Mention community planning, land-use planning, or the comprehensive plan, and watch people's eyes glaze over. But mention the term "zoning," and everyone has a story to tell about something that happened to him or her, to a friend, or to his or her neighborhood. Despite the plentiful supply of anecdotes and opinions, much about community zoning is not well understood.

**What Is Zoning?**

As the term implies, zoning divides the city or county into a number of different districts or zones. Different land uses are allowed in each area, and the goal is to separate those that are not compatible. Few people, for example, would like to have their home near a heavy industrial site. While both residential areas and industrial districts are important to the community, it is better to find a way to separate these incompatible land uses.

Thus, zoning is a set of regulations adopted by the city or county to guide development. These regulations, however, do not stand alone. Zoning must be based on a comprehensive plan for the community and is one of the primary ways in which the community's comprehensive plan is implemented. (The comprehensive plan is discussed in another publication in this land-use series.)

Traditionally, zoning involves the regulation of land in three areas. **First,** zoning controls how the land will be used. The use of a particular lot or piece of land—such as agricultural, commercial, industrial, or residential—is stipulated in the zoning ordinance. **Second,** zoning usually includes height regulations. The maximum height of buildings will be specified. **Finally,** there will normally be area regulations. The minimum lot size and the minimum open space around a structure will be set forth. Usually this is done through the specification of minimum front, side, and rear yards (see Figure 1).

**Purposes Served By Zoning**

A good planning and zoning program should help create a public dialogue about the future of the community. Citizen participation should be encouraged to allow input at every stage. While local officials diligently seek review and comment on proposed plans, often citizens do not become engaged until some issue, such as a zoning change, affects them directly.

Zoning helps establish land-use patterns that are logical and convenient. A good zoning ordinance, carefully administered, can—over time—help make the community more attractive. Cities and counties that have been well planned invariably make a better first impression than those that have not.

Zoning regulations help communities use public resources efficiently. Cities and counties that direct growth can provide expensive infrastructure improvements only to those parts of the community that have been identified as growth areas. In this way, roads, sewers, water, and other services can be supplied on an as-needed basis.
Zoning also helps protect private investment by providing those who purchase property with a sense of certainty about future development. Not only does a property buyer know what he or she can do with his or her land, but that buyer also knows what land uses will be allowed on adjoining parcels.

To summarize, zoning can:

- serve as a planning and development tool to keep down future costs of public services;
- group together those land uses that are compatible and separate those that are likely to conflict with one another;
- provide adequate space for each type of land use in the city or county;
- help protect agricultural land by directing other types of development, residences, and businesses away from rural areas; and
- Prevent congestion on roads and highways and help cities and counties minimize the costs associated with the construction and maintenance of roads and other infrastructure.

Zoning cannot:

- cure all of the city's or county's problems;
- correct past mistakes in land use. Structures and land uses that are in place when the zoning ordinance is established are called nonconforming pre-existing uses and are "grandfathered in." Hence, objectionable or incompatible land uses from the past will not be corrected; or
- guarantee the soundness nor regulate the physical appearance of structures built in a zoned district.

What Is a Zoning Ordinance?

Appointed by the city council or the county board of supervisors, the zoning commission prepares—or oversees the preparation of—both the zoning ordinance and the comprehensive plan on which it is based. The zoning ordinance consists of two parts: the zoning map and the text.

The zoning map depicts the entire city or county. It clearly indicates the boundaries of all of the zoning districts within the jurisdiction. The zoning map may be in one large piece, or it may consist of numerous pages arranged as an atlas. In any case, it should be readily available for inspection by any interested person. It should also be kept up to date, reflecting any zoning changes that may have taken place. Many cities and counties now have their zoning map computerized, making the task of updating much easier.

The texts of different zoning ordinances may vary in terms of length and format; however, certain elements undoubtedly will be present. Some reference will be made to the legal authority for zoning. In Iowa, this is Chapter 414 of the Code of Iowa for cities and Chapter 335 for counties. Similarly, there will be a statement of the public purpose to be achieved by the zoning regulations.

The zoning ordinance should contain definitions of terms used as well as a description of the jurisdiction, the establishment of zoning districts, and the authorization for the official zoning map. Specific regulations for each of the designated zoning districts also should be indicated. These should include a statement of the districts purpose along with the types of land uses allowed in the district. These are the so-called “permitted uses” that a landowner may implement with no zoning permit or special authorization.

