

# Is Sprawl Still the Law?

Linking Land Use Law and Transportation Planning  
for Building the Green Metropolis

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Interim Project Report



# Framing the Problem:

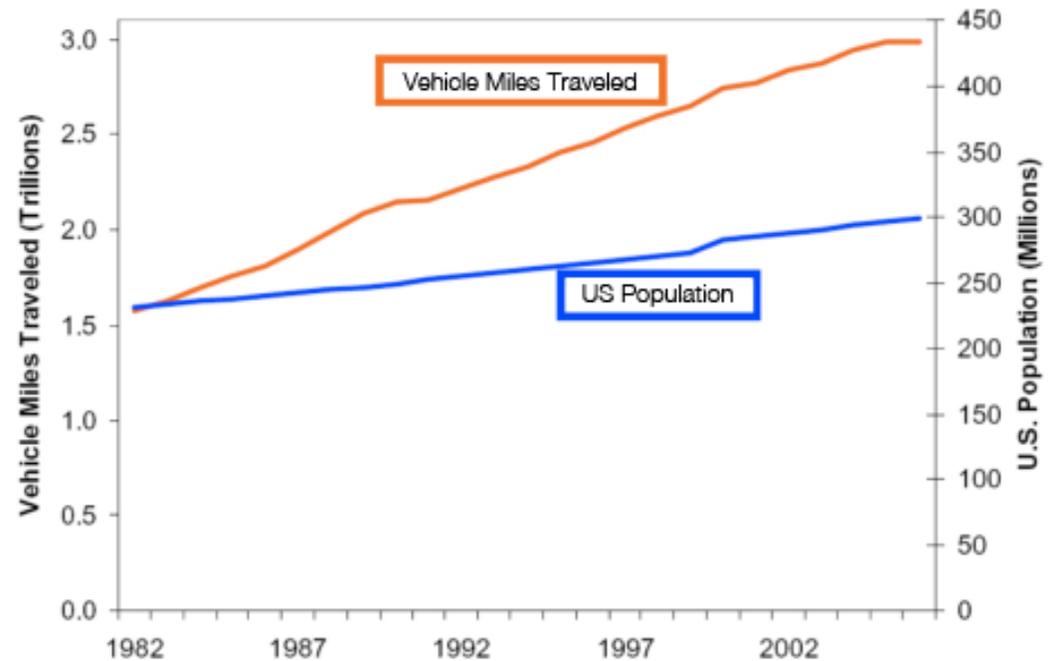
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Post-War dominant land use pattern of sprawl

Underutilization of existing transit infrastructure

Growth in VMT -> Increased carbon emissions, congestion

United States Population and Vehicle Miles Traveled (VMT) 1982-2006



# TOD and Urbanism

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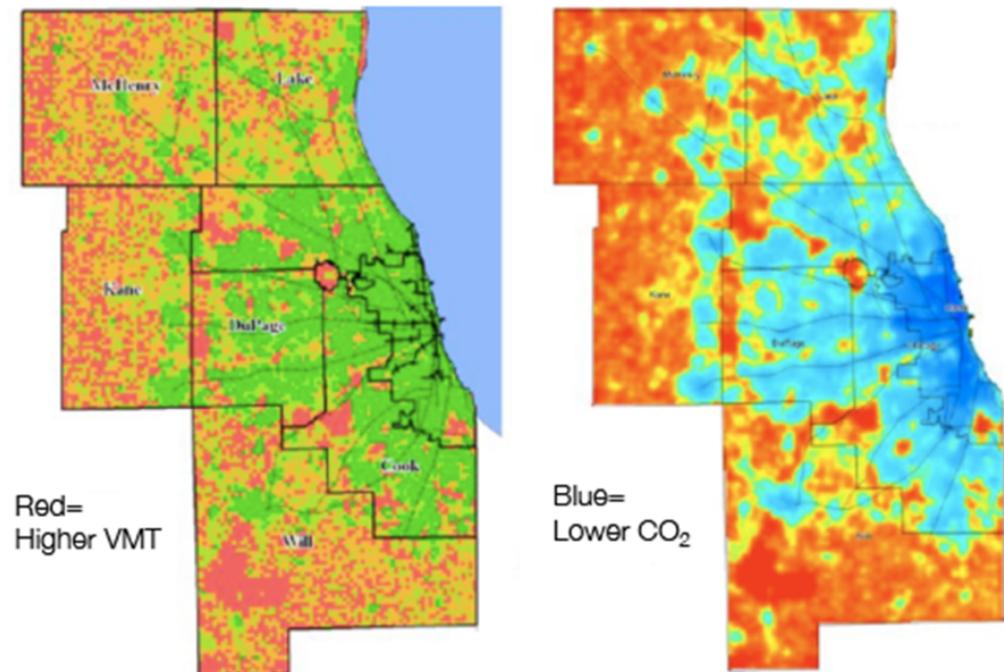
Can TOD reduce VMT and associated problems?

Nationally, there is a vigorous academic debate

Ewing et. al. (2008) claim TOD and smart growth reduce VMT and GHG by 20-40% relative to sprawl

Are the numbers the same in NYC?

