condition by changing the zoning. We can, however, guard against making the same mistake in newly annexed territories by zoning for business purposes a limited amount of frontage, based more nearly on actual requirements.





Cut loaned by Milwaukee Board of Public Land Commissioners

It has been quite difficult to satisfy the real estate speculator, who is merely interested in creating speculative opportunities and values. In many cases, the frontage on these outlying thoroughfares running through undeveloped sections of land is divided into several ownerships, with each owner striving to have his frontage designated "business". Just how to satisfy every landowner's desire for a maximum amount of profit, and at the same time bring about a sensible and economic development, is our major problem.

We find that to-day there is a tendency on the part of the prospective home builder to shun locations on main thoroughfares, unless they are of a boulevard nature. We also find that most of the apartment house development has taken place on main thoroughfares. In view of these facts, we feel that it might be possible to work out, by design and zoning, some practicable arrangement for the ultimate development of these thoroughfares along more economical lines, such as shown in our quarter-sectional plan, where we restrict certain frontages for business use with the intervening areas zoned for small apartment houses.

It is also our opinion that where the property is zoned for business purposes the road can be made a little wider, providing auxiliary service roadways for the convenience of the stores, which will not interfere with the movement of the through traffic. By permitting apartment house use, the areas between the business sections will practically equalize the value of the frontage all along the street, and the apartment house development will also serve to guarantee patronage for the stores in the business districts. Special treatment has been provided for the business centers at the intersection of main thoroughfares where there is likely to be a demand for business first. The attempt in this design is to give clearer vision at the intersection as well as to provide other conveniences in the way of parking, and so forth. We find in these designs that we can also offset the argument against the confiscation of land for highway purposes by cutting down as we do the depth of the business lots, adding what is taken off of the lot to the width of the street.

It is to be understood, however, that these suggested treatments may not fit every individual case, but are offered as a possible solution for the avoidance of the difficulties we now find ourselves confronted with. Several of these business centers have been platted in the outlying regions, but as yet are undeveloped, so their success has not been tested in a practical way.

It will be very interesting to us to find out what studies along these lines other cities have been making and, if possible, have such criticisms as are in order.

CHAS. B. BENNETT,  
*City Planning Engineer, Milwaukee, Wis.*

## PLANNING FOR CHINA

The Nationalist Chinese Government has retained Mr. Ernest P. Goodrich with Mr. Henry Killam Murphy, an architect who has done much work in China and developed a modernized type of Chinese architecture, to make plans for a modern port for Canton including the incidental improvement of Pearl River, together with the formulation of a plan for a new national capital at Nanking for the Chinese Republic.

## THE STORY OF MINNEAPOLIS BUILDING LINES

The story of Minneapolis eminent-domain building-line easements is inextricably interwoven with the story of Minneapolis zoning. In fact, an attempt to accomplish zoning results by the use of building lines accounts for their early establishment in that city in 1903.

In that year, as a result of Minneapolis agitation, the Minnesota State Legislature passed the Building Line Easement Law (Chapter 194 G. L. 1903). Minneapolis took immediate advantage of this Act. Building line easements were established along some of the more central, attractive residential streets for the direct purpose of requiring invading store buildings to be located back to the line of existing residences. A secondary purpose was to discourage the location of stores on these residential streets through the penalizing effect of the building lines,—a feeble attempt to segregate uses. At that time there were no thoughts of street widening nor of the use of these lines for such a purpose. It is interesting to note that the State Act does not name the purposes for which the easements may be acquired.

Between 1903 and 1913 about twelve miles of residential street frontage were protected by building lines. Easements were acquired by the city wherever there was sufficient demand on the part of the property owners with no consideration of a general plan. In nearly all cases, benefits and damages were made equal,—the only costs being the costs of procedure. However, in cases where lots were left unsuitable for general building, damages equal to nearly the entire value of the lot were often paid. A few of these lots still remain unbuilt upon, but they are largely located outside the present commercial districts where the pressure of intensive development has not yet been felt.

The penalizing effect of these lines was of course not very successful in keeping stores from locating on residential streets; and in the meantime, in southeast Minneapolis a new problem had arisen. Industries were forcing their way into residential districts.

The people of that section of the city under the leadership of a local attorney, alderman of the ward that was principally affected, secured State legislation permitting the establishment of residential districts under the police power (Chapter 98—S. F.No.77, Laws of Minn. 1913). Under the power of this Act, 148 districts were established. They included about 23% of the city's area.

The constitutionality of this Act was soon tested in the Courts. In the case of *State of Minnesota v. Houghton*, 134 Minn. 226, 158 N. W. 1017, the Court in conformity to prevailing opinion, subsequently aroused, held that the city had no authority to exclude mercantile establishments from the residential districts,—that this was an improper use of the police power since the districts created were small, variable, and discriminatory. The right to exclude certain industries from these residential districts was later affirmed on the basis that they came under the nuisance powers of the state.

At the following session of the legislature in 1915, an Act was passed providing for the creation of one- and two-family house districts under the power of eminent domain upon the petition of a majority of the property owners affected.

Eminent-domain zoning continued until comprehensive police power zoning was adopted in 1924. During this period, 141 petitions were filed, restricting about 11% of the city's area but procedure was completed for only 23 districts.

Benefits and damages were assessed against the districts created. In practically all cases, the people affected used the law for mutual protection and claimed no damages. In all cases, damages were moderate. For example, in District No. 9 involving 24 lots only \$835 in damages were paid, while in District No. 10 with 25 lots, there were only \$171 in damages,—probably no more than the cost of procedure.

The district restrictions appear in title abstracts. Comprehensive police power zoning was made in accord with these eminent-domain zones in a majority of cases where such conformity was logical from the zoning standpoint. In a few cases, where restrictions under the 1915 law were arbitrarily created without regard to the best use of the property, the zoning does not conform, but these restrictions under the 1915 law take precedence and are still in force and will remain so until a majority of the people affected petition their removal.

From 1913 until the establishment of comprehensive police power zoning in 1924, building line easements were not used.

The 1924 zoning ordinance included front yard provisions for residential districts, but it naturally gave no protection to residences in districts zoned for commercial uses. As is the case in most cities, Minneapolis zoned larger commercial areas than could be utilized for commercial purposes at that time.

Once again, a popular demand for setback easements arose and for the same purpose as the earlier ones,—that of keeping stores from building in front of the line of residences. But now there was a plan commission, and they recognized the fact that the problem was two-fold: the protection of residences in unripe commercial districts and the facilitation of street widening.

The plan commission made a study and prepared a map indicating setback lines on about forty miles of streets in accordance with the major street plan. These lines were located largely on arterial streets in commercial districts with no regard as to whether the present occupation of the street was commercial or residential. There was little or no opposition and the easements were almost immediately established under the procedure set forth in the 1903 Act. In practically all cases, damages and benefits were made equal. The situation is that of eminent domain building lines which so far as property damage payments are concerned might just as well be police power lines.

The willingness of the people to give these building line easements to the city without cost is attributed to the recognition of the advantages both to the property affected and to the city as a whole and to general confidence in the justice and need of measures sponsored by the city plan commission.

The setbacks vary from 10 to 20 feet creating streets from 86 to 106 feet wide between setback lines.

West Broadway is a good example of the benefit of these lines. It is protected for  $1\frac{1}{4}$  miles. These easements were established in 1924 when the street was but slightly developed commercially. Already, structures valued at more than half a million dollars have been erected back to the new lines. The street is soon to be widened.

The residential streets that were protected by the building lines between 1903 and 1913 have now changed or are rapidly changing to commercial streets. The value of these early lines for purposes of street widening is almost incalculable.



**A set-back of a new building on a future arterial street, Minneapolis**

No street widenings utilizing setback lines have been undertaken to date in Minneapolis, but many millions of dollars worth of buildings have been erected in conformity with them.

Although these lines were originally established primarily for esthetic purposes, their utilitarian value for the facilitation of street widening is now paramount and although created under the power of eminent domain, they are considered an argument for the feasibility of police power setback building lines in commercial districts.

HOWARD K. MENHINICK

*Based on an interview with*

*A. C. GODWARD, City Planning Engineer, Minneapolis.*

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## QUESTION BOX

### DISCONTINUANCE OF NONCONFORMING USE

*Question:* Does a previous business use of a residence building establish for all time a right for such use if in the meantime such use has been discontinued and the building reverted to purposes for which it was originally erected,—namely, a place of residence?

R. B. WATROUS, *Providence, R. I.*

*Answer:* No. If after the residence was used for business, it was later used not for business but as a residence, the building lost its privilege for the continuance of a nonconforming use. If the business use ceased and the residence use did not begin, a substantial time would have to elapse (or the time provided in the ordinance as is sometimes the case) before it would lose its nonconforming privilege. If it were built for a store, it would never lose its nonconforming privilege. The courts have pointed out that “use” has two meanings in zoning:—(1) for what is the building occupied?; (2) for what is it designed? A nonconforming store building with plate glass front if not occupied at all when the zoning ordinance went into effect, or even if then occupied as a residence, would continue a privileged nonconforming building for its life.

E. M. B.

### ENFORCING OUSTER OF UNLAWFUL USES

*Question:* As a practical matter, how can the building inspector or other enforcing officer enforce the provisions of a zoning ordinance that prohibit more than one family in a dwelling house in a single-family district or more than two families in a dwelling house in a two-family district where violations of this kind occur after the building has been erected and approved by the building inspector? Or where old buildings are rearranged for more than permitted number of families without securing a permit?

C. F. FISHER, *Akron, Ohio.*

*Answer:* The building inspector should notify the owner and tenants that the building is being used in violation of the zoning ordinance and that, if the violation does not cease before a certain date, he will report the matter to the corporation counsel to proceed according to law. On receiving such a notice the corporation counsel will first notify the owner and tenants of the violation and the penalty, stating that, if the violation does not cease before a certain date, he will bring it before the court. If the violation continues, the owner and the tenants can be

penalized in a civil suit by the city, or fined and imprisoned in a criminal action. The corporation counsel can also enjoin the owner and tenants, using the name of the building inspector as party plaintiff.

E. M. B.

#### CONTROL OF OPEN CORNERS

*Question:* On a corner side-yard setback can the city control that ground so the owner cannot use it as a catch-all? This side yard often appears as part of the city sidewalk.

J. A. CRAVEN, *Dayton, Ohio.*

*Answer:* Yes, by amending the ordinance specifying the prohibited catch-all use or uses. The prohibition must relate in some way to community health or safety.

E. M. B.

#### CORNER VISION CLEARANCE

*Question:* Can the city legally compel an owner of a corner store in an outlying business center to build his store with the corner cut off diagonally for vision clearance under police power?

J. A. CRAVEN, *Dayton, Ohio.*

*Answer:* There is no court decision one way or the other. My opinion is that the courts will uphold a reasonable corner vision clearance of one story. A support should be allowed at the extreme corner for the upper stories. Where such a clearance would be an unnecessary hardship, the board of appeals would have power to omit it. In some cities merchants are voluntarily arranging corner cut-offs to increase show-window space.

E. M. B.

#### HOME DISTRICTS UNDERGOING CHANGE

*Question:* Having read with great interest the article in the October number of CITY PLANNING entitled, "Where the Main Street of Private Homes is Changing to Business", I am prompted by your invitation to ask another question.

I refer to the case of an old city where years ago many large and beautiful homes were built in a group by wealthy people, and are still occupied by single families, the districts in which they are located being the finest in the city and naturally zoned as one-family districts.

To-day, owing to diminished resources of some of the owners, deaths, changed modes of living, and the increased difficulty and expense of obtaining domestic help, some of these mansions are coming on the market for sale. There is no demand for them as single-family residences, yet if they are opened up to other uses they will affect adversely the desirability of adjoining properties to the families at present owning and occupying them.

A specific case may illustrate my point.

A large brick house, suitable without any exterior alterations for use by four families, has been vacant for several years, the owner having moved to another

city. All around this building are some of the finest homes in the city, two of them having been built during the last two years with the assurance that they would be protected by being in a one-family residence zone.

The owner of this house has been trying to sell it for the last three or four years. This summer it was offered at public auction and was bid in by the owner at about the value of the land, although the building could not be replaced to-day for less than \$40,000. This seems to constitute a hardship to the owner, but taking into consideration the effect on the neighborhood as a whole, is it a necessary or unnecessary hardship?

There are several similar cases existing in this city at the present time and their number seems due to increase rapidly in the next few years.

Our Board of Appeals has considered the advisability of adding to our zoning ordinance a clause in substance as follows:

In the one-family and two-family residence districts, in cases where the Board of Appeals deems that *unnecessary* hardship is shown, a dwelling may, with the consent of the board and subject to such conditions as it may impose, be used as a multiple family residence. Provided further that in no case shall any exterior structural alterations or additions be made except in strict conformity with the provisions of the zoning ordinance pertaining to the district in which the property is located.

Believing this is a vital subject which we will soon be called on to consider, I shall look forward with interest to your reply.

GEORGE H. NYE, *Secretary of Planning Board, New Bedford, Mass.*

*Answer:* The situation described is a common one. A change in mode of living has taken place in all our cities. Here and there zoning can help. It can almost never bring a complete cure. The consoling fact is that zoning can often, perhaps always, prevent extreme deterioration of such districts while undergoing a slow and profound change. Usually such districts are near business localities, and the environment causes the wives to urge their husbands to move further out. An area cannot be zoned for long against nature. The problem is to know what will be the best outcome thirty years hence. A pretty good test is for the council to propound this hypothetical question to itself: "If we refuse to make a change for thirty years, will owners erect one-family houses on smaller lots?" If the answer is "no", then the change to a multi-family or business district should be made now. If the answer is "yes", then no change should be made. No two cities are alike in this respect, and no two localities in the same city are alike. Each will be found to present a special problem. No general rule will be sufficiently applicable.

E. M. B.



# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## THE ESTABLISHMENT OF THE CITY PLAN UNDER THE POLICE POWER IN THE LIGHT OF A RECENT PENNSYLVANIA DECISION

While City Planners agree that the establishment of the Street Plan of a city so that it shall, as a rule, be impossible to erect buildings in the bed of mapped streets is most important, they disagree upon the best method of obtaining this result, some advocating the use of eminent domain, others the employment of the police power. Rather generally there is agreement that, if defensible in court, the police power method is the most desirable; and, as a rule, the eminent domain method is used only because it is regarded as the safer way of obtaining the desired result.

In New York, laws were enacted in 1926 and 1927 empowering cities, villages, and towns to adopt the police power method of establishing the street plan, and many communities have now done so. The draftsmen of these laws knew that many states in the country, of which New York was one, had passed statutes for the protection of the street plan under the police power, and that in all these states except Pennsylvania these laws had long ago been declared unconstitutional. They believed that the defect in these laws, except in Pennsylvania, was that they failed to provide relief in the exceptional case where they produced hardship and injustice, and drafted the laws of 1926 and 1927 so that in such cases relief might be obtained. They were convinced that the Pennsylvania law continued in force because it had never been so applied as to work injustice. They knew that a Pennsylvania minor court had declared a law unconstitutional extending to parks the rule with regard to streets,\* and they believed that, when occasion arose, they would refuse to apply the street law itself so as to work injustice. That is just what the highest court in Pennsylvania has just done in the case of Sansom Street, Caplan's appeal.\*\* This case, therefore, sustains New York in its recent legislation establishing the street plan under the police power; for it demonstrates that the Pennsylvania statutes upheld by the Pennsylvania courts and the recent New York statutes which have not yet been passed upon by its courts, are the same in principle.

In the case of Sansom Street, Caplan's Appeal, the City of Philadelphia passed an ordinance "revising" the lines of a street, and thus forbidding the erection of buildings on the street without "recession" to the new line. Caplan, if he "receded", would have had only two feet six inches of ground floor to his building, and even

\*Act of July 22, 1913, P. L. 902, held invalid in *Delaware Ice Co. v. City of Easton*, 4 Penn. Dist. and County Reports 35.

\*\*143 Atl. Rep. 134, 293 Penn. 483.

with this floor arcaded, found it impossible to erect a structure upon which he could get a reasonable return. He therefore designed a building covering the entire lot, for which he applied for a permit. On refusal of the permit, he began proceedings for damages for the reason that substantial property rights had been taken.

Under the Pennsylvania law the establishment of the street lines, coupled with the rule that no damages are allowed for buildings erected within the street lines, when the land is subsequently condemned, is not a taking of any property right.

The Court reaffirmed the rule as applied to the ordinary case, but refused to enforce it in this case, on the ground that where, as in the ordinary case, there was no taking, in this case there was a substantial deprivation of property rights. No provision is made in the Pennsylvania law as in the recent New York legislation for the grant of a permit in such cases with conditions attached to preserve the street plan insofar as is possible while still allowing the owner the opportunity to obtain a reasonable return on his property pending the actual taking; and perhaps such a rule would not have been possible of application under the circumstances of this case. Be that as it may, the Court, unable justly to apply the law, was forced to declare it of no force in this instance. The reader will perceive the similarity to many cases of injustice in zoning where no board of appeals is functioning.

In defense of its position the Court in its opinion says:

“The case before us differs in its facts and in the situation created . . . from any of those heretofore passed on . . . The Constitution, Article 16, section 8, provides ‘Municipal and other corporations . . . invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their parks, highways or improvements’. Under the exceptional circumstances here existing the conclusion can justly and properly be reached that appellant’s property has at this time and in the constitutional sense, been taken and injured by the enlargement of the City’s highway, and the Court below was in error in dismissing the petition. The governing principle is accurately stated in 20 Corpus Juris 566, ‘There need not be an actual physical taking, but any destruction, restriction or interruption of the common and necessary use and enjoyment of property in a lawful manner may constitute a taking for which compensation must be made to the owner of the property.’”

The significance and effect of the case upon the recent New York legislation is brought out clearly by the fact that, in the full light of the above principles, the Court says:

“We reiterate what was said in the Parkway Case\* and in *Hermann v. North Penna. R. R. Co.*, 270 Pa. 551, as to the maintenance of the rule, under ordinary conditions, of non liability of the City for damages for the mere plotting of streets”

invariably coupled in Pennsylvania with the rule that no damages can be recovered for buildings erected in the bed of mapped streets.

\*250 Penn. 257.

## OTHER RECENT DECISIONS

NEW YORK.—*Erit Realty Corp. v. Sea Gate Association*, 249 N. Y. 52. A realty company had erected and maintained a fence along the line of a portion of its land, with gate and guards, denying entrance over its streets to those who were not lot owners or seeking entrance with the permission of lot owners. Subsequently it deeded a portion of its plot to the plaintiff. Held that he took subject to the right of the corporation to continue reasonably to regulate entrance to its lands as aforesaid.

OHIO.—*City of Cincinnati v. Wegehoff*, 162 N. E. Rep. 389. The exemption in a zoning ordinance of the city in the erection and operation of city buildings is not contrary to the federal or state constitutions.

OREGON.—*Menstell v. Johnson*, 266 Pac. Rep. 891. While common law dedication of real estate vests on estoppel, statutory dedication in Oregon by recording a plat operates by grant, and the public accepting, improving and using such streets does not abandon but accepts these easements.

F. B. W.

## ARE USE ZONING LAWS AND OTHER LAWS REGULATING BUILDINGS AND STRUCTURES INCOMPATIBLE?

INSPECTOR OF BUILDINGS OF TOWN OF FALMOUTH V.  
GENERAL OUTDOOR ADVERTISING CO. 161 N. E. 899

This was an attempt to enforce a zoning regulation against billboards in a residential district. The zoning statute permits use zoning to apply to buildings, structures and the use of premises. The purpose of the zoning law is clear and the facts are, as applied in *Liggett v. Pittsburgh*, 139 Atl. 619, that a billboard is a business use, a billboard on land constitutes a business use of the premises, and such uses are prohibited in residential districts.

The facts, as interpreted by the Massachusetts Court, are that a billboard is not a structure, that a billboard on land does not constitute a use of the premises and that a billboard on land in Massachusetts is not a business use of the premises. The first of these postulations is by the Court and the other two follow as necessary corollaries under the enabling law.

The Court held, in addition, that the billboard law covered all possible regulations applicable to billboards and that they were not subject to the zoning law, that it had not been so intended.

The facts are that the words "structures and the use of premises" were added by amendment to the zoning law especially to cover billboards and to prevent the use of land in a residential zone for storing junk, building materials, etc., and for billboards.

Massachusetts has numerous laws regulating apartments, all kinds of building construction, garages, filling stations, etc., as well as billboards. These special regulations apply where these types of use may be developed under the zoning law.

The first Massachusetts zoning law, Province Laws, 1692-3, ch. 23, regulated location by use and in addition regulated materials of construction if, when and where constructed.

Under the Falmouth decision, if we regulate the height, area or materials of a billboard we may not regulate its location by zoning, though in all other respects we may regulate location, and height, area, construction and what not.

Just what is the meaning of this? Is use zoning good, as repeatedly held by the Court here and in other states, and may it be applied to all uses, except billboards, which are not structures and the use of which does not constitute a use of premises and which use is not a business use? May a man give A a lease of a lot for a billboard and B a lease of the same lot for a building? We do not know, and it is obvious that the decision is inconsistent.

The possible suggestion that use zoning and other regulatory laws are incompatible was in effect answered by the same Court in *Slack v. Wellesley*, 160 N. E. 285, where it was said that if one law was intended to modify the operation of another law "it would have been simple to express that intention by the use of appropriate words".

EDWARD T. HARTMAN.

### NOTE

Mr. Hartman's criticisms both of the decision in this case and of the reasoning of the Court in support of that decision, would seem to be entirely sound. The decision is that the word "structures" in a later zoning statute does not include billboards because of the existence of a *prior state constitutional amendment, and statutes, governing them*. A situation in legal logic more or less similar with regard to other statutes exists in Massachusetts and in other states. The Massachusetts Court has not recognized this similarity, and it is not likely that the courts in other states will follow the logic of the decision in such cases. In no other state does the identical situation exist as in Massachusetts, for no other state has authorized the regulation of billboards by Constitutional Amendment.

It clearly appears from the decision that if a Massachusetts zoning statute is so drafted that in the opinion of the Massachusetts Court it is intended to authorize the regulation of billboards, this intent will be recognized as valid. Even in Massachusetts, therefore, the situation is far from hopeless.

A full review of this case, by Albert S. Bard, will be found in the *Massachusetts Law Quarterly* for August, 1928.

F. B. W.

# N. C. C. P. & A. C. P. I. NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## THE NEXT CONFERENCE

The 1929 meeting of the National Conference on City Planning is announced to be held in Buffalo in May, probably toward the end of the month. The preliminary program and further announcement regarding the conference will appear in the April issue of CITY PLANNING.

## INSTITUTE MEETING AT BRIARCLIFF

About thirty members of the Institute gathered at Briarcliff Lodge for the Fall meeting devoted to discussion of Zoning Standards and Recreation Standards. Mr. Hubbard reported for the Committee on Recreation Standards, presenting for discussion the paper prepared by Mr. Adams, "Considerations in Fixing Space Requirements of Buildings and for Open Spaces". After various points had been raised, the paper was referred back to the Committee.

The Zoning Standards Committee report presented by Mr. Bettman, in very preliminary form, was circulated and discussed and also referred back. In its next form the Zoning report will appear as a statement of principles and standards with comments under each, ready for systematic discussion by the Institute.

A number of members remained over night for the trip through the Westchester County Park System arranged through the courtesy of Mr. Jay Downer, Chief Engineer, and led by Mr. L. G. Holleran, Deputy Chief Engineer, and Mr. Hermann W. Merkel, General Superintendent. The beautiful weather gave exceptional opportunity for the thorough enjoyment by the guests of the whole trip, and especially the visit to "Playland", the new amusement park at the Rye shore, where lunch was served.

## NEW MEMBERS

Elisabeth Herlihy, of Boston  
Tracy B. Augur, of Detroit

P. L. Brockway, of Wichita  
Campbell Scott, of New York City

## LEGAL MEMBERS

Edward D. Landels, of Oakland, Calif. Walter Blucher, of Detroit

## ASSOCIATES

Charles H. Diggs, of Los Angeles Latham C. Squire, of New York City

## NOTE

First steps in organizing a professional city planning group on the Pacific Coast have been taken at a meeting held at the invitation of C. H. Cheney on October 27th at Palos Verdes Estates.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**THE INTERPRETER GEDDES: The Man and His Gospel.** By Amelia Defries. Foreword by Rabindranath Tagore. Introduction by Israel Zangwill. New York, Boni and Liveright, 1928. 334 pages. Portraits, plates, diagrams.  $8\frac{3}{4} \times 5\frac{1}{2}$  inches. Price \$3.00.

Patrick Geddes has always believed in mankind. He thinks that Man has the power to make his future better than his past. And he believes in the unity of the universe. To him no thing, no thought, is unrelated to everything else that exists. Most upsetting he has been to all of us who like to keep our thoughts in comfortable water-tight compartments and locked pigeonholes. His knowledge of things is encyclopedic, from botany to pageants, from physics to sociology, but it is the relation of things, the oneness of things, which he has taught and illustrated through his long life,—that and the gospel that thought is a means to the end of action. Naturally enough he was one of the first to perceive and teach the necessity of that great unification of apparently conflicting forces, city planning. Naturally he was a pioneer in the conception that there could be no proper city planning without regional surveys.

Miss Amelia Defries gives us in her book a striking picture of Geddes the many-sided original thinker and doer. She does not attempt except by examples to expound his philosophy. If when we have finished the book, we are still somewhat confused and amazed at all that has flashed by before us, why so have those of us been who have listened to the man himself, and watched one idea ignite several others in his mind, like a packet of firecrackers!

Some of Patrick Geddes's teaching in city planning which was prophesy has now become common practice. Doubtless much more which has been disseminated in the minds of men all over the world, will yet bear fruit of greater common sense and greater happiness for those who come after him.

The book is well worth having, apart from its personal interest, as a record of the beginnings and growth of a vital side of city planning thought.

H. V. H.

**THE NEW EXPLORATION: A Philosophy of Regional Planning.** By Benton MacKaye. New York, Harcourt, Brace and Company, 1928. 235 pages. Maps, diagrams.  $8\frac{3}{4} \times 5\frac{3}{4}$  inches. Price \$3.00.

In these days of vast metropolitan cities and ever-mounting piles of stone and steel, we need to be reminded that there is another side to modern civilization which must be developed if our descendants are to lead a complete life. In *The New Exploration*, Mr. MacKaye has elaborated the theme of "outdoor culture, the

philosophy of through trails" (see article of that title in *LANDSCAPE ARCHITECTURE*, January, 1927), for which he has become especially known, and placed before us an expanded philosophy of regional planning intended to conquer what he calls "the wilderness of civilization".

Population, flowing in what Mr. MacKaye calls "metropolitan streams", symbolized by traffic, is conceived of as being held in bounds by "openways or levees" formed by a system of mountain ranges, canyons, river bottoms, and belts of unsettled land. Back of these definite symbols is the philosophy, based on the three needs and problems of cultured man: "(a) The conservation of natural resources. (b) The control of commodity flow. (c) The development of environment.

*... the potential workings of these three processes constitutes the new regional planning*". The hero of the old exploration, characterized as the traveller and the travelling explorer, is contrasted with the new worker, the economist and the engineer. Here the city planner comes in to regulate the flow of a local population. Mechanism following on the old method as opposed to the culture which it is the duty of the new method to set off against living, the metropolitan against the indigenous. The synthesis of the book the reviewer can heartily agree. We need more wilder open spaces and the fostering of community life, such as the regional rather than metropolitan terms can be shaped to give. MacKaye has made his thesis the more appealing by tying to it so many illustrations, so many similes and parallels, is perhaps a question. A large reading public to whom the philosophy of modern art and science is known in the general terms which Mr. MacKaye has shown that he has welded his original terminology of outdoor culture to a larger public, regional planning is therefore introduced under the name of while on the other hand to those engaged in the practice of planning the cultural aspects of their science and art are presented in the life and environment. To improve these, rather than to take more traffic, is after all the ultimate objective of planning.

T. K. H.

**SENTENTIALS.** By Stanley McMichael and Robert F. Bingham. Published by Stanley McMichael Publishing Organization, 1928. 430 pages. 10 inches. Price \$5.00.

The viewpoints of an up-to-date practical realtor collaborating with an attorney-at-law can and do contribute largely to our knowledge of city growth and real estate values as these affect city planning problems. The previous widely circulated work by the same author *City Growth and Values* has been completely reorganized and rewritten, taking cognizance of the great recent advance in knowledge on this subject. The present volume contains a preface by Professor Ernest M. Fisher of Ann Arbor, and an endorsement by the Director of the Department of Education and Research of the National Association of Real Estate Boards.

ERRATUM

On page 63 the reference to *LANDSCAPE ARCHITECTURE*, January, 1927, should read *April, 1927*.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**THE INTERPRETER GEDDES: The Man and His Gospel.** By Amelia Defries. Foreword by Rabindranath Tagore. Introduction by Israel Zangwill. New York, Boni and Liveright, 1928. 334 pages. Portraits, plates, diagrams.  $8\frac{3}{4} \times 5\frac{1}{2}$  inches. Price \$3.00.

Patrick Geddes has always believed in mankind. He thinks he has the power to make his future better than his past. And he believes in a universal universe. To him no thing, no thought, is unrelated to everything else. Most upsetting he has been to all of us who like to keep our thoughts in water-tight compartments and locked pigeonholes. His knowledge is encyclopedic, from botany to pageants, from physics to social relations. His relation of things, the oneness of things, which he has taught and lived in his long life,—that and the gospel that thought is a means to a better life. Naturally enough he was one of the first to perceive and teach the need for a great unification of apparently conflicting forces, city planning. He was a pioneer in the conception that there could be no proper city planning without regional surveys.

Miss Amelia Defries gives us in her book a striking picture of a many-sided original thinker and doer. She does not attempt to expound his philosophy. If when we have finished the book we feel somewhat confused and amazed at all that has flashed by before us, it is because of us been who have listened to the man himself, and watched several others in his mind, like a packet of firecrackers!

Some of Patrick Geddes's teaching in city planning which is now become common practice. Doubtless much more which has been in the minds of men all over the world, will yet bear fruit of greater and greater happiness for those who come after him.

The book is well worth having, apart from its personal interest, because of the beginnings and growth of a vital side of city planning thought.

**THE NEW EXPLORATION: A Philosophy of Regional Planning.** By Benton MacKaye. New York, Harcourt, Brace and Company, 1928. 235 pages. Maps, diagrams.  $8\frac{3}{4} \times 5\frac{3}{4}$  inches. Price \$3.00.

In these days of vast metropolitan cities and ever-mounting piles of stone and steel, we need to be reminded that there is another side to modern civilization which must be developed if our descendants are to lead a complete life. In *The New Exploration*, Mr. MacKaye has elaborated the theme of "outdoor culture, the



philosophy of through trails" (see article of that title in *LANDSCAPE ARCHITECTURE*, January, 1927), for which he has become especially known, and placed before us an expanded philosophy of regional planning intended to conquer what he calls "the wilderness of civilization".

Population, flowing in what Mr. MacKaye calls "metropolitan streams", symbolized by traffic, is conceived of as being held in bounds by "openways or levees" formed by a system of mountain ranges, canyons, river bottoms, and belts of unsettled land. Back of these definite symbols is the philosophy, based on the three needs and problems of cultured man: "(a) The conservation of natural resources. (b) The control of commodity flow. (c) The development of environment. *The visualization of the potential workings of these three processes constitutes the new exploration—and regional planning*". The hero of the old exploration, characterized as the man of science and the travelling explorer, is contrasted with the new worker in exploration, the economist and the engineer. Here the city planner comes in as he who controls the flow of a local population. Mechanism following on the old exploration is pictured as opposed to the culture which it is the duty of the new to develop: existence set off against living, the metropolitan against the indigenous.

With the main thesis of the book the reviewer can heartily agree. We need the preservation of wilder open spaces and the fostering of community life, such as the city conceived in regional rather than metropolitan terms can be shaped to give. Whether the author has made his thesis the more appealing by tying to it so many shibboleths and quotations, so many similes and parallels, is perhaps a question. However, there is a large reading public to whom the philosophy of modern art and cultural movements is known in the general terms which Mr. MacKaye has embraced and to which he has welded his original terminology of outdoor culture and trails. To this larger public, regional planning is therefore introduced under favorable auspices; while on the other hand to those engaged in the practice of city and regional planning the cultural aspects of their science and art are presented in broad relations of life and environment. To improve these, rather than to take care of more and ever more traffic, is after all the ultimate objective of planning.

T. K. H.

**CITY GROWTH ESSENTIALS.** By Stanley McMichael and Robert F. Bingham. Cleveland, The Stanley McMichael Publishing Organization, 1928. 430 pages. Illus.  $9\frac{1}{8} \times 6\frac{1}{8}$  inches. Price \$5.00.

The viewpoints of an up-to-date practical realtor collaborating with an attorney-at-law can and do contribute largely to our knowledge of city growth and real estate values as these affect city planning problems. The previous widely circulated work by the same author *City Growth and Values* has been completely reorganized and rewritten, taking cognizance of the great recent advance in knowledge on this subject. The present volume contains a preface by Professor Ernest M. Fisher of Ann Arbor, and an endorsement by the Director of the Department of Education and Research of the National Association of Real Estate Boards.

The historical review of the origin and growth of cities which forms the first part of the book is the background against which is set the discussion of real estate values in cities,—their basis, what factors influence them, what causes “peak” values in business districts, what elements make for desirability in industrial and residential districts,—and finally what modern tendencies are at work in cities. The statements regarding racial and national grouping and regarding social control of land use through zoning and planning show us the favorable attitude which has caused the support of planning movements by thousands of realtors. It is most interesting to compare certain discussions of almost the same points from divergent angles in this book and in *Urban Sociology* reviewed below.

In addition to its use for students in real estate courses the book should have wide use for students of city planning to whom required reading in it should not prove any chore because of the book’s easy style and attractive illustrations.

T. K. H.

**URBAN SOCIOLOGY.** By Nels Anderson and Eduard C. Lindeman. New York, Alfred A. Knopf, 1928. 414 pages.  $8\frac{3}{4} \times 5\frac{3}{4}$  inches. Price \$3.25.

This book, which is addressed neither to the general reader nor to the city planner but is primarily a comprehensive textbook dealing with the conditions and problems of urban life, is nevertheless of interest to those engaged in city planning who desire to understand the social forces at work in creating cities and the reaction of these with environment.

The book concerns itself with the structural characteristics of the modern urban community, with the functions performed by its inhabitants, the sorts of personalities and groups characterizing urban life (as differing from rural types), and the forms of social control evoked by the “impact of the urban environment”. In this last division of the book city planning naturally appears, its objects briefly stated in relation to social improvement.

The fact that this volume is a college textbook should not frighten city planning practitioners away from reading and considering especially the chapters which contribute to our knowledge of the social bases of zoning and of public recreation.

T. K. H.

**ZONING CASES IN THE UNITED STATES.** By Edward M. Bassett and Frank B. Williams. New York, Regional Plan of New York and Its Environs, 1928. 59 pages (Appendix to Volume VI of the Regional Survey, published in advance for immediate reference).  $11 \times 8\frac{1}{2}$  inches. Price \$2.00.

This book will be invaluable to municipal officials, members of zoning boards of appeals, and lawyers concerned with zoning cases. It has been compiled by the leading authorities on the legal aspects of zoning; it is arranged in the most convenient form for reference, alphabetically by specific topics, e. g., front yards, interim ordinance, vision clearance; and it has in addition a complete index of cases, both alphabetically and by states. The book does not purport to be a digest: it is a guide, and one which should have a constructive effect on the future conduct of zoning cases.

T. K. H.

**REGIONAL SURVEY OF NEW YORK AND ITS ENVIRONS. VOLUME I.****Major Economic Factors in Metropolitan Growth and Arrangement.**

By Robert Murray Haig and Roswell C. McCrae. New York, Regional Plan of New York and Its Environs, 1927. 111 pages. Aerial view frontispiece, maps.  $11\frac{1}{4} \times 8\frac{1}{2}$  inches. Price \$3.00.

This opening volume of the great Regional Survey of our largest city contains a most significant preface to the whole series by Thomas Adams, General Director, which reveals a breadth of view and penetration into the essence of planning expected and here fulfilled. We endorse Mr. Adams' statement, "It may justly be said that these studies and reports will form a contribution toward that science of regional and city planning in relation to modern conditions of urban growth which is still in its infancy".

This first volume presents a study of trends and tendencies in the economic activities within the Region of New York and Its Environs, based on detailed studies of the chief industries and on activities dealing with storage and marketing, finance, and retail trading, all of which are dealt with specifically in the separate volumes of the series, IA and IB. The interrelations and results of the special studies are here analyzed and interpreted, with emphasis on their importance as factors in planning. Two general chapters: "Some Speculations regarding the Economic Basis of Urban Concentration" and "The Assignment of Activities to Areas in Urban Regions", are already well known from their prior publication in the *Quarterly Journal of Economics*. The new chapter, "Location Trends and Tendencies in New York and Its Environs", is admirably illustrated by maps representative of each special study.

T. K. H.

**PLANNING PROBLEMS OF TOWN, CITY AND REGION. Papers and****Discussions at the Twentieth National Conference on City Planning, held at Dallas and Fort Worth, Texas, May 7 to 10, 1928.**

Philadelphia, Wm. F. Fell Company, 1928. 246 pages. Plate, maps, diagrams, charts, folded plan.  $9\frac{1}{4} \times 6\frac{1}{4}$  inches. Price \$3.00.

There is a great deal of meat in this volume of Conference Proceedings, both in the prepared papers themselves, and in the discussion. Several of the most important papers were issued in pamphlet form prior to the appearance of the complete volume: "What is Comprehensive Zoning?", by Harland Bartholomew; "Can a City Plan Serve to Reduce Taxes or Debt?", by George B. Ford; "Airports and Airways as a part of City and Regional Planning", by John Nolen. Added to these Mr. Bettman's paper (also preprinted) "The Relationship of the Functions and Powers of the City Planning Commission to the Legislative, Executive and Administrative Departments of City Government", Mr. Goodrich's "Mass and Density of Buildings in relation to Open Spaces and Traffic Facilities", and the discussion of Building Lines or Front Yards by Messrs. Fisher and McNitt, might be said to make up the leading group of technical papers, as distinguished from the

very interesting group of educational papers: "Building for Permanency" by C. H. Cheney; "Four Planning Principles", by Jacob L. Crane, Jr.; "Arousing the Public Interest in City Planning", by Professor Overstreet; and "Spreading the Gospel of City Planning", by Dr. Kimball. Valuable accounts of local experience are presented in the volume, also: Schenectady, by R. D. Moot; Saint Paul, by G. H. Herrold; Western Areas, by S. R. DeBoer; Westchester County, by Jay Downer; and several Texas cities (El Paso, Houston, and Austin respectively by Messrs. Stockwell, Ryon, and Kuehne) as well as a review of the legal phases of city planning in Texas by the Hon. George C. Kemble. It is a disappointment, however, not to find in the volume the interesting luncheon discussion by Major Wood and others of Dallas as to street widening experience there. However, the volume is undoubtedly one of the most important yet issued, both from the point of view of actual qualitative and quantitative analysis of city planning problems, and from the point of view of stimulating a future comprehensive outlook on the whole field.

T. K. H.

**PLANNING INFORMATION UP-TO-DATE: a Supplement, 1923-1928, to Kimball's Manual of Information on City Planning and Zoning, including References on Regional, Rural, and National Planning.** Prepared by Theodora Kimball Hubbard and Katherine McNamara, with a complete Author Index to Manual and Supplement. Harvard University Press, Cambridge, Mass., 1928. 103 pages. Price \$2.00. (*Supplement and Manual*, \$4.50).

Every city plan official, every library, every student and practitioner of city planning needs this comprehensive up-to-date handbook of planning information, compiled by the former and the present librarian of the School of Landscape Architecture at Harvard University. Hundreds of copies of the original *Manual* are in use all over the United States. Every owner will wish the *Supplement*, covering important recent literature of the field, and, in response to a great demand for this feature, containing a combined Author Index to both volumes. Those who do not already own the *Manual* may obtain the two volumes together at a special price.

### NEW PUBLICATIONS RECEIVED

**Bartholomew, Harland, & Associates.** A Comprehensive Report on a Proposed System of Major Highways and Parkways for Lucas County, Ohio, 1928.

**Boston City Planning Board.** Fourteenth Annual Report for the year ending December 31, 1927.

**Krejcar, J., Editor,** L'Architecture contemporaine en Tchécoslovaquie. Prague-Vinohrady, Imprimerie Orbis. (1928).

**Los Angeles Board of City Planning Commissioners.** Annual Report for the year ending June 30, 1928.

- McClellan & Junkersfeld, Inc.** Report on Transportation in the Milwaukee Metropolitan District. 2 volumes, 1928.
- McClintock, Miller.** Report and Recommendations on Providence Traffic Survey. Providence, Oxford Press, 1928.
- National Conference on City Planning.** The Development of the National Capital and its Environs. Reprint from Proceedings of the Conference, 1927.
- National Housing Association.** Recent Books and Reports on Housing, Zoning and Town Planning. New York, 1928. (National Housing Association Publications, No. 58.)
- Nolen, John.** Airports and Airways and Their Relation to City and Regional Planning. Reprint from Proceedings of National Conference on City Planning, 1928.
- Pennsylvania Housing and Town Planning Association.** Fourth Annual Report, 1928.
- Pink, Louis H.** The New Day in Housing. With an introduction by Governor Alfred E. Smith. New York, The John Day Company, 1928.  
(To be reviewed in a future issue.)
- Ponca City Plan Commission.** The Development Plans of Ponca City, Oklahoma, 1927. (Jacob L. Crane, Jr., consultant.)
- Regional Plan of New York and Its Environs.** A Practical Program for Making City, Town and Village Plans, by Wayne D. Heydecker. 1928.
- Riverside (California) City Planning Commission.** Major Traffic Street Plan and Report. June, 1928. (Chas. H. Cheney, consultant.)
- St. Paul United Improvement Council.** Report and Recommendations. As submitted to the City Council, August 7, 1928. (Regarding program for plan improvements.)
- Union County Park Commission, N. J.** Report from October, 1925, to July, 1928. (Contains interesting figures of increase in assessed valuation from park influence.)
- U. S. Department of Commerce, Advisory Committee on City Planning and Zoning.** A Standard City Planning Enabling Act. Washington, Government Printing Office, 1928.
- Vereeniging Tot Behoud van Natuurmonumenten in Nederland.** Jaarboek, 1923-1928. Amsterdam, Der Vereeniging (1928). (Valuable record of work for preservation of natural scenery.)
- Westchester County (N.Y.) Park Commission.** Annual Report, 1928. (Contains extremely interesting summaries of financing methods.)

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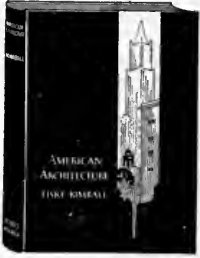
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Vol. V

APRIL, 1929

No. 2

## CONTENTS

City Planning in Portland, Oregon . . . . .	HOWARD K. MENIHNICK	69
A New Idea in Special Assessments . . . . .	CHARLES HERRICK	75
Brief Survey of City and Regional Planning in the United States, 1928 . . . . .	THEODORA KIMBALL HUBBARD	80
Local Geography as a Basis for Teaching City Planning . . . . .	DONALD S. GATES	97
EDITORIAL . . . . .		104
CURRENT PROGRESS:— <i>Local Business Districts, Akron—Santa Barbara County—Zoning in Ohio—Czecho-Slovakia—Lectures at Stanford University—Philadelphia Conference on City Government—Raising the Standard of Subdivisions—Ciudad Universitaria—State or Regional Credits for Housing—National Conference on Housing</i> . . . . .		106
LEGAL NOTES:— <i>Progress of City Planning Law during 1928—Question on Platting Control</i> . . . . .		117
ZONING ROUNDTABLE:— <i>Question Box—Seattle Case—New Zoning Ordinances of 1928</i> . . . . .		124
N. C. C. P. & A. C. P. I. NEWS:— <i>National Conference Program, Buffalo—Planning Foundation of America—A. C. P. I. Meeting—International Congress, Rome</i> . . . . .		128
BOOK REVIEWS & BOOK LISTS:— <i>List of Plan Reports, 1928—Reviews—New Publications Received</i> . . . . .		132

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## CITY PLANNING IN PORTLAND, OREGON

By HOWARD K. MENHINICK

Field Worker, Harvard City Planning Field Study

CITY PLANNING progress in Portland, Oregon, has not been made along a pathway of roses. There have been many obstacles to planning and some of them still remain, but they are being gradually surmounted by awakening the public to the benefits of a planned city. Until recently, the City Planning Commission has been devoting its efforts largely to this basic educational work, and, as will be seen later, it has apparently laid a firm foundation on which to erect a superstructure of physical planning accomplishments,—which must inevitably be the final measure of city planning success.

The educational work of the Portland City Planning Commission has been carried on in four principal ways. In the first place, a mimeographed bulletin called “Plan-It” is mailed each month to a selected list of about five hundred leading citizens. The paper usually contains original, interestingly written material dealing with planning problems of the city, together with excerpts from current articles on city planning, made pointed by a specific application to Portland. The aim is to make “Plan-It” inspirational as well as informative.

Lectures are being given constantly in all parts of the city to any group that wants to hear about city planning.

Much has been accomplished through coöperative work with civic organizations. All of these organizations have been active, but the Portland City Club with its city planning section and its bulletin con-

taining much planning information and discussion has been outstanding in its interest in city planning, not only among the civic organizations in Portland but also among the City Clubs in the United States.

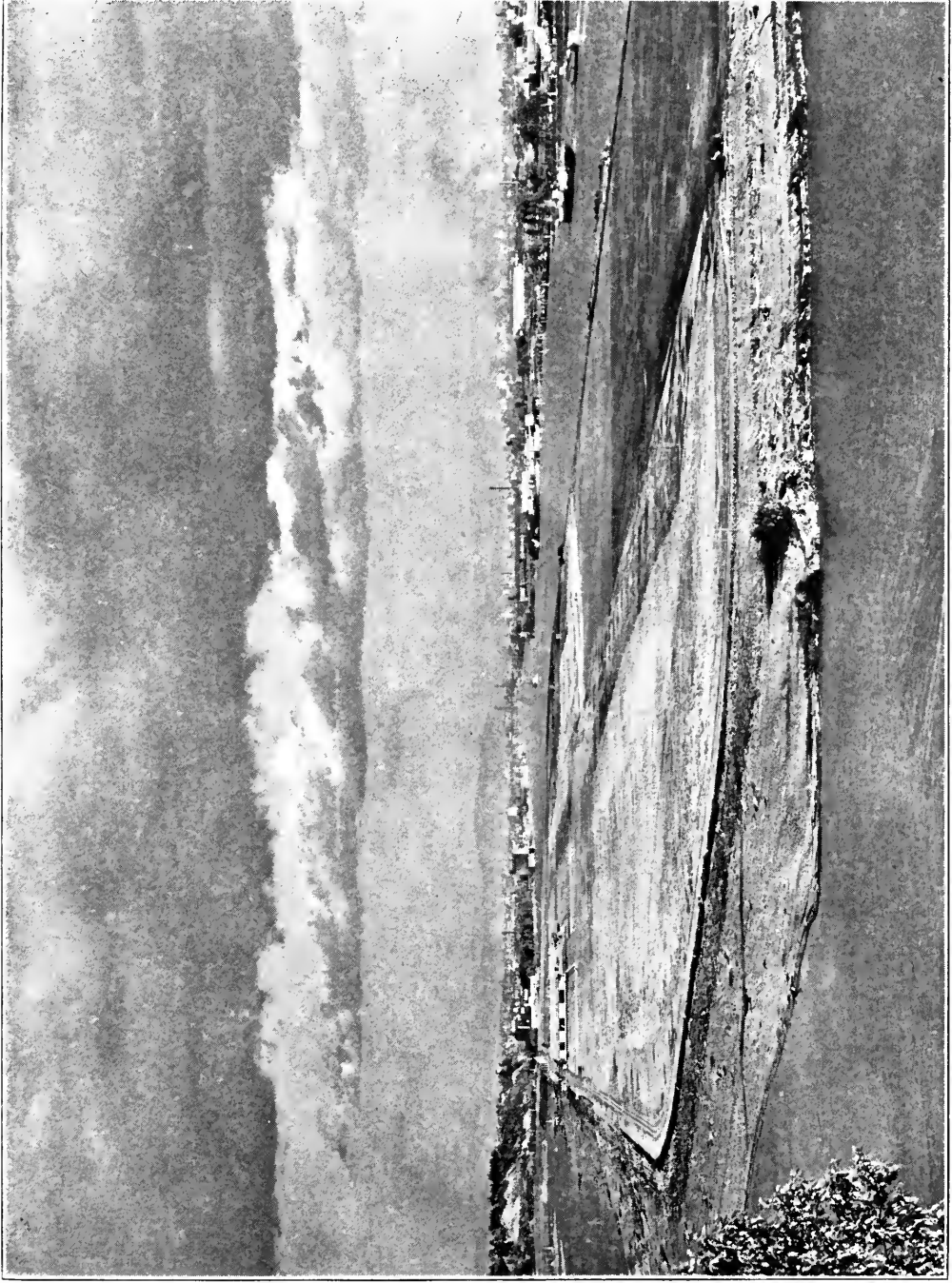
In both 1927 and 1928, the city planning commission sponsored a high-school thousand-word essay contest. The school authorities cooperated by making the contest a part of the regular school work of all the students who chose to enter it. The city librarian compiled reading lists and many a parent found it necessary to inform himself about city planning in order to answer intelligently the questions of an alert son or daughter. Prizes of twenty-five, fifteen, and ten dollars are offered; and each year the school attended by the first-prize winner is the proud holder of a loving-cup. The general subject for the essay in 1927 was "The Value of City Planning", and in 1928, "The Need of a Major Street Plan". "Parks" will doubtless be the subject for the 1929 contest, for that is the particular phase of city planning which is being actively pushed at the present time.

The planning commission is convinced that educational work is fundamental, that worthwhile results have been accomplished as a result of it, and that more will follow. Now that this groundwork has been laid, they have started on a program of more tangible projects.

The first of these is the study and report on a major traffic street system which was presented in December, 1927. Justification for the educational work of the planning commission appears on November 6, 1928, when the voters of Portland authorized a bond issue of \$5,717,418 to carry out eight street-widening projects substantially as recommended in the major street system report. In financing these widenings, Portland is attempting to abolish a precedent of assessing 25% against benefited property and 75% against the city-at-large, and assess a greater proportion of the cost against property which is substantially benefited.

It is the hope of the planning commission that the city will soon awaken to the need of a wide and dignified approach street from the railroad station to the heart of the city. This seems especially important in view of the large number of tourists who visit the "City of Roses".





Courtesy of C. A. McClure, Secretary, City Planning Commission

**PORT OF PORTLAND AIRPORT**

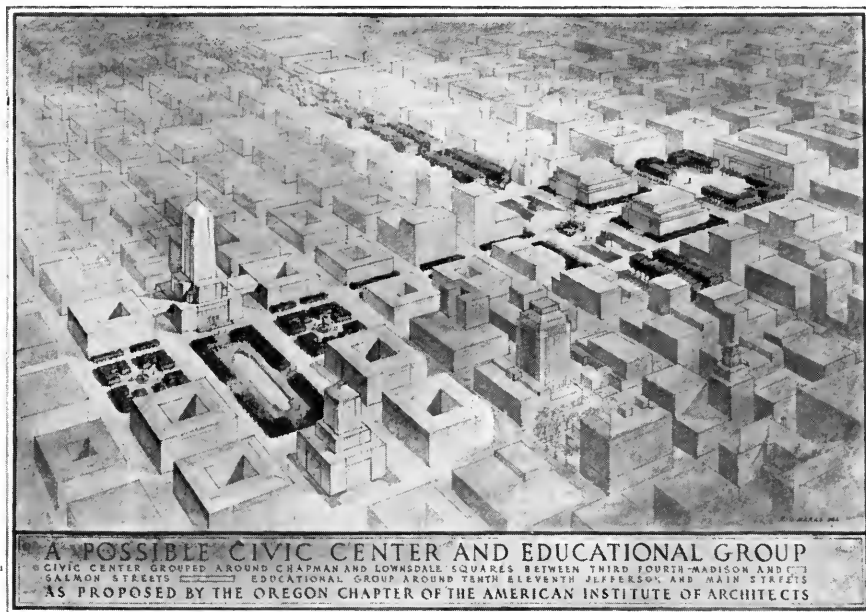
Portland has not kept pace with most of the cities of the United States in the matter of zoning: A zoning study was made in 1919 but an ordinance was not adopted until 1924. This ordinance falls below the accepted standards of good zoning in at least two particulars. It regulates use only and it still resorts to the expensive method—now considered unnecessary—of eminent domain building lines to secure front-yard provisions.

The planning commission is coöperating with the park commission in the preparation of plans for a comprehensive system of parks and playgrounds. Nature has been kind to Portland, giving it rivers, valleys, and precipitous hills. The Olmsted park plan of 1903 stimulated and guided the development of Portland's scenic drives, and the city of to-day wishes to create and preserve more of them. Furthermore, the development of recreational waterfront parks has been almost totally neglected. There are opportunities on the islands of the river as well as along the shores. In the matter of parks in the congested district of the city, it is interesting to note in the aerial photograph (*frontispiece*) the two park wedges which enter almost into the heart of the city. They were part of a continuous park strip at one time, but gradual encroachments have eliminated some of the park area and divided the strip into two sections.

The Bennett plan for Portland was prepared in 1912 and while only a few of the recommendations have been actually carried out,—for instance, as the Court House location, the widening of Burnside, and the opening of Sandy Boulevard from 12th to 15th Streets,—nevertheless, the plan has exerted and still is exerting influence in the question of a civic center for Portland. This is a live issue. One of the most interesting of the recent plans for a civic center is the proposal of the Oregon Chapter of the American Institute of Architects for both a civic center and an educational group, based somewhat on the Bennett plan.

Portland possesses a unique centering of hospitals on Marquam Hill. A county hospital, the University of Oregon Medical School, a Children's hospital, and a government hospital are located here.

The Port of Portland is developing a Class A airport on the Willamette River. Facilities for both land and sea planes are provided, and the port is convenient to both the heart of the city and a railroad. Bluffs overlooking the airport on one side provide a natural gallery for thousands of people, while freedom from nearby boundary obstructions is assured by the surrounding water. The airport is shown on page 71.



Another interesting waterfront project that is under construction is a sea wall for 6000 feet along the west bank of the Willamette River. An intercepting sewer is located behind the wall, and at the top of the wall it is proposed to build a promenade and beyond it to locate the right-of-way for interurban street car lines, thus taking these cars off the downtown streets. The two and one-half million dollars which this improvement will cost is being assessed against benefited property. Nearby property will be substantially benefited because the wall will keep high water out of basements, prevent sewers from backing up, and probably give a new lease of life to a blighted district which was formerly a desirable retail section.

Future planning progress in Portland will have its difficulties. There are legal handicaps to be overcome such as a lack of state laws authorizing regional planning agencies, park districts, excess condemnation, and more definite powers for the planning commission than its present purely advisory ones. However, with an active planning commission, an informed public, and comprehensive planning under way phase by phase, we can anticipate solid city planning accomplishments in Portland's future.

### WHY HAVE THE PLAN-IT

*From the issue for January, 1929*

This is the twenty-fifth issue of the Plan-It. We have had favorable comments in regard to some of the things that the Plan-It has advocated. There have been occasional unfavorable criticisms of some of its statements. The Planning Commission of Portland is going a little farther to interest the community in planning problems than most organizations of the same kind.

The Plan-It has been one of the means of keeping the public informed on city planning developments and of creating public interest in the Commission's work.

City plans are of service to the city only when they have been translated into concrete, steel, and asphalt. The Portland Planning Commission has developed for the citizens of Portland a preliminary major traffic street plan. The Plan-It has been utilized to arouse interest in this plan. There is room for improvement. The Commission would welcome a greatly increased interest in the proposed major traffic street plan.

There have been more ambitious plans for the city. There have been arterial street plans which were perhaps more elaborately laid out, but these earlier plans recommended more extensive changes in the existing street structure than did the 1927-8 report, and as such would probably have been practically impossible of realization.

The Planning Commission believes that the greatest service it can give to the people of the city is to arouse community interest in city planning problems, to such an extent that every citizen will have a definite opinion in regard to the desirability of a reconstructed arterial street plan for Portland.

# A NEW IDEA IN SPECIAL ASSESSMENTS

By CHARLES HERRICK  
City Planning Engineer, Ohio

THE article entitled "What We Don't Know About Special Assessments", in the October number of CITY PLANNING, calls attention to a phase of the problem which needs more study. One of the chief troubles with assessment methods is that the minute details have in many instances been prescribed by legislators of only average mathematical ability. The correct solution of these difficult problems requires mathematical training of a higher order.

The method of computing the special assessments of the cost of main trunk sewers and water mains, used by the county sanitary engineers in Ohio, contributes a new idea which would be of value in assessing the cost of other city or regional planning projects. The law under which this work is done is an admirable model to follow in developing methods for financing other kinds of improvements in the unorganized areas surrounding large and rapidly growing cities. The provisions in this law for the method of assessing the cost are exceptionally good. In substance, the law provides that the total costs shall be distributed by the County Sanitary Engineer in proportion to the benefits. He is left free to work out the method for achieving this result.

Mr. E. G. Bradbury, County Sanitary Engineer of Franklin County, Ohio, originated a method of computing these assessments which has been adopted by all the other County Sanitary Engineers in the State. A brief statement of the conditions will show that this method could with great advantage be adapted to other city or regional planning projects. In the regions surrounding growing cities there is a demand for water-supply and sewers in new subdivisions. A few years ago, in Ohio, it was customary for the developers to put in these "improvements" themselves. Later, when the territory was annexed to the nearby city, these so-called improvements were not accepted by the city, but new sewers and water mains were constructed and the costs assessed against the property owners. This caused a lot of hard feeling,

as these people had been told when they purchased their lots that there would be no more assessments. Under the new plan, all such improvements are constructed in a permanent and adequate manner, and do not have to be rebuilt.

Many of the developments asking for these improvements are not contiguous to the city or to other developments, and it is necessary to construct long trunk sewers or water mains to reach them. These necessarily go through a territory which may not develop for a number of years. As the work is administered in Ohio, adequate mains are provided, and the cost is divided in an equitable manner.

Briefly, the work proceeds as follows. When a request for sewers in a particular area is received, surveys are made and a "Sewer District" established. This district is the entire drainage area in which the particular tract is located. Next, a general plan is made, which includes all the main trunk and branch sewer mains needed to reach every part of the district. Then construction drawings are made for the trunk and branch main sewers needed to serve the people requesting the improvement. Finally, plans are prepared for the lateral sewers to reach every parcel of land requesting the sewers. Each step in the process is advertised, and all property owners affected are given an opportunity to attend public hearings and to object to any of the proceedings. This, and the method of assessing the cost, serves to restrain to some extent premature or unnecessary developments. After the plans have been approved, the contracts are let, and the work constructed under the rigid inspection of the County Sanitary Engineer.

After the total cost of doing the work has been determined, the portion of the cost to be assessed against each piece of property is computed in accordance with the following principles\*:

An equitable assessment should be so adjusted that when the entire district has been provided with sewers, each property will have paid, as nearly as possible, the same total amount per unit of area, as of the date at which sewerage facilities are provided for it.

\*This enumeration of principles is quoted from an unpublished paper by Mr. E. G. Bradbury, Franklin County Sanitary Engineer, Ohio.

Following the thought of the preceding paragraph, it is evident that property that will later be called upon to pay a second assessment for a branch main sewer is correspondingly less benefited by the main trunk sewer than property which will not require such a branch. This feature of the problem may be referred to as "accessibility". It is equally clear that territory which will not be given access to the sewers for some years is less benefited than property so located and developed as to justify the immediate provision of sewerage facilities.

Each property facing the street in which the sewer is laid is assessed its proportion of the cost of an 8-inch sewer. The excess above this amount is assessed as follows:

The area is divided into sub-districts, each of which includes the area served by a branch sewer, or directly by the main sewer. If necessary, these sub-districts are divided into sections which it is estimated will be provided with sewerage at different periods, such as "immediate", "2 years", "5 years", etc. The cost of future branch mains necessary to connect these districts with the main trunk sewer is estimated, and added to the total cost in excess of an 8-inch sewer. This total is distributed to the different sub-districts in proportion to their area. From each of these amounts is subtracted the estimated cost of the future branch mains required to connect the sub-district with the main trunk sewer. These preliminary district assessments are then multiplied by the present worth of one dollar for the length of time estimated to elapse before the district will need sewerage facilities. These assessments are then adjusted by proportion to give the required total. The assessments may be paid in ten annual installments, but in that case 5% interest is charged on deferred payments.

In the case of street widening or boulevard construction, the determination of the benefit to each property might be computed in a similar manner. The benefit to any particular parcel would depend upon the future costs of branch and local streets which might be needed to reach the main traffic way or boulevard. The problem is complicated by the fact that traffic can choose a number of different routes in going from one point to another, while drainage can follow only a certain prescribed

path. But the distribution of water through a system of pressure mains is very similar to the distribution of street traffic, and the cost of water mains has been assessed by the above method with entire satisfaction.

