

WEBVTT

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00:00:04.970 --> 00:00:09.670

Carolyn / SPUR Public Programs: Welcome everyone. We'll give it a minute for attendees to join before we get started.

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00:00:30.070 --> 00:00:31.950

Carolyn / SPUR Public Programs: Hi, everyone! Let's get started.

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00:00:31.990 --> 00:00:44.750

Carolyn / SPUR Public Programs: Good evening. My name is Carolyn Chung, and I am a senior public engagement associate here at spur. Thank you all for joining us for this digital discourse to day. Many of you. Here are spur members. So thank you for your support.

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00:00:45.030 --> 00:00:52.070

Carolyn / SPUR Public Programs: If you are not a member, I encourage you to join to support spurs ongoing work in using education.

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00:00:52.130 --> 00:01:05.520

Carolyn / SPUR Public Programs: policy, analysis, and advocacy to make our cities and region more prosperous, sustainable, and equitable places to live. Your financial support enables us to continue our work, including the hosting of programs like to day's.

6

00:01:05.650 --> 00:01:10.689

Carolyn / SPUR Public Programs: You'll find more information about membership online@spur.org slash, join.

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00:01:11.710 --> 00:01:19.120

Carolyn / SPUR Public Programs: Today's digital discourse is titled book talk. regional governance and the politics of housing in the San Francisco Bay area.

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00:01:19.800 --> 00:01:23.949

Carolyn / SPUR Public Programs: Small municipalities common in the most jaw-rich parts of the region

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00:01:24.010 --> 00:01:28.729

Carolyn / SPUR Public Programs: have strong political incentives to resist development of new multifamily housing

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00:01:29.080 --> 00:01:43.119

Carolyn / SPUR Public Programs: regional governance and the politics of housing in the San Francisco Bay area explain how a decentralized localistic structure of government shapes. Land use politics in a way that exaggerate housing shortages and inequalities.

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00:01:43.400 --> 00:01:54.280

Carolyn / SPUR Public Programs: The authors evaluate 6 potential reforms, arguing that targeted changes to local and regional institutions could generate durable improvements to the region's housing opportunities.

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00:01:54.980 --> 00:01:59.290

Carolyn / SPUR Public Programs: Let's learn a little bit more about the authors. Paul Lewis and Nicholas Morettes.

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00:01:59.980 --> 00:02:13.189

Carolyn / SPUR Public Programs: Paul Lewis is an associate professor at the school of politics and global studies at Arizona State University, where he focuses his research on local government decision making and the politics of urban development.

14

00:02:13.440 --> 00:02:22.109

Carolyn / SPUR Public Programs: Prior to joining Arizona State. He worked for 9 years in San Francisco as a research fellow at the Public Policy Institute of California.

15

00:02:22.880 --> 00:02:31.349

Carolyn / SPUR Public Programs: Nicholas Morantz is an associate professor or professor of urban planning and public policy at the University of California, Irvine.

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00:02:31.600 --> 00:02:36.460

Carolyn / SPUR Public Programs: His research and teaching focuses on the impact of law politics

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00:02:36.500 --> 00:02:43.099

Carolyn / SPUR Public Programs: and planning on housing, affordability and access the various kinds of resources and opportunities.

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00:02:43.450 --> 00:03:05.640

Carolyn / SPUR Public Programs: After the book discussion we will be transitioning into the Q. And a portion which will be moderated by Michael Lane, state policy

director here at Spur during today's Q. And A, we would like this to be an interactive conversation and plan on spending as much time as possible engaging with you all. So I encourage you to use a chat box to share your thoughts with each other, and with the speakers

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00:03:05.730 --> 00:03:10.240

Carolyn / SPUR Public Programs: I encourage you to submit any questions that you may have by using the QA. Panel.

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00:03:10.310 --> 00:03:15.760

Carolyn / SPUR Public Programs: It should appear at the bottom of your screen or on the top of your screen. If you are using the mobile app

21

00:03:15.860 --> 00:03:22.809

Carolyn / SPUR Public Programs: within the next few days we'll be sharing a copy of the recording transcript and chat with everybody who is registered

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00:03:23.070 --> 00:03:26.419

Carolyn / SPUR Public Programs: with that I will turn it over to Paul and Nick to get us started

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00:03:27.540 --> 00:03:38.849

Paul G. Lewis: all right. Thank you so much, Carolyn, and and for putting this together, and thank you to Michael particularly for inviting us, and I'm really excited to be

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00:03:38.870 --> 00:03:51.300

Paul G. Lewis: speaking at Spur, which was always so when I lived in San Francisco, the the prime, the go-to place for learning about cities and urban development.

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00:03:51.320 --> 00:04:01.349

Paul G. Lewis: I might possibly set some sort of record for the largest gap between spur presentations, because I did speak at a couple of events.

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00:04:01.380 --> 00:04:18.660

Paul G. Lewis: in the late 90 s. And early 2,000 back when Spur was at its Sutter Street. Offices! And so I think it's probably been about 20 years since I spoke before us for audience so very glad to be back. Our book

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00:04:19.360 --> 00:04:30.739

Paul G. Lewis: takes a somewhat different perspective on the issue of Bay Area

housing than the many excellent resources that are out there. We don't try to

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00:04:30.890 --> 00:04:33.050

Paul G. Lewis: estimate the total

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00:04:33.080 --> 00:04:42.070

Paul G. Lewis: scale or dimensions of you know how many housing units are needed. There are good publications by by spur, among others that take on that

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00:04:42.160 --> 00:04:45.819

Paul G. Lewis: that task. But what we're interested in in this book

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00:04:45.870 --> 00:04:58.929

Paul G. Lewis: is, what are the connections, if any, between the structure of government in the region, and its persistent shortfalls in housing production. So in a region

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00:04:58.970 --> 00:05:20.880

Paul G. Lewis: residents tend to take the institutional backdrop of governance kind of for granted which in the Bay area means the 9 counties and 101 municipalities and hundreds of special purpose governments, most of which have been in a place been in place for a long time since before many of us

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00:05:20.980 --> 00:05:24.969

Paul G. Lewis: walk this earth and so, but

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00:05:25.020 --> 00:05:38.450

Paul G. Lewis: rather than put that in the background we kind of want to foreground the governmental structure and see what effects this governmental setup has on the built landscape, particularly for housing policy

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00:05:38.630 --> 00:05:44.000

Paul G. Lewis: next slide, Nick, please. So you know, many of us

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00:05:44.130 --> 00:05:58.670

Paul G. Lewis: travel across many municipal boundaries on the way to work or on the way to doing our other daily activities. And these boundaries sometimes can seem almost invisible or incidental.

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00:05:58.870 --> 00:06:00.939

Paul G. Lewis: Because in a

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00:06:01.050 --> 00:06:13.969

Paul G. Lewis: mature metro area, like the Bay area, they they don't necessarily denote where city turns into countryside. And so we have these various municipal boundaries, and if it weren't for signs on the road.

