

Land Lines

Newsletter of the Lincoln Institute of Land Policy

International Forum on Regularization and Land Markets

Peter M. Ward

Scholars and practitioners involved with the regularization of low-income settlements in Latin America shared their experiences in a forum sponsored by the Lincoln Institute last March and hosted by the City of Medellín and its regularization office, PRIMED (Integrated Program for the Improvement of Subnormal Barrios in Medellín). Participants included representatives from PRIMED, Medellín city officials, and observers from multilateral institutions including the Inter-American Development Bank (IDB), the World Bank, AID and GTZ (Germany).

Twelve major presentations reported on the most significant case studies from eight countries: Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Perú and Venezuela. The forum proved to be a landmark meeting whose findings, summarized below, are expected to have important implications for Latin American policy-makers.



Comparative Perspectives on Regularization

Several different approaches to regularization are illustrated in the country case studies. The two primary approaches are juridical regularization, i.e., legal land entitlement procedures to convert from de facto to de jure property ownership, as in Perú, Ecuador and Mexico; and physical regularization (urbanization), including the extension of infrastructure into irregular settlements, as in Colombia, Venezuela, Brazil and other countries. A third approach, which has been emphasized only recently, puts priority on the social and civic integration of low-income settlements and their populations into the urban fabric by a combination of measures.

While most countries have elements of all three forms of regularization, they usually focus on one direction or another. In Mexico all three approaches are used simultaneously. In most other countries the emphasis depends on the relative strengths of the actors, organizations and

politics on the one hand, and on the way the regularization problem is conceived (“constructed”) by federal and local authorities on the other.

Juridical Regularization: Land Title Programs

The regularization of land titles has become accepted practice by governments, international agencies and NGOs alike. (See Figure 1.) In fact, the question “Why Regularize?” that was raised at the beginning of the forum seemed to catch everyone by surprise. Yet, posing this question goes to the heart of the matter about who defines the problems regarding land tenure and who establishes policies in favor of regularization. Most of the legal titling programs examined in the case studies were lengthy and expensive, and, by the time they came on-line, did little to significantly affect the level of security or to systematically provide services in the settlements.

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As far as the poor are concerned, however, several of the arguments in favor of regularization would appear to be spurious. Established households generally have de facto security and rarely prioritize the need for full legal title, the latter being a need more associated with middle-classes value systems. Moreover, once settlements are well-established, home improvements and consolidation occur at a rate that is closely tied to available resources, not to title security. As for the introduction of services, most providers follow their own internal rules for timing and procedures; rarely is legal title an important criterion.

Furthermore, low-income households do not like falling into debt and are uneasy about entering formal credit systems, even though NGOs and governments are moving towards micro-credit support. In short, where low-income groups want regularization of tenure it appears to be because the state wants them to want it and then constructs demand accordingly.

One may conceive of tenure regularization as both an end in itself and a means to an end. Regularization as an end emerged clearly in the Lima case, where access to land and land titling programs substitute for a systematic housing policy. The most recent round of land titling (since 1996) even includes a retitling of previously regularized lots as an arena of political patronage serving the central government at the expense of the city's political leaders.¹ A similar situation prevailed in Mexico

Figure 1: Common Arguments in Favor of Land Regularization

- Provide security against evictions
- Provide incentives to stimulate investments in home improvements and consolidation
- Facilitate and provide for the introduction of services such as electricity and water
- Generate access to credit using the home as collateral
- Incorporate residents into the property-owning citizenry and the democratic process
- Integrate settlements and property into the tax and regulatory base of the city

with the multiplex regularization agencies created during the 1970s. In both countries the commitment to tenurial regularization is clearly indicated by active programs, usually providing a large number of titles each year at low cost.

Elsewhere, regularization may also be an end, but it is of secondary importance. In Colombia, Brazil, El Salvador and Ecuador, for example, titling is at best only a minor part of the physical regularization package. Even so, the absence of legal tenure and the need for regularization may be used to good political effect by regulating the flow and order of infrastructure provision.

Regularization of titles as a means to an end is promoted widely by international agencies as part of the World Bank's New Urban Management Program. Mexico is a good example of the process whereby land titling is a prerequisite to urban land management, planning and public administration. Regularization incorporates the population into the system of land registry, tax base, planning controls, construction permissions, consumption charges, and recovery of services and infrastructure. Regularization becomes the means to urban sustainability and management, and this more than any other reason explains its widespread espousal and adoption today.

One notable feature in several case studies was the apparent reluctance to regularize on private lands unless the initiative had the support of the original landowner. As a result, the settlements most likely to be regularized are those occupying public land or land whose ownership is unchallenged. With the exception of Mexico, governments are reluctant to expropriate in the social interest. Several countries have a system of land occupancy rights that permits transfer of ownership after a certain number of years of proven and appropriate use. In Brazil this *usucapión* system has been extended recently to allow for title transfer on privately owned urban lots of less than 250m² that have been occupied continuously for five years.

Issues in juridical regularization programs:

- *Extent of resident demand and priority for full land title:* A high priority for titling emerges only when there is high insecurity associated with illegal lot holding (Costa Rica), or where the state promotes the association of insecurity with lack of titling (Mexico).

