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2016

How to Make Suburbia Less Sprawling

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Zoning and Land Use Planning

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HOW TO MAKE SUBURBIA LESS SPRAWLING

For the past two decades, smart growth activists have focused on encouraging walkable urban development. But most post-1950 development is designed for cars rather than people on foot (including people who walk to reach buses and trains). It follows that America can become more pedestrian-friendly only if automobile-oriented suburbs change to accommodate pedestrians. In *Retrofitting Sprawl*, a variety of essayists take on this challenge, both by discussing the difficulty of retrofitting sprawl, and by proposing small steps to achieve that goal.

I. The Problem

Several essays discuss the difficulty of altering the suburban status quo. The most interesting of these essays, by Julia Koschinsky and Emily Talen, focuses on the imbalance between the demand for walkable neighborhoods and the supply of such neighborhoods.

Relying on a variety of surveys, they suggest that there is significant unmet demand for walkable neighborhoods. For example:

* A survey by the National Association of Realtors found that almost half (47 percent) of respondents preferred a urban or mixed-use suburban community to residence-only suburbs, small towns and rural areas.¹ In particular, 19 percent preferred urban neighborhoods, 28 percent preferred mixed-use suburbs, 18 percent preferred small towns, 22

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Review, *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form*, Emily Talen, ed. (2015).

¹See Julia Koschinsky and Emily Talen, From Sprawl to Walkable: How Far is That?, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 11, 12 (2015).

percent preferred rural areas, and only 12 percent preferred residence-dominated suburbs (that is, conventional sprawl development).²

* Another survey by Pew Research Center found that respondents were evenly divided between conventional suburbia and neighborhoods “where the houses are smaller and closer to each other, but schools, stores and restaurants are within walking distance.”³

Another essay (by David Dixon) points out that the demand for such walkable areas is likely to grow over the next few decades rather than shrink. As America ages, the majority of households will continue to be families without children,⁴ which may lead to less demand for large houses and more demand for smaller dwellings that are within walking distance of amenities. Dixon points out that some suburbs are already going out of their way to accommodate this demand, by encouraging the creation of mini-downtowns where none had existed in the past.⁵

However, very few Americans are actually able to live in such walkable areas. Koschinsky and Talen surveyed over 100,000 American neighborhoods,⁶ focusing on these places’ scores on Walkscore.com, a website that measures a place’s

²*Id.* It seems to me that the authors’ interpretation actually understates the support for walkable communities, because a small town can be mixed-use or walkable. Thus, some of the 18 percent who wanted to live in a small town may have preferred the kind of small town where houses are within walking distance of shops. *Cf.* Dave Alden, *Merry Bedford Falls Christmas*, Petaluma Patch, Dec. 24, 2012, at <http://patch.com/california/petaluma/bp—merry-bedford-falls-christmas> (discussing small town in movie “It’s A Wonderful Life” as an example of a walkable small town).

³See Koschinsky and Talen, *supra* note 1, at 12.

⁴See David Dixon, *Suburban Downtowns*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 123, 126 (2015) (noting that “[h]ouseholds without children already represent half to two-thirds of households” in United States).

⁵*Id.* at 129–39. However, Dixon’s essay is not clear regarding to what extent municipal officials subsidized these projects, and to what extent they merely permitted what private developers wanted to do on their own.

⁶By “neighborhoods”, they mean block groups designed by the U.S. Bureau of the Census. The average block group has 1473 residents. See Koschinsky and Talen, *supra* note 1, at 17.

walkability by its proximity to restaurants, grocers and other amenities. In a place with a Walkscore over 70, most errands can be accomplished on foot.⁷ However, only 18 percent of neighborhoods in American metropolitan areas are this walkable.⁸ Even in some of the most transit-oriented metropolitan areas, many neighborhoods are not very walkable. The most walkable region is New York City, where 52 percent of neighborhoods are walkable- but even there, almost 80 percent of suburban neighborhoods are not.⁹ San Francisco comes in second (39 percent walkable) and Boston third (29 percent). At the other end of the spectrum, only 5 percent of Louisville's neighborhoods have Walkscores over 70.¹⁰