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00:06:13.980 --> 00:06:41.590

Paul G. Lewis: welcome to such and such you might not know you were changing jurisdictions. But occasionally, you can really see, as in this aerial photo, that distinctions between essentially land use regulatory regimes in this case, between Atherton and Redwood City. See here, how visibly different the development pattern is between those 2 jurisdictions. So

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00:06:41.860 --> 00:06:52.089

Paul G. Lewis: we're gonna talk a little bit about the evolution of the Bay Area's governing structures. There are deep roots to the structure of government in the Bay area.

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00:06:52.200 --> 00:07:16.280

Paul G. Lewis: The the architecture of government didn't arrive all at once, fully formed. That certainly was not the product of some forward looking plan. But new cities were created at various times for reasons that seemed important to the local residents at that time, and cities, as you can see from this shark, tended to come in waves.

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00:07:16.320 --> 00:07:31.209

Paul G. Lewis: By the early twentieth century there were more options for service, provision even for purely residential suburbs, and that made more practical the incorporation of small residential

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00:07:31.210 --> 00:07:52.710

Paul G. Lewis: communities, particularly those with affluent populations that could support some of these services with their local revenue raising. So, for example, Piedmont, Ross, Hillsborough, all were founded between 1907 and 1910 so we see this kind of close in white collar commuter enclaves

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00:07:52.770 --> 00:07:58.319

Paul G. Lewis: making an effort to kind of separate themselves from the surrounding areas.

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00:07:58.520 --> 00:08:07.510

Paul G. Lewis: With incorporation the creation of city government comes zoning power and zoning had come into wide use by the 1920 s.

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00:08:07.540 --> 00:08:15.489

Paul G. Lewis: This gives suburbs the opportunity to kind of lock in, to place their preferred land use patterns, or at least

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00:08:15.660 --> 00:08:20.930

Paul G. Lewis: language patterns that were preferred at the time of initial incorporation.

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00:08:21.030 --> 00:08:38.950

Paul G. Lewis: And typically, this meant exclusively or almost exclusively single family zoning. So Atherton, from our previous slide picture, was incorporated in 1923, for example, you know, kind of putting into place that exclusivity in its land use plan.

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00:08:39.240 --> 00:08:56.880

Paul G. Lewis: Now, it should be pointed out that this, the desire among whites for racial exclusion was part and parcel of this fragmentation of local government. For example, there's good historical work about a Piedmont separation from

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00:08:56.880 --> 00:09:15.910

Paul G. Lewis: Oakland which basically surrounds it. And it's the rather notorious exclusionary efforts thereafter. So if you skip ahead to after World War 2, we see another kind of boom in city formation in the Bay area, in the fifties and sixties.

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00:09:15.940 --> 00:09:24.959

Paul G. Lewis: particularly in places along the Peninsula and in Santa Clara County and in Central Contra Costa County. These

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00:09:24.990 --> 00:09:42.580

Paul G. Lewis: new suburbs tended to take shape around the freeway system which was being built at this time. And they were more kind of solidly middle class, some of them more modest, albeit modest, homes that now sell for 2 plus 1 million dollars.

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00:09:42.580 --> 00:10:03.960

Paul G. Lewis: Then, perhaps the the Hillsboroughs and Atherton's in earlier years. But they, too, tended to lock into place their single family built form through zoning and subdivision regulations. Now, if you look at other metropolitan areas, the pattern is is actually pretty similar. So was there really any

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00:10:04.170 --> 00:10:22.099

Paul G. Lewis: alternative ever to this kind of gradual accretion of local governments. Well, if you look back historically, there were a number of proposals, including statewide ballot measure in 1912 that proposed to create a super sized

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00:10:22.100 --> 00:10:34.500

Paul G. Lewis: San Francisco by merging it with San Mateo County. Other proposals that propose to merge, and a number of cities

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00:10:35.020 --> 00:10:44.429

Paul G. Lewis: cities in Alameda County, for example, a merger proposal there that was also defeated. So next slide, Nick, so

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00:10:44.870 --> 00:10:47.760

Paul G. Lewis: you get this kind of cumulative

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00:10:48.090 --> 00:11:00.030

Paul G. Lewis: accretion of governing bodies, each of which have their hands in the land, use control over this region over time such that by the year

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00:11:00.290 --> 00:11:29.510

Paul G. Lewis: 2,000 the Bay area hit its total of 101 municipalities, with the formation of Oakley and Contra Costa County in 1999. Now, you may notice there's a little bit of a falloff in new incorporations after the passage of Proposition 13 in 1978, which limited local government's ability to rely on property taxes to fund services. But nevertheless, the die had already been cast.

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00:11:29.580 --> 00:11:59.480

Paul G. Lewis: And so today, the vast majority, over 91% of the region's population lives in incorporated municipalities. Most of them are quite small. The Median population size for a city in the Bay area is 31,000 residents. And so basically, our research question is, what does that mean for a housing development having so many municipalities, particularly so many very small ones.

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00:12:00.520 --> 00:12:11.960

Paul G. Lewis: So on the next couple of slides. We kind of make a bit of a theoretical argument as to why the size of the decision-making body should matter.

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00:12:11.980 --> 00:12:19.840

Paul G. Lewis: And so we argue that small local governments tend to have a kind of built in bias against

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00:12:20.200 --> 00:12:31.520

Paul G. Lewis: new housing, particularly new multifamily housing in the small suburbs. Homeowners tend to be a large percentage of the electorate that

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00:12:31.560 --> 00:12:51.320

Paul G. Lewis: decision. The decision making scale is very small and that tends to amplify concerns about neighborhood impacts. And so in a city of, say, 5,000 or 15,000 people. Essentially the whole city is one neighborhood and so

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00:12:51.690 --> 00:13:00.239

Paul G. Lewis: in. you know, certain things are also unfamiliar in suburbs. So whereas in a in a large city like San Jose or San Francisco

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00:13:00.330 --> 00:13:16.390

Paul G. Lewis: city officials can point to someplace somewhere where mixed use, transit, oriented development have been tried, and there's a track record of experience there, whereas in a small suburb these may be novel and unfamiliar

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00:13:16.390 --> 00:13:30.560

Paul G. Lewis: concept. So doing, infill mixed use redevelopment, the ways that we're going to get additional units added in the places where they need to be added to dig out from under this Bay Area housing crisis

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00:13:30.560 --> 00:13:35.810

Paul G. Lewis: tends to be more of a political project in small municipalities.

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00:13:36.070 --> 00:14:00.449

Paul G. Lewis: We have a the third bullet point here that says, externalities tend to affect a larger percent of the jurisdictions population in these small communities. And so what we mean here is that of the neighborhood effects of new developments, whether it's the perceived effect of a new housing development on traffic congestion, parking, or whatever tends to affect probably a larger percentage

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00:14:00.450 --> 00:14:11.890

Paul G. Lewis: of the residents that are larger percent of the jurisdictions voting public than in a large city. So they'll you know, they'll tend to magnify the discontent around those issues.

