

For those who may not know me, my name is Paul Serwatka. My wife, Robin, 4 children, and I moved to Lake Chula Vista (The Woodruff's old house, up on the hill) a couple years back.

I wanted to call attention to something I've recently been learning more about; that I believe should be of GREAT CONCERN to us all. This is something I believe that not only all Lake Chula Vista residents need to be aware of, but in truth, I believe all single-family homeowners in Decatur need to be aware of – as this could very well have an ENORMOUS and NEGATIVE IMPACT on all of our home values!

I'll try my best to keep my commentary brief, as I know the longer it gets, the less likely most will read it. I strongly encourage you to Print & SHARE this with any residents who may not get it through this platform. And, if you would like to discuss further, I'll include my contact info below.

The following pages include 2 things:

1. An article entitled: *"Is It Time To End Single-Family Zoning?"*  
(I have several others, but this one pretty much sums up the general idea of them all)
2. Selected pages from the "ONE DECATUR" Comprehensive Plan and the Decatur Re-Zoning Ordinance Assessment that is about to be enacted in the very near future.

[Some of this might make more sense if you read these notes, then the accompanying article and pages, and then re-visit these notes.]

You'll see that I have highlighted some of the terminology used in the article as well as some of the points that need to be emphasized from the new zoning that will be implemented. **I want to be clear that this is by no means meant to become a partisan argument.** Whether you are Republican, Democrat, Conservative or Progressive does not, and SHOULD not, matter!

That said, the reason I mention this at all, is because what we all need to realize is that the new One Decatur Plan as well as the Zoning re-write both ABSOLUTELY do have a political ideology in mind and are admittedly deemed to be an effort of *"Activist Planning"*. So, whether you share their political ideology or not, the question you MUST ask yourself is: **Are you willing to sacrifice your home value for it?**

And I remind you, this entire Comprehensive Plan and Zoning re-write has been developed by a firm from **Chapel Hill, North Carolina (referenced later)** (which was one concern I expressed to the City Council and Decatur Daily, a while back, as written in the Decatur Daily article here:

[https://www.decaturdaily.com/news/morgan\\_county/decaturn/concerns-raised-that-zoning-changes-would-deter-developers/article\\_235616be-29c5-5872-807e-c90e430ad561.html](https://www.decaturdaily.com/news/morgan_county/decaturn/concerns-raised-that-zoning-changes-would-deter-developers/article_235616be-29c5-5872-807e-c90e430ad561.html) )

1. Referencing the article included in the following pages, here are just a handful of the many things I want to call attention to (I have many others!) :

- Note: At the beginning of the article the author calls attention to the “relationship” between urban development and “*social justice*”.
- Note: The states cited as successful examples of these efforts all happen to be very “progressive-minded” states. (*as is Chapel Hill North Carolina – just an observation*)
- Note: the term repeatedly used in the article, as well as in implementing our new zoning, is: “**UP**zoning” when, in fact, what is actually occurring is “**DOWN**zoning”.
- Note that no words are minced that the end goal of all the zoning modifications is an ultimate **end to R1-Single-Family Detached** (single family homes, that are not attached duplex, fourplex or townhomes) **home zoning**
- One goal repeatedly mentioned is making homes in ALL neighborhoods “*more affordable*” – which is only achieved, in existing neighborhoods, by the de-valuing of single family homes already in existence, in what they refer to as “*high opportunity*” neighborhoods (as ours is referred to).
- You’ll note one paragraph in the article entitled: “**Up**zoning won’t necessarily spoil housing investments” - where the author concedes that R1-Single-Family Detached zoning “*does, in fact, successfully protect home values*”. The article then goes on to argue that “*that’s not the role of planning, which should instead focus on creating more sustainable and equitable cities*”.

[This concept of “activist-planning” has been an ongoing issue in urban/suburban development, nationwide, for years now and it is becoming more and more pervasive without most even realizing it – until it’s too late!]

2. Referencing the following pages from the One Decatur Comprehensive Plan and Decatur Rezoning Assessment it is critical to note the following:

- Under “CORE NEIGHBORHOOD” - Note the highlighted Primary Use description (which is later described more ambiguously) “Attached residential that has the scale of a single family home (townhomes, duplexes, fourplexes, etc.)” (While “Core neighborhood” itself doesn’t apply to us, just make a note of the above description of “Attached Residential” for later use.)

- As far as I can tell, most, or all, homes in Lake Chula Vista Estates are **currently zoned: R1 – Single-Family Detached** – This current zoning allows **only** for single family **DETACHED** (independent freestanding) homes

**- Our New Zoning will soon be changed and consolidated to the new:**  
**“RSF-10 – Residential Low Density (1<sup>st</sup>) & Mixed Neighborhood (2<sup>nd</sup>)”**

**Under our new first zoning: “RESIDENTIAL, LOW DENSITY”**

- Note the description of our new “*Residential, Low Density*” zoning now states “**primarily**” Single Family... We are no longer exclusively single family homes! And, if you look further, you’ll see that “Single-Family” no longer means detached, free-standing homes, as we tend to think of when we think “*single-family home*”.
- Looking under the “Secondary Use” column you’ll see our new zoning now allows for what we saw earlier: “*attached residential with single family scale*” which was described as “*townhomes, duplexes, fourplexes, etc.*”
- Also note the new townhome/duplex/fourplex/etc can be 1-3 stories in height.

