

Subject: Can a National Zoning Atlas Chart a Way Out of the US Housing Crisis? Bloomberg City Lab - 01-29-24

Attachments: US Housing Reformers Make Case for a National Zoning Atlas - Bloomberg CityLab - 01-29-24.pdf

From: BRIAN CHAMBERS
Sent: Monday, January 29, 2024 9:12 AM
To: Lenart, Brett <BLenart@a2gov.org>; City Council <CityCouncil@a2gov.org>; Dohoney Jr., Milton <MDohoney@a2gov.org>; Fournier, John <JFournier@a2gov.org>
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Subject: Can a National Zoning Atlas Chart a Way Out of the US Housing Crisis? Bloomberg City Lab - 01-29-24

Brett, City Administrator, Mayor and Council:

I believe the attached article on Housing and Zoning Reform (US Housing Reformers Make Case for a National Zoning Atlas) would be of interest to the Planning Commission and the Comprehensive Land Use Plan Steering Committee.

Hopefully, this article and email can be shared with them, if you please.

Here is the link to my working papers on Housing Capacity through Zoning Reform and Placemaking (Ann Arbor's Place in the Knowledge Economy) that frames the core issues for Ann Arbor and the University of Michigan, given its ongoing growth trajectory, as well as on the Community Land Trust model for middle-income housing.

<https://sites.google.com/view/annarborworkingpapers/>

Thank you for your consideration of these critical matters for the City of Ann Arbor.

Brian Chambers
Ward 3

On 12/13/2023 2:27 PM EST BRIAN CHAMBERS wrote:

Mayor Taylor, City Administrator Dohoney, and Council:

It took me some additional time, so, here is the first fully released draft.

My focus has been on treating the U-M executives and Regents as key stakeholders, so I've essentially embraced their growth agenda. If the U-M's continued growth tracks the last 20 years, it would imply an additional campus population (students and staff) of over 73,000 by 2050. If continued growth is only the toss of a coin (50:50), then the expected growth outcome would be an additional 32,000.

Either way, Ann Arbor will continue to experience growth, housing demand-based pricing, and congestion.

This paper proposes to continue to add density to the downtown core, for an additional 6,700 units of housing (100 per DDA block), as well as on-campus employee housing of between 7,200 and 14,000 units on North Campus. Still, all of the likely growth will not be accommodated, and the additional TC1 Districts and other zoning changes by the City could still provide for significantly more housing.

This working paper is a bit longer than I had planned, but I recently was appointed to the Board of Equitable Ann Arbor Land Trust (EA2), and we are engaging the U-M CFO's office with some student projects next semester, and I wanted to have this with the appropriate scope.

The Preface (1 page), Executive Summary (10 pages) and Conclusion (1 page) are the main sections, and everything else can be considered technical back-up.

Hopefully, this provides a contribution to our local planning needs with both the City and the U-M.

Next week, I'll be also sending this to my contacts at the U-M.

Let me know your thoughts or concerns, if any.

Brett - please forward this as a formal submission to the Planning Commission.

Thank you.

Brian Chambers
Ward 3
c: 734-604-9367

On 11/05/2023 11:36 AM EST BRIAN CHAMBERS wrote:

Mayor Taylor, City Administrator Dohoney and Council:

Attached is a draft of my Conclusion section of my current working paper. It was inspired by recent dialogue regarding TC1 along the Washtenaw to Stadium corridor, and I realized it would work as an overall conclusion.

To me it addresses the core challenge of adding significant housing scale within the City, proper, and the risk it may pose to Ann Arbor's culture.

It is meant to also work in the logic of "*Ann Arbor for Everyone.*"

Let me know your thoughts and if you find this positioning logic compelling or not.

