



****Amended 11/30/21****
City of St. Helena
Special Planning Commission
Meeting
Tuesday, November 30, 2021 @ 6:00 PM

This meeting will be conducted pursuant to the provisions of Government Code Section 54953 (as amended by AB 361) which authorizes teleconferenced meetings under the Brown Act during certain proclaimed States of Emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. This teleconferenced meeting is necessary so that the city can conduct essential business and is permitted under Government Code 54953 in order to protect public health and safety of attendees.

Consistent with Government Code Section 54953, this Planning Commission Meeting will be held via teleconference only, and will not be physically open to the public. Commission members and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar.

The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofstheleena.org. All public comments must be emailed by 3:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Planning Commission agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions. Spanish translation for this meeting will be offered. To access Spanish translation, you will need to join the meeting using the Zoom app from a computer, iPad or iPhone. You will see an icon on the screen that will allow you to choose Spanish translation. To learn how to use Zoom, please see the instructions below.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/84808935175>

Or One tap mobile :

US: +16699006833,,84808935175# or +13462487799,,84808935175#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592
or +1 312 626 6799

Meeting ID: 848 0893 5175

International numbers available: <https://us02web.zoom.us/j/84808935175>

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

**Ciudad de Santa Helena
Reunión Especial del Comité de Planificación
30 de noviembre del 2021 @ 6:00 PM**

Esta reunión será realizada conforme a las provisiones del Código de Gobierno Sección 54953 (modificada por AB 361) la cual autoriza las reuniones de teleconferencia bajo el Brown Act durante ciertos Estados de Emergencia. El gobernador de California proclamó Estado de Emergencia relacionado con el COVID-19 el 4 de marzo del 2020. Esta reunión por teleconferencia es necesaria para que la ciudad pueda realizar deberes esenciales y es permitido bajo el Código de Gobierno 54953 en orden de proteger la salud pública y seguridad de los asistentes.

Consistente con el Código de Gobierno Sección 54953, esta reunión del Comité de Planificación será realizada via teleconferencia y no será físicamente abierta al público. Miembros del comité y personal atenderán la reunion por audio y/ o video. La reunion será transmitida via Zoom.

La reunión del Comité de Planificación de la Ciudad se transmitirá en vivo por el Canal 28 de Comcast y en el sitio web de la Ciudad, salvo dificultades técnicas. Aquellos miembros del público que deseen participar deben hacerlo de forma virtual a través de las reuniones electrónicas de Zoom de las siguientes maneras; iniciando sesión en el enlace Zoom ubicado en la agenda de la reunión (descargue la aplicación en su computadora o dispositivo móvil) e ingrese el ID de la reunión o llamando al número ubicado en la agenda e ingrese el ID de la reunión. Se aceptarán comentarios públicos para la reunión del Comisión de Planificación por correo electrónico a publiccomment@cityofsthelena.org. Todos los comentarios públicos se harán públicos y se adjuntarán a la agenda, pero no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda al día siguiente.

Consulte el final de la agenda para obtener instrucciones detalladas de PARTICIPACIÓN PÚBLICA.

Se ofrecerá traducción al español para esta reunión. Para acceder a la traducción al español, deberá unirse a la reunión utilizando la aplicación Zoom desde una computadora, iPad o iPhone. Verá un icono en la pantalla que le permitirá elegir la traducción al español. Para aprender como utilizar Zoom, consulte las instrucciones a continuación.

Haga clic en el enlace a continuación para participar en la reunión:

<https://us02web.zoom.us/j/84808935175>

O por iPhone one-tap:

US: +16699006833,,84517301810# or +12532158782,,84517301810#

O por telefono:

Marque (para mejor calidad de llamada, marque al numero basado en su localizacion actual):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

ID de la Reunión: 848 0893 5175

Números Internacionales Disponibles: <https://us02web.zoom.us/j/84808935175>

TENGA EN CUENTA: Cualquier persona que desee hablar sobre un tema en la agenda o hacer un comentario en la sección de "comentario público" de la agenda puede hacerlo, pero por favor observe el límite de tiempo de cuarto minutos.

Page

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

Chair: John Ponte

Vice Chair: Daniel Hale

Commissioners: Autumn Anderson, Rosaura Segura and Marika Rothfeld.

City staff present at the meeting will be noted in the minutes.

3. PUBLIC FORUM:

Under California law, public comments at special meetings are limited to subjects on the agenda only. Therefore public comment will take place during consideration of the item. Each person's comments shall be limited to 4 minutes.

4. CONSENT ITEMS

Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

5. PUBLIC HEARINGS

5.1. Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project

Recommendation:

No action can be taken by the Planning Commission at tonight's meeting, which is solely for the purpose of receiving public comments on the Draft EIR.

The proposed project will require a public hearing at both the Planning Commission and City Council, which will be separately noticed as required by the City's procedures.

Staff therefore recommends that the Planning Commission:

- 1) Receive staff's presentation on the EIR process;
- 2) Open the public hearing;
- 3) Receive comments from the public; and
- 4) Close the public hearing

Staff and members of the team which prepared the EIR will be available if members of the Commission have questions about the document.

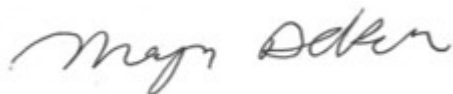
9 - 848

****Public comment received up to 3pm today will be posted to the agenda. Comments received after 3pm but before 12/1/21 will be included in the Final EIR.**

[PC - Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project - Pdf](#)
[Hunter Presentation PPT](#)

6. NEW BUSINESS
7. SCHEDULED MATTERS
8. DEPARTMENT REPORTS
This is an opportunity for staff to report on or update the Commission on any relevant matters.
9. AGENDA FORCAST
Attached is a summary document of pending projects and up coming and items of priority and interest that will be placed on future agendas. This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.
10. ADJOURNMENT
The next Special Planning Commission meeting is scheduled for December 9, 2021 at 6:00 pm.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on November 12, 2021 and amended on November 16, 18, 23, 29 and November 30, 2021.



Maya DeRosa, Planning & Building Director

Appeal. A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

PUBLIC TESTIMONY PROCEDURES

Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The

Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior comments. All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at <http://cityofsthenela.org> and will be available for public review at the respective meeting.

THE CITY OF ST. HELENA ENCOURAGES ONLINE PUBLIC PARTICIPATION IN VIRTUAL PLANNING COMMISSION MEETINGS

St. Helena, CA– The City of St. Helena is committed to public participation in City government in a manner that is consistent with guidance provided by the Napa County Public Health Official and Governor Newsom's Executive Order N-25-20. These guidelines relate to social distancing, and are intended to protect

everyone by limiting the spread of COVID-19 in our community. In adherence to these guidelines, the St. Helena Planning Commission will host a Virtual Planning Commission Meeting on Zoom; a free teleconferencing tool that enables users to watch and/or call into the meeting from their computers or phones. This meeting will be open to public and allows for live public comment. The meeting will also be recorded, livestreamed, and posted on the City's website after the adjournment of the meeting if technical difficulties occur: <https://sthelena.civicweb.net/Portal/>

The ZOOM web link, meeting ID, and phone number will be listed at the top of the Planning Commission Meeting Agenda. You will be required to enter the meeting ID, but there will be no password or participant ID.

How to Watch or Listen to Planning Commission Meetings:

1. Watch on Comcast Channel 28
2. Watch the livestreaming video on the City's website
3. Watch and Listen on Zoom.us by clicking on the link in the Planning Commission Agenda
4. Listen only by calling the Zoom number listed on the Planning Commission Agenda

Watch Planning Commission Meetings by Joining the Zoom Meeting:

1. By Computer, Tablet, or Smart Phone:

- a. Before joining the virtual Planning Commission Meeting, it is highly encouraged that you download the Zoom App. To sign up for your own free account, visit zoom.us/signup and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click Activate Account.
- b. If you are logged into your account, Enter the **Meeting ID** listed on the Planning Commission Agenda. If you have not created an account go to: <https://zoom.us/join> and enter the **Meeting ID**
- c. Select if you would like to connect audio and/or video and tap **Join Meeting**.
- d. For specific instructions for your device, go to: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

1. Listen Only by Telephone:

- a. **Dial** the number listed on the Planning Commission Agenda.
- b. At the prompt, enter the **Meeting ID** provided on the top of the Planning Commission Meeting Agenda and **Press #**. **A participate ID is not required.**
- c. To disconnect from the meeting, hang up the phone.

Ways to Provide Public Comment:

While attending the virtual Planning Commission Meeting, the public will have the opportunity to provide live public comment during Public Forum and after each agenda item. When it is the appropriate time for public comment the Chair will verbally open public comment. At this time each individual is permitted 4 minutes to speak.

1. Send a Public Comment in by 4:00 PM Prior to the Meeting to:
publiccomment@cityofsthelena.org

The easiest way to provide public comment is to email your public comment. Public comments may be emailed to publiccomment@cityofsthelena.org. Please include in the subject line "COMMENT TO PLANNING COMMISSION and the AGENDA ITEM". Any public comment is required to be submitted no later than 2 hours before the scheduled meeting and will be included as an attachment to the agenda. All public comments will be made publicly available and attached to the agenda item and will not be read out loud. All public comments that are received after 4:00 PM will be attached to the agenda the following day.

2. Provide Comment through Zoom meeting from a computer, tablet, or smart phone

This option allows the public to virtually attend the meeting as a muted 'attendee' with no video or screen sharing capabilities. You will be able to see and hear those participating in the meeting, but they will not be able to hear you until the host unmutes you.

If you wish to provide public comment during a specific agenda item or during public forum, you can use the "**raise hand**" feature located in the control panel at the bottom of your screen. The icon is a small blue hand. In Windows you can also use the Alt+Y keyboard shortcut to raise or lower your hand. In Mac you can also use the Option+Y keyboard shortcut to raise or lower your hand.

The host will be notified that you've raised your hand and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. To be removed from the queue, just click the '**raise hand**' button again.

3. Call in to the ZOOM meeting from a cell phone or landline phone only

This option allows the member of the public with the opportunity to verbally participate in public comment.

If you wish to speak during public comment time dial ***9** on your telephone.

The host will be notified that you would like to speak and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you. You may press ***9** again if you wish to be removed from the queue.

You will be notified at the end of your statement that you have been muted.



PLANNING COMMISSION REPORT

Planning Commission Meeting of November 30, 2021

SUBJECT: Receiving Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED:

BACKGROUND

In 2010, the applicant, Bill Van Zutphen, applied to the City to subdivide an approximately 17-acre parcel of land in the eastern area of the city, east of the existing terminus of Adams Street. The proposed subdivision would create lots for 51 single family homes and a 52nd lot on which at least 25 attached multi-family homes would be built. The applicant proposes to include Accessory Dwelling Units (ADUs) with 11 of the 51 single family homes. Including the ADUs, the project would have 87 homes, which is the minimum number of homes that can be built on the site per its existing General Plan and Zoning density.

Designs for the single-family and multi-family homes have not yet been submitted. The only approval being sought at this time is the subdivision itself.

If the subdivision is approved, the project will also require future discretionary approval of:

- 1) an Affordable Housing Agreement prior to recordation of a Final Map;
- 2) a Conditional Use Permit (the latter for the development of the proposed multi-family homes); and
- 3) a Design Review permit.

These applications are not being considered at this time but will be submitted and reviewed at a future date.

DRAFT ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (EIR) examining the potential environmental impacts of the proposed project has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines; 14CCR 15000 et seq.) published by the Public Resources Agency of the State of California.

A professional consultant, Dudek, working for and at the direction of the City, prepared the Draft EIR, which is available online at:

<https://www.cityofsthelena.org/planning/page/hunter-draft-eir>

The Draft EIR is also available in printed form at:

- St. Helena Public Library, 1492 Library Lane, St. Helena, CA 94574; and
- St. Helena Planning Department, 1572 Railroad Avenue, St. Helena, CA 94574

The purpose of the Draft EIR is to describe the project and to analyze whether and to what extent the project's construction or operation could result in physical impacts to the environment. Where impacts are identified, the Draft EIR identifies mitigation measures that are available to reduce or eliminate the impact.

The Draft EIR's purpose is to be an informational document. It does not recommend whether the project should be approved or denied.

The Draft EIR examines a wide range of environmental topics:

- Aesthetics/Visual Resources
- Agriculture And Forestry Resources
- Air Quality
- Biological Resources
- Cultural And Tribal Cultural Resources • Geology And Soils
- Greenhouse Gas Emissions
- Hazards And Hazardous Materials
- Hydrology And Water Quality
- Land Use
- Noise And Vibration
- Public Services And Recreation

- Utilities And Service Systems
- Transportation And Circulation
- Energy

The Draft EIR concludes that the project's impacts can all be reduced to a less-than-significant level except impacts related to "Vehicle Miles Travelled," which measures the amount of new vehicle travel (measured in the number of miles driven by residents to work, shopping, and other locations). Impacts related to VMT are identified as "significant unavoidable." All other impacts in the Draft EIR have been mitigated to a level of less than significant.

CEQA requires that the Draft EIR also examine the impacts of a range of alternatives to the project. The following four alternatives are analyzed in the Draft EIR:

- Alternative 1: No Project/No Development
- Alternative 2: No Project/General Plan
- Alternative 3: Park/Open Space Preserve
- Alternative 4: Increased Density/Affordable Housing

Finally, the Draft EIR considers the project's potential to induce growth on other parcels, impacts that would be created in combination with other existing and future development, and other topics required by state law. Technical studies to support the analysis and conclusions in the EIR are included in an Appendices volume.

PUBLIC COMMENT

On September 23, 2021, the Draft EIR began a state-mandated 45-day review period, during which the public and other public agencies can review and comment on the document. The public comment period originally was scheduled to end on November 8, 2021, but due to community concern not having enough time to review and comment on the DEIR, the comment period has been extended to end on Tuesday, November 30, 2021.

A Planning Commission public meeting to receive comments on the Draft EIR was conducted on November 2, 2021. The November 30th public hearing which is the subject of this report, is the second meeting at which the public can participate with both written and oral comments. Comments can be submitted in writing until the November 30 close of the public comment period.

Public and agency comments on the Draft EIR can be submitted in several ways:

- Via email to MDerosa@cityofsthelena.org
- Via US Mail to:

Maya DeRosa, AICP, Planning and Building Director
City of St Helena, Planning Department
1572 Railroad Avenue
St Helena, CA 94574

- Verbally or in writing at tonight's meeting.

Written comments received to date have been uploaded to the project agenda page. Tonight's meeting will be recorded, and a court reporter will be present to prepare a written transcription of verbal comments. However, it is recommended that comments are submitted in writing to ensure that the specific questions/comments are properly recorded.

STAFF RECOMMENDATION

No action can be taken by the Planning Commission at tonight's meeting, which is solely for the purpose of receiving public comments on the Draft EIR.

The proposed project will require a public hearing at both the Planning Commission and City Council, which will be separately noticed as required by the City's procedures.

Staff therefore recommends that the Planning Commission:

- 1) Receive staff's presentation on the EIR process;
- 2) Open the public hearing;
- 3) Receive comments from the public; and
- 4) Close the public hearing

Staff and members of the team which prepared the EIR will be available if members of the Commission have questions about the document.

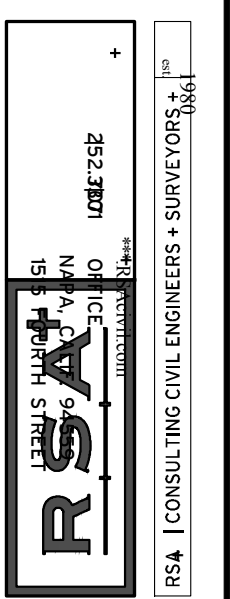
ATTACHMENTS

[Attachment 1 Tentative Map](#)
[NOA Hunter City Version REVISED 11-4-21](#)
[Public Comment \(1\) Rose](#)
[Public Comment \(2\) Bouligny](#)
[Public Comment \(3\) Vrabel](#)
[Public Comment \(4\) Gundling](#)
[Public Comment \(5\) Gundling](#)
[Public Comment \(6\) Dickson](#)
[Public Comment \(7\) Echols](#)
[Public Comment \(8\) Hansen](#)
[Public Comment \(9\) Galbraith](#)
[Public Comment \(10\) Corsetti](#)
[Public Comment \(11\) Buckley](#)

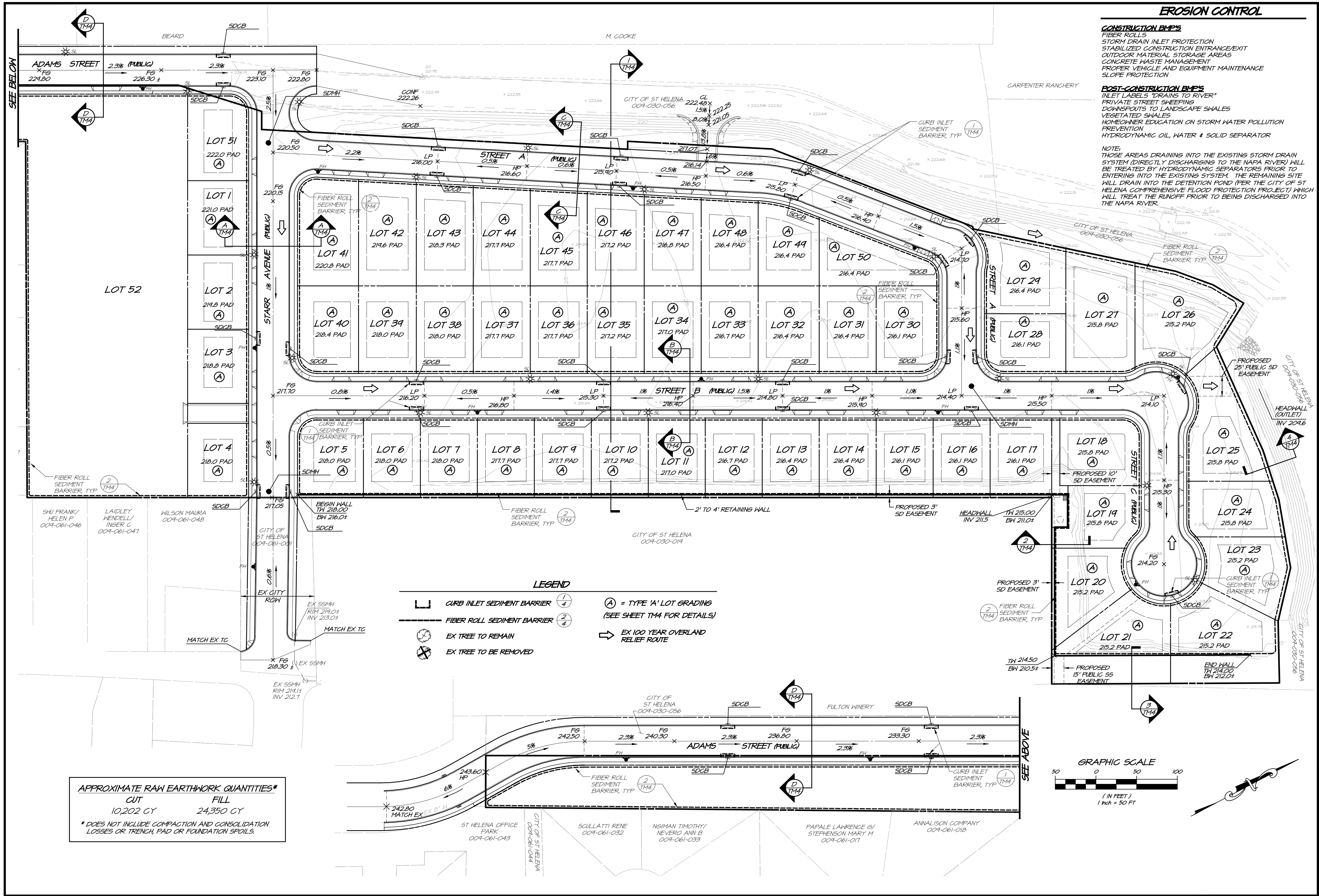
[Public Comment \(12\) Buckley](#)
[Public Comment \(13\) Amoroso](#)
[Public Comment \(14\) Buckley](#)
[Public Comment \(15\) Buckley](#)
[Public Comment \(16\) Buckley](#)
[Public Comment \(17\) Kelly](#)
[Public Comment \(18\) Redmon](#)
[Public Comment \(19\) Belt](#)
[Public Comment \(20\) Derwin](#)
[Public Comment \(21\) Dale](#)
[Public Comment \(22\) Villegas](#)
[Public Comment \(23\) Gingerelli](#)
[Public Comment \(24\) Fowler](#)
[Public Comment \(25\) Burton](#)
[Public Comment \(26\) Willey](#)
[Public Comment \(27\) Wilson](#)
[Public Comment \(28\) Patton](#)
[Public Comment \(29\) Powell](#)
[Public Comment \(30\) Bryan](#)
[Public Comment \(31\) Cole](#)
[Public Comment \(32\) Casten](#)
[Public Comment \(33\) Paulus](#)
[Public Comment \(34\) Schoof](#)
[Public Comment \(35\) Mosler](#)
[Public Comment \(36\) Venezia](#)
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[Public Comment \(41\) Candia](#)
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[Public Comment \(43\) Ford](#)
[Public Comment \(44\) Jonelis](#)
[Public Comment \(45\) Krsek](#)
[Public Comment \(46\) Austin](#)
[Public Comment \(47\) Wood](#)
[Public Comment \(48\) McCreedy](#)
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[Public Comment \(50\) Brown](#)
[Public Comment \(51\) Kenealy](#)
[Public Comment \(52\) Amoroso](#)
[Public Comment \(53\) Ringenberg](#)
[Public Comment \(54\) Crebs](#)

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[Public Comment \(57\) Luria](#)
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[Public Comment \(64\) Kelly](#)
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[Public Comment \(67\) Robinson](#)
[Public Comment \(68\) Luria](#)
[Public Comment \(69\) McGrath](#)
[Public Comment \(70\) Pohlen](#)
[Public Comment \(71\) Lowry](#)
[Public Comment \(72\) Small](#)
[Public Comment \(73\) WTrans&DKS](#)
[Public Comment \(74\) Green](#)
[Public Comment \(75\) Reynolds](#)
[Public Comment \(76\) Whitford](#)
[Public Comment \(77\) Caudill](#)
[Public Comment \(78\) Childs](#)
[Public Comment \(79\) Barlow](#)
[Public Comment \(80\) Troyan](#)
[Public Comment \(81\) Koussa](#)
[Public Comment \(82\) Manzer](#)
[Public Comment \(83\) Burton](#)
[Public Comment \(84\) Friday](#)
[Public Comment \(85\) Luria](#)
[Public Comment \(86\) Green](#)
[Public Comment \(87\) Friday](#)
[Public Comment \(88\) Green](#)
[Public Comment \(89\) PerryJohnsonAndersonMiller&MoskowitzLLP](#)
[**Public Comment \(90\) Birebent](#)
[**Public Comment \(91\) Schlatter](#)
[**Public Comment \(92\) Green](#)
[**Public Comment \(93\) Pniower](#)
[**Public Comment \(94\) Pirchner](#)
[**Public Comment \(95\) Zivkovic](#)
[**Public Comment \(96\) Dell](#)
[**Public Comment \(97\) Villegas](#)

[**Public Comment \(98\) James](#)
[**Public Comment \(99\) Kistner](#)
[**Public Comment \(100\) Cotten](#)
[**Public Comment \(101\) Kistner](#)
[**Public Comment \(102\) VineyardValleyMHP](#)
[**Public Comment \(103\) OTSH](#)
[**Public Comment \(104\) Buckley](#)
[**Public Comment \(105\) Lavagnino](#)
[**Public Comment \(106\) Guneratne](#)
[**Public Comment \(107\) Villegas](#)
[**Public Comment \(108\) Mills](#)
[**Public Comment \(109\) Luria](#)
[**Public Comment \(110\) Antor](#)
[**Public Comment \(111\) Lavigne](#)
[**Public Comment \(112\) Davies](#)
[**Public Comment \(113\) Brown](#)
[**Public Comment \(114\) McBride](#)
[**Public Comment \(115\) Bradley](#)
[**Public Comment \(116\) Myhre](#)
[**Public Comment \(117\) Pastrama](#)

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APPROVED FOR THE CITY OF ST. HELENA

REVISIONS

DATE

PROJECT: ST. HELENA CRA PLANNING DIVISION HUNTER SUBDIVISION

DATE: JUL 30, 2021

DRAWN: CIEL

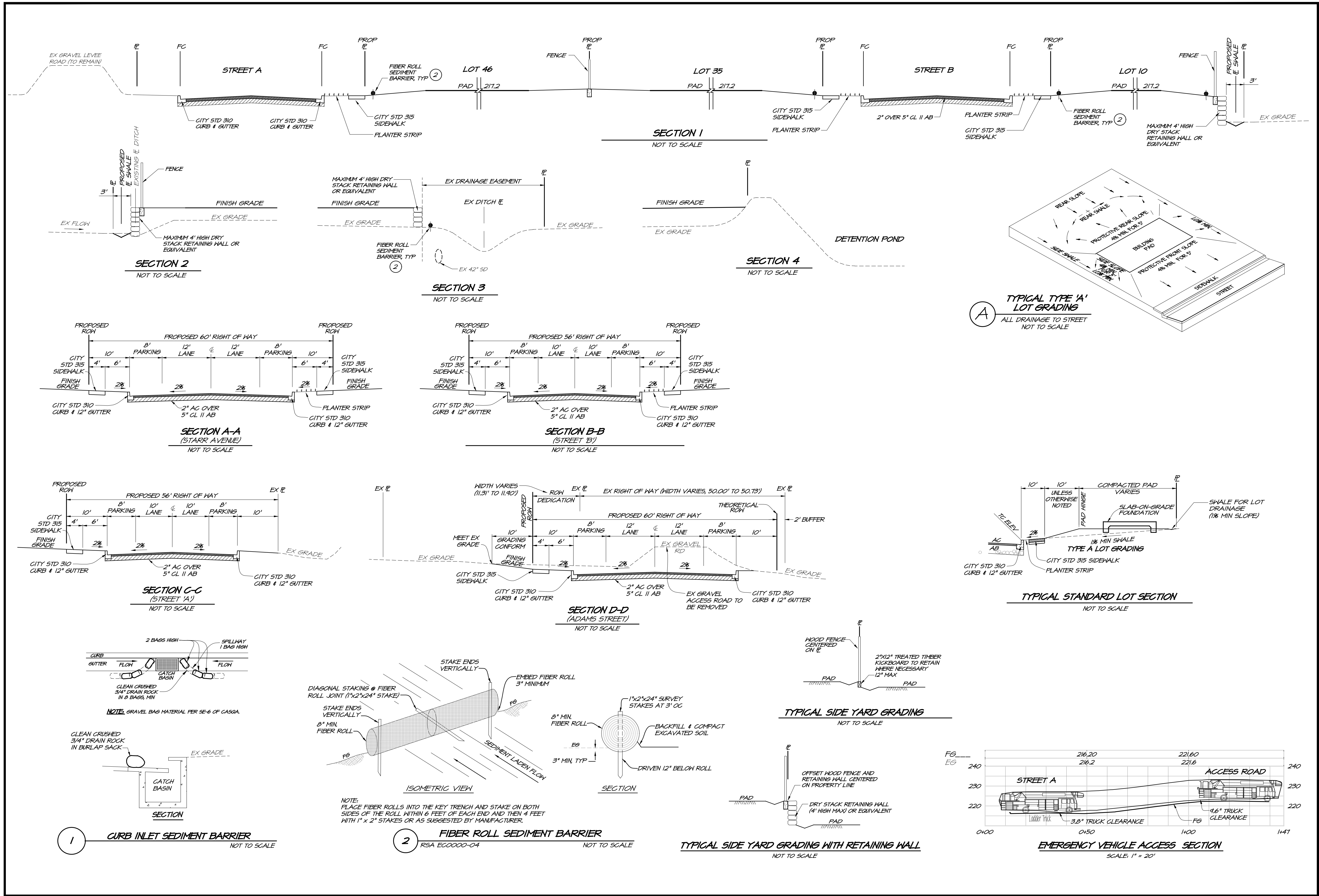
DESIGNED: BTTP

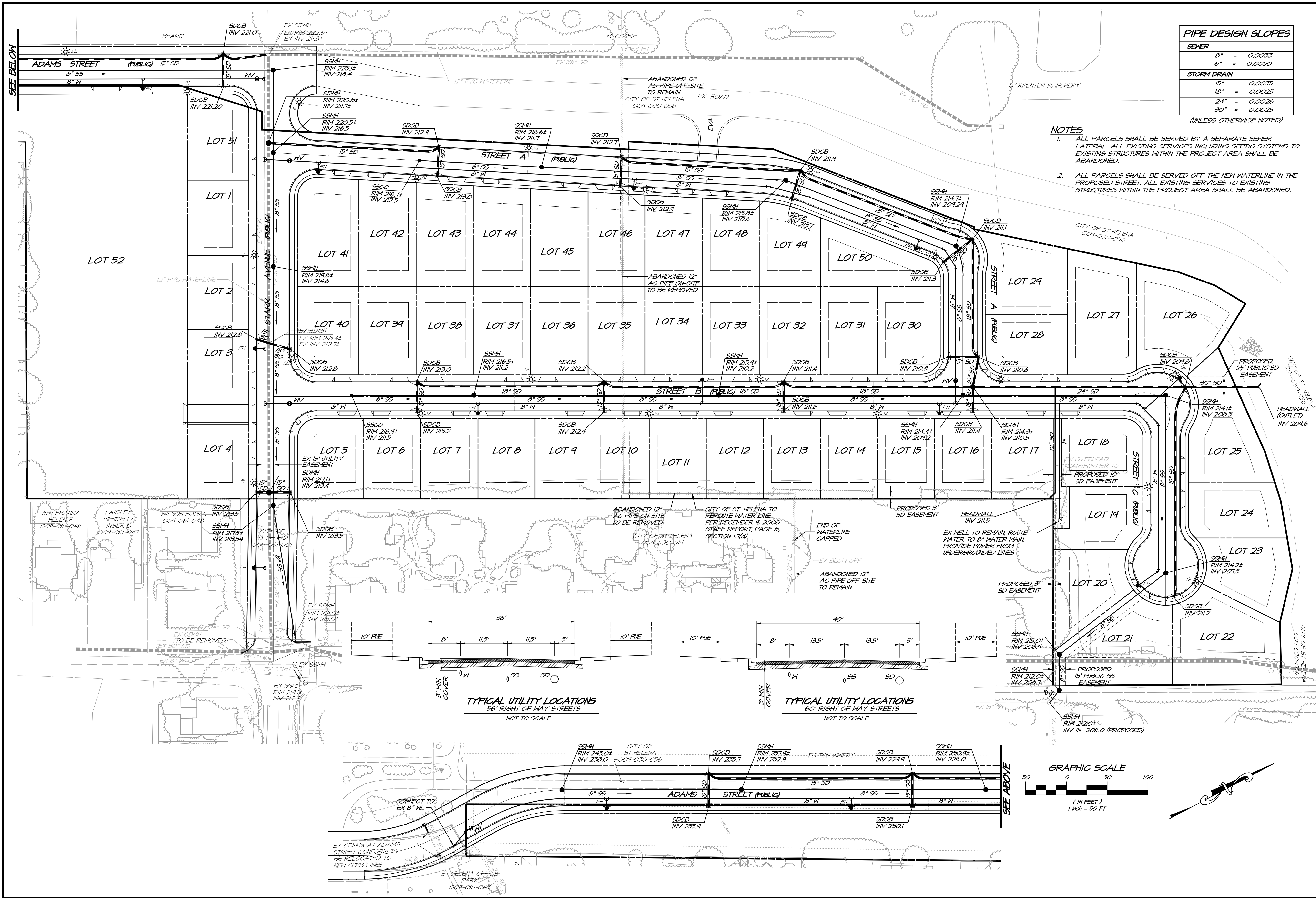
CHECKED: JIN

JOB NO: 210000

SHEET NO: TM3

3 OF 5 SHEETS





APPROVED FOR CONSTRUCTION

DATE: 01/11/2024

REVISIONS

CITY OF ST. HELENA

ST. HELENA

UTILITY

HUNTER

SUBDIVISION

PLAN

TM5

5 OF 5 SHEETS



City of St. Helena
REVISED NOTICE OF AVAILABILITY

Hunter Subdivision Project
 Draft Environmental Impact Report SCH # 2018032014

To: Public Agencies and Concerned
 Citizens/Interested Parties

From: City of St. Helena
 Planning Department
 1572 Railroad Avenue
 St. Helena, CA 94574

Notice: Notice is hereby given that the City of St. Helena (City), acting as Lead Agency under the California Environmental Quality Act (CEQA), has released a Draft Environmental Impact Report (EIR) prepared for the Hunter Subdivision Project (Proposed Project) for a **67-day** review and public comment period. A Planning Commission public hearing to receive verbal comments on the EIR will be held via Zoom on November 30, 2021 at 6:00 p.m. <https://us02web.zoom.us/j/84808935175>. The public review period will begin on September 23, 2021 and end on **November 30, 2021**. It is highly recommended all comments be submitted to the City in writing.

Written comments on the Draft EIR must be received by the end of the review period.

THE REVIEW PERIOD HAS BEEN EXTENDED AND NOW ENDS ON
November 30, 2021

Submit comments to Maya DeRosa, Planning & Building Director
City of St. Helena, Planning Department
1572 Railroad Avenue, St. Helena, California 94574
 or mderosa@cityofstheleena.org
(707) 967-2783

Project Description: The Proposed Project includes a Tentative Map to subdivide the 16.9-acre parcel into 51 single-family lots, a 3.4-acre multi-family parcel, a 0.06-acre remainder parcel, and 0.04-acre parcel to contain an existing agricultural well. Although the only entitlement being sought at this time is a Tentative Map, the applicant intends to build 51 single-family and 11 accessory dwelling units on the lots created by the proposed Tentative Map. The applicant also intends to construct 25 multi-family units on the 3.4-acre parcel. An agricultural well on the 0.04-acre parcel is proposed to remain in place to supply water for all onsite landscaping and other outdoor uses. The Project also includes grading of the site, construction of the extensions of Adams Street and Starr Avenue, construction of local residential streets and installation of utility lines.

The Draft EIR considers the impacts of the project as described above. Future discretionary approvals, including an Affordable Housing Agreement, design review, and a conditional use permit will be required before development of the Project can proceed.

Project Location: The Project site is located in the northeast portion of the City, at the eastern terminus of Adams Street, three blocks east of downtown and State Route 29 (SR 29), and west of the Napa River. The site's Assessor Parcel Number is 009-030-057.

Potential Environmental Impacts: The following are potentially significant environmental effects anticipated as a result of the Project: aesthetics and light and glare, agricultural resources, biological resources, cultural and paleontological resources, geology, soils and seismicity, hazards and public safety, noise and vibration, and transportation and traffic.

Location Where the Document can be Reviewed: The Draft EIR for the Project is available for review at (1) the St. Helena Public Library, 1492 Library Lane, St. Helena, CA 94574; (2) St. Helena Planning Department, 1572 Railroad Avenue, St. Helena, CA 94574; and (3) on the City's website at www.CityofStHelena.org.

Xinia Gamero

From: Linda Rose <linda@mgrose.com>
Sent: Monday, October 4, 2021 4:22 PM
To: Public Comment
Subject: [External] Hunter Project

Dear Planning Commission,

Please do not approve the Hunter Project. It was turned down before, because it is such an ill-advised project. We don't have the water for it. We don't want, and can't handle the traffic it would generate. It's in the wrong place, where nothing should be build. And it is much too big for our town.

Sincerely,
Linda Rose
St. Helena

From: Trudy Bouligny <tbouligny@gmail.com>
Sent: Sunday, October 10, 2021 10:20 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Project - Public Comment

To St Helena Planning Dept
Attn M De Rosa
Reference: The Hunter Project, St Helena CA

Please add our concerns to the file for the proposed Hunter Project which has come back to life after being soundly rejected 6 years ago. This project still has no grounds for approval. It is in an area of possible serious flooding, there is a dire lack of water in the town of St Helena, traffic issues will be exacerbated by dumping vehicles on Pope St to cross a totally inadequate bridge with a dangerous intersection at the Silverado Trail. The list of problems is lengthy and it doesn't take an expensive EIR consultancy fee to be realistic about the negative impacts to the community. Please reject the proposal when it comes before the Planning Commission.

Sincerely
Earl and Trudy Bouligny
497 Silverado Trail
St Helena CA 94574

*Earl and Trudy Bouligny
497 Silverado Trail S
St Helena CA 94574
707-963-0814
707-738-1230 M*

From: LORI VRABEL <winterchampagne@comcast.net>

Sent: Monday, October 11, 2021 3:44 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Opposing Hunter Subdivision

Dear Maya,

I just want to register my strong opposition to the Hunter Subdivision Project. We are in a severe and long term draught so the additional water use and sewage requirements at this time are totally ridiculous. We are also inundated with traffic on weekends and the addition of these homes would greatly increase that frustration. We also do not have sufficient escape routes for fire evacuation as it is. Thank you for your consideration of my objections.

Respectfully,

Lori Vrabel

From: Henry Gundling <henry.gundling@gmail.com>
Sent: Tuesday, October 12, 2021 9:51 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>
Subject: [External] Hunter Project DEIR

Re: Hunter Project DEIR Comment

October 12, 2021

Parking

Unless I missed it, buried somewhere in the 638 page document, the Hunter Project Draft Environmental Impact Report DEIR fails to mention the environmental impact caused by inadequate parking. Inadequate off street parking results in cars spilling onto city streets and into surrounding neighborhoods. This impact deserves both identification and mitigation.

Presently in our neighborhood, twenty to thirty vehicles from the Hunt's Grove apartment complex already line the streets of Starr Avenue and Meadowcreek Circle creating an inconvenience for neighborhood residents who are challenged to find parking in front of their own houses, as well as an inconvenience for apartment residents who find themselves walking a long way from home to car. Streets lined with cars also create a hazard for bicyclists, especially children, and drivers.

Saint Helena's Municipal Code requires two parking spaces per unit at Hunt's Grove. For many families with more than two drivers, two parking spaces are clearly inadequate. The city of Saint Helena's lease agreement with Bridge Housing (operator of Hunt's Grove) requires "no Resident household shall be allowed to own or park more than two (2) cars at or in the vicinity of the Development". Since moving to the "vicinity" on Meadowcreek Circle in 2008 I can't remember there ever being a time that Hunt's Grove wasn't in flagrant violation of its operating agreement with the city, and the city has been derelict in not enforcing its own agreement. In addition to the daily commuters, it's not unusual for cars to be dropped onto city streets for long periods of time, or for car servicing and repairs to take place.

Given this poor track record, and given the Hunter Project's proposed 87 total units including 25 Multi Family Units, which could expand upwards to as many as 130 total units depending on the as yet unrevealed "density bonus", it is imperative that the EIR include a parking impact analysis, based on real world household parking demand. The city should insist on adequate off street parking for safety and quality of life. If the developer's parking proposal is deficient, *mitigation should be negotiated before development*.

Yours truly,

Henry Gundling
 1185 Meadowcreek Circle
 Saint Helena, CA

From: Henry Gundling <henry.gundling@gmail.com>
Sent: Tuesday, October 12, 2021 10:11 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>
Subject: [External] Hunter Project DEIR Water Comment

Re: Hunter Project DEIR

October 12, 2021

Water

The Hunter Project DEIR's claim that the Hunter Project is "water neutral" is downright laughable. The report doesn't even calculate the acre feet of water that will be taken from the city's aquifer directly upstream from its own municipal wells. Unless the developer is proposing zero landscaping, how could there be no impact on Saint Helena's groundwater, one of the city's three critical water sources?! As for indoor water usage, the proposed \$596,808 for water efficiency improvements in 333 existing homes to offset the daily 17,752 gallons from city water (also coming in part from the aquifer) is nice in theory, but the city should insist that this investment, and its proven results, be implemented before development. Saint Helena's current residents will be harmed if the promised benefits fail to materialize, and they should be understandably suspicious of developers' proposed offsets. Remember the roughly \$800,000 "offset" provided by the developer of the Las Alcobas hotel to mitigate the loss of 20 on site low income housing units? Really? Where are the twenty replacement low income housing units purchased by that \$800,000?

The DEIR is wholly inadequate in defining the Hunter Project's potential impact on Saint Helena's water supply, both for residents, as well as wildlife. The city should insist on the DEIR fully disclosing groundwater impacts, and as well, insist on bona fide, rigorously verifiable conservation benefits as a prerequisite to development.

Saint Helena resident's are already under Phase II water restrictions due to drought and water supply shortage, and will face the likely prospect of draconian Phase III water restrictions with one more below normal rainy season. It would be irresponsible, reckless and potentially harmful for existing citizens for the city to approve a large, new development, with its huge additional water demand, without securing a truly neutral water supply .

Yours truly,

Henry Gundling
1185 MEADOWCREEK CIRCLE
Saint Helena, CA

From: jdicksong@gmail.com <jdicksong@gmail.com>
Sent: Friday, October 15, 2021 2:08 PM
To: Mderosa@cityofsthelea.org
Subject: HUNTER PROJECT

To: St. Helena Planning Department

Our community faces serious challenges which would be compounded by the proposed Hunter Project. Its proximity to Vineyard Valley recalls to us the heroic measures necessitated there during flood and fire emergencies over recent years. Traffic issues are also profound, particularly as regards the Pope Street Bridge. Local practical and safety considerations must weigh more heavily than the profit motive for development. Please reject this Hunter Project.

Julie Dickson, 1817 Spring Street, St. Helena

From: C. Echols <cechols47@gmail.com>
Sent: Sunday, October 17, 2021 8:50 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Subdivision Project

I live at the back of VV MHP. One advantage of living back here is the quiet and views.

I am greatly concerned about potential noise, traffic, water and sewage availability, and possible property devaluation.

What steps are being taken to lessen the negative impact on the VV MHP residents?

Thank you,
Chris Echols
11 Del Rio Court

From: Mariam Hansen <wartuhi@comcast.net>
Sent: Monday, October 18, 2021 9:38 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter EIR

Hello Maya,
Here are my comments on the Hunter Project EIR:

The project has to be water neutral, though using 18,000 gallons per day. One of the mitigations is installing water meters at each home in Vineyard Valley—247 of them. There used to be water meters—there is a remnant of one in my driveway. The city deemed it too expensive to read them all, so now we have only two—one for north of the creek and one for south. The water neutrality also plans to remove 5 acres of lawn in town and retrofit toilets.

Many other projects had to retrofit toilets in town. We had to retrofit some in the 1990s when we built a commercial building on Vintage Avenue. How many toilets are left to be retrofitted?

The fire department wants an emergency exit from the dead end cul de sac at the far eastern end of the project. The main exit route in VV is private property. The owners of Vineyard Valley will certainly object to this. This would have to connect with the main exit route for over 200 homes in Vineyard Valley. Experience has shown that in a dire emergency VV has so much trouble getting everyone out they decided to have them drive out the levee road! In future they would have to drive past the new Hunter homes!

If there is a choice between building a freeway off ramp style bridge next to the existing Pope Street Bridge over Napa River and a new bridge for Adams St, I support extending Adams Street to the Silverado Trail. If Hunter is built that would handle the increased traffic in a much better way. Besides, as a historian, I don't want to see the setting of the 1894 Pope Street Bridge denigrated by a monstrous new structure. The bridge is on the National Register of Historic Places.

Is Nov 2 the last time comments on the EIR will be accepted? If so this has been awfully hush hush. Where is the public outreach???

Best,
Mariam Hansen

Wednesday, October 20, 21

**Public Comment on Draft EIR for the Hunter Subdivision Project
(Water Supply Discussion Only)**

Undersigned's comments are confined to the water supply discussion in the Draft Environmental Impact Report ("EIR"). They address factual matters and also comment on the applicant's "water neutrality" presentation.

1. Draft EIR page 3.13-3: the statement is made that "Average historical yield from the [Bell Canyon] reservoir is approximately 1,800 acre-feet per year." Yet, Table 3.13-1 shows potable water deliveries ranging in water years' 2013-20 from a high of 927 AFY (2013) to a low of 643 AFY (2016). In short, the "average historical yield," assuming "historical yield" means historical deliveries, is less than one-half of the 1,800 AFY asserted textually on page 3.13-3.

As a matter of historical interest, deliveries from Bell Canyon reservoir were much higher in the twenty-year period ending in 2007. But the City was not meeting its State permit-imposed bypass obligations in those years. As documented in the Baseline Report of the Water & Sewer Infrastructure Subcommittee ("Subcommittee Report") of the General Plan Update Steering Committee (June 24, 2010), page 5, the City overdrew the reservoir by on average 525 AF yearly in the period 1988-2007. (The Subcommittee's Report was thoroughly vetted by City Staff and was presented to the Council with no disagreement as to its factual statements.)

The subsequent steep drop in annual deliveries from the reservoir is largely attributable to the City's coming into compliance with its State permit-imposed bypass obligations. The EIR statement at page 3.13-4 is euphemistic: "In recent years, the annual yield from Bell Canyon Reservoir has declined significantly due to required water releases into the Napa River to support fish habitat and also from drought conditions." Rather, as stated in the 2010 Subcommittee Report, the releases came about in and since 2008 (not "recent") and came about due to a City policy change to abide by State bypass obligations. As the Draft EIR on page 3.13-6 indicates, Napa purchased water that was

expected to augment overall potable water supply basically did no more than replace water previously misappropriated from Bell Canyon.

In fact, the historical yield of Bell Canyon varies greatly with rainfall in any given water year. This is documented on page 4 of the Subcommittee's Report. "Averages" conceal wide fluctuations in Bell Canyon productivity. The issue, long recognized, is the City's difficult water supply situation in successive (especially more than two) dry or very dry years. See discussion of Safe Yield Report, point 5 below.

2. Draft EIR page 3.13-3: the statement is made that "the City is authorized to divert and store 3,800 acre-feet from Bell Canyon Reservoir each year." This is incorrect. Correctly stated, the City's storage right is 1,800 AF – and NOT 3,800 AF.

The City's storage "right" was the subject of significant discussion among the undersigned, City Staff, and the Napa Local Agency Formation Commission ("Napa LAFCO") in fall 2020. Napa LAFCO, with the City's concurrence, in its Napa County Water and Wastewater Municipal Service Review Final ("Napa MSR Final" (November 2, 2021)), correctly states (in revision of the prior draft), on page 215: "Bell Canyon Reservoir is owned and operated by the City and has a storage capacity of 2,350 af, of which the City has a storage right of 1,800 af."

The 2010 Subcommittee Report, page 4, also correctly states the City's storage right. "The maximum amount that the City is allowed to **divert to storage** in any one year is 1,800 acre-feet." (Bolding in original) Again, the City approved this statement, after thorough discussion including with the undersigned, in spring 2010 prior to publication of the Subcommittee Report on June 24, 2010.

The 3,800 AF comes about by combining the storage right in State Permit 9157 (1,800 AF) and the forecasted additional storage right in State Permit 14810 (2,000 AF). Permit 14810 authorized the raising of the dam at Bell Canyon from 75 feet to 105 feet, which would have added 2,000 AF of new storage, but the dam was not raised, and the additional storage right was not earned. In consequence the City's storage right has remained at 1,800 AF, as set forth in Permit 9157.

3. Draft EIR pages 3.13-5 to 3.13-7 discusses Napa City's sources of water. This discussion is not relevant. As noted on EIR page 3.13-4, the City of St. Helena has a "take-or-pay" contract with the City of Napa. This means that our City is indifferent to Napa City's sources of water. Napa must supply the City's contracted-for water no matter what supply difficulties it may be experiencing with its own sources of water (including curtailed deliveries from the State Water Project).

4. Draft EIR page 3.13-7: the statement is made: "The City currently restricts the use of groundwater from [the Stonebridge Well Complex] with goal of limiting extraction to 450 AF per year for long term sustainability." The source of this statement is page two of the March 2011 Safe Yield Report. In general, the City's sourcing strategy has been to take the 600 AF from Napa, produce what it can from Bell Canyon consistently with satisfying its bypass obligations, and meet the remainder of potable water demand from its two production wells at the Stonebridge Well Complex. Table 3-13-1 shows annual well production in water years 2013-2020. It has on average been significantly less than 450 AFY, ranging from a high of 400 AFY (2013) to a low of 240 AFY (2019). To undersigned's understanding, the reasoning behind this strategy is to limit groundwater production as much as possible due to environmental concerns for the Napa River, which is a gaining river in our area (which means that groundwater helps to sustain flows in the river). In short, the City since 2011 has achieved a long-term average significantly below 450 AFY.

Having said that, the City delivered 576 AF from the Stonebridge Well Complex in the water year ending June 30, 2021, per monthly Water Report for June 30, 2021, posted in the Public Works section of the City's website under "Water." This represents 34.6% of total water year deliveries. This is significantly more on an absolute basis and also on a percentage basis than the City has produced at the Stonebridge Well Complex in any past water year going back to 1992, when the first of the Stonebridge production wells was completed. Undersigned's personal view is that production in this substantial amount will prove to be not sustainable.

5. Draft EIR page 3.13-8: the EIR presents Table 3.13-7, entitled "City of St. Helena Safe Yields." The Table in column 2 presents a total

normal water year safe yield of 1950 AF. The Safe Yield Committee presented this number in the Report of the Safe Yield Committee (March 17, 2011). As stated in its Report, page 3, the Committee calculated the *net* safe yield, after taking into account “unavailable water,” at 1658 AF. (“Unavailable water” is the volumetric difference between metered water deliveries at delivery sources – Bell Canyon, City Wells, Napa Water Delivery Point in Rutherford -- and metered water deliveries to customers. There are a number of factors that account for lesser metered sales’ volumes than metered input volumes from the City’s three sources of water, with system distribution leaks likely playing a significant part in accounting for the difference.)

The “net safe yield” represents the Safe Yield Committee’s assessment (in 2011) as to the water quantity available for sale while meeting the definition of “safe yield” as defined by the Safe Yield Committee (and subsequently adopted by the Council.) As defined by the Committee, the “safe yield” is the quantity of water needed to supply the City through most rainfall years, including a dry year, without water shortage restrictions. The Committee’s definition continued: “It is recognized that the safe yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9 or less) or in periods of two or more Dry Years.”

As important, there have been supply changes since the Safe Yield Committee did its work more than ten years ago that could affect the “safe yield” calculation. In particular, Bell Canyon may have been less productive than the Committee modeled. The Safe Yield Committee assumed that the Water Enterprise would purchase 200 AF (over the 600 AF) of option water when available; in the last decade there has been no purchase of Napa contract option water. At the same time, the City has benefitted from changes in the Napa contract, especially the yearend 2011 contract amendment. The City also appears to be under environmental and legal pressure to reduce pumping from the Stonebridge Well Complex. The basic point here is that the City should undertake a re-assessment of the “safe yield” and “net safe yield” of its potable water delivery system.

Indeed, the Safe Yield Report concludes: “the City should re-determine the usage/supply balance at the end of each fiscal year in the

ordinary course of business at the Water Enterprise. This will require recalculation each year of the forward-rolling, five-year average total potable water usage. It should also take into account any changes in supply conditions.” The EIR does not cite to work subsequent to 2011 along these lines by the City.

6. Draft EIR page 3.13-8: the statement is made that “the Louis Stralla Treatment Plant (WTP) is “located on Crystal Springs Road in the northeastern part of the City [citations omitted].” The WTP is located on Crystal Springs Road, but it is not within contiguous City limits in what would generally be understood as “the northeastern part of the City,” namely City limits near Deer Park Road and Silverado Trail. Rather, the WTP, while in City limits, is northeast of contiguous City limits and is surrounded on all sides by Napa County lands. See Figure 1.3, NAPA MSR Final. (Following a convincing documentary showing by LAFCO in the final phases of the draft MSR in the fall of 2020, the City advised undersigned that it would revise City maps to show that the City-owned land at Bell Canyon reservoir is within City limits.) Succinctly, Bell Canyon sits on City land, within City limits, which is an island surrounded by County lands.

7. On page 3.13.10 the EIR, in the last bullet point on that page, notes that the 2010 Water Supply Plan recommended, among other recommendations, “a water rate structure that will ensure adequate program funding while encouraging water conservation by accounting for reduced water consumption in the base water rate and increasing high-tier rates.” Unfortunately, this recommendation was not consistent with the subsequently decided decision in *Capistrano Taxpayers Assn. v. City of San Juan Capistrano*, 235 Cal.App.4th 1493, modified (with no change in judgment), 236 Cal.App.4th 1123a (2015). The California Supreme Court denied review, and the *Capistrano* case became the accepted law in California. In accordance with the *Capistrano* case, the City (like many California cities) abandoned tiered rates in its last (2016) rate increase, bringing its rate structures into compliance with State Proposition 218 as interpreted and implemented by the *Capistrano* case. In consequence, it is not possible to incentivize conservation through tiered rates whereby higher volume customers pay more per unit of consumption.

8. A comment on the Municipal Code Section 13.12.030, discussed at Draft EIR pages 3.13-21/22 & 3.13-24/25 (“water neutrality” issue). As the applicant states, City policy requires that new development offset completely its potable water use. The applicant estimates annual indoor water demand at 20 AFY (rounded). This is not a small amount to offset through off-site water efficiency improvements.

The Municipal Code (section 13.12.030D) places the burden on the applicant-developer to identify properties eligible for retrofitting. Ideally, the developer should not be able to shift the burden of offsetting new water use through an in-lieu fee from itself to the City. Rather, certificates of occupancy should not issue unless and until the developer shows that it has effectively offset the potable water usage of new housing units at the time it seeks occupancy permits.

In EIR Appendix J, applicant’s “Water Neutral Report,” prepared by RSA+, a civil engineering firm, RSA+ calculates that 333 off-site residences would need to be retrofitted with water-saving fixtures to achieve an annual off-set savings of 20 AF, calculating the total cost (labor and materials) at \$600,000 (rounded). In its conclusion RSA+ seems to recognize the impracticality of locating and retrofitting such a large number of residences on the City’s potable water system.

The RSA+’s conclusion states: “The offset of the water project demands may *best* be met through assisting the City of Sr. Helena with existing water system improvements via in-lieu fees. The project will pay \$596,808 as an in lieu fee equal to the cost of retrofitting enough residences with low flow fixtures to achieve savings equal to the proposed use.” Italics added.

In short, the applicant appears to be proceeding on the premise that the Council, as it has discretion to do under the Municipal Code (section 13.12.030B), will accept an in-lieu fee, equal to the cost of residential water efficiency upgrades, in place of the upgrades themselves.

In my opinion it is reasonable to conclude that retrofitting 333 off-site residences is “impractical,” which is a basis for Council acceptance of an in-lieu fee under the Municipal Code (section 13.12.030B). At this

juncture, with the water efficiency program in place for many years, it would appear to be both difficult not just to locate a sufficient number (333) of residences in need of water efficiency upgrades and also to persuade eligible residents to undertake paid-for water efficiency improvements. There are no doubt administrative issues for both the developer and the City that would make such a large retrofit program difficult to accomplish successfully. Based on my own experience with our (thinly) staffed City Government, I am skeptical, to put the matter mildly.

But there also appears to be a disconnect between the \$600,000 in-lieu fee proffered by the applicant, calculated by the applicant in Appendix J as the total cost (labor and materials) of retrofitting 333 residences, and the in-lieu fee necessary to accomplish a reduction of 20 AFY through improvements in the City's water distribution system. It does not equate to say that if the City spends \$600,000 on water distribution improvements, it will in fact achieve 20 AF in annual potable water savings. The goal of the water neutrality policy is to ensure neutrality is achieved, and indeed achieved commensurate with the time that the water system must respond to the new demand. Hence the City needs to identify a specific system improvement or improvements that will in fact offset the 20 AFY in new development usage. This statutory requirement is not achieved by allowing an in-lieu fee with no shovel-ready, offsetting improvements ready to go.

Then there is the further question of the amount of the in-lieu fee, if the Council decides to accept an in-lieu fee. The Municipal Code (section 13.12.030B) reads: "If the city council determines that retrofitting existing residential or nonresidential buildings is impractical or constitutes an unusual hardship on an applicant, it may authorize the payment of to the city of an in-lieu retrofit fee in lieu of complying with the requirements of subsection A of this section." Subsection A deals with the calculation of the number of retrofits. It is silent on the calculation of the in-lieu fee. The Council appears to have unfettered authority in fixing the amount of the fee. Assuming this is correct, the fee should be in an amount sufficient to pay for system improvements that in fact accomplish an offsetting 20 AFY reduction.

For example, if a system improvement to achieve a 20 AFY offset costs \$1,250,000, then that should be the amount of the fee. Conversely, if a system improvement to achieve a 20 AFY offset costs \$250,000, then that should be the amount of the fee. If a system improvement results in more than a 20 AFY reduction, then it may be appropriate for the Water Enterprise (ratepayers) to share in the cost, such that the applicant is paying a ratable amount equal to the cost of achieving a 20 AFY reduction. Now, it may be difficult, perhaps impossible, to quantify water savings associated with a specific system improvement, especially improvements designed to reduce unmetered losses in the distribution system ("unavailable water"). Still, the objective in accepting an in-lieu fee is ensuring that the new usage (20 AF) is completely offset, and the applicant should bear the burden of that cost, whatever it is.

9. The applicant assumes that it can lawfully satisfy landscaping water demand through a well on the applicant's property. This may well be correct, but it may not be a complete given. The County's Groundwater Sustainability Agency ("GSA") is addressing the issue of groundwater withdrawals (diversions), with GSA approval of the Groundwater Sustainability Plan ("GSP") due by January 31, 2022. (That is not the end; the State Department of Water Resources ("DWR")) will then be review and approved/disapproved the GSP within the following two years.) The City, Planning Commission, and/or City Council should review the applicant's proposed groundwater usage for conformity with the GSP following GSA approval of the GSP in early 2022.

Respectfully submitted,

Alan Galbraith

Member, GSPUC Water & Sewer Infrastructure Subcommittee,
2009-10

Member, Safe Yield Committee, 2010-11

Member, Groundwater Resources Advisory Committee, 2011-14

St. Helena Mayor, 2014-18

Member, Groundwater Sustainability Plan Advisory Committee,
2020- to date

City of St Helena, City Hall

Received

OCT 26

1480 Main St.

St Helena, CA 94574

October 25, 2021

Members of Planning Commission and City Council

Re: Hunter Project

I am enclosing one of the best articles written on the St Helena dilemma of the Hunter Project. I could wax eloquently on all the issues with this project, but a review of the article written in 2016 by Nicholas Pinter, Professor of Watershed Sciences at UC Davis really encapsulates the flood and water issues with this project. Nothing has changed since 2016. Yesterday's rains should highlight these issues. The river rose from a dry creek bed to 14 ft in a matter of hours.

We talk of about 100 year flood plains without really understanding the mathematics and probability of this number. You can at least understand that this does not mean we cannot have a catastrophic flood tomorrow. Houston is in a 500 year flood plain and they have had 3 catastrophic floods 3 years in a row.

We also have the issues of not putting another bridge across the Napa River, the high traffic problem and the proposal for water mitigation by providing better flush toilets which is seemingly idiotic.

The Hunter project is a no go for the citizens of the St Helena. They made that perfectly clear 6 years ago. The council and commission must:

1. Review this article and articulate why these issues are still not real
2. Get a written letter from FEMA that they would cover another flood on this land
3. Guarantee that the City would not be liable for further flood issues if housing is built here
4. Have a legitimate proposal for traffic control without building another bridge
5. Come up with a better water mitigation plan. We have been on Stage 2 water conservation. We cannot ask the citizens to save more to build this ill conceived project.

The Hunter project is too big a risk to leave it to a brief meeting and the votes of a few commissioners and the city council. This is a huge risk to the city which needs greater in person debate. Zoom doesn't do it.

Arlene and Richard Corsetti

1401 Spring Street

St Helena, CA 94574



10/25/21, 4:19 AM

St. Helena, California: Dealing with a Field-of-Dreams Levee, Residual Risk, and a Flood of Controversy | California WaterBlog

California WaterBlog*A biologist, economist, engineer and geologist walk onto a bar...***St. Helena, California: Dealing with a Field-of-Dreams Levee, Residual Risk, and a Flood of Controversy**Posted on July 17, 2016 by [UC Davis Center for Watershed Sciences](#)*by Nicholas Pinter*

A new \$37.2^[1] million levee in the town of St. Helena, on the floodplain of the Napa River, has a colorful history and has been stirring local acrimony since its inception. This project illustrates both the attraction of levee protection, in this case protecting a low-income neighborhood (“low income” by Napa standards) hit by disastrous flooding in 1986 and again in 1995, as well as pitfalls of this strategy for long-term risk management. There are clearly positive elements of the St. Helena levee project, but also numerous missteps that have mired the project in dissent and even, opponents argue, threaten to bankrupt the town. With important planning and zoning decisions now pending, the St. Helena levee is a case study for other communities to examine before they consider all of the options for flood-risk management.

After the release of a recent [journal article on levee protection](#), one reporter tried to wake me up with the following opening question – “Prof. Pinter, why do you hate levees?” I laughed in appreciation of a good icebreaker, and then explained how levees, floodwalls, and other structural protections are valuable tools in a diverse toolkit used to manage flood risk. But levees also come with adverse consequences that need to be rigorously evaluated and balanced against their potential benefits. Those negative impacts and the need for careful evaluation are often lost in the rush to build new levees or enlarge existing structures, typically in the aftermath of a damaging flood.

St. Helena is a town of about 6,000 people along the Napa River about 20 miles upstream of the City of Napa. The river there is small, averaging just 46.7 cubic feet per second (cfs) of flow over the duration of record, but subject to flash flooding after intense local rainstorms. Since 1862, 28 major floods have struck the Napa Valley^[2], including 1955, 1963, 1967, 1973, 1978, 1981, 1983, 1986, 1993, 1995, 2002, and 2006. Most of St. Helena is located a safe distance from the river, but starting in the 1970s, the Vineyard Valley area was developed, including 468 homes, apartments, and mobile homes at risk of flooding^[3]. Most of these are in what is now mapped by FEMA as the so-called 100-year floodplain. During the five-year review process for development of the mobile home park, local residents report that the issue of flood risk was never raised.



Figure 1 – The Vineyard Valley neighborhood of St. Helena under water during the 1986 flood.

Intense rain events hit the upper Napa Valley in February of 1986 and again in March of 1995, sending the Napa River over its banks and into the new Vineyard Valley development. Damages in each event were estimated at over \$50 million in St. Helena alone. During the 1995 flood, over 400 residents of St. Helena were evacuated, and 200 mobile homes in Vineyard Valley were declared a total loss. In both 1986 and 1995, other communities such as Calistoga and Yountville also were hard-hit, including inundation of much of downtown Napa. As described by the [Napa Valley Register](#), “Overnight, the Napa River

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swelled from a modest tributary of San Francisco Bay to a wrathful Amazon.” The 1986 flood killed three people, forced the evacuation of over 2,500, and caused total damages estimated at \$100 million².

A typical pattern in flood response is that it takes a one-two punch to motivate any large-scale action to address flood risk. The 1995 flood in Napa was that second punch. Surveying the damage, Napa County officials dusted off a flood-control plan initially drafted by the Corps of Engineers but defeated by a voter referendum in the 1970s. The original Corps flood control plan was considerably reworked and, particularly in the City of Napa, many forward-thinking elements were added, including channel habitat preservation and reconnection of the historic floodplain. Flood control was now put to the voters again, in the form of Measure A, a half-percent county sales tax, which was passed in March of 1998 with a two-thirds voter majority. With local cost-share funding secured through the referendum, Napa County began moving forward with the large-scale flood plan in Napa, with smaller portions of the funding apportioned to other communities along the river.