**Under our new Secondary zoning: “MIXED NEIGHBORHOOD”**

- **Described as:** “*Primarily residential area featuring a mix of housing types ranging from multi-family, townhomes, and small-lot single family detached.*”
- Note: Primary Uses include Multi-Family residential – 2-4 Stories in height.

My understanding is that this new zoning is expected to be implemented this Spring, 2020.

I will share what I learn moving forward and I encourage anyone who may know anything more, or different, to please reach out!

I have spoken briefly with city council members who told me they were uncertain of what I am speaking and would make it a point to learn more. I will share what more I learn, when I learn more.

If anyone is interested in discussing further:

I can be reached by phone at **256.616.4000**

I can be reached by email, at: [PaulSerwatka@ABetterDecatur.com](mailto:PaulSerwatka@ABetterDecatur.com)



Single-family zoning is not just a suburban issue—it impacts central city development, too. In Los Angeles (above), 70 percent of residential land is zoned only for single-family use. (Photo by Sam Lafoa/Construction Photography/Avalon/Getty Images)

## Is it time to end single-family zoning?

14 urban planners debate — and we outline the urban innovations that could advance the conversation.



Eric Jaffe [Follow](#)

Feb 6 · 12 min read ★

At the heart of the movie “Parasite” — among the favorites for best picture heading into this weekend’s Academy Awards— is a tale of two cities.

On one hand, we have a poor family living in a dirty basement apartment in a dense downtown area, the stench of subway attached to them, scraping free Wi-Fi signals in search of a chance to move up. On the other hand, we have a wealthy family living in a modern suburban home, with a sleek black car to chauffeur them around, a big green lawn



to soak up the sun, and a high-tech security system to keep out dirty basement types (quite unsuccessfully, we later find, to horrific ends).

To anyone interested in cities, such a premise can't help but call to mind the complicated relationship between urban development and **social justice** — especially since, in the U.S. at least, the word “parasite” itself is deeply entrenched in this subject's history. The term features prominently in the Supreme Court's landmark 1926 ruling that established the basis for single-family zoning in America, in a disturbing passage that might as well have been the movie's original treatment:

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*... very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district. Moreover, the coming of one apartment house is followed by others, interfering by their height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the smaller homes, and bringing, as their necessary accompaniments, the disturbing noises incident to increased traffic and business, and the occupation, by means of moving and parked automobiles, of larger portions of the streets, thus detracting from their safety and depriving children of the privilege of quiet and open spaces for play, enjoyed by those in more favored localities — until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed.*

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Nearly a century into the story of single-family zoning, the plot is finally starting to twist. The City of **Minneapolis** and the State of **Oregon** both recently passed laws that loosen single-family regulations. **California** has proposed similar measures: some have failed (such as one encouraging denser development near transit), others have succeeded (such as ones encouraging backyard cottages). New bills in **Maryland** and **Virginia** also take aim.

Given these trends, the moment is right for everyone concerned with the future of cities to revisit single-family zoning, and indeed, there's an entire issue of the *Journal of the American Planning Association* dedicated to that very debate. Published in January, the issue features nine essays, representing 14 total planning voices, **taking up the question of whether or not single-family zoning's time has come — and, if so, what to do about it.**

## **The case against single-family zoning**

A quick primer: single-family zoning (commonly known as R1 in planning parlance) prevents a community from building any type of housing in a given area *except* a detached single-family home. It's nearly ubiquitous in the suburbs, but it's also a central city problem. In San Francisco, 38 percent of residential land is zoned as R1; in Seattle, it's 80 percent. Together this pattern creates an imbalance across an entire metro area's housing market.

The pervasiveness of the rule is one of the reasons for its destructive social impacts, which have been documented in great detail. In brief, there's compelling evidence that single-family zoning has damaged the environment by encouraging suburban sprawl and car reliance, worsened affordability by restricting housing supply, and undermined inclusion by keeping lower-income households out of high-opportunity neighborhoods.

With this context in mind, two JAPA papers say it's time for single-family zoning to go.

One comes from UCLA planning and policy scholars Michael Manville, Paavo Monkkonen, and Michael Lens, who write: "In the 21st century, no city should have any land where nothing can be built except a detached single-family home."

The other comes from planning scholar Jake Wegmann of the University of Texas-Austin, who hopes to see single-family zoning replaced by "missing middle" housing. He writes: "For members of the planning profession to make headway against the climate and inequality crises, they must cease defending the indefensible concept of single-family zoning."

The papers each make a powerful case for ending single-family zoning, and are recommended in full. But in the interest of summary, here are six of their strongest points:

**People can still build single-family homes.** One of the most common arguments for keeping single-family zoning is that most people prefer single-family homes. That's increasingly not the case, as seen by the premiums found in walkable urban neighborhoods, and studies show a desire for denser living even in car-friendly areas. But even if that *were* true, it wouldn't be a good argument for single-family zoning, because removing the rule doesn't *prevent* such housing from being built. If people still wanted these homes, developers would continue to build them. They'd just be allowed to build other types as well — in response to household preference.