Relationship between VMT per household and CO<sub>2</sub> in the Chicago metro region  
Source; Center for Neighborhood Technology, in Ewing et. al. (2008)



# NY Starts with Advantages

Highest shares of transit use in the nation

Concentrated CBD

Strong population growth and housing demand

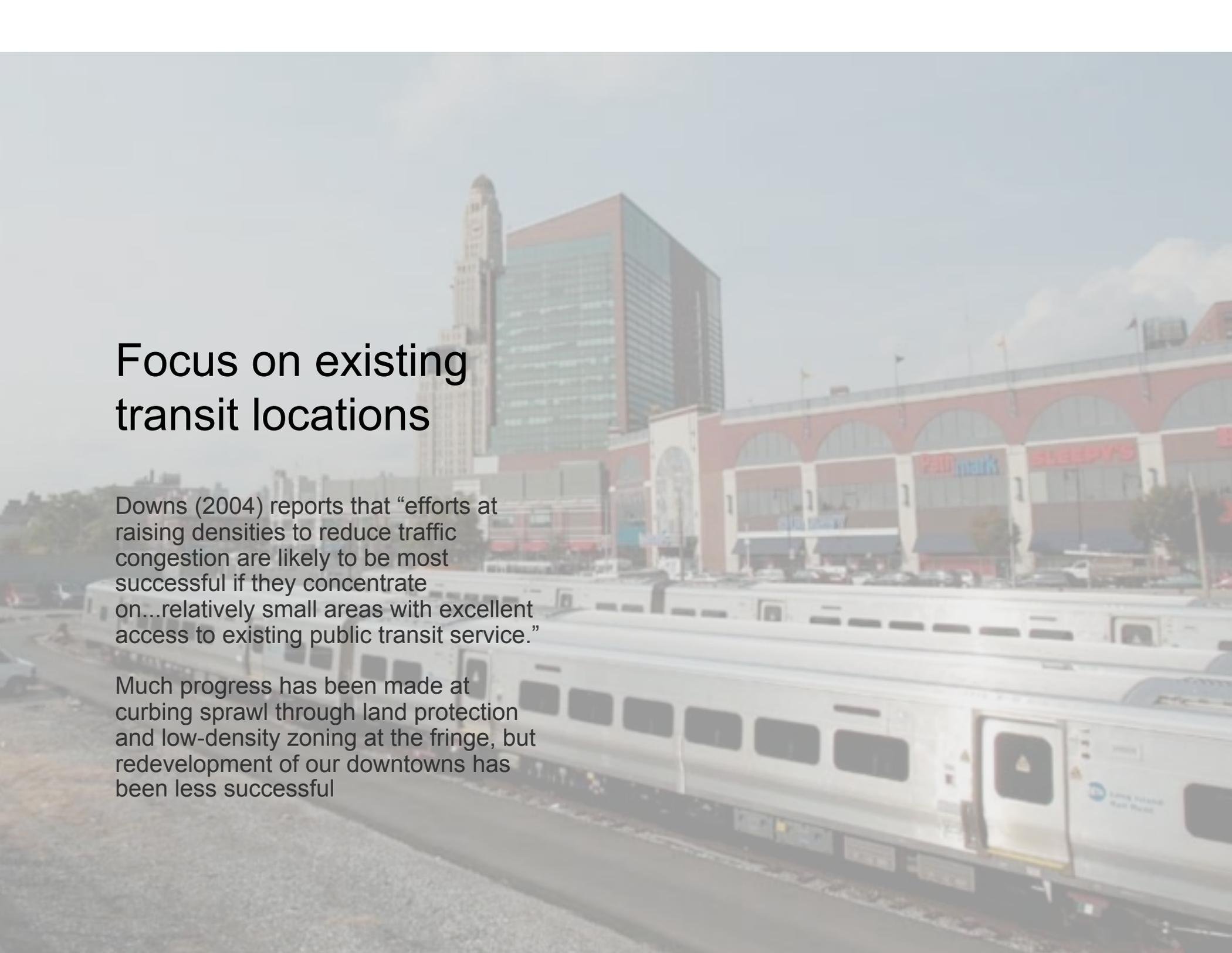
## Research Supports this Connection to Transportation and Land Use Planning

- Winkelman and Diekers (2003) found NY has the most efficient transportation sector in the nation.
- Newman and Kenworthy (1989) found the low carbon footprint in NY due in large part to transportation infrastructure investments and supportive land use planning that enable high levels of transit use, walking and bicycling.
- Polzin (2004) found higher development density is correlated with transit availability, auto availability and operating/parking cost, centrality of location, and urban design features that cater to pedestrians.
- Winkelman and Diekers found a significant negative correlation between gasoline use and percentage of population living in the inner city, pre-war, transit-oriented part of the metropolitan area.

## Focus on existing transit locations

Downs (2004) reports that “efforts at raising densities to reduce traffic congestion are likely to be most successful if they concentrate on...relatively small areas with excellent access to existing public transit service.”

Much progress has been made at curbing sprawl through land protection and low-density zoning at the fringe, but redevelopment of our downtowns has been less successful



# Research Project

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1. Survey state law for most innovative and progressive actions linking transport and land use planning
2. Survey and analyze local plans and zoning law to determine what is the state of TOD in the New York area
3. Answer the question: Is TOD undersupplied in the NY region as evidenced by zoned build out?
4. Rank municipalities cooperation or obstinacy toward TOD



# The law and sprawl

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Since *Euclid v. Ambler*, courts have read municipal statutes to be the equivalent of legislation - imbued with the deference entitled to public laws

Contrary to common perception, sprawl is largely required by law - in the form of density limits, maximum heights, yard setbacks, parking requirements, and minimum lot sizes (Levine 2005)



# States set the framework for local planning

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Enabling acts form the basis of land use and zoning power in every state

