

The Oil Drum: Campfire

Discussions about Energy and Our Future

Is Fixing Zoning Laws Part of the Solution?

Posted by [Gail the Actuary](#) on April 22, 2010 - 10:26am in [The Oil Drum: Campfire](#)

Topic: [Environment/Sustainability](#)

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My 28 year old son recently remarked to me that a big reason why the layout of cities in the United States is so different from that in Europe is because of a difference in zoning laws. I am not sure how major a reason zoning is, but it would seem to be a contributing factor. Many of the zoning laws in the United States were developed when there was abundant cheap oil, so the laws encouraged wide separation among uses--not thinking that this might not always be a good idea, if oil would eventually be in short supply.

Even beyond zoning laws, in some cities of the US, there are **subdivision laws** as well, which add additional requirements--what color you can repaint your house, whether you can have a clothes line (No!), and how frequently your lawn must be mowed. In the suburbs of Atlanta where I live, subdivision laws are popular--especially in neighborhoods with the more expensive, newer homes.

I am wondering whether it might not be helpful to get these zoning and subdivision laws changed. It seems like in order to do this, "peak oil" and "sustainability" folks would need to act as catalysts in their communities. If this could be done, I expect the biggest impact would be with respect to already built properties--whether homeowners can operate a business out of their garage, or rent rooms to others, and how they can use their yards. Also, what alternate uses vacant business properties can be used for. Longer term, there may be a possibility of developing combined business-residential use properties, although financing additional development now might be a problem.

I am hoping that readers can add their thoughts regarding this issue.

In the United States, the primary type of [zoning](#) is **Euclidean**. With this type of zoning, different land uses are segregated by area -- industrial is separate from commercial, which is in turn separate from residential multifamily, which is in turn separate from residential-single family. There are variations on this, but the net effect is to require workers to drive considerable distances to their workplaces, and also to require consumers to drive long distances to places where they purchase goods (like food and clothing) and services (like medical care and piano lessons).

Zoning can sometimes make it hard for less-affluent family members to find housing near richer family members, because lower income housing (such as multi-family apartments) tends not to be available nearby. When new low priced homes are needed, agricultural land is frequently rezoned for single-family homes, contributing to sprawl, and giving farmers an incentive to sell their land, rather than to continue to farm.

In Europe and elsewhere, zoning laws differ. I am afraid I have not researched the issue

One type of zoning that seems to be more flexible than Euclidean is **Form Based**. According to [Wikipedia](#):

Form based zoning regulates not the type of land use, but the form that that land use may take. For instance, form based zoning in a dense area may insist on low setbacks, high density, and pedestrian accessibility among other things. As another example, in a largely suburban single family residential area, uses such as offices, retail, or even light industrial could be permitted so long as they conformed (setback, building size, lot coverage, height, and other factors) with other existing development in the area.

Form-based zoning relies on rules applied to development sites according to both prescriptive and potentially discretionary criteria. These criteria are typically dependent on lot size, location, proximity, and other various site- and use-specific characteristics.

Questions

1. What are your observations regarding zoning laws? Is it possible to get them changed? What approaches work best?
2. How about subdivision laws? Are these falling by the wayside, in areas with high bankruptcies? Have readers had success in changing them?
3. What zoning laws have been successful in Europe in keeping cities compact and walkable?
4. Are there any zoning laws you find particularly onerous?



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