Building attached homes in already established SINGLE FAMILY zoned districts is an entirely different thing!

**Communities can still prevent Manhattanization.** A primary goal of ending single-family zoning is to help new households move into neighborhoods they can't currently access. That push for more housing is not to be mistaken with an invitation for skyscrapers. A community can still impose height restrictions without precluding the creation of alternative housing types, such as accessory dwellings or multiplexes. Cities like Washington, D.C., employ such restrictions and still generate loads of dense development, as well as single-family homes. And, as the UCLA scholars point out, Paris has a height restriction without much of *either* extreme: single-family or skyscraper.

Meaning lowering our property value!

**The missing middle can unlock affordability.** At its core, this push for more middle-density development is really a push for more housing affordability. Wegmann points to a recent case in Austin, where a developer used a zoning loophole to build six homes on a lot that would normally house just two single-family homes. Each sold in the mid-\$400,000 range — or \$200,000 less than the area average. While that's still beyond the reach of many low-income households, creating more middle-income options ultimately frees up public resources to focus on creating affordable housing for those most in need.

There's a sustainability case for the missing middle, too, with evidence showing that significant carbon savings come from converting low-density development to medium-density.

**Upzoning won't necessarily spoil housing investments.** While single-family zoning successfully protects housing investments, Wegmann argues that's not the role of planning, which should instead focus on creating more sustainable and equitable cities. And the UCLA scholars point out that upzoning an area can increase property values as well, by raising land prices for developers. "The question, then, is not whether homeowners will receive windfalls," they write. "It is whether those windfalls will come from maintaining housing scarcity or enabling housing abundance."

**Existing tenants can be protected.** Both papers acknowledge that ending single-family zoning could lead developers to build more housing in lower-income areas, where land is less expensive, ultimately displacing long-time or low-income residents. That's a very real possibility, and one that should — and can — be safeguarded through rental protections. The UCLA scholars also note that single-family neighborhoods aren't typically the ones facing these risks: only 4% of detached single-family homes in the U.S. hold renters with incomes less than \$25,000 a year, according to 2017 Census figures.

**Infrastructure strains can be managed.** More people means more competition for shared space and shared infrastructure. The papers argue that these concerns can be managed in ways that balance the risks with the benefits. Parking shortages can be handled by allowing non-covered spaces or limiting on-street permits. More utility users also means more revenue for upgrades or maintenance. Family-friendly designs can keep higher-density communities safe and welcoming for kids. And the alternative to ending single-family zoning — pushing development further away from dense cores — creates new infrastructure strains of its own.



Minneapolis recently reformed its zoning laws to permit denser housing options in areas once zoned exclusively for single-family homes. The rules, which include tenant protections, show a path forward for other cities to follow. (Photo By MARLIN LEVISON/Star Tribune via Getty Images)

## Commentary, counter-points, and qualifications

The rest of the special issue featured contributions that augmented, or in some cases attacked, the points made above. Again, in the interest of brevity, these will be summarized by their key points, but many of the full papers are worth reading.



**Minneapolis shows the path forward.** Paul Mogush and Heather Worthington, planners from City of Minneapolis, explained how they dented the R1 armor. First, they studied its history and confirmed the impact that restrictive zoning had on minority households. Then they settled on what they call an “obvious” first step toward improving housing equity: “Start by reversing the regulations that planners began using a century ago to stifle opportunity for people of color.” Minneapolis now encourages the missing middle by allowing at least three residential units on each parcel throughout the city and multifamily buildings “by right” near transit hubs. And to address displacement concerns, they committed to affordable housing investments and tenant protections.

**Maryland isn't so sure.** Gerritt Knaap and Nicholas Finio, planners at the University of Maryland-College Park, aren't sure their state will ultimately approve a Minneapolis- or Oregon-style law encouraging denser development, based on informal discussions with local government, developers, and even environmental groups — none of whom supported such measures. The reasons varied from legitimate concerns, such as serving low-density areas with transit and overcrowding schools, to more surprising responses, such as a vague distaste for “activist” planning. “Needless to say, without support from these groups, it seems unlikely single-family zoning will be banned in Maryland any time soon,” they conclude.

(It's unclear whether the responses preceded Maryland's latest proposal, which does try to address many common concerns.)

**Incremental change is wiser.** Glen Searle and Peter Phibbs, planning scholars at the University of Sydney, noted how unusual America's zoning rules are. By contrast, in Sydney, planners actively pursue the missing middle. Still, they expressed caution against going from such a high share of single-family zoning to eliminating it. Their most persuasive point is that removing the rule might unintentionally promote *more* car use, since communities will now have more people living in places where transit is tough to provide. For this and other reasons, they suggest instead a “modified set of rules” in areas that are already suitable for greater density.

