

Let's Talk About...

THE IMPETUS FOR ZONING

Until a little over one hundred years ago, walking was the primary way of getting from place to place for most city-dwellers. People lived within walking distance of their jobs, stores, schools, and churches. Neighborhoods were a hodge-podge of factories, retailers, businesses, apartments, homes and slums. While horse-drawn streetcars mounted on fixed rails existed in many larger cities, they were slow and limited in their hauling capacity.

In the late 1880s, electric-powered streetcars, offering both speed and comfort, made it possible for workers to move to exclusively residential districts and commute daily to work. Developers built and marketed tracts of one family homes along these rapidly expanding trolley lines. Suburbs became homogenous based on income, not ethnicity. Without zoning, residential neighborhoods were orderly and uniform. Without zoning, commercial and heavy industries remained concentrated near the wharves and railheads necessary for moving their products.

This cozy arrangement was threatened in the 1910s by the truck, which undermined the security of suburban, single-family residences. The truck made it possible for heavy industry to move from close proximity to downtown railroad stations and docks. It enabled manufacturers to take advantage of low-cost land in residential districts. This created a problem for homeowners and the developers who catered to them, since a vacant lot could be sold to a manufacturer for a substantially higher price than to a potential homeowner.

Thus began the push for urban planning and for zoning. In 1916, New York City enacted the first city-wide zoning ordinances. However, several other major cities were developing similar ordinances at the same time, so had New York not been first, several other cities were ready to take the title. Zoning spread rapidly; by the end of 1916, 8 cities had zoning. By 1926, 68 more cities had it, and by 1936, zoning had been adopted by 1246 additional cities.

Since zoning by definition is "A system for the public control of land use for the community good", not everyone jumped on board the zoning bandwagon. But the constitutionality of zoning was upheld in 1926 by the U.S. Supreme Court in *Euclid v. Ambler*. From the beginning, protection of the single-family home was paramount in importance. Support was based on the need to induce home buyers to invest their savings in a large, undiversified asset and to protect and hopefully increase the long-term value of that investment.

The U.S. Department of Commerce published the Standard Zoning Enabling Act in 1926, which was adopted by a majority of the states within four years. Texas adopted its own form of the act in 1927. The City of Hamilton adopted a Zoning Ordinance on June 12, 2008 that became effective July 1, 2008.

Next week's article will discuss the two parts of our Zoning Ordinance, the Zoning Map and the Zoning Regulations. Also to be covered will be the Planning & Zoning Commission, the Board of Adjustment,

Specific Use Permits, and Variances. Please note: All of the city's Zoning Ordinances are available on the city website at www.HamiltonTexas.com in Appendix B.