

The Future of Single-Family Zoning in Georgia

2019 GPA FALL
CONFERENCE

Panel



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Matt Lonnerstater, AICP is a Development Services Planner with the Chatham County - Savannah Metropolitan Planning Commission. Prior to working in Savannah, Matt worked as a private planning consultant in the Metropolitan Detroit area where he provided planning and zoning services to various communities ranging in size from small rural villages to large suburban cities. Matt received his Masters degree in urban planning from The University of Michigan's Taubman College of Architecture and Urban Planning.

Panel



Mary V. Darby is the Managing Principal of Smart Planning Connections, LLC which is located in the metropolitan Atlanta area. Mary has over 25 years of planning experience and carries unique credentials in writing Comprehensive Development Plans, updating Zoning Ordinances, conducting Transportation studies and reviewing NEPA documents. Mary earned her masters degree in Urban Planning from GA TECH and is pending certification as a DBE NEPA planner with GDOT. Mary is a certified public involvement practitioner and she finds joy in “bridging the gap between communities and agencies with integrity.”



Keyetta M. Holmes, AICP joined the City of Atlanta in 2017. She currently serves as Interim Director of Zoning and Development in the Department of City Planning. In this role, she serves as the Zoning Administrator and manages Zoning, Land Development, and Strategic Planning. Prior to the City of Atlanta, Keyetta worked as Senior Planner with the City of East Point. In that role, she was responsible for comprehensive planning and served as project manager for two revisions of the zoning code. Keyetta, a Georgia native, earned her Master's in Emergency Management and Terrorism from Walden University in 2016. She earned her B.S. in Urban Studies (Planning and Economic Development) from Georgia State University in 2001.

The Future of Single-Family Zoning in Georgia: Overview

1. Introduction
2. The American Single-Family Home: A Brief History
3. Current Trends and Data
4. Plans to Eliminate Single-Family Restrictive Zoning
5. Counter-Arguments
6. Georgia Context
7. Questions

Introduction

Why are we talking about this now?

Minneapolis, Seattle, Portland actions to eliminate single-family restrictive zoning

Why are these cities exploring zoning changes?

- Housing shortage/affordability issues
- Urban form issues

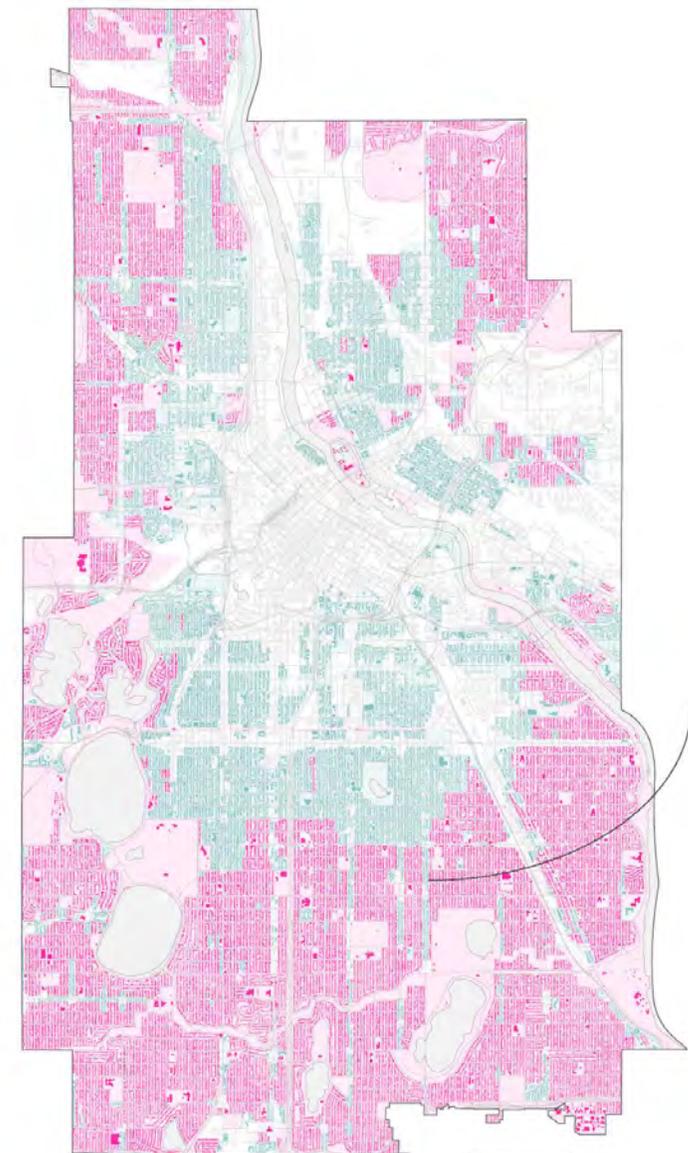
Introduction

Elimination of Single-Family Zoning

- Minneapolis, Seattle and Portland
- Housing crisis and equity

Euclidean Zoning

- 1916 New York Zoning Code



Residential land zoned for: ■ detached single-family homes ■ other housing

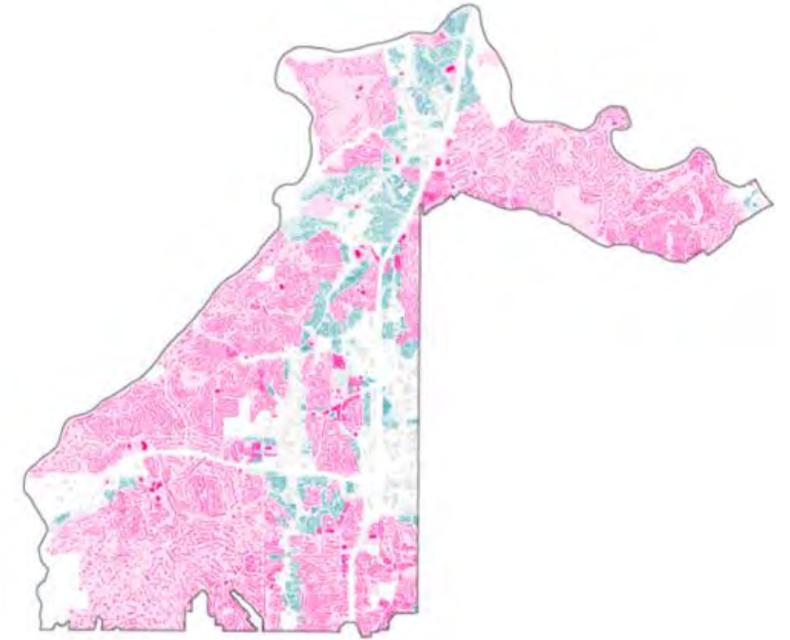
Source: *New York Times*

The American Single-Family Home

Homeownership not just American aspiration.

- 65.1% of US households are owner-occupied. 70.8% owner-occupied in European Union.
- Nearly $\frac{2}{3}$ of American housing is composed of detached single-family homes (63.3%). Compared to $\frac{1}{3}$ in European Union (34.7%)

Why are detached single-family homes so prevalent in US?



Sandy Springs, Ga.