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00:14:12.160 --> 00:14:17.710

Paul G. Lewis: Okay? So if we turn to large local governments next slide

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00:14:19.160 --> 00:14:34.529

Paul G. Lewis: large local governments. And what we say are less antagonistic to multifamily housing, which is not to say that they're never antagonistic right? But there are other interests, aside from local homeowners who are present in

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00:14:34.640 --> 00:15:03.230

Paul G. Lewis: big cities who may tend to counterbalance the Nimbyism that maybe every neighborhood has a tendency to engage in to some degree so large cities tend to be the headquarters of major corporations developers. They have construction unions they have social equity organizations, perhaps in recent years. Nd groups as well. All which tend to

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00:15:03.460 --> 00:15:20.019

Paul G. Lewis: pay most attention to central city politics often be headquartered there. We might add to this list even civic groups like Spur, that take a regional view of housing need but happen to be headquartered in the Central City. By comparison.

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00:15:20.020 --> 00:15:34.779

Paul G. Lewis: A small suburb of the Council might only hear from the project. You know, housing projects, proponent developer, and from the neighborhood opponents. Big cities tend to have more expensive political campaigns. And this can advantage

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00:15:34.780 --> 00:15:38.679

Paul G. Lewis: candidates who have backing from

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00:15:38.680 --> 00:16:05.510

Paul G. Lewis: interests with deep pockets, whether those be major local corporations which have an interest in making sure there's enough housing for their workforce, whether it's local developers or others who are kind of growth oriented and might tend to fund local candidates in a way that's probably less common in small suburbs where they tend to be, these kind of friends and neighbors. Campaigns for the city council.

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00:16:05.940 --> 00:16:20.540

Paul G. Lewis: We know from a lot of political science research that there's actually lower rates of civic participation in bigger jurisdictions, bigger meaning, larger population jurisdictions

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00:16:20.750 --> 00:16:33.529

Paul G. Lewis: and so this might in some sense reduce the immediate pressure on Council members to deny housing proposals so whether it be voter turnout rates.

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00:16:33.570 --> 00:17:00.909

Paul G. Lewis: or whether citizens contact local officials, whether they show up at public hearings and meetings the research shows that all of these forms of participation tend to be a little bit lower in large jurisdictions, and so that may to some degree reduce the the temperature a little bit. With regard to some of these housing disputes, every council member may represent multiple different neighborhoods in a large city. And so

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00:17:01.500 --> 00:17:16.449

Paul G. Lewis: these. You know, the amount of air time that any one neighborhoods opposition gets may be limited by the fact that there's so many other concerns and interests that a council member has to face.

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00:17:16.589 --> 00:17:20.120

Paul G. Lewis: Also the the last bullet point here.

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00:17:20.980 --> 00:17:34.209

Paul G. Lewis: we're used to in the Presidential election or in a gubernatorial election, thinking that the voters hold executives somewhat responsible for the state of the economy, and may tend to vote on that basis.

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00:17:34.350 --> 00:17:57.030

Paul G. Lewis: In large cities we think that's probably true to a degree as well that, you know, the Mayor of San Jose, San Francisco or Oakland may, be held somewhat responsible for people's, you know. Ability to get jobs and secure, you know, affordable housing. In a way that's not true for the mayors of

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00:17:57.320 --> 00:18:11.789

Paul G. Lewis: kind of small or suburban municipalities where the mayor can realistically say, Well, how much control does our little piece of turf, you know my little office have over this broad Bay area economy.

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00:18:14.200 --> 00:18:33.860

Paul G. Lewis: This has an aside. A lot of big cities do, however, have district elections which may also, detract a little bit from this kind of unitary citywide view, and provide more opportunity for project opponents to have kind of a geographic connection to their member of the city council.

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00:18:34.690 --> 00:18:41.979

Paul G. Lewis: now, I'm gonna turn it over to Nick. Who's gonna take us through some empirical results here.

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00:18:42.050 --> 00:18:55.369

Nicholas Marantz: Sure. So thanks, Paul, for laying out sort of the theoretical reason that we care about this small jurisdiction. Big jurisdiction, distinction. Ii now want to sort of

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00:18:55.410 --> 00:19:11.300

Nicholas Marantz: turn us to some of the the facts on the ground and think about how this might matter in the the Bay Area context. So here we are. We're overlaying the political jurisdictions in the Bay Area, the 101

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00:19:11.300 --> 00:19:27.160

Nicholas Marantz: cities of the Bay Area on the geographic distribution of jobs. So this maps is a very simple measure of jobs accessibility. It's it's then it's the number of job based on the number of jobs within a 45

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00:19:27.160 --> 00:19:39.140

Nicholas Marantz: minute driving distance. And we're looking here. It's it's divided into these numbers on the legend represent standard deviations. So

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00:19:39.250 --> 00:19:46.940

Nicholas Marantz: so 0 would would be the average. And and then we're looking at at

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00:19:47.130 --> 00:20:08.379

Nicholas Marantz: at more or less and so I think it's not surprising that employment is concentrated near the center of the region, with lots of jobs in parts of the Peninsula and Silicon Valley as well. And that accessibility to jobs is worst at the outer fringe of

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00:20:08.380 --> 00:20:19.949

Nicholas Marantz: the region where commutes are very long transit based commutes, of course, although they're not measured in this map, are also much more feasible in the inner portions of the region.

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00:20:19.950 --> 00:20:32.550

Nicholas Marantz: So note that here that there are a lot of small suburbs in the areas of higher job accessibility. Those are those thin black lines between the the different

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00:20:32.600 --> 00:20:50.770

Nicholas Marantz: the the different jurisdictions, and of the. And and so, in particular, if you're looking at the Peninsula and in Santa Clara County. This is the case, and so of the 30 municipalities in the region that have the best accessibility to jobs

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00:20:51.330 --> 00:21:06.630

Nicholas Marantz: have populations of under 30,000. And of course that's relevant. Because, as Paul just explained, there are reasons to suspect that smaller jurisdictions might be more resistant to allowing multifamily housing.

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00:21:06.730 --> 00:21:26.259

Nicholas Marantz: And what we've also seen if we look at housing production is that housing production is higher in in outlying cities than it is closer to to the job centers. So so this map shows the rates of housing unit change

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00:21:26.260 --> 00:21:41.060

Nicholas Marantz: from the 2,012 5 year American community survey to the 2,018 5 year American Community survey. So this is basically measuring the period of sustained recovery from the great recession

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00:21:41.290 --> 00:21:53.960

Nicholas Marantz: and the the shaded regions. The regions that are shaded in green had the fastest rates of housing increase. So some north of 10

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00:21:54.100 --> 00:22:02.030

Nicholas Marantz: rate of increase in their housing stock. Yellow was moderate, 4 to 10. Increase

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00:22:02.560 --> 00:22:27.910

Nicholas Marantz: and orange a little bit lower, and then red is is negative. So so red indicates to the city actually had a net loss of housing units during this period. And so what you know, what you'll notice is that many of the close-in suburbs, particularly along the Peninsula and Maroon County, and in the inner parts of the East Bay are shaded red

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00:22:28.210 --> 00:22:48.080

Nicholas Marantz: and so, and and we suspect also that more of the far fringe communities would have shown up as green in earlier time periods. But many of these communities were still experiencing some overhang from the foreclosure crisis and the recession during the time period that we analyzed.

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00:22:49.160 --> 00:23:01.109

Nicholas Marantz: And so for our empirical analysis. We looked at at at multi-family housing, at the census tract level.