Although Koschinsky and Talen are fundamentally persuasive, I wonder if they have overstated the case slightly by focusing solely on the most walkable areas: the areas with Walkscores over 70. A place with a Walkscore between 50 and 70 (designated as "moderately walkable" by Walkscore) can still have quite a bit nearby. For example, I found one apartment building with a Walkscore of 67 that was within half a mile of ten restaurants and three coffee shops, and 3/4 of a mile from a grocery store.¹¹ Having said that, Koschinsky and Talen get their point across: most of America simply is not very walkable.

Why are walkable, mixed-use neighborhoods so rare? In large part, because of zoning. Zoning laws typically separate housing from every other form of human activity- which often means that very few people (other than those living a block or two from a commercial zone) can walk to much of

⁷*Id.* at 18.

⁸*Id.* at 19.

⁹Specifically, the authors note that 42 percent of the region's neighborhoods are suburban and have Walkscores below 70, while 11 percent are highly walkable suburbs. *Id.* at 20. (The other 47 percent are in central cities). Thus, about 80 percent of suburban neighborhoods (42/53) are not particularly walkable.

¹⁰*Id.*

¹¹See Walkscore, *The Dorchester Apartments*, at <https://www.walkscore.com/score/dorchester-on-forest-park-the-st-louis>

anything.¹² For example, one eight-square mile Pittsburgh suburb has no commercial zones.¹³

An essay by Gerritt-Jan Knapp, Aviva Hopkins Brown, and Rebecca Lewis focuses on efforts to reform zoning in Montgomery County, Maryland, a suburb of Washington, D.C. In 2007, the County Council directed local planners to rewrite the zoning code¹⁴ a process that was not finished until 2014.¹⁵ The county did make some progress, approving a new mixed-use zone.¹⁶ However, 95 percent of the county's land was unaffected by the zoning changes, which mostly affected commercial land.¹⁷ Knapp and his coauthors point out that there was no community "consensus on the need for a change in the [county's] development pattern,"¹⁸ implying that in the absence of such a consensus, planners and politicians chose to err on the side of inertia. They do not explain exactly what else planners should have proposed or why these proposals might have been unpopular; nevertheless, their essay suggests that even in a suburban county with eleven subway stops,¹⁹ little political will exists to make residential areas more pedestrian-friendly or mixed-use.

Why has zoning not changed to meet popular preferences for walkable areas? People who live in unwalkable areas fall into two categories: those who prefer the status quo and those who would prefer to live in a more walkable area. If someone proposes a pro-walkability zoning change (such as

¹²See Gerritt-Jan Knapp, Aviva Hopkins Brown, and Rebecca Lewis, *Rezoning Montgomery: People, Politics and Place*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 57, 59 (2015) (zoning-induced segregation of uses "typically requires people to drive, sometimes long distances, to work and vital services.")

¹³The suburb in question is Fox Chapel. See City Data, *Fox Chapel, PA*, at <http://www.city-data.com/city/Fox-Chapel-Pennsylvania.html> (land area is 7.83 square miles); Borough of Fox Chapel, *Regulations*, at http://www.fox-chapel.pa.us/regulations_zhb_classifications.htm (listing zones).

¹⁴See Knapp et. al, *supra* note 12, at 63.

¹⁵*Id.* at 64.

¹⁶*Id.* at 65.

¹⁷*Id.* at 77–78.

¹⁸*Id.* at 78.

¹⁹Washington Metropolitan Area Transit Authority, *Interactive Map*, at <http://wmata.com/rail/maps/map.cfm?> (eleven heavy rail stops in Montgomery County).

stores closer to residences), the status quo supporters will aggressively oppose the rezoning.²⁰ By contrast, the other residents may be sufficiently ambivalent not to fight back—they might approve of walkable development in principle, but might be unsure that this particular development will provide the benefits they seek. In addition, they might be more ill-informed or more apathetic than those who fear change.

