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The Smart Growth Movement: A (Partial) Success

Has the smart growth movement succeeded? It depends how you measure "success."

Michael Lewyn | December 27, 2016, 9am PST

I recently had an email conversation with someone, arguing about whether the smart growth movement has been successful. My correspondent points out that millions of people still are perfectly happy with suburbia, and thus suggests that sprawl is as dominant now as it was in the 1990s. This discussion made me think: how does one define a movement's success or failure anyhow?

Obviously, the smart growth movement has not been a success if "success" means turning the clock all the way back to pre-sprawl America (say, 1945). But that seems to me like a rather utopian objective. A better question is: have smart growth advocates made progress?

So for example, one smart growth goal might be repopulating older urban cores. For this goal alone, one could define "success" in a variety of different ways. For example:

*Are cities gaining population? The overwhelming majority of large cities have gained population. Of the 30 most populous U.S. cities, only three (Baltimore, Detroit, and Chicago) have lost population since 2000. Even some cities that lost population in the late 20th century (such as Boston and Philadelphia) are gaining population again. On the other hand, this trend is not universal: in slow-growth metro areas such as Cleveland and Buffalo, central cities continue to shed people.

*Are neighborhoods closest to downtown gaining population? Although most American cities are gaining people, new development is often concentrated in cities' less-developed, suburban sections—especially in Sun Belt cities that encompass hundreds of square miles. One way to control for this variable is to focus on population within a few miles of downtown—the traditional "urban core." A University of Virginia [study](#) shows in that the closest ring of neighborhoods (less than a mile out) in the 50 largest metropolitan areas, population grew from 1.306 million in 1990 to 1.444 million in 2012—about a 10 percent increase. Population grew in most other close-in rings: for example, in neighborhoods six miles out (roughly the distance from downtown to the city limits in many cities) population grew from 6.4 million to 7 million. In other words, urban areas are growing again.

*Are city neighborhoods gaining people who can afford to live elsewhere? If the return to the cities was driven by people who could not afford suburbia, cities' population gains might seem less impressive. However, by and large urban cores are growing more

affluent. The Virginia study shows that per-capita income has increased more impressively in downtowns (by \$12,000 between 1990 and 2012) and has also increased in every ring up to seven miles out. Between that point and 25 or so miles out, incomes declined between 1990 and 2012, and increased again in the outermost suburbs. Poverty rates are still highest in downtown, but have declined within a mile of so of downtown while increasing in every further-out ring of neighborhoods.

*Are cities gaining population as fast as suburbs? If this is the test of success, the smart growth movement is less successful. As noted above, neighborhoods closest to downtown grew by about ten percent—but the ring of places 25 miles out grew by about 40 percent (from 2.2 million in 1990 to 3.1 million in 2012). In other words, in the late 20th century, most cities were declining. Today, the most common pattern is for the central city to grow but for the suburbs to grow a little faster.

Compared to the 1980s, this pattern is definitely progress from a smart growth perspective—but still is not quite ideal. From my somewhat libertarian perspective, I am heartened: city living still isn't right for everyone, but it is, I think, a feasible alternative for more Americans than it was 20 years ago.

BLOG POST

Is There an Environmentalist Case for Sprawl?

Yes, sprawl is still bad for the environment.

[Michael Lewyn](#) | December 14, 2016, 2pm PST

As Americans have moved to automobile-dependent suburbs, vehicle travel has exploded. So as a matter of common sense, it might seem obvious that more sprawl equals more pollution.

This view is backed up by a [study conducted by Harvard economist Edward Glaeser and UCLA economist Matthew Kahn](#) [pdf], which found that the least automobile-dependent regions emitted fewer greenhouse gases than other large metropolitan regions. In particular, New York City, the most transit-oriented region in the United States, had the lowest level of automobile-related carbon dioxide emissions among 66 regions surveyed. The five other regions where over ten percent of commuters used public transit (Washington, Chicago, Boston, Philadelphia, San Francisco) also emitted less carbon dioxide than the national median. By contrast, auto-oriented regions such

as Memphis had higher-than-average emissions. Moreover, cities consistently created less carbon dioxide than suburbs: in every single one of 66 cities surveyed, transportation-related carbon dioxide emissions (including both emissions from automobiles and emissions from transit) were higher in suburbs than in cities.

Environmental benefits from walkable development are not limited to greenhouse gases. One study by several scholars found if vehicle miles traveled in the 11 largest Midwestern regions decreased by ten percent, the resulting decline in particulate matter pollution would lead to 525 fewer pollution-related deaths and an [even larger reduction in the number of hospital admissions](#).

Nevertheless, some commentators argue that density means pollution. For example, Joel Kotkin writes: "proximity to busy roads, high-traffic density, and increased exposure to pollution are linked to a variety of respiratory ailments." However, the suburban sprawl that Kotkin champions is the cause of urban air pollution, not a remedy. When Americans move into car-dependent suburbs, they are more likely to drive to cities, which makes those cities more polluted. The fewer suburbs, the fewer cars; the fewer cars, the less pollution.

A related argument is that compact development creates traffic congestion, which in turn increases emissions. But if this argument supported suburbanization, congestion-related fuel consumption would have decreased as low-density suburbia grew. This failed to occur: since 1982, the amount of fuel wasted due to American traffic congestion grew from four gallons per driver to 19. Moreover, congestion increased not only in regions with growing central cities, but in rapidly decentralizing regions. For example, St. Louis lost 30 percent of its central city population between 1980 and 2014, but the amount of lost fuel lost per driver more than quadrupled. And Buffalo lost about a quarter of its central city population between 1980 and 2014—yet its congestion-related wasted fuel per driver also more than quadrupled (all relevant data is included in the Texas Transportation Institute's [latest Urban Mobility study](#)). And if density-related congestion increased emissions, urban places would generate more transportation-related greenhouse gases than their suburbs—which, as noted above, is not the case.

Another anti-urban argument is that because of the energy used in constructing apartment buildings (especially high-rise buildings) urban areas in fact are more carbon-intensive. For example, Kotkin cites a [document by an Australian Conservation Foundation](#) [pdf] stating that inner cities have higher environmental impacts than suburbs or rural areas. However, the study goes on to state that the reason for this was that "the opportunities for relatively efficient, compact living appear to be overwhelmed by the energy and water demands of modern urban living, such as air conditioning, spa baths, down lighting and luxury electronics and appliances... These trends in are closely correlated with wealth. Higher incomes in the inner cities are associated with higher levels of consumption across the board." In other words, Australian cities are more carbon-intensive than their suburbs not because of the evils of density, but because those cities are richer and thus buy and use more goods. In fact, the Foundation has [rejected the use of its report to defend sprawl](#), stating, "Eco-footprints in

suburban areas in Australia are lower than in the urban core in spite of, not because of, lower residential densities."

BLOG POST

The Trump Administration: Good for Transit?

The conventional progressive wisdom is that the Trump Administration will be bad for cities and for transit users. But in recent decades, a unified Republican government has been better for public transit than a divided government.

[Michael Lewyn](#) | December 5, 2016, 6am PST

The conventional wisdom among progressives seems to be that the incoming Trump Administration will be bad for cities generally and for public transit in particular, based on President-elect Trump's generally hostile attitude toward environmentalist policies.

Although I do not expect this Administration to be a hotbed of smart growth innovation, I don't expect it to be anti-transit either. To understand why, let's go back to the first time in recent memory that a Democratic president met a Republican Congress.

In 1994, the Republicans took over the House and Senate. At first, the Republicans were quite aggressive in cutting federal domestic spending (including transit spending). From 1995 to 2000, government spending [decreased](#) from 20 percent of gross national product (GNP) to 17.6 percent. This pattern of austerity affected federal transit spending; such spending [held steady](#) between 1995 and 1999 (decreasing from \$4.48 billion to \$4.36 billion) which means that spending was reduced by a little over 10 percent in real terms. Moreover, federal spending was redistributed from operations to capital spending, which means that support for day-to-day transit operations was slashed from \$2 billion to \$0.9 billion during this period. In 2000 and 2001, transit spending began to increase again, perhaps because after being on Capitol Hill for a few years, Republicans shed their Gingrich-era revolutionary zeal.

In 2001, President Bush was elected. So one might think that a Republican Congress and a Republican president would create even more austerity. Right? Wrong. Overall government spending surged to 20 percent of GNP in 2008. Transportation spending joined the party; federal support for public transit increased from \$7.3 billion to \$10 billion (roughly a 15 percent increase after inflation). Although much of this increase went to capital spending, even operations spending increased to \$2.9 billion.

Why would unified Republican government spend more than divided government? My guess is that during the 1990s, Republican legislators were under pressure from primary voters to distinguish themselves from a Democratic president. But once Republicans held both ends of Pennsylvania Avenue, they could prove they were "real Republicans" merely by voting with the President. So Republicans lost their political incentive to favor budgetary austerity.

In 2011, Tea Party Republicans took over the House, and once again a Democratic president faced a Republican Congress. Again, the Republicans held the line on government spending; outlays decreased from 23.4 percent of GNP in 2010 and 2011 to 20.7 percent in 2015. Transit spending decreased slightly for a few years, from \$13.1 billion in 2010 to \$12.5 billion in 2014.

Soon, we will again have a Republican president and a Republican Congress. My guess is that as under the Bush Administration, government will grow—including some of the parts of government that transit advocates like. On the other hand, I predict a very challenging four years for those of you who value lean government and balanced budgets.

Progressives note that the Republican platform is [anti-transit](#). However, the Republican platform was generated by a few activists who were motivated enough to join the platform committee. There is no reason to believe that their views mirrored those of the Trump campaign, though presumably they tried to accommodate Trump's positions on a few signature issues such as immigration. As former House Speaker John Boehner once [noted](#), "have you ever met anybody who read the party platform? I never met anybody."

All of this is subject to one major qualification. Recessions tend to be terrible for public transit; less economic growth means less tax revenue for local governments, which in turn often means cuts in bus service. So if the incoming Administration mismanages the economy, that would be very bad for transit indeed.

BLOG POST

While Rural America Zigged, Suburban Sprawl Zagged

In 2016, Republicans did worse than usual in affluent sprawl suburbs, while gaining a little ground in working-class cities.

[Michael Lewyn](#) | November 21, 2016, 10am PST

Commentators often interpret elections as a battle between Democratic cities and Republican suburbs. For example, one *Planetizen* comment stated: "Trump was elected because the forgotten rural and suburban Americans (yes, coincidentally mostly white)

responded negatively to an urban progressive agenda espousing Democratic Party/candidate" (emphasis mine). But in fact, the urban/suburban gap may have narrowed this year in many regions.

Urban voting data is often hard to find, because most cities are parts of larger counties. But in a few regions, cities were their own counties- and here the results were actually quite mixed.

In gentrified cities like San Francisco, Trump did even worse than the typical Republican. Trump only got 9 percent of the votes in San Francisco (down from Mitt Romney's already-dismal 13 percent). Similarly, he lost GOP voters in Manhattan (10 percent, down from Romney's 15 percent) and the District of Columbia (4 percent, down from Romney's 7 percent). In Denver, the Republican vote nosedived from 24 percent in 2012 to 19 percent this year.

On the other hand, in some urban places Trump did no worse than Romney, or even a tiny bit better. In New York's outer boroughs, he held steady or gained a bit of ground. He thumped Hillary Clinton in semi-suburban Staten Island (which Obama carried) by a 56-40 margin. He gained a point in two in Brooklyn (about 18 percent, up from Romney's 17) and Queens (22 percent, up from Romney's 20). Similarly, he gained a few votes in Philadelphia (15 percent, up from Romney's 14) and held steady in St. Louis (at about 16 percent).