- *Procedures and administration in the titling programs:* Examples range from very rapid, efficient and low-cost practices (Perú and Mexico) to interminable and inefficient procedures. Most of the case studies fell at the latter end of the spectrum (Brazil and Colombia especially), in large part because this arena of regularization is not a high priority.
- *The nature and functioning of property registry and cadastre offices:* Almost all case studies pointed to major shortcomings in land registry and land valuation assessment institutions. Even where satisfactory institutional arrangements existed, relations and liaison between the two offices were invariably poor.
- *The form and "weight" of land titles:* The power and importance of titles ranged from "hard" titles, such as registered titles and full property titles that could only be challenged through eminent domain or expropriation procedures, to "soft" titles, which represented little more than certificates of possession, registration of occupancy or contracts of purchase. Somewhere in the middle, and parallel to this legal dimension, are the customary titles of social property rights, such as use rights, common rights, *usos y costumbres*, etc. The latter will hold force only to the extent that they are supported by the state.

Physical Regularization: Urbanization and Infrastructure Provision

The second principal arena of regularization reported by many of the case studies at the forum focused on the physical regularization process in different forms of irregular settlements. In Medellín, for example, approximately 12 percent of the total population is estimated to live in fast-growing barrios, which are often built on steep slopes like their hillside counterparts in Rio or Caracas. There are undoubted problems and dangers in these areas, but most of the participants who visited the PRIMED settlements were more encouraged by their level and rate of consolidation than the local officials appeared to be. (The discussion did not address upgrades and interventions in inner-city tenements—*conventillos, vecindades, cortijos*.)

It is impossible to do justice to the many innovative programs that were



FABIO COSTA, PHOTOGRAPHER, COURTESY OF IPLANRIO/CITY AGENCY FOR INFORMATION AND PLANNING

Before and after photographs show a new bicycle path between a favela and Guanabara Bay in Rio de Janeiro.

described at the forum, but one major success story is the *Favela/Bairro* program in Rio de Janeiro. This project is predicated on close collaboration with local residents to open up *favela* streets to vehicular access in combination with service installation. However, it is important to recognize that its success has only been possible at considerable cost: the total expenditure between 1994 and 1997 has been US\$300 million, in large part provided by the IDB. This raises important questions about the replicability of such programs.

Issues in physical regularization programs:

- *Legal instruments:* In many cases legal instruments are not required to effect urban regularization projects and public intervention. Moreover, expropriation in the public interest is not attractive to most local authorities. The creation of special social interest zones (ZEIS and PREZEIS in Brazil) is one mechanism to help neighborhoods by providing greater flexibility of intervention outside of city codes and norms. Other legal instruments were found to be rather weak, especially those with a large degree of discretion in their application, such as *Ley novena* in Colombia.

- *The costs of regularization and population displacement:* Physical intervention brings additional costs associated with installation and consumption of services, and may also introduce higher tax contributions. In order to meet these costs, families may be obliged to find savings elsewhere (by slowing the rate of home consolidation, for example) or engage in rent-seeking behaviors such as renting or sharing lots or dwellings. Inevitably some will choose or be forced to sell and move out. Little is known about displacement levels, but generally low-income owner households remain settled; population stability, not mobility, is the norm.
- *Financial mechanisms for regularization:* Several of the most notable and successful projects rely on external funding, and many projects appear to carry explicit and implicit subsidies. In order for projects to be replicable, more agile financial methods are required, such as fiscal resources (land/property taxes, as in Mexico) or user charges (as in Medellín, for example). Another mechanism captures capital gains taxes on improvements (*plusvalía* and valorization charges, as in Colombia), but generally does not apply to low-income housing. (See page 5.)
- *Administrative and governmental responsibilities for regularization:* Almost without exception the trend has been towards decentralization with a lessening of power at the central government level and a strengthening at the municipal level. The role of the state/department/province level has weakened greatly. This trend means that an increasing responsibility for regularization falls on city authorities, and in turn raises other important issues: institutional capacity; learning and dissemination of best practices; the development of fiscal capacity and responsibility; program continuity across administrations; program coordination and implementation in metropolitan jurisdictions (where cities overlap more than one municipality); and the role of unelected NGOs.
- *Popular (public) participation in regularization:* While popular participation in neighborhood development projects is widely espoused and desired, it is

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often non-existent or purely nominal (Ecuador). Elsewhere, it was seen to be genuine and quite intensive (Costa Rica and Brazil). Popular participation involves residents instrumentally in project implementation and offers opportunities to take account of so-called plural (parallel) justice systems (Venezuela), customary laws, *usos y costumbres* (Mexico), etc.

- **Regularization and citizens' rights:** The rising public awareness of citizens' rights was apparent in many of the case studies. These include rights to housing (Mexico, but unfulfilled); rights of access to housing (Perú and El Salvador); and rights to infrastructure and urbanization benefits. It is also important to recognize that citizens' rights also carry citizens' obligations, particularly as taxpayers and consumers.

Regularization as a Means of Social Integration

It became apparent in the deliberations that an increasingly explicit goal of regularization is to achieve social integration by bringing low-income populations into the societal mainstream and into the urban fabric. This is most frequently observed in reference to the "rescue" of low-income populations and other marginal groups and their incorporation into the urban citizenry. This was one of the important goals in Brazil's *favela/bairro* program, which, in part at least, aimed to break up drug and delinquent youth gangs and to rescue the local population from their influence.

A potential problem with this approach is that concepts of "good citizen" and the societal mainstream are social constructions that are often highly value-laden and may derive from within a particular class and dominant power group. Regularization to achieve integration into the wider set of social opportunities such as public education and health care is one thing; regularization for social convergence and conformity is another. However, this theme remains incipient in the literature, and the whole notion of citizenship with its bundles of rights and responsibilities is part of an agenda still largely unconsidered.