II. The Solutions

Numerous essays in *Retrofitting Sprawl* address ways to make suburbia more walkable. The most interesting essays focused on urban design, including parking and cul-de-sacs.

A. Street Design

An essay by June Williamson, author of two books on suburban retrofits,²¹ focuses on one particular type of retrofit: efforts to turn unprofitable malls and strip malls into walkable neighborhoods. A typical tract of commercial suburbia consists of one or two huge buildings surrounded by parking—²² an unpleasant environment for pedestrians, because they have to cross through the sea of parking to get to shops. Some of these buildings are aging and declining, and can be made profitable again only through drastic reform, such as being turned into walkable urban places.²³ About fifty suburban shopping malls have been redeveloped, or are in the process of being redeveloped, into more walkable places.²⁴

What steps are necessary to turn a mall into a walkable neighborhood? Williamson lists numerous reforms, such as:

²⁰*Cf.* Michael Lewyn, *Against the Neighborhood Veto*, 44 Real Est. L.J. 82, 86–96 (2015) (discussing common objections to new development).

²¹*See* Talen, *supra* note 1, at 258 (listing her works).

²²*See* June Williamson, *Urban Design Tactics for Suburban Retrofitting*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 103, 107 (picture at top of Figure 5.1 is example).

²³*See* Ellen Dunham-Jones and Wesley Brown, *The Public Sector Steps Up- And Retrofits A Zombie Subdivision*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 139, 142 (2015) (suburban commercial streets are “low-hanging fruit” because they are “[o]ften lined with aging, unloved properties, [and thus] are prime for redevelopment with little [neighborhood] resistance.”).

²⁴*Id.* at 140.

* Turning parking lots into streets full of short blocks (preferably no longer than 600 feet).²⁵ A street with short blocks has lots of intersections, which means that pedestrians have lots of chances to cross the street.²⁶ Smaller blocks also mean pedestrians can reach their destinations in more ways, creating a more interesting pedestrian environment.²⁷ For example, if I am walking on long block A that runs from point B to point C without any interruptions, and I want to reach nearby side street D that is in between B and C, my only option is to walk to C and backtrack. By contrast, if block A intersects with several other streets, I can use one of those streets to reach street D.

* Create a grid of streets, so that these short blocks can connect with each other.²⁸ Short blocks are less beneficial if streets are disconnected so that pedestrians cannot walk from one small street to another. Williamson adds that if owners or residents of nearby streets are unwilling to connect their streets with those of a retrofit project, a developer should use nearby land in ways that don't prevent future linkages. For example, a walkability-minded developer might place something that can easily be replaced (such as surface parking) next to streets abutting the development, rather than buildings that would have to be torn down in order to create a complete neighborhood street grid.²⁹

* Reducing the amount of parking required for buildings, or moving parking off-site. As noted above, the sea of parking common in most malls and strip malls is unpleasant for

²⁵See Williamson, *supra* note 22, at 111–12 (noting that Manhattan blocks are between 200 and 600 feet long, and that downtown Portland blocks are consistently 200 feet long).

²⁶See Oregon Department of Transportation, Main Street . . . when a highway runs through it: A Handbook for Oregon Communities 35, at <http://www.oregon.gov/lcd/tgm/docs/mainstreet.pdf>

²⁷*Cf.* Katherine A. Woodard, *Form Over Use: Form-Based Codes and the Challenges of Existing Development*, 88 Notre Dame L. Rev. 2627, 2638 (2013) (a street network with small blocks “provid[es] both pedestrians and drivers with varying choices to get to their destinations”).

²⁸See Williamson, *supra* note 22, at 115 (discussing concept), 107 (showing lower figure as example).