**Political capital is better spent elsewhere.** Arnab Chakraborty, urban planning professor at the University of Illinois at Urbana-Champaign, questioned whether ending single-family zoning alone would really improve affordability or help low-income households move to high-opportunity neighborhoods. (To that point, raised elsewhere,

others agreed that ending R1 is necessary but not sufficient.) Calling for a “more measured approach,” Chakraborty cautioned that tackling single-family zoning will require enormous amounts of political capital that could better be deployed elsewhere, such as targeted affordability programs.

**Focus on undeveloped areas.** In the most contentious essay, Lane Kendig of the Kendig Keast Collaborative planning firm calls ending single-family zoning a “mistake” and a “facile remedy” for affordability. Kendig essentially argues that because ending single-family zoning will not end income-driven segregation, there’s no point. (To such points, the UCLA scholars reply that just because people commit crimes with a knife doesn’t mean governments shouldn’t pursue gun control.) Instead of battling for greater density in existing single-family areas, Kendig suggests focusing on undeveloped land and replacing conditional zoning rules that invite local opposition with performance-based zoning (a good idea, discussed more below), inclusionary zoning, and affordable housing mandates.

**Ethics demand a change.** Taking a strictly professional angle, urban studies professor Anaid Yerena of the University of Washington says planners have an “ethical responsibility” to eliminate single-family zoning. Yerena quotes from the American Institute of Certified Planners Code of Ethics and Professional Conduct, which states: “We shall seek *social justice* by working to expand choice and opportunity for *all* persons, recognizing a *special responsibility to plan for the needs* of the disadvantaged and to *promote* racial and economic integration.” To Yerena, eliminating single-family zoning is an obligation — “not merely a matter of choice.”

**What’s needed most are new housing models.** In perhaps the issue’s most persuasive piece, urban planning scholar Harley F. Etienne of the University of Michigan says abolishing single-family zoning isn’t enough to change a century of entrenched land use patterns and cultural attachments. Instead, planners need to go even further and offer a new model of development that “enables the public to aspire to a different mode of housing tenure.” This new model must encourage middle- and low-income housing, give these households access to good schools and jobs, and provide pathways for them to catch-up on the generations of wealth-creation they’ve missed out on. Until such a housing model comes along, writes Etienne, “we do not stand much of a chance.”

## The role of urban innovation in advancing the conversation

**Single-family zoning is a policy challenge that needs a policy solution.** It's not something technology can address on its own. But there are still a set of urban planning innovations (including some being development by Sidewalk Labs) that can advance the conversation in constructive ways — **especially for single-family zoning in urban areas suitable for transit or greater density.** These tools can make the spurious arguments for single-family zoning harder to defend, help evaluate or even relieve the legitimate concerns, and expand the menu of housing options.

Here's a few we're working on:

**Flexible apartments.** To the critical point raised by Etienne, right now the collective American housing ideal tends to follow a reliable trajectory that ends in suburban home ownership. Of course, that's not true for everyone, and it's increasingly less true across the country, but it remains the model of record. Breaking that pattern requires new urban housing options that can follow a household across a lifetime. That could mean flexible furniture that makes 500 square feet feel like 650; flexible units that can expand as a family grows (or contract as nests empty); and shared building spaces or neighborhood amenities that make square footage just one of many factors guiding a housing choice. Or it might mean financing models that help households generate home-value, such as shared equity programs that let tenants own a small share of a place — with a smaller down-payment — while renting the rest.

**Factory-driven affordability.** Some of the more cautious papers noted that zoning alone won't unlock affordability, and it's true that improving affordability requires pulling all sorts of policy levers. One of the strongest cards local government can play comes through its sale of publicly owned land, especially around transit hubs, to generate more affordable housing. As factory-driven construction methods improve, accelerating the pace of development projects, the value of such land stands to rise. The public sector can capture this value and ensure the creation of affordable housing in a few ways. One promising approach is to establish a housing trust fund that "lock-boxes" land premiums for affordable units, ensuring a steady source of funding over the long term.

**Outcome-based zoning.** Even opponents of ending single-family zoning (like Kendig) recognize the problems that arise when communities can reject new housing development for arbitrary reasons. At the same time, even strong proponents of abolishing this rule recognize that households deserve some basic assurances of neighborhood character —

preventing, as Wegmann says, a smelting factory from moving in next door. Moving toward an outcome-based zoning system makes it possible to offer basic protections around common priorities like air quality, noise, or public health without the broad strokes of single-family zoning. Officials can set thresholds according to community preferences, then measure them via manual checks or environmental sensors. It's the neighborhood character outcomes that should matter most, not how a particular development achieves them.

**Generative neighborhood design.** Going all the way back to 1926, proponents of single-family zoning have voiced concerns around things like blocking sunlight or reducing open space. These community needs can often stand in conflict with developer needs around density and total housing units: increase a building height in one place, create shadows in another. The common way of weighing these tradeoffs is for developers or planners to commission a small handful of neighborhood designs, at a very high cost. But advances in computational design make it possible to simulate millions of planning scenarios and identify many options that satisfy all project priorities, from developers and communities alike. And such tools also make it possible to discuss these options openly and transparently.