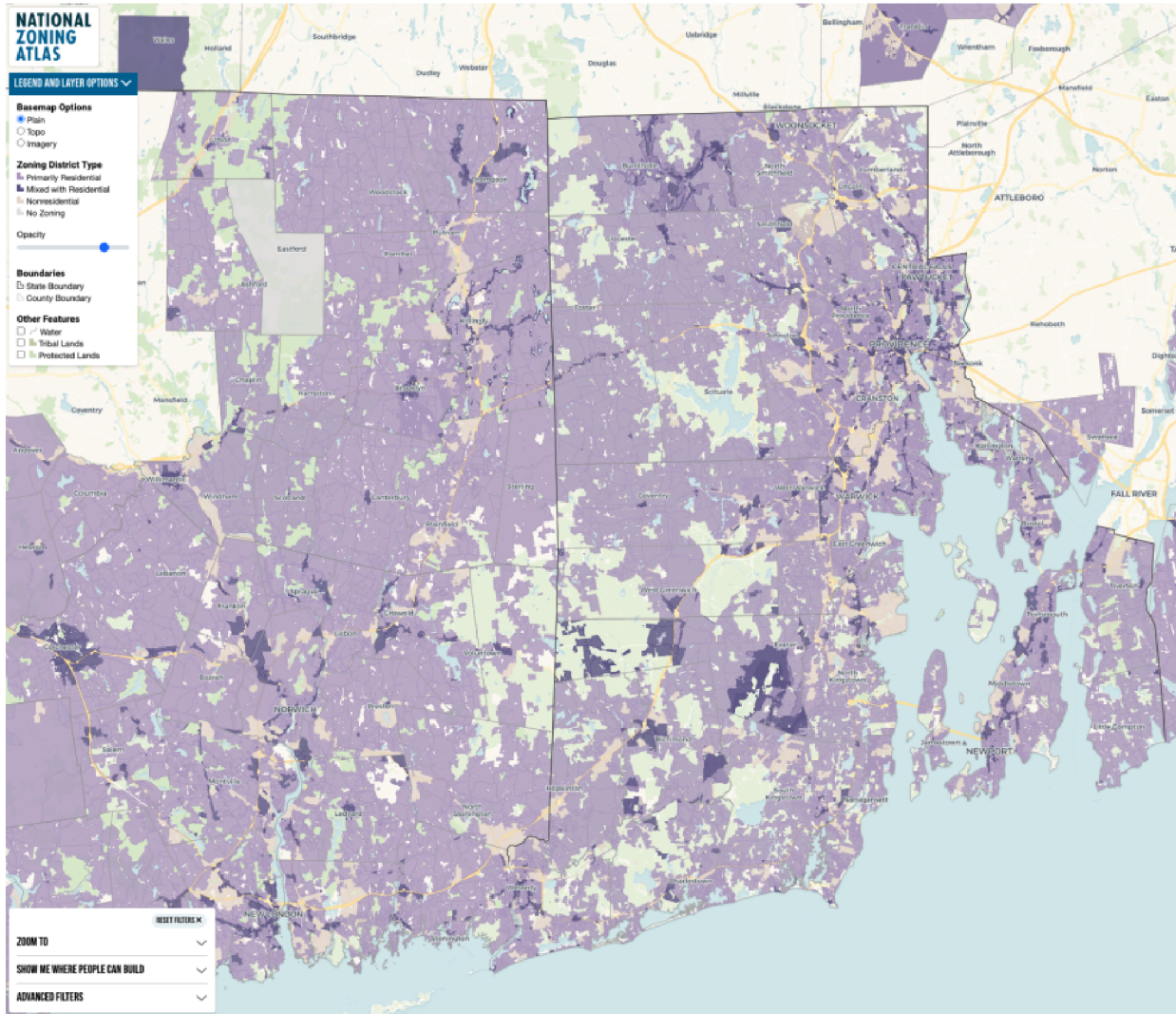
Here is to equity-based sustainable development,

Brian

CityLab | Housing

Can a National Zoning Atlas Chart a Way Out of the US Housing Crisis?