85%

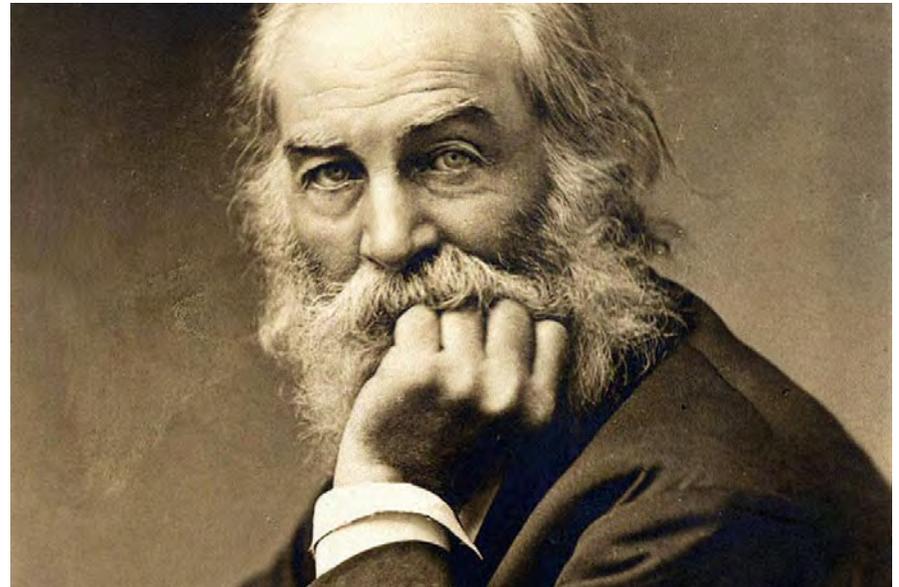
Residential land zoned for: ■ detached single-family homes ■ other housing

*Picture Source: New York Times
Data Source: Zoned in the USA – Sonia Hirt*

The American Single-Family Home

"A man is not a whole and complete man unless he owns a house and the ground it stands on."

- Walt Whitman



The American Single-Family Home

Why are single-family detached homes so prevalent in US?

Three major explanations:

- Improvements in Transportation
- Federal Housing Programs
- Zoning

Transportation

Mid to Late 19th Century

Industry located near steamships and railroads lead to dense urban conditions

Streetcars and Streetcar Suburbs (1880-1920)

- Homes in close proximity to streetcar routes.
- Higher density adjacent to routes.
- Lower density a few blocks away (single-family).



Picture Source:
Skryisecities.com

Somerville, Mass



Woodland Park- Seattle



Source: Woodland Park Zoological Society

Transportation

Automobiles, Buses and Trucks

- Opens up areas for residential uses
- Cheap Land
- **Lot sizes go up, density goes down.**
 - Streetcar suburb: 3,000 sq. ft. (population density: 20,000 per sq. mile)
 - Automobile suburb: 5,000 sq. ft. (population density (10,000 per sq. mile)
- Trucks allow manufacturers to take advantage of lower-cost land in suburban areas.
- Allows cities to expand far beyond their old borders.
- Buses open up areas for apartment builders.
 - **Bye-bye streetcar.**



Source: Stephen M. Scalzo Collection

Transportation

"Decentralization is taking place. It is not a policy, it is a reality - and it is impossible for us to change this trend as it is to change the desire of birds to migrate to a more suitable location."

Seward H. Mott, FHA Director of Land Planning. 1939 Convention of American Institute of Planners

Federal Housing Programs

Great Depression (1929)

- 1928 thru 1933: Residential construction falls by 95%. Expenditures on home repair falls by 90%
- Home prices fall by 26%
- 1933: 193,800 home foreclosures
- National policy to protect home ownership
- **Home Owners Loan Corporation (HOLC) (1933)**

Federal Housing Programs

Home Owners Loan Corporation (HOLC) (1933)

- Transform short-term loans into long-term mortgages
- Refinance mortgages in danger of default/foreclosure
- Between 1933 and 1935, refinanced nearly 1 million mortgages (1/10th of all owner-occupied, non-farm residences in U.S)
- Problem for HOLC: Had to make predictions/assumptions regarding long-term property values. How?
 - Solution: Residential Security Maps

Federal Housing Programs

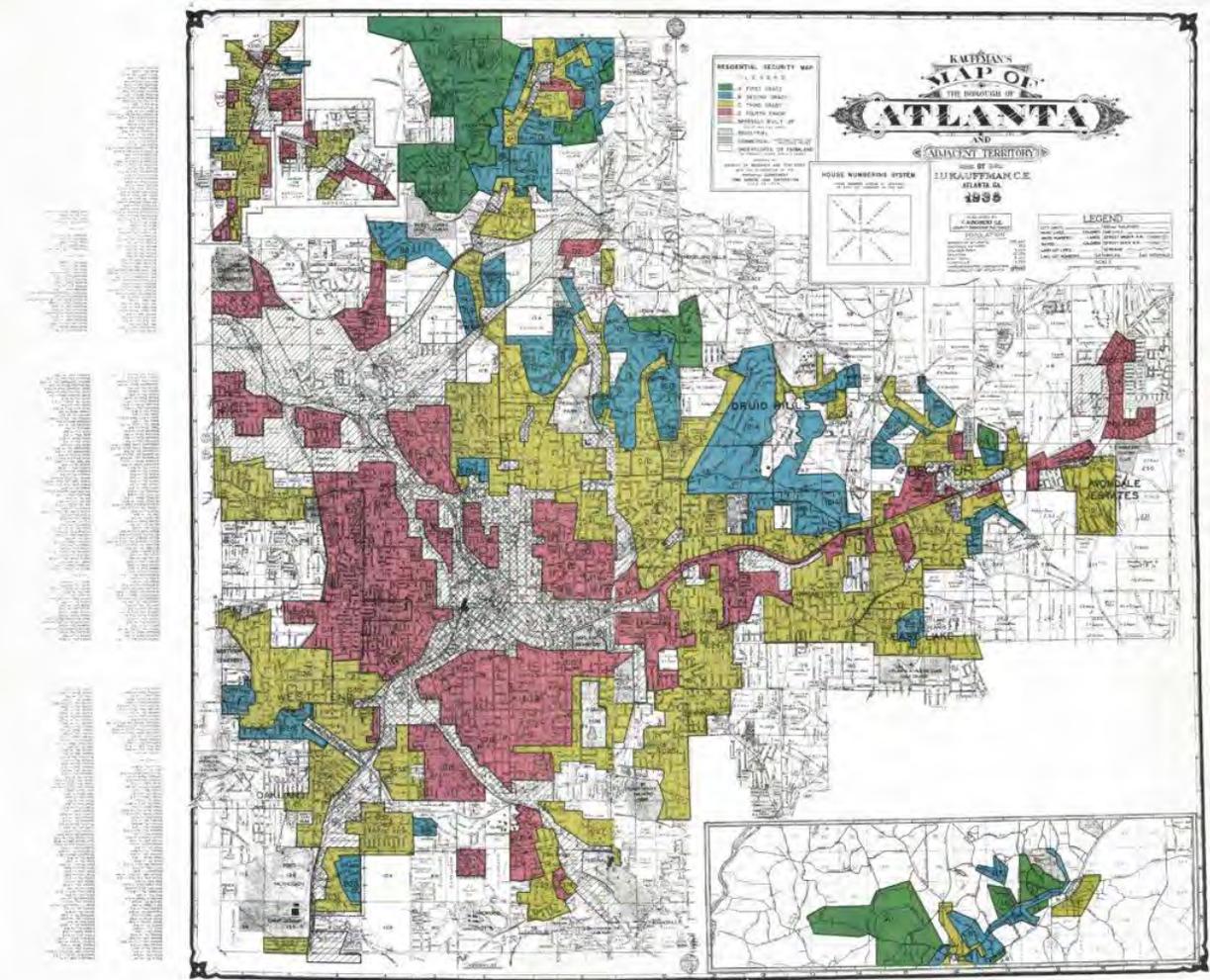
HOLC Residential Security Maps

Grade A (Green): Homogeneous; "Hot Spots"

Grade B (Blue): Still good, but not great

Grade C (Yellow): Older, becoming obsolete. "Infiltration of a lower grade population"