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00:23:01.110 --> 00:23:25.159

Nicholas Marantz: And so we're looking at the production of units in projects with 5 units or or more, and we're concentrating on multi-family housing because that is the type of housing that's most likely to be affected by local policies such as zoning regulations that restrict density, and also because multifamily housing is the type of housing that is most practical.

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00:23:25.200 --> 00:23:48.750

Nicholas Marantz: economical, and climate friendly to develop in infill and transit accessible locations. And we use census tracts as our units of analysis, because they're the geographies that are defined. Similarly across jurisdictions. Right? Of course, lower population jurisdiction is gonna is gonna build fewer housing units than a larger

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00:23:49.080 --> 00:24:10.240

Nicholas Marantz: population jurisdiction, just because of their vary varying population sizes. But census tracts are pretty similar in population size across jurisdictions. And so this allows us to make more of an apples to apples. Comparison tracts typically include 1,200 to 8,000 residents.

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00:24:10.290 --> 00:24:33.879

Nicholas Marantz: and and so we're gonna look at multi-family production in all census tracts in at metropolitan areas, statewide in California. So not just in the Bay Area, in a different publication, not our book. We have a national level analysis examining census tracts in Metro areas across the United States, and our findings in that study are are very similar to what we're about to show you.

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00:24:33.880 --> 00:24:41.839

Nicholas Marantz: So this graph that we're looking at here. This histogram shows that change in multi-family units during our study period

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00:24:41.860 --> 00:25:05.259

Nicholas Marantz: at the census tract level in California, and you can see that the most common outcome unsurprisingly was 0 new units right? Or a a net change of 0 units. No units added, no units demolished. And but you can also see that there's pretty wide variation in multi-family production. That we can analyze

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00:25:05.300 --> 00:25:32.409

Nicholas Marantz: and and so what did we find when we looked at? At at multi-family that changes in multi-family units in these in these metro area, census tracts in cities. So we we, we statistically controlled for a bunch of factors that might be expected to influence the amount of multifamily housing production. Right? So this is more to this is

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00:25:32.510 --> 00:26:00.840

Nicholas Marantz: further further towards our goal of getting an apples to apples, comparison. And so we we control for measures like census tract, demographics, land area jobs, accessibility. The number of multifamily housing units that were already in a census tract at at the beginning of our study period, and also how old the existing housing stock in the census tract was. And when we hold these other factors constant

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00:26:00.840 --> 00:26:18.970

Nicholas Marantz: and we look at how the change in multifamily units is associated with the population size of the city in which the tract is located. We find that that that the the population size matters

114

00:26:18.970 --> 00:26:41.310

Nicholas Marantz: and so census tracts in larger jurisdictions tend to experience significantly more multi-family developments. So we're comparing here to a baseline of of a jurisdiction with fewer than 50,000 residents tracks and jurisdictions, with more than 100,000

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00:26:41.310 --> 00:27:00.849

Nicholas Marantz: between a hundred 1,000 250,000 population, had about 46 more multi-family units, built tracks and jurisdictions, with populations between 250,000, 500,000, had about 81 more units built, and tracks and jurisdictions of 500,000

116

00:27:00.920 --> 00:27:05.990

Nicholas Marantz: to 1 million had about 150 more units built

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00:27:06.150 --> 00:27:18.030

Nicholas Marantz: and so Central Central cities, that is, you know, places like like San Francisco that are in the center of of the region.

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00:27:18.030 --> 00:27:40.810

Nicholas Marantz: generally perform better than their suburbs. Although there's certainly room for improvement. So in the Bay area. San Jose and San Francisco together accounted for a third of the region's housing gain almost entirely,

multifamily units, even though they were less than 25% of the Bay Area's population.

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00:27:40.970 --> 00:27:54.229

Nicholas Marantz: Oakland, as you may have noticed. On the on the map 2 slides before, was a lagger during the study period that we studied, and it's worth noting that San Francisco is still a slow housing producer by national standards.

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00:27:54.230 --> 00:28:11.770

Nicholas Marantz: It's discretionary approval. Process is obviously notoriously slow and unpredictable, but it tells us how unfavorable the situation is for new housing in the region, that San Francisco looks significantly better than most of the nearby jurisdictions, many of which, as we've said, are are pretty small.

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00:28:19.180 --> 00:28:26.410

Paul G. Lewis: thank you, Nick, for taking us through those results. So

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00:28:26.990 --> 00:28:29.739

Paul G. Lewis: If we add this all up?

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00:28:30.360 --> 00:28:50.119

Paul G. Lewis: what does housing, policy housing, politics look like then, in a fragmented system of land use control. And we put a system in scare quotes here, because, according to the dictionary, a system is an organized framework or a set of things working together. But the bay areas.

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00:28:50.120 --> 00:29:16.780

Paul G. Lewis: a system of local governments. Kind of really proliferated over time without any real design within this system. If you're fortunate and you happen to buy a house, perhaps early on in one of those small jurisdictions that are well located with respect to jobs. But our single family zone. You're able to for the most part externalize

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00:29:16.780 --> 00:29:36.150

Paul G. Lewis: this regional problem of a lack of housing near jobs and transit. So, in other words, a single family suburb can take advantage of its close proximity to good jobs while still using its autonomy and land use powers to exclude apartments and thereby exclude lower income. Folks

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00:29:36.150 --> 00:30:04.399

Paul G. Lewis: sometimes referred to as resource, porting by jurisdictions in the Bay area and the othering and belonging Institute at Berkeley has an interesting study of this, where they discuss the 13 biggest, most egregious resource quarters

among bay area jurisdictions. And I would point out that 12 of the 13 are small suburbs basically places with populations below 40,000.

127

00:30:05.200 --> 00:30:20.240

Paul G. Lewis: So if this localized approach to land use control is not providing the housing that the region needs, what about geographically more inclusive kind of region, wide governmental agencies. The Bay Area actually

128

00:30:20.240 --> 00:30:38.040

Paul G. Lewis: Bay Area actually has no shortage of regional agencies. There's kind of an alphabet soup of regional agencies that many of you are familiar with. But we argue in the book that the Bay Area is nevertheless not regionally governed. So what are the

129

00:30:38.040 --> 00:30:57.790

Paul G. Lewis: shortcomings of these regional agencies. As they currently exist. So we're talking about Abag, Mtc. BCDC. And and others. They're they're functionally divided, by which I mean, each takes on distinct responsibilities so historically.

130

00:30:57.790 --> 00:31:12.119

Paul G. Lewis: the land use plan for the region, and Mtc. Of course, budgeted and plan for transport to transportation air quality management district worried about

131

00:31:12.450 --> 00:31:25.389

Paul G. Lewis: certain sources of air pollution, even though a lot of the air pollution comes from mobile transportation, of course. So they're divided in a functional sense, even if each of them covers the whole region.