²⁹*Id.* at 116.

pedestrians.³⁰ As Williamson notes,³¹ one obvious remedy for this problem is to place parking lots in the center of a development, surrounded by buildings. This “donut” structure³² creates an inviting streetscape for pedestrians, because they can walk to shops from the sidewalk without having to walk through (or even look at) parking lots. But the size of the parking “hole” in the donut means that developers must build longer and wider blocks than they would if they could just build fewer parking spaces. Because (as noted above) long blocks deter walking, Williamson suggests either reducing the proportion of land used for parking or moving parking to structures away from pedestrian-oriented shops and apartments.³³

In sum, Williamson’s remedy for commercial sprawl is quite simple: turn strip malls into urban developments where shops and apartments flank the sidewalk instead of being hidden behind parking lots. Where a tract of land is large enough to create a grid of streets rather than one row of buildings, create a grid of streets with small blocks.

B. Retrofitting the Cul-de-Sac

One all-too-common feature of American suburbia is a lack of street connectivity: because suburban streets are often disconnected from each other, suburbanites cannot easily walk from a residential street to nearby houses or commercial streets. This is the case because many residential streets are dead-end streets (also known as cul-de-sacs). Residents of dead-end streets often must walk far to reach nearby streets, because they need to go out of their way to find streets that connect with each other. For example, two houses in Orlando share a backyard, but if a resident of either house wanted to travel on neighborhood streets from

³⁰See *supra* note 22 and accompanying text.

³¹See Williamson, *supra* note 22, at 112.

³²*Id.* (using term).

³³*Id.* at 112–13.

one house to the other, she would have to walk or drive seven miles.³⁴

Three essays in *Retrofitting Sprawl* address this issue. Nico Larco's essay discusses informal solutions to the absence of formal connections between suburban residential streets and neighborhood shopping centers. These shopping areas are potentially pedestrian magnets; however, the backs of these developments are often fenced off from nearby residential neighborhoods.³⁵

Larco and his co-researchers studied six such areas in Oregon and Georgia,³⁶ and discovered that residents of nearby residential blocks had created numerous informal ways of reaching nearby shopping areas, including unpaved paths that connect houses with each other, gates inserted by property owners, and holes cut in fences.³⁷ Larco points out that the informal paths were quite worn, indicating that people walk even when the street system does not accommodate walking.³⁸

Compared to a normal sidewalk, these routes have numerous disadvantages. Unpaved paths are typically not accessible to the disabled or elderly, since they often contain water or soft mud that might be dangerous to people who are not very sure-footed.³⁹ They are rarely well-lit, and thus might seem less safe than a typical sidewalk. Because they are near the backsides of commercial buildings, pedestrians must go out of their way to reach those buildings' front doors. Moreover, such informal paths are often not maintained at all, nor are they particularly permanent.⁴⁰

What, if anything, should planners do about these paths? One alternative would be to make these routes safer by pav-

³⁴See Angie Schmitt, *Sprawl Madness: Two Houses Share Backyard, Separated by 7 Miles of Roads*, at <http://usa.streetsblog.org/2013/02/28/sprawl-madness-two-houses-share-backyard-separated-by-7-miles-of-roads/>

³⁵See Nico Larco, *Walking to the Strip Mall: Retrofitting Informal Pedestrian Paths*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 157, 159–60 (2015).

³⁶*Id.* at 160.

³⁷*Id.* at 165–68.

³⁸*Id.* at 168.

³⁹*Id.* at 170.

⁴⁰*Id.* at 171.

ing and lighting them. Larco notes that this step might be impractical for two reasons. First, once landowners start to maintain nearby paths, they take on the risk of liability for inadequate maintenance should someone be injured on a path. And if cities tried to avoid this problem by taking over paths, they might incur significant expenses for land purchase. Second, paved paths might be subject to street design codes, and thus require expensive repair in order to comply with those codes.⁴¹ Because of these risks, Larco suggests that the best option for municipalities might be *laissez-faire*: cities should allow these paths to exist, but not regulate them or purchase them from landowners.⁴²