Acts are largely permissive and focus on local concerns

However, despite widespread belief in “home rule,” states can, and have, required municipalities to plan to meet broader objectives for the past 40 years

Callies and Bosselman first described this trend as the “Quiet Revolution” in the late 1960’s



# States have passed a new generation of Climate Action Laws

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32 states have passed legislation requiring a plan to respond to climate change

Many more have also set GHG targets

Few have passed implementing regulations affecting municipalities and land use

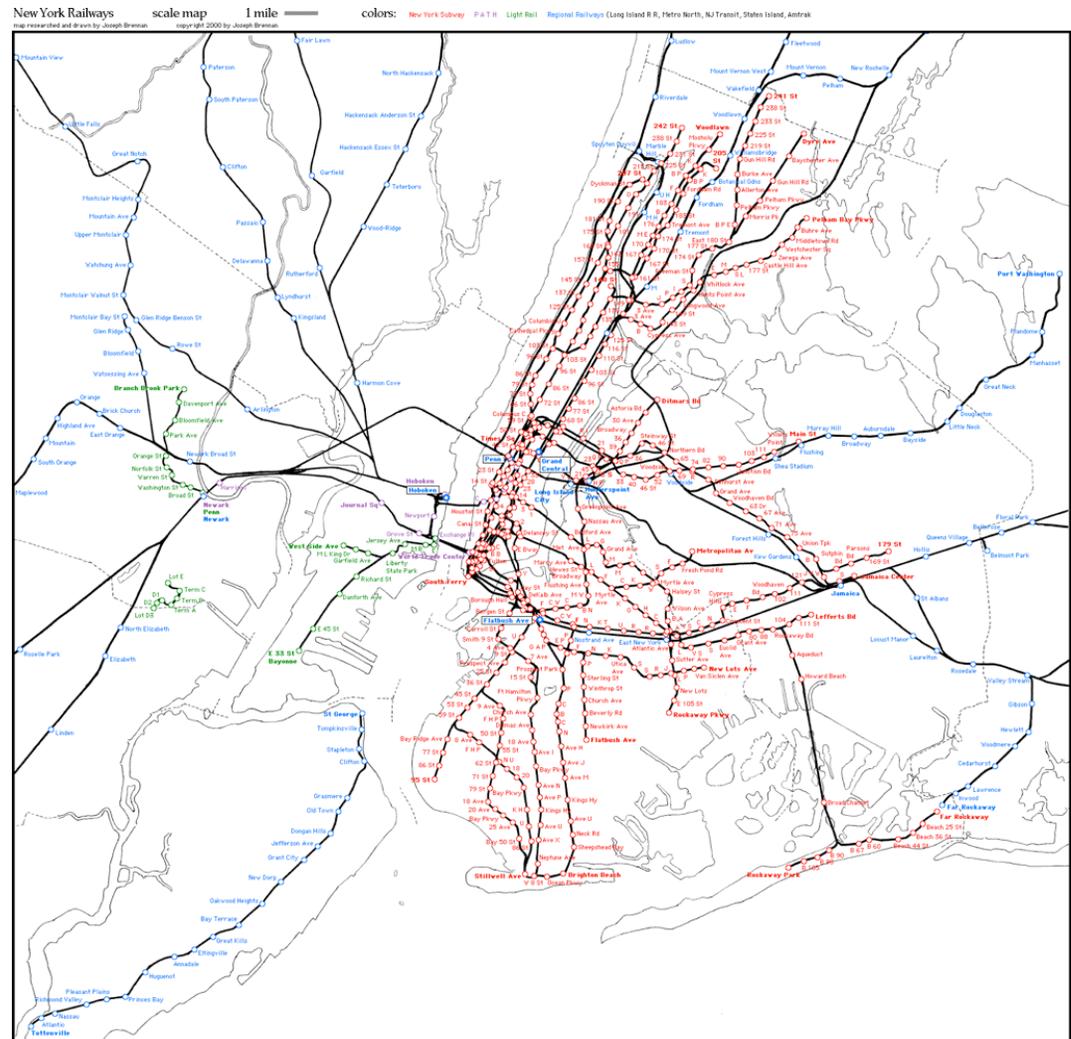


# Studied Transit-Area Land Use in the NY Area

Working on three primary areas - Westchester, Long Island and NYC

Aggregating local land use law in key transportation hubs and downtowns in the three parts of the region

Focusing on land use in areas within 1/2 mile of a transit station



# Plans for Growth

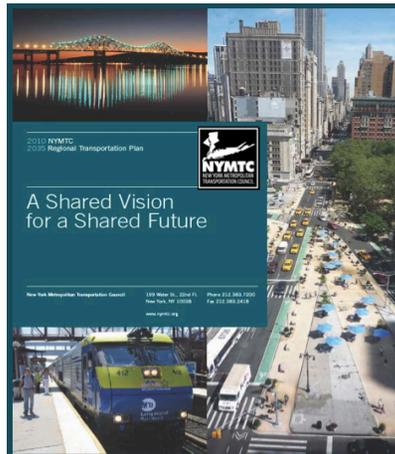
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NYMTC Shared Vision & RTP

Westchester's 2025 Plan Together

Nassau's New Suburbia

NYC's PlaNYC





## What are we up against?

Plans often target specific areas or regions for special-case TOD or smart growth (e.g. the RTP 9 “preferred growth areas”)

A sustainable land use system must extend to every city, town and village in the metro area

Hypothesis that towns prohibit new mixed use, multi family and dense uses even in their centers

