

Routledge Edited Volume: Zoning: A Guide for 21st Century Planning

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Chapter 1. Introduction: Zoning for 21st Century Planning, Editors

Zoning has traditionally been problematized in the social sciences in terms of its exclusionary histories and through its potential to hinder free-market urban growth and drive up urban land prices. While these approaches have been critical for establishing zoning as its own subfield, they ignore the importance of context and deviations in the implementation of land-use codes across cities. This introductory chapter will explore the benefits of using a historical-institutional framework for understanding zoning practice, positioning it as a complement to other planning efforts rather than as planning's only tool. It also chronicles the evolution of neo-liberal policies that gave rise to the predominance of zoning as a tool for other means of planning. The cases presented in the book will highlight research methods to identify the history, structures and current challenges of zoning as the tool of default for planners, and to draw connections with other financial and social interventions of planning practice.

Chapter 2. The four and a half narratives of zoning, By Raphael Fischler

This chapter argues that the history of zoning is made up of a number of narratives: danger, identity, beauty, planning, and nature. These narratives overlap with each other: each focuses on an important source of zoning and rationale for zoning, but the adoption of zoning was motivated by multiple rationales at the same time and motivations for its current application remain plural.

Chapter 3: Racial bias in zoning: the case of Durham, North Carolina, 1945-2014, By Andrew H. Whittemore With Pop-Out Cases by Hiba Bou Akar and Tyler Haupt

This chapter explores the role of race in zoning, focusing on a case study of Durham, North Carolina. While zoning, as derived from the police power, is supposed to protect the health, safety, and welfare of the public, disparities in activism and representation mean that some communities' biases and prejudices can end up affecting zoning to the detriment of others. The Durham case shows that prior to the 1980s, zoning decisions restraining industrial and residential development were characteristic of areas that were whiter than average and than areas where decisions encouraging these development types happened. Disparities in homeownership and income were not as apparent prior to the 1980s, suggesting that historically, race offers a more compelling explanation for the geography of these zoning decisions than class factors. The racial disparity in Durham's zoning practices disappeared from the 1980s onward as African-Americans gained greater representation on City Council and as reinvestment in central Durham neighborhoods caused the city to rethink its approach to zoning. This chapter thus also speaks to the character of zoning as a highly flexible institution, responsive to many different agendas.

Chapter 4: Zoning, Transport and Urban Growth: An Institutional Perspective,, By Lauren Ames Fischer With Pop-Out Cases by Josie McVitty and Evangeline Van Linkous

Land use and transport are key elements of urban development. During early urbanization, land use and transport was integrated through the organizing institutions of the market, as private concern with securing profits shaping decisions. During early 20th century, land use and transport increasingly became public concerns, governed by organizing institutions based in the public sector, concerned with the 'public good'. The qualities of these public-sector approaches of modernist planning prioritized low-density housing served by automobiles, ignoring the synergies of the land use and transport relationship. In recent decades, prioritizes of transport investment have shifted away from ubiquitous auto-based networks and toward a concern with creating higher density development served by diverse transport networks, modes. Yet re-integrating land use and transport has proved very difficult to achieve in practice. After reviewing the role

that land use and transport have played in urban development, this chapter examines ways that local actors are leveraging institutional design to reintegrate the land use-transport dynamic for the 21st century. Planners need to leverage the dynamic relationship of land use and transport using the tools of zoning and transport planning/investment, but how they choose to integrate, to what ends they pursue are a result of the institutional arrangements they employ, craft to facilitate integration.

Chapter 5. Zoning dollars and change: economic development zones, By Rachel Meltzer
With Pop-Out Case by Elizabeth Marcello

In this chapter, I focus on local economic development zones, which exist at the intersection of sublocal governance and local economic development. I consider these zones broadly, as their forms vary depending on the institutional, legal and economic context of the municipality. They typically transfer fiscal, political and administrative authority from the general-purpose government to hyper-localized areas within the municipality (Briffault 1997). Local economic development zones are characterized by three defining features: they are sustained by a guaranteed stream of revenue, they possess continuous and well-defined boundaries and they engage in hyper-localized economic development. These kinds of zones epitomize some of the most innovative financing and governing approaches to targeted economic development. At the same time, they often push the boundaries of “localization.” Local economic development zones raise concerns about accountability, can exacerbate fragmentation and disparities across municipalities and bring to light the limits of spatially targeted economic development approaches.

Chapter 6. Zoning for climate change and coastal resilience: From Global to Local decision making, By Siobhan Watson
With Pop-Out Cases by Thad Pawloski and Alexis Schulman

Zoning for climate resilience is only the most recent of planners’ attempts to use zoning for the purpose of achieving environmental goals. This chapter explores how planners have used zoning to address environmental challenges over the course of the 20th century, drawing five main lessons that are applicable to the current challenge of zoning for climate resilience, as well as to the broader question of how environmental planners can harness the power of zoning. 1. Zoning is a powerful tool for achieving local environmental goals that are clearly articulated and widely supported. 2. Much of the work of zoning for environmental ends involves undoing past planners’ zoning work. 3. Zoning is a weak defense against well-funded and well-organized opposition to an environmental goal. 4. A detailed, highly technical zoning process can’t resolve political differences that have proved intractable elsewhere. 5. The use of zoning in a system of multi-level governance must be thought of as a point in a policy-making path, not as a stand-alone means to achieving a policy goal.