Grade D (Red): Poor housing conditions; undesirable populations



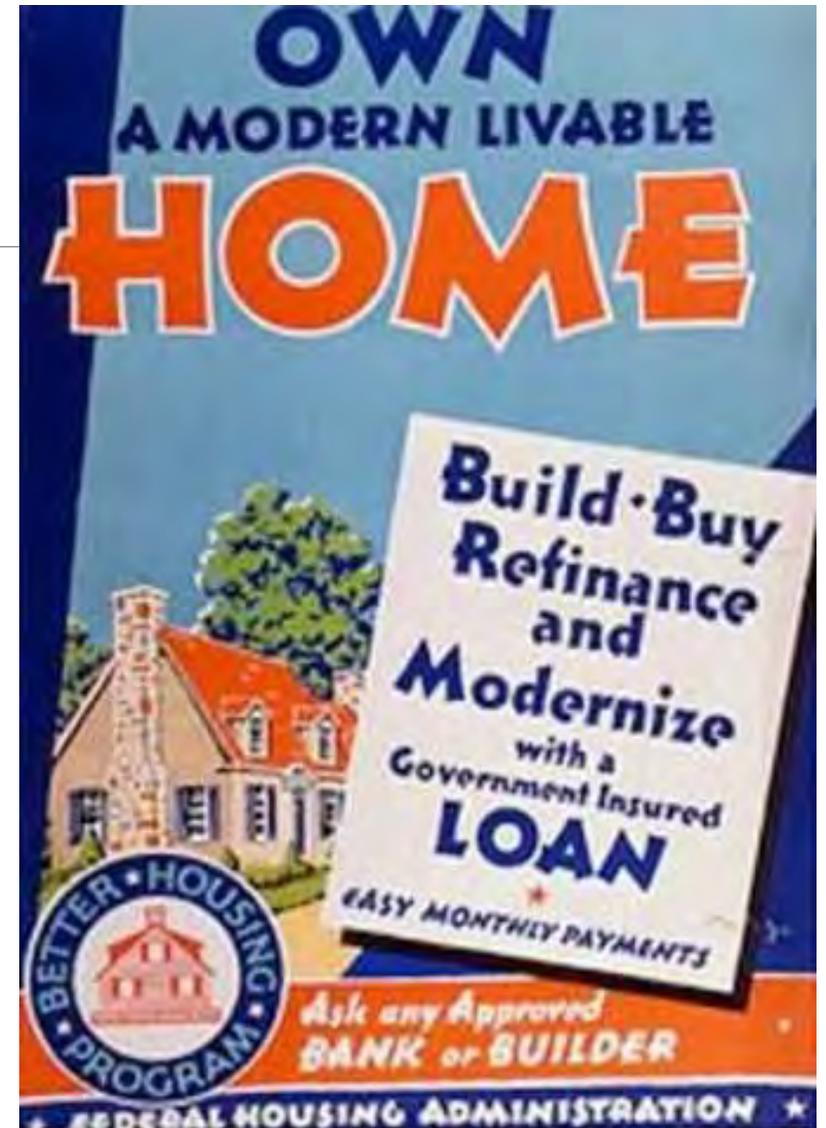
Picture Source:
atlantastudies.org

Federal Housing Programs

Federal Housing Administration (FHA) – 1934 - “Better Housing Program”

- Encourages improvement in housing standards, facilitate sound home financing, and exert stabilizing influence on mortgage market
- Get building tradesmen back to work
- Extended repayment period to 25/30 years

GI BILL (Veteran’s Administration) - 1944



Federal Housing Programs

Housing Starts:

1933 - 93,000

1937- 332,000

1938 - 339,000

1939 - 458,000

1940 - 530,000

1941 - 619,000

Single-family housing at the heart of FHA's insured loans activities.

- Between 1941 and 1950, FHA-insured single-family starts exceeded multi-family starts by a ratio of 4 to 1

FHA also insured entire new subdivisions - Levittown

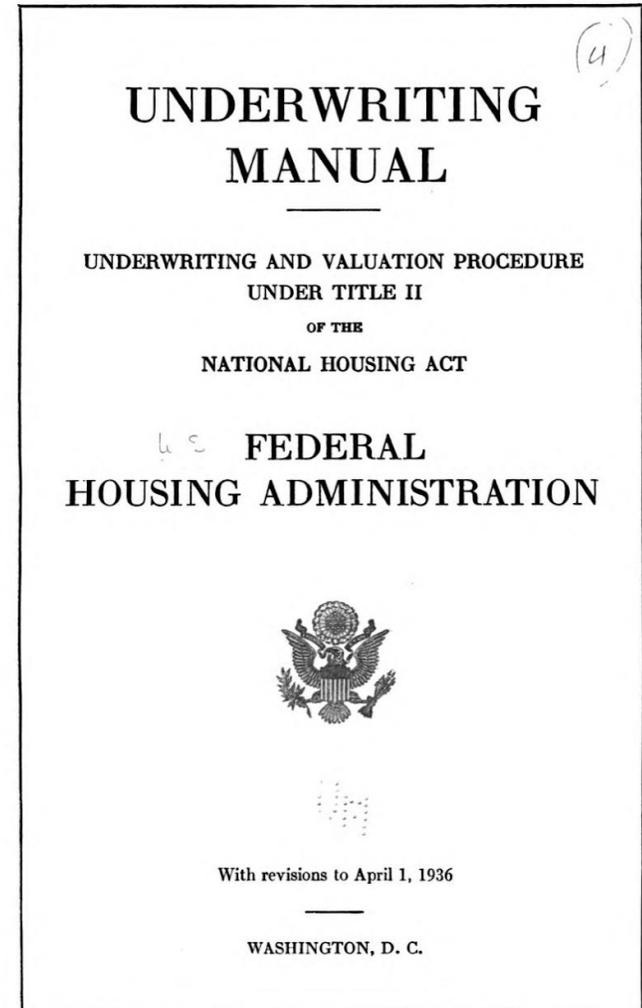
Federal Housing Programs

FHA

Aim: Guarantee that the market value of the dwelling always exceeds outstanding debt

Neighborhood Evaluation/Underwriting Manual Criteria:

- **Relative economic stability (40%)**
- **Protection from adverse influences (20%)**
- Freedom from special hazards
- Adequacy of civic, social and commercial centers
- Adequacy of transportation
- Sufficiency of utilities and conveniences
- Level of taxes and special assessment



FHA Form No. 2049
Revised 4-1-36

U. S. GOVERNMENT PRINTING OFFICE: 1936

Federal Housing Programs

Relative economic stability and protection from adverse influences

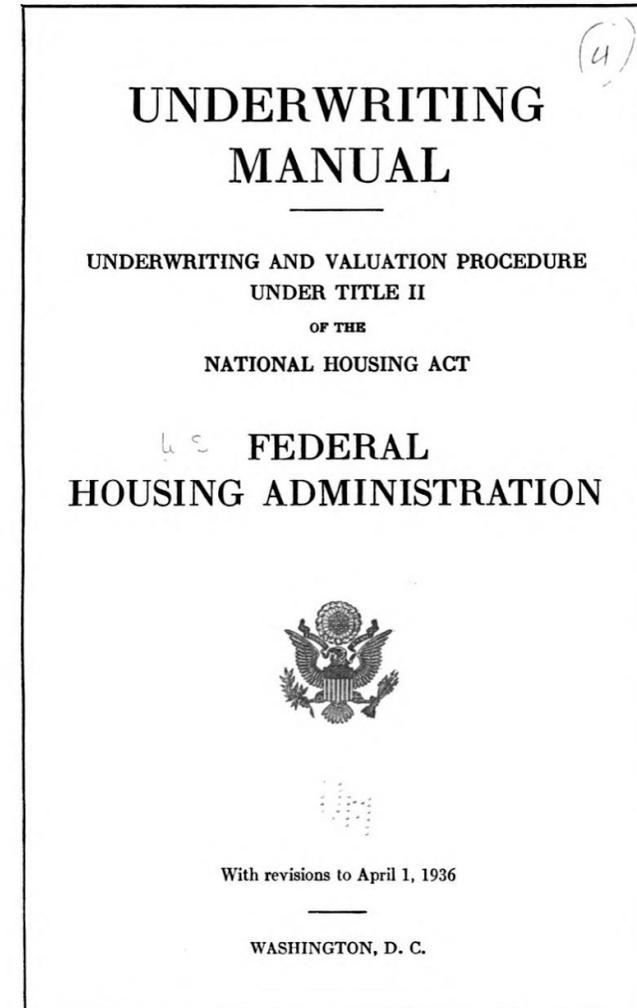
Single-family homes must be protected from “undesirable and inharmonious” elements to protect property values

- People: races/nationalities
- Uses: stores, offices, rental units
- Restrictive covenants

Continued to utilize HOLC’s Residential Security Maps

- Blockbusting/White Flight

Minimum requirements for lot size, setback from street, separation from adjacent structures (sound familiar?)



