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NOTES

Esthetic Zoning--The Trend of the Law

Recent years have witnessed increasing attention to the problem of esthetic zoning. The word "zoning" is defined as: "governmental regulations of the uses of land and buildings according to districts and zones."¹ The word "esthetic" (or aesthetic) has been defined as: "of or pertaining to the beautiful, as distinguished from the merely pleasing, the moral and especially the useful. . . ."² Thus a working definition of the phrase "esthetic zoning" would be: the regulation of the use of property for the purpose of preserving or attaining beauty.

The mid-twentieth century has brought forth two great problems of urban living—the need to regulate the expansion of the suburbs and the necessity of urban redevelopment in older areas with the accent on slum clearance. The key to these problems is planning.³ Planning is a more comprehensive term than zoning, having its emphasis on a positive approach to the development of an area—e.g., laying out parks, roads, hospitals, etc. Zoning, on the other hand, is, in essence, negative, having its emphasis on preventing certain uses of land. Zoning, while thus being an adjunct of planning, is also the very crux of it, since without zoning, attempts at city planning would be unenforceable.

Contemporary concepts of planning a community have necessarily had

¹ MCQUILLIN, MUNICIPAL CORPORATIONS § 25.01 (3rd ed. 1950).

² WEBSTER'S NEW INTERNATIONAL DICTIONARY (2d ed. 1955).

³ See NOTE, 7 WEST. RES. L. REV. 87.