This method should interest city planners, as it is based upon a comprehensive plan. Present assessments are modified by the estimated costs of future projects contemplated in the plan. Estimates of future work are first added to the assessment for the entire district, and then subtracted from the assessment of the district which will later have to pay for the work. Considerable errors in these estimates will have little effect upon the results. For any improvement which affects all property equally in proportion to area or frontage, an equitable assessment can be determined. Where the benefit varies in some manner with the distance from the improvement, errors will be less with this method which takes into consideration future projects contemplated in the comprehensive plan, and the time at which they will be completed. Under this method, every part of the city would at some time be included in an assessment district for every type of improvement. Some districts might be assessed more than once, but future assessments would be allowed for in making the first assessments, so that no injustice would result. The method might also be extended to equalize previous assessments which might not have been made in a scientific manner.

We need much more definite knowledge than we now have on the amount and distribution of the benefits of different kinds of improvements. There can be no doubt that the benefits derived from water mains, sewers, and the minimum pavement, are more than equal to the cost of the work, as urban development would be impossible without them. The benefits are equal, and can be distributed in proportion to area, or frontage, or a combination of the two. When it comes to parks, boulevards, and main traffic streets, the benefits are not equal, but vary in some undetermined manner with the distance from the improvement. There are also certain benefits derived from facing such an improvement, which are not enjoyed by properties not so situated. The exact manner in which this benefit varies is not known, but it would be possible to determine it. There are several cities which prepare annual



maps showing the valuation of each piece of property within their borders; and most cities have a more or less accurate "decennial appraisal". If this data could be analyzed in connection with the complete data on the improvements made in each city, graphic curves or empirical formulas could be developed for the effect which different kinds of improvements produce on the value of property at varying distances from the improvement.

In some cities, different improvements, as street widening, rapid transit systems, and park development, might all be carried on at the same time, and the combined effect of all of them on property values would be very confusing. Other cities might, however, be found in which only one type of improvement was carried on at a time. In these cities, curves might be developed for the effect of that type of improvement. By applying these curves in cities where a number of improvements had been carried out simultaneously, curves might be developed for those improvements which had not been carried out in any city independent of other improvements. By making successive approximations it would be possible, at the cost of considerable labor, to develop fairly reliable curves or formulas. The mathematical methods of "Least Squares" and "Correlations" also offer opportunities for developing and testing empirical formulas for this purpose, if sufficient reliable data can be collected to justify their use. This is a subject which requires a great deal of research, which it seems no city is willing to finance. Any shortcomings of the assessment principle as heretofore used are traceable to the guesswork or rule-of-thumb methods which have generally been followed.

# BRIEF SURVEY OF CITY AND REGIONAL PLANNING IN THE UNITED STATES, 1928<sup>1</sup>

By THEODORA KIMBALL HUBBARD

Hon. Librarian, American City Planning Institute

(For the List of Plan Reports for 1928, see page 132)

IN view of the more extensive picture of planning progress in this country shortly to be delineated in a book "Our Cities To-day and To-morrow", based on the Harvard field study just being concluded, this present Survey will touch only briefly on the highlights and lowlights, as it were, and make no attempt at any comprehensive collection of planning news such as previous Annual Surveys have undertaken.

There is no doubt at all that the planning of cities and regions has taken a great hold on the country, sometimes rooted deeply and successfully in the human needs of the community, unfortunately sometimes superimposed as an alien pattern and soon cast aside. That the most popular departments of planning—zoning, major street systems, and control of land subdivision—are already proving their economic and social worth alike to wage earners and to investors of capital is also undoubted; but the study tour has revealed in very few cities any conscious appraisal of results of city planning activity or any analysis of fundamental causes of failure or success.

There is no state in the country, except Montana, where some form of movement to secure the benefits of planning and zoning does not exist. Where enabling legislation is lacking, as in Wyoming, this is usually in process of being drafted. Where present laws are found inadequate, comprehensive revisions or supplementary laws are about to be introduced, notably in North Dakota,<sup>2</sup> North Carolina, Minnesota, Tennessee, Florida, and Arkansas. Although Colorado failed to secure excess condemnation at the November election, even after a vigorous educational campaign led by the Secretary of the Denver City Planning Commission, there will be another attempt before long; on the other hand, California and Michigan were both successful in securing powers of excess condemnation (see page 120).

In spite of inadequate planning powers in many states, the total number of official planning commissions throughout the country is astonishing, 649, as com-

<sup>1</sup>This is the fifth 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 covered so well by Mr. Lawrence Veiller in the files of *Housing*. The legislative history of the year 1928 will be found covered in the regular Legal Notes department of CITY PLANNING conducted by Mr. Frank B. Williams (see page 117 of this issue.)

In the preparation of the Annual Survey the thanks of the author are due especially to the Division of Building and Housing of the U. S. Department of Commerce, to Mr. Howard K. Menhinick just returned from field work on the Harvard study, and to the scores of officials, consultants and citizens all over the country who have made the field study worth while.

<sup>2</sup>As we go to press, a telegram from Mr. W. J. Lane, Chairman, Planning Commission of Fargo, brings news that the planning bill has passed, applicable to villages and cities.

piled to February, 1929, by the Division of Building and Housing of the United States Department of Commerce<sup>1</sup>; and the number of zoning ordinances either new or amended passed in 1928, amounting to 181, brings the grand total up to 742, representing three-fifths of the urban population of the country. Since there are less than three hundred cities having a population of over 30,000 (although all of these except about thirty-five are provided with planning commissions or zoning ordinances), it will be seen that a considerable number of smaller communities are profiting by the costly experiences of early haphazard growth noted in large cities.

### Highlights

The splendid work of the Regional Plan of New York has focused the eyes of the country on the fact that in our largest city no official plan commission has been organized, although the appointment by the Mayor of a notable Committee on Plan and Survey foreshadowed this. In 1928 following the publication of the Committee's report, strongly recommending a permanent commission, the Mayor engaged the services of Edward M. Bassett, Esq., to draft the enabling legislation necessary for the creation of a city plan commission for the City of New York. The widespread endorsement of this draft late in 1928 gives rise to hope that even if the law cannot be passed in the present session of the Legislature, the enactment will not be long delayed. Another metropolitan point of interest has been the proposed Federated City of Pittsburgh for which an amendment has been approved by the people of Allegheny County. A charter is now being prepared to be presented to the Pennsylvania Legislature and then to the people for final approval. If effected, municipal consolidation in this area already distinguished for planning activity will offer a most valuable object lesson in the relation of planning opportunities to administrative forms.

The meeting of the National Conference on City Planning in Fort Worth and Dallas last May—both cities active in planning—has directed attention to all Texas and the Southwest, and revealed the very strong and practical movement on foot for guiding city development. In Texas, backed by the enabling legislation secured in 1927, there has been a recent blossoming forth of interest, stimulated undoubtedly by the publicity arising from the Conference. Dallas is offering state-wide aid in conducting educational campaigns for planning. Houston, featured at the Conference, is extremely active. San Antonio, where comprehensive planning interest has long been dormant but where the historical background makes planning peculiarly urgent, has just appointed a plan commission. Comprehensive plans are going forward under the guidance of Hare & Hare in Oklahoma City; and Tulsa, called the richest oil center in the world, has just engaged Bartholomew & Associates for the preparation of a plan.

Looking in retrospect at the approximately 120 cities in 42 states visited in the course of the field study, aside from the great metropolitan centers three or four stand

<sup>1</sup>The statistical work of this Division is very important. There is a constant collection and revision of information from the cities of the country, both as to planning commissions and passage of zoning ordinances. In addition to the 649 official commissions there are nearly forty unofficial committees listed.

out with peculiar distinction. For all-round continued progress in developing the city according to plan, and in appreciating the vital effect which guidance of growth has had upon the life of the community, Memphis<sup>1</sup> is almost unrivalled. In the same way Cincinnati is distinguished for its development of a master plan and for the unflagging successful educational work of its Citizens' Committee. Portland, Ore., featured on another page of this issue, is an example of successful effort to lay educational groundwork before embarking on an ambitious program of improvements,—a groundwork realized to be necessary through the difficulties and upheavals of six or eight years ago.

In Saint Paul we see an important example of an intelligent method of approach to carrying out plan improvements<sup>2</sup>. During 1928 the United Improvement Council, which had been organized as a selling agency for an improvement program, brought out a report which analyzed the proposals of the City Planning Board and recommended a \$15,000,000 program which was voted by the citizens at the November election by an overwhelming majority, together with a bond issue for \$7,577,000, this being considered a mandate to the State Legislature to grant to Ramsey County an almost equal sum in bonds for features of the proposed city-county thoroughfare plan. Following the example of Dallas in the Ulrickson plan, El Paso has brought out a ten-year program prepared by the Robertson Committee. Another city which has made an intelligent attack on the problem of carrying out a city plan is White Plains (a suburb of New York) which has just published its comprehensive plan report prepared by Messrs. Goodrich and Whitten. A long-term program of improvements was included as part of the plan with provision for annual adjustment of financial ability and projects. In the still smaller city of Monessen, Pa., the Knowles studies for a comprehensive plan have been put on a practical basis by the adoption of a five-year program of improvements. These experiments in improvement "Programs" will be watched with close attention because so many factors fluctuate with the passage of time that we have still to learn what is reasonable and foresighted and what is mechanical or dangerous in the preparation and publication of such programs, especially as many cities fear the effect on speculators of definite foreknowledge.

Among the published comprehensive plans for smaller cities a group prepared with the advice of the office of Jacob L. Crane, Jr., will particularly repay study. Ponca City, Okla., is a young, alert community governed by young, forward-looking men who see in their comprehensive plan report something worth following and worth achieving. The report for Alton, Ill., is well presented; and that for the small town of St. Charles, also in Illinois, has particular interest both because it has been officially adopted and because of its form, which consists of a series of folded plans set into texts of the zoning ordinance, building code<sup>3</sup>, platting regulations, etc.,—thus forming a handbook which every builder and real estate operator will wish to carry around in his pocket.

<sup>1</sup>See article by ex-Mayor Paine in CITY PLANNING, Oct. 1926.

<sup>2</sup>Cf. the reference to Cincinnati, Pittsburgh, etc., in the Survey for 1927, CITY PLANNING, Apr. 1928, p. 91.

<sup>3</sup>The interesting provision for architectural control is discussed by F. B. Williams in *American City*, Mar. 1929, p. 161.

Another highlight is the comprehensive planning work undertaken in Glynn County, Ga., in accordance with plans prepared with the advice of the late Charles W. Leavitt, whose death in 1928 is an unfortunate loss. This Glynn County work is significant of the new alertness of the South to its opportunities for economic success in attracting tourists and visitors at winter resorts, as well as attracting industry. Of the comprehensive plans in preparation, a number are for Southern cities: Jacksonville, where the Technical Advisory Corporation is collaborating with Mr. George W. Simons, Jr.; Roanoke, Va., and Little Rock, Ark., both of peculiar interest as reviving early planning work by reëngaging Mr. John Nolen for up-to-date



Courtesy of E. B. Wedge, Glynn County Planning Commission

**GLYNN COUNTY, GEORGIA**

**One of the numerous county parks acquired in accordance with the comprehensive plan**

plan studies; and New Orleans, where the Bartholomew studies noted last year have, in 1928, been directed especially toward problems of transit and railroad terminals. With the advice of the same consultant, plans in Des Moines and Sacramento have been going forward, in the latter city with emphasis on transit and zoning and with general intelligent interest on the part of the city administration.

It is pleasant to record for some of the cities not hitherto conspicuous in the planning field, an awakening of official interest, as at Salt Lake City where the Mayor is determined to have a comprehensive plan in spite of certain political obstacles, and as at Tacoma where eager interest and open minds welcomed the visit of the Harvard field study representative. In North Dakota the plan commissions of Fargo and Bismarck are both interested in securing more suitable enabling legislation<sup>1</sup>. In South Dakota a number of zoning ordinances have been passed, and in Idaho also zoning is taking hold.

<sup>1</sup>See footnote, p. 80.

In the course of the field study it was borne in upon us that however much educational work is done by civic organizations, this bears fruit only as there is intelligent continuous direction of public improvements on the part of city administrations, usually as represented by the city engineer. Among the cities visited the steady guidance of actual development by such men as the city engineers of Wichita, Kan., and San Francisco, Calif., should be particularly mentioned: their work should suggest to mayors of cities where the city engineer has failed to grasp the opportunities of civic progress, the type of men who should be entrusted with the physical accomplishment of public improvements.

### Obstacles

In addition to the inevitable handicaps of inadequate powers under existing legislation, both as to the creation of planning agencies, control over adjacent undeveloped territory, and the financing of public improvements,—especially in regard to tax and debt limits, powers of assessment and excess condemnation,—the local obstacles to planning progress revealed by the field study might be characterized as bad luck, poverty, petty politics and unwillingness to take a large view of any public problem, technical advice loosely given or superimposed on an unprepared public, indifference to public welfare and delay in meeting plainly-presented problems, frank unawareness of problems of urban growth, and lack of leaders.

Among the cities where approaching tax and debt limits have hindered the carrying out of plans are Akron, O.,<sup>1</sup> Evansville, Ind., Jacksonville, Fla., and Boulder, Colo., although Rochester, also hampered by the debt limit but more fortunate as to powers of benefit assessment, has proved that "where there's a will there's a way."

The City of Fall River offers an example of bad luck (since the recent fire did not destroy the shabby area desired for the civic center and street improvements in accordance with the comprehensive city plan, but instead the best part of the center of the city) combined with poverty of resources (due to depression in the Northern textile industries) and indifferent politics. In such State capitals as Nashville, Tenn., politics and the conservatism of the older generation have precluded planning activity to a degree uncommon even in State capitals, where comprehensive progress has been the exception, making the work of such cities as Denver, Sacramento, Saint Paul, Oklahoma City, Boston, and Providence all the more notable.

As an example of administrative indifference, contrasting sharply with the enthusiasm of certain Western cities, may be cited the case of Utica, for which an active city planning commission with expert advice prepared a reasonably comprehensive plan, only to have the plan commission disintegrate in the fall of 1928 on the resignation of its chairman after nine years' labor, on account of the failure of the administration to appoint commissioners to fill vacancies arising through expiration of terms.

Many of these present obstacles can be overcome, as similar obstacles in the past have been, by constructive leaders and a patiently educated public as in Port-

<sup>1</sup>The voters authorized a charter amendment, Nov. 1928, increasing the tax rate.

land, Ore., just referred to. Many of the cities, large and small, such as Grand Rapids or Boulder have a "Grand Old Man", the Wacker or Dealey of Michigan or Colorado, whose interest and personality have swung the citizens and administration into line. In California there have been plenty of leaders, but the planning difficulties arising very generally in 1928 have been attributable to defects in the comprehensive enabling act of 1927, for the careful revision of which a strong movement is being led by representatives from several cities.

All of the difficulties and obstacles encountered in various parts of the country deserve more thorough analysis. They can never be solved by research alone, but by exchange of interpreted experiences there is a vast amount to be learned.

### Regional Planning

With the approaching 200th anniversary of the birth of George Washington it is gratifying to record the success of regional planning in the National Capital Region, both in the District of Columbia under the guidance of the National Capital Park and Planning Commission, and on the Maryland side under the guidance of the similar Maryland Commission. Close coöperation and comprehensive studies are already bringing tangible results, some of which will be noted later. In the great region around New York the stimulus given by the work of the Regional Plan of New York has become even more striking during 1928; and the publication of several of the completed Survey volumes has revealed the very high standard of the work and the substantial contribution to general planning knowledge.

In Philadelphia the successful completion of a Fund for carrying on the regional work has enabled the Regional Planning Federation of the Tri-State District to employ a board of consultants (Messrs. Ford, Nolen, and Knowles, as well as advice from Messrs. Adams and Unwin) and to prosecute more comprehensively studies which have already awakened general interest through the publication of well presented reports. It is to be hoped that the large contributions to the Fund by special interests will not result in the destruction of the thoroughly coöperative character and widespread confidence among smaller localities in the three states concerned. Pittsburgh and Allegheny County are notable for the passage of bond issues totalling \$43,680,000, after an intensive educational campaign vividly described in *The American City*, September 1928.

In the Chicago regional planning work the most notable feature has continued to be the hearty coöperation of county and local authorities and the real leadership of the Secretary of the Regional Planning Association, an example, as in Westchester County, New York, of the power of personality. The "Superhighways" of the Detroit Region being constructed under the guidance of the Superhighway Commissions are similar in many respects to the Westchester County Parkways and form a regional enterprise of great importance. The Detroit Region is also fortunate in having a strong resident consultant office which advises on planning enterprises in many of the component communities.

In the field study two counties were especially distinguished for general planning and for achievement in development of comprehensive thoroughfare systems.

Milwaukee County has gone steadily forward with the work featured in our Survey for 1927 and has gained the widespread respect of its citizens for the signs indicating future zoning as well as highway development<sup>1</sup>. Equally effective has been the work of Los Angeles County, a record of which has been made available on January 1, 1929 in a most attractive, well stated pamphlet,—in fact a report worthy of careful study by those responsible for the technical excellence of similar publications in other places.

Like Chicago, Los Angeles County is notable for the coöperation secured from local authorities in the carrying out of county-wide plans and thus serves as inspiration to other California counties in initiating regional work. Not far away Santa Barbara County has just undertaken a regional organization<sup>2</sup> directed by Mr. L. D. Tilton; and in this county the problem is particularly complicated by the conflict between the preservation of scenery which attracts the tourist and the recent discovery of oil, making industrial development imminent. In Monterey County, Calif., the regional organization has not proved a success; and during 1928 the San Francisco regional organization has broken down after notable activity, due to the withdrawal of financial support. However, across the Bay, centering in Oakland under the leadership of Mr. Fred Reed, an incipient East Bay regional organization promises to attract support. Also, on the San Francisco Peninsula itself, a permanent organization of the eleven cities and seven city planning commissions has been effected, the first organization of its kind in Northern California, corresponding to the Association of City Planners of Los Angeles County already successfully functioning. Mr. Hayler, formerly with the San Francisco Bay Regional Association, is a sort of liaison officer in San Mateo County and the Peninsula.

The regional support on the part of citizens for the Glynn County, Ga., plan is heartily spurred on by tangible results in the form of county parks and a recreational waterfront, and by the deep interest of Mr. Howard Coffin who was host to President Coolidge on Sapelo Island just off the coast. Attention has been attracted to the planning work in Lucas County centering around Toledo, Ohio, on account of the publication of its regional plan report which will repay study, especially since city and county are working in close coöperation. Centering about Syracuse, N. Y., the Onondaga County Park and Regional Planning Board began its work in 1928. In Indiana the close coöperation of the cities of Lafayette and West Lafayette in the preparation of plans with the advice of Mr. L. V. Sheridan has formed in effect a regional movement. Several of the smaller Pennsylvania boroughs have initiated coöperation in jointly solving mutual problems, as reported by Mr. Mulvihill, Chief of the State Division of City Planning and Municipal Engineering.

The significant work of the Niagara Frontier Planning Board and the Association of citizens conducting educational work in the region about Buffalo will receive deserved publicity and study at the time of the next Annual Conference on City Planning meeting in Buffalo, May, 1929.

<sup>1</sup>See illustrations in Survey for 1927, CITY PLANNING, Apr. 1928.

<sup>2</sup>See page 110 of this issue.



### Zoning and Platting

Now that zoning, sweeping through the country, has in some degree met the emergency attendant upon rapid development, it is time that we pause to study objects and methods, to gain some usable knowledge as to how human requirements may be met through the instrumentality of zoning ordinances. To this end the studies of Messrs. Goodrich and Heydecker on fundamental requirements of light and air as affecting the spacing of buildings are an important contribution. On the administrative side such a stock-taking as Mr. Herrold has compiled for Saint Paul is significant. From a survey of the amendments and variances since 1922 when the zoning ordinance went into effect, Mr. Herrold has drawn two important lessons:



© Edgar B. Smith, Wichita

Courtesy of P. L. Brockway

### WICHITA, KANSAS

Boards of Appeal should beware of permitting changes in zoning classification far in advance of development merely to boost land values for the benefit of the speculator; and all business variances should be scrutinized with extreme care in relation to the business space already available in the city and the effect of introducing business into the particular locality in question. Wichita, Kan.,<sup>1</sup> and University City, Mo., (a suburb of Saint Louis) have prepared development maps showing

<sup>1</sup>The Wichita survey, with indications of factors influencing development,—improved transportation, opening of major streets and parks, etc.,—is to be repeated at five-year intervals.

actual building during the operation of their zoning ordinances, both of which are most instructive. A comparison of these orderly maps with a similar map of an unzoned city in the last five years would show among other things the great benefit to home districts in the freedom from indiscriminate dotting of business among private residences.

The whole question of the amount of business frontage which should be allowed for, in the allotment of uses under zoning, has been one of the live subjects of discussion during 1928, stimulated by the widely discussed and used Chicago studies. It should be remembered, of course, that in analyzing "business frontage" the amount necessary will be influenced by whether the business building is one or more stories and by store depths, as well as by the distribution of shopping centers necessitated by the density or sparseness of outlying development. In Los Angeles it is recognized that too much area has been allotted for business, and re-zoning studies are being undertaken. In Mr. Crane's preliminary survey for Kalamazoo, Mich., a similar situation was found to exist. The Milwaukee studies as to business frontage have been further developed as to types of business centers, as Mr. Bennett has already placed before the readers of *CITY PLANNING*<sup>1</sup>. On another page of this issue Mr. Fisher's analogous studies for Akron are pictured and explained. A comparison of all these with the studies which will undoubtedly be undertaken elsewhere will bring forth facts hitherto little considered in the regulation of land uses and in the control of plats.

If one city in the country were to be picked for study of successful operation of zoning, Denver might well be the choice, both because of the very modern character of its ordinance, and because of its exceptionally efficient Board of Appeals. For a small city, Kenosha (perhaps the outstanding example of vision clearance) would also deserve particular consideration. As an example of the damage during a hiatus in a zoning ordinance such as Saint Louis suffered (resulting in this case from the unfavorable Georgia court decision), Atlanta could show a large number of conspicuous losses which cannot be repaired even now that the new Georgia amendment has put zoning in force again. The stormy career of zoning in Baltimore continues to call forth the ingenuity of Mr. Grinnalds and the city officials in trying to guide new developments wisely in spite of antagonistic courts. The Southern counties of Maryland,—Montgomery and Prince Georges,—adjoining the District of Columbia, offer one of the most important pieces of zoning news of 1928 since both have passed comprehensive zoning ordinances under direction of Mr. Root and the Maryland-National Capital Park and Planning Commission, similar in character to the zoning regulations of the District of Columbia already familiar to citizens of both counties.

Among widely scattered cities and towns where zoning ordinances passed during 1928, there should be mentioned: Altoona and Easton, Pa., Canton, O., Fort Wayne, Ind., Grand Junction, Colo., Knoxville, Tenn., Portsmouth, N. H., historic Concord and Weston, Mass., Sioux City and Mason City, Ia., Sioux Falls, S. Dak., Boise, Idaho Falls, and Twin Falls, Ida., and New London, Waterbury, and Stratford, Conn.

<sup>1</sup>See Jan. 1929.

The zoning ordinance for Fort Worth, Tex., (prepared by Bartholomew and Associates) is just ready; and studies have been going forward in New Orleans to straighten out the tangle caused by sporadic piecemeal ordinances. The Dallas ordinance on which Mr. Whitten has collaborated is also just ready. With the advice of Mr. Bassett, a comprehensive ordinance for Rochester has been prepared to supersede use-zoning, long in operation. In Spokane, also, a zoning ordinance is just ready for passage. The backwardness of Northern New England in planning matters, due to frozen conservatism, is again brought forward by the failure of the carefully drawn zoning ordinances for Augusta, Bangor, and Waterville, Maine.



Courtesy of M. M. O'Shaughnessy, City Engineer, San Francisco

**GOLDEN GATE HEIGHTS, SAN FRANCISCO**

**Originally laid out in rectangular blocks with no consideration of topography. Re-subdivided by coöperation of 275 owners with the City Engineer.**

Each year in mentioning important cities still unzoned, Cleveland has been conspicuous, and still must remain in that class in spite of having passed an ordinance last October only to have it repealed two months later. A new ordinance, however, may shortly be passed. It should be a source of shame to adverse interests in Detroit, Philadelphia, and Harrisburg that citizens of these municipalities are still deprived of the benefits of zoning.

During the past year there has been notable progress in the control of undeveloped land both inside and outside municipal boundaries, and to this progress realtors have made a large contribution by coöperating with the municipal authorities charged with the control of land subdivision. The hearty endorsement of the National Association of Real Estate Boards and the publicity given to this important

phase of city planning by the officers of the Association have undoubtedly created a confidence on the part of local realtors in the advantages of plats coördinated with general plans. A large number of cities visited in the course of the field study reported the savings effected by plat control and counted this, along with zoning, the most directly profitable feature of city planning,—large returns for comparatively little or no expenditure. Cities such as Altoona, where the early lack of platting control in rough topography has caused great difficulties, report success with present platting regulations; and in Dayton there has been marked success in getting coöperation from realtors in locating business centers properly outside the city limits. The work of the regional authorities at the National Capital, especially on the rapidly developing Maryland side, has been especially valuable. If we should review the profitable results of platting control for the last five years, we should be astonished at the figures of mileage of new main thoroughfares secured by dedications in approved plats laid out in accordance with comprehensive city plans.

### Major Thoroughfares

The work of the National Capital Park and Planning Commission on revising the street system of the undeveloped parts of the District of Columbia, especially on replatting of gridirons superimposed on rough topography, is estimated to have saved the District at least \$3,000,000 in cost of future development, while another \$300,000 will be saved annually from the omission of unnecessary streets originally called for by the standardized block pattern.

In Detroit, as also in Washington, traffic studies have been going forward,—in Detroit distinguished because of their continuing character under charge of the Police Department. In Boston the major thoroughfare plan is well along, being prepared by the City Planning Board advised by Mr. Robert Whitten assisted by Mr. Comey, taking advantage of the traffic studies and recommendations of Mr. Miller McClintock. In connection with Boston studies, the State Division of Metropolitan Planning retained Mr. Whitten for a traffic analysis important to the future metropolitan thoroughfare system. Providence has just published the McClintock traffic survey and is going forward with major street improvements in accordance with the Whitten plan, although on a different basis of administration and financing. New Orleans has been following up the Bartholomew street plan published a year ago by continuing McClintock traffic studies. For the Cleveland Region the Cleveland Highway Research Bureau, established in 1928, is conducting a comprehensive thoroughfare study<sup>1</sup>. The U. S. Bureau of Public Roads and Pennsylvania Department of Highways have collaborated on a survey of transportation on the state highways of Pennsylvania with a published report in 1928 similar to those for Ohio, Connecticut, and Vermont.

In Dallas the comprehensive thoroughfare plan is in preparation, especially interesting because of the important street improvements already successfully financed by benefit assessments, as explained by Major Wood at the Dallas Conference. The Denver street plan will be found listed among the publications of 1928, and promises achievement under the able guidance of the alert commission

<sup>1</sup>Taking full advantage of U. S. Bureau of Public Roads report listed on p. 132 of this issue.

and resident consultants. In San Francisco there has been notable progress on the boulevard development, and the Bartholomew major street plan for the Traffic Survey Committee has just been completed, while the McClintock traffic plan has been put in successful operation. Progress on the Los Angeles County highways has been pointed to by the California State Highway Commission as an incentive to a comprehensive *state* plan of highways.

In Hartford the long established building lines have been found an enormous help in carrying out some of the recent street plan features. The Swan thoroughfare report for Bridgeport, another Connecticut city, was completed in 1928. Work is being undertaken on the traffic circuit for Grand Rapids reported in our 1927 Survey; and in Knoxville a major feature of the 1927 street report is under construction. In Pontiac, Mich., where rapid development is taking place, the street plan is kept somewhat pliable as specific dedications are secured to the advantage of the city.

The great success of the two-level thoroughfares of Chicago causes all eyes to be turned on the enterprise of New York in constructing the long-talked-of West-Side double-deck highway, now actually under way. The publication in final form of the Highway Traffic report of the Regional Plan of New York makes this thoroughly studied guide available to all authorities of the vast Metropolitan District.

The interrelation of street traffic, mass transportation, and other problems of congested areas is recognized in the preliminary report published in 1928 of the Committee on Street Traffic Economics of the American Electric Railway Association for discussion at the Association's Cleveland convention.

### **Transit and Transportation**

From the confused transit situation in many cities caused by the popularity of the automobile, conclusions have been offered during 1928 in important papers by Mr. Bibbins of Washington and also by the Beeler Organization. Mr. Bibbins (whose special work in 1928 has been devoted to Washington and Philadelphia) has pointed out in his paper before the Philadelphia Engineers' Club that a great public service, showing a traffic amounting to billions of passengers per year on electric street railways, cannot justly be relegated to the scrap heap unless something more efficient may be found to replace it; and in a generation which compares mass movement with the customary movement of private automobiles, effort must be concentrated on higher speed as well as on increasing capacity and improving routing. The Beeler study published in the *Electric Railway Journal* was based on the traffic returns for ten years in four rapid transit cities and five cities without rapid transit. The study showed that in the rapid transit cities surface traffic by trolley and bus has not decreased and in some cases has increased, but in the cities without rapid transit there has been a decrease in combined bus and surface-car travel, showing that the reason for the situation is the demand for speed in transit. The Detroit transit report listed on page 133 analyzes the relation of individual to collective transportation. For the Milwaukee Metropolitan District there has been a monumental report on the whole traffic and transportation situation by McClellan & Junkersfeld, extensively illustrated and related to city planning problems.

Of improvement in the relation of railroads to city plans the most notable event of 1928 is the approaching completion of railroad relocation in central Chicago, in connection with river straightening, which has been carried forward with characteristic Chicago enterprise and adds another feather in the caps of the Chicago Plan Commission and coöperating engineers. In Dayton there has been substantial progress on the grade crossing elimination program, but the elimination plans of Syracuse are in course of modification. In Pontiac, Mich., an agreement with the Grand Trunk assures a complete separation program; and similarly in San Jose, Calif., an agreement just reached with the Southern Pacific will effect a realignment of the main line and elimination of grade crossings.

As to port development during 1928 there are less new features to report than steady activity on the part of the port commissions of such cities as Seattle, Wilmington, Baltimore, and New Orleans, and the financial participation of many municipalities in constructing port improvements. In San Diego the Port Commission has issued a comprehensive plan independently of the City Planning Commission but with its friendly cognizance. Toledo has also issued a new port study. A striking feature of port development is provision for an airport under the same authority with ship terminals, as at Newark, N. J., and at Portland, Ore., illustrated on another page.

Planning for airports has received the widespread attention of municipal authorities both in securing legislation enabling airports to be established and in financing them, often by bond issue. The Allegheny County, Pa., \$1,500,000 airport bond issue passed last June followed the example of Baltimore and Cincinnati mentioned last year. The most important published report of the year on airport location is that issued jointly by the Regional Planning Federation and the Chamber of Commerce of Philadelphia, which is appropriately illustrated by aerial maps showing proposed locations for principal and supplementary airports. The employment of Mr. George Ford by the War Department in the planning of army air fields came to a high point in 1928 in the studies for the great aviation training center called Randolph Field near San Antonio, the largest flying center in the world. Mr. Ford reports that it has been possible to make this and other plans "attractive mosaics" as seen from the air, as well as practical and efficient. Special studies by Mr. John Nolen have directed the attention of varied interests to the importance of relating airports to the city plan. The relation of airports to industrial areas is brought forward by the studies of Fay, Spofford and Thorndike in 1928 for a commission of the city of Hartford, Conn., in connection with the proposed reclamation of the Hartford South Meadows. There Brainard Field, Hartford's aviation center, is now located, which may well become one of the most important airports of the East if protected from floods, and the city could also secure needed land for industrial expansion served also by rail and water transport.

### **Recreation**

The outstanding achievement of Westchester County, N. Y., in creating and operating a park system to the financial as well as recreative advantage of the County, has served as an object lesson and guide all over the country and will be

found quoted constantly in the literature of 1928. Following the original precedent of Essex County, other New Jersey counties are proceeding with park development, notably Union County where much has already been accomplished (as recorded in a recent summary report), and in Camden and Passaic Counties, in which latter County, as in Westchester, park planning is becoming the nucleus for more comprehensive county planning interest. The success of the first Glynn County, Ga., parks has already been noted; and in Los Angeles County the park studies of Olmsted and Bartholomew are expected to meet with success similar to that of the thoroughfare system.

In Washington the National Capital Park and Planning Commission is happy to report an appropriation of some \$2,750,000 for the Mount Vernon Parkway (an important part of the Commission's proposals for a regional park system), and also acquisition of land on the other side of the Potomac part way out to Fort Washington on the line of the proposed Fort Washington Parkway. In Charleston, S. C., the interesting MacElwee plans for the riverfront drive are in process of being carried out, with an extension being studied which includes a replatting of the hinterland. Another example of replatting in connection with a scenic drive has been reported from El Paso<sup>1</sup> occasioned by the construction of the "rim drive" already illustrated in CITY PLANNING. Plans for the park system of another Texas city—Fort Worth—have been completed during 1928 by Hare & Hare, on which progress was noted by visitors to the National Conference on City Planning during their drive over the parkway route.

### Civic Art

The most striking event of 1928 in the grouping of public buildings has been the beginning of construction of the great Triangle group in Washington, the plan for which was mentioned in the Survey for last year. When these magnificent plans are carried out, it is hoped that Congress will have granted the powers now requested in pending legislation for the control of architecture along the other side of Pennsylvania Avenue, in order that the splendor of Government buildings may not be demeaned by inappropriate and unworthy architecture in the vicinity. In Saint Louis progress on the Civic Plaza has continued, the anticipated effect of which was already visible at the time of the Annual Conference visit en route to Texas. Another great improvement in the appearance of Saint Louis is being effected by the comprehensive system of ornamental lighting. The Saint Louis riverfront report published this year is being widely discussed but construction has not yet been undertaken. A unit in the Los Angeles civic center was completed in 1928 in the towered city hall already illustrated in CITY PLANNING. In Asheville there is disappointment in the civic center because of lack of architectural harmony between the new city hall and the county building. In Philadelphia the Art Museum, crowning the height of the Fairmount Parkway, was formally opened in March, 1928, consummating an axial composition to be found in few American cities. Some kind of visual axial relation between certain proposed new public

<sup>1</sup>See CITY PLANNING, Apr. 1926. The editors of CITY PLANNING hope shortly to present to readers an illustrated account of this El Paso work from Mr. W. E. Stockwell under whose charge it is progressing, and also an illustrated account from Mr. R. S. MacElwee of his Charleston plans.

buildings and the Nebraska State Capitol is proposed by a special committee in Lincoln working to give proper setting and dominance to this now-famous architectural monument. In Lynchburg, Va., the vista of the court house, now cleared of encroachments, is exciting admiration (see *American City*, Sept. 1928). In Houston, Texas, where city planning is thoroughly alive, considerable land has already been purchased for the new civic center pictured in our Survey last year. The \$20,000,000 bond issue for Detroit's civic center unfortunately failed of passage.

The value of harmonious architecture in business centers so strikingly exemplified in Santa Barbara<sup>1</sup>—probably the most beautiful city visited in the course of the Tour—is also being illustrated on a smaller scale in Poughkeepsie, N. Y., where the Ford plan (for a private client) is rapidly being realized in the consistent development of several business blocks in the heart of the town. Plans by the same consultant for Mamaroneck and New Rochelle, N. Y., have been adopted for station plazas surrounded by harmonious architecture enthusiastically endorsed by the merchants concerned.

Another restoration of Colonial architecture and a Colonial town<sup>2</sup> has been assured during 1928 in the scheme, endowed by Mr. John D. Rockefeller, Jr., and authorized by act of Legislature, for making Williamsburg (the Colonial Capital of Virginia) a living museum of the Colonial period, under the guidance of a distinguished Board of Advisers on which town planning is represented by Mr. Arthur Shurtleff. Another event of 1928 is the passage of use zoning for Mount Desert, Me.,<sup>3</sup> thus furthering the preservation of scenery historic for its beauty.

The improvement of the appearance of the city featured in a special report for Evansville last year is being stimulated by the Evansville City Plan Commission in a "Beautification Contest" initiated in 1928 but expected to effect more yard improvements each year through the already great public interest aroused. All over the country the war against inappropriately placed billboards and hot-dog stands has continued. The advertising interests are coöperating to a certain degree in so far as adverse public sentiment has made itself strongly enough felt, but it is not natural to expect the billboard interests to regulate themselves in the interest of the community unless community and billboard interests happen to coincide. In such movements as the recent Niagara Frontier Planning Board proposals so effectively presented to the public<sup>4</sup>, and the Massachusetts proposal for "Zoning the State Highways" (which since the adverse decision in Massachusetts removing billboards from the jurisdiction of zoning, has been directed largely toward the control of filling stations and hot-dog stands), in the exclusion of billboards from residential districts as allowed by the courts in other parts of the country, and in the control by the public of the borders of parks, parkways, and other lands acquired to give pleasure by their beauty, we may expect progress in keeping billboards in their proper places just as the new conception of comprehensive planning for land uses has resulted in concentrating business in store centers and industries in specially designed industrial districts.

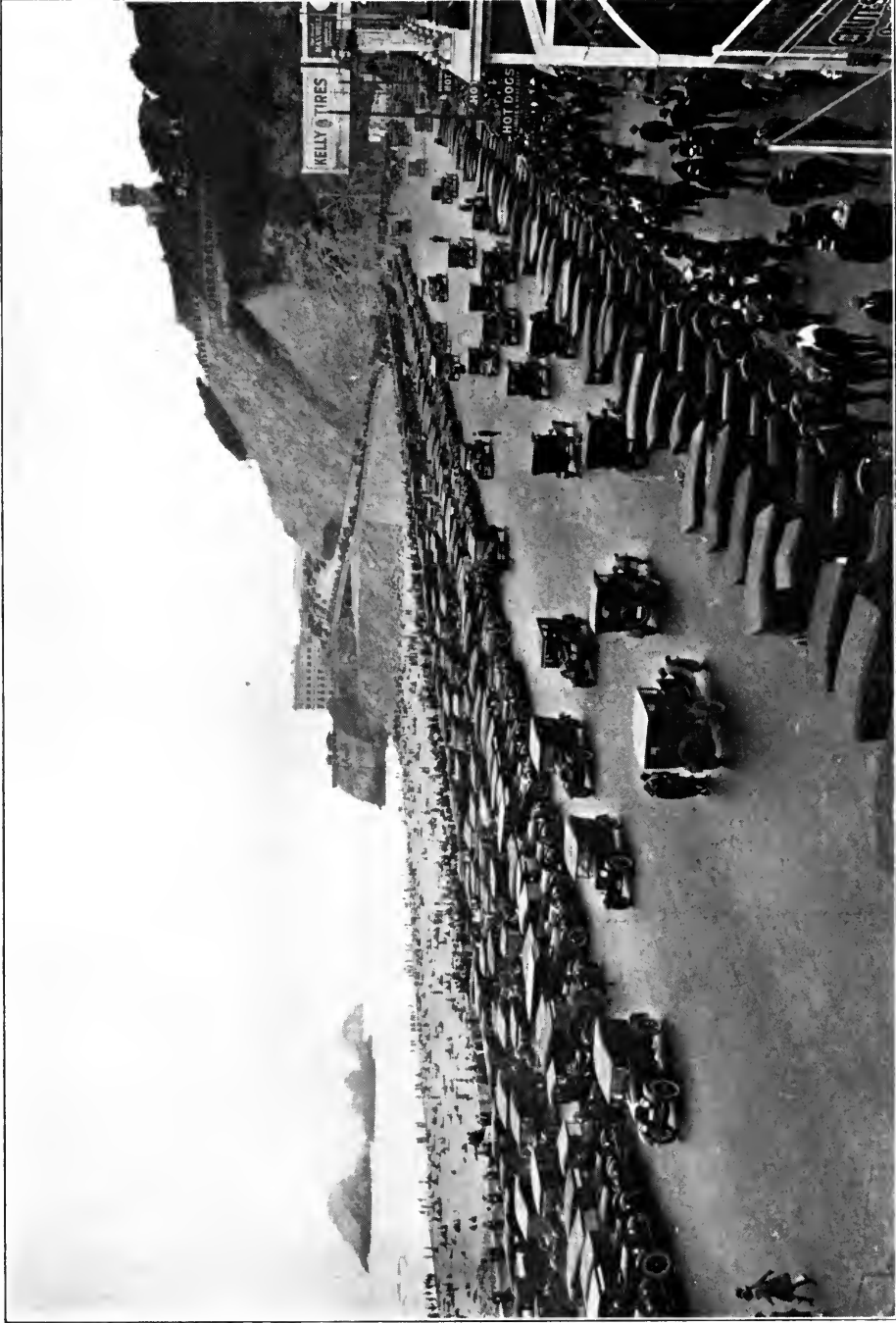
<sup>1</sup>See note on work of Mr. Cheney in CITY PLANNING, Apr. 1927.

<sup>2</sup>Cf. mention of Valley Forge restoration, CITY PLANNING, Apr. 1928.

<sup>3</sup>See report on Mount Desert by C. W. Eliot 2nd listed on page 134.

<sup>4</sup>Cf. note on p. 119 of this issue.





Courtesy of M. M. O'Shaughnessy, City Engineer, San Francisco

**GREAT HIGHWAY AT OCEAN BEACH ESPLANADE, SAN FRANCISCO**

## Objectives

In all these evidences of the physical improvement of communities on the side of beauty, on the side of economy in transportation and commerce, on the side of increased land values, on the side of better health conditions in home neighborhoods, what is the ultimate goal? Why are city councils and legislatures scratching their heads over ordinances and bills for encompassing phases of planning? Why are courts extending as never before the boundaries of community power? Why were experts gathered together for researches at the Russell Sage Foundation? Why do technical men prepare and discuss analytical papers looking toward the codification of planning principles?

No matter how far aside some of the technical points involved may seem, there is no doubt that the planning movement of to-day is a *great social movement*, rooted in the desire to give to present and future generations a chance to be healthier and happier, a chance to have the inspiration and strength to make a greater contribution to the common welfare, while enjoying the balance of work and play which develops individual and social character. Mr. Raymond Unwin of London has expressed this vital social basis of planning better than anyone else, in his writings and in his contribution to realizing in garden cities the dreams of the late Sir Ebenezer Howard, to whose memory we pay tribute of respect and affection. It was the latter's hope that an American garden city might be founded; and this will in a measure come true in Radburn, N. J., being developed by the City Housing Corporation, although circumstances have forced the scheme to become a residential rather than an industrial town. When Mr. Unwin visited Radburn and advised with its builders last fall, he saw in it another opportunity before going back to England to voice to the friends assembled at his farewell dinner the need for America to remember ultimate social values.

What good are wider streets filled with increasing traffic if the homes where traffic originates are mean and crowded? What good are skyscraper symbols of metropolitan superiority if half their occupants pine under artificial light? Cities in many parts of the country with half-plans or no plans may take thought whether they are not farther behind the times in their care for community welfare than a man who would let his child die of wounds before accepting modern antiseptics or suffocate from drowning rather than use a pulmotor.

In the next four years we may look for an intensification of the stimulus to city planning already given by our new President Herbert Hoover, and justified by him on economic and humanitarian grounds:

*The enormous losses in human happiness and in money which have resulted from lack of city plans which take into account the conditions of modern life need little proof. The lack of adequate open spaces, of playgrounds and parks, the congestion of streets, the misery of tenement life and its repercussions upon each new generation, are an untold charge against our American life. Our cities do not produce their full contribution to the sinews of American life and national character. The moral and social issues can be solved only by a new conception of city building.*

# LOCAL GEOGRAPHY AS A BASIS FOR TEACHING CITY PLANNING

## EXPERIENCE IN A KANSAS TOWN

By DONALD S. GATES

Kansas State Teachers' College at Hays

TO travellers going from Kansas City to Denver, Hays is known as "the last big town in western Kansas", population 5106. To educators, it is the site of the only college in this half of the state. Being a comparatively young municipality, with a colorful past on which to build, the town holds unusual promise as a laboratory for a field course in city planning,—I say "promise", because this first class in city planning from a geographic point of view is still in an embryonic stage.

When I came to Hays in the fall of 1927, I learned that as head of the department of commerce and geography I was automatically sponsor for the Students' Commercial Club. According to the catalogue, "Each student must enroll in at least one organization", and "The object of the Commercial Club is to develop community leadership". The club meets for an hour every Tuesday morning, and the students may give other time to the work, though this is not required.

I was writing a geographic and economic study of an industrial city near Chicago, and thinking along lines of city planning. The twenty members of the Commercial Club came from towns presenting the same type of housing problems, the same stages of development, and the same geographic phenomena as Hays. Why not teach these future "community leaders" as much city planning as it was possible to crowd into one hour a week?

First, a word as to the natural and historic features of our laboratory. Hays is by nature a treeless town, bounded on the south and west by Big Creek (the name is ironic except in Sabbatical years, when the waters treacherously flood the southern half of the residential district and the college campus). When, in the late sixties, the government established Fort Hays to protect the laborers on the Kansas City-Denver branch of the Union Pacific Railroad from Indian attacks, the nucleus formed by the Fort and the railroad camp attracted traders and hunters. Notable among these was William F. Cody, known as "Buffalo Bill" because of his prowess. Tradition says that in a contest here, Cody shot sixty-nine bison in fifty-nine seconds. The meat was sold at the camp and Fort, while the hides were shipped to eastern markets.

The original business district consisted of thirteen saloons and one grocery. According to the wife of General Custer, who was stationed at Fort Hays,<sup>1</sup> "There was hardly a building in it worthy of the name except the station house. A con-

<sup>1</sup>Following the Guidon", Elizabeth B. Custer, page 153.

siderable part of the place was built of rude frames covered with canvas: the shanties were made up of slabs, bits of driftwood, and logs, and sometimes the roof was covered with tin that had once been fruit and vegetable cans, now flattened out."

A notable district of the community was "Boot Hill," where were buried some thirty-six men and women who departed this life in street costumé, because of running counter to public opinion. The skeletons (still wearing boots and spurs, and, in one instance, a high beaver hat) were exhumed from their impromptu graves about five years ago when a real estate development company decided to take advantage of the slight elevation in that part of the town.

It is interesting to note that on this site there is a home which epitomizes both the utilization of the meagre resources of natural beauty to be found here and the individual history of this section. Built of native yellow limestone, squat against the wind-storms which sweep across the prairies, this house is an idealization of the pioneer Kansan's sod house (Figure 1).



Figure 1

**Inspired by Pioneer Kansan's Sod House**

Another structure reminiscent of the background of a large section of the population of Hays is St. Joseph's Catholic Church, towering over the town like a bit of old Russia, for sixty per cent of the citizens of Hays are Russian-German immigrants of the first and second generations (Figure 2).<sup>1</sup> These Romanist Germans had been lured to colonize the Volga basin by Catherine the Great, and had left that country in the 1870's rather than submit to service in the Greek Catholic army. America offered freedom to worship in their own Church, and western Kansas provided land at two to three dollars an acre. They had been wheat farmers on the Volga; they raise winter wheat in western Kansas, wind and drought to the contrary notwithstanding. The county's dependence on this single cash crop proves dangerous in an area of uncertain rainfall.

<sup>1</sup>Used as tailpiece on page 103.

Fort Hays was abandoned some forty years ago, and the land was divided into a small state park, a forty-eight hundred acre agricultural experiment station (a part of the dry land farming laboratory of the State Agricultural College at Manhattan) and a State Teachers' College. Our task, therefore, was to discover what manner of town these military, Russian-German, and collegiate elements had brought about.

Our first meeting took the form of a bus ride to the Court House Square (Figure 3, Point 1). This open space with its numerous trees contains not only the building of its name, but also the city library and the water tower. Only one of the four streets bordering the Square is used for business purposes, a fact indicating that the Court House Square is not the central unifying feature of Hays. Scrutiny of



Figure 3

**HAYS, KANSAS**

the map of the city verified this conclusion. The streets are surveyed at an angle from the north-south section lines, and are parallel to or at right angles with the Union Pacific Railroad right of way which bisects the town. North and South Main Streets (Figure 3, Point 2) parallel either side of the tracks, which explains the "pitch" of Hays, and a number of the original business buildings are still standing here.

The second meeting brought a sight-seeing tour of Hays. We wanted to know the general shape of the town, and whether or not any topographic or other natural features affected its form.

We found that the land to the north of the railroad is fifty to seventy-five feet higher than the southern section, but this difference in elevation is not steep enough to throw the town from its gridiron street pattern. It is interesting to note that this prairie affords a Mission Mount and a Pershing Heights subdivision. The

former is a development of the ordinary row-house type, crowded about an oblong court. The latter provides streets conforming to the curve of the land, which has encouraged the erection of a few very beautiful homes with terraced and landscaped gardens. In general, however, we noted a uniformity of street, house, lot, and tree treatment throughout the town. In certain blocks, the absence of sidewalk and pavement and the presence of chickens, a horse, or a goat tethered in a vacant lot were observed. But in the greater part, the lawns were well watered and trimmed, and the shrubbery and trees were pleasantly arranged.

Having oriented and surveyed the town, we entered upon our main task of the year, namely, the making of a land utilization map of Hays. In order to do this, the various districts of the city were assigned to small groups of students. The first assignment reads: "Walk over your area, to get a general idea of its content and extent. Classify the uses of land therein as follows: residential, commercial, or public. Note vacant lots, parks, and whether the streets are paved or unpaved."

Having decided upon a color scheme to bring out the various uses of the land, a large wall map of the city was posted in the Commercial Club room, and as each group completed its classification of its territory, that section was colored. In order to clarify our ideas, the whole membership of the club took a walk down a residential street. After looking over a few blocks, it was decided that occasional vacant lots might be ignored (i. e., colored in as residential), but land used by churches and filling stations was sufficiently distinct from the rest of the block to be colored as such.

The completed map gave the ground work for these major findings upon which the city plan was to be superimposed:

(a) The residential area forms a solid block about a compact business center, approximately in the middle of a square town.

(b) Public land is notably localized on the south and southwest portion of Hays, and is comprised in three large blocks, namely the State Teachers' College, the Experimental Station, and the State Park. All three of these pieces of property abut directly upon Big Creek, which bounds the south and west part of the town.

(c) The western part of town, north of the railroad track, is privately held by the Catholic Church as the site of a prospective college, one large building of which is a prominent feature of the landscape (Figure 4, Point 2).

(Corollary from b and c: Since these public and semi-public, or educational, lands are each more than a quarter of a mile wide, and in part nearly a mile wide, the probability of an extension of the town beyond them is remote. It is therefore reasonable to state that on the south and west the town is limited to its present area.)

(d) The two parks of the city (not including the Court House Square) are located in the southeast portion of Hays. The State Park, mentioned before, directly joins the land of the Experiment Station. Treat Playground is at the eastern extreme of the State Park, and continues the strip of land devoted to public purposes.

(e) This strip of public land bordering on Big Creek presents a striking contrast to the treeless prairie on which Hays is located. Large trees border the stream on either side, and in addition to this both the State Park and the college campus show extensive displays of arboriculture. Thus there is in the southwest and southern parts of the city an elongated area of public and semi-public land in such condition as to offer a potential pleasure drive along a meandering shaded stream.

(f) The east and north portions of town have no artificial or natural limits, and offer the only opportunity for the expansion of Hays.

(g) Since the land abutting the railroad track in the eastern part of town now has on it a flour mill, two elevators, coal sheds, a commission house, a laundry, a power plant, and storage tanks for gasoline, it is the logical place for such new industrial enterprises as may locate in Hays. This section also offers a site for the transfer of existing uses of the land which are out of harmony with the best develop-

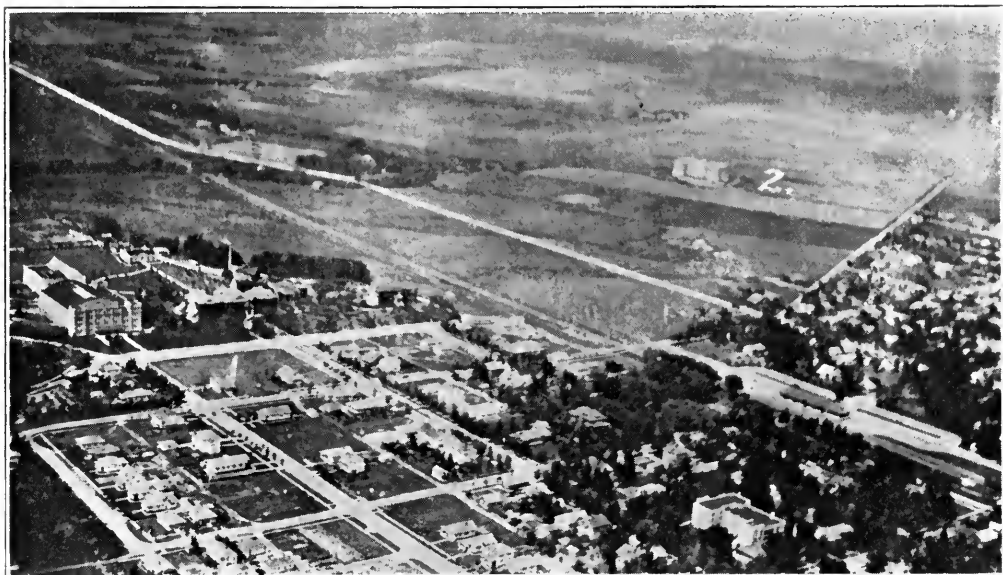


Figure 4

**WESTERN PART OF HAYS**

ment of the city. The chief of these is the freight depot of the Union Pacific Railroad (Figure 3, Point 3) and the water tower nearby. Since the prevailing winds blow more frequently in an easterly direction, this area should be set aside for commercial use in order that any smoke or odor which polluted the air would have its fumes blown away from rather than toward the city.

(h) The paving of the majority of the streets marks the accomplishment of an important part of a city plan, and the early extension of paved streets is a measure of great significance to the serviceableness of the city to its inhabitants.

(i) Throughout the major portions of Hays, the street pattern is of the grid-iron design. However, as the newer sections of the community are opening, there is a tendency shown to curve the streets, thus taking advantage of the slightly rolling topography of the northern part of the town.

Having formed a concrete impression of the town as it is to-day, the next step for the students to study was a method of approach to the question: "What will Hays be ten years from now?"

Since the commercial district is distinctive in function and compact in area, and since there were comparative figures from other places available, the class sought to determine its extent in this community of fifty-one hundred people. To this end, they actually measured by means of tape lines the active business frontage. The total measurement proved to be fifty-eight hundred feet, or about one hundred fourteen feet for every one hundred inhabitants. According to the classification worked out by the Chicago Regional Planning Commission, this is over double the amount of frontage per capita population in some fifty towns within the trade territory (fifty miles) of Chicago.

We next turned our attention to certain detailed features about the application of a city plan and zoning ordinance.

Our first study was the setback rule in residence areas. The students walked down the street nearest the college and were shown that the ground between the curb and the house was divided into (1) the parking, which provided the natural and most usual space for shade trees, (2) the sidewalk, (3) the front yard, and (4) the appurtenances of the house itself, such as the porch or step approach. It was pointed out that the house had a rather formal relation to the lot, i. e., the building was approximately in the middle of the lot, with back, front, and side yards. It was further observed that this definite relationship assured for each house a certain amount of light and air, and the requisite amount of privacy in the management of the premises of each family. The advantages of such an arrangement were all the more evident by reason of the breaking of the rule in the case of a small store, catering to the students, which came directly up to the sidewalk line. The front part of the adjoining lot was cut off from the sunlight which would otherwise have fallen upon it.

The presence of an open space covering almost two blocks directly across from the college campus gave rise to an understanding of the subject of zoning (Figure 4, Point 1). In answer to the question "Would you like to see a filling station erected on one of these corners?", it was pointed out that such a course of action could be prevented by establishing a city ordinance defining the use of certain areas in the community. The colored map showed that the private land in the vicinity of the college was used for residences. The bright lights of a filling station, the constant coming and going of cars, and above all, other essential characteristics of a retail establishment, made the possibility unwelcome.

A pleasant feature of the year's work came in trips to Fort Hays. The low rolling hills on which the Fort was established have been turned into golf links, and the only two buildings left on their original sites are the octagonal arsenal which is used as a home for the caretaker of the links, and the guard house which has degenerated into a barn and chicken house (Figures 5 and 6). The Kansas State Historical Society is arranging for the restoration of these two buildings and their perpetuation as museums.





Figure 5

**Guard House**

Figure 6

**Arsenal**

**THE ONLY TWO BUILDINGS OF FORT HAYS LEFT ON THEIR ORIGINAL SITES**

Upon the opening of the present 1928-9 college year, the work of the Commercial Club was to carry forward some of the major problems which the first year's work had disclosed. The purpose of this second year's endeavor is to instruct the club members in those steps and methods by which urban land planning is to be accomplished, as the complete fulfillment of some of the projects is beyond the present year.

These problems are four in number: (1) the removal of the freight depot of the Union Pacific Railroad to a spot east of its present location which is in the heart of the business district; (2) a zoning map of Hays; (3) the location of a suitable airport; (4) the development of a comprehensive city plan.



Figure 2

**St. Joseph's Catholic Church  
stands like a bit of old Russia**

## EDITORIAL

It is with deep regret that the Editors record the passing of four distinguished men from the field of city planning.

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### CHARLES B. BALL

October 17, 1928

Eminent health officer of Chicago, leader in establishing the City Planning Division of the American Society of Civil Engineers, an original member of the American City Planning Institute, Charles B. Ball contributed long and substantially to the progress of planning in America, bringing public attention to the fundamental engineering and sanitary aspects little stressed in the earlier days of his pioneering.

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### JAMES STURGIS PRAY

February 22, 1929

As Charles Eliot Professor of Landscape Architecture at Harvard University and Chairman of the School of Landscape Architecture, James Sturgis Pray organized the first professional course in city planning in the United States, fostering the establishment and directing the arrangement of an outstanding city planning library, through which Harvard has made a universal contribution. Many of the younger men active in city and regional planning to-day studied under his kindly guidance.

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### WILLIAM D. HUDSON

February 25, 1929

An authority in transport engineering, William D. Hudson was widely known for his engineering investigations and plans with especial reference to railroad, bridge and harbor work in over thirty cities in the United States and Canada. Affiliated with Harland Bartholomew and Associates, and later as the active head of the William D. Hudson Company, he achieved notable work in Chattanooga, Memphis, Schenectady, Pittsburgh, Sacramento, New Orleans, and other large cities.

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**HENRY AMES BARKER**

February 27, 1929

Preëminent for his work in securing the establishment in 1905 of the Metropolitan Park System in Rhode Island, Henry Ames Barker was the real father of city planning in Providence, and long chairman of its City Plan Commission. He was interested in a very large number of national organizations for civic improvement and attended regularly the meetings of the National Conference on City Planning. Last summer he renewed international friendships as a delegate to the International Town Planning Conference in Paris.

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**EBENEZER HOWARD MEMORIAL**

An International Committee has been formed to establish a memorial to Sir Ebenezer Howard, the pioneer of the "Garden City Movement". Subscriptions should be sent to Mr. Cecil Harmsworth, 13, Hyde Park Gardens, London, W. 2, England.

The Editors of CITY PLANNING announce with regret the resignation of Mr. Gordon J. Culham as Assistant Editor, owing to his removal to Canada to engage there in the practice of landscape architecture and town planning. Mr. Culham's interest and contributions will fortunately continue, since he has consented to serve on the committee in charge of the regular Current Progress Department, to which he hopes to send especially items of Canadian town planning news.

It is particularly appropriate that the new Assistant Editor should be Mr. Howard K. Menhinick who has just returned from the HARVARD-CITY PLANNING field study tour and who has thus become personally known to a large number of the magazine's readers throughout the country. To the coming issues of CITY PLANNING Mr. Menhinick will contribute several special studies on subjects to be developed in greater detail than is possible in the book by Hubbard and Hubbard to result from the field study. The Editors feel that the enthusiasm and analytical power which have characterized Mr. Menhinick's work on the tour, as well as his wide first-hand observation of American planning experience, will be valuable assets to editors and readers alike.

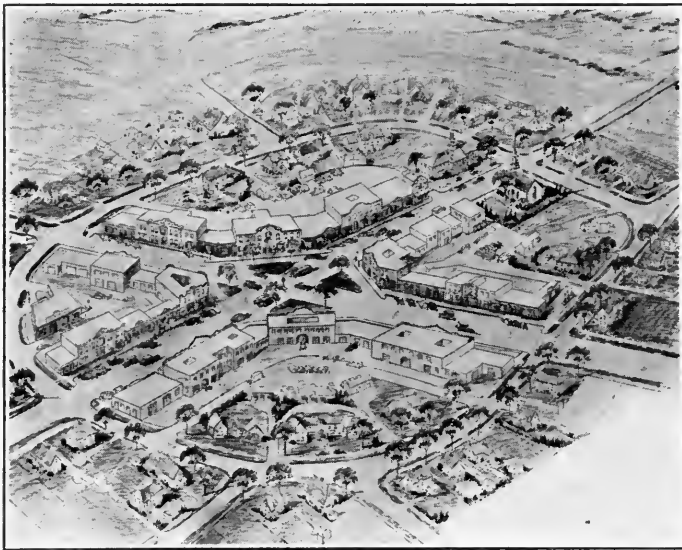
# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER      HAROLD S. BUTTENHEIM  
ARTHUR A. SHURTLEFF      CHARLES W. ELIOT 2nd

## PLANNING LOCAL BUSINESS DISTRICTS

**L**OTS or building sites, as well as streets, have to be adapted to function if they are to serve their purpose efficiently. This fact is brought out in zoning when use districts are created in which the lots are unsuitable in design or arrangement for the uses of the district in which they are placed.