PETER M. WARD

A barrio in Medellín where PRIMED is involved in infrastructure intervention and consolidation.

Conclusion

This international forum emphasized the need to be aware of the different underlying rationales for juridical and physical regularization in individual countries, and to be aware that they are closely tied to the political and planning process. In order for regularization to work well there has to be genuine political commitment such that all departments and officials who intervene do so with greater integration, cooperation and empowerment. Policymakers should also think imaginatively about alternative, "parallel" ownership systems and opportunities for genuine public participation in decisionmaking at all stages in the regularization process.

Important, too, are financial commitment and sustainability. Unless regularization is tied to medium- and long-term cost recovery through taxes, user charges and deferred assessments, programs will continue to depend on major external funding and subsidies, which will severely limit the extent and scale of their application.

An exciting last session of the forum allowed participants to reflect on future directions for research and policy analysis on land market regularization. Five major areas emerged. First, we recognized the need to identify the various actors and interest groups involved in promoting irregular or illegal land development in the first place, and to make explicit the differences between land invasions, owner subdivisions, com-

pany subdivisions and other actions. The point here is that irregularity is produced by various actors and interests groups as a for-profit business, and is not just a result of dysfunctional urbanization.

Second, we discussed moving away from dualist thinking and breaking with the idea of conceptualizing the land market in terms of the formal and informal city, the parallel city, or normal and sub-normal barrios, all of which implicitly assume that the poor are locked into a separate land market. In fact, there is a single land market that is segmented, not separated, along a continuum in terms of access and affordability.

Third, we need to confront the issue of financial replicability and the ways in which finance might be leveraged through cross-subsidies, *plusvalía*, valorization charges, tax-and-spend, progressive consumption charges, and other mechanisms. Fourth, we need to be less gender-blind. It is important to think more imaginatively about regularization priorities with respect to gender and to explore innovative titling schemes that address the need for women's settlement and housing rights.

Finally, we need to be much more precise in our terminology, and, more importantly, to recognize that there is a "social construction" embedded within language. The terms adopted in any society are revealing about how that society views and diagnoses housing and related social issues. Terminology may lead to punitive or patronizing policy solutions; it may even "criminalize" local populations. Most of the differences and variations in the case studies stem from the way each society constructs its understanding of the housing problem and how it presents that vision to its people—through its terminology, through its laws, procedures and policies, and through the bureaucratic and administrative organization of the state itself. ■

1. Julio Calderon, "Regularization of Urban Land in Peru," *Land Lines*, May 1998.

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The Recovery of “Socially Created” Land Values in Colombia

William A. Doebele

On July 18, 1997, the Congress of the Republic of Colombia passed an innovative new Law of Land Development with ambitious goals for permitting municipalities to recover socially created land values, known in Spanish as *plusvalía*. Specifically, Law 388 declares that the public has a right “to participate” in increases in land values created when land use regulations increase the potential for development. Three categories of public actions are covered:

- (1) changing a designation of rural land (in which development is extremely limited) into land for urban or suburban development;
- (2) modification of zoning or other land use regulations;
- (3) modification of regulations that permit greater building density.

Briefly stated, the legislation provides that the square-meter value of the land shall be determined before any public action and then after the action. Any municipality, at the initiative of its mayor, may demand that it “participate” by being able to recapture 30 to 50 percent (as it chooses) of the increase in value. The value is determined by multiplying the two square-meter values by the area of the parcel concerned and subtracting the pre-action value from the post-action value. A maximum of 50 percent was established to ensure that developers would still be financially motivated.

With this legislation, Colombia has enacted into national policy the basic premise of Henry George’s writings: that the public has a moral right to recover socially created values, as manifested in this case by increases in land values released by the three categories of public decisions mentioned above. With the possible exception of Taiwan, few if any other countries have attempted to so directly incorporate Georgian principles into actual legislation at the national level.

Implementation Procedures

The current legislation is only the first step. Under Colombian practice, acts of Congress set general policies, but implementation depends on follow-up at the national executive level and at the municipal level. To make the critical before and after square-meter evaluations as objective as possible, an independent organization known as the Agustín Codazzi Geographical Institute will carry out assessments according to guidelines established in the law for each of the three categories.

Fees (called *participaciones* in the law)



must be paid when a landowner applies for permission to subdivide or to construct on the property, when the use of the property is changed, when the property is transferred, or when development rights (representing rights for additional construction) are acquired. These fees are to be recorded in the registry of titles to assure compliance, and land cannot be transferred in the registry until the fees are paid in one of various forms:

- (1) by paying cash;
- (2) by transferring to a public body a portion of the property that is of equivalent value;

- (3) by exchanging urban land of equivalent value at other locations;
- (4) by making the public body a partner in the execution of the project with an interest of equivalent value;
- (5) by providing needed infrastructure or open space of equivalent value; or
- (6) by giving back a portion of the development rights created by the public action that is equivalent in value.

It may be anticipated that most developers will prefer to partner with municipalities instead of paying cash. Indeed, the legislation provides an incentive to use method (6) since it carries a 10 percent discount on the fees, or methods (2) or (4), which have a 5 percent discount.

