

Setting Equitable Boundaries for Zoning Districts

PA Chapter of APA Annual Conference 10-17-2023

Carolyn Ristau & RJ Susko

Who's in the Room?

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**DETAILS
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Let's Talk Zoning & Equity

- Zoning as a Tool to Create Inequity
- Case Study: Increasing Equity in Remapping McCandless
- Discussion: What are successes and lessons learned from your work?
- Q&A



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The Challenge



We don't want
those people in
our
neighborhood!



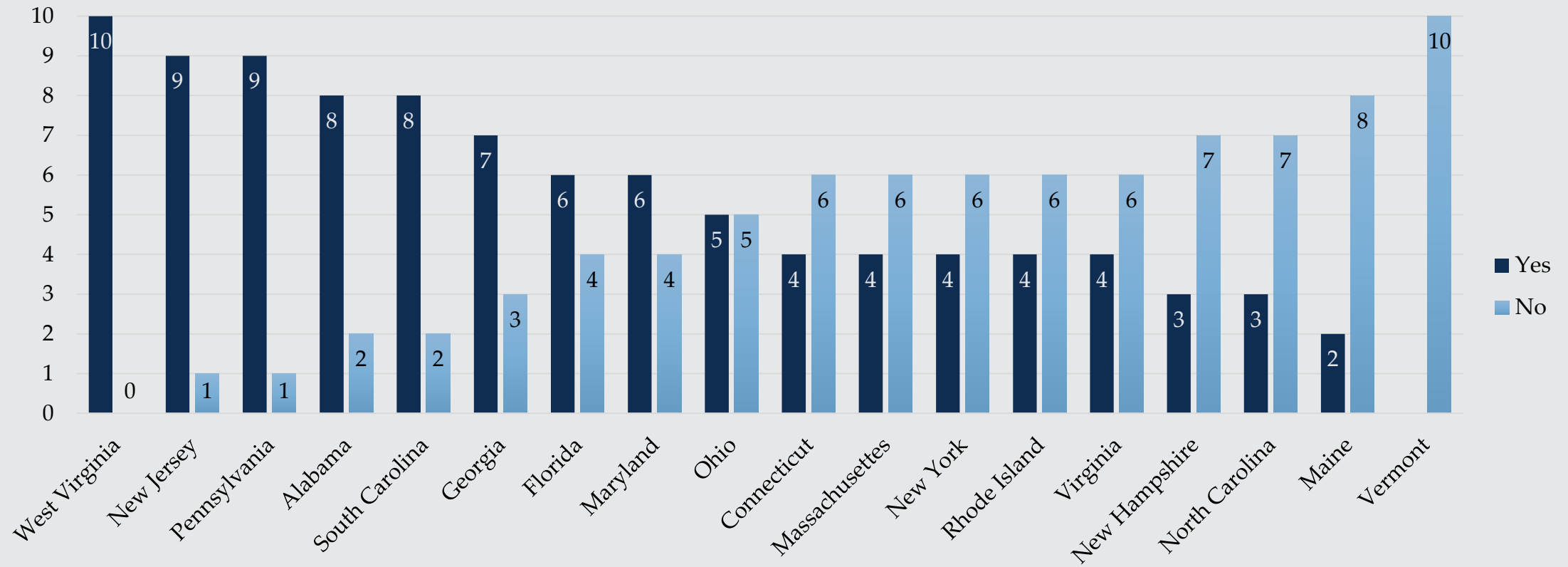
<https://thenounproject.com/icon/group-1734115/>