In the undeveloped sections where subdivision is taking place, lots should be planned and arranged so that they will be adapted to the particular purpose in-



Design by C. F. Fisher, Akron

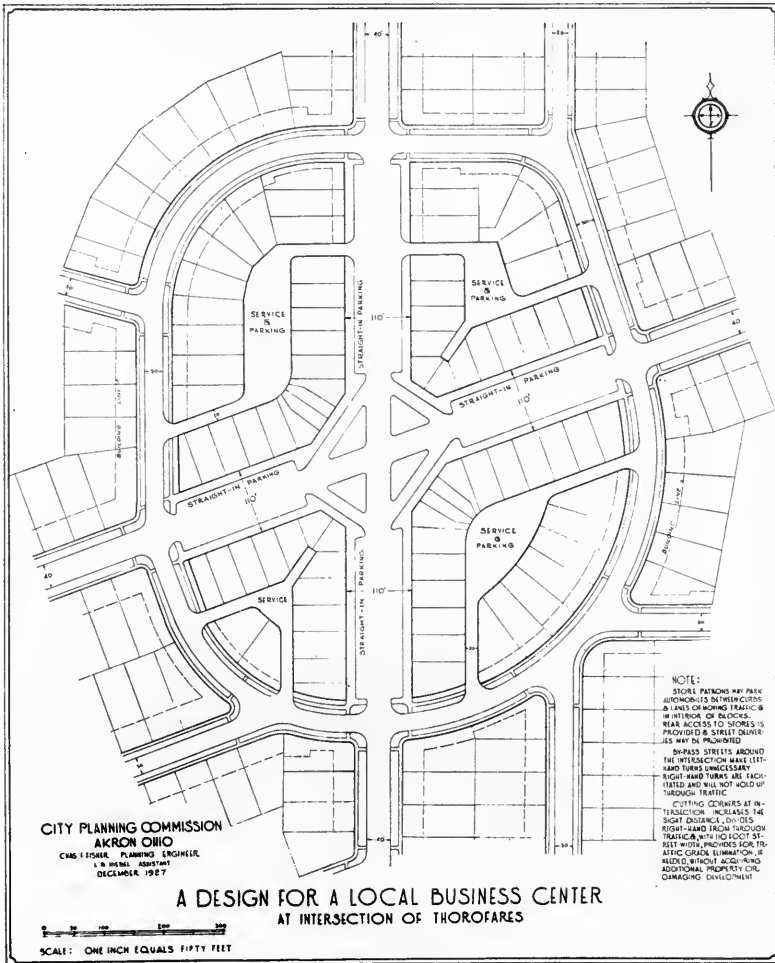
Drawing by E. Hans

### Design for a Local Business Center

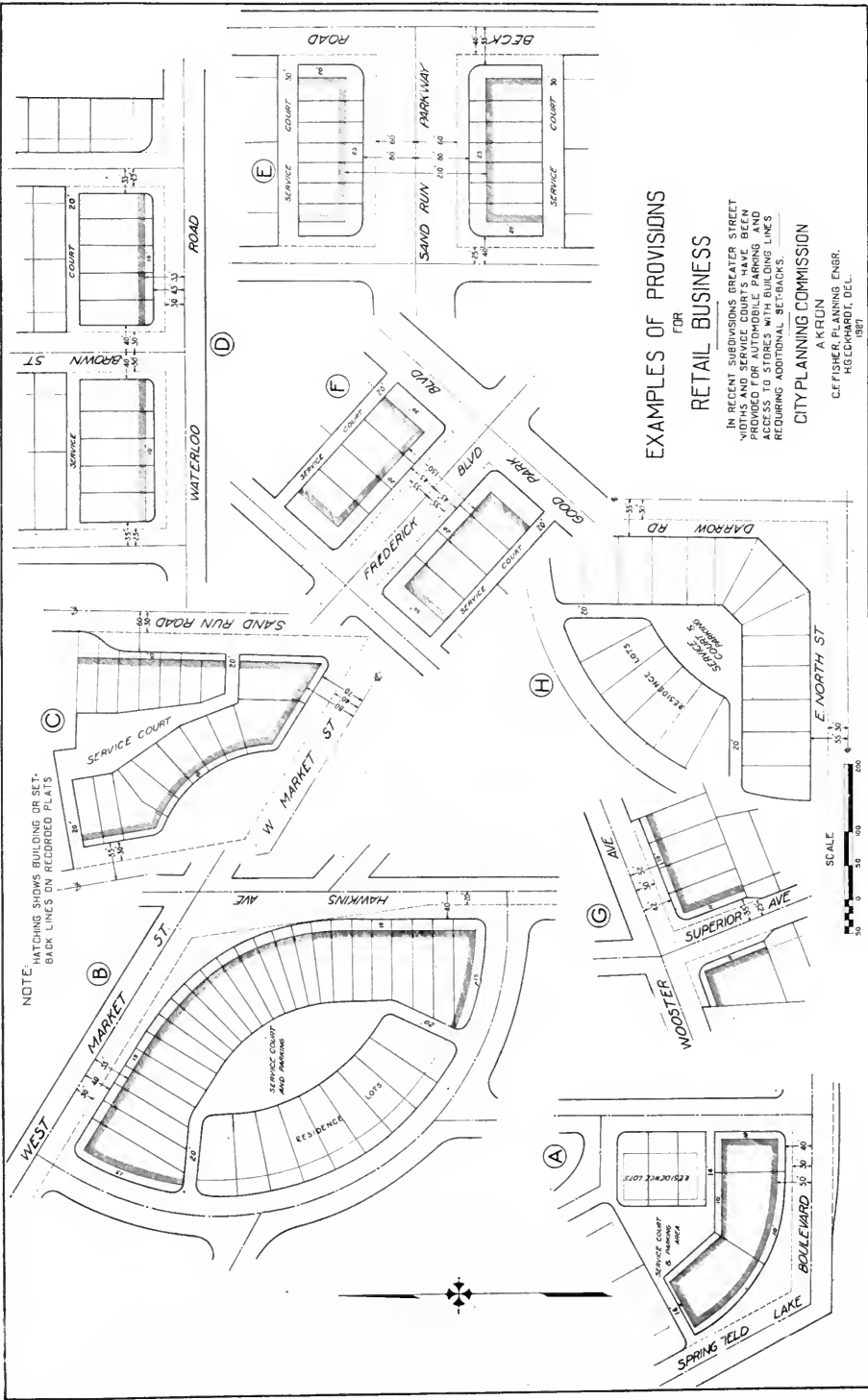
tended or the use permitted in accordance with proper zoning. All concerned—the subdivider, the future owners and users of the property, and the public—are benefited by planning in this way. Especially is this true in the case of neighborhood or local business centers.

A retail business center to-day should contain provision for loading and unloading in the rear, and ample space for the parking of customers' automobiles. Space in the interior of the block should be provided for parking, but whether such space is made available or not, additional street width should be dedicated to provide for straight-in parking so that, since patrons will park in front of stores in any case, parked cars will not block or hold up moving traffic.

To provide for straight-in or ninety-degree parking in front of stores on a traffic street, the half width of the street should be increased to not less than 55 feet and the total street width to not less than 110 feet. With a street width of 110 feet, 40 feet for four lines of moving traffic (two each way) may be provided,



and two 15-foot sidewalks may be constructed, leaving two 20-foot spaces between the four lines of moving traffic and the sidewalks for straight-in parking. Where a local business district is located at the intersection of two traffic highways, streets should be provided for by-passing the intersection, and the corners of the blocks should be cut back. The engineer of the Akron City Planning Commission prepared a design for a local business center at a particular intersection in which were incorporated all of the foregoing features. A number of advantages result.

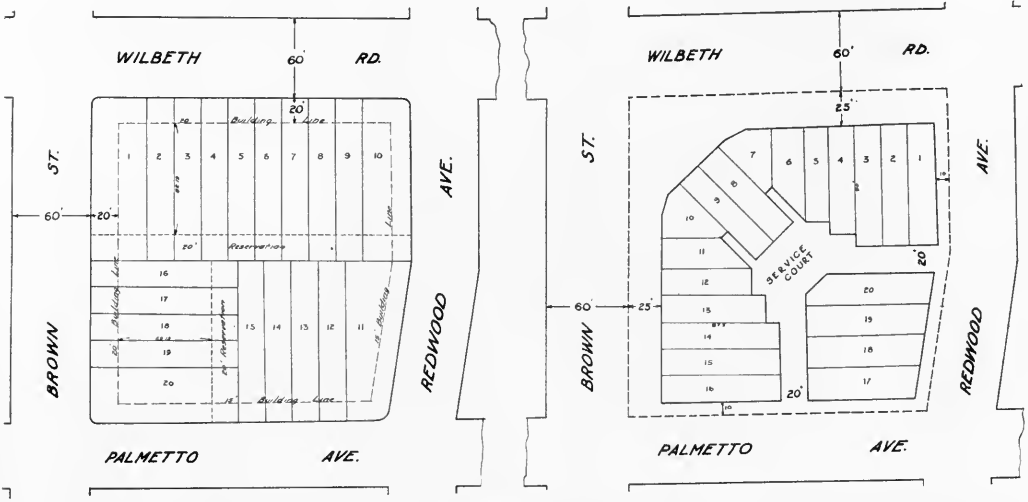


EXAMPLES OF PROVISIONS  
FOR  
RETAIL BUSINESS

IN RECENT SUBDIVISIONS GREATER STREET WIDTHS AND SERVICE COURTS HAVE BEEN PROVIDED FOR AUTOMOBILE PARKING AND ACCESS TO STORES WITH BUILDING LINES REQUIRING ADDITIONAL SET-BACKS.

CITY PLANNING COMMISSION  
A. K. RUN  
C. F. FISHER, PLANNING ENGR.  
H. GECKHARDT, D.E.L.  
1981

Store patrons may park automobiles outside the lines of moving traffic and also in the interior of blocks. Rear access to stores being provided, street loading and unloading may be prohibited. By-pass streets around the intersections make left-hand turns unnecessary. Cutting back the corners at the intersection increases the sight distance, divides right-hand from through traffic (which facilitates the movement of both right-hand and through traffic), permits a lot arrangement by which lot frontage is made continuous with the "butt-lot" eliminated, and, with a 110-foot width on both thoroughfares, provides for traffic grade separation, if and when needed, without acquiring additional property or damaging development.



**Left.** Business Block as platted in 1920, with building lines and easements for rear access provided but lots not arranged to best advantage and additional space not available for parking.

**Right.** The same block as redesigned by the Engineer of the Akron City Planning Commission and accepted by owners for recording in 1929. Additional street width for straight-in parking on both thoroughfares and courts for service are dedicated and the corner is cut back, giving continuous lot frontage on principal streets.

An aerial view from this design was then made by Mr. E. Hans to show the appearance when built up. These drawings have been helpful in securing better designed neighborhood or local business centers in new subdivisions. The subdividers recognize the selling arguments in favor of business lots that are planned for and adapted to business purposes. In the future subdivision of land, business districts approved by the Akron City Planning Commission will conform in location with proper zoning and in design with the planning principles required by modern business and traffic conditions.

CHARLES F. FISHER,  
*Engineer, Akron City Planning Commission.*

## THE WORK OF THE NEW SANTA BARBARA COUNTY PLANNING COMMISSION\*

THE new county planning work, which is just starting in Santa Barbara County, was authorized by the State Legislature of 1927, in the California law enabling any city or county to have a planning commission and setting up machinery for the preparation and adoption of a Master Plan. The Supervisors of Santa Barbara County were quick to see the opportunities of this new law. They realized that as trustees of a great, prosperous county they were under obligation to use every measure available to advance the health, comfort and material welfare of those who live in the county. The Commission which they appointed to make a thorough study of the county and to develop a Master Plan is composed of men willing to give their time and thought without pay to this work because they see in it an opportunity for large and helpful public service. The work is just getting under way, and in a short time we hope to have a well balanced, logical program of activities to talk about wherever people are interested all over the county.

First, we shall survey and appraise the assets of this county, make an inventory of its resources, find out what it produces now and what it can produce by more systematic and orderly methods of development, analyze the uses of land for the purpose of encouraging the highest and best use of every acre,—in a word, to keep and build upon the things that are good and get rid of the bad. For example, it should be worth a lot to people in all parts of the county to know that measures are contemplated for the preservation of the beaches and the maintenance of safeguards against the pollution of the waters along our coast. It is reasonable to believe that those who live inland enjoy and make use of the sea whenever possible and are as much interested in the protection of public rights in the water as any who live along the coast. The Commission intends to recommend the acquisition of shore parks and public beaches so that those who live back from the water may have access to it. The Commission will urge the prevention of camping and dumping along the highways and the erection of structures that spoil the views, and other such measures, all in the belief that these things represent something of great value to the people of this county. It must be recognized that practically all the wealth of the county is founded upon its natural assets, upon the productivity of its soil, the water resources of its mountains, and not the least upon its incomparable oak groves, its delightful canyons and romantic summits, and its charming sea views. We should be prodigal indeed to squander these treasures, yet that is likely to happen as population comes and development takes place. By planning far ahead we can prevent mistakes and costly blunders.

Second, we shall make plans of highways, so that there may be free and easy circulation through the county, so that congestion can be avoided, so that roads for fast travel may be safe, so that production in agricultural areas will in no way suffer because of lack of access to markets or to transportation agencies, so that every part of the county will have its properly arranged and adequate system of arteries.

\*Adapted from article prepared for circulation in Santa Barbara County.



In Santa Barbara County there is much road work yet to be done. New routes are needed, old ones should be improved as to width, grades, and alignment. By studying the plans of all roads as a system and working their development out on paper well in advance of construction, we can save the taxpayers of the county thousands of dollars. It is easier to change a line on paper than it is to erase a road that has been built in the wrong place. It is the aim of the County Planning Commission to save money by planning and to develop new wealth and values by intelligent direction of county growth.

Third, we shall develop a plan for a system of county parks and recreation areas to give the people of the county lands for their own use in leisure time, so that scenic spots will not all be appropriated for private use, so that boys and girls will have properly located and well administered play places, so that no young man or woman need seek the dance halls and indoor resorts because there is no place for wholesome games and sports in the open air.

Santa Barbara County by giving thought to its play and recreation facilities and by developing them along broad, generous lines, can become beyond a doubt the most favored playground of the nation. Nature has plainly shown that this is one of the greatest services that this county can render. The protection and improvement of all beauty spots, scenic reservations and forests, beaches, picnic groves, trails and roadsides, and areas for active games and sports will magnify the attractiveness of this county and draw here a class of people who know how to live and who bring with them and create wealth. A population of this class will insure a continued prosperity for this county regardless of industrial depression or other economic trouble elsewhere. Along that line it is of interest to compare Santa Barbara County with Westchester County, New York, of which the experience plainly shows that land values depend upon something more than a mere increase of population. Westchester County lies adjacent to New York City; it has great natural beauty, a long frontage on the Hudson and upon Long Island Sound. It is a residential rather than a farming county, although much farming is done there. The County Supervisors since 1923 have spent \$40,000,000 to date on a park development program. The assessed valuation of the county has taken a sharp upward turn since 1923, and where other agricultural counties in the State of New York have a valuation of \$1000 per capita, Westchester now has \$3000. Preserving the natural beauties of the county have thus brought in additional wealth, increased the purchasing power of the county, and created land values. We feel that Santa Barbara County is superior to Westchester in natural advantages, and by thoughtful planning and development of the things which give this county supremacy over others we can do what Westchester did. We can attract people here by the reservation of waterfront parks, the protection of beaches, the creation of fine motor roads and bridle trails, the prevention of forest fires, the absolute and complete banishment of billboards, shacks and other structures that deface the beautiful canvases and etchings hung before us by nature.

Fourth, we shall draw up zoning regulations for the residential communities of the county. Wherever homes are built together and valued as homes, there is a desire to protect them from the value-destroying small businesses that seek the

trade of these communities. There are places where garages and filling stations and hot-dog stands can all go and prosper and do no damage. It is the hope of this Commission to mark out such places on a map and require them to locate within these zones. In this way we can conserve the taxable wealth represented in the estates of Montecito and other equally attractive newly developing residential districts in the county.

In the preparation of these zoning ordinances and protective measures we shall do only what is legal and desired by property owners. There will certainly be no zoning, and very little county planning of any sort for that matter, in farm districts that are getting along well without such measures. It is not the intention of this Commission to tell any farmer how he shall paint his barn or how he shall spray, irrigate, or otherwise manage his affairs. There is a belief in some quarters, however, that we ought to try by some legal means to prevent the platting into useless, unnecessary two-by-four city lots land that is in productive agricultural use. This operation, which has ruined thousands of acres of citrus fruit and other valuable farm crops in Los Angeles County, is already under way here. It means a loss to everyone in the county. It takes land that is making money and turns it into a sign-board pasture and a weed nursery. Operations of this sort caused great damage in the State of Florida. We believe that this Commission will have wide support in its endeavor to prevent such affairs in Santa Barbara County.

In all the work outlined above—and there is more to be done—the aim is to conserve, to protect, and to improve. We shall not urge the expenditure of county funds foolishly; the character of the men on the Commission is a guarantee of that. We shall urge, however, that certain things be done because there is economy in doing them now. All that the Commission hopes to do is what any sensible, conservative citizen of the county would want done if he were looking into the future of his county and anxious to make it a place where men can live comfortably, happily, and with a reasonable degree of prosperity.

L. DEMING TILTON,

*Director of Planning, Santa Barbara County.*

## ZONING IN OHIO

Ohio enjoys the distinction of having the constitutionality of comprehensive zoning vindicated within her borders. This was not done without strenuous efforts, and evidence is available to prove that at least in the case of Cleveland a strong minority was able to hold up in council for six years substantially the same ordinance as the one finally accepted last year, only to be repealed two months later.

Throughout the state 66 per cent of the urban population now lives under the protection of zoning. There are 30 zoned cities and towns, and it is significant that of the unzoned remainder there are 42 cities between 5,000 and 10,000 population. These smaller cities present a serious problem, and the bad existing condition due to the slow rate of change in use is apt to remain so for a long time. Owners of affected properties have not much choice but to grin and bear it. The residential suburbs of the large cities, however, have fared better; for the most part they have been protected, often years before the parent city accepted an ordinance.

According to Mr. Charles E. Conley of the Cleveland City Plan Commission,<sup>1</sup> the history of zoning in Cleveland illustrates the conditions encountered elsewhere in the state, and more particularly the futility of half-way measures. Prior to Cleveland's brief acceptance in 1928 of a comprehensive zoning ordinance, sixteen suburbs had been zoned, some as early as 1919. About 1924, deed restrictions began to run out on a number of small residential sections and stop-gap ordinances were passed, which gave rise to several adverse decisions. This piecemeal zoning proved to be thoroughly ineffectual and contributed materially to the general confusion and misunderstanding with which the proponents of the comprehensive ordinance later had to contend.

G. J. C.

### TOWN PLANNING IN CZECHO-SLOVAKIA<sup>2</sup>

Prague is to-day a very beautiful city. It had site values to begin with, and has had much careful thought lavished on it since. Although it is rather out of the way for the average traveller, the inspirational reward is worth the additional effort.

Since the war and the rise of a spirit of nationalism in Czecho-Slovakia the urge to be rational, modern and progressive has found an outlet in architectural style. Fortunately the intrusion of the new amongst the old has been checked and now it is predicted that these new energies will be devoted to carrying out the comprehensive plan and zoning ordinance for the city and its environs, which has recently been accepted.

The plan is directed by a national "commission of regularization" and, extending over a territory of 140 square kilometers, embraces seventy communes of 750,000 population. The commission is composed of eminent specialists in the fields of planning, health, and law. Surveys are being conducted and projects are authorized as the plans are completed. Competitions have been held for much of the work.

It is interesting to note that an Institute has been established which is in charge of disseminating information on planning to the towns and communes. Town planning is taught in regular courses in the higher schools of Prague and Brno and is a subject for discussion not only in the technical journals but also in the daily press.

G. J. C.

### LECTURES AT STANFORD UNIVERSITY

The Departments of Civil Engineering and Art of Stanford University have arranged for a course of lectures on City Planning to be given before the Senior and Graduate students of these two departments, during the present college year. Dr. Carol Aronovici, City Planner, has been engaged to give this course, which will consist of a series of lectures and discussions, covering the field of city planning in relation to engineering work and the arts as applied to city development.

<sup>1</sup>Paper before Ohio State Conference on City Planning, Oct. 1928.

<sup>2</sup>As described in *L'Architecture Contemporaine en Tchéco-slovaquie*, 1928.

The subjects to be dealt with are as follows:

Scientific Basis of City Planning; Constructive Organization for Planning Work; Costs and Profits of Planning; Planning Facts and Planning Projects; Principles of Land Subdivision and Control; Zoning; Traffic Distribution and Control; Civic Art; Architectural Control, etc.

## PHILADELPHIA CONFERENCE ON CITY GOVERNMENT

At an interesting series of meetings held in Philadelphia on February 15 and 16 to discuss city problems, three of the five sessions were devoted to planning, including as topics: "how a city planning commission may operate successfully", "the city's rail transportation", and "long-term city planning", the last-named subject being presented at an open meeting of the American Academy of Political and Social Science, including a paper by Mr. George B. Ford, "A Budgeted City Plan Should Reduce Taxes".

It is significant that shortly before these meetings of the Philadelphia Conference on City Government, the Mayor of Philadelphia announced the appointment of a city planning advisory committee of three hundred to study the physical and cultural needs of the city and act as advisers to an official city planning commission of twelve then being selected.

## RAISING THE STANDARD OF SUBDIVISIONS

The National Association of Real Estate Boards is sponsoring the establishment of the Consultation Bureau of the Home Builders and Subdividers Division, in order to provide a planning service for subdivision developers and to establish standards for subdivision development.

Proposed urban or suburban subdivisions investigated, on application, by the new Bureau will be given a Certificate of Approval if the project meets all the requirements of a rigid set of subdivision standards promulgated by the National Association of Real Estate Boards and discussed at the recent annual meeting of the Association at Birmingham, Alabama.

Some of the leading features of a new development which will be subjected to study by the Consultation Bureau are: competency and reliability of promoters and contractors concerned; site and relation to surrounding improvements; minimum standards as prescribed by City Planning Commission and proper relation to master plan; analysis of developer's market; appropriateness of physical plan and details proposed; adequacy of financial plan; soundness of legal plan, titles, restrictions, etc.; accuracy and effectiveness of merchandising plan; initiation of home building, community features, resale policies, etc.

To the buying public, a Certificate of Approval issued by the Consultation Bureau will indicate that the subdivision development has been analyzed by experienced operators, assisted by legal, architectural, and engineering counsel, and found well conceived and adequately planned in these respects. An editorial in the *Chicago Journal of Commerce* has pointed out that in view of the fact that "more money has been stolen in the name of subdivision promotion than in the name of piracy", it is to be hoped that after this Bureau is in operation the very numerous conscientious subdividers will immediately make use of it.

## CIUDAD UNIVERSITARIA<sup>1</sup>

A Spanish commission which included the Vizconde de Casa Aguilar and four architects has recently completed a tour of this country for the purpose of studying university planning. After visits to numerous institutions the commission has expressed preference for certain units of the Leland Stanford group as being best suited for adaptation at the new University City at Madrid.

The proposal for a University City at Madrid is due to the initiative of the King of Spain who is reported to have deplored a large appropriation for cruisers at the expense of educational institutions, the influence of which would be felt much longer. This project, which will be located on the northwest side of Madrid in the Moncloa Park region and will be known as the Ciudad Universitaria, will resemble the University City at Paris in that it will provide complete facilities for student life. In addition to the educational buildings there will be numerous dormitories, a hospital, etc. Most of the buildings will be three stories in height, although the hospital will be higher, and it is hoped that construction may be started this spring.

The project was started in December, 1927, with a fund derived from the national Christmas lottery which is the biggest of the year, and has been aided in this country by a gift of four hundred thousand dollars from Señor del Amo, a wealthy oil producer of California, and also by a benefit at the Opera House in New York which netted between fifty and sixty thousand dollars for the construction fund.

## STATE OR REGIONAL CREDITS FOR HOUSING

At the Seventeenth Annual Meeting of the Governmental Research Association held in Cincinnati last October a question of interest to city planners was presented in the address by Mr. S. J. Herman of the Michigan Housing Association. He pointed out that according to the June *Labor Review*, multiple dwellings have increased at the rate of 100 percent within the last six years in the 257 cities studied, for the very good reason that continuation of our present methods makes it impossible to build single dwellings at a price within reach of more than three-fourths of our people. It requires a monthly burden of \$85 to carry the cheapest sort of five-room house, whereas these people have only \$25 to \$30—one-quarter of their income—available for rent. The situation is rather startling, and we may yet live to see rare specimens of this type of dwelling acquired by the Archeological Societies unless a method is discovered which is big enough to increase the contents of such a large number of pockets or revolutionize the building industry. The author analyzes two such methods in a way which leaves very little doubt about the scope of philanthropy or the countries in which governmental subsidies or ownership might better be practiced. He would suggest Public Credits as the most

<sup>1</sup>The editors are indebted to Mr. Harry B. Brainerd of New York for this information.

logical solution which he sees at the moment, and proposes to set up Loan Commissions for the purpose of financing Housing Corporations with activities restricted to large-scale operations.

The efficiency of mass production in the field of housing under such circumstances ought at least to bring about a reduction in the cost of housing if not an actual increase in the family income. Without in any way discounting such advantages we should realize the logical consequences of such a step. Obviously it would then be necessary to plan the residential districts by the square mile as compared with the existing method of developing the small holdings. It might then be possible to plan these larger tracts in scale with the income and for the health, convenience, and amenity of the home owners so that the trend toward the multiple dwelling would be reversed.

G. J. C.

### NATIONAL CONFERENCE ON HOUSING

The tenth National Conference on Housing in America, held at Philadelphia, January 28 to 30, devoted much time to aspects of housing intimately allied to city planning. There were included in the large attendance a number of members of the American City Planning Institute, some of whom were on the program. Slums, health, light and air, new ideas in developing residential districts, master plans, the monster city of dreadful height, were among the topics especially featured, in addition to planning and financing house building. The informal luncheon and dinner sessions were pleasant and valuable. Those unable to attend the Conference will look forward to the printed volume of Proceedings shortly to be issued.

T. K. H.

#### THE ENGINEERING INDEX SERVICE INDEXES THIS JOURNAL

CITY PLANNING is fully indexed—every issue, as soon as published—in a set of cards, which thus brings ready to hand any article on any subject in this journal or in any one of 1700 other journals in all languages. This Engineering Index Service, instituted in January, 1928, is to be found in the Public Libraries of Newark, Cleveland, Bridgeport, Baltimore and the John Crerar Library, Chicago.

—*Item from Librarian, Newark Public Library.*

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## PROGRESS OF CITY PLANNING LAW DURING 1928

This department is devoted this month to a review of the major events in the field of city planning law during 1928.

### PLANNING COMMISSION LAW

Often as it is overlooked in practice, it is nevertheless a fact that the planning of the community as a whole in the public interest is more important than the guidance for the public good of the growth of any part of it. More than to any other public agency, the powers necessary for comprehensive planning are entrusted in this country to planning commissions. Among these powers the right to establish the street system which forms so large a part of the entire city plan on such a basis as to prevent the owners of the land planned from blocking it by erecting structures in the bed of mapped streets, and the right to control subdivision, essential in the outlying portions of the community in which so much can be accomplished by far-sighted regulation, are especially valuable. For this reason the decisions in the cases of Sansom Street, Caplan's APPEAL in Pennsylvania<sup>1</sup> and Ridgefield Land Company v. The City of Detroit<sup>2</sup> are the events of first importance in the field of city planning law during the year; but, having been fully discussed already in this department, they do not again demand extended treatment.<sup>3</sup>

Our readers will remember that the city planners of the country, united in their recognition of the great importance of preventing construction by land owners in the bed of mapped streets, are divided in opinion as to the best means of attaining this result. In Massachusetts a method based upon the power of eminent domain has been proposed, but has not as yet become law; in New York, laws to this end founded upon the police power have been passed and are in operation in a number of cities and villages, which have enacted ordinances adopting them. The model planning law of the United States Department of Commerce, and the California planning law recognize both methods. In this division of opinion, however, there seems to be a general agreement that the police power method of establishing the city plan is the better of the two if it is constitutional.

Laws using the police power to prevent building the bed of mapped streets have in former times been passed in many of our states, but these older laws have been declared unconstitutional everywhere except in Pennsylvania. It was the belief of the framers of the New York statutes that the fatal defect in these laws now overthrown was that they did not provide relief in cases of hardship and prac-

<sup>1</sup> 293 Penn. 483.

<sup>2</sup> 241 Mich. 468.

<sup>3</sup> See CITY PLANNING for July 1928 (Ridgefield) and Jan. 1929 (Caplan).

tical difficulty and, like so many zoning laws with a similar defect, proved to be unjust in such instances and were for that reason held unconstitutional. They believed that the Pennsylvania judges, when such a case arose, while declaring the law valid in the ordinary situation, would refuse to apply it so as to work injustice, just as they had refused to extend it to parks, declaring a law so doing to be void.<sup>1</sup> This, as our readers already know, is just what the court did in the case of Sansom Street, Caplan's APPEAL. The facts of that case, and the reasoning on which it was based, have already been so fully stated in these columns that it seems unnecessary to repeat them here. The case would appear to be a practical endorsement of the principle of the New York legislature by the highest court of a sister state, which can be used most persuasively in the courts of the state of New York when a judicial contest over the new laws arises there.

In Kentucky during the year a new planning commission law<sup>2</sup> was passed. Under it second class cities may appoint such commissions for the area within their limits and surrounding territory, with five city members and two county members. In Rhode Island, the act<sup>3</sup> creating a thoroughfare commission for Providence was repealed.<sup>4</sup> In Virginia the appointment of several local planning commissions was authorized.<sup>5</sup>

### PLATTING

Statutes giving planning commissions the right to control subdivision, and regulations under them, often giving the authorities great power, have of late years become common in this country, but cases in support of them are few. For this reason the case of Ridgefield Land Company v. The City of Detroit, sustaining the exercise of such authority, is an important aid to planning in this country. The Michigan decision holds that the approval of plats may be made a prerequisite to their record. It should be noted that Detroit had adopted a city plan, giving the commission the basis upon which to pass upon plats intelligently. The realtor in Michigan may still transfer land by metes and bounds; but the control of plats gives the commission virtual control of suburban planning since for development on any considerable scale plats seem to be a practical necessity<sup>6</sup>.

Statutes requiring public approval of plats inside and, in most cases, within a given distance of certain cities as a prerequisite to record have been passed during the year by Kentucky<sup>7</sup>, South Carolina<sup>8</sup>, and Virginia<sup>9</sup>.

### BILL BOARDS

The movement for the stricter regulation of bill boards is progressing both in Massachusetts and in the rest of this country; and in this progress, in spite of

<sup>1</sup> Act of July 22, 1913, P. L. 902, held invalid in *Delaware Ice Co. v. City of Easton*, 4 Penn. Dist. and County Rep. 35.

<sup>2</sup> 1928, ch. 80.

<sup>3</sup> 1927, ch. 1077.

<sup>4</sup> 1928, ch. 1240.

<sup>5</sup> 1928, chs. 277, 354, 482.

<sup>6</sup> For decisions on related matters during the year the student is referred to the following cases: In the Matter of Title Registration, Application of Sullivan, No. 251, Court of Common Pleas, Sullivan County, Ohio.

*Prudential Cooperative Realty Co., Inc. v. Youngstown*. 118 Ohio State Rep. 117.

<sup>7</sup> 1928, chs. 80 and 89.

<sup>8</sup> 1928, ch. 668.

<sup>9</sup> 1928, chs. 128, 281, 354, 482.



the concern of the advocates of regulation, the recent case of *Inspector of Buildings v. General Outdoor Advertising Co.*<sup>1</sup> is not a serious obstacle. Without minimizing the criticisms that have been made of the case, it seems clear that the substance of the actual decision is that the zoning enabling acts of Massachusetts do not authorize the zoning of bill boards; but that they may be made to do so by amendment in a form which any competent lawyer after reading the Falmouth case could easily draw. The decision is due to the existence of the constitutional amendment authorizing the control of outdoor advertising and the statutes, ordinances and regulations based upon it, which, it is claimed, show that the later zoning statutes were not intended to include bill boards. This amendment is to be found only in Massachusetts. An analysis of the case makes it clear that, for this reason, the case will not be followed in any other state. In spite, therefore, of the many criticisms to which the case is open, it is not a lasting obstacle to the proper restriction of outdoor advertising in this country.<sup>2</sup>

A real peril to the proper control of bill boards and all esthetic regulation by the amendment of state constitutions is the case<sup>3</sup> which the bill board interests have brought in the Supreme Court of Massachusetts claiming that Art. L added by amendment to the state constitution is invalid under the Constitution of the United States. That amendment reads:

"Art. L. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law".

This case will without much doubt be carried to the United States Supreme Court, and the friends of bill board control are appealing to the believers in such control throughout the country for financial assistance in the case in which they all have a common interest<sup>4</sup>.

Undaunted by this menace, civic societies in Massachusetts are making a new attack upon the evils of outdoor advertising. With their support the Massachusetts Forestry Association at the last session of the state legislature introduced a bill giving the State Division of Planning the power to regulate the use of the land outside the limits of cities and towns, which is within five hundred feet of the limits of any state highway; and any person wishing to use any such lands for any use other than agricultural must obtain a permit, and be subject to the provisions of the bill. In this way not only bill boards but "hot dog" stands, filling stations, and so-called "amusement parks" may be regulated<sup>5</sup>.

Nor is Massachusetts the only state in which new methods of attacking this old evil are being sought. The Niagara Frontier Planning Board of New York, alive to its duty of protecting the beauty of the region in its charge, has employed Carlos C. Alden, Dean of the University of Buffalo Law School, to draft a bill for introduction in the state legislature to regulate bill boards in that part of the state. The bill has many novel provisions and is given in the report of the Board, with a statement of the principles upon which it is based<sup>6</sup>.

<sup>1</sup> 161 N. E. Rep. 899.

<sup>2</sup> For a full statement of the case, see CITY PLANNING, Jan. 1929; also the *Massachusetts Law Quarterly*, Aug. 1928, and the *National Municipal Review*, Dec. 1928.

<sup>3</sup> General Outdoor Advertising Company, Inc., et al. vs. William F. Williams et al.

<sup>4</sup> Contributions may be sent to E. T. Hartman, Treasurer, State Street Trust Co., Boston. Checks should be made to the order of "Billboard Law Defense Fund".

<sup>5</sup> See "Zone the State Highways", being Bulletin No. 146 of the Massachusetts Forestry Association, 4 Joy Street, Boston.

<sup>6</sup> The report is called "Land of the Noble Free".

## BUILDING LINES

New Jersey has enacted a law authorizing municipalities to establish building lines along county highways.<sup>1</sup>

## EXCESS CONDEMNATION

The revived interest in excess condemnation is still increasing. Employed successfully under statutes authorizing it in the early part of the last century, driven practically out of use by decisions holding such statutes unconstitutional, reintroduced by the amendment of state constitutions in 1904 and succeeding years, it was for some time seldom in practice resorted to. Of late, however, it has begun to be employed under the existing constitutional amendments, and last year the fundamental law of three states was changed to give communities the opportunity to make use of it.<sup>2</sup>

The California amendment, passed by the legislature for the second time and ratified by the people in 1928, authorizes the taking of land within 150 feet of the outer limits of the principal improvement.

The Michigan amendment, similarly passed and ratified, provides that in payment of excess land taken bonds shall be issued which "shall be a lien only on the property so acquired, and they shall not be included in any limitation of the bonded indebtedness of such municipality". In the similar amendment in Ohio, adopted in 1912, the further statement appears that the bonds "shall not be a liability of the municipality". It would seem that therefore the bonds in Michigan although not within any bond limit which the constitution or the statutes of that state imposes upon municipalities are an indebtedness for which municipalities are liable. Michigan cities therefore are in a position to make many improvements which are most desirable but not immediately profitable financially as Ohio has not been able to do.

An amendment of the Constitution of Virginia, effective last June, should be mentioned in this connection. Section 58 of that instrument formerly provided, in part, as follows:

"The General Assembly shall not pass any bill of attainder, or any ex post facto law, or any law impairing the obligation of contracts, or any law abridging the freedom of speech or of the press. It shall not enact any law whereby private property shall be taken or damaged for public uses, without just compensation."

The last sentence, quoted above, has now been changed to read:

"It shall not enact any law whereby private property shall be taken or damaged for public uses, without just compensation, the term 'public uses' to be defined by the general assembly."

When the states which have just amended their constitutions have enacted the necessary laws putting it into effect,<sup>3</sup> excess condemnation will be available for

<sup>1</sup> 1928, ch. 84 (p. 181).

<sup>2</sup> See "Excess Condemnation in City Planning—A Symposium" by Messrs. Frank B. Williams, A. L. Vedder, Charles Wellford Leavitt and Frederic H. Fay, reprinted from the Transactions of the American Society of Civil Engineers, Vol. 89, p. 791 (1926).

<sup>3</sup> Virginia has already given one local community (the town of Vinton, Roanoke County) the right to condemn in excess, 1928, ch. 277.

use in seven, or if we include Virginia, in eight of our states.<sup>1</sup> Wisely used this power will be of great advantage to city planning in this country.

Especially noteworthy in view of the new interest in excess condemnation is the case of *Vester v. The City of Cincinnati*, in the United States District Court.<sup>2</sup> This is the first case to arise with regard to the validity of a state constitutional amendment of excess condemnation. The principal improvement was the widening of a street in the city of Cincinnati. The court finds that the only purpose in taking the excess of twenty-five feet of land, was "the recoupment, by dealing in real estate, of a large portion of the heavy expense necessary for this project". He intimates that while excess taking of remnants and perhaps taking for other purposes might be legal, condemnation for recoupment or profit is contrary to the Constitution of the United States. There is little hope of reversing this ruling in the Supreme Court of the United States; but it seems probable that, properly presented, an excess taking for the planning of the excess in harmony with a principal improvement in the public interest will prevail.

### PARKS

New Jersey has passed a statute relating to parks in counties having a population of more than 200,000.<sup>3</sup>

### REGIONAL PLANNING

The constitutional amendment, passed for the first time last year,<sup>4</sup> authorizing the creation of a greater Pittsburgh with the cities of Allegheny County as its boroughs, was this year again passed and ratified by the voters of the state in Allegheny County according to the terms of the amendment. It is therefore now a part of the Pennsylvania State Constitution. The amendment authorizes the legislature to enact a charter for the greater city, which must be ratified by a majority vote of the county and by a two-thirds vote in each of a majority of the present cities, boroughs and townships within the county. It is not until these results have been attained that the greater city comes into existence. The outcome will be awaited with great interest.<sup>5</sup>

### ZONING

Most important of the zoning statutes passed during 1928 is the general enabling act of New Jersey<sup>6</sup> giving effect to the recent zoning constitutional amendment. In many respects following the Standard Act of the United States Department of Commerce, it differs from it in limiting further the power of Boards of Adjustment to grant relief in cases of unnecessary hardship, giving power, where the Board is denied it, to the legislative body of the community. The results of this novel experiment will be watched with interest.

<sup>1</sup> Mass. (adopted 1911) Amendments, Art. XXXIX; Ohio (adopted 1912) Art. XVIII, Sec. 10; Wisc. (adopted 1912) Art. XI, Sec. 3a; N. Y. (adopted 1913) Art. I, Sec. 7; R. I. (adopted 1916) Art. XVII, Sec. 1; Calif. (adopted 1928) Art. I, Sec. 14 1-2; Mich. (adopted 1928) Art. XIII, Sec. 5; Va. (adopted 1928) Sec. 58.

<sup>2</sup> Southern District of Ohio, Western Division, No. 555, in Equity, Opinion rendered orally November 24, 1928.

<sup>3</sup> 1928, ch. 269 (p. 678).

<sup>4</sup> See Laws, 1927, p. 1051 (Joint Resolution No. 14).

<sup>5</sup> For a step in the direction of Regional Planning, see Virginia, 1928, ch. 215.

<sup>6</sup> 1928, ch. 274.

Important also is the amendment of the Boston zoning law, introducing volume limitation instead of more or less independent limitation of height and area.<sup>1</sup> Other zoning statutes of the year are given below.<sup>2</sup>

Of most interest among the zoning decisions of the year are those in New Jersey. They show that the judges of the state have interpreted the zoning constitutional amendment and the enabling acts under it, in such a way as to bring New Jersey into accord with the other states in which zoning is in force. The League of New Jersey Municipalities summarizes these decisions as follows:

"Since the middle of May, fifty-one zoning decisions have been rendered by the Supreme Court. The majority are favorable to zoning. Study of them reveals that the Court supports the following propositions: That zoning ordinances are within the police powers of the state; that zoning ordinances adopted prior to the 1928 Zoning Act remain in force; that mandamus will not be granted to permit for erection of a building declared by Board of Adjustment to be contrary to public safety; that applicants for certiorari or mandamus must apply first to the Board of Adjustment; that a City Commission has not the judicial powers a Board of Adjustment has; that the findings of a Board of Adjustment will not be disturbed in the absence of proof of unreasonableness; that a gasoline station is a garage; that aesthetic requirements are unreasonable."<sup>3</sup>

*Aufderheid v. Polar Wave Ice and Fuel Co.*<sup>4</sup> adopts the well known rule of *stare decisis* and applies it to zoning. In that case the court holds that a decision in favor of an applicant for a permit, declaring the building to be lawful in the location chosen for it, and the zoning ordinance forbidding its erection there to be void, becomes a rule of property; and the fact that a subsequent decision declares the ordinance to be constitutional and valid does not render the building open to attack as unlawful.

Perhaps the only especially noteworthy zoning case in the Supreme Court of the United States is *Nectow v. City of Cambridge*.<sup>5</sup> This case, reversing the highest state court in Massachusetts, held that a zoning ordinance of the City of Cambridge was unreasonable and for that reason void. The importance of the case is due not to the interpretation given to the facts by the United States court, but because it shows that this court will analyze zoning ordinances and scrutinize their particular application, supporting the zoning only when it is reasonable.

Other zoning decisions of lesser importance are briefly noted below.<sup>6</sup>

<sup>1</sup> 1928, ch. 137.

<sup>2</sup> Alabama, 1927 (local acts), ch. 380; Kentucky, 1928, ch. 80; Massachusetts, 1928, ch. 70; New York, 1928, ch. 106; Rhode Island, 1928, chs. 1277, 1298; Virginia, 1927 (extra session), chs. 15, 48; 1928, ch. 55.

<sup>3</sup> The League has prepared two bulletins giving the text of the more important of these decisions.

<sup>4</sup> 4 S. W. Rep. (2d) 776 (Missouri).

<sup>5</sup> 277 U. S. 183.

<sup>6</sup> California.—*Feraut v. City of Sacramento*, 269 Pac. Rep. 537. One side of a street may legally be zoned for residential and the other for commercial uses.

Michigan.—*Adams v. Kalamazoo Ice and Fuel Co.*, 22 N. W. Rep. 86. A non-conforming use may be continuous although seasonal. See also *Appeal of Haller Baking Co.*, Supreme Court, Western Division, Pennsylvania (March Term, 1928).

New Hampshire.—*Sundeen v. Rogers*, 41 Atl. Rep. 142. Set back for auxiliary buildings valid.

New Jersey.—*Van Duyn, Inc., v. Summit, Building Inspector of Montclair*, 140 Atl. Rep. 392. Restriction of number of families per acre, etc. based upon inadequacy of sewer facilities valid.

U. S. Supreme Court.—*State ex rel. Seattle Title Trust Co. v. Roberge*, Superintendent of buildings of City of Seattle. Invalidity of consent zoning.

## A QUESTION ON PLATTING CONTROL

*To the Editor, City Planning:*

The Legislature of Texas at its last regular session passed an act requiring approval by the City Plan Commission, or by the governing authorities when there is no plan commission, of all plats for subdivisions in cities of 25,000 or over, and within five miles of the city limits.

It is the opinion of the City Plan Commission of El Paso that it is sound public policy to require some improvement of the property before it is offered for sale, in order that the public may be protected from merely speculative offerings which are usually disappointing to the purchasers, and to discourage the platting of lots for which there is no need, resulting in an unnecessary spreading out of the city and a high cost for administration and for all public utilities. El Paso was overplatted many years ago during a real estate boom and still has thousands of vacant lots, some with paving laid and all utilities installed, but with scattered houses among them, many of which are so old-fashioned or out of repair that they make their neighborhood undesirable for discriminating builders. The result will be more subdivisions and a repetition of past experience, unless such a degree of improvement can be insisted upon that more lots will not be platted than the market can reasonably be expected to absorb.

Platting rules are in preparation for the guidance of subdividers in El Paso, and the question has arisen: how far can the city go in requiring improvements as a condition of approval of the plat when the property is outside of the city limits? A similar problem is undoubtedly before other cities attempting to exercise subdivision control and I believe that an opinion by Mr. Williams on this question will be of interest to many of your readers.

W. E. STOCKWELL,

*Engineer and Secretary, City Plan Commission, El Paso.*

### ANSWER

*My dear Mr. Stockwell:*

I agree with you that it is good public policy to secure from subdividers some improvements on their property before it is offered for sale to the public, if it can be accomplished in a proper manner. In practice this requirement seems to be, to a considerable extent, a matter of geography; it is more common in the South and West than in the East, and there is considerable difference of opinion whether at present it is wise to make it. I do not believe that, as yet, at least, it can be sustained in law. Is a result obtained by what verge on "strong arm" methods for the common good, or is it more for the advantage of city planning, in the long run, to keep carefully within the law?

It should be said, however, that the Courts in the South and West seem to be more willing to sustain platting regulation than the Eastern Courts have shown themselves to be. The leading case is *Ridgefield Land Co. v. Detroit* (217 N. W. Rep. 58; 241 Mich. Rep. 418), recently decided. It holds, as you know, that the approval of a plat by a planning commission may be made a prerequisite to its record. If this case is followed generally in this country, as I believe it will be, it will be a great aid in the planning of the more outlying parts of our communities.

FRANK B. WILLIAMS.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## QUESTION BOX

### FRONT YARDS IN COMMERCIAL DISTRICTS

*Question:* Under Texas conditions, how far is the city justified in going in the establishment of police power front-yard provisions in commercial districts where present improvements are not modern?

W. E. STOCKWELL, *City Engineer, El Paso, Texas.*

(In the district under consideration the buildings must inevitably soon be replaced, according to Mr. Stockwell.)

*Answer:* This is a matter of legislative discretion. If the council establishes front yards in commercial districts, the regulations must substantially relate to light, air, fumes, noise, etc. Localities situated alike must be treated alike. If these rules are followed, the courts will uphold the regulations, provided always that where the incidence of the regulations on a particular lot is arbitrary by reason of its environment, a board of appeals shall have power to make a variance that will avoid arbitrariness. Thus far front yards in commercial districts have been required, if at all, in suburban communities and not in centers of cities. The width of the street is an element in fixing a front-yard requirement. A uniform requirement of fifteen-foot front yard in a commercial district embracing both wide and narrow streets would seem to me to be dangerous. If to suit the requirements of the commercial district of a city, certain streets needed no front yard, others needed them to be five feet, others ten feet, and others fifteen feet, this ought to be accomplished if at all, by establishing four kinds of commercial districts. The zoning enabling act of Texas requires that the regulations throughout each district shall be uniform. It is not justifiable to require front yards in zoning for the purpose of starting a street widening. The courts insist that streets shall be created by eminent domain or else by the free cession or dedication of the private property by its owners.

### ZONING AROUND SCHOOLS

*Question:* Is it reasonable to zone the district surrounding a school for residential uses in locations where it would properly be zoned for commercial uses if the school were not adjacent?

L. A. JESTER, *Chairman of the City Plan Commission and Zoning Commission, Des Moines, Iowa.*

*Answer:* No. The city as the owner of land for a school has no right, so far as zoning is concerned, that other property owners do not have. If the street is a normal business street somewhat supplied with stores, it would be wrong to zone

it as residence in order to protect a school. On the other hand, I have known of cases where a school has been built in a residence district on a trolley-car street. Thereupon owners of vacant lots claimed that the zoning should be changed from residence to business because of the presence of the school children as customers and the presence of the trolley line. To change such a district from residence to business would seem to be unjustifiable.

#### REPLACEMENT OF NON-CONFORMING BUILDING

*Question:* A lot in a residence district is occupied by a building designed and used as a non-conforming retail business use. This building is damaged by fire to the extent that it would have to be replaced in its entirety before this non-conforming use could be continued. Would not the owner have a right under the law to replace the building with a new one of equal size and accommodation and use same for the continuance of the non-conforming use to which it had been used before the fire? In other words, is a non-conforming use right vested in the land, similar to a deed restriction?

FRED W. AMETER, *Secretary-Engineer,*  
*Board of Adjustment, Denver, Colorado.*

*Answer:* No owner of a non-conforming building obtains any vested right as against the police power of the state. When one remembers that the police power is based on the health, safety and morals of the community, he will see that this must be so. No one can claim a vested right to be exempted from health laws. Every man owns his property subject to the reasonable police power regulations duly passed by the state and council.

Different cities have different needs. The zoning resolution of Greater New York provides that, if a non-conforming building is destroyed by fire, it can be rebuilt. The Denver zoning ordinance provides as follows: "The Board of Adjustment may, after due notice and public hearing and subject to appropriate conditions and safeguards, permit the reconstruction within twelve months of a building located in a district restricted against its use, which has been destroyed by fire or other calamity to the extent of not more than its fair value during the current ten-year census period."

The council of Denver appears to have made a reasonable regulation for that city. The courts will probably uphold it. No property owner by claiming a vested right will be likely to obtain his permit to rebuild except through the Board of Adjustment and under the above provision.

E. M. B.

#### THE SEATTLE CASE

The zoning ordinance of Seattle, Washington, prohibited a philanthropic home for children or for old people in the first residence district, but provided that

"A philanthropic home for children or for old people shall be permitted in First Residence District when the written consent shall have been obtained of the owners of two-thirds of the property within four hundred (400) feet of the proposed building."

An existing home for old people located in the first residence district sought a permit for a new and larger building. The trustees of the home were unable to secure the consents of surrounding property owners as required and accordingly the superintendent of buildings refused the permit. The courts of Washington sustained this refusal, but the United States Supreme Court held in decision handed down November 19, 1928, in *State v. Roberge* that it was the duty of the superintendent of buildings to issue the permit applied for. Strictly speaking this is not a zoning case inasmuch as the lawfulness of excluding such a home for old people from the first residence district or any other district is specifically not passed upon by the court. The decision does involve the mechanics of zoning.

Zoning ordinances throughout the country often try to make details of zoning depend on surrounding consents or protests. Whenever this is done the framers of the ordinance should employ the utmost care to see that such a provision is lawful. Here are some of the tests:

(1) There must be a statutory prohibition.

(2) This prohibition must be substantially related to the community health, safety, morals and general welfare.

(3) The property owners' consents may then allow the prohibited structure.

This is the doctrine of the United States Supreme Court as laid down in the *Eubank* case (*Eubank v. City of Richmond*, 226 U. S. 137) and the *Cusack* case (*Cusack Co. v. City of Chicago*, 242 U. S. 526). The courts of some states have not adopted this view and do not allow property owners to permit a prohibited building. In such states there must be an additional legislative act or an administrative determination made in pursuance with law after the consents are filed.

In the *Seattle* case the Supreme Court of the United States finds that the prohibition of the home for old people in the first residence district, insofar as the ordinance provides or the proof shows, had no substantial relation to the community health, safety, morals and general welfare. This is the reason why the community consents are not effective, leaving the incidence of the ordinance arbitrary. This arbitrariness renders the ordinance unconstitutional as to this property.

No zoning enabling act on the Pacific Coast provides for the establishment of a board of appeals. The result is that whenever an instance of arbitrariness arises the courts can do nothing but puncture the ordinance for unconstitutionality. That is what the United States Court does in the *Seattle* case.

In almost any one of our states east of the Pacific Coast states the provision in the zoning ordinance would read as follows:

"A philanthropic home for children or for old people shall be permitted in first residence districts on the approval of the board of appeals as hereinafter provided."

The provisions that would later follow would come under the heading of "Board of Appeals" and would state that the board of appeals might, in appropriate cases after public notice and hearing and subject to appropriate conditions and safeguards, determine and vary the application of the regulations established in harmony with their general purpose and intent as follows: "(1) Permit any variance specifically provided for in this ordinance."



This method substitutes a discretionary board for the property owners and provides a rule of conduct which, as the court points out in the Seattle case, is entirely unprovided where the determination is left to property owners. The determination of the board of appeals is always subject to court review by order in the nature of certiorari. Thus in a state having the standard form of zoning enabling act or the form used in the State of New York the question would come before the court on the record made before the board of appeals. If this record showed that the refusal of the variance was substantially related to the community health, safety, morals and general welfare, it would uphold the board of appeals. If it did not so find, it would reverse the board of appeals. But in neither case would there be a declaration of unconstitutionality.

E. M. B.

NEW ZONING ORDINANCES OF 1928<sup>1</sup>

CALIFORNIA	KANSAS	NEW JERSEY	Wilson
Anaheim	Independence	East Paterson	Woodbury
Los Gatos	Osage City	Essex Fells	Medina
Oceanside	MAINE	Hopatcong	Washingtonville
Pacific Grove	Mt. Desert	Morristown	OHIO
		Ventnor City	Canton
COLORADO	MARYLAND		Newburgh Heights
Grand Junction	Montgomery County	NEW YORK	Reading
CONNECTICUT	Prince Georges	Blooming Grove	Youngstown
New London	County	Briarcliff Manor	PENNSYLVANIA
Stratford	MASSACHUSETTS	Brockport	Altoona
Waterbury	Agawam	Camden	Easton
GEORGIA	Barnstable	Canastota	North Braddock
Glynn County	Bedford	Cazenovia	Radnor Twp.
	Concord	Courtland	Swarthmore
IDAHO	Weston	East Aurora	Trafford
Boise	MICHIGAN	Granville	SOUTH DAKOTA
Idaho Falls	Belding	Lancaster	Huron
Twin Falls	East Lansing	Lake Placid	Mitchell
ILLINOIS	MISSISSIPPI	Middletown	Watertown
Alton	Yazoo City	Monroe	TENNESSEE
St. Charles	MISSOURI	Mount Morris	Jackson
INDIANA	Excelsior Springs	Mount Kisco	Knoxville
Fort Wayne	Kirkwood	New Castle Tn.	TEXAS
IOWA	NEBRASKA	Suffern	Graham
Mason City	Hastings	Upper Nyack	WISCONSIN
Sioux City	Kearney	Warsaw	Kiel
		Warwick	

<sup>1</sup> Information from Division of Building and Housing, U. S. Dept. of Commerce.

# N. C. C. P. & A. C. P. I. NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## TWENTY-FIRST ANNUAL CONFERENCE ON CITY PLANNING Buffalo and Niagara Falls, New York, May 20th to 23rd, 1929

### PRELIMINARY PROGRAM

Monday, May 20th

Sessions at Buffalo

10.30 *Morning Session*

Some Problems in New Planning,

Louis Brownlow, Municipal Consultant to the City Housing Corporation, New York City.

The Development of Outlying Shopping Centers,

J. C. Nichols, President, Country Club District of Kansas City, Mo.

2.30 *Afternoon Session*

The Goals and the Snags in Regional Planning,

Thomas Adams, Director, Regional Plan of New York and Its Environs, New York City.

The County as a Planning Unit,

Charles H. Diggs, Director, The Regional Planning Commission, Los Angeles, Calif.

Discussed by,—

George C. Diehl, Erie County Engineer, of Buffalo, N. Y.

The Province as a Planning Unit,

Horace L. Seymour, Director of Town Planning, Edmonton, Alberta, Canada.

8.00 *Evening Session*

Enlarged Usefulness of City Planning Commissions in New York State,

President's Address, Edward M. Bassett.

Tuesday, May 21st

10.00 *Morning Session*

Some Inadequately Discussed Legal Aspects of Zoning and City Planning,

Professor Ernst Freund, University of Chicago, Chicago, Ill.

Trends in Platting Control,—Acquisition of Public Open Spaces and Building Lines,

Alfred Bettman, Member, City Plan Commission, Cincinnati, Ohio.

2.30 *Afternoon Session*

Where City Planning and Housing Meet,

Harold S. Bottenheim, Editor, *American City*.

Light. Modern Standards and Ancient Law,

Lawrence Veiller, Director, National Housing Association.

8.00 *Evening Session*

Standards in Planning for Recreation. (Illustrated by Lantern Slides)

L. H. Weir, Field Secretary, Playground and Recreation Association of America.

What Makes "The City Beautiful". (Illustrated by Lantern Slides)

George B. Ford, City Planning Consultant, New York City.

Wednesday, May 22nd

10.30 *Morning Session*

The Traffic Analysis and Forecast in Its Relation to Thoroughfare Planning,

Robert Whitten, City Planning Consultant, New York City.

Street Replanning in Downtown Districts of Large Cities,

Harland Bartholomew, City Planning Consultant, St. Louis, Mo.

12.30 CIVIC LUNCHEON, followed by motor trip about Buffalo and Environs ending at Niagara Falls.

Thursday, May 23rd

Sessions at Niagara Falls

Sessions in the nature of seminars, or round tables, on:

1. Budgeting the City Planning Program.

2. Street Planning,—widths, single or double roadways, service roads, grade separation, elevated roadways, residence districts, parkways, building lines.

**Round Tables on Zoning, and on the Problems of Plan Commissions**, will be features of the Conference as in past years,—the one on Zoning being conducted by **Mr. Bassett**, and the one on the Problems of Plan Commissions by **Mr. Bartholomew**.

## THE PLANNING FOUNDATION OF AMERICA

The need, long felt and discussed, for a central clearing house for city planning facts, data and information to serve cities and planning organizations throughout the country, has been met by the erection of the *Planning Foundation of America*. Edward M. Bassett, president of the National Conference on City Planning, in making the announcement, states that the Foundation will not supersede the National Conference, but will take over and expand its service departments.

At a joint meeting of the Directors of the National Conference on City Planning and the Governors of the American City Planning Institute held on June 15, 1928, the question of the expansion of the work of the Conference was discussed and a committee was appointed to report. The committee consisted of George B. Ford, John M. Glenn, Flavel Shurtleff, Samuel P. Wetherell, Jr., and Robert Whitten.

This committee reported on October 4 that the need for widespread knowledge of the fundamentals of planning, for better informed planning agencies, local and regional, and for a more effective agency to collect and distribute planning information, was far greater than could be satisfied by any existing national organization. The National Conference on City Planning because of its long experience in the field, its close connection with planning agencies, and its relationship through the American City Planning Institute with the professional city planners, was qualified to fill these needs if an increase in its staff could be financed.

This report was supplemented on October 23 by a recommendation that an underwriting fund of \$10,000 be raised and a director of publicity and promotion be employed for a period of at least six months; and on December 15 by the suggestion that since the National Conference on City Planning did not lend itself to incorporation, the proposed program involved a new organization.

On January 7, 1929, the Directors of the National Conference on City Planning adopted the reports of the committee as above summarized. The Directors approved *Planning Foundation of America* as the name of the new organization; authorized the raising of the fund of \$10,000 and the employment of Mr. N. S. Olds as the director of publicity and promotion. The underwriting fund has since been raised, and the campaign for the financing of the Foundation is now in progress. In addition to the committee above named, an Advisory Council is being formed, with the following membership to date:

- EDWARD M. BASSETT, President, National Conference on City Planning, New York City.
- HARLAND BARTHOLOMEW, President, American City Planning Institute, St. Louis, Missouri.
- ALFRED BETTMAN, Past President, United City Planning Committee, Cincinnati, Ohio.
- HARRY CHANDLER, Owner and Publisher, *Los Angeles Times*, Los Angeles, California.
- GEORGE B. DEALEY, President, *The Dallas News*, Dallas, Texas.
- FREDERIC A. DELANO, President, American Civic Association, Washington, D. C.
- CHARLES A. FAVROT, Chairman, City Planning and Zoning Commission, New Orleans, La.
- GEORGE B. FORD, Past President, National Conference on City Planning, New York City.
- ROBERT JEMISON, JR., Past President, National Association of Real Estate Boards, Birmingham, Alabama.
- MORRIS KNOWLES, Past Chairman, City Planning Division, American Society of Civil Engineers, Pittsburgh, Pennsylvania.
- J. C. NICHOLS, Member, National Capital Park and Planning Commission; President, Country Club District, Kansas City, Missouri.
- JOHN NOLEN, Past President, American City Planning Institute, Cambridge, Massachusetts.
- FREDERICK LAW OLMSTED, Past President, American Society of Landscape Architects, Brookline, Massachusetts, and Palos Verdes Estates, California.
- ERNEST J. RUSSELL, President, St. Louis Plan Commission, St. Louis, Missouri.

### THE FOUNDATION'S PROGRAM

The necessity for a central organization devoted solely to the study and guidance of city and regional planning in the United States has been increasingly apparent for the last five years. Frederick J. Keppel, president of the Carnegie Corporation, in his annual report for 1928, points out that each year's experience "reinforces the conviction that additional foundations are needed, particularly foundations of relatively limited objective, and not necessarily of large capitalization", and quoting from his annual report of 1926, specifies among other requirements in these days of rapidly changing social and economic conditions, studies in rural life, in recreation, in home and family life, and in town and regional planning.

The Planning Foundation proposes to carry out the following program:

1. The establishment of a central clearing house for the assembling and distribution of information to meet the demands of the planning organizations of the country.
2. The development of a Research Department to collect, analyze, and coordinate planning data and information of all kinds and from all sources into an authoritative digest of experience and procedure, on which planning projects can base their own programs with a maximum of energy and confidence.
3. The establishment of a Publicity and Promotion Department which will function in the following essentially important directions:
  - A. Stimulate the formation of planning agencies where such organizations are needed.
  - B. Assist planning agencies in arranging, forming, and promoting local planning programs.
  - C. Provide counsel, suggestions, and programs for the local financing and support of planning agencies.
  - D. Provide methods and organization to make plans effective.
  - E. Guide public opinion by sound publicity.
4. The formulation and promotion of educational programs in schools and colleges.