Neighborhood-level zoning maps are powerful tools for reform, housing advocates say. But untangling local land-use regulations on a national scale is no easy feat.



Explore the byzantine zoning codes of Rhode Island and Connecticut. *Credit: National Zoning Atlas*

By [Kriston Capps](#)

January 29, 2024 at 8:43 AM EST

Two years ago, a Montana think tank called the Frontier Institute released a new tool to help push the group’s advocacy for pro-housing reforms: a zoning atlas, one of the first of its kind. The atlas used parcel-level data to analyze local regulations that restrict how and where homes can be built, an issue for a state with skyrocketing housing costs. The study revealed that more than 70% of residential areas in Montana’s most in-demand

communities prohibited the construction of even modest duplex homes, much less apartment buildings.

Bloomberg CityLab

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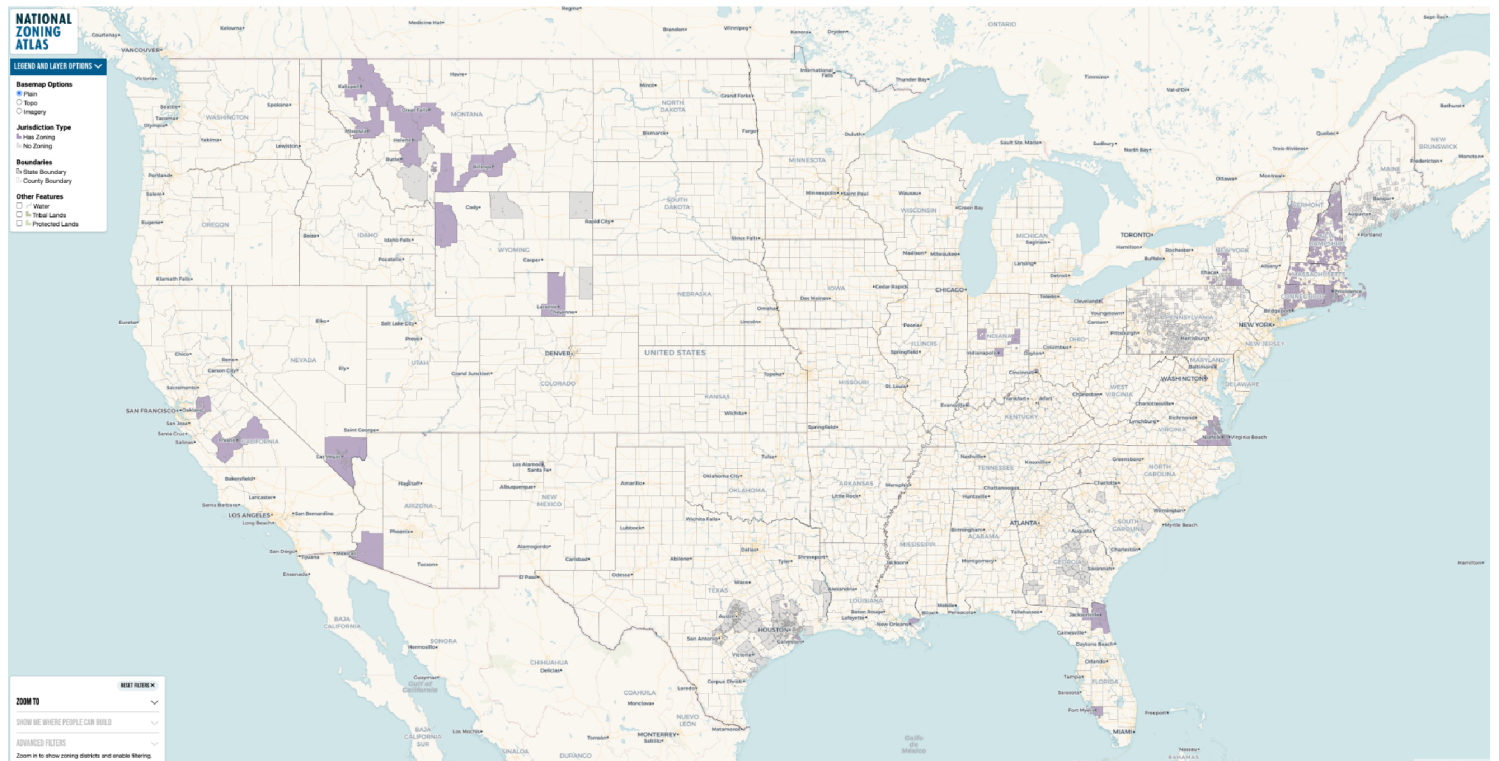
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The response was swift: Five lawmakers, all young Republicans in Montana's legislature, cited the zoning atlas in a March 2022 opinion column in the *Helena Independent Record* calling on the state to take action to ease restrictive zoning. Governor Greg Gianforte convened a housing task force soon after to come up with solutions. Less than a year later, in spring 2023, Montana passed a suite of pro-housing bills, fast-tracking reforms that have vexed coastal states for years.

