

This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1920 edition. Excerpt: ... LEGAL CONSIDERATIONS By ANDREW WRIGHT CRAWFORD Field Secretary of the American Civic Association We have today two cases of capital importance upon which zoning rests: these are Welch vs. Swasey, 214 U. S. 91, and Hadacheck vs. Los Angeles, 239 U. S. 395. The former sustained the creation of districts with two different height regulations in Boston, with two intermediate zones; and the latter sustained the creation of a residential district in Los Angeles, with the exclusion of industries therefrom, non-conforming industries being given one year to get out, without any compensation, the industry of brick-making being the particular industry involved in the case. This latter type of so-called retroactive zoning is not advisable, except in extreme cases. The better practice is to make the ordinance apply to new building permits only, as was done in New York City, St. Louis, and elsewhere. A third important case is that of Cusack vs. Chicago, 242 U. S. 526, where the Supreme Court of the United States sustained an ordinance of Chicago forbidding the erection of billboards in residential districts. Therefore, in this matter of zoning, go slow. Dont be pernickety. Dont make any more numerous subdivisions nor more stringent ones, than are urgently required. Let your classifications be broad and few, your restrictions reasonable, simple, and easily understood. Head off only plainly vicious tendencies. Keep your eyes on the stars, but remember that your feet are on the ground and that a good many judges sit on the ground and are proud of it. On the other hand, do not be afraid to pioneer, with good sound advice as to the directions in which to pioneer. Advance slowly, but advance. AN ENABLING ACT In seeking legislation by the state...

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