### THE FINANCING OF THE FOUNDATION

In financing this program the founders have resolved to plan on modest lines, and to rest confident in the belief that as the Foundation's services prove themselves its income will be correspondingly increased. The budget, therefore, has been organized on an initial basis of \$50,000 a year, which is equivalent to a permanent endowment of \$1,000,000. The budget by departments, including their administration, has been distributed as follows: Research, \$10,000; Promotion and Publicity, \$30,000; Education, \$10,000.

Since the Planning Foundation is national in the scope of its services, its support will be as widely distributed as possible. If in the word "people" are included the interests and vocations which make up modern life, city planning is the people's business. America is a city nation, and upon the program of the cities depends the

progress of the country. City progress relates to a multitude of elements, but underlying it is the necessity for planned growth. The experience of the cities themselves is the proof. But of all the factors which influence modern life, city planning, perhaps the most important, has received the least constructive study. This country is equipped with institutions which specialize on industry, health, education, social relations, religion and the fine arts. Nowhere else has wealth been so generous in its support of such institutions. But our national foresight has not included among them an agency devoted solely to the problems which underly the physical and structural growth of the country.

The purpose of the Planning Foundation of America is to supply that need. It will not teach people how to pave streets or to build private houses and city halls. It will not instruct them how to finance the acquirement of parks, or the enlargement of water-supply systems. Capable agencies exist for these purposes. The Foundation's object is to bring together the facts, figures and experiences of city and regional planning, wherever they exist, study them, coördinate them, and place them at the disposal of the public as authoritative planning guides.

The offices of The Planning Foundation of America are at 130 East Twenty-second Street, New York City.

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### A. C. P. I. MEETING

The Winter Meeting of the American City Planning Institute was held on March 15th, 1929, in New York City. Subjects of discussion were: Zoning Standards, a further report from the Committee, presented by Mr. Alfred Bettman, of Cincinnati; and "Problems of New Planning", as developed in Radburn, the new town of the (New York) City Housing Corporation, near Paterson, N. J. On Saturday, March 16th, there was an interesting trip of inspection to Radburn.

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### INTERNATIONAL CONGRESS, ROME, 1929

The next International Housing and Town Planning Congress arranged by the International Federation for Housing and Town Planning will be held in Rome from September 12 to 19, under the auspices of the Governor of Rome and the principal Italian towns and institutes for people's housing, preceded by a day's meeting in Milan. Subjects will be related appropriately to historic considerations in town planning, to financing housing, and to planning apartment housing schemes in large towns.

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

## LIST OF PLAN REPORTS IN THE UNITED STATES, 1928

Compiled in the Library of the School of Landscape Architecture of Harvard University

By KATHERINE McNAMARA, Librarian

- ALTON, ILL.** CITY PLAN COMMISSION. The civic development plans of Alton, Illinois. October 7, 1928. 31 p. photos., maps and plans (part folded). (Jacob L. Crane, Jr., George F. Ingalls, associate engineers and consultants.)
- BOSTON, MASS.** CITY PLANNING BOARD. Fourteenth annual report for the year ending December 31, 1927. 26 p. map.  
Records progress on the preparation of comprehensive thoroughfare plan.
- BOSTON, MASS.** McCLINTOCK, MILLER. A report on the street traffic control problem of the City of Boston, prepared under the direction of the Mayor's Street Traffic Advisory Board by the Albert Russel Erskine Bureau, Harvard University, 1928. 435 p. photos., maps and plans, diagrams, charts, tables.
- BUFFALO, N. Y., AND NIAGARA REGION.** BUFFALO HARBOR IMPROVEMENT COMMITTEE. Survey of the port of Buffalo as adopted by the Council of the City of Buffalo, December 1, 1927. 62 p. plans, tables.
- . NIAGARA FRONTIER PLANNING BOARD. Third annual report to the Honorable Alfred E. Smith, Governor, December 31, 1927. 61 p. photos., folded plan, sketches.
- . AUTOMOBILE CLUB OF BUFFALO. Paving the way to Greater Buffalo. 1928. 22 p. photos., maps, diagrams, charts, cross-sections, tables.  
Records progress of greater motorways system for Erie County.
- CHICAGO, ILL.** COMMERCIAL CLUB OF CHICAGO. COMMITTEE ON CHICAGO HARBOR AND PORT SURVEY. The harbor plan of Chicago, 1927. 97 p. photos., maps and plans (part folded), folded sketches, tables. (Major Rufus W. Putnam, engineer in charge.)
- CLEVELAND, OHIO, AND REGION.** CITY PLAN COMMISSION. Lorain-Carnegie bridge and river improvement. 1926. photo., maps and plans (part folded), charts, tables.  
Omitted from previous lists.
- . U. S. BUREAU OF PUBLIC ROADS AND THE COUNTY COMMISSIONERS OF CUYAHOGA COUNTY, OHIO. Report of a plan of highway improvement in the regional area of Cleveland, Ohio, based on a survey of highway traffic. 1928. 187 p. photos., maps and plans (part folded and part colored), diagrams, charts, tables.
- COLUMBUS, OHIO.** DEPARTMENT OF PUBLIC SERVICE. DIVISION OF ENGINEERING AND CONSTRUCTION. Report of the geodetic and topographic survey of

Columbus, Ohio. 1927. unpagcd. photos., maps (part folded), diagrams, charts (part folded), tables. (R. H. Randall, engineer of survey.)

— ——. PLANNING COMMISSION. Traffic survey. 1927. 45 p. maps and plans (one folded), tables. (R. C. Chaney, engineer of Planning Commission.)

**DENVER, COL.** PLANNING COMMISSION. Preliminary report on major street plan. January 1928. 18 p. plan. (McCrary, Culley & Carhart, S. R. DeBoer, consultants.)

**DETROIT, MICH., AND REGION.** BOARD OF COUNTY ROAD COMMISSIONERS. Twenty-second annual report to the Board of Supervisors of Wayne County, Michigan, from September 1, 1927 to August 31, 1928. 190 p. photos., folded map, sketch, tables.

Bound with this is the ninth annual report of the Board of County Park Trustees.

— ——. BUREAU OF GOVERNMENTAL RESEARCH, INC. Charts of the Detroit metropolitan area. May 1928. 3 p. maps (part folded).

Showing superhighways, etc.

— ——. CITY PLAN COMMISSION. Annual report, 1927. Published 1928. 19 p. photos., maps and plans.

Of especial interest as discussing Michigan decision favorable to control of plats.

— ——. RAPID TRANSIT COMMISSION. The relation of individual to collective transportation. January 5, 1928. 47 p. maps and plans, sketches, cross-sections, diagrams, charts, tables. (Daniel L. Turner, consulting engineer. John P. Halligan, chief engineer.)

— ——. SUPER HIGHWAY COMMISSIONS. Operating jointly in Macomb, Oakland and Wayne Counties, Michigan. Second annual report, covering the activities of the Macomb-Wayne Super Highway Commission and Oakland-Wayne Super Highway Commission from October 1, 1926 to September 30, 1928. 44 p. photos., (one folded), folded plan, tables.

Records highway progress in accordance with regional plans.

**DISTRICT OF COLUMBIA.** See **WASHINGTON, D. C., AND NATIONAL CAPITAL REGION.**

**DULUTH, MINN.** CITY PLANNING COMMISSION. Preliminary major street plan and transit plan. February 20, 1927. Published 1928. 55 p. maps and plans (part folded), cross-sections. (Harland Bartholomew and Associates, consultants.)

**EL PASO, TEX.** ROBERTSON COMMITTEE. Report to the Mayor and Council (formulating a public improvement program). November 1, 1928. 19 p. charts, tables.

Of special interest because of the El Paso Plan of 1925.

**GLYNN COUNTY, GA.** PLANNING BOARD. Zoning ordinance and ordinance to regulate the making of surveys and filing for record of maps and plats of subdivisions within the County of Glynn, Georgia. Brunswick, Ga., 1928. 24 p.

**KALAMAZOO, MICH.** CITY PLAN COMMISSION. Problems of civic development. December 1928. 15 p. (Jacob L. Crane, Jr., consultant.)

**KANSAS CITY, MO.** TRAFFICWAYS COMMISSION. Report to City Manager. January 5, 1928. 16 p. folded plan.

**KING COUNTY, WASH.** See **SEATTLE, WASH., AND REGION.**

**LOS ANGELES CITY AND COUNTY, CALIF.** BOARD OF CITY PLANNING COMMISSIONERS. Annual report for year ending June 30, 1928. 19 p. illus. plans.

Especially interesting information on civic center, zoning facts, and building lines.

———. REGIONAL PLANNING COMMISSION. Report. Dated January 1, 1929. 31 p. maps and plans, sketches, diagrams, charts.

Report of activities of Commission since its formation in 1923.

———. SUBDIVISION SECTION. Preliminary report on existing county parks. September 1928. 26 p. mimeographed. maps and plans.

———. ZONING SECTION. Third annual report. Jan. 1, 1929. 12 p.

**LUCAS COUNTY, OHIO.** See **TOLEDO, OHIO, AND REGION.**

**MACOMB COUNTY, MICH.** See **DETROIT, MICH., AND REGION.**

**MILWAUKEE, WIS., AND METROPOLITAN DISTRICT.** COMMON COUNCIL. Survey of playgrounds and playfield needs; a proposed program for the expansion of the recreation system, September 1, 1928. 24 p. mimeographed. tables. (Submitted by Dorothy C. Enders, representing Board of School Directors, and Gilbert Clegg, playground engineer.)

———. TRANSPORTATION SURVEY COMMITTEE. Report on transportation in the Milwaukee metropolitan district. 1928. 2 vols. photos., maps and plans (part folded), folded sketch, diagrams, charts, tables. (McClellan & Junkersfeld, Inc., engineers.)

**MOUNT DESERT ISLAND, ME.** ELIOT, CHARLES W., 2ND. The future of Mount Desert Island: a report to the Plan Committee, Bar Harbor Village Improvement Association, 1928. 31 p. photos., maps and plans (part folded).

**NEW ORLEANS, LA., AND REGION.** BARTHOLOMEW, HARLAND, AND ASSOCIATES. A general report on the lake front development, Lake Pontchartrain, New Orleans, La., prepared for the Board of Levee Commissioners of the Orleans Levee District. May 15, 1928. 15 p. folded plans, tables.

**NEW YORK CITY AND METROPOLITAN REGION.** CITY COMMITTEE ON PLAN AND SURVEY. Report. June 5, 1928. 218 p. sketches, diagrams, tables.

Includes sub-committee reports as follows: Housing, Zoning and Distribution of Population (*also separately published*); Port and Terminal Facilities; Traffic Regulation; Sanitation and Harbor Pollution; Highways and Bridges; Parks and Recreational Facilities; Departmental Organization; Finance, Budget and Revenue.

———. NEW YORK STATE BOARD OF HOUSING. Report to Governor Alfred E. Smith and to the Legislature of the State of New York. February 29, 1928. Albany. 43 p. photo., sketches, tables.

Deals largely with housing problem of City of New York.

———. NORTH JERSEY TRANSIT COMMISSION. Rapid transit for Northern New Jersey: report to the Senate and General Assembly of the State of New Jersey. Jersey City, N. J., February 27, 1928. 14 p.

Following up comprehensive reports of 1926 and 1927.



- ——. PORT OF NEW YORK AUTHORITY. First progress report on Hudson River bridge at New York between Fort Washington and Fort Lee. January 1, 1928. 56 p. photos., map, folded plan, sketches, cross-sections, diagrams, charts, tables (part folded).  
Interstate bridge development further discussed in annual report of Port of New York Authority for 1927.
- ——. REGIONAL PLAN OF NEW YORK AND ITS ENVIRONS. Regional survey. New York, 1927-1928.  
Vol. 1: Major economic factors in metropolitan growth and arrangement; a study of trends and tendencies in the economic activities within the region of New York and its environs, by Robert Murray Haig, in consultation with Roswell C. McCrea. 111 p. maps, diagrams, tables.  
Vol. 1A: Chemical, metal, wood, tobacco and printing industries: present trends and probable future developments. (Originally Economic Series Monographs nos. 1, 2, 4, 5 and 6 for which see Annual Survey List, 1924, in CITY PLANNING, April 1925.)  
Vol. 1B: Food, clothing and textile industries, wholesale markets and retail shopping and financial districts: present trends and probable future developments. (Originally Economic Series Monographs nos. 3, 7, 8, 9, 10, 11, 12, for which see Annual Survey List, 1924, 1925 and 1927.)  
Vol. 2: Population, land values and government: studies of the growth and distribution of population and land values; and of problems of government, by Thomas Adams, Harold M. Lewis, Theodore T. McCrosky. 320 p. photos., maps and plans (part folded), diagrams, charts, tables.  
Vol. 3: Highway traffic, including a program, by Nelson P. Lewis, for a study of all communication facilities within the region of New York and its environs, by Harold M. Lewis, in consultation with Ernest P. Goodrich. (Being Monograph No. 1 of Engineering Series, revised.) 172 p. photos., maps (part folded), diagrams.  
Vol. 4: Transit and transportation, and a study of port and industrial areas and their relation to transportation, by Harold M. Lewis. (Being Monograph No. 2 of Engineering Series revised), with supplementary reports by William J. Wilgus and Daniel L. Turner. 226 p. maps (part folded), diagrams, tables.  
Vol. 5: Public recreation: a study of parks, playgrounds and other outdoor recreation facilities, by Lee F. Hanmer, in collaboration with Thomas Adams, Frederick W. Loede, Jr., Charles J. Storey, Frank B. Williams. 256 p. photos., maps, diagrams, tables.
- ——. SUBURBAN TRANSIT ENGINEERING BOARD. Preliminary report on suburban transit for the metropolitan district of New York. January 11, 1928. 36 p. maps, diagrams, tables.
- ——. WESTCHESTER COUNTY PARK COMMISSION. Report to the Board of Supervisors of the County of Westchester, State of New York. April 30, 1928. 131 p. photos., maps, sketches, diagrams, tables.  
Includes important information on effect of parks on land values and making a park system pay for itself.
- ——. WESTCHESTER COUNTY PLANNING FEDERATION. Second annual report, 1928. 12 p.  
Note especially tables showing status of planning and zoning in Westchester communities.
- NIAGARA REGION.** See **BUFFALO, N. Y., AND NIAGARA REGION.**
- OAKLAND COUNTY, MICH.** See **DETROIT, MICH., AND REGION.**
- PHILADELPHIA, PA., AND TRI-STATE REGION.** CITY PARKS ASSOCIATION. Thirty-ninth annual report. 1927-1928. 105 p. photos., folded maps and plans, sketch.  
Contains Philadelphia-Baltimore and Ohio Railroad agreement.
- ——. FAIRMOUNT PARK ART ASSOCIATION. Fifty-sixth annual report, containing address by Joseph Widener: Coming improvements on the East Bank of the Schuylkill River. 89 p. plates.  
With sketches of projects and exceptionally fine air views of the city.

- ——. FORD, BACON & DAVIS, INC., ENGINEERS. Report with supplements, location of airport, Philadelphia, Pa., district: report to Joint Committee of the Chamber of Commerce and the Regional Planning Federation on Air Terminal Survey. December 7, 1928. 66 p. photos (part folded), maps and plans (part folded).
- ——. REGIONAL PLANNING FEDERATION OF THE PHILADELPHIA TRI-STATE DISTRICT. HIGHWAY COMMITTEE. By-pass highways for traffic relief. December 1927. 16 p. maps and plans, cross-sections.
- ——. — ——. PARK AND PUBLIC RESERVATIONS COMMITTEE. Meadow, forest and stream for play profit and pure water: being a suggestion for the use of certain neglected lands of the Tri-State District as parks, public forests, and water supply protection. April 1928. 28 p. photos, maps.
- PITTSBURGH REGION, PA.** VALLEY PLANNING ASSOCIATION. A major street plan for the valley. (Turtle Creek Valley.) March, 1928. 22 p. mimeographed. (Frederick Bigger, consultant.)  
(Part I only. Study not completed.)
- PONCA CITY, OKLA.** PLAN COMMISSION. Development plans. 1927. Published 1928. 37 p. photos., maps and plans (part folded and part colored), cross-sections. (Jacob L. Crane, Jr., consultant.)
- PROVIDENCE, R. I.** MASSACHUSETTS INSTITUTE OF TECHNOLOGY. DIVISION OF INDUSTRIAL AND MUNICIPAL RESEARCH. Industrial survey of metropolitan Providence for the year 1926. Published 1928. maps and plans, diagrams, tables (part folded).  
Report undertaken at request of Chambers of Commerce of Providence and Pawtucket.
- ——. CITY COUNCIL. Traffic survey by Public Service Engineer under direction of Joint Committee on Ordinances, with report and recommendations by Miller McClintock. 1928. 67+23 p. maps and plans, diagrams, tables.
- RAMSEY COUNTY, MINN.** See **ST. PAUL AND COUNTY OF RAMSEY, MINN.**
- RIVERSIDE, CALIF.** CITY PLANNING COMMISSION. Major traffic street plan and report, as adopted by the City Planning Commission, December 2, 1927, and amended May 31 and June 11, 1928. June 1928. 35 p. photos., maps and plans (one folded). (Charles H. Cheney, consultant.)
- ROANOKE, VA.** HOFFER, FRANK WILLIAM. Public and<sup>o</sup> private welfare. Published by City Planning and Zoning Commissions, Community Fund, and Chamber of Commerce, as a part of a comprehensive city study. June 1928. 142 p. photos., maps, diagrams, charts, tables.
- ST. CHARLES, ILL.** CITY PLAN COMMISSION. The official city plan. October 1928. 96 p. plans (part folded), cross-sections. (Jacob L. Crane, Jr., George F. Ingalls, associate engineers and consultants.)
- ST. LOUIS, MO.** CITY PLAN COMMISSION. A plan for the central river front. 1928. 40 p. maps and plans, sketches (one folded), cross-sections. (Harland Bartholomew, engineer.)

- ST. PAUL AND COUNTY OF RAMSEY, MINN.** UNITED IMPROVEMENT COUNCIL. Report and recommendations as submitted to the City Council, August 7, 1928. 54 p. plans, sketches, tables.
- SAN DIEGO, CALIF.** HARBOR DEPARTMENT. The port of San Diego: the southwest terminal for navigation, transportation and aviation: naval operating base. 1928. 64 p. photos., maps (one folded), tables.  
Contains port plan.
- SAN FRANCISCO, CALIF., AND REGION.** BOARD OF ENGINEERS, TRANSBAY BRIDGE. Report, May 1927. 90 p. photos., folded maps, charts, tables. (M. M. O'Shaughnessy, chief engineer.)
- . BUREAU OF ENGINEERING OF THE DEPARTMENT OF PUBLIC WORKS. Report for fiscal year ending June 30, 1927. 104 p. photos., folded maps and plans, folded charts, folded tables.  
Progress on boulevard plan described.
- . BUREAU OF GOVERNMENTAL RESEARCH. The San Francisco-San Mateo survey, made for the San Francisco Chamber of Commerce. 1928. 196 p. photos., maps, charts, tables.
- SAN MATEO, CALIF.** See **SAN FRANCISCO, CALIF., AND REGION.**
- SEATTLE, WASH., AND REGION.** KING COUNTY REGIONAL PLANNING COMMISSION. Report to the Honorable Board of County Commissioners. July 1927. 9 p.
- . MUNICIPAL RECREATION COMMITTEE. Survey of recreation facilities: park department and school district no 1. January 1, 1928. 82 p. photos., folded map, plans, tables.
- TOLEDO, OHIO, AND REGION.** BARTHOLOMEW, HARLAND, AND ASSOCIATES. A comprehensive report on a proposed system of major highways and parkways for Lucas County, Ohio. February 10, 1928. 115 p. photos., maps and plans (part folded), cross-sections, diagrams.
- . GRIFFENHAGEN & ASSOCIATES, Ltd. Port survey of 1928: report to Director of Public Service and to Port Commission. Published by Commission of Publicity and Efficiency. 129 p. photos., maps and plans (part folded), cross-sections, tables.
- TRENTON, N. J.** HORTON, ROBERT E. Report on proposed tri-state compact, to Department of Public Works, Trenton, N. J. February 11, 1928. 56 p. tables.  
On water-supply.
- UNION COUNTY, N. J.** UNION COUNTY PARK COMMISSION. Report for period from October 1925 to July 1928. Elizabeth, N. J., 1928. 62 p. photos., map, folded and colored plans, chart, tables.
- WASHINGTON, D. C., AND NATIONAL CAPITAL REGION.** GRANT, LIEUT.-COL. U. S., 3d, AND OTHERS. Work of the National Capital Park and Planning Commission: Statements of Lieut.-Col. U. S. Grant, 3d, Maj. Carey H. Brown, and Charles W. Eliot 2d, before the Committee on the District of Columbia, House of Representatives, March 10, 1928. 29 p.+ 21 maps and plans (part folded).

— ——. NATIONAL CAPITAL PARK AND PLANNING COMMISSION. Annual report for the fiscal year ended June 30, 1928. U. S. Government Printing Office, 1928. photos (part folded), maps and plans (part folded), tables.

**WAYNE COUNTY, MICH.** See **DETROIT, MICH., AND REGION.**

**WESTCHESTER COUNTY, N. Y.** See **NEW YORK CITY AND METROPOLITAN REGION.**

**WHITE PLAINS, N. Y.** GOODRICH, E. P., AND ROBERT WHITTEN, AND CITY PLAN COMMITTEE. City plan, adopted by the Common Council, September 4, 1928. Published by Bureau of City Plan, Department of Public Works. 56 p. maps and plans (part folded), sketch, diagrams, charts, tables.

**WINCHESTER, MASS.** KELLAWAY, HERBERT J. Report upon the improvement of waterways and related matters. Boston, published by the author, January 1928. 68 p. photos., plans (one folded).

Bound with this is his Report upon the elimination of the grade crossing, p. 69-80. photos., folded plan.

## BOOK REVIEWS

**HOUSING IN PHILADELPHIA.** By Bernard J. Newman, Philadelphia, Philadelphia Housing Association, 1928. 43 pages. Illus.

Speculative builders in Philadelphia are becoming dissatisfied with the buying and renting public. There seem to be more houses than are required. The Housing Association of that city suggests the remedy that the builder's programs should be more closely related to the available buying power. Two dailies have recently prepared and issued the "Cawl Buying Power Survey" which shows the number of families in each income group, so that the approximate capacity of the market may be readily determined.

It is just possible that the lack of sufficient data, of better advertising, and even of higher values per dollar in the structure does not represent truthfully the difficulty. Too often the speculative builder turns out to be the planner, but he does not often enough consider the importance of environment in attracting the public. When he has learned to build a community of homes with real consideration for the amenities of life, sales may not be so dull.

G. J. C.

**THE NEW DAY IN HOUSING.** By Louis H. Pink. With an introduction by Governor Alfred E. Smith. New York, The John Day Company, 1928. 208 pages. Portraits, plates, plans. Price \$3.50.

The author, a lawyer and a member of Governor Smith's State Board of Housing, has presented his subject in a colloquial and popular style, intended to interest the reader in trends of modern housing experiment rather than to bore him

with too thorough an analysis of facts and factors. Mr. Pink appears as an advocate of Governor Smith's housing policy of State aid through limited dividend companies, which he places sketchily in relation to other forms of housing endeavor.

The book is very interesting, both in its rapid review of tenement and garden suburb housing abroad, and as to experiments in the region of New York. Personalities and portraits are familiarly sketched in connection with specific undertakings: the works of Mr. White, Mr. Rockefeller, Mr. Thomas, Mr. Bing, Mr. Veiller, and many men abroad are set off by telling phrases. One might expect that the book would be read by very many more people in whom it is desirable to awaken an interest in housing than would a more exhaustive and less entertaining treatise.

T. K. H.

**PUBLICITY FOR SOCIAL WORK.** By Mary Swain Routzahn and Evert G. Routzahn. New York, Russell Sage Foundation, 1928. 392 pages. Illus., plates. Price \$3.00.

This book is a distinct contribution, not only for the benefit of social workers in the limited sense, but for all those engaged in any form of work for the improvement of urban or rural conditions,—in fact, any work involving publicity methods. From a wide study of publicity especially in the public health field and from the examination of hundreds of examples of press notices, illustrative material, and continuous campaigns, the authors have produced a clear-cut, intelligible manual which is a pleasure to read and a store-house to consult. It is all too seldom that the reviewer finds a book containing so much useful information, sifted, analyzed, logically put together, and written in so thoroughly satisfactory a style.

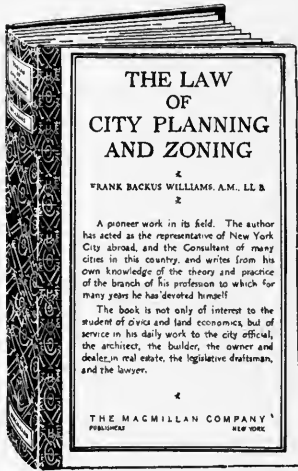
The titles of chapters are well worded: Attracting Attention, Holding Attention, Obtaining Goodwill, Obtaining a Response, Getting into Print, Physical Make-up of Printed Matter, Distribution of Printed Matter, Meetings, Dramatic Methods, The Intensive Campaign, The Publicity Program. And the definition of the field of publicity is very illuminating: "Because of the uncertain and intermittent nature of its audience, publicity is best suited to make known easily comprehensible or at least non-technical information; to remind people of familiar but unheeded situations deserving attention; and to prod them to acts which they are inclined to postpone."

In communities where city plans are being considered,—whether the movement is just beginning or well under way,—leaders would do well to secure and study this book. Too often poor publicity has prevented early public understanding of the purposes of city and regional planning in general and of the benefits to be gained by specific projects under consideration. The insight into human psychology as affected by publicity and into press requirements for publicity matter, to be gained from this new contribution from the Russell Sage Foundation, can be of practical aid to a very large number of people.

T. K. H.

## NEW PUBLICATIONS RECEIVED

- American Electric Railway Association.** Report of the Committee on Street Traffic Economics. 1928.
- International Housing and Town Planning Congress, Paris, 1928.** Report. Part 3. (Containing discussions at congress and list of delegates.)
- Kiwanis International.** Urban-rural relations. Edited by Carl C. Taylor and Nat T. Frame. Introduction by Frank H. Jeter. Chicago, 1928.
- Long, Howard.** Kingsport: A romance of industry. Kingsport, Tenn., 1928. (To be reviewed in the next issue.)
- Massachusetts. Department of Public Welfare. Division of Housing and Town Planning.** Annual report for the year ending Nov. 30, 1928. (The section "The Function of a Planning Board" is particularly valuable.)
- Mitten Management, Inc.** Plan for Philadelphia Approaches to Delaware River Bridge. 1929. (Philadelphia Traffic Survey, Report No. 1.)
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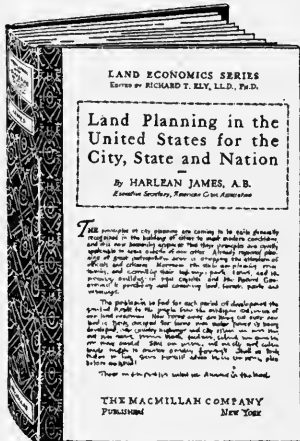
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QUARTERLY

Vol. V

JULY, 1929

No. 3

## CONTENTS

Planning Progress in Saint Louis . . . . .	HARLAND BARTHOLOMEW	141
Use of the Police Power in City Planning and Zoning	EDWARD D. LANDELS	163
Roofs and Terraces for Recreation . . . . .	HARRY B. BRAINERD	168
A Study of Municipal and County Regulations for Subdivision Control . . . . .	HOWARD K. MENHINICK	177
EDITORIAL:— <i>Regional Plan of New York—Harvard Field Study</i> . . . . .		183
CURRENT PROGRESS:— <i>Replating in El Paso—New England Regional Planning—Major Policies of Chicago Regional Planning—Newton, Massachusetts—Hamilton County, Ohio—Annual Pennsylvania Conference—North Dakota—California Manual—Toronto—Housing—National Association of Real Estate Boards—Additional Notes on Instruction</i> . . . . .		185
ZONING ROUNDTABLE:— <i>Airports—Race Zoning—Exclusion of Residences from Industrial Areas—Consents of Property Owners</i> . . . . .		194
LEGAL NOTES:— <i>Table of Statutes for the Creation of Planning Agencies</i> . . . . .		198
N. C. C. P. & A. C. P. I. NEWS:— <i>The Buffalo Conference—Institute Officers</i> . . . . .		201
BOOK REVIEWS & BOOK LISTS:— <i>Reviews—New Publications Received</i> . . . . .		203

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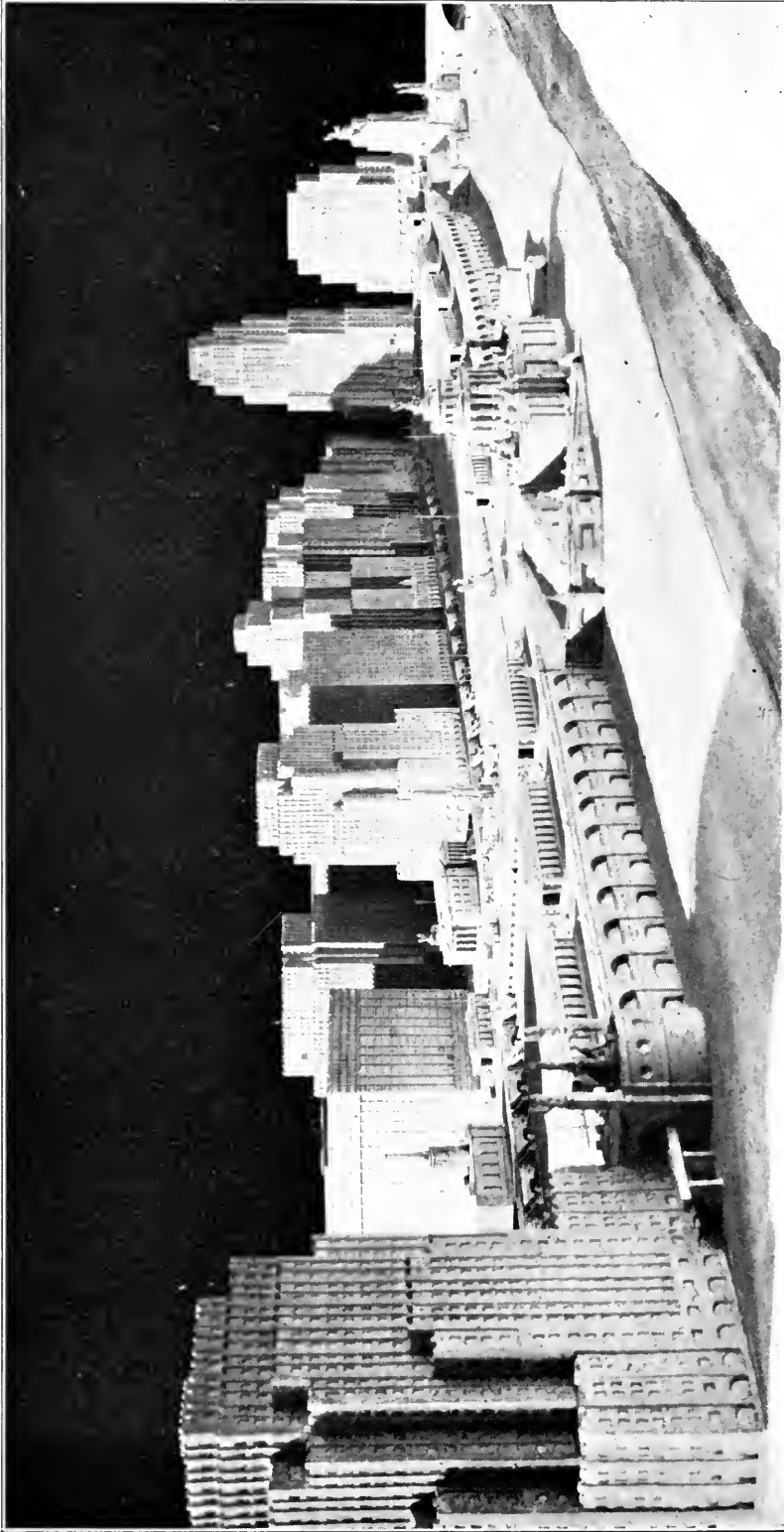
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**THE PROPOSED CENTRAL RIVERFRONT DEVELOPMENT, SAINT LOUIS**

City Plan Commission: Harland Bartholomew, Engineer; E. J. Russell, Chairman; William D. Crowell, Architectural Consultant

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## PLANNING PROGRESS IN SAINT LOUIS

*By* HARLAND BARTHOLOMEW

Engineer, City Plan Commission, Saint Louis

**T**HERE is a vast difference between city planning which accomplishes large projects of limited number, or even one or two completely comprehensive elements of a city plan, and that which strives to direct fully all new growth and to remold the existing municipal structure into channels of orderliness, unity, and beauty. The former may be termed "dabbling", "piecemeal", or "partial" planning, depending upon the sincerity of effort and the degree of thoroughness with which the work is undertaken. The latter, on the other hand, may be termed "comprehensive" planning.

"Partial" planning, to use the more generous term, was dominantly characteristic of most American city planning until within quite recent years. It was this type of planning that resulted in the preparation of zoning ordinances in advance of fundamental study of street, transit, and transportation plans. Partial planning was a necessary preliminary to comprehensive planning because neither large city populations nor city administrations could be expected to undertake such completely new and revolutionary measures except by gradual stages.

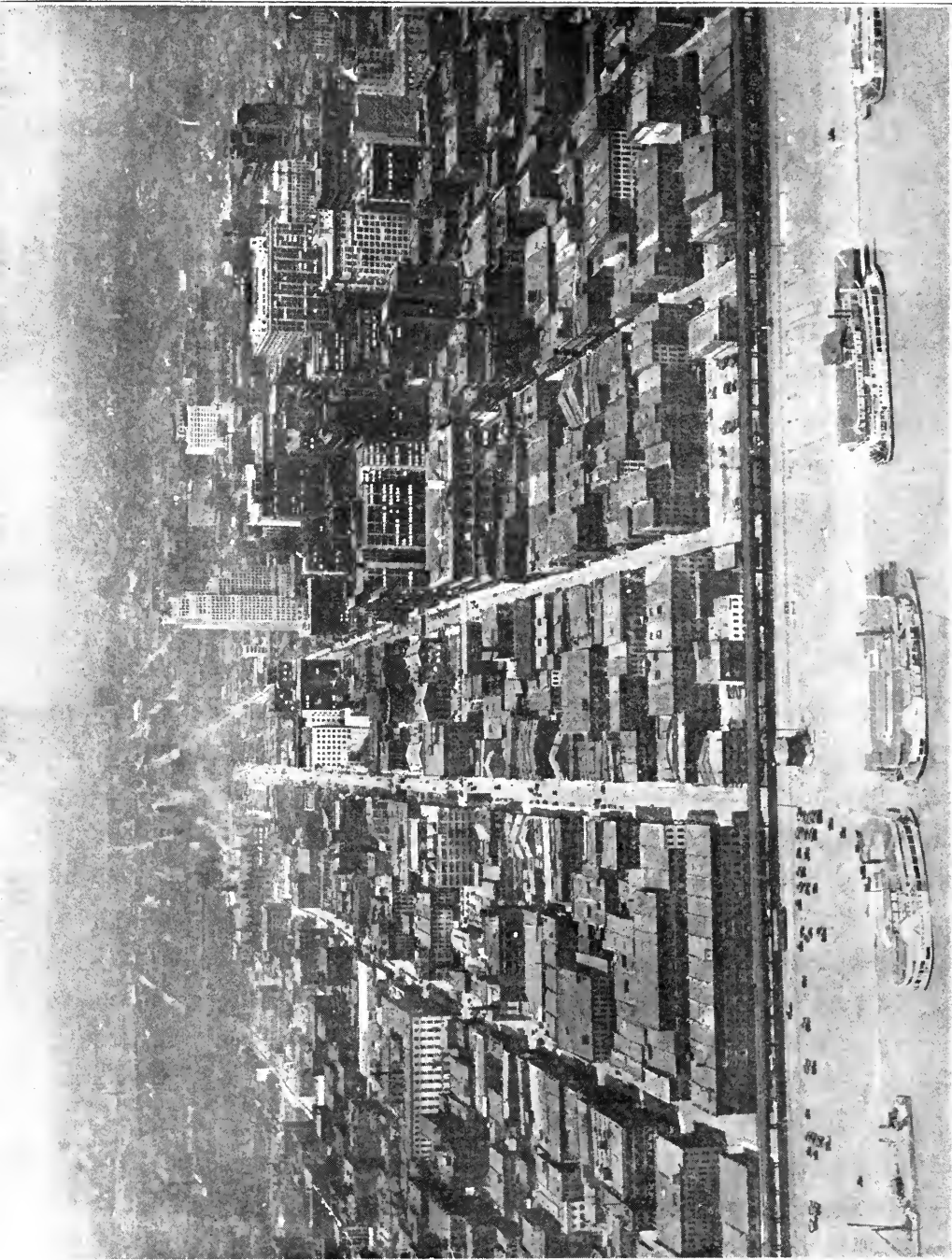
"Comprehensive" planning is the true objective contemplated by fundamental legislation, as illustrated by both the Standard Zoning Enabling Act and the Standard City Planning Enabling Act, published by the Division of Building and Housing of the Department of Commerce.

Immediate and occasional successful accomplishments may be secured by "partial" planning, but too often such projects are considered to be the "practical" thing to do, whereas in reality they are merely expedients,—and usually poor expedients. This is the sort of thing that results in a "compromise" to widen a street to 80 feet when everyone knows it should be 100 feet wide to satisfy the demands of the immediate future as contrasted with the needs of to-day.

Comprehensive planning is no simple task. The larger the city the more difficult the task of harmonizing divergent points of view and strongly organized selfish interests. The smaller the city the more difficult the task of fully comprehending the future,—of creating "vision".

When the City Plan Commission of St. Louis undertook to prepare a program of work in 1916, it was considered more important to undertake "comprehensive" planning than mere "partial" planning. The Commission was interested in ultimate rather than in immediate results. Whatever accomplishments of value have now been realized are to be accredited to this early decision and to subsequent adherence to its basic plans without sacrifice of practicability to mere expediency.

The first item in the 1916 program was the River des Peres problem. This stream had a water-shed of about 70,000 acres, of which 54,000 were in St. Louis County and 16,000 within the city limits. The lower reaches of the stream, however, were all within the city limits. In periods of heavy rainfall, large areas within the city were subject to damaging floods, and much of the southwestern section of the city traversed by this stream remained undeveloped. The stream also carried a considerable amount of sewage and consequently became an increasing nuisance in those built-up sections of the city through which it passed. While the problem was essentially one of drainage, flood control, and sewerage, it was nevertheless a city planning problem in so far as development of the large, unimproved areas was concerned. In collaboration with Mr. W. W. Horner, Chief Engineer of Design of Sewers and Pavement, of the Department of the President, Board of Public Service, a plan was prepared providing for an extremely large



© Photograph by St. Louis Aircraft Co.

**St. Louis Business District from the East**

**The plan proposes that all property in the immediate foreground shall be acquired for the central riverfront development**

Courtesy of City Plan Commission, St. Louis

sewer, approximately five miles in length, and an open, reinforced concrete channel above a sanitary sewer approximately eleven miles in length. In addition to this, plans were made for major streets, transit lines, a large park and parkway, a belt line railroad, and for the zoning of undeveloped areas.

The problem of financing this project was particularly difficult because of a court controversy arising over the distribution of cost of a large sewer project just previously undertaken. Studies were made of the complete cost of fully sewered districts elsewhere in the city, and by a study of the records over a period of forty years, the precise percentage of cost paid by the city and by property owners in these several drainage districts was accurately ascertained. This led to some very interesting conclusions with respect to more or less uniform practices that had resulted even without definite establishment of policy, and assisted in arriving at a consistent method of procedure with respect to the River des Peres drainage works.

In the 1923 Bond Issue, an item of \$11,000,000 was approved for the city's share of the cost of the River des Peres sewer and channel construction. Certain sections of the project are now completed, and contracts have been let for most of the remaining sections. With the exception of one or two large ownerships, most of the property in the undeveloped sections has been subdivided. The Major Street Plan has been carried out through voluntary dedication by property owners. An ordinance has been passed for the acquisition of the park and parkway for which funds were provided in the 1923 Bond Issue. There is still some doubt as to whether the belt line railroad will be constructed through this particular valley. Meanwhile, much activity has taken place in this section of the city, thousands of houses have been built, and the River des Peres "problem" has been solved.

In the 1916 program a "Major Street Plan" was proposed. It was considered to be quite visionary and the Commission felt that if half of it were undertaken within the next forty or fifty years its preparation

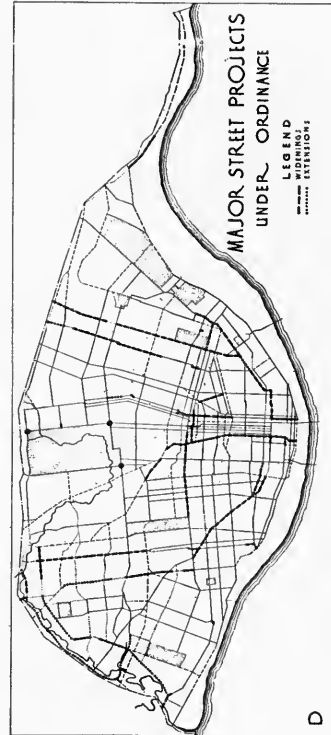
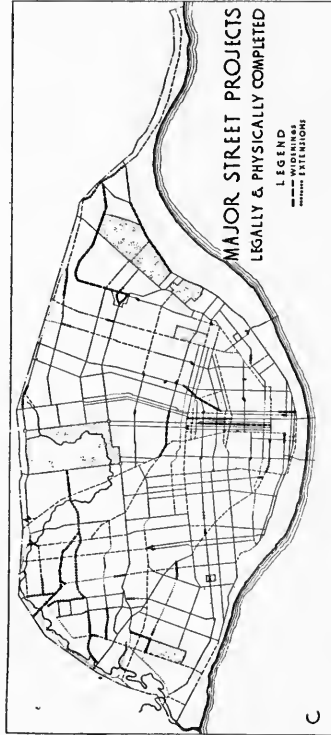
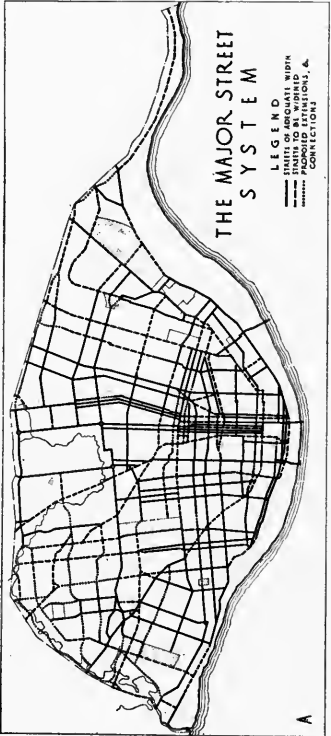


DIAGRAM ILLUSTRATING PROGRESS ON  
 THE MAJOR STREET SYSTEM  
 SINCE 1916  
 SAINT LOUIS, MISSOURI  
 CITY PLAN COMMISSION



SCALE  
 1" = 100 FEET  
 APRIL 15  
 1929

would have been justified. To-day about 85% of the plan has been initiated and numerous projects have been completed. The status of this plan in 1922 was as follows:

Table 1

<i>Status</i>	<i>Widenings</i>	<i>Extensions</i>	<i>Total</i>
Of satisfactory width.....			151.74
Constructed or legally completed.....	4.68	1.31	5.99
Under Ordinance.....	25.37	7.85	33.22
Recommended to the Board of Public Service.....	9.71	.79	10.50
Projects on which no definite action has been taken.....	29.33	16.74	46.07
<i>Total</i> .....			247.52

With but slight modification the plan stands to-day well suited to present as well as to future probable needs. Its present status is as follows:

Table 2

<i>Status</i>	<i>Widenings</i>	<i>Extensions</i>	<i>Total</i>
Of satisfactory width.....			154.42
Constructed or legally completed.....	17.81	11.69	29.50
Under Ordinance.....	30.23	10.20	40.43
Recommended to Board of Public Service.....	15.68	4.30	19.98
Projects on which no definite action has been taken.....	22.41	2.97	25.38
<i>Total</i> .....			269.71

A comparison of these two tables indicates that the plan is being carefully and continuously studied. It is quite necessary that plans of this character be kept "alive".

The question is often asked: "How may the cost of these various street openings and widenings be distributed between the city and benefited property?" There are no fixed rules. Experience in this field has shown that any fixed rules hinder rather than help. The Charter of the City of St. Louis provides that after the Special Commission of three members, appointed by the Court, have completely and finally determined damage awards, they shall then proceed to find what benefit they can (not to exceed 100% of total damages), and any remaining cost shall be paid by the city. This is the only fair and equitable procedure. Any arbitrary rule, such for instance as the provision of the



State Constitution of Ohio requiring that cities pay 50% of the total cost of any street opening or widening, practically prevents a city from ever undertaking a comprehensive Major Street Plan because of the large amount of money which it would be compelled to raise, for such expenditures would be quite disproportionate to expenditures for other public needs.

In some of the street opening and widening projects in St. Louis, 100% of the cost has been assessed on benefited property. In other instances the city's share of the cost has been 5, 10, or 25%, and even as high as 40%, of the total cost. While the greater benefit is usually to be found upon the frontage of the widened street there is always an additional area of benefit which will bear a varying percentage of the cost. Every project produces a different set of conditions and consequently each case must be separately considered and determined without the restraint imposed by arbitrary rules.

In preparation for the 1923 Bond Issue, the City Plan Commission estimated the city's share of the cost for a large number of the projects for which ordinances had been passed or were in contemplation. In the Bond Issue an item of \$8,650,000 was approved. This was estimated to be the city's share of the cost of very nearly all of the projects in the major street plan. The following table shows the estimates prepared by the City Plan Commission in 1922, and the actual cost as finally determined in the courts for a number of projects where final judgment has been entered.

It will be noted that the city's share of the cost varies widely, but that the average as estimated by the City Plan Commission was 23.2% which was reduced to an actual percentage of 12.8%, even though the total cost was slightly increased.

Condemnation procedure under the St. Louis Charter is somewhat cumbersome, three to five years usually elapsing between the passage of an ordinance and the final entry of judgment. For this reason a Permanent Assessment Board has been recommended, and action, in the form of an amendment to the City Charter, is expected in the near future.

Table 3

## ESTABLISHING, OPENING, AND WIDENING STREETS—\$8,650,000

March 1929

Projects for which final judgment has been entered

Project and Location	C. P. C. Estimate			Final Cost from Legal Pro.		
	Total Cost	City's Share from Bond Issue	%	Damages Awarded	City's Share	%
COMPTON-CHOUTEAU Cut-off . . . . .	\$20,600	\$3,600	17.5	\$13,607.63	\$3,686.11	27.0
EASTON Franklin to Prairie . . . . .	380,344	72,265	19.0	529,394.00	121,234.75	22.9
FRANKLIN, 3rd to 9th . . . . .	527,306	100,188	19.0	504,201.00	19,713.30	3.9
GRAND-CARTER, Cut-off . . . . .	2,200	900	40.9	dedicated in 1924		
KINGSHIGHWAY S. W. Wilmington to Gravois . . . . .	24,000	8,000	33.3	24,077.95	3,678.85	15.2
NEWSTEAD-EASTON, Cut-off . . . . .	26,860	6,000	22.3	34,853.48	2,728.11	7.8
NEWSTEAD-MCPHERSON, Cut-off . . . . .	4,020	1,000	24.8	5,355.75	nothing	0.0
N. MARKET-GARRISON Cut-off . . . . .	500	nothing	0.0	1,386.00	nothing	0.0
PINE-LAWTON, Cut-off . . . . .	129,730	20,000	15.4	129,041.65	18,656.51	14.4
SALISBURY-FARRAR and BREMEN, Conn.-McKinley Pl. and Plgrd. 9th to 11th . . . . .	173,330	86,665	50.0	21,648.00 (Bremen only) For Balance	12,565.25 see Item 8-	58.0
VANDEVENTER Chouteau to Hunt . . . . .	57,710	10,965	19.0	88,154.00	1,397.65	1.6
VANDEVENTER Chouteau to Market . . . . .	170,402	42,600	25.0	240,325.55	21,802.06	9.1
VANDEVENTER Easton Cut-off . . . . .	9,380	2,400	25.6	9,909.60	nothing	0.0
	\$1,526,382	\$354,583	23.2	\$1,601,954.61	\$205,462.59	12.8

Note: City's Share being 23.2% of total estimated cost.

City's Share being 12.8% of total damages awarded.

While procedure is slow, the results secured in the determination of damages and benefits are considered to be quite fair in most cases, both to the city and to the property owners. This, in part, is due to the fact that the Commission early employed a full-time engineer to devote himself exclusively to the study of damages and benefits, and to work with the several commissions appointed by the courts for each individual project. Mr. W. C. Bernard, the engineer engaged for this purpose,

remained in the employ of the City Plan Commission for very nearly three years. Since that time he has been employed by the Law Department where he has been able to devote his time even more closely to this character of work.

The following table gives another list of projects with estimates similar to those shown in Table 3, but for which final judgment has not been entered as yet.

Table 4

ESTABLISHING, OPENING, AND WIDENING STREETS—\$8,650,000  
 March 1929  
 Projects for which damages have been estimated from report

Project and Location	C. P. C. Estimate		%	Final Cost from Commissioners Report		%
	Total Cost	City's Share from Bond Issue		Damages to be awarded	City's Share	
CHIPPEWA						
Grand to Kingshighway . . . . .	\$75,722	\$14,387	13.5	\$164,880.53	Nothing	0.0
Kingshighway to City Limits . . . . .	30,378					
HAMPTON-BILLON						
Gravois to Oakland . . . . .	98,704	18,754	19.0	205,074.05	Nothing	0.0
KINGSHIGHWAY N. W.						
Penrose Park to Broadway . . . . .	120,624	45,837	38.0	439,938.39	2,142.99	0.5
KINGSHIGHWAY N. W. (Riverview Drive) Broadway to St. Cyr . . . . .	13,658	5,190	38.0	33,259.66	3,725.42	11.2
MARKET & (U. STA. PLAZA)						
3rd, & Walnut to Vandeventer . . . . .	8,048,182	3,355,345	41.7	6,128,997.14	1,728,497.64	28.2
OLIVE, 12th to Channing . . . . .	2,000,000	600,000	30.0	2,349,507.00	492,377.00	21.0
NATURAL BRIDGE & PALM						
Florissant to City Limits . . . . .	769,760	230,928	30.0	1,104,240.00	91,661.40	8.3
SHERIDAN, EASTON TO CASS . . . . .	89,106	9,802	11.0	152,576.25	23,300.65	15.2
SKINKER-HODIAMONT						
Connection . . . . .	44,044	15,000	34.0	128,031.96	12,868.45	10.0
TWELFTH, MARKET TO SPRUCE	636,887	210,173	33.0	612,323.00	255,916.02	41.8
VANDEVENTER						
Market to Washington . . . . .	210,780	40,048	19.0	596,015.88	153,221.88	25.7
	\$12,137,845	\$4,545,464	37.4	\$11,914,843.86	\$2,763,711.45	23.2

Note: City's Share being 37.4% of total estimated cost  
 City's Share being 23.2% of total damage awards

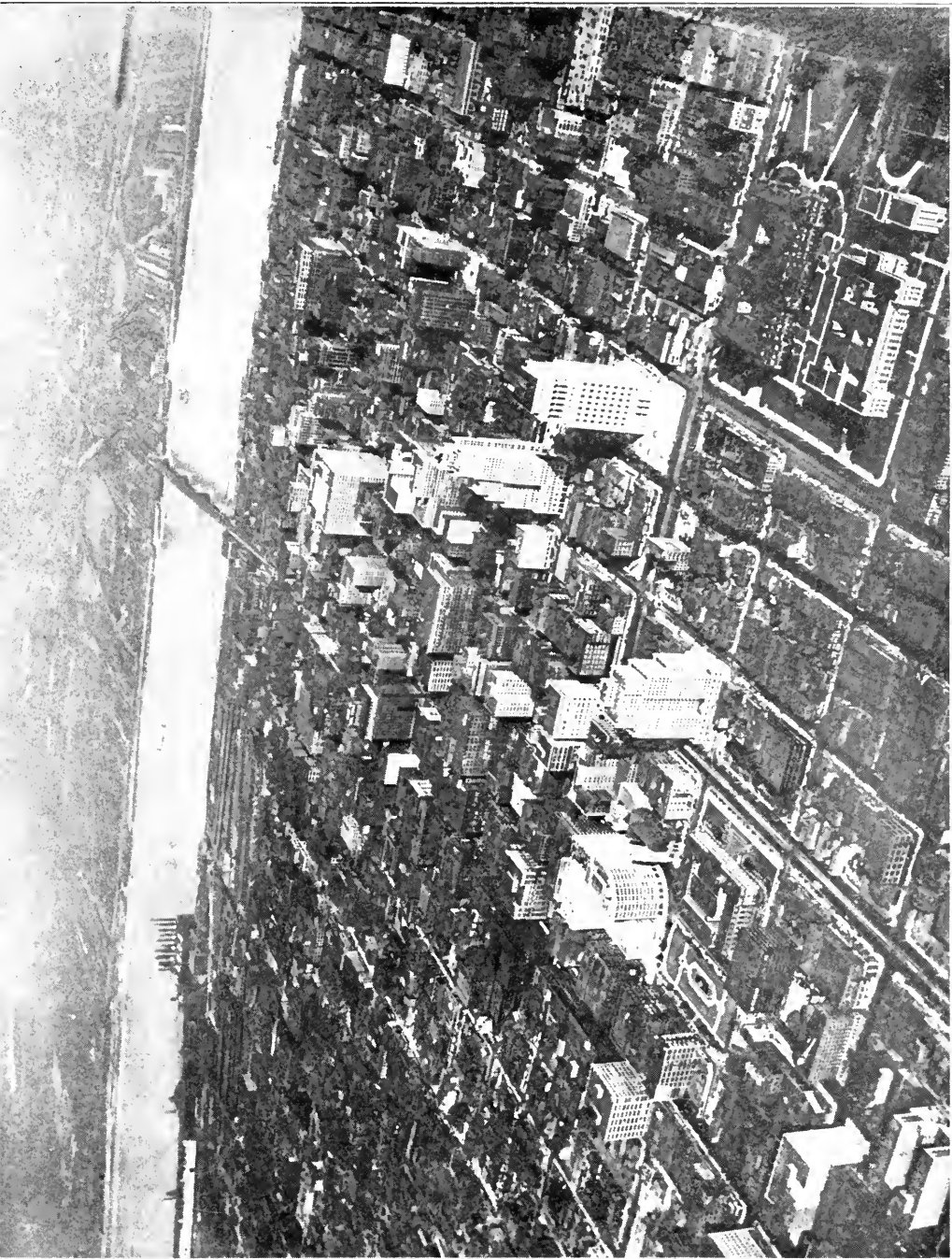
From the above table it will be noted that the City Plan Commission's estimate of the city's share of this group of projects was 37.4%, whereas the findings of the Commission represented a total of 23.2%, although it will again be noted that the percentage of each individual project varies considerably.

A most thorough study and plan for the rerouting of transit lines was completed by the City Plan Commission in 1919. For approximately eight years since that time the Street Railways Company has been in the hands of a receiver. It was fortunate that this receiver was a banker and a man of former experience with street railway properties. During his incumbency he practically rebuilt the entire system. In so doing, it was found necessary and desirable to reroute many of the transit lines, practically all of which conformed to the city plan. The opening of certain major streets made possible several of these reroutings. The opening of South Twelfth Street, for instance, permitted the rerouting of the Cherokee line, and resulted in a reduction of twelve to fifteen minutes in travelling to and from the southwestern part of the city.

The Transit Plan has been closely coördinated with the Major Street Plan, and as far as possible vehicular traffic and street car traffic have been separated on parallel thoroughfares. This is particularly true in our plans for accommodating traffic into and out of the business district from the west, which is the direction of heavy travel. Eight Major Streets are proposed, of which four are to be used for vehicular traffic exclusively and four to accommodate street car tracks. With one exception, vehicular and street car thoroughfares are alternated.

The streets of the business district in St. Louis are quite narrow and as a result several of them have long been used as one-way thoroughfares. Much study has been given to the further establishment of one-way streets, with particular reference to the routing of street cars and the placement of tracks in the roadways. No final decisions have yet been reached with respect to this question.

The matter of rapid transit has been receiving much attention and arousing a great deal of public interest in recent years. A special report



Photograph by J. McMillan

**Central Business District of St. Louis**

The site of the Memorial Plaza is in the immediate central foreground, with the Municipal Courts Building and City Hall at the right, and the Public Library and Lucas Garden at the left. Farther east is shown the Eads Bridge crossing the Mississippi to East St. Louis.

Courtesy of St. Louis Post-Dispatch

on this subject was prepared by the Board of Public Service and its Consulting Engineer, Mr. C. E. Smith. More recently, a Transit Commission has been appointed for further consideration of the matter. Mr. E. J. Russell, who has served long and faithfully as Chairman of the City Plan Commission, is also Chairman of the Rapid Transit Commission, thereby insuring coördination of plans. Mr. R. J. Kelker, well known consulting engineer on transit matters, has been engaged as special consultant by the Rapid Transit Commission.

In the matter of zoning, St. Louis has had a checkered career. The comprehensive ordinance of 1918 was the second such ordinance to be approved in this country. It remained in effect five years when it was set aside by a five-to-four vote of the Supreme Court of Missouri. A two-year hiatus ensued, in which approximately \$10,000,000 was spent for buildings whose construction violated the districts established by the original ordinance. This damage can never be repaired. It has created a semi-blighted district in the large, older residence areas west of Grand Avenue that will be difficult to resuscitate fully, for they will never completely recover as good residence districts, and it is not likely that there will ever be enough apartment house construction to absorb the whole area.

In 1925 a second zoning ordinance was prepared under authority of a new state law similar to the Standard Zoning Enabling Act. In its preparation we had the advice and counsel of Mr. Edward M. Bassett. It is an excellent statute. One of the conditions imposed by the Board of Aldermen in the passage of the second ordinance was the complete elimination of the City Plan Commission from any administrative features of the ordinance. Formerly, the City Plan Commission passed upon all changes. Under the new ordinance, changes are introduced at will by various members of the large Board of Aldermen, but the situation grew so acute that it became the subject of Grand Jury investigation, and the Mayor finally made an announcement that he would sign no further amendments that did not have the approval of the City Plan Commission.

Ever since zoning was undertaken in St. Louis an unfortunate situation has existed, namely, that the Director of Public Safety, who is also the superior officer of the Building Commissioner, has been a person of considerable political prestige, with a strong prejudice against zoning. During the past four years numerous permits have been issued for buildings in complete violation of the zoning ordinance, and in only a few instances have property owners taken advantage of their court rights to prevent the erection of such structures. Moreover, the Director of Public Safety succeeded in having himself appointed Chairman of the Board of Zoning Appeals in addition to securing on the Board several members who were strong opponents of the passage of the zoning ordinance. Zoning in St. Louis can consequently be said to have never yet enjoyed sympathetic and constructive enforcement.

Comprehensive plans prepared by the Commission for the expansion of parks and playgrounds are gradually being carried out with the full coöperation and support of the City Administration. The Park Commissioner, Mr. F. W. Pape, is one of the most active members of the City Plan Commission. Funds were provided in the 1923 Bond Issue for the acquisition of several new parks and playgrounds. In addition to this, certain areas have been donated by individuals, and in most instances the City Plan Commission has been requested to designate the location, which was consequently done in accordance with the city plan. One of the interesting things being done in connection with the acquisition of sites for playgrounds with bond issue funds, has been the acceptance by the city of the recommendation of the City Plan Commission that these funds be expended in the enlargement of public school grounds in the congested central sections of the city. This is being done even though the Board of Education has not yet established the policy of opening school grounds after school hours during the school year. The acquisition of these areas by the city, however, will probably soon force a decision in this matter which is, of course, more or less inevitable.