But Trump lost ground in sprawl—or more precisely, the kind of affluent, car-dominated suburb that is the traditional American stereotype of sprawl. Chester County, Pa. presents an extreme example. it begins almost 20 miles from downtown Philadelphia, and ends almost 60 miles from downtown at the Maryland border. This well-off county has traditionally been GOP territory, voted for George W. Bush 53-43 in 2000, and voted for Mitt Romney in 2008. But in 2016 Chester thumped Trump by a 51-42 margin. Affluent, closer-in Montgomery County has been trending Democratic for decades; but while it gave Mitt Romney 42 percent of its votes, Trump lost it by a 58-37 margin. However, Trump's suburban losses in Pennsylvania were outweighed by a tide of rural votes.

Similarly, the Washington suburbs turned on Trump. Loudoun County, Virginia, a land of high-tech, big-money sprawl, voted 56-40 for George Bush in 2000. By 2012, it was ready to support Obama by a narrow 51-47 margin. In 2016, it clobbered Trump 55-39. Similarly, Fairfax County's GOP vote share nosedived from 39 percent to an almost urban 28 percent. As a result, the Democratic ticket did almost as well in Virginia as in 2012.

Even in the Republican South, some suburbs were immune to Trump's charm. Cobb, Gwinnett, and Henry Counties all extend far outside Atlanta, all gave Ronald Reagan over 2/3 of their votes in 1984, and all voted for Mitt Romney, by margins ranging from 51-47 (Henry) to 55-42 (Cobb). But all three switched to the Clinton-Kaine ticket. Only the outermost Atlanta exurbs, such as Cherokee County (which begins over 30 miles out) were solidly pro-Trump. Trump even gained votes in the already-Republican

suburbs at the fringes of the metro area, such as Haralson and Heard County (which begin around 50 miles out).

Even in Texas, Trump lost a few suburbs: Fort Bend County outside Houston voted almost 60-40 for George Bush and 53-46 to Romney, but swung to Clinton this year. Outside Dallas, Romney won Denton and Collin Counties with about 65 percent each—about 8 percentage points ahead of Trump's showing in both counties. By contrast, Trump improved on Romney's performance in Delta County 75 miles from downtown Dallas; he got 80 percent of the vote there, as opposed to Romney's 75 percent.

In the Midwest, Trump did a little better. Trump won the WOW (Washington, Ozaukee, Waukesha) counties outside Milwaukee—but even here, he lost some Romney voters. His vote totals in the three counties ranged from 55-67 percent, while Romney topped 64 percent even in Ozaukee (the least Republican of the three). Here too, Trump's weakness in suburbia was balanced out by a tide of rural votes.

However, Trump did gain support in some more working-class suburbs, especially in the Midwest and in smaller metro areas. Macomb County (outside Detroit) switched from Obama to Romney while the Democrats held onto richer Oakland County. And in Geauga and Medina Counties outside Cleveland, Trump did better than Romney. And in western Pennsylvania, Trump improved on Romney's performance in most suburban counties. But on balance, the Republican ticket lost votes in much of America's suburban sprawl while gaining votes in rural and small-town America, and (to a lesser extent) in the almost- and newly-suburban counties at the fringes of metropolitan America.

BLOG POST

Does Suburbia Promote Fertility?

In Joel Kotkin's new book *The Human City*, he argues that suburbanization promotes higher birthrates. But this policy doesn't seem to have worked so far.

[Michael Lewyn](#) | November 7, 2016, 5am PST

In his new book *The Human City*, Joel Kotkin correctly points out that the more affluent parts of the world are facing a "Birth Dearth": birth rates have declined and populations have rapidly aged, which means that in the future, there may not be enough working-age taxpayers to support old-age retirement programs and other social programs. He also correctly notes that urban cores tend to have fewer children and smaller families than suburbs. He therefore concludes that "[w]ithout places for people to move farther out in the periphery, these core cities, with their low birth rates... are hardly sustainable in the long run." In other words, Kotkin's logic seems to be something like this:

Assumption 1: Society needs more children.

Assumption 2: Society cannot have more children without continued suburbanization, because parents will never again be willing to bring up children in cities.

Assumption 3: By contrast, parents are willing to bring up children in suburbia.

Conclusion: Therefore, suburbanization is necessary for more children.

However, both Assumption 2 and Assumption 3 are highly questionable.

Kotkin correctly notes that housing prices have exploded in big cities, and admits that "middle-income housing affordability constitutes a huge constraint on family formation in many cities... Virtually all of the countries with ultra-low birth rates [] suffer from very high housing prices." Thus, housing prices have driven middle-class families out of the world's more desirable cities. (Since Kotkin's book is not really focused on declining, low-demand cities, I shall not focus on their problems in this essay.)

But it doesn't follow from this that cities can never be family-friendly. Instead, it follows that if urban housing prices were lower, cities would become more popular with families. Since prices tend to be governed by the law of supply and demand, it further follows that a smart growth strategy of allowing more housing construction in cities would make cities more appealing to families.

However, current law precludes such policies; the most expensive cities often have zoning rules that are more restrictive than those of the typical American city. For example, in most American cities, city councils have veto power over rezoning. But New York City adds other possible choke points by giving borough presidents the right to review rezoning, and by creating community boards which also have the right to comment on development proposals. Finally, the city bureaucracy on its own can propose downzoning a neighborhood, which means that the zoning code permits even less new housing than in the past. (In the mid-2000s, the city downzoned 40,000 parcels of land.) Similarly, San Francisco has unusually restrictive zoning policies. For example, San Francisco allows the city bureaucracy to veto even development that conforms to the existing zoning code. Because zoning laws artificially limit urban housing supply (and thus increase urban housing prices) it seems to me that zoning deregulation would increase the housing supply and thus reduce housing prices, thus making cities more family-friendly. So one might think that Kotkin would favor allowing more housing in existing city neighborhoods.

But more housing in a neighborhood means, by definition, that the neighborhood becomes a little more dense. And Kotkin does not approve of density, writing that "higher-density housing is far more expensive to build... [because] the cost of developing a garden apartment is roughly one-third that of developing a high-rise." But Kotkin's claim is based on a false dichotomy: he implies that "higher-density housing" is the same as high-rises, and thus that new housing must either be low-density suburbia or high-rises. In fact, urban housing can be quite dense (and family-friendly) without being high-rise. Kotkin of all people should know this, since he writes that his father

grew up in Brooklyn's Flatbush neighborhood when it was "very much a place for middle-class families," and describes the nearby Ditmas Park neighborhood as one where people move "to escape a culture dominated by childless people." These low-rise neighborhoods are hardly low-density suburbs: both Flatbush and Ditmas Park have between 65,000 and 68,000 people per square mile (nearly twice the Brooklyn average).

If most cities built neighborhoods as dense as Ditmas Park, there would be no need for suburbs (or for that matter, high rises). For example, if all of New York City was built at the density of Ditmas Park, it could accommodate 20.3 million people- more than twice its current population, and roughly the population of the entire New York metropolitan area.

Kotkin's second major assumption is that because suburbs have more families than cities, more suburbs mean more babies. But Kotkin also notes that suburbs have grown faster than urban cores, both in the United States and Europe. So if suburbs are growing everywhere and suburbs are good for children, therefore we should see rising birth rates everywhere, especially in the suburb-dominated United States.

But in fact, the opposite has occurred. In 1950, at the dawn of the suburban era, the birth rate (that is, the number of births per 1000 people) was 24.1; in 2013, the same number was 12.5. Similarly, the fertility rate (the number of live births for women between 15 and 44) declined from 106.2 per 1000 women to 62.9. (European birthrates have declined to a roughly similar extent).

Someone in 1950 might have bet that the suburban experiment would protect the United States and other affluent nations from declining fertility. But the verdict of history is in. Suburbia failed.

BLOG POST

Are States Too Active or Not Active Enough? Yes.

State governments like to limit local taxing authority but not local zoning—maybe they should do the exact opposite.

Michael Lewyn | October 26, 2016, 12pm PDT

When I was listening to a speech about street design, I heard repeated references to the state government—about what "Albany" (the state of New York) will allow New York

City to do and what it won't allow the city to do. This incident made me wonder: Where should we draw the lines between state and local authority?

The dominant American view seems to be that the local governments have almost-total control over zoning, but very little control over anything else. In particular, statewide politicians like to gain political support by [claiming credit for cutting](#) local property taxes, or by preventing local governments from instituting new taxes.

It seems to me, however, that this distribution of state and local responsibilities is absolutely backwards. Why? I begin with two assumptions:

1. Normally, a city's residents and politicians know how to run their own affairs to a greater extent than do nonresident politicians (such as state legislators from other cities or from rural areas).
2. An exception to this principle exists when a) a city's actions significantly harm nearby towns (e.g. by allowing pollution that crosses municipal boundaries) or (b) there is a ["tragedy of the commons"](#) problem (where a certain policy is good for each individual municipality, and thus widely adopted, but is harmful to the region as a whole).

So how do these assumptions apply to specific policies? First, it seems to me that local governments should have nearly absolute power to set their own tax rates and decide their own mix of rates, with no state interference. For example, there is no reason why the governor of New Jersey should have more power over Piscataway's tax rates than the voters of Piscataway. The governor might have visited Piscataway once or twice while running for office, but otherwise has no special expertise in local affairs. Similarly, nearby towns are not harmed if Piscataway's tax rates are too high: if anything, they benefit if Piscataway overtaxes itself, as people and businesses move to those towns. Similarly, there is no "tragedy of the commons" issue: it is not particularly rational for an individual town or suburb to overtax itself. Ideally, state constitutions would give local governments plenary power over taxes (with the possible exception of taxes that affect nonresidents, such as hotel taxes).

On the other hand, the case for local control of zoning is much weaker. The "local expertise" argument (assumption 1 above) may still apply to zoning. However, restrictive zoning clearly creates a "tragedy of the commons" problem. It is rational for each city's homeowners to have highly restrictive zoning, to limit the housing supply and thus increase property prices. In cities with rent control, it is also rational for renters to prefer restrictive zoning, since they are unlikely to move and thus do not benefit from new construction.* For the same reasons, it is rational for neighborhoods within a city to prefer restrictive zoning.

However, restrictive zoning is irrational for a city or region as a whole: it leads to stunted housing supply, thus increasing housing prices, thus keeping out poor and middle-class workers and new residents generally. In fact, recent economic scholarship suggests that zoning [even harms](#) the national economy. Because restrictive zoning is rational for each city or neighborhood but irrational for the region as a whole, state governments should rigorously police local zoning.

In sum, state governments are active where they should be passive, and passive where they should be active.

*Indeed, it could be argued that even ordinary renters benefit from restrictive zoning in certain circumstances: where new housing is more attractive than the existing housing stock, thus making the neighborhood more attractive and raising rents for everyone. This claim too involves a tragedy of the commons: it is more likely that new housing will make one neighborhood especially attractive if it is confined to that area, while new housing in every neighborhood is not likely to make one area attractive relative to others, which in turn means that new housing is more likely to bring down rents everywhere.

BLOG POST

Urban Containment: Sometimes Bad, Sometimes Not So Much

Some commentators on urban containment treat the issue as all-or-nothing: either strict limits on suburban development are good public policy everywhere, or they are good public policy nowhere. Perhaps a more nuanced view is appropriate.