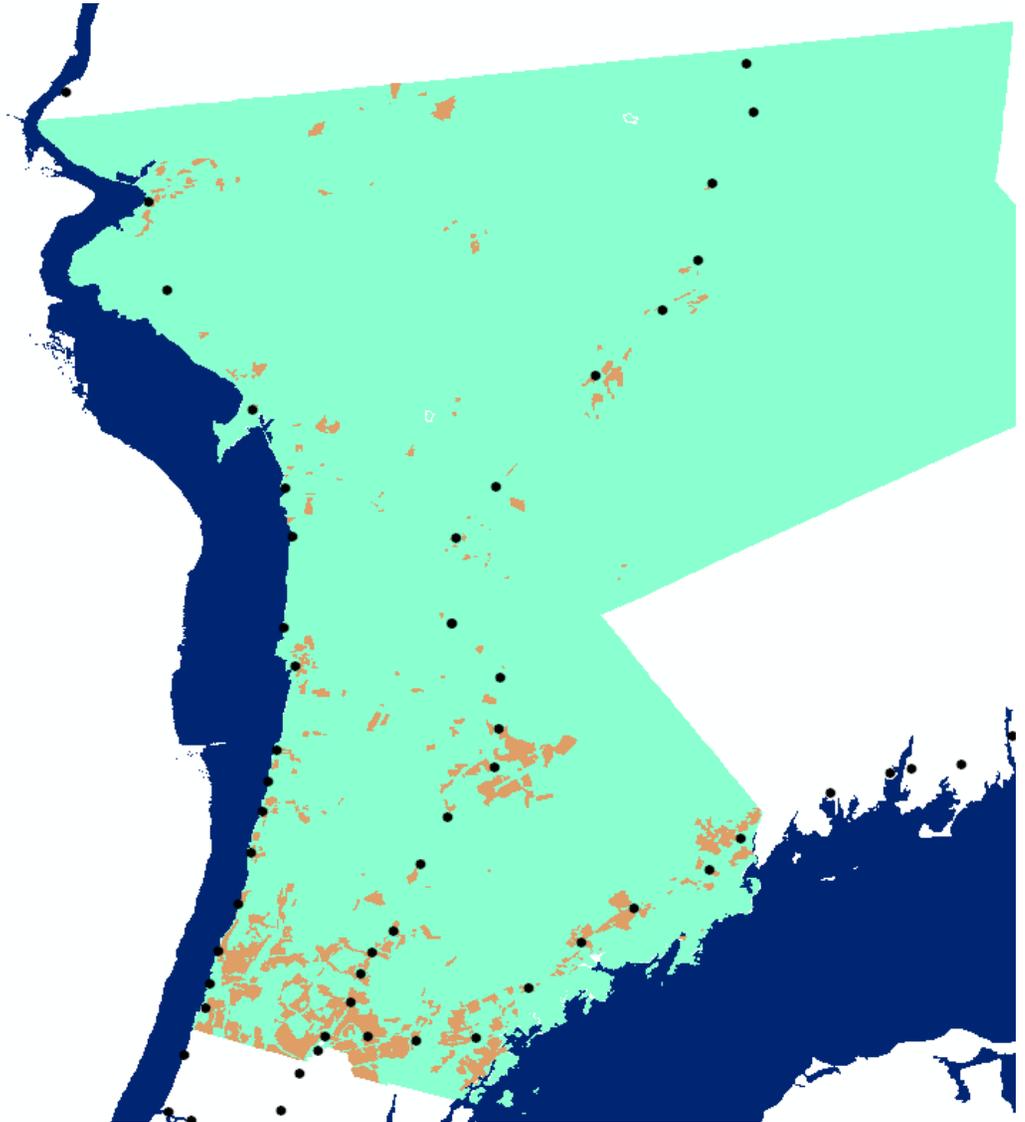
How are we doing in that regard?