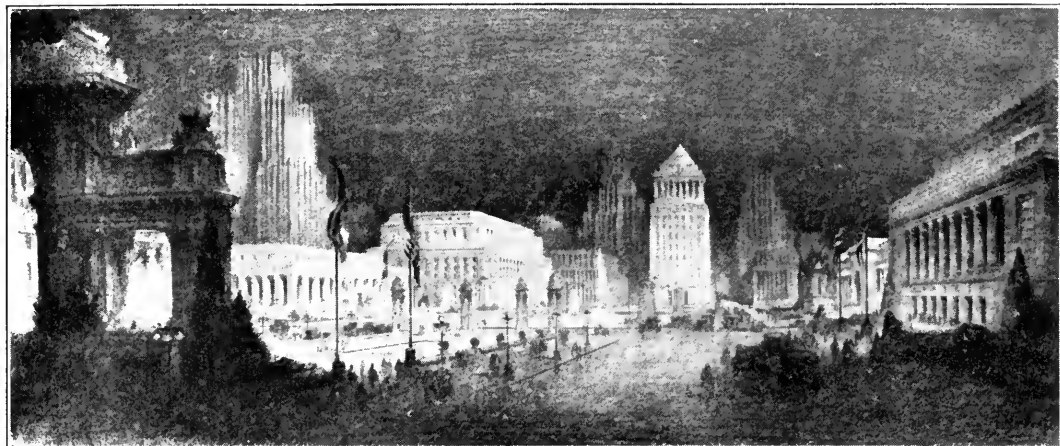
Among the more notable accomplishments in City Planning in St. Louis is the Civic Center and Memorial Plaza. For more than twenty

years there has been considerable public interest in a Civic Center. Numerous plans were proposed by various individuals, particularly by some of the architects. In 1919 the City Plan Commission published its plan, which became more or less official with the passage of items in the 1923 Bond Issue, for expending \$5,000,000 for the acquisition of the site, \$5,000,000 for a Municipal Auditorium, \$4,000,000 for a Civil Court House, and \$1,000,000 for a Memorial Building. All or parts of nine city blocks, a total of forty-five acres, are being acquired at an approximate cost of \$6,000,000, of which more than \$1,000,000 will be assessed as benefit against property in the immediate vicinity. The Civic Center is being constructed about the present City Hall and Municipal Courts Building on Market Street and the Public Library on Olive Street, three blocks north. These buildings occupy about seven acres, giving a total of fifty-two acres in the Civic Center. It lies at the west edge of the business district.

While condemnation proceedings have virtually been consummated, the city has already acquired about 70% of the total area through favorable purchases. This has been done through the initiative of the City Comptroller, Mr. Louis W. Nolte. It is indicative of wise financial procedure for it saves much of the delay of condemnation and will serve to establish the actual values of property which must be secured by condemnation.

A most interesting arrangement was made to secure the best possible design of the buildings constituting the Civic Center. The City Administration called upon the St. Louis Chapter of the American Institute of Architects to furnish the names of eight architectural firms which it considered to be the most competent to design the several structures proposed to be built. Through referendum of the members of the Local Chapter, eight such firms were recommended. The City Administration appointed a Memorial Plaza Commission, consisting of six of these firms, two other firms not members of the Local Chapter, and two engineering firms, together with Mr. E. R. Kinsey, President of the Board of Public Service, and the Engineer of the City Plan Commission. A contract was made between the city and the engineering



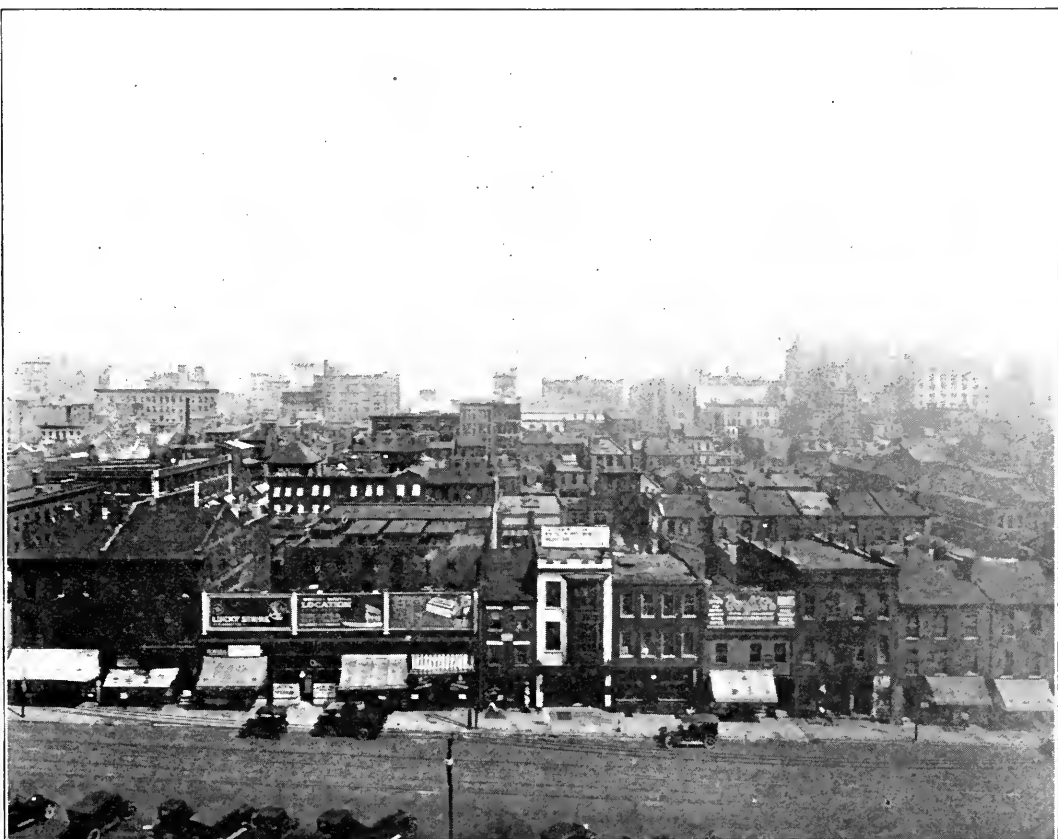


Designed by The Plaza Commission, Inc.

Drawing by Hugh Ferriss

### The St. Louis Memorial Plaza

View east from a point on Fifteenth Street toward the Civil Court House on Twelfth Street



Photograph by J. W. Oldfield

Courtesy of City Plan Commission, St. Louis

### Site of Memorial Plaza and Civic Center

Practically all of the low buildings shown are to be torn down. The cornice of the Public Library at the northern terminus of the Plaza can be seen in the distance

and architectural firms for the design and construction of the three buildings and the Plaza. This procedure assured, an unusually fine result has been secured, as may be judged by the accompanying illustrations. Mr. John Lawrence Mauran, well known architect, is Chairman of the Memorial Plaza Commission.

The Civil Court House is now being completed, and contracts will be let shortly for the Municipal Auditorium and the Memorial Building.

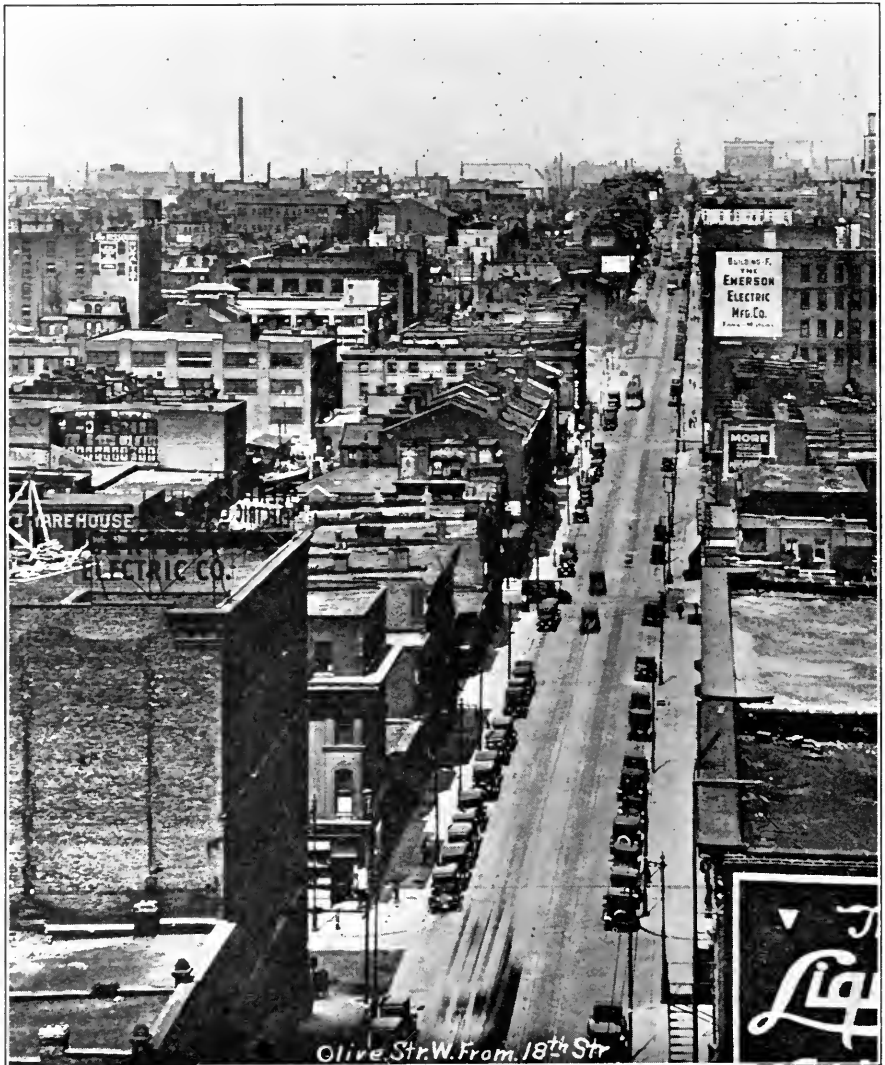
Undoubtedly the greatest problem in City Planning that has long confronted St. Louis has been the tendency toward a westward shift of the business district and, coincidentally, the ragged appearance of the central riverfront. It was impossible to complete plans for these two problems until all the elements of the City Plan had been thoroughly studied. A special report was published in 1928, containing plans for condemnation of forty-two blocks between the present business district and the river. This area is virtually the site of the original city. Bad grades, restricted accessibility, due to the narrowness of the old streets (30 feet), and obsolescence of the buildings, made this district a hopeless problem of resuscitation. It is proposed to make of this area a large plaza, with space for storage of many thousand automobiles, terminal space for ultimate rapid transit lines, a station for suburban service on the steam and electric railroads, and an ornamental riverfront with spacious driveways on the upper level. To the north and to the south a wide thoroughfare with an elevated roadway would connect with important major streets serving large sections of the city. The plan is estimated to cost \$50,000,000, of which \$17,000,000 would be recoverable by special assessment, and \$17,000,000 through the resale of certain property if the constitutional amendment on excess condemnation, recently passed by the legislature, is ratified and becomes available. The remaining cost of \$16,000,000 will be secured through public bond issue.

Plans for improvement of the entire riverfront in both the northern and southern sections of the city have also been made. These include the acquisition of a substantial park area and the building of a bluff drive two and one-half miles long in the southern part of the city. This

is estimated to cost approximately \$4,000,000. In the northern part of the city a much more ambitious but very difficult plan is proposed. North of the Merchants Bridge a large bend exists in the Mississippi River. It is proposed to straighten this by the eventual building of a straight channel from the Merchants Bridge to the Chain of Rocks, thus recovering over three thousand acres of ground to be devoted to a modern municipal airport, great water areas for extensive recreational use, a large park area, and an attractive riverside driveway. This is estimated to cost \$22,500,000, and will of course take many years to complete.

One of the most gratifying results in city planning work in St. Louis has been the gradual elimination of the blighted district that formerly existed between Twelfth Street and Grand Avenue. This great area of run-down property has been revived by penetrating it with major streets and by gradually forcing its development for commercial and light industrial purposes through restriction of these uses by zoning in the areas west of Grand Avenue. In 1916 property values on Washington Avenue and on Olive Street had receded to less than \$100 per front foot and there was no market for this property. Values on these streets now run from \$300 to \$500 per front foot. A similarly interesting result has occurred west of Grand Avenue where on Lindell Boulevard a bitter controversy turned around an attempt to commercialize this fine, wide thoroughfare containing many beautiful public buildings and fine old residences. The recommendation of the City Plan Commission for apartment house development was approved and sustained by decisions of the Supreme Court of Missouri. The case was appealed to the Supreme Court of the United States but was withdrawn just before it was to be heard. Property values on this thoroughfare had been less than \$100 per front foot. The proponents of commercialization urged as its justification that property values could be increased to \$200 or \$250 per front foot. With this the City Plan Commission agreed but felt that nevertheless it was more important to maintain the character of this, the most beautiful thoroughfare in all the city, rather than to spoil it with cheap stores and filling stations on the more important

corners. With the apartment house zoning finally sustained, values began to rise until sales have recently been made as high as \$800 per



Photograph by J. W. Oldfield

Courtesy of City Plan Commission, St. Louis

**Olive Street before the 1927 Widening**  
**This street was 60 feet wide with 36-ft. cobblestone pavement**

front foot. New apartment structures, worth from ten to twelve million dollars, have been built and plans announced for a similar building

program. In justice it should be said that this result is far beyond the fondest hopes of the City Plan Commission and, of course, of the “prac-



Photograph by J. W. Oldfield

Courtesy of City Plan Commission, St. Louis

**Olive Street in 1929**

**This thoroughfare, extending 1.7 miles west from the business district, was made 100 feet wide by cutting 40 feet from property on south side. It cost \$2,319,507, of which the city paid \$192,377.**

tical” real estate men. It is an example of the fact that city planning sometimes pays larger dividends than might be expected.

St. Louis does not enjoy good city planning legislation. It has been difficult to secure constructive legislation from a body composed largely of rural members. By concerted effort, however, four important acts were secured at the 1929 legislature, i. e., an act providing for a state-wide referendum on excess condemnation amendment to the State Constitution in 1930, an act providing for the creation of a county plan commission, an act providing for zoning in unincorporated areas of the county, and an act, modelled after the Standard City Planning Enabling Act, providing for the creation of city plan commissions with specified powers and duties. Gradually, under authority of this legislation, it is hoped to adopt the present City Plan of St. Louis in official form, to prepare and adopt a regional plan, and to secure a county-wide zoning plan.

There are three fundamental factors essential to success in city planning:

1. Thoroughly complete and well prepared technical plans.
2. Widespread public understanding and support.
3. Sympathetic official coöperation in the execution of plans.

Within its abilities the City Plan Commission of St. Louis has attempted to prepare its plans as thoroughly as it has known how. Fairly adequate annual appropriations, amounting to an average of about \$25,000 per year, have been available. Through the early and vigorous assistance of the Citizens City Plan Committee, under the leadership of Mr. Luther Ely Smith, a widespread public understanding of the principles of city planning was created. Since that time, public interest and understanding have been fostered in various ways by the City Plan Commission. Much more of this work could be done were there a more effective public agency specifically created for this purpose. To some extent this is the task of a City Plan Commission, but there should be a permanent, well constituted agency outside the city government, whose sole and specific task would be to keep the public acquainted with the character and significance of the comprehensive

city plan and the many incidental problems that arise in the execution thereof. Experience in St. Louis has shown that it is very difficult to sustain the interest of a purely voluntary citizens' committee over a long period of years.

With the exception of the one city department previously mentioned there has been splendid official coöperation and support in the execution of the City Plan. During the entire period in which the work of city planning has been going on in St. Louis, Mr. E. R. Kinsey has been President of the Board of Public Service, an ex-officio member of the City Plan Commission, and a strong supporter of the city plan in the Board which has charge of the administration of public work. Mr. Kinsey's position corresponds to City Engineer in most cities, plus the added prestige of an administrative officer in the carrying on of public work. There have been several occupants of the position of Director of Streets and Sewers, which officer is an ex-officio member of the City Plan Commission and also an important member of the Board of Public Service. In each case this Director has been a most valuable member of the City Plan Commission and a genuinely sympathetic administrative officer. This is particularly true of the present Director of Streets and Sewers, Captain Robert B. Brooks. The President of the Board of Aldermen, Mr. Walter Neun, is an ex-officio member of the City Plan Commission who has long made possible a more sympathetic consideration of the work of city planning in the legislative body of the city.

In 1923 St. Louis passed a public bond issue of \$87,000,000. This was the first complete budgeted public improvement program among large American cities. It was the logical outgrowth of the City Plan. Approximately half of the items contained therein were city planning projects. All other public needs were surveyed and a completely balanced program was devised which received the overwhelming approval of the electorate. It was proposed to issue approximately one-tenth of the total sum approved each year for a period of ten years, using twenty-year serial bonds, thus giving a thirty-year financial spread. The original schedule has been quite closely adhered to, the city now being

in the sixth year of the program, and more than one-half of the bonds have been issued. The result has been a most gratifying stimulation of civic consciousness and widespread public confidence. In addition to the many public projects being undertaken, private enterprise has been aroused, with consequent increase in total assessed values of the city considerably beyond original expectations. This has operated to reduce the original estimates of increase in taxes, resulting from the large bond issue program, with the result that there is now available additional bonding power in excess of \$45,000,000.

A new series of community meetings is now taking place to consider another bond issue which will take care of the city's additional needs, relating more specifically to riverfront improvements and the creation of an outer park and pleasure driveway system, neither of which projects was contemplated in the original program of the City Plan Commission.

### THE COUNTY AS A PLANNING UNIT

*Extracts from paper before National Conference on City Planning, 1929.*

By CHARLES H. DIGGS, Director

Los Angeles County Regional Planning Commission.

#### THERE IS A NEED FOR A GOVERNMENTAL UNIT IN PLANNING

A study of planning procedure of all types brings one to the conclusion that time and effort are saved if a complete tie can be made with the governmental unit that has jurisdiction over the area involved. In other words, an adopted or an official plan is needed, no matter how many changes may be necessary later. There are ways and means of having the legislative body recognize a plan without involving that plan in detailed discussion by official bodies not equipped for such study. Therefore, it is desirable to think of planning units in relation to governmental units.

A great amount of the planning that is being done and that will be done in the future is of a CORRECTIVE nature. It would seem possible to place county planning in the PREVENTIVE class as it is possible to apply many of the planning principles involved in city planning in such a way that mistakes can be foreseen and avoided rather than allowed to take root and then have to be corrected.

THERE ARE MANY REASONS FAVORABLE TO THE COUNTY UNIT, WHEN THE AREA INVOLVED IS A REGIONAL UNIT.



# USE OF THE POLICE POWER IN CITY PLANNING AND ZONING\*

By EDWARD D. LANDELS

Attorney, Traffic Commission of Oakland, California

OUR federal government is one of delegated and limited powers, having only those powers expressly conferred upon it by the Constitution. All other powers reside in the states. By the "police power" is meant the power inherent in government to control the conduct of persons and the use of property, to protect or promote the public health, safety, morals, and general welfare. Unfortunately the phrase "police power" does not accurately express what is meant. It is simply the general power of government to control the individual in the interest of the whole, subject to constitutional limitations.

This general power resides in the states, the federal government possessing only so much police power as is appropriate to the proper exercise of the powers expressly delegated to it, such as the control of interstate commerce and national defence. The exercise of the police power by the states is, however, limited by the fourteenth amendment, which provides that no person shall be deprived of life, liberty, or property without due process of law, and guarantees to all persons the equal protection of the laws. There is also found in most of our state constitutions a prohibition against the taking of private property for public use without compensation.

Stated in simple terms, the two great constitutional questions which have been raised by zoning and planning legislation are these: How far may a city go in regulating the use of private property without offending the due process clause or equal protection clause of the 14th amendment? If the law is palpably arbitrary and discriminatory, it will be held to violate the equal protection clause; if it restricts the use of property for some purpose which is not within the scope of the legitimate exercise of the regulatory power, it will be held to violate the due process clause. The other question is: When does regulation cease to be regulation and constitute a taking of property for which compensation must be made?

\*A paper prepared for the State-wide City Plan Conference, at Fresno, February 14-15, 1929.

The early cases which sustained zoning ordinances rested largely upon the common law of nuisances. Some of those which invalidated zoning ordinances, did so on the theory that, by zoning, the city was taking an interest in property for public use, and compensation must be made. Both these theories have now been largely abandoned.

The power of a city to divide its area into districts and regulate within each district the use of property, the type of structure, and the height and perhaps the bulk of buildings is now no longer seriously questioned. The only question with which the courts are now concerned is whether or not the particular ordinance is palpably so unreasonable in its terms as to violate the 14th amendment or some analogous state constitutional provision.

The courts have not gone further, however, than to sustain those ordinances which regulate the use of property in the furtherance of the more elementary public needs. The courts have not yet gone so far as to sanction laws designed to prevent offenses to the public taste or, as it is commonly put, those based on esthetic considerations. There is no question, however, that the courts have been moved by other considerations than those upon which their decisions ostensibly have been based; for example, the United States Supreme Court sustained an ordinance regulating billboards on the ground, in part at least, that they were used as a shield for immoral practices.

While it is unlikely that the courts will sanction any extensive public regulation of the design or color of structures, it is highly probable that they will soon look with favor upon laws prohibiting structures which obviously and violently offend the public sense of what is decent in architecture.

After all, a careful study of zoning law leads one to the conclusion, that while ostensibly the zoning laws are said to be valid because they promote the public health and safety or general welfare, as a matter of fact often a very different consideration is unconsciously working in the judges' minds, and that consideration is that when once a district or street has acquired a certain character, whether by reason of the improvements or otherwise, and that character has been reflected in

property values, an individual property owner should not be permitted to so use his property as to unfairly destroy the values of his neighbors' property. Such a consideration runs like a thread through decisions sustaining setback lines and building height limitations. If this is the real basis of some of these decisions, it amounts to the creation of a new property right: a right of an owner of property in a certain type of district against what has been called unfair or illegitimate non-conformity by the owners of neighboring property.

If the real basis of these decisions is what I have suggested, it will be much easier for courts to sanction zoning based on esthetic considerations than if they struggle along under the delusion that the state is protecting the public morals or safety.

A more difficult question of constitutional law facing the city planners, however, is this: How far may a city go in regulating the use of private property to protect the city plan? The question, for example, is squarely presented by any attempt to protect streets shown on a major street plan from building encroachments.

I suppose it will be admitted that streets, adequate both as to location and width, are intimately associated with the most elementary objectives of the police power. Public safety and general community welfare are now perhaps more dependent upon the function of the state to provide streets, than upon any other particular function.

It will also be conceded, I suppose, that unless we can prevent the construction of costly buildings on mapped streets, there is little hope of ever obtaining anything like a really adequate *system* of streets in most of our cities. Either the cost will become prohibitive or plans will be distorted so as to destroy the effectiveness of the thoroughfares eventually acquired.

The regulation of the use of property so as to protect the major street plan would, therefore, be a valid exercise of the police power as far as the purpose of such regulation is concerned. The difficulty, if there is any, comes from another quarter—the state constitutional restriction against the taking of private property for public use without compensation.

Now, if we prevent a man from building within 20 feet of the existing street line of a street which the city proposes to widen 20 feet, we have certainly, in one sense, deprived him of some interest in his property. But as far as the owner is concerned, we have equally deprived him of an interest in his property if we establish a setback line of 20 feet under a zoning ordinance. Now, in the *Thille v. Board of Public Works* case in the California Appellate Court, and the *Goreib v. Fox* case in the United States Supreme Court, it has been definitely settled that setback lines may, in appropriate cases, be established under the police power. Preventing an owner from constructing a building within a certain distance of the street line is not therefore "per se" a taking. Does it become a taking when the object sought is a protection of a mapped street and the integrity of the city plan rather than the considerations ordinarily supposed to prompt zoning regulations? If the carrying out of the street plan is as intimately connected with the general welfare as the enforcement of a zoning setback line, I don't see that it can make any difference. In my opinion it rather more than less affects vital public needs.

Of course, any regulation respecting building on mapped streets must be designed primarily to prevent such building as would likely prevent the carrying out of the plan, and not all building which might increase the cost to the city. Also, such regulations should be so drawn that they will not in any case deprive an owner of a reasonable return from his property.

Procedure for protecting mapped streets under the police power with, I think, adequate safeguards to the property owner, is contained in Senate Bill 615 now before the Legislature.\* It authorizes a city which has adopted a major street plan, to prepare detailed or precise maps showing the proposed future lines of one or more streets shown on the plan. When these maps have been prepared, and after public notice, hearing, and opportunity to protest, the council by ordinance may adopt such maps and establish the future street lines shown thereon. Thereafter no building permit shall be issued for the construction

\*Passed by the California Legislature and awaiting the Governor's signature.

of any building within such future street lines. The act requires, however, that a board of adjustment shall be established, which is given the power to issue a permit in every case in which it appears that the owner would otherwise not be able to obtain a reasonable return from his property. Such special permits are required, however, to be issued subject to such conditions as would to the least possible degree increase the cost of the opening and widening. Of course, in the exceptional case in which all or a major portion of a parcel of property was included within the lines of the mapped street, the city would have no option but to either issue the permit or to condemn or purchase an easement.

Statutes of this character were enacted in New York in 1925. The principle upon which the statute is based has long been recognized by the courts of Pennsylvania. In the recent case of *In re Sansom Street, Caplan's Appeal*, 293 Penn. 438, 143 Atl. 134, the court again recognized the right of the city to control buildings in mapped streets, though it refused to enforce the restriction when the owner would be deprived of any use of his property. It is true that the courts have consistently, except in Pennsylvania, held invalid laws designed to prevent building on mapped streets. It is significant, however, that these cases were decided before the courts had come to sanction zoning and setback and building height regulations as a valid exercise of the police power. Also, in none of the cases was there involved the matter of protecting a comprehensive city plan. And more important, none of them concerned statutes so drawn as to prevent depriving any owner of a reasonable return on his land.

While it is true that both the mandates of the Constitution and sound public policy require us to be meticulous in guarding the rights in private property, it must never be forgotten that almost every cent of value in urban property is created not by the owner, but by the community in which he may be fortunate or wise enough to own property. And the time has come when what we have come to regard as the property owner's right to use his property as he pleases, must not be allowed to prevent the development of comprehensive city plans designed to insure the orderliness, economy, and beauty of our cities.

# USE OF ROOFS AND TERRACES FOR RECREATION

By HARRY B. BRAINERD  
Architect and City Planner, New York

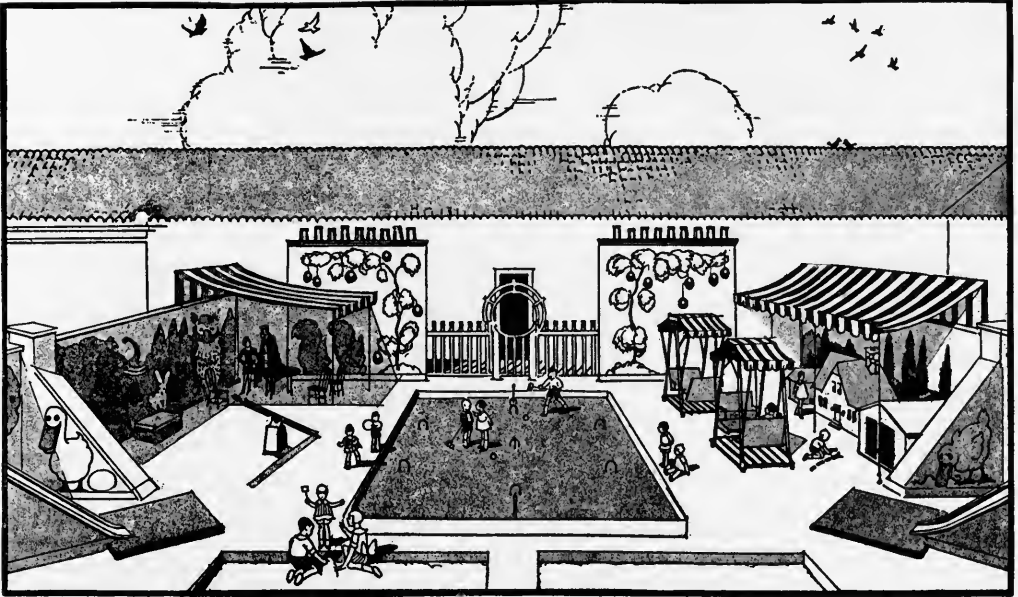
**T**HERE will be nothing in the following suggestions in argument against the acquisition of land for play space. If sufficient open spaces had been provided in the cumulative plans of modern cities for post-19th century requirements, the use of roofs and terraces for recreation would not need to be considered to-day. The recent creation of a so-called play street in the garment district of Manhattan



**The Garment Center "Play Street"**  
West 36th Street between 7th and 8th Avenues, New York

by Police Commissioner Whalen is sufficient evidence that a residential district almost completely obliterated by large buildings for the use of the garment trades needs open spaces in the form of neighborhood parks. Had such parks been established it would now be unnecessary to pre-empt the roadway of business streets for mere standing room during the noon hour. The name "play street" is a misnomer because relatively little sunlight and space for movement is provided. Nevertheless, the arrangement is conceded to be an improvement over a severe case of traffic and pedestrian congestion on the adjoining avenues.

In this discussion the use of terraces and roofs on multiple dwellings for private recreation, on commercial buildings for semi-public recreation, on public buildings for free recreation, and the entire use of buildings rented or owned by the municipality for public and commercial recreation will be considered.



Courtesy of the firm of Kenneth M. Murchison, Architects

#### Children's Playground on the Roof of 375 Park Avenue, New York

In New York City the firm of Kenneth M. Murchison, architects, has designed an interesting feature on the roof of the apartment house at 375 Park Avenue. "The roof has been turned into a completely furnished playground where the children of the tenants may enjoy a great variety of amusements. The parapet walls surrounding this playground are about twelve feet high, sheltering the children from the wind and making their playground a safe place. The equipment includes a country home with garage, all doll-size, but almost large enough to accommodate the children themselves; chairs and tables under canopied shelters, sand boxes, croquet grounds, seesaws, swings and slides. Even the surrounding walls, painted with trees and animals, and a picketed garden gate, help out the countryside illusion."\*

\*Ex. *New York Times*, Oct. 16, 1927.

about 30' x 60'. Rubber mats over tile paving are used. Mr. Murchison does not provide incinerators in any dwellings which he plans on account of the emission of ash on the surrounding premises.

Penthouse accommodations are extremely popular for residential use in New York and have been provided for by modification of the fire laws. This is true in spite of the fact that, at No. 1 Sutton Place, for instance, the managing realtor reports that three buckets of soot are swept up each day from the roof due to the emission of smoke from stacks of the New York Steam Company located a few blocks away.

In the case of commercial structures there is at present a law against the use of roofs except by one family, presumably that of the superintendent of the building. An exception is made in the case of space for one resident tenant instead of quarters for the superintendent who may be required to live elsewhere. An illustration of this is found on the roof of No. 19 West 44th Street, New York City, which extends through the block giving a roof space approximately 100' x 200'. The northern quarter of this roof is occupied by a fully equipped athletic club operated on a commercial basis. Most of this club is housed in the penthouse but there is a golf driving net out-of-doors. Another quarter of the roof is occupied as a dwelling for a banker. This space includes an open-air garden attractively decorated with potted trees and other garden features such as flower beds and a fountain. The scheme of decoration is changed occasionally. The third quarter of the roof adjacent to this dwelling and accessible to it could be used on occasion for extensive private entertainment in the nature of garden parties. It is surrounded by a high balustraded parapet. The balance of the roof is used for elevators, stairs, and enclosed water tanks. Strict attention is given by building managers to keeping people off the roofs to prevent accident and suicide claims against their buildings. There is, however, a proposal for a penthouse synagogue on a commercial structure in lower Manhattan. "This is an interesting development of the combination of church and business or dwelling structure which is conspicuous in contemporary religious architecture. Far above the noise of the streets such a sanctuary should be quiet and retired, a place for



prayer and meditation ideally situated. . . . It has long been held up as a rebuke to New York that full advantage is not taken of the opportunities offered by its roofs. There has been growing understanding of their possibilities, to which the idea of a penthouse synagogue gives testimony.”\*

In the case of public utility buildings the use of roofs seems to depend upon the policy of the concern occupying the building. The American Telephone and Telegraph Building in New York City houses between 5,000 and 6,000 employees. “Its roof is not wasted on ventilators and vacant spaces. It is a skyland gymnasium, bustling with activity noons and evenings. There are two golf driving nets on this sports roof, a court for squash tennis, three handball courts, two well screened courts for either basketball or paddle tennis, and a large area for those who wish to sun themselves in deck chairs. The chairs are like those used on transatlantic liners, and the breeziness of the roof, together with the wide view of rivers and ocean, assist in the illusion of a seat on the hurricane deck of a ship in mid-Atlantic.”\*\*

There are instances of the use of roofs of semi-public buildings for refreshment and recreation. Their popularity seems to depend on climatic conditions. In northern cities eating places on the tops of hotels, theaters, and department stores are usually enclosed. In more southern, less industrial centers awnings only are used as a shelter from heat and sunlight. In hospitals the roofs are used extensively either by the patients or, in one case, by a vacation school where children attending the clinic are allowed to use the roof of the hospital in conjunction with the auditorium and toilet facilities of a high school on adjoining property. The Child Study Association of America is endeavoring to persuade Boards of Education to establish summer play schools as part of its regular program of work. The case mentioned above is only one instance of this in New York. In another the roof and yard are used for play; in another the roof is used for a day nursery and the adjoining back yards of several tenements are used for allotment gardens; in an-

\*Ex. *New York Sun*, Jan. 30, 1929 (Editorial).

\*\*Ex. article by F. Emerson Andrews in *New York Times*, Mar. 10, 1929.

other the roof was used during the day but proved to be too noisy for use in the evening; in another the roof is caged and provided with playground equipment. In the Henrietta School, 224 West 63rd Street, Manhattan, Mr. Rockefeller is sponsoring a colored recreation center in which the roof is used. Doubtless many other instances throughout the country could be cited.

Among public buildings in which roof space is used the Jefferson Pier at the foot of East 112th Street, New York, may be mentioned. This is used as a school for tubercular children in winter and a play school in summer. The Board of Health is coöperating with the Board of Education and the Child Study Association of America in this work. The City Recreation Committee of New York does not favor the use of piers for playgrounds because the district served is necessarily at one side and because waterfront rowdies complicate the problem of control.

Thus it is evident that there is precedent for the use of roof spaces for recreation although one would expect to find more instances considering the fact that agitation along these lines has been conducted for over thirty years. The slow adoption of roof areas for recreation appears to be due partly to the failure to plan roofs for play.

“Five years ago penthouse apartments might have been counted almost on a man’s fingers. One veteran searcher at that time reported finding only a dozen in Manhattan, and most of these were mere doll houses. Fire laws discouraged their construction. A room or two on the roof of a number of buildings, however, intended for servants’ quarters, found ready rental. A flower box and a potted shrub constituted the usual roof adornment. Every building with such a room was classified as a penthouse apartment.

“The peak came last year, when seventy-three penthouse apartments were approved in Manhattan alone, the official figures show, and the total number of penthouse apartment buildings which have been approved in Manhattan to date is over 391. Real estate men estimate the number of roof apartments thus provided between 600 and 1,200, the average estimate being 1,000, for to-day buildings are being constructed with as many as six such apartments, many of them lavish in

size and appointment. Brooklyn and other boroughs have their quotas, for the Greater New York permits now total over 400. 'We usually rent penthouse apartments first, and long in advance of occupancy,' says S. R. Firestone, vice president of Pease & Elliman, 'we do not have to resort to selling talk to place them, ordinarily renting them from plans.' Other rental and building agencies report similar happy experiences. John J. Conroy, manager of residential properties for Douglas L. Elliman, says 'The demand for them is unusually heavy at all times.' '\*



**New York Roof Garden and Penthouse**

The objection to children playing on the roof of an apartment house is that tenants on the top floor may be sensitive to noise and resent the sound of running feet or of voices coming through the ceiling or windows. Moreover, current fire laws in many cities require that privately rented roof space shall be available to others in emergency so that this space has little value in the solution of the problem of recreation except for a limited number of adults.

\*Ex. *New York Times*, Feb. 17, 1929.

In housing for the very poor the use of roofs for recreation space is not recommended because the noise children make in running up and down stairways is apt to be a nuisance and because children seem to prefer to play where things are going on. There is the further difficulty of securing adequate expert supervision which should be provided in all cases of organized play as a matter of education.

“In cities which are discovering the delightful opportunities of roof life for town dwellers there is special interest in a paragraph of *Science's* report of the address last month of Dr. Vaughan Cornish, president of the Conference of Delegates of Corresponding Societies, to the British Association for the Advancement of Science: ‘In the great cities there are lofty outlook stations accessible only with much labor, as at the monument and St. Paul’s in London. In Edinburgh and elsewhere an Outlook Tower has been built through the prescience of Mr. Patrick Geddes. In the lifts, which are necessarily installed in lofty steel-frame buildings, municipalities have ready to their hand a means of providing the public with easy access to outlook points selected for the beauty of their prospect.’ ”\*

The Rentals Committee of the Building Managers Association of New York City agrees that the use of roofs on commercial structures by industrial workers would probably be popular with the workers. However, it does not believe that the cost of preparing roofs for play could be easily recouped by higher rentals. The initial cost would be considerable. Elevator capacity would have to be increased. The elevators would have to discharge at the roof level and therefore would require higher penthouses. The cost of installing plumbing facilities for cafeterias alone would amount to at least \$5000 in an average loft building not to mention the cost of maintenance and operation of equipment. The tendency to erect higher and higher buildings with setbacks, as required, results in roof space so small that a hipped or gabled roof enclosing elevator machinery and tanks often makes a better appearance than a flat deck roof with penthouses. There is also the problem of removing people from such buildings in case of fire, so the use of roofs of commercial structures is not in vogue at present.

\*Ex. *New York Sun*, Oct. 20, 1928 (Editorial).

Among public buildings roofs and terraces on schools and piers are most adaptable for free recreation. There are outstanding examples of the use of school buildings for Vacation Play Schools as in New York and the use of piers for a variety of amusements as in the case of the Municipal Pier in Chicago.

It is also urged that play spaces in heavily built-up metropolitan districts be supplemented with properly equipped and supervised roof and floor areas immediately beneath or adjoining up to a combined roof area, floor area, and ground area of one acre for every Grammar School for the present.

The possibility of combining free public recreation and commercial recreation in congested areas has been suggested to the writer by Mr. Cushman of Cushman & Wakefield, prominent realtors of New York City. No specific instance where this has been tried can be cited but the suggestion is offered that a city might rent an entire building such as the Grand Central Palace, to choose a well known structure for illustration, in which there are high ceilings, broad stairways, and large elevators, with a view to recouping rent by sub-leasing as much space to concessionaires as seems desirable. Suitable concessions for such a recreation center are band and radio concerts, movies, baths and pools, bowling alleys, cricket, croquet courts, miniature golf courses, civic exhibitions, gymnasias, handball, hockey, ice skating, public lectures, menageries, model yacht sailing, museums, picnic facilities, after-school playgrounds on the roof and top floors, pools, roller skating, running tracks, showers, squash, tennis, volley ball, wading pools, dancing, etc. A suitable place might be found in such a center for suburbanites to meet between office hours and dinner or theater engagements. If barber and valet service were provided concessions of this nature might also be desirable.

With the increasing tendency to utilize the block as a unit of construction and in efforts to curb the height of buildings there may arise a condition which will result in larger roof areas planned for play spaces. If the practice of demolishing structures extending over areas of several

blocks should arise in the future, larger and more adequate terraces and roofs may also become available for the same use, in conjunction with open spaces on the ground.

### WHERE CITY PLANNING AND HOUSING MEET

*City Planning and Housing Meet in the Multi-Family Dwelling.*—In the new buildings now being erected in many of our larger cities, more families are being provided for in “apartment houses,” so-called, than in single-family homes. The good old term “tenement house” has gone into the discard, except in legal documents. But while the multi-family dwellings now being erected are in general more fit for human habitation than the worst of the old tenement houses, most of these new buildings occupy, as Henry Wright, John Taylor Boyd, Jr., and others have shown, a needlessly large percentage of their lot area.

Our ears are being constantly battered these days with the half-truth that mankind cannot be made virtuous by law. The extent to which *words* can be made virtuous by law, I do not know; but if we could enact legislation which would restrict the use of the term “apartment house” to buildings occupying not more than 50 per cent of their lot area, and compel the use of “tenement house” in the name and in all advertisements of dwellings of the more congested type, we should go far, I am sure, to cure our speculative builders of their appetite for super-congestion.

*City Planning and Housing Meet in the Onward March of Business and Industry.*—The “blighted district” is the outward and visible sign of this unwholesome contact. No one wants business and industry to remain static; but a great handicap to the orderly development of most communities is that too much space, rather than too little, is provided for purposes of manufacture and trade. We have the spectacle of our small town Main Streets spoiled for a mile in length as sites for pleasant homes by straggling and struggling retail stores. The zoner or realtor who provides soil for two such stores to grow where only one is needed, is far from being as great a public benefactor as he would be, could he devise a method of restricting business property to the reasonable needs of the community without creating a form of land monopoly which would be to the community’s detriment.—From paper by Harold S. Buttenheim at National Conference on City Planning, 1929.

# A STUDY OF MUNICIPAL AND COUNTY REGULATIONS FOR SUBDIVISION CONTROL

NOTES FROM THE HARVARD FIELD STUDY

By HOWARD K. MENHINICK

**P**LANNING COMMISSIONS throughout the United States are adopting platting regulations to facilitate the control of land subdivision. These regulations help a developer to serve at the same time his own interests and the interests of the community. They enable the planning commission to determine whether a tract of land is well subdivided. They reduce to a minimum indefiniteness and arbitrariness in requirements.

In the ensuing notes, all cities having an identical requirement will seldom be listed, for this would lead to a frequent grouping of those that have obviously taken provisions from the same ordinance. Des Moines, Ia., Oakland, Riverside, Sacramento, and Santa Barbara County, Cal., and Richmond, Va., would often appear together as would the Chicago Regional Planning Association's model platting ordinance, Highland Park and Saint Charles, Ill., and Kenosha and Kenosha County, Wisconsin. Haverhill, Newton, and Springfield, Mass., would compose a third group. No attempt will be made to evaluate restrictions, for this is a fact-finding study rather than a critical analysis.

The platting regulations of the following cities and counties have been reviewed.\* When known, the year of adoption of the regulations follows the place name.

Akron, O., 1920	Lake Bluff, Ill., 1924
Altoona, Pa., 1926	Longmeadow, Mass., 1921
Atlanta, Ga.	Lucas County, O.
Canton, O., 1928	Memphis, Tenn.
Chicago Region, Ill. (Model Ordinance)	Milwaukee, Wis., 1924
Cincinnati, O., 1925	Newton, Mass., 1925
Cleveland, O., 1925	Oakland, Cal.
Dayton, O., 1925	Oklahoma City, Okla.
Des Moines, Ia., 1929	Portland, Ore., 1919
Detroit, Mich., 1921	Reading, Pa., 1927
District of Columbia, 1923	Richmond, Va., 1928
DuPage County, Ill., 1926	Riverside, Cal., 1927
Durham, N. C.	Rochester, N. Y., 1922
Glynn County, Ga., 1928	Sacramento, Cal.
Harrisburg, Pa., 1924	Saint Charles, Ill., 1928
Haverhill, Mass., 1917	San Diego, Cal.
Highland Park, Ill., 1927	Santa Barbara County, Cal.
Jamestown, N. Y., 1926	Springfield, Mass., 1922
Kenosha, Wis., 1924	Wayne County, Mich., 1925
Kenosha County, Wis., 1927	Wichita, Kan., 1929

\*The provisions of the Los Angeles regulations have not been analyzed because they are undergoing revision at the present time.

The regulations will be discussed under the following headings:

GROUP I. INTRODUCTORY

- |                                |                      |
|--------------------------------|----------------------|
| 1. Presentation of Regulations | 4. Preliminary Plats |
| 2. Definitions                 | 5. Final Plats       |
| 3. Procedure                   |                      |

GROUP II. STREETS

- |  |                                      |
|--|--------------------------------------|
| 6. Relation of Proposed Streets to Adjoining Street System | 14. Dead-end Streets                 |
| 7. Streets Where Subdivided Areas are Large                | 15. Street Widths                    |
| 8. Street Alignment  | 16. Roadway Widths                   |
| 9. Street Intersections                                    | 17. Building Lines                   |
| 10. Corner Radii   | 18. Street Grades                    |
| 11. The Carrying of Streets to Boundary Lines              | 19. Access to Streets Across Ditches |
| 12. Streets in Relation to Railroads                       | 20. Street and Subdivision Names     |
| 13. Dedication of Half-streets                             | 21. Street Trees                     |
|  | 22. Alleys                           |
|  | 23. Easements                        |
|  | 24. Utilities and Improvements       |

GROUP III. BLOCKS AND LOTS

- |                    |                               |
|--------------------|-------------------------------|
| 25. Size of Blocks | 28. Lots with Double Frontage |
| 26. Size of Lots   | 29. Corner Lots               |
| 27. Lot Lines      |                               |

GROUP IV. MISCELLANEOUS

- |                                     |                                |
|-------------------------------------|--------------------------------|
| 30. Open Spaces                     | 32. Variations                 |
| 31. Restrictions Relating to Zoning | 33. Miscellaneous Requirements |

**GROUP I. INTRODUCTORY**

**1. Presentation of Regulations**

The Platting Guide of Milwaukee, Wis., is a printed booklet containing not only the platting regulations but also reproductions of diagrams and photographs illustrating both desirable and undesirable types of development. A plan of the proposed metropolitan park system and principal thoroughfares is folded in the back of this guide. Newly-platted lands must conform in the main to this plan.

The regulations of Altoona, Pa., Cincinnati and Dayton, O., DuPage County, Ill., and Riverside, Cal., are printed as booklets. The Haverhill, Newton, Springfield, Mass., Highland Park, Ill., and Oakland, Cal., regulations are printed on sheets.

Not all platting rules are printed separately. Those of Atlanta, Ga., are in the 1922 Annual Report of the City Planning Commission. Glynn County, Ga., and Memphis, Tenn., have published their regulations with their zoning ordinances. Saint Charles, Ill., has printed its officially adopted city plan, zoning ordinance, building code, and subdivision control ordinance in one convenient-sized book. The Code of Ordinances and Charter of the City of Durham, N. C., printed in 1928,



contains subdivision regulations. Nearly every published comprehensive city plan report and nearly every major street report contain proposed platting regulations.

The subdivision rules of Canton, O., Des Moines, Ia., Richmond, Va., Santa Barbara County, Cal., and Wichita, Kan., and the model ordinance prepared by the Chicago Regional Plan Association are mimeographed. This latter ordinance will hereafter be referred to as the Chicago Regional Model. The regulations of Oklahoma City, Okla., and Reading, Pa., are blueprinted.

The suggested set of rules in "Land Subdivision and the City Plan" by Messrs. Swan and Tuttle, published as a supplement to the July, 1925, issue of the *National Municipal Review*, and the regulations of Oakland, Riverside, Sacramento, and Santa Barbara County, Cal., are accompanied by explanatory notes giving the purpose of each rule. These notes establish the reasonableness of the requirements. They should be of particular interest to anyone framing a set of regulations.

## 2. Definitions

Few subdivision rules include definitions. The Chicago Regional Model and Jamestown, N. Y., use substantially the definition of land subdivision given by Messrs. Swan and Tuttle. "A subdivision is any change, alteration, or rearrangement in the boundary or division lines of a parcel of property or street." Lucas County, O., defines "subdivision" as "the division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes re-subdivision and when appropriate (refers) to the process of subdividing or the land or territory subdivided. It includes all changes in street, lot, or lot lines which in any way affect the public health, public morals, public safety, or general welfare." Altoona, Pa., gives definitions for such terms as street, driveway, street pavement, allotment, and subdivision. Although the two latter terms are said to be the same, they are defined separately and differently.

## 3. Procedure

Detroit, Mich., and Riverside, Cal., list in a systematic manner the steps the subdivider must take to secure plat approval. Altoona, Pa., gives the procedure with the final plat, and Highland Park, Ill., with the preliminary plat.

## 4. Preliminary Plats

The submission of a preliminary plat is an almost standard requirement benefiting both the city and the subdivider because it permits a study and discussion of the plan at a time when changes can be made with a minimum amount of effort and money. Most cities permit the preliminary plan to be drawn in pencil at a suitable scale, usually not less than one inch equals 200 feet, and require only the information they consider necessary for study purposes. Approval of a preliminary plat does not constitute an acceptance of the subdivision, and normally an approval becomes void if the final plat is not submitted within a definite period—90 days in Detroit, Mich., and Lucas County, O., 6 months in Dayton, O., and one year in

Canton, O. Santa Barbara County, Cal., requires with both the preliminary and final plat a statement giving the total area of the tract in acres, the net area devoted to lots, streets, and parks, and the total lot frontage in feet for residential, business, and industrial uses. These facts will indicate how effectively the land has been planned and will be valuable subdivision records.

### **5. Final Plats**

Final plats are usually submitted on tracing cloth in specified sheet sizes which are different in nearly every city. In addition to such a tracing, Oklahoma City requires an original drawing made with black India ink upon a good quality, white, cold-pressed, double-mounted drawing paper, 21 inches by 36 inches in size. Detroit, Mich., permits the filing of a 17 by 21-inch photostat reproduction. Scales of one inch equals 40, 50, or 100 feet are usual. Data required on the final plat are invariably specified in detail. To secure uniformity in presentation, Dayton, O., has included a set of recommended map symbols. The submission of street grading plans and profiles with the final plat is frequently required. In Lucas County, O., subdividers submit a key map at a scale of one inch equals 400 feet or less, showing the relation of the proposed subdivision to the surrounding territory. Cincinnati intends to make a similar requirement. Permanent engineering monuments are invariably shown on final plats. Most cities require standard monuments set in the ground or a certified check to cover their cost. Akron, O., stipulates five dollars per monument. Iron pipes from one-half inch to one inch in diameter and granite or concrete posts not less than 4 inches square with a minimum length of 30 inches are standard types.

## **GROUP II. STREETS**

### **6. Relation of Proposed Streets to Adjoining Street System**

The arrangement of proposed streets to continue the principal existing streets in adjoining subdivisions at the same or a greater width and in no case less than the minimum width specified is a frequent requirement. Santa Barbara County, Cal., insists on provisions to continue a reasonable number of utility lines. Richmond, Va., checks a proposed street arrangement to be certain it will cause no hardship when adjoining unsubdivided land is developed.

### **7. Streets Where Subdivided Areas are Large**

Many regulations specify that when an area is subdivided into tracts larger than normal lots, these tracts shall be so platted as not to interfere with the opening of major streets and the ultimate extension of minor ones. The Chicago Regional Model requires platting in such a manner that streets may be laid out along lot lines.

### **8. Street Alignment**

Wichita, Kan., encourages street curves, especially in irregular topography, but insists that curves too sharp to permit reasonable visibility be avoided. Cincinnati, O., has established a minimum radius of curvature of 200 feet on the center

line of main and secondary thoroughfares, 100 feet on minor streets, and 50 feet on local service streets. Altoona, Pa., requires a radius of curvature of 300 feet for main thoroughfares, 200 feet for secondary thoroughfares, and 50 feet for minor and local streets. Dayton, O., specifies that the curves on major streets shall be of such radius as will assure 300 feet of clear visibility at the center line of the street and gives a formula for determining it. Streets with reverse curves must have a tangent connecting the curves. Oklahoma City requires the elimination of street jogs by curves and will not accept streets with "broken-back" curves nor with lines which are not parallel. Many regulations, as those of Lucas County, O., have detailed engineering specifications for the enlargement of street intersections, for the deflection of streets within the block, and for the widening of streets at curves.

### 9. Street Intersections

Most cities require that streets intersect each other as nearly at right angles as is practicable. In Wichita, Kan., minor streets should approach major streets at an angle of not less than 80 degrees nor more than 100 degrees. Jamestown, N. Y., allows the angle included between adjoining street lines to be not less than 30 degrees nor greater than 150 degrees and has special provisions for the enlargement of street intersections. Longmeadow, Mass., provides that at street intersections with an included angle of less than 80 degrees, a curve with a radius of not less than 15 feet shall be laid out on the acute-angled side. Milwaukee, Wis., recommends that streets converging at one point be reduced to the least practicable number.

### 10. Corner Radii

It is customary for cities to require corners to be rounded at major street intersections, at acute-angled corners, and at other points likely to be dangerous, using the following radii: Akron, O., 5 feet; Canton, O., 10 feet; Saint Charles, Ill., 12 feet, except at important corners where it shall be not less than 24 feet; Kenosha, Wis., Newton, Mass., and Sacramento, Cal., 15 feet; Altoona, Pa., 20 feet on main thoroughfares, 15 feet on secondary and minor streets, and 10 feet on all others; San Diego, Cal., 25 feet where a secondary street intersects an important thoroughfare and 15 feet at all other intersections; Dayton, O., 20 feet, normally, but 25 feet if the interior angle is less than 60 degrees, and whenever the interior angle is less than 135 degrees, it is recommended that the corner be rounded with a minimum radius of 8 feet.

### 11. The Carrying of Streets to Boundary Lines

The Lucas County, O., regulations are as follows: "When a new subdivision adjoins unsubdivided land capable of being subdivided, then new streets shall be carried to the boundaries of the tract proposed to be subdivided. Buffer lots conditionally dedicated, may be located at the property boundary."

Milwaukee, Wis., rules: "No subdivision showing reserve strips controlling the access to public ways, or showing strips of land which will not prove taxable for special assessments will be approved, except where the control and disposal of the land is placed definitely within the city's jurisdiction."

Altoona, Pa., Richmond, Va., and Santa Barbara County, Cal., have similar regulations.

## 12. Streets in Relation to Railroads

The Chicago Regional Model, Saint Charles, Ill., and Kenosha County, Wis., require that whenever a subdivision is laid out adjacent to a railroad right-of-way, a street shall be placed parallel to the railroad. Riverside and Sacramento, Cal., have the same requirement when the topography or zoning plans indicate that such property will be used for industrial purposes. The Chicago Regional Model specifies that the intersection of the center line of the parallel street with that of any street which crosses the railroad shall be not less than 150 feet from the line of the railroad right-of-way, and recommends that the intervening land be dedicated for park purposes but permits its use for industrial, commercial, or residential purposes. Kenosha County, Wis., also specifies 150 feet; Saint Charles, Ill., a distance to be determined by the Plan Commission, but not less than 40 feet. If there is a distance of at least 100 feet, the property may be divided into lots, but if it is less than 100 feet, the property shall be dedicated as a park buffer. Riverside and Sacramento, Cal., specify a distance of at least the depth of one lot. These last two cities and Saint Charles, Ill., provide that if the question of a railroad crossing is involved, the street arrangement shall be made to facilitate the development of a crossing that will be as safe as feasible and provide for a grade separation either by viaduct or underpass if deemed feasible.

## 13. Dedication of Half-streets

Richmond, Va., and Saint Charles, Ill., permit the dedication of half-streets where a subdivision adjoins undeveloped property. Dayton, O., provides in addition that wherever there already exists a dedicated and recorded half-street or alley on an adjoining plat, the other half must be dedicated on the proposed plat to make the street or alley complete. Lucas County, O., permits the dedication of a half-street with a conditional dedication of a strip two feet wide on the side next to the unplatted land, this conditional dedication to become effective when the whole street is dedicated. In the meantime, it may not bar owners of adjacent unplatted property from making service taps to water supply or sewerage lines located in the unconditionally dedicated half-street.

## 14. Dead-end Streets

Dead-end streets or culs-de-sac are almost universally discouraged and permitted only when a normal street arrangement is impracticable. Cincinnati, O., specifies that they shall normally be not over 600 feet in length. Dayton, O., will not approve them if they exceed 400 feet in length. When they are permitted, a turn-around at the closed end is invariably demanded. The required radius of this turn-around is 25 feet in Altoona, Pa.; 30 feet in Dayton, O., and Richmond, Va.; 30 feet plus customary planting strips and sidewalk in Jamestown, N. Y.; 30 feet exclusive of sidewalk space in Cleveland, O., although a rectangular space 25 feet wide and 80 feet long exclusive of sidewalk space, with the 80-foot dimension placed symmetrically perpendicular to the line of the street, may be used; 40 feet in Santa Barbara County, Cal.; and 50 feet in Lucas County, Ohio. Dayton, O., requires ample turning space for automobile trucks. Lake Bluff, Ill., permits either a circular or Y-shaped turn-around.

**The second part of this study comprising Sections 15 to 33 will appear in the October issue.**

## **EDITORIAL**

### **CONGRATULATIONS TO THE REGIONAL PLAN OF NEW YORK**

On May 27, 1929, the Committee on Regional Plan of New York and Its Environs presented to the citizens of the Region a Plan, representing seven years of exhaustive study and embracing recommendations for an area of over five thousand square miles, with a total population of ten million,—the whole cost of the Plan amounting to a million dollars. Official representatives of the three states and 425 municipalities within the Region and delegates from civic organizations all over the country were invited to the meeting at the Engineering Societies Building during which the Plan was presented. At the same time the Regional Plan Association, Inc., with Mr. George McAneny as President was launched, to promote making the Plan effective. The Plan proposed is not one admitting no modifications, but “a free-will offering to the public in the hope that its advantages will be recognized and that so far as practicable the future development of the region will be along the lines that investigation, research, and expert opinion suggest”.

On the occasion of this great gift, the Editors of CITY PLANNING congratulate the Russell Sage Foundation, the Committee on the Regional Plan, the Director, Mr. Thomas Adams, and the many experts who have been concerned, on the worthy completion of a monumental task. The inspiring memory of the late Charles D. Norton envelopes the Plan,—a plan nobly conceived and offering a priceless opportunity to present and future generations.

### **AFTERMATH OF THE HARVARD FIELD STUDY**

An exceptionally pleasant echo has come to our editorial ears from the visit to a Western city made by the field representative of the recent Harvard Milton Fund research in planning progress. We take the liberty of quoting from the annual report of the Secretary of the City Planning Commission of Wichita, Kansas.

“Mr. Menhinick, representing the *City Planning* magazine, and the Harvard Graduate School of City Planning, addressed the City Planning Commission together with representatives of the Board of Park Commissioners, the School Board, and the Chamber of Commerce on the development in city planning and zoning throughout the country. Mr. Menhinick was touring the country, visiting all of the principal cities in which any city planning or zoning had been done, looking toward the publication of a review of the whole situation. He stated that the outstanding accomplishments in the minds of most of the commissions and the public generally are zoning regulations and control of plats in outlying districts.

“Following his visit [late in December], the City Planning Commission took steps to amend the city planning act to extend the control of platting for a distance of two miles outside of the city. The amendment to the bill was written by one member of the City Planning Commission and introduced in the Legislature by another, who is a member of the Legislature, the bill becoming a law effective February 16, 1929. Two plats outside of the city within these limits have already been considered.”

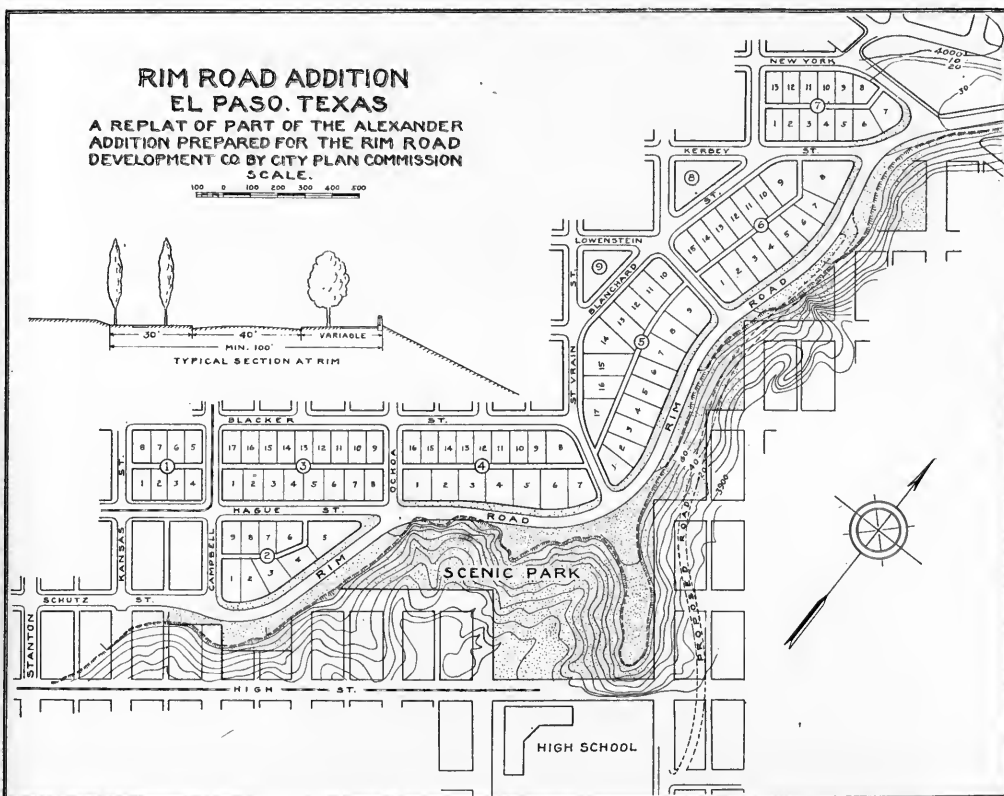
Although the spreading of knowledge about city planning and zoning was only incidental to the main purpose of the study, it is gratifying to know that the exchange of experiences resulted so promptly—in this instance and perhaps others—in promoting an enlargement of planning powers, and to know that the Study Tour rendered some service in return for the valuable knowledge generously imparted throughout the country.

# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER HAROLD S. BUTTENHEIM  
ARTHUR A. SHURTLEFF CHARLES W. ELIOT 2nd  
GORDON J. CULHAM

## REPLATTING IN EL PASO, TEXAS

A recent replatting of a part of an old subdivision in El Paso presents an interesting example of extremely bad platting in the original case, and of what may



be done in correcting a bad situation when the problem is attacked with vision and courage.

In 1883, the city had only a few thousand people, mostly Mexicans living in adobe huts, but was growing rapidly, following the completion in 1881 and 1882 of four railroads from different directions into a community previously served only by long stage lines over rough trails through an Indian-infested desert. At this time, when city planning had not been thought of, a square mile of land just north of the existing city was platted on a checkerboard plan, continuing the streets of



**The Rim above High School, El Paso, Texas**



**The Mesa Rim, El Paso**  
**Along which the Rim Road will be built**  
(The stack in the right center is on the High School)



the first map without regard to the topography of some extremely rough and rocky land. The result was the development of a few streets where the difficulties were not too great, and a principal growth in other directions along lines of less resistance.