132

00:31:25.470 --> 00:31:33.160

Paul G. Lewis: None of these entities really has, what we would call land use implementation powers. In other words, the power to

133

00:31:33.360 --> 00:31:52.750

Paul G. Lewis: permit or overturn, you know, land use decisions that could result in in buildings getting built. So Abag has drafted some inspiring plans over the years. But they're not really binding on local governments, which is where the land use. Decisions are made

134

00:31:52.780 --> 00:32:05.329

Paul G. Lewis: a bag and Mtc can provide carrots such as money for interest, for priority development areas near transit but they provide carrots, but not really sticks

135

00:32:05.480 --> 00:32:33.870

Paul G. Lewis: and so even something grand, like Plan Bay area, in which the regional entities sort of put their heads together. For a big regional plan kind of depends on cities and counties wanting to participate and fulfill the goals of that plan. From a governance standpoint these regional entities are constituent unit bodies, meaning that their boards of directors consist of delegates sent by cities and counties.

136

00:32:34.040 --> 00:32:59.020

Paul G. Lewis: And so, even though there been some very thoughtful regionalists elected officials who've gravitated to serve on these boards. But ultimately the boards are kind of responsive or responsible to the local governments rather than to the regional public as a whole abag. By the way, the Association of Bay Area Governments is literally, as the name suggests, an association of

137

00:32:59.020 --> 00:33:04.409

Paul G. Lewis: dues, paying city and county members who, you know, have to decide on the

138

00:33:04.410 --> 00:33:17.230

Paul G. Lewis: budget and priorities of that institution so overcoming the Housing Logjam, we suggest, requires some sort of reform, either at the State government level, or perhaps change in local government structure.

139

00:33:18.010 --> 00:33:37.989

Paul G. Lewis: So on this next slide we go through well, actually occupies quite a bit of the territory in the in the book which is some governance reform options that we won't take you through all the nitty, gritty detail here. But we go through 6, and so I'll speak about the first 3 here and then turn it back to Nick.

140

00:33:38.090 --> 00:33:42.149

Paul G. Lewis: Our empirical analysis implies that larger

141

00:33:42.320 --> 00:34:09.400

Paul G. Lewis: cities do a better job accommodating multi-family housing. So if accommodating housing were literally the only thing by which we judged a framework or system of governance in a metropolitan area. We might want to say, let's combine some cities, consolidate some cities, and California does have some State statutes that lay out a process that makes consolidation possible.

142

00:34:09.400 --> 00:34:32.509

Paul G. Lewis: but really it has not been used anywhere in the Bay Area in many decades. You know, as I mentioned, there were proposals for consolidations in the. you know, a century ago in the East and West Bay, that all went down to defeat. And frankly, there's unlikely to ever be some groundswell of popular or political support for creating

143

00:34:32.510 --> 00:34:57.019

Paul G. Lewis: Mega cities in the suburbs, even though some other parts of the country, like here in in the Phoenix area. We have Mesa Arizona, which is a suburb of like 450,000 people. Pretty housing, friendly in general. You could imagine a something like a Peninsula city covering all those jurisdictions in San Mateo County. But probably not going to happen. Politically.

144

00:34:57.520 --> 00:35:08.980

Paul G. Lewis: There are some negatives as well that we talk about in the book with respect to the efficiency of large cities and providing standard services such as

145

00:35:09.160 --> 00:35:10.920

Paul G. Lewis: policing.

146

00:35:11.040 --> 00:35:14.440

Paul G. Lewis: trash, pickup and so forth, that we're actually

147

00:35:14.720 --> 00:35:41.400

Paul G. Lewis: larger size can lead to some sort of sclerosis in the provision of services. So, leaving them aside, city consolidations as not being a very realistic option we could turn back to those existing regional agencies and think about reorganizing them or further empowering them. That there's an interesting reason for the historical

148

00:35:41.400 --> 00:36:02.279

Paul G. Lewis: split between Abag doing land use planning and Mtc. Metropolitan Transportation Commission doing trans transportation planning. We we don't have to go into the nitty, gritty details here. But nevertheless, after some decades of sometimes bumpy relations and rivalries between those 2 agencies

149

00:36:02.280 --> 00:36:12.839

Paul G. Lewis: by the twenty-first century. They seem to be working better together. There are various joint efforts, the Bay Area Regional Collaborative Plan Bay Area.

150

00:36:12.840 --> 00:36:34.109

Paul G. Lewis: And most recently, this Bay Area Housing Finance authority, which is

getting going, I guess, with its proposed bond issuance. Interestingly, Buffalo, the Bay Area Housing Finance authority is actually jointly governed by the governing boards of both a bag and Mtc. So it's got

151

00:36:34.150 --> 00:37:00.370

Paul G. Lewis: the kind of constituent unit representation of cities. Counties writ writ large there now, as many of you know, there was a merger of the staff, but not of the boards of Abag and Mtc. In 2017, and hopefully, this will produce additional integration between land use and transportation planning going forward. But it doesn't

152

00:37:00.520 --> 00:37:25.139

Paul G. Lewis: alter the very much local control of zoning and discretionary review and the kind of final steps in permitting housing. So we kind of argue that even if Mtc. Abag and the other regional agencies were like fully merged tomorrow. There's little reason to expect that it would lead to significantly more housing in the region unless the merged entity got some sort of regional

153

00:37:25.140 --> 00:37:48.340

Paul G. Lewis: power of review possibly the power to overturn local land use decisions that deny housing or if regional plans were made binding on local governments where there was some sort of consistency requirement in which cities and counties had to follow a a regional plan designed by the regional entity

154

00:37:48.590 --> 00:38:01.030

Paul G. Lewis: and even more outlandish reform suggestion, which, you know, brings tears to the eyes of regionalists like myself, who kind of always hope for something like this?

155

00:38:01.450 --> 00:38:04.869

Paul G. Lewis: maybe there's would be an opportunity for a

156

00:38:05.760 --> 00:38:24.209

Paul G. Lewis: actual regional government that has some sort of general purpose characteristics as a government, and can make some of these decisions, preferably an elected regional government that gets to vest some power in a regional electorate to decide some regional issues. And of course, the closest

157

00:38:24.220 --> 00:38:54.129

Paul G. Lewis: thing we have to this in the United States is the Portland Metro Government. But you know Portland is a little bit different. So they do have an elected region, wide government where people have to run for office, and that government discussing issues of sprawl and infill and warehousing is going to be

accommodated, and so forth. But Portland also exists within a statewide framework of land use rules in Oregon that provide kind of a

158

00:38:54.130 --> 00:38:56.330

Paul G. Lewis: tighter set of restrictions

159

00:38:56.330 --> 00:39:02.470

Paul G. Lewis: on what the regions and the localities are expected to accomplish, and I'm sure that assists

160

00:39:02.480 --> 00:39:11.839

Paul G. Lewis: metros effectiveness tremendously in a way that California still hasn't quite got to that point. So Nick will then

161

00:39:11.870 --> 00:39:15.619

Paul G. Lewis: take up exactly that question of what can the State do?

162

00:39:15.630 --> 00:39:16.760

Paul G. Lewis: Additionally?

163

00:39:18.300 --> 00:39:30.719

Nicholas Marantz: Thanks, Paul. Yeah. So so the the fourth bullet point here is further tighten. Some State rules regarding local land use, and of the

164

00:39:30.720 --> 00:39:58.709

Nicholas Marantz: 6 strategies here, I think this is clearly the one that that California State Legislature has pursued. And II think we've clearly seen this with respect to ad use with respect to changes in the regional housing needs assessment and allocation process with respect to laws reducing the discretion of local governments to deny projects.