**On-demand mobility instead of parking.** Parking can be one of the most contentious issues that block new developments in single-family areas, with existing residents worried



about having a space for their car. Setting aside the validity of such concerns — which effectively place the rights of cars above the opportunities of people — it's true that single-family areas tend to require a car, given that transit service just can't offer the same mobility freedom. But in new developments near transit stations, in particular, it's possible to replace parking requirements with a package of on-demand mobility options (such as ride-hail or bike-share) that offer the same convenience as owning a car, at a comparable or even lower price, without requiring a parking space.

At one point in the movie "Parasite," a character says something to the effect of: *the best plan is no plan*. The urban planning profession probably wouldn't agree, but then again, if this special issue is any indication, it also wouldn't have a consensus that the best plan is single-family zoning. The debate is clearly just heating up.

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# Comprehensive Plan

Decatur, Alabama

ADOPTED BY CITY COUNCIL  
FEBRUARY, 2018





## CORE NEIGHBORHOOD

Decatur's earliest neighborhoods that include several designated historic areas. Primarily single-family residential neighborhoods with a mix of house sizes and styles on small lots. Streets form a grid pattern with small blocks that typically include alleys. Most streets have sidewalks and street trees. These neighborhoods may include limited attached housing types as well as small office, commercial, and civic uses. Where these neighborhoods approach commercial corridors and employment centers, a greater mix of housing types including townhomes, duplexes and small multi-family buildings in addition to single family houses.

### Intent

- > Maintain the existing neighborhood character. Allow residential infill development that is compatible in scale to neighboring homes
- > Continue code enforcement and address unmaintained properties to stabilize declining areas
- > Continue historic preservation efforts
- > Emphasize quality design and landscaping for infill and redevelopment

### Primary Uses

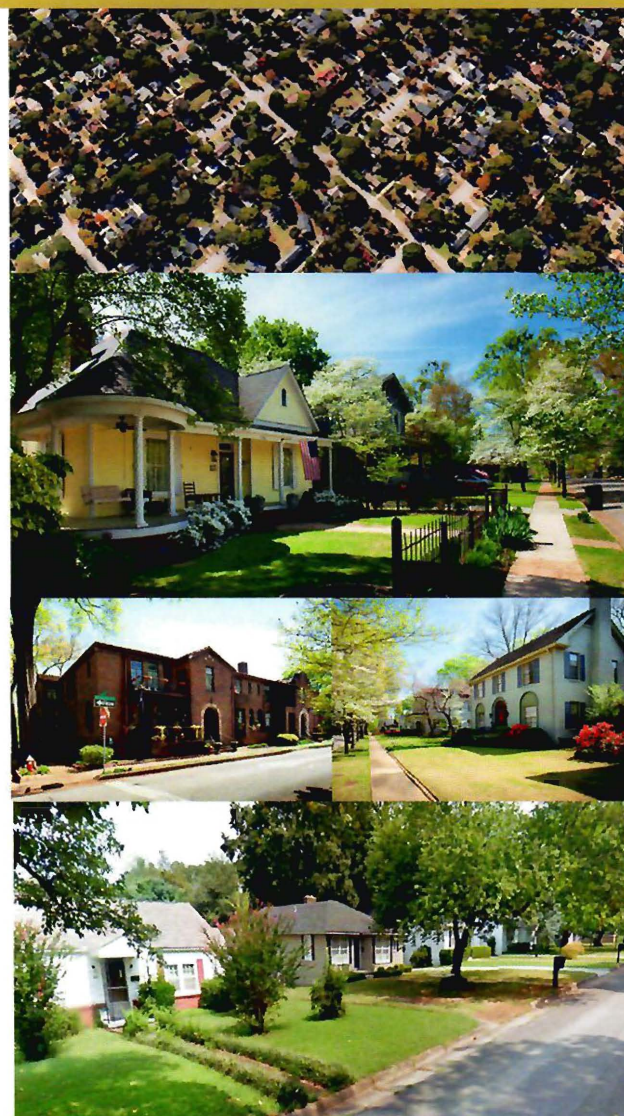
- Single family residential on small lots
- Attached residential that has the scale of a single family home (townhomes, duplexes, fourplexes, etc.)
- Small scale multifamily

### Secondary Uses

- Neighborhood-scale office or commercial uses
- Civic / institutional
- Parks and open space

### Building Blocks

Height Range	1-2.5 stories
Building Form	Variety of building types and sizes. Typically pedestrian-focused with detached garages located off rear alleys.
Building Setback	10-30 feet (generally consistent within a block)
Streets	Small, grid-like blocks with a high degree of street connectivity.
Transportation	Walking, biking, transit, automobile
Parking	On-street and private off-street (both alley-loaded and front-loaded driveways/garages)
Open Space	Pocket parks within neighborhoods. Connections to school yards and community parks.



Existing pattern and character examples.

## RESIDENTIAL, LOW DENSITY

**Primarily** single-family developments arranged along wide, curvilinear streets with few intersections. Building and lot size range in size and density but tend to be highly consistent within a development with limited connectivity between different residential types and non-residential uses. Future Suburban Residential areas should be designed with a more connected street network of short blocks, street trees and sidewalks.