Municipalities must earmark the revenues produced from participation in socially created land values for specific purposes:

- buying land for “social interest” housing;
- providing infrastructure in areas where it is currently inadequate;
- expanding the network of open spaces;
- financing mass transit;
- carrying out large urban projects or urban renewal;
- covering costs of land expropriation for urban renewal; or
- undertaking historic preservation.

Potential Implications of the Law

This legislation touches on many land policy issues that have long been of concern to the Lincoln Institute. Martim Smolka, director of the Institute’s Latin America and Caribbean Program, and other Institute associates are holding seminars and training programs to share experiences in working out implementation procedures, possibly assist in pilot projects, and carefully monitor the Colombian experiment as it unfolds.

One such program was a three-day workshop cosponsored in March with the National University of Colombia and the

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Advanced School of Public Administration in Bogotá. The workshop consisted of both formal and informal commentaries from a broad range of interested parties from Colombia and other countries. Since Colombia has obviously taken a bold step and there are few precedents for guidance, the appropriate officials must be innovative as they proceed toward actual implementation. The workshop identified a number of potential issues that will have to be faced as further steps are taken.

Constitutional Issues: The new law is squarely based on Article 82 of the Colombian Constitution of 1991, itself a remarkably innovative document on many aspects of urban land reform. Article 82, in simplified terms, states that when public actions increase the development potential of land, the public has a right to participate in the increased value (*plusvalía*) produced by such actions, so that the costs of urban development will be defrayed and distributed equitably.

The legal/constitutional debate is twofold: 1) Can the municipalities act on the sole basis of the law, or should they wait until the national government issues “regulations” and remain subject to these regulations? 2) Should the law be limited to establishing the common, general principles, since the 1991 Constitution attributes the responsibility of land taxation exclusively to municipalities?

Practical Effects of Municipal Discretion:

The workshop also pointed out that the voluntary nature of the law may have negative and possibly unintended consequences. Since it is the mayor of each municipality who initiates the imposition of the participation, he or she may well come under considerable pressure, financial or otherwise. In rapidly developing areas, a 30 to 50 percent share of increasing property values might be a very large sum. One speaker, for example, asserted that in Cali 60 percent of the increases in land values caused by planning decisions would be equal to the entire municipal budget. On the other hand, the law may facilitate mutually useful negotiations and partnerships between municipalities and developers that do not occur now.

Maintaining a Political Constituency:

The political environment that made this bold legislation possible included scandalous cases of overnight fortunes being made from a zoning change in Bogotá and a decision to expand the urban perimeter in Cali. In the latter case, land prices were said to have multiplied by more than one thousand times!

Beyond initial implementation there is the long-range question of maintaining a political constituency for the effective implementation of such a law in the face of powerful and well-financed resistance by landowners and developers. On the other hand, the ability of any national government to have passed such a law in the first place is an achievement of exceptional interest to those concerned about “value recapture” as an essential element in urban land policy.

Maintaining Objectivity in Assessments:

In spite of very specific procedures in the law designed to make it as objective and transparent as possible, it will not be easy for the Codazzi Institute to make the required before and after assessments accurately under the time constraints defined in the statute. Moreover, the various transfer alternatives to cash payment of the fees, which are sure to be popular, are dependent on a local determination as to what constitutes “equivalent value.” A number of speakers pointed out that this process might be an invitation to corruption.

Technical Issues: Speakers also pointed out a number of technical assessment problems with the guidelines as set forth in the law. For example, if restrictive zoning causes one owner to lose value, which in turn increases value for an adjoining owner, what provision can be made for compensating the former while recovering the increased value from the latter? Moreover, since the market anticipates public action, will the “before” assessment already reflect increased values arising from the probability of the action? Or, if land use or building regulations increase values of low-income, small property owners, they may not have the cash to pay for development fees, nor would the other forms of payment be feasible at a very small scale. Forced sales or displacement of the poor could result. These matters raise the policy calculation: Is it better to stride ahead and work things out over time or attempt legislative

correction of technical problems before proceeding further?

Economic Effects: Although legally described as public participation in the increased values that public actions have created, the legislation may also be seen as a form of capital gains tax. How often will it be used? Will implementation tend to push down the price of the land affected, or will changes in value be passed on to the ultimate consumer? If it is the latter, the law could have a negative effect on affordable housing. For this reason Article 83(4) exempts land to be used for “housing of social interest,” as defined by the national government. Will this become a loophole for widespread evasion? There is little international experience to answer such questions.

Master Planning: Law 388 of 1997 also requires all municipalities to prepare master plans (*Planes de Ordenamiento*) and contains fairly detailed descriptions of them in Articles 9 through 35. Obviously, planning alters expectations of owners, and therefore of land values. The administrative and economic interaction of the city’s planning process and its recapture of increased land values will surely be a complex one.

Conflicts in Objectives: As is often the case with fiscal tools, the new changes seek several objectives that are not always compatible: financing better urban development; reducing land speculation; introducing increased equity and progressivity into taxation; and closing some of the favorite avenues for corruption of municipal officials.

Learning from Innovation

In spite of these concerns, Colombia continues its tradition as one of the world’s most innovative nations in urban land planning, law and finance. Bogotá was the first major city in the world to create a special zoning district that recognized the realities of low-income housing practices. Stimulated by the ideas and influence of the late Lachlin Currie, an economic advisor to the national government for some 30 years, the city used special assessment districts (*contribuciones de valorización*) to carry out a major physical transformation during the 1960s. Colombia’s laws on territorial development of 1989 and 1991, to which

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this 1997 law is a modification and supplement, are among the most comprehensive approaches to land planning since the British Town and Country Planning Act of 1947. Furthermore, the Colombian constitution is virtually alone in specifically mentioning the moral claim of the public to increases in land values caused by public action.