165

00:39:58.710 --> 00:40:22.659

Nicholas Marantz: that their zoning indicates should be allowed. So in all of these ways, we've we've already seen some. I think, potentially, there is significant tightening of State rules regarding local land use. I think it's worth noting that most of these seem to be premise on increasing adversarial oversight by the state of it's local governments.

166

00:40:22.660 --> 00:40:32.469

Nicholas Marantz: and none of them really changes the underlying incentives of local governments, or creates an institutional home for pro housing

167

00:40:32.470 --> 00:40:45.899

Nicholas Marantz: constituencies. And in particular, for example, empowering the State Department of Housing and community development to be the watchdog of local land, use decision making creates a model that could be undone

168

00:40:45.900 --> 00:40:57.219

Nicholas Marantz: by future governors, or by by directors of housing community development, who are less motivated than the current administration

169

00:40:57.220 --> 00:41:20.539

Nicholas Marantz: and so another yet another alternative is to create a regional or statewide housing appeals board. This is based on models from the north Northeastern States, particularly Massachusetts. This combines. And so so California has recently rediscovered a a provision that was sort of

170

00:41:20.540 --> 00:41:43.189

Nicholas Marantz: hidden away in the Housing Accountability Act, which which may allow for a zoning override in in jurisdictions that don't have compliant housing elements. There's currently a lot of legal uncertainty about how whether any of the the builders remedy litigation in California. That's that's already been filed will move forward.

171

00:41:43.190 --> 00:42:01.960

Nicholas Marantz: but in states where the builders remedy, and these housing appeals, boards are are more firmly established. What you have is a zoning override for developers, proposing qualifying projects in cities that haven't satisfied their State determined fair share requirements.

172

00:42:02.060 --> 00:42:30.629

Nicholas Marantz: The Massachusetts model sets a bright line rule to determine whether a locality has met its State housing goals. If it hasn't a developer of project with the below market rate component can request an expedited review by the local government and a waiver of local zoning requirements. And then, if that gets denied, the developer can appeal to a State Board which uses a standard that typically favors the developer and can order the local government to permit

173

00:42:30.630 --> 00:42:55.360

Nicholas Marantz: the project. And this is important because it. It has created a set of constituencies that lobby first of all for the perpetuation of this law. And it it. It really changes the dynamic between developers and and local governments. And so for California circumstances, one possibility, given, the size of the State might be a regional level board.

174

00:42:55.530 --> 00:43:21.790

Nicholas Marantz: And it would be possible also to design a system that that encourages both market rate and below market rate development. For example, if the city doesn't increase its housing stock by a specified percentage over a certain number of years. It could be subject to zoning, override for multi-family town home projects. You can imagine a system in which, below market rate units count for more than market rate units.

175

00:43:21.850 --> 00:43:50.750

Nicholas Marantz: This idea of a housing appeals board sort of insulates potentially insulates the the system from some of the vicissitudes of electoral politics. And so this is another potential strategy. That could firm up some of the some of the shifts that appear to be underway in in California in terms of tightening state rules regarding local land use, then, the final option that we have here

176

00:43:51.090 --> 00:44:16.000

Nicholas Marantz: is revising the State local fiscal system. And again, we should probably put system in in quotation marks. So the post proposition. 13. Regime fiscal regime has had has had many, many problematic impacts for housing policy, including including making local governments, perceived that new housing would be unlikely to pay its way

177

00:44:16.000 --> 00:44:30.320

Nicholas Marantz: fiscally and and as a result of of prop 13 and and follow on legislation and ballot measures, local governments have have moved to rely on, develop fees and exactions and other types of revenues.

178

00:44:30.350 --> 00:44:35.159

Nicholas Marantz: That have have increased the cost of building, housing.

179

00:44:35.420 --> 00:45:02.040

Nicholas Marantz: There are many reasons to to support, to, to to reform. Proposition. 13. But it's an indirect way to accelerate housing production and most property tax revenues don't go to municipalities. In any case. It would obviously prove to be extremely difficult, politically. And of course, I think it's very much worth noting. That exclusionary zoning

180

00:45:02.040 --> 00:45:09.480

Nicholas Marantz: existed before 1,978, and exists in other States that don't have strict property tax limitations.

181

00:45:09.740 --> 00:45:10.460

okay.

182

00:45:14.330 --> 00:45:16.499

Nicholas Marantz: and I'll turn it back over to Paul. Now.

183

00:45:19.000 --> 00:45:27.230

Paul G. Lewis: here's a San Francisco's mayor, Joe Alioto, in September, 1968, speaking to a gathering of

184

00:45:27.310 --> 00:45:33.729

Paul G. Lewis: 750 attendees crowding into an auditorium in Berkeley.

185

00:45:33.730 --> 00:45:57.409

Paul G. Lewis: convinced that there's going to be regional reform and a regional unit of government in the Bay area at that time, and he says regional government is going to come in time because the problems are becoming more intensely regional. If it must come in time. We got to start right now in 1969. Well, we didn't get it in 1969. We didn't get it in the early nineties with the Bay vision. 2020 effort.

186

00:45:57.410 --> 00:46:17.850

Paul G. Lewis: We didn't get it from Senator Tom Dorlickson's various reform bills in the 2 thousands. So if it seemed like a sure thing then, and didn't happen. It's unlikely to happen in a strong form now. Which is why in our book we try to be pragmatic and realistic about the reform options

187

00:46:17.870 --> 00:46:47.050

Paul G. Lewis: and and so we wind up essentially recommending that the the region and the state pursue that that fifth option which is, the housing appeals board ideally at a regional level as being the best kind of a short and medium term approach to doing something that should have some pretty quick benefit to permitting housing where localities are denying it.

188

00:46:47.050 --> 00:47:08.379

Paul G. Lewis: And without a whole lot of cost associated with it, and perhaps, something that's politically a little less difficult than some of the other reforms on the previous slide. If a Housing appeals, board or committee were created that need not preclude longer term efforts to achieve

189

00:47:08.380 --> 00:47:28.409

Paul G. Lewis: some stronger regional entity with some real land use, implementation teeth, perhaps something a little bit more like Portland metro with maybe powers

acquired over time with evidence of success from this regional housing appeals board or other regional entities.

190

00:47:29.370 --> 00:47:36.250

Paul G. Lewis: so that pretty much wraps things up, Nick, you want to take the the last slide here.

191

00:47:36.820 --> 00:47:59.069

Nicholas Marantz: Sure. Thanks, Paul. So we hope we've given you a flavor of the book. It's available at a 25% discount if you order directly from Temple University Press. That's tu.press.temple.edu. And if you use the promo code. PHS. When you check out.

192

00:47:59.070 --> 00:48:12.870

Nicholas Marantz: We would very much like to acknowledge the support of this for this project from the Emmett sheer charitable trust. And we'd also like to thank everyone for attending today. And we look forward to your questions.

193

00:48:14.200 --> 00:48:14.870

Paul G. Lewis: Thank you.

