



## THE BASICS OF ZONING (AND LAND USE)<sup>1</sup>

### **History of zoning**

Before the 20th century, there wasn't much in the way of restrictions for how a property owner could use his land. There were local nuisance laws which prevented a property owner from developing his property in such a way to jeopardize public health and safety, but these laws really didn't do much when it came to preventing blight. As a result of the 1893 Chicago World's Fair, city planners finally began to look at ways to beautify their cities.

In 1916, New York City adopted the nation's first comprehensive zoning ordinance as a reaction to the newly constructed Equitable Building which cast a seven acre shadow over adjacent residences. The purpose of establishing this zoning ordinance was to control how land was being developed, and to prevent future development from harming existing uses and darkening New York City streets.

In the 1920s the U.S. Department of Commerce published the Standard State Zoning Enabling Act (SSZEA) which served as a model for standardized zoning regulations. In addition to providing a procedure for establishing zoning ordinances, the SSZEA also contained a grant of power to the state legislature. Some state legislatures chose to retain significant zoning powers for themselves, while most states gave the power to apply zoning regulations to county and city governments.

### **How does zoning work?**

The primary purpose of zoning is to segregate uses that are thought to be incompatible. In practice, zoning is used to prevent new development from interfering with existing residents or businesses and to preserve the "character" of a community. Zoning is commonly controlled by local governments such as counties or municipalities.

Zoning not only regulates land use, but also determines the type of activity that will be allowed on specific lots. These specific uses are identified by a series of letters and numbers which are shorthand for describing the use. In unincorporated Weld County the following describe the different types of zoning classification: A (Agricultural), A-1 (Concentrated Animal), R-1 (Low-Density Residential), R-2 (Duplex Residential), R-3 (Medium-Density Residential), R-4 (High-Density Residential), R-5 (Mobile Home residential), C-1 (Neighborhood Commercial), C-2 (General Commercial), C-3 (Business Commercial), C-4 (Highway Commercial), I-1

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<sup>1</sup>This document is meant for information purposes only. It is meant to provide a generalized description of zoning and land use. There are many nuances to zoning and land use that cannot be explained in a short document. For specific requirements please refer to the Weld County Code.

(Industrial), I-2 (Industrial), I-3 (Industrial), E (Estate), PUD (Planned Unit Development). Zoning segregates incompatible uses which is why you typically don't see a new factory being plunked down in the middle of an established residential neighborhood, or homes being built in a warehouse or airport district.

Zoning ordinances also determine how building structures can be placed on the land. These laws determine property setbacks, the height of the building, the amount of parking, and even lot coverage. These building standards can vary from neighborhood to neighborhood, but all have the objective of ensuring that new development is compatible with what is already there. For investors and private citizens buying real estate, it's those zoning regulations that will determine what you can do with your land.

For more information about zoning regulations in unincorporated Weld County, please contact us at 970-353-6100, 3540, or if you would like to view Weld County's Zoning (Chapter23) regulations, located in the Weld County Code, please click on the link below.

<http://colocode.com/weld.html>

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**Sources:**

**<http://www.planning.org/growingsmart/enablingacts.htm>**

**[www.denvergov.org](http://www.denvergov.org)**

**<http://en.wikipedia.org/wiki/Zoning>**