In St. Helena, plans were drawn up that focused on a large levee and floodwall to protect the Vineyard Valley area, as well as several other elements. These other elements of the project included bank stabilization, removal of a channel constriction, internal stormwater management, and excavation of a storage area outside the levee (a “terrace,” the project calls it) planted in native vegetation. The channel restriction, for example, involved the removal of 17 mobile homes and the associated land closest to the river, which opened that area to better pass flood flows. This bend in the river channel represented a chokepoint during floods, significantly obstructing flow and raising water levels in that area and upstream. Removal of these homesites and augmenting the conveyance capacity of the channel at this chokepoint certainly lowered flood danger by both reducing at-risk infrastructure and by lowering water levels during future floods.



Figure 2 – The positive side of flood control. As part of the St. Helena project, a total of 17 mobile homes were permanently removed and the flood wall set back from the river.

Although the St. Helena project included several forward-thinking elements, it remained much more of an “old school” structural flood-control plan than what was implemented in Napa. The St. Helena plan centered on approximately 2,000 ft of floodwall surrounding the Vineyard Valley mobile home park and another ~2,000 ft of levee that extends from the floodwall to the north and west. As now required of urban levees in California, the system protects to the “200-year” level – that is, designers of the levee and floodwall have affirmed that they will keep out floods up to those with a 0.5% chance of occurring in any year.

On a map the St. Helena levee is relatively small, a tiny fraction of the length of the systems that protect the Central Valley or great alluvial floodplains of the Midwest. But its height is impressive. Standing on the new levee crest above the Napa River, one can almost imagine looking out on the Sacramento or Mississippi River. The levee is also proportionally wide, with a crest 15-20+ feet across, wide enough to meet requirements for much larger rivers and floodplains. Wide enough, in fact, to carry two full lanes of traffic. Indeed, the initial St. Helena planning documents^[4] called for a multi-function levee that would also serve as a new roadway. This new road would have crossed the floodplain and the river across a new bridge, connecting St. Helena to the Silverado “wine trail” on the northeast bank. Currently that connection is across the Pope Street bridge, a historic stone structure built in 1894 and so narrow that it is terrifying to cross even when the driver coming the other way hasn’t spent

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the afternoon sampling the latest vintages. Using flood-control funding to simultaneously serve another goal might not be illegal, but it raises questions about priorities in design details. In this case, the proposed bridge link was rejected after litigation focused on its environmental impacts, but before levee construction. Nevertheless, the width of the St. Helena levee retained the width of a road to nowhere, as well as – importantly – a path that took the levee far wide of the housing it was funded to protect, enclosing a broad swath of floodplain undeveloped and empty except for rows of grapevines. More on this in a moment.

Another interesting aspect of the St. Helena levee is the funding to plan and design the project. The city obtained an \$8 million grant from FEMA's Hazard Mitigation Grant Program (HMGP). HMGP uses a slice of FEMA's total disaster-related funds to promote "mitigation," meaning actions taken by communities to lower their overall exposure to future disasters. Flood-mitigation strategies favored by FEMA nationwide include buyouts and relocation of repeatedly flooded homes or elevation of floodplain structures up beyond the reach of future floods.

FEMA carefully monitors HMGP projects to make sure that taxpayer funds are used for their intended purpose. In 2013, when FEMA audited St. Helena, the city was unable to account for a large block of HMGP money. Among project expenditures, the city had spent \$1.64 million on lobbying expenses, reportedly including lavish entertainment expenses in Washington aimed at securing Army Corps of Engineers and other federal funding for levee construction. When FEMA reviewed the city's books, it disallowed \$1.9 million in expenses, requiring St. Helena to withdraw this amount from its operational accounts. Further local acrimony ensued because the city repaid the FEMA money without adequately, some argue, disclosing the financial missteps and the resulting impacts on city finances. This repayment resulted in a \$1.5 million budget deficit and significant cuts to city services.

The details above are a selection of the complaints voiced by local levee opponents in St. Helena. This dissent contrasts with the broad consensus surrounding the much larger flood-control measures implemented in the City of Napa. Large public projects never reach perfect consensus, but the Napa Project solicited input from a broad range of stakeholders and integrated these opinions in final project designs. In contrast, the St. Helena project continues to roil that community even now that the levee is complete and a done-deal.

The final shoe – probably the most problematic element of the St. Helena flood-control debate – is now dropping, five years after the levee's completion. The current issue results from the unusual pathway of the levee, which sweeps well north and west of the neighborhoods previously flooded and includes 16.9 acres of undeveloped vineyard land. Undeveloped until now, that is. Just 17 days before the passage of Measure A, the mechanism that funded large-scale flood engineering throughout Napa County, much of the empty floodplain land behind the St. Helena levee was purchased by a private developer. On Sept. 8, 2010 the developer submitted plans to convert the empty agricultural land behind the levee into high-density residential development, including 87 new residential units[5]. This despite an explicit provision in Measure A that "none of these projects are intended or designed to encourage population growth."

My research group has worked hand-in-hand with floodplain residents to provide them planning guidance and technical expertise. We've also studied levee projects that would increase flood heights for neighbors, increase long-term flood risk, or degrade habitats, sometimes in exchange for very limited local flood-protection benefits. After struggling with this balancing act time and again, we've proposed a **three-step "levee sniff test" to preliminarily judge any proposal**. New or enlarged levees and floodwalls may be an appropriate solution if the system is designed to protect floodplain infrastructure that is:

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1. *concentrated,*
2. *high in value, and*
3. *pre-existing.*

The most crucial – and often the most politically fraught – of these criteria is the third. The worst case is construction of “field of dreams” levees – new, expensive, often muscular levees surrounding undeveloped or sparsely occupied floodplain land. “Build it and they will come” – field-of-dreams levees are meant to attract new construction and development on the floodplain. Political leaders see expansion of their local tax base, and developers salivate over the prospect of transforming low-cost floodplain land into urban real estate as soon as the new levee “solves the problem of flooding forever.”



Figure 3 – The Levee Sniff Test

By intent or by accident, the St. Helena project created a “field of dreams” levee. The original position of the levee was set by the desire of the city to piggyback a long-sought transportation project onto available flood-control funding. A private developer saw an opportunity for windfall profits and snapped up this floodplain acreage. What remains unclear is why, when plans for the roadway were scrapped, did St. Helena not downsize its levee? Local levee opponents see nefarious motives here, and the optics are not good. In 2008-2009, local residents had proposed several possible levee alignments that hugged the edges of existing neighborhoods that needed protection. These alternatives would have eliminated the “field of dreams” issues, cut construction costs, and would have significantly reduced future flood levels for neighboring properties outside the levee. But these alternatives were rejected at the April 14, 2009 meeting of the City Council. Why? Perhaps simply a result of frustration at the grassroots opposition and the desire to move forward with the existing blueprint, however much conditions had changed since those plans were drawn up.

“Residual Risk – the small but real possibility that a levee may fail or be overtopped during future floods.”

So past mistakes aside, why not fill in every square inch of land behind a levee once you’ve got one? The problem with levees, and with field-of-dreams levees above all, is that no type of structural flood protection can ever reduce the flood risk to zero. Even the strongest levee or floodwall carries a “residual risk” of failure or overtopping during large floods. Furthermore, having flood waters pour over or burst through a tall barrier turns the gradual process of floodplain inundation into a much more violent, dangerous, and damaging event. The history of occupation of U.S. floodplains is a history of levee failures, with headlines almost every year bringing footage of disastrous levee failures somewhere in the country. One levee system on the Mississippi River, not an atypical one, was breached 14 times through its history, only to be patched and raised each time, in the process driving up flood levels for the next event and contributing to the next failure. Expert after expert, blue ribbon panel after panel, has implored engineers, local leaders, and floodplain residents to not forget about residual risk. Brig. Gen. (Ret.) Gerald Galloway, former commander of the US Army Corps of Engineers puts it this way, “Let no one believe that because you are behind a levee, you are safe” (Galloway, 2005). The point has also been made more bluntly, “There are two kinds of levees ... [t]hose that have failed and those that will fail” (Martindale and Osman, 2010).

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“Developers and home builders may be gone, but residents of Natomas will be there and are the ones who are rolling the residual-risk dice year after year.”

Neglecting residual risk of flooding behind levees creates a false sense of security for residents and a lunatic calculus in which the local community can find itself with far greater long-term flood risk than before the levee was built.

California has made these mistakes before. In fact, the leading example of a “field of dreams” levee, discussed in floodplain management circles around the world, is Natomas on the northwest side of Sacramento. The Natomas Basin is ringed by 42 miles of levees, encompassing approximately 53,000 acres of the floodplains of the Sacramento and American Rivers. This land was sparsely populated until roughly 1990. Despite a tangled history, the Natomas system was built and they did come. On-going levee construction, particularly improvements initiated in 1992, ushered in a wave of development. As of 2010, Natomas was home to over 22,800 structures, the large majority of them residential units and home to more than 90,000 people[6]. The City of Sacramento currently plans to permit up to 1,000 additional single-family homes per year, 500 multifamily residential units per year, and unlimited industrial, commercial, and retail construction behind this levee[7]. Today, total property in Natomas at risk of flood damage, should the levee fail or be overtopped, exceeds \$8.5 billion, with flood depths that could reach 25 feet[8]. Heroic efforts are now underway by the Sacramento Area Flood Control Agency, the California Central Valley Flood Protection Board, and the Corps of Engineers to patch deficiencies in the Natomas levee and raise the overall protection provided by the system. When that huge – and hugely expensive – effort is complete, the State of California, the Corps, and FEMA will sign off that they have reduced the statistical chance of catastrophic flooding in Natomas to 0.5% per year (less than once every 200 years, on average). That is a high level of protection by US standards, and engineers and leaders who are implementing the project will be justifiably proud of their accomplishment.

But ... our country’s 400+ year history with levees also tells us that such claims of almost complete flood protection have often been repeated, and almost always were over-stated. Lots of reasons why this has happened in the past, and many of those reasons hold true for the future. But even at face value, a 0.5% exceedance probability for a system now protecting \$8.5 billion in property translates – crudely – into up to \$42.5 million in risk each year. If those 22,000+ homes and other structures had already been there before the levee (concentrated, high-value, and preexisting), then this annual \$42.5 million in residual risk would have been a necessary tradeoff. But because Natomas was a field-of-dreams levee built intentionally to create new floodplain infrastructure, the large majority of this \$42.5 million/year is all-new and added risk.

Who bears this residual risk if (some would say “when”) California’s drought turns to flood and hands us a “>200-year flood?” Or a lesser flood that finds a chink somewhere in the 42-mile long, gopher-prone armor that surrounds Natomas? Developers and home builders may be gone, but residents of Natomas will be there and are the ones who are rolling the residual-risk dice year after year. So too are all US taxpayers, since we bankroll disaster relief. Federal expenditures for disaster relief have averaged ~\$35 billion per year in recent years[9], equivalent to about \$400 per year per US household.

Residual risk also can be borne by the governmental agencies that facilitate “field of dreams” levees. Legal liability came to roost in California in 2003, when the Court of Appeals found the state liable for \$500 million in damages resulting from a levee break on the Yuba River in February of 1986, the same storms that flooded St. Helena. The case was Paterno v. State of California, and although the state neither built nor maintained the levee that gave

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way, the court found that it was responsible for inadequate maintenance and management of the system. And liability extends to counties and towns as well; for example, California Assembly Bill 80 made local jurisdictions liable for “property damage caused by a flood [if they] ... unreasonably approv[e] new development in a previously undeveloped area[10].” In the Paterno case, the financial hit of that \$500 million decision shook the financial structure of the entire state, such that California was forced to borrow funds from Merrill Lynch in order to pay the claims against it[11].

So where does St. Helena and its levee fit into this broader picture? This levee and the new construction proposed behind it are tiny compared to what has gone onto Sacramento area floodplains, St. Louis floodplains, Houston floodplains, and others. But the principles are the same, and the potential consequences for a small community like St. Helena are proportionally even more threatening than for a large city. The St. Helena Vineyard Valley levee was built to protect residents who had the misfortune of living in a neighborhood built on the edge of the Napa River and far into the floodplain, a neighborhood that should not have built in the first place. That was certainly mistake number one. But after repeated and devastating floods, those residents were justified in seeking a mitigation solution. The second crucial misstep occurred in 2009, when the city approved a levee map that enclosed a large area of floodplain empty except for rows of grapevines. Whether by nefarious purpose or just fatigue, St. Helena opened the door to the crucial and difficult decision now in front of them – whether to bow to the pressure and temptation of approving development of that empty land behind their levee.

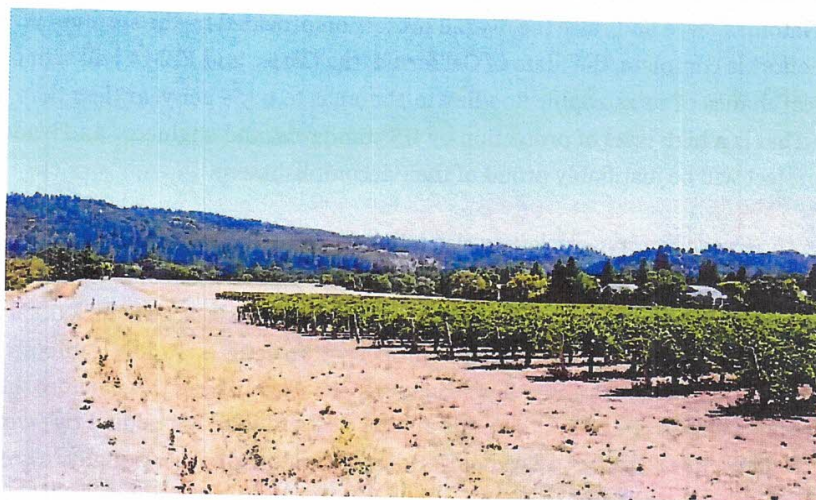


Figure 4 – View from Vineyard Valley Levee access road, towards the east, showing current conditions of the proposed development area. Figure IV.A-3a in Hunter Valley Subdivision Project, Draft EIR, Dates 5/29/2012.

One concern certainly on the minds of St. Helena city leaders is the threat of litigation if they deny the development plans in front of them. When such cases go to court, plaintiff lawyers typically cite the Fifth Amendment of the US Constitution, which states that “private property [shall not] be taken for public use, without just compensation.” The legal claim is that refusal to allow development of the owner’s land constitutes a “takings” of the value of that land. The St. Helena situation is typical of many examples where the legal threat of a takings claim is used to thwart zoning or planning to manage flood risk and other natural hazards. Developers and their lawyers argue that zoning to prevent development is unjustified, arbitrary, and an infringement of the rights of landowners. On the contrary. The St. Helena developer purchased agricultural land in a floodplain at a price consistent with those conditions. Despite the construction of a levee at taxpayer expense surrounding that

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land, it remains a floodplain. The limitation on building expensive homes and apartments on that floodplain is imposed by nature, not the City of St. Helena.

Fear of lawsuits and potential liability is a tangible pressure on a town like St. Helena. But in considering development of floodplain land behind a field-of-dreams levee, these communities are perhaps looking at the lesser threat. Bowing to the will of the developer dodges a likely “takings” lawsuit, but loads St. Helena with new residual risk – risk that is small as an annual percentage, but large in total magnitude. The mean value of a detached home in St. Helena is \$640,000 and an attached unit is \$401,000^[12]. Given current plans for 51 new single-family homes, 11 granny units, 24 multi-family units⁵, and a typical value of 50% content damages for flood-loss estimates, these 87 new units could suffer \$49 million in damages if that area were inundated. After the 1995 flood, residents of Vineyard Valley sued the City, and residents of the proposed new development could take the same action. The 2003 Paterno decision against California amounted to just 0.5% of the state’s total budget that year. For comparison, the City of St. Helena, with revenue to its general fund of \$10.5 million in FY 2015/16, could face a financial hit totaling 469% of its annual resources. In other words, the legal liability from the proposed new development could bankrupt the city nearly five times over.

“The legal liability from the proposed new development could bankrupt the city nearly five times over”

St. Helena was founded in the mid-1800s, near enough the Napa River to gain the benefits of that proximity, but up and off the floodplain. However beginning in the 1970s, the town suffered the same magnetic pull as countless other communities across the US – succumbing to pressures for growth and the attraction of empty land ever closer to the river. Located deep in the Napa River floodplain, the Vineyard Valley neighborhood was reviewed and approved, reportedly without even discussing the possibility of flooding. This was an oversight for which residents paid dearly in 1986 and again in 1995. Mistake followed mistake: land that never should have been developed, an expensive levee that has already sent the town into financial distress and political discord, and a levee map that somehow enclosed much more floodplain land than the neighborhood it was designed to protect. St. Helena now has a last chance to bring this cascade to an end and avoid construction of 87 new homes behind their field-of-dreams levee. Floodplain managers, river scientists, and prudent leaders worldwide counsel that levee protection is never absolute, and that even the tallest and strongest wall comes with an inherent residual risk, a small but real possibility that it may fail or be overwhelmed during future floods. For concentrated and existing floodplain infrastructure, levees can be the right solution, and residual risk preferable to no action at all. But towns like St. Helena should understand that levee protection brings a range of consequences, including the possibility of multiplying, not diminishing, the long-term risk of damage and potentially even loss of life in their community.

Nicholas Pinter is a professor in the Department of Earth and Planetary Sciences and an affiliate of the Center for Watershed Sciences. This article was developed with assistance from Megan Nguyen, a junior researcher at the Center for Watershed Sciences.

Further Reading

^[1] Report to the St. Helena City Council, Council Meeting of January 26, 2016

^[2] City of Napa. 2009. Hazard Mitigation Plan, 2009 update.

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, October 26, 2021 4:08 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Anna Chouteau
<AChouteau@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>

Subject: [External] Hunter project

The proposed Hunter project will have 87 water consuming households. The project's consultants claim the project will be water neutral if 333 existing homes are retrofitted with new toilets, shower heads and faucets. The only way to know for sure is to install in all 333 homes and monitor the usage for at least a year's climate cycle. Under the extreme drought we going through, it's in the best interest of the people who currently live in Saint Helena that their water needs are met. We need to know for sure if the Hunter project is water neutral!!

Sent from my iPhone

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, October 26, 2021 4:35 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Anna Chouteau
<AChouteau@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>

Subject: [External] Hunter project

The levee that's supposed to protect the proposed development it is said to be sufficient to withstand the 200 year flood. In the DEIR it says that if the levee fails, the houses behind would only flood the first floor's by 5 feet. People could escape to the second floor. (Unless they have a disability and couldn't make it)? If the levee fails is the city of Saint Helena responsible? The cost of a failure could cost millions!! If the city is responsible for cost of damage shouldn't all current home owners be notified of potential liabilities? I have been told the City of Saint Helena is responsible for the maintenance of the levee does anyone working for the city have experience or training on levee maintenance?

Sent from my iPhone

-----Original Message-----

From: Ron Amoroso <RJAmoroso@myastound.net>

Sent: Tuesday, October 26, 2021 3:52 PM

To: Maya DeRosa <MDeRosa@cityofstheleena.org>

Subject: [External] Hunter Project EIR Comment

Hello:

My name is Ron Amoroso. I am the owner of 1365 Grove Court, St. Helena Ca. The following are my comments on the Draft EIR # 2108032014 (The Hunter Project).

For all the obvious reasons (It's a "Agricultural Area and the reason people (revenue) comes to the Napa Valley) as well as all those much better stated and substantiated in the documentary "Kiss The Ground", I would summarily "disagree" with, and suggest the Planning Department deny allowing this development to be allowed. That movie dramatically shows how plant life causes "Carbon Recapture" that not only reduces pollution, but also "reduces the existing" Co2 buildup that is causing the radical environmental changes we are experiencing. Removing the existing acres of vineyards and replacing them with houses, buildings, and other hardscapes will "increase" the production of heat, reduce the production of Carbon recapture back into the soil through "photosynthesis" and reduce air quality as well as the likelihood of adequate rainfall going forward. Please spend a hour and watch this documentary to see how this project will negatively affect this area. Buying "open space somewhere else" as has been proposed by the developer is not going to eradicate the environmental effects on this area. Is that "open space" going to be "prime agricultural" land??

For these considerations, I vote NO on this development!!

There are two big "elephants" in the room regarding the immediate impact this proposed project will have directly on this area.

1- Flood potential/The levee/Related Township liabilities

2- Availability of potable water

1- Flood Threat/City/Taxpayer Liability:

The Levee was constructed by the City of St. Helena in an attempt to protect existing "Flood Plains" currently known as Vineyard Valley MHP and the Vineyard where the Hunter Project is being proposed. As such, this levee is only accredited by FEMA to 100 year flood specs since it has only been "certified" by FEMA to the 100 year Flood. Currently, it is not "unusual" for those 100 Year Flood values to be surpassed so failure has been deemed by various "experts" as inevitable!! The levee was never inspected by or approved by the Army Core of Engineers or FEMA so the City of St. Helena (Me and all the other St. Helena Tax Payers) are responsible for the results of a breach of that levee. That responsibility, which has been accepted by the City

of St. Helena, is one thing when it amounts to Farmland and a MHP, and totally another when it includes 87 new housing units occupied by ?? new residents!! Both in the form of physical bodily risk and financial risk. I am not ready to assume that additional risk so Mr. Hunter can generate a handsome financial gain. Mr. Hunter needs to provide the additional security (possibly a insurance bond) to cover the additional risks that will be incurred as a result of his development converting the existing, former flood plain, “ag-land” into residential housing land.

Another reason to vote NO on this development.

2- Water availability:

Adequate potable water availability has been a ongoing issue in St. Helena for the past 15 years that I know of. Not only are there no plans to make it any better, it is routinely getting worse due, in part, to Some of the environmental issues the Hunter Project will only worsen. How can the city of St. Helena approve the addition of 87 new residential units occupied by ?? how many new residents??? Replacing existing toilets with “water saver” toilets is a “clever” idea but also one that is NOT VERIFIABLE. So, where is all the additional water going to come from to support all the new residents who will occupy the 87 new residential units??

Again, another NO vote on this development.

I don’t know if any one of these issues is a “underlying” negative issue against this development. Combined, however, they represent significant and overwhelming reasons to summarily and permanently deny this project to proceed.

Thank you,

Ron Amoroso

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, October 26, 2021 6:45 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Paul Dohring
<PDohring@cityofsthelena.org>; Anna Chouteau <ACHouteau@cityofsthelena.org>

Subject: [External] Hunter project

Almost all affordable housing is located east of Main st. About 40% of that housing is located on Hunt st. to Starr ave. The Monte vista apartments and Hunts Grove being the largest. There also senior affordable housing at the Woodbridge property.

The families who live in these homes are forced to park blocks from their homes because the properties were built with inadequate parking. There will be 50 cars parked on the street, from the path Hunt st to Adams st, on Grove ct, Monte Vista, Hunt st, Starr ave and Meadowcreek Cir. The additional proposed 25 affordable homes will be between the Monte Vista apartments and Hunts Grove. This will increase the number of affordable homes in that area to over 40%. and additional parking problems. This Hunter project has a real negative effect on these people of limited resources in the area. The Hunter development only benefit the developers not the current residents of Saint Helena.

Sent from my iPhone

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, October 26, 2021 6:55 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Anna Chouteau
<AChouteau@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>

Subject: [External] Hunter project

The DERI says the well at the Hunter development will provide the water for landscaping. What landscaping? Is it for all the homes? With the drought we are facing and ground water levels dropping, what happens if the well fails? Who is responsible for replacement or repair?

Sent from my iPhone

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Wednesday, October 27, 2021 10:47 AM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Paul Dohring <PDohring@cityofsthelena.org>; Geoff Ellsworth
<GEllsworth@cityofsthelena.org>; Anna Chouteau <ACHouteau@cityofsthelena.org>

Subject: [External] Hunter project

With the closing of Silverado trail, we see commute traffic coming across the Pope st. bridge and through residential neighborhoods to avoid traffic and traffic lights on Main st. This gives a look into the future, extending Starr ave to Adams st. We will be looking at the new traffic avoiding route. The DERI says about 800 cars a day will use these streets? With cars having gps we will have a expressway through the residential neighborhood and traffic could be much more than forecast. The effect won't be much on the west side of town but a nightmare on the east.

Sent from my iPhone

October 27, 2021

To members of the St. Helena City Council
and members of the St. Helena Planning Commission,

I have lived on Meadowcreek Circle in St. Helena since 2003.

Many of my concerns regarding the proposed Hunter project echo those previously voiced, as listed on page ES-3 of the Draft Environmental Impact Report for the Hunter Subdivision Project (DEIR):
“Concerns raised from public agencies and the public include impacts to the property from potential flooding, traffic and circulation impacts, increased water demand, and impacts to cultural resources.” I have chosen to focus my comments on specific threats to the health and safety of current and future St. Helena residents, should the Hunter project be built.

Environmental/Air Quality Issues

According to page 3.0-3 of the DEIR, “The Proposed Project application does not include a formal phasing plan. Therefore, for the purposes of this EIR buildout of the Project would occur based on market conditions and the timeliness of obtaining building permits. Therefore, it is assumed that the Project could take anywhere from 6 years or longer for full buildout, based on market and growth management factors.”

Page 3.3-23 of the DEIR: “For the analysis, it was generally assumed that heavy construction equipment would be operating for approximately 8 hours per day, 5 days per week (22 days per month) during Proposed Project construction.” As a local resident, I will verify there are currently existing conditions of substantial dust and noise from agricultural and grass control activities affecting residences in the vicinity of the proposed Hunter project, and the proposed 6 years of construction will certainly exacerbate those existing air quality issues.

Page 3.3-26 of the DEIR: “Notably, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project’s occupants, except where the project would significantly **exacerbate** an existing environmental condition.

On page 3.3-26 the DEIR verifies that the probable worsening of existing air quality issues in the vicinity of the proposed Hunter project would rise to the level of a significant impact under California Environmental Quality Act (CEQA) Guidelines: “Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.”

I question which entity, the City of St. Helena or the Hunter project developers, will be legally and financially responsible for any loss of health, life or property by adjacent property residents resulting from environmental and air quality degradation caused by a protracted 6 year Hunter construction project?

Water Quality and Availability

According to the St. Helena City government, we are in a serious water emergency. Expensive upgrades will be necessary to provide adequate water service to existing customers of the St. Helena City water enterprise moving forward. In addition, past City of St. Helena leadership has made binding water supply decisions which have worsened our current water shortage. During the summer of 2021, many City water customers incurred unaffordable fines for excessive water use as a consequence of St. Helena water rationing regulations. I'm sure any future residents of the Hunter Subdivision would not enjoy sharing in this experience!

There are also ongoing issues with the quality of St. Helena City water and malfunctions at the City sewage treatment plant, as documented by City correspondence and local news media. Here is a recent example: below is a photo of water from the kitchen faucet of my St. Helena residence this week, from 10/25/21 to 10/26/21. I was assured by staff at St. Helena Public Works on the morning of 10/25/21 that this water was safe to drink, but to my knowledge, no water testing had been undertaken by the City, in spite of admission by City staff that a water main had been ruptured and infiltrated with pollutants. I was told that the Vice Mayor and the City Manager were aware of the situation. The City's difficulties in ensuring a quality water supply must be overwhelming, judging by the lack of timely communication on this issue. Finally, on the afternoon of 10/25/21, there was a single press release from the City mentioning a ruptured water main, but no mention of the visibly poor water quality, or any apparent attempt to determine if the water was fit for consumption. In addition, I can attest that my students at Robert Louis Stevenson Middle School were drinking this questionable water with no warning or word of caution from St. Helena City leadership to the school district.



In reference to the St. Helena 2010 Water Supply Plan, the DEIR (page 3.13-10) clearly states “...water supplies under both the Likely Buildout Scenario and the Full Buildout Scenario would not be sufficient to meet demands during all [water supply] scenarios.”

Given these circumstances, how can the City or the developer warrant to any future Hunter Project residents that there will be a sufficient supply of good quality water to supply their residences? What if the water supply and quality continues to be inadequate? The current lack of an adequate supply of quality water in the City of St. Helena indicates that the addition of any further housing units must wait until the water delivery infrastructure is upgraded. Which entity, the City or the Hunter project developers, will be legally and financially responsible for any future injury to health, life or property resulting from the worsening of City of St. Helena water supply/quality issues, exacerbated by addition of 80+ households in the proposed Hunter project?

There are mitigating actions listed in the DEIR, such as page ES-3 “Minimize City water use by continuing the use of an existing on-site water well for irrigation of Proposed Project landscaped areas” and page 3.13-28 “The Proposed Project would be designed not to exceed 0.4 acre-feet/year/dwelling unit of water based on the installation of increasingly efficient and lower- water-using fixtures and appliances and irrigation systems.” However well intentioned, these mitigating actions don’t come close to solving the difficult issues facing the City of St. Helena’s water enterprise.

Danger from Earthquake/Flooding

The DEIR states “The following policies from the City of St. Helena 2019 General Plan, Public Health and Safety element are relevant to geology, soils, and seismicity issues in the Project site. Policy PS3.1:

Minimize risk of injury, loss of life and property damage from seismically induced and other known geologic hazards (page 3.6-18).”

Page 3.6-22 of the DEIR points out a substantial problem: “It is not acceptable to place compacted, engineered fill (designed to support future development) on the Hunter Parcel without first over excavating and recompacting the existing weak surface layer, due to the anticipated settlement of the weak soil layer as a result of the loads imposed by the new fill, as well as future building loads. Settlement of the weak soil layer, if left in place beneath the recently placed compacted fill, could lead to damage to new residential structures, streets, utilities, and concrete flatwork supported over the weak soil layer.”

Due to the potential for liquefaction and/or settlement of weak soils, the Proposed Project could potentially expose residences to significant impacts from a major earthquake. The DEIR clearly states this is considered a significant impact.

Another safety issue is levee surrounding the Hunter property. It is well known that local news media has reported past correspondence between the City of St. Helena and the Army Corps of Engineers questioning whether the levee was constructed according to accepted engineering and safety standards. As one citizen brought up during public comments at the City Council meeting of 9/14/21, no one -- City of St. Helena staff or the Hunter developer--will answer simple questions in a public meeting regarding which entity, the City or the developer, will take responsibility for possible future damage to health, life or property if the levee protecting the Hunter property should be damaged. Was

the levee built to current engineering and safety standards? No one seems to want to answer that question affirmatively, with supporting documentation.

Fortunately, page 3.9-12 of the DEIR provides us with a response on this issue: “Where the levee may be overtopped or in a 200+ year flood event, Proposed Project residents would have ample warning to evacuate prior to flooding. Based on a comparison of the base flood elevation to proposed lot pad elevations, flooding of Proposed Project lots would range between 0 and 5 feet in depth, with the deepest flooding occurring on the northern part of the Project site. ***This level of flooding would leave upper floors of residences available for refuge. Because of this, the risks from a 200+ year flood and/or levee failure are limited to property damage rather than risk of life. As previously indicated, this would be an impact of the pre-existing environment on the Proposed Project rather than the Proposed Project’s impact on the environment.***”

Where is the mitigation or measures to protect public safety in this strategy? I remind the reader how readily disease vectors are spread via flood waters, and how toxic mold can grow for years in a structure damaged by a flood. In section 3.9-12, the Hunter project developers are clearly stating “The danger from the levee is just a pre-existing condition of this property, we won’t take any responsibility for the outcome, we’re going to move forward with this project no matter who is endangered, and the City of St. Helena will be left to deal with the legal and financial consequences.” How about not building the proposed project in such an unsafe location? I wouldn’t buy any residence under the unsafe circumstances proposed for the Hunter project, but that’s just my personal perspective. I’m simply not interested in being trapped in my home’s second story while unsanitary flood waters circulate through the lower story.

I’m wondering which entity, the City or the Hunter project developers, will be legally and financially responsible for any future loss of health, life or property resulting from a levee break or earthquake damage at the location of the proposed Hunter project?

Traffic and Lack of Emergency Access/Egress

Page 3.14-4 of the DEIR states “Would the proposed project result in inadequate emergency access? This is a less than-significant impact.” I do not agree. Based on my 18+ year residence in the area immediately adjacent to the proposed Hunter project, I would like to elaborate on the negative traffic impacts of further residential development in the area.

Page 3.14-5 of the DEIR states “Under Cumulative conditions, would the proposed project conflict or be inconsistent with CEQA Guidelines section 15064.3(b)? This is considered a significant impact. No mitigation measures available.” My understanding is that CEQA section 15064.3(b) pertains to potential negative traffic impacts. On page 3.15-5 the authors of the DEIR thus acknowledge the project will exacerbate traffic problems in the immediate vicinity and there are no mitigating actions possible.

According to the DEIR page 2-23, “Development of the Project site would require the extension of Adams Street and Starr Avenue onto the Project site to provide two points of ingress and egress....” The developed areas adjacent to the proposed Hunter project -- Hunt Avenue/Hunt’s Grove/Meadowcreek Circle/Starr Avenue -- have had a crowded street parking situation that has increased over the last decade. In addition to aggravating the impacted neighborhood parking situation, further increasing the density of the adjacent neighborhood housing will directly endanger

current residents, well as any future residents of the proposed Hunter project, if a sudden emergency evacuation is necessary, given the few points of exit (Pope Street bridge, Main Street) from the area. Responsible addition of 80+ households to this area must require development of *several* additional entry and exit points; the two cited in the DEIR are not sufficient to safely evacuate the planned Hunter development. In addition, due to prior land use agreements made by the City of St. Helena, it is highly questionable whether there will ever be a bridge built crossing the river at the intersection of Adams Street and Silverado Trail.

The DEIR cites the historic frequency of local natural disasters in the form of floods "...1973, 1978, 1982, 1983, 1986, 1995, 1997, 1998 and 2005 (page 3.9-5)" and wildfires "August 2020 there were a number of wildfires including the LNU Lightning Complex Fire and the Glass Fire that burned large areas of Napa County including a small portion of the Project site (page ES-4)." This week, CHP and St. Helena Police Department reported "Early Monday morning (October 25), a section of Silverado Trail was damaged in a storm-related washout, resulting in a closure at Madrone Knoll Way to Meadowood Lane near St. Helena. Efforts are underway to reopen this section of Silverado Trail as soon as possible. The County expects repair work will begin as early as Friday and anticipates that **Silverado Trail will be reopened within the next three weeks.**" The fragile and limited points of egress on the east side of St. Helena have had a history of creating crisis situations as a result of our frequent natural disasters. Why is increased housing density being considered in an area of St. Helena with so few points of safe entry/exit? Why are the construction of multiple new points of entry/exit not integral to the Hunter Subdivision proposal? Why are the recommendations of the California State Department of Transportation on the development of safe evacuation routes (Evacuation Route Guidance, Design Information Bulletin 93, dated 12/23/20) not being followed in the plans for the Hunter project?

In the aftermath of the 2020 Glass Fire, the St. Helena Police Department and Napa County Sheriff launched a media campaign promoting the ZoneHaven evacuation management platform. Why is the City considering endangering the safety of residents by crowding 80+ more households into an evacuation zone with an existing high density housing complex and very few evacuation routes? This seems contradictory to any sort of safe and responsible evacuation plan. Which entity, the City or the Hunter project developers, will be legally and financially responsible for any future loss of health, life or property resulting from a faulty evacuation from the area surrounding the proposed Hunter Project?

Right to Fair Housing

Over the last three decades, the vast majority of St. Helena's high density housing units, as well as the majority of St. Helena's low income housing, has been constructed east of Main Street. These cumulative actions are well documented in the past minutes of St. Helena City Council and St. Helena Planning Commission meetings. As a result of actions by past St. Helena City leadership over many years, civil rights violations have emerged over the systematic practice of concentrating high residential density and low income housing in the area east of Main Street in an unbalanced manner. This sustained conduct on the part of past City of St. Helena leadership appears to qualify as discrimination in the conditions of housing under the the jurisdiction of the United States Office of Fair Housing and Equal Opportunity. This discrimination has been inflicted on the entire class of St. Helena residents living east of Main Street.

When and where will a comparative number of high density or low income housing units be built west of Main Street, in order to mitigate actions that together constitute discrimination in the conditions of housing by past City of St. Helena leadership against the class of residents living east of Main Street? When will a project similar in scope and size to the proposed Hunter project be built west of Main Street?

These and other protracted local problems will be exacerbated if the proposed Hunter Subdivision project becomes a reality. While the DEIR repeatedly states (pages 2-33, 3.0-1, 3.10-13, 3.10-15, 3.10-17, 3.13-9, 4-5) that the California Housing Crisis Act of 2019 (SB 330) prohibits public agencies such as the City of St. Helena from imposing a moratorium or similar restriction on housing development, the SB 330 legislation provides for an exception which specifically protects citizens and municipalities against development that poses an imminent threat to public health and safety. The Hunter project poses numerous specific threats to the health and safety of current and future St. Helena residents, should the project be built, by compromising:

- environmental/air quality,
- water quality and availability,
- safety from earthquake/flooding
- emergency access/egress,
- the right to fair housing.

It seems to me that the answer regarding whether or not to move forward with the Hunter Subdivision Project as proposed can be found on page ES-17 of the DEIR: “Of the alternatives evaluated above, Alternative 2, the Park Preserve alternative [eg. maintaining the land as a nature preserve] is the environmentally superior alternative.” Taken as a whole, this solution also sounds like the highest and best use of the parcel known as the Hunter Property, in order to responsibly ensure sustained health and safety for current and future residents of St. Helena.

Best regards,

Sherri Kelly
1192 Meadowcreek Circle

From: Lisa Redmon <lisa@redmonwines.com>
Sent: Thursday, October 28, 2021 12:22 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunt Street Project

Hello, My name is Lisa Redmon and I am a 45 year local to St. Helena. For the last 20 years I have lived at 1185 Starr Avenue which is at the corner of Hunt and Starr. I am learning that the single family home project across the street from my house is going up for approval again. I've got several concerns:

1. The flooding and water issues - I know this was one of the key reasons the project was turned down prior. I assume the same issue is at play now which is very worrisome. What is different this time around? How can there possibly be enough water as we are already rationed.
2. I evacuated for the 2021 fire and am worried about traffic if this happens again.
3. Parking is already a mess on Starr Avenue due to the existing low income housing. I'm on the corner and have absolutely no parking by my house. Especially during harvest seasons when folks are here to work. There is really no room for more overflow parking which we have seen happens. The parking in the the existing low income housing is tandem which also contributes to folks needing Starr Ave.
4. ALL of the low income housing is packed into the same area of St. Helena. It does not seem right to put more instead of spreading it out a bit. I think it will affect our neighborhood more than it already has.

Regards,

Lisa Redmon
Owner, Redmon Wines
www.redmonwines.com
707-235-0282



October 28, 2021
Ms. Maya Derosa,
St. Helena Planning and Building Director

Dear Ms. Derosa,

My wife and I are deeply opposed to the Hunter Subdivision Project primarily because the City of St. Helena has an inadequate water supply during dry and critically dry rainfall years. Since 2018, St. Helena has experienced three critically dry rainfall events. If this project is approved, it will no doubt create an even greater hardship for the city's current water customers during drought periods.

St. Helena has delayed undertaking several important capital improvements projects (CIPs) for its water enterprise over the last ten years. Two years ago, St. Helena conducted a master water plan which identified 60 million dollars in needed CIPs. Until these improvements are completed, the Hunter Project's 87 additional housing units will likely over burden St. Helena's current water enterprise.

Currently, there is no plan to increase St. Helena's limited water supply other than to build a new sewage treatment plant having the ability to provide tertiary water for landscaping. Unfortunately, the construction of the treatment plant is years away from completion and the installation of a city-wide tertiary pipe system is a decade away, and at best, a "pipe dream".

Our opposition also stems from the fact that much of the data and information used in the 2021 Hunter Subdivision Project Draft EIR has been taken from past St. Helena General Plans extending back to 1993. Climate change has become a major concern during the last several years and none of the data from the City's past General Plans have given global warming the serious attention it currently requires.

In October of 2020, St. Helena imposed a 43% reduction in water use for its residential customers. This required compliance with a 65 gallon/day/occupant water allotment that resulted in fines and penalties exceeding several million dollars. The ensuing year is currently predicted to be another lower-than-normal rainfall year which may result in St. Helena imposing even stricter water restrictions in the future.

In the last two years, St. Helena is the only city among five cities in the Napa Valley that has imposed mandatory water allotments on its residential and commercial water customers. American Canyon, Napa, Yountville, and Calistoga have all relied upon "voluntarily compliance" with each city's water restrictions. This is indicative that St. Helena currently has an inadequate water supply during one or more critically dry rainfall years. The Hunter Subdivision Project Draft EIR reads the subdivision will require 20-acre feet/year of municipal water to serve the proposed 87 new residences. The simple fact is, St. Helena currently does not have enough water to sustainably support its current citizens, let alone the number of new residents the project will add to our city.

The Hunter Subdivision Project Draft EIR reads there is a pre-existing inoperable agricultural water well near the Hunter property. The Draft also reads the project is reliant on the reconstruction of that “inoperable agricultural water well”. There are sections in the Draft that make it unclear where the exact location of this inoperable water well is located? In one section, the Draft reads the existing well is “near” the Hunter Subdivision property. In another section, the Draft refers to the water well’s location being adjacent to proposed Lot 19. The exact location of the existing agricultural well needs better disclosure because if the existing well does not exist on the Hunter Property, it would be in noncompliance with the city’s municipal code to drill a new water well for residential or commercial purposes when the existing inoperable agricultural well was originally intended for agricultural use. (S.H. Municipal Code Section 13.16.080 B.)

Section 13.16.080(A) of the city’s municipal code reads: “Wells shall not be drilled, nor the water produced therefrom used for residential, commercial or industrial land use activities except that replacement well(s) for residential, commercial and/or industrial land uses may be established for well(s) which existed and were in active use prior to the effective date of this chapter; provided that no net increase in water production results from the replacement well(s)”. It should be noted St. Helena does not maintain historical records of water production from past water wells. Consequently, this provision of the city’s municipal code cannot be complied with.

The Hunter Subdivision Project Draft EIR reads that it is reliant on sharing St. Helena’s municipal Stone Bridge water wells. Currently, St. Helena is being sued by Water Audit California contending the city is over-drawing water from its wells and contributing to the seasonal loss of surface flows that adversely impact Napa River’s endangered fisheries and aquatic life. The Stone Bridge water wells are located very close to the Napa River and the proposed redevelopment of the Hunter Subdivision’s “inoperable” agricultural water well is also very close to the Napa River. If the inoperable well is reactivated, it could potentially add to the further loss of surface flows in the Napa River.

Additionally, the outcome of the Water Audit Lawsuit may very well limit or even terminate the amount of water St. Helena can pump from its Stone Bridge wells. The presumption of sharing St. Helena municipal water in the Draft Hunter EIR may not be possible after the conclusion of the lawsuit primarily because of the well’s impact on California’s Public Trust Doctrine and endangered species.

The Draft EIR for the Hunter Subdivision Project significantly underestimates the amount of municipal water the subdivision will require. This is because the writers of EIRs employ California’s Green Building Guidelines (CGBG) to project interior water use. As an example, California’s Green Building Guidelines were used to project St. Helena’s recent Hunt Street Affordable Housing Project. The guidelines projected the five dwelling units with four occupants per dwelling would require 25 gallons per day per occupant. Currently, under Phase 2 water rationing, St. Helena is being challenged to achieve compliance with residential water customers limiting their water use to 65

gallons per day per occupant. What is more important, when St. Helena approves new construction using CGMG, there is no routine follow-up by the city to ensure the occupants remain in compliance with the amount of water initially approved for the project. In the long run, this can lead to a greater demand for the city's water than what was originally approved for the development. This issue is further exacerbated because St. Helena's policy treats individual water consumption as proprietary and thereby conceals the information from the public.

To comply with St. Helena's water neutrality agreement, the developers of the Hunter Project propose to contribute \$596,808 in in-lieu fees to retrofit 333 existing households with water saving toilets, shower heads and faucets. The developer claims this will make up for the additional municipal water the Hunter Project will require. The City of St. Helena has experienced several critically dry rainfall years during the last decade at a time when most households have already installed low flow appliances. This leads one to question: How long it will take to retrofit 333 existing homes in St. Helena? Or, if there are even 333 existing households left in St. Helena needing retrofitting?

The bottom line is "Water Neutrality" is an example of bogus terminology. It implies a development will not use more water than was projected in the proposed permit application. Without routine municipal enforcement of the water neutral ordinance's, the term falls significantly short of accomplishing its intended purpose.

Lastly, the Hunter Subdivision Project is proposed to take place in a flood zone where water damage is possible during a higher-than-normal rainfall year. If the project is ultimately approved by St. Helena's City Council, a condition of the approval should include complete indemnification for the City of St. Helena for any future losses that may occur to the Hunter Subdivision Project due to future flooding.

Respectfully submitted,

Thomas and Margot Belt
1520 Hillview Place,
St. Helena CA 94574

October 23, 2021

Dear City of St. Helena Planning Department and City Council,

I submit the following Comments on the Draft Environmental Impact Report for the Hunter Subdivision Project:

1. There is currently an unmanaged traffic problem at the east side of the intersection of Adams Street and Railroad Avenue. Specifically, egress and ingress on Adams Street at the north side of the parking lot for Smiths Pharmacy, Safeway, and a few other businesses is already unsafe. How will the Hunter Subdivision be built without severely exacerbating this already dangerous traffic problem?
2. There is currently an unmanaged traffic problem on Adams Street between Main Street and Railroad Avenue. Specifically, traffic already backs up on Adams Street on the east side of Main Street impeding access to the service station on the north east corner of the intersection as well as Chase Bank on the south side of Adams Street. During tourist seasons the traffic on this block of Adams Street backs up to the four way stop sign/ Intersection at Adams Street and Railroad Avenue causing dangerous and time consuming traffic jams. It is gridlock until the traffic signal changes. How will the Hunter Subdivision be built without severely exacerbating this already dangerous traffic problem?
3. There is a conservation easement intended to preserve the land, protect wildlife habitat, And provide for public access consistent with the purposes of the Flood Protection Corridor Program in direct proximity to the proposed Hunter Subdivision project. How would the Hunter Subdivision project be able to proceed without having a negative impact on the flora, fauna, and Napa River adjacent to the proposed project?
4. We recently underwent emergency evacuations due to wild fires surrounding St. Helena. Evacuation for the residents of Vineyard Valley Mobile Home Park (VV), occupied mostly by senior citizens, was difficult and scary. Had the fire come .25 miles closer there would surely have been significant loss of life. Currently there is Pope Street or the levee road as exit routes for VV. How is it possible for the developer to build and populate the Hunter Subdivision without significantly endangering the lives of VV residents the next time an emergency evacuation is ordered?
5. There is already a severe parking problem on Star and Hunt Avenues and other nearby streets due to insufficient parking at Hunts Grove, Woodbridge Village, the recently acquired fourplex on Adams Street, and the numerous multifamily apartment buildings on Grove Court. With a proposed 87 homes, and possibly more, how will the Hunter Subdivision provide the minimum 174 parking spaces that would be required in order to not exacerbate our current parking problems?
6. How have the developers actually *proven* the Hunter Project would be water neutral and have no negative impact on the Napa River at the very outset of the project and remain water neutral in perpetuity?

I look forward to reading the results of the studies that will be conducted to address my, and all the other peoples' numerous concerns about the foreseeable negative impacts the Hunter Subdivision Project would have on St. Helena.

Sincerely,
Nancy Dervin

From: Nicole Dale <nicole.garriott@gmail.com>
Sent: Thursday, October 28, 2021 9:47 PM
To: Maya DeRosa <MDeRosa@cityofsthenana.org>
Subject: [External] Public Comment - Hunter Subdivision

Dear Maya,

We share a property line with the proposed Hunter Project and are in opposition of the development. In addition to our concerns over traffic, water, flooding, etc. another top concern is the loss of open trail space that we see so many St. Helena residents use daily. There are no other open walking or hiking paths in St. Helena and it would be a huge loss to both locals and tourists who all enjoy the space.

A separate concern- we understand that one of the biggest benefits to this project is affordable housing. The fact that the developer is proposing ADU's on the single-family home lots to fulfill the affordable housing requirement is offensive to the law.

Best Regards,
Nicole and Scott Dale
1326 Monte Vista Ave

From: Maria Villegas <marrivilla1@comcast.net>
Sent: Friday, October 29, 2021 1:29 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] DEIR questions and comments

Dear Ms. DeRosa,
The following are questions and comments on the DEIR.

Question 1

ES.5. Effects found to be less than significant
Wildfire

“Starting in August 2020, there were a number of wildfires including the LNU lightning Complex Fire and the Glass Fire that burned large areas of Napa County including a small portion of the Project site. Based on the current CAL FIRE maps the Project site is not located within a State Responsibility Area and is not designated as a VHFHSZ”

Question

1. If the Glass Fire burned a small portion of the Project, please clarify why the Project site has not been re-evaluated as a fire zone?
2. When determining State Responsibility Areas, has Climate Change been taken into consideration given recent extreme fire behavior and patterns?
3. The last fire which crossed Silverado Trail and came extremely close to residents at Vineyard Valley, had limited evacuation routes or evacuation warnings. Evacuation routes would not only impact existing surrounding neighborhoods, but the newly proposed Project. Please clarify how evacuation routes will be mitigated.

With the current closure of Silverado Trail, the current traffic conditions gives insight how dangerous and life threatening any disaster would be to the community. While the DEIR readily admits traffic is a problem, I see no reasonable data which would mitigate the problem.

Question 2

Landscaping and Lighting

“Approximately 74 scarlet maple trees would be planted along the Adams Street extension...57 Chinese pistachio trees would be planted along Street A. Approximately 54 tulip trees would be planted along Street B ...”

Question

1. Currently the City is in a Phase II water conservation. The city has mandated discontinuation of landscaping irrigation how will the water shortage be mitigated in a severe drought?
2. Why is the City of St Helena the only city in Napa County being penalized for over usage of water? Will the current penalty fees be used on the Hunter Project in any way?
3. Is the proposed well currently functioning and operational?
4. When was the well last inspected or tested?
5. If the applicant is proposing the well be owned and maintained by a homeowners association or similar method, how will that impact the city's water usage in the event the well is non-functioning?
6. How was it determined the applicant determine who owns the well and through what means it will be maintained?

It is known most citizens of St. Helena have not been pleased with excessive penalty fees. Why would any new development be considered now?

Question 3

3.5 Cultural and Tribal Cultural Resources

Records Search

"This work has demonstrated the area to contain significant and highly sensitive archaeological resources. A total of 163 human remains/burials were recovered from one site (CA-NAP-399) as part of the Flood Protection project, the largest number of burials recovered from a single site in the Napa Valley to date (Schneider et al. 2013:44).

"Subsurface probing (XPI probing or investigation) was conducted by a Dudek archeologist from November 15, 2018 to November 17, 2018...Excavation included three 6-inch hollow-stem augers and 5 shovel test probes. Excavations did result in the identification of areal within the Project site that contain, and have the potential to contain archaeological resources."

AB 52

AB 52 requires consultation with Native American tribes traditionally and culturally affiliated with the geographic area in which a project requiring CEQA review is proposed if those tribes have requested to be informed of such proposed projects....This law is in addition to existing legislature protecting archaeological resources associated with California Native American tribes. AB 52 applies to all projects initiating environmental review in or after July 2015.

Question

1. If the area contains "significant and highly sensitive archaeological resources with a total of 163 human remains/burials, the largest number of burials recovered from a single site in the Napa Valley to date (Schneider et al. 2013:44)...., why is the site no longer eligible for the California Register of Historic Resources and the National Register of Historic Places?

2. The DEIR states a number of prehistoric sites have been identified within the study area and “two sites were identified with the boundaries of the proposed Project”. Please clarify.
3. Have the following artifacts been returned to the Wappo Tribe?
Found on two sites of the project were:
 - Historic Wappo - Trade Beads
 - Projectile points
 - Charmstones, Bone Tools, Groundstone
4. If the artifacts were not returned to the Wappo Tribe, who has current possession of the artifacts?
5. AB 52 requires consultation with Native American Tribes traditionally and culturally affiliated with the geographic area. The DEIR indicates Scott Gabaldon, Tribal Chairman, Mishwah-Wappo Tribe was not notified. Please clarify why the Tribal chairman was not contacted?
6. Where are the 163 human remains?
7. California Health and Safety Code Section 7070.5(b) of the California Health and Safety Code specifies protocols to address any human remains that may be discovered. Was this protocol followed? Please clarify.

The DEIR has addressed the issue of human remains and historical artifacts in a most deplorable manner. I trust the applicant would demonstrate some sign of decency and respect for human sanctity.

Thank you,
Maria Villegas

-----Original Message-----

From: Dottie Gingerelli <dgingerelli@comcast.net>

Sent: Saturday, October 30, 2021 2:50 PM

To: Xinia Gamero <XGamero@cityofsthelena.org>

Subject: [External] Hunter Project

Hello Ms. Gamero,

Along with all the arguments against the Hunter Project such as severe water scarcity, increased global warming with more gas vehicle emissions, destroying an established in-place bike/walkability access to grocery stores, the pharmacy and downtown shopping, essential to cities for their citizens and businesses.

I'd like to submit the issue of safety for seniors at Vineyard Valley and all local First Responders. Presently, half the senior residents of VV Park evacuate to the main drive to the South exit of the park onto Pope St., while all First Responders enter into VV on the right side of the entrance driveway, off of Pope St. safely passing each other.

The other half of VV residents exit to the trail at the north end of the park, where the Hunter Project is under consideration.

Without that North access, all senior residents of VV Park will be forced to get onto the main drive at the same time, going the same way. Time is of the essence!

If an evacuation order were in effect again, the senior residents could possibly be stranded in a fire evacuation and First Responders would be hindered in their ability to evacuate the park and start protective measures. A life and death situation is very possible for both the senior residents and the First Responders. Delays could prove deadly!

I also have a question. If a loss of life should occur because of the passing of this project, would the city be prepared for probable lawsuits for their actions limiting access to safety for senior residents and First Responders?

Thank you,

Dottie Gingerelli

50 Laguna Seca Ct.

St. Helena, CA 94574

dgingerelli@comcast.net

From: Chris Fowler <chris@alanssainthelena.com>
Sent: Saturday, October 30, 2021 6:55 PM
To: Public Comment <publiccomment@cityofsthelena.org>
Subject: [External] Public Comment November 2 PC Meeting

Dear Planning Commission,

I am commenting on Agenda Item 5.1. I will try and keep this rather brief. Other commenters have discussed some very large elephants that are in the DEIR room, and I would like to point out the Option 4 elephant that is standing in the corner. Option 4 seems conveniently buried at the bottom DEIR, but maybe they were saving the best for last.

St. Helena is running out of available space and time to even make a dent in the next RHNA cycle. Water and potential site flooding issues aside, maybe now is a good time for some discussion and consideration of low and affordable housing alternatives. Adams Street dead-ends at this parcel, is this where the can-kicking can finally stop?

Thank you,
Chris Fowler

-----Original Message-----

From: Lynda Burton <burtonfamilylaw@gmail.com>

Sent: Sunday, October 31, 2021 1:08 PM

To: Public Comment <publiccomment@cityofsthelena.org>

Cc: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter Project

Dear Sir/Madam,

I write to register my grave concerns with and opposition to the proposed Hunter Project.

While there are many reasons to oppose the project, my primary concern is the project's impact on our extremely limited water supply. Their proposed mitigation measures seem laughably inadequate, especially given the project's long term impact on the city's water consumption.

Our need for affordable housing can be better met by smaller, specifically targeted projects for seniors and lower income families.

Sincerely,

Lynda M. Burton
Attorney at Law (Retired)
1501 Allyn Avenue
St. Helena, CA 94574

From: mark willey <mark.c.willey@gmail.com>
Sent: Saturday, October 30, 2021 1:05 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Jeanette Cheeseman <jkc525@msn.com>
Subject: [External] For ST. Helena's planning department / Hunter Subdivision project

TO: Maya DeRosa, Planning & Building Director
City of St. Helena, Planning Department
1572 Railroad Avenue, St. Helena, California 94574

Good day Ms. DeRosa,

Please accept our comments regarding the Hunter Subdivision Project: While we agree that adding additional affordable housing can help our community we have concerns with the proposed location of this project. As St. Helena residents at 36 Laguna Seca Ct. we thank you for allowing my wife and I to share our serious concerns.

1) Safety-- having an affordable housing complex located by 2 retirement communities will bring crime. Vineyard Valley will be easily accessible by the planned development residents and the new complex will also bring crime to The Springs Retirement complex which is close by as well. Residents of both communities are older and will be easy victims. Note that the Vineyard Valley community which consists of mobile homes has many elderly residents that live independently with virtually no security systems and with easy access to their homes and vehicles it further increases the likelihood of crimes being committed.

Fire / earthquake evacuation-- the residents of VV recently held a practice evacuation driving drill which included, upon the decision of town officials and safety experts, to utilize the area being proposed as a road for the new development. So now this emergency access goes away and is replaced with more traffic and maybe not even accessible to all residents? Are we now saying our residents' safety is not as important as new affordable housing? One assumes also that the increased traffic into the area will slow the ability of medical response and also fire and police when the needs occur. One further assumes that the additional houses and population will increase the probability and likelihood of fires, ie BBQ's, smoking, etc. What happens to our community seniors when they must be evacuated and lose their homes? Or potentially their lives. Is that what is best for our community? Who will pay the cost of additional police, fire, medical equipment and personnel? Why were these and the following not either at all, or completely, addressed in the environmental impact report nor by the developer?

2) Wildlife--very near the proposed development there is a habitat restoration area that is posted keep out. We believe the development will severely and negatively impact this area. One would guess that the housing will include children and pets that may run free into this protected area. Have studies been done to address and successfully mitigate this and related issues?

3) Loss of use of the walking trail for residents and the negative impact on the wineries built along the pathway-- Napa Valley is known for its beauty, wineries etc.. The development will have a negative effect on existing residents and visitors to the area who will no longer be able to enjoy the openness and use of the walkway and current open areas proposed to be lost to the project. Vineyard Valley residents and visitors often throughout the day use the walkway along the proposed Adam Street extension to walk to town, to walk their pets and to just enjoy the beauty of the surrounding area. Taking this away

also forces more traffic onto either Pope Street, or along the new proposed extension now with vehicles again putting our seniors, pets and others in potential danger.

There are existing and new wineries that have been built to take in the existing views and experience and if the project is approved the existing wineries customers, the number of which will surely drop, will be looking out at affordable housing. We do not see how the proposed development will be anything but negative for the wineries built and being built along the area. Millions have been invested to utilize the surrounding area with vineyards and wineries, shouldn't the area be used the same? Let's increase the visitors and residents' experience which will increase St Helena's revenue while not severely hurting our existing community residents and businesses.

4) Water- St. Helena has been in drought conditions for years. With climate change the conditions are expected to worsen and will continue to do so. This year we were forced to discontinue exterior watering, which while understandable, hurts our lifestyle and even resale and we wonder how close were we, as a community, to enter into mandatory water rationing?

We reviewed a comment and offer by the developer and his consultant to provide low flow water units to a certain number of existing homeowners which would, according to the developers consultant, actually, even with the new housing, lessen the current usage of water for all of St. Helena. WOW, this is probably one of the most ludicrous proposals to mitigate a very serious environmental issue. Seriously, let's build almost a hundred of new homes / townhouses/ apartments which increase the population by much more than the total units built, then install low flow water toilets and faucets in a few thousand homes, assuming existing residents accept the offer; or will this be mandated by the Town? ,and the ultimate net water affect is a savings to all the water used in St. Helena. There is no way. The water use and needs in St Helena will go up, and dramatically. Where will the water come from? We also wonder who pays any additional repairs that are found to be necessary should a resident accept the new low flow units? Forcing, or even offering, units to an existing resident and then having them incur additional costs does seem like a positive step for our community. Oh, and will the developer guarantee contractors will be available to do the work? What about the added impact to the Town's existing infrastructure? Roads and utilities will fail sooner and maybe more often with the added use.

While we appreciate the County and town's concerns to address the mandate for affordable housing, we must oppose the Hunter subdivision development based on numerous factors, some as touched on above.

Respectfully submitted, Mark and Jeanette

Best regards,

Mark Willey
707-480-3645

-----Original Message-----

From: Connie Wilson <clw1956@comcast.net>

Sent: Sunday, October 31, 2021 4:30 PM

To: Maya DeRosa <MDeRosa@cityofstheleena.org>

Subject: [External] Hunter Project Opposition

Dear Ms. DeRosa,

I wish to express my opposition to the Hunter Project. I believe that no new commercial or residential construction or projects should be considered at this time with our dire water situation. Additionally, the Hunter Project has been continually rejected by the majority of St. Helena citizens.

With our water and sewer problems and historical local opposition, this project should not be considered for approval.

Thank you.

Connie Wilson
1658 Scott Street
St. Helena

From: Joann Patton <mcnjo@buckeye-express.com>
Sent: Sunday, October 31, 2021 3:42 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: Fwd: [External] Hunter Project
Sent from my iPhone

Begin forwarded message:

From: Joann Patton <mcnjo@buckeye-express.com>
Date: October 31, 2021 at 3:33:55 PM PDT
To: publiccomment@cityofsthelena.org
Subject: Hunter Project

To whom it may concern,
This project SHOULD concern us all and there are a myriad of reasons to be opposed to it. I will leave detail to others but two main reasons are lack of water and city liability in case of levee failure. This discussion needs to end and never reopen.
Thank you.
Joann Patton
1832 Crinella
St Helena CA
Sent from my iPhone

-----Original Message-----

From: Charlotte Powell <charlottecora@gmail.com>

Sent: Sunday, October 31, 2021 3:17 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter Subdivision

To whom it may concern:

Please do not approve the Hunter Subdivision. The open space, and field provide homes to so many local wild plants and animals. I have often seen a plethora of birds, foxes and coyote in that field on early morning walks. We have far too open spaces like that for people to enjoy in town. Please do not build there!!!!

Thank you for your time.

Charlotte Powell

Sent from my iPhone

From: Andree Bryan <andree@bryanconsulting.net>
Sent: Saturday, October 30, 2021 4:18 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] I AM OPPOSED TO THE HUNTER PROJECT

Hi Maya DeRosa,

I am writing to let you know that I am very opposed to the Hunter Subdivision Project.

My concerns are:

1. Availability of water
2. The plan calls for sharing water with Vineyard Valley --- I AM VERY OPPOSED TO THIS!
3. Impact on traffic. Our city has become unbearable when it comes to traffic and now you want to build 51 homes in a small, small area.
4. You will destroy the beauty of the walking trail that so many of us enjoy. Saint Helena does next to nothing for it's residents in terms of walking paths and accessibility to nature. This is probably our only walking path --- and you want to take that away.
5. I have yet to see an environmental impact study.

Thank you,

Andree Bryan
Resident of SH and Vineyard Valley

From: Joseph Cole <josecole134@gmail.com>
Sent: Saturday, October 30, 2021 2:49 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Project

Looking southwest from Carpenter Ranch. across the wide open expanse, Vineyard Valley mobile home park was there. Hunt street Apts. nope! Starr ave(didn't exist) Hunt Ave. dead ended a little past Monte Vista. I am a newby, here. Been transplanted desde Socal(1983). Married born and raised home grown Saint Helena girl: Misty Sagadin. Our two sons are grown men. (oh, yeah. They, too, born/ raised here. I left southern California and have experienced this incredible upper valley. Hunter Project is going to serve only a few.the reality of what it's fruition will harvest a self- inflicted disregard for the wonder a rural community experiences. Don't do that.