194

00:48:16.930 --> 00:48:41.560

Michael Lane: Great. Well, thank you, Paul, very much like to encourage our participants tonight who've joined us. If you'd like to to make a question or comment for our our authors and professors, please use that. QA. Feature. I just wanted to provide a few, a few comments, and then we'll roll into those questions and get to those right away. But really appreciate your presentation. I think there has been a growing awareness of the regional nature of, for example, homelessness. That, it really does cross those jurisdictional boundaries

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00:48:41.990 --> 00:48:50.719

Michael Lane: and this misalignment of incentives, I think, is very important in California, as opposed to places like Oregon and Massachusetts, where

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00:48:50.770 --> 00:48:53.719

Michael Lane: the police power of local land use and zoning

197

00:48:53.990 --> 00:49:04.319

municipal affairs. Local control are actually embedded in our California Constitution, in our culture, in in many ways that they aren't in other States. And so I think that is the reason that we've had to really move

198

00:49:04.360 --> 00:49:31.029

Michael Lane: to the state level to get a lot of this accomplished. Because even at the regional level to your point, many of those bodies are made up of of local elected officials from those small from cities as well. Those incentives don't align well. And then the whole fiscal disincentive as well, where, particularly after proposition, 13. Where housing was not seen as a generating revenues, but instead, was really a way to man. Services needed from those meanest, very small have the the scale necessary

199

00:49:31.280 --> 00:49:40.880

Michael Lane: oftentimes to to meet those needs. And so that's why I think we really have moved to the State. Try to begin to address this into your point. State enforcement of housing laws.

200

00:49:41.110 --> 00:49:53.030

Michael Lane: The greater T to Rena, for example, and the housing element process, etc. So thank you. Thank you for the for that presentation. I'd like to begin. And one question I did see here in the QA. Actually did

201

00:49:53.200 --> 00:49:56.730

Michael Lane: address S before 23, which is, of course, the extension of the

202

00:49:56.740 --> 00:50:04.110

Michael Lane: housing, approval, streamlining, and it says, is that tight and state rules, and I think it does, and it does it in a brilliant way, in the sense that

203

00:50:05.000 --> 00:50:06.570

Michael Lane: it honors local

204

00:50:06.640 --> 00:50:16.869

Michael Lane: land use and zoning jurisdictions must do the zoning, but they get to make those choices to be able to end. But they have to get a certified housing element. And then, once that land has been zoned. If they're not meeting those Rena targets.

205

00:50:16.960 --> 00:50:20.070

Michael Lane: then that's that those developments become by right and they do have.

206

00:50:20.790 --> 00:50:34.329

Michael Lane: They have both affordability requirements, including the honor, the local inclusionary zoning, for example. And of course, labor requirements as well.

So I think that's kind of a hybrid version, California version of of this approach.

207

00:50:34.690 --> 00:50:48.540

Michael Lane: maybe I'll go ahead and move through some of the questions here for our authors. Zack asks, have you or others done any research, looking across metro regions to see a greater municipal consolidation can explain greater housing production

208

00:50:48.610 --> 00:50:50.239

Michael Lane: at the regional scale.

209

00:50:52.620 --> 00:50:56.839

Paul G. Lewis: Well, there haven't been that many. There's not that much experience with

210

00:50:58.130 --> 00:51:03.759

Paul G. Lewis: consolidations in the United States to draw upon. So I haven't seen research

211

00:51:03.770 --> 00:51:14.949

Paul G. Lewis: kind of quantitative empirical research directly on that point. We have had kind of in the South, often in smaller metro areas, a number of city county consolidations.

212

00:51:14.970 --> 00:51:36.040

Paul G. Lewis: So that, you know there's the potential to look there. But you always wonder if there's some self selection going on in terms of the types of places that that might tends to engage in consolidation. There's an interesting historical study by Jack Taylor, who is one of the reviewers of our of our book, and as a Canadian

213

00:51:36.670 --> 00:51:41.199

Paul G. Lewis: planning and governance scholar who looks at

214

00:51:41.410 --> 00:51:48.120

Paul G. Lewis: how? Canada was essentially able to do it better in terms of getting

215

00:51:48.150 --> 00:51:52.429

Paul G. Lewis: regional plans and regional entities that

216

00:51:52.570 --> 00:51:55.959

Paul G. Lewis: created a little bit more rational types of

217

00:51:55.990 --> 00:52:17.810

Paul G. Lewis: development in, for example, Toronto or or Vancouver areas. And he points to the role of this, the strong provincial governments. So you know that they were, resolute and decisive in essentially being willing to override a Home rule and get these things done, but in terms of

218

00:52:17.830 --> 00:52:28.980

Paul G. Lewis: kind of again, apples to apples, comparison of places with and without consolidation. Terms of their housing provision. I haven't seen that.

219

00:52:29.140 --> 00:52:44.629

Nicholas Marantz: Yeah, I mean. So so I think it's a great question. Ii would say. First of all, I think with a lot of the the consolidations in the in the Us. As Paul suggested. They are often not. They often consolidate

220

00:52:45.020 --> 00:52:46.680

Nicholas Marantz: lots of lots of

221

00:52:47.020 --> 00:53:08.440

Nicholas Marantz: services, but not land use control? And so that's that's that makes it it tough. Certainly within the Us. I would say there is actually sort of a history of consolidation in the Us. It's just a history that's kind of old at this point, right? So towards the end of the nineteenth and the beginning of the twentieth

222

00:53:08.440 --> 00:53:29.220

Nicholas Marantz: centuries. There was actually a great deal of municipal consolidation. The city of La is is a good example of that. Some of it was a conversion of unincorporated territory into into the city. But there were also a number of independent municipalities within the the territory of current day. La that

223

00:53:29.230 --> 00:53:59.109

Nicholas Marantz: that that are are no longer independent municipalities. Similarly, with New York City, you know, it's it's the Consolid's the product of the consolidation of the 5 boroughs. There's all there's a there's sort of this is one reason that I think I'm actually a little less sanguine about a regional government than than Paul is. Which is that there's a line of liter of literature suggesting that there's a possibility that these very large scale governments

224

00:53:59.110 --> 00:54:12.419

Nicholas Marantz: could sort of exercise monopoly power in a variety of of ways, and might might not, as a result, be particularly permissive in in land use, and, in fact, our national study provides some support

225

00:54:12.490 --> 00:54:25.790

Nicholas Marantz: for that theory. So we find that there's this increasing increase in multifamily housing at the tract level. After controlling for city size up to a million population of a million. And then.

226

00:54:25.970 --> 00:54:34.930

Nicholas Marantz: after, if after the city above a million, if you're in a tract in a city with population above a million, we start to see a drop off.

227

00:54:35.190 --> 00:54:56.509

Nicholas Marantz: So so II think that I think that that gets towards answering Zack's question. Although, as Paul said, you know, there have been sufficiently few consolidations in the in the modern era that that, we don't have a a a lot of variation to to draw upon.

228

00:54:57.210 --> 00:55:03.120

Michael Lane: and in the future fiscal pressures may may force some of those right in terms of

229

00:55:03.790 --> 00:55:14.219

Michael Lane: yeah. Exactly. Okay. Ed said, asks past attempts to achieve regionalization which were always blocked by local opposition. What would you propose to politically overcome that.