While Larco's essay focuses on connections between cul-de-sacs and neighborhood amenities, two essays focus on retrofitting cul-de-sacs themselves. One essay by Benjamin Stanley and several colleagues suggests turning a cul-de-sac into a mixed-use development. They use one seven-house cul-de-sac in suburban Phoenix as an example; they suggest transforming the houses into thirty-one apartments, because future growth of single-person households will mean less demand for large houses and more demand for smaller living spaces.⁴³ And although Stanley et. al. do not really address this issue, such dense housing might justify more transit service: a large number of people living near a bus stop means higher ridership, which means that government can provide more service for less cost.⁴⁴ Buildings at the edge of the cul-de-sac, closest to neighboring streets, would be set aside for shops, small offices, and daycare, thus giving cul-de-sac residents (and neighbors of nearby streets) useful destinations to walk to.⁴⁵

Stanley's proposal seems a bit visionary. To make it work, the seven current homeowners would all have to sell their

⁴¹*Id.* at 174.

⁴²*Id.* at 176.

⁴³See Benjamin Stanley et. al., *Retrofitting the Cul-de-Sac in Suburban Arizona: a Design Proposal*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 217, 225, 228 (2015).

⁴⁴See ANTHONY DOWNS, *STILL STUCK IN TRAFFIC: COPING WITH PEAK-HOUR TRAFFIC CONGESTION* 210 (2004) (seven units per acre supports bus service once every half-hour).

⁴⁵See Stanley et. al., *supra* note 43, at 228–30.

property to one developer, who would turn their houses into apartments and offices. Even if all seven homeowners agreed to do this, their suburb of choice would have to approve a rezoning of the houses from single-family residential to commercial mixed-use. If a developer proposed rezoning a residential block in the middle of an all-residence monoculture⁴⁶ to commercial and multifamily, nearby homeowners would probably persuade local government to deny the rezoning.⁴⁷ Thus, barring a radical change in the political process or in homeowner preferences, it is hard to imagine the Stanley proposal being implemented.

Galina Tachieva's essay seeks to retrofit cul-de-sacs more gradually, by replacing houses with new structures one house at a time. For example, one house on a cul-de-sac could be replaced with a recycling center, then another with a small restaurant, then another with live-work units.⁴⁸ Over time, a housing-only monoculture would be turned into a mixed-use (and thus walkable) neighborhood. Alternatively, a house or two could be replaced with a "Supportive Living Module" with services designed to assist the cul-de-sac's aging residents, such as rooms for medical exams, living quarters for caretakers, and housing for seniors no longer capable of living in large suburban houses.⁴⁹ This proposal seems to me to be even more politically infeasible than the

⁴⁶The Stanley proposal is based on an examination of 2200 South 112th Drive in Avondale, Az., a Phoenix suburb. *Id.* at 224–25. This block has a Walkscore of 24, which means it is surrounded by housing and not much else. See Walkscore, *2200 South 112th Drive*, at <https://www.walkscore.com/score/2200-s-112th-dr-avondale-az-85323#>

⁴⁷*Cf.* Eric M. Braun, *Smart Growth in North Carolina: Something Old or Something New?*, 35 Wake Forest L. Rev. 707, 726 (2000) ("Many citizens are so accustomed to suburban developments that they are suspicious of non-traditional development proposals touting multifamily development and small lot subdivisions interspersed with commercial development. Developers who attempt to utilize these new flexible development regulations often face extensive neighborhood opposition."); Galina Tachieva, *Occupy Sprawl, One Cul-De-Sac at a Time*, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 241, 246–47 (2015) (because "single-family homes are usually the largest investment of homeowners . . . they might be especially fearful of any change that they believe will negatively impact this investment.")

⁴⁸*Id.* at 245.

⁴⁹*Id.* at 249–50.

Stanley plan; since some of the single-family houses on the cul-de-sac would still be occupied, their residents (as well as the residents of nearby blocks) might oppose the rezoning that would make nonresidential uses possible.