From a point near the center of the Addition to the northeast corner there is a steep escarpment where the mesa, or tableland, breaks down into the valley, and from the beginning of the city planning idea in El Paso the rim has been selected as the site for a boulevard overlooking the city from this commanding position. A replatting was clearly indicated but did not seem practicable until a few months ago, when some citizens acquired all of the property necessary and replanned it in accordance with the suggestions of the City Plan Commission, selling to the city the land in excess of the usual street width, and land below the rim, for a sum less than had been estimated for a much inferior plan, had it been necessary to deal separately with all of the original owners and build the drive without changing the platting of the adjoining property.

It is pleasant to note that the enterprise has been successful for the owners, as many of the lots have been sold and fine homes are contemplated on them in the near future. The example should encourage others in replanning where the present planning is bad.

W. E. STOCKWELL,  
*City Plan Engineer, El Paso*

## NEW ENGLAND REGIONAL PLANNING CONFERENCE

The Third Conference on Regional Planning for New England was held at the State House in Boston, Mass., on May 28, 1929. Four New England and three other states were represented. Mr. William Roger Greeley, Chairman of the Conference, stated the needs of regional planning in New England. Mr. Lewis Mumford talked on "Directing New England's Future", while Mr. Benton MacKaye showed slides illustrating regional development in the Fitchburg, Mass., area.

The New England Regional Planning Conference was organized with Mr. Greeley as Chairman and Mr. E. T. Hartman as Secretary. The appointment of an executive committee was authorized, and plans were formulated for an early September meeting at Hanover, N. H.

H. K. M.

## MAJOR POLICIES OF THE CHICAGO REGIONAL PLANNING ASSOCIATION

The President of the Chicago Regional Planning Association, Mr. D. H. Burnham, at a recent directors' meeting made a statement of policies which deserves careful reading, and which shows why the Association in its short period of existence has aroused such general confidence:

For more than three years we have held rigidly to two main policies in our undertakings: First, the policy of merging the many city, village, county and state plans into a composite whole, and Second, the policy of making independent investigations of planning principles so that these many plans may be laid upon scientific foundations.

The first of these policies, that of merging the many existing plans, recognizes the fact that we are an association of "sovereign" municipal bodies, organized to help them carry out their plans in harmony with one another.

Since these "sovereign" municipal bodies have full legal authority to plan and build within their own jurisdiction we have not attempted to tell them what to do. Rather we have offered our help in their park, subdivision, zoning, street, highway, sewage treatment and other plans which are going ahead anyway, furnishing them all the while the information we can command that will help them make their plans adequate, well balanced and harmonious with their neighboring "sovereign" municipal bodies.

If any city or regional plans are to be of greater value than simply a dream, an artistic drawing and a splendid report, they must be put in effect and must unfold on the ground. Therefore, these plans must have the sympathy, the confidence and the support of the municipal officials and the citizens of the community, and to have that confidence those officials and citizens must have had an important part in preparing these plans.

After a city or village plan has failed to be carried out (and many have failed in communities in the Region of Chicago), it does little good to blame the municipal officers for lack of vision or for shortsightedness. They are just human enough to believe their vision is as broad and as farsighted as that of some other planner. State and county highway engineers, the directors of the state and county park programs, and municipal engineers are capable and farsighted or they do not hold their positions for long. We have been seeking carefully those officers throughout the Region of Chicago, gaining their confidence in our purpose and our offer of help so that they themselves at our invitation sit down frequently to iron out problems of planning at their common but invisible boundary lines.

Therefore, the Directors, the standing committees and the staff of the Regional Planning Association did not set out at once to draw "a plan" for the Region as a whole nor for any single part of it. Rather they have undertaken to promote (among those officials who actually have power to act) certain sound practices in planning and building the many separate but tangible units which together make up our complicated communities.

The Editors regret that there is not space to publish the whole statement: we hope it will soon appear in some report of the Association, so that all those concerned in regional and county planning may derive profit from its good sense and practicality.

T. K. H.

## PLANNING AND ZONING BENEFIT NEWTON, MASS.

The Newton Planning Board was one of the pioneer organizations of its character in Massachusetts, and there can be no doubt in the minds of any intelligent citizen that the work which it has done has been a vital factor in the remarkable growth of the city and the enviable reputation which it has throughout the country as a city of homes, intelligently restricted to prevent the encroachment of multi-family houses and undesirable business in residence areas.

Some of the important features of its work have been a voluminous report containing a comprehensive street plan, the preparation of a zoning plan, now in operation for about seven years, and its activities as a Board of Survey controlling the layout of all new streets.

The Zoning Law has been a notable success and has gained the almost unanimous approval of property owners. It is flexible and elastic, and ninety per cent of the requests for changes in any particular area have been from a lower to a higher classification and there has been but one appeal from a decision of the Board of Aldermen involving the change of a zone.

The Board's control of new street layouts as a Board of Survey, has been especially beneficial in eliminating dead-end streets and making the street plan harmonious and in conformity to the comprehensive plan.

Fortunately for our city, we are planning its development not for to-day alone, but with a vision of the future.

ALFRED E. ALVORD,  
*Chairman of Newton Planning Board, Pro Tem.*  
*and Member of Board of Assessors.*

## REGIONAL PLANNING FOR HAMILTON COUNTY, OHIO

Early in 1929 a Regional Planning Commission was formed for Hamilton County. It was created pursuant to Section 43, 63-13, the Ohio Code (page 244, City Plan). We now have thirteen Planning Commissions in the Cincinnati Region, and The United City Planning Committee of Cincinnati was responsible for ten of them. As you will see from the Section quoted above, each municipality having a Planning Commission is represented on the Regional Board. At a meeting on March 7, it was decided, after our suggestion, to have two representatives from each municipality on the Regional Commission, one to be a citizen member, the other an ex-officio member.

At a meeting on March 21, the Commission was organized, electing Mr. Charles Urban, Chairman of the Board of County Commissioners, Chairman; Mr. Alfred Bettman, Vice Chairman; Mayor Harry H. Baker, Norwood, Second Vice Chairman; Mr. Myron D. Downs, Secretary. The City of Cincinnati representatives on the Regional Commission are Colonel C. O. Sherrill, City Manager, and Alfred Bettman.

GEO. W. MELVILLE,

*Executive Secretary, United City and Regional Planning Association*  
*(formerly United City Planning Committee)*

## ANNUAL PENNSYLVANIA CONFERENCE

The fourth annual conference of the Pennsylvania Association of Planning Commissioners was held on February 22 and 23 at Williamsport, Pennsylvania. Washington's Birthday and the Saturday half holiday were busy ones for the largest registration of delegates in the life of the Association. Smaller municipalities, the boroughs, were represented, evidencing that planning is not entirely the concern of cities.

The address of welcome was given by Hon. H. T. Ames, Mayor of Williamsport, and William P. Beeber, Chairman of the Planning Commission of that city. Other speakers were Dr. Edward Hart, Lafayette College, Easton; Dr. M. J. Klein,

Franklin and Marshall College, Lancaster; Walter E. Greenwood, President of the Pennsylvania League of Cities of the Third Class, Coatesville; Morris Knowles, Pittsburgh; Elmer S. Mills, Camp Hill; and Matthew S. Gunton, New Castle, all connected with planning commissions. The Pennsylvania Department of Internal Affairs was represented by James R. McConaghie and Francis J. Mulvihill.

The "Three Minute Reports" on planning and zoning from all municipalities represented furnished an interesting feature of the sessions. Another feature was the exhibit of maps, plans, and photographs arranged by Lyons Mussina, City Engineer of Williamsport, made possible through the coöperation of many planning commissions. The conference closed with an automobile tour of Williamsport by the delegates as the guests of the Planning Commission, City Council, and Chamber of Commerce.

Mr. James F. Collier, Williamsport, was elected President, and the other officers were reelected. The place for the 1930 conference has not been decided.

FRANCIS J. MULVIHILL,  
*Chief, State Division of City Planning  
and Municipal Engineering.*

## PLANNING PROGRESS IN NORTH DAKOTA

Under leadership of the President of the Planning Commission of Fargo, Mr. W. J. Lane, with strong support from the Bismarck Planning Commission and League of North Dakota Municipalities, a planning bill was passed on May 8 at the final session of the North Dakota State Legislature, based on the California and Department of Commerce Standard Act. The bill which will become law on July 1 applies to cities and villages since counties, townships, and regions were cut from the bill as originally submitted. The authorized levy was reduced to one mill. The supporters of city planning feel that they have something to work on during the next two years when they will again go to the Legislature to secure additional legislation needed.

T. K. H.

## MANUAL OF PLANNING FOR CALIFORNIA

A Manual of Planning for California is to be published under the auspices of the California Real Estate Association, the Association of Secretaries of Chambers of Commerce, and the California Development Association.

The ultimate purpose of this Manual is to aid in the accomplishment of the comprehensive planning of the State of California, its towns and cities, and the various communities that may well be planned together as regions. It is believed by its sponsors that this purpose can be best accomplished by so presenting the subjects that they will appeal to the students of high school age. Among the interesting and effective methods of accomplishing this purpose is to be noted the liberal use of illustrations and simple diagrams.

The proponents of the Manual feel that the successful accomplishment of many of California's planning projects can probably never be achieved unless the youth

of to-day, instructed in the correct principles of planning, finally take their place as men and women of the community with a knowledge of what to want in planning matters. But the Manual has also been prepared for use as a handbook by realtors, Chambers of Commerce, and other groups.

At a recent meeting of the Committee on the Manual of Planning, the following Editorial Advisory Committee was selected: Mr. Stephen Child, of San Francisco; Mr. Carl Bush, Secretary of Chamber of Commerce, Hollywood; Mr. Kenneth Gardner, City Plan Engineer of San Diego. This group will act with Mr. Bryant Hall, Research Engineer of the Los Angeles County Regional Planning Commission, who has been selected as Editor, and who will take up the work of assembling, selecting, and rearranging the material submitted for the Manual by the General Committee. Suggestions from all sources will be welcome.

A brief tentative outline of contents includes the following sections: Introduction—What Planning is. Planning the Home, the Farm, the Community. The Elements of a City Plan. Organization of a Community for Planning. How Planning is Actually Done. What California has Accomplished. Regional, State and Nation Planning. A Glance toward the Future. The Practical and Cultural Values of Planning. Planning Elsewhere. Essential Factors of Success in Planning. Financial and Legal Machinery. How the Individual (Student) can Help—Your Part! Notes—Problems—Bibliography.

STEPHEN CHILD,

*For the Educational Advisory Committee*

## PLANNING IN TORONTO

The great necessity of the moment in remedial planning in Toronto has recently been placed before the city council by the Advisory City Planning Commission\* and has since been referred to the heads of the city departments. It has long been recognized that several of the major thoroughfares of the city have been inadequately connected with the railroad terminal activities near the waterfront, but the presence of the high values interposed by the business district have so far proven to be too much of a barrier. Now it is proposed to cut through two new streets and widen another. Such an improvement will probably be judged by the city as a whole on the strength of its merits as a convenience for traffic between the city and the railroad terminal, although many other advantages have been advanced in its favor.

Public opinion is entrenched very strongly in two camps; those who receive direct benefit from the improvement, and those who are interested in other improvements which have priority on the municipal calendar and fear that the city cannot bear the financial burden of both. There is yet one other group who are being heard, and their appeal is really significant because they are neither for nor against any proposal but urge that all these improvements are the logical parts of what should be a comprehensive city plan; and in doing so, they are making a very clear

\*Report of the Advisory City Planning Commission, with Recommendations for the Improvement of the Central Business Section of the City of Toronto, 1929.

distinction between what may properly be called city planning and what is simply any public improvement, no matter how important it may seem to be at the moment.

The urgency of the down-town street extensions has arisen from the desire of the city government to take advantage of the facility provided by a provincial act, passed in the spring of 1928, and good until the end of 1929, which gives authority to the city to condemn properties within a certain area at the valuation rating of 1928.

The people of Toronto have supported many large public-ownership undertakings such as the harbor, hydro-electric local transportation, and the annual exposition, so they are accustomed to moving along a united front. It would seem as though they might be quick to grasp the advantages and economies of one master plan over the many competitive schemes inevitably arising from local self-interest.

### NOT QUITE SO BLACK AS PAINTED

Mr. Bernard J. Newman, managing director of the Philadelphia Housing Association, very kindly calls our attention to a statement which is easily misinterpreted in our review, in the April issue of CITY PLANNING, of a paper by Mr. S. J. Herman of the Michigan Housing Association, read before the seventeenth annual meeting of the Governmental Research Association at Cincinnati, October, 1928.

We quoted Mr. Herman as saying in effect that it requires a monthly burden of \$85 to carry the cheapest sort of five-room house. We did not make it plain that Mr. Herman referred to a "small, five-room, one story, frame house", by this meaning a single-family, *single*, free-standing house. Such a house, Mr. Herman says, sells for \$6500 to \$7500 which, including amortization of principal, interest, taxes, insurance, and upkeep, entails a burden of about \$85 to \$90 per month.

Mr. Newman points out that in Philadelphia in 1928 there were several thousand one-family dwellings under construction costing \$7000 or less, on many of which the carrying charges were considerably less than \$85 per month. He encloses photographs of some dwellings costing \$4500 and even \$3990.

The difference here from Mr. Herman's figures—supposing that the carrying charges are figured practically in the same way in both cases—is presumably largely due to the fact that the cheaper Philadelphia dwellings were "row houses". In any case the situation of the poor man seeking an independent home is bad enough!

H. V. H.

### CITY PLANNING DISCUSSED AT NATIONAL ASSOCIATION OF REAL ESTATE BOARDS CONVENTION

The function of the National Association of Real Estate Boards in the field of city planning was discussed at an informal conference on city planning during the Twenty-second Annual Convention of the National Association of Real Estate

Boards in Boston, Mass., June 25-28, 1929. This city planning conference and the activities of the Home Builders and Subdividers Division were of particular interest and will be reported in the next issue of CITY PLANNING.

H. K. M.

## ADDITIONAL NOTES ON INSTRUCTION ON CITY PLANNING IN THE UNITED STATES

See CITY PLANNING for January 1929, page 43.

### Instruction in Technical Departments or Courses of Architecture, Engineering, Landscape Architecture, etc.

#### LECTURES ON CITY PLANNING IN COURSES ON OTHER SUBJECTS

The following lectures are given in Departments of Civil Engineering:

CALIFORNIA STATE TEACHERS COLLEGE instruction as part of course in Engineering

UNIVERSITY OF FLORIDA lectures as part of course in Municipal Engineering

UNIVERSITY OF PITTSBURGH lectures in course on Traffic Control Engineering in School of Engineering

UNIVERSITY OF TENNESSEE lectures in course on Traffic Control, required of seniors in Civil Engineering

### Instruction Primarily for College Undergraduates

#### COURSES IN CITY PLANNING

UNIVERSITY OF SOUTHERN CALIFORNIA course; also summer course and course in School of Commerce

#### LECTURES ON CITY PLANNING IN COURSES ON OTHER SUBJECTS

CREIGHTON UNIVERSITY discussion by architect in course on "Problems in Elementary Education" in College of Arts and Sciences

EVANSVILLE COLLEGE two weeks in course on Urban Sociology

#### SPECIAL WORK

GEORGE PEABODY COLLEGE FOR TEACHERS two courses on Modern Civic Art and City Planning.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

The subjects discussed in the Roundtable of this issue are among those raised at the meetings of the National Conference on City Planning at Buffalo.

## AIRPORTS

**A**IRPORTS surrounded by vacant private land may some day be surrounded by steeples, factory chimneys, or high buildings which make landing difficult or impossible. In such cases can zoning be resorted to for the protection of the airports? The answer is no. The surrounding land ought to be zoned as it would be zoned if the airports were not there. Zoning must not be discriminatory. It must be based on the health, safety, morals, and general welfare of the community. Private airports would do well to buy a surrounding belt which the airport owners would control and perhaps later subject to private restrictions as to height. If this is out of the question, state laws can be passed under which a servitude as to allowable height can be created over the surrounding private property by eminent domain. This method, however, could not be resorted to by private airports until they establish themselves as public utilities. When that time comes, as it doubtless will, airports will be given the power of eminent domain somewhat the same as waterworks companies and railroad companies have been granted it. Much can be said in favor of placing airports on islands and peninsulas so far as this question of surrounding buildings is concerned.

If, however, a municipal airport is established in an outlying vacant area suitable for low private residences, there would seem to be no reason why the surrounding private property belt should not be zoned for one-family detached houses of not more than two or two and one-half stories in height. The same height regulations should apply to churches, schools, libraries, poles and towers. This sort of zoning would recognize the presence of the airport, but would not be discriminatory in trying to force a lower height than that of existing nearby buildings or of buildings appropriate to the district.

## RACE ZONING

The United States Supreme Court has uniformly held that zoning under the police power cannot be employed for segregating races. Sometimes the state courts will uphold zoning districts based on race occupancy and in some cases this form of regulation seems to have continued for some time where it has not happened to become an issue before the United States Supreme Court.

On the other hand, the United States Supreme Court upholds private restrictions running with the land that exclude the residence of stated races from lots descending from a common source of title. In other words, government cannot



exclude races from specific areas by the police power, but landowners can by contract impose covenants on their land in this regard which will be enforced by the courts.

## EXCLUSION OF RESIDENCES FROM INDUSTRIAL AREAS

The question frequently arises whether residences should not be excluded from industrial areas on the grounds that the surroundings are likely to be harmful to families and because it is unfair to industries that they should be injured by misplaced residences and their occupants and perhaps harassed by complaints against unavoidable noise, vibration, or fumes. The problem is not an easy one. Nelson P. Lewis always held that residences should be so excluded—at least from heavy industrial districts. It seems to me that the courts will not usually uphold such zoning. Where blocks have been laid out in sizes suitable for residences, it is extremely drastic to zone such blocks for either light or heavy industry if such zoning excludes residences. Sometimes such land is near railroad tracks and ought to be zoned for industry so that there will be an abundance of industrial land when it is needed. In the meantime, however, it would seem right to allow it to be used for residences. The builder would proceed at his own risk. The chances are that under such circumstances the residences would be of an inexpensive character such as could be amortized in twenty or thirty years. If the owner cannot erect a residence while waiting for the industrial demand, he will pay taxes for a long time, perhaps forever, without getting any return. Land near a city can always be used for residences of some sort. If the zoning prevented residences, the building inspector would say to the owner of a building plot: "You are not deprived of the use of your land because you are free to build a store or a factory." The landowner would reply: "There are no customers around here and it would be foolish to build a store. I do not know how to run a factory and I would be foolish to build a factory when no one would want to rent it for many years to come."

The situation would, however, be different in the salt meadows near Newark or in Jamaica Bay. In 1919 Newark excluded residences from certain heavy industry districts in the salt meadow area. Blocks have been or will be laid out for heavy industry and the ownership will be in large parcels. Moreover where the water level is so close to the surface, sanitary arrangements for dwellings are inconvenient or sometimes impossible.

In other words, zoning must not be arbitrary. It would be arbitrary to exclude residences from most districts zoned for industry. Where, however, the form of blocks and the environment are suitable for industry and nothing else and it would not be arbitrary to exclude residences, such exclusion would be upheld by the courts.

## CONSENTS OF PROPERTY OWNERS

Zoning ordinances sometimes direct the issue of a permit if a certain fraction of the surrounding property owners consent in writing, or they direct the board of appeals to issue a variance permit if a consent of a like nature is filed. Without going into refinements, it can be said that this is wrong. The state enabling act

can properly provide that the local legislative body can enact changes of the ordinance and maps dependent on the previous filing of property owners' consents or protests in writing. An example of this is where the usual state enabling act provides for the 20% protest. Similarly the zoning ordinance can properly provide that the board of appeals can make special exceptions enumerated in the ordinance itself only if certain consents of property owners affected are first filed. In other words, after the required consents are filed, the board of appeals must hold a public hearing and decide yes or no regarding the proposed variance. In the Greater New York ordinance, for example, a property owner desiring to erect a large public garage in a business or residence district may first ask the board of appeals to lay out an area of influence. Then the applicant may, if he can, obtain the signed and acknowledged consents of 80% of the frontage within such area and file the same with the board. Thereupon the board must hold a public hearing and decide yes or no on the application.

The rule therefore is that although written consents or protests can be filed before official action, they cannot take the place of official action. It is the official act of the local legislative body or the board of appeals which gives life to the permit, and in the performance of this official act the official body must be free to say yes or no. Consequently it is wrong to place a provision in a zoning ordinance empowering the building inspector to issue a permit if a certain number of consents are filed.

Some well informed and critical persons will say that the United States Supreme Court in the Cusack case (*Cusack Co. v. City of Chicago*, 242 U. S. 526, 37 Sup. Ct. Rep. 190) decided that, if billboards were excluded from a locality under a proper employment of the police power, then it was lawful for the local ordinance to provide that they could be permitted by the building inspector on the filing of certain written consents. They will rightly say that the difference between the Cusack case and the Eubank case (*Eubank v. City of Richmond*, 226 U. S. 137, 33 Sup. Ct. Rep. 76) was that in the latter there was no police power prohibition, but the ordinance simply commanded the building inspector to issue the permit on the filing of certain consents. Now comes the interesting Seattle case (*State of Washington v. Roberge*, 49 Sup. Ct. Rep. 50) which many think virtually reverses the Cusack case. In the Seattle case the local ordinance provided that a home for the aged was excluded from residence districts, but that, if certain consents were filed, a permit should be issued. The court here seems to say that the exclusion was invalid because it did not relate to the community health, safety, or morals. Indeed it is hard to see how the community health, safety, or morals are protected by excluding a home for the aged from the only kind of district where it probably ought to be built. If a boiler shop had been excluded, the Cusack case would probably have been followed. However, these refinements need not be observed in safe zoning. As was said at the Buffalo Conference these cases point out a distinction without a difference. Many of our state courts have not tried to follow these fine-spun distinctions. The safe plan is never to allow a provision in a zoning ordinance to direct the issue of a permit by reason of the filing of written consents and without an official act of the local legislative body or the board of appeals.

**ZONE MAP CHANGES IN GREATER NEW YORK**

During the first four years of the building zone resolution (1916-1919) the strengthening changes of the maps made by the Board of Estimate were fewer than the relaxing 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. Beginning with 1920 and ending with 1926 the strengthening changes exceeded the relaxing changes each year. Not only did the strengthening changes exceed the relaxing changes for the entire seven years, but it is interesting to notice how the proportion gradually increased the first three years of this period, rising to 77%, and then gradually decreased the last three years, falling to 54%. Then in 1927 the proportion decreased to 42%, showing that the strengthening changes for the first time since 1920 fell below the relaxing changes. Here are the figures:

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%; in 1925, 62%; in 1926, 54%; and in 1927, 42%.

Many have awaited the figures of 1928 fearing that the downward (and disappointing) tendency would be continued. The result of an analysis is now announced for the first time. The strengthening changes made by the Board of Estimate in 1928 were 47% of the total map changes. This showing is 5% better than the previous year. It may denote that the strengthening and relaxing changes will hereafter be about equal.

The total map changes in 1928 were 102 whereas during each of the three previous years they averaged 157. These figures show that petitions for changes are being carefully scrutinized. Credit for this must be given to the Board of Estimate and its chief engineer.

**TABULATION OF ZONING MAP CHANGES IN NEW YORK IN 1928**

(1)	Amendments adopted . . . . .	102
(2)	Height amendments adopted . . . . .	3
(3)	Percentage (2) of (1) . . . . .	3%
(4)	Area amendments adopted . . . . .	13
(5)	Percentage (4) of (1) . . . . .	13%
(6)	Use amendments adopted . . . . .	86
(7)	Percentage (6) of (1) . . . . .	84%
(8)	Height strengthening amendments adopted . . . . .	1
(9)	Percentage (8) of (2) . . . . .	33%
(10)	Area strengthening amendments adopted . . . . .	6
(11)	Percentage (10) of (4) . . . . .	46%
(12)	Use strengthening amendments adopted . . . . .	41
(13)	Percentage (12) of (6) . . . . .	48%
(14)	Total strengthening amendments adopted . . . . .	48
(15)	Percentage (14) of (1) . . . . .	47%
(16)	Total relaxing amendments adopted . . . . .	54
(17)	Percentage (16) of (1) . . . . .	53%
(18)	Percentage (14) of (16) . . . . .	89%

E. M. B.

**NOTE:** Written questions for answer by Mr. Bassett in the October issue of CITY PLANNING must be received before August 20. The Editors welcome any comments from readers on questions already discussed in this Department.

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

## TABLE OF STATUTES FOR THE CREATION OF MUNICIPAL, COUNTY, AND REGIONAL PLANNING AGENCIES\*

### ARKANSAS

1929, Ch. —

### CALIFORNIA

1927, Ch. 874.

### COLORADO

1929, Ch. —

### CONNECTICUT

Gen. Stats. 1918, Ch. 26. (Sec. 391, ff.); 1921, Ch. 30.

(Hartford) Spec. Laws 1907, No. 61; 1909, No. 34, Sec. 6, and No. 74; 1925,  
No. 8.

(New Haven) Spec. Laws 1913, No. 243.

(New London) Spec. Laws 1913, No. 351.

(Windsor) Spec. Laws 1917, No. 133.

(Bloomfield) Spec. Laws 1917, No. 134.

(Stratford) Spec. Laws 1925, No. 95.

(Manchester) Spec. Laws 1925, No. 383.

### DISTRICT OF COLUMBIA

Acts of June 6, 1924 (43 St. 463) and April 30, 1926.

### FLORIDA

(Sanford) Spec. Acts 1923, Chs. 9899, 9915.

(Sarasota) Spec. Acts 1925, Ch. 11175.

### GEORGIA

(Columbus) 1923, p. 562.

(Albany) 1924, p. 408.

(Augusta) 1925, p. 863.

(Cairo) 1925, p. 917.

(East Point) 1925, p. 1011.

(Rome) 1925, p. 1423.

(Waycross) 1925, p. 1540.

(Atlanta) 1927, p. 786.

(Brunswick) 1927, p. 929.

(Savannah) 1927, p. 1534.

\*Where the year only is given the reference is to the session laws of the state in question for that year.

## HAWAII

(Honolulu) 1923, No. 150; Rev. Laws 1925, Sec. 1738, Par. 9.

## ILLINOIS

1921, p. 260.

## INDIANA

Burns, Annotated Stats., 1926, Secs. 10361, ff.; 1927, Ch. 3.

## IOWA

Code 1927, Ch. 294-A 1 (Secs. 5829 a1, ff.)

## KANSAS

1923, Ch. 92.

## KENTUCKY

1928, Ch. 80.

## LOUISIANA

1926, No. 305.

## MAINE

(Auburn) Private Laws 1917, Ch. 201.

(Portland) Private Laws 1923, Chs. 104, 109.

## MARYLAND

1927, Ch. 448.

## MASSACHUSETTS

Gen. Laws 1921, Ch. 41, Secs. 70-84; 1923, Ch. 399; 1924, Ch. 354; 1925, Ch. 129; 1924, Resolution No. 55 (Conn. Valley Reg. Planning Comm.)

## MINNESOTA

1919, Ch. 292; 1921, Ch. 217; 1923, Ch. 364.

## MONTANA

1929, Ch. —.

## NEBRASKA

Compiled Stats. 1922, Secs. 3611-3613.

## NEW JERSEY

Compiled Stats., Cumulative Supplement, 1911-1924, Secs. 48-\*1601; \*136-4100; \*161.

## NEW YORK

General Municipal Law, Art. 12-A (Secs. 234, ff.); Art. 12-B (Secs. 239 b, ff.); 1923, Ch. 694.

General Cities Law, Art. 3 (Secs. 26, ff.)

Village Law (Secs. 179 e, ff.)

Town Law Art. 6-B (Secs. 149 g, ff.)

(Rochester) 1917, Ch. 505.

(Syracuse) 1920, Ch. 477; 1922, Ch. 544.

(Putnam County) 1927, Ch. 151.

(Westchester County) 1915, Ch. 109.

(Niagara Frontier) 1925, Ch. 267; 1927, Ch. 232.

## NORTH CAROLINA

1919, Ch. 23.

## NORTH DAKOTA

1929, Ch. —.

## OHIO

Gen. Code, Secs. 4366-1 to 19.

## OKLAHOMA

Compiled Stats., Supplement 1926, Secs. 4873-1 to 5, and 16 to 22.

## OREGON

Laws (Olson) 1920, Secs. 3862-72.

## PENNSYLVANIA

Stats. (West Pub. Co.) 1920, Secs. 2985-91; 4379-84; Cumulative Supplement 1928, Secs. 761 b; 1576 a-1145 to 1150; 3727 a-1 to 22; 4379-84; 6761 a-1 to 5.

## TENNESSEE

(Memphis) Private Acts 1921, Chs. 162, 164.

(Chattanooga) Private Acts 1923, Ch. 397.

(Knoxville) Private Acts 1925, Ch. 93, Sec. 7.

## VERMONT

1921, No. 107.

## VIRGINIA

(Vinton) 1928, Ch. 277.

(Woodstock) 1928, Ch. 354.

(Waynesboro) 1928, Ch. 482.

## WISCONSIN

Stats. 1927, Secs. 61.35; 62.23; 236.04.

F.B.W.

# N. C. C. P. & A. C. P. I. NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## NATIONAL CONFERENCE ON CITY PLANNING Buffalo and Niagara Falls, May 20-23, 1929

The roll call at the opening luncheon of the Twenty-first National Conference on City Planning at Buffalo revealed a coast to coast representation from 30 states and 102 cities; and a great variety of points of view were presented in the Roundtables and discussions after papers. The Conference was honored by the presence of Mr. Kai Hendriksen, of Copenhagen, Denmark, Vice President of the International Federation for Housing and Town Planning, who ably and delightfully brought the latest Continental thought especially to the discussion of housing and new towns. Most of the 25 regional and county planning agencies, and all of the 9 state planning federations or conferences were well represented.

One session was devoted to regional planning problems, with papers and discussion by Messrs. Thomas Adams, Russell V. Black, Charles H. Diggs, and George C. Diehl; and the province as a planning unit was wittily presented by Mr. H. L. Seymour, Director of Town Planning of the Canadian Province of Alberta.

New towns and land subdivision received consideration in papers by Messrs. Louis Brownlow, John Nolen, and J. C. Nichols (the latter, on shopping centers, read by Mr. S. H. Hare). At another session, "Where City Planning and Housing Meet" was presented by Mr. Harold S. Buttenheim, discussed by Mr. E. T. Hartman. An exhaustive paper on "Light—Modern Standards and Ancient Law" by Mr. Veiller was distinguished by his tossing each sheet as read over his shoulder in the style of Theodore Roosevelt and by witty stories and remarks.

The first evening session was devoted to the address of the President, Mr. Bassett, to which he gave various titles: "From Darkness to Light; or The Miracle of the Modern City", with special reference to enlightened planning methods authorized in the State of New York; and the evening concluded with a story of Buffalo's progress by Ex-Mayor Buck and of the Niagara Frontier by General Babcock. The second evening session was divided between "Recreation Standards", presented by Mr. L. H. Weir, and the "City Beautiful" by Mr. George B. Ford. The second day's luncheon was devoted to the announcement of the Planning Foundation of America with pledges of support and approval. Well attended Roundtables presided over by Messrs. Bartholomew and Bassett, respectively on planning commissions and zoning, together with late afternoon trips to the Buffalo Museum of Science and the Buffalo Airport, completed the programs of the first two days.

The third day was divided between Buffalo and Niagara Falls. At the morning session on Traffic and Street Replanning, Messrs. Whitten and Bartholomew pre-

sented papers, discussed by Mr. Ellis, City Solicitor of Cincinnati, with reference to excess condemnation. The Civic Luncheon was attended by many Buffalo organizations, whose delegates heard a fine address by Mr. Russell Wilson, Editor, *Cincinnati Times-Star*. In the afternoon of Wednesday, the Conference moved to Niagara Falls, and was delightfully entertained at the Niagara Falls Country Club at Lewiston, and later at Fort Niagara.

Thursday sessions were devoted to seminars on "Budgeting the City Planning Program", led by Mr. C. E. Rightor of the Detroit Bureau of Governmental Research, and "Street Planning—a consideration of widths, single or double roadways, service roads, grade separation, elevated roadways, residence districts, parkways, building lines", led by Mr. Frederick Bigger, Citizens' Committee on City Plan of Pittsburgh. These subjects brought out some of the liveliest discussion at the Conference. At the business session resolutions of appreciation and of endorsement of the Planning Foundation of America were passed, and the following Directors of the National Conference on City Planning were elected:

*Term Ends 1932*

Harold S. Bottenheim, New York City

Harland Bartholomew, St. Louis, Mo.

Henry M. Dickman, Evansville, Ind.

L. F. Eppich, Denver, Colo.

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The Directors immediately organized by electing:

Edward M. Bassett, President

Harland Bartholomew, Vice President

Flavel Shurtleff, Secretary

The Conference ended with a most enjoyable trip to Niagara's Great Gorge.

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The following officers and members of the Board of Governors of the Institute were elected at Buffalo:

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# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**KINGSPORT: a Romance of Industry**, by Howard Long. Kingsport, Tenn., The Sevier Press, 1928. 304 pages. Plates. 8 x 5¼ inches. Price \$2.50.

It is good to read a book like this. The background of sturdy pioneers, the beautiful natural surroundings, and the high type of industrial enterprise combine to give the reviewer a thrill at the best kind of Americanism portrayed. As an industrial city Kingsport was only eleven years old when this book was written. It was one of the new industrial towns of the South, planned by Mr. John Nolen for a group of bankers and capitalists to take advantage of water power and native American labor.

The story of the settlement of the East Tennessee region, the rise of the locality as a social center in the early nineteenth century, and the founding of modern industry is vividly told. The wholesomeness of the community of 18,000 contented people and the prosperity of the enterprise should encourage the founding of other new industrial towns,—the success of Kingsport indeed has undoubtedly reinforced the influence of the very considerable number of manufacturing towns, planned in orderly fashion, which are bringing about a new social and economic order in the South.

T. K. H.

## NEW PUBLICATIONS RECEIVED

**Adams, Thompson & Fry.** Mid Surrey Regional Planning Scheme. Report prepared for the Mid Surrey Joint Town Planning Committee. April, 1928. (To be reviewed.)

**Adams, Thompson, & Fry.** North Middlesex Regional Planning Scheme. Report prepared for the North Middlesex Joint Town Planning Committee. August, 1928. (To be reviewed.)

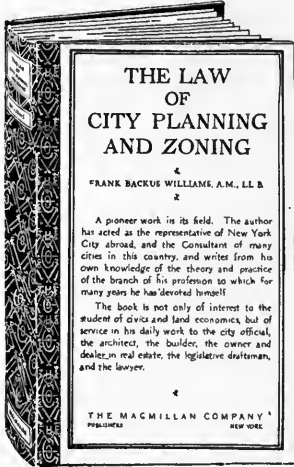
**American Civic Association.** Regional Planning in the United States with a Foreword by Frederic A. Delano, President of the American Civic Association, a Statement and Summary by Thomas Adams, and a Report of the Conference of the Committee on Regional Planning of the American Civic Association, Inc., held at Buffalo, N. Y., November 9 and 10, 1928, at the Invitation of the Niagara Frontier Association. Series IV, No. 1. April, 1929.

**Chicago Plan Commission.** Nineteenth Annual Report, for the year 1928.

**City Housing Corporation.** Radburn (New Jersey): Protective Restrictions and Community Administration. April 15, 1929. Also, Radburn Garden Homes.

**Crane, Jacob L.** Zoning to Protect Wauwatosa (Wisconsin). April, 1929.

- DeBoer, S. R., and McCrary, Culley & Carhart.** Preliminary Report on a Major Recreational Facilities Plan. Prepared for the Denver Planning Commission. March, 1929.
- Detroit City Plan Commission.** Annual Report of the City Plan Commission, Detroit, Michigan, 1928. Published 1929.
- Detroit Rapid Transit Commission.** City of Detroit (Michigan) Vehicular Traffic in 1928. April 11, 1929.
- Detroit Street Railway Commission and the Rapid Transit Commission.** Report to Hon. John C. Lodge, Mayor, and The Honorable The Common Council on a Rapid Transit System for the City of Detroit (Michigan). February 9, 1929.
- Elmes, Robert W.** Buffalo's Text Book. Buffalo, N. Y. Reissued 1929.
- Evansville City Plan Commission (Bartholomew and Associates).** A Plan for Railroad and Harbor Development, Evansville, Indiana, 1929. (The fourth of a series of city planning studies.)
- Governor's Committee on Needs and Uses of Open Spaces.** Report, accompanied by map of Existing and Proposed Open Spaces in Massachusetts. Boston, Massachusetts, 1929.
- Hanna, Robert B.** Report to Fort Wayne (Indiana) City Plan Commission Visualizing a Great River Park. March, 1929.
- International Garden Cities and Town Planning Association.** The City of Praha (Prague) and Housing Welfare. Compiled by officials of the City of Praha, for International Conference, Paris, 1928. Published Praha, 1928.
- Madrid Ayuntamiento.** Extrarradio y Extension de Madrid. Acuerdo Municipal de 25 Julio de 1928. Published, 1929.
- Municipal Index, 1929** (Sixth Annual). Published by *American City Magazine*. (To be reviewed.)
- National Housing Association.** Housing Problems in America. Proceedings of the Tenth National Conference on Housing, Philadelphia, 1929. (To be reviewed.)
- Parsons, Floyd W., Editor-in-Chief.** New Jersey—Life, Industries and Resources of a Great State. New Jersey State Chamber of Commerce, Newark, New Jersey, 1928.
- Portland, City Planning Commission.** Report of the Portland (Oregon) City Planning Commission on Park Conditions. March, 1929.
- Roanoke City Planning and Zoning Commissions. (John Nolen and Associates.)** Comprehensive City Plan, Roanoke, Virginia, 1928. Published, 1929.
- Thompson, John Giffen.** Urbanization, Its Effects on Government and Society. New York, E. P. Dutton & Co., 1927. (To be reviewed.)
- Toronto Advisory City Planning Commission.** Report of the Advisory City Planning Commission with Recommendations for the Improvement of the Central Business Section of the City of Toronto (Canada), 1929.
- University Landscape Architects Society, Illinois Chapter.** The Vista. City Planning Number, 1929. Published by the Chapter, University of Illinois, Urbana, Ill.



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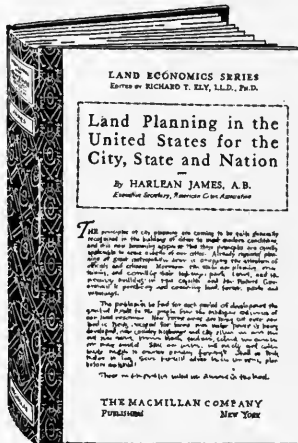
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OCTOBER, 1929

No. 4

## CONTENTS

Milwaukee's Efforts in City and Regional Planning . . . . .	C. B. WHITNALL	205
Planning for Milwaukee County . . . . .	E. A. HOWARD	214
Leisure Time and Community Character . . . . .	WILL R. REEVES	222
Waterfront Boulevard Development in Charleston . . . . .	R. S. MACELWEE	228
Park and Recreation Areas in the City Plan . . . . .	T. K. and H. V. HUBBARD	233
A Study of Municipal and County Regulations for Subdivision Control. II. . . . . .	HOWARD K. MENHINICK	245
EDITORIAL . . . . .		255
CURRENT PROGRESS:— <i>Harvard School—Sweetwater, Tex., Play Parks—California State Act—National Association of Real Estate Boards—Colorado—Duluth—Public Administration, University of Southern California</i> . . . . .		256
LEGAL NOTES:— <i>Zoning Comments—Planning Decisions and Notes</i> . . . . .		264
ZONING ROUNDTABLE:— <i>City Attorneys—Zoning Business Frontage</i> . . . . .		268
N. C. C. P. & A. C. P. I. NEWS:— <i>Denver Conference—Institute Plans—Rome</i> . . . . .		272
BOOK REVIEWS & BOOK LISTS:— <i>Reviews—New Publications Received</i> . . . . .		273

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By C. B. WHITNALL

Secretary, Board of Public Land Commissioners, City of Milwaukee

**A**BOUT the year 1907 the Common Council, at the request of Alderman Stigelbauer, appointed the Metropolitan Park Commission for the avowed purpose of laying out a system of boulevards encircling the city. It took these gentlemen some time to get acquainted with each other and with the task set before them. One of the members of the Commission convinced his colleagues that boulevards should not be projected without due reference to other traffic ways, in a systematic plan with each class allocated for efficiency, the boulevards being incidental although important to the whole. With such a plan laid out at least tentatively, the boulevards might be completed first if desired.

Minds having met on this score, the plan submitted stressed an arterial system of highways rather than boulevards. This plan was made with the thought of facilitating the development of certain other planning activities of importance, although a zoning ordinance was not contemplated at that time.

Inasmuch as Milwaukee was woefully in need of a new court house, police station, jail, and other public buildings, an area was set aside for the Civic Center,—at that time a new idea to most citizens. Pre-

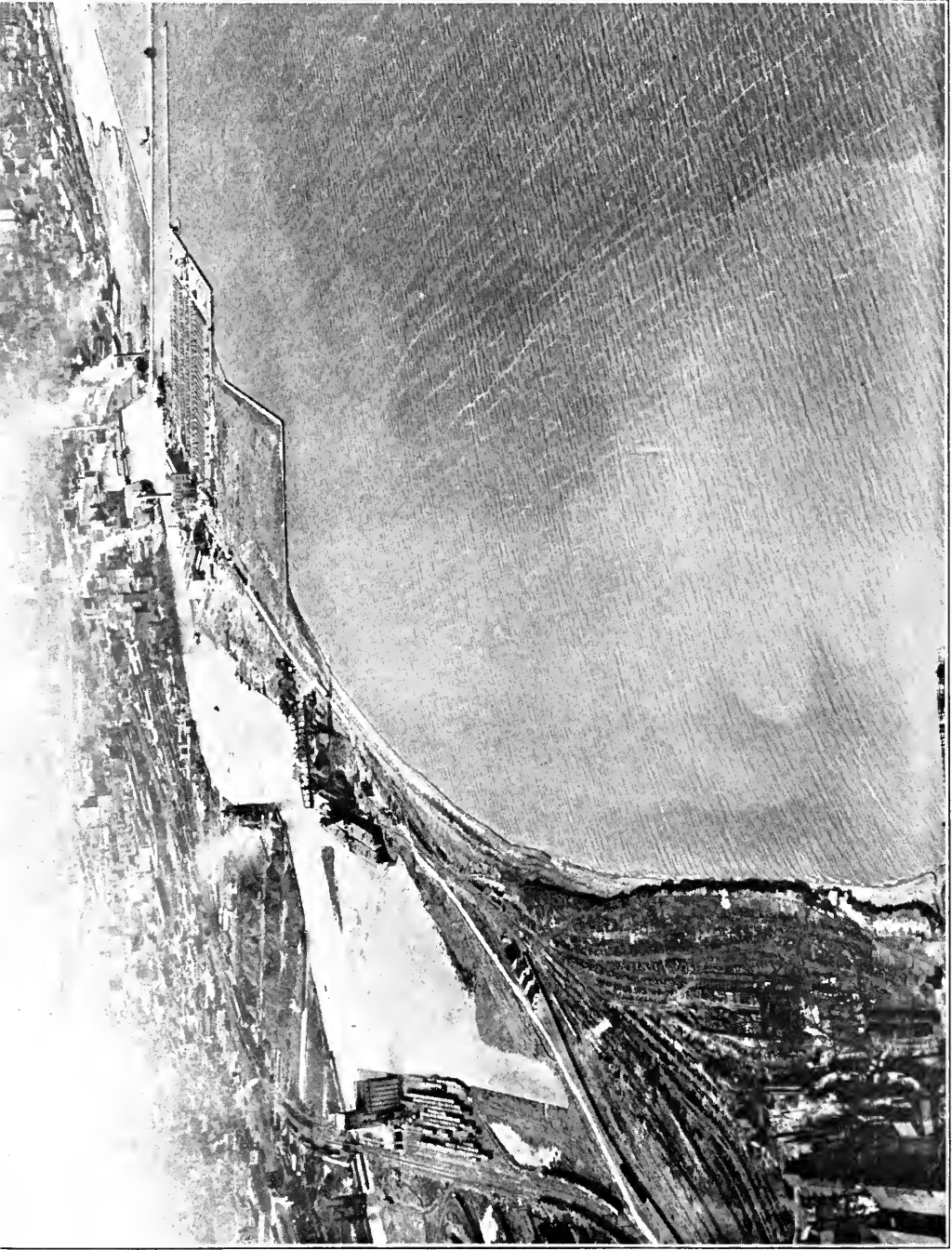
viously the city had plans made for a new police station on the site of the old station. A site for the Civic Center was selected west of the Milwaukee River on an elevation similar to the site of the Capitol at Washington, at the edge of the downtown business area, near enough for convenience but where it would not interfere with business. As the civic structures to be replaced had been east of the river, the old feud between the East and West sides was rekindled.

The plan of the Civic Center, nevertheless, was presented to the City and County governments in June, 1909, and included the driveway, recently named Kilbourn Avenue, which connects the projected Court House with Juneau Park, overlooking Milwaukee Bay. So is honor paid to two early settlers, Byron Kilbourn and Solomon Juneau, the latter the first Mayor of Milwaukee. This wide way was provided with a few radial arteries so projected as to make Kilbourn Avenue the easiest point of access from all over the county.

The plans were home made. The next step, however, was to engage Mr. John Nolen and Mr. Frederick Law Olmsted to criticize these plans, the result being that they were endorsed by these gentlemen with the recommendation that the Court House site be placed one block farther west than was originally planned. Since the Metropolitan Park Commission appointed by the Common Council had no legal standing, legislation was secured providing for the appointment of the Public Land Commission, advisory to the Council, and having among its responsibilities the guidance of the city's physical development commonly referred to as city planning.

The controversy over the placing of the Civic Center was insistent. The County Board and the City Council would not coöperate. The County purchased a site four blocks distant from the proposed Center. This intensified the strife between the East and West sides. Those who were impartial as to the side of the city on which the Civic Center should be located and were looking solely for efficiency, comfort, and appearance, were steadfast and finally succeeded in having a committee from both the City and County meet in joint session and adopt the original plan except for the reduction of the width of the wide open Way





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### THE ENTRANCE TO MILWAUKEE HARBOR

A broad view of the Harbor, showing location of Sewage Plant with reference to the Greater Harbor project

to the lake from the Civic Center from 160 feet to 130 feet, thus preventing the use of trees, which the original projectors still insist was a serious mistake.

One of the factors adding fuel to the controversy was the effort made by the Planning Department to procure the necessary land by what is commonly called "Excess Condemnation". The personal interests involved were able to dissuade the Common Council from authorizing such procedure, but two cases of "Excess Purchase" went through unnoticed; these have since proven extremely beneficial to the city, furnishing an educational experiment which should lead to the custom of excess acquirement universally, thus avoiding damages and absorbing the new increment. At this writing the construction of the new Court House is under way. The Safety Building is nearly completed. This building, which is half County and half City, will house the police and sheriff's departments, jails, criminal courts, fire department headquarters, and other City and County departments. Therefore the original plans have triumphantly weathered all the many storms of opposition of twenty years!

While the Civic Center and its connecting arteries were occupying the minds of the "keep down the taxes" so-called economists, those in defense found time to visualize other future needs, and seized upon the idea of the County acquiring park lands in appropriate places before the increasing population raised values. Legislation was procured, and the County Park Commission was appointed and organized in January, 1908. Later on, the Wisconsin Chapter of "The Friends of Our Native Landscape" secured legislation authorizing the appointment in each county of a Rural Planning Board. This law provides that in counties where there exists a Park Board it shall function as the Rural Planning Board also. Therefore, the Milwaukee County Park Commission became, although under another name, one of the first Regional Planning Boards of the country.

A comprehensive study of the situation convinced a small group that the stream valleys were the most appropriate for park development,



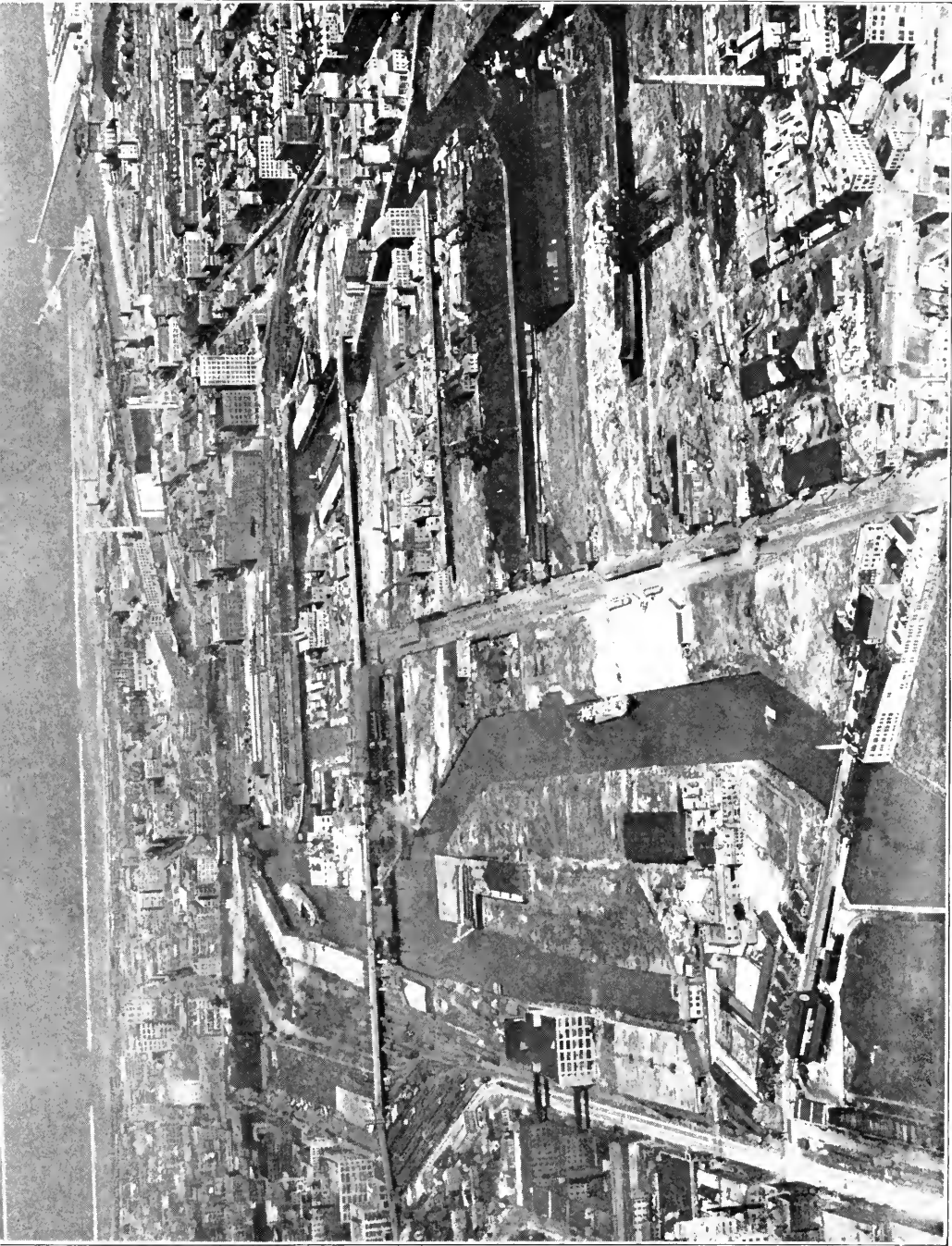
Photograph by Aerial Photographic Service, Inc.

**MILWAUKEE, LOOKING NORTH OVER THE RIVER**

and the Metropolitan Sewerage Commission, when it came into existence, readily recognized the utility of laying the trunk sewers along the streams where nature had prepared a flow by gravity. When the Rural Planning Board suggested to the Sewerage Commission that the building of an additional system of storm sewers be obviated by permitting the streams to continue to function as nature had provided, they also argued that the cost of land sufficient for parkways should cost no more than such additional sewers would cost, and that the parkways would maintain environmental influences of inestimable value, particularly where they penetrated residential areas, Milwaukee County being blessed with three rivers and three creeks. Eighty-four miles of such parkways are now under way.

After convincing the County Board of Supervisors of the desirability of getting landscape and civil engineers to work on detailed plans for these parkways, and of the importance of zoning the whole County, legislation was secured and the Regional Planning Department (see the following article) was organized in March, 1924, as a subsidiary to the Highway Commission—the idea being to keep all engineering forces of the County under one head. Since the organization of this Department, real constructive progress has been made, and it is safe to predict now that enough construction, both in the City and County, will have been completed this season to give the public a comprehensive idea of how the community's welfare is dependent largely on developments of this nature. The achievement of the County through the efficient, sympathetic, and energetic assistance of the Regional Planning Department is remarkable,—more particularly in the matter of zoning, the widening of a complete system of arteries, appointment of building inspector, and the enforcing of a more appropriate manner of platting.

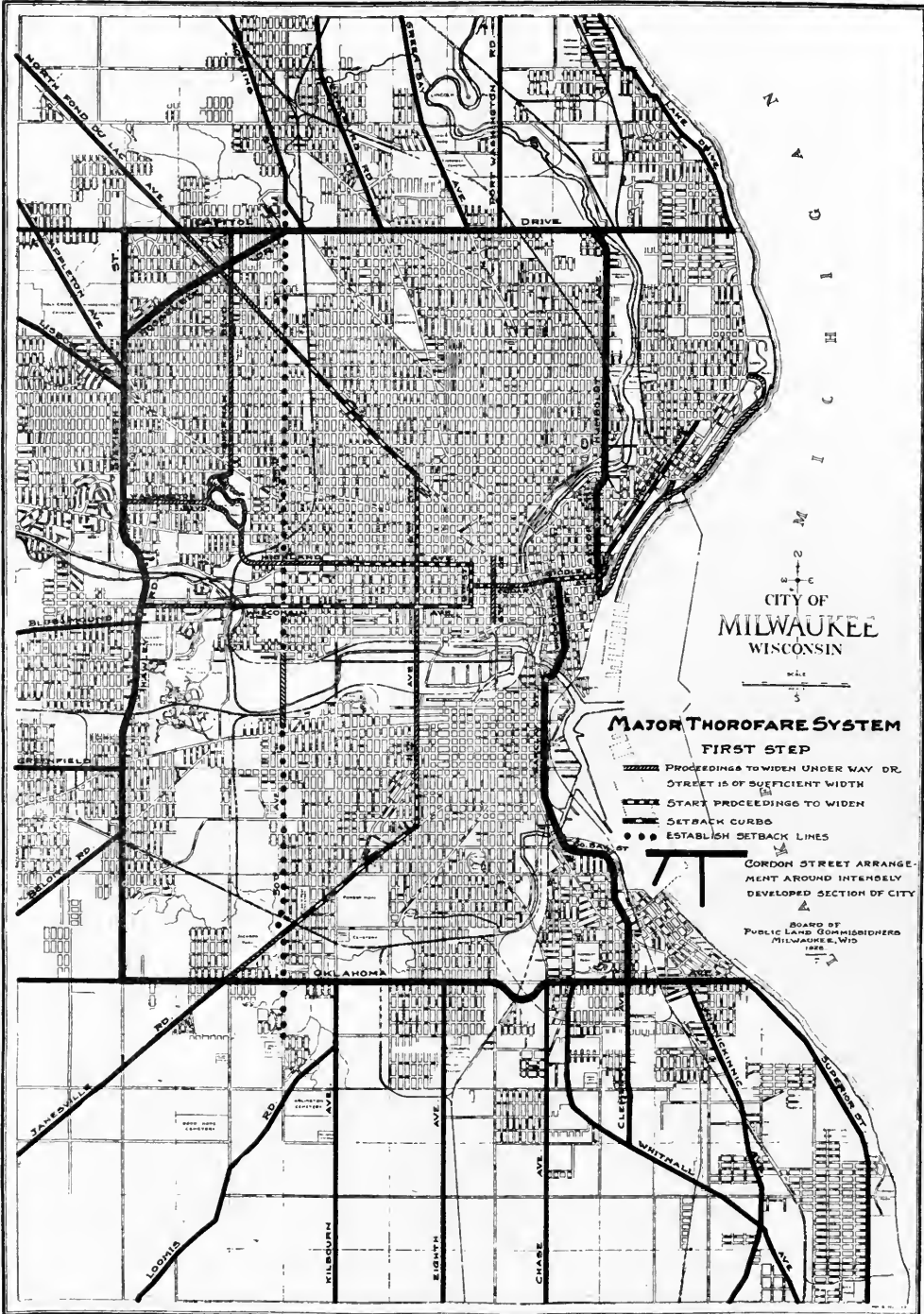
This enterprise of the County in pushing the regional plans together with the lethargy of the "Downtown" property owners, has given a decided impulse for decentralization. Subsidiary centers are gaining popular favor, particularly where the platting is arranged to preserve the natural contours and at the same time serve automobile traffic



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MILWAUKEE, LOOKING EAST OVER MEMONONEE RIVER









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CITY OF  
**MILWAUKEE**  
WISCONSIN

SCALE  
1" = 100'

**MAJOR THOROUGHFARE SYSTEM**  
**FIRST STEP**

-  PROCEEDINGS TO WIDEN UNDER WAY DR. STREET IS OF SUFFICIENT WIDTH
-  START PROCEEDINGS TO WIDEN
-  SETBACK CURBS
-  ESTABLISH SETBACK LINES

 GORDON STREET ARRANGEMENT AROUND INTENSELY DEVELOPED SECTION OF CITY

BOARD OF PUBLIC LAND COMMISSIONERS  
MILWAUKEE, WIS.  
1926

effectively. It seems quite possible that Milwaukee County will soon come within the category of the Conurbation or the Regional City.

The Major Thoroughfare System of the city is designed to function coördinately with the county system. The important feature of this is the cordon into which all of the regional arteries flow, and which functions as a by-pass for reaching many objectives without entering older developed areas. This is calculated to encourage a gradual transformation of the downtown area from ordinary retail business to special lines of service in support of the numerous subsidiary centers developing within the regional areas and made accessible by the heroic widening of the county arteries.



Photograph by Aerial Photographic Service, Inc.

**LAKE PARK, MILWAUKEE**

# PLANNING FOR MILWAUKEE COUNTY

By E. A. HOWARD

Supervising Engineer, Milwaukee County Regional Planning Department

**M**ILWAUKEE COUNTY is a pioneer in the field of regional or county planning. The Milwaukee County Park Commission when organized in 1907 began to function in a limited way as a Regional Planning Board, pursuant to powers given County Park Commissions under the Wisconsin Statutes. A few years later the menace of sewage wastes became very serious throughout the region, and the Metro-



Photograph by Aerial Photographic Service, Inc.

## MILWAUKEE METROPOLITAN SEWAGE DISPOSAL PLANT

politan Sewerage Commission was organized, which has constructed and is now operating a plant for the disposal of all the sanitary sewage collected within the watershed draining the populous parts of the County.

Industrial expansion in Milwaukee County during the years following the War brought about serious problems of congestion and housing. There was much expansion in the outlying districts of the County, beyond the limits of incorporated cities or villages, that was more or



less chaotic in its nature; and in order to relieve this situation the Milwaukee County Regional Planning Department was created by the County Board of Supervisors at the instance of the County Park Commission, and began to function in the early part of 1924.

It is now, after some five years of endeavor, possible to visualize to a degree what has been accomplished. The Milwaukee County Zoning Ordinance is one of the first county zoning ordinances adopted in the United States, and probably the first one based upon a State En-



abling Act. It regulates Use only and does not contain provisions for Height or Area zoning. The enabling act has since been amended to permit the establishment of setbacks, and this feature will be added to the zoning ordinance in the near future. In order to enforce the provisions of the zoning ordinance, a County Building Inspector has been appointed pursuant to the grant of power obtained from the 1927 State Legislature, and building permits are being issued by the County.