Chapter 7. Zoning for inclusion and affordability: The opportunities and limits for local housing policy, By Adèle Cassola
With Pop-Out Cases by Magda Maaoui and Daniel Montandon

Since the 1970s, local governments in the United States have increasingly used the zoning system to extract affordable housing commitments from private developers. Inclusionary zoning is an attractive tool for localities because it can produce affordable housing and promote socioeconomically mixed projects without direct public funding. However, this tool’s applicability varies across institutional contexts and its reliance on market dynamics complicates the pursuit of equity. Drawing on past studies and an original dataset of 79 large-city governments, this chapter describes inclusionary zoning program goals and designs, analyzes the regulatory, political, economic, and demographic conditions associated with program adoption, and examines the trade-offs involved in tying affordable housing creation to market-rate development. The chapter concludes that although it is a flexible tool for producing affordable and integrated housing, inclusionary zoning should be used as a complement to rather than a replacement for other public affordable housing policies.

Chapter 8. Zones of Resistance: Participation in Two NYC Neighborhood Rezoning, By Valerie E. Stahl
With Pop-Out Cases by Jenna Dublin and Sa Haoxuan

In 2016, the New York City Council approved Mayor Bill de Blasio's Mandatory Inclusionary Housing (MIH) plan. While MIH uses rezonings to leverage deeper affordability rates than past administration's inclusionary zoning efforts, the plan has been critiqued for concentrating rezonings in low-income communities of color. To profile differences in MIH implementation across two socio-economically distinct neighborhoods— East Harlem, Manhattan, and Gowanus, Brooklyn— this chapter reviews policy documents, secondary sources, interviews, and observations from community meetings. A detailed consideration of the respective Uniform Land Use Review Procedure (ULURP) and events leading up to it in Gowanus and East Harlem illuminate how the city has been more responsive and has treated local input more seriously in Gowanus, where residents are wealthier, whiter, and more educated. In so doing, a sense of place and belonging is reinforced in a neighborhood from which residents have fewer reasons to fear they will be displaced. Taking a closer-look at the two rezonings reiterates the notion that institutions reproduce existing power structures, and that implementation does indeed matter even if planning designs remain the same.

Chapter 9. The Financialization of Zoning, By Elliott Sclar
With Pop-Out Cases by Mi Shih and Michael Snidal

This chapter situates contemporary zoning practice in municipal efforts to financialize urban policy initiatives. From affordable housing to transit projects, robust capital programs led by public investment are no longer on the agenda for cities operating in a policy environment shaped by neo-liberal policy values. Devising schemes to leverage private investments for public ends has become imperative. These must be in place before the first shovel hits the ground on major urban infrastructure developments. This chapter describes the ways that land use regulation has been transformed so that zoning's traditional functions mesh with efforts to capture the rising value of urban land to fund needed public infrastructure and public services.

Chapter 10 .Zoning as a Verb: Daily Practices and Exceptions, By Bernadette Baird-Zars.
With Pop-Out Cases by Sophonie Joseph and Sofia Pagliarin, Simona R. Gr□ dinaru, and Eduardo Oliveira

If zoning – and planning – can never be a purely technical endeavor, then how can planners more directly embrace its political and institutional identity? Previous chapters trace how the institution of zoning weaves through specific sectoral and case challenges. Taking a step back, this chapter investigates two potential frameworks to identify and structure the patterns of implementation. The first, 'degrees of deviance' charts out families of practice by the way they vary from the law. The second, 'maneuvers inside the system' describes the spaces of agency throughout the zoning process where planners and other actors shape daily actions. Although practice necessarily is place and time-bound, the chapter lays out an initial scaffolding for answering the questions: *How does zoning happen? How is zoning implemented? And where are the spaces to make change and improvements as a professional planner engaging in zoning?*

Chapter 11. Analyzing zoning as an institution: methods for scholarship and practice, By Rosalie Ray, Bernadette Baird-Zars, and Elliott Sclar

If zoning is inextricably embedded in complex knots of history and politics, how can we create clear plans for study and practice? This chapter lays out a set of methods for studying zoning as an institution. We assemble strands of institutional analysis from across the social sciences, and particularly in planning, into legible clusters of theory and methods for zoning. By doing this, we hope to provide a scaffolding for planners to expand the exciting new scholarship- and practice- on zoning featured in this book. The first part of the chapter clarifies what we mean when we say institutions and institutional analysis. The second part offers [several][three] ways to deploy institutional analysis for zoning work and study. Institutional analysis can be a stand-alone method, but also can overlay easily to enrich widely-used methodological approaches, such as case studies to describe inclusion in rezoning or spatial evaluations of zoned versus built density.