FHA Form No. 2049
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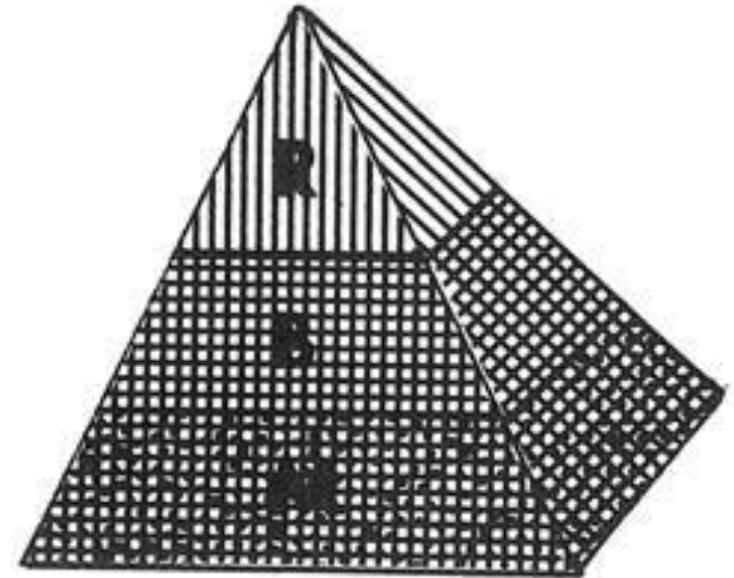
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Original from
UNIVERSITY OF MICHIGAN

Zoning

American Application

- Relation to Nuisance Laws
- Legitimate concerns regarding living and working conditions in industrialized cities (nuisance law)
- Ensure public safety and protect general welfare of population
- NYC (1916)
 - Residential
 - Business
 - Unrestricted



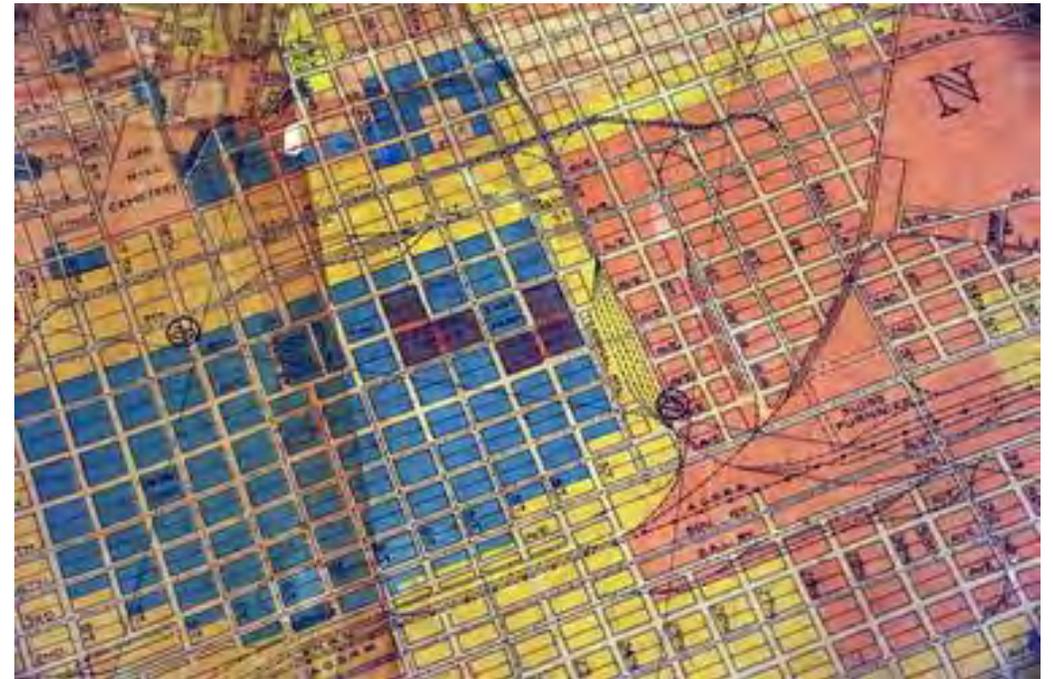
Zoning

- Slowly evolves to treat single-family as its primary use - the use to be protected
- Mindset: Without public regulation, no builder or owner of private homes could be guaranteed steady property values
- Developers and owners must feel confident that their neighborhoods will never be encroached by undesirable uses
 - Also, “undesirable” people

Zoning

Racial Zoning

- Baltimore (1910) - Prohibited African Americans from buying homes on blocks where whites were a majority
- Other cities to adopt racial zoning codes: Atlanta, Louisville, Birmingham, Charleston, Dallas, New Orleans, Richmond, St. Louis
- Ruled unconstitutional in 1917 (*Buchanan v. Warley*)



Picture Source: *The Birmingham News*

Zoning

- Can't zone-out by race? Then zone-out by class
- Large-lot residential districts
- Supported by FHA. Real estate lenders want assurance regarding neighborhood "character"

Euclid v. Ambler (1926) - Majority Opinion

*With particular reference to apartment houses, it is pointed out that the development of detached houses is greatly retarded by the coming of apartment houses [...] 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.*

Zoning

"Zoning should separate residence districts by homogeneous types of dwellings [...] In residential districts, they [zoning codes] should provide for one-family dwelling districts, two-family dwelling districts, multiple dwelling districts, in order to encourage the development of neighborhoods with such uniformity of type of dwelling as will secure the best social and economic conditions."

- President's Conference on Home Building (1932)

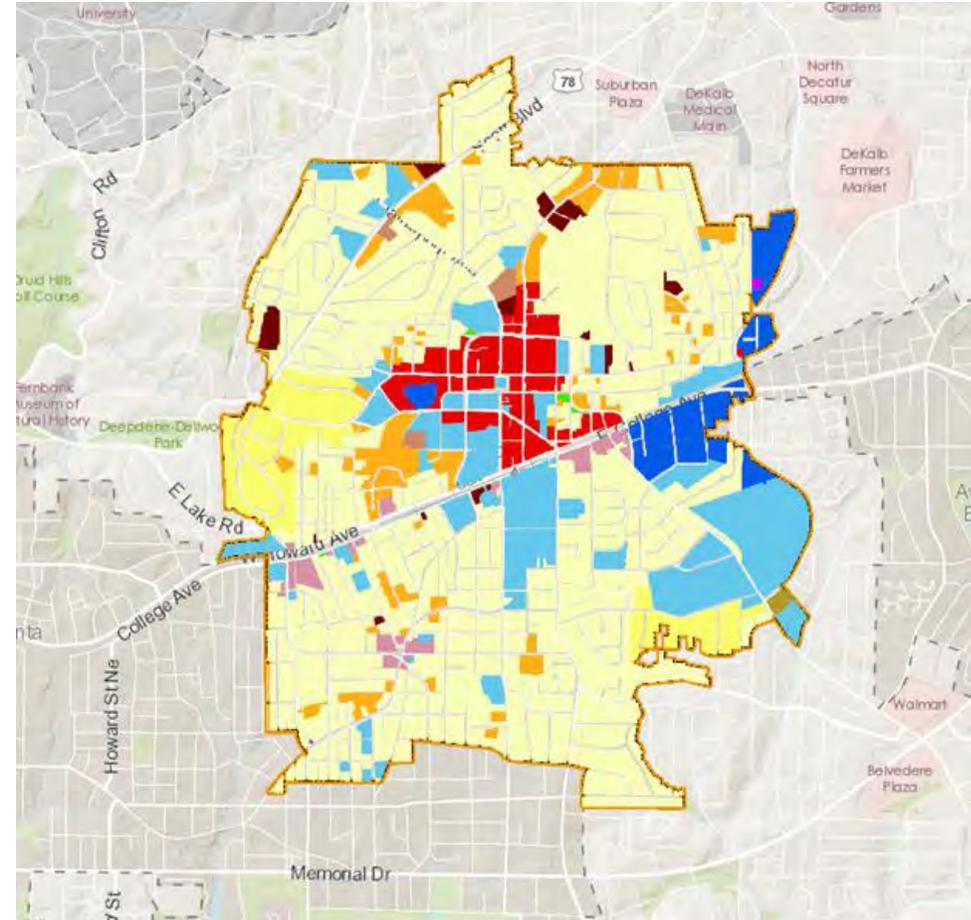


Where are we now?