For each zoning district, most ordinances also provide a list of “conditional” or “special exception” uses. These land uses are allowed only if certain conditions are met. Normally, landowners wishing to implement this type of use will need to apply to the zoning board of adjustment or some other body as stipulated in the ordinance.

Next, dimensional standards for the district will be set forth. These will include such things as minimum setbacks from roads and lot lines, minimum lot sizes, maximum building heights, and so on.

Finally, the ordinance will include information on administration and enforcement. This section will explain how the city or county will administer and enforce zoning regulations and the responsibilities of officials and departments. Residents who seek a zoning change or wish to appeal a decision should refer to this section of the ordinance to determine how to proceed.

Are There Limits to Zoning Authority?

The authority to zone is strictly limited. The Fifth and Fourteenth Amendments to the United States Constitution contain language that prohibits any level of government from taking land without due process and just compensation. If zoning goes too far, the courts are likely to see it as a regulatory taking of land (see Extension publication on property rights and land-use regulation).

Cities and counties that have planning and zoning programs try to achieve a balance between the rights of the individual property owner and the needs of the community. Zoning regulations aim to allow individuals to use their property; however, they must do so in ways that will not have a negative impact on their neighbors or their community.
Criticisms of Zoning
Although zoning has become increasingly common since it was authorized in the 1920s, it is not without critics. While surveys show that most people support zoning as a way to implement community planning, some still oppose it as being too restrictive.

Others have attacked zoning as exclusionary. These critics believe that zoning can be implemented in ways that exclude people of moderate income—because, they argue, zoning regulations make it more difficult to build affordable housing. In this view, large lot sizes, restrictions on manufactured housing units, prohibition of multi-family dwellings, and excessively large minimum floor-area requirements are all examples of zoning regulations that have the intended or unintended effect of being exclusionary.

Finally, zoning has been criticized as too bureaucratic and parochial. An excessive emphasis may be placed on minutia at the expense of the larger picture. The approval process may become sluggish and unresponsive. Local officials may, at times, make zoning decisions based solely on local considerations without considering regional effects or implications.

Innovative Zoning Techniques
To answer at least some of these criticisms, innovative techniques have been developed to introduce more flexibility into the zoning process. Traditional zoning can be rather rigid and result in a “sameness” to the look of neighborhoods. In some situations, an intermixing of land uses may make a community or neighborhood more appealing.

Planned Unit Development (PUD)
Probably the best known of the innovative zoning techniques is the Planned Unit Development (PUD). Under this approach, the zoning ordinance allows flexibility in the development of large areas, usually several contiguous acres at a minimum. In addition to homes, which are often clustered together, there may be appropriate commercial, public or quasi-public, or even industrial facilities. In addition to allowing this mixing of land uses, PUD regulations are usually much more flexible than conventional zoning requirements in terms of building placement and development standards. A PUD can improve site design, preserve and protect amenities such as wetlands or other open space by clustering residential and other development, and lower infrastructure costs by reducing street lengths. Features included in a planned unit development may include such varied items as commercial buildings, community centers, open space, water features, and agricultural land.

In creating a PUD, local officials and developers work together to arrive at an approved plan. Planned unit developments, also referred to as planned residential developments or simply as planned developments, have been well accepted because they offer such a livable environment. In recent years, one popular variation on the PUD concept has been the Planned Industrial Development (PID). Many PIDs include retail services and recreational facilities for the convenience of employees.

Overlay Zone
Another innovative zoning technique involves the use of a zone of indeterminate size that can be applied to an area of the community in special circumstances. Toned an overlay zone, such a district is often used to protect historic areas. Overlay zones are imposed on top of the existing zoning and may cover all or part of several districts. They provide an additional layer of development standards so that unusual land-use needs may be addressed. Again, using the historic district example, new buildings or building additions can be subject to design standards through the use of the overlay zone. In this way, the design compatibility and appearance of the historic area can be maintained.

Conclusion
Zoning is simply a system for dividing a jurisdiction into a series of districts to lessen land-use-based conflicts. The zoning ordinance sets forth such regulations in detail so that every owner of land may know what is permitted and required not only of the uses of the land, but also setbacks, building heights, and so forth.

While zoning certainly can be criticized, the careful and evenhanded administration of a thoughtfully drafted zoning ordinance remains one of the best ways to implement the community comprehensive plan. Zoning makes an important contribution to the livability, efficiency, and attractiveness of a city or county.
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