



## MEMORANDUM

DATE: September 10, 2018  
TO: Board of County Commissioners  
FROM: Jason Meininger, Planning Director  
RE: Potential Problems with Euclidean Zoning

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### I. Introduction

Euclidean zoning is a type of zoning available to Colorado counties through which regulations can be defined, processes established and decisions made about land use. The degree to which the outcomes can be perceived as problematic relate to how Euclidean zoning is implemented.

Zoning regulations and implementation can be customized to help minimize potential problems. Euclidean zoning has generally been integrated into hybrid approaches which include varying degrees of performance, incentive or form-based zoning principles as needed to reflect the local public interests. This memo will review some of the problems associated with Euclidean zoning as well as how those problems can be minimized or avoided.

### II. Overview

The manner in which zoning is implemented and customized determines the degree of potential problems for the community. These include:

- inflexibility or complexity of regulations;
- undesirable growth patterns;
- exclusionary effects

#### 1. Inflexibility

As Euclidean zoning was being developed around the United States in its simpler forms, one of the criticisms was that it was too inflexible. The allowed uses were very limited within zone districts, thereby precluded the opportunity for uses which didn't fit a simple development formula. For example, rigid Euclidean zoning was getting in the way of creative mixed-use development projects where residential and commercial uses occurred on the same property were contemplated. This led to the addition of concepts such as conditional uses and planned unit developments to provide more flexibility through discretionary reviews of a wider range of uses and development patterns.

The inflexibility of Euclidean zoning may also be a matter of perspective. For example, if all the properties in a subdivision are zoned Residential and one property owner in the subdivision wants to do a commercial development requiring a Commercial designation, such property owner may perceive the Euclidean zoning as being inflexible; however, the property owner would still have the right to seek a rezoning to a Commercial district. The Commercial rezoning request may ultimately be denied by the elected officials, again leaving the property owner feeling that the Euclidean zoning was an obstacle. However, it is important to consider that while this developer may perceive the Euclidean zoning as a problem, the surrounding property owners may perceive Residential zoning to have protected their investment by maintaining the residential character of the neighborhood.

As more zoning district options were developed and implemented in some communities to increase flexibility and the range of uses, new criticisms emerged that the zoning regulations were becoming too complex. Striking a balance between flexibility and clarity should be one of the key considerations of establishing Euclidean zoning.

## **2. Undesirable growth patterns**

Urban sprawl can also be a problem associated with Euclidean zoning, particularly in urban and metropolitan areas where the densities and the intensities of land uses are limited in urban centers, forcing new growth into previously undeveloped areas. Urban sprawl had its origin in the establishment of the suburbs in the 1950s, resulting from the increased use of automobiles and new highways. This automobile-based development brought about a corresponding uptick in traffic congestion and air pollution. Zoning plans can be laid out to concentrate higher land use densities in and around municipalities or at established service centers in unincorporated areas. While some residents may view high density townhome developments as undesirable or inappropriate in their rural neighborhood, others might prefer to have alternative housing options within the neighborhood.

## **3. Exclusionary effects**

Euclidean zoning has also been criticized as a means to promote social and economic segregation through exclusion. In order to produce this effect, though, a local jurisdiction must take specific exclusionary actions such as allocating residential properties of specific value to specific zoning districts for the purpose of segregation. Exclusionary zoning is typically more of a concern in large metropolitan areas where municipalities attempt to create exclusive communities within the larger area. Again, this is a problem tied to how a zoning plan is implemented rather than an inherent problem with Euclidean zoning. Exclusionary zoning can be avoided if jurisdictions accommodate a wide range of uses and housing types (e.g. modular homes, tiny homes, site-built homes, etc.) in their zoning districts. Incentive-based zoning principles such as bonus densities for affordable housing can also be used to promote diversity in housing opportunities. If the separating commercial and residential uses create a problem for urbanizing areas, this may be overcome by including some mixed use zones.

### **III. Summary**

There is no perfect system of land use regulation. Like any tool or system of regulation, the potential problems with Euclidean zoning will depend on how it is implemented. If pursued by the County, Euclidean zoning should be implemented with the goal of minimizing potential problems. This can be achieved by giving careful consideration and customizing the zone districts through a public process to include appropriate and balanced regulations as needed to reflect the community's growth goals. It is also important to recognize that zoning regulations are not static and that as the community grows and changes, or problems with the zone districts are identified, any code can be revised as needed to address such changes or problems through a public process.