Zoning Districts

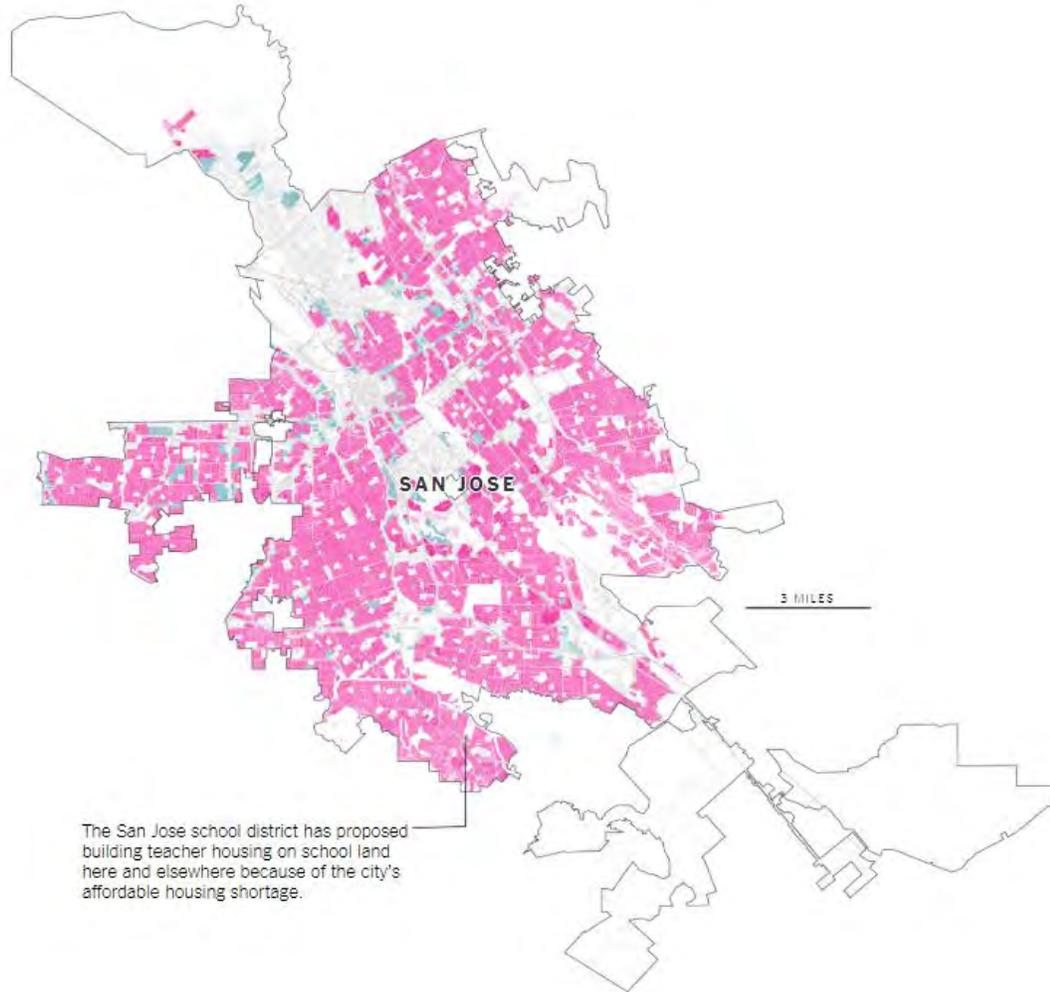
Adopted from Fulton County

-  R-1 Single Family Dwelling District
-  R-2 Single Family Dwelling District
-  R-2A Single Family Dwelling District
-  R-3 Single Family Dwelling District
-  R-3A Single Family Dwelling District
-  R-4 Single Family Dwelling District
-  R-4A Single Family Dwelling District
-  R-5 Single Family Dwelling District
-  R-5A Single Family Dwelling District
-  R-6 Two Family Dwelling District
-  A - Medium Density Apartment District
-  A-L Apartment Limited Dwelling District
-  A-1 Apartment Dwelling District
-  A-O Apartment Office District
-  TR Townhouse Residential Districts

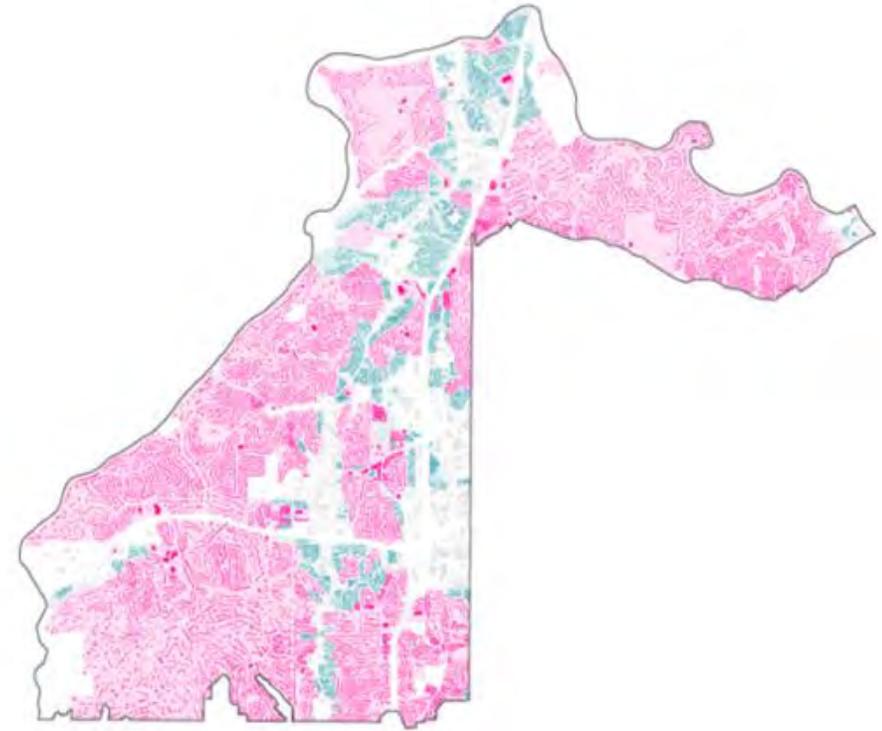


San Jose, Calif.

94% of residential land is zoned for detached single-family homes



Note: Area calculations do not include roads, sidewalks or railways.