An actual measure of the value of planning has been found in the application of the Highway Right-of-Way Widening Ordinance. The Milwaukee area has many roads that were designed to accommodate the traffic of fifty years ago. To-day, pavements on these roads must be widened and this requires greater width than is usually found on the existing public highways. When the County Planning Department was

created, an attempt was made to obtain dedications of greater width at the time of platting. Subdividers, however, justly protested that there was no official plan; that whereas one man might dedicate, there was nothing to assure him that his neighbor would do likewise. As a result, legislation was obtained giving the County authority to establish by ordinance greater widths on a system of main highways. Following the passage of the law, an ordinance establishing rights of way greater than those actually in use was passed by the County Board. The ordinance was then filed in the Registry of Deeds and recorded in the Tract Index applying to each of the roads affected thereby. Mention



**GREEN BAY ROAD, MILWAUKEE COUNTY**

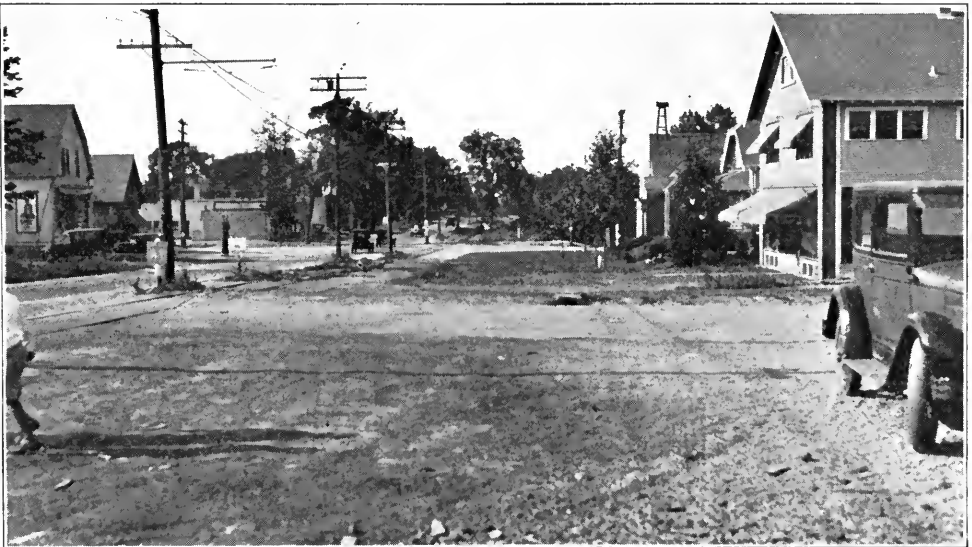
**Showing building setback to provide for future widening of the highway**

of the Widening Ordinance thus finds its way into abstracts of all lands touching on roads to be widened as a part of the County plan. Signs were posted along the highways,\* warning the public to keep improvements back of the newly established widths. In place of the former strife and contention in trying to obtain a greater width of right of way than was then in use, the coöperation of the public has been obtained, right of way on plats has been dedicated without question, and improvements are being placed back of the newly established lines. By obtain-

\*Illustrated on page 221.



**ANOTHER VIEW OF GREEN BAY ROAD**  
Showing old building which must be moved when highway is widened



**HOWELL AVENUE, MILWAUKEE COUNTY**  
Showing the newly established setback line to allow for future highway widening

ing wide rights of way at the time of platting and by keeping buildings back from street lines along narrow rights of way, the taxpayers of Milwaukee County are being saved many thousands of dollars. It has been found by actual experience in the last three years that, exclusive of the cost of land, the cost of improvements alone (such as buildings to be moved, trees and fences to be replaced, etc.) on those roads where it was necessary to obtain rights of way immediately for widening purposes, was in excess of \$25,000 per mile. Using this figure as a basis, the fifty miles of widened highways obtained to date by dedication through platting are worth at least \$1,250,000, which is many times the sum expended in obtaining these dedications, and many times the amount spent in the last five years on all County Planning activities.

When in any region a major street system has been established, and a zoning ordinance is in effect, then, and only then, can an intelligent land platting system be evolved. Platting is a very important and fundamental part of the city plan. In Milwaukee County no plat located outside of cities and villages can be recorded without the approval of the County Board, and in turn the County Board will not approve a plat that has not first been approved by the Regional Planning Department. In this way there is an absolute check on all plats submitted. The experience of the County Planning Department has been that the average subdivider or engineer is reasonable, providing he has a reasonable body with which to work. A better method of handling the situation than rejecting unsatisfactory plats, after they have been prepared by the engineer, has been worked out. It was found that the preparation of platting schemes or studies for large areas, containing as a minimum a quarter section of land, and preferably several quarter sections, was practical. Such plans are based upon actual topography covering the area under consideration. Topography with five-foot contour intervals has been taken over about two-thirds of the County. When a prospective subdivider is about to plat, he seeks a platting layout, which is furnished him by the Department. The main highways shown on this plat cannot be changed in location



Photograph by J. Harry Taylor

**Before Construction**

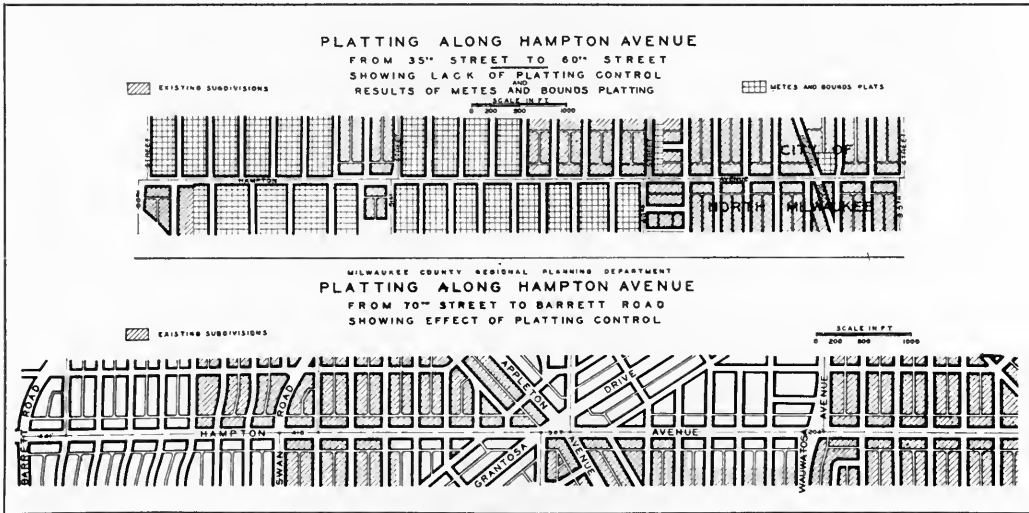


Photograph by J. Harry Taylor

**After Construction of 120-foot Highway  
BLUE MOUND ROAD, MILWAUKEE COUNTY  
PRACTICAL USE OF WIDE RIGHT-OF-WAY**

or width. The secondary system of streets is subject to change to suit the subdivider, providing such change will not be detrimental to the general layout and to the general welfare.

Maintenance and preservation of the flowing streams of Milwaukee County is being provided by means of a parkway system. Construction is now under way on three units of the system and acquisition is in progress on four other units, each unit being approximately one mile



in length. The parkway system will not only prevent and relieve bad sanitary conditions, which are becoming a menace in the more densely settled portions of the County, but also greatly enhance property values by changing a potential menace to an actual asset, for the stream banks and lowlands which are subject to overflow will be preserved as a part of the parkway and will not become a dumping ground for refuse of all kinds, as usually happens where land is low and unusable.

Since its inception, the County Planning Department has had many problems to deal with, such as engineering work for the county park and parkway system, grade separation surveys, and general landscape and layout work for the county institutions and county buildings. To-day part of the work of the Department consists in the preparation of plans, and part in the execution of plans already prepared.

The experience of Milwaukee County in regional planning seems to indicate that the county is a logical unit for planning activities, especially for taking care of outlying districts not included within any corporate city or village. The County is in a position to obtain the coöperation of the various municipalities within its bounds, since usually cities, villages, and towns are represented in the County government, and therefore better results can be obtained than under any other arrangement for planning control. In a large region extending over several counties, the county plan should be a part of the greater regional plan, supplementing the work being done by city and village planning bodies of the region.



# LEISURE TIME AND COMMUNITY CHARACTER\*

By WILL R. REEVES

Director, Public Recreation Commission, Cincinnati

**F**UTURE historians will look back on the World War as a convenient marking place for many new movements that had as their objectives the development of higher mental, physical, and spiritual standards for all people. Perhaps the most significant of these was the conscious attempt to build character as well as physical health through the use of leisure time. The phrase, "the importance of the wise use of leisure time", while thus taking on a new meaning to many, is still puzzling to others who have not stopped to consider the tremendous changes in social life during the course of the past few generations. Properly to evaluate the importance of leisure time in our modern life and to point out some of the values that may be obtained by using it wisely, is the subject of this paper.

Human life is not static. It changes and progresses as it is affected by environmental influences. Man, to-day, is the result of his environment—past and present. Age-old terminologies, traditions, and ways of life have been revolutionized since the advent of the machine and mass production. Machinery has replaced handicraft. Mass production has been substituted for individual effort. Pride in the completed task is rarely experienced. Man as a servant of a machine—a part of a process—no longer lives in and through his work. His interests are now projected outside the shop or factory to the time he calls his own,—his leisure time.

City life has followed the machine. Vast numbers of workers have been assembled under one roof in shop and home. Mass productions must be considered in relation to the availability of raw products and quick transportation. Hence the trend of life toward large communities. Leisure has followed the machine and city life. The old day of two parts, twelve hours of day at labor and twelve hours of night, is gone.

\*Paper before American Society of Landscape Architects, Cleveland, June 1929.



Drudgery beyond human endurance caused the workmen to organize and secure a shorter working day. With the shortened working day has come an unprecedented increase in the wages per hour of the men and women who labor with their hands.

Modern science and invention have taken a thousand tasks from the home. To call attention to the marked changes in one phase of social life is to prove the point I am making. The housewife's duties one hundred or even fifty years ago included making the butter and the cheese, curing the hams and bacon, drying the vegetables, making the soap, spinning the bed linen and clothes for the family, and in the evening finding time to give her children the fundamentals of the three R's, and to inculcate those spiritual values that have been the bulwark of our American civilization. In other words she was an economic partner in the household and the root source of educational and spiritual concepts.

With the coming of the machine, however, the shop, the store, and the factory have slipped invisible tentacles into the home and picked out one after another of the accepted duties of the mother and her daughters.

All this has resulted in the increase of leisure time for all classes. Much of the increased wage saved is spent on leisure time pursuits. Thus it is that hours of freedom have become one of the great determining factors in the moral life of the community, state, and nation.

When we consider these facts and look about us for the forms of recreation that gave pleasure and enrichment of life to our forefathers, we find that, as another consequence of intense urbanization, they too have been driven from the field.

One hundred years ago, the Post Office and the General Store served as the social or community center. Here the housewives met during the day to purchase or exchange and to talk over their problems of immediate concern, and here, in the evening, the men gathered to smoke and "fix the world". The free delivery of the mails destroyed the social usage of the Post Office, and the General Store in our complex civilization has almost completely disappeared.

Man, the gregarious animal, soon found a response to his desire to be with his fellows in a pleasant, well lighted place,—in the saloon. For a time it, too, served the purpose of a neighborhood club and friendly meeting place on equal terms for large numbers of men, but social and economic reasons have doomed it to extinction.

The economic and social lure of the great city has taken toll by the thousand of our rural boys and girls. They find there the shorter working day, the increased wage, and the diversity of hectic and oftentimes debasing recreational opportunities that are lacking in the rural communities. A state of mind is created by the city-bred and reflected among the country-bred that stamps as too simple, too innocent, the pleasures that satisfied and enriched their parents. Hence the loss of our folk play traditions. Boys and girls even in our rural communities too often ask to-day: "What can we do?", "What is there to do?" when around and about them is the same wealth of resources that satisfied the physical and spiritual needs of men and women of other generations. But these natural resources,—the field, the stream, the wood, the simple folk game, the "Bee",—when pointed out as opportunities for wholesome recreation, no longer satisfy, and for reasons that are obvious. The railroad, the telephone, the motor car, the newspaper, and the radio have increased the scope of the individual's interest. The country adolescents no longer think of life in the limited terms of a farming community. Those of their number who possess initiative, courage, and "a sense of adventure", and others who are of the "follow a lead" type leave for the Big City as soon as they secure economic independence or the hope of it.

This folk depletion of our rural communities is an accepted and serious issue—too serious to be passed over lightly. Let us not forget it, but turn to the problem that is increasing in complexity with each passing year,—the problem of safeguarding the leisure time of our city dwellers.

In two generations, the population of our country districts has doubled, while the population of our cities has quintupled. We are no longer an agricultural, country-living people. More than 65 per cent

of our citizens live in cities of 2500 or more. And every "little" city in the nation is a replica in miniature of our great metropolitan areas. Never has the world known "huddling" on such a vast scale.

Marked as has been the effect on the adults of the change from an agricultural to an urban people, in its accompaniments of border line poverty, broken health, disease, nervous disorders, dependency, and hectic leisure time pursuits, the child has been and is to-day the chief sufferer. In his case we have unconsciously gone far toward civilizing the business of play, the chief business of his life, out of his existence.

Gone for the city child are the woods, the fields, the streams, the quiet winding roads and lanes, the vistas of the hills. Gone for the city child is nature's great laboratory, with the trees, the flowers, the bugs, the bees, the birds, the butterflies, through which the child of other generations, by touch, sight, sound, smell, and experience, learned his A. B. C's in the kindergarten of life's school. Gone are the vacant lots, the open spaces, that but a few short years ago could be found in every large city. Now, ground is sold by the front foot, almost by the square foot, and where child population congestion is greatest, every square foot is occupied by factories, stores, homes, streets, and railway tracks. Even the street that in the sleepy old days could be used in perfect safety by the children has become impossible for play purposes. With motor trucks, delivery wagons, and automobiles all over the roadway, the child who ventures into the street outside his home invites permanent injury or death. Twenty-five thousand child lives have been crushed out on the pavements of this country in the past five years, and until we change our child nature or provide a substitute for street play for every city child, we may expect that number to increase as the number of automobiles on our streets increases.

A city street in this motorized generation can never take the place of the great outdoor laboratory provided by Mother Nature to give us a chance to build healthy bodies. Something of incalculable spiritual as well as physical value to the young boy or girl is disappearing as commerce and industry capture the open spaces one by one. Something in their stead must be put back into the life of every city child if normal

child hungers, instincts, impulses, energies—call it what you will—are to be reasonably satisfied. Without the satisfaction of such natural hungers, through wholesome channels, we may confidently expect an increasing annual crop of juvenile and youthful delinquents, gun men, automobile thieves, and the like. These young criminals are seeking exhilaration, adventure, a thrill, a kick, and driven by age-old impulses, they are going to cash in. Whether or not in the process of cashing in they are in the way of becoming citizens, or criminals and a charge on the city, depends in large measure on the adult citizens of the community, who by common action can provide wholesome channels of activity, or by common difference or inertia allow existing evil conditions to continue.

It should be clearly understood, however, that as far as the character of the individual is to be influenced for good, the duty of a city cannot end in providing mere physical facilities. Physical facilities are neither inherently moral nor immoral. They become either in their use, depending upon the social standards of the group engaged in the game or sport. As in large measure man is an imitative animal, the social standards of the group are but the reflection or imitation of the social standards of the dominating personality in the group—the leader of the group. Therefore, only under properly qualified and continuing leadership can the social standards of the participating group be changed for the better.

There is, I regret to say, a relatively small class of citizens who are not at all convinced of the educational values in supervised play and games; who believe that altogether too much money is spent in “coddling” the children of the present day; who recall the fact that there were no public playgrounds or other recreational facilities when they were young; and who snort with amusement or indignation when we stress the need for properly qualified leadership in play and games.

Given time to study the revolutionary changes that have taken place in our social and economic life in the last thirty or forty years, particularly the changed attitude of youth toward all authority, I am

sure this class of citizens would agree that something is wrong with their theory rather than with the youth of this generation. If these citizens can be brought to see life as it is to-day and not as it was twenty, thirty, or forty years ago—if they will call back the children they once were, see through those child eyes, react for a moment with that child's emotion, I am sure they too will be convinced that the use of leisure time by a child can be either constructive or destructive, and will be constructive only as we provide adequate places to play throughout the year under the right kind of supervision.

In conclusion, I beg to call your attention to the fact that perhaps the outstanding contribution of our mechanized and urban civilization is ugliness,—civic ugliness. One need only travel through the downtown section of any of our large industrial centers to be convinced of this fact. We, as a nation, have been so busy making money that too little thought has been given the attribute of beauty,—beauty in form, line, and color. There was an excuse for such a condition in a pioneering generation, when land had to be cleared, swamps drained, roads built, and the country made possible as a place in which to work and live.

Now, however, that we have settled down and have the leisure to cultivate esthetic values, there is no longer any excuse for ugliness in public places. Our public parks, playgrounds, and playfields must be beautified not only for our own satisfaction and the enhanced land values in surrounding properties that naturally result, but because of the influence on the sense of values of the children using these facilities.

The average child reacts immediately to every influence, direct or indirect, that is brought to bear during his waking hours. His mind is like the sensitive retina of the eye. Every impression received is recorded and consciously or unconsciously influences conduct, character, and standards in after years.

If, therefore, we wish the coming generation to enjoy the "good life" it is part of our responsibility to use our best efforts in all of our group contacts toward making our cities, and particularly those portions of our cities used by children and young people for games and sports, instruments in the cultivation of beauty.

# WATERFRONT BOULEVARD DEVELOPMENT IN CHARLESTON

By R. S. MACELWEE

Commissioner, Bureau of Port Development, Charleston

**M**URRAY BOULEVARD, started in 1911, has been developed for approximately a mile along the Ashley River. The continuation of the boulevard four miles farther along the entire length of the shore line within the city limits has appealed to the imagination of residents and visitors of Charleston. The city has an opportunity to develop a waterfront driveway which will rival the drive along the river Arno at Florence, the famous quays of Paris, or the Thames Embankment of London. Such a development will add many more than a thousand acres of taxable property to the city and attract discriminating people from far and wide to make their winter residence at Charleston or locate their manufacturing business there because of the city's attractiveness as a place in which to live.

Charleston should provide for inevitable growth as an unusually pleasant place for work and play. The only direction of expansion of the city itself for residential purposes is toward the proposed boulevard extension on the land to be reclaimed. Each of the three parts of this great area would furnish several hundred lots 80 to 100 feet wide and 120 to 150 feet deep, beside parks, playgrounds, and sites for first-class hotels. The total cost would be upward of \$2,500,000 for each of these three parts. Obviously, in view of the legal debt limit, the city is not able to bond itself to do this work. But there are business possibilities in the project attractive to private enterprise. Judicious coöperation between municipal and private interests should accomplish the reclamation of the mud flats of the Ashley. When put to use and made valuable, this area will make a rich return to the city. This return less the comparatively small additional cost of lighting, cleaning, and policing will reduce the taxes of all Charleston taxpayers. We can capitalize on the mud flats to produce civic values.

The first section of the boulevard extension from Tradd Street to the Ashley River Memorial Bridge has been brought under immediate



Photographs by R. S. MacElwee

**THE BOULEVARD, CHARLESTON, S. C.**

**Recent photographs of the present boulevard as extended in 1911**

consideration by the bequest of the late Andrew B. Murray of \$150,000 toward the continuation of the boulevard. The city now owns 79 per cent of the total acreage between Broad Street and Memorial Bridge. With \$150,000 in cash and these holdings, the city has a substantial start toward the accomplishment of the reclamation of the west shore of Charleston.

North of Broad Street to Beaufain Street, and back to Colonial Lake, the area is reserved for park and public recreation purposes under the Colonial Lake Commission. The City of Charleston has about 10 per cent of the area in parks that a city of its size should have, and such a park reservation is immediately needed.

Lots have been laid out not less than 80 feet in width and, in the case of Block 14, 100 feet in width, because the present width of lots along the developed portion of Murray Boulevard (60 feet) has proved too narrow for the type of house that people generally desire to build on such attractive home sites. Since the lots are laid out 120 to 150 feet deep, the zoning and building code should require a building line 25 feet from the sidewalk, thus creating the effect of a spacious avenue.

It will be noted that so far as possible full utilization has been made of frontages on park strips or parks. American cities have been adopting the successful European scheme of interior courts or parks for special group development. Block 19, with a group of 40 x 80-foot lots around a little park, is set aside for the growth of an artists' or authors' colony under careful control of landscaping, architecture, sale, and utilization.

The boulevard must pass under the Ashley River Bridge approach, for it would be suicidal to have the boulevard traffic and the traffic across the bridge intersecting at grade. It is unfortunate that the city plan was not thoroughly developed and adopted before the bridge was built, as the Charleston end of the bridge might have been made a few feet higher for an additional length of 40 feet; but it is still possible to build an undercut 40 feet wide.

It will be noted on the plan that a 400-foot strip along the boulevard has been left open for monumental public buildings, schools, hotels, or parks. The magnificent effect of the public buildings facing the



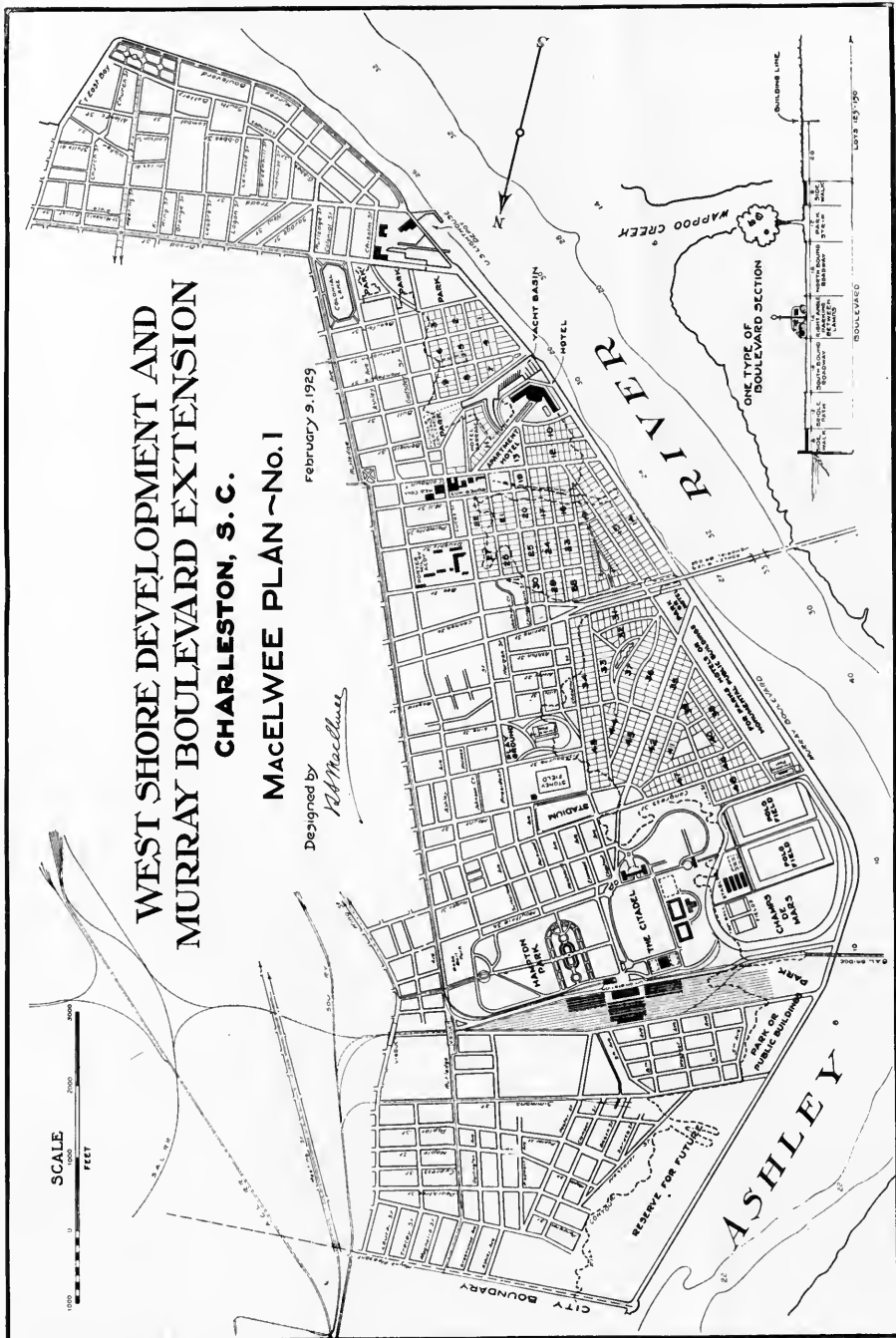


**WEST SHORE DEVELOPMENT AND  
MURRAY BOULEVARD EXTENSION  
CHARLESTON, S. C.**

**MACELWEE PLAN ~No. 1**

February 9, 1929

Designed by  
*R. H. Macelwee*



Seine in Paris is familiar to everyone. The Rhine riverfront at Dusseldorf was reclaimed a few years ago in just the same manner as we are proposing here. Facing this parkway or boulevard along the Rhine River are provincial, city, and governmental buildings. The property immediately in the rear, with glimpses of the river between the buildings and across the well kept lawns and gardens that surround them, proved to be residential property eagerly sought after. The loss of part of the river view was compensated for by publicly kept gardens and more especially by the fact that these public buildings determined and set the high character of the neighborhood for all time.

The area belonging to the State of South Carolina between the high ground of the Citadel and the river is designed as a great recreation field. It will be seen at a glance that a polo field is a large area; and two fields, one for practice and one for match, are the least possible requirements to establish polo. With space for run-bys, a polo field is 550 by 1100 feet.

Surrounding these polo fields and other proposed recreation areas is a Russian Run,—which is a soft bridle path 50 to 100 feet wide with approximately two-thirds of the width intercepted by hazards or jumps, the outer one-third being unobstructed. The hazards are such things as hedges, ditches, logs, walls, and fences, and are arranged in three heights from easy up to difficult jumps. A Russian Run is the dream of all horsemen and would be an unusual attraction to winter residents.

There are as many ideas for the cross section of the boulevard as there are people who think about it. One suggestion is given. It will be noted that the rather useless grass strip is taken out of the middle in order to give space for automobile parking to watch boat races and other aquatic events without obstructing the flow of traffic. The sidewalk is protected somewhat from automobile traffic by a strip which may be used as a bridle path or planted as a grass area.

Some such development of the mud flats of the Ashley River will benefit all and make Charleston a more desirable place in which to live, work, or play, for both the permanent and seasonal population.

## PARK AND RECREATION AREAS IN THE CITY PLAN\*

By THEODORA KIMBALL HUBBARD and HENRY V. HUBBARD

THE greatest recreation need in the cities of the United States to-day is for neighborhood recreation grounds, provided in proportion to population density and so located in residential areas that children and adults may be able to make daily use of these facilities. Much discussion has been going forward in the last year or two as to certain "standards" which may be evolved as to the spacing of these neighborhood grounds and as to the exact amount of play area which should be provided for various types of residential development and the consequent densities of population. Studies made by the Regional Plan of New York for Manhattan and other parts of the New York region present a discouraging picture of the feasibility of really meeting recreation needs in congested districts. The Regional Plan concludes that where the density has already risen above fifty persons or twelve houses on an average acre adequate provision of open space is impossible.

Similarly studies made for the Playground and Recreation Association of America point to an impossibility of setting up in dense populations any practical standards for play space which even approach a desirable provision for the outdoor recreation needs of a balanced human existence. The conclusion to which Mr. Weir of that Association has been driven is that we cannot expect ever to provide adequately for this vital requirement of life unless the residential population is spread out in open-development residential districts, normally expressed by single-family homes built no more densely than six to the acre. It is encouraging to have standards from two sources based on a social conception rather than on a purely statistical average arrived at from existing conditions. Just because a few of the metropolitan cities are unable to provide a considerable portion of their populations with either homes or play spaces favorable to complete living—except perhaps in

\*From the authors' forthcoming book, *Our Cities To-day and To-morrow*, to be published shortly by the Harvard University Press, based on the Harvard Field Study of planning and zoning progress.

sporadic successful experiments such as "Sunnyside"—is no reason why meager minimum standards should be set up as a guide for the hundreds of growing communities in all parts of the country where there is still opportunity, especially in undeveloped areas, to encourage and apply standards commensurate with needs.

When recreation areas are planned, as they should be, as part of comprehensive city development, aimed toward producing rounded and healthy community growth, the standards for recreation become interwoven with standards for open spaces about residential buildings and with general standards of light and air, to be applied through zoning regulations, through control of land subdivision, and through a system of circulation which spreads rather than congests population groups.

This whole subject of recreation "standards" is now before the American City Planning Institute and National Conference on City Planning, and we may later expect some substantial contributions to be available in published discussions and papers. It must be remembered that acreage alone in relation to population is not the criterion of the adequacy of a recreation system in meeting public needs. *It is the balance of various types of park and play areas and their distribution in relation to population* which determines whether or not a community is well served.

Among the cities visited in the course of the field study, several stand out as having a reasonably complete system of public open spaces of a variety of types: especially Minneapolis, Milwaukee, Oakland, Spokane, Seattle, Houston, Oklahoma City, Philadelphia, and Chicago. We recommend that the *Park Manual* and the United States Department of Labor Bulletin *Park Recreation Areas in the United States*, 1928, be consulted for descriptive details regarding the recreation systems of these cities. The other side of the picture may be seen in communities which have been alert in planning matters but still recognize their deficiencies in balanced provision for neighborhood recreation, such as: Knoxville, Baltimore, Cincinnati, Des Moines, Roanoke, New Bedford, Altoona, Pittsburgh, Toledo, Los Angeles County, and the National Capital Region.

## PARK SYSTEM PLANS

The park system as developed by Olmsted and Vaux was perhaps the earliest phase of modern city planning in America to be comprehensively conceived; but even this was not conceived in terms which would be considered comprehensive in this present age of denser populations and wider radius of transportation. The difference is to be found largely in the current looser definition of the word "park" which in the Olmstedian vocabulary was limited to a large area of naturalistic landscape developed for the refreshment of a town-worn population. If we differentiate between a "park" system in that sense—a series of naturalistic areas connected by pleasure drives—and the "park and recreation" system in the vocabulary of to-day, we see clearly the limitations of the former as applied to modern planning.

Before turning to an analysis of the elements of an adequate park and recreation system, it will be decidedly worth while to review briefly a few earlier park system plans and, appreciating their incalculable contribution to community well-being, to point out the limiting effect which some of them have undoubtedly had on the ability and willingness of cities to provide for small neighborhood parks and playgrounds. In view of the wealth of information on the acquisition, financing, and administration of American park and recreation systems already available in the *Park Manual*,\* we shall make no attempt here to discuss these aspects generally even though the interaction of design and management has from the very first had a fundamental influence on the success or failure of parks as instruments of social service.

The park system of Kansas City, Mo., designed by the late George E. Kessler in the nineties, has been completely carried out and even added to. The land acquired thus early in accordance with a comprehensive plan of landscape parks and boulevards would now be impossible for the city to obtain; and through the method of financing employed—benefit assessment districts—the present citizens of Kansas City may enjoy these valuable properties and the increased municipal

\*Cf. also the chapter "Ways of Securing Land for Recreation" in Survey Volume V, Regional Plan of New York and Its Environs.

tax revenues from the benefited adjoining lands without any burden of debt. On the other hand the maintenance of the many miles of boulevard pavement, used by automobiles to-day practically as part of the street system, still devolves upon the park department, and the heavy expense for this item has prevented provision of small playgrounds scattered through the heart of the city where they are badly needed. A similar situation in Memphis was relieved by the transfer of park roadway maintenance to the street department of the city. In Cincinnati administrative readjustments have been necessary to supplement the early scenic park system (planned by Mr. Kessler) with the smaller central areas required by the denser population and recommended in the Official Plan. The Robinson plans for the Council Bluffs parks have been generously carried out with the result that the liberal provision of public recreation areas has prevented expenditures for other public improvements, a situation to which popular self-satisfaction with a fine park system has undoubtedly contributed, both in Council Bluffs and Kansas City.

The social, economic, and esthetic value of these landscape park systems cannot be overestimated, but they meet only part of the recreation needs in this present day when home yards are becoming smaller or non-existent. Moreover, now that the use of boulevards for leisurely pleasure driving has been largely superseded by their use for commuters' automobiles or for pleasure cars outbound for the distant country, a fresh analysis of park and parkway uses by each city is essential to determine the equitable distribution of the financial burden and, especially where park income is limited by law, to free sufficient funds for developing a balanced system of recreational areas.

The Olmsted plans for Seattle and Spokane have served as a guide to a very fine development, and in the case of Spokane the possession of landscape parks has not deterred the city from making one of the most complete and balanced layouts of large and small parks in America. The very early park plans for Minneapolis initiated by H. W. S. Cleveland have been the starting point for perhaps the best park system in the United States, from both social and esthetic viewpoints, for a city

of that size. The Olmsted park plans for Rochester, N. Y., have been carried out to a large degree and have had a highly beneficial influence on the development of the city. The influence of the Chicago South Park system with its waterfront landscape parks and community centers has been profound, both on the plan of Chicago and throughout the country. The well distributed parks and parkways of Philadelphia have had an unusual influence on the appearance of the city, and have in fact been made the principal instrument of present planning developments. In Colorado, where the preservation of landscape for the attraction of tourists is especially important from the economic point of view, Olmsted plans for Boulder parks and for Denver\* mountain parks have largely been accomplished.

The early Manning plans for the parks of Harrisburg, Pa., and beautification of the riverfront have been carried out and are shortly to be extended, making Harrisburg one of the handsomest of state capital cities, although the city has been backward in zoning and in thoroughfare improvements. The foresight of another state capital, Oklahoma City, in acquiring an extensive outer park system has influenced citizens in securing later improvements. The metropolitan parks of the Rhode Island capital city, Providence, have had a strong influence on the recent plans for more comprehensive civic development, and the early trustee-held system for Madison, Wis.—still another capital—has been the starting point of its planning. Initiated by Charles Eliot, the Boston Metropolitan park system, articulated with the beautiful city parks and drives, undoubtedly has resulted in the fine suburban development which few American cities can equal.

In considering the effect of planned improvements on the public mind, it is difficult to generalize as to the psychological consequences of American municipal park systems. Observation would point to the obvious conclusion that the more nearly parks have been balanced with other planning considerations, the more favorable and steady has been their beneficial influence.

\*The Denver Planning Commission has just issued a preliminary report on major recreational facilities which is intended to secure a better balanced system of recreation areas of all types.

The greater number of municipal park systems being projected and accomplished to-day are allied to comprehensive city planning. No more striking example can be found than in Houston, Tex., where, since 1923, more than 1750 acres have been acquired by purchase or gift and added to the 800 acres which had already resulted from the early Kessler plan. In addition several miles of bayou shores are being acquired for connecting parkways, the whole system being part of the comprehensive plan for Houston.

In planning for parks and recreation areas as parts of city plans it is important not to lose the delicate appreciation of landscape as allied to social values which the elder Olmsted expressed and which he transmitted as his most important legacy to the landscape art. The provision of beauty cannot be achieved on any mechanical basis of so many square feet per person and it would be a great loss to the recreation of the public if in securing perfect balance and adjustment we were to lose the soul which the earlier landscape art was able to create and which has had so profound an influence on American life.\*

The lack of in-town open land arising from present dense development and the free movement of people permitted by the automobile, are combining to make the planning of large parks and reservations and connecting parkways more and more a matter of metropolitan or county concern. The Westchester County (N. Y.) park system is the outstanding example of modern practice, and shows how esthetic may be combined with economic success to an almost unparalleled degree. The older Essex County parks and more recently those of Union County, N. J., and the Niagara Frontier Region, attest the success of the county as a park planning unit, and in the Middle West, Wayne County, Mich., Milwaukee County, Wis., and Cook County, Ill., deserve especial study for constantly enlarging county park areas related to regional plans. The metropolitan parks of Boston, Providence, and Cleveland are long-standing examples of metropolitan districts as a basis for securing regional park systems. All the comprehensive regional planning studies which are going forward to-day are

\*See Olmsted and Kimball, *Central Park*, Chapter XII.



stressing the reservation of land appropriate for recreation before the influx of a growing population just as some foresighted cities of a generation ago secured outer park areas which are now priceless possessions.

#### ELEMENTS OF A PARK AND RECREATION SYSTEM

Although a more detailed classification and analysis of recreation areas may be found in H. V. Hubbard's "Parks and Playgrounds" paper of 1924,\* for convenience in discussion the essential elements of a modern park and recreation system may be reduced to three general types: playgrounds for smaller children, usually located at school buildings; neighborhood parks and athletic fields for the rest or active play of adults and older children, scattered through residential districts according to density of population; and landscape parks and reservations, connected by parkways or scenic drives, to which picnic expeditions may be made and where the pleasures of walking and riding may be enjoyed in rural surroundings. To these three universal types must be added reservations of beaches, streams and lakes, or whatever other natural features may be seized upon to provide recreation for the general public. Still, again, to the second type must be added golf courses, and perhaps other grounds for special sports, which often are not undertaken by a city unless they can be made reasonably self-supporting and no burden on the public at large.

Of landscape parks we have been speaking in the preceding section. Many fine individual examples may be found in the park systems there mentioned and also among the parks of Cleveland, Baltimore, Hartford, Indianapolis, Louisville, Portland, Ore., Tacoma, San Francisco, St. Louis, St. Paul, Detroit, and Washington, D. C. Cities which lack landscape park areas—such as Knoxville, Tenn., which has no wooded park area at all—would do well to acquire available lands now lying undeveloped before suburban growth makes this impossible or prohibitively expensive.

\*"Parks and Playgrounds: American experience as to their requirements and distribution as elements in the city plan." From Proceedings of International Town Planning Conference, Amsterdam, 1924.

In determining whether a city is well served with landscape parks, it is necessary to consider what other landscape areas are available to its citizens for enjoyment in county, state, and national parks. The communities of Westchester County, N. Y.—White Plains, for instance—have little need individually for supporting large municipal parks when the great Westchester County system lies available. It is misleading to read in park statistics that Newark, N. J., has 14,423 inhabitants to each one acre of municipal park (as against 268 to one acre in St. Louis, for instance) when the highly developed park system of Essex County lies around the city. The Cook County Forest Preserves serve the people of Chicago, and two large Allegheny County parks are within seven miles of the city limits of Pittsburgh. Wayne County parks and several strategically located small state parks supplement the municipal recreation areas of Detroit. Other cities closely served by state parks are Des Moines, Duluth, Omaha, Syracuse, and New Haven. Asheville, N. C., and Chattanooga, Tenn., are in a region of national parks and forests.

The wide radius of pleasure travel offered by the automobile makes the provision of landscape parks essentially a regional problem, and, as the National Conference on Outdoor Recreation has pointed out, if the whole country is to be well served by scenic reservations ranging in size and use from the close-in municipal park to such great wildernesses as the Yellowstone, it is only by combining national, state and regional surveys that completely supplementary systems may be worked out.

The ideal diagram of a municipal or metropolitan park and parkway system would seem to be a series of radiating wedges running outward from the heart of the city, reaching several large outlying landscape reservations which are in turn connected by a circumferential drive.

The parkway system of Indianapolis is distinctly radial. The park systems of Philadelphia, Baltimore, Boston and Providence suggest the basic radial development arising from a series of river and stream valleys. In Duluth the ravine parks lead out from the city, and parkways act

as circumferential belt-lines. In Kansas City, Mo., there is a combination of radial and circumferential parkways linking practically all the parks. The plans of the National Capital Park and Planning Commission for Washington contemplate the supplementing of the present radial parkway system by inner and outer circumferential drives. A number of the older parkway systems in cities visited are almost wholly circumferential, as in Cleveland, Council Bluffs, Harrisburg, Memphis, Minneapolis, Oklahoma City, and Seattle.

The essential distinction between a parkway, a boulevard, and a wide traffic street—graphically explained in the Olmsted report for Baltimore park extension in 1926—must not be forgotten in discussing the functions of a parkway system. A parkway is primarily an elongated park, with a road running through it, while a boulevard is a wide street usually subdivided with planting decorations of grass strips or rows of trees, differing in appearance and type of traffic from a major thoroughfare.

While enjoyment of pleasant landscape features continues to be the theoretical justification of the parkway as distinguished from the boulevard, in actual practice the parkway is becoming more and more a fast light-traffic way, used to get quickly from one part of the city to another or from the suburbs to the business center. The volume of traffic frequently makes landscape enjoyment almost impossible. Considering parkways in regional terms, best exemplified in Westchester County, we find there a combination of the parkway and boulevard used for commuting passenger automobile traffic and for holiday pleasure riding, and this combination appears to be the future normal function.

In the comprehensive city and regional plan the relation of these fast light-traffic ways to trucking thoroughfares is of prime importance. The two systems should be conceived as supplementary and, as has frequently been pointed out, the trucking highways may parallel pleasure traffic-ways or form an entirely independent system. In Philadelphia, Chicago, St. Paul, Denver, and San Diego there is a distinctly parallel relation. In Memphis, when no parallel street is

available, heavy traffic is permitted on parkways, which confusion of use reveals a fundamental deficiency not yet remedied in the in-town districts, but provided for in the parkway and thoroughfare plan for outlying areas.

Turning now to the recreation grounds which should lie within easy walking distance of every home, we find a growing tendency to combine in an area of 15 to 25 acres opportunity for active and passive recreation for all members of the family, except those who are willing to go farther afield for golf or bathing. The neighborhood playfield-park has reached a high degree of development in Minneapolis, which may be taken as typical of modern approved recreation practice. According to landscape opportunity offered, some part of the area is developed for quiet strolling or sitting in the shade, but the greater part is usually planned for active exercise, with two standard-size athletic fields, men's and women's outdoor gymnasiums, a little children's corner, and wading pool, tennis courts, and field house.

When coöperation between municipal recreation and school authorities makes possible the use of high and junior high schools as community centers, the neighborhood playfield-park may be combined with school grounds. In any case, substantial bounding plantations are recommended which afford space for walks and seats for those who do not wish to participate in games or join the spectators.

In comprehensive city plans these neighborhood playfield-parks are being provided to serve people living within a radius of one-half to one mile. Examples of lack of adequate facilities may be found revealed in the diagrams of the Baltimore park extension report just referred to, and in the Bartholomew Des Moines recreation report of 1927. Examples of exceptionally equitable distribution of neighborhood recreation areas may be sought in Spokane as well as in Minneapolis. In Fort Wayne neighborhood parks of from 5 to 25 acres are so located that there is one within ten minutes' walk of every citizen's home.

It seems to be generally agreed that children's playgrounds of 5 or more acres should be located in conjunction with public elementary schools, and that high and junior high schools should be built on sites

of from 10 to 20 acres or more, thus allowing ample area for athletic fields and bordering plantations. Playgrounds for very little children are usually found combined with neighborhood playfield-parks frequented by mothers and older children, or more rarely in the interiors of residential blocks.

Although a few cities are not making any attempt to correlate playgrounds with schools, the information secured during the field study shows that educational, recreational, and city planning policies all tend toward the closest possible relation between playgrounds and schools in comprehensive plans. New school sites meeting or exceeding the minimum standards of 5 and 10 acres just mentioned—some even exceeding the 20-acre standard of Gary, Ind., for every school site—are being provided, as a result of special school or recreation surveys, or of city planning studies.

Among cities found to have a particularly close relationship between school and recreation departments and very high standards of play space in connection with school buildings are Detroit, Milwaukee, Minneapolis, and Oakland. The policy of Milwaukee in acquiring tracts of 10 to 20 acres outside the city for future school and playground sites should be especially noted. Greensboro, N. C., and the neighboring city of Winston-Salem, are remarkable for the exceptionally ample size of school playgrounds, and in Houston, Tex., buildings on inadequate sites are being abandoned for new buildings with playgrounds meeting modern standards, so that now practically every school is properly equipped with play space. Flint, Mich., is another example which may be cited of adequate school playground area provided in accordance with a comprehensive plan.

In view of various experiments which have been made in planning children's playgrounds in the interiors of blocks,—both in apartment districts such as Sunnyside, N. Y., and in restricted residential areas, such as the Country Club District in Kansas City,—comments on this question are of particular interest: the reader is referred to Mr. S. H. Hare's article on this subject in *CITY PLANNING*, October, 1928, which discusses both the lack of success of certain interior playgrounds and

the frittering effect of requiring small open spaces when land is subdivided, without regard to their play efficiency or future administration. When block playgrounds can be administered by community block organizations on the Sunnyside plan, they may prove desirable, or a few may succeed if the city can maintain them and exercise some measure of supervision.

The question has been frequently raised as to whether cities should conduct tourist camps either in park lands or on special sites. Although this is largely a matter of park policy and of municipal administration, nevertheless it was thought worth while in the course of the study tour to put the question as to success or failure of municipal tourist camps in the cities visited. The tendency would appear to be slightly toward leaving provision for transient tourists to private enterprise,—which is the policy favored by the Playground and Recreation Association of America,—although a very considerable number of successful municipal camps were reported.

The location of airports in park property and the acquisition of lands under the jurisdiction of park departments to be used as airports are questions on which there is much current discussion. Neither tourist camps nor airports are integral parts of municipal park and recreation systems, and the desirability of having these related to parks will depend on extraneous factors peculiar to local conditions.

### PROVIDING FOR FUTURE RECREATION

It is certain that as the distance from the interior to the circumference of towns shall increase with the enlargement of their population, the less sufficient relatively to the service to be performed will be any given space between buildings.

In like manner every evil to which men are specially liable when living in towns, is likely to be aggravated in the future, unless means are devised and adapted in advance to prevent it.

Let us proceed, then, to the question of means, and with a seriousness in some degree befitting a question, upon our dealing with which we know the misery or happiness of many millions of our fellow-beings will depend.

—F. L. OLMSTED, SR., in *Public Parks*, 1870.

# A STUDY OF MUNICIPAL AND COUNTY REGULATIONS FOR SUBDIVISION CONTROL. II.

NOTES FROM THE HARVARD FIELD STUDY

By HOWARD K. MENHINICK

## 15. Street Widths

The minimum widths of streets permitted are as follows: 32 feet with a minimum roadway of 24 feet, along steep canyons or hillsides in San Diego, Cal.; 40 feet in Cincinnati, O., and Newton, Mass.; 40 feet if serving less than 20 lots, in Milwaukee, Wis.; 40 feet with 50 feet recommended in Canton, O.; the somewhat doubtful minimum of 50 feet in Richmond, Va., since there is a provision that if a street less than 50 feet is permitted, the corners shall be rounded on the street lines with a radius of not less than 10 feet; 50 feet in the District of Columbia providing there is space between streets for two tiers of lots at least 60 feet deep plus alley facilities; 50 feet in Cleveland, O., providing a minimum depth of lot of 100 feet can be obtained; 50 feet in Altoona, Pa., Dayton, O., Des Moines, Ia., Kenosha, Wis., and Springfield, Mass.; 50 feet but in general 60 feet required in Lucas County, O., and Sacramento, Cal.; 54 feet in Riverside, Cal.; 60 feet, except by special permit, in Saint Charles, Ill.; 60 feet in Detroit and Wayne County, Mich., Oklahoma City, Santa Barbara County, Cal., and Wichita, Kan.; 66 feet in the Chicago Regional Model and in Kenosha County, Wis.

In all recent platting regulations, the required width of major thoroughfares is the width shown on the major street plan. In Detroit and Wayne County, Mich., this makes superhighways 204 feet wide, major thoroughfares 120 feet, and intermediate thoroughfares 86 feet. Riverside, Cal., specifies that in business zones the required major street width shall be increased 10 feet on each side to provide for angular parking. Saint Charles, Ill., requires that every street along business frontage shall be not less than 94 feet and generally 108 feet wide. There are special width requirements for minor streets entering major streets or business streets. Santa Barbara County, Cal., specifies that if there is no major highway plan, the minimum width for major highways shall be 80 feet, increased 10 feet on each side if there is business frontage. Wichita, Kan., specifies that Federal highways outside the city shall be not less than 100 feet wide. Newton and Springfield, Mass., require major streets to be 70 feet or more in width. Cleveland, O., expects major streets not less than 100 feet wide at intervals not greater than 6000 feet, and streets not less than 80 feet wide at intervals not greater than 3000 feet. Oklahoma City rules that main boulevards and highways within the city limits and business streets shall be not less than 100 feet wide. Cincinnati, O., specifies that in general, main thoroughfares shall be 90 feet and secondary thoroughfares 66 feet wide.

## 16. Roadway Widths

Cincinnati, O., has established a standard minimum width of roadway of 56 feet for main thoroughfares, 40 feet for secondary thoroughfares, 27 feet for minor

streets, and 20 feet for local streets. Dayton, O., uses the above roadway widths for minor and local streets, and for other streets stipulates 10 feet of roadway for each needed traffic lane with a provision that 9 feet may be allowed in exceptional cases. The apportionment of the street width to the various parts is made subject to the approval of the Plan Board and the Supervisor of Plats. The regulations of Altoona, Pa., and Milwaukee, Wis., contain tables giving required roadway widths under various conditions.

### 17. Building Lines

Canton, O., Des Moines, Ia., Kenosha, Wis., Richmond, Va., Riverside, Sacramento, and Santa Barbara County, Cal., require building lines on all residential property in accordance with the zoning ordinance. Outside the city limits, Richmond, Va., and Riverside, Cal., require building lines to fit the needs of each subdivision, while Canton, O., requires a minimum front yard of 15 feet and a greater one if necessary. Where there is no zoning ordinance, Santa Barbara County, Cal., stipulates a minimum front-yard building line 50 feet from the center line of the street upon which the lot faces. Harrisburg, Pa., requires building lines wherever they are considered necessary. On all but business lots, Detroit specifies a building line at least 15 feet from the street line, and more than 15 feet where the depth of lots or neighborhood conditions warrant it. Lucas County, O., and Oklahoma City insist on a minimum front yard of 25 feet.

### 18. Street Grades

Canton, O., Newton, Mass., and Jamestown, N. Y., have established a minimum street grade of 0.5 per cent. Most cities name a maximum grade for major streets and a slightly greater one for minor streets. Riverside, Cal., specifies 3 per cent and 5 per cent. Canton and Akron, O., and Milwaukee, Wis., put it at 5 per cent and 10 per cent; Saint Charles, Ill., at 5 per cent and 7 per cent; Cincinnati, O., at 7 per cent and 14 per cent. Jamestown, N. Y., permits a maximum of 5 per cent; Santa Barbara County, Cal., 6 per cent; and Newton, Mass., 12 per cent. Cincinnati, O., and the Chicago Regional Model require changes in grade to be connected by vertical curves of definite length or radius. Springfield, Mass., is one of a number of cities that, before a plat will be approved, require statements from all abutting property owners relieving the city from all damages that may be caused by changes in line or grade on any of the streets as proposed.

### 19. Access to Streets Across Ditches

The Chicago Regional Model, Des Moines, Ia., and Kenosha County, Wis., require the subdivider to provide access to all proposed streets across water courses or ditches in a standard manner approved by the proper engineering authority.

### 20. Street and Subdivision Names

In most cities, a proposed street obviously in alignment with another already existing and named must bear the same name. Santa Barbara County, Cal., and Richmond, Va., specify in addition that new street names shall not duplicate exist-



ing street names. Springfield, Mass., prohibits the placing of names of proposed streets on plans until such names have been approved. Glynn County, Ga., will not permit proposed subdivision names to duplicate the names of those already existing.

### 21. Street Trees

Canton, O., the Chicago Regional Model, Des Moines, Ia., Detroit, Mich., and Saint Charles, Ill., do not insist on the planting of trees, but if trees are to be planted they require the submission of planting plans for their approval, particularly as to location and variety of trees. In any case, Riverside, Cal., requires a definite planting plan approved by the Board of Park Commissioners. Cincinnati, O., specifies that trees of a type to be approved by the Board of Park Commissioners shall be planted not over 60 feet apart on each side of every street, except at intersections. In Akron, O., trees of a size and variety and in the place and under the conditions prescribed by the Commission shall be planted. Before final approval will be endorsed on the record plat, a satisfactory bond shall be furnished to cover the cost of completing such planting and the maintenance of said trees for a period of two years. There are several pages of street tree planting specifications, adopted June 15, 1920, in the Akron regulations.

### 22. Alleys

In Detroit, Mich., the Commission determines whether an easement or an alley system is more suitable for an allotment. Portland, Ore., discourages alleys but permits them in business sections. Oklahoma City requires alleys in business blocks but leaves their use optional in residential sections. The District of Columbia requires alleys so that, as far as possible, each lot shall abut on one. Apparently to discourage the erection of dwellings fronting on alleys, Glynn County, Ga., permits alleys only when the depth of a lot does not exceed 120 feet. Lucas County, O., permits them if the lot depth is not greater than 150 feet. Oakland, Cal., specifies that where alleys are provided, the Commission may require restrictive covenants from the owner to prevent the building of any structure except the usual outhouses to front on an alley. Harrisburg, Pa., has a clause requiring that the erection of buildings to be used for habitation shall be so restricted that no such building shall be constructed nearer than 30 feet to the center line of any service alley or highway less than 40 feet in width unless the building fronts on a highway 40 feet or more in width.

Santa Barbara County, Cal., and Saint Charles, Ill., require alleys in the rear of all commercial lots. The Chicago Regional Model requires alleys where lots are less than 40 feet wide. Saint Charles, Ill., and Richmond, Va., require them where lots are less than 50 feet wide. Wichita, Kan., requires alleys in the rear of all lots facing on section and half-section line streets and within one block of their intersection unless the streets in front of such lots are made not less than 100 feet wide. Alleys in all other locations are optional.

The District of Columbia permits alleys with a minimum width of 10 feet within the city limits and 15 feet outside the city limits of Washington, D. C.

Practically without exception, those cities that require a greater alley width in business sections than in residential sections require a 20-foot alley in the former. Examples are Des Moines, Ia., Detroit, Mich., Lucas County, O., and Sacramento and Santa Barbara County, California. Kenosha, Wis., requires an 18-foot alley under the above conditions.

In residential sections, Kenosha, Wis., permits 15-foot alleys with an easement and building line of at least  $1\frac{1}{2}$  feet on each side. Detroit, Mich., requires 18-foot alleys. Des Moines, Ia., permits 12-foot alleys with a 3-foot easement on each side, or else 16-foot alleys. Lucas County, O., specifies 15-foot alleys with a  $2\frac{1}{2}$  foot easement; Sacramento, Cal., 16-foot alleys with a 3-foot easement; Santa Barbara County, Cal., 16-foot alleys; Wichita, Kan., 14-foot alleys.

Des Moines, Ia., Kenosha, Wis., Lucas County, O., Santa Barbara County, Cal., and Wichita, Kan., require a 5-foot cut-off at acute or right angle alley intersections on alleys of lesser width in the residential sections. Riverside and San Diego, Cal., require 20-foot alleys with a 10-foot cut-off.

Of those cities which do not require different alley widths in residential and business sections, Richmond, Va., and Glynn County, Ga., require 16-foot alleys. Altoona, Pa., Cincinnati and Dayton, O., and Kenosha County, Wis., require 18-foot alleys. Milwaukee, Wis., requires alleys 18 to 20 feet in width. The Chicago Regional Model, Oklahoma City, Portland, Ore., and Saint Charles, Ill., require 20-foot alleys.

### 23. Easements

Almost without exception, cities require rear easements and building lines if no alleys are provided. They are usually required on all rear lot lines and side lines, where necessary, and may be required of greater than the usual specified width for trunk line utilities. In each case below, the figure given is the easement required on each lot, being thus half the total width of the rear easement. Lucas County, O., requires 3 feet; Altoona, Pa., Dayton, O., Kenosha and Kenosha County, Wis., Richmond, Va., and Sacramento, Cal., 4 feet; Portland, Ore., Riverside, Cal., and Wichita, Kan., 5 feet; Detroit, Mich., and Milwaukee, Wis., 6 feet; the Chicago Regional Model and Saint Charles, Ill., 10 feet.

### 24. Regulations for Utilities and Improvements

Some cities specify, as do Cleveland, O., and Saint Charles, Ill., that a plat will not be approved unless it is possible to supply water, drainage, and sewerage facilities without unreasonable delay.

Durham, N. C., Harrisburg, Pa., New Bedford, Mass., and many other cities refuse to supply utilities to unapproved plats. Durham, N. C., will neither accept nor maintain streets in unapproved plats.

A number of cities do not require the installation of utilities before the approval of a plat but, if the utilities are installed, require plans and installations to be approved by proper city authorities. Cleveland and Dayton, O., are examples of cities with this requirement.

Canton, Cincinnati, and Cleveland, O., the Chicago Regional Model, Des Moines, Ia., Detroit, Mich., Kenosha, Wis., and Memphis, Tenn., require the grad-

ing of streets and alleys before a plat will be finally accepted. Canton and Cleveland, O., require sidewalk construction on plats within the city limits.

Canton, O., requires the installation of necessary storm water drainage. When proper outlets are available, Memphis, Tenn., requires the installation of sewers at once. Cincinnati, O., requires the installation of storm water and sanitary or combined sewers, storm water inlets, house connections from sewers to beyond curb lines, the laying of water mains with service pipes to points beyond the curb, and the construction of the roadway to the approved grade. All the above construction must be carried out under the direction of the Department of Public Service in strict accordance with standard city specifications for the various kinds of improvements. The City Engineer will assign a city inspector to the work for such time as may be necessary to insure full compliance with specifications, and the wages of such inspector are paid from a sum for inspection to be deposited by the subdivider with the Department of Public Service. Cincinnati, O., will not approve plats nor accept the dedication of any streets until the improvements have been made as outlined above. These requirements apply only within the city limits.

Lake Bluff and Saint Charles, Ill., require all wires to be either placed underground or strung on poles placed in alleys or easements along the rear property lines.

### **GROUP III. BLOCKS AND LOTS**

#### **25. Size of Blocks**

Altoona, Pa., requires blocks not less than 200 feet nor greater than 600 feet long. Akron, O., Newton and Springfield, Mass., specify blocks not less than 400 feet nor greater than 600 feet. Oklahoma City requires blocks to be usually not in excess of 400 feet. In residential sections, blocks more than 600 feet long will not be approved. Milwaukee, Wis., requires blocks not less than 500 feet nor more than 900 feet. Detroit, Mich., states that blocks shall be not less than 660 feet nor more than 880 feet. Des Moines, Ia., requires blocks not greater than 660 feet. The Chicago Regional Model, Saint Charles, Ill., Dayton, O., and Kenosha County, Wis., not greater than 800 feet; Lucas County, O., not greater than 880 feet; Canton and Cincinnati, O., and Wichita, Kan., not greater than 900 feet; Richmond, Va., Riverside, Sacramento, and Santa Barbara County, Cal., not greater than 1000 feet. Riverside and Sacramento, Cal., further specify that a crosswalk shall be provided near the center of all blocks over 750 feet long.

Detroit, Mich., and Milwaukee, Wis., require blocks wide enough to allow for two tiers of lots with an alley or easement between. Jamestown, N. Y., demands blocks not less than 200 feet nor more than 300 feet wide; Lucas County, O., not less than 220 feet; the Chicago Regional Model not less than 250; Kenosha, Wis., approximately 250 feet in new subdivisions at a distance from existing subdivisions; Sacramento, Cal., 240 feet to 300 feet; Oklahoma City, not greater than 300 feet.

#### **26. Size of Lots**

Cincinnati, O., regulates the size of lots in the following manner: "The size and shape of lots shall be such as the Planning Commission shall deem proper for

the locality where the subdivision is located, due consideration being given to the zoning district in which the tract is situated." The regulations of Saint Charles, Ill., are substantially the same. The Cincinnati Planning Commission has resolved to accept no lots with an area of less than 3500 square feet.

By far the majority of cities have established a minimum lot width of 40 feet. Canton, O., Des Moines, Ia., Detroit, Mich., Richmond, Va., and Sacramento, Cal., are examples. The District of Columbia permits 16-foot lots. In exceptional cases, Dayton, O., permits 35-foot lots, though it normally requires 40 feet. Santa Barbara County, Cal., permits 40-foot lots though it normally requires 60 feet. Akron, O., requires 45 feet. Kenosha County, Wis., and Newton and Springfield, Mass., specify 50 feet. Riverside, Cal., Jamestown, N. Y., and Oklahoma City require 50 feet for residential lots. Riverside, Cal., requires business lots to be multiples of 45 feet or 60 feet. Santa Barbara County, Cal., requires business lots to be at least 20 feet wide. Jamestown, N. Y., and Oklahoma City require 25 feet for business lots.

The minimum depth of lot permitted in the District of Columbia is 60 feet. Kenosha and Kenosha County, Wis., Springfield and Newton, Mass., Richmond, Va., and Santa Barbara County, Cal., and Wichita, Kan., require the lot depth to be not less than 100 feet. Altoona, Pa., and Jamestown, N. Y., specify lots not less than 100 feet nor more than 150 feet deep. Riverside, Cal., requires business lots to be as nearly as possible 100 feet deep. Lucas County, O., sets lot depths at 110 feet to 150 feet. Des Moines, Ia., Detroit, Mich., and Milwaukee, Wis., require 120 feet as a minimum. Riverside, Cal., has a 120-foot minimum for residential lots. Sacramento, Cal., sets 120 feet as the normal minimum with a 150-foot minimum on major streets. The Chicago Regional Model establishes 125 feet as the minimum. Oklahoma City has a minimum of 140 feet for business lots and a minimum of 150 feet for residential lots, with 10 feet deductible if an alley is provided.

Required lot areas start with the 720 square feet required for triangular lots in the District of Columbia; 2500 square feet in the mercantile and industrial districts of Jamestown, N. Y.; 3500 square feet outside the city limits of Canton, O., where there is no zoning; 4000 square feet in Santa Barbara County, Cal.; 4400 square feet in Lucas County, O.; 4800 square feet in Des Moines, Ia., Richmond, Va., and Sacramento, Cal.; 5000 square feet in the Chicago Regional Model (where there is no zoning), in Dayton, O., Kenosha, Wis., and in residential sections of Jamestown, N. Y., and Riverside, Cal.; 6000 square feet in Kenosha County, Wisconsin. Canton, O., and the Chicago Regional Model require that the minimum area of lots within territory that is zoned shall be as specified in the zoning ordinance.

## 27. Lot Lines

A majority of the cities have a rule similar to the following one from Detroit, Mich.: "All side lines of lots should be at right angles to straight street lines, or radial to curved street lines, unless a variation from this rule will give a better street and lot plan." Dayton, O., specifies in addition that lot lines should follow municipal boundary lines wherever practicable.

### 28. Lots with Double Frontage

Most cities state that lots with double frontage shall be avoided. Santa Barbara County, Cal., says that double frontage lots having a depth of less than 200 feet will not be approved except where topographic conditions admit no other form of platting. Wichita, Kan., says that reversed frontage lots at street intersections shall be avoided, but if provided, the corner lots must have sufficient depth so that a reasonable front yard may be provided on both street frontages to protect similar frontage on adjacent lots in each direction.

