



# THREE BENEFITS HOUSTON'S LACK OF ZONING OFFERS DEVELOPERS

Since the City of Los Angeles **passed its first zoning ordinance** in 1908, cities in the U.S. have widely followed suit in an attempt to regulate land use and development. A zoning ordinance defines how properties within a jurisdiction can and cannot be used. Not only does a zoning ordinance specify what types of land uses are permitted, it can also regulate lot sizes, building setbacks, and much more. Since that first ordinance in Los Angeles, zoning maps have been a key due diligence item for developers – except in the City of Houston. As one of the largest metroplex areas in the country, Houston has repeatedly opted out of adding zoning ordinances to its development code. In this article, we'll briefly look at the history of zoning in Houston and what the lack of restrictions means for the local development process.

In 1929, when zoning ordinances were sweeping the U.S., Houston tabled its first zoning proposal to City Council, where it remained in limbo for 9 months and eventually died. Similar attempts to pass a comprehensive zoning law by referendum failed in 1937, 1948, 1962 and 1993. There are **several reasons** Houstonians continued to vote down zoning, many of which amount to seeing it as a restriction on freedom – a sentiment which favors market-driven development.

## Effects of No-Zoning on Development

Let's be clear: while Houston doesn't have zoning regulations, people do use a few **workarounds** as zoning substitutes. But the City's website **states** development is governed by codes which address how property can be subdivided but which do not address land use. This creates several benefits for developers.

1. **Freedom.** Without zoning ordinances, commercial developers often feel they have more freedom and flexibility with their designs and concepts. It also means they typically save time and money by not going through the variance process and/or public hearings as they would in jurisdictions with zoning laws.
2. **Character.** Some Houstonians and developers argue that the lack of restrictions regarding zoning in Houston is part of the reason why the city is known for its diversity and unique character. Developers can construct commercial, residential or industrial properties within city limits almost at will and without having to consider restrictions based on the existing adjacent uses.
3. **Economic growth.** Economists state that one of the unexpected benefits to Houston's lack of zoning enforcements is a more market-based approach to development versus the restriction of economic growth some zoning ordinances unintentionally cause. Additionally, some would argue that zoning only benefits big developers since they have access and the budget for lawyers and other consultants to obtain the necessary variance approvals from jurisdictions. When these fees are taken out of the equation, more developers can access the city.

*Parking garage next to a home in Houston*

Even with these benefits, Houstonians see the lack of zoning ordinances as a blessing and a curse. Without zoning restrictions, businesses and even industrial facilities can co-exist with residential homes on the same block. It makes for some interesting landscapes, particularly in less affluent neighborhoods without the resources to leverage the zoning workarounds. Adding to the conversation is the **manufacturing plant explosion** earlier this year that killed two people and damaged an estimated 450 structures, many of them nearby homes. While many called for the lack of zoning regulations to be reviewed in the wake of the tragedy, others advocated for measures unrelated to land use to keep residences safe from their industrial neighbors.

Whatever one's opinion on the lack of zoning regulation in Houston, it makes for an interesting case study. Though balanced by concern from specific community sectors, there are certainly clear benefits for developers. Whereas zoning hearings could kill projects in other jurisdictions, lack of restrictions in Houston gives an alternate meaning to its nickname, "Space City."

*Learn more about the fascinating history of Houston planning and zoning:*

[City Planning in Houston 1920-1930](#)

[Comprehensive Review by OffCite: The Architecture + Design Review of Houston](#)

## About Julia Dang

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