Zoning's Purpose: Protecting Morals

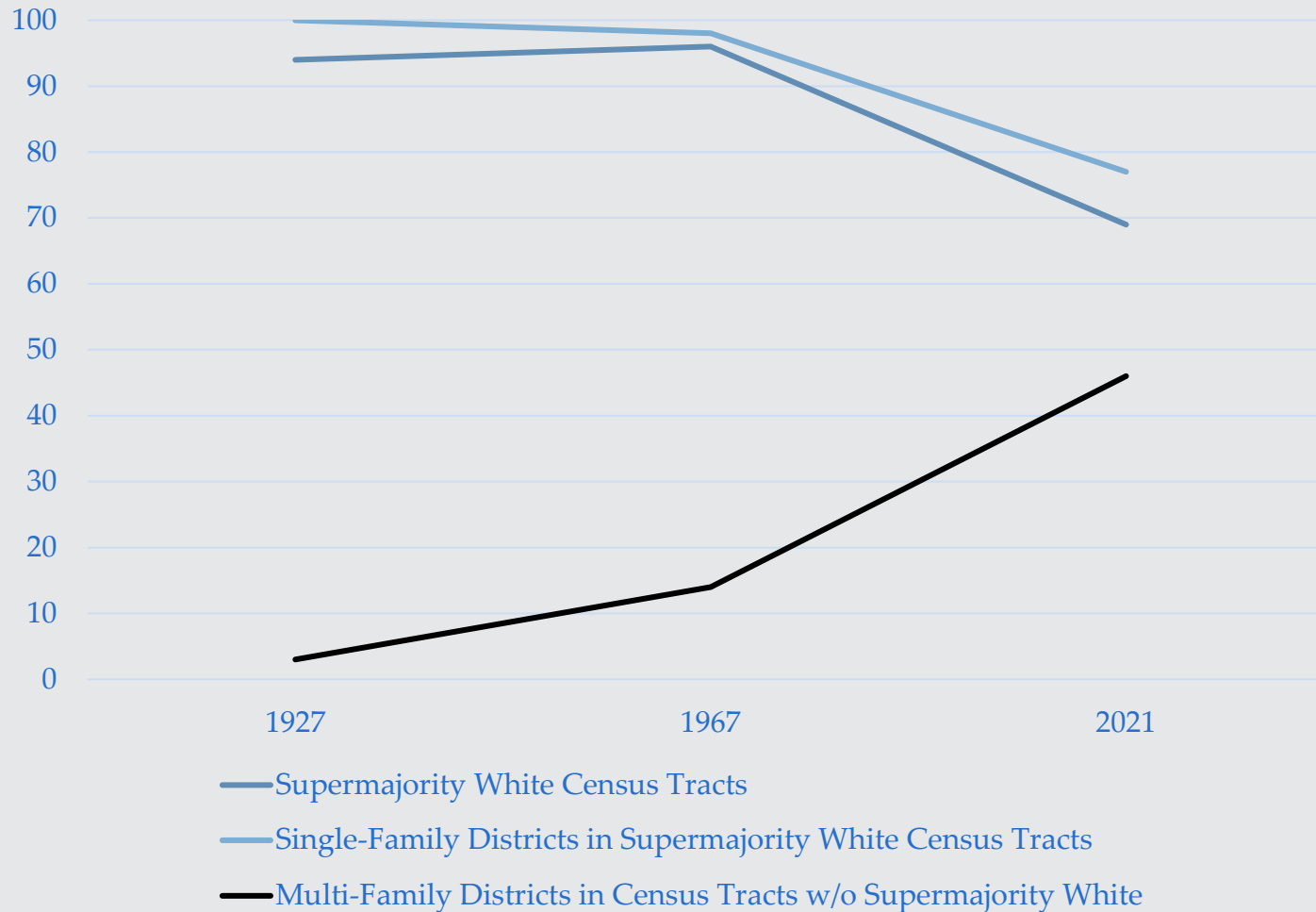


Apartment buildings are "mere parasites"
Euclid v Ambler 1926
US Supreme Court