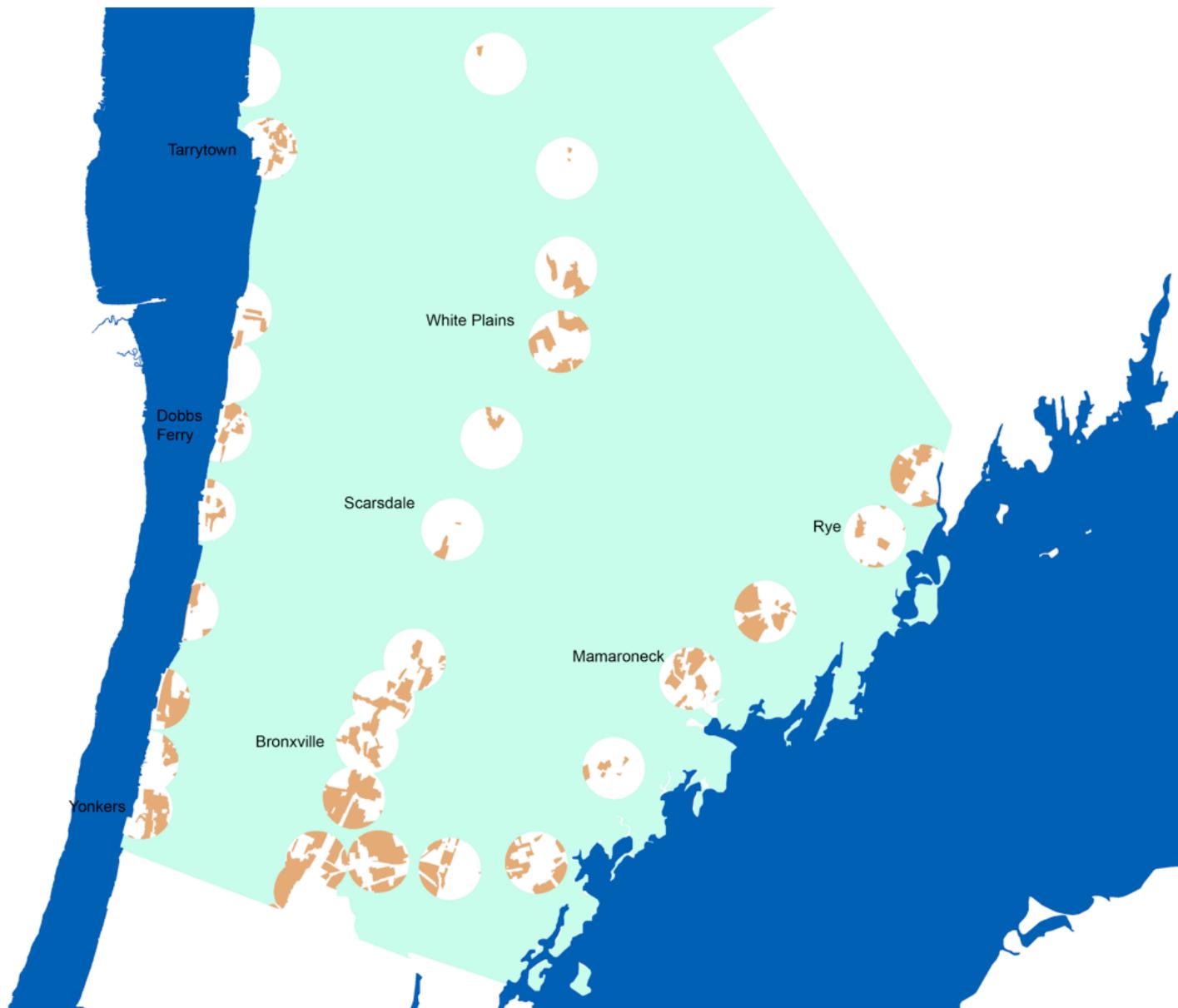
# Focus on Westchester County

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Map depicting areas  
zoned for multi-family  
housing in orange