Other states have reason to follow the Big Sky State case closely: The tool that kickstarted Montana's "Yes In My Backyard" push – a statewide map of zoning codes – is taking shape nationwide.



Researchers in about half the states are working to fill out the US map of housing restrictiveness. *Credit: National Zoning Atlas*

On Jan. 12, a research collaborative called the National Zoning Atlas released a new mapping tool. It's just what the name suggests: a map of the US that, when complete, will offer users a neighborhood-level view of the zoning codes set by some 30,000 different local governments. Led by Cornell University professor Sara Bronin, the National Zoning Atlas has enlisted researchers from across the country to help detangle thorny zoning codes into mappable data. Teams in at least half the states so far are now at work compiling maps in their regions for the national atlas.

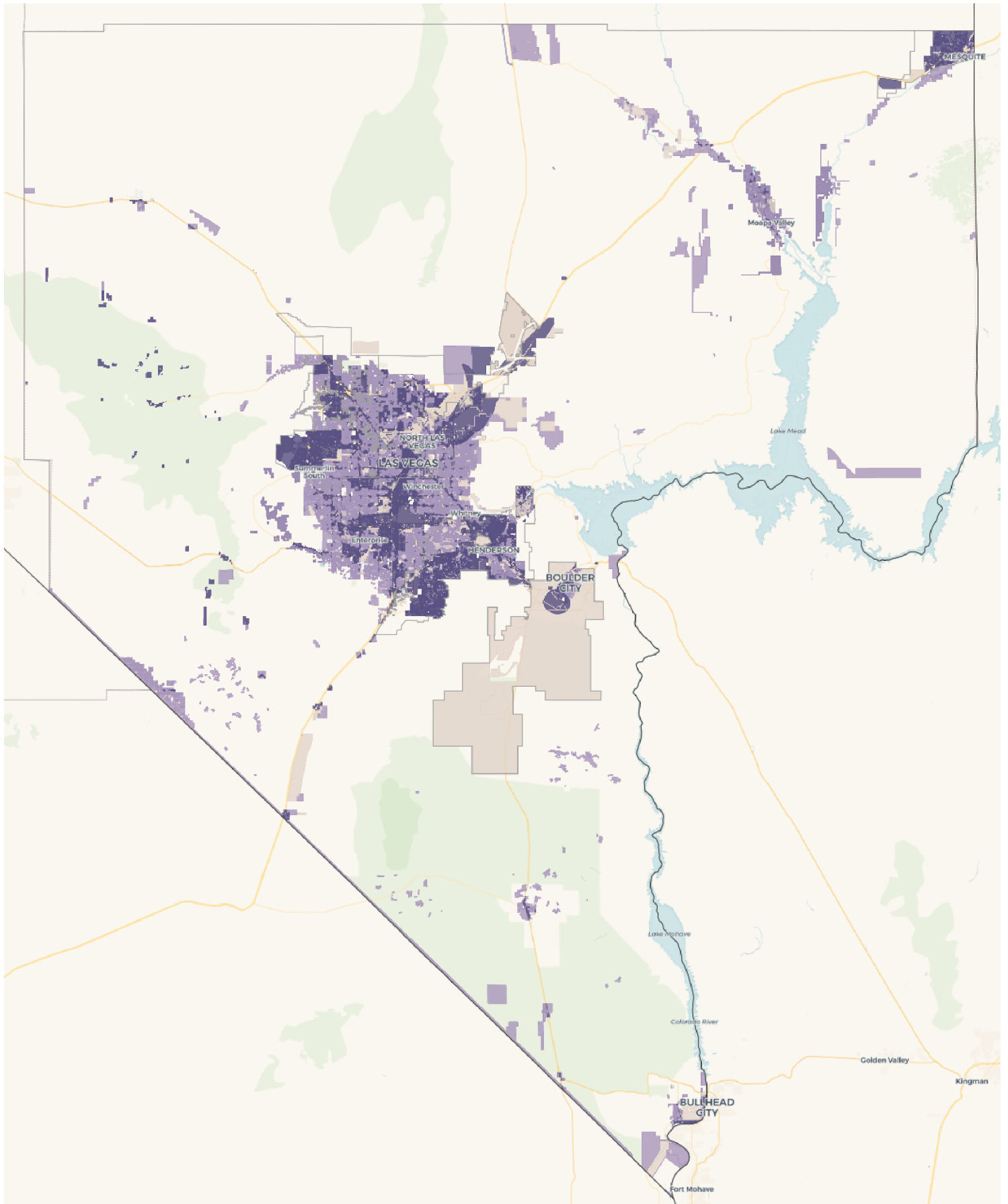
Sorting through zoning codes is painstaking work. Most local governments don't fully understand their own zoning rules, which can be byzantine documents with fragmented, antiquated or contradictory rules accreted over decades. In an interview last year, Bronin said that it would take about 80 researchers working full-time 12 to 18 months to finish a national atlas. Machine learning will speed things up, but by the pace that her group and its affiliates are currently working, filling in the national zoning atlas might take years – a measure of just how impenetrable these codes can be.