Morals in Zoning Codes by State



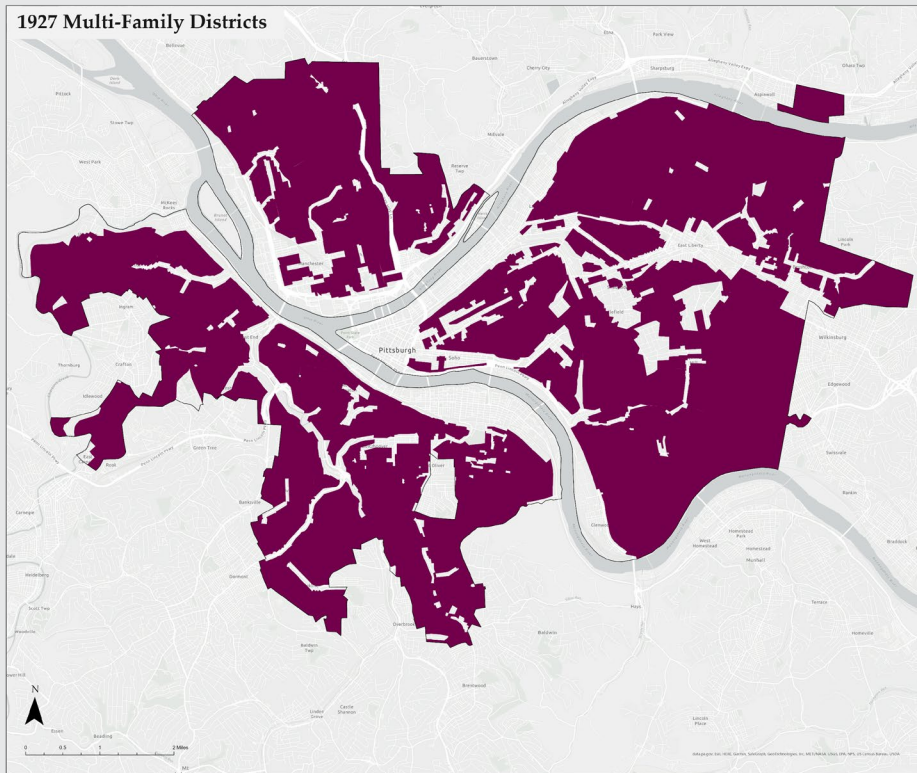
Residential Zoning Districts and Supermajority White Census Tracts