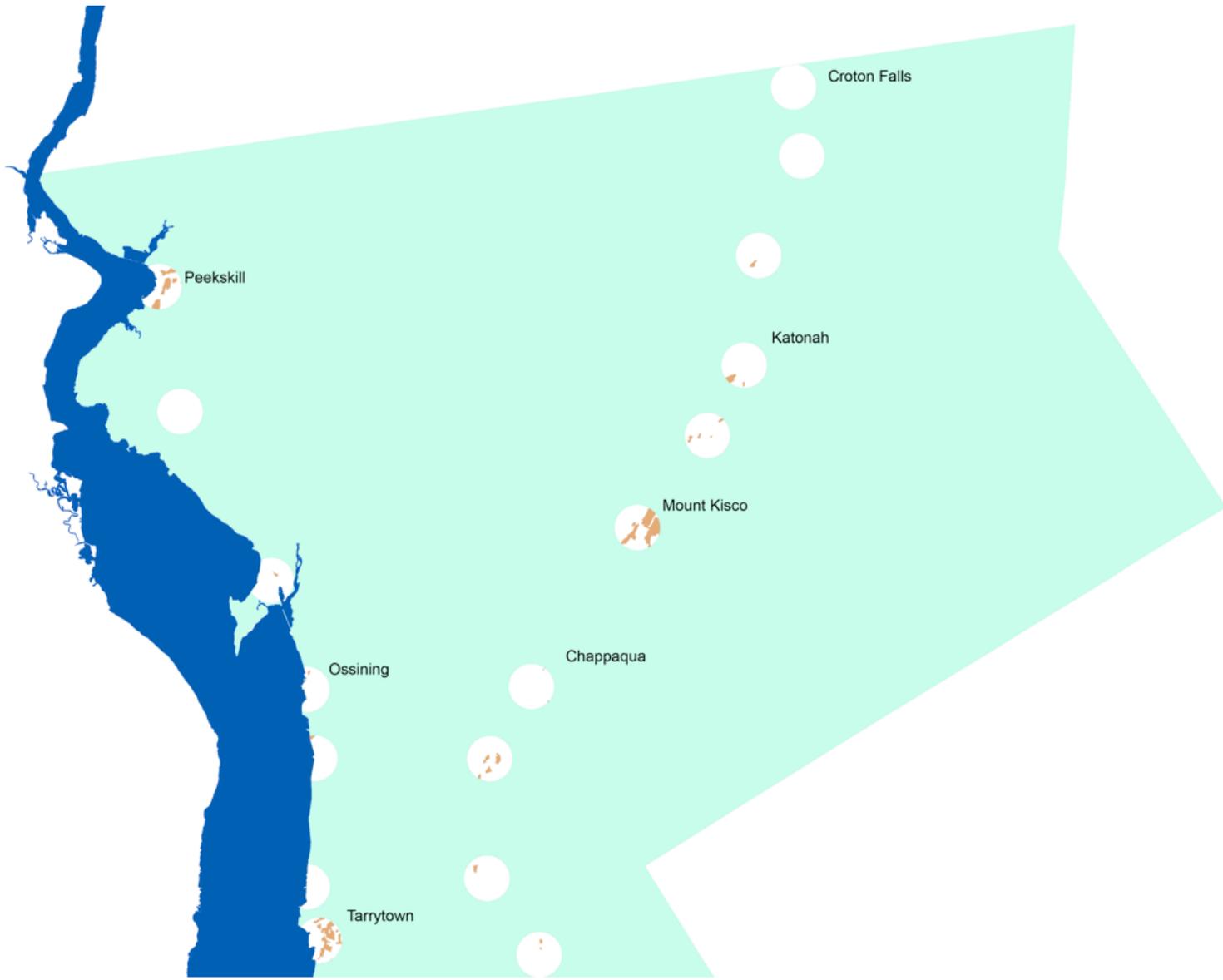
MTA Metro North stops  
are black dots





Lower Westchester  
Multifamily Zoning within 1/2 mile of Metro-North Stations

Multi-Family  
Zoning



Upper Westchester  
Multifamily Zoning within 1/2 mile of Metro-North Stations

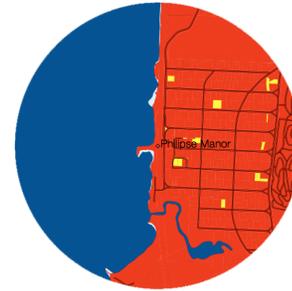
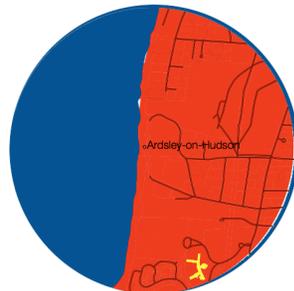
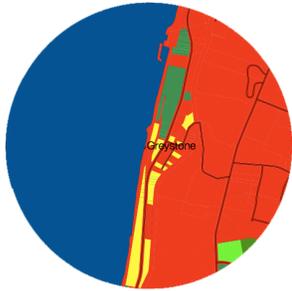
 Multi-Family Zoning

Metro-North Hudson Line Station Area Half-Mile Radii

# Developable Residential Area (DU/Acre)

0-4      4-10      10-15      20 or greater

0 Miles .5

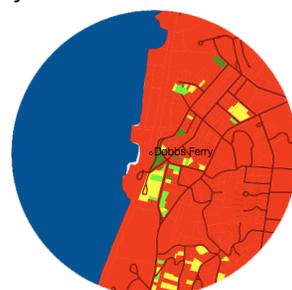


● Greystone

● Ardsley-on-Hudson

● Phillipse Manor

● Croton Harmon

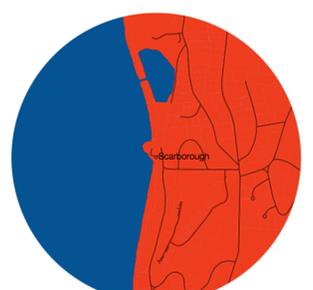
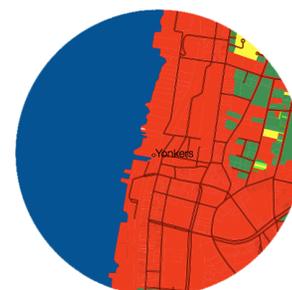
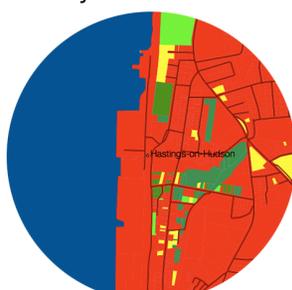
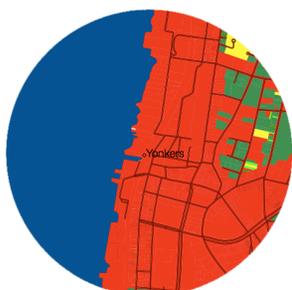