Is building a National Zoning Atlas worth the time and effort? There's only so much information such a tool can capture, and the codes themselves change frequently. Still, by pairing zoning maps with census data and other sources, researchers can shine a light on specific problems or places – and in at least a couple states so far, mapping out zoning codes has led to real change. “The more information you put out into the public realm, the more likely it is for policymakers to reflect on that information and change accordingly,” Bronin said.

Here Be Dragons

Right now, much of the continental US is a big terra incognita, zoning-wise. But zoom in on the National Zoning Atlas tool and patches of purple begin to emerge – a chunk of Wyoming, a trio of Indiana counties, a narrow slice of central New York State. In Tennessee, a splotch appears to cover half the state. That's the Middle Tennessee zoning atlas, the work of the nonprofit Beacon Institute, which compiled the zoning codes across six counties that comprise the fast-growing Nashville metro and its surrounding region. Enhance further and the map will show street by street what kind of housing is allowed. In Belmont-Hillsboro, a charming neighborhood in south Nashville, duplexes are legal on some streets alongside single-family homes.

Yet the map at its most detailed resolution can't show if it's actually feasible to build in Belmont-Hillsboro. Design reviews, impact fees and court challenges can stymie a housing development that's legal on paper. Behind every zoning code lurks the "regulatory hydra," a metaphor for land-use regulations coined by University of California Los Angeles researchers Paavo Monkkonen and Michael Manville.