[Michael Lewyn](#) | October 11, 2016, 2pm PDT

I recently read a blog post crediting me with recognizing the evils of urban containment—by which I mean, land use policies (such as urban growth boundaries) that limit exurban real estate development. Since I'd been writing about very different issues over the past few years, I asked myself: what is my position on urban containment, anyhow?

Fifteen years ago, I would have considered growth boundaries a pretty good thing, because my work was focused on the evils of suburban sprawl, and I had never experienced out-of-control housing prices. But as the latter problem has spread beyond New York and San Francisco, I have become a little more sensitive to the best argument against urban containment: that it limits housing supply and thus raises housing prices. So it seems to me that this issue involves a conflict between two worthy values: affordable housing and limiting the negative effects of suburbanization. If you are a doctrinaire libertarian or environmentalist, the conflict is easy to resolve: one value comes first, and the other value goes in the trash can.

But for the rest of us, it seems to me that the right level of urban containment (if any) may be different for different regions, depending on a variety of factors:

- Are the city and its older suburbs declining? If so, containment might prevent a wildfire of blight that infects suburb after suburb, making the region as a whole less desirable. From this perspective, urban containment in some form might be most desirable in stagnant Rust Belt regions with declining cities, such as Cleveland or Detroit.
- How high are housing costs? Obviously, containing housing costs is more important where housing costs are already high—for example, New York or San Francisco. On the other hand, in regions where some houses are so cheap that making them habitable is not worth the trouble, reducing housing costs is perhaps a lower priority.
- If regional housing costs *are* high (or at least not so low that houses are selling for the [price of a video recorder](#)) how willing is the city to change its zoning codes to accommodate new housing? If new housing doesn't go in the newer suburbs, it has to go somewhere. And if government doesn't let it go somewhere, obviously a housing shortage results.
- Is a region's physical climate temperate enough that its residents generate relatively low levels of greenhouse gases no matter where they live? For example, in a region where temperatures never go below freezing or above 90 degrees Fahrenheit, heating and cooling bills will be [lower](#) than in icy Minnesota or sweltering Houston. So it seems to me that if we are interested in limiting climate change, we should encourage settlement in these temperate regions even if it means more exurban housing in those regions. In other words, climate change is another reason why urban containment in coastal California is not a good idea.

In sum, aggressive containment policies such as growth boundaries seem least appropriate for temperate, growing, expensive regions such as coastal California. On the other hand, I am less willing to condemn such policies for small, stagnant regions.

BLOG POST

CIAM's Third Way

A blog post comparing the Athens Charter, written by modernist architects in the 1930s, to traditional urbanism and modern sprawl.

[Michael Lewyn](#) | September 21, 2016, 2pm PDT

When I read about the historical roots of suburban sprawl, I occasionally see a reference to CIAM (the International Congress of Modern Architecture), a group of modern architects prominent in the early and mid-20th century. I recently read a [translation](#) of the CIAM's 1933 Athens Charter; their views certainly tended to promote sprawl, but much of American sprawl would be alien to CIAM's 1930s activists.

CIAM certainly shared the density-phobia that motivated many 20th century policymakers. Paragraphs 9 and 10 of the charter assert that urban density is "too great" and "unhealthy due to insufficient space within the dwelling, absence of usable

green spaces and neglected maintenance of the buildings" as well as "the presence of a population with a very low standard of living." It seems to me that CIAM erred in confusing the latter with the former: buildings are poorly maintained not because they are dense or crowded, but because their inhabitants are poor. The absence of "usable green spaces" is not a result of density; in fact, the most dense places (such as Manhattan) often have the most parks and playgrounds. CIAM noted that urban places often had 400-600 inhabitants per acre (para. 9); it is not clear, however, what densities CIAM would have considered healthy.

In addition, CIAM was pro-road. The Athens Charter complains that "inappropriate street dimensions prevent the effective use of mechanized vehicles" (para. 53) and "Street widths are insufficient" (para. 55). But rather than completely ignoring pedestrian needs as did midcentury American policymakers, they did propose to accommodate pedestrians with separate routes (para. 62)—although they failed to explain how these pedestrian routes would be connected to commercial areas. This part of the CIAM agenda does seem to have been implemented in a few places, such as in [Radburn, New Jersey](#) (where separate pedestrian pathways complement the street system on some residential blocks)—but even in Radburn, a pedestrian would normally use traditional streets to reach stores.

Unlike pro-sprawl commentators such as Frank Lloyd Wright, CIAM is not obsessed with the large-lot single-family home: indeed, the CIAM Charter barely even mentions the concept. Instead, CIAM focuses on high-rises, asserting that they should be "placed at wide distances apart [to] liberate ground for large open spaces" (para. 29). The Charter's interest in high-rises suggests that they took widespread high-rise construction for granted. However, we now know that CIAM's "Towers In A Park" urbanism does not contribute to walkability, but instead creates vast, sterile open spaces. To see the CIAM Dream in its least atrocious form, one should visit not the typical American suburb but Detroit's [Lafayette Park](#), a neighborhood near downtown with high-rises, garden apartments, and lots of park space in between.

The Athens Charter does mention suburbs, but only in passing, noting that suburbs "have developed without plans" (para. 20) and often lack funds for necessary services (para. 22). I suspect that the notion of suburbs as the dominant form of development would have been alien to the Charter's drafters.

Like both today's sprawl lobby and today's new urbanists, CIAM was obsessed with congestion and commuting. They wrote that "[t]he time spent in journeying to work has reached a critical situation" (para. 43) and urged that "Distances between work places and dwelling places should be reduced to a minimum" (para. 46).

But unlike pro-sprawl activists, CIAM did not feign interest in the free market. They complained that "In the absence of planning programs, the uncontrolled growth of cities ... caused industry to settle haphazardly" (para. 44). Similarly, they complain about "The irresponsibility of private enterprise" (para. 72) and conclude that "Private interests should be subordinated to the interests of the community" (Para. 94).

In sum, the CIAM Charter supports some of the ingredients of modern sprawl (such as wide roads and lowered densities)—but other parts of sprawl (such as the dominance of suburbia) seem alien to its agenda.

BLOG POST

What Kind Of Commute Makes People Happy?

The conventional planning wisdom seems to be that long drives are less beneficial to well-being than a short walk. But what about other commuting options?

Michael Lewyn | September 7, 2016, 12pm PDT

Last week, I saw something on Twitter I had already seen several times: a link to [studies](#) suggesting that people are happier when they can walk to work than when they spend a long time driving to work. This claim strikes me as only slightly less obvious than the claim that water is wet. But at the same time, it raises more questions than it answers. For example:

*Is commuting-related unhappiness limited to driving, or is the long-distance commuter equally dissatisfied whether she bikes, drives, takes a bus, or takes a train? Or to put it another way, does the sheer length of commuting reduce well-being, or is mode choice also an important factor? For example, if a commuter's choice is between a 20 minute drive and a 40 minute subway ride, which is more demoralizing? One British [study](#) suggests drivers are as happy or happier than transit users when commuting time is equal; [another](#) study disagrees.

*The "short walk/long drive" dichotomy presupposes that work is in a downtown or other walkable neighborhood, while the long drive is from the outer edges of suburbia. But most Americans (including me) work in suburbs. If a commuter's job is in a suburban office park, is he happier living close to the office park, or should he prefer a long ride from a more walkable neighborhood?

*Given that, other things being equal, a short walk is better than a long drive, how should a commuter weigh that factor against other factors? For example, the rent for my current apartment in Manhattan is comparable to the rent for a two-bedroom apartment in Queens, or a three-bedroom house in Suffolk County. As a single person, the extra space is useless to me. But if I had a spouse and a child or two, would the benefits of the extra space outweigh whatever unhappiness I suffered from my commute?

I don't know the answers to any of these questions; I only claim that further research is worthwhile.

BLOG POST

The Los Angeles Mystery

A blog post exploring why Los Angeles is more car-dependent than some less dense cities.

Michael Lewyn | August 16, 2016, 2pm PDT

Last week, I visited Los Angeles. Even before visiting, I was most curious about one question: why is Los Angeles dense and car-oriented at the same time? Los Angeles has just over 8,000 people per square mile—not as much as the most transit-oriented cities, but more than many cities that are less car-oriented, such as the larger cities of the Pacific Northwest and the Rust Belt.

For example, Los Angeles is slightly more dense than Seattle (which has just over 7,000 people per square mile). Yet one-third of Seattle residents bike, walk, or take transit to work, more than twice as many as in Los Angeles (15.5%). Pittsburgh has about 5,500 people per square mile and Portland even fewer, yet in both cities about one-quarter of commuters bike, walk or take transit—still more than Los Angeles. More broadly, the relationship between non-automotive commuting and density is strongest at the extremes: the six cities with the largest non-automotive mode shares have about or more than 10,000 people per square mile, and the ten most car-dominated cities all have under 4,000 people per square mile. But mid-density cities vary a bit more.⁽¹⁾ Why?

From riding around Los Angeles's buses and trains and seeing dozens of neighborhoods⁽²⁾, I of course have no definitive answer. But I do have a couple of mildly-educated guesses.

First of all, street design is a logical suspect. Most of the commercial streets I saw were six lanes wide; by contrast, commercial streets in New York City are often only four lanes wide, and two of those lanes are commonly used for on-street parking (which means that from a pedestrian's perspective, these streets effectively have two lanes). Even though Los Angeles also seems to allow on-street parking on many commercial streets, my sense was that on-street parking lanes were used less heavily in Los Angeles, so that in Los Angeles a six-lane street really is six lanes.⁽³⁾ Six-lane streets are not much fun to cross, so people choose not to walk on them.

One extreme example is on Wilshire Boulevard just east of Westwood (say, around the 10700 block if you want to see it on Street View). This is a block full of high-rise condos: the perfect spot for pedestrian-oriented development. Yet this stretch of Wilshire is eight lanes wide, without even a median to break up a pedestrian's street-crossing adventure.

Los Angeles's wide streets may also explain the historic weakness of Los Angeles's downtown. Nearly every American downtown is ringed by expressways that facilitate commuting from suburbia—but downtown Los Angeles has some six-lane speedways that are no fun to cross, but that facilitate commutes from more suburban parts of the city.

Second, the sheer size of Los Angeles may be relevant. A city with the density of Los Angeles and only half a million people would encompass about 60 square miles—the size of the District of Columbia. In such a city, no neighborhood is more than about six or seven miles from downtown, and so public transit is a reasonable option almost anywhere within the city limits.

By contrast, in an equally dense city the size of Los Angeles, transit takes much longer. For example, the Sylmar neighborhood, at the city's northern extremity, is more than 20 miles from City Hall and an hour away by rail and bus—so I am guessing a bus-alone commute would take over two hours. In other words, because of Los Angeles's sheer size, perhaps it needed a truly world-class public transit system to have the transit more share of a Pittsburgh or a Seattle.

Any other thoughts, dear readers?

(1) Mode share data is at <http://iqc.ou.edu/2013/10/22/the-latest-bike-walk-and-transit-usage-data/> and density data is at <http://www.governing.com/gov-data/population-density-land-area-cities-map.html>.

(2) Pictures of each neighborhood are available at my [Facebook](#) page; I have about two dozen Los Angeles photo albums.

(3) Assuming I'm right about the on-street parking, why would Angelenos be less eager to park on the street than New Yorkers? Much of Los Angeles was built after minimum parking requirements became common, which in turn might mean that more buildings have off-street parking, so in many areas on-street parking is not so congested as in other cities.

Does Sprawl Make People Libertarian?

Criticizes the idea that suburbanization has made Americans more libertarian.