-----Original Message-----

From: BERT CASTEN <bertcasten@aol.com>

Sent: Saturday, October 30, 2021 2:37 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter st

I have been taking kids and adults to walk behind the library for years. Access to the river is so much fun. Please do not let Hunter Subdivision Project take our open space/ access to river away.

Thank you

Bert Casten 1830 Adams st

Sent from my iPhone

From: Kathy Paulus <toonie.anderton@gmail.com>
Sent: Saturday, October 30, 2021 12:11 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Subdivision Project

The Hunter project is to be situated in the Napa River floodplain. Floodplains provide groundwater recharge, filter sediment and contaminants, transport nutrients, and support habitats for some of our most sensitive living resources. A floodplain is an area of land adjacent to a river which stretches from the banks of its channel to the base of the enclosed valley walls and which experiences flooding during periods of discharge.

Building on floodplains has serious consequences because water that would be otherwise absorbed by the land instead runs off more quickly into the river that then burst their banks. An area that is subject to natural flooding from an adjoining waterway is in an area that makes the habitats for many creatures rare and unnatural as their natural habitable has been destroyed. It also makes it very dangerous for the creatures to build down river as the oils and dirt gets washed in the river polluting it by dangerous amounts.

Developers see the advantage to building in a floodplain because they tend to be flat and therefore easy to develop and are close to other amenities. This is one of many very big reasons to STOP the Hunter Subdivision Project.

From a concerned citizen,
Kathleen Paulus
St. Helena

From: John Schoof <jpschoof@comcast.net>
Sent: Saturday, October 30, 2021 11:33 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Patricia N. Schoof <pnschoof@comcast.net>
Subject: [External] Hunter Subdivision Project concerns

Dear Ms. DeRosa:

I missed the public comment period in 2018 as we were new to the area during that time. However, I want to share my perspective of the Hunter Subdivision Project. With the drought conditions we are experiencing, my initial reaction to the project is that it should be deferred until a more abundant and sustainable water supply is available; one that can support existing and future potable water demand for Saint Helena. The ideas that follow are my concerns with the project, along with some suggested solutions that collaterally provide some additional benefits in the City of Saint Helena.

Preserve the vineyards

There are two healthy, productive, and beautiful vineyards on the proposed development site, and as you are aware, those vineyards are also bordered by additional vineyards to the north. While it is not a city park, it seems to get visited by dozens of residents each day – residents out for their daily strolls, residents walking their dogs, and children riding their bikes or flying kites. To me this is part of the charm of Saint Helena. Let's preserve that which is a foundation of the county and city in which live and that we thoroughly enjoy.

I understand that the owners of the property desire to monetize their investment. I also assume that if only half of the land was developed for housing, that the economics might not work for the developers. Perhaps there is a solution away from greenfield development on the planted/producing land to an infill development within the City of Saint Helena. I have often thought to myself that the land on Mitchell Drive (behind the Umpqua Bank) might be a great location for high(er) density/affordable housing that is closer to shopping and main vehicle traffic lanes. A conceptual solution would be for the City of Saint Helena to acquire the Mitchell Drive property(ies) and exchange it for the vineyard land at the end of Starr Avenue; the Hunter Subdivision Project developers could then develop affordable housing off Main Street and Mitchell Drive and the City of Saint Helena could put the vineyards into a land trust to protect them for perpetuity (and enjoy the benefits of positive cash flow from a long-term lease of the vineyards).

Integrate safer vehicle traffic patterns

Starr Avenue, running from Pope Street to Hunt Avenue is already used as a bypass route to downtown Saint Helena. There is a current child safety iss due to the number of vehicles that ignore the stop signs at the intersection of Hunt Avenue and Starr Avenue. In addition, along with Meadowcreek Circle the two streets accommodate an abundance of overflow parking for the Hunt's Grove Apartments. The current proposal to extend Starr Avenue to intersect with an extension of Adams Street would exacerbate the current traffic, child safety and parking situation.

If only the land in the unplanted portion of the Hunter Subdivision Project was developed, the development could be accessed via an extension of Adams Street (only) without a tie-in from Starr

avenue such that Adams Street could (someday) be extended over the Napa River to intersect the Silverado Trail. From the Adams Street extension, among the requisite streets required for the project, the developer could incorporate a feeder street built behind the east end of the preserved vineyards. This street would also be configured to provide a second vehicle access to the Hunt's Grove Apartments. Finally, within the Hunt's Grove Apartment's property, provide a secondary rear parking solution for the tenants and their guests (I believe that part of that parcel is already owned by the City of Saint Helena).

Migrate to sustainable energy resources

I would hope that all utilities would be underground. To mitigate the use of natural gas and the movement to all electric homes in California all homes in the development should be outfitted with solar panels, as well as electric storage batteries. As a further contribution to affordability and energy sustainability, a solar electric generation system along with storage batteries should be installed as part of the development project – the solar panels could be located over the water collection basin between the east end of the development and the levee with related storage batteries installed on the Hunt's Grove Apartment's property. The proceeds from this additional power to the electric grid could be used to finance the development of the additional parking in the Hunt's Grove Apartment's property with any excess funds going to improvements of the water and sewage systems in the City of Saint Helena.

Conserve water

The residents of Saint Helena are frequently asked to conserve water. Adding 80+ new households does not help that effort. Furthermore, adding 80+ new households to the demand for limited amounts of water does not have a positive impact in the effort to create affordable housing for people – this higher cost of water contributes to the cost of living in Saint Helena. The development plan calls for using ground water from an existing well for irrigation but there is no solution for a neutral effect on the use of potable water.

Unfortunately, I do not have an environmentally sound solution for a neutral effect on the use of potable water, but I do have a suggestion to not use precious ground water for residential irrigation. That is to incorporate a series of cisterns under any newly constructed streets (and parking areas in Hunt's Grove Apartments) to store run off from streets, parking lots and buildings for nonpotable water uses such as irrigation to help conserve our limited sources of drinking water.

Agricultural land/vineyard preservation, traffic management improvements, sustainable energy resources, and thoughtful water management in the Hunter Subdivision Project warrant further consideration to help the City of Saint Helena evolve.

Respectfully submitted,

John Schoof

-----Original Message-----

From: Doris Mosler <dhmosler@gmail.com>

Sent: Saturday, October 30, 2021 9:30 AM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Development

As a senior living in vineyard valley I am deeply opposed to the development of the area behind the library. This is too small a town to support a massive housing project. The disturbances while building will be terrible and noisy, the traffic impacts intense and the loss of a lovely natural resource and bird habitat a great loss.

Please do what you can to stop this unwise plan.

Doris Mosler

Sent from my iPhone

-----Original Message-----

From: Alexandrine Venezia <eretz5660@gmail.com>

Sent: Saturday, October 30, 2021 7:04 AM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter Subdivision Project protest

To the Building and planningDirector

How can such a project be presented, when there are currently such restrictions on the use of water for us residents of st Helena. How can this be omitted? We are told an even worse future. City Hall penalizes residents financially because there has been no serious planning for water management and apparently it is even worse for the future. So I hope that this will be taking in consideration in the protest against that project.

A Venezia Rouas

Sent from my iPad

From: gail lane <gail@winestates.com>
Sent: Saturday, October 30, 2021 5:50 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter project

I would like to share my serious concerns regarding this project.

My family settled in St. Helena 7 generations ago. I've lived in St. Helena most of my 68 yrs. I've founded several businesses, always looking out for the best interest of our small community.

This project is drastically going to impact traffic on Pope, Starr, Hunt & Adams streets. I understand the owner has a well but our water situation will still be impacted.

Our water table has already been depleted irrigating vineyards. But we are an agricultural county and growing grapes is a priority.

The Glass Fire damaged our city's water supply. We're still in a serious draught. How can our city's resources properly manage all these new homes and homeowners?

We need affordable housing. But there must be a better solution than filling an open space in town with over 51 new homes.

Starr Ave is littered with cars before/after work and on weekends right now. The residents in the apartment complex at the end of Hunt have never had enough parking. They are forced to park and walk several blocks just to get to their apartment. Starr Ave residents have cars lined up in front of their own homes, leaving no room for guests.

I oppose this project due the size of it, the impact on water resources, city sewer & traffic.

Thank you.

Gail Morgan Lane
Broker/Owner
BRE# 01026604

St. Helena Real Estate
1346 Main Street
St. Helena, CA 94574
T 707.967.9570
C 707.291.0156
F 707.968.0885
gail0634@gmail.com
gail@winestates.com
www.winestates.com



-----Original Message-----

From: marks.marybeth@gmail.com <marks.marybeth@gmail.com>

Sent: Saturday, October 30, 2021 6:30 AM

To: Maya DeRosa <MDeRosa@cityofstheleena.org>

Subject: [External] Hunter Subdivision Project

Hi Maya

I am writing to let you know that my husband and I are very much against the proposed Hunter subdivision going forward.

We plan on joining the meeting on Nov 2nd to learn more as we're certain there have been impact studies completed.

This high density housing will go towards accelerating the depletion of our already overtaxed resources, especially our water.

Thank you,

Beth and David Marks
945 Brown St
St Helena CA 94574

From: Donna Hardy <mhardysh@att.net>
Sent: Monday, November 1, 2021 10:16 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Draft EIR

Good Morning Maya,

Attached are my questions and concerns about the proposed Hunter Project that will be discussed at Tuesday's Planning Commission Meeting. Please distribute it to the members and make it a part of public record.

Thank you,

Donna Hardy
620 Harvest Lane
Saint Helena, CA 94574

After reviewing the Hunter Project Draft EIR, I find the items listed below of concern:

- 1) Does the City of St. Helena have enough water in drought years to permit 87 new homes to be built? Can Water Neutrality be achieved by water conservation and retrofitting old fixtures in town? Should an agricultural well be used for landscape watering to help a proposed housing development achieve Water Neutrality?
- 2) The 1993 General Plan, which is the document being used for this Subdivision request, stipulates that Adams St. be extended to the Silverado Trail; why is this not being required as a condition for the project?
- 3) The Hunter property was in the flood plain before the Measure A Levee was built. After its completion, FEMA then changed the zoning to Firm X, which no longer requires homeowners to purchase Flood Insurance. If the project is approved and homes are built behind a levee the City of Saint Helena created and is required to maintain, the city could be held responsible for the losses if the levee ever failed. Could the city be held in non-compliance of the terms of the Measure A agreement if homes were built as proposed? Did the Measure A Project change the buildability of the Hunter Land?
- 4) It is a requirement that the project be Water Neutral by retrofitting old toilets in town and other water savings measures to offset the interior water use of the 87 new homes. The city is presently in a Phase II water emergency, and homes have been allocated water usage based on the number of people living in them. If usage is over the limit, fines are given, and no new water hookups are allowed during this time. With these restrictions why are we currently considering a subdivision of 87 new homes and how much more can be done to save water if the dry years continue?

All exterior watering for the Project is proposed to be an on-site, inactive, groundwater well that was inoperable at the time of the site visit for the Draft EIR. The Subbasin monitoring well may be within the pumping influence zone of the Stonebridge Complex wells which supplies the entire city with up to 20% of its water demand in normal years, and up to 30% in dry years. Currently the City of Saint Helena is being sued by Water Audit, CA which is critical of its use of the Stonebridge wells for municipal use and a pattern of no discretion in issuing permits for new wells. The City Council is having a Closed Special Meeting on Nov. 1 to discuss the matter. Is the Planning Commission not concerned that approving the use of a groundwater well for outside irrigation of new homes in the city will potentially further open them to another suit from Water Audit, CA or another agency?

On page 490 of the EIR there is a chart that shows water supplies would not be sufficient to meet demands under all scenarios. It is then suggested if supply were low, amount could be increased by

- 1) conservation
- 2) modifying rates to encourage conservation
- 3) increasing ground water production.

With the current drought the city has tried conservation with some level of success, but did not get the results they expected. Stiff fines were implemented modifying the rates to further encourage conservation and the first month over a million dollars in fines were dolled out. Presently the City is, out of necessity, using more groundwater from the Stonebridge Wells to supply the city's needs. Given our small number of water resources it will only get worse with more housing, and using a presently inoperable well for all outdoor irrigation on the project could open us up to further suit.

In the Transportation and Circulation portion of the EIR,, 3.14, pg 522, the streets impacted by the project are defined.

Saint Helena residents know that Starr Ave. is a short route for cars traveling from the Silverado Trail to Safeway, Railroad Ave., or other parts of the city. Pope Street serves most people that come from the Silverado Trail to destinations in Saint Helena, it is the first access street off of the trail if coming from Napa, and an easier street to navigate at Main St. because there is a traffic signal. Pratt Ave. or Deer Park Road, both further North on the trail both have stop signs at Main St. or Hwy 29 and are not always as easy to cross. Early in the morning or after work the stop sign at Pope and Starr can be busy with cars waiting for a break in the Pope St. traffic to complete a left-hand turn. Starr is not a street for mainly the residential neighborhood as defined in the Draft EIR, but a cut through street to get to the center of town or out to the Silverado Trail. If the Hunter Project is put through this will only get worse.

Railroad Ave. is another cut through street that locals use to avoid driving on Main St., and does not mainly serve the industrial and commercial uses in the downtown area as defined in the EIR. There is more vehicle traffic on Railroad Ave. than industrial or commercial traffic.

Adams Street is a main downtown street with three areas where traffic can bunch up, at the Railroad Ave. intersection, a four way stop, the railroad tracks when the Wine Train is coming into the station or leaving, and at the Main St. signal. I question the defined use of some streets in the EIR, either the person writing the descriptions does not know how locals use the streets, or the descriptions were used to make the streets look less busy.

The Hunter project with the extension of Adams and Starr Ave. will increase traffic tremendously for present residents in the area, but one way to help alleviate some of this increase is to extend Adams Street to the Silverado Trail. The 1993 General Plan states "The city desires that the Adams Street extension to the Silverado Trail be completed in an expeditious manner:" and "The city will work with potential developers to acquire the needed combination of public and private financing required to implement this project."

The Hunter Project has used items in the 1993 General Plan which are agreeable to their project i.e., zoning of the land from agriculture to Medium Density Residential, and the extension of Starr Ave. to Adams St. and Adams St. to Starr. They have chosen to overlook the one thing in the General Plan that would help mitigate some of the traffic and circulation problems the development would create for existing, nearby residents. If the Hunter Project is approved the city should require that Adams St. be extended to the Silverado Trail before the first house is built for the safety of new residents and to preserve quality of life for existing neighbors. This would provide a direct route to the center of Saint Helena, relieve traffic on the historic Pope St. Bridge and reduce traffic using Pope St. and Starr Ave. as a by-pass route.

The Hunter Land was originally a part of the Flood Plain until the City of Saint Helena built a Levee as a part of the Measure A Flood Protection Project. After this project was completed, FEMA re-evaluated the land's danger of flooding and revised the FIRM rating to Zone X, alleviating the need to buy Flood Insurance for homes built on the land. Could the Hunter Project put the city in violation of the terms of the Measure A project by allowing homes to be built on land that was previously a part of the Flood Plain? The Measure A agreement states that money from the fund cannot be used to create projects that promote growth, increase population and allow land to be developed that was not previously so. Did the Measure A change the buildability of the Hunter Land taking it out of the flood plain? With the change of FIRM rating, it appears it did. If so the city, by allowing homes to be built without raised foundations, could be in violation of the Measure A requirements.

The Hunter Draft EIR states that chance of flooding is low and if it were to occur it would be with warning and slow. There would be little chance of loss of life as people would have time to evacuate the area or go the second stories of their homes to avoid the water. Why should homes be built in an area where there would even be such a possibility? With the danger of property loss if there were a breach in the levee, threat of the city being held responsibly, putting additional strain on the city's already minimal water supply, and all the other concerns I have raised, this sub-division should not be approved.

Respectfully submitted by,
Donna Hardy
620 Harvest Lane
Saint Helena, CA 94574

-----Original Message-----

From: jim ritchie <carrotopone@yahoo.com>

Sent: Monday, November 1, 2021 3:42 PM

To: Public Comment <publiccomment@cityofstheleena.org>

Subject: [External] Hunter Project

My two main concerns are the scarcity of water sources for the town at the present time. With this many new dwellings, where is the added water coming from? You can only retrofit so many toilets. What if the developer could also retrofit dishwashers/washing machines (replace with a percentage or rebate of new water wise units paid for by said developer? Is the new norm now on/off showers, no vegetable or fruit gardens, dead landscaping, saving grey water to keep plants alive? If this project does move forward, maybe some of the conditions should be all drought tolerate landscaping, no to pools using city water, putting in grey water systems for all landscaping.

My second concern is traffic. If Adams and Starr are extended but Adams doesn't cross over to the Trail the traffic just impacts all the current residential streets. Adams and Hunt become feeders to Pope Street along with Church, Edwards, Jiune, which are already very well travelled. We've all seen what traffic is like when part of the Trail is shut down and now maybe with this development an additional 200 vehicles with no new exit out of town but the current residential streets surrounding this project. With the added vehicles comes over flow parking into existing neighborhoods as is evident with Hunts Grove and the multi units on Monte Vista.

It just seems that this many units is going to decrease the quality of living in St. Helena by those in close proximity to this proposed development.

Jim Ritchie
830 Hunt Ave
963-3836

-----Original Message-----

From: Calie Candia <caliesworld@aol.com>

Sent: Monday, November 1, 2021 2:27 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter subdivision.

To whom it may concern,

As a resident of Vineyard Valley, I am concerned about this property being developed. The fact that it's going on a flood plane could impact our whole park if a flood should take place. And it seems that nobody wants to take responsibility if it does flood. The army Corp of engineers have done their job building the levee and they are done. The builder won't and can't guarantee it won't flood, and what is the city guaranteeing? Not only that but we have a serious water problem in our county. Not to mention the traffic impact to Pope street, the trail, and Main Street.

I strongly oppose the proposed development.

Sincerely,
Calie Candia
Sent from my iPad

From: Robb Cohen <cohen.robb@gmail.com>
Sent: Monday, November 1, 2021 3:45 PM
To: Maya DeRosa <MDeRosa@cityofsthenana.org>
Subject: Re: [External] Proposed Hunter Street Subdivision

Robb Cohen <cohen.robb@gmail.com>

3:17 PM (25 minutes ago)

to mderosa

To Whom it may concern:

I am a resident of Vineyard Valley and hereby join with over 200 park residents in registering my opposition to the above-referenced subdivision.

As a former attorney and builder/developer with over 35 years experience with large-scale residential developments, I believe the proposed project is ill-advised and fraught with a host of potential developmental and legal problems. I am particularly concerned that the city of St Helena would even consider such a large-scale development in light of the persistent drought and the resultant water restrictions that have already been imposed on the residents of St Helena in response to the water shortage. This project, should it be approved, will only exacerbate the existing water restrictions/ shortages and concomitant penalty provisions that have already been imposed on drought-weary city residents.. Furthermore, should the subdivision be approved, the risk of building on a flood plain will subject the city to numerous and costly lawsuits, which will inevitably ensue. Given the well- publicized financial difficulties the city has experienced in recent years, the idea that the city would even consider approving this project strikes me as being extremely ill-advised. Additionally, I would expect that should the project be approved, it will expose city officials to legal challenges for claims of misfeasance and malfeasance, which will undoubtedly be costly to defend.

I have purposely omitted any references to the many other allegations and concerns that have already been articulated by the hundreds of St Helenians who have already written in opposition to this project.

I pray that the city council will reject the proposed Hunter subdivision.

Sincerely,

Robb A. Cohen
P: 703.405.1307
cohen.robb@gmail.com

--

Robb A. Cohen
P: 703.405.1307
cohen.robb@gmail.com

From: Cindy Ford <cford327@gmail.com>

Sent: Monday, November 1, 2021 4:23 PM

To: Public Comment <publiccomment@cityofstheleena.org>

Subject: [External] COMMENT TO PLANNING COMMISSION and the AGENDA ITEM

We are writing to register our strong objections to the proposed Hunter Subdivision on the east side of St. Helena. While we recognize the need for more housing in the Napa Valley, and low cost housing in particular, we find the Draft EIR for this project inadequate in several ways.

The DEIR seems particularly short sighted in its assessment of water supply to the proposed 80+ households. Because St. Helena's current water shortage has put all residents and businesses in the city under strict water rationing, the idea of adding a significant number of homes to our already inadequately supplied town simply does not make good sense. Yes, droughts come and go, and we might hope for relief at some point in the future, but climate change is real, it is here now, and using past water supply and usage figures to predict future needs is foolhardy. More to the point, the idea that retrofitting 333 households with more efficient fixtures will result in an adequate supply of water to this development is dubious to say the least. We would assert that, given our history of droughts, most St. Helena residents have already upgraded to water efficient toilets and showerheads in recent years; how will the city or the developer identify households to be retrofitted? What data shows that sufficient water would be the result of this retrofit? How can the developer claim the existing well proposed as the source of landscaping irrigation can supply sufficient water in future years? How can the DEIR claim that this proposed subdivision does not significantly impact St. Helena's water supply?

Another area of concern is the health and safety of households built behind the levee in the event of flooding. The plan and DEIR are based on a two hundred year flood plain projection which strikes us as overly optimistic in the extreme. Again, climate change makes such assumptions risky; better to plan for the worst and hope for the best. To make matters worse in this regard, we understand neither the Army Corps of Engineers nor FEMA have inspected and certified that the levee meets required standards. What if the levee fails because of shoddy construction or inadequate maintenance? The idea that households in the proposed project could shelter upstairs in the event of a flood is both cold hearted and cynical! Who pays for the property damage in that case? The developer? The city? What would that do to the city's finances and the city taxpayers?

Traffic impacts are another major concern. Hunt and Starr Avenues are already full of cars going too fast and trying to circumvent Hwy 29 traffic. Adding more houses along an extended Adams Street and Starr Avenue will only make matters worse since the only points of entry and exit are Adams or Hunt connecting to Hwy 29, or Starr connecting to Pope Street. We fail to see how the proposed development meets its goal of "minimizing traffic related impacts" as stated in the Project Objectives. What happens if we have a major earthquake or fire or flood? Residents in our neighborhood already have few options given the traffic on Hwy 29 and the very limited capacity of the Historic Pope Street bridge. The DEIR states that, "given the

project is so flat, the proximity to hilly terrain or landslides due to post-fire conditions would not be a concern." That is laughable since the Silverado trail is closed just north of Pope Street right now because of a landslide caused by rain! How can the DEIR claim to have found "no significant impact with regard to wildfire" given the present conditions? Adding more households to this residential neighborhood as proposed will result in more dangerous conditions in an emergency and should not be approved by the Planning Commission.

As residents of St. Helena we are grateful for the opportunity to express our concerns about this proposed subdivision. We hope the Planning Commission and the City Council will think carefully about all proposed developments, who benefits from them along with who does not, how the city can accommodate them fairly and support them with adequate city services, and what is the right thing to do for the whole community.

Sincerely,
Cindy and John Ford
cford327@gmail.com

From: fj <frank.jonelis@gmail.com>
Sent: Monday, November 1, 2021 9:46 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>
Subject: [External] Opposing Hunter Subdivision Project

To Saint Helena Planning Dept
Attn M De Rosa
Reference: The Hunter Project, Saint Helena CA

Hello Maya

The Hunter Project does not pass the common sense smell test, regardless of what Hunter's fancy consultants and lawyers tell you.

It is a massive, dense project, inappropriate for the small city of Saint Helena.

It will use a lot of water, more than we have, regardless of what the developer claims. Just look at how many units there are. Whatever amount of water Hunter claims they will use, anyone with eyes and a brain can see it will use more water than that.

It will generate an unacceptable amount of traffic, and an unacceptable number of cars parking all over the surrounding streets.

All of those extra cars will generate pollution, noise, and congestion.

What was formerly a quiet, healthy, peaceful open space will be crammed with a ridiculous number of cars and structures.

Water that used to soak into the soil will be blocked by roofs, sidewalks, and streets.

Despite having built a personal levee around his personal property at taxpayer expense, the entire development is on a flood plain. The recent rains raised the water level from nothing to 16 feet in a few hours, even considering that the ground was so dry that it soaked up much of the water before it could even get to the river. 16 feet is only 2 feet below the flood stage of 18 feet. The recent storm was not nearly as severe as many historical storms. And past history is no longer representative of what is happening with climate change, worsening droughts, and more extreme weather.

There is not enough consistent water supply to serve Saint Helena as it is now, even without adding this massive development which will use more water than the developer claims it will.

There is no way to guarantee that future, extreme weather events will be contained by Hunter's personal levee that taxpayers paid for. Saint Helena, not Hunter, will be liable for the damage. Hunter and his money will be long gone.

The size of the project, its water use, its traffic, its noise and its flood risk simply do not pass the smell test. It stinks, and everybody knows it.

The project should not be built.

We urge the committee to reject the Hunter Project.

Frank and Tracy Jonelis
708 Hunt Ave, Saint Helena

From: Laurel Krsek <laurel.krsek@gmail.com>
Sent: Tuesday, November 2, 2021 8:16 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Draft EIR # 2108032014 (The Hunter Project)

Maya DeRosa,
Planning & Building Director
City of St. Helena Planning Department
1572 Railroad Avenue, St. Helena, California 94574

Dear Ms DeRosa,

In regard to the Draft EIR # 2108032014 (The Hunter Project), Transportation and Circulation, I'm strongly opposed to the development of this project. In my opinion the proposed project is completely inadvisable until our community-wide traffic and emergency access issues are addressed.

I've lived in St. Helena for 32 years and have experienced the greatly increased volume of traffic on Pope Street, Starr and Hunt and the frequent difficulty accessing the Silverado Trail via the Pope Street bridge. The addition of the Hunter projects' 100+ households with their associated vehicles makes no sense without an outlet from Highway 29 to the Silverado Trail other than the Pope Street bridge. We already experience serious daily traffic congestion. During emergencies on the Silverado Trail or Highway 29 and in the event of an evacuation we have few existing routes out of the area. Until suitable roads and city infrastructure are in place, the addition of more housing units in this proposed isolated neighborhood is irresponsible.

Laurel Krsek
1125 Peppertree Circle
St. Helena

From: Debbie Austin <debraaaustin@comcast.net>
Sent: Tuesday, November 2, 2021 8:55 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Proposed Hunter Project

Planning Commission,

It is hard for us to understand how anyone in Saint Helena would be in favor of the Hunter Project. In Vineyard Valley we have seniors who need assistance in an emergency and we are concerned with the congestion of traffic and how it would effect us in an emergency situation.

Beyond that and even worse is our current situation regarding the drought. We've already cut back severely, with no end in sight. The city clearly does not have enough of a water supply available to allow for the housing project.

We have not spoken to one person in Saint Helena who is in favor of the Hunter Project.

Craig and Debra Austin

-----Original Message-----

From: Terry Wood <terrywod1798@gmail.com>

Sent: Tuesday, November 2, 2021 10:03 AM

To: Public Comment <publiccomment@cityofsthelena.org>

Subject: [External] Water

Where will the additional water come from?

Terry Wood

From: Kathleen McCreedy <kamccreedy@gmail.com>
Sent: Tuesday, November 2, 2021 9:39 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Vote "Against" Proposed Hunter Subdivision

Good morning Maya Derosa,

Firstly I want to thank you, and the city of St. Helena for caring for our wonderful small town and making your best efforts to maintain her facilitation of a safe, nurturing, city for it's residents and visitors.

I am writing today to have my voice heard "Against" the proposed Hunter subdivision. My husband and I have lived here in St. Helena for over 20 years and 5 years ago downsized to live in the Vineyard Valley Senior Park.

Briefly here are a few of my concerns:

I believe the challenges delivered by this project are many.

Traffic congestion, water supply, sewer connections and emergency evacuation pathways are currently top of mind.

Also on a more personal level, this is a wildlife corridor and an incredible open space that supports an area that is NOT fenced off to wildlife or humans. In world efforts to support wildlife, many conservationist are setting up tourist driven wildlife adventures all over the world to prevent additional clear cutting, agricultural impeachment, commercial and residential development. Let's find a way to share the space and look for ways that we can care for our city of St. Helena (gain taxes) in more creative sustainable ways.

Thank you for your time and for all that you do in caring for our beautiful city.

***Best Regards,
Kathleen McCreedy
11 Los Robles Ct.
St. Helena, CA 94574
(707) 280-1278***

-----Original Message-----

From: Patricia Stephens <trishstephens2110@gmail.com>

Sent: Tuesday, November 2, 2021 9:57 AM

To: Maya DeRosa <MDeRosa@cityofsthehena.org>

Subject: [External] HUNTER SUBDIVISION PROJECT

I am writing in protest of the Hunter Subdivision project. I am a resident homeowner in Saint Helena and am amazed anything of this magnitude would ever get passed. Given the current water situation and the already apparent immense traffic how could anyone even think this is a good idea. The negative impact to our city and it's limited services would be strained to breaking point. No consideration has been given to the strain on the police and fire departments let alone the tax paying citizens who will have to endure the construction, the mess and noise, and the traffic problems such a development would cause.

I believe this to be a very unpopular project. If the elected officials will not listen and heed the wishes of the people who elected them then they do not get re-elected or they are recalled.

Patricia Stephens

Sent from my iPad

-----Original Message-----

From: Greg Brown <gwbrown_2000@yahoo.com>

Sent: Tuesday, November 2, 2021 12:26 PM

To: Public Comment <publiccomment@cityofstheleena.org>

Subject: [External] Hunter Project

The DEIR quotes substantial impacts to traffic and water use with the Hunter Project. How can this Project be justified in light of the current water emergency and the current sorry state of our streets?

Greg Brown
1179 Starr Ave
St Helena

From: Pat Kenealy <pkenealy1@yahoo.com>
Sent: Tuesday, November 2, 2021 10:22 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Opposing Hunter Subdivision

Please do NOT approve the Hunter subdivision.

The water needs of the project and the traffic it will produce are bad for our dry and traffic-jammed City. The sewer and flood prevention costs and risks are too great for the City's strained infrastructure and financial situation.

Saint Helena needs to get better, not bigger.

Thank you for soliciting public input on this ill-advised project which threatens the quality of life of all Saint Helenans

Patrick Kenealy
2995 Spring Street

-----Original Message-----

From: Ron Amoroso <RJAmoroso@myastound.net>

Sent: Tuesday, November 2, 2021 12:50 PM

To: Maya DeRosa <MDeRosa@cityofsthehena.org>

Subject: [External] Hunter Project EIR Comment

Hello:

My name is Ron Amoroso. I own the property at 1365 Grove Court in St. Helena and would like to offer a EIR comment regarding the Hunter Project proposal.

While it is a great idea to discuss the immediate and quite local environmental effects associated with removing almost 17 acres of vineyards in favor of multiple residential housing buildings and streets, we should also be considering the “overall” effects.

While it is very important and essential to stop or severely limit the continued pollution of our environment and atmosphere, we should also be looking at, considering, and implementing practices that will begin to “cleanse the existing atmospheric pollution. We should be practicing “Regenerative Agriculture” instead of removing it in place of more carbon producing elements such as those suggested in the creation of the Hunter Project. The existing Vineyards and other green/leafy plants have the effect of drawing down the existing carbon/CO2 from the atmosphere and depositing it into the ground where it benefits further plant growth and cleanses the “overall” environment in the process.

Coupled with the reasons stated in a previous comment, please vote NO to the approval of the Hunter Project!!!

Thank you,

Ron Amoroso

November 2, 2021

St. Helena City Planning Department
St. Helena, CA 94575

Dear Members:

I am writing as a resident of St. Helena with my concerns and opposition to the Planning Commission and City Counsel's continued support and consideration of the development of the Hunter Project. The community at large has been in opposition to this proposal for many years now. It is for the benefit of the developer and provides no positive contribution to the community.

There are so many environmental concerns and potentially negative effects to the land, the community as well as the negative impact on short and long term fire and flood control. I will address some items that come to mind here that should be specifically addressed, hopefully with studies completed as applicable, before any approval of the DEIR. I will list them in the order of the Environmental Impact Report Chapters.

1. Aesthetics/Visual. I would think this speaks for itself. Two story homes in this cluster will eliminate any vista for residents in Vineyard Valley MHP, in addition to any visitors/residents walking the current open space. My understanding of allowing development as part of the affordable housing initiative is that ALL the accommodations should be of similar design and appearance with the affordable housing scattered throughout, to eliminate the stigma and obvious segregation associated with clustering. This plan appears to be a very upscale home development using over 80% of the land for 56% of the total housing. This *is without* figuring in the 24 "granny unit" apartment/condos in these percentages, which really benefit again the owner of the upscale home on which these units are located.

Another factor which impacts aesthetics is the long term (6 years plus) construction. Aside from the visually offensive nature of long term construction, there is the consideration of the traffic impact to residences and businesses. This is not a small project. This will have a huge impact, affecting local residents and deterring visitors, which, in turn, affects revenue. And, what about the actual road damage the city incurs from this long term project? The number of heavy equipment vehicles and substantial increase WILL impact the quality of our road surfaces as well as the flood plain area itself. Who pays for that?

2. Agricultural and Forestry Resources: Loss of prime agricultural vineyards. What impact will this development have on the current riparian preserve?

3. Air Quality: there is the extensive construction vehicle/machinery impact for years and the addition of an approximate 100-200+ vehicles for residency, averaging only a maximum of 2 per household.
4. Biological Resources: there are so many studies on this subject that support the damage from human development. This is just an excerpt from one: The emerging field of Conservation Physiology links environmental change and ecological success by the application of physiological theory, approaches and tools to elucidate and address conservation problems. Human activity has changed the natural environment to a point where the viability of many ecosystems is now under threat. [Philos Trans R Soc Lond B Biol Sci.](#) 2012 Jun 19; 367(1596): 1607–1614. *Conservation Physiology may be defined as the application of physiological theory, approaches and tools to elucidate and address conservation problems with the aim to provide a mechanistic understanding of how environmental disturbances and threatening processes impact physiological responses and thereby ecological function, population persistence, and species survival.*
5. Cultural and Tribal Resources: has there been a study/archeologic study done on this land? A tribal burial ground has been defined in adjacent land.
6. Geology and Soils: The levee has not been maintained since 2010. Note the fresh gopher holes on the side facing Del Rio. Significant rodent activity in the levee. Concerned about liquification of alluvial soils. Think of what happened to the levees during Hurricane Katrina.
7. Greenhouse Gas Emissions: vehicles, as mentioned above; construction, as mentioned above. There should also be consideration given to the global warming effects from additional roadways, home emissions and reflection, reduction of absorbing land surface.
8. Hazards and Hazardous Materials: Hazards. The open space provides a buffer to manage and help control fires. Homes and vehicles in the area is fire fuel. This greatly increases the potential for flooding as this is currently again a buffer. With homes there, there would be damage in a flood with substantial financial loss to city, personal and other agencies. It also creates a bigger potential for fire and flood threat to existing Vineyard Valley homes as they lose this buffer.
9. Hydrology and Water Quality: *Def: noun the branch of science concerned with the properties of the earth's water, and especially its movement in relation to land.* Contruction of this magnitude is reducing the ability for natural water saturation and flow. Again, contributing to higher potential for flooding and causes a higher rate of run off of natural soils that remain (No.8).
10. Land Use: Refer to the question regarding unauthorized changes to the intended use of the land as certified by the ACOE below. The proposed Affordable Housing violates Municipal Code 1741

in that it has been segregated from the other residences and appears to be significantly different.

11. Noise and Vibration: This category is really spread over several – light noise, traffic noise, general vibration/shifting of the natural landscape from the various facets of development including but not limited to shifting, removal of soil and topographic natural flow, extensive road materials being cleared and laid. General construction noise estimated to last a minimum of 6 years.
12. Public Services and Recreation
 - Our police and fire, emergency services, and schools will be impacted, putting a strain on services.
 - The walking trails are used by many people from all over St. Helena. My understanding was the intended purpose of the land was to remain open space for both public enjoyment and long term safety regarding both flood and fire.
13. Utilities and Service Systems: City water, sewer have limitations. We are currently in a severe drought situation. The approval of development of this magnitude does not serve the city or its residents. The costs alone will ultimately be absorbed by current residents, at least partially. The pandemic has greatly impacted the small businesses in this area. Adding a project of this size will mean streets being torn up, traffic congestion the city plan does not have the capacity to handle and a greater reduction of visitors and revenue for many years. It is very easy for travelers to choose Sonoma or other destinations, especially in light of today's instant information and reviews available via the internet.
14. Transportation and Circulation: I would think self-evident. As mentioned above, these are just a few of the impacts I can think of. I am sure there are many more.
15. Energy: We have had so many varieties of energy emergencies using PGE as an example. Older lines, older transformers to name two that are current observations. Homes in Vineyard Valley have not had power for the past week. What is the plan to update an infrastructure to support the current needs incorporated into an expansion of this magnitude? And who pays for that?

In addition to the items of concern that are either overlooked or not included as part of the DEIR, I am attaching just a small item from part of the Army Corps of Engineers Policy and Procedures: my understanding is that the flood plain project had to be approved and certified by the ACOE. The Hunter Project seems to be in direct violation of this.

Excerpt taken from an ACOE Policy and Procedure document:

Water Resources Policies and Authorities POLICY AND PROCEDURAL GUIDANCE FOR
PROCESSING REQUESTS TO ALTER US ARMY CORPS OF ENGINEERS CIVIL WORKS PROJECTS
PURSUANT TO 33 USC 408

j. Unauthorized Alterations. The policy of USACE is to pursue enforcement and correction of unauthorized alterations of covered projects. If an unauthorized alteration is discovered, the district, after consulting with the Offices of Counsel and Real Estate, should take the appropriate steps to remedy the unauthorized alteration. The Chief of Regulatory should be notified of any unauthorized alterations so the appropriate course of action can be taken with respect to Section 10/404/103 permits. Specific enforcement steps the district takes will depend on the particular nature of the unauthorized alteration and whether the unauthorized alteration is located on project boundaries where a non-federal sponsor holds the land rights for operations and maintenance. Non-federal sponsors with operations and maintenance responsibilities for the USACE project, reference paragraph 6.e.(1), remain responsible for ensuring no unauthorized alterations are occurring within the project boundaries. k. Authorized Project Purpose. **No granting of permission is allowed under Section 408 for a proposed alteration that would have an effect of deauthorizing a project or eliminating an authorized project purpose.**

I am sure there are so many items I am neglecting to address, but I hope these will have some weight in your recognizing that this developmental plan is not in the best interest of our community and approval of same would not be serving the public need nor interests.

Sincerely,

Barbara Ringenberg
9 Los Robles Court
St. Helena, CA 94574

(Electronic signature)

Richard Crebs
10 San Juan Court
Saint Helena, CA. 94574
(707) 580-0418

November 2, 2021

Ms. Maya DeRosa, Planning & Building Director
City of Saint Helena
1572 Railroad Avenue
Saint Helena, CA 94574

Delivered via email to: mderosa@cityofsthelena.org

Dear Ms. DeRosa:

Generally, this is a fatefully flawed project projected upon a majority of fill generated from the construction of the flood control levee, subject to probable seismic events and/or flooding, exasperating demands on water we do not have and adding to almost daily traffic gridlock at commute time on the Eastside roads. This town would be better served leaving the land as open space for all to enjoy.

The following are my specific objections to the Hunter EIR.

3.9 HYDROLOGY AND WATER QUALITY Commencing on page 367)

The document sets forth in the Section **Flooding Due to Levee Failure or 200-Year Flood Event** (Page 374) propose mitigating the potential risk by suggesting that resident “will have the option of purchasing flood insurance (i.e., FEMA policy”).

(Since the levee project was not certified by the Army Corp of Engineers it is my understanding that if it should fail the city would ultimately be responsible for all ensuing damages.)

Instead require the developer to Hold the City harmless in the case of any future flooding if the project is completed and require the developer to post an evergreen Fifty Million (\$50,000,000) Surety Bond to support the “Hold Harmless” Agreement.

Anything less puts the city, and there for its citizens, at the risk of massive litigation of the Hunter Project should flood in the future. It is not the Cities or its citizens responsibility to be put at significant financial risk just so a developer can profit by develop an extremely questionable parcel with other multiple challenges such as water, sewer, and traffic concerns.

3.13 -Utilities and Service Systems

3.13.4 Impacts

Table 3.13-9 Proposed Project Water Demands

The Hunter EIR reports calculates that this project will consume 19.88- acre feet of municipal water and 17.16- acre feet of groundwater.

This EIR ignores the very factual issues surrounding both municipal and groundwater available. This project should not be allowed to draw any groundwater as indicted for landscaping purposes. Instead, there are commercially available systems to capture all bath water, treated and used for flushing toilets and landscaping. Similar projects have demonstrated a net savings of up to 33% in potable water. A greywater system for *each* housing unit should be mandated.

Wastewater Treatment

The Hunter EIR ignores whether the existing sewer lines situated North to South dissecting VVMHP. If this project is approved then Hunter should be required, under bond, to pay for not just the physical wastewater upgrades necessary but also due payment and consideration afforded to the VVMHP residents during any construction necessary to an increase in wastewater capacity to accommodate the wastewater demands determined necessary.

Appendix J
Water Neutral Report

This water neutral report vacuously concludes that rather than undertaking and paying for a portion of the cities Capital Improvement Program (CIP) need that they opt to offer a fop in the form of \$596,809.19 in retrofit fees. Currently, the CIP five-year projected cost approximate \$60,000,000. If the City should choose to approve the Hunter Project, then an a more equitable requirement would be to require Hunter to pay ten (10%) of that amount or the sum of \$6,000,000 to assuage the required in lieu fees.

3.14-1.Traffic

All of this report's conclusions are either erroneous, misleading, or incorrect. It does not matter what theoretical studies the reference all of the surface roads on the Eastside of town are already at maximum capacity. There is a solution which the Hunter study studiously avoids. If they wish to have the city approve this project, then let them significantly help ameliorate the Eastside traffic problem by paying for a new bridge connecting Adams Street to the Silverado Trail.

Respectfully submitted:

Richard Crebs

(This letter off comments regarding the Hunter Project are submitted by me as an individual and not on behalf of any organization)

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, November 2, 2021 2:36 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Paul Dohring <PDohring@cityofsthelena.org>; Anna Chouteau <AChouteau@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>; Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter development

Looking at the location of affordable low income apartments in the Hunter proposed project, why are they directly behind the low income apartments on Monte Vista? Is it because all the low income apartments should be segregated from Market rate homes?

Sent from my iPhone

From: John Milliken <jmzin@comcast.net>
Sent: Tuesday, November 2, 2021 2:56 PM
To: Public Comment <publiccomment@cityofsthenana.org>
Subject: [External] PC Meeting 11/2/2021 Public Comment on Hunter Project DEIR from John Milliken

First of all, I would like to provide a link to an article written by Professor Nicholas Printer of the UC Davis Center for Watershed Science that I think should be mandatory reading for each Planning Commissioner and the City Staff involved in preparing the DEIR.

<https://californiawaterblog.com/2016/07/17/st-helena-california-dealing-with-a-field-of-dreams-levee-residual-risk-and-a-flood-of-controversy/>

None of the issues covered in this article were mentioned in this DEIR.

Second, I would like to express my dismay at what an unprofessional, non-comprehensive, and shallow effort this latest DEIR effort represents. It is absolutely mind boggling that this DEIR could only identify two significant impacts (both traffic related) for a major development project of this size after an almost four-year effort at a cost of over \$450,000. The DEIR reads like an infomercial the applicant. I intend to submit separate comments on the many deficiencies and missed impacts either completely ignored or glossed over by this so-called DEIR. I do not know who was in charge of this effort, but I think the City Council and Planning Commission should seriously consider an inquiry into how this happened and there should be consequences for those responsible. This community (whose environment is being impacted!) deserves much better than this and this DEIR effort crosses the line of professional negligence. I am not asking for a DEIR that supports the grievances of the many members of the community who are opposed to this mammoth 87-unit development, rather, I was expecting a balanced DEIR that fairly identified ALL the environmental impacts presented by this development and was prepared to lawful CEQA standards. This DEIR does neither of those things. How can a DEIR propose meaningful mitigations if it cannot properly identify environmental impacts?

I do not know if this substandard DEIR effort was by intent or the result of a lack of oversight by the Lead Agency, the City of St. Helena, but the end product is seriously flawed. As you can probably see by all the public comments submitted to date and an avalanche of comments to be submitted by the November 8th deadline, I am not the only one to have noticed this. Thankfully, many members of our community have taken on the responsibility of correcting this wrong and will be submitting comments that identify way more impacts than were identified in this DEIR. And, they are not being paid \$450,00 to do this and were only given 45 days to prepare comments instead of four years.

Oh,..one more thing. When several members of the community (whose environment is being impacted!) politely asked if the comment period could be extended so that they could have more time to prepare researched, cogent comments on the lengthy 28 Mb download and 633

page DEIR document, they were quickly rebuffed and simply told no. This seems a little harsh considering that this second DEIR effort is heading into its fifth year after a failed first seven-year effort. FYI: The comment period for the first failed EIR effort in 2012 was extended to 90 days. I guess this contempt for the community (whose environment is being impacted!) is the new norm and this is what we will be dealing with for the remainder of the process. It is my hope that Planning Commissioners will ask staff some questions about this DEIR process when they are afforded the opportunity after the Public Hearing closes. The ability to ask questions was not afforded community members.

John Milliken

jmzin@comcast.net

707-963-8134 (Office) 707-486-4266 (Mobile\Text)

1256 Hudson Ave.

St. Helena, CA 94574

PUBLIC COMMENT – HUNTER PROJECT DEIR – LEVEE FAILURE/FLOODING

FROM: Isobel Luria – 1173 Starr Avenue

DATE: November 2, 2021

The Hunter Project's DEIR in its section on Hydrology, Water and Drainage completely ignores the potentially adverse effects of Climate Change. It displays a callous and cavalier attitude when discussing the possibility of a catastrophic flood and the serious consequences that would be faced by future residents of the proposed subdivision.

The Hunter Project has been controversial from its inception and has met with much opposition. While the current city administration cannot be held responsible for the questionable decisions of its predecessors; it will be held responsible from now on.

Briefly, Dennis Hunter purchased the "raw" land for the project in 1997. In 1998, Measure A was passed. Mr. Hunter filed to start development planning in 2005. In 2008, he agreed to a lot line adjustment to facilitate the City's Flood Protection Project. In 2009, the City began work to construct a levee. "... the standard design level of protection (afforded by the levee) is for the 100-year flood event; however, the 200 year design basis was implemented to provide an additional factor of safety and to account for potential settlement..." (DEIR 3.9-8) Meanwhile in 2010, the Applicant filed for a Temporary Subdivision Map, which was accepted in March of 2011. The levee was completed in the same year. In 2012, FEMA revised its flood map, categorizing the area as a Zone X – an area protected by a levy with a moderate to low chance of flooding and an optional Flood Insurance program. It should be noted that this levee and its adjacent floodwall also protects much of East St. Helena, including Vineyard Valley Mobil Home Park, the Hunt's Grove Apartments and the Meadowcreek subdivision, all of which have sizable populations.

It is interesting that this DEIR makes no mention of any "due diligence" on its part of conducting an examination of the levee to ascertain its current condition. I can only assume the Project is leaving that up to the City of St. Helena, the entity responsible for maintaining it. Furthermore, no mention is made of any attempt by the applicant to contact FEMA to ascertain whether, again in view of Climate Change, residents will be able to obtain flood insurance and low interest flood mitigation loans, since this will be needed for new housing built in very close proximity to a **pre-existing** levee. Usually, FEMA supports areas where levees were built as a flood mitigation ie. the housing was already in place and subject to flooding! It should be noted that I could find no discussion about this on the FEMA website.

Now, as a result of Climate Change, the country is experiencing unpredictable and unprecedented weather events with increasing frequency. (We just had one – the "bomb" cyclone and accompanying atmospheric river.) FEMA is faced with an increasing burden of claims. It is not inconceivable that St. Helena could experience a catastrophic flood in the not too distant future and the levee could fail. The DEIR states that in the event of a catastrophic flood or earthquake, residents would have ample warning to evacuate. Furthermore, "flooding on the Proposed Project lots would range between 0-5 feet in depth, with the deepest flooding occurring on the northern part of the Project site. This level of flooding would leave upper floors of residences available for refuge....the risks from a 200 year

flood and/or levee failure are limited to property damage rather than risk of life.” (DEIR 11-2) On the other hand, FEMA states that while levees reduce the risk of flooding, they don’t eliminate it. They...”**deteriorate overtime and must be maintained. When levees fail, or are overtopped, the results can be catastrophic. In fact, the flood damage can be greater than if the levee had not been built.**” (FEMA website “Living with Levees”) I emphasize that as result of its “Zone X” classification, where flood insurance is **optional**, much of the property might not be covered.

The aftermath of this sort of catastrophic flood is awful. I disagree with the DEIR conclusion that residents would have ample time to evacuate. One can imagine that a levee failure would produce a “tidal-like” wave of debris filled water gushing through the subdivision. Unlike a regular flood where water levels rise more slowly, people would be lucky if they **reached** the second floor. Houses would be severely damaged and residents, if not injured or worse, badly traumatized. In any case, they would need to relocate, file insurance claims with FEMA, if they actually had purchased the optional insurance, possibly secure low interest FEMA loans to finance their flood repair, and, of course, find contractors, not to mention deal with their day-to-day existence – kids, school, work, and so forth. Additionally, there would be the continuing stress of wondering if claims or loans will even be granted because FEMA does its homework: they investigate every claim. In the case of this Applicant’s Project, FEMA might refuse to pay for the flood damage and repair because the houses were built close to a pre-existing levee. They might argue, if they look at the time sequence, that levees should not be erected to protect future subdivisions and that locating new structures near existing levees creates a preventable and needless risk.

Should FEMA withhold its aid, the residents would probably sue the developer and the City, it being the entity who granted permission for the subdivision to be built. These lawsuits could be prohibitively expensive. This scenario would be disastrous for St. Helena. But why should the city even allow itself this level of exposure when a valid reason exists for denying the project: a reason that even the state of California must support. In reality, the city lacks the infrastructure on the East side of St. Helena to safely and expeditiously evacuate even existing residents in a catastrophic emergency. In the case of a severe flood and levee failure, roads in the Hunter Project would probably be impassable, Starr might be affected, and use of the Pope Street bridge to access the Silverado trail, questionable at best.

If the city turns down the applicant on these grounds, and there are additional reasons that are almost as compelling, the applicant will most likely sue. But this exposure is far less than the multiple suits that would derive from not only a badly damaged subdivision, but also one in which lives could have been lost: the city could be found to have been derelict in its obligation to protect its residents.

Finally, it should be noted that I am not an attorney, simply a concerned resident. I am basing my opinion on common sense and logic. It is my belief that the city should not give this applicant the green light.

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Tuesday, November 2, 2021 2:58 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Cc: Paul Dohring <PDohring@cityofsthelena.org>; Anna Chouteau
<AChouteau@cityofsthelena.org>; Geoff Ellsworth <GEllsworth@cityofsthelena.org>

Subject: [External] Hunter project

The DEIR says that a breach of the levee is unlikely but if it happened properties behind it could have 5 feet of water damage. The top of the levee has many pot holes some have been repaired with gravel is this correct material? Do maintenance people have experience or training on levee's?

Sent from my iPhone

Questions for Planning Commission Meeting 11-2-2021 re: Hunter Project

#1 Will the sewer plant upgrade of 16.2 million as per our agreement be completed before construction would begin and will it effect the \$57,000 fine.

#2 The existing sewers were constructed many years ago with the size predicated on the houses they served at that time. Will the existing system be reengineered to handle the increased load

#3 The Water Audit suit calls for the decommissioning of existing wells that are not in use will this have any effect on the project. Will a new permit be required for the now out of use well.

#4 The Water Audit suit also cites meeting sustainability goals from our existing wells providing domestic water will the addition of all of the residential units drawing from these what will the impact be and what effect will this have on the suit by Water Audit.

#5 Do we know if both the new well and the current one in use by the City of St Helena are serviced by the same aquifer?

#6 Given that the proposal will be to retrofit 300 plus homes with water saving devices to augment the additional users, would it be more prudent to have this done and accomplished prior to the additional use of water for the development. My concern is that very few residents, certainly not 300, will embrace the idea and agree to have water saving devices installed in their homes. Many of us had this done in prior years and are not in need of such an endeavor. So the fear is that the money will sit in a slush fund and the actual use for water saving devices never take place and the development will still start using the water which we have so little. Will the 300 plus homes be just on the east side as the well is our main supplier of water.

Gale Greisen
1181 Starr Ave
St Helena
415 729 6039

Attention: Planning Commission
 From: Timothy Nieman, St. Helena

Comments for Hunter Subdivision DEIR

Comment about Use of Well for Irrigation

Page 3.9-43 states “Therefore, the well would draw from the deeper volcanic aquifer, below the Napa Valley alluvium which is considered hydraulically connected to the Napa River (Appendix L). Therefore, the proposed pumping from this well is not likely to have any direct effect on surface flow in the Napa River.” Appendix L then states “The well intercepts groundwater from rocks and deposits of volcanic origin. Well perforations begin at a depth of 80 ft below ground surface and extend to the bottom of the well 410 below ground surface. A 20 ft well seal is in place. The well does not draw water directly from the Napa Valley alluvium, which is believed to be interconnected with surface water of the Napa River. The degree of hydrogeologic connectivity between the underlying volcanic aquifer and the alluvial deposits on the surface of the Napa Valley Floor has not been quantified, but it is likely that withdrawals of groundwater from this deeper aquifer have a less direct effect on surface flow in the Napa River than withdrawals from the shallow alluvial aquifer.”

As a geophysicist, I find this to be appallingly bad science and also bad logic. At best, the authors should simply state they don’t know if the volcanic rocks are connected to the Napa River.

The authors state in Appendix L that the connectivity to the Napa River of the aquifer being tapped has not been quantified. The authors then conjecture, without data, that it might have a “less direct effect” on surface flow in the Napa River than a horizon known to be connected to the river. From this basis, they somehow conclude on page 3.9-43 that the proposed pumping from this well is not likely to have “any direct effect” on surface flow in the Napa River. So, they began with a statement that the connectivity has not been quantified (i.e., nobody knows) and then conclude that pumping will not have any direct effect on surface flow. That statement has no basis of support. They offer no data at all about the geologic column or about depositional units, if any, that exist between the shallow Napa Valley alluvium and the underlying volcanic aquifer.

The Napa River is a gaining river in this area and may well be connected to the aquifer from which the applicant plans to withdraw 5.6 million gallons of water per year. It is certainly not acceptable to approve the use of the well for irrigation at this time and until the aquifer’s connectivity has been verified with subsurface data or other reliable hydrogeologic data. Further, the County’s Groundwater Sustainability Agency is addressing the issue of groundwater withdrawals and will issue findings in 2022, followed by review by the State Department of Water Resources. Because the issue of connectivity is not known and the issue of groundwater withdrawals in this area is not resolved, this should be changed to an impact that is significant and unavoidable based on the data available at this time.

Comment about Levee Safety

Page 3.9-7 states “Based on the levee design, the Project site would be subject to a flood exceeding a 200-year recurrence interval, equivalent to less than a 0.5% annual chance. During such a flood (200

year), the style of flooding onsite would be slow and gradual, since the high velocity flows remain limited to the regulatory floodway.”

The type of flooding referenced here is an overtopping event. The conclusion that such an event would be slow and gradual is absurd. An overtopping event would fill the area behind the levee rapidly as soon as the water goes over the levee, much as an empty bowl in a sink will fill rapidly once the water in the sink rises above its rim. The area behind the levee is the equivalent of the bowl in the sink. If anything, this type of flooding would be quick and catastrophic. “Overtopping of levees produces fast-flowing, turbulent water velocities on the landward-side slope that can damage the levee.” (*Hydraulics of Levee Overtopping*, Li, Lin et al, CRC Press, 2021). “During a flood event, the risk of a levee overtopping can be significant and the consequences can be catastrophic.” (National Research Council 2013. *Levees and the National Flood Insurance Program: Improving Policies and Practices*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/18309>, pg. 100).

Building behind a levee is never safe. The Association of State FloodPlain Managers states, “Because of the nature of levee failure flooding, the ASFPM believes that levees are not a wise community choice and should never be used to protect undeveloped land so development can occur in the flood risk area behind the levee.” (*National Flood Policy Challenges, Levees: The Double-edged Sword*, Association of State FloodPlain Managers, 2007, www.floods.org).

Comment about Levee Maintenance

Page 3.9-8 states “Specifically, levee maintenance consists of bi-annual (spring & fall) levee side mowing and levee embankment inspection prior to the rainy season, immediately following a high-water event, and **at intervals not exceeding three months** (City of St. Helena 2012). The purpose of the inspections are to verify that no unusual settlement or loss of material is occurring, that there are no areas of seepage or boils, that **no animal burrows are encroaching upon the levee section**, that toe drainage ditches are flowing properly, and that access roads are properly maintained and are graded to drain.”

Putting homes behind a levee is a bad idea, but at a minimum, requires the absolute assurance of levee integrity. Please include City of St. Helena records to show that required levee bank inspections and related maintenance have been conducted at least once every three months since the construction of the levee.

There are countless gopher holes all over the levee. Please provide verification that the animal burrows were identified during regular maintenance, what measures were taken to map their surface and subsurface extent, and how the problem was addressed. The following pictures were taken during the storm in January 2017, the first picture shows relative location and the second a closeup of just a few of the easily recognizable burrows on the upper edge of the levee.



Comment about Earthquakes

Page 3.6-12 states "The 1906 and 1969 earthquakes were of moderate magnitude with earthquake epicenters located near downtown Santa Rosa." The 1906 earthquake was not of moderate magnitude nor was its epicenter near Santa Rosa.

City of St. Helena

I am writing to comment on the DERI for the Hunter project. There are so many reasons to object to this project. There is no water neutrality, loss of conservation easements, the proposed affordable housing does not conform to the Municipal Code, traffic over a railroad track which has a F rating from Caltrans and cannot be mitigated without opening Starr Avenue and building a new bridge over the Napa River and on and on.

However, an important reason is overlooked in this report and one that is an albatross for the city and stirred heated discussion since its beginning: The St. Helena Levee on the Napa River. There is positive to the levee project, but also many mistakes not the least of which is the missing monies never accounted for and continuing worries of no current comprehensive flood-risk management.

The width of the St. Helena levee was built wider than it was intended or needed to be, a size that took the levee wide of the Vineyard Valley property it was made to protect, resulting in a large 16.9-acre agriculture floodplain undeveloped and empty. On Sept. 8, 2010, a developer saw an opportunity and purchased this floodplain acreage. Then submitted plans to convert agricultural land into high density housing including 87 new residential units, this despite an explicit provision in Measure A that "none of these projects (levees) are intended or designed to encourage population growth."

The limitation on building expensive homes and apartments on this floodplain are many, not the least of which is how will the homeowners be able to purchase insurance for homes built in a flood plain? Will the city be responsible for damages if the levee fails?

St. Helena now has a chance to bring this to an end and avoid construction of 87 new homes behind the levee. "Floodplain managers, river scientists, and prudent leaders worldwide counsel that levee protection is never absolute, and that even the tallest and strongest wall comes with an inherent residual risk, a small but real possibility that it may fail or be overwhelmed during future floods....St. Helena should understand that levee protection brings a range of consequences, including the possibility of multiplying, not diminishing, the long-term risk of damage and potentially even loss of life in their community."

I sincerely assume good intent when I ask the Planning Commission and then the City Council to thoroughly understand and preform due diligence into these issues. Best regards, Susan Kenward. St. Helena.

Susan Kenward

From: Patrick Band <pband@napabike.org>
Sent: Tuesday, November 2, 2021 6:59 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Carlotta Sainato <csainato@napabike.org>
Subject: [External] Request for DEIR Comment Period

Ms. DeRosa -

Following up on my comments at this evening's Planning Commission hearing on the Hunter Subdivision, the Napa County Bicycle Coalition would like to request a 30-day extension of the public comment period on the Draft Environmental Impact Report.

As we discussed, there are significant shortcomings in the DEIR regarding the various City-adopted Plans that are (and are not) considered, notably the failure to include the 2019 Countywide Bicycle Plan and associated bicycle and multi-use facilities.

Given the significance of this project for the City, we feel that an additional 30-days to provide sufficient time to more deeply consider and evaluate the DEIR is more than reasonable.

Thank you for your time and consideration.

--

Patrick Band
Executive Director, Napa County Bicycle Coalition
C: (707) 319-1538
www.NapaBike.org

-----Original Message-----

From: Carla Holm <holmhouse@yahoo.com>

Sent: Wednesday, November 3, 2021 1:43 PM

To: Maya DeRosa <MDeRosa@cityofsthenana.org>

Subject: [External] Hunter Project

Planning commission & city of St. Helena:

I have lived in Vinyard Valley for over 10 years and was so relieved that the 33 million dollar taxpayer money the funded the flood project was finished. No more erosion of soil under the wall, no flooding over the wall and no more high priced flood insurance for Vineyard Valley.

The 81 new homes will cause more erosion because the only place it will go is into Vinyard Valley. Also, the flood of new waste in our sewer system on Paseo Grande.

We are also cutting are water use and the new homes will be using 18,000 gallons a day!!! Low flow toilets is less than minimal help.

Add the stress of our understaffed police and fire departments, so that Vinyard Valley and the new homes can get help before death and disaster strike!!!

So much more can be said, but isn't this enough to stop this land grab to make one person wealthy?! PLEASE, STOP HUNTER PROJECT FOR THE LIFE OF OUR COMMUNITY!! Thank You, Carla Holm

Sent from my iPhone

From: Sherri Kelly <sherrikelly1192@gmail.com>
Date: November 3, 2021 at 12:48:17 PM PDT
To: Mark Prestwich <MPrestwich@cityofsthelena.org>, Geoff Ellsworth <GEllsworth@cityofsthelena.org>, Paul Dohring <PDohring@cityofsthelena.org>, Anna Chouteau <ACHouteau@cityofsthelena.org>, Lester Hardy <LHardy@cityofsthelena.org>, Eric Hall <ehall@cityofsthelena.org>
Subject: [External] citizen request

Dear Mr. Prestwich, Mr. Ellsworth and City Council members,

I have been the owner and resident of 1192 Meadowcreek Circle since 2003. I have been employed since 1991 as a teacher at St. Helena Unified School District. As both a long time resident and local educator, I believe the complex issues surrounding the proposed Hunter Subdivision project warrant adequate time and attention, in order to gain complete understanding of the project plan and all foreseeable consequences that this project will bring to the residents of St. Helena.

I'm a single parent who is employed full time. The Hunter DEIR is 638 pages long and the appendices total an additional 1940 pages. I am not an expert on the topics of property development, hydrology and soils, effective emergency evacuation strategies or flood control engineering. During the last 40 days, I have spent hours reading and studying the DEIR, and I'm nowhere close to being able to describe myself as an adequately informed citizen on the Hunter Subdivision proposal.

If I'm having trouble gaining full access the important information in the DEIR during the limited 45-day statutory timeline, I can only imagine that there are many other St. Helena residents who are unable to access or begin to understand the important information in the DEIR due to the document language, complexity and lack of sufficient time.

At last night's Planning Commission meeting, Commissioner Daniel Hale stated that only senior City staff had the authority to extend the statutory 45-day DEIR review deadline. He was not specific in identifying who those City staff were, so I'm writing to all of you. I am requesting the 45-day statutory DEIR review period be extended, so that all local residents have their rightful access and the opportunity to completely understand the contents of the DEIR document.

