

Subject: Challenges to historical zoning codes
October 12, 2022

I was in Raleigh this past weekend; the trip wasn't government related, but rather I was accompanying my wife, Sallie, who was in a major statewide art exhibition, and we were attending the opening awards ceremony.

I served as a chauffeur as we traveled that long I-40 corridor. At every stop we saw that election signs were everywhere. When we arrived in Raleigh I noticed the same cornucopia of election signs, but I also noticed a sign among the many that said, "Save Our Neighborhoods." I immediately thought it referenced the short-term rental issue.

After a quick internet search, I discovered that was not exactly the case. The save our neighborhood group was concerned about recent zoning changes in residential neighborhoods in Raleigh. The Raleigh town council recently modified R1 zoning regulations to allow higher densities and also permit multiple family units such as duplexes, triplexes, and town homes in R1. In addition, the council apparently allowed older estate home tracks to be converted to high density condos and town homes.

The mayor and council contend that these changes will address the housing shortage in Raleigh that large cities like Raleigh are currently facing. The neighborhood groups counter that changing R1 zoning is not the way to address the issue. They point out that many of these new units will be sold at prices well over a million dollars and will increase density in these neighborhoods.

Now I do not want to take sides on this issue that is facing the folks in Raleigh. On the other hand, I'm pretty sure these challenges to historical zoning codes will be challenged in many towns and cities throughout our state and nation. Don't be surprised if these issues surface here in Highlands. In many ways these zoning changes, like in Raleigh, undermine residential zoning practices that were established when the US Supreme Court upheld zoning in the 1920s.

In Highlands our residential zoning and densities have been driven by state watershed regulations. Much of our R1 and R2 zones are in the critical watershed that the state established. The size of lots per housing unit is set by these regulations. For instance, in R1 a minimum one acre per residential unit is mandated. These regulations are in place in part to protect the watershed of this unique eco system. I believe they strike a balance between preserving the natural environment and the need for living space.

In the future, these zoning and development issues will be a process that is guided by concepts outlined in the recently adopted Highlands Comprehensive Community Plan. I anticipate external pressures to zoning coming from state and federal sources. At the national level the overarching backdrop is the growing need to meet the basic housing needs for a large sector of the population. Ironically, as a nation we have an ample supply of vacation rental homes, yet a very short supply of long-term housing. There may be drivers to this issue that emerge that are well beyond local control.