Michael Lewyn | August 4, 2016, 5am PDT

I have written numerous articles (for example, [here](#) and [here](#)) asserting that sprawl is in large part a creation of government: government-built highways that encouraged migration to suburbia, government-built streets that were dangerous for pedestrians to cross, and zoning laws that enshrined automobile dependence by mandating single-use, low-density development with ample supplies of parking. Thus, suburbanites are just as dependent on government as urbanites: they drive on government-provided roads and park on government-mandated parking lots near government-widened streets, while the prestige of their communities depends on the prestige of government-provided schools.

But an acquaintance of mine raised an interesting counterargument. He suggested that even if compact development does not *in fact* make people more dependent on government, it leads to a perception of dependence: people who live closer together think of themselves as part of a collective, while people who live in semi-rural surroundings think of themselves as rugged individualists. As a result, suburbanites are more likely to favor leaner government.

This argument does have some basis in reality: it is true that rural places tend to be more politically conservative than urban ones. But on the other hand, suburbanization does not seem to have created a more libertarian society. If this alleged libertarian psychology actually affected the growth of government, government would have gotten smaller as society suburbanized—especially in the late 20th century, when cities declined most rapidly. Older cities declined most rapidly in the 1960s and 1970s—but in those decades, federal outlays increased from 17.2 percent of gross national product (GNP) to 21.1 percent. State and local spending also increased (though somewhat more slowly, from 8.4 percent of GNP product to 9.5 percent). Since then, federal spending has remained flat, but state and local spending has continued to rise, to over 11 percent of GNP today. At the dawn of the suburban era in 1950, government at all levels consumed 22.4 percent of GNP; in 2014, that number was 31.7 percent.

It could be argued that even if suburbanization does not stop government growth, it does change politics—for example, one might trace the current ascendancy of Tea Party conservatism below the presidential level to the rise of suburbia. But at most levels of government, the conservative ascendancy began as urban decay has slowed. In the 1950s, at the dawn of the suburban era, Congress was politically competitive: the Republicans controlled both houses of Congress after the 1952 election, and came close to controlling the Senate later in the 1950s. By contrast, the Republicans did not control the House at all between 1954 and 1994, or even come close: 1956 was the last election where they won 200 seats (out of a possible 430 plus). Republicans did only

slightly better in the Senate, controlling it for only 6 out of those 40 years (1980-86). In other words, the Golden Age of suburbanization was the Golden Age of American liberalism.

By contrast, the Republicans effectively became the majority party in 1994, as cities were beginning to recover: since their 1994 takeover of Congress they have controlled the House for all but 4 out of 22 years, and the Senate for the majority of years as well. Admittedly, the Republicans were dominant at the presidential level in the late 20th century—but (except for President Reagan) won only by nominating moderates such as Richard Nixon and the first President Bush. (By contrast, Republicans today tend to be more consistently conservative). In fact, Republican strength in suburbia has ebbed: over the past two decades, the Republicans have become a more rural and less suburban party. For example, Republicans once dominated Virginia's suburbs; today, the Northern Virginia suburbs lean Democratic, while rural areas are overwhelmingly Republican. So even in electoral politics, the link between the Right and the suburbs is not as strong as it once was.

BLOG POST

Visualizing Hyperdensity

The most dense neighborhood in Manhattan is surprisingly low-key.

Michael Lewyn | July 20, 2016, 7am PDT

When I read the word "hyperdensity," I imagine rows of bland, 90-story towers of the sort one might see in a science fiction movie, or perhaps in certain parts of Hong Kong. But one of America's most dense neighborhoods does not fit this stereotype.

According to the Center for Neighborhood Technology's [Housing and Transportation Index](#), Manhattan's most dense block group is in the Tudor City neighborhood, just south of 42nd Street and near the East River. This block has 464 dwelling units per square mile—far above the 100-200 units per acre that Jane Jacobs suggested was exemplary, or the 50 or 60 units per acre that other smart growth supporters idealize. So when I visited New York to hunt for apartments, I, of course, had to visit this block.

Tudor City shows that "hyperdense" doesn't have to mean skyscrapers or luxurious towers. For one thing, Tudor City buildings are only 20-30 stories: not exactly walk-ups, but not extremely tall by New York standards. Buildings taller than Tudor City may actually be less dense; the most luxurious buildings might have more floors, but fewer housing units on each floor.

Another common stereotype is that density means great wealth (in luxurious high-rises) or great poverty (in public housing). But Tudor City has neither. Tudor City's median

household income is just over \$90,000—above the Manhattan average, but hardly one of the richest areas in the city. (In fact, Manhattan has several block groups where the median income exceeds \$250,000.)

Moreover, Tudor City's rents are actually lower than in most of midtown. I could have found a studio in Tudor City for under \$2000, a extremely low figure by the standards of Manhattan doorman buildings (and, I suspect, below average even for walk-ups). Thus, Tudor City explodes the common equation of high density with high rents.

Another common stereotype is that high density means modernist sterility. But Tudor City has retail on the lower floors of some buildings, a generous selection of street trees, and a small park on Tudor City Place (the neighborhood's main street). I'm not quite sure what "human scale" means. But by the standards of midtown Manhattan, Tudor City feels more human scale than I expected. (But don't just take my word for it—look up 25 Tudor City Place on [Google Street View](#).)

BLOG POST

Greyhound as an Urban Place

Like train stations, Greyhound stations can be tolerable urban places- or they can be another example of suburban sprawl.

[Michael Lewyn](#) | June 27, 2016, 2pm PDT

Over the past decade, I have been to about 40 Greyhound bus stations—usually to visit a city, sometimes just for a layover on the way to my home or to a city I was visiting. I have noticed that just as some train stations are better urban places than others, some bus stations are better urban places than others. Obviously, not all bus stations are equally nice—some are clean, some are dirty; some are overcrowded, others have ample seating. Northern cities with lots of bus travel have more demographically diverse clienteles, while southern stations tend to have more down-and-outers. New York's Port Authority bus station benefits from restaurants and other amenities, but smaller stations usually have nothing but a few vending machines.

Another way in which bus stations vary is their external environment. The best bus stations, like the best train stations, are in the heart of downtown, so that riders can easily reach a wide range of destinations. For example, Boston buses run out of South Station, which is also both a major rail hub and reasonably close to the central business district. Even some small-city bus stations are fairly centrally located; for example, Buffalo's bus station is also a block from Main Street (downtown's major commercial street) and is the hub for most regional buses.

A second pattern is for stations to be at the fringes of downtown, usually near a highway and near the city's less desirable neighborhoods. For example, Atlanta's station is at the southern edge of downtown, near the city jail. Although the station is only about a 10-minute walk from downtown, the walk is not particularly fun during the day, and I don't think I would even try it at night. Similarly, Nashville's bus station is three or four blocks from major downtown attractions, in an area that feels slightly more rundown than downtown. Orlando's bus station goes a bit further in the wrong direction: it is three miles from downtown, in an area that seemed to me to be one of the city's tougher neighborhoods.

The least desirable pattern is for Greyhound to maximize highway access and to abandon downtown completely. For example, in Memphis the station is near the airport, on a block with a Walkscore of 27—pretty dreadful for a business that caters to non-drivers. But at least the station has regular (by Memphis standards) bus service. In Chattanooga, the bus station (also near the airport) is served by a city bus that runs only once every 90 minutes or so. Less patient riders have the option of walking along Airport Road (which has no sidewalks) for about 15 minutes to reach another bus route. In suburban Atlanta, the Marietta bus station adjoins a road with only intermittent sidewalks (Highway 41).

In sum, the best Greyhound stations are not merely clean and well-managed, but in the heart of the city. The worst are just another piece in the jigsaw puzzle of suburban sprawl.

BLOG POST

Car-Free in Detroit

A short guide to a few of Detroit's historic neighborhoods.

Michael Lewyn | June 16, 2016, 6am PDT

Last weekend, I was at the 24th [Congress for the New Urbanism](#) in Detroit. Near the end of the conference, I overheard someone saying: "I wish there was a guide to Detroit, like Lonely Planet or something." Even though I didn't see enough of Detroit to create a book-length guide, I think I saw enough for a blog post. So I thought I would write one.

I started off walking around downtown Detroit; downtown has apparently improved over the past few years, and seemed to me to be the most attractive part of the city. Although a few of the city's historic office buildings are still unoccupied, many are now used either as offices or as residences, and others are clearly in the process of being rehabilitated. In addition, downtown has some interesting public spaces, most notably the [Campus](#)

[Martius](#) park, which has a sandbox, a basketball court and other attractions. At the southern tip of downtown is the surprisingly blue Detroit River. On the negative side, the river is separated from the rest of downtown by Jefferson Avenue, a high-speed street (or [stroad](#)) with four lanes of traffic in each direction.

A few interesting neighborhoods are within walking distance (more or less) of downtown. The leafy [Lafayette Park](#) neighborhood, just east of downtown, is one of the better examples of mid-century "Towers in the Park" design; it includes both two-story townhouse units and high-rises designed by Mies Van Der Rohe. While mid-century construction is often unattractive, Lafayette Park's walkways and generous tree canopy actually make it seem parklike. On the negative side, I might be reluctant to live there if I lived in Detroit, because to get there from downtown, I walked through some blocks that seemed desolate even during the daytime.

Just northeast of downtown is an even more unusual area, [Brush Park](#). This area is full of 19th-century Victorian mansions, only about a quarter of which survive. Because Brush Park deteriorated during the 20th century, much of the neighborhood is [urban prairie](#)—that is, some of the houses were destroyed, and their yards reverted to nature. But today, the neighborhood is being revitalized; some of the mansions are being rehabilitated, while once-empty blocks are filling up with new houses and condos. As a result, Brush Park is currently an interesting mix of progress and decay: some blocks are full of new houses, while others have a Victorian or two surrounded by prairie. I suspect that a decade or two from now, every inch of Brush Park will be inhabited. I wonder if the people who stay there till the 2030s will miss the old days of one or two houses per block.

A more conventional 19th-century neighborhood, [Corktown](#), is about a 15 or 20 minute walk west of downtown. Corktown is dominated by small Victorian houses; my sense is that in 1900 it was a poorer area than Brush Park. Unlike Brush Park, it is mixed-use: our group did a Corktown pub crawl last week. On the negative side, the neighborhood's main street, Michigan Avenue, is another of these huge streets that aren't really much fun to cross, and the walk from downtown to Corktown involves some pretty desolate blocks. (I walked to Corktown before dark, but took a cab at night because those blocks gave me the willies.)

In addition to visiting areas within walking distance of downtown, I sampled local buses. I limited my urban bus use to the Woodward Avenue bus ([bus 53](#)), because the buses run every ten minutes during the day. By contrast, most Detroit buses seem to run much less frequently.

Woodward is another gigantic stroad, and is mostly bounded by poor areas. So if (unlike me) you are brave enough to explore lots of urban prairie, Woodward is as good a street as any to start with. But there are a few relatively prosperous areas off Woodward. Midtown Detroit, just north and west of Brush Park, includes a Whole Foods, a few new apartment buildings, most of the city's museums, and Wayne State University. In addition, the more sterile New Center area north of Wayne State includes the [Fisher Building](#) (an art deco skyscraper/theatre) and numerous office buildings.

A few miles further north, just west of the 9300 block of Woodward, is the [Boston-Edison](#) historic district, full of 1920s mansions. (Henry Ford briefly lived in the neighborhood, at 140 Edison Avenue.) But unlike similar areas in more prosperous cities, Boston-Edison is not surrounded by walkable retail; instead, the retail near this area looks just like the rest of Woodward Avenue—that is, suburban and poor.

