

# Zoning

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# Definition

- **Zoning** is a term used in urban planning for a **system of land-use regulation** in various parts of the world,
- The word is derived from **the practice of designating permitted uses of land based on mapped zones which separate one set of land uses from another.**
- Zoning may be use-based (regulating the uses to which land may be put), or it may regulate building height, lot coverage, and similar characteristics, or some combination of these

# PURPOSE

- Theoretically, the primary purpose of zoning is **to segregate uses** that are thought to be incompatible;
- In practice, zoning is used as a **permitting system** to prevent new development from harming existing residents or businesses and to preserve the "character" of a community.

# SCOPE

- Zoning is commonly controlled by local governments such as municipalities, though the nature of the zoning regime may be determined or limited by state or national planning authorities or through enabling legislation.
- Zoning may include regulation of the kinds of activities which will be acceptable on particular LOTS (such as open space, residential, agricultural, commercial or industrial),

# SCOPE

- The **densities** at which those activities can be performed (from low-density housing such as single family homes to high-density such as high rise apartment buildings), the **height** of buildings, the amount of space structures may occupy, the location of a building on the lot (**setbacks**), the proportions of the types of space on a lot, such as how much **landscaped** space, **impervious** surface, and **parking** must be provided.
- Most zoning systems have a procedure for granting **variances** (exceptions to the zoning rules), usually because of some perceived hardship caused by the particular nature of the property question.

- Zoning codes have evolved over the years as:
  - A. urban planning theory has changed,
  - B. legal constraints قيود القانونية have fluctuated
  - C. and political priorities have shifted.

# TYPES

The various approaches to zoning can be divided into four broad categories: Euclidean, Performance, Incentive, and Design-based.

# Standard Euclidean الطريقة التقليدية

- Also known as "**Building Block**" zoning,
- Euclidean zoning is characterized by the segregation of land uses into specified geographic districts and dimensional standards stipulating limitations **تتشرط قيودا** on the magnitude **حجم** of development activity that is allowed to take place on lots within each type of district.
- Typical types of land-use districts in Euclidean zoning are: residential (single-family), residential (multi-family), commercial, and industrial.



# Standard Euclidean الطريقة التقليدية

- Uses within each district are usually heavily prescribed to exclude other types of uses (residential districts typically disallow commercial or industrial uses).
- Some "accessory" or "conditional" uses may be allowed in order to accommodate the needs of the primary uses.
- Dimensional standards apply to any structures built on lots within each zoning district,
- and typically take the form of setbacks, height limits, minimum lot sizes, lot coverage limits, and other limitations on the "building envelope".

# Standard Euclidean Utilization

- Euclidean zoning is utilized by some municipalities because of:
  - A. its relative effectiveness,
  - B. ease of implementation (one set of explicit واضح, prescriptive موجه rules),
  - C. long-established legal precedent سابق,
  - D. and familiarity to planners and design professionals.

# Standard Euclidean *Criticism*

- However, *Euclidean zoning has received heavy criticism for its lack of flexibility and institutionalization* اساسيات *of now-outdated planning theory.*

## الطريقة التقليدية التسلسلية Hierarchical Euclidean

- This zoning uses traditional Euclidean zoning classifications (industrial, commercial, multi-family, residential, etc.) but places them in a **hierarchical order** "nesting" one zoning class within another
- similar to the concept of Planned Unit Developments (PUD) mixed uses,
- but now for all zoning districts;
- **in effect, adding a third dimension to flatland Euclidean zoning**

## For example,

- multi-family is not only permitted in "higher order" multi-family zoning districts, but also permitted in high order commercial and industrial zoning districts as well.
- Protection of land values is maintained by stratifying the zoning districts into levels according to their location in the urban society (neighborhood, community, municipality, and region).

## **Hierarchical Euclidean zoning also:**

- **incorporates transportation and utilities as new zoning districts in its matrix dividing zoning into three categories: Public, Semi-Public and Private. In addition,**
- **All Euclidean Zoning permitted activities and definitions are tied directly to the state's building code,**

# Performance

- This type is also known as "effects-based planning".
- **Performance zoning uses performance-based or goal-oriented criteria to establish review parameters for proposed development projects in any area of a municipality.**

# Performance zoning examples

- some examples include:
  - A. mitigation **مراعات** of **environmental impacts**,
  - B. providing **public amenities**,
  - C. building **affordable** **housing** **انتاج قابل للتسويق** units, etc.).
  - D. Additional **discretionary** **التصرفية** **criteria** may also be established as part of the review process.



# Performance zoning utilization

- Performance zoning often utilizes a "points-based" system whereby:

**a property developer can apply credits toward meeting established zoning goals through selecting from a 'menu' of compliance options; also it can:**

# Performance zoning utilization

- A. The appeal **اللجوء** of performance zoning lies in its high level of flexibility, rationality, transparency and accountability **مسائلة**.
- B. avoid the sometimes arbitrary nature **الطبيعة** of the Euclidian approach, **التحكيمية**
- C. and better accommodates market principles and private property rights with environmental protection.

# Performance zoning criticism

- *Performance zoning can be extremely difficult to implement and*
- *can require a high level of discretionary activity on the part of the supervising authority*
- *leading to the potential for disenfranchisement تفويض المبادرة among negatively affected stakeholders.*

# Incentive طريقة الحوافز zoning

- First implemented in Chicago and New York City
- **Incentive zoning is intended to provide a reward-based system to encourage development that meets established urban development goals**

# Incentive zoning

- Typically, a base level of prescriptive مكتسبة limitations on development will be established
- and an extensive list of incentive criteria will be established for developers to adopt or not at their discretion قناعاتهم.
- A reward scale connected to the incentive criteria provides an enticement اغراء for developers to incorporate the desired development criteria into their projects.

# examples

- Common examples include FAR (floor area ratio) bonuses for affordable housing provided on-site,
- and height limit bonuses for the inclusion of public amenities on-site.

# utilization

- **Incentive zoning allows for a high degree of flexibility**
- **The initial creation of the incentive structure in order to best serve planning priorities**
- **encourage development that meets established urban development goals**

# Incentive zoning criticism

- *it can be complex to administer.*
- *The more a proposed development, the more closely it has to be reviewed on a discretionary basis.*
- *The initial creation of the incentive structure in order to best serve planning priorities can also be challenging and*
- *often requires extensive ongoing revision to maintain balance between incentive magnitude and value given to developers.*



# Form-based code zoning

- Form based zoning regulates not the type of land use, but the form that that land use may take

# examples

- 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) to other existing development in the area

# Advantages of form base code

- offer considerably more flexibility in building uses than do Euclidean codes.
- **also may specify desirable design features, however when form-based codes do not contain appropriate illustrations and diagrams**

# Criticism

- **when form-based codes do not contain appropriate illustrations and diagrams, they have been criticized as being difficult to interpret**
- **Since the concept of form based codes is relatively new, this type of zoning may be more challenging to enact.**