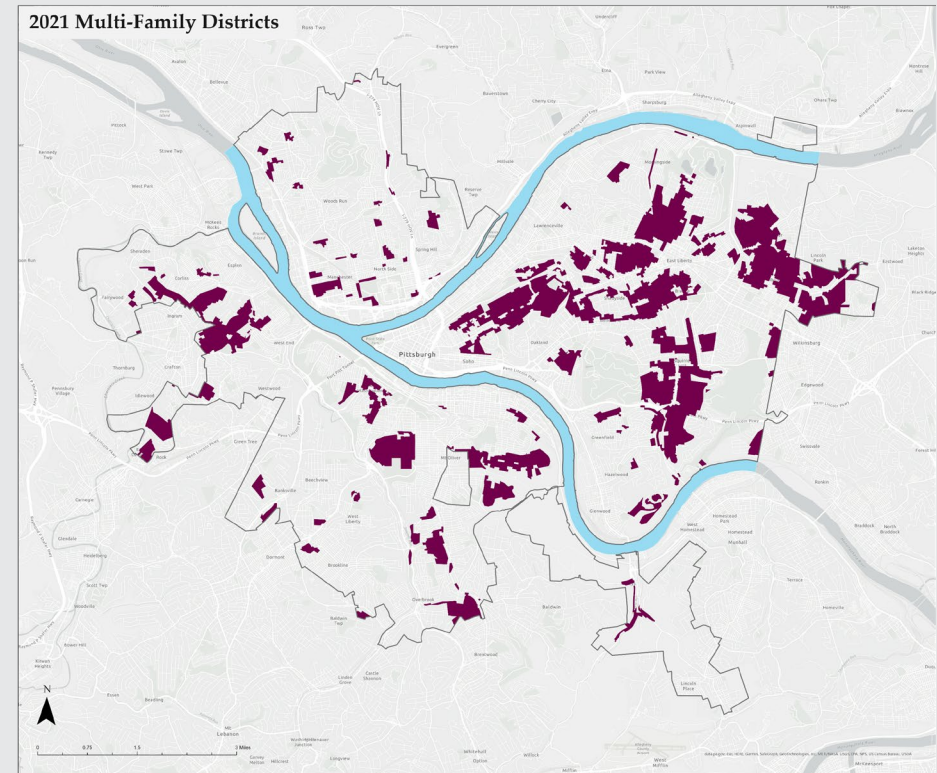
Who Lives Where - Pittsburgh

Who Lives Where - Pittsburgh

**74% of City Multi-Family Districts
in 1927**



**14% of City currently Multi-Family
Districts**

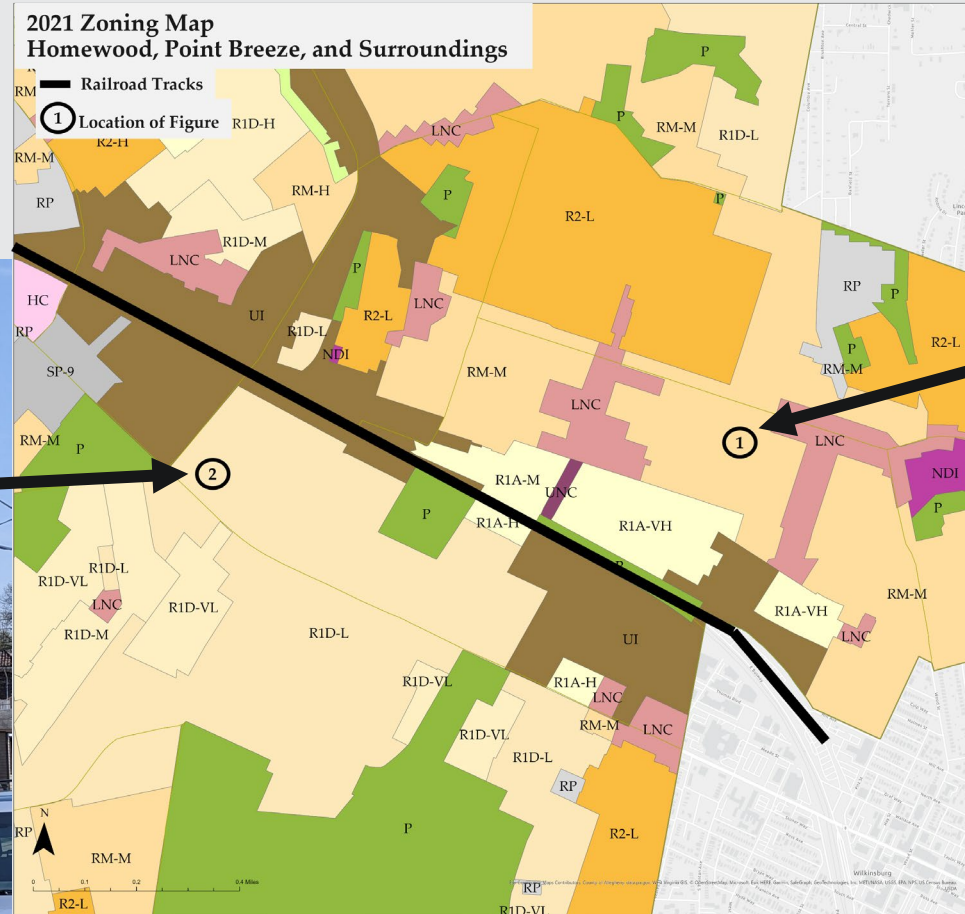


How did we get here?