As might be expected, some of these innovations eventually fell short of initial expectations. Indeed, some participants at the workshop argued that the energies going into the recovery of *plusvalía* might be more usefully spent on increasing the efficiency of conventional property taxes. On the other hand, the new law is addressing and resolving some problems of earlier legislation and policies, and the country is learning from its experience. The conclusion of the workshop participants was that the process has been worthwhile, and that the new law must be understood and evaluated in its relationship to previously established instruments of value capture and fiscal policy in general. **L**

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For a 26-page synthesis of the workshop in Spanish, contact Santiago Camargo, Colombian National Planning Department: scamargo@dnpp.gov.co.

See also Fernando Rojas and Martim Smolka, "New Colombian Law Implements Value Capture," *Land Lines*, March 1998.

The Lincoln Institute established its series of policy focus reports in 1994 to address timely land use and land-related taxation issues facing policymakers, citizens and their communities. Each illustrated report summarizes recent research and political experiences on a major policy issue and incorporates case studies and diverse points of view from scholars, public officials and practitioners. The Institute has published seven such reports, and several others are planned.

Open Space Conservation: Investing in Your Community's Economic Health **John Tibbetts**

Pressure on open space is accelerating throughout the United States as communities struggle to balance economic and ecological needs. This report explores how communities have historically protected and maintained open space through a combination of planning strategies, regulatory measures, public investments and private initiatives. 1998.

More and more communities recognize the need to understand and articulate economic values in hopes of building greater public support to buy, conserve, protect and maintain open space.

Risks and Rewards of Brownfield Redevelopment

James G. Wright

Brownfields are abandoned, under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. Some sites do present public health hazards, but the more serious threat is to the economic health of the city due to lost jobs and the expansion of blighted neighborhoods. 1997.

It is not a simple tradeoff to hope that brownfield redevelopment can stem the tide of greenfield sprawl, but brownfields have become rallying points for both public and private efforts to focus attention on urban reinvestment.

The New Urbanism: Hope or Hype for American Communities?

William Fulton

Once mostly theoretical, the New Urbanism movement is beginning to yield tangible results, as communities based on its principles are being built all over the country. But, can these "designer" communities successfully compete in the complex financial and socioeconomic marketplace of the 1990s, and can they truly solve the problems of sprawl as the proponents claim? 1996.

The consensus among New Urbanists is that neotraditional neighborhood design goals must be reinforced by regional planning and economic policies to substantially reshape the urban/suburban fabric.

On Borrowed Land: Public Policies for Floodplains

Scott Faber

Flooding is a natural hydrologic occurrence, but flood-related damage to property and risks to human life are exacerbated by intensive development in floodplains. The report considers ecological, economic and legal issues of land use in floodplains through case studies of local responses to the disastrous 1993 floods in the Midwest and other river basin management programs. 1996.

One difficulty for policymakers is to demonstrate that those living upstream or uphill bear partial responsibility for the flooding of properties in other jurisdictions downstream. Then the challenge is to distribute the costs of flood damages or their prevention equitably.

Alternatives to Sprawl

Dwight Young

As metropolitan areas expand haphazardly across America, the result is often the kind of sprawl associated with auto-dependent growth. Proposed alternative forms of growth that promote clustered housing and transit-oriented development offer promise, but still face stringent tests in the economic and political marketplaces. 1995.

The possibility that sprawl will eventually reach its own limits or collapse of its own weight is small consolation to those whose daily lives are shaped by the stress, expense and general anomie that sprawl imposes on them.

Managing Land as Ecosystem and Economy

Alice E. Ingerson, editor

Many environmentalists and resource users have banded together behind the idea of "sustainable development." The report examines the fundamental questions of fairness and property rights, the "value" or relative benefits of natural systems and economic development, and balancing public participation with science to set policy priorities. 1995.

Ecosystems and economies are not necessarily the ultimate competitors on our finite planet. The critical choice is not between economic change and environmental preservation but between different rates and directions of change.

Land Policy and Boom-Bust Real Estate Markets

Jonathan D. Cheney, editor

Real estate markets went on a roller coaster ride in the 1980s and early 1990s, stimulated by a volatile combination of economic growth, demographic change, and federal tax and banking policies. This report discusses whether and how local government should attempt to mitigate the effects of such cycles using a range of land and tax policy tools. 1994.

Mastering the boom-bust cycle means building a strategy for the future that takes into account citizens' values, economic development goals, and the social and fiscal impacts of alternative forms of land use and real estate development.

Each report is 32 or 36 pages long and costs \$14. Use the order form on page 11.

Transportation and Land Use

Alex Anas

The complexity that characterizes the interaction of transportation and land use in urban areas is matched by the variety of the disciplines called on to address these issues, including economics, urban planning and civil engineering. In recent decades, communication among scholars in these disciplines has improved and the acceptance of a common base of theory and method, based on economics, is increasing. The Taxation, Resources and Economic Development (TRED) conference on “Transportation and Land Use” held at the Lincoln Institute in October 1996 focused on these issues. Ten papers presented at that conference are now published in a special issue of the journal *Urban Studies*. The papers are organized into four groups as summarized below.