Clark County zoning codes determine the shape of housing in Las Vegas. *Credit: National Zoning Atlas*

“You cut one head off, and two more form,” says M. Nolan Gray, research director for California YIMBY and author of *Arbitrary Lines: How Zoning Broke the American City and How to Fix It* (as well as a Bloomberg CityLab contributor). Measuring restrictiveness is hard because there are so many ways that cities and homeowners can thwart development. When incumbent homeowners and their elected allies get to decide if a development will happen and how long it will take – on an ad hoc basis – that adds costs and delays that can’t be captured by a map.

The atlas isn’t the first attempt to solve America’s zoning labyrinth. Gray points to efforts to inventory land-use regulations through surveys such as the Wharton Residential Land Use Regulatory Index. Surveys also have limits: Subsequent research has shown that Wharton respondents sometimes just copied their responses from one questionnaire to the next, failing to capture changes to the zoning code over time, Gray says. Sometimes responses were just plain wrong, perhaps because the municipal planning departments kicked these questionnaires down to junior staffers.

Asking planners instead to characterize their communities as pro-growth or anti-growth yielded more accurate results, as researchers Paul Lewis and Nicholas Marantz have shown, but these subjective assessments can’t tell policymakers much more about the problem.

A map can do a lot that a survey can’t to make the tangle of zoning codes real to people. It’s a useful exercise, Gray says. But zoning is constantly changing, so maintaining an accurate register will require regular updates – and lots of labor. “This has been the white whale of this research space for at least two decades,” he says.

The Connecticut Model

Bronin launched her zoning atlas campaign in Connecticut in 2020, when she founded the nonprofit DesegregateCT in response to the national reckoning over race and police brutality. As the former head of the Hartford planning commission, she had direct experience with the city’s impenetrable zoning code. Bronin’s nonprofit was responsible for producing the very first statewide zoning atlas: Moving jurisdiction by jurisdiction, from dense urban centers to sparse rural counties, students and volunteers assessed more than 2,600 zoning districts, which meant sifting through more than 32,000 pages of legalese. Among the top-level findings: About 91% of zoned land in the state allows single-family homes to be built by right, whereas just 2% permits multifamily housing with four or

more units by right. More than four-fifths of the state's residential land requires a minimum lot of one acre – about the size of a football field.

Connecticut's zoning map caught the eyes of other researchers. Combining a zoning atlas with other data sources can yield new insights about neighborhood patterns. That was one takeaway from a [report for the Urban Institute](#) by senior research associate Yonah Freemark and research associate Lydia Lo, who coupled Connecticut zoning districts with neighborhood-level data from the US Census Bureau to look at demographic outcomes.

“What we found was that, yes, zoning might be responsible for a good deal of income and racial segregation within jurisdictions,” Lo said in an interview last year. “But more so it's the different applications of zoning across jurisdictions that really matter.”

The researchers divided Connecticut into three categories: big cities (eight of them), suburbs and towns, and rural areas. In each of those groups, single-family zones are more likely to be associated with higher home values, higher incomes and more white residents. Within cities, however, areas zoned for single-family homes are quite diverse, varying widely from one jurisdiction to the next. That might sound simple, but it's a valuable insight, the researchers say.

“You're going to see variation in the impacts of these zones within these cities, but also between the cities and the suburbs,” Freemark said. “That differentiation creates for an interesting story.”