Sincerely,
Sherri Kelly

November 1, 2021

Dear Ms. DeRosa,

My husband and I are writing to oppose the Hunter Project. We live in Vineyard Valley. We are very concerned about this project being built literally in our back yard. The obvious concerns are WATER: where is it going to come from to accommodate 81 new dwellings and the amount of people living in them. We don't have enough right now with 3 years of draught.

Our next concern is emergency evacuations. With only two ways out of Saint Helena, the additional residents occupying these dwellings will create a mass exodus (along with all the residents of Calistoga) during an emergency evacuation. More than likely, the Trail will be closed in various areas in the event of another fire or flooding, which has been the case with the recent fires and the recent heavy rains, so really, that leaves *one way out* for everyone. Two lanes, possibly at night with no power? A very dangerous scenario.

Then there is the endless stream of construction trucks, i.e., dump trucks carrying dirt, lumber trucks, tractors, etc., going up and down 29 and our Main Street, 5 days a week, 8 hrs. a day, for a projected time of at least **6 years!!!** Imagine the traffic that it would create to the already stressed Hwy 29 and our small town of Saint Helena. We are experiencing this right now with part of the Trail closed. The traffic on Pope St. from Starr would create horrendous congestion especially going over the Pope Bridge.

Parking would be another nightmare with all the additional cars this project would create. It is already a problem, especially during tourist season.

Vineyard Valley would be directly impacted if they were to try to use our sewer system which runs down the middle of our park on Paseo. This was discussed at the meetings at the fire house three years ago. Our sewer system would not be able to handle the additional waste and water, and it was discussed that it would have to be replaced, meaning we would have major construction going on in the middle of our park as a result of that.

The residents on Del Campo and Del Rio who bought their homes for the tranquility and view on the other side of the wall from their homes at the back of our park, would be obliterated. This small section of nature and beauty back there which so many of the residents in SH enjoy on a daily basis would be gone.

Of another major concern: I worked with Chief Hartley all this year on fire preparedness for VV, and one of the things we initiated was the use of the back gate on Del Rio which goes up on the access road for a second emergency evacuation exit. We had our first fire drill using that road this summer. What would happen to our second emergency exit? Would residents of the 81 new dwellings be using that road too? We would never make it out of here if that were the case.

We hope you and whomever else is responsible for these decisions will very seriously consider these extremely important issues that will affect all of us who live in Saint Helena for years to come if this project is allowed to go forward.

Sincerely,

Elizabeth & Rodney Green
Vineyard Valley

From: Elizabeth Green <green05@sbcglobal.net>

Sent: Wednesday, November 3, 2021 2:56 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: Fw: [External] Picture of electric panel and diesel pump sitting in water at the back gate in Vineyard Valley

Ms. DeRosa,

This is at the back of Vineyard Valley, where the emergency exit exists that we used for our fire drill this summer. There is a gate at the end of Del Rio and we exited thru that gate and up onto the access road during the drill (fire and police were present). The electric panel and diesel pump are right there by the gate. This is a picture taken after the heavy rains we just had. Imagine an entire season with heavy rains. Very concerning.

Elizabeth Green
Resident, Vineyard Valley

Subject: Re: Picture of electric panel and diesel pump sitting in water at the back gate



From: Vivian Robison <vivian.robison@gmail.com>
Sent: Thursday, November 4, 2021 1:39 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Opposition to the Proposed Hunter Subdivision per DEIR

Dear Ms DeRosa,

My husband and I have lived in St Helena for 47 years with the last six years as residents of Vineyard Valley Mobile Home Park. We are strongly opposed to the development of the proposed Hunter Subdivision for just a few of the following reasons specific to the DEIR found on the City's website:

1. Geology Soils Wildlife Recreation: Building and paving behind a levee will most certainly result in levee failure by taking away the permeable soil drainage. The runoff from rainstorms will have no where to go but to overwhelm the river, overtake the levee, and cause severe flooding. This massive subdivision will eliminate our open space fire break, encroach on agricultural land, negatively impact our viewscape, diminish our sacred greenbelt, destroy the wildlife habitat of the river, and deprive all of us and future generations of the beauty of nature.
2. Hydrology Utilities Public Services: There is also the higher elevation of the subdivision such that their runoff will have immediate flooding impact on neighboring Vineyard Valley where we live. Our streets will flood and damage our homes, cars, and personal property. Emergency Services will be unable to rescue everyone off their roofs in the event of flooding. Sewage will back up right down Paseo Grande, the main street of Vineyard Valley, and threaten our health, safety, and welfare. Wildfires and floods will potentially knock out the power. Excess energy consumption from the subdivision will most certainly burden the power grid and the high density population will over consume water. Prolonged construction will torture neighbors with increased heavy equipment traffic, noise, vibration, light pollution, and affect our air quality with dust and off gassing contaminants for the several years it is projected to take and beyond.
3. Transportation Circulation: This high density subdivision will not have through street capability to Silverado Trail so the lack of traffic flow will create immense traffic congestion in our neighborhood and tax the already much over used aging Pope Street Bridge. The intersection at the bridge and trail is a tremendous safety hazard with more traffic accidents sure to happen. Again Emergency Services will have extreme difficulty in navigating the traffic to get to Vineyard Valley. Additionally the subdivision will clearly obstruct our evacuation exit to Adams Street because traffic congestion will prevent us from exiting via Pope Street.

The Hunter Subdivision is an oversized market rate housing development and should be rejected in its entirety. We St Helenans deserve better, we deserve a legacy with a conscience not of greed.

Respectfully,
Vivian L Robison
35 Redondo Ct
St Helena CA 94574-1251
Cell 707 337-9352
Email vivian.robison@gmail.com

HUNTER PROJECT – COMMENTS ON DEIR (11/3/21)

Isobel Luria – 1173 Starr Avenue

With the effects of “climate change” becoming more and more severe, the Hunter Project couldn’t have come up at a worse time. The fires of 2017 and 2020 have made people all too aware that our lovely city, as well much of the Napa Valley, can suddenly turn into an inferno. Furthermore, the residents of Saint Helena are struggling with the effects of one of the most severe droughts on record. Additionally, while things are really dry now, at some point in the future, we will experience some really wet winters with even more severe storms and the Napa River will flood. If in the past, the “100 year” flood was the marker to which all floods were compared, we should accept the fact that a “200 year” flood is not unimaginable and prepare for such an event. It is in the light of this new reality that the Hunter Project DEIR should be scrutinized by our community.

The DEIR relies on vague, untested figures that when examined often seem ludicrous. While it is useful to quantify data, the methods employed must be able to withstand examination. It is difficult to comprehend why St. Helena is in such a hurry to approve this project. I do not have the technical expertise to comment on all the possible health and safety issues that could potentially arise because of this project, but this DEIR underestimates the Project’s many negative impacts and offers few ways to mitigate them. I would simply urge the city to do its own due diligence and question the conclusions reached in this DEIR.

TRAFFIC AND CIRCULATION

The DEIR allows that there will be increased traffic caused by the additional cars the new residents of the HP will use. After a lengthy discussion of the local roadways, a description of the proposed extension of Starr Avenue and Adams Street, a rather low estimate of the number of cars that new residents will bring into our city, and a forecast of where the worst areas of congestion might be, the Report admits that, yes, there will be increased traffic as a result of this subdivision and that there is really no way to mitigate the effects this will have.

The DEIR arrives at an estimate of the number of individuals, who will live in the subdivision, and the number of cars they will use. It is always difficult to accurately predict the size of a new population and it is in the interest of developers to underestimate this to some extent. The DEIR fails to take into consideration of what happens to families as time goes by: they can increase in size: baby by baby. When children reach a certain age, especially in a valley such as ours, they want and need cars and parking. Those of us who live in the Meadowcreek subdivision are well aware of this phenomenon: parking in our neighborhood, especially overnight and early in the morning, can be so dense that there is barely room to put out garbage bins on collection day. This congestion is partly the result of inadequate parking at the Hunt Grove apartments located at the east end of Hunt Street. In planning for new subdivision, additional land must be set aside to satisfy future parking needs, especially in the area that contains the Affordable Housing units.

SAFETY

The proposed subdivision will necessitate a four-way intersection where Starr Avenue and Hunt Street meet. This is already a very dangerous intersection as cars going south on Hunt often fail to come to a full STOP before turning right on Starr. There are already a fair number of children in this neighborhood and residents have experienced some “close calls.” The addition of more cars and more people exacerbate the potential for accidents. I disagree with the DEIR when they fail to even try to suggest a “mitigation.” Clearly, one comes to my mind: don’t permit the Applicant to build the subdivision in this location.

EMERGENCY EVACUATION

In the event of an emergency evacuation, it is clear from the location of the proposed subdivision that most vehicles will access Starr Avenue to reach Pope Street and thereby head either north or south as the situation dictates via either the Silverado Trail (hereafter called the Trail) or 29. Granted there is the possibility of following a circuitous route by driving west on Adams but that would not be the route of choice. In addition, the narrow Pope Street bridge is a very poor structure to handle evacuations. In the last two fires, the northern exits from the valley were blocked by the fire and everyone had to exit to the south. Last week, as a result, of the recent heavy rains a portion of the Silverado Trail had to be shut down. I question why the City of St. Helena would consider granting approval of a new subdivision in the area described in the DEIR until the infrastructure has been improved and a reliable evacuation route created. The safety of the residents is at stake and even the State of California cannot question that.

WATER

In its analysis of Hydrology and Water Quality, (see DEIR 3.9-40 – 3.9-43) I believe that the DEIR reaches faulty conclusions about the HP’s impact on ground water in the area by relying on vague or untested figures. In addition, it bases conclusions on weather history without taking into consideration the probability that, because of Climate Change, we will experience weather of record-breaking severity. The report makes statements like the following (DEIR section 3.9-10) “The Subbasin was found to exhibit stable groundwater levels, even despite a very dry 2020 water year...The long-term (1988-2020) annual change in storage for the subbasin is a decrease of 8,0945 AF following the very dry conditions of 2020 but still with water ranges generally experienced over the long term. “

The DEIR goes on to discuss (see Table 3.13-9) that the proposed landscaping for the subdivision, its outdoor water needs, will be “water neutral” because of a currently inoperable well on the property. This well has been tested and shown produce 350 GPM. The DEIR states that this output is adequate to supply the subdivision, which is projected to require 17.16 acre feet per year. Again, this figure is a questionable as the DEIR states that 185 trees are going to be planted and that there will be drought tolerant plantings between the trees. Young trees and plants need ample water to establish themselves. Furthermore, no allowance is made for the landscaping homeowners will plant in their private gardens.

The DEIR assumes that the annual draw down of water by the subdivision will not have much impact on the subbasin because future rainfall will recharge it. Unfortunately for the Hunter Project, St. Helena is experiencing the effects of a “mega drought” and has instituted Stage II water use restrictions.” Furthermore, much of the area in the proposed subdivision will be covered by hardscape and buildings thus eliminating a big percentage of land currently available for direct recharging of ground water. While it is true that in very wet years ample run off from the hardscape will find its way into the storm drainage system, this is not the case in dry years. I disagree with the DEIR’s conclusion that the construction of this development will not have a negative impact on ground water supplies. I doubt, given the reality of Climate Change, that its need for well water will not exceed the annual 0.9% it projects. (DEIR section 3.9.48)

The report, in its discussion on water (DEIR section 3.13-24.-3.13-33), also underestimates the quantity of indoor water that future residents of the subdivision will purchase from the City of St. Helena: 17,752 gallons per day or 19.88 acre-feet per year. The figures on which the DEIR bases its conclusions are found in Table 3.13.10. While I understand that some “guesstimates” must be used for discussion purposes, these figures seem low and some sort of tests should be run to determine how to accurately measure water usage by individuals. For example, the DEIR states that the residents of the new subdivision will flush toilets 3 times per person per day. **Really?** Another understated usage concerns the future kitchen faucets. It is projected that each resident will briefly use this faucet 1 time daily. It would seem these people will neither drink nor prepare meals. But the biggest fallacy in logic is yet to come. To support its contention that the Hunter Project will achieve a Water Neutral status (a requirement of all new construction called for by the St. Helena 2019 General Plan EIR), the developers will be required to retrofit a certain percentage of existing homes and businesses with water saving devices. I assume that the water saved by this retrofitting is supposed to compensate for a portion of the future consumption of in-house water by the subdivision. Many homes and businesses in St. Helena have already had this sort of retrofit. Secondly, and more importantly, water usage in town has already been drastically reduced owing to stringent conservation regulations in place and backed up by penalties. Considering the conservation already taking place, it is difficult to imagine that retrofitting several hundred houses will result in much additional water being saved. Alternately, the developer offers to pay a fee to the city in lieu of the retrofit. In actuality, the HP will not be water-neutral, and the city lacks a stable enough water supply to allow this project to be built.

From: Joe McGrath <joe.mcgrath65@gmail.com>
Sent: Thursday, November 4, 2021 2:22 PM
To: Maya DeRosa <MDeRosa@cityofsthenana.org>; Joe McGrath <joe.mcgrath65@gmail.com>
Subject: [External] Comments on Hunter EIR

Maya:

As you know I am a developer and so it is not lightly that I enter comments on another project.

CEQ/EIR:

For almost my entire life California has been under CEQA regulation. As a planning commissioner for over six years I have also sat through many CEQA EIR reviews. And my conclusion is that other than air quality, and perhaps water quality improving in my lifetime, CEQA seems to be an abject failure with regard to respecting California's natural environment. Traffic is worse. Fires are worse. Water is more scarce. Snow is disappearing. No public transportation. Freeways are getting wider. Fish are disappearing. On and On. All under the watchful eye of CEQA.

Unfortunately I have not yet had the chance to read thoroughly the entire report, but have skimmed through it. I hope to provide more thoughtful comments in the future. Unfortunately these reports seem designed to be so large and exhaustive as to tire all but the most active citizen who has time to spare. But I will comment on a few items:

3.9. Hydrology 1.

LTS - Seriously?

First Law of Holes. When you find yourself in a hole, stop digging. The notion that we take a typical 1950's era suburban model and plant it in the middle of St. Helena, right next to a river w/ irrigated landscaping in today's environment is insanity.

The notion that significant utilization of an existing agricultural well upstream from the City's main will definitely have Less than Significant Impact is not professional. How about a Potential Impact at least, so it can be looked at?

I personally swapped toilets to meet Water Neutrality on McCorkle project. It is an arduous task to find them and get them to add up. I don't imagine that after months (and potentially years in the future) of being on a highly fee punitive 65 gallons/day water cap that there will be many more toilets to change over years from now. If you are going to ask the developer for water neutrality, ask for money instead and put the investment in infrastructure. As an owner of multi-family apartments, the punitive fees associated with exceeding a 65 gallons/day allocation keeps me up at night. The first thing I did was to place a Flume on the meter main

with cellular wifi that signals me immediately of use beyond budget. The City's process is to routinely send me letters for my apartments saying they think I have a leak (because of continuous water flow) at my units. The letter is typically 30 days later from a meter read that stretches back another 30 days. Water under the bridge as they say. **Invest in real-time meter reading w/ statistical monitoring with alerts and event management so that excursions notify meter owner immediately.** Even a low-flow toilet can waste hundreds of gallons a day with a minor leak.

Do not allow any landscaping that requires irrigation (beyond what is necessary for plants to take hold). California and Napa Valley were beautiful before we started landscaping it. Our "beautiful" landscaping projects have not made it more beautiful. Oak trees seem to do well. As do Olives. And Lavender. And Manzanita. etc. Do not allow landscaping that takes the "place" out of the place. The presentation visuals could be Sacramento, or Phoenix for that matter.

Do not allow Pools or at minimum pools w/o covers.

3.9. Hydrology 2.

Have we assessed the load impact of runoff so close to the Napa River and upstream of VVMobile Home Park and Pope Street bridge. Had this development been built during our recent 12" rainstorm, would that additional load have been accommodated or would it have taken out the Pope Street bridge? **The site needs to fully accommodate all stormwater drainage and do it far from Napa River to allow sufficient dwell time before that water permeates into the River.**

3.10 Land Use:

LTS?? Hardly when looked at in context.

Land use is about making choices on how to best utilize land resources to serve the community. "Sub-urban" communities that are closer to San Francisco and the East Bay can be relatively homogenous socio-economically, and still kind of "work" because of the adjacency of jobs or housing in adjacent communities. St. Helena is more isolated and must for its survival and quality of life be a more socio-economically diverse community. That is how it used to be. And that is what is disappearing. As second home ownership rates increase and the likes of Pacaso further take primary homes off the market the system is getting more and more stressed. This in turn is causing the "workers" of the community to commute here - from Lake County, from American Canyon and Napa, and from Santa Rosa, and further - which has greatly exacerbated traffic and quality of life. If I had to guess, St. Helena is about 20-25% larger population than it was 40 years ago. And if I had to guess Traffic is 10X worse.

It is reasonable to expect that the purchase price of these homes will be well north of \$1.5M and likely \$2M plus. And it is reasonable to expect that more than 50% will be second homes. **More services required, more commuting required. More commuting traffic. Benefit?**

Segregation vs. integration of the multi-family from single-family actually exacerbates the parking problem.

Deed Restrict the SFH to <=200% AMI? so that they don't become second homes?

Land use is about making choices.

3.12 Public Services and Recreation

LTS - again. Seriously. How about at least PS.

Hundreds of people walk by this site everyday for their recreation. **This Project will de-facto take away recreation area, and not add back recreation area demand that it creates.**

3.14 Transportation and Circulation:

See Land Use. The Vehicle Miles Travelled approach is flawed. Most of the VMT will not come from resident's trips. **It will come from the added service requirements of landscapers, painters, handymen, restaurant employees etc, etc that serve this new community that commute from other communities.** Directing all of this traffic onto Main Street or across Pope Street is crazy. If we collectively did not comprehend what sort of traffic moves on the Silverado Trail prior to its closure, I think we now have a pretty good idea. **This project should not be built without a viable connector/bridge to the Silverado Trail that does not require using main street, nor the existing Pope and Pratt Street heritage bridges.**

Exposure to Wildfires:

Again LTS?

A little over a year ago, on that Tuesday night, the Glass fire was searching for a way to jump into St. Helena and burn it down. We don't think that this community within rock throwing distance of Howell Mountain Road might one day be that bridge? Let's get firewise and figure out how not to make that happen. Roofing material, Eave design, Landscape Design, Defensible space, Cisterns for fighting fires (hey..maybe the same cistern that was used to dampen stormwater runoff?)

Net-Zero Energy:

Let's be part of the solution and be progressive. It is possible to make this project Net-Zero energy, so let's do that.

St. Helena tallies \$58 million in infrastructure projects

St. Helena Star Jun 1, 2021, updated July 19, 2021

"It's a familiar story in St. Helena: Too many infrastructure projects, not enough money."

City of St. Helena addresses complaints about water quality

St. Helena Star Mar 2, 2021, updated April 28, 2021

"St. Helena's water system is drawing more water from the City of Napa...to conserve water in St. Helena's Ball Canyon Reservoir, which is down to 40% capacity."

City of St. Helena Fails Drinking Water Standard

Patch.com April 8, 2021

"The city did not meet treatment requirements while working to disinfect the Louis Water Treatment Plant after the Glass Fire."

St. Helena approves plans for \$16.2 million sewer plant upgrade

St. Helena Star Feb 23, 2021, updated Jun 9, 2021

"It's a necessary move for the city....the plant isn't capable of complying..."

The above headlines tell a story about the current state of critical infrastructure in the City of St. Helena. The most telling headline is the first - much more infrastructure is needed for St. Helena's current footprint and the City doesn't have enough money!

When you think of current (and future) infrastructure needs of the City we should consider the adequacy of:

- Water
- Sewer
- Storm drainage
- Utilities
- Police
- Fire
- Schools, and
- Other infrastructure assets

We believe the addition of 51 single family homes, 25 multifamily units, and the corresponding increase in population as contemplated by the proposed project will further strain and likely break the above infrastructure.

We are not anti-growth. In fact, we are for thoughtful growth in the City of St. Helena. However, the above headlines strongly suggest that City doesn't have sufficient infrastructure for its current footprint let alone a project of the scope proposed. We believe that growth needs to be thoughtful and provide a means to improve (not cause further deterioration) of the City's financial condition and infrastructure.

In addition to very serious infrastructure issues, we believe the proposed project will cause the already problematic traffic, congestion, and parking situation in St. Helena to become much worse. As you are aware, St. Helena is the only major city where Highway 29 goes directly through its downtown area. As a result, the traffic entering and exiting St. Helena via Highway 29 is truly awful. Substantially more people means substantially more traffic. People familiar with the area (or using apps such as Waze) find ways around this downtown traffic and congestion. The most common "detour" is using Silverado Trail and turning on Pope Street. Given the configuration of the Pope Street bridge and the location of the Pope Street and Silverado Trail intersection in close proximity to the proposed project, traffic will most certainly back up on Pope Street and on Silverado Trail. All of this increasing traffic and congestion as well as the lack of adequate parking detract from the quality of life of St. Helena residents.

In addition, open spaces, agricultural land and access to the pedestrian walking paths enrich and enhance the lives of all residents and particularly those most closely located near the proposed project. We watch all kinds of people (families, adults, children, and dogwalkers) enjoying the open space and vineyards on the walking path from town to the river. Often families bike together and have a picnic near the path. People walk their dogs enjoying the beautiful open space. Undeniably, the loss of open space and vineyards and safe access to the walking paths will negatively impact residents.

Often, a picture is worth a thousand words! I attach a picture from consultants for the proposed project. Do we really want the outlined area to be developed as proposed? We believe most residents say no. We respectfully urge the council to not proceed with the proposed project.

Patrick and Laura Pohlen

601 Fulton Lane



November 4th, 2021 Response to Hunter DEIR

My name is Sandra Lowry. I have lived on Starr Avenue since 1997. My husband and I moved to St. Helena from the Peninsula to get away from crowded neighborhoods, constant traffic, packed freeways and noise from SFO and two freeways. So we came to St. Helena; a decision we have never regretted. Our past experience taught us how big development can transform neighborhoods and towns, but not in a good way.

St. Helena is once again threatened by the possible approval of a flawed plan: I am speaking, of course, about the Proposed Hunter Development.

There is a callousness in the DEIR that I have never before seen: i.e., in case of flooding, residents can go to the second story of their homes. Really? Let's talk about the street I live on: Starr Ave. I believe I can speak plainly about the subject.

Please see Section 3:14.2 Roadway System: "Starr Avenue is a two-lane, undivided/mixed use street oriented north-south within the study area....."parking is available along most sections of the road." I disagree. Actually, Starr Avenue is parked up every afternoon, through the night and on weekends. Many parked vehicles (trucks, work trucks, cars) come from Hunts Grove (they need more parking onsite) and other areas, sometimes being parked for weeks unless neighbors call police. Good luck finding a parking place in front of your home on Starr. Your future residents better plan on parking at home. There is nowhere else.

And Starr Avenue has an important speeding problem; the crosswalk on the south end of Starr is a joke. There is a safety issue here. Drivers seldom stop for pedestrians and often drive around people in the middle of that crosswalk. They come speeding up Starr, headed for Pope Street and pedestrians have had narrow escapes to avoid being hit by vehicles. Last week I was pulling into my driveway in the middle of the day. Another driver was tail gating me and decided to speed up and pass instead of waiting for me to complete the turn. This is no country road, folks! I was driving at the speed limit – 25 mph. To continue:

Another quote and an important one from the DEIR: "Thresholds of Significance: Consistent with Appendix of the CEQA Guidelines, a significant impact would occur

if development of the proposed project would RESULT IN INADEQUATE EMERGENCY ACCESS.”

3:14-4 “Mitigations Measures NONE REQUIRED”. I disagree. Starr Avenue, one of the more popular routes in town, is already overcrowded with parked cars and traffic, and in an emergency such as fire or flood, many residents of the proposed development will decide to take Starr Avenue as their escape route. Meadow creek residents, Hunt’s Grove residents, and Harvest Court residents would naturally choose Starr as their best escape route as well. Pure chaos.

No matter which route the proposed Hunter development residents choose , they will be backed up on Hunt Ave., Starr Ave., Pope St., Adams, and Main as everyone on the East and West sides of town will be headed for the two- lane road exits out of town via the Silverado Trail and Highway 29, providing these exits are available.

According to the DEIR, exits from the proposed development, in case of emergency are Starr, Adams and a third exit that is unclear to me. Where is the location exactly? Please clarify.

If it is the levee, isn’t that also the second exit for the 250 elderly people from Vineyard Valley? A problematic idea indeed. All emergency evacuation routes considered would be a driving nightmare and questionable. Picture the backup. Please clarify.

The DEIR admits there will be an increase in traffic on streets connected with the proposed project. And their Table 3:14-1 shows projections:

“Weekday Proposed Project Trips Generation”

“Proposed project estimates 798 trips daily and on Saturdays the project expects to generate 815 daily trips and 80 peak hour trips.” Figure in a 24 hour period 800+ more vehicles on your streets. How do you plan to mitigate increased traffic through neighborhoods full of children and the elderly? Will there be speed bumps? (Actually, we need them now!) Traffic lights? More lighted crosswalks? (All current crosswalks should be lighted and flashing when in use). Closer

monitoring of speed limits? Is Starr Avenue intended to become a bypass? Please clarify.

Please do not overlook these facts: The building of this project will be extremely stressful and harmful to the peace, health and quality of life for the entire East side of town, but especially to residents of Starr Avenue, Meadowcreek Circle, Harvest Court, Vineyard Valley, and Hunt's Grove. Are we being asked to endure trucks, cement mixers, etc., and breathe 6+ years of dust, debris and put up with noise from the pounding of building equipment and hammers? These would be impossible living conditions for me. Please clarify.

If this development is approved, we are selling the soul of our town and misunderstanding why St. Helena is a destination, unlike anywhere else in the country.

The document uses the term "less than significant" many times throughout. I have something to say about that: We the People who oppose this plan are not "less than significant". Our friends and neighbors are not "less than significant" - I am not "less than significant."

Thank you for your kind consideration and the opportunity to express some of my concerns. Sincerely, Sandra Lowry, 1175 Starr Avenue

November 3, 2021

St. Helena City Planning Department
St. Helena, Ca 94574

Dear Members,

I am writing this letter as a resident of St. Helena with my concerns and opposition to the Planning Commission and City Counsel's continued support and consideration of the development of the Hunter Project. The following are a list of my concerns.

The proposed site is a place where Native Americans lived and were buried. This is a place that should be left intact. Would you dig up the local cemeteries in Saint Helena to build 87 homes? These graves maybe unmarked to you and me, but the fact remains there are Native American people buried there who lived, laughed and played here. As a community we need to respect the people who lived here before we absorbed their land.

There are lots of issues concerning water. Where are we going to get enough water to take care of Saint Helena's needs right now? We have been on water rationing all summer and heavily fining those who use too much water. You have a pending law suit stating that the City has pulled out too much water from the some of its wells. We allowed precious water to course down the river and out to the ocean when we could have captured some of this water to refill our dams or reservoirs. Most people in St. Helena have installed all the water saving gadgets available just so they don't have to pay the fine imposed by the city if they were to accidentally use too much water. Where are you going to get the water?

If there are going to be 81 structures built, we will be over taxing our public services. We will need to hire more police and fire or give up what we have and join forces with another city. If we can't afford to hire more people, then we will be getting slower response from the first responders since they will have to come from further away. Our city parks will see more usage and we will need more people to keep them clean. (I have been told that we don't have enough City Parks workers now to keep the parks mowed and clean.) What will the future hold for our beautiful city parks?

Our schools in the city will be affected as well by the influx of children. How are you planning on accepting another 174 plus (2 children per household) children from this new housing complex? Are we going to build new schools, install trailers as classrooms to teach the children? More children will be on our streets trying to get to school. How are you going to keep the children safe on the busy streets?

Honestly I don't think you can get any more cars on the street near Starr and Adams. Now you want to put even more cars there? If you open up Starr Ave, you are putting more traffic onto Pope St. The Pope St Bridge is already overused. I have seen the traffic build up on Pope St because drivers will not stay on the correct side of the yellow line when crossing the bridge. I have seen trucks use this bridge and block traffic. This will be an even bigger problem once we have 174 (2 cars per household) more cars going over this bridge to get to work, school, or wherever. Why is Adam Street not being extended to Silverado Trail? We have problems with speeders zooming down Pope Street and people not paying

attention to stop signs. (I was in the middle of the crosswalk at Pope & Starr when a car zooming down Starr came within inches of hitting me.) The flashing yellow lights at the intersection of Pope and Starr are ignored as well. We have the orange flags which are a good idea, but doesn't seem to work for the pedestrian. I have seen more cars on the residential streets on both the West and East side of town since the Trail has been closed. They seem to be in a hurry because they are going over the speed limit. I get that they are doing their best to get somewhere but we have traffic in town and they are trying to avoid it all costs. By doing this, they are endangering the people who live on the residential streets. When will someone take notice? When someone is injured or killed?

Building this project next to a levee which has not been tested is probably not a great idea. If we have a major flood and the levee failed, where would the water go? It appears the new homes would be built higher than Vineyard Valley. If that is true, then Vineyard Valley would be inundated with the excess water and become flooded. Who will pay for the damage the flood would bring? Since this land is part of the original Flood Plain, do we need to re-evaluate the danger of flooding to the area? Would the City of St Helena be in violation of the terms of Measure A? I understand that neither the Army Corps of Engineers nor FEMA have inspected and certified that the levee meets required standards. I am also told that the levee has not been maintained since 2010. This concerns me. What happens if the levee should fail?

The open space and field provide home to so many local wild plants and animals. With all the fires we have had which destroyed wildlife habitat, more and more wildlife are coming to stay in St Helena. I love seeing the birds, foxes, coyotes and other wildlife hunt in this area. It is always such fun to go for a walk and enjoy the peace and quiet while watching the birds soar and various animals run after the rodents. Please let our wildlife habitat be left alone so they can thrive.

A practice evacuation drill was held for the Vineyard Valley residences where it was decided to utilize the area being proposed as a road for the new development. It appears this road may no longer be accessible if this project were to be built. It would, however, put a large strain on the Vineyard Valley residents as to their evacuation route. 200 plus people would be trying to get out of the park along with everyone from the new housing project all trying to use the same streets (Pope, Starr and Adams) to get out of danger. This is putting our community at risk. Who will pay the cost of law suits should anything go wrong?

Please do not approve the Hunter Project. It was turned down before, because it is such an ill-advised project. It is in the wrong place, it is the wrong time and it is too big for our little town.

Sincerely,
Cathy Small

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

November 1, 2021

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Maya DeRosa, AICP
Planning and Building Director
City of St. Helena Planning Division
1572 Railroad Ave
St. Helena, CA 94574

Re: **Comments to Draft EIR - Hunter Subdivision Project**

Dear Ms. DeRosa:

Enclosed herewith please find the following two comment letters to the DEIR submitted on behalf of the Applicants:

November 1, 2021, W-Trans; and

October 20, 2021, DKS.

Very truly yours,


Leslie R. Perry

LRP:kh
Enclosure



November 1, 2021

Mr. Ben Van Zutphen
100 B Street
Santa Rosa, CA 95401

Comments on the Environmental Impact Report (EIR) for Hunter Subdivision Project

Dear Mr. Van Zutphen;

As requested, W-Trans has reviewed the Draft Environmental Impact Report (DEIR) completed for the City of St. Helena regarding the proposed Hunter Subdivision project. Based on our review we have comments regarding the approach that was used to analyze vehicle miles traveled (VMT), which is the metric used to evaluate the transportation impacts of development projects under the California Environmental Quality Act (CEQA). The DEIR concluded that the project would result in a VMT impact that would be significant and could not feasibly be mitigated. After reviewing this analysis, we believe that the approach taken in this analysis is overly conservative and does not meet the intent of current City and state policies, as described below.

Background

The proposed Hunter Subdivision project would be located north of Hunt Avenue and east of Adams Street in St. Helena. The site is 16.9 acres in size and the project would include 51 single-family homes, 11 of which would include affordable accessory dwelling units; a portion of the site is also being reserved for workforce housing, which would consist of 25 affordable units. Located approximately 0.4 miles from the center of St. Helena, the site is within walking distance of a range of commercial uses that could serve project residents.

CEQA requires analysis of the anticipated impacts of development projects, including transportation impacts. Senate Bill (SB) 743 established the assessment of Vehicle Miles Traveled (VMT) associated with the project as the metric for establishing traffic impacts due to a development project. As stated in guidance from the state's Office of Planning and Research (OPR) provided in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018, the purpose of SB 743 was to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions." The OPR guidance was established to support these goals and encourages development at locations that feature characteristics including proximity to a mix of land uses and access to non-vehicle modes of transportation, which generally reduce both the number and length of vehicle trips.

Lead agencies have the authority to adopt their own thresholds of significance, but since the City has not yet done so, the OPR guidance was used as the basis in the DEIR. The guidance indicates that either the citywide or regional per capita VMT may be used to establish a baseline for evaluating residential projects, and the staff directed the EIR consultant to use the citywide average.

Assessing VMT Impacts of Development Projects

Measuring VMT: The OPR guidance indicates that travel demand models are the recommended data source for estimating VMT. At the time the analysis was conducted, the Napa-Solano Travel Demand Model was the most localized model available, although the Napa Valley Transportation Authority has since completed its development of an updated model. The unit of measurement in travel demand models is traffic analysis zones (TAZs), of which there are seven in St. Helena. The assumption in analyzing VMT is that incoming development will result in similar travel patterns as existing development in the vicinity of the proposed project; therefore, the VMT rate for residential development in the project TAZ is assumed to be applicable to the project.

Mr. Ben Van Zutphen

Page 2

November 1, 2021

Determining Significance: The OPR guidance includes recommended screening criteria to identify projects that may be presumed to have a less-than-significant impact on VMT. These criteria include: 1) small projects that generate less than 110 trips per day, 2) projects in locations identified as low VMT areas through map-based screening, 3) projects located within one-half mile of high-quality transit that meet certain criteria, or 4) for residential projects, those that consist of 100 percent affordable units. The Hunter Subdivision project does not meet any of these criteria.

The OPR guidance also establishes numeric thresholds for land use projects to determine if a detailed VMT analysis is needed to evaluate potentially significant impacts. For residential projects, the metric is VMT per capita and the recommended threshold is 15 percent below the baseline VMT rate. Projects with VMT higher than this level would require the identification of mitigation measures to reduce VMT below the baseline or to the extent feasible. As indicated in the *Quantifying Greenhouse Gas Mitigation Measures*, California Air Pollution Control Officers Association, 2010, a standard resource for quantifying mitigation measures, it is considered that 15 percent is the maximum level of VMT that can reasonably be assumed to be mitigated in a suburban environment. Projects for which VMT cannot be mitigated would require an EIR to fully evaluate anticipated project impacts and identify feasible mitigations measures.

Evaluating VMT Impacts for the Hunter Subdivision Project

For residential projects, OPR recommends that lead agencies use either the citywide or regional per capita VMT as the baseline; for the Hunter Subdivision DEIR, City staff provided guidance to use the City of St. Helena per capita residential VMT as the baseline. The following discussion identifies the implications of using the citywide average as the baseline for the evaluation of this and other residential projects.

As noted in the DEIR, the citywide per capita VMT is 11.34 miles; 15 percent below this level translates to a threshold of 9.64 miles. Based on data from the Napa-Solano Travel Demand Model, all seven TAZs in St. Helena have a per capita VMT greater than this level and would therefore require mitigation. In comparison, the countywide VMT per capita is 17.30; 15 percent below this level would be a threshold of 14.71, and each of the St. Helena TAZs has a per capita VMT below this level. It is noted that the model's VMT estimates for the St. Helena TAZs have been updated; however, this would not impact the conclusions of this letter unless there has been a dramatic decrease in the countywide per capita VMT. The VMT per capita for each of the TAZs in the City and the mitigation required for incoming projects to meet this threshold are listed in Table 1.

Table 1 – VMT Reductions Required for Residential Projects to Achieve a Less-than-Significant Impact

Traffic Analysis Zone (TAZ)	VMT per Capita	Required VMT Reduction to Meet Threshold (15% below Citywide Average)
175	11.84	18.6%
177	14.37	32.9%
198	11.59	16.8%
199*	11.37	15.2%
200	11.00	12.4%
201	13.70	29.6%
202	10.13	4.8%
Citywide Average	11.34 (threshold = 9.64)	N/A
Countywide Average	17.30 (threshold = 14.71)	N/A

Notes: VMT = Vehicle Miles Traveled; * = project location TAZ

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Adopting the citywide or countywide average as the baseline for VMT has important implications for incoming residential development projects. As indicated in the table, the two TAZs for which the VMT impacts could potentially be mitigated when using a citywide threshold would require project VMT to be reduced by 4.8 percent and 12.4 percent. While generally considered feasible, this level of mitigation would be difficult to achieve for residential projects in the context of St. Helena. For example, transit-related mitigation measures are among the most effective strategies to reduce project VMT, but to achieve this reduction would require more frequent service than is currently available.

Provision of affordable housing has also been identified as a strategy that can be presumed to reduce project VMT. As noted in the DEIR, the OPR guidance indicates that if a proposed project consists of 100-percent affordable housing, VMT impacts may be presumed to be less than significant. The guidance also states that lead agencies may determine that the VMT impacts are less than significant for projects with a high percentage of affordable units, or that some lower level of VMT reduction may be factored into the estimation of project-related VMT based on a lower amount of affordable housing. The DEIR noted the inclusion of affordable workforce housing as part of the project but did not attempt to estimate any associated VMT reductions.

Given the limited options available to reduce VMT for residential projects in St. Helena, if the citywide average is used as the baseline for determining significance, it appears likely that all incoming residential development projects (that generate more than 110 trips per day) in at least six of St. Helena's TAZs would have a significant VMT impact, while it may be feasible to mitigate the impacts for some projects in the remaining zone; unmitigable impacts would require preparation of an EIR and City Council adoption of a statement of overriding considerations. This would increase the cost to project applicants and could increase the difficulty in addressing the City's need for housing. Conversely, adoption of the countywide per capita VMT as the basis for a threshold of significance would result in a less-than-significant VMT impact for all proposed residential projects within the City limits.

Meeting the Intent of SB 743 and Addressing St. Helena's Housing Needs

As noted above, SB 743 was passed with the intent of reducing greenhouse gas emissions, promoting use of active transportation, as well as providing infill development. As such, the adoption of an appropriate baseline to evaluate VMT impacts of incoming development should be considered in the context of how those projects relate to the goals of SB 743 as well as other adopted goals and policies. St. Helena's unique characteristics that warrant consideration include the existing commute pattern, need for affordable housing, and jobs/housing balance; taken together, these factors indicate a need to increase housing options for local workers which, in turn, would reduce commute trip lengths and support reductions in VMT.

- **Commute pattern:** The Housing Element notes that 78.1 percent of workers in St. Helena commute from outside the City. Considering the distance that workers travel, the 2018 American Community Survey estimated that 75.4 percent of workers in St. Helena travel more than 10 miles to work, and 31.9 percent travel more than 25 miles.
- **Housing affordability:** The "St. Helena Housing Update Report" commissioned by the City in 2018 noted that 37.6 percent of St. Helena residents are considered "housing burdened" as they spend more than 30 percent of their incomes on housing.
- **Jobs/housing balance:** As noted in the Housing Element of the City's General Plan, the ratio of jobs to housing in St. Helena is substantially higher than other municipalities in Napa County, meaning that more houses are needed to accommodate workers with jobs in the city. The ratios of jobs to employed residents for Napa County municipalities are summarized in Table 2.

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Table 2 – Ratio of Jobs to Employed Residents in Napa County

Jurisdiction	Jobs per Employed Resident (2010)
Napa County	1.20
American Canyon	0.55
Calistoga	1.02
Napa City	0.98
St. Helena	1.90
Yountville	1.76
Unincorporated	1.89

Source: *Housing Element Update, 2015-2023 Housing Needs Assessment*, City of St. Helena, 2015.

The Hunter Subdivision project, which would be located within walking distance to the center of town, provides affordable housing and would give preference to local workers, appears to be a project that could help address these issues. It is reasonably anticipated that the residents of these homes would reduce their commutes to jobs in St. Helena by moving to the City, which is the primary purpose of the VMT metric. However, using the citywide per capita VMT as the basis for evaluating VMT impacts, the DEIR has determined that the project impacts are significant and unavoidable, which is counterintuitive. Had the countywide per capita VMT been selected as the baseline, the project would have been identified as having a less-than-significant impact, indicating the far-reaching implications of this approach for the Hunter Subdivision and other projects.

For the City of St. Helena to be able to achieve its housing goals, as stated in the General Plan, consideration should be given to the implications of selecting the appropriate baseline to evaluate VMT impacts in terms of the type of development that it will encourage; how this relates to the City's land use, housing, and transportation goals; and how it responds to statutory requirements. This is one of the many issues involving implementation of SB 743 that has been challenging for communities across California. Given the differences between communities throughout the state, there is no one-size-fits-all policy. So, while the OPR guidance has provided the basis for implementing SB 743, many jurisdictions have adopted policies that have built on and modified this guidance.

Please contact us if there are any questions regarding these comments.

Sincerely,


Barry Bergman, AICP
Senior Planner


Dalene J. Whitlock, PE, PTOE
Senior Principal



DJW/bdb/SHE008.L3



8950 CAL CENTER DRIVE, SUITE 340, SACRAMENTO, CA 95826 • 916.368.2000 • DKSASSOCIATES.COM

TECHNICAL MEMORANDUM

DATE: October 20, 2021

TO: Tim Massey | Organization

FROM: Jim Damkowitch | DKS Associates
Josh Pilachowski | DKS Associates

SUBJECT: Review of City of St. Helena Application of SB 743 Requirements Project #21082-000
of the Planned Residential Development

INTRODUCTION

The purpose of this white paper is to review the project description of a proposed residential project in St. Helena for compliance and consistency with local zoning and policies and the expected effect on the surrounding community and circulation network, as these relate to the Project's Vehicle Miles Traveled (VMT) potential impacts. The components analyzed include the following:

- Consistency with City zoning and land use designations
- Consistency with current ongoing planning initiatives
- Non-market-based housing ratio and California Density Bonus Law criteria
- Project VMT generation within Regional Average VMT per Capita threshold

This paper describes each of these four components and their relevance to the proposed development as a consideration for VMT analysis.

PROJECT DESCRIPTION

The Project site is a 16.9-acre lot in northeast St. Helena with 87 proposed residential dwelling units in the form of detached single-family homes, some of which will have accessory dwelling units, and attached multi-family units (duplex and/or triplex units). The multi-family units are to be presented as Affordable Housing units, representing 29% of the Project dwelling units (i.e., 25 units).

PROJECT COMPONENTS FOR CONSIDERATION

CONSISTENCY WITH CITY ZONING AND LAND USE DESIGNATIONS

As stated in the Project EIR¹, the Project site was designated as Medium Density Residential (MDR) in the City of St. Helena 1993 General Plan and this zoning was not changed in the recent General Plan Update 2040 (adopted June 2019). MDR zoning allows for single family homes (detached or attached) and accessory dwelling units (ADU) or junior accessory dwelling units² (JADU), at densities between 5.1 to 16.0 dwelling units per gross acre (an increase over the upper density of 12.0 dwelling units per acre used in the 1993 General Plan allowing for higher residential density).

As detailed in **Table 2-1** of the Project EIR, the total development will include 51 Single-family detached residences with an additional 11 accessory dwelling units, as well as 25 attached units in the form of duplexes and/or triplex units. This results in a density of 5.15 dwelling units per acre, within the accepted range of densities for the designated zoning. This is the minimum number of units which would meet the density requirements for the designated zoning.

The Project proposed 11 ADUs, representing 22% of the planned single-family residences. Relevant policies in the zoning code include the following:

- **17.116.030.B. Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
 - Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
 - Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 - Considered in the application of any local ordinance, policy, or program to limit residential growth.
- **17.116.030.E. General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs:
 - Zoning. An ADU or JADU may be created on any lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use (i.e., residential, mixed-use, and agriculturally zoned parcels).

While ADUs have not previously been common in St. Helena According to the Project EIR, only 37 ADU applications have been submitted between 2013-2020 representing 1.7% of single-family residences, the Project is consistent with all relevant density restrictions and zoning code policies, including ADU use.

¹ Hunter Subdivision Project EIR, September, 2021

² 500 sq.ft. or less, fully contained within single-family structure, includes bathroom and kitchen accessories.

CONSISTENCY WITH PLANNING INITIATIVES

Upon review of the Planning Department active and ongoing projects, there are no current or planned projects overlapping or nearby the project Site. The following documents were reviewed for policies and planning initiatives relevant to the Project:

- Napa Countywide Bicycle Plan
- St. Helena Pedestrian Plan
- St. Helena General Plan Circulation Section
- St. Helena General Plan Climate Change Section

The following relevant policies, programs, and initiatives and their relevance to the Project were identified:

Based on the Proposed Bicycle Network in the Citywide Bicycle and Multimodal Plan (2012), the proposed Napa Vine Trail passes adjacent to the project Site, allowing for easy connection to the regional bicycle and Pedestrian trail network. St. Helena has a 2.6% mode share of bicycles for commuting to work, three times higher than the Countywide mode share. Residential projects that connect to regional trails provide incentive for increase alternative transportation modes as a viable alternative for travel.

VMT ANALYSIS SCREENS (PER SB 743)

SB 743 was signed into law in 2013 with the intent to better align California Environmental Quality Act (CEQA) practices with statewide sustainability goals related to efficient land use, greater multi-modal choices, and greenhouse gas reductions. The provisions of SB 743 became effective Statewide on July 1, 2020 and are applicable to the Project's environmental clearance under CEQA.

The Office of Planning and Research (OPR) released its Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018). The advisory lists the following screening thresholds for land use projects. OPR's Technical Advisory suggests that lead agencies may screen out VMT impacts using project size, maps, transit availability, and provision of affordable housing as described below.

- Projects that are consistent with the Sustainable Communities Strategy (SCS) or General Plan and generate or attract fewer than 110 daily trips (consistent with trip generation associated with projects eligible for a Categorical Exemption under CEQA).
- Map-based screening for residential and office projects located in low VMT areas, and incorporate similar features (density, mix of uses, transit accessibility).
- Certain projects within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor. However, this will not apply if information indicates that the project will still generate high levels of VMT.

- Affordable Housing Development in infill locations.
- Locally serving retail projects, typically less than 50,000 square feet.

Although many lead agencies in urban and suburban areas are closely following OPR's recommendations, the guidance provided in OPR's technical advisory are considered to be recommendations, rather than requirements. It is also important to note that the technical advisory does not have the authority of law. As SB 743 implementation continues, cities and counties throughout the state have developed alternative approaches and criteria to address the intent of SB 743. The technical advisories provide the perspective of the State of California as interpreted by OPR but do not elevate to mandatory legal requirements. In many cases, local or regional agency perspectives differ from those of the state where substantial evidence would support alternative approaches.

As stated in the Project EIR, the Project did not meet any the VMT screening criteria (small projects with low trip generation, map-based screening, nearness to transit, or 100% affordable housing). Of the project-level screening criteria established by SB 743, three could be potentially applicable to the proposed project based on alternative applications/interpretations of OPR guidance as seen in other jurisdictions of the State: project size; map-based screening; and, affordable housing. These examples are described below.

Affordable Housing Screen

SB 743 allows non-market based residential projects to be screened from having to perform a VMT analysis for CEQA. This screen is consistent with many other initiatives statewide to address California's housing crisis. The Office of Research and Planning (OPR) advises that residential projects consisting of 100 percent affordable units be presumed to have less than significant VMT impact. No additional guidance was provided on when or how to screen projects that have a substantial affordable component, but less than 100%.

Jurisdictions have the discretion to specify additional criteria such as a specific percentage of non-market rates units within an overall development proposal for application of this screening option. An alternative approach example to OPR's 100% affordable unit guidance is described below.

Example City of Goleta

If at least 20 percent of a housing development consists of non-market rate housing then the entire development proposal would satisfy this screen. This includes farmworker housing. The 20 percent justification comes from the Guide to the California Bonus Law. The Density Bonus Law (California Government Code Sections 65915 – 65918) provides incentives to encourage developers to develop affordable and senior housing (i.e., a developer who meets the requirements of the state law is entitled to receive the density bonus and other benefits).

Guide to the California Density Bonus Law
BY JON GOETZ AND TOM SAKAI



As stated in the Project EIR, the multi-family units are to be presented as affordable housing units, which represents 29% of the proposed project dwelling units. Based on the 20% affordable housing VMT screen provisions implemented in other jurisdictions (e.g., City of Goleta), the proposed project would be screened from having to perform a VMT analysis and hence would not be subsequently determined to result in a significant and unavoidable VMT impact under CEQA.

COMPARISON WITH REGIONAL AVERAGE VMT

In lieu of not having formally adopted VMT thresholds or screens for CEQA purposes, the City of St. Helena directed the EIR consultants in preparation of the DEIR to apply a VMT per capita VMT threshold for residential developments at 15% below the Citywide average to determine VMT impacts. Although the choice of average (statewide, countywide, regionwide or citywide) is at the discretion of the local agency, basing a VMT average on a larger geographic area (i.e., regional, multi-county or countywide) is generally a more common and accepted choice by local agencies statewide. This is driven by the strong nexus between SB 743 and the State's long-term climate action goals which alludes to a more "regional" analysis of VMT as required for regional air quality emissions analyses. The relationship of SB 743 with the State's climate action goals is described below.

SB 743 and Climate Change

The State of California is committed to reducing greenhouse gas (GHG) emissions and achieving long-term climate change goals. To achieve these climate change goals, California needs to reduce VMT. Over the last 40 years, with increase in statewide population, the overall VMT has also increased. Transportation is the single largest sector contributing to the State's GHG emissions. More than 40 percent of the GHG emissions come from the transportation sector, primarily passenger cars and light-duty trucks. Reducing the number of vehicle trips and the length of the trips are expected to result in reduced VMT and reduced GHG emissions. The new State CEQA Guidelines and the establishment of VMT thresholds for CEQA analyses is linked to GHG reduction strategies and overall statewide climate change goals.

Given that the impact of transportation has shifted from congestion to climate change, the purpose of the CEQA analysis is to disclose and ultimately reduce GHG emissions by reducing the number and length of automobile trips. As part of the SB 375 land use/transportation integration process and GHG goal setting, the State and Regional Transportation Planning Agencies (RTPAs) have agreed to reduce GHG through integrated land use and transportation planning by a statewide average of approximately 15 percent by 2035. Furthermore, in its 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals, the California Air Resources Board recommends total VMT per capita rates approximately 15 percent below existing conditions.

In addition to SB 743, other legislative mandates and State policies speak to GHG reduction targets. A sample of these include:

- Assembly Bill 32 (2006) requires statewide GHG emissions reductions to 1990 levels by 2020 and continued reductions beyond 2020.

- SB 32 (2016) requires at least a 40 percent reduction in GHG emissions from 1990 levels by 2030.
- Executive Order (EO) B-30-15 (2015) sets a GHG emissions reduction target of 40 percent below 1990 levels by 2030.
- EO S-3-05 (2005) sets a GHG emissions reduction target of 80 percent below 1990 levels by 2050.
- EO B-16-12 (2012) specifies a GHG emissions reduction target of 80 percent below 1990 levels by 2050 specifically for transportation.

This direct tie with on-road mobile source GHG emission reduction goals strongly supports the application of a larger geographic area (i.e., regional, multi-county or countywide) for establishing a reasonable baseline average for CEQA purposes. Choosing a citywide average, particularly for a relatively small city, is counter-intuitive and would suggest the need for substantial evidence to support the agency's decision. By basing its VMT threshold on a citywide average, the City of St. Helena has one of the lowest average VMTs in the region with a value of 11.34. This is 66% of the Countywide average of 17.30. VMT analysis of the project results in an average project VMT for the associated TAZ of 11.37. This is well over the threshold of 9.64, but well below (34%) the regional average of 17.30.

On a more base and fundamental perspective, basing a VMT average on a larger geographic area (i.e., regional, multi-county or countywide) is also related to generating an adequate sample size for developing a stable/meaningful baseline average. The smaller the geographic area used for averaging – the smaller the sample of geographical units used. As shown in **Figure 1**, the City of St. Helena is small and as such is represented by only six Traffic Analysis Zones (TAZ) within the Solano-Napa Activity-Based Model (SNABM). The SNABM is the operable travel demand model used to establish average VMT, VMT thresholds and project-level VMT. As basic geographic unit of analysis, each TAZ is analyzed as being above or below the citywide average. Taking the average of such a small sample of TAZs representing a small area results in little to no variation in VMT efficiency by TAZ. Using a citywide average only provides a meaningful representation when the number of TAZs are large (larger sample size) where VMT efficiency for a given land use type varies across a larger area. As an example, **Figure 2** shows the City of Santa Maria's TAZ representation that includes a much larger sample of TAZs (i.e., 100+) that demonstrate differences in VMT efficiency.

At this time, none of the other jurisdictions in Napa County have formally adopted VMT thresholds or screening criteria. However, as a gauge for how other jurisdictions outside Napa County are applying SB 743, of among approximately 30 cities that DKS is aware of, only one has chosen to implement a city-wide baseline average and it is applicable to non-residential uses only. For non-residential uses, the City of Rancho Cordova has chosen to use a city-wide baseline average given that it generates a slightly higher baseline average. This will allow the City to potentially screen more non-residential projects (office, manufacturing etc.). Conversely, for residential uses, the City of

Rancho Cordova is using the six-county regional average as its baseline average. Hence, DKS is not aware of any city that has applied a city-wide average baseline for residential land uses.

Figure 1. SNABM Traffic Analysis Zone Representation of City of St. Helena (not to scale)

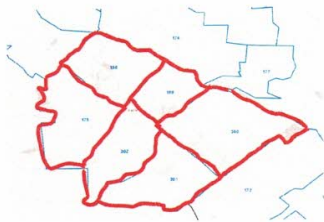
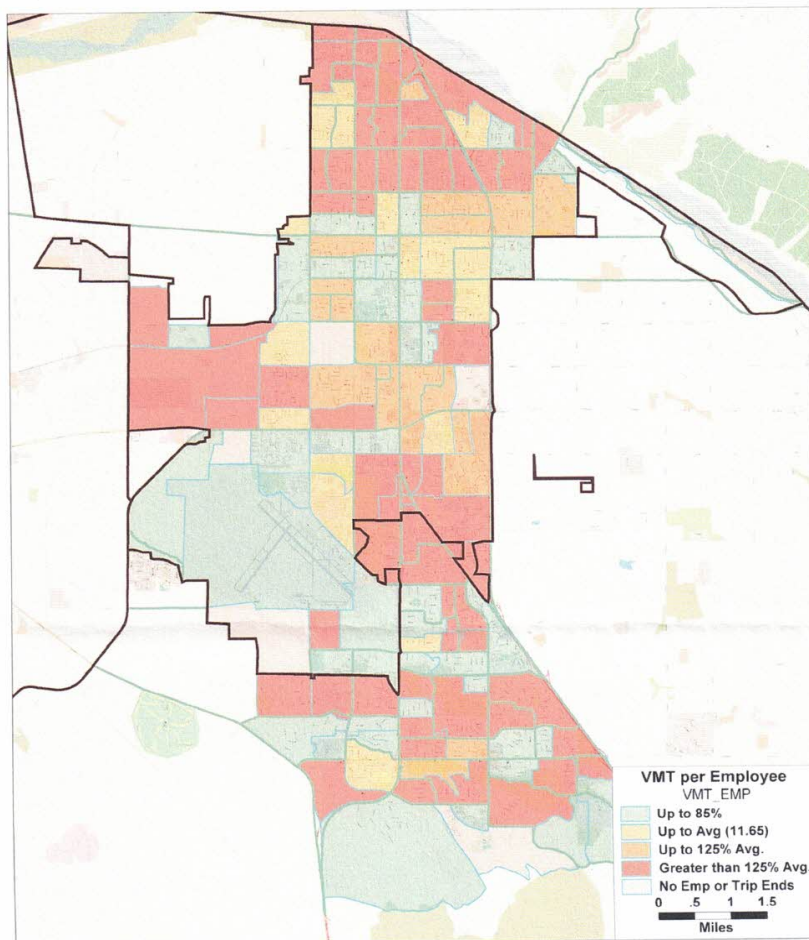


Figure 2. Traffic Analysis Zone Representation of City of Santa Maria (not to scale)



CONCLUSIONS

The OPR provides a Technical Advisory (TA) as a SB 743 implementation guidance document to establish VMT thresholds. The laws and rules governing the CEQA process are contained in the CEQA statute (PRC Section 21000 and following), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 and following), published court decisions interpreting CEQA, and locally adopted CEQA procedures. The TA is intended as a reference document; it does not have the weight of law. Yet, deviating from the TA is best undertaken with substantial evidence to support the agency action.

Of the project-level screening criteria established by SB 743, three could be potentially applicable to the proposed project based on reasonable alternative applications/interpretations of OPR guidance as seen in other jurisdictions of the State: project size; map-based screening; and, affordable housing. Based on how some other jurisdictions are applying SB 743, all or portions of the proposed project could be effectively screened from having to perform a VMT analysis. Also, while OPR guidance does not provide specific guidance on whether to use Citywide average or regional average VMT as an impact threshold, the existing City practice of using citywide VMT baseline average results in an unreasonable barrier to residential development on this lot. Mixed-use development is not allowed under the current zoning designation and the proposed project is currently at the lowest allowed density but still significantly over the City's directed trip generation screening criteria.

Per OPR guidance, development measured against city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the Sustainable Community Strategy (SCS) for that city because greater-than-planned amounts of development in areas above the region-based threshold would undermine the VMT containment needed to achieve regional targets under SB 375. The proposed development does not exceed the population or number of units specified in the Sustainable Community Strategy (SCS).

Applying a citywide VMT baseline average for residential uses, although within the authority of the City of St. Helena, does not align with the goals, policies, and directives of SB 743 and is generally inconsistent with how the VMT per capita performance metric is applied by some other jurisdictions around the state. Applying a regional baseline average for establishing the VMT per capita residential threshold would be more in line with the intent of SB 743 and support a finding that this Project has a less than significant traffic related impact.

From: Elizabeth Green <green05@sbcglobal.net>
Sent: Friday, November 5, 2021 9:34 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Subject: [External] Levee

Dear Ms. DeRosa,

It has been brought to my attention that the levee has not been maintained for several years. There are gopher holes and visible proof of other animals digging in the dirt which certainly must undermine the integrity of the foundation of the levee over the years and would not be a safe place for a housing project. Please provide documents or where I might access them which show the levee has been properly maintained since being built.

Thank you.

Elizabeth Green
Resident, Vineyard Valley

From: Greg Reynolds <greynoldsmail@gmail.com>
Sent: Friday, November 5, 2021 2:34 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Written Comments on The Hunter Subdivision Draft Environmental Impact Report
SCH # 2018032014

Please add

Good Evening

I am Greg Reynolds, 290 Pope Street St Helena

I am the managing partner for Vineyard Valley Mobile Home Park.

Thank you

There are a myriad of concerns we have about the Hunter Project.

As our residents understand more about the project

topics of impact are significant and across the board

from levee access and levee maintenance to vista and privacy concerns

the electorate here in VV is not happy

There are so many mitigating circumstances raised in today's current environment around water, fire safety, emergency response, traffic to name a few that your job as City Planners and perhaps City Council members makes it all the more critical that evidence doesn't get ignored. You have a tough job you need to forecast where a project like this takes the citizens of Vineyard Valley and the greater City of St Helena.

I will focus just on three issues tonight

- Emergency Evacuation
- Water specific to Sewer Discharge
- Traffic

Vineyard Valley is a Retirement Community 55 and older approximately 218 homes When everyone is home, The park is home to 350 people, many are retired seniors.

After the last 5 years and last year with the Glass Fire We have spent more time each year focused on fire suppression, readiness and safety....this year primarily in neighborhood reach and resident evacuation in the event of emergency.

After the devastating floods of 86 and 95 the park was transformed with a significant investment in the Flood Wall Project. The design and building of that project attempted to mitigate the flood plane realities **with the Flood Wall, the levee and holding pond and pumps**. The deployment of that significant investment did not include the construction referenced here. **Hunter Project** was not part of that plan and the safety it proposed to deliver.

We are very concerned that a safe evacuation and access through the back of the park will disappear with this project. We are concerned that the construction will undermine the levee and overwhelm the Army Corp Strategy put in place to protect our 350 residents and their homes.

We are concerned about water as many have commented. As we all engage to participate in phase 2 this concerns us greatly.

We will comment in writing specifically about wastewater flows and what appears to be a plan to connect a portion of the **Hunter Project** to Vineyard Valleys waste water discharge sewer. This is a City sewer that is documented to have significant issues when it does rain. The majority of the Hunter Project single family homes 46 out of 51 will be connected to the VV sewer. We will be getting most of this sewer flow. Taking into account the multi-family units as well almost 75% of the total project discharge is directed our way. Our VV sewer is already overtaxed, this will clearly drown this infrastructure. As in other parts of the City this is unacceptable and expensive as the City spends and documents every clean up situation.

The traffic data clearly demonstrates significant challenges for our senior contingent. In the DEIR It is clear from the table the Proposed Project Transportation Demand Management (TDM) strategies would result in a **Project VMT to be 15.2 %** higher than the City wide VMT per capita. Draft EIR concludes and clearly states that the Proposed Project has a significant and unavoidable impact, **then it is our opinion that the council has an obligation to the citizens of St Helena to protect their environmental integrity and vote to deny acceptance of the Draft EIR.**

Thank You

From: Ree Whitford <reewhitford@gmail.com>
Sent: Saturday, November 6, 2021 7:52 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Project

Hello Judy,

I totally agree that a massive project such as the Hunter Project is inappropriate in these times of over taxed infrastructure and of course, the drought.

I hope we can find ways to convince the politicians to stop approving endless growth. The increased taxes don't pay the costs inflicted on all of us!

Thank you for speaking out for sanity!

Best,

Ree

Ree Whitford

From: Deanna Caudill <dl.caudill10@gmail.com>
Sent: Saturday, November 6, 2021 8:22 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Project on Adam

Keep our city small and safe!!!
Deanna L Caudill

Sent from [Mail](#) for Windows

From: bobchilds@aol.com <bobchilds@aol.com>
Sent: Saturday, November 6, 2021 11:43 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Project

Good day!

We, too, are concerned about the proposed project. While we, more than many, appreciate the need for additional and affordable housing, we do not believe this project is the way.

Water is paramount, we are already short of the precious material, the addition of the number of proposed homes will severely be negative. The sewage addition, will also be a great negative to the Vineyard Valley neighborhood, where we live, which is already at the limit. The additional homes, will be a strain (at least) to the current levy (if altered) on the flood zone which this property has been protected by it and the "seawall" installed in the last few years. As well, the levy is an additional "escape route" for our neighbors, all of whom are over 55, in the event of fires, floods, etc.

Please add our names to the list of folks objecting to this project.

Thank you, in advance.

Bob Childs
Nancy Carlson
2 La Canada Ct
SH 94574
707.968.5294

From: Trevor Barlow <trevor.barlow@gmail.com>
Sent: Saturday, November 6, 2021 1:45 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter Project

This is application must NOT be approved and MUST be denied. Three major issues (there are many more, traffic, water and tax bases. This project effectively could cause loss of life for Vineyard Valley residents and block their emergency exit in case of fire or earthquakes. This would be a murderous proposition is this project is allowed to move forward. The City then must be held responsible for any loss of life involved. Water: we are in a drought - this project must be stopped immediately if St Helena has any chance of weathering this water shortage. It's not enough to say that this drought will pass because we've been in it for 20 years. It would be irresponsible to allow this due to the water situation alone. The taxes gained would not even cover the added expenses to the city so why would you even consider putting more fiscal problems on our city?