230

00:55:16.440 --> 00:55:25.840

Paul G. Lewis: you know ultimately the the States in the driver's seat. And you know, local governments are legally creatures of the State. And so

231

00:55:26.750 --> 00:55:29.130

Paul G. Lewis: If there were. you know.

232

00:55:29.350 --> 00:55:36.739

Paul G. Lewis: votes you can do with or without a vote of the of the people in terms of of reorganizations.

233

00:55:37.100 --> 00:55:42.729

Paul G. Lewis: but yeah, if you have the type of reorganization that depends on an affirmative vote from

234

00:55:42.800 --> 00:55:51.029

Paul G. Lewis: each and every county or each and every jurisdiction. Then that's a particularly high hurdle.

235

00:55:51.520 --> 00:56:01.809

Paul G. Lewis: If, on the other hand, the State comes in as the State of Indiana did when emerging Indianapolis with Marriott County back in 1969. For kind of

236

00:56:01.880 --> 00:56:09.390

Paul G. Lewis: baldly political reasons at that point to basically preserve republican control in Indianapolis.

237

00:56:09.820 --> 00:56:19.610

Paul G. Lewis: you know that that may not sit too well with the locals. As well. But II think we we do see some appetite for

238

00:56:19.820 --> 00:56:32.050

Paul G. Lewis: California's putting their hats on as citizens of their region, or citizens of their State, and knowing that maybe it's sometimes necessary to abridge

239

00:56:32.290 --> 00:56:49.950

Paul G. Lewis: local Home rule to some degree, maybe not in my jurisdiction, but overall, so as to try to permit se some additional housing, and there's some evidence of this from recent to PPI C surveys where people say they are.

240

00:56:49.960 --> 00:56:58.770

Paul G. Lewis: you know, willing to entertain a bridgement of certain forms of of local control in order to try to get more housing built.

241

00:56:58.830 --> 00:57:02.240

Paul G. Lewis: That's not the same as creating a new regional level of government. Though

242

00:57:04.350 --> 00:57:10.169

Michael Lane: Rita and Steve asks, how would an Appeal Board remedy the lack of zoned land in suburbs for multifamily

243

00:57:11.010 --> 00:57:33.830

Nicholas Marantz: well, I mean the way it works in Massachusetts is. If if if a town or municipality hasn't met, it's it's state fair share obligations and a developer of a qualifying mixed income or 100% below market rate project proposes a project in in the municipality, then

244

00:57:34.360 --> 00:58:01.639

Nicholas Marantz: then they can request a zoning override, and if the municipality says No, the Appeal Board, the Appeals Board can, and and frequently does, grant the override of local zoning, and you get projects that are far, far denser than would be allowed under by the underlying zoning. And this is what makes the project pencil for what are primarily for profit developers. Technically, there are nonprofit because of the way that they, the way that the law works. But but functionally they are for profit

245

00:58:01.640 --> 00:58:16.619

Nicholas Marantz: developers. And technically, they're limited dividend companies, but they are for profit developers. And basically they can build at much, much higher densities than would otherwise be allowed the market rate units in these projects cross, subsidize

246

00:58:16.620 --> 00:58:28.549

Nicholas Marantz: double low market rate units and it pencils for the developers because of of the the vastly higher densities than are allowed under local zoning.

247

00:58:28.980 --> 00:58:37.210

Nicholas Marantz: Michael, II also wanted to to sort of push back a little bit on on the idea that that Home Rule is uniquely entrenched

248

00:58:37.210 --> 00:59:00.939

Nicholas Marantz: in in California, Massachusetts, I think, often sees itself as sort of the cradle of of the ta of a local democracy. And and the town meeting. And you know, until recently, in in Massachusetts towns, just special form of government in Massachusetts, pervasive form of small local government, Massachusetts, you. You had to get a two-thirds vote

249

00:59:00.940 --> 00:59:13.149

Nicholas Marantz: in the town meeting to to to amend the zoning ordinance. Which which will certainly make it make something like this zoning override more pressing.

250

00:59:13.540 --> 00:59:18.279

Michael Lane: that's right. I think their school boards can can raise your your property taxes right?

251

00:59:18.360 --> 00:59:29.089

Michael Lane: No, a absolutely point well taken. Derek asks, can you? Can you evaluate the impact of 75 now? 15 years in for regional land use and climate goals?

252

00:59:30.170 --> 00:59:58.199

Nicholas Marantz: Sure, I mean, I think this this gets to a point. II mean, rather than undertake a full scale evaluation. I'll say that that those who have evaluated it seem to find it lacking, and for those who aren't who aren't familiar requires metropolitan planning organizations to prepare these land use plans that could reduce if implemented, could reduce greenhouse gas emissions to a target set by the State Air Resources

253

00:59:58.200 --> 01:00:01.700

Nicholas Marantz: Board, and

254

01:00:01.730 --> 01:00:21.520

Nicholas Marantz: and it it. And so I think there's, I think the consensus is, it hasn't had a huge impact. If any impact. I think the the obvious reason is, is relates to what Paul was saying before about metropolitan planning organizations, councils of governments. These these institutions don't have

255

01:00:21.520 --> 01:00:33.400

Nicholas Marantz: implementation powers when it comes to land use, and that is explicit in that these land use plans. Do not in any way override

256

01:00:33.400 --> 01:01:02.569

Nicholas Marantz: local zoning. There's another piece to which involves streamlining under the California Environmental quality act and and I think, you know there are many reasons that th that the streamlining provisions may not have been used as much as proponents. We're we're hoping. One reason, I think one potential reason is that sequa. You know, there's been a lot of change changes to

257

01:01:02.820 --> 01:01:03.830

Nicholas Marantz: to

258

01:01:04.540 --> 01:01:33.359

Nicholas Marantz: local requirements related to planning and zoning over the past. You know. 5, 6, 7 years. Although there have been. There's always some action on the Ceqa front in general, municipalities still have sort of unreviewable discretion to require more cpa review to determine when an exemption, when an exception to a siva exemption applies. These things can matter if if the incentives for local government

are not to allow

259

01:01:33.360 --> 01:01:53.120

Nicholas Marantz: more housing. And so this is. This is why the the it's one possible reason that the sequa exemption piece of hasn't had as much of an impact as as proponents might have hoped. And it again sort of relates to this potential misalignment between powers and incentives.

260

01:01:54.530 --> 01:02:13.349

Michael Lane: Great. Well, we've come to the end of our time. I want to thank Paula and Nick for their presentation. I've been generous with their time and answer question and thank you to everyone who's joined us this evening. Paul and Nick. How should people follow your work. Could you put on the link in the chat? If there's something a website, or, for example, or social media where they should follow you.

261

01:02:13.950 --> 01:02:17.590

Paul G. Lewis: sure, I don't have anything

262

01:02:17.680 --> 01:02:23.230

Paul G. Lewis: handy at the ready here, but we could put the the book link in there as well.

263

01:02:23.250 --> 01:02:39.740

Michael Lane: Go ahead and do that. What we can do is and follow up to. And this will be put on our event. Page for this program, along with a recording of tonight's event as well, and then we we can do that offline for you. So thank you again for everyone for joining us, and we hope you have a good evening. Take care, everyone.