Drawing Boundaries: Existing Built Environment

RM – Multi-Family Zone

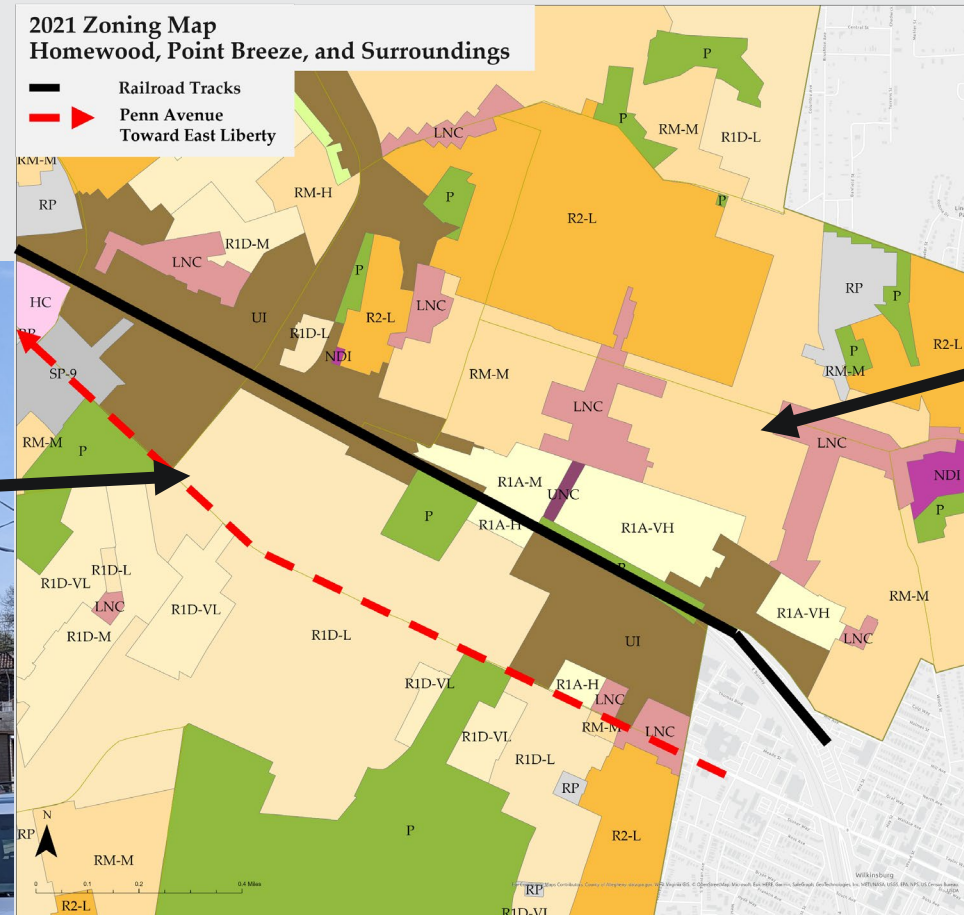
R1D – Single-Family Zone



Drawing Boundaries: Proximity to Other Uses

RM – Multi-Family Zone

R1D – Single-Family Zone

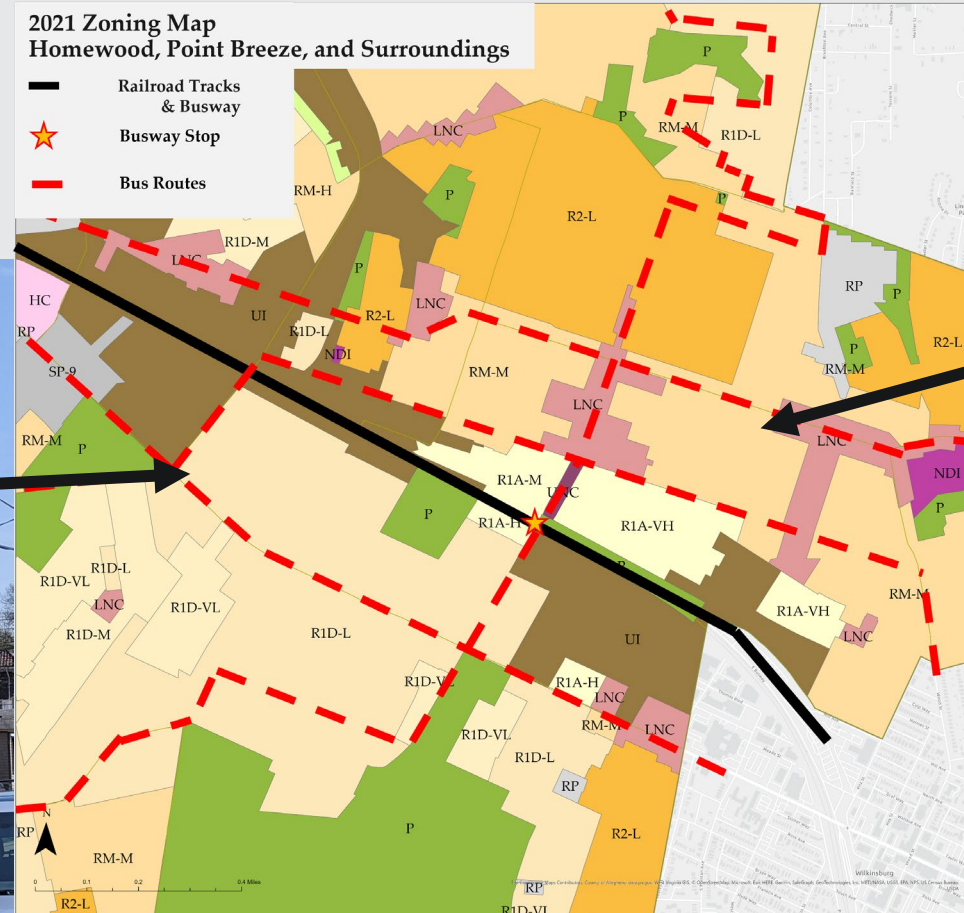


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Drawing Boundaries: Transportation Options