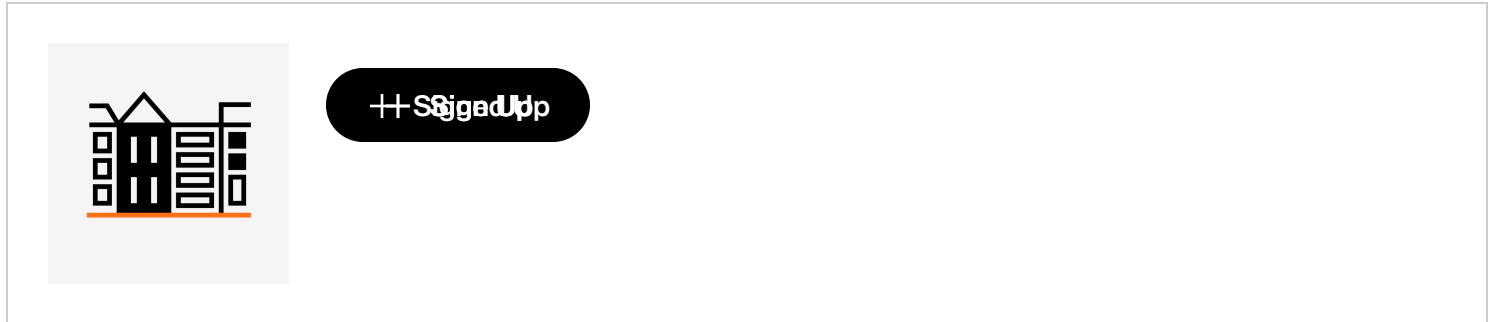
The Connecticut zoning atlas has been cited as a source in debates at both the state level and community levels. Connecticut Governor Ned Lamont signed a zoning reform bill in 2021 that was supported by DesegregateCT and other advocacy groups. Another bill failed to pass the state legislature last year, but [zoning reform is likely to come up again](#) in the next session.

“Show me where you want your housing to be,” Lamont [implored](#) state lawmakers in June.

A Roadmap to More Roadmaps

Given the state's high levels of inequality and soaring housing costs, lawmakers in Connecticut were bound to get religion about zoning eventually. But a map can help to reframe the debate, even for lawmakers or advocates who think they understand the problem.

“This kind of foundational look at number-of-unit zoning and demographics hadn’t been done before. But everyone kind of knew it,” says Lo, who previously ran the Urban Institute’s [National Longitudinal Land Use Survey](#). “Everybody was talking around it as if it was a fact. But there had never ever been any concrete data, especially at a statewide level.”



The National Zoning Atlas isn’t the only effort underway to unpack housing restrictions at the national level. Using machine learning technology, Princeton University’s Eviction Lab built a database of standardized codes. This database is the source of its [Zoning Restrictiveness Index](#). Princeton’s Matthew Mleczko [spoke to Bloomberg CityLab’s Patrick Spauster](#) about the effort last year. In a [paper](#) with *Evicted* author Matthew Desmond, Mleczko found high cost isn’t necessarily the only factor that lines up with restrictive policies. Highly segregated, low-cost cities such as Detroit and Milwaukee also deploy highly restrictive zoning policies.

Connecticut was only the beginning. Planners at the University of North Texas are currently working on a [Lone Star atlas for Texas](#), a state that just passed [\\$18 billion in property tax relief](#). Researchers in New York finalized a [zoning atlas for Long Island](#) specifically to show how the 1,200-odd zones that comprise Nassau and Suffolk counties affect residents. Such a map could be a powerful tool in New York Governor Kathy Hochul’s efforts to ensure that “[pro-housing communities](#)” get priority for \$650 million in state grants.

But as Montana’s experience shows, a zoning atlas isn’t an all-powerful remedy to exclusionary zoning: In December, a district court judge in Gallatin County brought the “[Montana Miracle](#)” to a halt, issuing a preliminary injunction against two laws until a challenge from Bozeman residents could be heard. Despite passing with bipartisan backing and support from interest groups as varied as [ranchers and environmentalists](#), the legislation may fall to “[Montanans Against Irresponsible Densification](#)” – a coalition of fewer than [two dozen Bozeman residents](#).

Neighborhood segregation, destructive sprawl and unaffordable housing are enormous challenges built up over decades of policymaking. Pinpointing the precise coordinates of exclusionary zoning could be a big step toward reversing all three.



Kriston Capps is a writer for CityLab in Washington, D.C., focused on housing, architecture and the built environment.

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