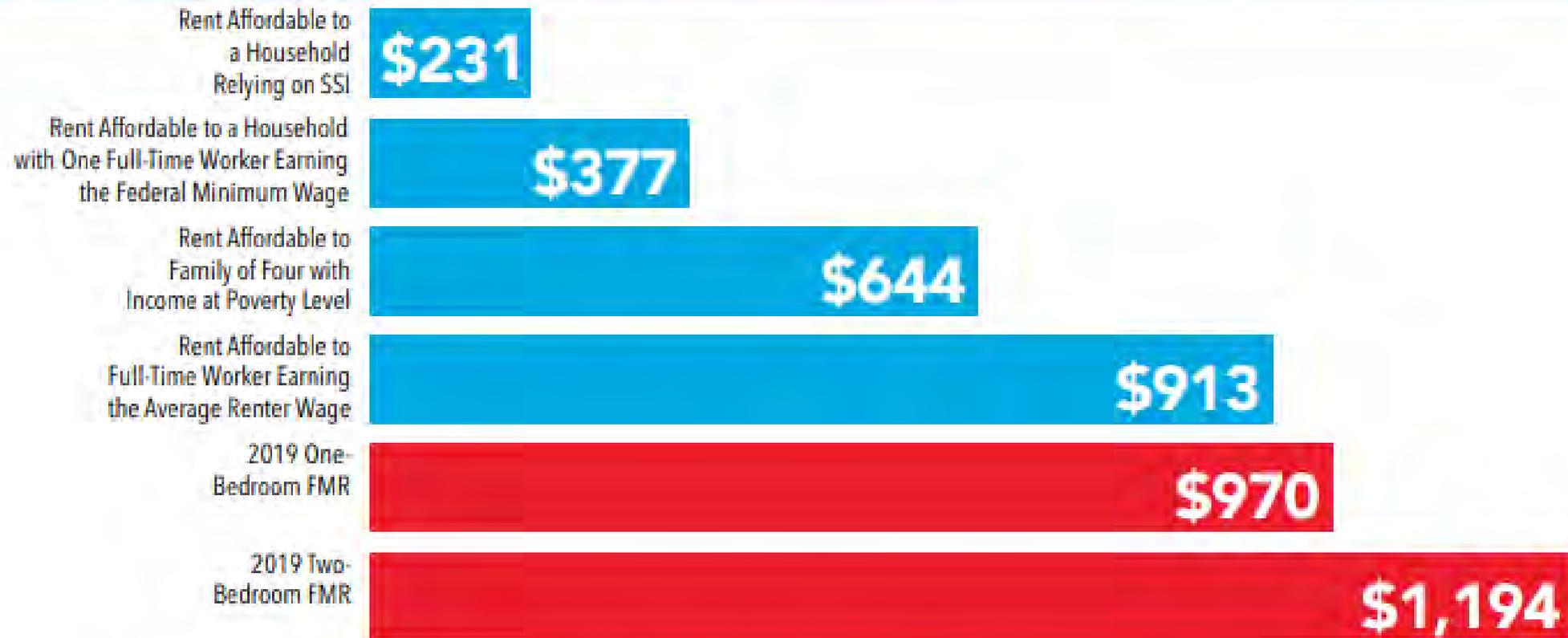
Sandy Springs, Ga.

85%

Residential land zoned for: ■ detached single-family homes ■ other housing

Source: New York Times

FIGURE 1: RENTS ARE OUT OF REACH FOR MANY RENTERS



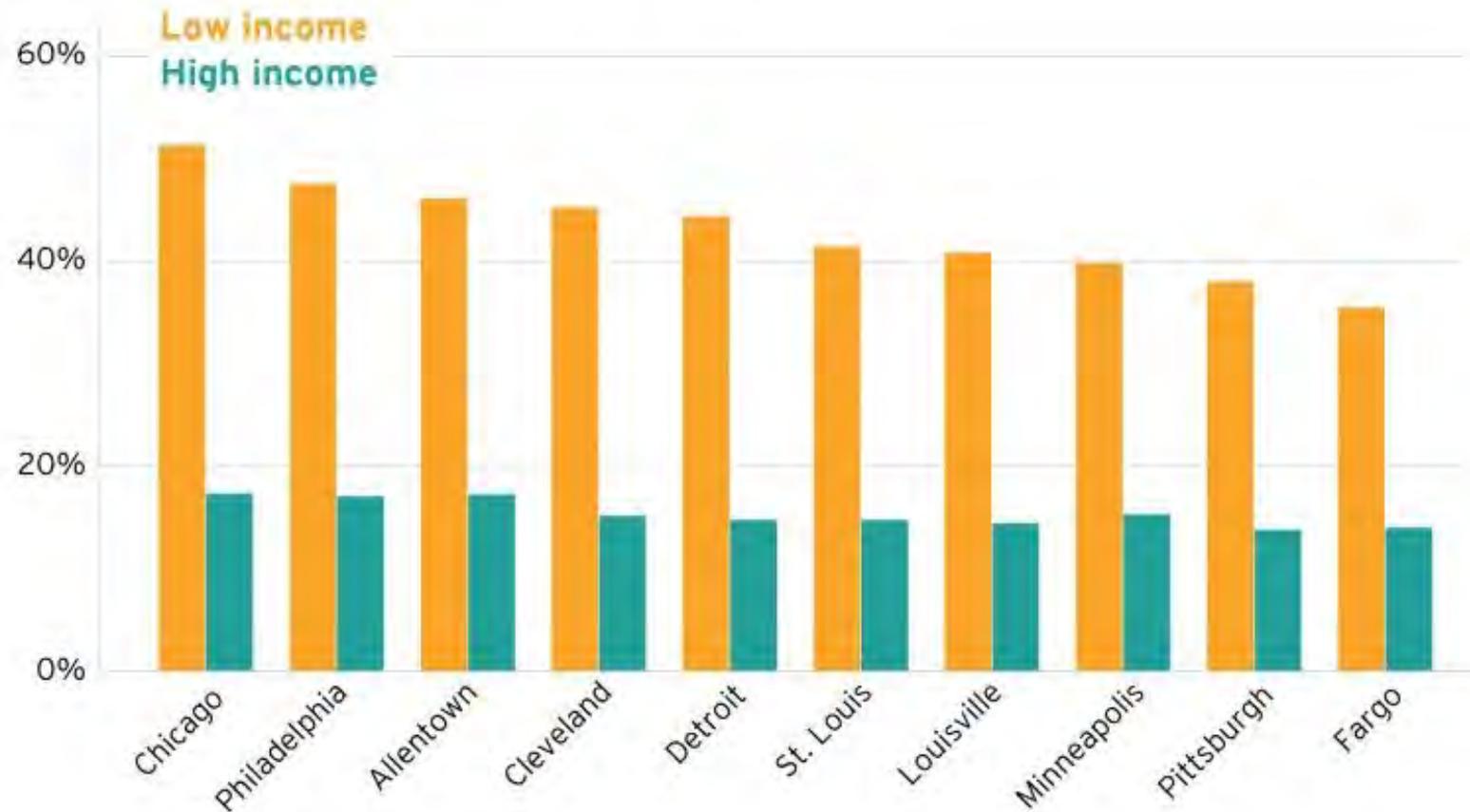
Fair Market Rent = Fair Market Rent.

Source: NLIHC calculation of weighted-average HUD fair market rent. NLIHC calculation of affordable rents based on income and benefits data from BLS QCEW, 2017 adjusted to 2019 dollars; HUD 2019 Income Limits; and Social Security Administration, 2019 maximum federal SSI benefit for individual.

Source: National Low Income Housing Coalition

Housing cost burdens vary across metros

Housing costs as share of income, by metropolitan area



Note: Graph shows average housing costs/income for households in the lowest two income quintiles, defined within metro areas. Includes all homeowner households with at least one adult 18-65 in the labor force.

