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New zoning ordinance approved to replace 67-year-old version

By Bayne Hughes Staff Writer

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Lawrence

After three administrations and seven years of adjustments, the Decatur City Council finally approved a new zoning ordinance on Monday.

New Planning Director Chad Bowman, who started in August, told the council Monday that his department “is comfortable moving forward” with the new ordinance.

“If we do not take on adopting this road map, we will continue navigating ourselves through the weeds and through the forest,” Bowman said.

The city began working on a new zoning ordinance in 2018 when it hired Clarion Inc. with the goal of replacing the original ordinance approved in 1958 and then modified frequently through the years.



New Mayor Kent Lawrence was Planning Commission chairman for eight years and has been involved on the zoning rewrite. He said numerous changes during this period delayed completion.

“I’m very excited to get it out of the way and start moving forward with the new ordinance,” Lawrence said. “It’s a big project for the city and, it’s not that it took that long, just a lot of things influenced it. No. 1 was COVID, and then we had turnover in the Planning Department. We would almost get it to the goal line, and something would change.”

Council President Kyle Pike said approval of the zoning ordinance “was a longtime coming. It’s a huge deal.”

Two of the three new City Council members said that they are OK with approving the 397-page zoning ordinance in their second full meeting.

“I don’t worry about it being too quickly because they’ve been working on it for almost three administrations,” Councilman Terrance Adkins said. “I think it’s time for a change. The previous one was written in 1958; we need to bring Decatur up to this century.”

Councilwoman Pam Werstler said she also isn’t concerned, although she admitted she’s still learning the terminology of zoning and planning.

“They’ve been working on it for years,” Werstler said. “I did read over it. I learned a lot. I don’t know enough about this particular topic to say whether I like it or don’t like it.”

Councilman Carlton McMasters said there’s been a lot of work on this new ordinance for roughly seven years, plus he believes new council members all read it.

“If they had any questions about it, they would have brought them up,” McMasters said. “Kudos to them for reading it. They knew we would have such a big piece of legislation to vote on early in their term, and I tip my hat to them for being ready to vote on it.”

A zoning ordinance allows the city to define how property in specific geographic zones can be used. It regulates items like lot size and placement, building height and density, architectural style and height of structures.

Zoning ordinances also describe the procedures for how to handle any zoning rule infractions.

Pike pointed out that the zoning ordinance touches every resident in the city.

“They may not always know it or see it, but it is very critical,” Pike said.

Lawrence said he believes the new document accomplishes the original goal “to make it a lot more user-friendly.”

For instance, Lawrence said if a person wanted to have a flower shop, “they would have to read every zoning district’s requirements to see which one (zoning district) it could go in, and in the new one there’s a chart.”

McMasters said he thinks it clears a lot of items up, is more user-friendly and puts some buffers in to create some residential protections.

“Is it perfect? Probably not,” said McMasters, who added that changes can be made later if necessary.

Lawrence said some of the new items in the ordinance are landscape buffers between zoning districts and “compatibility, where one zone changes to another so you won’t have a real tall building beside a short building.”

He said a feature some people will like is the inclusion of auxiliary dwelling units, also known as “mother-in-law suites,” in the new ordinance.

“Right now, we don’t allow different living quarters on the property of a single-family home,” Lawrence said. “There’s a lot of them in the city, but they’re not allowed. In the new ordinance, we allowed them, but we do control their size.”

The ordinance still doesn’t allow homeowners to rent auxiliary dwelling units, “but they can let somebody live there,” Lawrence said.

The Planning Commission appointed a committee to work on an addition to the zoning ordinance that regulates short-term rentals, such as Airbnbs. The group’s work has been completed for some time now, but the new provisions won’t be

included in the ordinance until after it receives a Planning Commission vote, Lawrence said. It is on Tuesday's Planning Commission meeting agenda.

"We wanted to get the complete ordinance through first," he said.

Pike said the new ordinance includes a lot that protects the city's existing neighborhoods and commercial areas.

"It will allow for development whereas things won't be so intertwined together," Pike said. "There will be clearer lines between commercial districts and residential districts. There are some things in there that will clean the city up and give it a better appearance."

Build-to-rent subdivisions have been an issue in the Burningtree area, which is in McMasters' District 3. He said an ordinance the council passed in December 2024 that makes build-to-rent a use-on-appeal issue becomes part of the newly approved zoning ordinance.

Bowman said he likes the new ordinance.

“I’ve noticed some additional items and changes, zoning classes and things that would allow us to expedite the development process, such as the director having an ability to grant variances within a certain threshold,” Bowman said. “It clearly outlines our decision-making process.

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