

# Questionable Zone Classification

**ISSUE:** *Should the City Council adopt a zoning procedure that could offer an easy excuse for granting "spot" zone changes?*

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A new zoning classification—"Q" for qualified—is en route to the City council for consideration.

It comes well recommended and with the support of the Planning Commission and the council's planning committee.

On the surface, the "Q" ordinance appears promising. It proposes something long desired—an instrument that would require developers to improve property as outlined in rezoning applications. They would have one year to comply. If not, the rezoned property would revert to its original category.

Because present regulations do not require compliance with public hearing promises, what goes up (legally) on rezoned land is often far different from what had been promised. This sort of outrage is expected to be halted with the attachment of "Q" conditions and requirements to selected rezonings.

If that were the guaranteed result, we would also join the line of supporters. But there is a built-in danger.

Opponents fear the ability to attach zone change conditions will open the gates to undesirable "spot" zoning. They reason the council will be tempted to grant rezoning if able to apply stricter conditions and, theoretically, placate protesting homeowners.

This is the thinking of the Citizens Committee on Zoning Practices and Procedures which, in its report, warned:

" . . . The effect of the present proposal would be to create an unknown number of what are recognized by the courts, the legal profession, by planners, and by the public as 'spot zones.' In principle, it means eventual custom zoning for individual parcels of land, which would inevitably result in inconsistent and preferential treatment."

As recent Grand Jury indictments and court cases involving city zoning abuses have disclosed, this is the very sort of thing the city must avoid.

We urge the council to heed the warning of its blue ribbon reform committee. Until the Planning Department completes a citywide master plan, it would be best to depend upon traditional planning practices.