● Glenwood

● Dobbs Ferry

● Tarrytown

● Ossining



● Yonkers

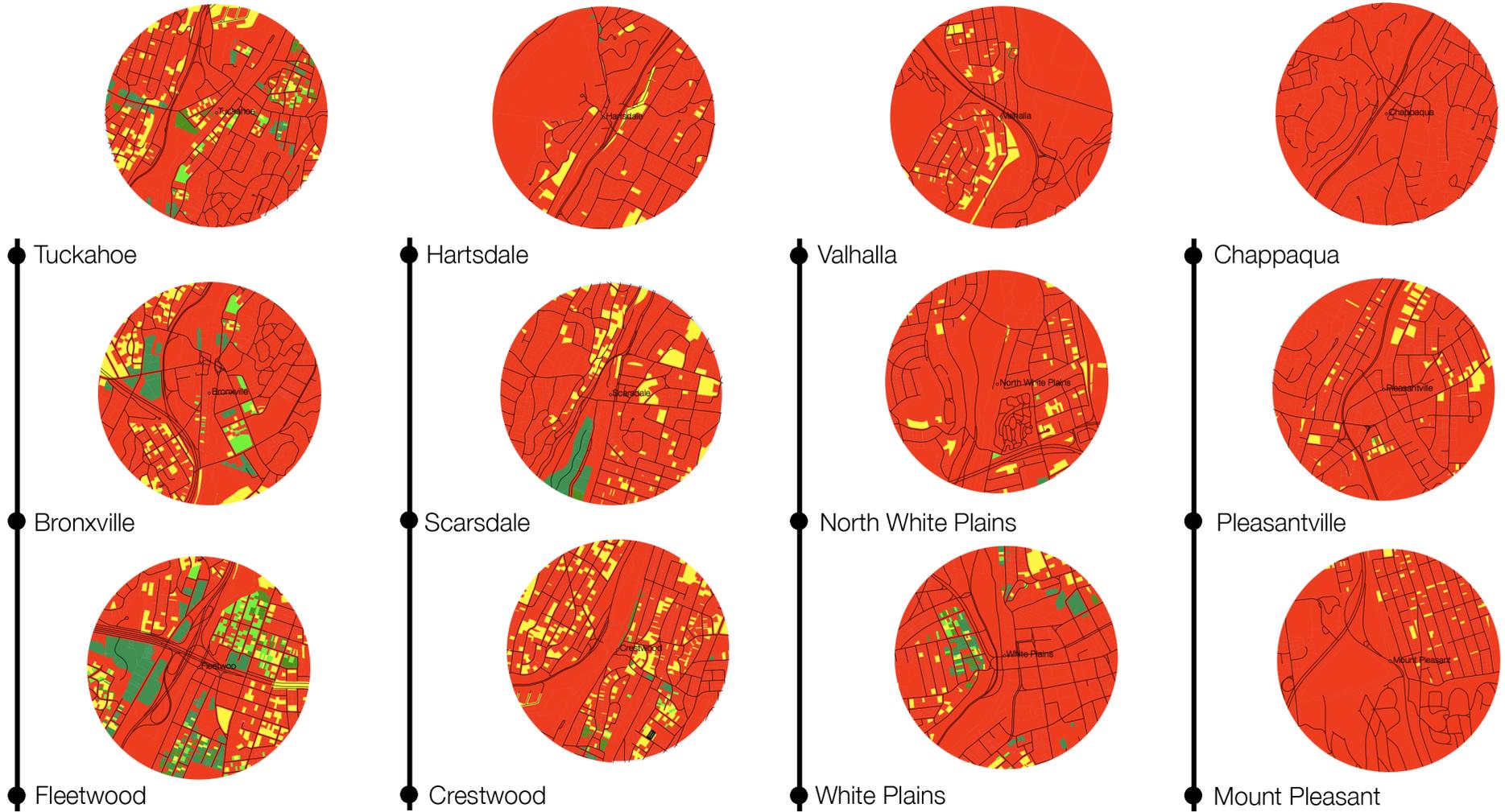
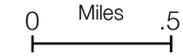
● Hastings

● Irvington-on-Hudson

● Scarborough

Metro-North Harlem Line Station Area Half-Mile Radii

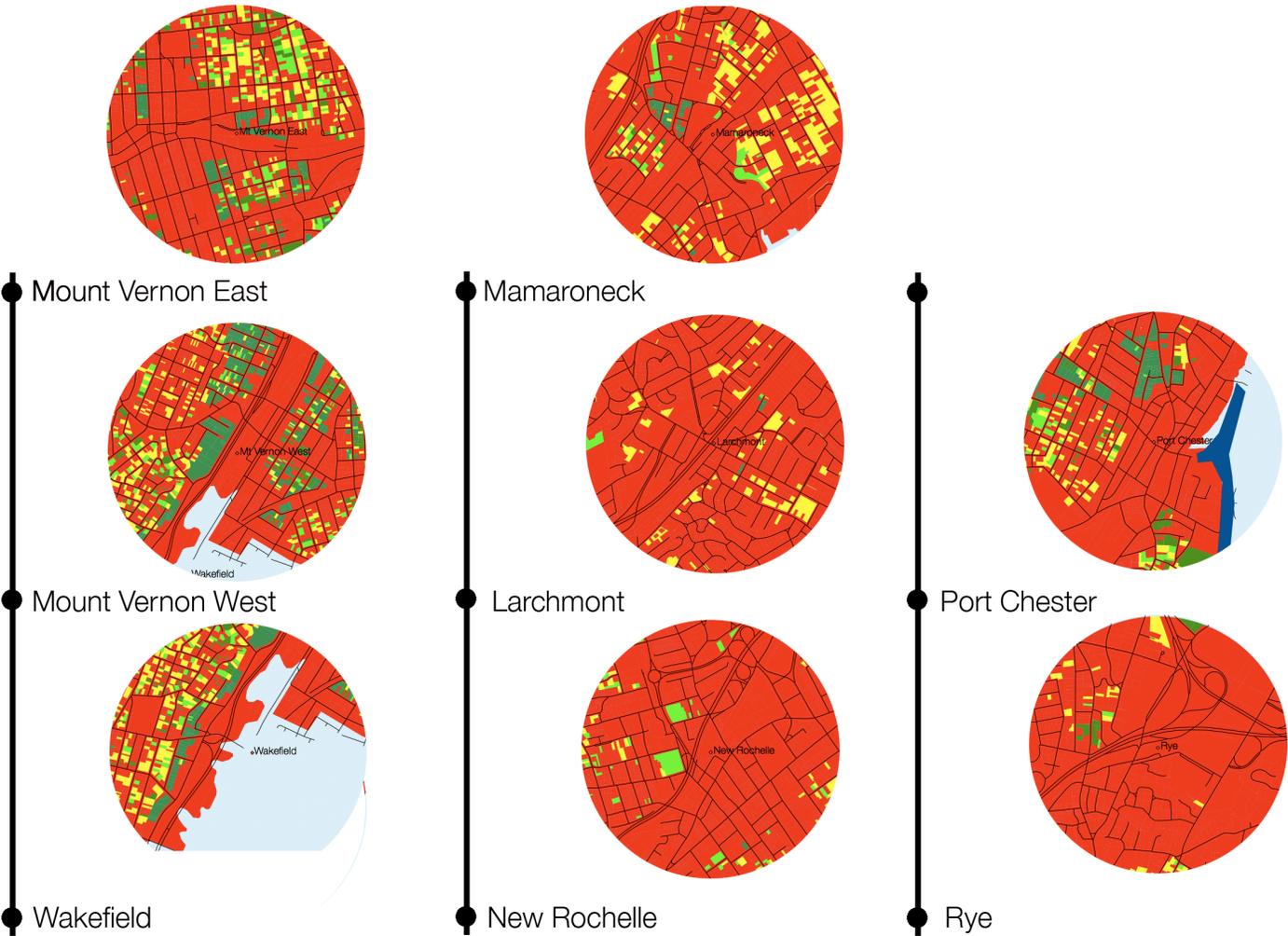
# Developable Residential Area (DU/Acre)



