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## City Zoning: The Once and Future Frontier

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CITY ZONING: THE ONCE AND FUTURE FRONTIER. By *Clifford L. Weaver* and *Richard F. Babcock*. Chicago: Planners Press, American Planning Association. 1979. Pp. xiii, 328. \$16.95.

As anyone familiar with local government will attest, few issues are more devisive than zoning. Zoning literally touches people where they live. It affects the value of their land and the character of their neighborhoods. It decrees how far they must travel to find a job or a store. With so much at stake, it is not surprising that public meetings concerning zoning often exemplify participatory democracy at its loudest. The authors' success in capturing this essentially political nature of zoning makes *City Zoning: The Once and Future Frontier* a worthwhile and enjoyable book to read.

The inseparability of zoning and politics is a unifying theme that runs throughout a book directed not at theoreticians but at practitioners. Weaver and Babcock seek to demonstrate to persons actively engaged in land use regulation the role zoning reform could play in revitalizing American cities. Before advancing their proposals for reform, however, the authors survey existing land use regulations and the zoning decision-making process. Drawing heavily upon their own experience, and upon interviews of residents and officials of cities across the nation, the authors discuss a large number of disparate factors bearing upon land use. They identify two trends which offer a ray of hope for the continued viability of city living: the growing power of neighborhood organizations and the reverse migration of middle-class youth from the suburbs to the cities.

Both market and social forces explain this latter trend. On one hand, inflation, exclusionary zoning, and rising commuting costs are making suburban housing unaffordable to all but the wealthy. On the other hand, as birth rates decline and career patterns change, increasing numbers of people are living in adults-only families. These families are demanding the adult-oriented housing and convenient access to cultural and entertainment facilities that only cities can provide (p. 31). And because many of the ex-suburbanites buy and rehabilitate neglected urban dwellings, the influx to the cities is helping to stabilize declining urban neighborhoods.

The authors recognize that "gentrification" alone will not solve the problems of urban decay. In fact, the rediscovery process creates its own problems. Gentrification may attract intensive residential, commercial, and industrial land uses that destroy the character of the neighborhood and raise housing costs beyond the reach of the middle class. The authors note that cities have tackled this problem

through downzoning: (a revision of the zoning ordinance to permit only nonintensive uses), or by designating neighborhoods as "special" or "historic" districts. Another problem caused by rediscovery, however, that of displacement, may be beyond solution. Rediscovery displaces the original, typically poor occupants of the affected neighborhood. Understandably, the displaced residents are sometimes embittered by the "revival" of a neighborhood they once considered their own (p. 42). The authors nonetheless conclude that the revival movement is less costly and more effective than governmental programs aimed at neighborhood revitalization.

The revival movement is also a partial cause of what Weaver and Babcock consider to be the most important trend in contemporary urban zoning: the growing power of neighborhood organizations. As ex-suburbanites return to the cities, they bring with them the interest and confidences in zoning that are characteristic of suburban politics. The authors emphasize, however, that neighborhood power is also being asserted across most of the economic, ethnic, and racial spectrums. The authors have little difficulty explaining why zoning can be a particularly effective rallying point for neighborhood organizations (p. 182). First, zoning affects highly visible neighborhood concerns. The need to guard against undesirable uses encourages residents to keep an eye on the zoning ordinance and land use proposals. Second, zoning is an understandable function of government. Third, citizens have easy access to the zoning decision-making process through such forums as public hearings on proposed variances. Finally, zoning "represents an apparent barricade against change" (p. 195). It is thus embraced enthusiastically by the many neighborhood organizations that believe change of any kind invariably leads to deterioration. In short, state the authors, as large areas of the cities have declined, neighborhood interest in, and influence over, zoning policy has steadily risen.

The authors see certain benefits arising from the growth of neighborhood power. Most obvious, a concerned citizenry makes neighborhood preservation easier. In addition, neighborhood organizations inject a broader level of public debate into the zoning decision-making process. Business and political interests find it increasingly difficult to make important zoning decisions free from the influence of public opinion. Nonetheless, neighborhood power is not an unmixed blessing. Many neighborhoods are committed to the status quo and refuse to support any zoning change, even if change would benefit the neighborhood itself. Further, the ascendance of neighborhood power may reflect anti-city sentiment (p. 194). People

who identify primarily with their neighborhood, and not with the city as a whole, tend to ignore the larger community's interest in zoning decisions. For these reasons the authors conclude that neighborhood zoning decisions cannot be entrusted to neighborhood organizations alone.