RM – Multi-Family Zone

R1D – Single-Family Zone



Drawing Boundaries: Future Land Use Goals

R1D – Single-Family Zone



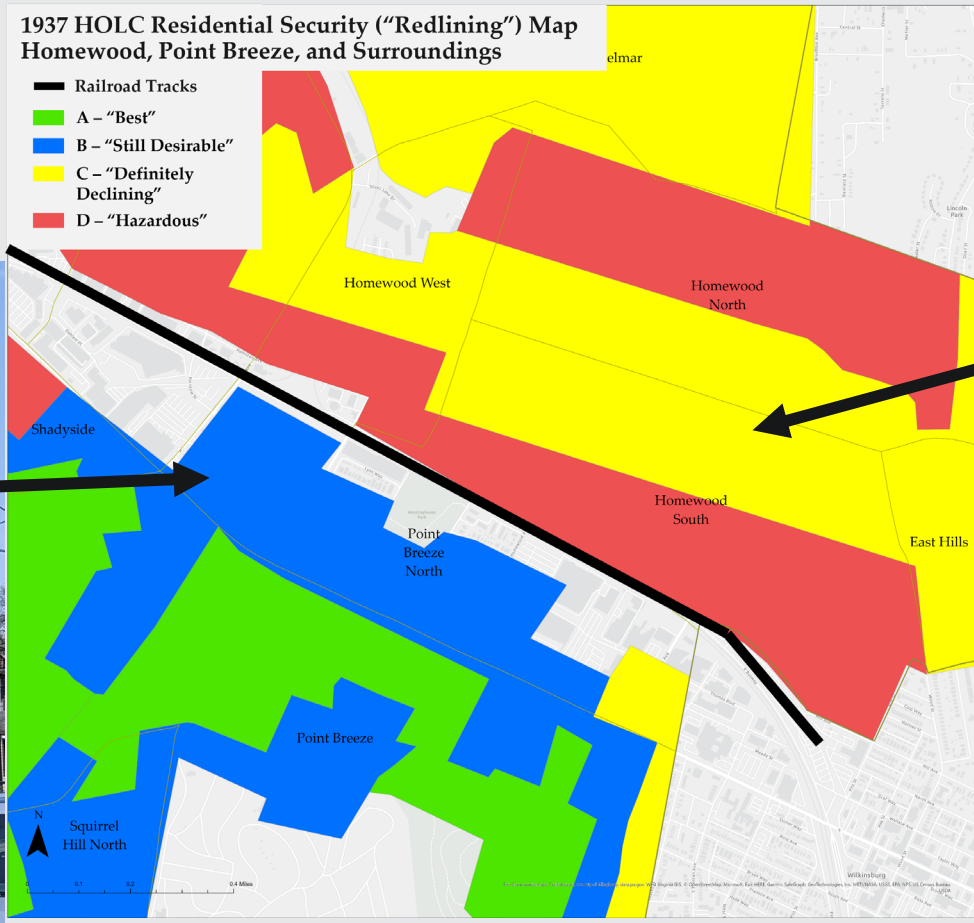
RM – Multi-Family Zone



Drawing Boundaries: Redlining

RM – Multi-Family Zone

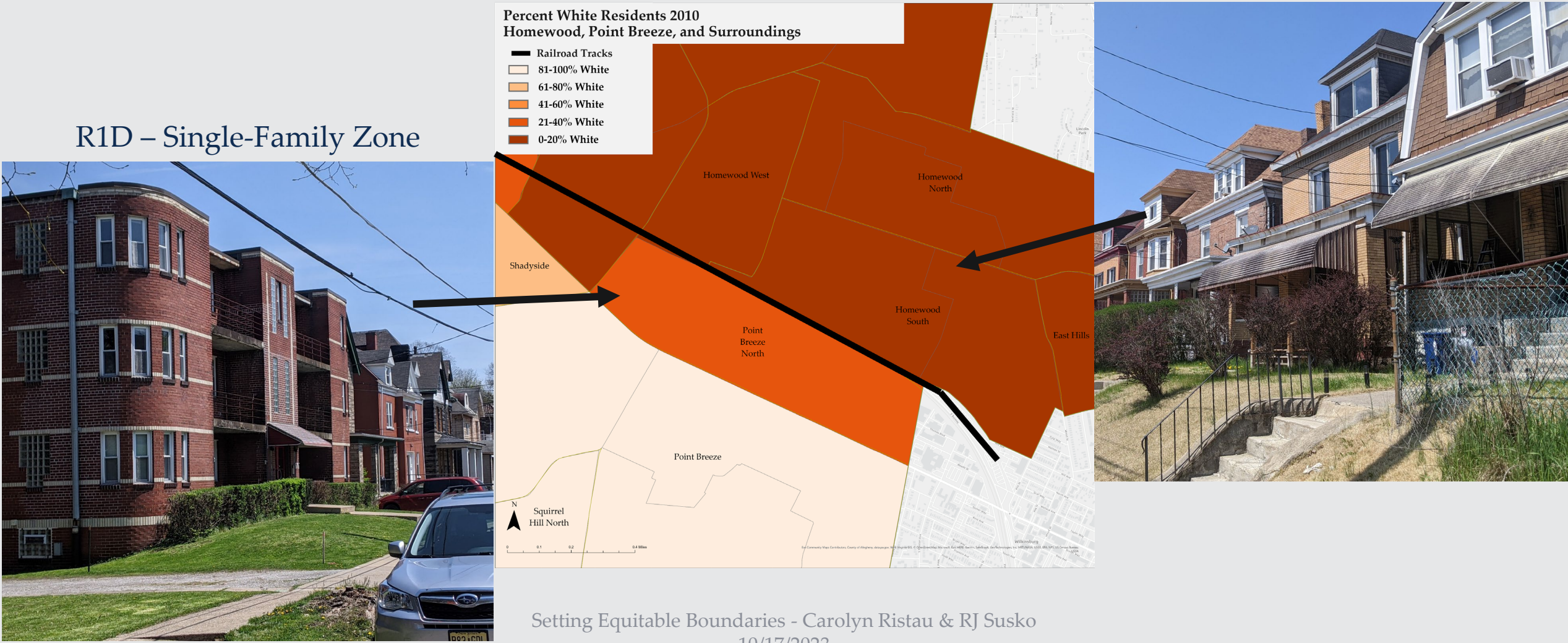
R1D – Single-Family Zone



Drawing Boundaries: Race

RM – Multi-Family Zone

R1D – Single-Family Zone





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Increasing Equity in Remapping McCandless

Why did McCandless need a new zoning ordinance?