Still further north, at Seven Mile Road, is the [Palmer Woods](#) historic district—another wealthy 1920s area. Like Boston-Edison, Palmer Woods is not surrounded by walkable retail, and the area across Woodward from Palmer Woods looks quite distressed.

Ultimately, the Woodward Avenue bus terminates at a transit center at the city edge, where you can take buses to the suburbs (as I did one morning). The area has separate bus systems for the city and the suburbs; the Detroit Department of Transportation serves the city, and a separate agency called [SMART](#) serves the suburbs. The SMART bus I took (serving the suburb of Oak Park) runs every 45-60 minutes till about 10 PM. As a general matter, Detroit bus service seems roughly comparable to the much smaller area of Jacksonville, Florida (where I lived from 2006-11): bus routes serve a big chunk of suburbia, run into the evening but not until midnight, and tend to run every 30-60 minutes.

BLOG POST

Does New Housing Create New Demand for Housing?

One argument against new housing is that it creates demand for housing, thus increasing housing prices.

[Michael Lewyn](#) | May 24, 2016, 12pm PDT

One argument against new housing in popular cities is the “induced demand” argument—the idea that new housing merely creates demand for more new housing, thus ultimately raising housing prices.

As journalist Tim Redmond [argues](#): "When you build a new luxury housing complex, new residents move into it. For the most part, they result in net additions to the number of people in the city: If the person who buys a new condo moves out of a rental unit, someone else will move into that rental....The people with high disposable incomes who fill those condos or luxury rentals will spend money in town, creating a demand for jobs – restaurant workers, grocery clerks, cops and firefighters, bank tellers...and those people will also need a place to live."

In other words, if the city permits 1,000 new housing units (other than government-subsidized housing, which is somehow exempt from this rule), dozens, or even hundreds, of people will magically appear from elsewhere in the United States to occupy those units. And the consumer spending of these new residents will create service-industry jobs, which in turn creates additional housing demand, thus raising housing prices. (Or in plain English: the only thing worse than new housing is new jobs.)

Why do I find this theory implausible? First, I find it hard to believe that a resident of a new apartment building has moved from Sacramento or Des Moines just because a new apartment was built in San Francisco; after all, when San Francisco adds a new building, Des Moines residents aren't likely to know of the building's existence, let alone move to San Francisco because of the new building.

It seems to me more probable that the new building's residents already lived in the city (or perhaps one of its suburbs). They might have been living with roommates, or in less desirable buildings in the city, or in suburbs that are also part of the region's housing market. So it seems to me unlikely that new apartments create a significant number of new city residents—unless, of course, the apartments actually lower other buildings' rent enough to make city living more popular (in which case the entire "induced demand" argument is wrong, because new supply in fact lowers rents rather than raising them).

Second, the "induced demand" argument assumes that new affluent residents lead to new working-class residents. But even if the new residents spend enough money to create new working-class service jobs, it seems hard to believe that large numbers of people will move to high-cost San Francisco to be grocery clerks (unless labor demand is so high as to induce significant wage increases and thus make housing more affordable rather than less affordable). It seems more likely that these jobs will be filled by existing residents lured off the unemployment rolls, and that if urban housing prices are high, these residents will live in low-cost suburbs.

Third, "induced demand" doesn't fit the data. If new housing really increased prices, places that would allow lots of new housing would consistently have higher prices, and thus the most affordable places would be places where new construction was virtually impossible. But in reality, it appears that places that build a lot of housing, and that impose fewer restrictions on building, seem to have lower housing prices—which is why some high-growth Sun Belt cities are less expensive than San Francisco. (See for example the graph at the bottom of [this](#) trulia.com post.)

Redmond cites a [decade-old study](#) prepared for the city's planning department. The study states (p. 7): "An underlying assumption of the study is that households that rent or purchase new units represent net new households in the city of San Francisco." In other words, induced demand is not a conclusion of the study, but an assumption of the study. If you assume that new buildings mean new residents, of course you will find that new housing means new demand for housing. In short, garbage in, garbage out.

Moreover, this study was hardly an impartial examination of evidence. Rather, it was a "nexus study"—that is, it was designed to show that there was a nexus between new

housing and the need for inclusionary zoning. Why was the study necessary? Because, under state law,* if there is no reasonable relationship (or "nexus") between a development fee imposed by the city (such as inclusionary zoning) and the impact of development, the fee is illegal. So if the city's consultants had failed to find such a nexus, they would have found that the city's program would be illegal—a result not conducive to the consultants getting hired in the future.

In sum, the old-fashioned conventional wisdom of economics stands—more supply still means lower prices, and less supply means higher prices.

*In particular, the study references California's [Mitigation Fee Act](#).

BLOG POST

Cities as Playgrounds...For Children

Even when urban centers are losing families, this trend does not necessarily apply to rich areas near downtown.

[Michael Lewyn](#) | May 13, 2016, 12pm PDT

One common argument against the long-term viability of urbanism is that cities are just [playgrounds for the rich and childless](#), and that families are continuing to desert cities. Last week, NYU's Furman Center issued a [report](#) on New York's housing problems, listing data for each of the city's 55 neighborhood clusters.

The most interesting data set (at least for the purposes of this post) is the percentage of households with children under 18. Does it show that families are leaving New York City? Yes and no.

One might think that, based on the "playground" thesis, that expensive, dense neighborhoods are incapable of retaining families. But the data suggests the opposite: rich neighborhoods are gaining families, and not-so-rich neighborhoods are bleeding families.

In particular, Manhattan has 12 neighborhood clusters. In seven of them, median household income exceeds \$90,000 per year (Financial District, Greenwich Village, Chelsea, Midtown, Turtle Bay, Upper West Side, Upper East Side). In all of these areas, population density exceeds 45,000 people per square mile and over 80 percent of commutes are car-free. And in *every single one* of them, the "family percentage" rose between 2000 and 2014. For example, in the Upper East Side, the percentage of households with children rose from 13 percent in 2000 to 18 percent in 2014. And in the Upper West Side, the family percentage rose from 14 percent to 18 percent. Even in

less family-oriented rich areas, the family percentage rose: in Chelsea and Midtown, from 8.4 percent to 9.1 percent.

But Manhattan also has five clusters where the median income is below \$50,000 (East Harlem, Central Harlem, Washington Heights, Morningside Heights, Lower East Side). All of these areas have historically been more family-oriented than the city's richer areas. And in all of them, the family percentage nosedived. For example, in East Harlem, Manhattan's poorest area, the percentage of households with children nosedived from 38 percent to 27 percent. Similarly, in Central Harlem the family percentage declined from 34 percent to 25 percent.

The city's less affluent outer boroughs generally lost children as well. In Brooklyn's one truly affluent area, Park Slope (household income \$113,187), the percentage of households with children increased from 25 percent to 32 percent. But in the 11 areas with incomes under \$50,000, the family percentage declined in nine, rising only in Boro Park and nearby Bensonhurst. Brooklyn's six in-between areas (Greenpoint, Canarsie, Sheepshead Bay, Flatbush, Fort Greene, Bay Ridge) also lost families: the family percentage rose slightly in one (Bay Ridge) and declined elsewhere.

So at least in New York, rich areas gained children and less rich areas (whether they were gentrifying, middle-income or poor) tended to lose them.

BLOG POST

The Media Attacks Urbanism

A recent Newsweek article on urbanism is chock-full of nonsense.

Michael Lewyn | May 4, 2016, 12pm PDT

A few weeks ago, *Newsweek* ran an [article](#) that parroted Joel Kotkin's attacks on cities and those who live in them. The article's slant can be summarized in its title: "White City: The New Urban Blight is Rich People." To the extent that it involves logical argument, the article makes two claims:

1. "Rich People Are Taking Over The Cities." The *Newsweek* article states that something the author calls "new urbanism" (which he never really defines)* "turns cities into playgrounds for moneyed, childless whites while pushing out the poor, the working-class, immigrants, seniors and anyone else not plugged into "the knowledge economy."

This claim does have some basis in fact: it is true that the population of well-off whites is growing in a lot of cities. But this is merely a mild correction of a trend in the other direction. For decade after decade, cities became poorer and browner, as suburbs grew richer and richer. So by the end of the 20th century, some cities were essentially holding pens for the poor. To the extent that this trend has reversed in the 2000s, such change

has been merely a small step towards reversing the city/suburb imbalance. For example, the *Newsweek* article, by describing Manhattan as a "hive for stateless billionaires," implies that Manhattan is a "playground for moneyed, childless whites." But in fact, Manhattan is only 45 percent non-Hispanic white; by contrast, suburban Nassau County is almost two-thirds white. Twenty-one percent of Manhattan residents did not complete high school, as opposed to 13 percent of Nassau County residents. Twenty-seven percent of Manhattan's residents were foreign-born, as opposed to 19 percent of Nassau County residents. The urban outer boroughs of New York are even poorer and more diverse than Manhattan. For example, Brooklyn is 34 percent white, and 31 percent of its residents did not complete high school. Even San Francisco, perhaps America's wealthiest urban core, is over 1/3 foreign born, while suburban Marin County is only 18 percent foreign-born. Although only 13 percent of San Francisco residents did not finish high school, that percentage is still higher than the percentage in Marin (9 percent).

So even if the "poverty gap" between city and suburb is narrowing, it will be some decades before even the most prosperous cities return to the pre-1950 status quo of being as rich as their suburbs, let alone being "playgrounds for moneyed, childless whites." If that happens during my lifetime, maybe, just maybe, I will be able to take this sort of rhetoric seriously.

I suspect that in the world of sprawl-lobby pundits, cities can't win either way. If cities are prospering, they are irrelevant because they are playgrounds for the rich. If cities are not prospering and dominated by the poor, they are *obsolete* because obviously no one wants to live there anymore. Similarly, if a city has lots of immigrants, that's bad because it is (in the *Newsweek* article's words) designed for "stateless billionaires." But if it has fewer immigrants, that's equally bad because it is (in the words of the very same article) "pushing out... immigrants." If there's a trend of "moneyed, childless whites" moving into the city, that REALLY matters, thus the rich are taking over the cities. But if there's a trend of well-off families *staying in cities* (as is the case in at least some well-off urban neighborhoods) the trend matters less than the dominance of suburbia.

2. "The Middle Class Prefers Suburbia." Says the *Newsweek* article: "Kotkin argues that suburbs are where middle-class families want to live..." This argument does have an element of truth: as I have suggested above, the middle and upper classes are still more likely to live in suburbs than poor people.

But where the article errs is in treating this as an immutable fact of life, rather than as something caused by a wide range of government policies. For the past 60 or 70 years, government *at all levels* has made suburban life easy and urban life hard: by building highways to facilitate suburban commuting, by insuring mortgages in suburbs but not in cities, and by moving urban schoolchildren around in the name of racial balance while tolerating overwhelmingly-white suburban public schools.

And because our zoning system gives neighbors of a development *disproportionate weight* in determining what gets built and how much, it is easier to build new housing in exurbia (where the only neighbors are trees and wildlife who don't know how to pack a

zoning board meeting) than in urban areas full of easy-to-outrage neighbors. As a result, some cities don't have enough housing to go around, forcing middle-class households into suburbia.

