



CITY PLANNER'S REPORT

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To Create More Affordable Housing, Make Zoning Hyperlocal

John Myers and Michael Hendrix // February 19, 2021

What if residents on a single block could make their own decision to allow denser housing?

When Sacramento proposed [changing its zoning rules](#) to allow four homes on land that had permitted just one, something remarkable happened: The reform passed city council, unanimously, with little of the outrage over new housing that's long haunted California politics. The public comments were overwhelmingly supportive. Politicians lined up to praise the measure, which passed this January — even San Francisco Mayor London Breed, who presides over a city where such “fourplexes” are mostly illegal. Sacramento now joins other U.S. cities, including Portland and [Minneapolis](#), that have legalized the construction of more homes in more places.

If ever there were a moment for pro-housing, “Yes In My Backyard” reforms that allow for the development of denser housing, it should be now. In many U.S. cities, housing costs have ballooned beyond the reach of millions of Americans, and [evidence](#) suggests that restrictions on where you can build are largely to blame. Local reforms like Sacramento's are a growing trend, although so far, they remain relatively rare among cities with expensive housing markets.

Even in cities that have passed modest reforms, the politics of local planning often stand in the way of more ambitious change. We know what helps fight high housing prices: loosening minimum lot size requirements that don't allow homes to be built on small tracts, for instance, or allowing backyard apartments and “[missing middle](#)” housing like duplexes and triplexes. The problem is not identifying reforms to allow more homes; it's getting them passed at the city or state level. Without such reform, in local planning meetings across the



Accessory dwelling units like this second backyard home in Los Angeles are one way to create more affordable housing. But they are not permitted by zoning rules in many places.

Photographer: Allison Zaucha for The Washington Post via Getty Images

U.S. where decisions about new developments get made, the voices of opponents are frequently the loudest and most influential. What passes for community participation in America is too often limited to a privileged few with the time and resources to attain an outsize influence on the workings of government.

Take the example of Connecticut, among the priciest and most segregated states in the U.S., and one that hasn't passed this kind of reform. In Fairfield, once home to General Electric's headquarters, new housing projects are forced to undergo years of litigation. Desegregate CT, an advocacy group, found that a triplex or fourplex can be built without going through additional approvals in just 2% of Connecticut, while single-family homes are legal in 91% of the state. While polls show that voters want more affordable housing, suburban homeowners have successfully blocked change. These homeowners have a stake in keeping decisions at the municipality level where a few powerful and vocal individuals can block developments that are in the interests of the broader community. In opposition to a state bill to place more zoning decisions in the hands of the state, yard signs have recently appeared demanding Connecticut "Keep Planning and Zoning Local."

But what if there's a way to overcome the political obstacles in the way of development with support from local stakeholders? Not a substitute to state and local housing laws, but a complement: what we call hyperlocal zoning reform. Local governments would give streets and blocks the right to decide for themselves if they want to allow denser housing. Neighbors could pick from a menu of modest reforms, from reducing minimum lot sizes and green-lighting "granny flats" to allowing missing middle housing and apartments. A single street or block could simply hold a vote and reach a goal the city sets — say, a 60% "yes" from residents. One key feature is that hyperlocal zoning would be a supplement to existing zoning codes, meaning it could simply be implemented by a planning department, and wouldn't stop cities from passing other broader reforms.

For homeowners in pricey markets like Seattle or Boston, choosing to add a granny flat or subdividing a single-family home can be a financial no-brainer. And right now, restrictive zoning prevents them from realizing those gains. They could try to get their own lots upzoned, but at the scale of hundreds or thousands of landowners — the scale at which zoning decisions are often made — negotiation and agreement are incredibly difficult. The costs of reaching agreement rise as more people are involved, as do the perceived risks as a proposal's scope expands. This is why experts from the late economist Robert Nelson to Yale Law School's Robert Ellickson have suggested devolving zoning down to the [neighborhood](#) or even [block level](#), much like how we implement parking meters, or as we see in business improvement districts and homeowners' associations already.

Of course, upzoning a single street will not solve America's housing crisis. But upzoning many streets could help to end it. The idea should catch on as people see other residents radically improve their lives. The virtue of hyperlocal zoning reform is that it would make policies more incremental and less visible and, because the residents themselves decide, more likely to favor winning proposals that will actually improve a neighborhood.

What's more, the targeted nature of street or block votes would make it easier for planners to respond to local demands, whether for more parking or better design standards, while giving owners more flexible property rights that could expand housing availability. A street where some neighbors need more space for aging parents, for example, could vote for the right to add second apartments known as accessory dwelling units to their properties. It also creates a forum for experimentation of ideas on a smaller scale: If a policy approved on one block works, policymakers can expand it; if a vote fails, nothing changes.

Similar proposals show that the basic idea of hyperlocal zoning has precedent. Houston has been able to remain a city without zoning laws in part because residents had options in the form of deed restrictions, where neighbors could choose their own rules at the hyperlocal level. In 1998, policymakers were able to reduce the city's minimum lot sizes by allowing residents on individual streets and blocks to opt out of that change, a move which helped overcome local resistance because residents felt they had control over the risks. The result? Some [25,000 more housing units](#), including denser townhomes, built close to job centers and transit, many of which Houstonians would not have seen built otherwise. There are international analogues, too, with Swedish neighbors [becoming "co-architects" of their own street layouts](#) and condo residents in Israel and Japan given the right to vote on redeveloping their own buildings.

Might street votes simply entrench the power of already privileged residents? It will benefit those homeowners whose street or block opts for more housing, but the larger cumulative benefits should flow to those who are no longer excluded from housing choices and places of opportunity. Street votes may not by themselves increase voting participation among lower-income or minority residents in neighborhoods where denser development is not economically viable, but they would give them more opportunity to participate when such development is viable. More broadly, they would spread the work of providing new housing more equitably across the city. Simply having the choice of more housing — and then actually adding more housing — will help to improve the status quo where disadvantaged residents otherwise have little say at all in how their neighborhood is changing. And if local leaders know their neighborhoods need more affordable housing, they are still free to work strategically toward that end, with hyperlocal zoning as a critical tool in their planning toolbox.

It's easy to forget amidst the contentious community meetings and yard sign wars of NIMBYism that adding more housing can actually benefit incumbent homeowners and renters, thanks to better-functioning markets and greater living choices. But all too often, upzonings are blocked for being too broad, or they don't go far enough. Hyperlocal zoning gives residents a way to negotiate to share the benefits of new development and ensure that it works for them. And, significantly, it can improve the lot of marginalized residents or those who one day want to be their neighbors. Right now, their choices are frequently limited; neither the market nor subsidies are allowed to build affordably. And in a nation short millions of housing units, every home counts.

The simple truth is that housing is unaffordable for too many Americans across the country. Many homes are unlawful to build or impossible to find, which in turn makes having more neighbors a rare privilege in America. But ask yourself if you'd like a little more choice in where and how you live or pose the same question to your neighbors. Let's give more neighbors a voice and a vote — for more housing, block by block and street by street.

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