THIS IS A TERRIBLE AND UNRESPONSIBLE PROJECT - DO NOT MOVE FORWARD.

Trevor Barlow
14 Los Robles Ct
St. Helena, CA 94574

From: Carolyn Troyan <carolyn@troyan.org>
Sent: Saturday, November 6, 2021 3:59 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Development Project

I am writing to let you know as a St Helena resident I am not in favor of the Parker project. The open land is a popular walking area for residents and their pets. The further strain on resources right now feels like we should wait until we recover from the drought.

Thanks for listening!

Carolyn Troyan

1134 Valley View St

-----Original Message-----

From: Pamela Koussa <blueglow702@gmail.com>

Sent: Saturday, November 6, 2021 6:34 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter project

To whom it may concern, I do NOT want the Hunter project to happen, mostly because all (51) homes will be 2-story. Not everyone wants stairs in their homes. This project is a very awful thing if it does get approved. Please have the developer include single story homes also or else deny their application. Pamela.

Sent from my iPhone

To: Maya DeRosa, St Helena City Planner

November 7, 2021

Re: Hunter Project -- Citizen Comments

Dear Ms. DeRosa,

We have been St Helena residents for nearly 50 years now and have watched things happen that could never be predicted back those oh so many years ago. This proposed Hunter housing project is just one of those potential events that if approved will someday be looked back upon as "How could they have ever let something like that be built where it is?"

The Vineyard Valley Mobile Home Park is obviously sited in a location where homes or mobile homes should never have been allowed. The occurrence of two 100 Year Floods in that park within nine years of one another attest to the allowance of a project that would flood and cause such unfathomable harm and devastation.

Looking back to those early 1970s, fear of flooding was a valid concern. That low lying property adjacent to the Napa River and Sulphur Creek had been known to be under water many times in recorded history. Only because of the evolving engineering talent of that time and the presumed wisdom of those who can make such decisions, was the VVMHP allowed to be built. Yes, it was built in a flood plain, but Federal Flood Insurance was available to residents should something go wrong and the park go under in a flood. That one band-aid alone was deemed to be acceptable should a flood occur.

It was only because of the modern-day engineering talent of that time that a Flood Wall (i.e. heavy duty wooden fence) was designed and approved as a deterrent to the possibility of flooding to the park. The northern (actually western) edge of the park was required to have a dirt berm (levee) of about 24 inches above grade, and placed into that dirt levee were 4x6 wooden posts upon which the approximately 4x12 lateral boards were placed to become this "Flood Wall" that was supposed to keep a wall (actually a lake) of water from inundating the mobile homes on the inside of the park. Looking back, it seems preposterous that such a scheme could be created let alone approved for such a foreboding potential flood. But approved it was.

In 1986, at the time of the first 100 Year Flood at that location, I was on scene with other volunteers assisting the California Division of Forestry (precursor to Cal Fire) crew members as we filled sandbags and dropped them over the Flood Wall to rest on the opposite side of the so-called levee, two feet below the water level. It became obvious very soon that there was a very serious problem that had never been included into the original engineering plan for this levee and Flood Wall. This oversight was the failure to understand that gophers, moles and voles would permeate this dirt levee, and as the pressure from the flood waters on the other side began to penetrate their subterranean runs, those channels would burst through to our side of the levee and get larger and larger as they rapidly eroded. We even tried to sandbag "our side" of that Wall/levee, but that did not work. Soon the mobile home park streets were filling with water and our efforts shifted to evacuating the hundreds of older residents of VVMHP. The Water Wall had failed, and the park was submerged.

Once the flood waters had subsided and the flooded mobile homes were being removed and replaced with new ones, a solution to any possible future flooding had to be designed. Engineers immediately removed the berm/levee concept from the newly designed flood barrier. The new Flood Wall was to be a cinder block wall with cinder block support posts. The wall was to be higher than

before, and subject to FEMA and National Flood Insurance requirements. Once those requirements were determined as adequate for any future possibility of a similar or even larger flood, the owner of the VVMHP insisted upon paying for the height to be even one cinder block higher than engineers required as an added safety measure. And so, it was to be. Another cinder block was added to the height.

It seemed to be a win-win situation for most everyone. There were not only updated engineering regulations being adhered to, but the project was so convincing that many of the insurance companies who had paid millions of dollars to care for their VVMHP customers were even willing to continue insuring them as well as accepting new applicants.

And now we come to 1995 when yet another 100 Year Flood arose and put the newly designed and engineered Flood Wall to the test – a “test” that failed.

With flood waters having destroyed both of the prior “engineering marvels” designed to protect Vineyard Valley, a more grandiose project had to be created. Hence the multi-million-dollar flood control project currently in place with a levee to supposedly protect the VVMHP and adjacent homes.

History reveals the eternal battle between technology and nature, especially where levees are concerned. While the 2005 drama of Hurricane Katrina in New Orleans and the collapse of earthen and concrete levees that were engineered to protect that area are still fresh in our minds, each year more and more levees of lesser fame have failed with catastrophic results as well.

Simply speaking, we (St Helena) cannot be lulled into complacency to think that our levee between the eastern end of Adams Street and the Napa River can be relied upon to protect property behind it. As such, it is folly to rely upon this levee to protect the proposed Hunter Project in the future. While there are many obvious reasons why levees fail, one of those causes is unwanted vegetation being allowed to grow upon or alongside a levee. Our St Helena levee is a good example of just such a problem with the large area of Coyote Brush that has been allowed to take root there.

Just as we were not able to rely upon the two prior flood control measures mentioned earlier, it is only logical and reasonable that we cannot rest assured that this new engineering creation of a levee will preclude yet another failure and subsequent damage to something like the Hunter Project.

While there is no justification for ignoring the inevitability of levee failure, there is only one of two solutions to this proposal. The first is to deny this project based upon the potential for failure, and the second would be to approve the project subject to the applicant assuming full responsibility and liability in the event of a levee breach or any other such inundation of that project area.

Sincerely,

Norm Manzer
103 Camino Vista
St Helena, CA 94574

-----Original Message-----

From: Jeff Burton <jefftburton@yahoo.com>

Sent: Monday, November 8, 2021 8:50 AM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter Subdivision

Maya DeRosa

St. Helena City Planning Department

We are writing you to express our opposition to the Hunter Subdivision Project. We are not opposed to more housing to relieve the general housing shortage in St. Helena, but if this project goes forward we ask why such an imbalance of “affordable” living is being bunched around the east side of our town? I’m sure the west side offers available space. In fact, I’m sure future residents who will live in these homes would appreciate living amongst general neighborhoods as opposed to being clustered and corralled into one confined “project” area in a flood zone.

I’d like to express our thoughts on a few key issues:

We are on the tipping point on water resources. If one adds up the water needed to be allocated to this project, I ask from where is this resource is going to come from?

We all know traffic is at a breaking point, just look at what the temporary closure of Silverado Trail did to the already crowded streets of St. Helena. Now, add in the additional cars which will compete for road space and the already inadequate parking situation.

What’s more, there is a popular walking path that looks like it will be terminated without an alternate path.

Another consideration is the likelihood of another 100 year flood. Who is going to be held liable for damage and injury?

We fear that if the Hunter Subdivision is approved the Adam Street property will have developers lining up once again to make their proposals. We are concerned about the future of St. Helena if this project is approved.

We urge you to consider all these issues and vote down the proposal for this new housing project.

Respectfully,

Jeffrey Burton and Maureen Moulton

Sent from my iPad

From: Pat Friday <patfriday@comcast.net>
Sent: Monday, November 8, 2021 9:56 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter project comment

Hello Planning Department folks,
I am writing to encourage you to proceed with the Hunter Project, but only with the affordable housing aspect. We need worker housing so badly here. Please do not accept a monetary offset, but insist that housing is provided for those who work here.

I'm sure you can find a way to offset water use, and other objections being raised. We need this new housing to give our town a boost too.

Thank you for considering my view,
Pat Friday

Pat Friday
1430 Wallis Court
St. Helena CA 94574
707.484.4579

From: Isobel Luria <isobel.luria@gmail.com>
Sent: Monday, November 8, 2021 1:00 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Levee Maintenance

Hi Maya,

Still working away on the Hunter DEIR. Could I please get copies of the Levee Maintenance records. I haven't found them in any of the appendices. Thanks so much.

If the Planning Department doesn't have them, perhaps you could tell me whom I should contact.

Thanks so much.

Isobel

--

Isobel Luria
isobel.luria@gmail.com
Mobile: 707-480-3983
Sent from my iPad

From: Diane Green <dgreenhagg@gmail.com>
Sent: Tuesday, November 2, 2021 2:05 PM
To: Planning Commission <PlanningCommission@cityofsthelena.org>; cityclerk <cityclerk@cityofsthelena.org>
Subject: [External] Hunter Project Public Comments and DEIR input

Honorable Planning Commission Chair and Commissioners,

As you review the Hunter Project, it is important to note the long and complicated history of this project and the behaviors of this Santa Rosa Casino Development Applicant. During the decade long history, the applicant has sued the city multiple times, forced the city to construct the levee around his property (by refusing to allow access for the flood protection of the senior community of Vineyard Valley), refused to supply documentation on numerous items requested by city staff such as movement of tons of soil, updated soil testing and maps, affordable housing plans that comply with the St Helena Housing Ordinance, Density bonus plans and any specific information regarding the size, bedrooms, bathrooms, etc. for each housing unit which is necessary to calculate traffic, water use, etc.

The project violates the HCD approved St Helena Housing Element in numerous ways including the continued segregation of low income housing, the requirement that the affordable housing must be spread throughout the project., and must be "for sale" as well as apartments. St Helena has illustrated distinct and repeated actions that segregate low income housing from market rate neighborhoods – as evidenced by 98% of ALL affordable and multi-family housing being placed on the East side of St Helena. It has created an undeniable "other side of the tracks" situation, and despite the claim that the land is more affordable on the East Side, the State of California does not accept that as a waiver of the law. In fact, that exact argument serves to aggravate the segregation of neighborhoods by conveniently ruling out the possibility for any diverse housing or socioeconomic and racial diversity in those neighborhoods.

Not only does this project propose 25 new units of affordable restricted housing on the East Side, it is designed specifically to place the affordable apartments immediately adjacent to the existing multi-family housing along Adams rather than distributing it through the rest of the market rate housing as is required by other St Helena Housing Element and laws.

Attached is a professional perspective from a housing segregation expert describing the situation in St Helena.

The city and you personally, stand to face discrimination claims, and lawsuits if you continue to make decisions in violation of the St Helena ordinances as well as the State's laws by perpetuating the long pattern of housing and racial segregation in St Helena. To date, realtors in St Helena list housing on the West Side of town as "preferred side of town" or "the desirable

West Side". Even realtors know exactly what has been done and use it to realty sales advantage.

You are now informed, and with a full read of the St Helena ordinances, zoning codes 17.144 and 17.146, the Housing Element and General Plan as well as new California laws to prevent housing discrimination and segregation, citizens should be assured that you will do what is required by law, and not put the city or yourselves at risk for litigation and embarrassment of being an ongoing segregated city. Do not give this Santa Rosa developer who has no interest in following our laws put us in an embarrassing and legal situation for his own personal financial gain.

You will certainly hear from the applicant that he is "helping St Helena housing", when in fact this project will provide a mere 5 units of very low income housing and the previously proposed affordable housing second units (ADU's) will be above moderate - which is simply market rate. So in what sense does this enormous subdivision, that is wholly reliant on our levee where we have full liability, causes unmitigable traffic at one of the ONLY exits out of the city, eliminated the proposed Adams St extension to the Trail, further segregates our city, and exacerbates our ongoing severe water shortages helpful to us? Please do not play his game. Please stand up to protect this city, its resources, its liability and its integrity. If not you, then who?

Thank you.

Sincerely,
Diane Green
Daniel Wheaton
Mark Arnett
Carl Barnes
Gary Oncina
James Pelligri

Segregation by Design

By Jessica Trounstone
University of California, Merced

Abstract:

Over the course of the 20th century the spatial scale of residential segregation along race and class lines increased. In the late 1800s, whites and people of color, renters and owners, poor and wealthy, were separated from each other in small clusters, so that residential segregation occurred block-to-block. By the middle of the 20th century segregation patterns had transformed; residents became segregated neighborhood-to-neighborhood. Throughout the post-war period, segregation between whole cities rose as the nation suburbanized. In recent decades, city-to-city segregation has remained remarkably persistent despite increasing neighborhood integration. Because political representation is geographically determined, these changing patterns have had profound political consequences – generating opportunities for exclusion and increasing polarization. I argue that local governments have been instrumental in driving and shaping these patterns; and they have done so largely in the name of protecting both property values and exclusive access to public goods for white property owners. When property values and public goods exclusivity were threatened, property owners changed their tactics – shifting the spatial of segregation higher. This process has always been Segregation by Design.

Conventional wisdom holds that segregation and the resulting deficit in services that the poor and people of color experience in American cities is driven by a combination of individual racial prejudices, market logic, and federal policy. This is an insufficient account because it ignores the institutional setting in which racism, economics, and federal law are embedded. Local politics structures the way in which *all* of these forces unfold.

Using qualitative historical evidence from large cities throughout the United States and quantitative data from hundreds of cities, I demonstrate that segregation and the unequal distribution of public goods accruing to individuals and neighborhoods are a function of local policies and political battles. Land-use planning, zoning, and redevelopment have been utilized by white homeowners and businesses seeking to enhance property values and monopolize public goods to generate segregation and inequality in access to benefits for over 100 years.

The changing spatial patterns of segregation have had important implications for political representation. Poor and minority residents have become more isolated and less able to secure political responsiveness and public benefits. In turn, segregation affects both local and national politics. In cities, segregated communities are more polarized and less willing to fund public goods. At the national level, neighborhoods that successfully resisted integration during the civil rights era are markedly more conservative today.

Instead of receding, segregation within cities and between cities and suburbs has grown over the past several decades, further antagonizing the imbalance of public benefits between the haves and the have-nots.

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Introduction

“Segregated people in a nation that professes to be a democracy soon become a frustrated people. Those who segregate others soon become frightened, insecure people forced to accept and invent prejudice to justify their actions” Robert C. Weaver, *The Negro Ghetto*, 1948

City services sustain, prolong, and even save lives. In the latter half of the 19th century, urban American began a rapid ascent. City populations and economies were booming. But so too were their filth, their disease, and their divisions. By 1900, infectious and parasitic diseases killed nearly 8 in every 1,000 residents; accounting for more than 45% of all deaths (Tippett 2014) and more than 60% of deaths in children (Guyer et al 2000).¹ Between 1900 and 1940, the overall mortality rate in the United States declined by 35%² (Linder and Grove 1947) and the infectious disease mortality rate declined by 75% (CDC 1999).³ In some cities in 1900, 30% of babies would not live to celebrate their first birthday (Meckel 1990). Estimates indicate that between one quarter and one half the decline in total mortality can be attributed to the development of public water and sewer systems. Local public works significantly reduced outbreaks of diseases like cholera, typhoid fever, diarrheal diseases, and malaria (Cutler and Miller 2006, Troesken 2004).⁴ Over time, the growth of municipal fire and police forces, street cleaning and refuse disposal, childhood vaccination and physical examination programs, regulation of food supplies (e.g. requirements for milk pasteurization), and the implementation of

¹ Pediatrics. 2000 Dec;106(6):1307-17. Annual summary of vital statistics: trends in the health of Americans during the 20th century. Guyer B1, Freedman MA, Strobino DM, Sondik EJ.

² Total mortality declined from 17 per 1,000 persons to 11 per 1,000 persons.

³ <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm4829a1.htm#fig1>

⁴ It is important to note that the dramatic improvement in mortality from water and sewer systems required the development of filtration and treatment techniques, which were not immediately available when the systems were first built.

building codes all worked to prolong life expectancy (Condran and Cheney 1982, Haines 2001, CDC 1999).

However, such benefits were neither inevitable nor universal. From the beginning poor and minority neighborhoods received fewer and lower quality services: they were less likely to be connected to sewers, have graded and paved streets, or benefit from disease mitigation programs.⁵ Today, the quality of public goods in the United States remains highly variable. Some people have access to well-paved and plowed roads, sewers that never overflow, public parks with swing sets and restrooms, adequately staffed police and fire forces, and clean water. Others do not have access to these resources. The quality of such services is largely a function of the neighborhood, city, and state in which a person resides. The degree to which the poor and people of color have been concentrated into identifiable residential locations (e.g. segregation), varies from place and to place, and everywhere has changed dramatically over time.

Over the course of the 20th century the spatial scale of residential segregation along race and class lines increased (Logan et al 2015, Reardon et al 2009, Lee et al 2008). In the late 1800s, whites and people of color, renters and owners, poor and wealthy, were separated from each other in small clusters, so that residential segregation occurred block-to-block. By the middle of the 20th century segregation patterns had transformed; residents became segregated neighborhood-to-neighborhood. Throughout the post-war period, segregation between whole cities rose as the nation suburbanized. In recent decades, city-to-city segregation has remained remarkably persistent despite increasing neighborhood integration. Because political representation is geographically determined, these changing patterns have had profound political

⁵ This book explores race and class divisions in local politics and residential locations. There are many ways one might go about defining these groups. As explained in more detail in Chapter 1, I focus on divisions between whites and nonwhites, and homeowners and renters. I use the terms minority and nonwhite interchangeably. I also use the terms black and African American interchangeably.

consequences – generating opportunities for exclusion and increasing polarization. I argue that local governments have been instrumental in driving and shaping these patterns; and they have done so largely in the name of protecting both property values and exclusive access to public goods for white property owners. When property values and public goods exclusivity were threatened, property owners changed their tactics – shifting the spatial of segregation higher. This process has always been Segregation by Design.

An example from Southern New Jersey is illustrative. Camden and Cherry Hill, New Jersey are similarly sized cities, just across the Delaware River from Philadelphia. Camden is home to two superfund (toxic waste) sites; Cherry Hill is home to none.⁶ In Camden only 1.7% of state roads had good pavement in 2004⁷ compared to 35% in Cherry Hill.⁸ Camden has 22 combined sewer overflow outfalls (where raw sewage and storm water may be released to the surface during wet weather), while Cherry Hill has zero. Camden offers no e-waste recycling and no yard waste collection; Cherry Hill provides both. In 2012, Camden's water supply ran so low that residents were required to boil water for consumption and were prohibited from watering their gardens.⁹ In contrast, Cherry Hill has a clean, plentiful water supply. The Cherry Hill Public Library has more than 400,000 circulating materials, more than 300 adult programs and classes, and 67 public computers.¹⁰ In 2011, Camden shuttered the doors of its main library and handed control of the remaining two small branches to the county.¹¹ Cherry Hill offers 63 recreational facilities (parks, art centers, tennis courts, etc.) for its residents and supports 13

⁶ <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>

⁷ <http://www.state.nj.us/transportation/works/njchoices/pdf/camden.pdf>

⁸ Personal communication with New Jersey Department of Transportation. The NJDOT provided data from the NJDOT Pavement Management System by email. Available from the author by request.

⁹ http://www.nj.com/news/index.ssf/2012/06/camden_residents_advised_to_bo.html

¹⁰ <http://www.chplnj.org/about/documents/2015%20Annual%20Report%20-%20FINAL.pdf>

¹¹ http://www.nj.com/news/index.ssf/2011/02/main_branch_of_camden_public_l.html

different swim clubs.¹² Camden has 25 parks and 8 community centers.¹³ Between 2007 and 2012, Camden's city budget declined by about \$245 per resident, while Cherry Hill's increased by about \$12 per capita. Clearly, living in Camden is unlike living in Cherry Hill. So, how did Cherry Hill and Camden get to be so different?

The story begins with a focus on Camden at the turn of the century. Although Cherry Hill was incorporated as a municipality in 1844, it remained a small, undeveloped agricultural community in the first few decades of the 20th century. In 1900, Camden had a population of nearly 76,000 residents. The city boasted 55 miles of sewers, 79 miles of water mains, and about 38% of the city's streets were paved; figures that suggest that Camden's development was right in-line with national averages. Also similar to other cities, were Camden's level of race and class segregation. By the turn of the century, Camden was home to two well-established free black communities named Fetersville and Kaighnsville (Garwood 1999). Established in the 1830s (Fetersville) and 1840s (Kaighnsville), these communities were comprised of small lots affordable to people of modest incomes, many of whom were African American (Garwood 1999). One of Fetersville's neighborhood churches, the Macedonia African Methodist Episcopal Church, was believed to be a stop on the Underground Railroad (Garwood 1999). While the majority of Camden's black residents lived in Fetersville and Kaighnsville, both neighborhoods were predominately populated with white, working-class residents.

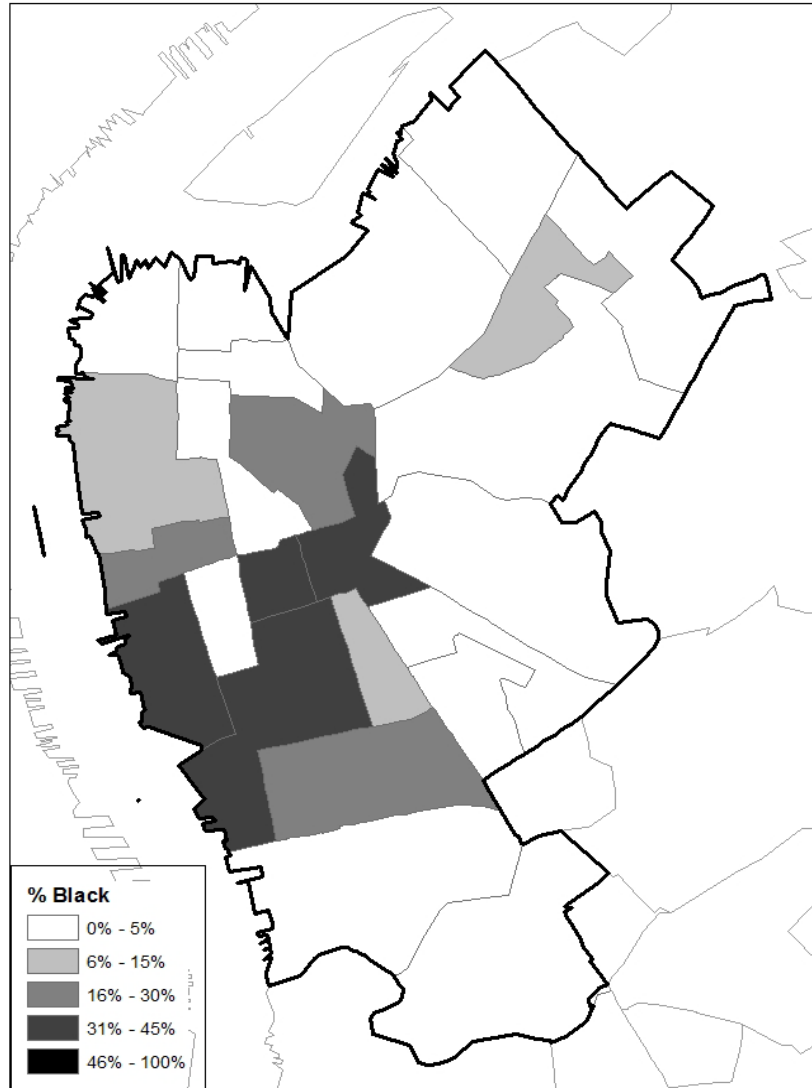
According to the 1900 Census, the wards representing Fetersville and Kaighnsville were about a quarter African American. For a city in which African Americans only comprised 8% of the total population, clearly, blacks were not evenly spread across the city. But, the extent and scale of black segregation would increase dramatically by 1940. By 1940, the share of black

¹² <http://www.cherryhill-nj.com/Facilities>

¹³ <http://ecode360.com/8508679>

residents had increased to 11%, but this growth in the black population was concentrated geographically in the central and southern parts of town. Figure 1 shows that by 1940, the black concentration in parts of Camden exceeded 50%.

Figure 1: Segregation in Camden, 1940



The creation of Camden’s segregated neighborhoods echoed the creation of segregated neighborhoods throughout the United States. Camden city government used zoning laws, the placement of segregated schools, and public housing to create and enforce residential segregation between whites and Africans Americans, as well as between renters and homeowners. New Jersey’s zoning enabling statute specified that regulations “must be made with reasonable

consideration, among other things...with a view of conserving the value of property,” (Cunningham 1965). Camden first authorized zoning in 1928 and like other early zoning adopters, moved quickly to ensure that land use policy was used strategically to protect the interests of white home-owning residents.

By 1930, Camden was a bustling central city. It had more than 118,000 residents and spent nearly \$950 (in 2012 dollars) per capita on municipal expenditures – well above the national median. But the stress of the Great Depression left Camden with an enormous burden of vacant and uninhabitable properties (Housing in Camden, 1942)¹⁴. And, so it was one of the earliest recipients of federal slum clearance and public housing funding in the 1930s (Pommer 1978). In 1938, two buildings were erected – one for whites and one for blacks. When the program was expanded in the 1940s two more projects were built; also segregated. Unsurprisingly, the neighborhoods around each project increasingly came to reflect the race of public housing occupants (Williams 1966a¹⁵). Later, when Interstate 95 was run through the city, “an attempt [was] made to eliminate the Negro and Puerto Rican ghetto areas” (New Jersey State Attorney General report, quoted in Rose and Mohl 2012, p108).

Overtime, neighborhood segregation in Camden rose; climbing more than 50% in the first half of the 20th Century. As would be the case in cities throughout the United States, Camden’s city government underprovided services to its black neighborhoods (Helzner 1968¹⁶, Silvotti 1968¹⁷)

¹⁴ <http://www.dvrbs.com/hacc/CamdenNJ-HousingAuthority.htm> <http://www.dvrbs.com/hacc/CamdenNJ-HousingAuthority.htm>

¹⁵ Camden Courier-Post, June 8, 1966

¹⁶ Helzner, Gerald, Camden Courier-Post, March 7 1968, p 13

¹⁷ Silvotti, Bert, Camden Courier-Post, March 18, 1968

Starting around the time of the Second World War, the city faced desegregation pressures on a number of different fronts. In 1881, the state of New Jersey passed a law prohibiting the segregation of schools by race (Wright 1953). But, as of 1944, no black children attended white elementary schools (Jensen 1948). When the NAACP sued the district, officials responded that black parents had simply not requested attendance at their neighborhood schools. So, the NAACP took out ads in the Camden Courier Post to convince parents to do just that. In 1947, hundreds of black children enrolled in previously all-white schools (Wright 1953).

School desegregation was just one of the first of many signs of racial transition in Camden. In 1951, the city witnessed its first biracial contest for city council when Dr. Ulysses S. Wiggins, the president of the Camden NAACP Branch, was nominated on the Republican ticket (Chicago Defender April 21, 1951). He lost, but in 1961, Elijah Perry became the city's first African American city council member (Riordan 1996¹⁸). In 1954, the New Jersey Supreme Court ordered public housing to be desegregated and the first black families moved into white buildings in 1966 (Williams 1966a, Williams 1966b¹⁹). And in 1969 and 1971, the city erupted in violent race riots, touched off by police brutality against black and Latino residents.

In 1940, the little hamlet of Cherry Hill had a population just under 6,000 residents; they were 91% white and 9% black.²⁰ Not only small, the city was economically weak, having defaulted on its bond obligations been placed in receivership by the state government during the Depression (Shay v Delaware 122 N.J.L. 313, 316 (N.J. 1939), Cammarota 2001). But after the war, while housing and schools in Camden were integrating, Cherry Hill's population and economy exploded, as was true of suburbs throughout the nation.

¹⁸ Riordan, Camden Courier Post, February 2, 4B

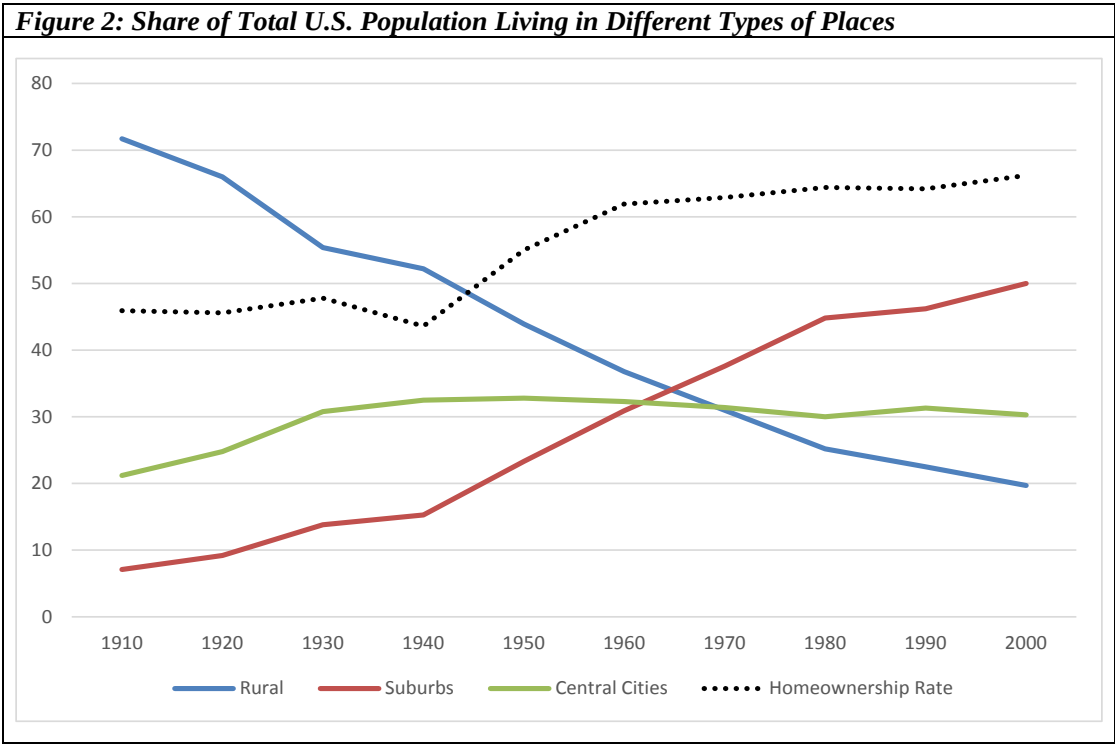
¹⁹ Camden Courier-Post, June 9, 1966, p17

²⁰ <http://lwd.dol.state.nj.us/labor/lpa/census/2kpub/njsdcp3.pdf>; Camden Historical Society scan****

Drawn to places like Cherry Hill by the attractiveness of low-cost federally insured mortgages, the development of new homes and new employment opportunities in outlying communities, and easy commuting along newly built federal highways, the nation suburbanized and white homebuyers moved to the periphery (Jackson 1985). After the war, Cherry Hill witnessed a tenfold increase in 30 years. During the same period, Camden lost 13% of its residents.

Figure 2 shows the share of the total population living in rural areas, central cities, and suburbs over the 20th century. The graph reveals that the pace of suburbanization increased sharply during the postwar period so that by 1970, a plurality of the population lived in suburbs.²¹ The homeownership rate increased at the same time. This latter fact is important because it helps to explain the driving force behind exclusionary zoning adopted by suburban communities.

²¹ Rural here refers to population outside of any metropolitan area. A suburb is an area inside of a metropolitan area, but outside of the central city. City refers to the central cities of metro areas.
<https://www.census.gov/prod/2002pubs/censr-4.pdf> p33;
<https://www.census.gov/hhes/www/housing/census/historic/owner.html>

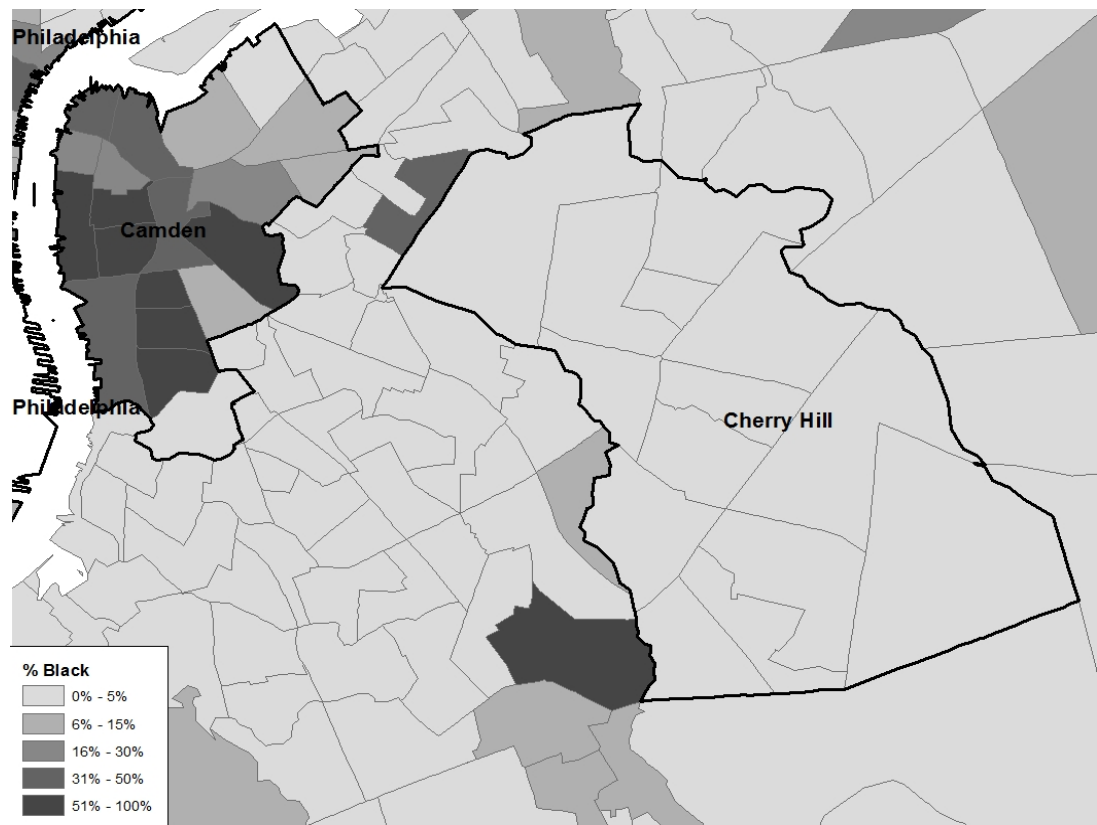


As Camden rushed to utilize more than \$30 million in federal redevelopment funds to revitalize its flagging urban center, Cherry Hill was busy implementing zoning restrictions that effectively prohibited the development of low-or even moderate-income housing (Cammarota 2001). In 1975, black residents of Mount Laurel, New Jersey (a suburb close to Cherry Hill both geographically and demographically) along with several local chapters of the National Association for the Advancement of Colored People (NAACP), won a class action lawsuit challenging Cherry Hill’s type of exclusionary zoning. As a direct result of this decision, Cherry Hill was required by the state to zone for thousands of low-income housing units. The city declined to do so. As of 2015, Cherry Hill continued to face litigation for its failure to zone for

affordable housing.²² As is true in many places throughout the United States, exclusionary economic zoning cannot be disentangled from race. One activist argued “many residents carried racist feelings about affordable housing, fearing it would attract poor blacks and Hispanics.”²³

Figures 3 and 4 reveal how segregation between Camden and Cherry Hill changed between 1970 and 2010.

Figure 3: Segregation in Camden and Cherry Hill, 1970



²² <http://www.cherryhill-nj.com/DocumentCenter/View/2562>, page 8;

²³ http://articles.philly.com/1989-09-10/news/26101167_1_bloat-prosperity-sewers-and-roads

Figure 4: Segregation in Camden and Cherry Hill, 2010



In 1960 Camden was 76% white; and the maps show that in 1970, although home to many more people of color than was true in 1940, Camden still had several exclusive white neighborhoods. These white neighborhoods had all completely disappeared by 2010. So, even though Cherry Hill diversified to a limited extent, a greater share of segregation occurs between these cities than within them.

Those who left Camden during the postwar period and those who moved to Cherry Hill were largely white, middle-and upper-class. As of 2014, about 39% of Camden's population owned their homes, 5% were white, and the annual median household income was \$26,000. In Cherry Hill, 80% owned their homes, 75% were white, and the median household income was

\$89,500.²⁴ In 2012, per capita taxes in Cherry Hill were double Camden's. Camden simply cannot afford to offer the services that Cherry Hill provides. The segregation along race and class lines between these two cities, and the resulting inequality in access to public goods was produced by public policy. It is a pattern that was replicated many times over throughout the United States; a postwar version of similar patterns that had developed at the turn of the 20th century.

A Theory of Segregation by Design

In the late 1800s as industrialization brought thousands of migrants and immigrants into cities, people of color and the poor were spatially isolated, not by ward or census tract, but by building and street (Logan et al 2015). What this means is that although blacks, Latinos, and Chinese residents were unlikely to live next door to white homeowners, they *were* quite likely to live down the street. By 1940, segregation shifted up to the neighborhood level (Cutler et al, Massey and Denton), so that large swaths of many cities had become predominately black or white, and both poor and wealthy residents became increasingly clustered in most places. By the onset of the Second World War, every large city in America had parts of town where people of color lived, and parts of town where the poor lived. Sometimes, but not always, these neighborhoods overlapped. Race and class segregation both increased by more than 50% between 1900 and 1940. These concentrating trends continued at a slower pace throughout the postwar period until 1970, when both race and class neighborhood segregation peaked. Neighborhood segregation by race has declined since 1970, but segregation by class has

²⁴ <http://www.census.gov/quickfacts/table/PST045215/3410000,3400712280,00>

increased.²⁵ During the post-war period segregation between cities increased and has remained stable since that time (Massey and Hajnal 1995, Farrell 2008, Fischer et al 2004).

Two classic economic models of individual choice appear to predict these different patterns of segregation. Thomas Schelling (1971) argued that extreme racial segregation could result from individual decisions about where to live, given even mild preferences for having neighbors of the same race. Only a small number of racially intolerant white residents can cause a neighborhood to rapidly transition because as each intolerant white resident is replaced with a black neighbor, whites with lower and lower levels of intolerance choose to leave, creating neighborhood-to-neighborhood segregation. The second individual choice model predicts city-to-city segregation. Charles Tiebout (1956) proposed that residents with similar preferences for taxation and public goods provision should sort themselves into cities with like-minded neighbors. To the extent that heterogeneous preferences for tax and spending levels (or ability to pay) overlap with heterogeneous demographics, they will also generate segregation.²⁶

The trouble is that both theories are subject to instability in the absence of collective enforcement mechanisms (Oates 1969, Oates 1981, Fischel 1992). That is, for an individual to ensure that her neighborhood remains white and has access to a nice public park, she needs the cooperation of her neighbors. But, neighbors may have individual incentives that undermine the achievement of other residents' collective goals. For instance, it can be extremely lucrative for a white homeowner to sell her home to a black buyer. This is especially likely to be the case when black housing options are restricted and when the black population is expanding. As Hamilton

²⁵ The precise pattern of class segregation depends on the measures used to indicate class. Income segregation has increased significantly since the 1970s (although remains lower than racial segregation), while homeowner/renter segregation has increased by a smaller amount.

²⁶ Banzhaf and Walsh combine Schelling and Tiebout's insights into a single model that establishes that preferences over public goods and demographics are mutually reinforcing in the generation of segregation (2010).

(1975) explained, individual incentives can also undermine the Tiebout model. It also makes fiscal sense for a resident who prefers high quality public goods, but is unable to afford high tax rates, to locate the smallest, least expensive home in a wealthy city. The taxes this resident pays do not support the share of the public goods she utilizes, but she benefits from them nonetheless. In Hamilton's tale, this behavior could lead to wealthy residents chasing each other around to try and maintain exclusivity. In the first instance, the collective goal of maintaining the white neighborhood is undermined by sellers seeking the highest sale price. In the second instance, the provision of public goods is undermined by residents who do not pay the full cost.

Governments can promote collective action by generating enforcement of collective goals; and here it is *local* governments that play the starring role, because they alone regulate land-use. By invoking their powers of control over land-use and making choices about service provision, local governments can affect the aggregate demographic makeup of communities and the spatial distribution of residents and services, thereby generating and enforcing segregation. The goal of these policy choices is stability (or enhancement) of property values and the protection of public goods quality.

As North (1990) explains, the relative bargaining strength of different interests in any community will dictate the structure of its rules. Such rules, he tells us, are frequently devised in to promote private rather than public interests (p48). The history of local land-use planning and service provision fits squarely within this theoretical perspective. Property owners (and those who derive their livelihood from property, like realtors and lenders)²⁷, seek both property value appreciation and protection from losses in value. Because tax levels, service quality, and

²⁷ Developers, while also obviously earning their livelihood through property only sometimes have goals that are aligned with homeowners'. In some settings, developers prefer fewer regulations on development (allowing them to build smaller homes on smaller lots or denser multifamily structures, for example), but in others they are strong proponents of restrictive mechanisms like large lot zoning and racial covenants.

neighborhood demographics are capitalized in property values (see Hilber 2011 for a review), property owners invest considerable energy into dictating local policy (Fischel 2001, Stone 1989; Logan and Molotch 1978).

In the United States, property owners have always been disproportionately white; and property value has been tied to the race of occupants and neighbors (Hayward 2013, Freund 2007). Furthermore, as Bradford, Malt, and Oates (1969) argued, the quality of many public goods, like education and public safety, is predominantly affected by the characteristics of the residents themselves rather than inputs from the government. Together these circumstances have given property owners a powerful incentive to regulate who lives where since the very earliest years of urbanization. In particular, white property owners have long been concerned with excluding certain types of people from their communities.

From the earliest years of city development, white, native-born Americans had a racialized, classist understanding of property value and deservingness of public benefits. In particular, it was widely accepted that poor and minority neighbors negatively impacted property values and were less deserving of benefits than property owners and whites. Local policies like zoning and redevelopment serve these ends, and the result has been segregation along race and class lines.

The very first laws generating segregation were adopted in the first decade of the 20th century, to protect both property values and public goods exclusivity. Over the course of the next 100 years, when property owners were stymied in their attempts to create exclusivity by demographic shifts, loss of political control, or meddlesome higher levels of government seeking to promote equality, they adopted new strategies to achieve segregation, often increasing the spatial scale of exclusivity to achieve their goals. For instance, when first industrialization and

then the explosion of war time economies pulled great numbers of working class people of color to cities, many black and Latino neighborhoods swelled, threatening to spill into white, home-owner communities. City governments were called upon to use policy levers like land use regulations, zoning, the placement of thoroughfares and public housing to consolidate, and then circumscribe minority communities. When state and federal courts ordered desegregation of communal spaces like parks, golf courses, and swimming pools, local governments again used control over land use to alter the residential map. In the post-war period, big city governments became unreliable allies in this pursuit. When the federal court ordered desegregation of schools and when white owners saw threats to their political power in central cities, they ensured that suburban governments protected their interests.

The Geography of Inequality

Political geography is comprised of nested units: neighborhoods within wards, wards within cities, cities within states, and states within the nation. When residential segregation maps onto political geography, political divisions become fused with race and class divisions. This has two important consequences. First, segregation generates inequalities between race and class groups because in a world of scarce resources, the politically powerful deny public goods to those who are politically weak. Segregation within cities and suburbanization across city lines has meant that the benefits experienced by racial and ethnic minorities and low-income individuals are inferior to the benefits experienced by whites and the wealthy. Second, segregation generates political polarization between race and class groups and ultimately, inhibits cooperation.

Segregation generates inequalities because it allows political elites to target public goods toward supporters. At one time, public goods were segregated directly, through laws which

dictated that whites and blacks (and often Native Americans, Latinos, and Asians) could not attend the same schools, sit in the same area on public transportation, utilize the same parks, pools, libraries, or hospitals, be incarcerated in the same facility, or be buried in the same public cemeteries.²⁸ The legal segregation of public goods allowed city, county, and state governments to provide unequal funding for black and white schools, black and white hospitals, and black and white playgrounds (thereby generating unequal quality). This meant that compared to whites, blacks received inferior public goods than whites regardless of where they lived. But by the middle of the 20th century, public goods inequalities had largely come to be determined by residential segregation instead of directly.²⁹

This transformation occurred in part as a response to the 1896 decision *Plessy v. Ferguson* which dictated equality in separate facilities. It was cumbersome and expensive to develop separate and equal services in diverse communities. The duplication of schools, parks, hospitals and cemeteries for black (Asian, Latino, and Native American) and white residents meant higher expenses (CQ Researcher 1947).³⁰ Such costs arose not only from the establishment of facilities that would not have been needed if the facilities were integrated, but also from the loss of efficiency that the replication of equipment and personnel entailed.³¹ Obviously, these costs were minimized when nonwhite facilities were severely underfunded

²⁸ Jim Crow laws demanded or permitted segregation in settings far beyond the reach of public goods including everything from seating in theaters and circuses, to marriage and sex, to the playing of checkers or dominos in private homes (Woodward 1955). Furthermore, laws mandating segregation were but one way in which the rights of racial and ethnic minorities were violated during this period. For instance, various laws barred minority individuals from testifying on juries against white defendants, denied them citizenship status, prohibited their access to certain professions, excluded them from owning land, and of course, prevented them from voting.

²⁹ The choice between segregating public goods directly and segregating public goods via residential segregation was not confined to the South. Leon Litwack (1961) writes of the antebellum north “legal and extralegal discrimination restricted Northern Negroes in virtually every phase of existence,” (p64). More details on Jim Crow segregation in the north are provided in Chapter 3.

³⁰ <http://library.cqpress.com/cqresearcher/document.php?id=cqresrre1947110700>

³¹ One study of St Louis’s segregated school system found that 75% of the city’s transportation costs in 1951-52 were spent transporting Negro school children who lived in outlying areas to colored schools in the center of the city (Russell 1954).

(Myrdal 1944, p342), but in the wake of *Plessy v. Ferguson* and successive lawsuits urging cities toward equal (albeit separate) facilities, residential segregation became an attractive alternative. After the many midcentury court decisions striking down any separate facilities (e.g. *Brown v. Board of Education*), residential segregation became the only remaining option (CQ Researcher 1947, Kruse 2005). In addition to being constitutional, residential segregation was also an efficient mechanism for producing inequalities across multiple public goods at once.

A similar transformation occurred in the post-war period, as neighborhood level segregation was traded for city level segregation. In 1948, when the Supreme Court ruled restrictive covenants unenforceable in *Shelley v. Kraemer*, white neighborhoods lost one of their most effective means of defense against integration. The 1968 Fair Housing Act further limited white collective action. As technological changes enhanced suburban service delivery and commute possibilities, and as the federal government subsidized homeownership outside of the central city, segregation across city lines rose. Moving outside of city boundaries allowed suburbanites to provide high levels of public goods for their residents without having to pay for services for nonresidents. For the privileged, suburbanization was an even more efficient mechanism of segregation than choosing separate neighborhoods within the city. As Hayward (2009) has argued, suburbs offered the opportunity to, “engage in exclusionary zoning practices...to opt out of supporting public housing...and even opt out of supporting public transportation within the boundaries of their municipalities,” all while allowing suburbanites to, “pool their tax monies...to provide schooling and other public services.” (p149). In addition to offering efficiency, suburbanization also freed residents from having to fight for control of the city government. Indeed, suburban flight was encouraged by a loss of political power in the central city.

In many ways, these inequalities in access to public goods are precisely the goal of segregation's promoters. But, a second consequence of increasing correspondence between political geography and demographic division, is an increase in political polarization. Within cities, segregation generates stark divides between racial groups, leading segregated cities to underprovide public goods. But, even beyond city borders, segregation is consequential. The process of building and defending white homeowner neighborhoods created new ideological commitments to a meritocratic discourse that depicted inequalities as being the result of the free-market, and choices made by black and poor residents, rather than the result of actions taken by government or white homeowners. The new ideology that was bred in defended white homeowner neighborhoods took root, growing into a modern conservatism that prioritized protection of property, self-reliance, and individual achievement (Self 2003, Lassiter 2006, Kruse 2005). Over the years, this conservatism has persisted, inculcating new neighbors with the same perspective.

Empirical Expectations

The preceding argument generates several broad predictions which I test in various ways throughout the coming chapters. First, I predict that some communities will be more likely to desire segregation than others: these are places that have a taste for segregation and/or have significant resources to protect. These places will be most likely to implement local policies like zoning, urban renewal, and restrictive land use regulations. When communities seeking segregation are thwarted in their ability to generate exclusivity, they'll seek to change the spatial scale of segregation – moving to exclusive neighborhoods and exclusive cities. Second, I predict that these local policies work to generate segregation along race and class lines. Third, I predict that residential segregation generates inequalities in access to public goods. Finally, I propose

that residential segregation will cause political polarization in both local and national politics. No chapter or time period contains tests of all of these predictions; but together they tell a compelling story. For more than 100 years property owners (and those who derive their livelihood from property) have urged local governments to enact policies that institutionalize segregation along race and class lines to protect their property values and control the distribution of public goods; and I show that they have been incredibly successful.

I find that segregation along both race and class lines has been promoted by white homeowners and land oriented businesses for more than 100 years. Where these interests dominated city government, segregation grew more rapidly. I also find that as segregation increased, service investment in white homeowner neighborhoods increased. As whites lost control over the distribution of benefits, they moved to the suburbs and continued to expand service delivery. Today, a greater share of public dollars is spent by suburbs than by central cities. Finally, I reveal that in more segregated places political polarization is greater and poor and minority residents have access to lower quality public goods.

Important Caveats

Schools (or lack thereof)

This is a book about segregation, and only rarely do I engage a discussion of schools. This will seem a glaring omission to many readers, especially because many pieces of my argument overlap with accounts offered by education scholars. The literature exploring inequality of educational opportunities is extremely dense and well developed (see Reardon and Owens 2014 for an overview). As Stephen Macedo writes, “Local control, when combined with local funding, and district-based assignment of pupils to schools, has created a geography marked by stark inequalities centered on class and race: a new form of separate and unequal”

(Macedo 2003, p743 in “School Reform and Equal Opportunity in America's Geography of Inequality”). The arguments that I advance here compliment and underscore much of this research. One might view this book as an extension of these arguments to the provision of *all non-school local public goods*.

My focus here is on the various policies that local governments use to generate segregation; and the consequences of segregation for local and national politics. The vast majority of the governments that I study do not play a direct role in the governance of schools or the provision of public education. That is, most cities in the United States do not spend money on educational services; and most public school students (about 85%) attend schools that are governed by school districts not municipalities. One could approach school district politics as I have done for municipalities – analyzing decisions about the drawing of catchment zones, policies on bussing, and the allocation of resources across schools in the same district. But, this would require vastly different data than what I have gathered.

That said, school enrollment and quality plays a major role in individual decisions about where to live. So while I do not analyze the politics of school districts, my argument attempts to take school dynamics into account when analyzing the impetus for segregation. For instance, I use federal desegregation orders to study how segregation changed in the post-war period.

Data Hurdles

The data that I use to reveal the patterns described above differs in important ways from previous research. Most scholars who analyze the determinants of segregation focus either on metropolitan level segregation (e.g. Dreier et al 2004, Jackson 1985) or neighborhood segregation (e.g. Massey and Denton 1993)³²; and on racial segregation (e.g. Charles 2003) or

³² M.J. Fischer (2008), Reardon, Yun and Eitle (2000), C.S. Fischer et al (2004), and Rhode and Strumpf (2003) are notable exceptions. However, none of these authors analyze the political causes or consequences of segregation.

class segregation (e.g. Bischoff and Reardon 2013) – but these types of sorting are intricately linked. Class segregation and racial segregation are correlated, but they are not identical. Determining both the causes and consequences of segregation requires taking these linkages into account. The data that I have collected measure segregation both within and across cities, they account for both race and class divisions, and cover city expenditures on a wide range of services during the entire 20th century. This required the encoding of archival data, the generation of new spatial data using GIS, and the compilation of thousands of digitized observations from the United States Census. The comprehensiveness of the data allows for a more complete picture of the patterns of segregation over time and allows for an analysis of the factors that give rise to this variation.

I find generally, that I am better able to explain the causes and consequences of racial segregation. In part this is because the data for measuring racial segregation are available for a longer time series and at a finer grain of detail than the data for measuring class segregation. But, the historical record is also clear that exclusion of other races has been a more powerful driver of these processes than exclusion of the poor. This is evidenced by the fact that many neighborhoods contain a mixture of homeowners and renters, as well as varied income levels, even when they are dominated by a single racial group. As a result, racial segregation has always been higher than class segregation. However, today, local policies that generate class based exclusion are generally upheld by courts, while race based exclusion is not. Additionally, income inequality has increased in recent decades. As a result, class segregation has risen and will likely continue to rise, even while racial segregation declines.

Throughout my empirical analyses I face profound causal challenges. In some cases my analysis is plagued by reverse causality: do white residents move to the suburbs because the

central city elected a black mayor, or did the moving of white residents make it possible for a black mayor to get elected? In other cases, my analysis suffers from an inability to disentangle selection from treatment: does living in a homogenous white neighborhood make people more conservative or do people with conservative views move to homogenous neighborhoods? In still other cases, my argument would be aided by evidence of strategy on the part of local elites, but none exists: zoning generates greater segregation, but could this have been an unintended consequence?

In each chapter I describe the hurdles presented by the (lack of) data and my strategies for overcoming them. Generally, I seek to build a case for my argument using both detailed qualitative evidence and quantitative evidence from hundreds or even thousands of places. I often draw on the timing of events for evidence of causality and, where I am able I utilize instrumental variables to underscore my findings.

Contributions to Existing Literature

This book contributes to a number of dense literatures including work focused on segregation, public goods, attitudes toward outgroups, and political inequality. Although a great deal has been written on each of these topics, very little research engages more than one of these areas. For instance, Tiebout's (1956) seminal article arguing that consumer-voters pick communities which best satisfy their preferences for public goods ignores the role of race, segregation, and inequality in these choices and is silent about the ways in which public goods packages are developed. Other scholars (Alesina et al 1998) show that diversity drives down collective investment in public goods, but do not consider the ways that geo-spatial arrangements might affect this relationship. Still others have shown that whites' desire for homogeneity has played a role in generating racial segregation between cities and school districts (Reber 2005,

Baum-Snow and Lutz 2011, Boustan 2010). However, these works largely ignore the political mechanisms by which such preferences are realized (e.g. the development of zoning policies).³³

Outside of (excellent) case studies focused on one to two metropolitan areas at a time (Danielson 1976, Hirsch 1983, Sugrue 1996, Kruse 2005, Lassiter 2006, Kraus 2000), to date most of the research analyzing the relationship between segregation and public policy has focused on national level programs like the Federal Housing Administration underwriting guidelines (Jackson 1985) or the Home Owners Loan Corporation neighborhood investment ratings (Hillier 2005).³⁴ With such far reaching effects, the focus on these programs has been well placed, but has tended to obscure considerable subnational variation; and while the case studies offer invaluable historical detail, they are unable to provide evidence of broader patterns of the effect of local policies on segregation. In short, while scholars have documented changing patterns in racial and class segregation, they have not demonstrated the ongoing role of city politics and local service policy in creating segregation and growing inequality. I show how patterns of local service delivery, zoning laws, and other local policies not only mirrored patterns of segregation but also very much drove them – not only in the pre-civil rights era, but also in recent decades.

Although many scholars have suggested that segregation across neighborhoods or between cities and suburbs fosters inequalities in access to public goods (Massey and Denton

³³ Baum-Snow and Lutz analyze the effect of school district desegregation orders on suburbanization. So, while they focus on the effect of a public policy, they are not concerned with policies that intentionally aided segregationist preferences.

³⁴ Important exceptions include Rothwell (2011) who analyzes the effect of low density zoning on metropolitan area racial segregation and Dreier et al (2004) who suggest (although they do not provide direct evidence) that zoning and redevelopment affect economic segregation across cities. Cutler, Glaeser, and Vigdor (1999) find support for a theory of “collective action racism” prior to 1970. They show that housing prices for equivalent quality housing were higher for blacks than for whites implying that whites acted collectively to limit black housing choices. However, the authors do not provide any analysis of the types of collective action in which whites engaged beyond speculating that restrictive covenants and racial zoning may have played a role. Importantly, Cutler et al do not distinguish between collective actions that occur in the public versus private realm.

1993, Burns 1994, Dreier et al 2004), very little research offers systematic evidence of this intuition.³⁵ Other scholars have carefully documented the pernicious effects of segregation on individual level outcomes (Ananat 2011, Cutler and Glaeser 1997), but have not offered a direct link between these outcomes and allocation of public goods. I offer quantitative and qualitative data showing that segregation across both neighborhoods and cities allows governments to disinvest in poor and minority communities and this produces unequal access to public goods. These results help to explain why social mobility is tied to place, as scholars like Sharkey (2013) and Sampson (2012) find, and demonstrate the consequences of public policy and segregation for larger patterns of inequality.

Much of the work investigating the determinants of segregation (both within cities across neighborhoods, and within regions across cities and suburbs) argues or assumes that the important driver of racial segregation is prejudice – that is, attitudinal predispositions toward racial and ethnic minority groups. This is an insufficient account. It is insufficient first because racial segregation has not declined as precipitously as one would predict given dramatic changes in overt expressions of racism. I argue that the institutionalization of prejudice through local public policy makes segregation more rigid. Second, pure prejudice does little to explain the rise of class segregation. I argue that if we understand segregation as a mechanism to protect public goods and property values, increasing class segregation is predictable. Finally, a pure prejudice account leaves unexplored the basis for these predispositions. I argue that beliefs about the acceptability of different demographic groups as neighbors (e.g. what we might take to be pure

³⁵ An important exception is Troesken (2001) who provides direct evidence of the relationship between segregation and public goods inequalities. He shows that cities with racial segregation were more likely to generate unequal access to municipal water and sewer connections in the late 19th and early 20th centuries.

prejudice) were influenced by the distributions of public goods and battles over those distributions decades ago.

Contrary to some scholars' conclusion that the core problems of segregation have been alleviated, I show that segregation persists, that segregation has grown across cities, and that government policies continue to play a central role in perpetuating segregation.³⁶ White, wealthy Americans are still trying to segregate themselves. And local governments still tend to invest more toward whites and the wealthy. I build this argument through seven substantive chapters and a conclusion that considers omissions from the book and forecasts the path forward.

Chapter Summaries

In order to orient the study, in Chapter 1, I provide descriptive information regarding changes in segregation and public goods spending over the course of the 20th century. I offer an overview of patterns that will be linked through the chapters that follow. I begin by providing a broad overview of spending between 1900 and 1940. It reveals that cities increased expenditures on street paving and lighting, refuse collection, sewers, libraries, health, education, public safety, and recreation, and increased revenue from taxes. During this early period, cities became modern service providers.

Next, I explore early patterns of race and class segregation. I show that racial segregation increased dramatically between 1890 and 1940 while class segregation increased marginally. It was in the cities with the largest budgets that segregation increased the most. Then, I turn to analyzing fiscal and segregation patterns between 1970 and 2011. I argue that during this period, white property owners turned to suburbanization as their primary mechanism for protecting

³⁶ Several recent headlines make this claim "Glimpses of a Ghetto-Free Future," "Segregation Continues to Decline in Most U.S. Cities, Census Figures Show," "The End of the Segregated Century: Racial Separation in America's Neighborhoods, 1890-2010."

property values. After 1970 the dominant trend in both race and class segregation was increasing differentiation between cities. During this period, suburban governments grew more intensely than central cities so that by 2011, central cities accounted for a smaller share of total metro area spending than they had in 1970.

In Chapter 2, I provide the first piece of evidence directly linking the patterns described in Chapter 1 by showing that public goods considerations drove efforts to segregate in the early decades of the 20th century. Acting in response to white homeowners and land-oriented businesses, local government policy explicitly sought to exclude people of color from white neighborhoods and poor individuals from wealthy neighborhoods. In empirical analyses I analyze the factors that encouraged the adoption of zoning laws and the role that zoning laws played in the development of race and class segregation. I find that exclusion was most adamantly pursued in cities that had become significant providers of public goods, where property taxes were high (and so, raising property values was attractive), and where political support for Progressive reform was strongest. I supplement this analysis with qualitative evidence that reveals the many factors local governments utilized to promote segregation, including strategies like the siting of segregated public goods such as parks and schools. Finally, this chapter reveals that zoning laws had their intended effect: early zoning adopters segregated more rapidly over the next several decades compared to cities without similar ordinances and zoned cities witnessed greater inequalities in housing values.

Chapter 3 documents the unequal provision of public goods that early segregation allowed. Using historical case study evidence, I show that poor and minority neighborhoods consistently received worse public amenities like road paving, and health clinics. I draw on detailed ward level data from Baltimore, Boston, Chicago, and Philadelphia to show that sewer

extensions were less likely to be built in neighborhoods with higher proportions of African American and renting residents. As a result, inequality in water and sewer access was greater in more segregated places. I show that these inequalities persisted. Using data on all tracts in all cities in the United States, I provide evidence that whites and minorities, and renters and homeowners had differential rates of access to public sewers in more segregated places in 1970, 1980, and 1990. I argue that these inequalities in service provision affected the ways in which white and wealthy residents would come to view poor and minority neighbors. Daria Roithmayr (2014) points out, “we see the strongest evidence of continuing discrimination in housing markets” (p18). This is because the roots of this bias are whites’ conscious and subconscious beliefs about the effect of nonwhite and renter neighbors on property values and the quality of public goods – beliefs that were fostered by government choices at the turn of the 20th century.

Chapter 4 provides evidence of municipal policy effects on segregation in the middle of the 20th Century. By 1940, segregation was entrenched, as were the unequal allocations of public goods. But patterns would change in the post war period. In some places segregation along racial lines increased, while in others it had already begun to decline (as it would everywhere after 1970). Class segregation began a slow ascent and then leveled off. As was the case in the first time period analyzed, local public policy played a role in these patterns. I provide evidence that cities that more vigorously implemented urban renewal programs grew more segregated along both race and class lines. I also show that during the 1960s and 70s, in many cities white homeowners lost the political power needed to police the borders of their neighborhoods and control the distribution of public goods. I argue that such changes made suburban living a more attractive option than living in homogenous neighborhoods within cities.

Between 1970 and 2000, the major change in segregation patterns occurred between cities. That is, neighborhoods became more racially integrated within cities, but whole cities became more racially homogenous. Class segregation across cities also increased during this period. Chapter 5 offers an analysis of the role of local political control in generating these changes. Using demographic and finance data from all metropolitan areas in the United States between 1980 and 2000, I show that larger budgets, higher spending on policing, and minority mayoral victories are associated with more segregation across city lines. Where whites maintained control they were less likely to move to the suburbs. Throughout the postwar period cities and suburbs alike moved away from explicitly racial strategies toward class based tactics, such as large lot zoning and limiting multi-family developments, to ensure segregation. I show that more restrictive zoning by suburban cities increased both race and class segregation. As a result, suburban communities made decisions that profoundly affected non-suburban residents while preventing them from participating in the decision making process. In this context, representative government, policy responsiveness, and political equality became hollow concepts.