- Existing code was inflexible for modern development
 - Very few options for new housing except large single-family lots
 - Districts and permitted uses were written so narrowly that multi-family development almost always required a successful rezoning application
 - Risk of spot zoning challenges due to excessive districts made for single uses
- Amendments were often reactive (fear-based) instead of proactive (future-oriented)



Our Comprehensive Plan recommended...



More walkable
neighborhoods



Increased housing
choice



Spaces to facilitate
community
activities



Smart
redevelopment



Stronger sense of
community
identity



Our solutions

- ADUs in all residential zoning districts that don't allow multifamily construction by-right
- Definition of family – “Single housekeeping unit” provides flexibility for non-short-term renters
- A new moderate density residential district that allows townhomes
- Lower setbacks in core residential districts to reflect what the community had already accepted via variance approvals
- All commercial districts converted to mixed-use with form-based code elements for live/work opportunities

There are two ways to say everything...

Fear-based

- ADUs will increase density in your neighborhood
- Taller buildings will bring more “outsiders” and generate too much noise/light/traffic
- Vacant property being developed will bring more traffic
- Buildings will be too close to the street, this isn’t a city

Future-oriented

- ADUs will allow you to move Mom in with her own space
- Taller buildings will preserve more green space while remaining commercially viable
- Vacant property being developed will create a new dynamic space
- Buildings are being designed at a walkable, pedestrian-oriented scale

How can this work in other municipalities?



Know your regulatory capacity



Understand what is a realistic level of change



Consider what language is compatible with your goals

Know your regulatory capacity

Provide housing choice

- Diversity in your housing stock gives people a range of options to choose what is affordable for them

Affordable housing can be a program or a characteristic

- Does the community have the staff to run and enforce a true income-based program?
- Are there nearby amenities to support residents that need access to transit? Could the residents get to food, schools, doctors without a car?

Keep in mind the needs of who you are designing for

- If community infrastructure still only supports a car-bound lifestyle, focus on creating better housing choice as a gateway to affordability

Understand what is a realistic level of change

“Missing Middle” Housing


- Adding duplexes, conversion apartments and ADUs is easier to accept than a high-rise apartment
- Can be utilized in commercial districts converted to mixed-use

Concepts become more acceptable over time

- Don’t kill the long-term “yes”
- Multi-family housing becomes more acceptable over time when you use “middle” types to show it doesn’t have to be scary

Plan your internal processes before you adopt

- Code that takes a big leap forward is not helping anyone if staff resources aren’t available to correctly administer it
- If you can’t explain how it can be enforced, is it something you should have in your ordinance?



Consider what
language is
compatible with
your community

- Neutral planning terms can still be politically loaded
- Some communities may respond very well to a term like “affordable housing,” others may shut down any ideas associated with the term outright
- Be prepared to translate concepts from technical language into ideas and results that everybody can understand regardless of personal opinion

Final thoughts on change communication management

- Talk to people like you're both people!
- Explain planning terms like your readers don't know jargon, but give them the benefit of being able to understand big picture concepts
- Be clear about what you can and can't regulate, legally speaking
- Respond to unrealistic expectations honestly and directly
- Be excited about the future! Your excitement tells people there's something to be excited about

Discussion



What are fears expressed in the communities where you've worked?



How have you mitigated those fears?



Do you have an example of a situation where you were able to increase equity through redrawing or redefining a zoning district?



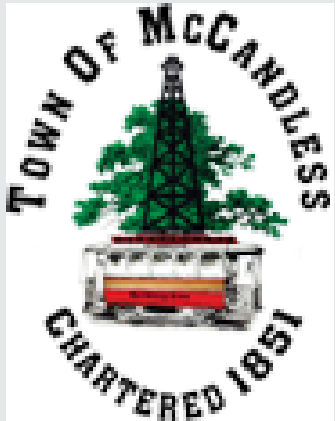
Are there examples from your zoning work where you would like to brainstorm how to find a more equitable solution?

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Q&A