Of course, large chunks of the *Newsweek* article are less about logic than about emotionally loaded language designed to inflame. For example, it states: "middle-class families are, as [Kotkin] told me in a recent phone conversation, 'the bedrock of the Republic.'" This seems to me to be an insult (or, as my more leftish friends might say, a "microaggression") to everyone who is not a "middle-class family," such as poor people and single people, implying that the rest of us are a stone in the shoe of the Republic, a pestilence that needs to be ignored if not eliminated. In fact, most Americans don't fit this category: about 2/3 of American households are family households (80 million out of 122 million) and 1/3 of those families (28 million out of the 80 million) earn less than \$30,000 and are thus arguably lower-class.**

Similarly, the article describes "the New Urbanist city" (whatever that is) as "blissfully removed from reality, except perhaps in the persistence of the homeless... [and] unwelcoming to the sorts of people who, in centuries past, came to cities with the dreams of making it." Here, the article makes three separate emotional appeals. First, it reassures its suburban readers that they are "reality" and cities are "removed from reality." Of course, this is not logical. The middle-class urban experience is part of America just as much as the lower-class urban experience or the middle-class suburban experience. The author is merely trying to insinuate that if you live in the city, you are not a "real" American.

Second, by invoking homelessness, the author is telling us: the only "real" part of the city is destitute people. The emotional message I get from this is: stay away from cities, they are for the scary undesirables.

Third, by telling people that cities are "unwelcoming to the sorts of people who, in centuries past, came to cities," the article says to today's readers: your immigrant ancestors wouldn't be welcome here. But as I mentioned above, today's cities, even wealthy San Francisco, have more immigrants than their suburbs. So this statement seems to me to be not a statement of fact, but yet another way of saying "Cities are full of people you would hate to be around."

In sum, this article seems to me to favor a certain type of populism: a kind of resentment against both middle-class "elites" and the feared poor. If cities are rich, they are bad because rich people are bad. If cities are poor, they are bad because poor people are bad. Either way, such populism is a creature not of logic, but of emotion.

*For a look at how new urbanists define new urbanism, examine [The Charter of the New Urbanism](#). The Charter mentions urban centers, but also endorses pedestrian-friendly neighborhoods in suburbs and small towns.

**And of course some of the rest are rich rather than middle-class.

The Neighborhood Veto and the 'Missing Middle'

Community resistance may explain why smaller apartment buildings are hard to build.

Michael Lewyn | April 15, 2016, 6am PDT

Every so often, I read something like this: "The only reason people wanted to downzone their neighborhood was because they didn't want 100-story skyscrapers" or "most people can tolerate density as long as you reason with them and don't build too much." The basic theory underlying these kind of statements is: anti-development activists aren't opposed to development, they are just opposed to humongous development, and if we just build duplexes and small apartment buildings (or, as new urbanists like to say, the "[missing middle](#)" between detached houses and large apartment buildings) they will not be controversial.

But this theory does not always correspond with reality. For example, yesterday I had a conversation with a local lawyer who was outraged that someone had turned a house in her neighborhood into a duplex. The homeowner had not built a 100-story skyscraper, or even a 10-story apartment building. They had just added *one* housing unit—but to my acquaintance, one was too many. Why? In this intown neighborhood, homeowners park on the street. And to my acquaintance, one new resident meant one new parking space, which in turn means that someone might lose their God-given right to park in front of the house.

Thus, homeowners' desire to park their cars on public streets means that even one new unit of housing may be met with community outrage. In other words, even the tiniest bit of housing development will be controversial.* (Although this story involves just one incident, I have read plenty of other stories about neighbors opposing [small](#) apartment buildings and [rowhouses](#).)

Neighborhood concerns about parking may be one reason why the "missing middle" has become more rare in recent decades. Someone who builds a 20-story high-rise might, if government demands it, find a way to add parking, and to pass the costs on to tenants or condo-buyers. But someone who adds a unit to their house (or even a small apartment building) might not be able to add parking so easily. Thus, in urban areas parking may actually be more of an obstacle to "missing middle" housing than to high-rises.

Moreover, a large developer has more ability to negotiate than someone building a four-plex or an accessory unit. If I want to build a 35-story high-rise, and my neighbors object to it, I might be able to shave a few stories off the building and still make a profit. By contrast, if I am turning my house into a duplex, I don't have much room to negotiate: either I build an extra unit or nothing at all.

So paradoxically, the current zoning system of "rule by neighbors" may be designed to prevent a city of skyscrapers—but by making approval of small buildings difficult, the system actually may shift investment capital into larger buildings.

Is this a problem? If you worry about affordable housing, probably yes, since even small buildings add to the housing supply. If you favor a "human-scale city" combining walkable neighborhoods and small buildings, probably yes, because the status quo prevents new small buildings from being built.

On the other hand, if you believe housing for current residents' cars is more important than additional housing for people, or if you just like your cities dominated by tall buildings and detached single-family homes, the status quo is perfectly fine.

So what's the alternative? If you want to bring back the "missing middle" the logical solution is to treat duplexes and small apartment buildings like single-family homes—that is, to make them an as-of-right use wherever a single-family house is an as-of-right use.**

*According to my acquaintance, the unit was approved by the city only because the homeowner had misled the government into thinking that the unit would be used for a music studio. So because of parking, housing is now more controversial than music.

**For a more detailed discussion of how to use form-based codes to allow "missing middle" housing, go [here](#).

BLOG POST

A Utopian Solution to NIMBYism and High Housing Costs

The housing shortages caused by restrictive zoning are easy to solve in principle—even if the solutions are politically impossible.

Michael Lewyn | April 4, 2016, 10am PDT

I have written numerous blog posts (for example, [here](#), [here](#) and [here](#)) about the harms caused by restrictive zoning in the urban context. Such zoning reduces the housing supply in cities, thus increasing housing costs,* which in turn drives people into suburbia, which in turn increases the environmental harms caused by suburban sprawl. But to date, I have not yet suggested a comprehensive remedy to the problem.

I begin with an assumption: when a right or privilege is abused, that right can be taken away. For example, if I abuse my right to carry a firearm by committing felonies, government can [prohibit me](#) from possessing a firearm in the future. Similarly, when local governments abused their privilege to create literacy tests for voting (by administering those tests in a [racially discriminatory](#) manner) the federal government [prohibited](#) the use of literacy tests.

Similarly, some local governments have abused their state-granted right to zone by limiting housing supply; in such situations, state governments should step in and stop the abuse by limiting their right to zone.

Accordingly, I propose that state legislatures pass statutes saying something like this: "Where a city's median sales price exceeds Y times the median household income,** the city, if its population exceeds X people, may not discriminate against housing on the basis of density. Where any housing is allowed, any density of housing is allowed. This law also applies to areas zoned for retail and office use, but not to areas zoned for industry, manufacturing or agriculture. However, the city may enact reasonable height limits, as long as those limits do not prohibit buildings under X stories."

My rule would be limited to larger cities (for example, cities with over 300,000 people) because high housing costs in cities are especially harmful; in addition to reducing regional quality of life, they also accelerate sprawl by encouraging people to move to suburbs in search of cheaper housing. However, a more aggressive legislature could reasonably expand this rule to smaller municipalities, if it believed that the negative effects of high housing costs outweighed the harms caused by sprawl. The rule would be limited to cities with high housing costs because other cities have not abused their zoning privilege to quite the same extent. My version focuses on residential zones because I am willing to accept the common assumption that mixing polluting industry with housing creates a public health menace. By contrast, no such menace exists in office/retail areas.

I added a reference to height limits for two reasons. First, many people who are not afraid of density are opposed to tall buildings, for all sorts of reasons best discussed [elsewhere](#). Second, it seems to me that as long as ten-or twenty-story buildings are allowed, height restrictions alone need not significantly reduce housing supply or density. Mongkok in Hong Kong has [350,000 people per square mile](#) (five times the density of Manhattan)—yet most buildings are only about ten or fifteen stories tall. So if height regulation is limited to true skyscrapers (say, 30 stories and above),*** such regulation will probably not be tremendously harmful (in the context of an otherwise deregulated market).

The traditional "Not In My Back Yard" (NIMBY) arguments against new housing is that new residents increase traffic and change community character. These arguments are wrongheaded because they are essentially "beggar thy neighbor" arguments—if new residents do not create these problems in the city, they will create the same problems somewhere else. For example, suppose a city's zoning causes 20,000 people to move to suburbs. These people may no longer crowd the streets and subways of the city—but

they instead are crowding the roads of the suburbs. In this situation, NIMBY-oriented land use regulation may create a negative-sum game: if these suburbanites drive to jobs in the city, they will create traffic congestion both in the city *and* in the suburbs, and create regional air pollution by driving more everywhere.

The same is true for the ill-defined idol of "community character." If 20,000 people move to the suburbs, they will change the community character of suburban neighborhoods. In fact, the impact upon community character will be far greater in suburbia; thousands of new residents may change a city neighborhood, but they will change a cornfield even more.

If my bill was enacted, housing supply would eventually rise to meet demand, presumably causing rents and housing prices to go down. In fact, even modest increases in housing supply are holding down rents: for example, rents in Seattle have recently started to [decline](#) in response to a surge in vacancies.

*I realize that some people still think that housing supply is unrelated to housing prices; however, I have responded to such arguments [here](#).

**Many commentators seem to think that in a normal housing market, the average house should cost [three times](#) median income. So that might be a good place to draw the line.

***30 stories is kind of an arbitrary line, but I suggest it based on my experience living in Manhattan: 10-30 story buildings tend to be for the middle and upper middle classes, where higher buildings tend to be rare and highly luxurious. Having said that, I have not studied the issue in detail.

BLOG POST

Sprawl and the Declining City

Sprawl lowers real estate values in cheap, declining cities—but it may also have social costs that aren't as relevant elsewhere.

[Michael Lewyn](#) | March 20, 2016, 1pm PDT

Most of what I have read about the relationship between sprawl and affordability seems to relate to high-cost cities. Arguments sometimes boil down to this exchange:

A (sprawl lobby/real estate developer/road-builder): isn't sprawl wonderful? Building new highways opens up new land for development, creating [cheaper housing](#) for everybody!

B (environmentalist/urbanist): but what you gain in lower housing costs you lose in [higher transportation costs](#), so on balance no one is better off. Plus, there are these pesky little things called environmental externalities.

(A and B throw statistics at each other until both die of exhaustion.)

But most of this discussion seems to be relevant to growing, high-cost cities: desirable cities with high rents. How do these trade-offs play out in cheap, declining cities like those in America's Rust Belt? In such cities, government has been so successful in opening up new land for development that urban neighborhoods are littered with abandoned houses. In Cleveland, for example, the average house sells for just [under](#) \$80,000, while the average house in suburban Geauga County [costs more](#) than three times that much. My zillow.com search found over a dozen Cleveland houses selling for under \$5000—not counting lots for sale and foreclosure auctions.

Residents of Cleveland and similar cities suffer sprawl-related losses that they might not suffer in New York or Washington, including:

*Transportation costs. Because of the decline of transit service and the movement of jobs to suburbia, more Clevelanders must drive to work than in New York or Washington. So what city residents gain in housing costs, they may lose in transportation. According to the Center for Neighborhood Technology, city residents in Cleveland spend an average of \$10,000 per household on transportation. If this statistic is accurate, city residents spend 1/4 of mean household income on transportation.

*Neighborhood decline. If you live in a stable suburb, you are no worse off in metropolitan Cleveland than in any other American suburb. But in a stagnant metro area, constant sprawl means constant neighborhood decline: today's good neighborhoods are tomorrow's bad neighborhoods, as older neighborhoods and suburbs [empty out and become poorer](#). So if you live in the city or in a not-so-stable suburb, the constant threat of a ruined neighborhood (and ruined property values) pursues you. In older Cleveland suburbs such as Warrensville Heights, South Euclid and Garfield Heights, home prices (measured by Zillow Zestimates) have declined by 30-40 percent since 2007; by contrast, in outer suburbs such as Solon, real estate prices are close to pre-recession highs.

