

# Unrepresentative Democracy in Local Planning and Zoning Board Meetings

by Katherine Levine Einstein, Maxwell Palmer, and David M. Glick

Neighborhood meetings have been a cornerstone of local and federal efforts to amplify the voices of underrepresented interests. In the wake of the government- and developer-driven excesses of urban renewal, reformers pushed for more neighborhood input in redevelopment decisions. Our analysis of planning and zoning board meetings in 97 cities and towns in Massachusetts shows that, rather than providing voice to the less advantaged, these forums are dominated by white homeowners who are overwhelmingly opposed to the construction of new housing. Recently published historical analyses of land use regulations found that land use regulations have long been used by white homeowners as tools to preserve property values and exclusive access to public goods. Our research shows that the same people are using land use regulations today to obstruct the construction of new housing.

To explore who participates in neighborhood forums, we analyzed all available public planning and zoning board meetings concerning the development of new housing units from 2015 to 2017 in 97 cities and towns in Massachusetts. For over 3,300 commenters, we collected information on the names, addresses, and positions taken on proposed housing developments featuring more than one housing unit. Using individuals' names and addresses, we are able to link these data with the Massachusetts voter file and CoreLogic property records data base to learn valuable demographic information about citizen participants, including homeownership status, gender, age, length of residence, and partisanship. Moreover, we can use these demographic data to estimate meeting commenters' racial and ethnic backgrounds.

Meeting participants are overwhelmingly opposed to the construction of new housing. Only 15 percent of

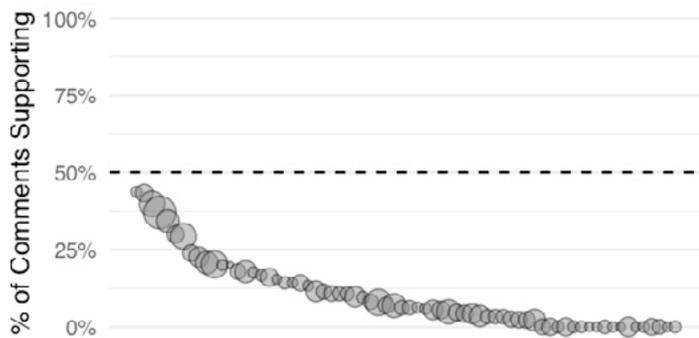


Figure 1: Distribution of Supportive Comments by Town. Each circle represents one town in our sample; the size of the circle corresponds to the number of comments.

commenters express support for the construction of new housing; 63 percent were opposed to proposed housing developments. Figure 1 shows the consistent opposition to new multifamily housing across the towns in our sample. This opposition stands in stark contrast to the views of the general public on affordable housing. In 2010, Massachusetts held a referendum attempting to repeal Chapter 40B, a law promoting affordable housing that permits developers to bypass local zoning regulations under certain circumstances. The repeal effort failed, with only 44 percent of the vote in the cities in our sample. While 56 percent of voters in these cities and towns supported affordable housing in a ballot referendum, only 15 percent of meeting commenters expressed support for the development of new housing. In Cambridge, MA – the most pro-40B city in our sample – 80 percent of voters opposed the repeal; only 40 percent of comments at Cambridge development meetings supported new housing.

What's more, citizen participants in planning and zoning board meetings are demographically unrepresentative of their broader communities in ways that are normatively troubling. In particular, they are more likely to be white, homeowners, older, male, and longtime residents. The racial and homeownership disparities are especially notable. A whopping 95 percent of commenters are white, relative to 80 percent of the voters in our sample cities. In contrast, only one percent of commenters were Latino – compared to eight percent of sample city voters. In Lawrence, MA – which is 75 percent Latino – only one commenter had a Latino surname.

The overrepresentation of homeowners is similarly stark: 73 percent of meeting commenters own homes, compared to 46 percent of non-commenters. This underrepresentation shapes which views are heard at public meetings; renters and people of color are significantly more likely to support the construction of new housing at these forums, though majorities of all groups still oppose the construction of new housing.

These disparities have potentially serious consequences for housing affordability. Since the collapse of the housing market in 2008, demand for housing has consistently outpaced supply. Communities have largely not, however, built enough new housing to keep pace with growing demand. As a consequence, cities across the country have seen dramatic increases in their housing prices. One key obstacle to the construction of new housing is public meetings dominated by unrepresentative opponents of new housing.

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While many reforms addressing the housing crisis have targeted restrictive zoning regulations, we believe that zoning changes are not enough. We need to consider reforming how local communities incorporate public input into land use decisions. Holding meetings at more convenient times may help to ameliorate representative disparities. Moreover, communities might change their abutter notifications to ensure that nearby renters are aware of proposed developments. Massachusetts law currently requires developers to identify abutters using “the most recent applicable tax list;” this means that abutter

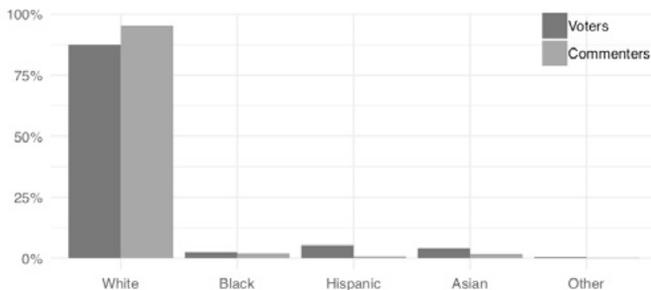


Figure 2: Distribution of commenters and voters by race. White voters are overrepresented at public meetings, while minority groups are underrepresented.

notifications often go to homeowners, but not renters. At a minimum, cities and towns should ensure that homeowners and renters alike are encouraged to participate in public planning and zoning board meetings.

While these types of reforms might help to improve representational disparities at the margins, processes that prioritize neighbors will inevitably attract more opponents of new housing than proponents. The construction of new housing comes with a multitude of concentrated costs, from construction noise to parking disruptions. In contrast, the benefits of new housing – an increase in the housing supply of a few units – are quite diffuse, and therefore less likely to motivate participation; home-seekers are unlikely to see a perceptible change in community housing prices as a consequence of one new apartment building.

We do not suggest returning to a system of developer-dominated land use. Urban renewal and its excesses have taught us that such a system does not produce more democratic outcomes for underrepresented residents. Local officials should, however, consider whether they might achieve more representative outcomes by soliciting neighborhood input on community-level land use planning, rather than on a project-by-project basis that is likely to primarily elicit opposition.

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