### 29. Corner Lots

The corner lot regulations of Des Moines, Ia.; Riverside, and Sacramento, Cal., are typical and are substantially as follows: "Corner lots shall have extra width sufficient to permit the maintenance of building lines on both front and side. In normal cases, the width required will not be less than the amount of the established building line on the side street plus the irreducible buildable width and such side yard requirements as may be provided for by the zoning ordinance."

## GROUP IV.—MISCELLANEOUS

### 30. Open Spaces

Altoona, Pa., Dayton, O., Des Moines, Ia., Kenosha and Kenosha County, Wis., Riverside, Sacramento and Santa Barbara County, Cal., and Richmond, Va., rule that due consideration should be given to the dedication of suitable sites for schools, parks, and playgrounds in accordance with the City Plan. Some cities further stipulate that such provision should be indicated on the preliminary plan so that it may be determined how and when such areas may be acquired. Dayton, O., adds that it is deemed desirable that at least 5 per cent of the net area of every plat, exclusive of streets, should be set aside as a play park. Where such plat contains less than 40 acres, the 5 per cent reserve should be combined wherever possible with the reserves of other plats. Kenosha and Kenosha County, Wis., add that where possible, they will require the dedication of 5 per cent exclusive of streets and alleys except where 5 per cent of the area is too small for parks where no public dedication will be required.

Santa Barbara County, Cal., says that in all subdivisions due regard must be shown for the preservation of all natural features which will add value to the community. Especial emphasis is placed upon the necessity of saving large trees and beautiful groves, rock formations, water courses, scenic points, beaches, coves, historic spots, and similar assets. They will urge, and legally require where necessary, a proper respect for the appearance of highways. The coöperation of subdividers will be sought in placing restrictions upon signs and billboards, in preventing erection of ugly buildings, in the removal of poles and wires from the streets, and in the encouragement of systematic tree planting.

Canton, O., specifies that in residential suburbs of over 25 acres, open spaces equal to not less than 1/25 of the area shall be reserved. These areas need not

be dedicated to the public. The requirement may be removed or reduced if it would create unusual hardship or if there are plenty of open spaces or if the lots are exceptionally large.

Jamestown, N. Y., says that a minimum dedication for park purposes of 10 per cent of the area of a subdivision may be required.

A 5 per cent dedication was formerly required in Akron, O., but this practice has been abandoned because the city received many areas that were too small to be of value and were expensive to maintain. The Reading, Pa., regulations recommend that not less than 1 per cent of the total area of any proposed development be dedicated for parks and playgrounds.

Detroit, Mich., has a regulation that no property shall be subdivided which is not suitable for platting. By this means, they prevent the subdivision of property along streams and rivers. Such property must remain as an outlot and can be dedicated to the public for park purposes or may be reserved with the understanding that it will be acquired for such purposes at some time in the future.

Oklahoma City rules that on all new subdivisions not less than 5 per cent of the total property subdivided must be dedicated for public use. Such 5 per cent shall be computed after deducting the amount dedicated for public streets, boulevards, or highways. It is intended that this property should be used for park purposes under usual conditions but the same may be used for school, playground, or other public purposes if deemed advisable at any time. Warranty deeds, clear of taxes and encumbrances, describing the property and dedicating the same "for public purposes" will be required on such dedications. No other restrictions or reversionary clauses may be inserted in such deeds. Five per cent will not be required if the tract is less than 5 acres. The owner may select the land to be dedicated unless there are parkway, boulevard, or park plans. Then the property to be dedicated must fit into this general scheme. San Diego, Cal., requires that whenever any tract or subdivision is bounded on any side by any bay or by the Pacific Ocean, there shall be dedicated a street along the bay or water front at least 60 feet wide. Streets leading to the bay or ocean front shall run and be open to the mean high tide line.

### **31. Regulations Relating to Zoning**

Des Moines, Ia., Riverside, Sacramento, and Santa Barbara County, Cal., regulate a zone change from a less to a more restricted use district in the following manner: Wherever property is subdivided with the intention that it shall have a use more restricted than that designated in the zoning ordinance, such use shall be stated either in an application for amendment to the zoning ordinance or in a separate statement filed with the commission. Des Moines, Ia., specifies that such use shall be stated and the building lines and other rules affecting such more restrictive use shall be shown and noted on the plat.

Altoona, Pa., specifies that use and area restrictions must be in accordance with the zoning ordinance before a plat will be approved.

Oklahoma City suggests that in close-in districts, no restrictions upon the use of property be included in the plat but that the restrictions of the zoning ordinance be allowed to control.

Dayton, O., has the following regulation: "Where deemed desirable from a city or regional developing point of view, by the City Plan Board, the subdivider should restrict by covenant in the deed, part (or) all of his plat against industrial or business use, or against multiple-family houses either permanently or until the section be zoned, such restrictions to be filed and recorded with the plat."

As already pointed out, Canton, O., Des Moines, Ia., Kenosha, Wis., Richmond, Va., Riverside, Sacramento, and Santa Barbara County, Cal., require building lines on all residential property in accordance with the zoning ordinance.

Santa Barbara County, Cal., states that business lots, when platted, shall bear a reasonable relation in number to the probable future number of families constituting the purchasing power of the neighborhood. The Commission will require each subdivider to show proof of the necessity of a greater number of business lots than one such lot per 10 residence lots in the tract being subdivided. The Commission will reserve the right to allocate business lots in accordance with its Master Plan.

Sacramento, Cal., specifies that land zoned for industrial purposes shall be subdivided in accordance with industrial needs, as distinguished from being cut up into ordinary building lots. Riverside and Santa Barbara County, Cal., have similar regulations.

### 32. Variations

A majority of the cities include with certain regulations a provision for varying from the requirements when adherence to them is impracticable. When a variance is made, Santa Barbara County, Cal., requires the County Planning Commission, by resolution in its minutes, to cite the special case and the reasons therefor. Where practical difficulty or unnecessary hardship would be caused, Dayton, O., permits a variation providing it can be done in such a way as to grant relief and at the same time protect the general interest. Kenosha County, Wis., permits a variation under the above conditions if there is a concurrence of a majority of all the members of the Board. The Chicago Regional Model states that the Plan Commission may approve variations from requirements in specific cases which do not affect the general plan or the spirit of the ordinance. All such variations must be communicated to the legislative body in writing with the reasons therefor before the final approval of the plat by that body.

### 33. Miscellaneous Requirements

Saint Charles, Ill., requires every street to be dedicated as a public street and will approve no private street except by special action of the Plan Commission and the City Council. Practically all cities require a proper dedication of all property intended for public use and the granting of all required easements. Canton, O., requires the submission of a copy of the form of sales contract and of any deeds

showing any special covenants and restrictions. Normally, all adjustments for taxes and special assessments must be made before plat approval. Legal descriptions of the subdivision are, of course, invariably required. Frequently, there is a section stating that if any part of the rules shall be adjudged illegal, the illegality of such portion shall not nullify any of the remaining provisions. Cincinnati, O., requires a certificate from the City Engineer declaring that the technical requirements have been checked and found to be correct and that the required grading and improvements have been carried out. Akron, O., requires all boundary surveys to be checked on the ground by the Highway Department, the cost being charged to the allotment owner.

## FORMULA

### *A Saturated Solution of Beauty in Practicability*

There are some things which are age old yet ever new; such a thing is City Planning. Back through the ages the ancients in planning and building their cities were not faced with the same obstacles that are encountered in modern times. To them, beauty and efficiency as to purpose intended were about the only facts to be considered. Cost, particularly in time and labor, meant very little.

It would be a simple matter if we in modern times could plan only from the point of beauty. New discoveries and inventions, particularly in the last half century, have so affected the modes of living, transportation, etc., and cost in time, labor, and materials enter so largely into the doing of anything, that they set up a limit of practicability which will, no doubt, continue in the future to a greater extent than in the past. However, this fact is indisputable, that it is the most beautiful things that have endured, because mankind during all stages of civilization has always admired beauty and attempted to preserve it wherever possible.

The proper combining of these two subjects, Beauty and Practicability, each with its many angles and phases, forms the great problem confronting anyone engaged in Planning, and the desired goal should be as much beauty as practicable; whenever beauty oversteps practicability, the entire effort will likely be lost, for it then begins to approach impossibility, since it is seldom that the esthetic in public works is attained at the expense of practicability.—R. B. KELLEY, *Canton, Ohio.*

*Planning Commission Engineer*



## EDITORIAL

A few months ago the Editors with deep regret recorded the passing of four distinguished men from the field of city planning. In the past summer, Philadelphia has lost two of her leading citizens, men who had made a very great contribution to the arts and to city planning not only in Philadelphia but throughout the United States. To the citizens of Philadelphia and to all those working for beauty and amenity in urban life, the untimely loss of these two men is nothing less than a catastrophe.

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### ANDREW WRIGHT CRAWFORD

A rare public servant, long secretary of the City Parks Association, of the Fairmount Park Art Association, and of the Art Jury of Philadelphia, Andrew Wright Crawford commanded the confidence and support of the citizens of Philadelphia in the great enterprises of the Fairmount Parkway and the outer park system, as well as earlier provision for small parks in congested areas. His services to the National Conference on City Planning, the American Federation of Arts, and the American City Planning Institute cannot be measured. He brought to these bodies a message of high ideals and a record of high achievement. He devoted his life to the gospel of civic design.

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### MILTON B. MEDARY, JR.

Distinguished past-president of the American Institute of Architects, long an exponent of design in city building, Milton B. Medary has rendered a special service to the Nation in his work for the development of Washington, as a member of the National Capital Park and Planning Commission and also as a member of the board of architectural consultants to the Treasury Department, in connection with the great new group of public buildings in the Triangle. Perhaps his greatest service to the fine arts lies in his practice and preaching of the spirit of coöperation among the artists who, in their professional work as architects, landscape architects, or sculptors, mold the visible environment of man.

# CURRENT PROGRESS

Conducted by GEORGE B. FORD, Chairman  
LAWRENCE VEILLER                      HAROLD S. BUTTENHEIM  
ARTHUR A. SHURTLEFF                  CHARLES W. ELIOT 2nd  
GORDON J. CULHAM

## FIRST SCHOOL OF CITY PLANNING IN AMERICA OPENED AT HARVARD IN SEPTEMBER

A School of City Planning, the first in this country, is being founded at Harvard University this Fall with the aid of the Rockefeller Foundation.

A chair of Regional Planning, given to Harvard by Mr. James F. Curtis at the end of the last academic year, in memory of Charles D. Norton who inspired the Regional Plan of New York and presided over its early development, is the nucleus about which the new school is being formed. It is to be a graduate professional school, coördinate with the present schools of Architecture and Landscape Architecture and housed with them in Robinson Hall and in the Old Fogg Museum. The function of the school will be not only to train men to be professional city planners, but to give a sound conception of city planning to men who are going to be architects, landscape architects, engineers, or leaders in various public endeavors, so that they may be efficient coöperators in the comprehensive field of city planning. City planning will be looked on in the school not exclusively as an art of esthetic design, though without provision for beauty any city plan is a failure, nor exclusively as a technique of plan-drawing, though clear expression by maps is vital in any city plan. Rather the fact will be continually borne in mind that the ultimate aim of city planning is improvement of the environment of the individual, giving him a fair chance to win for himself a whole and useful life. Obviously, thus regarded, city planning does not lie wholly within the province of any previously established profession or activity. It is a coöperative effort, and can succeed only as it keeps itself in unprejudiced touch with all those who have something to give to it, and who have something to ask of it.

The carrying on of research, and the publication of information directly useful in city and regional planning will be among the principal activities of the school. Those who are sponsoring its foundation feel that one of its greatest values will be the published researches made available to communities on the complex subjects which must be considered in forming and carrying out a regional plan.

On May 3, 1928, a meeting was held at Columbia University by joint invitation from the Committee on Regional Plan of New York and Its Environs and from President Nicholas Murray Butler of Columbia. This conference had for its presiding officer Mr. Frederic A. Delano, chairman of the Regional Plan Committee of New York, and the members of the conference included such men as Mr. Frederick H. Ecker, now President of the Metropolitan Life Insurance Company, Mr. Frederick P. Keppel, President of the Carnegie Corporation, Mr. John M. Glenn, General Director of the Russell Sage Foundation, and a number of distinguished practitioners and teachers of city planning and allied subjects.

The Conference outlined its conclusions in a brief report. They said in part: "The next twenty-five years will witness an unprecedented amount of city building in this country. The progress of science and invention is continually introducing new problems into city development, problems which aggravate the already existing need for trained guidance of city growth.

"There is no danger that the increasing demand for city planners will fail to call forth 'experts' to attempt the work, but there is real danger that many of these will be men of poor training and narrow outlook, and that there will be no sufficient body of digested experience and doctrine to guide planners. . . .

"It is conceived that the time has come when more ample provision should be made for fundamental research, for the development of the profession, and for the training of younger men entering it.

"Valuable instruction is already being given in more than one place, and eventually there will doubtless be a number of institutes, schools, or courses. In the meantime, it has seemed wise to consider what would be necessary to establish as good an institute or school as it would be practicable to organize at the present time."

Out of this conference grew the proposal that some institution where the subject of city planning was already represented in the curriculum should be chosen to carry on the study, but in a separate school. A survey of the work already done by various institutions in the field of city planning went on long after the meeting in New York had adjourned. The Rockefeller Foundation became interested in the project and finally Harvard was chosen as the location for the first school of this sort.

If Harvard was not the very first, it was certainly among the first institutions in the world to give collegiate instruction in city planning. In 1909 special instruction in the Principles of City Planning was given by the faculty of the School of Landscape Architecture, and in 1923 an option in City Planning was established, leading to the degree of Master in Landscape Architecture in the specially designated field of City Planning.

For those who chose this option the school laid down practically a three years' course of study which included fundamental instruction in Landscape Architecture, Architecture, and Engineering together with two years' drafting-room practice in city planning design, courses in the principles of city planning, the principles of regional, state and national planning, planting design of public areas, and some of the valuable courses offered by Harvard in allied fields, such as the course given by the Department of Social Ethics in *The Housing Problem* and *The Social Aspects of Town Planning*. A thesis in design was required of each candidate. This course has been strengthened from year to year. Special lectures have been given by men prominent in the law, tax research, city government, real estate development, and other subjects allied to the new study. Twelve such lectures were a required part of the course on the principles of city planning during 1928-29.

It is now proposed to improve the technical instruction and to broaden even further the scope of this study. Other courses which might be chosen to suit the needs of students in city planning as general education or specific preparation for

their work have been arranged with the coöperation of other departments of Harvard University, and the student will be enabled to secure the assistance of experts in allied fields. Professors of fine arts, history, economic history, government, particularly municipal and state government, public finance, and public utilities, will open to the students of the new school their courses which bear upon city planning or carry further in some specific direction the education of each student according to his particular needs. The faculties of engineering, education, law, the school of public health, the graduate school of business administration, and of course the schools of architecture and of landscape architecture offer courses which contribute to the work of the new school.

The new curriculum will not be, however, a throwing together under a new name of heterogeneous courses already given. It is recognized that different students will have their major interest in different parts of the field, but a broad fundamental conception of the subject and a competent familiarity with the professional technique will be required of all students seeking the new school's degree.

## NOVEL PLAY PARK PROJECT IN SWEETWATER, TEXAS

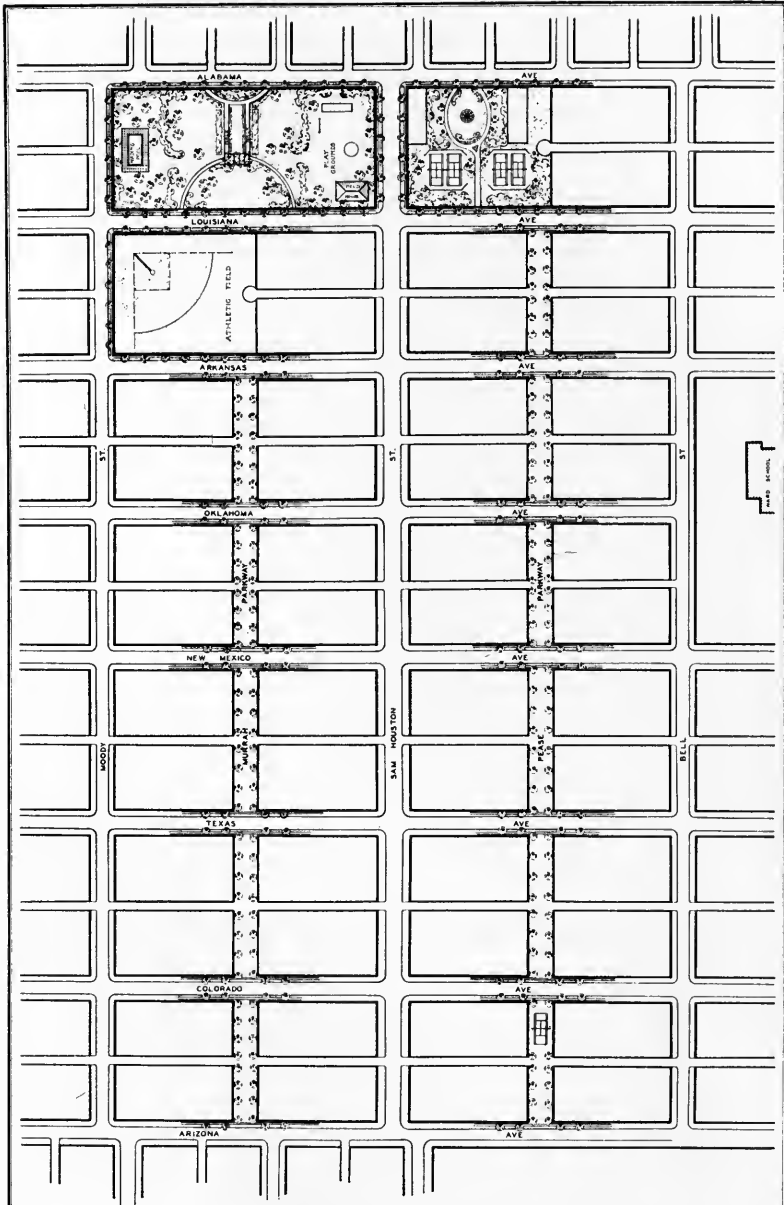
The City of Sweetwater, located in Central Texas on the main line of the Texas & Pacific Railway and the main highway to California, has shown a steady growth in the past few years and is just now experiencing an unusually active development due to the acquisition of several large industries, the development of a new water-supply, and a constantly growing trans-continental tourist trade. The city now has a population of approximately 12,000.

The City Commission and the municipally supported Board of City Development having determined some months ago that a City Plan would be necessary to guide the growth of the city along proper lines, steps were taken to form a City Plan Commission and adopt a City Plan. This City Plan Commission is now actively engaged in the study of a general city plan, zoning, play parks, and recreation grounds.

The Committee on Parks and Playgrounds has discovered that the only available playgrounds are those in connection with the public schools. The city has one large municipal park on the north edge of town, but it serves only a very small portion of the children. The location of the public schools is such that there is a large intervening territory having no playgrounds. To meet the needs of neighborhood play spaces it appeared probable that the city would be compelled to purchase a number of sites at considerable expense.

When the City of Sweetwater was originally platted it was laid out in blocks 300 feet long by 320 feet deep, the lots having a depth of 150 feet with a 20-foot alley. Subsequent additions to the city, with very few exceptions, follow the same platting.

The main streets are well paved but the great majority of the side streets are either unpaved or surfaced with gravel and require a very heavy maintenance expense in keeping the drainage open and smoothing the streets after heavy rains.



SWEETWATER, TEXAS

Study for development of  
NEIGHBORHOOD PLAY PARKS

USING  
Surplus Street Areas

MURRAH & PEASE PLAY PARKS AND SOUTHSIDE PARK

CITY PLAN COMMISSION

H. H. DONNELLY, CHAIRMAN  
K. R. WOLAND, EXEC. SECRETARY  
D. A. CLARK, PRES. JOHN PERKINS  
JAMES DUNLAP, PRES. RAY WITHERS  
V. LEAS, CLERK  
D. H. BATHURST, CITY ENGINEER

PREPARED FOR  
CITY PLAN COMMISSION  
BY  
MYERS, FRYLES & FOREST ENGINEERS  
DALLAS, TEXAS



In addition to this expense there is the work of removing gravel and other material washed from the side streets onto paved streets during rainy periods.

A map of the city showing the location of all residences and all paved streets was prepared and on this map were placed proposed street openings and new trafficways. Taking this map as a basis, a study was made to see if it were possible to divert traffic from a part of the side streets, the thought being that possibly these streets from which the traffic is diverted might be transformed for use as neighborhood play parks.

Through the closing of alternate streets to traffic, block lengths would be increased from 300 feet to 650 feet in so far as vehicular traffic is concerned. The Street Department could thus be relieved of the maintenance of approximately 15 miles of streets and the Park Department given sufficient land in practically every section of the city. These street areas would not be abandoned by the city but would be taken over at least temporarily by the Park Department. Should necessity develop in the future for the use of any of these areas as trafficways, they can be released.

The neighborhood playgrounds will be from 50 to 70 feet in width by 320 feet in length, and will permit installation of tennis courts, wading pools, croquet grounds and other recreation facilities. Baseball will have to be confined to larger areas such as the school grounds or the larger city parks.

Upon assurance that these proposed parked areas will be maintained by the city, a number of property owners have already informally petitioned to have such areas established adjacent to their property. The establishment of these areas extending from one block to a mile in length throughout the city would give the city an unusually extensive park system. It would also relieve the street areas from use as playgrounds, thereby eliminating the hazard of injury to children from vehicles. The Street Department can well afford to assist in the development and maintenance of these parks by appropriating a portion of the money which it will save.

The City Plan Commission, cooperating with the City Commission, the City Manager, and the Park Board, have actively undertaken the development of the first units in this system and expect to establish new units as fast as neighborhood demands arise.

EDWARD N. NOYES,  
*Consulting Civil Engineer, Dallas, Texas.*

## OUR CITIES TO-DAY AND TO-MORROW

Under this title the results of the Harvard Field Study will be published shortly in a volume by T. K. and H. V. Hubbard, from the Harvard University Press, comprising an illustrated survey of planning and zoning progress.

## NEW CALIFORNIA STATE PLANNING AND MAP FILING ACTS\*

The California planning enabling act (Senate Bill No. 615), approved June 17, 1929, makes the creation of planning commissions consisting of 6 appointed members serving overlapping terms of 4 years without pay and 3 ex-officio members optional for cities or cities and counties but *mandatory for counties*. To finance the work of these commissions, a tax not exceeding 2 mills on the dollar of assessed valuation may be levied and appropriations may be made from other funds. Planning commissions are charged with the duty of preparing and adopting a master plan which shall include a major traffic street plan published separately. The accepted other parts of a master plan are mentioned,—districting, transportation, transit, park and recreation system, building groups, and such other plans as are deemed necessary. Detailed plans of any of the projects may be made a part of the master plan.

The Planning Commission may adopt this plan by a vote of not less than two-thirds of its total membership. When the legislative body has adopted it, they may not authorize an act contrary to it nor overrule the disapproval of the planning commission on projects required to be submitted to them except by a majority vote of their entire membership. Any governmental body other than the legislative may not do so except by a two-thirds vote of their entire membership. Provisions for amending the master plan are included.

After the establishment of precised future street lines (for which compensation may be made) no person may erect any structure within these street boundaries for 3 months after the filing of an intention to build. During this period, the governing body may purchase the land within the mapped street lines or start eminent domain proceedings to acquire an easement. A tax not exceeding 2 mills per dollar of assessed valuation may be levied to create a revolving fund to compensate property owners under the provisions of these sections.

Regional planning districts and regional planning commissions of 5 members serving overlapping terms of 4 years are also authorized.

Under Senate Bill No. 614, also approved by the Governor on June 17, 1929, planning commissions are given powers for controlling land subdivisions within 3 miles of the corporate limits of the municipality in the same county. The Act sets forth in some detail the provisions which may be included in subdivision regulations. Minimum lot dimensions and area may be specified, conformity to the major street plan, the dedication of public ways, and the construction by the subdivider of such improvements as street surfacing, sidewalks, curbs, culverts, bridges, drains, domestic water-supply, and "other structures necessary to the use of such streets, highways and public ways, or the proper drainage thereof" may be required. No attempt is made to curtail sales by metes and bounds. H. K. M.

\*A footnote on page 166 of the July issue of CITY PLANNING states that Senate Bill No. 615 (referred to by Mr. Landels) was passed by the California Legislature and was awaiting the Governor's signature. As finally enacted, the particular provisions for protecting mapped streets under the police power which were being discussed by Mr. Landels were omitted and an eminent domain method substituted.

## PLANNING IN COLORADO

Colorado towns and cities, realizing that they are facing periods of future development, are becoming planning-minded. The recent legislature passed a City Planning Enabling Act which became a law on August 20. It was sponsored in the legislature largely by the Denver Planning Commission. Englewood, Arvada, Aurora, and Littleton, all members of the Denver community, are preparing programs for developing community plans in harmony with the Denver plan. Other cities over the state are discussing the desirability of taking up zoning and city planning. Fort Collins and Sterling have recently adopted zoning ordinances which are working smoothly and efficiently.

The second half-day of the session of the Colorado League of Municipalities held at Grand Junction, September 9-11, was devoted to city planning. Considerable interest is developing throughout the Mountain and Plains region in the likelihood of the National Conference on City Planning coming to Denver next Spring. It is needed to make this whole region unanimously planning-minded.

ARTHUR H. CARHART

### NOTES ON CONVENTION OF NATIONAL ASSOCIATION OF REAL ESTATE BOARDS, BOSTON, JUNE, 1929

City planning was a live topic for discussion not only at the special city planning conference meeting but also at some of the sessions of the Home Builders and Subdividers Division.

Addressing the latter group on the subject of "Private and Public Advantages of Group Planning and Building", Mr. Henry Wright demonstrated with convincing diagrams and figures, yet with what seemed almost the art of a magician, that with proper planning subdividers can provide the wide, arterial streets demanded by present-day traffic, give the community all the land it wants for parks, and at the same time reduce the actual cost of development per lot. He declared that if realtors study the economics of land subdivision, cities will soon be dodging park gifts instead of asking for them. Large blocks constitute one of the magic keys. With land costing less than \$5000 per acre, a lot in a block 250 feet long was shown to cost 50 per cent more than the same lot in a block 1000 feet long. Mr. Wright suggested as ideal, a residential area surrounded by wide streets and divided into large blocks with a minimum of side frontage and with open park or low-use areas at the center. He estimated that in general, suburban developments to-day have from 25 to 40 per cent more street area and street costs than are economically desirable. Emphasis was put on the need of harmonizing land planning with house planning in these days when narrow lots predominate but broad houses are the most popular and beautiful.

"What are the Functions of the National Association of Real Estate Boards in the Field of City Planning?" was the subject of the informal city planning conference presided over by Mr. W. W. Butts of St. Louis. In answer to this question, Mr. John Nolen suggested first, the promotion among their own members of an



appreciation of the need and benefits of city planning; second, the undertaking of certain types of city planning research for which realtors are particularly well-fitted,—for example, a study of the adjustment of taxation to zoning,—and finally, the stimulation of city planning activity by realtors in their own communities. Among other speakers at this session were Messrs. Robert Whitten and Edward T. Hartman.

Some light and much heat resulted from the question of the Conference on Outdoor Advertising, "How Can Objectionable Outdoor Advertising Be Controlled?". The realtors took the stand that billboards should not be such nor be so placed that they will detract from the beauty of homes or be a traffic hazard. A resolution was passed urging that the National Association request the United States Department of Commerce to study the billboard problem and recommend a method of just regulation, pledging the aid of the realtors in conducting this investigation.

H. K. M.

### PROTECTION OF PLANNED STREETS IN DULUTH

The major street plan of Duluth, Minnesota, has been drawn on the maps of the Building Inspector. An ordinance recently passed prohibits the issuance of a building permit for any structure in the bed of such a proposed street for a period of at least fifteen days unless the application has been approved by the City Planning Department which must be promptly notified of the filing of such a permit application. If the property owner cannot be induced to move the contemplated building out of the bed of the proposed street, the Planning Department promptly asks the City Council to institute eminent domain building line condemnation proceedings.

H. K. M.

### PUBLIC ADMINISTRATION SHORT COURSE

The Second Annual Short Course of the School of Citizenship and Public Administration held at the University of Southern California in Los Angeles from June 10 to June 21, 1929, was attended by 650 students from 4 states and 53 different cities,—primarily men already engaged in public administration. To enable all to get a broad point of view on the problems of government, Dr. William B. Munro of Harvard University lectured each day. Sixteen sections were in session for one week each,—nine being held the first week, and seven the second. Some of the sections and their staff leaders were as follows: Principles of Government, William B. Munro; Housing, Carol Aronovici; Planning and Zoning, L. Deming Tilton; Personnel in Public Administration, C. A. Dykstra; Special Assessments, James I. Tucker; Taxation, M. D. Lack; Public Administration, Samuel C. May; Sanitary Engineering, Harry N. Jenks; Budgets, Edwin A. Cottrell; Water Supply, Carl K. Chapin; and Recreation and Parks, LeRoy Bowman.

# LEGAL NOTES

Conducted by FRANK BACKUS WILLIAMS

While there seem to be no recent decisions in planning or zoning new in principle to be noted this month, there are a number of cases which illustrate principles already established and apply them to new circumstances.

## ZONING COMMENTS

### HOSPITALS

The problem of zoning hospitals is a difficult one. These institutions are necessary to every community, and it does not seem reasonable to allow the residents of one community to accept the advantages which they afford and at the same time, by excluding them from its limits, to inflict them upon its neighbors. And it must also be remembered that a hospital is entitled to a suitable location and cannot be forced, for instance, to go into a heavy industrial district, where also it might be a public peril. In this connection two recent cases are of interest.

*South Carolina.* Law et al., Members of Spartanburg County Board, v. City of Spartanburg, 146 S. E. Rep. 12. A state law locating a tuberculosis hospital within the city is valid, and the city cannot pass an ordinance prohibiting it.

*New York.* Jewish Consumptives Relief Society v. Town of Woodbury, Supreme Court, Orange County, July, 1929. A zoning ordinance prohibiting hospitals for contagious diseases and tuberculosis within the limits of the town is valid. The approval of the Health authorities of the State under a state statute was not intended to and did not give the applicant the right to locate without regard to the wishes of the town.

These two cases do not conflict; the judge practically eliminates the State Health laws by holding that they are not, in this matter, a mandate to the town to allow the hospital within its limits. The legal question involved in the second case was whether the town ordinance was reasonable zoning, and the correctness of the decision may well be doubted.

### USE

*New Jersey.* Lewis v. Board of Commissioners of Borough of Avon-by-the-Sea, 143 Atl. Rep. 865. The placing of houses east of a given avenue in one area class and those to its west in another is justified by evidence that the houses to the east were vacant eight or nine months in the year, especially in winter when it is difficult to move fire apparatus over streets; and that vacant houses are a greater fire risk.

## REASONABLENESS

*California.* Wickham v. Becker, 274 Pac. Rep. 397. If the ordinance creates a business district of very small area with almost no vacant lots available for apartments, theaters, and other business enterprises permitted in it, it is void as granting a business monopoly to enterprises already established therein. A judgment nullifying such ordinance in so far as it affected plaintiff's property just outside the district, was proper, but improper in so far as it decreed her property to be business property in a business district; it being for the City to determine the zoning of the entire city as it sees fit.

## LACHES

*Michigan.* City of Lansing v. Dawley, 225 N. W. Rep. 500. It is not laches to delay proceedings for an injunction to restrain the construction of a building claimed to be in violation of a zoning ordinance until excavation was finished and new footings had been put in, where the character of the building as violative of the ordinance could not be determined before that time.

## FRONTAGE OF BUILDING

*New York.* Rollins v. Armstrong, City Superintendent of Buildings, 223 N. Y. Supp. 359. Under a zoning ordinance specifying the height of the "front" wall of a building in a given district, the wall on the street side is the "front" wall, notwithstanding the fact that the holder of the building permit proposes to erect the building with the entrance wall facing the rear of the lot and the rear wall facing the street.

*Texas.* Woods v. Kiersky, 145 S. W. Rep. (2d) 825. An ordinance requiring buildings to face the street on which the lot faces is applicable only to main structures, and not to subsidiary structures such as garages.

## RETAIL BUSINESS DISTRICT

New York City has amended its zoning resolution to create retail business districts. A full account of the amendment will be found in the *New York Times* of April 19, 1929, and articles describing it in the New York papers for April 27 and May 4, 1929, and in the *Real Estate Magazine of New York*, of April 10, 1929.

## PLANNING DECISIONS AND NOTES

There have been a number of recent court cases with regard to planning outside the field of zoning.

## AIRPORTS

*New York.* Hesse v. Rath, Mayor of City of Utica, 249 N. Y. 435. The acquisition of land for an airport or landing field serves both a public and a municipal

purpose; and an indebtedness therefor is incurred for a municipal purpose. An editorial on this decision will be found in the *New York Law Journal* for December 20, 1928.

### ASSESSMENT OF PARKS

*New York.* In re Public Park, 234 N. Y. Supp. 694. Lands acquired for park purposes are not exempt from assessment for lands acquired for street purposes in the same proceeding. Property owned by a city in its proprietary capacity should bear its proportionate part of the burden of public improvements.

### THE MASTER PLAN

*Michigan.* Le Fevre v. Houseman-Spitzley Corporation, 224 N. W. Rep. 659. Under the Michigan statutes and constitution the county authorities have the right to make master plans or platting guides for the laying out of streets or alleys in a township or municipality, to which the governing body of the township or municipality must conform in their approval of platting within the township or municipality; the platting power of the state vesting in the county authorities absolute control over the location of streets and alleys within the town.

### ESTABLISHMENT OF CITY PLAN UNDER POLICE POWER

In the determination of the question whether the city plan should or can constitutionally be established under the police power, the Pennsylvania practice under which this is done, and the legal decisions with regard to it, are most enlightening. Our readers will remember the comments in this column with regard to In re Sansom Street (Caplan's Appeal), 293 Penn. 483. Of less importance to us but still interesting is the recent case in Pennsylvania of In re Philadelphia Parkway, 145 Atl. Rep. 600.

Pennsylvania has very properly refused to recognize the extension of the law with regard to streets to the planning of parks, since, manifestly, so much greater burden upon the owner would be too heavy to make such a course reasonable. In another case of the same name\* the Pennsylvania courts refused to sustain a statute allowing the authorities ten or eleven years within which to appropriate land mapped as a park. In the present case they sustain a statute allowing five years so to do, holding that the owner whose land is mapped is not in law deprived of his property without compensation by being deprived of its use for building purposes during that time.

### LANDS UNDER WATER

Riparian land and the title to and rights in the land under navigable water just beyond it are invaluable for commerce, manufacture, and public recreation.

\*In re Philadelphia Parkway, 250 Penn. 257.

A knowledge of the rights of the state in behalf of the people and of the owner of the upland are essential in the planning of any area bordering navigable waters.\*

These rights are defined and admirably stated in the California case of *Boone v. Kingsbury*, State Surveyor General, 1273 Pac. Rep. 797. The question at issue was the power of the state to permit the drilling and operation of oil wells in land under water.

The Mississippi case of *Wood v. Mooney*, Supreme Court, reported in the New Orleans *Item* for October 12, 1928, is concerned with an interesting phase of the subject. The defendant bought the title to the land under navigable water in front of plaintiff's riparian property, and proposed to fill in the land and construct an island. The court held that he has no right to do so since it would infringe upon plaintiff's rights in and over this land.

The decision may well be correct; but the short newspaper note of the case does not show whether the law on the subject was fully stated. Both the riparian owner and the purchaser of the title to land under water in front of it, have rights in the land under water, and each must use his rights reasonably with due consideration of the rights of the other. The riparian owner is entitled to reasonable access to his riparian land over the land under water. Probably the land under water purchased by the defendant was, in the present case, so near the shore that it could not be filled in without unreasonably interfering with the plaintiff. It seems clear, however, that there may well be cases where land is so situated with respect to riparian property that it can be reclaimed without substantial injury to the littoral property; and in such cases the filling would be lawful; provided, of course, no other rights, such as the public right of navigation, were infringed upon.†

### REGIONAL PLANNING

The charter consolidating the various cities in Allegheny County, on reference to the vote of the local communities concerned, was defeated.‡

\*See "Foresore and Rights in Land Under Navigable Water in the New York Region", by Frank B. Williams, being Vol. V, Part IV, of the Regional Survey of New York and Its Environs.

†For a discussion of this and similar questions, see the article in the Regional Survey of New York and Its Environs above cited, pp. 201, 218, et seq.

‡For a description of the campaign and the reason for the defeat, see articles in *The American City* and the *National Municipal Review* for August, 1929.

# ZONING ROUNDTABLE

Conducted by EDWARD M. BASSETT

## CITY ATTORNEYS

THERE are many splendid city attorneys—usually modest men who like zoning because it presents new legal problems and who study the subject down to the ground. But there are scores of city attorneys who are just the opposite—who consider zoning a fad or else a purely engineering matter that does not especially concern them. This latter sort dodge any work on a new zoning ordinance, and leave it all to the zoning consultant or city engineer. This slackness is especially dangerous in framing the board of appeals provisions. To-day there is too much copy work in zoning. A perfunctory city attorney will say to the engineer, “What city did you copy?” If the answer is a city of good standing, he assumes that the board of appeals provisions are all right. Sometimes he does not even read the state zoning enabling act. I have known a city attorney to approve a draft ordinance where all the board of appeals provisions were copied from an ordinance of another state—and what made the matter worse was that the two states had dissimilar enabling acts, and therefore the approved board of appeals provisions were ineffective and void. A zoning consultant should not be compelled to stand for the board of appeals provisions. The city attorney is familiar with those methods of court attack particularly established for the individual against officials, namely mandamus and certiorari. A very fair fraction of his time is devoted to the study of constitutionality, the powers derived from state legislation, and the powers of the local city council. His training as a lawyer and his particular experience as the city’s lawyer make him peculiarly fitted to pass on and be responsible for the court aspects of zoning legislation. The pitfalls that may be created by different methods of court attack, the import of court cases in his state, and the limitations of the state enabling act are his especial province and not that of the city engineer or zoning consultant. Very likely our zoning consultants have been too complaisant, and have not gone far enough in insisting that the city attorney should take charge of and be responsible for the board of appeals, enforcement, and penalty provisions of the ordinance.

I will hazard the statement that more municipalities are defeated in court in zoning cases by reason of defective board of appeals provisions (or the mishandling of them or the lack of them) than all other causes combined. The difficulties are inherent in the nature of zoning. The statutory machinery can be *used* as in Greater New York where there has been constant court review but not a single declaration of unconstitutionality, or *misused* by thoughtless phraseology and ignorant procedure resulting in litigation, chaos, and expense. What are these unavoidable difficulties? The state law must provide that in every appeal to the board of appeals where there is practical difficulty or unnecessary hardship, a variance can

be granted subject to court review. This is the safety valve that prevents constant court punctures through mandamus and injunction,—always on the ground of unconstitutionality. The ordinance cannot add to or subtract from this power of the board which is granted directly by the state. But this power is not enough. Many cases arise where reasonable and economical adjustments may be made where there is no practical difficulty or unnecessary hardship as interpreted by the courts—for instance, a temporary permit for a non-conforming use (like making cement blocks in an outlying district) for not over two years. These are not appeals but items of original jurisdiction enumerated in the ordinance. The state law gives the council the power to establish these original items. The handling of these original items has become one of the most important features of a modern ordinance. Moreover no two municipalities will need the same original items. They cannot safely be copied. Especially is copying from another state dangerous because the two enabling acts may be fundamentally different. In Maine appeals are confined to cases of camping grounds, and there is no original jurisdiction. In Massachusetts there is no original jurisdiction. In Ohio the council must prescribe both the appellate and original jurisdiction of the board of appeals. In New Jersey variances whether on appeal or under original items can be made only in a marginal belt 200 feet wide in each district. The so-called standard enabling act printed by the Department of Commerce has brought about a highly desirable improvement and uniformity in zoning enabling acts throughout the country—but it is far from safe to assume that every state grants original and appellate jurisdiction in the same way. Some states have three separate enabling acts for municipalities of different size and these acts differ from one another.

Good zoning laws like good laws for assessment for taxation invoke the readjustment power of the court instead of forcing the court to approve the strict letter of the law or else annihilate the regulation. These are legal matters. Topographers should not be held responsible for them. City attorneys are appointed to guide precisely these things.

E. M. B.

### ZONING BUSINESS FRONTAGE\*

The principal purpose of zoning is to lend stability to property so as to encourage development consistent with the highest community service that such property can render. In other words, zoning is nothing more or less than a problem in land economics and all the principles and laws of economics should be considered in the application of zoning. The law of supply and demand and the principle of marginal utility are particularly pertinent and must be considered in properly proportioning the various zone districts.

The vast importance of these economic considerations in zoning work has only been realized within the last two or three years. Previously the principal task of zoners was to establish the legality of zoning and to protect residential districts from the encroachment of business and industry. With these objectives now sub-

\*Reprinted by permission from *Zoning Facts*.

stantially accomplished, and with definite examples of the effects of zoning, experts are now devoting much time to studying the economic results. It is essential that this be done if zoning is to be stabilized and based upon sound consistent policies and demonstrated economic truths.

Los Angeles and most other Southern California cities have a problem to face which is probably more aggravated than in other sections of the country. This problem is the speculation in business and income residential property incident to unprecedented growth and expansion. As a result of this condition nearly every community in Southern California is overzoned for business and income purposes, since it was either a proposition of zoning the speculator's property for the purpose for which he was holding it or having no zoning at all and hence no protection for residential districts.

As a consequence of this overzoned condition there have been great economic losses. Mile after mile of property zoned for business is standing vacant while taxes, on a business property basis, are being paid year after year with no return except an imaginary increase in property value. Yet nearly all of the supporting adjacent residential property is built up with homes and apartment houses, thereby furnishing practically all the purchasing power that the district may expect. Conditions are not quite as bad in the overzoned apartment house districts, but there are block after block of fine single-family homes, zoned for income residential purposes, in which one or two apartment houses have been built. The intrusion of one apartment house breaks down the single-family character of the district and many of the home owners move to new protected areas, rent their homes, and allow them to run down since their belief that the property may soon be sold for an apartment house offers no incentive to spend money in improving their present building. This deterioration of the district in time not only reduces the desirability of the neighborhood for apartment houses but reduces the rentable value of those already established and the sale of the property, while taxes are still being paid on the basis of apartment house property.

That some property owners are becoming cognizant of the true economic situation was evidenced recently when an attempt was made to have certain property on an important traffic artery changed to the business zone. The case first came before our Board when one of the property owners applied for a special permit to erect a business building. This application was denied because there were no special circumstances that would warrant the granting of the permit without being discriminatory. Relying upon this decision of the Board as indicating their intentions to stabilize the existing zoning in this area, the petitioner erected a pretentious apartment house. His apartment house was hardly completed when the application for the change of zone was considered. He and many other property owners on the boulevard and in the district, who realized that the proposal was economically unsound since there were no plans for business projects and that the purpose of requesting the change was purely to create more speculative business property, organized themselves and fought the change.

In the hearings before the Commission and the Council those proposing the change used the antiquated, moss-covered argument that this boulevard is logically



a business street since it is one of the most heavily travelled ones in the city and is not desirable for residential purposes. The facts disclosed by the protestants are: That this property was never subdivided or intended for business purposes since nearly all the lots front the side streets and are all but two or three being used for residential purposes; that there is absolutely no public necessity for more business property in the district since all of the frontage on the intersecting major street is zoned for business and only partially used, there being numerous vacancies in the existing business structures; that of the 128 average-sized lots on the mile of business property directly east of the proposed change and on the same boulevard, only 41.6% is being used for business purposes, only 50% of which are being conducted in substantial business buildings, the remainder being either auto service stations, temporary real estate offices, or being conducted in homes; that the owners of business property in the district who pay taxes upon that basis and whose property is subject to the burdens incident thereto are as much entitled to be protected from the encroachment of undue extensions of the business district as is a residential district from the invasion of business; that a more profitable return can be made from the property by the erection of high-class apartment houses than by leasing for or erecting small, one-story business buildings, which are the only type that could be expected since high-class apartments cannot be maintained as such when built over or adjacent to stores.

Due to the excellent facts disclosed by the protestants, both the Commission and the City Council, when it was appealed to them, denied the change and by doing so established confidence in the stability of the zoning in this section so that other property owners will feel secure in erecting substantial high-class apartment houses. If, on the other hand, the change of zone had been granted, the property owner whose faith in the stability of zoning had prompted him to erect his pretentious apartment would have lost all confidence in the City and its zoning policies and he and his friends could have caused hundreds of other property owners to lose confidence also. This case indicates that property owners are beginning to realize the economic elements involved in zoning and if only more of this type of thinking can be encouraged we will be able to place zoning on a more stable basis than has heretofore existed.

HUBER EARL SMUTZ,  
*Zoning Engineer, Los Angeles, California.*

# N. C. C. P. & A. C. P. I. NEWS

Conducted by FLAVEL SHURTLEFF, Secretary

## NATIONAL CONFERENCE IN 1930 AT DENVER

The 1930 National Conference on City Planning will be held at Denver, Colorado, about the middle of June. Planning Commissions west of the Mississippi Valley have almost unanimously approved the selection of Denver, and many have promised to send delegations. It has been suggested that most of the sessions be held up in the mountains.

## INSTITUTE PLANS FOR THE COMING YEAR

At a recent meeting of the Board of Governors, when the work of the Institute for the coming year was discussed, it was agreed that within the next year or two, individual members of the Institute should prepare a half dozen or more papers on technical city planning subjects as a research contribution to the science and art of city planning. Each paper would be printed for private distribution to the members of the Institute in advance of the meeting at which it was to be discussed either orally or by correspondence.

Among the subjects that have been suggested for Institute papers are the following:

- Such problems of street surface design as traffic circles, over-passes and under-passes, express roads, elevated roadways, pedestrian protection, and traffic analysis and forecast.
- Provision of off-street loading and parking facilities.
- Provision for the access of natural light through zoning and subdivision planning.
- The reconditioning of slum areas as related to city planning.
- Methods of making population estimates.
- Subdivision restrictions and community maintenance associations.
- The optimum densities for residential distribution.
- The economics of land subdivision.
- Zoning problems.

## ROME

At the meeting of the International Housing and Town Planning Federation in Rome in September, the National Conference on City Planning was to be represented by Messrs. Aubrey Tealdi, Lawrence Veiller, and Henry Wright.

**CITY PLANNING expects to have in the next issue a special report of this great meeting in Rome.**

# BOOK REVIEWS & BOOK LISTS

Conducted by THEODORA KIMBALL HUBBARD

**A PLAN FOR THE CITY OF VANCOUVER, BRITISH COLUMBIA, INCLUDING A GENERAL PLAN OF THE REGION.** Harland Bartholomew and Associates, Town Planning Consultants. 1928. 310 pages. Photographs, diagrams, maps (part folded), tables.  $11\frac{1}{4} \times 8\frac{1}{2}$  inches. Price \$2.00.

Vancouver, a young city of seventy years, but already a great West Coast Canadian seaport, has recognized the need and benefits of a planned future. The comprehensive plan report is complete for Vancouver, nearly complete in detail for Point Grey, a neighboring municipality, and in general covers the Burrard Peninsula, which is a natural regional unity.

In addition to the customary sections dealing with major streets, transit, transportation,—railroads and harbor,—public recreation, zoning, and civic art, there is a chapter dealing with methods of carrying out the plan. The illustrative examples and data on several subdivision replatting schemes and the section dealing with types of recreation facilities and standards for their development add to the reference value of this very excellent plan report. H. K. M.

**WHAT ABOUT THE YEAR 2000? An Economic Summary.** Prepared under the direction of Joint Committee on Bases of Sound Land Policy organized by the Federated Societies on Planning and Parks. Washington, D. C., 1929. 168 pages. Maps and diagrams.  $8\frac{1}{4} \times 5\frac{1}{4}$  inches. Price \$1.00.

This small volume raises more questions and suggests more speculative thought on the economic problems involved in National land planning and utilization than the wise men of the world will be able to answer for many years. Is it true that there is a land shortage in the United States? Where will the people of the future live? How are we to determine the best uses of our land resources? Are we threatened with over-production? How shall we settle conflicting demands for land and water uses?

The Committee on Bases of Sound Land Policy, with Mr. Frederic A. Delano as chairman, brought together specialists in agriculture, forestry, physical sciences, engineering, parks, land economics, and city planning. Guided by a Steering Committee, composed of Dr. John M. Gries, Dr. L. C. Gray, Mr. L. F. Kneipp, Mr. John Ihlder, and Miss Harlean James, these experts have analyzed and presented briefly and in a thoroughly readable manner the available data on land uses from a national point of view under such chapter headings as land resources, population, urban uses of land, public scenic and recreation areas, forestry uses of land, and agricultural uses of land. They have determined what these data seem to indicate and what additional information needs to be gathered to arrive at sound bases for

establishing national land policies. Much of the success of this study is due to the real collaborative work of the experts, to the constructive editing by Miss James, and to Mr. George M. Peterson, who drafted the report.

As a stimulating and fascinating introduction to the economic problems of land utilization and national planning, this book deserves a wide audience.

H. K. M.

**INTERNATIONAL AIRPORTS.** By Stedman S. Hanks, Lt. Colonel, Air Corps Reserve. New York, The Ronald Press Company, 1929. 195 pages. Photographs, plans, tables.  $8\frac{1}{4} \times 5\frac{3}{4}$  inches. Price \$5.00.

During the summer of 1928, the author made a tour of the most famous European airports for the purpose of learning in what ways their greater experience in international passenger air traffic could serve as a useful guide for airport construction and management in this country. This book is the result.

The design, construction, and maintenance of these airports and the American municipal airports at Buffalo, Chicago, and Oakland are described and frequently illustrated with photographs which are often as illuminating and instructive as the text. This section of the book together with the chapters dealing briefly with the construction of hangars, offices, and shops, the lighting of airports, the altogether too brief suggestions for combining recreation facilities, and the appended copy of the contract between the Berlin Airport Company and the City of Berlin are of direct interest to airport designers and city planners.

The discussions of passenger facilities at airports, tickets, baggage regulations, transportation of passengers to and from airports, aviation insurance, communication, airport regulations, Germany's experience in inaugurating a combination air and rail service for express shipments, and the appended reports of the International air navigation and Pan-American commercial aviation conventions will probably be of greater interest to airport managers and commercial airline operators.

H. K. M.

**REGIONAL SURVEY OF NEW YORK AND ITS ENVIRONS.** New York, Regional Plan of New York and Its Environs, 1929.  $11\frac{1}{4} \times 8\frac{1}{2}$  inches. Price of whole set, \$50.00.

**VOLUME II. Population, Land Values, and Government.** Prepared by Thomas Adams, Harold M. Lewis, and Theodore T. McCrosby. With contributions from several others. 320 pages. Illus., plans, folded maps, etc. Price \$3.00.

**VOLUME VIII. Physical Conditions and Public Services.** By Harold M. Lewis, with contributions from several others. 209 pages. Illus., diagrams, maps. Price \$3.00.

Although two volumes of the Regional Survey, earlier in the sequence of studies, are yet to come, Volume VIII, recently out, logically concludes the Survey series. And it contains what all of us have been looking for: a summing up in

masterly fashion by Mr. Adams, under the modest title "Some Concluding Observations", of the results and promise of the greatest planning survey undertaken for any city or region. We realize in this final chapter the vision, the patience, and the skill with which so vast an array of facts has been sifted, marshalled, and presented under Mr. Adams's leadership, with a view to their essential significance and practical application.

Another section of this last volume of the Survey offers the necessary background for understanding past and present efforts to secure official planning agencies,—“A Review of Earlier Planning Efforts in New York and Its Environs”, by Henry James; the way is thus prepared for the next volume, which will be the first of the two devoted to the Plan, already brilliantly presented to the public at the meeting last May.

Volume VIII comprises in addition to data on geography and climate, water-supply and sewerage, refuse disposal and oil pollution, power, light, and other supply services, a special section prepared with the advice of Mr. Henry C. Wright on the distribution and site requirements of hospitals and prisons.

Volume II of the Survey is devoted to studies of the growth and distribution of population and land values, and of problems of government. It is a brilliant study, full of meat for the student not only of the economic and political background of planning but of the forms of local and regional government as affecting efficiency in community business. In its presentation of statistics and its analysis of trends in population movements and distribution of land values, this volume cannot fail to be directly useful to service corporations, realtors, and investors.

There is no need to comment on the admirable format of these two volumes nor on the arrangement of chapters, introduced by a volume summary. Each time that a volume of the Regional Survey appears, the reviewer renews gratitude to the series editor-in-chief, Mr. Adams, for maintenance of high standards of text and illustrations,—and in Volume VIII for the illuminating glimpse of the directing intelligence which has triumphed over the difficulties of the task. T. K. H.

### REGIONAL PLANNING SCHEMES

A group of three regional reports—for Mid-Surrey, Northwest Surrey, and North Middlesex—by Adams, Thompson & Fry, already listed in CITY PLANNING, will be reviewed in the next issue, in order that adequate space may be devoted by the reviewer to these very interesting and closely related studies.

**HOUSING PROBLEMS IN AMERICA. Proceedings of the Tenth National Conference on Housing, Philadelphia, January, 1929.** New York, National Housing Association, 1929. 355 pages. 9¼ x 6 inches. Price \$3.00.

To the city planner, the conference itself which this volume represents was full of meat, and the proceedings are a valuable record. It is important to grasp the tacency of planning and housing problems. Among the subjects included which particularly affect the work of the city planner are: Slum Clearance, Light,

Health and Housing, Zoning and Health, and the series by members of the American City Planning Institute: The Obsolete Back Yard, Radburn, Hexagonal Planning, Neighborhood Planning, Washington, Governmental Organization to Make Regional Plans Effective, and, by no means least, the spirited controversy between Messrs. Corbett and Purdy as to the multi-level city. We do not have a National Housing Conference every year. When there is one, it is worth while.

T. K. H.

**AMERICAN CIVIC ANNUAL: A Record of Recent Civic Advance: with a List of Who's Who in Civic Achievement.** Edited by Harlean James. Washington, American Civic Association, Inc., 1929. 288 pages. Illus., plates.  $8\frac{1}{4} \times 5\frac{1}{2}$  inches. Price \$3.00.

This thoroughly interesting and attractively illustrated volume not only contains a record of the pioneering work of the American Civic Association on behalf of national parks and civic improvement but suggests to communities many desirable lines of civic endeavor and shows in what ways the American Civic Association may directly assist. The book comprises a series of short, readable papers, many of them by well known writers on civic and planning subjects, skillfully arranged by the Editor under the group titles: The Nation, The Federal City, Regional Progress, In the States, and In the Cities and Towns. The book is full of ammunition for civic workers and deserves a place on the shelf of every public library.

The concluding feature, "Who's Who in Civic Achievement", is a directory of American Civic Association members. Such a "Who's Who" if it lived up to its title could not fail to include such names as Edward M. Bassett, Lawrence Veiller, or the late Andrew Wright Crawford. The American Civic Association would appear to be subtly offering an inducement to membership to many who might not otherwise achieve national mention, as well as to those whose absence from the list is regretted by civic workers all over the country!

H. V. H.

**ROADSIDE DEVELOPMENT.** By J. M. Bennett. New York, The Macmillan Company, 1928. 265 pages.  $8 \times 5\frac{1}{2}$  inches. Illus. Price \$5.00.

Mr. Bennett is Superintendent of Parks and Forestry for the Board of County Road Commissioners of Wayne County, Michigan. This book is written primarily from the point of view of the decent and reasonable treatment and upkeep of the right of way of the public road, outside of the travelled way. Naturally and properly the emphasis is on the planting and upkeep of trees and shrubs. Public utilities both above and below ground, road widths, grading and drainage, bridges and so on, landscape design, types of roads, and such matters are discussed in their general bearings on the subject, but no attempt is made to write a textbook on any of these things. On the matter of the handling of the vegetation, however, Mr. Bennett does go into detail, and he has produced a most excellent, practical, and logical treatise. His examples and illustrations are taken mostly from the

region where he has worked, but he is familiar with the highway conditions of the country generally. If anyone wishes first-hand information on how actually to get effective planting done on public highways, he can do no better than get the book, read it, and believe what he reads.

H. V. H.

**MUNICIPAL INDEX, 1929.** Sixth annual edition. Published by American City Magazine Corporation, New York. 784 pages. Illus., maps. 10 x 7 $\frac{1}{4}$  inches. Price \$5.00.

This annual reference book is always full of interesting and useful information. The latest issue is never far from the desk of the Reviewer, for its maps, lists of organizations, and names of officials. A new feature in the 1929 volume is the section of photographs and notices of "new civic improvements of which American cities are most proud". The section on airports reveals the strides taken in this recent field of municipal activity. This year the directory of city planning commissions first given in 1928 has not been included, but perhaps another year will see an enlarged revision of this list reinstated among the other convenient directory features. The great number of advertisers this year makes the volume heavier than ever to handle, and we must be consoled when lifting it to remember that so many advertisers would not be there if the circulation of the Municipal Index were not so good and if its compiled information on civic affairs were not so widely desired.

T. K. H.

## OTHER NEW PUBLICATIONS RECEIVED

**Bibbins, J. Rowland.** City building for the future. Can it be forecasted? Book No. 2, papers and reports to be presented at the Twentieth Convention of National District Heating Association held at Detroit, June 11-14, 1929.

\_\_\_\_\_, and **Herbert C. Lummis.** Signals should move traffic—not stop it. Reprint, *Electric Railway Journal*, Vol. 73, No. 14, May, 1929.

**Chamber of Commerce of the United States, Civic Development Department.** A playground handbook for Chamber of Commerce executives. July, 1929.

\_\_\_\_\_. Zoning, a statement of principles and procedure. June, 1929.

**City Housing Corporation.** (New York.) Fifth annual report, 1929.

**Detroit (Mich.) Board of Street Railway Commissioners and Rapid Transit Commission.** Report on financing a subway plan. July 2, 1929.

**Ely, Richard T., and George S. Wehrwein.** Land economics, 1928. (Textbook in mimeographed form.)

**Jackson (Mich.) City Planning and Zoning Commission.** Essentials of street layouts and platting regulations to insure public and private economy. (Mimeographed.) January, 1929.

**Kite, Elizabeth S., ed.** L'Enfant and Washington, 1791-1792. Published and unpublished documents now brought together for the first time. Introduction by J. J. Jusserand. Foreword by Charles Moore. Baltimore, Johns Hopkins Press, 1929. (To be reviewed.)

- McCrary, Culley, and Carhart.** Zoning ordinance, City of Fort Collins, Colorado. May 31, 1929. (An ordinance adapted to the needs of a smaller community.)  
\_\_\_\_\_. City of Sterling, Colorado, zoning ordinance and zoning district map. Adopted May 6, 1929.
- Mitten Management, Inc.** Philadelphia traffic survey. Report no. 2, Central Business District. June, 1929.—Report no. 3, traffic control signal light system for the Central Business District.—Report no. 4, accidents and the street traffic situation. July, 1929.
- Nederlandsch Instituut voor Volkshuisvesting en Stedebouw.** Jaarverslag over 1928.
- National Conference on City Planning.** (Papers for the Buffalo meetings.)  
Bulletin No. 2, May, 1929. E. M. Bassett. Enlarged usefulness of city planning commissions in New York State.—Robert Whitten. The traffic analysis and forecast in its relation to thorofare planning.  
Bulletin No. 3, May, 1929. George B. Ford. What Makes "The City Beautiful"?  
Bulletin No. 4, June, 1929. Louis Brownlow. Some problems in new planning.  
Bulletin No. 5, June, 1929. Harold S. Bottenheim. Where city planning and housing meet.
- New York State Board of Housing.** Report, March 6, 1929.
- Newman, Bernard J.** Housing in Philadelphia, 1928. Published, 1929.
- Niagara Frontier Planning Board.** Fourth annual report, 1928.
- Nolen, John, and Associates.** Lancaster, Pennsylvania, comprehensive city plan, 1929.
- Olmsted, Frederick Law.** Report of State Park Survey of California. Prepared for California State Park Commission. 1929.
- Poëte, Marcel.** Introduction à l'urbanisme. L'évolution des villes. La leçon de l'antiquité. Paris, Boivin & Cie., 1929. (To be reviewed.)
- Pollard, William L.** Determining the amount, character, and location of business property a subdivision needs. Reprint from National Association of Real Estate Boards publications.
- Providence, R. I., City Plan Commission.** Annual reports for the years 1922-1928. Providence, The Oxford Press, 1929.
- Schwan, Bruno.** Die Wohnungsnot und das Wohnungslend in Deutschland. Berlin, Carl Heymann, 1929. (No. 7 of the Association's works on housing reform.)
- Spokane (Wash.) City Plan Commission.** The zoning ordinance of the City of Spokane. May 27, 1929.
- United States Department of Commerce.** Recent economic changes in the United States. Report of Committee on Recent Economic Changes of the President's Conference on Unemployment. 1929. (Elimination of Waste series.)
- Universal Safety Series.** Crowley, P. E. The railroads and safety. May 4, 1929.  
McClintock, Dr. Miller. Making our highways safe. June 1, 1929.  
Swayne, Alfred H. The automobile and safety. June 15, 1929.  
Guggenheim, Harry F. Safety in the air. June 22, 1929.
- Universidad de la Habana.** Sumarios para un programa sobre ciencia del urbanismo. Catédra del Dr. F. Carrera Justiz. 1929.



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