Trends in Urban Development

Gregory Ingram’s paper on “Metropolitan Development: What Have We Learned?” documents the worldwide prevalence of several trends that characterize modern urbanization. Employment decentralization and the emergence of multiple employment centers in large metropolitan areas are observed worldwide in both developing and developed countries. Although employment continues to be more centralized than population, the typical Central Business District does not contain more than about 20 percent of jobs, and much smaller percentages are common in the U.S. Manufacturing employment has become more decentralized than service employment. Decentralization has reduced traffic congestion and travel distances and has contributed to a weakening of transit systems. The increased affordability of motorized transportation worldwide has led to more trip-making, with work trips typically being less than a third of all trips in urbanized areas.

Peter Gordon, Harry Richardson and Gang Yu find evidence that the suburbanization and exurbanization of employment in the U.S. has picked up its pace since 1988. In their paper, “Metropolitan and Non-Metropolitan Employment Trends in the U.S.: Recent Evidence and Implications,” they argue that the ability of

manufacturing and even of services to locate in exurban and rural areas, shunning inner-suburban and central city locations, is a consequence of the continued weakening of the agglomeration economies that shaped the now outdated downtown-oriented city.

Robert Cervero and Kang-Li Wu examine the relationship between average commuting distance and employment subcentering in their paper, “Subcentering and Commuting: Evidence from the San Francisco Bay Area, 1980–1990.” They are concerned with changes in employment densities in 22 employment subcenters and with the commuting distances and travel times of those employed in these subcenters. The authors find that employment densities have increased more in the outlying suburban centers and that commuting to these centers has experienced modal shifts away from transit and in favor of the automobile. According to their data, while jobs in these centers grew by 18 percent during the decade, average one-way commuting distances to these 22 subcenters increased by 12 percent, and average one-way travel times rose by only 5 percent.

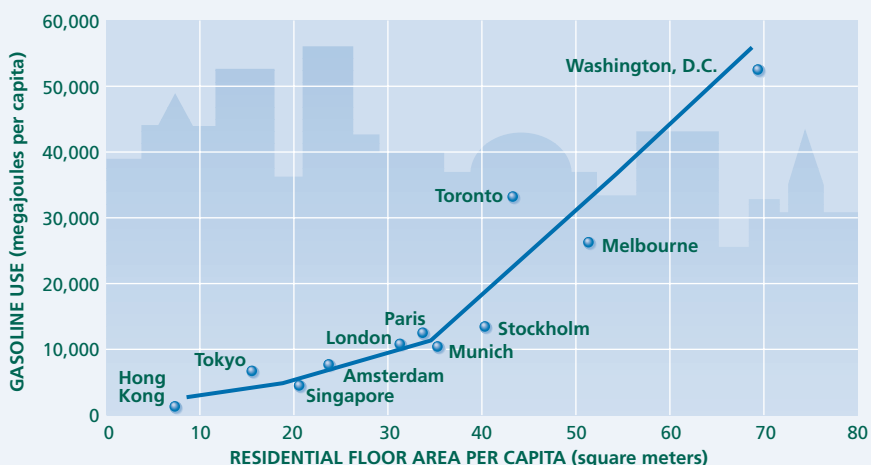
These findings are consistent with theory: with the number of subcenters fixed and the degree of spatial mismatch between jobs and housing invariant with job growth, an increase in the number of jobs in each subcenter should result in longer commutes on average. If new sub-

centers are spawned in between existing ones or new ones develop in outlying areas—something that does not appear to have occurred in the Bay Area—then average commutes should decrease. The 22 subcenters account for less than half of total employment in the Bay Area, the rest of the jobs being broadly dispersed throughout. Because such dispersed employment is not included in their study, we do not know about the total effect of job decentralization on average commute distances and times.

Genevieve Giuliano’s paper, “Information Technology, Work Patterns and Intrametropolitan Location: A Case Study,” examines the impact of information technology, including the advent of fax machines, computers, modems and the internet. One of her central observations is that while the U.S. labor force increased by 14 percent from 1980 to 1990, the “contingent workforce,” a diverse group of temporary workers, part-time workers, the self-employed and business service workers, increased much faster, from about 25 to 33 percent.

This trend implies that the information revolution is causing structural shifts in the labor force as more and more workers offer temporary services to a variety of employers and, as a result, do not have a long-term attachment to any one employer. Theory suggests that such workers should locate in a way that is sensitive to

FIGURE 1:
Gasoline Consumption and Residential Floor Area per Capita



Source: Gregory Ingram, “Metropolitan Development: What Have We Learned?” in *Urban Studies*, vol. 35, no. 7 (June 1998): 1127.

their expected accessibility to jobs. Also, the advent of information technology should facilitate “telecommuting,” thus reducing the need for physical proximity to jobs.

Giuliano uses the 1990 U.S. Census Public Use Microsample for the Los Angeles region to compare the residential location and commuting patterns of contingent and non-contingent workers. The socioeconomic complexity of contingent workers makes it difficult to draw clear conclusions, but Giuliano does find that those contingent workers who live in suburban areas are likely to live in high amenity areas. Controlling for socioeconomic factors, commuting distances are shorter for part-time workers than they are for full-time workers, and among full-time workers the self-employed have the shortest commutes.