### Intent

- > Provide better pedestrian and vehicular connectivity between residential developments
- > Improve streetscape features such as consistent sidewalks, lighting and street trees

### Primary Uses

- Single family residential

### Secondary Uses

- Civic / Institutional
- **Attached residential with single family scale**
- Parks and open space

(Townhome, Duplex, Fourplex, etc)

### Building Blocks

Height Range	<b>1-3 stories</b>
Building Form	A range of housing sizes and styles with single-family scale and appearance
Building Setback	20-30 feet (generally consistent within a block)
Streets	Longer blocks with a curvilinear pattern are common, though connectivity and the pedestrian experience is important.
Transportation	Automobile access with sidewalk network.
Parking	On-street and private off-street, individual drives from street. May include alley-loaded garages.
Open Space	Neighborhood parks are given high priority and are located in prominent, easily-accessible locations. Schools also supplement public parks.



Existing pattern and character examples (top, middle). Future residential areas should be designed with sidewalks and street trees (bottom example from another community).



## MIXED NEIGHBORHOOD

Primarily residential area featuring a mix of housing types ranging from multi-family, townhomes, and small-lot single family detached. They are typically located within a walkable distance to a neighborhood activity center such as a commercial center or civic site. Mixed neighborhoods should have a street network of small blocks, a defined center and edges, and connections to surrounding development. These neighborhoods may include small-scale retail or office uses.

### Intent

- > Provide streetscape features such as sidewalks, street trees, and lighting
- > Provide street and sidewalk connections to surrounding neighborhoods and commercial centers
- > Provide for appropriate transitions in scale and density to surrounding neighborhoods

### Primary Uses

- Single family residential
- Single family residential attached (townhomes)
- Multi-family residential

### Secondary Uses

- Commercial (neighborhood scale)
- Office (neighborhood scale)
- Institutional
- Parks and open space

### Building Blocks

Height Range	2-4 stories
Building Form	Variety of building types and sizes clustered and grouped but linked by a connected street network
Building Setback	10-30 feet (generally consistent within a block)
Streets	Grid-like blocks with a high degree of connectivity
Transportation	Automobile access with complete sidewalk system, recreational trails
Parking	on-street & private off-street
Open Space	Public parks of varying sizes are integrated into developments



Pattern and character examples from other communities.



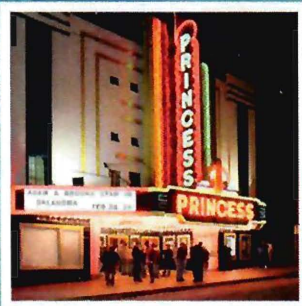
# Zoning Ordinance Assessment

Decatur, Alabama

March 2019

Prepared by:

**CLARION** planning **NEXT**



**Public Review Draft**



So the reader can better compare the current zoning district structure to the proposed structure, the first column in the table outlines the current zoning districts. Where current districts are proposed to be deleted or consolidated, that is noted. The listing of the districts under each group generally starts with the least intense districts, extending to the highest-intensity districts. In addition, so the reader can relate the proposed zoning district structure to the Future Land Use and Character Map in *One Decatur*, the final column in the table shows the corresponding character type(s) from that map that are being implemented by the proposed zoning districts.

TABLE II-3.1.B: PROPOSED ZONING DISTRICT STRUCTURE		
EXISTING DISTRICTS	PROPOSED DISTRICTS	CHARACTER TYPE
BASE DISTRICTS		
Agricultural		
AG-1 Agricultural District	Agricultural District (AG) [CONSOLIDATED]	Rural / Agriculture
AG-2 Agricultural District		
Residential		
R-1E Residential Estate District (Large Lot Open Space)	Residential Single-Family Estate (RSF-E)	Residential Low Density
R-1 Residential District (Single-Family)	Residential Single-Family 10 (RSF-10) [CONSOLIDATED]	Residential Low Density, Mixed Neighborhood
R-2 Residential District (Single-Family)		
R-3 Residential District (Single-Family)	Residential Single-Family 7 (RSF-7)	Mixed Neighborhood, Core Neighborhood
R-4 Residential District (Multifamily)	[DELETE]	
R-4 Zero Lot Line Multifamily Residential District	[DELETE]	
R-5 Residential District (Single-Family Patio Home)	Residential Single-Family 5 (RSF-5)	Mixed Neighborhood, Core Neighborhood
R-5 Zero Lot Line Residential District (Single-Family Patio Home)	[DELETE]	
R-MH Residential Manufactured Housing District	Residential Manufactured Housing (RMFD)	Residential Medium-High Density