In Chapters 6 and 7, I focus on the consequences of segregation for modern politics. In Chapter 6, I analyze the consequences of segregation within cities. Quite ironically given early claims that segregation was the best solution to racial discord, I show that segregation is associated with deep race and class divisions that dominate city politics today. Polarization makes cooperation difficult and, I show that segregated cities have smaller city budgets and spend less on individual categories of expenditure such as roads, policing, parks, and sewers. Underinvestment means that city services do not operate well. Focusing on one measurable area

of public goods provision, I demonstrate that sewer overflows are more frequent in segregated cities.

In Chapter 7, I focus on the effects of segregation for national level politics. I draw on case study and large-n evidence to show that the integration of public spaces and residential areas encouraged whites and the wealthy to move to the suburbs during the postwar period, which allowed for more control over political decisions and the distribution of public goods. Then, I draw on restricted-access General Social Survey data geo-coded to 1970 Census tracts to show that residents who live in neighborhoods that were whiter than the metropolitan area as a whole in 1970 are much more conservative than those who live in more integrated places. I argue that this conservatism is rooted in the battles over integration that occurred in earlier decades.

In the conclusion of the book, I pull the many pieces of evidence presented previously into a single framework and discuss what the future holds. I reiterate my main claim: local governments pursue segregation at the behest of politically powerful interests. This allows politicians to target public goods towards some residents and away from others, resulting in differential access to public goods. Segregation generates unequal political outcomes which in turn, reinforces segregation. By linking neighborhood level segregation to suburbanization, I suggest that preferences for separation have changed in form, but not intent over time. Going forward we can expect additional change. Rather than seeking residential segregation, some individuals will choose to leave the public realm altogether – relying more heavily on private provision of services like education, policing, and park space. We have some evidence that privatization has increased even as many cities have become more integrated. The drive to protect property values, ensure good schools for children, and safe streets for families has

remained a powerful force. In the final section of this concluding chapter I consider some potential policy solutions to these seemingly intractable problems. I suggest that the most promising path forward is to utilize lessons from school finance reform (e.g. Lafortune, Rothstein, and Schanzenbach 2015) to guide state governments' approach to producing more equal access to a range of local public goods.

Chapter 1: Segregation and Public Goods over the 20th century

At the turn of the 20th Century, cities in the United States experienced intense demographic change. The first waves of African American migrants left the South for Northern communities, and immigrants from Europe streamed across the borders until the onset of World War I and the implementation of restrictive immigration laws. By the middle of the Century, the spatial distribution of residents was markedly different than it had been 50 years prior; and patterns would change again over the ensuing 50 years. Until the onset of the Great Depression, expenditures by local governments also grew rapidly. It was during this period that the foundation for modern urban politics was laid across the nation. This growth in municipal spending continued unabated for the next 100 years, but it was uneven, favoring suburbs at the expense of cities. This chapter charts and links changes in both demographics and service provision in metropolitan America.

I begin with a presentation of data on the growth of expenditures during the first four decades of the 20th century. I analyze demographic correlates of this growth, showing that homeownership, wealth, diversity, and density were all associated with expanding municipal governments. This, I argue, explains why white homeowners and land-oriented businesses pursued residential segregation: to protect property values and capture public goods. Next, I present the changing patterns of race and class segregation for these early decades. I show that cities with greater spending became more segregated. I then turn to an analysis of spending and segregation between 1970 and 2010, concentrating on the effects of suburbanization. I provide evidence showing that the level at which segregation occurred shifted during this time. While neighborhoods within cities became less segregated, cities started to look increasingly different

from one another. As the next several chapters will reveal, the changing level of segregation has had significant implications for the allocation of resources.

The Rise of Urban America

In the year 1800, only 5% of the population of the United States lived in cities and approximately 90% of the workforce was tied to agriculture. For the next half century, this figure inched modestly upwards, so that by 1850, 15% of population lived in urban areas.³⁷ After the end of the Civil War, the pace of urbanization (and industrialization) increased dramatically. By 1900, the nation was 40% urban and in 1920, the Census reported a majority urban nation for the first time. This trend continued; today the nation is approximately 80% urban.

As industrialization advanced, massive demographic shifts accompanied the economic changes. Cities began to fill with migrants and immigrants seeking work in the new factories and service sectors. During this period, most workers commuted to their jobs by foot, limiting the distance residential neighborhoods could be located from places of employment. The result was massive overcrowding – in some cities as early as the first decades of the 1800s. Housing and sanitary capacities became overextended; epidemics and conflagrations were rampant.

O'Connor (1984) offers a vivid description of early 19th century Boston:

Within the heart of the old city...things had deteriorated badly over the years...Its meandering streets...were hedged in by four and five-story houses that blocked out the sunlight. Pedestrians were in constant danger of being knocked down by stagecoaches, or bowled over by droves of pigs being hustled to market....[An] abominable stench rose above it all. Not merely the oily fish smells from the docks, the briny tang of salt water, or the sickish odor of the mudflats at low tide. This was the repulsive reek of

³⁷ The Census determines whether a particular geographical area is urban based on population size and density. Rural territory is any area that is not urban. Starting in 1900, the Census has defined urban areas as all places with at least 2,500 residents. From 1910-1950, urban areas only included incorporated places (e.g. cities) that met the size threshold. In more recent decades, the determination has been a combination of size and density; urban areas contain at least 2,500 people have a density threshold of at least 1,000 people per square mile.

uncontrolled street refuse and untended garbage. To make matters worse, the city's sewerage system emptied out into the Town Dock... (p80).

Despite the clear benefits of moving away from the center of town, the nature of transportation and the needs of industry meant that even while they grew larger and more diverse, cities in the 1800s experienced low levels of segregation along race and class lines. At this time, the population of urban blacks was heavily concentrated in Southern cities. My dataset includes demographics for 296 cities from the 1900 Census of Population and Housing. These cities housed about 1.2 million black residents; approximately 64% of whom lived in the South. In an early analysis of *The Negro Ghetto* (1948) Robert Weaver explained, "in the cities of the Old South, like Charleston and New Orleans...most of the dwellings occupied by Negroes were either servants' quarters in the rear of the better houses or shacks on streets where low-income groups of whites also lived," (p8). In the north, Weaver says blacks "usually lived in clusters in racially mixed neighborhoods," (p9-10). However, detailed research on New York and Chicago by Logan et al (2015) reveals that although northern blacks did not live in "*predominately* black neighborhoods", they did live in "*disproportionately* black...neighborhoods," (p1062). What this means, is that while neighborhoods were mixed in the aggregate (thereby generating low measures of segregation), the housing available to blacks and other racial minorities in urban areas, was nonetheless heavily restricted from the start. Yet, because political representation is frequently defined at the neighborhood level, with low levels of neighborhood segregation, blacks and other minorities were likely to benefit from public goods provided to white homeowners.

Until about 1930, "state and local governments were *the* governments of most Americans" (McDonald and Ward 1984, p14). This was especially true with respect to fiscal

affairs. To the extent that *any* government would have addressed the negative externalities associated with rapid urbanization, it would have been viewed as the responsibility of the city (and their parent states). Yet, throughout the first half of the 19th century, city governments were fairly limited in scope. The economies of early cities were largely commercial, and a dedication to privatism and the market generally dictated political affairs (Monkkonen 1988, Warner 1968, McDonald 1986). A large and meddlesome government was something to be suspicious of and few cities provided extensive public services. Government was run by (and services were often partially funded by) the wealthy – typically merchants. As Bridges (1984) explains of New York City in 1830s, “it is impossible to determine where government began and noblesse oblige (and the church) ended” (p72).

In most instances, services were handled by volunteers (e.g. fire brigades) or part-time, municipally funded workers (e.g. night watchmen); and while city budgets provided contributions toward these services, city responsibilities were largely focused on regulating access to urban activities (like city markets). But by the end of the 19th century, city governments began to adopt a new orientation toward public goods provision and city leadership began to shift away from wealthy merchants and toward career politicians. As a result, services came to be increasingly funded by city budgets, not charitable contributions. Monkkonen (1988) argues that city goals had been broadened by the 1890s to include:

Protecting private property (firefighting); suppressing crime; controlling behavior in public areas; building and maintaining streets and sewerage systems; aiding the poor, schooling children and sometimes adults; funding public libraries; providing recreation and entertainment; supporting a minimal level of health; temporarily assisting all persons incapable of caring for themselves...; enforcing public morality; expending direct financial aid to private capital...; and constructing not-for-profit public buildings in which to house these activities (p218).

Historians do not agree on what caused the transition from the regulatory approach of antebellum governments to what Monkkenen calls the “service city” by the late 1800s. Yet, with one exception (Brown and Halaby 1984), scholars have not analyzed this development quantitatively in more than a handful of cities. Simply put, we lack systematic, quantitative knowledge of the factors that affected the development and expansion of city government at the turn of the 20th century when significant variation was present. In 1902, for example, the median per capita expenditure of local governments in cities over the size of 25,000 (n=160) was about \$11, but the standard deviation was more than a third of that amount (\$4). Some cities spent very little providing services for residents, others, a great deal. If city governments were once limited and weak, why did some choose to begin providing services for residents while others lagged behind?

The dominant paradigm is to understand the growth of city government as the necessary response to the negative externalities of increased population growth and density such as pollution, congestion, conflagration, crime, and disease (see for example Griffith 1927, Still 1948, Glaab and Brown 1967, Chudacoff 1975, Anderson 1977, Troesken 2004). Scholars have generally recognized that the capacity to fund such developments through taxation and debt varied widely across cities (Dilworth 2005, Cutler and Miller 2006, Monkkenen 1988).³⁸

Some scholars argue that managing racial and ethnic diversity in growing, compact cities was an essential driver of the development of municipal government. In an analysis of city relief spending in 1929, Cybelle Fox (2012) argues that native-born Americans and social welfare workers sought to Americanize foreign-born populations by drawing them into the reach of government. Tebeau (2003) shows that the development and expansion of fire services was an

³⁸ Research indicates that prior to the advent of the municipal bond market, cities were largely unable to invest in large infrastructural development.

attempt to confiscate power from ethnic fire brigades, ensuring that firemen would be loyal to the city and not to their group. Similarly, Monkkonen (1988) argues that spending was a mechanism to manage conflict. As cities grew, he says, the bureaucracy of municipal government was invoked to manage conflict and Americanize newcomers as a substitute for small town interactions. In support of this thesis, Brown and Halaby (1984) find a substantial, positive relationship between expenditures and percent foreign born. But contrary to these arguments, Goldin and Katz (2008) show that community *homogeneity* was key in the expansion of free public schooling. A large literature linking diversity and limited public goods provision underscores this finding (Alesina et al. 1999, Poterba 1997, Vigdor 2004, Hopkins 2009, Habyarimana et al. 2007, 2009, Miguel and Gugerty 2005, Miguel 2004, Algan et al. 2011, Fearon and Laitin 1996). This leaves no clear prediction regarding the direction of the relationship between diversity and spending.

Several accounts emphasize demands made by emerging middle-class residents (Yearly 1970), as views regarding what it was the duty of government to provide evolved (Myrdal 1944). McDonald (1986) suggests that property owners in particular wanted good public services which led to high spending through debt. Others highlight the demands of newly minted professionals engaged in the private provision of services, who would benefit from public funding. Teachers pushed for public education; fire fighters pushed for fire forces (Katznelson and Weir 1985, Tebeau 2003). Along these same lines, Monkkonen (1988) highlights the growing role of planners, real estate developers, and professional bureaucrats who helped to build the Progressive reform movement (see also Hays 1964, Bridges 1997, Tretter 2012 on Progressivism and growth).

City Spending Data

To provide a description of historical expenditure patterns, I use a new dataset built from a number of government sources that includes data from the turn of the century to the Second World War. Starting from 1902, the Bureau of the Census has been responsible for collecting data on the finances of local governments. With a few exceptions, the data have been collected annually for cities that meet a particular population threshold (which has varied over time). The Federal Reserve Archive (<http://fraser.stlouisfed.org/>) has digitized copies of the paper Census reports up until the year 1941, and I encoded a series of relevant variables from these digital reports at five year intervals.³⁹ Thus, I have fiscal data from 1902, 1907, 1912, 1917, 1923,⁴⁰ 1927, 1932, and 1937, as well as other governmental data from a number of early special Census reports.⁴¹ I encoded socioeconomic data from the Census of Population and Housing in 1900, 1910, 1920, 1930, and 1940. In order to be able to analyze the diversity of the population, I gathered data on the country of origin for all of the foreign born residents in each city. Details on the coding of foreign born groups are included in the appendix. Linear interpolation was used to create intercensal estimates for all of the socioeconomic variables. In my largest sample, I have a total of 1,397 city-year observations, which includes data from 262 cities.

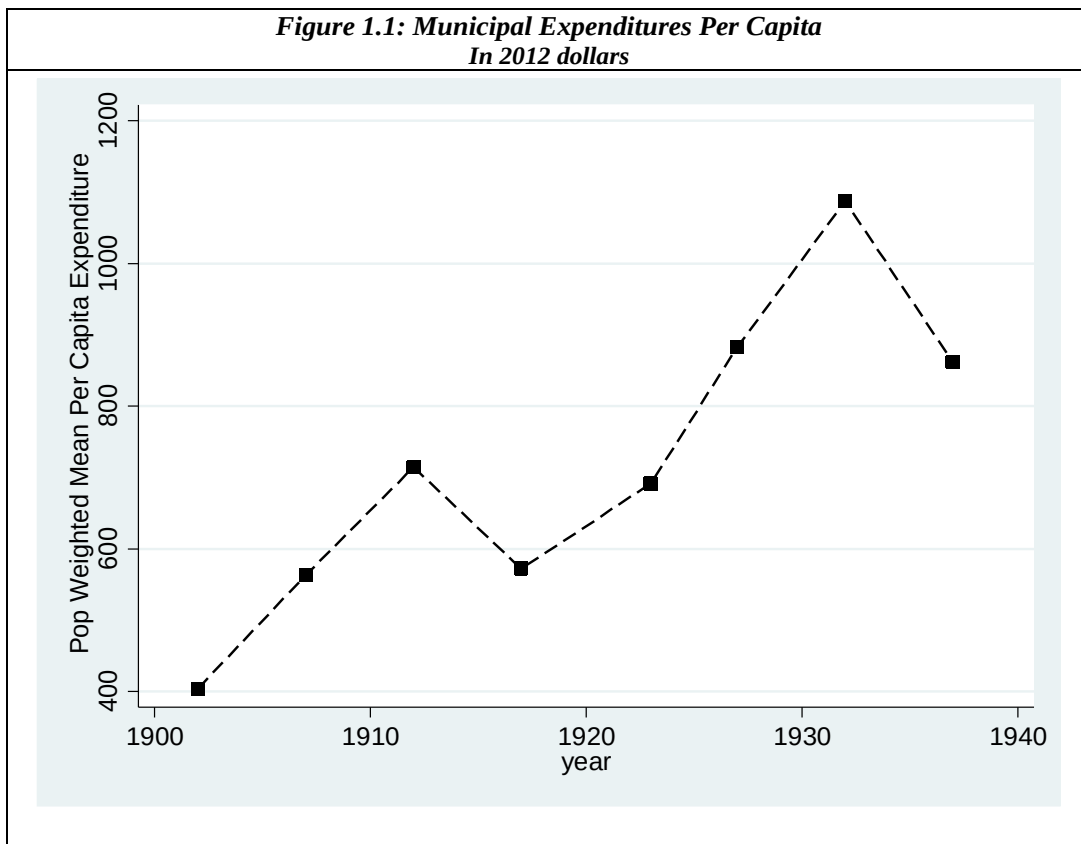
³⁹ The five year interval was selected to match the interval that the Census of Government used starting in 1952. From 1902-1903, the report was entitled "Statistics of Cities Having a Population of over 25,000." From 1904-1908, it was entitled "Statistics of Cities Having a Population of over 30,000." From 1909-1931, it was entitled "Financial Statistics of Cities Having a Population of over 30,000." From 1932-1941, it was entitled "Financial Statistics of Cities Having a Population of over 100,000." Collection of data on local governments was spotty between 1942 and 1952. The Census resumed regular collection of data at five year intervals starting in 1952.

⁴⁰ The report produced in 1922 was limited to very basic data and lacked many of the variables of interest. The 1923 report was used instead.

⁴¹ These include the General Statistics of Cities: 1909: Including Statistics of Sewers and Sewage Disposal, Refuse Collection and Disposal, Street Cleaning, Dust Prevention, Highways, and the General Highway Service of Cities Having a Population of Over 30,000; Municipal Electric Fire-Alarm and Police-Patrol Signaling Systems: 1912; General Statistics of Cities: 1915: Including Statistics of Governmental Organizations, Police Departments, Liquor Traffic, and Municipally Owned Water Supply Systems, in Cities Having a Population of Over 30,000; General Statistics of Cities: 1916: Including Statistics of Parks, Playgrounds, Museums and Art Galleries, Zoological Collections, Music and Entertainments, Swimming Pools and Bathing Beaches, and Other Features of the Recreation Service.

I begin with an analysis of total *Per Capita City Expenditure* as the dependent variable.⁴²

All data are shown in real (2012) dollars to make comparison to the modern period more straightforward. As Figure 1.1 shows, development of municipal budgets was rapid over this time period. The graph displays the population-weighted mean of per capita total expenditure, plotted against time for all cities that had more than 30,000 residents in 1902. Tables 1.1 and 1.2 show inflation adjusted (but unweighted) mean per capita spending and revenue on various categories over the same time period.



⁴² This measure includes all general expenses, expenditures on interest, and outlays for the municipal corporation.

Table 1.1: Municipal Budgets in the Early 20th Century
Per capita expenditures in 2012 dollars

year	Expenditure	General Expenditure	Outlays	Revenue	Taxes	Subventions
1902	\$313.0		\$ 114.2	\$425.5	\$269.3	\$20.6
1907	\$409.7	\$279.2	\$174.0	\$418.6	\$285.6	\$24.4
1912	\$562.0	\$323.0	\$207.9	\$541.7	\$364.9	\$27.3
1917	\$456.7	\$274.7	\$168.0	\$408.8	\$314.6	\$22.1
1923	\$587.0	\$393.9	\$205.2	\$491.5	\$431.2	\$29.2
1927	\$700.7	\$460.9	\$247.3	\$586.7	\$521.9	\$32.2
1932	\$868.7	\$700.3	\$173.3	\$807.4	\$710.8	\$65.0
1937	\$670.9	\$682.2	\$115.5	\$704.0	\$643.9	\$126.9

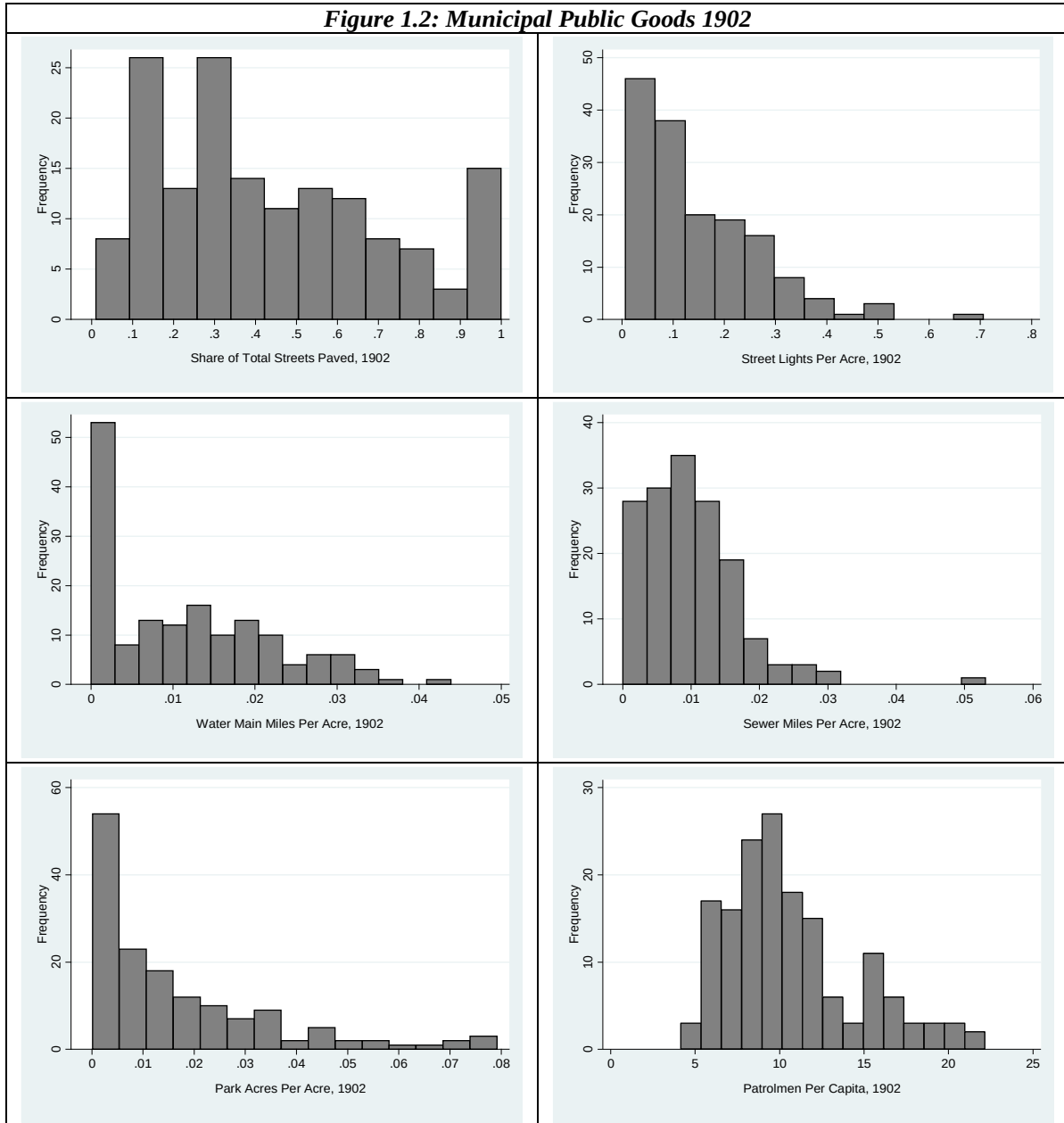
Table 1.2: Municipal Spending in the Early 20th Century
Per capita expenditures in 2012 dollars

Year	Inspections	Refuse Collection	Sewers	Libraries	Police	Fire	Health	Highways	Recreation	Schools
1902	\$1.3	\$4.6	\$3.7	\$3.0	\$28.9	\$31.1	\$4.8	\$43.2	\$6.5	\$84.4
1907	\$1.4	\$6.7	\$4.6	\$4.4	\$31.4	\$35.4	\$4.6	\$38.7	\$7.3	\$96.0
1912	\$2.2	\$19.6	\$5.0	\$5.1	\$33.3	\$37.9	\$6.2	\$42.2	\$10.1	\$107.7
1917	\$1.9	\$16.1	\$3.8	\$4.0	\$27.0	\$29.2	\$6.3	\$32.6	\$8.9	\$97.5
1923	\$2.4	\$11.9	\$5.1	\$5.6	\$36.1	\$39.8	\$9.0	\$39.0	\$11.9	\$161.8
1927	\$3.0	\$14.1	\$5.9	\$6.7	\$43.6	\$45.2	\$11.2	\$43.4	\$13.1	\$202.3
1932	\$3.9	\$18.7	\$7.7	\$10.7	\$63.2	\$57.2	\$17.7	\$51.6	\$22.3	\$257.5
1937	\$3.4	\$16.1	\$7.9	\$10.7	\$60.3	\$53.5	\$11.5	\$43.4	\$21.2	\$233.0

The figure and tables reveal that during this period, city expenditures grew across the board. In every category, from sanitation to safety, from health to highways, American cities became modern service providers. Spending slid back during the time of the First World War and the Great Depression, but otherwise followed a steep upward trajectory. Over the next 70 years, growth continued. In 2012, per capita spending was literally 10 times what it had been in 1902. Yet, even at the start of the period, growth was uneven.

Figure 1.2 shows histograms of a number of different public goods that were provided by cities in 1902, including the share of total street miles that were paved, the number of street lights per acre, water main miles per acre, sewer miles per acre, park acres per acre, and

patrolmen per capita. All of the distributions are widely spread. Clearly, significant variation existed.



To analyze the correlates of expenditure, I regress the natural log of inflation adjusted *Expenditures Per Capita* on several variables intended to capture explanations offered in the historical literature. Many scholars have argued that cities responded to pressing needs as they arose. For instance, Glaab and Brown (1967) argue that industrialization and population growth generated demands that were fulfilled by city government. While my dependent variable is measured as per capita spending, it is still possible that large and/or dense cities may have required higher levels of spending (if, for example, fires or diseases were more likely to spread in such places). Monkkonen (1988) argues that the need for social control through bureaucratization was greatest in large cities. Alternatively, large cities may have benefitted from returns to scale, and therefore may have been able to provide services for a lower cost. To test for these possibilities, I include a measure of the *Total Population* (logged) and *Density* (total population divided by total acres).

The analyses also include two different measures of diversity. The first is the share of all residents that were classified as *Nonwhite* by the Census of Population and Housing. During this period, racial categorization was in flux (Roediger 2005) and the determination of race was made by Census takers (Nobles 2000). However, generally speaking, the *Nonwhite* category included Blacks, Asians and Asian Americans, Native Americans, and sometimes Mexican/Latin Americans. Persons of mixed race were typically identified as nonwhite.

The second measure of diversity is a Herfindahl Index:

$$Diversity = 1 - \sum_{f=1}^F \pi_f^2$$

where, π_f is the population share of the foreign-born group f and F is the total number of foreign-born groups. There were 52 different foreign-born groups recorded by the Census during this

period (listed in the appendix), and the resulting diversity index ranges from a low of 0.23 to 0.94, with a mean of 0.84.⁴³ This illustrates that the foreign-born population in the United States was extremely diverse.

As explained above, property owners were among the most supportive of investing in new services (McDonald 1986). However, scholars also report a general tendency among the populace to rail against high taxes and profligate spending of city governments in the late 19th and early 20th centuries (Bridges 1984). According to Monkkonen (1988), this belief was particularly pronounced among property owners. To investigate the role of support for spending among owners, I include the proportion of housing units occupied by *Home Owners*. To measure the wealth of the community I include the *Assessed Value* of all property in the city. McDonald (1986) provides compelling evidence that this measure accurately captures the level of economic development in the city – which should correlate positively with ability to fund city services.⁴⁴ Finally, to capture the argument that the development of city services was driven by the emerging professional class (including land developers and planners), I add the share of adults employed as *Professionals*.⁴⁵ Because I have missing data on a number of variables, I begin with a presentation of the results using only density and population as independent variables. I then add the remaining variables iteratively. Summary statistics for all variables are in appendix Table A1.1.

⁴³ Making these categories comparable across censuses required some recoding. For instance, in 1930 and 1940, Irish immigrants were separated by Northern and Southern Ireland. I combined these categories to make the data comparable to the 1900, 1910, and 1920 censuses, which included only one category for Ireland.

⁴⁴ However, McDonald (1986) finds that when assessed value rose in San Francisco, politicians tended to lower tax rates, perhaps resulting in little difference in expenditure.

⁴⁵ The other occupational categories coded by the Census during this period were trade, manufacturing, domestic work, and agriculture. In 1900, the category professionals included actors, architects, artists, clergymen, dentists, electricians, engineers and surveyors, journalists, lawyers, literary and scientific persons, musicians, government officials, physicians, teachers, and other professionals.

These variables are admittedly insufficient to capture all of the important differences across cities during this period. So, rather than attempt to explain variation across cities, I pursue a more modest goal – to describe variation within cities over time. To do so requires that I use a city fixed effects model for the analysis. This strategy overwhelms much of the variation present in the data, but it allows for a more precise estimate of the effect of each of these contextual variables on spending. Table 1.3 presents the results.

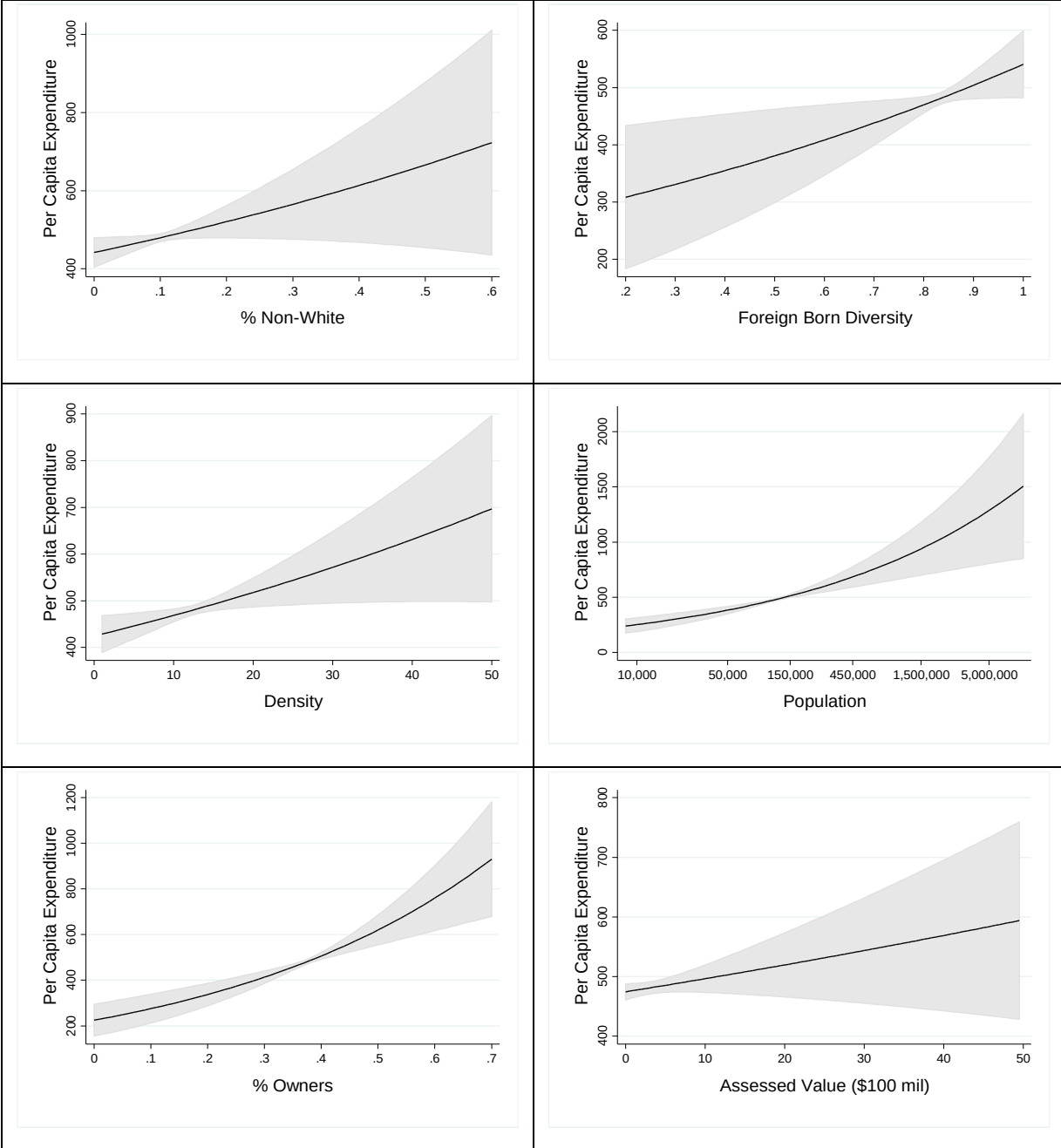
Table 1.3: Factors Affecting City Wide Expenditure

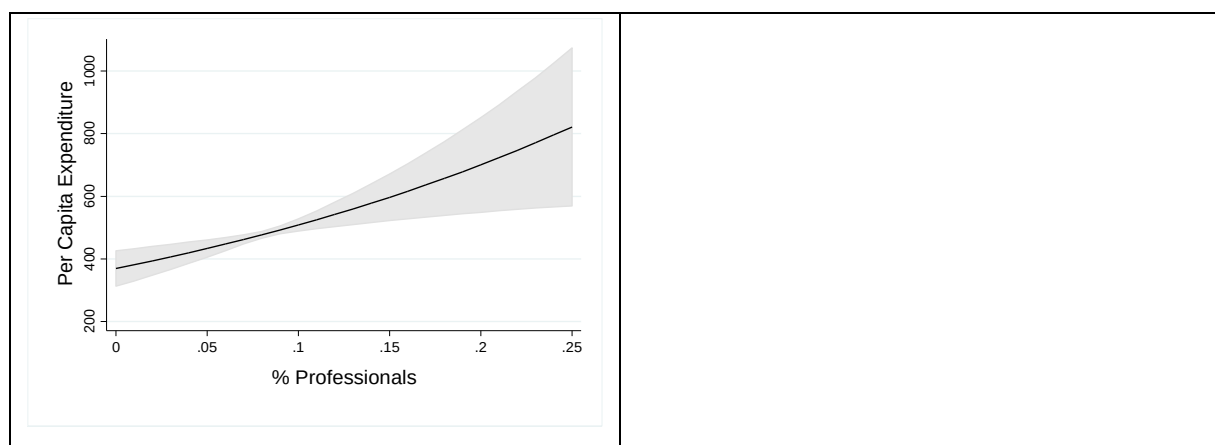
Logged Per Capita Expenditure									
	β	Std. Err	P> t	β	Std. Err	P> t	β	Std. Err	P> t
Population (log)	0.520	0.037	0.000	0.329	0.047	0.000	0.263	0.051	0.000
Density	0.016	0.004	0.000	0.013	0.004	0.001	0.01	0.004	0.011
% Nonwhite				0.838	0.412	0.042	0.821	0.409	0.045
Foreign Born Diversity				0.893	0.322	0.006	0.702	0.326	0.031
Assessed Value (\$100 mill)				0.005	0.003	0.104	0.005	0.003	0.138
% Home Owners				2.672	0.385	0.000	2.030	0.423	0.000
% Professionals							3.197	0.934	0.001
Constant	0.045	0.421	0.961	0.332	0.481	0.49	1.275	0.559	0.023
N	1,397			1051			1040		
Number of Cities	262			173			169		
R ² within	0.175			0.301			0.315		
R ² between	0.064			0.077			0.112		
ρ	0.681			0.606			0.567		

Note: Fixed effect for cities included, but not presented

The regression reveals that the factors identified by historical research *do* correlate with expenditures. Cities that were more diverse (either having more nonwhite residents or a diverse foreign-born population from many different places) spent more money. Those places with large, dense populations witnessed higher spending per resident. In an alternate analysis, I add the number of fires per capita that the city experienced in 1902 and 1907. This variable is powerful. Increasing from the 25th to the 75th percentile (from 3 to 5 fires per 1000 people each year), increased spending by \$50 per resident. Cities were clearly responding to the negative externalities associated with urbanization. Finally, cities with more capacity and demand (higher property values, more homeowners, and more professionals) also had larger budgets. These results are shown graphically in Figure 1.4. Figures show the marginal effect of each independent variable, holding all other variables at their mean value.

Figure 1.4: Factors Related to Expenditure in Cities, 1902-1937





In this book, I argue that white, homeowners sought to institutionalize the residential segregation of poor and minority residents in order to protect their property values and control the distribution of public goods. They were supported in this pursuit by land-oriented businesses. The pattern of relationships presented in Table 1.1 and Figure 1.4 begin to explain this impetus – particularly the positive correlation between property ownership, assessed value, percent professionals, and municipal expenditures. Holding all other variables at their means, a city that was in the 25th percentile of home-owning, assessed value, and professionals (30% owners, \$43 million in assessed value, 6% professionals) spent about \$378 per resident. A city in the 75th percentile of all three measures (45% owners, \$218 million in assessed value, 10% professionals) spent about \$588 per person.

These relationships were circular. Local service provision was understood to increase the value of property. It was for this reason that the property tax was thought to be the most appropriate avenue for supporting local expenditures, as owners would be able to “recoup at least part of the levies in the form of higher real property worth” (Benson and O’Halloran 1987). Thus, property owners sought high levels of municipal services, which were expected to bring both direct benefits (from having access to clean water, paved streets, reliable fire-fighting, etc.)

and indirect benefits through increases in property values. In turn, cities expected owners to fund public goods. Yet, even in the early 20th century, owners were prone to believing that city governments were wasteful and they often opposed increases in taxes. Residents wanted high quality services, but were loath to pay for them.

Property owners' orientation toward both government and services was related to the emerging understanding of *who* should benefit from publicly-funded improvements (Myrdal 1944). The cities with the fastest growing service provision were also cities with high levels of racial and ethnic diversity. As Tretter (2012) explains, growth in municipal service provision operated “within a framework of white supremacy” (p10). Controlling who accessed the new benefits was of utmost importance. During this period, the vast majority of blacks, Asians, and Latinos lived in places where they lacked the right to vote; and everywhere, foreign-born residents had to be naturalized before participating (Keyssar 2000). Thus, the preferences of these groups hardly played a direct role in formation municipal policy. A white voter living in Birmingham in 1902 could be certain that no matter how much money the local government raised in taxes, black residents would have little say in how that money was spent. The same was true for a San Franciscan thinking about his Chinese neighbors and for an El Paso resident concerned with Mexicans in his city (Myrdal 1944, Chen 2000, Fox 2012). However, most public goods provided by cities were not targetable to individuals.⁴⁶

When municipal governments provide streetlights and sewers, even those ineligible to vote benefit from these services. But, residential segregation could limit equality of access. Segregation made targeting services – at least to groups, if not individuals – easier. As will be

⁴⁶ Municipal jobs, particularly when distributed as patronage, are an exception to this statement. However, despite early accounts to the contrary, the presence of political machines actually depressed spending (Trownstine 2008, Fox 2010, Brown and Halaby 1984). Thus, it appears to be the case that growth in municipal governments has never really been driven by the logic of patronage.

shown in detail in the chapters to come, segregation allowed city governments to collect taxes from poor and minority residents, but underprovide services to them – thereby holding down the total tax bill. Oates (1981) explains that for many important local services such as education and public safety, the characteristics of residents are more important in determining the quality of the public good output than budgetary contributions. Thus, the generation of race and class segregation via policy enacted by local governments (such as zoning or urban renewal), was, in and of itself, a mechanism to improve municipal service provision. Segregation also ensured that the presence of poor and minority neighbors would not threaten property values. As the chapters ahead will show, it was in those places where city spending was high that segregation was institutionalized through local public policy; such institutionalization was pursued most adamantly by white owners and developers of property.

Explaining and Measuring Segregation

The high level of residential segregation in America has been tremendously well-documented (see Charles 2003, Ross 2008, and Boustan 2012 for extensive literature reviews). A smaller, though still well-developed, body of literature is focused on class segregation (see Bischoff and Reardon 2013 and Jargowsky 1996 for reviews). The debate over the fundamental causes of segregation is extensive and nuanced. Scholars have focused on two primary explanations: individual preferences for same race/income neighbors (particularly among whites and the wealthy) and market explanations (e.g. differences in the socioeconomic status of different racial groups and the ability to pay for quality housing/transportation among the poor).

Research on racial segregation largely concludes that the driving force behind residential separation is white preferences for same race neighbors (Cutler et al. 1999, Bayer, Ferreira, and

McMillan 2007, Charles 2006).⁴⁷ Boustan (2010) finds that in northern metropolitan areas, between 1940 and 1970, every black arrival from the South was associated with 2.7 white departures to the suburbs. Several scholars show that differences in socioeconomic characteristics such as education, income, wealth, and family structure cannot fully account for segregated living patterns for blacks, but *does* explain a fair amount of the segregation of Latinos and Asians (Bayer et al. 2004, Erbe 1975, Massey and Denton 1987 and 1993, Iceland and Wilkes 2006). Logan summarizes by explaining that racial segregation for blacks is due to the inability to “translate higher income...into residential mobility” (Logan 2011 p15).

Several scholars find that income inequality is an important driver of economic segregation (Bischoff and Reardon 2013, Watson 2009). Others concentrate on selection. Alesina et al. (2004) show that people are willing to give up economies of scale in order to avoid being in a jurisdiction with significant income heterogeneity and Bayer, Ferreira, and McMillan (2007) reveal that households self-segregate on the basis of education.

The links between race and class segregation also form a considerable literature. Some scholars like Denton and Massey (1991), Krysan et al. (2008), and Emerson, Chai, and Yancey (2001) find that whites avoid black neighbors *because* they are black, while others like Ellen (2000), Yinger (1997), Taub et al. (1984), and Harris (1999) argue that whites use black neighbors as a proxy for neighborhood quality. That is, whites do not avoid black neighbors *per se*, but rather choose what they perceive to be better neighborhood amenities or neighbor characteristics like wealth.

With only a handful of exceptions (e.g. Rothwell 2011, Pendall 2000), quantitative research on the causes of segregation ignores the political context in which it occurs. Local

⁴⁷ A small amount of scholarship shows that black preferences for same race neighbors contributes to segregation (Bayer, Ferreira, and McMillan 2007, Fossett 2006)

policies and political battles are crucial for understanding *how* white/wealthy preferences for homogeneity and socioeconomic inequalities are translated into residential patterns. To be sure, scholars have extensively documented the *private* mechanisms by which these factors affect segregation (e.g. via racial steering, mortgage discrimination, and willingness to pay for homogenous neighborhoods). But even private mechanisms may be shaped by local policies and political concerns. For example, I argue that white beliefs about available amenities in poor and minority neighborhoods are, in part, the product of under provision of public goods early in the 20th century. Cutler et al. (1999) find that these beliefs contribute to whites' willingness to pay higher housing prices in whiter neighborhoods. In the next section, I provide the first piece of evidence for this argument. Segregation is correlated with city expenditures – places that provide more services are also more segregated.

There are many different ways to measure segregation (e.g. the degree to which groups are disproportionately distributed across geographic space). Indices of segregation are typically correlated with each other, but capture different theoretical dimensions of separation and so, measure different things (Massey and Denton 1988). The two most commonly used measures are the index of dissimilarity and the index of isolation which can be intuitively interpreted respectively as the proportion of a racial group that would need to move neighborhoods in order to generate an even racial distribution given the racial makeup of the larger community, and the racial makeup of the neighborhood in which the typical member of the racial group lives. While these are obviously meaningful dimensions of segregation, neither measure includes the most relevant information from a political perspective. In politics, what matters is not just how individuals from different racial groups are distributed across neighborhoods, but also how large each racial group is relative to others and how big of an impact each neighborhood might have

on the vote. That is, we need a measure that weights diversity by group size and weights evenness by population size. The H index developed by Theil (1972) meets these criteria.

Theil's H Index measures the difference between the diversity of the city and the weighted average diversity of individual neighborhoods. Diversity scores for each neighborhood and the city as a whole are influenced by the relative size of racial groups, while the overall index is influenced by the relative size of each neighborhood, giving more weight to larger than to smaller places. Both types of weighting are key to understanding the political implications of segregation. We should expect the effect of segregation to be most pronounced when minority groups are unevenly dispersed across geographic units *and* represent a substantial share of the population.

Theil's H has a number of other useful qualities. Importantly, for understanding city politics, Theil's H can be calculated for more than two groups at a time (unlike either the dissimilarity or isolation indices). Additionally, it is the only index that obeys the principle of transfers in the multi-group case - the index declines when a minority resident (theoretically) moves to a neighborhood with fewer minority residents (Reardon and Firebaugh 2002). Finally, as will be discussed in the next section, Theil's H is additive and can also be aggregated to higher levels or decomposed into its constituent parts.

Theil's H Index is built from Theil's entropy score which is a measure of diversity itself

$$E = \sum_{r=1}^R (\pi_r) \ln \frac{1}{\pi_r}$$

where π_r represents the proportion of the population in racial group r (or class group r if the index is measuring class segregation). The higher the entropy score, the more diverse an area

is.⁴⁸ The score ranges between 0 and the natural log of the total number of groups R . It is maximized when individuals are evenly distributed among the different racial groups (e.g. when

$$\pi_r = \frac{1}{R} \text{ for all } r$$

).⁴⁹ Entropy is calculated for each neighborhood individually and for the city as a whole.

The H Index measures the degree to which the diversity in each neighborhood differs from the diversity of the city as a whole, expressed as a fraction of the city's total diversity and weighted by the neighborhood's share of the total population.

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where P represents total population of neighborhood n or city c and E is the entropy of n or c . H varies between 0, where all neighborhoods have the same composition as the entire city, and 1 where all neighborhoods contain only one group.⁵⁰ This H Index serves as a key outcome to be explained throughout the book.

The dataset that I constructed to measure segregation is built from a number of different sources. The calculation of the H Index requires data on population characteristics at the sub-city level. Cutler et al. (1999) digitized sub-city demographics on race and immigration for 178 different cities from the 1890- 1950 Censuses. To this, I add available data that I encoded on homeownership from the 1900 Census and data from the Elizabeth Mullen Bogue files (1975) on

⁴⁸ Where any group's share of the population is 0, the natural log is set to zero, as is the convention in the literature (Iceland 2004).

⁴⁹ A scatterplot relating a white/nonwhite calculation of E to percent white is included in appendix Figure A1.1.

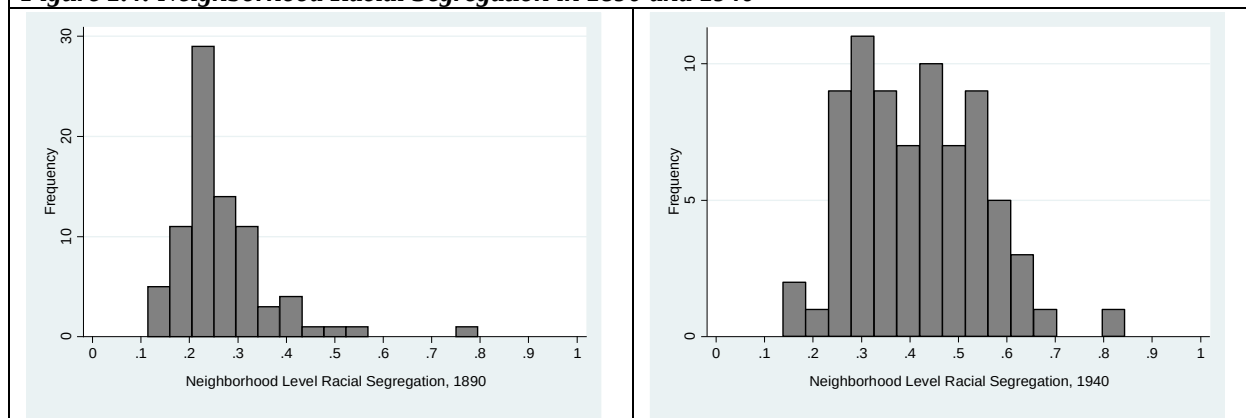
⁵⁰ In all analyses, neighborhoods are represented by Census tracts, which are relatively stable, contiguous geographic areas containing approximately 4,000 people. Most studies of segregation (e.g. Massey and Denton 1993) use Census tracts as a proxy for neighborhood (although this is not without debate, see for instance Logan et al. 2015).

homeownership from the 1940 census.⁵¹ For the 1970-2000 Censuses, I rely on a product developed by GeoLytics called the Neighborhood Change Database (NCDB). The NCDB matches and normalizes Census tract boundaries for each Census year, allowing for direct comparison in demographic changes across time. Finally, I add data from the 2007-2011 American Community Survey. These data allow me to create a panel dataset measuring segregation at the Census-tract level for cities and metropolitan areas for more than 100 years.

Figure 1.4 plots the distribution of racial segregation scores in 1890 and 1940, using data for the 80 cities with populations of at least 25,000 and with at least 1,000 blacks as of the 1890 Census.⁵² In 1890, racial segregation patterns were similar from place to place, and generally fairly moderate – although higher than some historical analyses indicate (Cutler et al. 1999). Both features had changed substantially by 1940.

⁵¹ The data from 1900-1940 are collected at the ward level (political units for electing city council members). Starting in 1940, the Census published tract-level data for some cities. Wards tend to be larger in area than tracts and therefore, suggest a smaller value of the segregation index without actually representing a lower level of segregation. To account for this, I adjust all ward-level estimates by a correction factor calculated using a set of 47 cities that reported both ward and tract-level data in 1940.

⁵² For all figures presented in this chapter, the two groups used to calculate the *H* index are whites and all others for years 1890-1970. For 1980-2011, the groups are non-Hispanic whites and all others. Throughout the book, I calculate the *H* Index by tract-city-county-msa (Metropolitan Statistical Area). This means that cities which cross county lines end up with multiple observations. This is necessary because Census tracts are nested within counties – not cities. When presenting any analysis at the city level, I use the observation representing the largest share of the city population.

Figure 1.4: Neighborhood Racial Segregation in 1890 and 1940

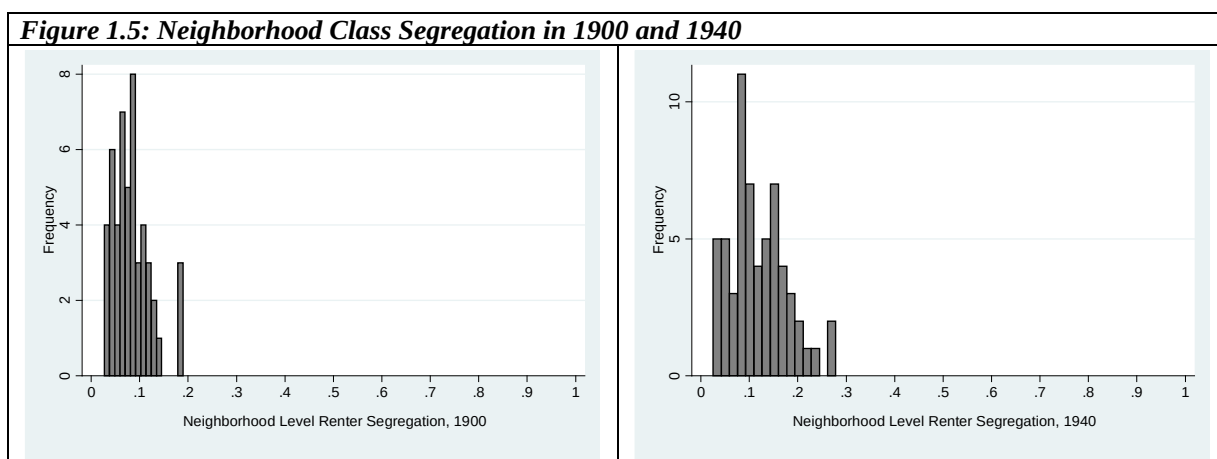
Note: The white/nonwhite H index for 1890 is calculated using wards as the base population unit with an additional correction factor to make the data comparable to tract-level estimates. The H Index for 1940 is calculated at the tract level where available and at the ward level otherwise. Data provided by Cutler et al. (1999) and Bogue (1975).

In all but a handful of cases, neighborhood-level racial segregation rose between 1890 and 1940 – on average rising 0.15, a change of about 65%. But the standard deviation is large at 0.13; some cities segregated much more intensely than others. There are many ways to consider measuring class segregation. Throughout the book I use two measures – the distribution of renters versus homeowners, and the concentration of households in the top income threshold.⁵³ The correlation between owner and wealth segregation is about 0.60. I rely primarily on the former measure for two reasons. First, it is available for the entire time period. More importantly, the existing scholarship indicates that it is property ownership – not wealth – which is the more important driver of local political participation and preferences (Fischel 2000, Oliver and Ha 2007). The downside of this measure is that, at an aggregate level, it is very resistant to

⁵³ The Census reports income categorically, not continuously; wealthy refers to the number of families in each Census tract with incomes above particular thresholds for each Census year. I use family as opposed to household income because the NCDB does not report household income at the tract level. The thresholds were determined by calculating the average family income for all Census tracts in the United States for each Census year. The wealthy threshold represents the income bin with a starting point closest to the 90th percentile of this distribution. The thresholds for each census year are: \$35,000 for 1980, \$75,000 for 1990, \$100,000 for 2000, and \$150,000 for 2011. All families with this amount of income or more are categorized as wealthy. Census tracts range from 0 to 100% wealthy, with a mean of 18%, a median of 13%, and a standard deviation of 16%.

change as the housing stock changes more slowly than demographics. Wealth segregation is a more straightforward measure of the residential divisions along socioeconomic lines, but it is only available starting with the 1970 Census and is less directly affected by city policy.

To demonstrate change over time, Figure 1.5 presents data on the renter/homeowner distribution within cities. This figure reveals that class segregation started off much lower and was more consistent from city to city as compared to racial segregation, and increased a small amount (0.037) between 1900 and 1940.



To determine how segregation correlates with expenditure in the pre-war period, I add to the segregation dataset the measure of *Logged Expenditures Per Capita* described in the previous section. Because segregation data are measured every decade, and expenditures in years ending in 2 and 7, I interpolate spending data. I then lag spending by five years under the assumption that demographic sorting takes time to respond to budgets. I regress *Racial Segregation* and *Renter Segregation* on the lagged *Expenditures* variable. As in the previous section, I add fixed effects for cities. This fixed effect model analyzes the relationship between lagged expenditures and racial segregation over time within cities. This accounts for variation across cities on all other dimensions that might affect segregation and spending.

Table 1.4: Correlations Between Spending and Segregation

	Racial Segregation			Renter Segregation		
	β	Std. Err	P> t	β	Std. Err	P> t
Expend. Per Capita, 5 year lag (logged)	0.100	0.010	0.000	0.026	0.003	0.000
Constant	-0.238	0.059	0.000	-0.052	0.018	0.005
N	368			179		
Number of Cities	118			56		
R ² within	0.292			0.383		
R ² between	0.020			0.010		
ρ	0.802			0.931		

Note: Fixed effect for cities included, but not presented.

The results, presented in Table 1.4, indicate a positive correlation between spending and segregation. The R² suggests that about 30 to 40% of the variation in city segregation levels can be explained by variation in the budget. Places with larger budgets were more segregated five years later compared to cities with smaller budgets up until the Second World War. For a host of reasons, this relationship would change going forward.

Suburbanization – Another Form of Segregation

Teaford (1979) argues that two conflicting forces animated city development in the late 19th and early 20th century. On the one hand, socioeconomic diversity generated an impetus for separation. As early as the mid-1800s, “the urban population was resolving itself into separate geographic spheres – factory zones, ethnic neighborhoods, upper-middle-class retreats, race track havens – and each zone sought local self-government as a means of protecting its own particular interests” (Teaford 1979, p23). This separation, Teaford shows, led to the explosion of newly incorporated municipalities. But, over the course of the next 50 years, many of these tiny new cities consolidated and/or were annexed into larger central cities for one primary reason: the provision of city services. Prior to 1900, suburban governments were simply unable to provide the quality of sewers, clean water, paved streets, uniformed police forces, and fire-fighting that

was available in the central city. As a result, as cities became more diverse, the forces of separation pulled people into different neighborhoods, but not into different cities.

However, in the period following the Second World War, America began to suburbanize rapidly (Rappaport 2005). Scholars have detailed the role that automobile accessibility (Glaeser, Kahn, and Rappaport 2008), highway construction (Nall forthcoming), federal programs encouraging home ownership (Jackson 1985), changes in the building industry, and rising incomes (Margo 1992) played in the growth of suburbs. The vast majority of people who arrived in the bucolic, grassy, neighborhoods filled with single-family homes were whites with incomes slightly (although not dramatically) higher than the median income of the central city (Cutler et al. 1999, Winsberg 1989). By about 1940, many larger suburbs were able to compete with central city service provision, thus increasing the attractiveness among residents, industry, and business to move away from the center. As Teaford (1979) explains, “while the forces encouraging unity were weakening, the forces of separatism and disunion remained powerful” (p84). Thus, in the middle of the century, central cities stopped growing politically and suburbs arose as powerful actors in the metropolitan universe (Teaford 1979, Danielson 1976, Miller 1981, Burns 1994). In 1970, more than half of all metropolitan area populations lived outside of the central city; a figure that would grow to two-thirds over the next 30 years. The rise of suburbs decoupled residential spaces from job spaces, and encouraged suburban residents to prioritize neighborhood amenities and property values in political decision making (Teaford 1979, Fischel 2004).

As they moved outside of the central city, suburbanites sought to protect their investments (high quality public goods and property values) in much the same way as their predecessors had – by institutionalizing segregation through public policies like land use

planning and zoning. Thus, the impetus toward separation in the latter half of the 20th century played out across, rather than within, city lines. The level of segregation is of crucial importance to politics. When cities are not segregated by neighborhood, district representation ensures that all residents within a particular location are likely to be provided similar services. When a district councilor wins a public park for his neighborhood all those who live nearby benefit. As the level of segregation shifts from blocks to neighborhoods, residents are more likely to lose representation. Still though, when segregation occurs across neighborhoods within cities, it is possible for residents of segregated neighborhoods to affect the delivery of municipal services through the political process. If a heavily minority neighborhood lacks a public park, residents from this neighborhood might mobilize to try to elect a mayor or city council member who is responsive to their demands. But when segregation occurs across cities, heavily minority cities have no ability to affect the distribution of public goods from neighboring white towns.

To understand how segregation patterns have changed over time, I compiled a measure of segregation that accounts for segregation both within cities and across them. In order to do this, I build on the measure of segregation presented in the previous section – Thiel's *H* Index. Thiel's *H* is suited to this purpose because it is perfectly additive for nested geographies (Reardon and Firebaugh 2002, C.S. Fischer et al. 2004). In my case, census tracts are nested within cities, and cities are nested within metropolitan areas. Residents can be segregated in two ways – across neighborhoods within cities, or across cities within metropolitan areas. My measure combines these two types of segregation.

As explained above, the *H* Index measures the degree to which the diversity (*E*) of subunits differs from the diversity of a larger unit. For each Census year, I calculate *H* Indices at the two levels that are of interest – within cities and across cities. Respectively, these measure

the extent to which Census tract diversity differs from city diversity (H_{c_t}) and the extent to which city diversity differs from metropolitan area diversity (H_{m_c}).⁵⁴

$$H_{c_t} = \sum_{t=1}^T \frac{P_t}{P_c} \left(\frac{E_c - E_t}{E_c} \right)$$

$$H_{m_c} = \sum_{c=1}^C \frac{P_c}{P_m} \left(\frac{E_m - E_c}{E_m} \right)$$

Where P represents total population of the tract t , city c , or metropolitan area m , and E represents the entropy of the geography ($E = \sum_{r=1}^R (\pi_r) \ln \frac{1}{\pi_r}$).

I combine the two indices to produce a total H Index for the metro area calculated at the tract level, H_{m_t} .

$$H_{m_t} = \sum_{t=1}^T \frac{P_t}{P_m} \left(\frac{E_m - E_t}{E_m} \right) = H_{m_c} + \sum_{c=1}^C \left(\frac{P_c}{P_m} \right) \left(\frac{E_c}{E_m} \right) H_{c_t}$$

To illustrate the two levels of segregation, Figure 1.6 provides images from a map of the population developed by Dustin Cable for the Weldon Cooper Center for Public Service at the University of Virginia. The map includes one dot for each person in the United States as of the 2010 Census, color coded by race (blue for white, green for African American, red for Asian, and orange for Latinos).⁵⁵

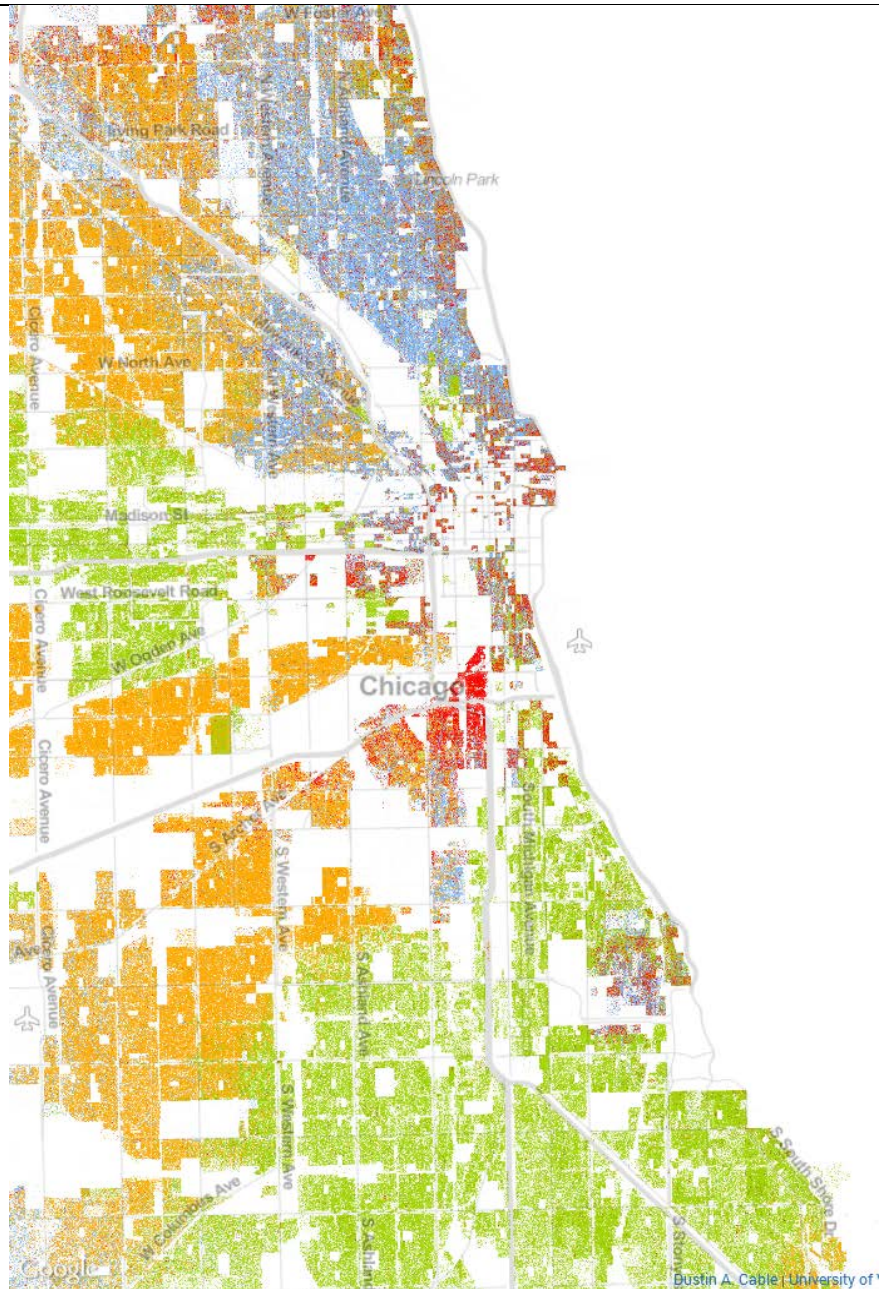
⁵⁴ Census tracts are perfectly nested within states and counties. However, in some cases, tracts cross city lines. In these cases, GeoLytics assigned the tract to the city containing the largest share of the tract population. In 2011, tracts are weighted by the share of population contained in each city. Observations are unique when defined by year, tract, city, county, and metropolitan area. Tracts located in unincorporated areas within a metropolitan area (even if they are denoted as places by the Census) are combined as a single unincorporated unit. Tracts outside of metropolitan areas are not included in the analysis. I use Metropolitan Statistical Areas and where possible, Primary Metropolitan Statistical Areas, as the highest level of aggregation (not Consolidated Metropolitan Statistical Areas which are much larger).