Metro-North New Haven Line Station Area Half-Mile Radii

# Developable Residential Area (DU/Acre)

0-4      4-10      10-15      20 or greater





# Preliminary Findings

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Efforts are being taken to develop existing TODs - regionally, at counties and in some localities

Variety of conditions in towns

More restrictive the wealthier and further north

Contrary to initial hypothesis, many towns are zoned for MF and mixed use in their cores,

Many are taking smart growth, TOD and sustainability planning seriously

Lots of talk, less action

Many still exclude nearly all new development

Will there be a change in the local law to permit additional growth in centers?



Avalon Huntington Station “TOD” proposed rendering and site plan. Is this smart growth?

# Next Steps

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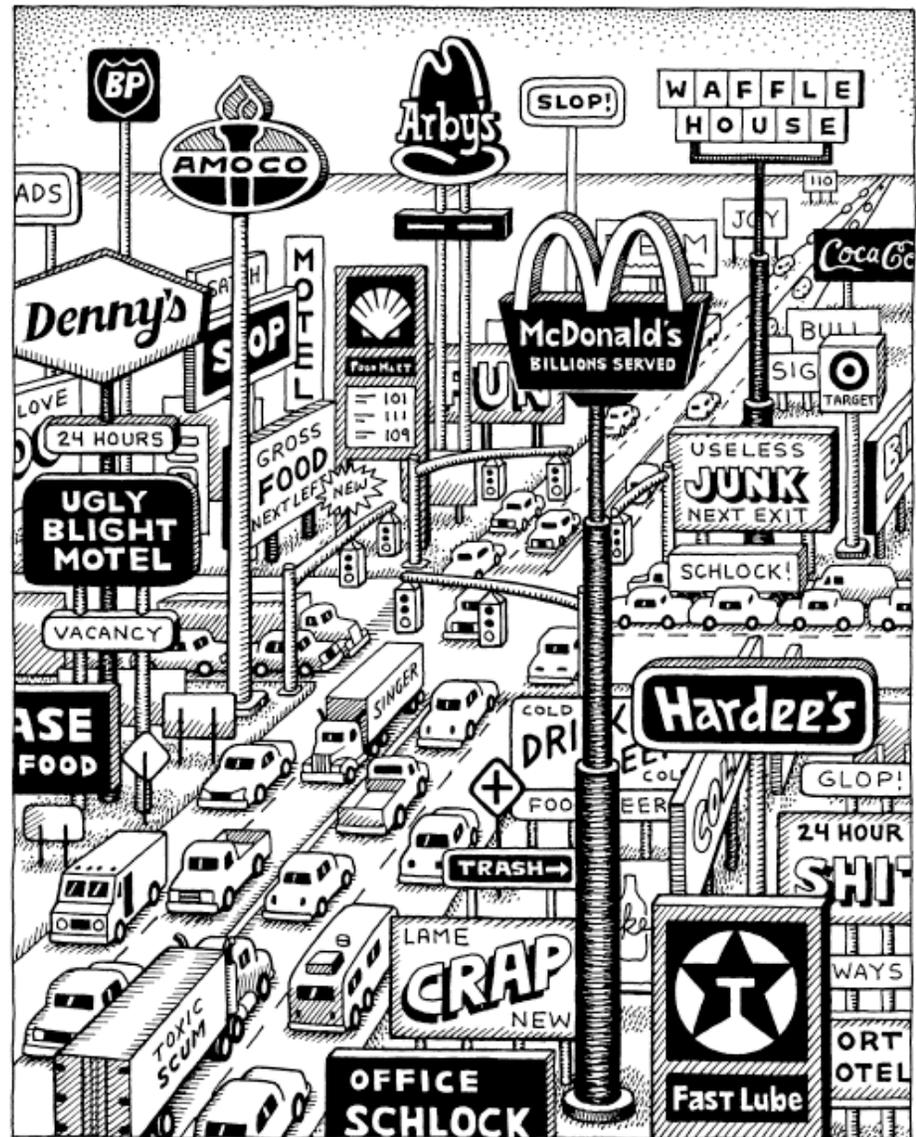
Calculation of FAR and Maximum Density Limits

Complete town-by-town analysis in Westchester

Complete Long Island database, GIS and analysis if possible

Complete NYC analysis

Propose recommendations:  
Will likely require coordinated action and a system to incentivize or require smart land use tied to transit service provision



Thank you for your attention!

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