Agglomeration Economies

The next two papers offer empirical contributions on intra-urban employment agglomeration. “Spatial Variation in Office Rents within the Atlanta Region,” by Christopher Bollinger, Keith Ihlanfeldt and David Bowes, is a hedonic rent study for office buildings in the Atlanta area from 1990 to 1996. The authors find that part of the rent differences among office buildings is due to differences in wage rates, transportation rates and proximity to concentrations of office workers. More importantly, the convenience of face-to-face meetings facilitated by office agglomerations is also reflected in office rents, providing evidence that agglomerative tendencies continue to be important in explaining office concentrations, despite the ability of information technology to reduce the need for some such contacts.

In their paper, “Population Density in Suburban Chicago: A Bid-Rent Approach,” Daniel McMillen and John McDonald show that population density patterns in the Chicago MSA are strongly influenced by proximity to subcenters, which include the Central Business District, O’Hare Airport and 16 other centers. Site-specific variables such as access to commuter rail stations or highway interchanges have smaller influences on population densities.

Travel Behavior and Residential Choice

Among the challenges posed by the evolving trends in transportation and land

FIGURE 2:
Number of Tours in Daily Activity Pattern (Boston, 1991)

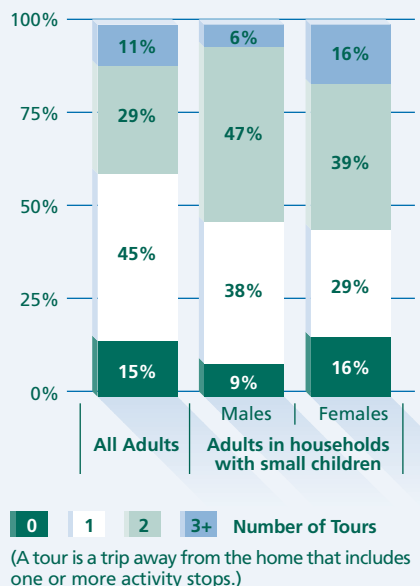
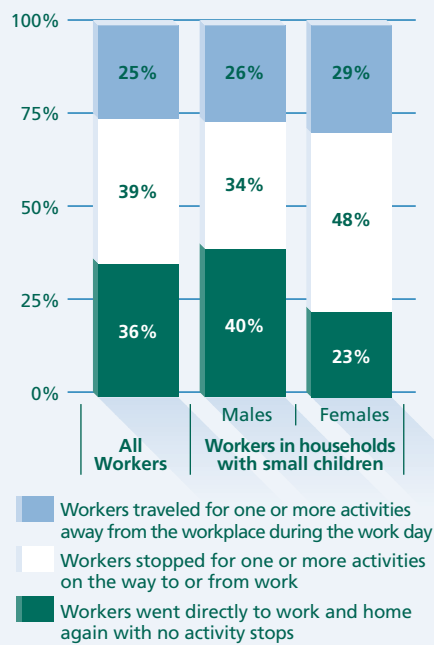


FIGURE 3:
Complexity of the Work Commute Tour (Boston, 1991)



Source: Moshe Ben-Akiva and John Bowman, “Integration of an Activity-Based Model System and a Residential Location Model,” in *Urban Studies*, vol. 35, no. 7 (June 1998): 1237.

use is a better explanation of the role of non-work travel in residential location decisionmaking. Motorized mobility has greatly increased non-work travel, thus weakening the relevance of the now classical commuting-based theory of residential location. While information technol-

ogy may result in more telecommuting, the importance of non-work travel relative to work travel may grow even more in the future.

Two papers attempt to develop new techniques that can be used to explain the influence of non-work travel behavior on residential location and land use patterns, and vice versa. Central to this research is the notion that when a household makes a residential choice decision it will consider the pattern of non-work trips its members are likely to make. Accessibility to non-work opportunities is likely to be important and, for many households, perhaps more important than accessibility to jobs.

Moshe Ben-Akiva and John Bowman model the probability of choosing a residential location by treating the non-work trip patterns and activity schedules of the household’s members as explanatory variables. Their model allows the treatment of trips as tours with stops at multiple destinations. In their paper, “Integration of an Activity-Based Model System and a Residential Location Model,” the authors report that their model does not fit the data as well as a work-trip-based comparison model. But, the non-work accessibility measures are more appealing conceptually and allow a richer set of predictions and simulations to be made.

Until recently, economists have suppressed the importance of non-work trips in their theories of land use. Planners have viewed land use planning as a tool that can affect behavior and travel demand. But what is the evidence that travel patterns can be influenced meaningfully by manipulating land use at the neighborhood level or in a larger area?

Marlon Boarnet and Sharon Sarmiento tackle this question by means of a travel diary survey of Southern California residents. Their paper is titled “Can Land Use Policy Really Affect Travel Behavior? A Study of the Link Between Non-work Travel and Land Use Characteristics.” The number of work trips made by residents is explained by sociodemographic variables describing the residents and by land use characteristics describing their place of residence. Generally, the land use variables describing the neighborhood are not statistically significant, but future studies could follow this approach by trying more complex specifications and using better data.

See **Transportation** page 10

Institute Publishes First Annual Review

Transportation

continued from page 9

Jobs-Housing Mismatch

As first stated by John Kain in 1968, the “spatial mismatch hypothesis” claimed that black central city residents are increasingly at a disadvantage economically as jobs disperse to the suburbs. Many suburban governments limit the quantity of high-density/low-income housing, forcing workers to make long, expensive commutes. Although there is a wealth of empirical work on the mismatch hypothesis, Richard Arnott’s paper, “Economic Theory and the Mismatch Hypothesis,” is one of the first attempts to formulate a microeconomic theory of the mismatch problem. In Arnott’s model, jobs flee to the suburbs because of the advent of international trade (relaxation of global trade barriers) and the emergence of suburban-based inter-city truck transport after World War II. At the same time, large-lot zoning and discrimination in suburban housing markets force minorities to reside in central cities. An increase in the cost of commuting effectively lowers the wage paid to low-skilled labor from the city.