Source: 2012-2016 American Community Survey IPUMS

B Metropolitan Policy Program
at BROOKINGS

Source: Brookings Institute

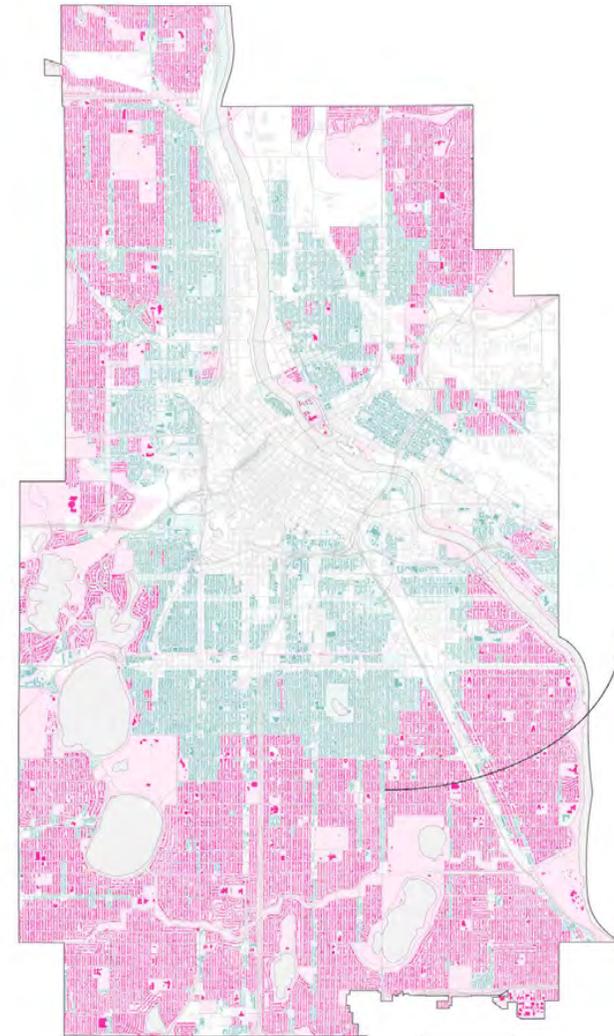
Missing Middle Housing



Source: Opticos

Minneapolis

- 75% of residents live on lots zoned for single-family homes
- First municipality to eliminate single-family zoning (2018)
 - Allow residential structures to have up to three dwelling units
- Intent was to specifically address racial and social barriers that negatively affect communities of color
- Increase housing supply



Residential land zoned for: ■ detached single-family homes ■ other housing

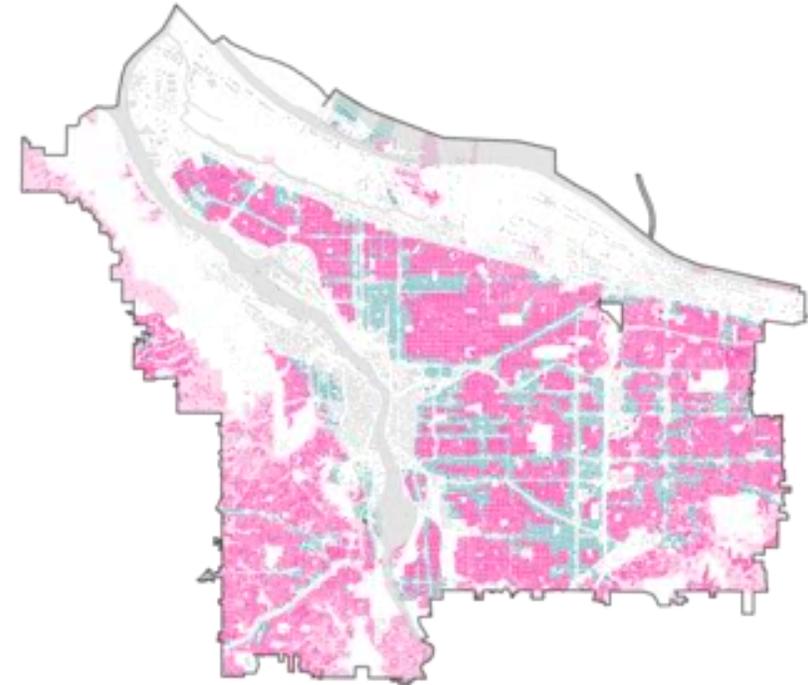
Source: New York Times

Oregon

First state to eliminate single-family zoning (2019)

- In cities with more than 25,000: duplexes, triplexes, fourplexes, and “cottage clusters” allowed in single-family zones
- In cities of at least 10,000: duplexes allowed in single-family zones

Urban Growth Boundaries to Stop Sprawl



Residential land zoned for: ■ detached single-family homes ■ other housing

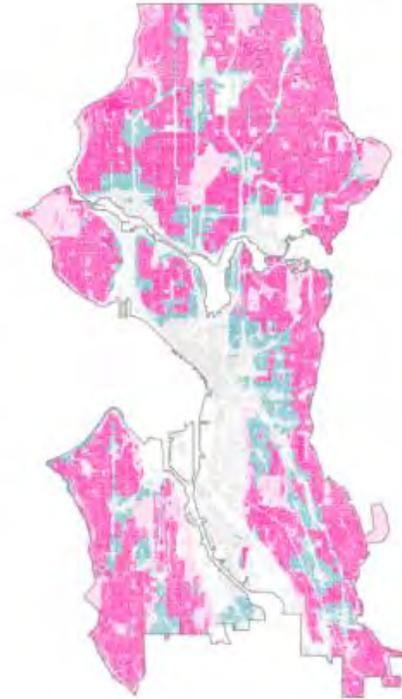
Source: New York Times

Seattle

Up-zoned in 27 neighborhood hubs

- Began in 2017 and expanded in 2019
- Requirement in about 6% of the single-family zones

Coupled up-zoning with affordable housing requirements



Seattle **81%**

Residential land zoned for: ■ detached single-family homes ■ other housing

Source: New York Times

Problems with Single-Family Zoning

- Prohibits commercial uses that form the foundation of walkable communities.
- Originally established to make neighborhoods unaffordable for non-whites.
- Makes new construction less affordable and inaccessible to renters.
- Limits easy access to valuable resources like schools and parks.
- Results in McMansions and completely unaffordable new construction.
- Creates weird, inequitable outcomes among neighbors.
- Many other housing types already exist in single-family zones.
- Accelerates and increases disruptions in areas that allow growth.



Counter-Arguments

Minneapolis

- Does more units equal affordability?
- Anticipated number of units
- Decrease in housing costs
- Owner-occupancy required