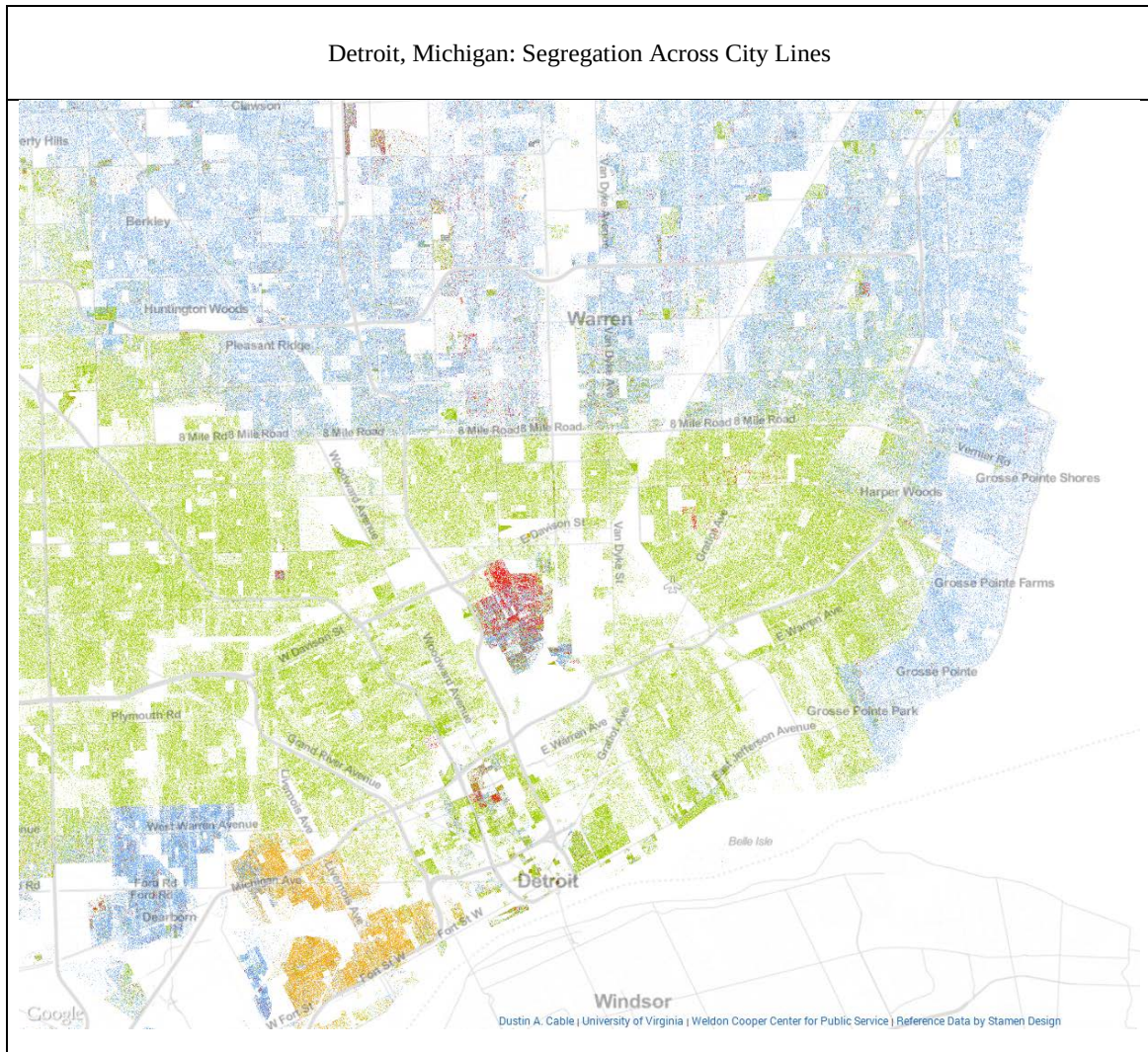
⁵⁵ Available at <http://demographics.coopercenter.org/DotMap/index.html>.

The upper panel shows Chicago, Illinois – a city in which whites are segregated from nonwhites in different neighborhoods (indicating a high amount of segregation across tracts within the city, H_{c-t}). The bottom panel shows a section of the Detroit, Michigan metropolitan area where racial sorting is much more prevalent *across* city lines as opposed to within them (indicating a high value of H_{m-c}).

Figure 1.6: Segregation Within City vs. Across Cities, 2010

Chicago, Illinois: Segregation within a City



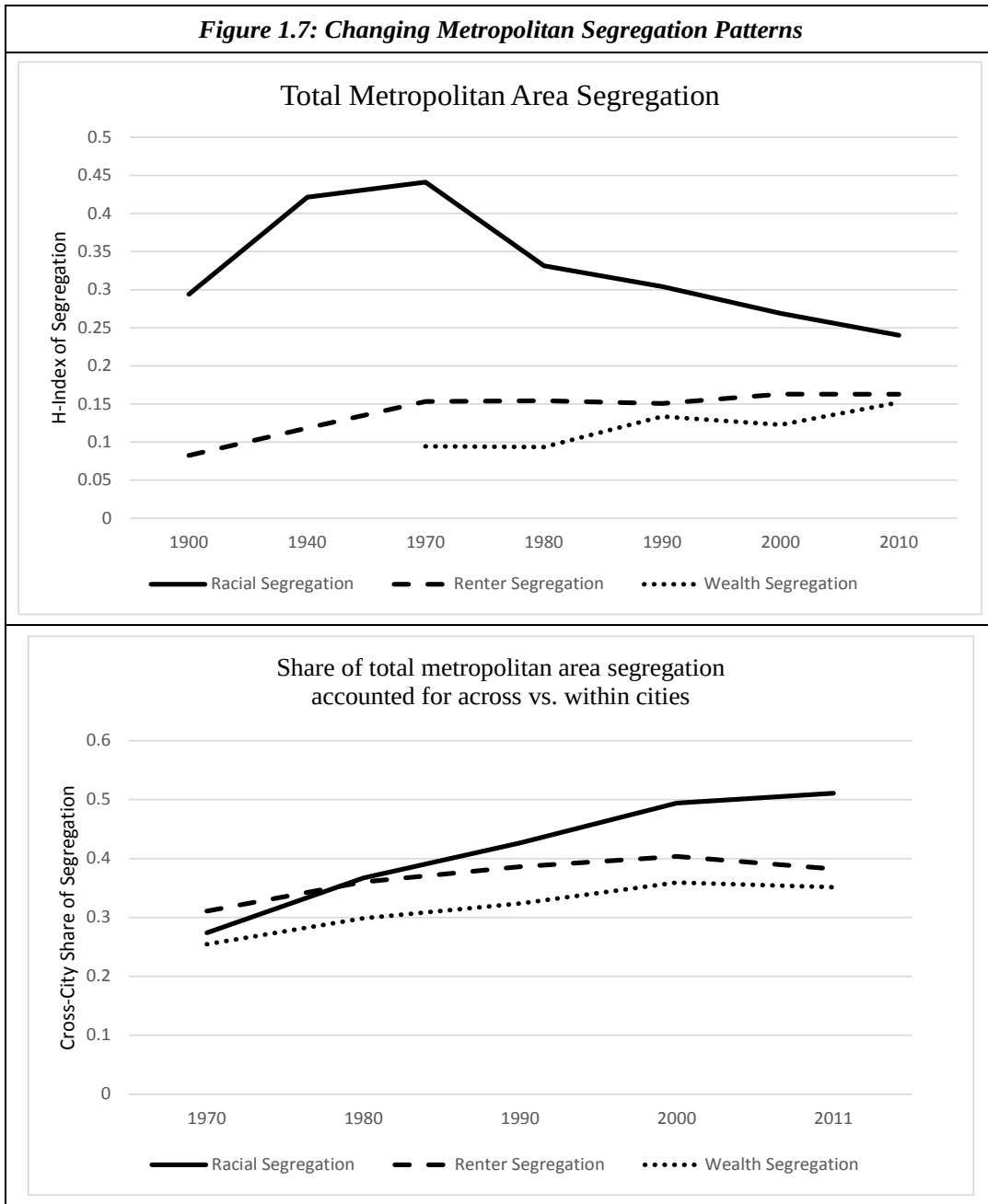


The maps make it clear that white and nonwhite residents of Chicago live in homogenous neighborhoods. Overall, the city is very segregated. The value of H_{c_t} in 2011 for Chicago was 0.379; the value of H_{m_c} (total segregation across cities) for the Chicago metropolitan area was 0.192. In the bottom panel, the neighborhoods within the cities of the Detroit metropolitan area are much more homogenous. The stark horizontal divider between the blue and green dots is 8

Mile Road which marks the boundary between Detroit and the neighboring **city** of Warren. A similar vertical division can be found on the right hand side of the picture, noting the boundary between Detroit and the cities of Grosse Pointe, Grosse Pointe Park, Grosse Pointe Farms, and Grosse Pointe Shores.⁵⁶ The value of $H_{c,t}$ (within city segregation) in 2011 for Detroit was 0.220, while the value of $H_{m,c}$ for the metropolitan area was 0.395.

How has metropolitan area segregation changed over time? The top panel of Figure 1.7 shows total metropolitan segregation measured at the tract level ($H_{m,t}$) since 1900, while the bottom panel shows the share of that segregation that was accounted for across cities rather than within them ($\frac{H_{m,c}}{H_{m,t}}$) from 1970-2011.

⁵⁶ The maps are shaded based on population density, hence the darker colors in Chicago.



These figures reveal that by 1970, racial segregation had peaked and begun to decline, while class segregation began a slow ascent. Between 1970 and 2011, in nearly every

metropolitan area in the United States, neighborhood segregation was exchanged for city level segregation along both race and class lines. The figures also show that historically, class segregation was much lower than racial segregation, but by 2011, the indices had converged substantially. The relationship between race and class segregation also increased over time. In 1990 (the earliest date for which I have data on all 330 metropolitan areas), the correlation between race and renter segregation was 0.19. It rose to 0.32 in 2011. The correlation between race and wealth segregation increased from 0.46 to 0.51 over this same period. The link between race and wealth segregation across city lines is even stronger; it was 0.70 in 2011. This tightening link between race and class is driven by changes in both race and class segregation, both within and across cities. However, these remain distinct demographic patterns.

Chapter 2: Local Government Action Contributes to Segregation 1900-1940.

Segregation along both race and class lines grew in tandem with the growth of cities (Meyer 2000). Race, ethnic, and class enclaves developed as urbanization brought white migrants, African Americans, and immigrants to cities (Teaford 1979). At the turn of the century, the predominant pattern of segregation occurred building by building, block by block, and sometimes several blocks by several blocks, but typically not by neighborhoods (Logan et al. 2015, Meyer 2000). Many cities featured multiple racial, ethnic, and class enclaves (Kellogg 1982, Rabinowitz 1978). In Philadelphia, for instance, about 40% of the black population lived in central city wards (4th, 5th, 7th, and 8th); but there were significant clusters of black homes in the 14th, 15th, 20th, 22nd, 26th, 27th, 29th, 30th, and 37th wards too (DuBois 1899). In Atlanta blacks lived in “Shermantown, Mechanicsville, Hell’s Half Acre, Bone Alley, and Pigtail Alley,” as well as “Darktown....Peasville...and Jennings town,” (Rabinowitz 1978, p106). By 1940 neighborhoods had become much more homogenous. So, while the residential location of people of color and the poor was nearly always restricted, the pattern of segregation changed during the years leading up to the Second World War. In this chapter I argue that local governments played a role in producing this change. Governments adopted zoning and other policies that created or reinforced segregation in service to business elites and white, property-owning constituents who were demanding a larger, more active city government.

In the very large social science literature on the causes and maintenance of race and class segregation, the contributions of local government are given limited attention.⁵⁷ Boustan (2012) concludes, “the most important [factor in the generation of residential segregation] appears to be individual choices of white households” (p318). Hayward (2013) agrees, arguing that restrictive

⁵⁷ The contributions of the federal government, on the other hand, are well covered (Jackson 1985, Massey and Denton 1993).

covenants were, “a more significant mechanism of racial segregation,” than local government activities (p59).⁵⁸ Other scholars combine private and public actions into a single theoretical construct. For example, Cutler et al. (1999) provide evidence of “collective action racism” which involves, “specific policy instruments such as racial zoning or restrictive covenants prohibiting sales to blacks, or organized activities such as threatened lynchings or fire bombings that discourage blacks from moving into neighborhoods” (p476). Similarly, Dreier et al. (2004) associate racial zoning laws with biased real estate codes of ethics, racial steering, insurance redlining, and white violence concluding that, “racial segregation thus stems from the routine practices of the private real estate industry” and the spontaneous choices of urban residents “as well as from government policy” (p 120).

The role of government was important. For one thing, using the state to engage in promote restrictive collective action is qualitatively different than arranging segregation privately. Marshalling the power of city government institutionalizes prejudicial behavior and denies victims recourse. As Abrams (1955) explains, “passions and prejudices...unsanctioned by government...exhausted themselves” (p206). But when democratically elected local governments developed policies promoting segregation they became, “instruments of oppression against minorities” (p207).

Furthermore, while prejudicial attitudes and behavior were widespread during this period, government action was more variable. Understanding where and when local governments worked to create segregation along both race and class lines helps to clarify where segregation was likely to become entrenched and where it was more fluid, as well as provide insight into the factors that generate consequential local policy decisions.

⁵⁸ Of course, restrictive covenants required government action for enforcement. However, they could be generated without government involvement.

In this chapter, I explore the factors that contributed to the adoption of zoning laws. I argue that zoning was enacted by political elites seeking to manage the distribution of public goods to their core supporters. To present that argument, I first offer a historical narrative detailing the adoption of zoning laws by municipal governments. Then, I present a quantitative analysis of these adoptions. I find that cities with higher property taxes and larger budgets (where more was at stake), where Republicans (who led the municipal reform movement) had greater support, and where political participation was low (and thus more likely to be heavily skewed toward middle-upper class, native, white voters), zoning ordinances were more likely to be adopted. Finally, I analyze the effect of zoning adoption on future levels of segregation. I show that cities that were early adopters of zoning went on to become more segregated along both race and class lines than similarly situated cities without early zoning plans.

The dawn of the 20th century was an exciting time for local government. Populations exploded as the industrial revolution took hold. In this environment, the limited, caretaker approach to city governance became suddenly and profoundly insufficient for maintaining health, order, and property. Monkonn (1988) explains, “cities could have chosen to ignore sewage, crime, unschooled children, and slow transportation by simply tolerating higher disease rates, offense rates, illiteracy rates, and traffic tangles” (p4). City governments did not take that path. Instead city governments worked aggressively to shape their social and economic environments. As Chapter 1 revealed, between 1890 and 1940, cities became modern – providing services like clean water, fire protection, police patrol, and road paving. It was in this environment that cities also began to seek control over space and residents’ use of space through zoning and city planning. The end goal of this control, as was true of most Progressive Era reforms, was to improve the lives and opportunities for businesses and residents – more

specifically, US born Anglo residents (Tretter 2012, Woodward 1955, Toll 1969, Brownwell 1975).

As Monkonnien indicates, it was far from obvious that cities would assert control over their environments, but the rapid spread of slums, worries about skyscrapers blocking natural light, fears of conflagration, and concern about public health threats provided early inspiration for cities to invoke their policy power of regulation over nuisances (Toll 1969).⁵⁹ Reformers debated the correct policy solutions for these ills, recommending for example, density restrictions (Woodbury 1929), stricter building codes (Power 1983), the removal of alley dwellings (Silver 1997), or policies, including increased public transportation, that would encourage suburban homeownership for the working class (Baar 1996). In many cases, typically at the urging of local chambers of commerce, city councils chose to pursue zoning – regulating the use, height, and area of buildings and land (Brownwell 1975). Zoning was sometimes, but often not, combined with general development plans for the city. While zoning became wildly popular, planning did not. This decoupling of zoning from planning was viewed negatively by some leaders of the early planning movement who thought the creation of homogenous neighborhoods would be likely to reinforce social divisions and inequality (Toll 1969). Of course, this was often precisely the goal of zoning supporters.

The rise of social Darwinism contributed to the attraction of zoning as a solution for burgeoning problems. Social Darwinists argued that the evolution of humanity would follow a process of natural selection in which the environment played a defining role. As a result, controlling the environment was of utmost importance (Toll 1969). A related body of literature

⁵⁹ A number of important court battles ensured that zoning would be constitutionally allowed for the promotion of health, safety, welfare, and morals and did NOT constitute the deprivation of life, liberty, or property (see Hayward 2013 and Toll 1969 for overviews).

came to understand race and the differences between racial and ethnic groups as biologically rooted, hence, immutable (Hayward 2013). According to this doctrine, the inherent inferiority of blacks and other people of color (Native Americans, Chinese, Japanese, Mexicans), the preservation of “race purity” demanded, “segregation and discrimination in recreation, in religious service, in education, before the law, in politics, in housing, in stores, and in breadwinning” (Myrdal 1944, p58). Additionally, scientific and medical experts as well as politicians believed that the unsanitary habits and homes of the poor and people of color spread epidemic disease (Shah 2001, p6). In combination, these new theories offered a convincing rationale for the creation of special districts to quarantine offending groups. By 1930, about half of all large cities in the US had adopted comprehensive zoning plans.

Political leaders often used threats to public safety as a rationale for legislating segregation. New York’s 1916 zoning law, the first comprehensive zoning ordinance in the nation, sought to limit the health threat posed by skyscrapers which blocked natural light and so, contributed to the spread of tuberculosis (Toll 1969, p154). Because immigrants and Blacks were viewed as disease carriers, segregating them was a typical goal of zoning. In San Francisco, the first city to segregate explicitly on the basis of race, whites had grown increasingly paranoid that Chinese residents were spreading diseases like smallpox and tuberculosis and in 1890, enacted an ordinance that required all Chinese residents and their businesses to move, within 60 days, to the section of town which had been set aside for, “slaughterhouses, tallow factories, hog factories, and other businesses thought to be prejudicial to the public health or comfort” (McClain 1996, p224). In Baltimore, segregationists agreed that, “blacks should be quarantined in isolated slums in order to reduce the incidents of civil

disturbance, to prevent the spread of communicable disease into nearby white neighborhoods, and to protect property values among the white majority” (Power 1983, p301).

The belief that zoning would create stability in property values was widely held and generated strong support from land owners, commercial organizations, bankers, realtors, and developers (Abrams 1955, Brownell 1975, Weiss 1987). Boston’s first height restriction was passed in 1892 at the behest of downtown property owners who feared that the new skyscrapers would lead to an oversupply of office space and drive down property values (Kennedy 1992). In some places, this view had to be cultivated. In Los Angeles, for example, some developers were opposed to the city’s 1908 zoning law because they worried it would inhibit growth (Weiss 1987). To combat such reservations, early supporters of zoning made sure to argue that their proposals would, “enhance, not detract from property values,” (Toll 1969, p150). Zoning could easily have been invoked to improve the quality and health of working and lower class neighborhoods and limit land speculation (as some of the early reformers argued it should); however, “political pressures from those less inclined toward broad civic improvement” won out (Silver 1997, p24).

As zoning practices spread through the 1920s, emphasis on the enhancement of property values became the dominant argument; almost universally, it was believed that the wrong sorts of people residing or sometimes even working in an area could negatively impact property values. Abrams (1955) quotes an early real estate text which argued that, “...property values have been sadly depreciated by having a single colored family settle down on a street occupied by white residents,” and another that claimed a similar effect of “unassimilated aliens.” Both prescribed “rigid segregation” as a solution, “no matter how unpleasant or objectionable the thought may be to colored residents” (p159).

Aside from adding wealth to property-owning and voting residents, city governments had an even more powerful reason to protect and enhance property values – taxes (Lees 1994). An advertisement run by 5th Avenue merchants in the March 5th and 6th, 1916 editions of the New York Times argued that failure to support the city’s new zoning plan would lead to “vacant or depreciated property,” which would lead to “reduced taxes, leaving a deficit made up by extra assessment on other sections” (p5). Rising property values allowed municipal governments to grow without increasing tax rates. When some property values actually declined, municipal officials faced the unwelcome task of raising tax rates or cutting the budget.

As municipal governments began to spend vast sums on improving the lives and environments of residents, ensuring that the right (white/wealthy) residents benefited from the new city services became of utmost importance. This goal was clear to observers at the time. Booker T. Washington explained that, “the negro objects to being segregated because it usually means that he will receive inferior accommodations in return of the taxes he pays.” Such objection stemmed from the belief that segregation would ensure that, “the sewerage in his part of the city will be inferior; that the streets and sidewalks will be neglected, that the street lighting will be poor; that his section of the city will not be kept in order by the police and other authorities, and that the ‘undesirables’ of other races will be placed near him.” Thus, Washington concluded, “when a negro seeks to buy a house in a reputable street he does it not only to get police protection, lights and accommodations, but to remove his children to a locality in which vice is not paraded” (Washington 1915, p113-114). Frequently, white elites made arguments that taxing whites to pay for black public goods (like schooling) was “an indignity.” One delegate to the Louisiana Constitutional Debate in 1864, incredulous at the proposition asked, “Shall we tear the slave away from his master and then force the master to educate him?”

(Louisiana Constitutional Debate, quoted at length in Bond 1934, p16-17). As a result, in many cities (see Chapter 3), black areas lacked municipal services such as, “paving, water, sewerage, lighting and garbage removal,” (Knight 1927, p53; also Myrdal 1944).

Given that zoning was viewed as a way to both increase property values and maintain exclusivity in the distribution of public goods, it is unsurprising that Southern cities made early use of zoning to hem in expanding black neighborhoods and create clear dividing lines between white and black residential areas. Of course, the development of racial zoning in the South was part of a much larger process of reconfiguring race relations after the Civil War. During the period of Reconstruction and Redemption, whites subordinated, exploited, and killed blacks, but even in this context, the legal segregation of the races was not a foregone conclusion (Woodward 1955).⁶⁰ In fact, although Jim Crow laws were widespread, most Southern cities did not legislate residential segregation directly.⁶¹

Blacks being able and willing to live in white neighborhoods was a necessary (although not sufficient) condition for the enactment of legislation. Baltimore passed the first racial zoning law directed at blacks in 1910 following the violent response of white residents as black migrants moved into previously all white areas. Baltimore’s ordinance prohibited whites and blacks from moving into city blocks occupied by a majority of members of the other race. Quite aware of the requirements of the 14th amendment, the Baltimore council argued (and the Maryland Supreme Court agreed), that because the ordinance placed the same limitations on both racial groups it

⁶⁰ One vivid example of the ways in which Jim Crow changed existing practice comes from New Bern, North Carolina. In 1913, the city aldermen passed an ordinance which required that all “colored bodies” buried in the public cemetery be dug up and moved to a segregated location.
<http://www.newbernsj.com/article/20140209/Opinion/302099914>

⁶¹ Rabinowitz (1978) argues that the picture was different with respect to schooling. Here, segregation was immediate and unchanging after the end of the war.

was not discriminatory (Virginia Law Review 1916).⁶² The vote of the city council fell along party lines with all of the Democrats in support and all of the Republicans opposed.⁶³ Republicans were joined in their opposition by the entire community of black residents, some real estate brokers, and white homeowners who lived in integrated neighborhoods (Power 1983). Democrats were not just responding to their white voters in their promotion of segregation. Limiting black residential location also bolstered Democratic political power by ensuring that blacks would be packed into certain wards; thereby reserving the rest of the city for Democratic control (Rabinowitz 1976).

In some places, black political power slowed or inhibited the enactment of segregation ordinances (Rice 1968). In St. Louis, an effort to pass a segregation ordinance failed because it was opposed by a significant number of city elites (including most of the city's leading Republicans, labor interests, religious leaders, and newspapers). The National Association for the Advancement of Colored People (NAACP) and the Knights of Pythias lobbied the St. Louis city government tirelessly and ultimately convinced 21 of the 28 aldermen and the mayor to vote against it. In 1912, the city went so far as to station five police officers at the house of a black family to protect them from, "possible attack by whites who resent what they term a 'Negro invasion' in their residential district" (*The Crisis* 1912 Vol 4, No 6, p272). In a low turnout election in 1916, supporters of the segregation ordinance won a city referendum and the city immediately began mapping the race of each city block. (Meyer 2000 19-21). In Kansas City, Missouri, blacks had a modest amount of political power due to their ties to the (Democratic)

⁶² Although the Court agreed with the city's reasoning about the 14th amendment, it ultimately declared the ordinance unconstitutional because its provisions were retroactive thereby representing a taking by the government. (*State v. Gurry* 121 Md. 534 (1913))

⁶³ Republicans were generally (tepidly) supportive of black rights in Baltimore and between 1890 and 1931, six black Republicans served on the Baltimore City Council (Greene 1979). Over the course of their careers, these councilors led the city council to provide significant contributions to Baltimore's black community; but none were able to defeat the segregated housing legislation.

Pendergast machine. Despite support from a significant segment of the city's white population, a racial zoning ordinance never made it past the lower chamber of the city council (Meyer 2000).

Bacote (1955) reports that throughout the late 1800s in Atlanta, black support was frequently courted by white factions. For instance, in the 1891 election, black candidates were nominated for council positions in the 1st, 4th, and 6th wards on the Citizens' ticket (an anti-prohibitionist faction of the Democratic Party). White factions did this when they were in danger of losing the election – in 1891 the anti-prohibition Democrats were worried about a Populist victory. To prevent white factions from seeking black support in the future, the Democratic Party adopted the white primary in 1892, and the state of Georgia enacted a new constitution in 1901 which included a character requirement, a literacy test, and made property ownership a condition for registration (Bayor 1996). These changes severely restricted black participation, ensuring that white factions would only rely on white votes. The evisceration of the black electorate and black representation opened the way to the city's enactment of segregation ordinances (Key 1949, Kousser 1974, Woodward 1955).

Atlanta enacted a racial zoning ordinance on the heels of a violent race riot in 1906. The riot erupted after local newspapers reported four alleged (but never substantiated) assaults upon white women by black men. According to Garrett (1969), the riot was ignited by the sight of black passengers riding next to whites on street cars. A white mob killed and beat dozens of black Atlantans over the course of three days. A concerted organizing effort among the city's African American population followed. White elites and politicians denounced the riot, and a public/private relief fund was even established for families of the murdered victims (Garrett 1969). However, the riot also led many whites to conclude that, "separation of the races is the only radical solution of the negro problem in this country" (Charleston News and Courier,

quoted in the New York Times, September 30, 1906). Following the passage of the ordinance in 1913, all blocks in the city were assigned racial designations based on the race of the majority of current residents (Silver 1997).

Fighting racial zoning was one of the early nationwide causes to be adopted by the NAACP (Rice 1968, Meyer 2000) and due to the organization's work, in 1917, the Supreme Court ruled racial zoning unconstitutional in *Buchanan v. Warley*. In the *Buchanan* decision the justices did not seek to protect the rights of black property buyers or to prohibit "amalgamation of the races," but rather to protect the right of white owners to, "sell or lease their lands and houses to whomsoever they pleased" (Virginia Law Review 1928, p531).⁶⁴ Nonetheless, the Chicago Defender declared that the, "hydra-headed monster of segregation...was killed by the Supreme Court," and argued that the, "decision [was] a direct slap in the face to white southern oligarchy." (November 10, 1917). According to Rice (1968), it was also a, "victory for moderate whites and Republicans" (p197).

Following *Buchanan*, many cities sought to enact constitutionally defensible racial zoning plans by turning to comprehensive city plans (Silver 1997).⁶⁵ In 1914, a racial zoning ordinance was proposed in Birmingham while the *Buchanan* case was already moving through the court. A group of black attorneys convinced the Birmingham city council that they could face a costly legal battle if the Court ruled against Louisville's ordinance. In order to prevent this, and to appease white demands for segregation, the council chose instead to adopt a

⁶⁴ The Court found that the ordinance improperly restricted the rights of property owners to dispose of property. It did not challenge the separate-but-equal doctrine that was in place as a result of the 1896 *Plessy v. Ferguson* decision.

⁶⁵ San Francisco was the first city to utilize a form of use zoning for a racial purpose. In 1885, the city enacted a set of regulations for laundries operating in residential areas in an attempt to keep Chinese residents (who owned nearly all of the laundries and typically lived above them) from white neighborhoods. The law was invalidated by the Supreme Court in the 1886 case *Yick Wo v. Hopkins* in which the Court found that a law which is race neutral on its face may still violate the 14th amendment if administered in a prejudicial manner.

comprehensive zoning plan in 1926 that included racial designations for different city zones (Connerly 2005). Atlanta's 1922 revision of the zoning ordinance combined zoning categories of land use and building regulations with racial designations. For instance, the city's master zone map noted that, "unless otherwise designated on this map, all areas designated as dwelling house districts are also class H1 height districts and white race districts." Other areas were designated as "colored district and an apartment house district" or "colored district and dwelling house district."⁶⁶ In 1929, the zoning code was again revised, this time including a prohibition on occupying a home on a street where the majority of residences were occupied by persons whom the resident was forbidden to marry by law (Meyer 2000). Eventually, the court ruled against these ordinances and by the 1930s segregationists had dropped the racial designations in favor of comprehensive zoning.

As the court struck down plans that endorsed outright racial segregation, the case for other forms of zoning had been building. A series of judicial decisions established the bounds of permissible approaches to regulating the uses and size of buildings. For instance, the court determined that exercise of police power (e.g. the authority to regulate behavior and enforce order), "must be reasonably adapted to the purpose of protecting some interest of the community," (C.C.S. 1925 p417) and that nuisance regulation and other use restrictions, "must bear a substantial relation to the public health, safety, morals or general welfare" (Monchow 1928, p323). Zoning ordinances spread rapidly throughout the 1920s, particularly after the Supreme Court determined that comprehensive zoning would not require cities to compensate owners for losses in prospective land values in the 1926 case *Euclid v. Ambler Realty Company*.

⁶⁶ <https://cityloca.files.wordpress.com/2014/07/6-atlanta-19291954.pdf>

Zoning adoption was also propelled by the Republican-led federal government. In 1922, under the direction of Secretary Herbert Hoover, the Department of Commerce issued a template for state enabling laws in the Standard State Zoning Enabling Act. The Act was published in 1924 and a revised edition was released in 1926. Thus, while Republicans tended to oppose zoning in the South, they were frequently the drivers elsewhere. In Boston, Republicans were shut out of city government by the powerful Democratic organization, leaving them to pursue zoning laws through the Massachusetts state legislature instead (Kennedy 1992, p113).

The arguments surrounding the adoption of comprehensive zoning were broad but imbued with municipal Progressivism's race and class prejudices (Bridges 1997, Trounstein 2008). Comprehensive zoning supporters highlighted benefits such as the "adequate provision of light and air," "stabilization [sic] and protection of property values," "protection and maintenance of the home and home environment," "to apply the most up-to-date methods of sanitation and hygiene, "simplifying the problems of street traffic regulations," and the prevention of congestion (A.C. Holliday 1922, p217). By separating industrial, commercial, and residential uses into separate districts each with standard regulations regarding the use, height, and area of buildings, zoning would make, "every town, city or village a more orderly, convenient, economic and attractive place in which to live and work," (A.C. Holliday 1922, p218,). One key to ensuring high property values and orderly living arrangements was the ability for zoning ordinances to prevent noxious uses from polluting residential neighborhoods (Fischel 2001). Apartment buildings constituted one such noxious use.

In *Euclid v. Ambler*, Justice Sutherland explained that the apartment house is often a, "mere parasite, constructed to take advantage of the open spaces and attractive surroundings... interfering by their height and build with the free circulation of air and monopolizing the rays of

the sun...depriving children of the privilege of quiet and open spaces for play enjoyed by those in more favored localities...until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed. Under these circumstances, apartment houses, which in a different environment would be not only entirely unobjectionable but highly desirable, come very near to being nuisances.” (p394-395).

In allowing the protection of single-family home neighborhoods, *Euclid* laid the groundwork for the long-term shift from a country segregated by race to one that became increasingly segregated by income. In the early 20th century, race and income were so strongly overlapping that denying apartment buildings in a neighborhood of single-family homes would also largely prohibit blacks and many immigrants from residency. Making this point, Bruno Lasker, editor of *Survey Magazine* asked:

“Why, in this country of democracy, is a city government, representative of all classes of the community, taking upon itself to legislate a majority of citizens – those who cannot afford to occupy a detached house of their own – out of the best located parts of the city area, practically always the part with the best aspect, best parks and streets, best supplied with municipal services and best cared for in every way? Why does it deliberately ‘segregate’ the foreign-born who have not yet become sufficiently prosperous to buy or rent a home under building regulations which preclude the possibility of inexpensive development and construction?” (“Unwalled Towns,” *The Survey*, Volume 43, 1920, p677).

Lasker suggested that the answer to his question was the dominance of politics by wealthy property owners who sought to employ, “public power for the purpose of protecting sectional interests” (“The Issue Restated,” *The Survey*, Volume 44, 1920, p278). Segregation enforced via zoning was a means to accomplish this end. In cities like Chicago, Kansas City, and Los Angeles, some of the most powerful voices in support of zoning were homebuilders and real estate boards who stood to gain monetarily from segregation (Gotham 2000).

With such wide-ranging positive effects for powerful interests, it is easy to see why zoning became so popular. Yet, by the close of the 1920s, many cities had not yet adopted zoning plans. I have argued that zoning was a tool that enables elected officials to make it easier to limit the distribution of public goods to certain constituents and to ensure high property taxes, and that it was successfully implemented where zoning supporters had political power. In order to provide more systematic evidence of this argument, I collected data on all of the cities that enacted *zoning ordinances* between 1900 and 1930. I gathered racial zoning information from several reports including Rice (1968), Connerly (2005), Silver (1997), and numerous issues of the NAACP's *Crisis Magazine*. To encode general zoning plans, I drew on an article published in *The American City* by Norman Knauss in 1929, which listed the years that zoning ordinances were enacted. Knauss reports having sent a survey to all municipalities with the authority to enact zoning. His list includes 768 municipalities that reported having an ordinance. I coded the city year in which zoning was enacted as a 1 and years leading up to that date as a 0. Cities exit the analysis once they enact zoning. Cities that were included in the Census but had no zoning law by 1929 are coded 0 for the entire time period. Zoning is my dependent variable. To these data, I merged city spending and demographic data culled from the Census (which are described in Chapter 1).

My primary independent variables are per capita total *Expenditure* and *Property Taxes*. I log the total expenditure variable because the data have a strong rightward skew. I expect both of these variables to be positively correlated with zoning. Where spending and property taxes were higher, local officials would have a greater incentive to protect the existing distribution of public goods and the total tax revenue. I include two additional political variables – the county-level *Republican presidential vote share* (linearly interpolated for non-election years) and county

level *Turnout* of age-eligible voters.⁶⁷ Republican vote share is a rough proxy for the degree of support for regulatory policy, of which zoning was an example. I expect that greater Republican support will be associated with a higher likelihood of implementing zoning – except in the South. A range of voting restrictions were in place throughout the time period under consideration (Keyssar 2000) and I include the turnout of the age-eligible population to capture the permissiveness of the electoral environment. This measure is preferable to including state level laws like the poll tax or literacy test because it allows for sub-state variation in the electoral setting. Generally, higher turnout is associated with greater participation of the poor and people of color (Hajnal 2010); populations that both tended to be opposed to zoning plans and stood to lose from their implementation. Thus, I expect that where turnout was higher, the likelihood of enacting zoning was lower.

A wide range of alternative explanations for the adoption of zoning were proposed by contemporary observers and later analysts of the movement, many of which are correlated with the political factors I seek to test. Writing about racial segregation laws, Woodward (1955) argues that the economic depression at the end of the 1890s led to “aggression against the minority race” (p81). To account for this possibility, I include a measure of the share of the total population that was *Unemployed*, linearly interpolated from the Census of Population and Housing. Fischel (2004) claims that zoning adoption followed the invention of trucks and busses, which made it feasible for businesses and apartment buildings to be built in residential and suburban areas, away from rail lines. I include per capita spending on *Roads*, which include street paving, street cleaning, and street lighting to capture differences in vehicular accessibility. In the “History of Zoning,” Gordon Whitnall explains that, “the practice of zoning began...when

⁶⁷ This denominator includes men over the age of 21 until 1919 and both women and men over the age of 21 in 1920 and later elections.

the concentration of population in cities began to be pronounced” (1931, p2). The “urge for zoning” he goes on to say, “has arisen from the desire and the necessity to bring some order out of the chaos that has resulted from the anarchistic development of our cities.” I include the *10 year rate of change* in total population and population *Density* (persons per acre) to capture urbanization. To measure threats of disease and conflagration, I include per capita spending on *Health care* and *Fire-fighting*.

As described above, contemporary supporters of segregation ordinances often asserted the protection of white, single-family neighborhoods as the primary goal. To measure the social threat of black and foreign populations, I include the share of the population that is *Black*, *Foreign Born White*, and *Foreign Born Non White*. To measure the threat of lower-income (apartment dwelling) populations I include the share of the population *Renting* their homes. To capture the presence of noxious industry that might be better contained in a zoned city, I include the share of the employed population working in *Manufacturing*. This variable also captures an argument presented by Connerly (2005): that industrialists preferred to maintain segregated cities in order to dampen the threat of union organizing across racial lines.

Many scholars (e.g. Woodward 1955, Myrdal 1944, Blumer 1958) understand segregation as a mechanism to bolster hierarchical racial control, as social distance may preserve the relative status advantage of whites. For instance, Wade (1967) argues that segregation was, “rooted in the white’s need for discipline and deference,” and that it, “provided public control to replace dwindling private supervision of the master over his slave” (p278). If this is the case, we should expect that cities with existing patterns of segregation would be most likely to institutionalize the practice. It is also possible, however, that cities with high levels of segregation would have had no need for legislation (see Silver 1997 on Roanoke). To adjudicate

between these two possibilities, I include a dummy variable coded 1 if the city had *Segregated Schools*. This variable is encoded from Johnson (2015) who characterizes states as requiring segregation, permitting segregation, prohibiting segregation, or with no segregation statutes. My variable is coded one for states that require segregation, .5 for states permitting segregation, and 0 for all others. Bobo, Kluegel, and Smith (1997) argue that the political institutionalization of Jim Crow ideology was driven by the needs of the Southern economy, particularly the exploitation of black agricultural labor. On the other hand, Godsil (2006) suggests that whites with a significant stake in retaining a large black laboring class may have opposed racial zoning, as such ordinances might lead black workers to leave the city. To account for either possibility, I include for the share of the workforce employed in the *agricultural sector*. If Bobo et al.'s theory applies to zoning, we would expect a positive relationship between agricultural dominance and zoning. We'd expect the inverse if Godsil is correct.

My observations represent 4293 city-years from 240 cities. All spending data are inflation adjusted and linearly interpolated. Census data are linearly interpolated as well. I run logistic regressions with errors clustered by city. I include fixed effects for region, which means that these comparisons are all within the same area of the country. That is, the regressions analyze the effect of city expenditures on the adoption of zoning in each of four regions – West, North, Midwest, and South. Column 1 shows the base model with no controls. Column 2 includes all of the above-described controls. In Column 3, I change the dependent variable to focus on racial and comprehensive zoning. Here, the dependent variable is coded 1 when the city adopts either race zoning or comprehensive zoning and is coded zero otherwise. In this analysis, I present an interaction between Republican vote share and region to show how party

politics differed in the South. These results are presented in Table 2.1 and summary statistics are shown in appendix Table A2.1

Table 2.1: Effect of Local Political Factors on Zoning Implementation

	Column 1		Column 2		Column 3 Race and Comprehensive Zoning Only	
	β	P> z	β	P> z	β	P> z
Expenditure \$ Per Capita (logged)	0.787	0.008	1.255	0.000	1.354	0.000
Property Taxes \$ Per Capita	0.052	0.000	0.049	0.007	0.072	0.000
Presidential turnout	-2.094	0.005	-3.18	0.001	-2.639	0.015
Republican Vote Share	5.133	0.000	5.249	0.000	11.292	0.002
% For. Born White			-4.645	0.011	-5.797	0.003
% For. Born Non White			-24.709	0.011	-26.98	0.065
% Black			-2.162	0.359	-3.398	0.177
Highways \$ Per Capita			-0.330	0.027	-0.292	0.047
Health \$ Per Capita			0.234	0.482	-0.322	0.505
Fire \$ Per Capita			0.224	0.203	-0.052	0.759
Density			-0.006	0.637	-0.010	0.499
% Renters			2.136	0.170	5.743	0.001
% Employed in Manufacturing			2.643	0.049	3.361	0.027
% Employed in Agriculture			5.527	0.000	6.735	0.000
10 year population growth rate			-1.355	0.026	-2.242	0.001
School segregation			1.276	0.068	1.150	0.115
% Unemployed			5.338	0.052	5.788	0.073
Midwest	-0.621	0.019	-1.567	0.000	0.442	0.860
North	-0.883	0.000	-1.788	0.000	1.868	0.441
South	0.313	0.349	-1.628	0.056	4.287	0.089
North * Rep. Vote Share					-1.069	0.786
Midwest * Rep. Vote Share					-4.805	0.207
South * Rep. Vote Share					-8.347	0.030
Constant	-8.436	0.000	-8.073	0.000	-15.241	0.000
N	4293		3514		3687	
R ²	0.123		0.178		0.170	

Note: Logistic regressions; Robust Standard Errors clustered by city

Table 2.1 offers strong support for my claim that cities with greater public goods expenditures and more property tax revenues were more likely to implement zoning ordinances. With all else equal, shifting from the minimum per capita expenditure (about \$4) to the maximum (about \$476), changes the probability of adopting a zoning ordinance from 0.004 to 0.15. Similarly, cities with the lowest property taxes per capita (about \$2) rarely adopted zoning ordinances, while those with the highest taxes (\$67 per person) had around an 18% chance of implementing zoning. Where turnout of the voting age population was higher, zoning was less likely to be adopted. This result supports Toll's (1969) claim that, "the demand neither for zoning nor for planning had grown out of any widespread outcry in the cities of the United States" (p199). Zoning adoption appears to have been led by the Republican Party, except in the South, where Republican voting strength limited the likelihood of adoption of comprehensive and racial zoning ordinances.⁶⁸ These data fit the historical narrative presented above well.

In addition, many of the control variables suggest interesting patterns. For instance, there is no evidence that larger racial and ethnic minority populations drove zoning adoption. Nor did greater threats to public health or conflagration increase the likelihood of zoning. Contrary to Fischel's prediction, zoning was not more common in cities with more spending on roads. Economic factors appear to have played a more important role. Zoning adoption was more likely in cities with higher unemployment and with greater shares of the workforce employed in manufacturing and agriculture. It was also more likely in cities with more renters (particularly in the case of comprehensive and racial zoning). This conclusion is bolstered by a secondary analysis in which I add a measure of renter segregation in 1900 for 42 cities. Where renters were

⁶⁸ Cities with reformed institutional structures were not more likely to adopt zoning. In fact, nonpartisan cities were somewhat less likely to adopt. This effect is largely driven by cities in the South where nonpartisan laws may have advantaged Republicans.

more segregated from homeowners, zoning was much more likely to be implemented. This finding suggests that homeowners were more supportive of zoning measures when they lived in more defined neighborhoods to protect. It is also clear that zoning ordinances were much more likely to be enacted in places that had a preference for segregation. Where segregated schools were the law, cities were more likely to adopt zoning. In additional analyses I find that cities with marked segregation at the turn of the Century, particularly in the South, were also more likely to adopt zoning. These results support the contention that zoning was a mechanism used to reinforce existing racial hierarchies. In the next section I provide evidence that this was precisely its effect.

Zoning Generates Segregation

As Chapter 1 revealed, race and class segregation existed prior to the introduction of public policy measures that would separate residents and land uses. The history of private mechanisms producing segregation is well understood (e.g. Jones-Correa 2000, Meyer 2000, Burgess 1994, Myrdal 1944). Blacks, immigrants, and the poor tended to live in areas that were removed from native white middle class residents for a variety of reasons. Rabinowitz (1974) explains, “some of the housing segregation was voluntary: Negroes sought proximity to their jobs, welcomed the freedom from white surveillance, and enjoyed the company of other blacks” (p98). More important was “black poverty, which limited housing options” and “white pressures to keep blacks out of their neighborhoods” (p98). Restrictive covenants, clauses written into property deeds specifying restrictions on the use of the property, were widely used to bar undesirable neighbors from occupying properties starting in the late 1880s (Fogelson 2005). Mortgage discrimination and real estate steering were institutionalized in the early 1900s (Helper 1969). However, Hayward (2013) explains that the problem with relying on black poverty or

restrictive covenants to maintain segregation was that the market was susceptible to encroachment, requiring coordination and constant vigilance against potential violators (Brooks 2002, McAdams 2008). Marshaling the power of municipal governments to restrict land use offered developers and property owners the promise of a protected investment.

Evidence indicates that zoning adopted in the early 1900s followed patterns created by private actors (Burgess 1994, Tretter 2012). Writing in 1929, M. T. Van Hecke explained, “zoning programs are frequently influenced by restrictions in deeds. Where a very substantial area has been set aside for a high type use through the medium of deed restrictions, and that area is sufficiently large and geographically distinctive, zoning officials ordinarily recognize the character of the development and classify that section accordingly, so that the objectives of the statutory and deed restrictions are the same” (p420). Both supporters and opponents of zoning argued that the new laws would simply reinforce patterns produced by the market. Supporters, like Robert Whitten, creator of Atlanta’s post-*Buchanan* comprehensive zoning plan, claimed that zoning would serve to lessen racial antagonism and economic loss by making the future of development more predictable as it enforced existing segregation patterns (Toll 1969 p262). Opponents suggested that zoning would add unnecessary (and some argued, unconstitutional) regulation when restrictive covenants were perfectly suited to the job of preserving neighborhoods and property (Virginia Law Review 1928, Ellickson 1973, Hayward 2013 pp118-119, Denzau and Weingast 1982, Berry 2001).

Aside from freezing private decisions in public policy, zoning also had the potential to generate race and class segregation through implementation. Ostensibly, zoning is undertaken in the interest of the city as a whole, but this, “depends entirely upon the way in which the work is done” (Van Hecke 1929, p414). This is because zoning, as an administrative task, requires

innumerable small decisions by municipal officers who may, consciously or unconsciously, bias outcomes toward some groups and away from others. E.T. Hartman (1925) explains, “chief among the problems are the granting or refusal of permits in accordance with the law, the decisions of the board of appeals in appealed cases, and appeals from either or both by interested parties” (p162-163). As is true of any regulation, zoning serves political purposes (Denzau and Weingast 1982). The discretion inherent in applying zoning laws meant that local officials could deny permits to builders who sought to house nonwhite or poor families and/or make exceptions for developers serving white and upper class residents (Bayor 1996, Meyer 2000). Abrams (1955) explains, “those who build for whites can get a modification pro forma. But the moment an unwelcome group appears, the officials stand firm” (p210). Until 1949, the Federal Housing Administration officially encouraged the use of zoning to generate race and class segregation (Stearns 1962). Valuers were instructed that, “the best artificial means of providing protection from adverse influences is through the medium of appropriate and well-drawn zoning ordinances” (Federal Housing Administration 1936, *Underwriting Manual*, Part II paragraph 227). Zoning was understood to protect locations “against declines in value or desirability” (section 306(2)) by preventing the, “infiltration of business and industrial uses, lower class occupancy, and inharmonious racial groups” (paragraph 229).

As Berry (2001) notes, providing evidence of the effects of zoning on segregation has proved challenging because zoning is ubiquitous today.⁶⁹ But as the first section of this chapter revealed, in the first decades of the 20th century, zoning adoption was variable. I argue that this variation shows that early zoning adopters became more segregated cities – even accounting for the degree of segregation that existed when zoning laws were adopted. My dependent variables

⁶⁹ Berry (2001) takes advantage of the lack of zoning laws in Houston and their presence in Dallas to show that private controls – particularly covenants – produce the same outcomes as zoning laws.

in these analyses are *Change* in the level of *Race* and *Class segregation* between about 1900 and 1970. More specifically, I subtract the level of segregation at the earliest point in my dataset from the 1970 of segregation of non-Hispanic whites and renters. The earliest measures for racial segregation are from 1890, 1900, or 1910. For renter segregation, the earliest measure is 1900 for most cities.⁷⁰ As explained in Chapter 1, the segregation of renters is an imperfect measure of class segregation – but it is the only measure that allows me to capture change over time.

My primary independent variables are drawn from the data described for Table 2.1. I expect that racial segregation will be most closely linked to racial zoning and comprehensive zoning (as the historical discussion indicated), while class segregation will be tied to all forms of zoning. In the analysis of racial segregation, my independent variable is a dummy variable noting whether a city adopted either a race based or comprehensive zoning ordinance in the period 1900 and 1930. These *Early Zoning Adopters* are coded 1, and cities that did not adopt racial or comprehensive zoning are coded 0. In the analysis of renter segregation, cities are coded 1 if they adopted any type of zoning ordinance between 1900 and 1930 and zero otherwise. I control for the *Change in City Population* between the earliest point of measurement for each city and 1970. Table 2.2 presents these results.

⁷⁰ I have data in 1900 for 49 cities. To increase the number of usable observations, I include the level of renter segregation in 1940 for 14 additional cities. The correlation between renter segregation in 1900 and 1940 is .8676. The results are nearly identical (though less precise) using only the data from 1900.

Table 2.2: Zoning's Effect on Race and Class Segregation

	Change in Racial Segregation 1900-1970		Change in Renter Segregation 1900-1970	
	β	P> z	β	P> z
Early Zoning Adopter	0.133	0.001	0.036	0.061
Change in City Population	0.000	0.002	0.000	0.000
Constant	0.057	0.103	0.026	0.181
N	88		63	
R ²	0.198		0.222	

Note: OLS Regressions

The results in Table 2.2 are striking – cities that were early adopters of zoning ordinances grew more segregated over the next 50 years compared to cities that were not early adopters. Around 1900, cities that adopted zoning had very similar racial segregation rates to non-adopting cities (0.265 for adopters and 0.287 for non-adopters). By 1970, cities that adopted early zoning ordinances had segregation levels about 10 points higher on average (0.489 compared to 0.390). Zoning also exacerbated renter segregation. Cities that were not early adopters saw about a 4 percentage point increase in renter segregation between 1900 and 1970 compared to an 8 percentage point increase in cities with zoning.

Furthermore, zoning had significant consequences for property value inequality (as its promoters had hoped). To measure property value inequality, I created a *Property Value Gini Index* built from median home values at the census tract level in 1970. Cities in which all census tracts have very similar 1970 median home values have a low score on this measure, while cities that witness inequality in property values from neighborhood to neighborhood have a high score. Regressing the property gini on the dummy variable for early zoning adoption, including state fixed effects produces a coefficient of 0.09 (SE=0.003). Cities without early zoning had an average 1970 property gini of 0.04, compared to 0.13 among early zoning adopters. This difference is greater than a standard deviation on the gini index.

Of course, zoning was not the only mechanism available to local governments to promote race and class segregation. One of the most successful strategies of directing residential locations without force was the placement of segregated amenities. Austin, Texas was a pioneer in this practice. The city's 1928 comprehensive zoning plan found that, "the Negroes are present in small numbers, in practically all sections of the city, excepting the area just east of East Avenue and south of the City Cemetery. This area seems to be all Negro population" (page number). So, the plan recommended that, "all facilities and conveniences be provided the negroes in this district, as an incentive to draw the negro population to this area." This strategy would, "eliminate the necessity of duplication of white and black schools, white and black parks, and other duplicate facilities for this area" (Koch and Fowler 1928, p57). Soon after the adoption of the plan, Austin's city council pursued this approach, providing a park, school, and sewer connections for African Americans only in this one section of the city. The council went on to duplicate the strategy for Latinos (Tretter 2012). In the 1940s and 50s (as I discuss in Chapter 4), the siting of segregated public housing followed a similar pattern.

Another tactic cities used to shape minority residential patterns was the use of eminent domain and the placement of public improvements. Abrams (1955) reports, "Sites abutting Negro developments have been acquired for railroad stations, incinerator dumps, urban redevelopment, public housing projects, roads, and similar improvements. These improvements sometimes tend to cut off the minority area from the rest of the city and stem the expansion of its living space" (p212). Such decisions became increasingly frequent as the federal government provided funds for redevelopment. As I show in Chapter 4, cities that spent more urban renewal dollars also became more segregated.

Cities also engaged in several strategies that enhanced/protected private decisions generating segregation. Chief among these was the refusal to deploy police forces to protect blacks from white violence when they sought to buy or rent homes in white neighborhoods. In many places, police routinely prevented the poor and people of color from setting foot in wealthy white areas at all (Meyer 2000, Myrdal 1944).⁷¹ In some places, city governments took actions to aid the effectiveness of private deed restrictions (Hirsch 1983). For example, the mayor of Baltimore established a special Committee on Segregation to help coordinate deed restrictions in white neighborhoods. The committee included the city's building inspector, representatives from the health department, real estate agents, and neighborhood improvement association members (Meyer 2000).

Conclusion

This chapter has provided the first piece of quantitative evidence along with qualitative historical references that suggest that local governments influenced patterns of segregation by taking into consideration public goods provision as well as the wishes of wealthy business elites and white property-owning constituents. Local governments institutionalized prejudicial behavior and promoted segregation through the use of zoning ordinances.

Political elites enacted zoning ordinances in order to control the distribution of public goods in the city. They justified their zoning and segregation legislation with the argument that the poor and minorities had habits that were harmful to public health. One of the main goals of zoning ordinances was to create property values that were stable; this was highly supported by influential groups including home and landowners who did not want "others" settling in their

⁷¹ As was the case with zoning, the use of police to support segregationists was variable. For instance, Meyer (2000) reports several examples of police providing support for black residents in New York City, St Louis, and Baltimore.

areas and decreasing the value of their investments. Local governments had no objections to keeping the property values high and stable, as this allowed them to refrain from raising taxes.

One major consequence that resulted from enacting zoning ordinances was that cities that adopted them early became more segregated in terms of both race and class lines. When cities restricted land use and the location of specific buildings, this created areas that were homogenous, leading to the reinforcement of inequality and social divisions.

In 1917, the Supreme Court ruled that zoning ordinances were indeed unconstitutional. This led many cities to turn their attention to comprehensive city plans and other forms of zoning that did not make outright segregation obvious. New comprehensive city plans were fueled by continuing race and class prejudice, and influenced the long-term shift from racial segregation to segregation by income level.

The historical references presented in this chapter support the argument that local government politicians used zoning as a mechanism to control the distribution of public goods towards their supporters and away from others, as well as create and maintain high property values in their cities. Zoning was implemented effectively in areas where those in favor of zoning had political power to turn racial and class prejudice into legislation. Cities that were early adopters of zoning ordinances grew to be ten percent more segregated over the following fifty years than did cities that were not early adopters. The results also illustrate that zoning ordinances doubled the amount of renter segregation. In these early adoption cities, property values would also become more unequal by 1970.

Local governments used zoning ordinances as a mechanism to solidify, through institutionalization, existing racial hierarchies and prejudice, and this practice has had long-lasting effects. When cities could have used zoning to enhance the life of all residents, local

government officials catered to the private interests of their supporters and utilized policy tools including the placement of segregated amenities, public improvements, eminent domain, and redevelopment funds to protect and increase property values. The consequence of these practices was the generation of long-standing race and class segregation and prejudice.

Chapter 3: Inequality in Public Goods Provision, 1900-1940

Throughout the first decades of the 20th century, neighborhoods became increasingly homogenous along both race and class lines. By 1940, white/nonwhite segregation had increased by an average of 63%, while renter segregation increased by 54%.⁷² Chapter 2 provided evidence that cities pursued race and class segregation in an effort to ensure the protected delivery of public goods to constituents with political power – namely land owners, realtors, developers, and white homeowners. Segregation served this goal because both local public goods and local political representation have a spatial component. While it is difficult to deny particular households access to sewer lines or a local public park, it is much easier to deny particular neighborhoods. Thus, as segregation geography shifted, so too did public goods inequalities.

Nothing about the existence of residential segregation necessitates inequality in service provision; it only makes it easier to produce if it is what city officials prefer to do. In fact, early planning advocates often argued that taking race into account when developing city plans was the key to *protecting* black communities and ensuring that they received, “all necessary municipal services – paving, city water, sewers, electricity, fire, and police protection...” (Knight 1927, p137).⁷³ While it was clear that public facilities would be separate, some planners insisted that there would be, “equal opportunities and facilities” (Virginia Law Review, 1928, p526). In most places though, inequality was the norm as, “housing segregation...permit[ted] any prejudice on the part of public officials to be freely vented on Negroes without hurting whites” (Myrdal 1944, p618).

⁷² As described in detail in Chapter 1, renter segregation remained at lower levels than race segregation throughout this period.

⁷³ Knight, Charles. 1927. Negro Housing in Certain Virginia Cities, Publications of the University of Virginia Phelps-Stokes Fellowship Papers, Number 8

As Abrams (1955) explains, “though often merged into a single neighborhood, the ghetto was not always a slum nor the slum always a ghetto....the slum-ghetto was created when those of a single ethnic minority group lived not only in a ghetto but also in bad housing” (p76). Local governments contributed to the development of slum-ghettos by providing worse city services to neighborhoods populated predominantly by certain groups. Myrdal (1944) explains that the argument offered in support of these unequal allocations was the (erroneous) belief that whites paid all of the taxes, and so were therefore entitled to all of the benefits. It followed that, “whatever [Negroes] get is a charitable gift for which they should be grateful” (p336).

Over the long run, this pattern of government behavior contributed to the development of negative stereotypes about the people who lived in the slum-ghetto (e.g. that racial minorities or the poor, “*cause[d]* the deterioration of the places in which they live[d]” Hayward 2013, p64, emphasis in original). This is what Glenn Loury (2002) refers to as a “politically consequential cognitive distortion” because the disadvantage observed among a group of people is assumed to be, “intrinsic to that group when, in fact, that disadvantage is the product of a system of social interactions,” which then leads observers to be opposed to policy solutions or systemic reform (p26). It was in the early part of the 20th century that the foundation for continuing inequality in the 21st century was laid. By building inequality into the physical landscape, cities added, “unprecedented durability and rigidity to previously fragile and fluid [social] arrangements” (Torres-Rouff 2013, p257).

In Chapter 2, I provided evidence that political power in the hands of opponents could slow or inhibit the enactment of such policies. A similar pattern existed with respect to the distribution of benefits. In many cities, political participation of lower socio-economic status groups and racial minorities limited the degree to which public goods were allocated unequally.

When these groups were able to assert political power through voting strength or in official positions, they received more benefits from municipal governments.

In this chapter, I show that between 1900 and 1940, neighborhoods that were identifiably poor or inhabited by minorities were allocated lower quality services including road paving, public health efforts, and sewer extensions. I draw on detailed data from Atlanta, Birmingham, Baltimore, Boston, Chicago, and Philadelphia to provide this evidence. Where relevant, I discuss mobilization efforts on the part of underserved groups that limited the extent of unequal allocation. I also show that in the case of sewer connections, this inequality persisted into the latter half of the century. Using data from all places included in the Census in 1970, 1980, and 1990, I provide evidence that where minorities and renters were more concentrated (e.g. in more segregated cities) they were less likely to be connected to public sewers.

A common argument promoted in the literature, as early as the 1930s, was that class, not race, was the more important determinant of inequality. A 1932 report commissioned by President Hoover stated, “These conditions of Negro housing in our cities are not the result of any willful inhumanity on the part of our society. On the contrary, they merely emphasize the present shortcomings of our individualistic theory of housing...The Negro’s housing problem is part of the general problem of providing enough housing of acceptable standards for the low-income groups in our society” (Johnson 1932, p.viii). Myrdal (1944) also argued that, “in the North there is little, if any, direct discrimination...What inequality there is in the Negro’s consumption of public services in the North is due mostly to poverty, lack of education, and other disabilities which he shares with other lower class persons in the region” (p335). Thus, the belief that blacks endured worse conditions than whites solely because of their lower socio-economic status, was widespread. As will be shown throughout this book, this was not true in

either the historical or modern period, regardless of the measures used or the region studied.

Race and class exert powerful, independent effects on distributional outcomes.

Jim Crow and Public Goods Inequalities

Until the mid-1950s (and in some places long after), many Southern (and some Northern) cities generated inequalities in public goods by segregating access directly and then underfunding nonwhite services. Of all of the public goods residents sought to secure, none was as important as schooling. As of 1947, all southern states, along with Arizona, Indiana, Kansas, and New Mexico required or allowed segregation of schools (CQ Researcher 1947). Until the mid-1930's, about 75% of public school revenues were completely locally derived (Snyder 1993).⁷⁴ In the post-war period state and then later, federal government contributions rose. According to the data described in Chapter 1, localities spent an average of \$103 (in 2012 dollars) per capita on schooling in 1902, representing about 35% of total expenditures. Per capita spending rose dramatically over the next 25 years (to \$203 in 1927), but not as quickly as other expenditures. In 1927, schooling represented about 31% of local budgets. Until (and in some places even long after) *Brown v. Board of Education* was decided in 1954, racial segregation in schools was generated directly – that is, *residential* segregation was not needed to

⁷⁴ Technically, most schools in the United States are governed by approximately 13,000 independent, single purpose governments called school districts, rather than by cities. Not only are the governments that provide schooling and garbage service different entities, with separate budgets and separately elected officials, they do not often share the same boundaries. Today, only about one quarter of cities over 50,000 people have boundaries that are coterminous with a single school district (Fischel 2007). However, the 1902 Census Statistics of Cities reports that, “In most cities [included in the report] the schools are under the control of the city government, or of a school district, practically coterminous with the city” (p21). In his study of modern district boundaries, Fischel (2007) confirms that older cities are much more likely to have coterminous boundaries. It is for this reason that I include a discussion of schooling in this section. The figures cited in this paragraph combine revenue and expenditure for the municipality and the district as reported by the Census. However, it is not proper, even during this early period, to think of expenditures on schooling as being exchangeable with expenditures on other types of services. That is, increasing school spending did not directly impact funds available for policing, although one might imagine a theoretical budget constraint that the voters could impose on all governments. Due to a lack of clarity both theoretically and statistically, for the most part, I do not consider school district revenue and expenditure as part of the municipal budget in the remainder of this book.

ensure that whites and Blacks attended different schools. This was true in both the North and South. As one observer explained, “contrary to the general impression, this doctrine [of segregated schools] is of Northern and not of Southern origin. It originated in fact in the Quaker state of Pennsylvania and the abolitionist state of Massachusetts, and; although it repudiates any implication of a superior and an inferior race and insists on equal opportunities and facilities...” (Virginia Law Review 1928, p526). Litwack (1961) found that, “by the 1830s, statute or custom placed Negro children in separate schools in nearly every northern community” (p115).

In 1912, the Census reported expenditure data on schools separated by race in 40 communities. Unsurprisingly, white schools were better funded than black schools. I estimate that these cities spent about \$4 per white resident and about \$2.6 per black resident (in 1912 dollars).⁷⁵ However, the ratio of spending in black to white schools differed by region. While Northern black schools were not, as the Virginia Law Review implied, equally funded – it was the case that the disparities were greater in the South. For cities in the Midwest, the ratio was 0.846, compared to 0.685 in the Northeast, and 0.573 in the South.⁷⁶ School enrollments were also lower among black children. For the 1902-1903 school year, about 56% of black children were enrolled in school in Southern states, compared to 72% of white children (DuBois and Dill 1911, p24).⁷⁷ In some places with substantial black populations, no black schools were provided

⁷⁵ This is an estimate because I used linear interpolation to estimate the total white and Negro population in each city in 1912. The figure represents the total amount of funding for white and Negro schools reported by the Census divided by my population estimates.