Weaver and Babcock believe that individual cities rather than neighborhood organizations or larger governmental units should make zoning decisions. Regional, state, or federal control of zoning decisions would allegedly result in the disregard of local interests in the decision-making process. The authors cite state and federal environmental laws which fail to differentiate between urban and non-urban areas as a prime example of land use regulations not responsive to local interests (p. 251). However, the authors do see a role for state legislation in the elimination of exclusionary zoning practices in the suburbs.

The final section of *City Zoning* advocates reform in three areas: the zoning decision-making process, residential zoning, and central business district zoning. Analysis of the decision-making process, the authors assert, must start with the recognition that a scheme of land use regulation should allow orderly change in response to specific proposals. Since change implies discretion, and discretion can be abused, the goal of procedural reform becomes the control of discretion. Most commonly, governmental units attempt to control discretion by requiring zoning changes to be made in accordance with a previously developed comprehensive plan. The authors oppose this solution, however, because comprehensive planning entails the development of long-range goals, broad policies, and future land use maps which, given the volatility of urban land use patterns, are quickly outdated (p. 261). Weaver and Babcock believe that procedural safeguards written into zoning ordinances that insure each interest group a say in the decision-making process will better control discretion.

*City Zoning's* current urban residential zoning practices and prescriptions for reform are more specific. Zoning is largely irrelevant in slum areas because slums are the result of forces too complex and powerful to be mastered simply through alterations of the zoning ordinance. Similarly, in a city's relatively prosperous, stable areas, zoning need do no more than exclude undesirable uses which could impair the character of the neighborhood. Residential zoning has its most important role to play in "gray" areas — neighborhoods that are neither stable nor slum but in transition from one to the other (p. 281). According to the authors, the key to upgrading a gray area is

not to create demand for all properties in the neighborhood, but to create demand for the first properties affected by the upward or downward transition. A system is needed that would enable a *few* lots in the neighborhood to monopolize all of the limited increase in residential density that the neighborhood as a whole can absorb. Weaver and Babcock recommend a zoning ordinance that both allows the transfer of development rights (a "TDR" zoning scheme) and offers density bonuses to developers who redevelop in accordance with established standards (p. 289). Under this scheme density rights could be purchased from individual lot-owners and transferred to other parcels in the neighborhood. The greatest densities would be allowed to developers who assemble large contiguous tracts for redevelopment purposes. The developer would not, however, be allowed to make a density transfer without providing for the future use and development of the transferor lot. The end result would be to concentrate a neighborhood's usable density upon specific parcels of land while not abandoning the remainder of the neighborhood to decay.

Zoning in the central business district, argue the authors, should be directed toward the achievement of design excellence. Traditionally, cities have attempted to influence downtown design by permitting additional bulk or height to buildings that include specified public amenities. This system focuses on the individual building to the exclusion of its setting. It can also result in a rash of similar construction. These problems could be avoided, the authors say, if bulk bonuses were tied not to specific amenities, but to overall design excellence. Design excellence should be defined to include not only the building itself but also the building's relation to its setting. Because inclusion of specific features would not guarantee additional bulk, developers seeking bonuses would be encouraged to engage in creative design.

The value of Weaver and Babcock's reform proposals is somewhat impaired by their failure to consider the feasibility of implementing them. The authors' TDR scheme, for example, would create difficult administrative problems and might be subject to challenge in the courts. The proposal for procedural reform should have been developed in greater detail; the authors never precisely identify the procedures they advocate. Despite this flaw, *City Zoning* is a successful book. It presents an informative and readable survey of the current status of urban zoning and the factors likely to influence it in the future. The reform proposals, while not always polished, will undoubtedly succeed in provoking debate. In sum, *City Zon-*

*ing's* practical discussion of urban land use, urban politics, and the nexus between them should prove quite interesting to anyone concerned about America's troubled cities.