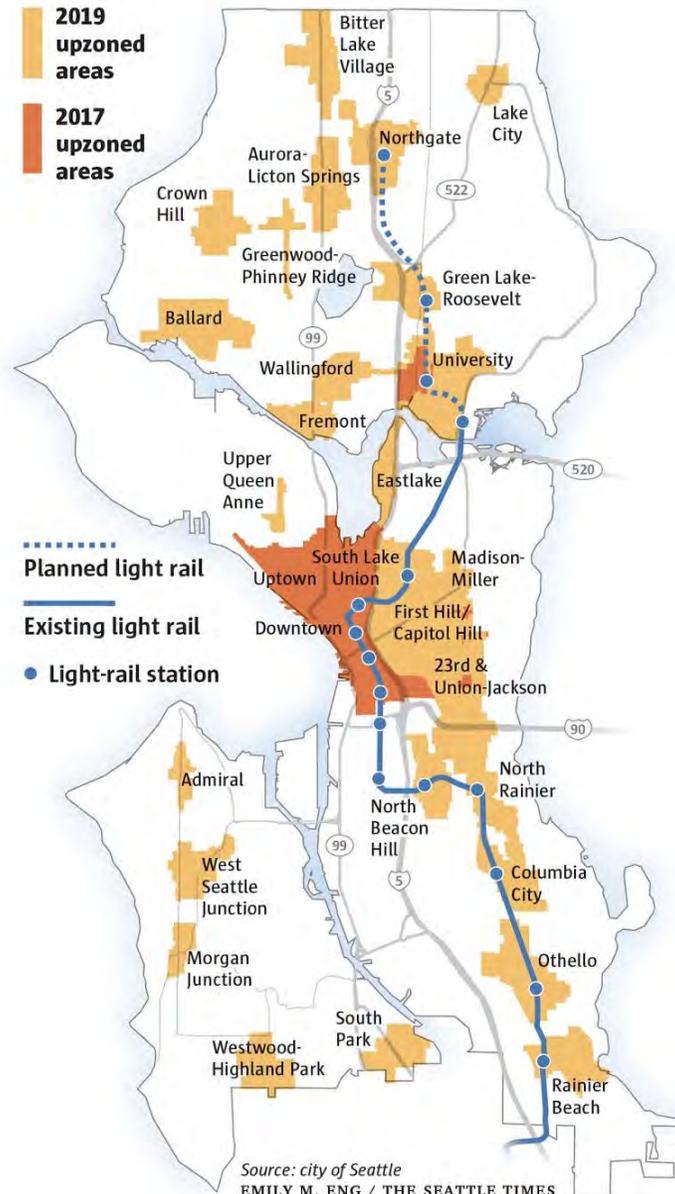
Counter-Arguments

Seattle

- “The density Bolsheviks are coming to town, and they’re gonna burn your single-family house to the ground.”
- 6% of the exclusive single-family zones in the city will be up-zoned.
- Much of the up-zoning will occur along Seattle’s Link light rail line and in what have long been low-income neighborhoods.
- Seattle’s decision could unleash the brute force of the market on its low-income residents, while sparing many of its more affluent residents from the impacts of up-zoning.
- Seattle’s up-zoning requires the developer to set aside only five affordable units in the new building.
- People will be displaced.

Seattle's upzoned blocks

The City Council voted Monday to allow taller buildings and denser construction in many neighborhoods while requiring developers to help create affordable housing. The map shows the main areas that have been upzoned. Additional changes, not shown below, occurred along major arterials outside those areas.



Alternatives

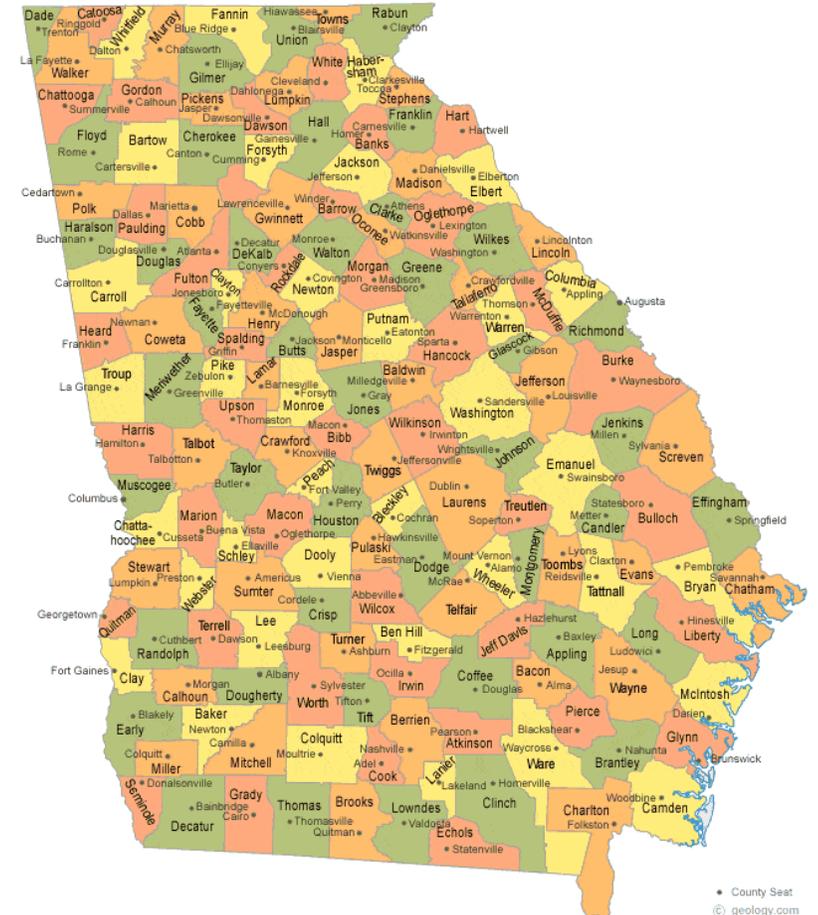
Atlanta

- Accessory Dwelling Units (ADUs)
 - Increase density without up-zoning
- MR-MU (Multi-family Multi-unit)
 - 4 to 12 units on a single parcel
 - Can exceed the density allowed
 - Reduced parking requirement



WHY Should Georgia Communities Explore Eliminating SF zoning?

- Accommodate community growth
- Improve housing affordability
- Encourage more diverse housing types
- Connect communities and infrastructure (Green, IT, roads)



WHY Should Georgia Communities Explore Eliminating SF zoning?

➤ Accommodate Georgia's Growth

Year	Georgia	Population
1920	2.926 million	-
1940	3.119 million	~.2 million
1960	3.956 million	~.84 million
1980	5.568 million	~1.6 million
2000	7.943 million	~2.4 million
2018	10.52 million	~2.6 million

Source: U.S. Census Bureau

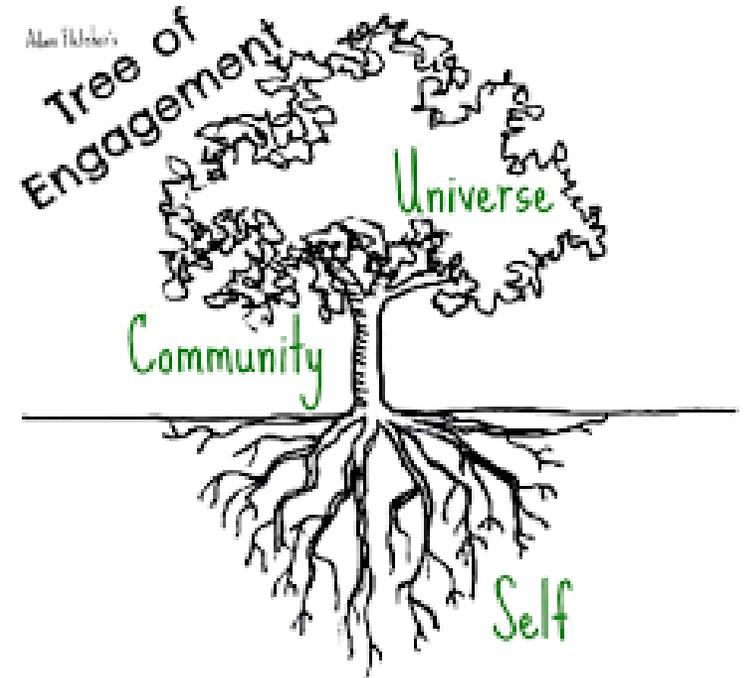
WHY Should Georgia Communities Explore Eliminating SF zoning?

- Improve housing affordability and connectivity:
 - City of Atlanta
 - City of Fairburn
 - City of Covington
 - Chatham County – Savannah
- Encourage housing diversity



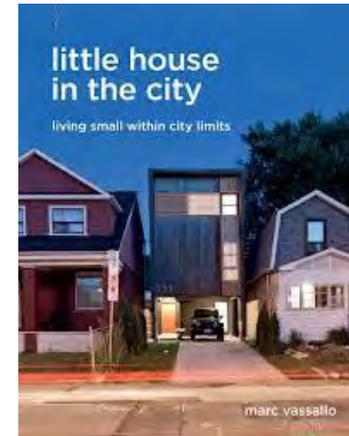
HOW Should Georgia Communities Explore Eliminating SF zoning?

- Conduct a spatial analysis of current land uses, land use policies, and zoning districts
- Perform SWOT analysis on community infrastructure
- Create a strategic plan that prioritizes areas that may support density and provide connectivity to TODS, Green Infrastructure, Mixed Uses, Schools, IT, Road Networks
- Appoint a stakeholders team and develop a plan to discuss potential residential zoning reforms throughout communities; prepare public engagement plan
- Receive community input and develop zoning reform legislation



Conclusion

- So...What do you think?
- Should cities/counties eliminate single-family restrictive zoning?



Thank You!

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