**TABLE II-3.1.B: PROPOSED ZONING DISTRICT STRUCTURE**

EXISTING DISTRICTS	PROPOSED DISTRICTS	CHARACTER TYPE
R-6 Residential District (Single-Family Semi-Attached)	<b>Residential Townhouse (RT)</b>	Residential Medium-High Density
	<b>Residential Mixed Medium Density (RM-M) [NEW]</b>	Residential Medium-High Density, Mixed Neighborhood, Core Neighborhood
	<b>Residential Mixed High Density (RM-H) [NEW]</b>	Residential Medium-High Density
PRD-1 Planned Residential Development District	[DELETE]	N/A
PRD-2 Planned Residential Development District	[DELETE]	N/A
PRD-3 Planned Residential Development District	[DELETE]	N/A
PRD-4 Planned Residential Development District	[DELETE]	N/A
PRD-5 Planned Residential Development District	[DELETE]	N/A
PRD-6 Planned Residential Development District	[DELETE]	N/A
PRD-7 Planned Residential Development District	[DELETE]	N/A
PRD-8 Planned Residential Development District	[DELETE]	N/A
<b>Institutional</b>		
I-D Institutional District	<b>Institutional District (INST)</b>	Major Institution / Civic Campus
MC Medical Center District	<b>Major Campus Institutional District (MC-INST) [NEW]</b>	Major Institution / Civic Campus
<b>Business</b>		



**TABLE II-3.1.B: PROPOSED ZONING DISTRICT STRUCTURE**

EXISTING DISTRICTS	PROPOSED DISTRICTS	CHARACTER TYPE
<b>OVERLAY DISTRICTS</b>		
Historic (H) District	<b>Historic Overlay District (H-O)</b>	
Sidewalk Café District	<b>Sidewalk Café Overlay District</b>	
Arts and Entertainment District	<b>Arts and Entertainment Overlay District (AE-O)</b>	
	<b>Neighborhood Conservation Overlay District (NC-O) [NEW]</b>	

### Base Districts

#### Agricultural District

Even though Decatur is becoming more developed, and a significant amount of new growth is expected in future years, there are still areas of the city where agricultural activities are prominent and should be protected and maintained. For these reasons, the current AG-1 Agricultural District and AG-2 Agricultural District are carried forward and consolidated and renamed the **Agricultural District (AG)**. The district provides lands for agricultural production, agricultural support uses, golf courses and country clubs, and single-family detached residential dwelling units. It is rural in character. Minimum lot area for the consolidated district is 15,000 square feet, with a maximum density of 2.3 dwelling units an acre.

#### Residential Districts

The residential districts are primarily intended to accommodate lands for residential development, both single-family and more moderate and higher density residential development. To accomplish this objective, the current low and medium density residential districts are generally carried forward (and renamed to better align with their character), with some consolidation where appropriate. The R-MH Residential District and the R-5 Residential District are also carried forward to provide lands for manufactured homes and small lot single-family detached houses, respectively. The two zero lot line districts, R-5 Zero Residential and R-4 Zero Residential, are proposed

to be deleted. Instead, a zero lot line development option will be included separately in the code and made applicable in the medium and high density residential districts.

The R-4 Multi-family Residential District is proposed to be deleted and replaced by two new residential districts that allow a mix of housing types. The reason for this is that the current districts are not logical in their organization. They make distinctions that are not based on different impacts, and they do not reflect a clear progression from less intense to more intense development. The eight existing planned residential districts are also proposed to be deleted and replaced by the Residential Planned Development District (R-PD) (see discussion in this section under Planned Developments).

The proposed district structure is outlined below.

The R-1E Residential Estate District (Large Lot Open Space) is carried forward and renamed consolidated and renamed **Residential Single-Family Estate District (RSF-E)**, to better align with its character. It is a very low density single family district with a minimum lot area of one acre (five acres if horses are kept).

The current R-1 Residential District (Single-Family) and R-2 Residential District (Single-Family) are carried forward, consolidated, and renamed **Residential Single-Family 10 (RSF-10)** to better align with the consolidated district's character. The consolidated district is primarily a single-family district with a minimum lot area of 10,000 square feet.

LESS THAN 1/4 ACRE LOT MINIMUM

The current R-3 Residential District (Single-Family) is carried forward and renamed **Residential Single-Family 7 District (RSF-7)** to better align with its character. The consolidated district is primarily a single-family district with a minimum lot area of 7,000 square feet.

The current R-5 Residential District (Single-Family) is carried forward and renamed **Residential Single-Family 5 District (RSF-5)** to better align with its character. The consolidated district is primarily a single-family district with a minimum lot area of 5,000 square feet.

The current R-MH Residential Manufactured Housing District is proposed to be carried forward and renamed **Residential Manufactured Housing District (RMFD)**, with minor refinements. It would allow manufactured homes, certain civic uses, along with

limited neighborhood serving commercial and business uses (as a special exception). The minimum lot area would be 5,000 square feet.

The current R-6 Residential District (Single-Family Semi-Attached) is carried forward and renamed **Residential Townhouse (RT) District**. It will allow two-family dwellings, triplexes, quadplexes, and townhouses, with a maximum density of 12 dwelling units per acre.

The new **Residential Mixed Medium Density District (RM-M)** would allow single-family detached and two-family dwellings, triplexes and quadplexes, townhouses, and limited-scale multifamily, with a maximum density of eight dwelling units per acre. The new **Residential Mixed High Density (RM-H) District** would allow two-family dwellings, triplexes and quadplexes, townhouses, and multifamily, with a maximum density of 18 dwelling units per acre.