If you live in a poor neighborhood in a declining city, you are more likely to be surrounded by abandoned houses and blocks than in a stable city such as New York or Atlanta. Residents of high-cost cities worry about being displaced by rising rents and property taxes; residents of declining cities worry about being displaced by rising crime and neighborhood decay.*

And even if you live in the poorest city neighborhoods, you don't even get as much benefit from cheap housing as these statistics would suggest. One might think that if a neighborhood is full of houses selling for under \$5000, rent would be so cheap that you could rent a house for \$10 or 20 a month, and homelessness would be nonexistent. In fact, the need to comply with building codes and maintain housing stock puts an effective floor under rents: a look at Zillow.com revealed no Cleveland rent below \$375-

still pretty cheap, mind you, but about half the cheapest listings in the Bronx—and thus far costlier than one might expect by looking at housing prices.**

So in declining cities, sprawl may lead to lower housing prices—but it also has social costs that are not so common in a growing city (whether a compact city like New York or a more sprawling one like Houston).

*Of the nine U.S. cities with over 250,000 people and a murder rate of over 20 per 100,000 in 2014, six (Detroit, St. Louis, Cincinnati, Pittsburgh, Baltimore, Buffalo) fit the classic "Rust Belt" profile—northern cities that have lost population regularly since 1950. A seventh (New Orleans) has lost population every decade since 1970. An eighth, Newark, has rebounded somewhat in the past two decades but is still far below its midcentury peak. (The ninth, Atlanta, is the exception that proves the rule—its murder rate only barely exceeded 20 per 100,000.)

**In fairness, I note that Craigslist contains some Cleveland houses for rent at \$200/month; however, Craigslist listings are sometimes, in my experience, too good to be true.

BLOG POST

The Same Old Misconceptions

Misconceptions about New Urbanism persist.

Michael Lewyn | March 7, 2016, 1pm PST

Over the last 20 years, [New Urbanism](#) has become more well-known, cities have become more popular, and even some suburbs have started to sprout [walkable downtowns](#). Yet even so, some of the misconceptions of the 1990s continue to thrive.

For example, the *New Geography* blog recently ran a [post](#) by developer Rick Harrison called "Designing Suburbs: Beyond New Urbanism." The main purpose of this essay seems to be to plug Harrison's developments. But in the course of this discussion, Harrison makes a variety of baseless attacks on New Urbanism.

Harrison begins by stating that the new urbanist solution to sprawl "is to forever banish suburban growth by whatever means necessary—usually through regulation --- [sic] that essentially eliminates choice for the consumer." This statement squeezes three misleading suggestions in less than one sentence.

First, the suggestion that new urbanists seek to "banish suburban growth" implies that new urbanists are against suburbs. But in fact, many of the most highly publicized new

urbanist developments, such as [Kentlands](#) and [King Farm](#) in suburban Washington and [Celebration](#) in suburban Orlando, are in suburbs. In fact, urbanists often criticize new urbanists for being too pro-suburban; for example, Alex Marshall [calls](#) New Urbanism "a more benevolent sprawl."

Second, it implies that new urbanists are obsessed with government regulation. It is true that new urbanist zoning codes exist, in the form of form-based codes. But in some ways, form-based codes such as the [SmartCode](#) can be [less restrictive](#) than typical suburban zoning, for example: they sometimes allow more businesses near residential areas than would a typical code, and allow somewhat more density than some suburban codes.

Third, it implies that the new urbanist solution seeks to "eliminate choice for the consumer." But the overwhelming majority of post-1950 American construction is sprawl. Given this fact, anything that isn't sprawl actually increases consumer choice.

Harrison also panders to density-phobia, writing that "restricting how many families can be sardined* into an acre of land (the definition of density) has absolutely nothing to do with affordability—if it did the New Urban projects would be the most affordable, not the most expensive." First of all, new urbanist projects are often (unfortunately from my perspective) not always very dense. For example, Kentlands has [7.2 housing units](#) per acre, [barely enough](#) to support minimal bus service. But leaving aside that fact, the reason new urbanist areas are expensive is because there is not enough of them to satisfy consumer demand. If more of them were built, they would be cheaper. And if *lack of density* equaled affordability, estate home suburbs on two-acre lots would be the least expensive suburbs which of course is not the case. (For example, in Great Falls, Virginia, one of Washington's estate-home suburbs, the average detached home sells for [about](#) \$1.4 million).

Harrison next claims that "If a developer could increase profits by proposing a 20 story multi-family building on their suburban land they would seek an approval. But this runs up against demonstrated consumer preference: suburban dwellers...seek the most home on the largest lot within their budget." This is the old "sprawl exists therefore consumers want it" scam.

Why is it a scam? Because it overlooks the role of zoning. A developer can propose a 20-story building in the middle of nowhere, but in many neighborhoods (even most *urban* neighborhoods) the city might not grant the developer's application because current zoning does not allow it, and neighborhood objections might prevent the developer from getting a rezoning. (Which is not to say, of course, that the developer can *always* make the most money with the 20-story high rise; I argue only that in the absence of zoning and of the "neighborhood veto," taller buildings, as well as more dense low-rises, would be more common than they are.)

Right now, I am writing a book about the role of government regulation in creating sprawl—but I started with some reservations, since I wondered if my points were so obvious that perhaps they didn't need additional publicity. Harrison's essay suggests that there is still work to be done.

Retrofitting the Cul-de-Sac

A recent book on retrofitting sprawl contains numerous proposals to revise cul-de-sacs—all of which are interesting, even if politically infeasible.

Michael Lewyn | February 25, 2016, 2pm PST

In the excellent recent book *Retrofitting Sprawl*, a variety of authors address the challenges of making suburbia more walkable. The first half of the book discusses the challenges of altering the suburban status quo; for example, an essay by Julia Koschinsky and Emily Talen points out that only 18 percent of block groups in U.S. metropolitan areas have Walkscores over 70.

The second half focuses on ways to make these unwalkable places more walkable. And within this category, perhaps the most interesting essays focused on the problem of cul-de-sacs. Residents of these dead-end streets must walk far to reach nearby streets, because they need to go out of their way to find streets to connect with each other.

Three essays in *Retrofitting Sprawl* address this issue. Nico Larco's essay discusses pedestrian access to suburban shopping centers. Larco and his co-researchers studied such six areas in Oregon and Georgia, 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. Larco points out that the informal paths were quite worn, indicating that people walk even when the street system does not accommodate walking.

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. 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.

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

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 31 apartments. 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.

I find it hard to imagine anything like Stanley's proposal achieving fruition in my lifetime. To make it work, the seven current homeowners would all have to sell their 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—an unlikely development in today's political culture (which tends to oppose zoning changes).

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. Over time, a housing-only monoculture would be turned into a mixed-use (and thus walkable) neighborhood. This proposal seems to me to be even more politically infeasible than the 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 1) existing zoning laws are reformed to limit government's power to veto redevelopment and 2) a change in American culture makes homeowners more tolerant of non-residential uses (thus making their political leaders to be more tolerant of redevelopment). Tachieva hints that such a change is possible in coming decades, writing that if the supply of home owning 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." But I'm not sure whether this factor will make seniors less fearful of new development or more fearful.

Justice Scalia and the Takings Clause

Summarizes Justice Scalia's most important Takings Clause decisions.

Michael Lewyn | February 18, 2016, 7am PST

Since Justice Antonin Scalia passed away a few days ago, the media has been full of articles on Justice Scalia's work; however, I have seen very little discussion of his land use legacy. It seems to me that two of his Takings Clause opinions are especially noteworthy.

In my first-year property class, I nearly always teach Scalia's majority opinion in the case of [Lucas v. South Carolina Coastal Council](#). State government prohibited the *Lucas* plaintiff from developing his land. The plaintiff claimed that the state had taken the property in question, and thus was required to compensate him under the [Takings Clause](#) of the Fifth Amendment.

Even before *Lucas*, it was well settled that a government regulation could constitute a taking when it had gone "[too far](#)." However, pre-*Lucas* decisions had often been unclear about how far is "too far." Scalia sought to clarify this question by writing that a land use regulation is always a taking if it "denies all economically beneficial or productive use of land." He reasoned that such deprivation is "from the landowner's point of view, the equivalent of a physical appropriation" because if a landowner cannot profit from land, there isn't much point in owning it. Moreover, most regulation is designed to assure an "average reciprocity of advantage to everyone concerned"—but no such reciprocity exists when government imposes such a huge loss upon the landowner.

I use *Lucas* to explain that the Takings Clause imposes at least one seemingly clear limit on government regulation: that government cannot make your land worthless and undevelopable. I then use other cases to show the limits of this principle. As a practical matter, government regulation rarely eliminates *all* "economically beneficial or productive use of land," even when it reduces a parcel's resale value by 90 percent. So although the *Lucas* decision is conceptually interesting, it had more bark than bite. Takings cases involving partial deprivation of value are usually governed by a [balancing test](#) that weighs a variety of factors, rather than by a categorical rule.

A second major Scalia decision is [Nollan v. California Coastal Commission](#). In *Nollan*, the plaintiffs sought to build a three-bedroom house on a California beach. State bureaucrats were willing to grant them a permit, but only if they allowed a public easement across their property to the beach.

Justice Scalia, writing for the Court, began by stating that if the state had ordered the plaintiffs to create an easement for the public, this easement would undoubtedly have been a taking of plaintiffs' land. On the other hand, if the state had denied a permit to the plaintiffs, this might not be a taking, because the government had the power to forbid construction to serve public goals (such as protecting the public's view of the

beach). So was the condition more like a (prohibited) easement or a (permitted) development limit?

Scalia split the difference, holding that a permit condition was valid if it was "reasonably related to the public need or burden that the [plaintiffs'] new house creates." He found that this was not the case in *Nollan*, because the public harm caused by the house, if any, was "obstacles to viewing the beach"—a problem that would not be solved by making it easier for people already on the beach to walk across the plaintiffs' property. By contrast, if the state had imposed a condition "that would have protected the public's ability to see the beach notwithstanding construction of the new house—for example, a height limitation, a width restriction, or a ban on fences... imposition of the condition would also be constitutional."

At first glance, *Nollan* seems so fact-specific as to be unimportant. But in later cases, the Supreme Court expanded upon *Nollan*, holding that it required permit conditions to be roughly proportional to the impact of a proposed land use, and that this rule applies not just to conditions upon building permits, but to conditions used to justify denial of permits, and to conditions requiring applicants to spend money. In other words, if you want a rezoning, and the government says "we will grant your rezoning only if you do X," X has to related to, and be roughly proportional to, the externalities (e.g. traffic congestion) caused by your rezoning.

BLOG POST

Right to the City

You may not have a moral right to live in an expensive city—but does the government have a moral right to exclude you?

Michael Lewyn | January 25, 2016, 6am PST

When planners and pundits complain about the high social costs of regulations restricting housing supply, a common response is: "Even if regulation does make [city X] more expensive, no one has a right to live there. Why can't they all live in Detroit or rural South Dakota or some other cheap place?"

If by "right" one means "legal right," this is correct. Although the Supreme Court has held that there is a constitutional right to [move](#) to a new state or city, the federal courts have not interpreted this doctrine as a restriction on land use regulation. And because many judges bought their houses or condos decades ago when housing was much less expensive, they are unlikely to overturn rules that raise housing costs.