Ultimately, cul-de-sacs and residential blocks cannot be made mixed-use unless either (1) existing zoning laws are reformed to limit government's power to veto redevelopment, or (2) a change in American culture makes homeowners more tolerant of non-residential uses. Tachieva hints that such a change is possible in coming decades, writing that if the supply of homeownership seniors increases and the number of young families decreases, "[e]conomic factors . . . will prevent seniors from selling their large homes and mortgages when they wish to retire."⁵⁰ Even if housing values do decline in the next few decades, it is not clear to me why this decline would make homeowners less fearful of zoning changes, rather than more fearful.

C. Too Much Street, Too Much Parking

One common feature of American suburbia is wide streets. Wide streets make it easy for cars to drive faster, which in turn leads to more car crashes. Even on residential streets (which tend to be narrower than commercial streets) width correlates with danger: a 36-foot-wide residential street has three times as many collisions per year as a 24-foot street.⁵¹ The most relevant essay, by Marc Schlossberg and Dave Amos, addresses this problem indirectly by focusing upon the related issue of on-street parking.

Schlossberg and Amos surveyed parking in three Eugene, Oregon neighborhoods: a walkable 1920s neighborhood, a car-oriented 1950s neighborhood, and a newer area that is further from downtown but has narrower streets than the 1950s neighborhood.⁵² In all three areas, most on-street parking was not used at any given time: in the 1920s neighborhood 79 percent of on-street parking spaces were typically

⁵⁰*Id.* at 252.

⁵¹See Marc Schlossberg and Dave Amos, Rethinking Residential On-Street Parking, in Emily Talen, ed., *Retrofitting Sprawl: Addressing Seventy Years of Failed Urban Form* 181, 183 (2015).

⁵²*Id.* at 183–87.

vacant, and in the newer neighborhoods (where more homes had garages) over 85 percent of spaces were vacant.⁵³

Because most on-street parking is unnecessary, Schlossberg and Amos suggest that some space now devoted to on-street parking should be devoted to other uses- for example, urban farming or greenspace that could absorb rainwater.⁵⁴ If this wasted land was devoted to non-automotive uses, streets would be narrower, causing cars to move more slowly and reducing the risk of death or injury to pedestrians and motorists alike.⁵⁵

At first glance, the Schlossberg and Amos essay seems inconsistent with the common view that on-street parking benefits pedestrians by providing a buffer between pedestrians and moving traffic.⁵⁶ On the other hand, perhaps these views can be reconciled: a 30-foot street with on-street parking is more walkable than a 30-foot street without on-street parking, but a 20-foot street may be more walkable than either.

III. Conclusion

The essays in *Retrofitting Sprawl* can be summarized in two short propositions:

1. Where shops⁵⁷ are far from the street, build more amenities between the shops and the sidewalk, so pedestrians can walk to them without having to dodge moving cars.
2. Where houses are surrounded by nothing but other houses, build some shops (or other amenities) between the houses so pedestrians will have someplace to walk. And the houses should not be surrounded by cars going fast enough to kill the pedestrians.

⁵³*Id.* at 189.

⁵⁴*Id.* at 193–97.

⁵⁵*Cf.* Robert H. Freilich, *The Land Use Implications of Transit-Oriented Development: Controlling the Demand Side of Transportation Congestion and Urban Sprawl*, 30 Urb. Law. 547, 557 (1998) (“Narrow streets are designed to provide a form of “traffic calming” by minimizing traffic speeds and through traffic while devoting more of the streetscape to pedestrian use than is the case in most conventional residential subdivisions. Narrow streets are also considered easier to cross on foot than wide streets with heavy traffic volumes”).

⁵⁶*Id.*

⁵⁷Or, for that matter, other amenities such as offices and apartments.

ZONING AND LAND USE PLANNING

The rest is commentary.⁵⁸

⁵⁸*Cf.* Jack B. Weinstein, *Why Protect the Environment for Others?*, 77 *St. John's L. Rev.* 217, 223 n. 22 (2003) (when ancient Jewish sage Hillel was asked to summarize Jewish teaching, he stated “What is hateful to you, do not do to your neighbor . . . the rest is commentary.”)