#### *Institutional Districts*

Institutional districts help account for key services and entities that benefit the community but often have mission-driven development types that don't always fit in other zoning district categories. The proposed lineup of institutional district carries forward the current I-D district, and adds a new Major Campus Institutional district

The current I-D Institutional District is carried forward, refined, and renamed **Institutional District (INST)**. The district would allow traditional institutional uses like secondary schools, government buildings, other public buildings, gardens, playgrounds, parks, auditoriums and coliseums. It would not allow hospitals or colleges and universities since they are allowed in the new Major Campus Institutional District (MC-INST).

The new **Major Campus Institutional District (MC-INST)** would be applied to large medical complexes like hospitals, and colleges and universities. This type of district is used by a number of communities in modern development codes for these types of large and more complex institutional uses, since it is necessary to provide more flexible development requirements, as long as the use is comprehensively planned. The district would require approval of a plan for development of the hospital or college/university, which typically would include buildings and other future development plans, along with how traffic, parking, other infrastructure, and development form and compatibility issues will be addressed. Once the plan of development is approved, the major campus can proceed with development on their



# Zoning Ordinance Rewrite

Decatur, Alabama

## MODULE 1

Article 25-1: General Provisions

Article 25-2: Administration

Article 25-5: Development Standards

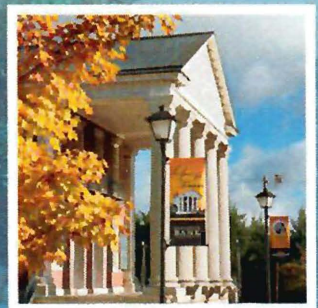
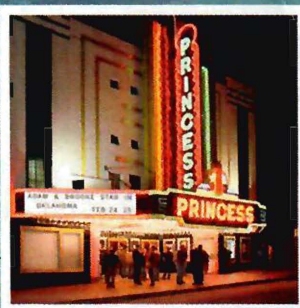
Article 25-7: Enforcement

Section 25-8.3, Definitions

Appendix A: Submission Requirements  
for Specific Applications

Prepared by:

**CLARION** planning **NEXT**



**Public Review Draft – January 2020**



does not comply with this Ordinance, the subsequent development, although permitted, shall be nonconforming and subject to the provisions of Article 25-6: Nonconformities.

#### Sec. 25-1.8.4. New Applications

Any application that is submitted or accepted as complete after [ ] [insert the effective date of this Ordinance] is subject to the requirements and standards in this Ordinance.

#### Sec. 25-1.8.5. Zoning District Transition

On [ ] [insert effective date of this Ordinance], land zoned with a zoning district classification from the previous zoning regulations shall be reclassified to one of the zoning district classifications in this Ordinance as set forth in Article 25-3, Zoning Districts. Table 25-1.8.5: Zoning District Transitions, summarizes the translation or reclassification of the zoning districts used in the previous zoning regulations to the zoning districts used in this Ordinance. (For example, Table 25-1.8.5 shows that all lands classified as R-3 in the previous zoning regulations (under the column titled "Zoning District in Previous Ordinance") are classified RSF-7 in this Ordinance (under the column titled "Zoning District in this Ordinance").)

**TABLE 25-1.8.5: ZONING DISTRICT TRANSITIONS**

ZONING DISTRICT IN PREVIOUS ORDINANCE	ZONING DISTRICT IN THIS ORDINANCE
<b>BASE DISTRICTS</b>	
AG-1 Agricultural District	Agricultural (AG)
AG-2 Agricultural District	
R-1E Residential Estate District (Large Lot Open Space)	Residential Single-Family Estate (RSF-E)
<b>R-1 Residential District (Single-Family)</b>	<b>Residential Single-Family 10 (RSF-10)</b>
<b>R-2 Residential District (Single-Family)</b>	
R-3 Residential District (Single-Family)	Residential Single-Family 7 (RSF-7)
R-4 Residential District (Multifamily)	[Deleted] [1]
R-4 Zero Lot Line Multifamily Residential District	[Deleted] [1]
R-5 Residential District (Single-Family Patio Home)	Residential Single-Family 5 (RSF-5)
R-5 Zero Lot Line Residential District (Single-Family Patio Home)	[Deleted] [1]
R-MH Residential Manufactured Housing District	Residential Manufactured Housing (RMFD)
R-6 Residential District (Single-Family Semi-Attached)	Residential Townhouse (RT)
[2]	Residential Mixed Medium Density (RM-M)
	Residential Mixed High Density (RM-H)
I-D Institutional District	Institutional District (INST)
MC Medical Center District	Major Campus Institutional District (MC-INST)



For those interested, below are a few other, very telling, articles written on the topic of ending R1-Single Family Zoning: And for the record, I vehemently oppose the concepts discussed and ideals expressed in all of them.

## **Abolishing Single-Family-Only Zoning Expands Freedom and Choice**

<https://reason.com/2020/01/10/abolishing-single-family-only-zoning-expands-freedom-and-choice/>

## **Oregon's Single-Family Zoning Ban Was a 'Long Time Coming**

<https://www.citylab.com/equity/2019/07/oregon-single-family-zoning-reform-yimby-affordable-housing/593137/>