But if one means "moral right," then the question should be phrased differently. Because people who make the "no one has a right to live..." argument usually do so in defense of government regulation, the real question is: do the current residents of a city have the moral right to use the coercive power of government regulation to exclude supply, raise rents, and thus exclude a) new residents and b) residents who haven't already bought a house and are forced out by rising rents and prices (including most children of existing residents)?

Two leading 20th century political philosophers, libertarian Robert Nozick and progressive John Rawls, have written books that might be relevant to this discussion. In *Anarchy, State and Utopia*, Nozick wrote that individuals have a pre-political right to life, liberty, and property. According to this view, tax regulations are a kind of slavery: they take the fruits of one's labor without compensation. Accordingly, government may protect its citizens from other takings such as force, fraud, or theft, but nothing else.

Under Nozick's theory, an owner of land would have the right to build anything he wants on such land.* Thus, land use regulations designed to limit new housing violate natural rights—not the right of the would-be tenant to live in such housing, but the right of the landowner to build it.

In *A Theory of Justice*, Rawls defines justice as "fairness"—what, in his view, would be agreed to by persons who would be acting behind a "veil of ignorance" preventing them from knowing whether they would be rich or poor, wise or ignorant. Applying this principle, he argues that unequal outcomes are just only if they improve the economic well-being of the worst-off group.

If a city's zoning policies are so restrictive that they drive the poor out of town, this would obviously not improve the economic well-being of the poor. Regulation-minded cities usually try to get around this problem through policies such as inclusionary zoning, building lots of public housing, or rent control. As a practical matter, these policies are rarely so universal as to have eliminated the harm caused by high rents. But even if they did work, they would not satisfy Rawls's criteria, since the poor are presumably better off with low rents and government subsidies than they would be with high rents and government subsidies.

At best, a combination of government-mandated high rents with government-mandated affordable housing would create a two-and-a-half-class society, comprised of the privileged rich (who can afford the high rents), the privileged poor (who get to stay because of government regulations and/or subsidies), and a few privileged incumbents of all classes (who get to stay because they bought houses when housing was cheap).

But I do not think Rawls would like this situation either: people acting behind a "veil of ignorance" would not choose this outcome any more than they would choose an outcome that leaves the poor worse off, since they would not know whether they would be part of the privileged rich/poor/incumbents or one of the people forced to leave town by high housing costs.

A third theory of justice is utilitarianism: the greatest good for the greatest number. It could be argued that restrictive zoning defends the interests of the majority, usually a majority of homeowners. But this argument assumes that the majority is harmed by new housing as much as renters or new residents are harmed by being kept out of a city. Since arguments against new housing are often either vague and intangible (such as concerns about "neighborhood character") or are "beggar they neighbor" arguments designed to shift a problem to some other neighborhood (such as concerns about traffic), it seems to me that the interests of an individual incumbent are often pretty weak. By contrast, the differences between living in New York and living in a job-poor rural area or a cheap-but-dangerous city strike me as pretty tangible.

Of course, the above discussion assumes that the losers from zoning (either landowners who cannot build housing or tenants who cannot rent it) have interests worth considering. There are some situations where government decides to completely ignore the interests of the losers. For example, immigration policy, by limiting a foreigner's ability to move to the United States, privileges "incumbent Americans" over would-be immigrants, even those unlikely to create any harm other than increasing the labor supply.** Assuming for the sake of argument that this is a just policy, is excluding people from a city any different? Perhaps so. Residents of another country do not pay state or federal taxes to support us, and are unlikely to fight in our wars; thus, our moral duties to them might be less than the duties we owe to people who will pay to support us or fight in our wars.

Thus, I see no strong justification for arguing that government should price out everyone else in order to make current homeowners a little happier.

*Presumably excepting activities creating the most obviously harmful externalities, which might themselves constitute the illegitimate use of force. Of course, a defender of the status quo might define the concept of "externalities" so broadly as to bar new construction—but from a basically libertarian standpoint such as Nozick's, that would seem to be an absurd result.

**There are certainly other reasons for excluding specific classes of immigrants—I mention this reason, however, because the question of increased labor supply (and the lower wages or higher unemployment rates that might result) is the only reason that applies to *all* immigrants and thus might justify limiting immigration generally, as opposed to reasons that apply only to immigrants from certain nations, or immigrants least likely to be employable.

Which Suburbs Have Futures?

The suburbs most likely to prosper are those with wealth and/or walkability.

Michael Lewyn | January 13, 2016, 1pm PST

After reading another article asking whether suburbia has a future, it occurred to me that some suburbs have more of a future than others. But which ones?

To answer this question, let's look at the advantages of suburbs over cities. One set of advantages relates to social homogeneity—that is, a wealthy, well-educated citizenry, which usually leads to low crime and schools with good reputations (because children from privileged backgrounds tend to have high test scores and to avoid violent behavior towards neighbors). Like it or not, well-off people tend to prefer places full of similarly affluent people.

A second set of advantages relate to cost: in high-cost cities, many people escape the high costs of urban housing by moving to cheaper suburbs. Even in low-cost cities like Pittsburgh, people priced out of the most desirable urban neighborhoods might choose suburbs over less expensive (but also more socially troubled) working-class urban places. However, cheap housing alone is not enough to save a high-crime suburb such as Philadelphia's Camden or East St. Louis, Illinois.

Neighborhoods with the first set of advantages are likely to continue to prosper. For example, upper-class suburbs like Pittsburgh's Fox Chapel or Washington's Potomac have low crime and highly rated schools, and because of their social makeup they are likely to retain those advantages. They may be very expensive, but their very expensiveness keeps out the social diversity that might put their advantages at risk. The only possible threat to these suburbs' popularity is a collapse of suburban real estate values so massive that their mansions become affordable to the poor, or perhaps statewide policies that wipe out the economic differences between one suburb and another.

Many middle- and upper-middle-class suburbs and exurbs, such as Atlanta's Alpharetta and Cleveland's Solon, have the same advantages but are significantly cheaper. In the short run, these suburbs are in a strong position: they are cheaper than good city neighborhoods and safer than the not-so-good ones. However, they are at some risk in the long term. If they ever become so affordable that they gain some critical mass of disadvantaged residents, eventually their test scores will start to plummet, and they will lose their appeal to middle- and upper-class families.

For example, Cleveland Heights just east of Cleveland was once a well-off suburb just like Solon. But as its schools became more diverse in the late 20th century, Cleveland Heights became tarred with a reputation as a "bad school district." As a result, Cleveland Heights became less appealing to middle-class families.

However, Cleveland Heights has remade itself to some extent. Even though it lacks the traditional suburban advantages, it does have the advantages of well-off city neighborhoods: walkability, shorter commutes than other suburbs, and crime rates that compare favorably with those of city neighborhoods (though not with many other Cleveland suburbs). As a result, Cleveland Heights has become popular among the sort of people who tend to favor city neighborhoods: singles, empty-nesters, and families who can afford private schools. Thus, even poorer or more diverse suburbs can regenerate by turning into good city neighborhoods.

On the other hand, some suburbs lack both urban advantages and suburban advantages—that is, they lack the urban advantage of short commutes and walkability and the suburban advantages of well-paid residents, low crime, and highly-reputed schools. Even though these suburbs have the suburban advantage of low real estate prices, this advantage rarely outweighs their problems. It seems to me that such suburbs are likely to become poorer over the next few years. For example, Atlanta's Clayton County is not particularly close to downtown, is dominated by car-oriented suburban development, has [gone without](#) public transit for several years, is [less safe](#) [pdf] than other suburbs, and has a [troubled](#) school system. Not surprisingly, Clayton County's household income declined during the 2000s, while some other suburbs became more affluent.

In sum, it seems to me that suburbs with either walkability or wealth are likely to remain stable over the next decade or so—at least as long as they retain these qualities. Suburbs without either are likely to become less prosperous.

BLOG POST

Two Types of Black Suburbanization

African-American migration may reflect an attempt to escape poverty-related social ills rather than an attempt to escape gentrification.

[Michael Lewyn](#) | January 3, 2016, 1pm PST

A few weeks ago, I read a news [story](#) pointing out that one of Pittsburgh's suburbs was becoming more racially integrated. In particular, the story suggested that blacks were moving from East Liberty (a city neighborhood bordering more affluent areas) to Penn Hills (the inner-ring suburb in question), and that this population shift arose from the gentrification of East Liberty. This view, however, is not the only plausible interpretation of African-American suburbanization.

Throughout the late 20th century, African-Americans have been following whites into suburbia—not just in expensive, prosperous cities but in declining cities such as Detroit and Cleveland. One common pattern was that before the growth of suburbia, African-

Americans lived in a few areas near downtown. In the late 20th century, middle-class blacks moved a little farther from downtown every few years, and poorer blacks moved into the areas abandoned by middle-class blacks.

In Atlanta, for example, African-Americans at first lived in Vine City, West End, and a few other neighborhoods near downtown. But in the 1960s, African-Americans moved away from downtown, and whites moved into the suburbs. By 1980, most of Atlanta's south side was virtually all-black. And in the last two or three decades, many southern and eastern suburbs became majority-black as well.

However, it seems to me that Atlanta's black suburbanization was not a result of blacks being priced out of wealthy intown neighborhoods. Instead, working- and middle-class blacks moved south to flee the poverty-related ills of older neighborhoods, much as whites had done in earlier decades.

How do we know this? If blacks were fleeing high rents, newly African-American suburbs would be poorer than older, closer-in black neighborhoods, because the poorest people would be the first to be displaced by gentrification.

But this has not been the case. For example, in majority-black Clayton County, Georgia, the median household income among black householders is just over \$41,000—not enormous, but nearly 50 percent higher than the median black household income in the city of Atlanta (\$27,000). The city's [poorest](#) majority-black zip code, 30314 (with a mean household income of just over \$13,000) is just west of downtown.

In Pittsburgh, as in Atlanta, blacks in integrated suburbs tend to be better off than residents of the poorest areas; the median household income for black Penn Hills householders was over \$40,000, much higher than in any East Liberty census tract. (Caveat: it may be that new migrants to Penn Hills are poorer than most black Penn Hills residents, in which case the "gentrification/displacement" explanation of Penn Hills integration makes more sense.)

How do Atlanta and Pittsburgh compare to expensive, rapidly gentrifying cities such as Washington, D.C.? Washington's poorest areas are far from the urban core. In fact, the region's poorest neighborhoods are at the city's southeastern edge, east of the Anacostia River and west of the city limits. By contrast, even the poorest African-American suburbs of western Prince George's County are better off than Washington, D.C.'s Far Southeast. So even in rapidly gentrifying Washington, D.C. it is not accurate to equate suburbia with poverty.*

Similarly, New York City's poorest African-American neighborhoods (such as East New York and Brownsville) are at the outer edges of Brooklyn. Although parts of Long Island are black and poor, these areas are still better off than poor urban neighborhoods. For example, Wyandanch is one of Long Island's poorest suburbs. But even the poorest census tract in Wyandanch has a median household income of just over \$42,000, while Brooklyn's poorest areas have household incomes in the \$30-35,000 range.

In sum, black suburbanization, like white suburbanization, combines two very different trends—an older trend of middle-and working-class people fleeing poverty and a newer countertrend of middle-class people fleeing high housing costs.**

*Look up data for your city [here](#).

**Of course, the two trends may be interrelated. If you can afford not to live in East New York, high urban rents might cause you to choose a working-class suburb over a more desirable city neighborhood.

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