In “Where Youth Live: Economic Effects of Urban Space on Employment Prospects,” John Quigley and Katherine O’Regan investigate how neighborhood of residence and access to jobs affect the employment prospects of minority youth. Black youth unemployment rates are higher in metropolitan areas where blacks are more isolated geographically. Controlling for socioeconomic characteristics, minority youth who have less residential exposure to whites are more likely to be unemployed. Finally, controlling for socioeconomic characteristics as well as residential exposure to whites, minority youth living in neighborhoods that are less accessible to jobs are more likely to be unemployed. While these findings support the mismatch hypothesis, they also suggest the importance of social networks and spatial search as important mechanisms in the intra-urban labor market. □

Alex Anas, professor of economics at the State University of New York at Buffalo, was the editor of the special issue of *Urban Studies* (Vol. 35, No. 7, June 1998). The article and figures used here are adapted with permission. Contact: alexanas@anassun1.eco.buffalo.edu.

The Lincoln Institute’s inaugural Annual Review, *The Value of Land*, is being published this summer. It is based on the first Chairman’s Roundtable that was convened in October 1997 at Lincoln House in Cambridge. “We plan to hold a roundtable each year with a diverse and changing group of scholars, policymakers and other colleagues who will work with us to identify and diagnose major land use and taxation issues,” says Institute Chairman Kathryn J. Lincoln.

“In this first Annual Review of the value of land, we wanted to have a far-reaching discussion to cover the whole range of issues that are important to the Institute,” notes H. James Brown, President and CEO. “In future years we will focus the discussion on specific topics within our fields of interest.

“We invited a small group of internationally respected experts to come together at this first roundtable so we could learn from one another in an informal setting,” Brown explains. “We wanted each person to express some of his or her ideas and concerns about land use and taxation so all of us could reach a higher level of understanding about the value of land.” The review features edited excerpts from the roundtable dialogue.

To provide a deeper analysis of several key themes and diverse points of view that arose out of the discussion, five of the roundtable participants wrote short essays for the publication. These articles serve to highlight current thinking about the social and economic impacts of sprawling urban development (Downs), recent experiences with regional governance systems (DeGrove), the controversial issue of metropolitan tax base sharing (Orfield and Fischel), and the role of informal land and housing markets in developing countries (Sanyal).

To order a copy of *The Value of Land: 1998 Annual Review*, use the form on page 11, call the Institute at 800/LAND-USE (800/526-3873), or email your order to help@lincolninst.edu. This 36-page publication is available for \$10.00, plus \$3.50 for shipping and handling. □



Roundtable Participants

Roy W. Bahl

*Professor of Economics and Dean
School of Policy Studies
Georgia State University*

Karl E. Case

*Professor of Economics
Wellesley College*

John DeGrove

*Director, Joint Center for Environmental
and Urban Problems
Florida Atlantic University/
Florida International University*

Kathleen Doar

*Former Chief Judge
Minnesota Tax Court*

Anthony Downs

*Senior Fellow
The Brookings Institution*

Robert E. Ebel

*Senior Economist
The World Bank*

William A. Fischel

*Professor of Economics
Dartmouth College*

Myron Orfield

*State Representative
Minnesota House of Representatives*

Bishwapriya Sanyal

*Professor of Urban Studies and Planning
Massachusetts Institute of Technology*

NOTE: Ben Chinitz, former director of research at the Institute, helped organize the TRED conference and the following colleagues served as discussants of the papers: James Follain, Vernon Henderson, Douglass Lee, Therese McGuire, Peter Mieszkowski, Edwin Mills, Sam Myers, Dick Netzer, Stephen Ross, Anita Summers, William Wheaton, Michelle White and John Yinger. The conference participants were saddened when news arrived that William Vickrey, who had been named a Nobel laureate in economics only a few days before, had passed away while traveling to the conference. Vickrey had been a leading thinker on issues of transportation and land use and a regular attendee of previous TRED conferences. The special issue of *Urban Studies* based on the 1996 conference serves as a tribute to his memory.

New Working Paper

The Adoption and Repeal of the Two Rate Property Tax in Amsterdam, New York

The two rate form of the property tax, a tax in which buildings are taxed at a lower rate than land, is an existing form of the property tax proposed by Henry George. The two rate tax has been accepted by Pittsburgh and more than a dozen other communities in Pennsylvania. It was imported to New York and used in the city of Amsterdam, but was repealed during its first year. While political conflict in Amsterdam was the major cause for the repeal, the property tax law in New York is encumbered with numerous special provisions, several of which grant exemptions from property taxes for selected buildings for a limited number of years. These special provisions made implementation of the two rate tax difficult and, along with a city-wide reassessment of property, confused local officials and taxpayers. This description of the success and failure of the two rate tax in Amsterdam contains lessons that can be helpful for other communities attempting this important property tax reform. □

Donald J. Reeb is a professor at the University of Albany, State University of New York, in the departments of economics and of public policy. Contact: dreeb@cnsvox.albany.edu.

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PRINTED ON RECYCLED PAPER USING SOY-BASED INKS

Land Lines is published six times each year.

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