⁷⁶ It is important to note that these data only represent a fraction of the communities with black schools or significant numbers of black school aged children (see discussion on page 122 in Financial Statistics of Cities Having a Population of Over 30,000: 1912). The 40 communities included in this special Census report spent less overall on schooling compared to other communities (about \$3.6 per capita vs. \$4.8 per capita). Compared to data reported in DuBois and Dill (1911), these figures appear to understate the discrepancy in funding between black and white schools.

⁷⁷ W.E. Burghardt DuBois, PhD and Augustus Granville Dill A.M., editors, *The Common School and the Negro American: Report of a Social Study Made Under the Direction of Atlanta University*, No. 16.

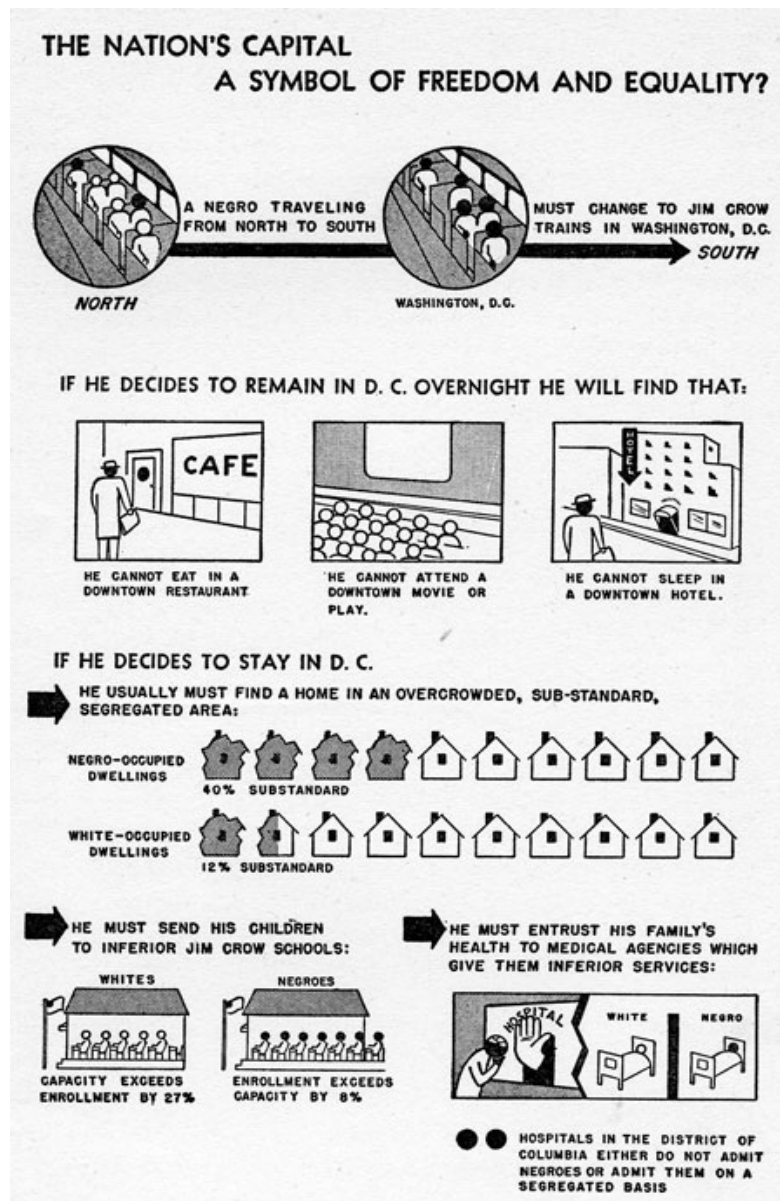
at all (DuBois and Dill 1911). Indeed, as Rabinowitz (1978) has argued, segregated schools actually represented an improvement in many communities because the alternative was complete exclusion – not integration.

Black schools had fewer teachers per child, shorter school years, and inferior physical infrastructure (DuBois and Dill 1911, Myrdal 1944). Teacher pay also differed substantially. For instance, in 1908 Georgia, the average teacher salary for whites was \$45.47 compared to \$26.37 for blacks (DuBois and Dill 1911). Despite similarly sized populations of white and black school children, Atlanta provided only 15 black grammar schools in 1920 compared to more than 40 grammar schools for white children. But not all white schools were treated equally. Schools serving poor whites (largely immigrants) were also, “older, less well equipped and often more overcrowded” (Myrdal 1944, p338).

Everywhere, blacks paid property taxes that were used to support white schools. Myrdal (1944) explains, “whenever the proportion of Negroes in the population is high, and the standard of Negro schools is kept well below that of white schools, the white educational system can derive substantial gains from segregation. Segregation makes discrimination possible; discrimination means lower expenditures for Negro schools, and the white population thus gets a vested interest in separation” (p341). In 1917, the Negro-at-Large series sought to catalogue reasons for the increasing Northern migration among Southern Blacks. The results of the organization’s survey were printed in the Atlanta Independent. The third most important reason (after unhappiness with Jim Crow laws and disenfranchisement) dealt with inequality in school funding. The survey stated, “At present Negroes pay their proportion of taxes directly and a big portion in-directly through their rents, yet Negro schools receive in some cases less than 30 per cent of their just desserts” (reported in West 1976, p14).

However, the extent of inequality differed from place to place. DuBois and Dill (1911) report that in Washington D.C., where blacks sat on the Board of Education and held an assistant superintendent position, “there is no discrimination in the pay of teachers or in the requirements for teachers or in the course of study laid down” (p32). St. Louis and Baltimore both offered black high schools during this period. A 1954 study of inequality in education funding in St. Louis found that black schools were underfunded given their enrollment, but the difference was only about 5% and teacher pay was nearly identical (Russell 1954). In Atlanta, an active chapter of the NAACP sought to mobilize black voting power to improve public services in general and schooling in particular. In spite of a series of restrictions on voting (e.g. the white primary, poll taxes, etc.), the organization was able to register enough blacks to vote to sway some elections (Bacote 1955). In 1919, black Atlantans organized to defeat a bond package that would have solely funded white schools. So, in 1921 sponsors of the referendum sought black support in exchange for a black high school (West 1976).

Schools were not the only public good that was segregated directly during this period. Recreational facilities like parks, swimming pools, bath houses, and golf courses were also designated for white use only in many Southern cities. In Atlanta, blacks had three recreational sites compared to 22 for whites (Kruse 2005, p75). In 1954, The Atlanta Urban League calculated that whites had access to one acre of park land for every 155 residents compared to one acre of park land per every 1020 black residents. As a result, black parks witnessed severe overcrowding and much more rapid degradation (Kruse 2005). Myrdal (1944) writes, “virtually the whole range of...publicly administered facilities...are much poorer for Negroes than for whites” (p335). A graphic from President Truman’s Report of the President’s Committee on Civil Rights (Wilson 1947) makes the point visibly:



Although Jim Crow legislation was efficient at producing racial inequality, it was not perfect. As the Truman Report explained, “Following the *Plessy* decision, the Supreme Court for many years enforced with a degree of leniency the rule that segregated facilities must be equal. Gradually, however, the Court became stricter about requiring a show of equality”

(Wilson 1947, p82). Separate-but-equal facilities increased costs dramatically (Myrdal 1944). Additionally, some public goods could not be segregated directly. Troesken (2004) argues that, “because most cities and towns installed their water and sewer systems before 1920, during an era of relatively low residential segregation, it was difficult to construct systems that underserved African Americans without also underserving whites” (p91). As a result, he finds that the delivery of clean water and sewage disposal had a dramatic effect on lowering black mortality in the South. Furthermore, in some places, white public opinion had already begun to develop in opposition to overt racial prejudice and blacks were able to make headway in pursuing integration. Boston desegregated its schools in 1855 after sustained protest by blacks and abolitionist whites (Mabee 1968). By 1947, eighteen states had enacted antidiscrimination legislation prohibiting direct segregation (Konvitz 1947). Even some Southern cities (e.g. Atlanta) witnessed a significant local voice in opposition to Jim Crow (Kruse 2005). As direct segregation became untenable and the black population of these cities expanded, residential segregation became the obvious solution. Furthermore, unlike Jim Crow legislation, residential segregation permitted the separation of poor residents from wealthy residents in addition to the separation of residents of color.

Inequalities Generated Through Residential Segregation

When the nonwhite or poor community was segregated residentially, systematic denial of services was possible. A mid-century analysis of “American Negro, Puerto Rican, and Mexican” housing in large cities found that,

“Garbage collections, building inspections, street maintenance, and other city services are less satisfactory than in other areas. The abnormal number of rat bites in Harlem, for example, may be ascribed not only to proper upkeep but to the ready supply of uncollected garbage in the streets. Southern cities and some in the North omit street paving and sidewalks in Negro sections. In hills sections the residents try to fill gullies in

the streets with broken masonry, worn-out linoleum, and other trash” (Abrams 1955, p74-75).

In Birmingham, a committee of Black professionals protested the city’s 1923 segregation ordinance saying that while blacks “would prefer to live to themselves,” black neighborhoods, “are without the necessary sanitary arrangements, street improvements, lights, police protections, and the necessary comforts given other people in the municipality” (Connerly 2005, p44).

Among the most ambitious and expensive public goods that cities developed in the first decades of the 20th century were the delivery of clean water and removal of waste through sewer systems. Sewer and water mains were built along major roads, and homes located along these lines would have had the opportunity to be connected to the system. Troesken (2004) suggests, in a detailed analysis of Savannah and Memphis, that it appears that segregation, “facilitated efforts to underprovide African Americans with sewer and water systems” (p91). I build on Troesken’s case studies by analyzing sewer and water extensions over time in four cities: Baltimore, Boston, Chicago, and Philadelphia. These cities all witnessed increases in racial and renter segregation between 1900 and 1940 and had data available on sewer construction.

To measure segregation, I calculated the *H* Index (as described in Chapter 1) for Baltimore, Boston, Chicago, and Philadelphia using ward-level demographic data from the 1900, 1910, 1920, 1930, and 1940 Censuses of Population and Housing.⁷⁸ For racial segregation, I use whites and nonwhites as the groups in the calculation of the measure. For class segregation, I use renters and homeowners. Table 3.1 shows each city’s *H* index in 1900 and 1940 measuring white/nonwhite segregation and renter/homeowner segregation.

⁷⁸ In order to make these scores comparable to modern data, I adjust the scores using a correction factor to make the ward-level estimates similar to the tract-level estimates used in later decades.

Table 3.1: Segregation Increased in the early 20th C

	Race		Class	
	1900	1940	1900	1940
Baltimore	0.43	0.60	0.07	0.12
Boston	0.33	0.52	0.09	0.11
Chicago	0.46	0.84	0.09	0.15
Philadelphia	0.29	0.44	0.04	0.09

If the argument that I have presented is correct, it should be the case that nonwhite and renter households should have been less likely to have access to water and sewer connections in more segregated cities. Unfortunately, I do not have the individual-level data to test this hypothesis. However, there are also aggregate implications of my theory. If elected officials were taking demographics into account when making decisions about where to build sewer extensions, we should witness an interactive effect between segregation and the demographics of a neighborhood. As segregation increases, it should be the case that the share of residents who are nonwhite or renters should have a more powerful negative effect on new sewer extensions.

The data I use for this analysis were provided by the Center for Population Economics at the University of Chicago in the Historical Urban Ecological dataset (which is really a collection of many different datasets and maps). The dataset (Costa and Fogel 2015) includes ward boundaries for the four cities listed above between 1900 and 1930 and also includes a map of each city's sewer system. The sewer map includes the year different segments of the system were built. Using ArcGIS, I created counts of sewer segments in each decade for each ward and combined these counts with ward-level data from the Census of Population and Housing.

Observations are arranged by ward-census year. That is, each observation represents one ward in a city in a single year. The dependent variable in the analysis is the *Total New Segments*

built in each ward before the next census. The key independent variables are the share of each ward's total population that is *Black* and the share of occupied housing units that were *Rented* (as opposed to owned). These demographic variables are interacted with each city's *H index of segregation* (for race and class respectively) in a given Census year.

I control for the *Total New Segments* built in the city in each decade to account for the slackening pace of sewer development over time. I include the *Total Segments* built in the ward at the completion of the sewer system to account for the variation in sewer needs across wards. I also control for the proportion of those total segments that were built at the beginning of each decade in the variable *Percent Built*. Finally, I account for the share of the ward population that is *Foreign Born* to account for the possibility that city governments were providing fewer benefits to immigrant neighborhoods (which would have correlated with renter neighborhoods).

An important alternative (and undoubtedly true) explanation to rule out is that black and renting residents chose housing that lacked public services because it was less expensive. I do this by taking advantage of time. I explore the pattern of sewer line extensions in each decade between 1900 and 1940 given the racial makeup of each ward at the beginning of the decade. For instance, the total number of extensions built between 1900 and 1910 is regressed on the share of the ward that was black and the share that were renters in 1900. Because the dependent variable is a count of sewer segments, I fit a Poisson regression.

I was able to obtain data at the ward-level detailing racial makeup for every decade between 1900 and 1940, but data on renters is only available for 1900 and 1940. Because ward boundaries changed dramatically in some cities between these years, interpolation is not possible. Additionally, the Census did not tabulate data on renters in 1940 for the city of Chicago. As a result, adding the proportion of renters to the models significantly decreases the

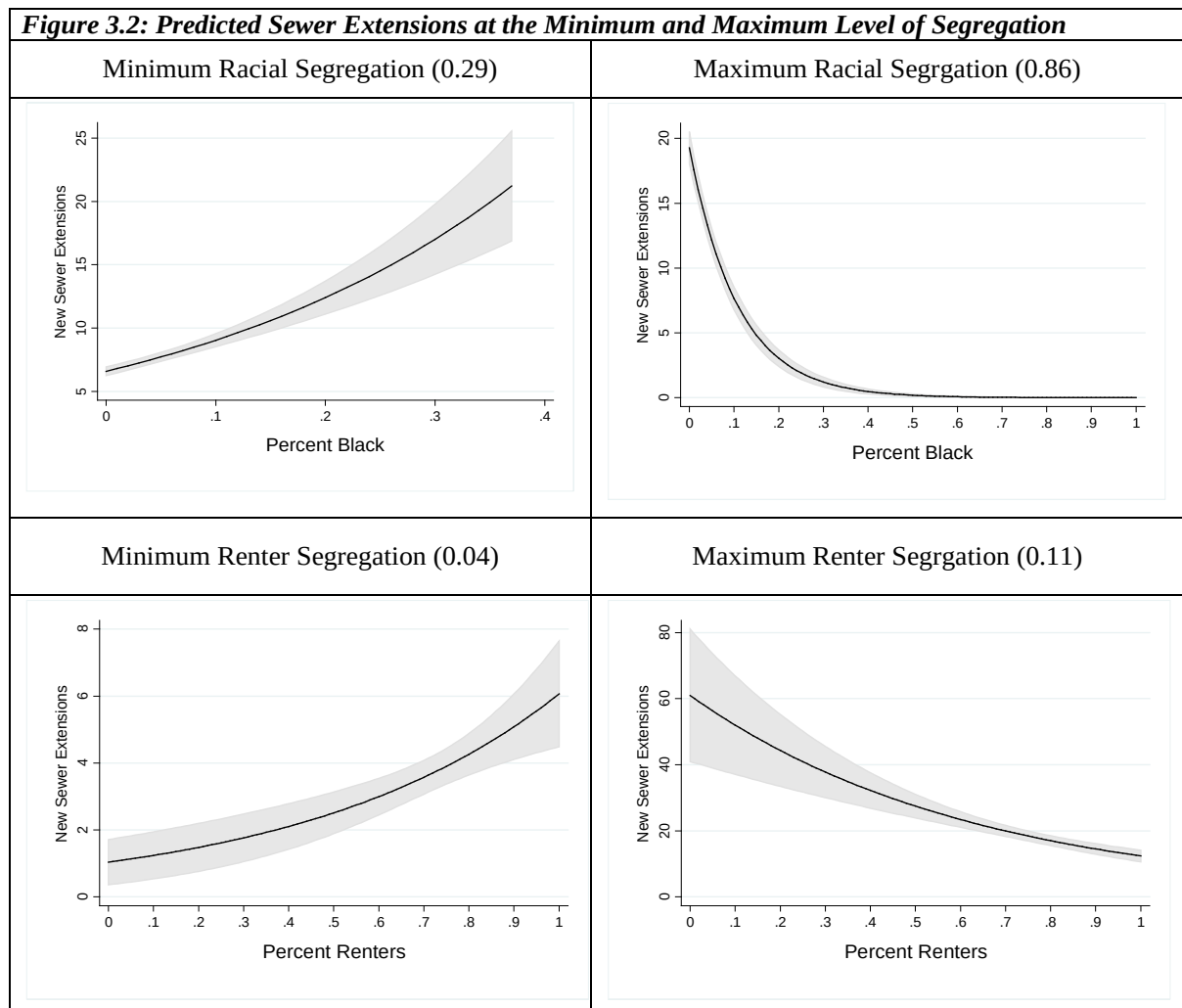
number of observations. For this reason, I present the model without the inclusion of renters in the first model, and with the proportion of renters in the second.

The results, presented in Table 3.2, reveal a powerful negative relationship between the share of the ward that was black or renting and new sewer extensions in more segregated cities.

Table 3.2: Segregation Decreased Access to Sewers for Blacks & Renters

	β	Std. Error	P> t	β	Std. Error	P> t
% Black*Racial Segregation	-21.643	1.347	0.000	-11.811	2.002	0.000
% Black	9.429	0.676	0.000	6.713	0.925	0.000
Racial Segregation	1.874	0.082	0.000	-4.645	0.424	0.000
% Renters*Renter Segregation				-48.256	8.570	0.000
% Renters				3.654	0.765	0.000
Renter Segregation				58.505	6.510	0.000
Total New Segments	0.000	0.000	0.000	0.001	0.000	0.000
Total Segments	0.000	0.000	0.000	0.000	0.000	0.000
% Built	-3.275	0.044	0.000	-2.740	0.062	0.000
% Foreign Born	0.074	0.097	0.442	-0.411	0.198	0.038
Constant	2.611	0.048	0.000	0.651	0.521	0.211
N	541			271		
Pseudo R ²	0.788			0.748		

The data indicate that in more segregated cities, heavily black and renter wards were unlikely to receive new sewer lines. Figure 3.2 plots the predicted number of new sewer segments across the full range of black and renter population shares for the least and most segregated city-years in the dataset. The graph in the top right makes clear that majority black wards see no additional investment in their sewer systems. A similar pattern exists for wards with increasingly large renter populations in cities that were segregated by class.



In integrated cities however, the reverse is true: larger black and renting populations increase sewer line extensions. This may seem puzzling at first glance – but it is not. Troesken (2004) explains that the reason for this apparent generosity was self-preservation. He says:

...discrimination in this arena was costly to white politicians and voters in at least three ways. First, given the networked structure of these systems it was difficult to deny service to African-American households and neighborhoods without also denying service to white households and neighborhoods.... Second, in a world where blacks and whites lived in close proximity, ‘sewers for everyone’ was an aesthetically sound strategy. Third, failing to install water and sewer mains in black neighborhoods increased the risk of diseases spreading from black neighborhoods to white ones (p9-10).

As a result, to the extent that sewer systems were built prior to rising segregation, variation in sewer system service did not disproportionately affect any demographic group. In Richmond, Virginia, neighborhood segregation actually declined between 1890 and 1930, and one contemporary observer wrote, “With the completion of the 1925 program practically the whole of Richmond was sewerred and supplied with city water” (Knight 1927, p51).

In other cities, organized political action on the part of nonwhites and the poor mitigated inequalities. Bond passage in Atlanta required approval of two-thirds of votes cast and the two-thirds majority had to constitute a majority of registered voters – so by simply registering and not turning out, African Americans could ensure defeat at the polls (West 1976, Bayor 1996). In 1919, Black voters defeated a one-million-dollar bond package that was to provide, “for improvement of waterworks, a motorized fire department, erection of a museum at cyclorama, and the construction of a crematory with electricity generating facilities,” after being told that, “blacks would receive no benefits from the measures” (West 1976, p13). When a new package was submitted to voters in 1921, it included \$2,850,000 for water works and \$750,000 for the viaduct (Atlanta Independent, February 24, 1921, p4). The mayor promised to appoint a special commission of colored citizens to advise the Bond Commission regarding the distribution of the

funds (Atlanta Independent, February 24, 1921, p4). On election day, Atlanta's "colored citizens...voted for every improvement named on the ballot" (Atlanta Independent, March 10, 1921, p4).

In some cities, sewers were built at the behest of property owners and developers. This was the situation in Birmingham and Los Angeles. In cities with this type of process, land-owners played a crucial role in the eventual sewer map. Because very few land owners were people of color, blacks in Birmingham and Mexicans and Chinese residents in Los Angeles lacked the opportunity to request sewer extensions or connections. While it might seem reasonable to explain inequality in access as the result of these economic differences, cities had other means by which to compel development. In Birmingham, sanitation and building codes were ignored in black neighborhoods (Connerly 2005), and in Los Angeles the city council ordered sewers to be built at the, "cost and expense of the several parties owning property along its route." However, they declined to compel sewer building in Sonoratown or Chinatown (Torres-Rouff 2013, p224; quoting Los Angeles City Council minutes, April 4, 1873). Because most Mexican and Chinese residents were renters, this refusal was a significant benefit extended to their landlords. As a result, in both cities, the absence of sewer and water service was concentrated in minority neighborhoods.

In this next section, I ask whether this unequal pattern of sewer development continued to affect minority and renting residents in the latter half of the 20th century. In order to investigate this question, I draw on the GeoLytics Neighborhood Change Database which matches and normalizes Census tract boundaries between 1970 and 1990. This normalization allows for direct comparison of tract attributes across time. I use this database to construct the race and

renter *H* index (as described in the previous section) for 4,566 incorporated municipalities and 800 unincorporated county areas.

The dependent variable in my analysis is the share of housing units in a given census tract that is connected to *Public Sewers*. My primary independent variables, similar to the previous analysis, are the share of the tract population that is *Nonwhite*, and the share of households that are *Renters*. These variables are interacted with each city's *H* index of *segregation* (for race and renters respectively) in each year. I control for the proportion of *Wealthy Families* in the tract (those earning incomes above the 90th percentile for a given Census year: \$15,000 in 1970, \$35,000 in 1980, \$75,000 in 1990), the total *City Population*, and the total number of families connected to *Public Sewers* in the city. I include fixed effects for region and cluster the errors by city. The results are presented in Table 3.3 (summary statistics are in table A3.2).

Table 3.3: Nonwhite and Renter Sewer Access in Segregated Cities			
	β	Std. Error	P> t
% Nonwhite*Racial Segregation	-0.261	0.069	0.000
% Nonwhite	0.164	0.037	0.000
Racial Segregation	0.122	0.035	0.000
% Renters*Renter Segregation	-2.643	0.854	0.002
% Renters	0.851	0.228	0.000
Renter Segregation	1.631	0.418	0.000
% Wealthy	0.254	0.105	0.016
City Population	0.000	0.000	0.000
City Public Sewer Connections	0.000	0.000	0.000
Midwest	0.053	0.013	0.000
South	-0.040	0.012	0.001
West	0.017	0.012	0.171
Constant	0.327	0.161	0.042
N	146,102		
R ²	0.327		

As was the case in the early period, between 1970 and 1990 renters and nonwhite residents continued to have inferior sewer access in more segregated cities. Of course today, overall sewer

access is high; the median census tract has 97% of homes connected to public sewers. The point demonstrated by this analysis is that both in the past and today, lack of access to public sewers is disproportionately concentrated among minority and renting residents.

Delivery of other public goods followed a similar pattern to sewer development and clean water provision. In 1900, 8,000 automobiles were registered in the United States; by 1940 the figure was 27.5 million (Federal Highway Administration 1997). But during this same period, actual spending on roads increased very little and dropped as a share of total budgets.⁷⁹ This meant that road paving distribution was an intensely political decision and different areas of the city were treated differently. One study of four Virginia cities reported, “a general lack of paving in the Negro residential areas” (Knight 1927, p53). In Los Angeles, Torres-Rouff (2013) explains, “many paved streets ran through the Anglo residential neighborhoods and commercial center but abruptly yielded to dirt as soon as they crossed into Sonoratown and Chinatown” (p226). A 1958 study of Birmingham analyzed white and black blocks in a single working class neighborhood and found that about a third of the black blocks had unpaved streets on three or four sides compared to only 6% of white blocks (Connerly 2005, p31).

As described in the introduction, mortality rates in cities during this time period, particularly the early years, were high. A budding public health movement sought to utilize government funds to address disease contraction and death. Cities created new public health departments, passed regulations regarding the storage and transport of milk, sent inspectors to stores and dairies, and engaged in large scale fumigation efforts. In all of these activities, white and homeowner neighborhoods were treated more protectively than neighborhoods inhabited by

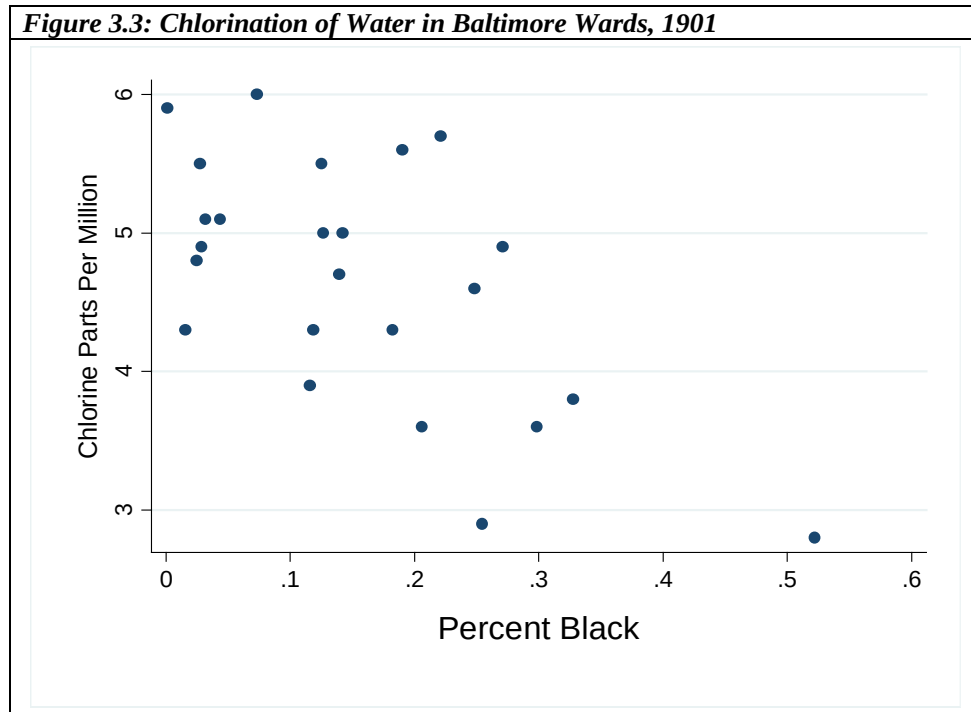
⁷⁹ In a sample of 84 cities for which I was able to obtain data between 1902 and 1937, mean per capita road spending was \$44 in 1902 (in 1912 dollars) and \$43 in 1937. It reached a high of \$51 in 1932. Road spending represented about 13% of city budgets in 1902 and about 8% in 1937.

renters and minorities. In 1915, the nationwide infant mortality rate was 57% higher among nonwhites than whites. One study of 4 southern cities determined that nearly 1 of every 2 black babies died (Meckel 1990 p.142). Even still, black infants were “almost entirely” excluded from the “early part of the infant welfare campaign,” (Meckel 1990, p142).

A 1914 analysis of Baltimore’s Public Health department by the United States Surgeon General found that regulations were not enforced in the poorer parts of town. The report explained:

An inspection was made by me of the stores selling milk in two of the districts of the city. One was located on the outskirts of the city in a good neighborhood...In every store the milk was sold in unbroken packages, was kept in a separate compartment of a large refrigerator and the conditions were as good as could be expected...The other district visited was of a different type altogether. It was located in the slums, among the foreign population. Here all the milk was sold in bulk under the most insanitary conditions. To make regulations here is practically hopeless. There are but three things to be done – stop the sale of milk in such places, establish a municipally controlled dairy within the district, or prohibit the sale of anything but bottled milk in original packages... (Fox 1914, p37).

In 1901, the Baltimore Health Department (reported in HUE dataset by Costa and Fogel 2015) reported an assessment of water quality in each ward. Only one ward had water that was classified as “Very Muddy” (as opposed to clear, fairly clear, cloudy, or muddy). That one ward was 52% black. The same ward also had the lowest level of chlorination in the entire city. In fact, there was a powerful negative relationship between chlorine parts per million and the share of black residents in a ward. Figure 3.3 provides a scatter plot of the data.



Not only were services provided differentially, but many cities engaged in a practice Rabin (1990) calls expulsive zoning: the placing of negative uses in minority neighborhoods. Kruse (2005) explains that as neighborhoods transitioned from white to black, city officials would assume that property values would fall and the area would become a slum. “Accordingly, planners and zoning committees lowered their standards for the region and began approving projects they would have routinely rejected if the residents were still white” (Kruse 2005, p74). A 1932 analysis of housing in one New Orleans neighborhood reported that, “The superintendent of the public school system used to live in this area but the white residents began to move out and then the city built a garbage incinerator over here, and all of the best whites moved out and the Negroes moved in with the poor whites,” (Johnson 1932, p19). In Birmingham, city planners zoned black neighborhoods in flood plains and in industrial areas (Connerly 2005). Myrdal

(1944) reports that it was common to ignore criminal activity in black areas. As Muhammad (2010) explains, municipal authorities allowed crime to flourish in black neighborhoods as a service to white politicians and constituents. Doing so allowed whites access to prostitution, gambling, illicit alcohol and drugs while protecting white neighborhoods from the criminality. Because such operations were, “mostly owned, partially operated, and unofficially regulated by a largely white power structure” (Muhammad 2010 p.227), the benefits were captured by whites, while the negative externalities of vice were borne nearly exclusively by blacks. These strategies created conditions that lead later generations of planners to denote black areas as blighted slums, thus enabling the expulsion of blacks from these neighborhoods in redevelopment projects.

The historical record indicates that lower levels of segregation and more political power in the hands of blacks and the poor could mitigate such inequalities. Throughout the late 1880s, blacks held significant bargaining power in Atlanta city politics. Blacks were appointed to the nominating committees for city elected offices, and black votes were courted with promises of a black fire company, schools for black children, and street paving (Bacote 1955). After the white primary was struck down in 1946, blacks gained even more leverage in Atlanta politics. Black leaders had been pressing the city government for years to hire black police officers, “hoping to solve the problems caused by both the absence and the presence of white policemen” (Kruse 2005, p33), but their requests were ignored until they could marshal votes in city elections. In 1948, eight black patrolmen were hired (although they were only allowed to patrol black neighborhoods and could not arrest whites).

In Birmingham, many black neighborhoods formed active, dues-paying, civic leagues to lobby the city government for improved services. While they won a few small victories (the first city-owned park for blacks, some street paving and lighting, fire hydrant installation, sewer

extensions, and gas lines), they were mostly met with staunch resistance from the all-white government. One organization, the Harriman Park Civic League waited for four months to get an appointment with the public safety commissioner, Bull Connor. When the meeting finally occurred, Connor literally turned his back on the presentation (Connerly 2005, p221). In the late 1960s and early 1970s, as political power began to shift toward black residents, many of the requests brought by the civic leagues were finally addressed.

In Boston, Progressive Reformers attracted public support and won a series of institutional reforms between 1903 and 1913. Nonpartisan neighborhood organizations arose as powerful voices in municipal politics. The result was the consolidation of political power in the hands of middle-class homeowners (Connolly 2009) at the expense of working-class white ethnic immigrant constituencies like the Irish. However, the city was fairly integrated residentially along both ethnic and class lines during these years – and so, while political power shifted hands and the agenda changed, when neighborhoods won improvements like street cleaning and repair, playgrounds, libraries, or improved police protection, they benefitted all residents in the community, not just those with political power.⁸⁰

Between 1914 and 1950, Boston was governed (on and off) by a staunch advocate of the poor and working classes – James Michael Curley. Curley was a machine-style politician, who was never able to consolidate a dominant citywide organization (Erie 1988). Many histories of this period note Curley’s lavish attention to the city’s, “working-class, ethnic neighborhoods” (Connolly 2009, p146). But the Census data from the period reveal that even the most heavily ethnic wards were actually fairly mixed. In 1930 for instance, wards ranged from 21% foreign

⁸⁰ Connolly (2009) argues that this shift in political power altered the agenda of city politics toward neighborhood improvement and away from issues that the working class prioritized like union protections and wage and pension increases (see pages 115-120) and also decreased participation among working-class voters.

born to 42%, and no ward housed more than 11% of the total foreign born population. So when Curley “ordered loans to clean and pave local streets, build a playground and bathhouse, and improve sewer and water serves” (Connolly 2009, p166) in the North End in order to woo Italian votes, non-Italian residents also benefitted.⁸¹

Yet, in many cities, even when residents and activists mobilized to lessen inequalities, “segregation [became] the cornerstone of the elaborate structure of discrimination against some American citizens,” (Wilson 1947). Hayward (2013) explains that the, “black ghetto [was] subjected to systematic disinvestment, while collective investments in new residential and commercial structures, and in ‘public amenities’, such as parks and athletic facilities and well-built and well-equipped schools, disproportionately [were] channeled to places that were, first legally, then practically, restricted to those constructed as white” (p63). These inequalities contributed to a growing collective sense of whiteness and homeowner identity on the one hand (Sugrue 1996, Hayward 2013), and on the other hand, the hardening of stereotypes about the suitability of poor and nonwhite residents as neighbors. White homeowners believed that individuals who shared demographic characteristics with those who lived in disinvested neighborhoods would bring slum conditions with them wherever they lived. In 1951 and 1953, Rose Helper conducted 40 interviews with real estate agents in New York City and Chicago to learn about the, “reasons for excluding Negroes from white residential areas” (Helper 1969 p18). She reported that the agents believed that, “[white people] fear that their neighborhood will deteriorate if Negroes come because of their manner of living in other areas: they associate Negroes with the undesirable slum (dirt, noise, squalor, stealing, vice), something to be avoided

⁸¹ One scholar (Puleo 1994) estimates that in 1920, 95% of the North End population was Italian (p116). Without detailed data regarding the exact location of Curley’s benefits, it is impossible to know the degree to which they served other populations.

if possible” (p79). In response, white homeowners sought continued governmental protection of their neighborhoods. Over the next several decades they succeeded in this fight.

Conclusion

Between 1900 and 1940, America’s cities became increasingly segregated along race and class lines. While renters and homeowners both became more concentrated, the most dramatic changes in segregation occurred between blacks and whites. These changes in residential living patterns changed the distribution of public goods. As cities became modern service providers, the allocation of public goods was intensely political. In the earliest years when no neighborhoods benefitted from paved streets or clean water, health and cleanliness did not differ dramatically from place to place. But as streets became sewerred, paved, and lit, and as inspectors enforced building, sanitation, and health codes, some neighborhoods reaped the benefits while others, “continued to contend with dirt roads and open cesspools” (Torres-Rouff 2013, p227). As Torres-Rouff (2013) explains, “these decisions produced a city that physically imposed inequality on its citizens” (p227). Such choices would be consequential for the future as inhabitants of these neighborhoods came to be associated with poor living conditions. Today, evidence indicates that segregation is maintained by white homeowners’ willingness and ability to pay a premium to live among white, educated neighbors (Cutler, Glaeser, and Vigdor 1999).

Chapter 4: City policy maintains/deepens segregation, 1940-1970

By 1940, segregation patterns in cities were well-established. The boundaries of minority neighborhoods were clearly defined and white prejudice against nonwhite neighbors was entrenched. As one Chicago realtor explained, our “firm has a policy where they won’t sell to a Negro in an area where Negroes are not resident...the general public...is not willing to accept the Negro as a neighbor. That’s the basis for our not selling to Negroes in this type of an area unless one Negro family is already in the block. You can’t be censured then. A silly idea but that’s life” (Helper 1969, p41).

The maintenance of property values was the typical explanation offered for these practices; a belief that had been cultivated by policies enacted by local governments and which quickly became a self-fulfilling prophecy. Blacks were seen as undesirable *neighbors* because the features of their *neighborhoods* became associated with individual members of the racial group. Whites came to similar conclusions about Chinese residents in San Francisco (Shah 2001, McWilliams 1964) and Latinos throughout the Southwest (Abrams 1955, Torres-Rouff 2013, McWilliams 1964). This was the case despite the fact that minorities and renters experienced poor neighborhood quality because of paltry municipal services, neglectful landlords, and the overcrowding that resulted from segregation, not from their own doing.

During the build-up of the war effort in the early 1940s, massive demographic changes rippled through the nation. African Americans moved to the North and West, and the war and agricultural industries attracted Latinos to cities and farms in the Southwest (Weaver 1948, McWilliams 1964). In the post-war period, city governments utilized policy instruments like urban renewal and the placement of public housing to prevent minority and poor neighborhoods from expanding into white areas, and to protect property values for white homeowners. At the

same time, tumultuous battles over racial integration (of neighborhoods, schools, busses, lunch counters, unions, etc.), the rising Civil Rights movement, and the passage of the Voting Rights Act, threatened to undermine white homeowners' control of the political system, distribution of city services, and ability to police the borders of their neighborhoods (Sugrue 1996, Kruse 2005, Self 2003).

A great deal of insightful, detailed historical research studying the Civil Rights movement, segregation, and suburbanization has been written about the postwar period and this chapter does not attempt to retell what we already know. Instead, here and also in Chapter 5, I focus on the role of city policy in the generation of neighborhood segregation and suburbanization. An important contribution of these chapters is to explore why, if the drivers of segregation and suburbanization are similar, do white homeowners choose one avenue of separation over another? I argue that policy control plays an essential role. When white homeowners lost the power to adequately guard their neighborhoods and dictate municipal policy and public goods distribution, suburbanization became attractive. First, I show that urban renewal was linked to increased race and class segregation in the postwar period. Then, I demonstrate that whites in racially segregated cities witnessed increasing threats to their political power, both electorally and more specifically, with regard to housing policy.

Urban Renewal and Segregation

In 1932, more than 80% of local revenues came from property taxes (Census of Governments Finance File). By the end of that year, nearly 750 homes were foreclosed every day (Gotham 2000). City government revenue plummeted. Mayors sought relief from Congress; organizing as the National Conference of Mayors and testifying in hearing after hearing about the dire need for federal subsidy (Ogorzalek, forthcoming). As part of its

response, Congress enacted housing legislation. With its first foray into this area, the 1934 Housing Act and establishment of the Federal Housing Administration (FHA), Congress had multiple goals –the reemployment of the construction industry, the shoring up of the financial sector, and the stimulation of home ownership. But these policies were *also* spurred by a commitment to residential segregation. As Gotham (2000) details, the major authors of the proposals under consideration were, “leading officials in the real estate and lending industries” (p303), most of whom, by this time, had come to view race and class segregation as a stabilizer of property values and therefore, made them a conscious goal of these policies. Thus, it should not be surprising that the FHA played a major role in the institutionalization of suburban segregation (Gelfand 1975, Jackson 1985, Massey and Denton 1993).

However, the next piece of housing legislation, enacted in 1937 as the Wagner-Steagall Housing Act, was a conscious turn *away* from these forces. The Wagner Act sought to, “provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity” (Wagner-Steagall Act 1937). To achieve these goals, the act established the United States Housing Authority (USHA) to, “make grants and loans to local public housing authorities, to enable them to build, own, and operate housing projects for families of low income,” and importantly, to clear slums (Robbins 1937, p4). As such, the Wagner Act served as the first Congressional effort to assist in what is now commonly referred to as “urban renewal” – local efforts to address the ravages of time, revitalizing the “urban built environment” (Avila and Rose 2009, p339).

Whereas the establishment of the FHA and passage of the 1934 Housing Act were aimed at assisting those who *could* afford housing in the private market, the Wagner-Stegall Act sought to, “provide decent, safe and sanitary housing for that large group of our population who [could not] afford to pay enough to cause private capital to supply their housing needs” (Brabner-Smith 1937, p681). In addition to focusing on low-income residents, the Wagner Act also understood that, “any realistic approach to clearing slums and rehousing low income families would necessarily include a large number of Negroes as tenants” (Weaver 1940, p150). Thus, the USHA included an Office of Race Relations directed by an African American, Harvard-trained economist, Dr. Robert C. Weaver (Meyer 2000).⁸² Weaver’s office was charged with reviewing applications for federal funds to ensure that, “sound racial policy may be reflected in all projects” (Weaver 1940, p155). In a 1968 interview, Weaver recalled:

The Public Housing Program was perhaps one of the outstanding examples of equity of treatment as between white and black Americans....In public housing we not only got approximately a third, as I recall, at one time of the units available to nonwhites--most of them were Negroes--we also got Negro managers, which was unheard of in places like Atlanta and Memphis and Jacksonville and in Miami. We were able in the North to get projects which were open to both Negroes and whites. This required some doing as early as 1937 to '38. These were the exceptions rather than the rules but they did occur. (Weaver Oral History 1968, p9)⁸³

Reviewing Dr. Weaver’s tenure, *The Crisis* (the official publication of the NAACP) reported, “As a result of his efforts and the support of USHA officials, a more fair and equitable racial policy now exists in USHA than in any other branch of the Federal Government. On the basis of need, Negroes are enjoying equitable benefits from public housing...” (October 1940, p319).

⁸² Dr. Weaver was the first African American to earn an Economics PhD at Harvard. He went on to serve as the first black cabinet member as the Secretary of Housing and Urban Development.

⁸³ Available at <http://transition.lbjlibrary.org/files/original/6404ca478ed6c3848eedaaf380acdb45.pdf>

However, despite the fact that, “The United States Housing Authority...tried to set...desirable precedents in the field of practical racial relations” (Weaver 1940, p155), the seeds of segregation were embedded in the design of urban renewal; planted by the coalition that brought it to fruition.

The first of these seeds was local control. J. W. Brabner-Smith, Counsel for the Federal Housing Administration explained in 1937 that the, “problem is essentially local and should be decentralized as far as possible” (p.681). Allowing local governments to decide which land would be cleared and where new housing would be built virtually guaranteed the continuation and exacerbation of race and class segregation because white homeowners and land-oriented businesses controlled city governments and opposed residential integration along either race or class lines. Further, these interests quickly moved to ensure control of the new housing and renewal authorities created to direct and manage the process (Hirsch 1983, Sugrue 1996, Gotham 2001). Sugrue (1996) explains, “local governments had the final say over the expenditure of federal funds, the location of projects, and the type constructed” (p60).

In Chapter 3, I provided evidence that city governments underprovided city services and practiced expulsive zoning – the placement of negative uses (like garbage incinerators) in poor and minority neighborhoods. The land values in these areas were low; the environment was degraded. As a result, they were considered blighted. In the early 1930s, local realtors and bankers assisted the federal Home Owners’ Loan Corporation (HOLC) in mapping property values of every block of every city in the nation (Gotham 2000). The HOLC’s low appraisal of neighborhoods of color and large numbers of renters is well known (Jackson 1985, Weaver 1948). These areas too, were considered slums. In San Antonio, 82,000 Mexican Americans populated a 4-square mile neighborhood west of downtown. Many of the homes were wooden

shacks or converted horse stalls. Tellingly, the neighborhood lacked paved and lit streets, parks, and sufficient sewer capacity (obviously the doing of the local government). Annual flooding created a breeding ground for mosquitos (Fairbanks 2000). Neighborhoods like this *barrio* – predominately populated with people of color and renters – particularly those close to downtowns or homogenous white neighborhoods, were the first to be cleared (Hirsch 1983, Sugrue 1996).

At the same time, in order to preserve property values and access to FHA loans (which required racial homogeneity), white homeowners vigorously blocked the building of low-income and multi-unit housing in their neighborhoods (Weaver 1948, Sugrue 1996, Hirsch 1983). Weaver (1948) reports that even whites living miles away from proposed projects objected to their development on the grounds that their property values would be threatened. Nearly all new housing was provided on a segregated basis – that is, whites and nonwhites were not to live in the same projects (Weaver 1946). In order to provide enough units for racial minorities, and given the few sites that were available for building, many of the public housing projects were constructed as high-rise buildings – which, even at the time, were understood to be less desirable for the successful integration of people in need (Weaver 1946). Thus, as neighborhoods with large populations of renters and people of color were razed, these residents were displaced into even more densely segregated communities. In both the decisions regarding clearance and the decisions regarding the building of replacement housing, local control generated increased segregation.

The second important feature linking urban renewal to segregation was underfunding. Basil Stockbridge, Executive Assistant to the United States Building and Loan League, complained that, “it can readily be seen that the Authority’s activities will hardly scratch the

surface of the real needs of the country in eliminating urban slums and blighted areas” (Stockbridge 1938, p329). The Act required that the development of any new housing be accompanied by the razing of unsafe or insanitary dwellings, “substantially equal in number to the newly constructed dwellings provided by the project” (Wagner-Steagall Act, 1937, p5). But the new housing did not need to be located where the old housing had stood. Additionally, it was possible to raze more housing than was actually built. The lack of adequate funds meant first, that many slums remained, and second, that the number of new, affordable units was generally lower than the number cleared. Because of this, overcrowding in existing poor and minority neighborhoods worsened.

Furthermore, the receipt of federal funds required the local community to contribute funds for construction, typically in the form of land donation and property tax exemption, as well as funds for ongoing operation of the project (Levine 1941). Many cities eagerly accepted the federal dollars, but budgeted vastly insufficient amounts for the maintenance of public housing. So, even though by the 1950s most housing authorities stopped the explicit segregation of public housing tenants, and in some cases promoted peaceful race relations (Weaver 1946, 1956, Collins 2004), the degradation of the units meant that they had already become housing of last resort. Those who could avoid public housing did and preexisting segregation meant that it was whites who could most easily find housing in the private market.

As is true of all large government endeavors, the coalition in support of the Wagner Act and its later revisions was a collection of diverse, conflictual interests. These interests can be roughly categorized as those who emphasized slum clearance versus those who sought “public low-rent” housing (Ickes 1935, p109).⁸⁴ The former included business interests who held

⁸⁴ Although of course, there was diversity within these broad groups, see Marcuse 1995.

property in and/or relied on a healthy economic market in the downtown of cities, real estate elites, urban planners, homeowners, and local politicians hoping to increase the tax base (Zipp 2012, Ringelstein 2015, Avila and Rose 2009, Gotham 2001, Sugrue 1996). As one journalist representing this set of interests explained, “the housing problem is not merely one of replacing insanitary or unhealthful dwellings for large numbers of our people. More importantly, it involves the whole problem of progressive neighborhood decay, which for years has been eating like a cancer at the heart of every great city in America. The victims of this cancer are not only slum dwellers. In greater number these victims are taxpaying, home-owning families in neighborhoods from humble to well-to-do in all parts of the country” (Lewis 1937, p189).

On the other side were those concerned about the extreme housing shortages among lower-income residents, severe overcrowding plaguing minority neighborhoods, and the influence of slums on lax moral standards and community disorder (Dean 1949, Zipp 2012, Meyer 2000, Hirsch 1983). This group included many low-income and working class residents, people of color, organizations like the NAACP, institutions like the Chicago Defender, unions, and social workers (Meyer 2000, Gotham 2001, Compass 1936).

From the outset, slum clearance supporters, like the National Association of Real Estate Boards, were opposed to direct government provision of housing (Gotham 2001). However, much of the land that local elites viewed as blighted and sought to redevelop was residential, and the areas were often physically quite large. Razing the houses and assembling parcels required eminent domain, which required a clear public purpose. Public housing offered this justification, but only when *local* authorities engaged in the taking – thus necessitating local control.⁸⁵ Public

⁸⁵ In *United States v. Certain Lands in the City of Louisville* (1935) the 6th Circuit Court ruled that the condemnation of land for slum clearance by the *federal* government was unconstitutional because it did not constitute a use necessary to carry out the powers delegated to Congress. The Housing Act of 1937 thus moved to decentralize

housing advocates worried that local control over site selection and construction would exacerbate segregation (Meyer 2000), but without support from the slum clearance interests, public housing would have collapsed nearly as soon as it started for lack of funding (Marcuse 1995).

When the Wagner-Stegall Housing Act was revised and expanded in 1949 and 1954, power shifted toward the interests favoring slum clearance and segregation. Because the crisis of the Great Depression had abated, slum clearance was much more popular with voters and elites than was public housing (Fairbanks 2000, Zipp 2012).⁸⁶ As Gotham (2001) explains, these revisions, “represented the culmination of real estate industry lobbying efforts to curtail the production of public housing, create local redevelopment authorities with broad powers of eminent domain, and provide generous public subsidies for private redevelopment” (p297). By the time the last funds were allocated to local governments in 1974, the program had operated for more than 25 years as a mechanism to maintain and deepen segregation; it was termed the, “successor-weapon to the restrictive covenant and the racial zoning ordinance” (Abrams 1950). According to Collins and Shester (2013), urban renewal cumulatively resulted in the clearance of 400,000 housing units and 57,000 total acres; 300,000 families were displaced, about 54% of whom were nonwhite.⁸⁷ But, as we saw with racial zoning in Chapter 2, there was great variation in the local pursuit of urban renewal funds, and thus its effect on segregation.

To provide evidence of the relationship between urban renewal and segregation, I rely on a dataset gathered by Collins and Shester (2013). In their article, Collins and Shester (2013)

housing administration – requiring local housing authorities to be established to receive loans and grants from the federal government and engage in slum clearance and public housing construction (Freedenberg 1941).

⁸⁶ The Housing Acts were not the only mechanism cities used to engage in urban renewal, but patterns were similar with regard to other programs. For instance, Barrett and Rose (1999) provide evidence that local business, politicians, and real estate interests utilized highway construction to produce similar outcomes.

⁸⁷ Collins and Shester (2013) provide significant evidence that these measures accurately capture urban renewal activity undertaken by cities.

show that slum clearance and urban development programs had quantifiable *positive* benefits on city-level measures of income, property values, employment, and poverty rates. I seek to determine whether or not the program also increased race and class segregation. Collins and Shester's data represent all funds approved and disbursed under Title 1 of the 1949 Housing Act between 1950 and 1974. The data were gathered from the Department of Housing and Urban Development's Urban Renewal Directory. Cities applied for federal grants for particular urban renewal projects, and the directory listed the value of total approved and disbursed grants as of the date of publication. I add to these data each city's level of white/nonwhite and renter/owner segregation in 1980, measured using the *H* Index described in Chapter 1:

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where *P* represents total population of neighborhood *n* or city *c* and *E* is the entropy (diversity) of *n* or *c*. *H* varies between 0, where all neighborhoods have the same composition as the entire city (no segregation), and 1 where all neighborhoods contain only one group (high segregation).

First, I regress *Total Approved Urban Renewal Funds* (in hundreds of millions of dollars) as of 1974, on the *H* Index of *Segregation in 1950*. We should expect that cities with a strong preexisting propensity for segregation should have been the most eager applicants for federal funds. I add a series of city characteristics also measured in 1950 to account for the many demographic and environmental conditions that might have both led cities to seek urban renewal funding and be correlated with segregation. These controls include the proportion of housing units that were *Owner* occupied, *Median Home Value*, the share of housing units that were *Dilapidated*, the share that were *Built Prior to 1920*, and the share that lacked *Indoor Plumbing*. I include *Total Population*, the share of the population that was *Nonwhite*, median *Educational Attainment* of the population over age 24, the log of *Median Family Income*, the *Employment*

Rate, the share employed in *Manufacturing*, and the percentage of families with *Income Below \$2,000* in 1949. These variables were all provided by Collins and Shester (2013). I add fixed effects for region, and report robust standard errors clustered by state. Collins and Shester provide data for all cities with more than 25,000 residents in 1950 and 1980 (482 in total), but I only have segregation measures for 172 observations. Table 4.1 presents the results (summary statistics are in appendix Table A4.1).

Table 4.1: Relationship between Preexisting Racial Segregation and Approved Urban Renewal Funds

	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Segregation, 1950	2.49	0.551	0	1.205	0.321	0.001
% Owner occupied, 1950				0.004	0.005	0.456
Median Home Value, 1950 (log)				0.128	0.255	0.617
% Dilapidated, 1950				0.012	0.016	0.443
% Built Pre-1920, 1950				0.009	0.003	0.011
% Units w/o Plumbing, 1950				-0.005	0.005	0.342
Population (millions), 1950				0.706	0.098	0.000
% Nonwhite, 1950				0.005	0.006	0.422
% Employed Manufacturing, 1950				-0.002	0.004	0.539
% Employed, 1950				-0.019	0.023	0.419
Median Education, 1950				-0.028	0.062	0.655
Family Income, 1950 (log)				0.25	1.166	0.831
% Incomes Below \$2000, 1950				-0.003	0.023	0.896
Constant	-0.237	0.162	0.152	-1.771	8.885	0.843
N	173			172		
R ²	0.227			0.679		

Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Table 4.1 reveals that the application for urban renewal funds is strongly correlated with preexisting segregation. Those places that had a propensity for segregation were the most likely to apply for federal funding – even accounting for all of the physical factors that would have generated such applications. Topeka, Kansas, with a segregation index of 0.26 in 1950, applied for about \$17.5 million in urban renewal funds over the course of the program. Kansas City, Kansas, where the segregation index was 0.54, applied for nearly \$53 million. Atlanta, Georgia, with a segregation index of 0.67, applied for more than \$100 million. In Richmond, VA, where

the segregation index was 0.51, city leaders only asked for \$37 million. Salt Lake City, Utah with a segregation index of 0.18 applied for less than \$5 million compared to Denver, Colorado's application of \$83 million with a segregation index of 0.49.

Next, I analyze the effect of urban renewal funding on future levels of *Segregation* (*H* Index measured in 1980), conditional on preexisting segregation (*H* Index measured in 1950). The independent variable in these analyses is *Total Disbursed Urban Renewal Funding* (in hundreds of millions of dollars) as of 1974. I do not have data on renter segregation in 1950, so these analyses use the 1950 level of racial segregation as the control. Again, I present the models with and without demographic and environmental controls measured in 1950. Table 4.2 shows the results for racial segregation and 4.3 shows renter segregation.

Table 4.2: Relationship between Dispersed Urban Renewal Funds and Future Racial Segregation						
	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Urban Renewal Funds (\$100 millions)	0.073	0.021	0.001	0.073	0.029	0.014
Segregation, 1950	0.514	0.11	0.000	0.476	0.087	0.000
% Owner occupied, 1950				0.002	0.001	0.088
Median Home Value, 1950 (log)				0.118	0.043	0.010
% Dilapidated, 1950				-0.004	0.004	0.350
% Built Pre-1920, 1950				0.002	0.001	0.152
% Units w/o Plumbing, 1950				-0.001	0.001	0.165
Population (millions), 1950				-0.004	0.017	0.832
% Nonwhite, 1950				0.007	0.002	0.003
% Employed Manufacturing, 1950				0.003	0.001	0.003
% Employed, 1950				0.006	0.006	0.329
Median Education, 1950				0.007	0.014	0.642
Family Income, 1950 (log)				-0.292	0.187	0.127
% Incomes Below \$2000, 1950				-0.001	0.004	0.726
Constant	0.017	0.032	0.609	0.469	1.578	0.768
N	172			171		
R ²	0.639			0.711		

Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Table 4.3: Relationship between Dispersed Urban Renewal Funds and Future Renter Segregation						
	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Urban Renewal Funds (\$100 millions)	0.023	0.006	0.001	0.020	0.009	0.037
Segregation, 1950	0.005	0.032	0.889	0.016	0.041	0.700
% Owner occupied, 1950				0.000	0.001	0.703
Median Home Value, 1950 (log)				0.059	0.030	0.060
% Dilapidated, 1950				0.000	0.001	0.676
% Built Pre-1920, 1950				0.000	0.000	0.464
% Units w/o Plumbing, 1950				0.001	0.000	0.052
Population (millions), 1950				0.003	0.011	0.761
% Nonwhite, 1950				0.000	0.001	0.997
% Employed Manufacturing, 1950				0.000	0.001	0.826
% Employed, 1950				-0.001	0.003	0.715
Median Education, 1950				0.016	0.007	0.032
Family Income, 1950 (log)				0.008	0.118	0.946
% Incomes Below \$2000, 1950				0.001	0.003	0.800
Constant	0.129	0.013	0	-0.591	1.130	0.604
N	172			171		
R ²	0.229			0.334		

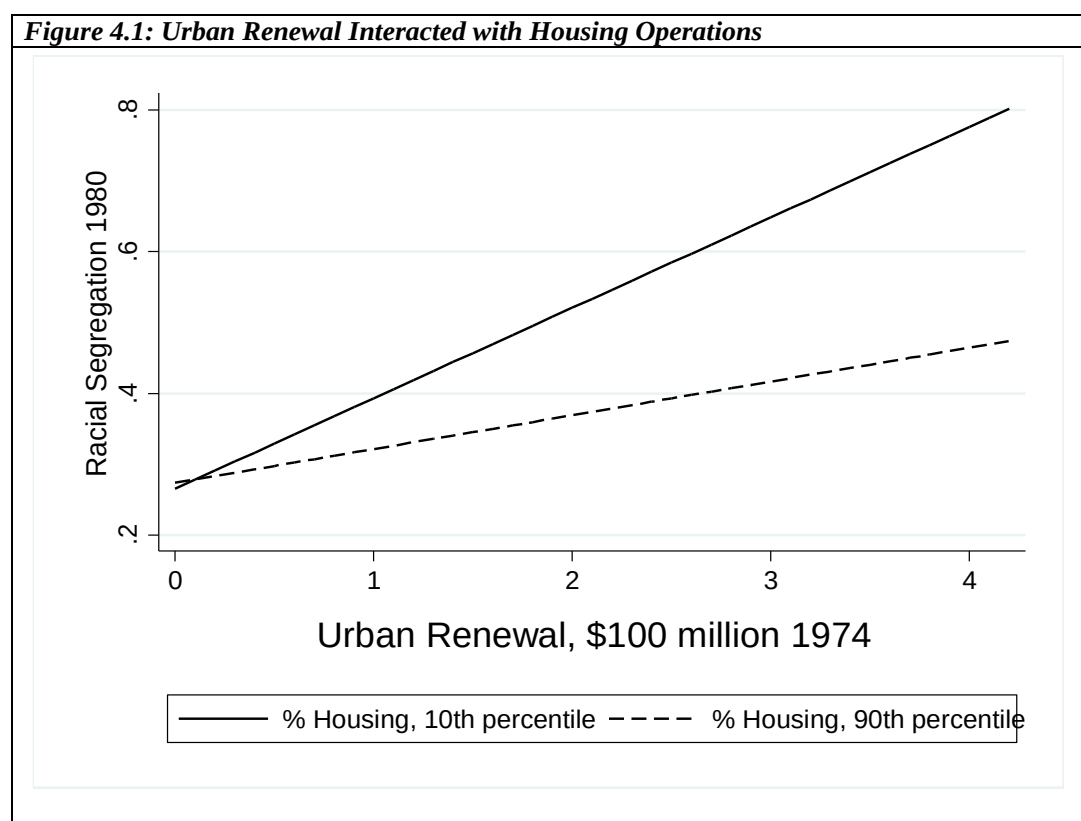
Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Tables 4.2 and 4.3 reveal that the vigorousness with which a city pursued urban renewal affected the level of segregation after the completion of the program (conditional on starting levels of segregation). The results are much more powerful for racial segregation than for renter segregation. Every additional \$100 million in urban renewal funds is associated with a 7% increase in racial segregation, compared to a 2% increase in renter segregation.⁸⁸ As was the case for the effects of zoning shown in Chapter 2, local policy implementation is more tightly linked to racial housing patterns than class housing patterns.

This historical evidence indicates that cities varied not only with respect to their participation in the urban renewal program, but also in their investment in the ongoing maintenance of public housing. To investigate this possibility, I add to the data a measure of the

⁸⁸ Collins and Shester (2013) use an instrumental variable approach in their analysis. They estimate urban renewal funds with the number of years the city had access to the program as a result of state enabling legislation. Even more powerful results are evident when I replicate their strategy.

share of total expenditures each city spent on *Housing and Community Development Operations*⁸⁹ in 1972. I interact this variable with the measure of *Total Urban Renewal Funding* in Model 2 from Table 4.2 above.⁹⁰ I also add a control for the number of *Public Housing Units Per Capita* built under the Housing Act (from Collins and Shester) to account for differences in the need for maintenance spending.⁹¹ Figure 4.1 reveals how urban renewal funding operated differently when cities invested in ongoing maintenance and when they did not.



⁸⁹ This variable was constructed using the finance data described in Chapter 1. It is calculated as the total dollar amount spent on housing and community development minus housing and community development capital outlays, divided by total expenditure.

⁹⁰ Adding the interaction to Model 2, Table 4.3 (analyzing renter segregation) produces a similar effect that is smaller in size than the effect on racial segregation.

⁹¹ Interestingly, the coefficient on this variable is negative – meaning that cities that had more public housing overall were less segregated. However, interacting the number of public housing units with urban renewal funding results in a positive coefficient. This indicates that slum clearance and public housing were both factors in the increase in segregation that urban renewal produced.

In cities that accepted urban renewal funds, but budgeted nothing for operations in 1972, urban renewal had a steep positive effect on racial segregation. In places that provided municipal funds for the maintenance of renewal sites, increasingly vigorous renewal expenditures had a much smaller effect on segregation. Of course, this analysis does not offer causal leverage. It is entirely plausible that the cities that were inclined to invest in maintenance had a social/political culture that led to a smaller increase in residential segregation for other reasons. Whatever the underlying cause was – cities that accepted federal funds without ongoing budget provision for housing operations segregated the most rapidly. This variation aside, generally speaking, where slums were cleared and public housing was built, segregation increased.

Yet, even while urban renewal was largely carried out to the benefit of white homeowners and land-oriented businesses, their control over public policy was not absolute; the rising Civil Rights movement threatened it significantly. As of 1960, not a single large city in the United States had elected a black mayor. By 2010, more than a third had (Vogl 2014). Changes to voter eligibility brought by the 24th amendment and the 1965 Voting Rights Act increased turnout of racial minorities and the poor during this period as well (Filer, Kenny, and Morton 1991).

I use data collected by Vogl (2014) to investigate the relationship between levels of segregation and interracial electoral competition. Vogl (2014) analyzes mayoral election returns between 1965 and 2010 for all cities that had 1960 populations that were at least 50,000 and 4% black (194 cities). His data record the race of the top two candidates (either black or not black) and their vote totals. I add segregation measures to Vogl's data resulting in complete data for

122 cities.⁹² During the 1960s, only 13 black candidates sought the mayor's seat in Vogl's dataset; this number rose to 57 in the 1970s, and 84 in the 1980s. Interracial electoral competition was much more likely in more segregated cities. To show this, I regress a dummy variable coded 1 if the election was *Interracial* (e.g. featured a black candidate running against a non-black candidate) on the city's *H* Index of *Segregation* for the election year (interpolated between Censuses). I add the share of the city's residents that were *White* and the share *Renting* their homes, as well as the natural log of total *Population*, and a trend variable for the *Year* as controls. I use a random-effects logit model with errors clustered by city. I restrict the analysis to elections that occurred between 1965 and 1990 in order to focus on the post-war period. The regression includes 731 elections from 117 cities. Figure 4.2 shows the marginal effect of segregation on the probability of witnessing an interracial election, holding all other variables at their mean values.

⁹² I am missing pre-1970 segregation measures for 20 cities in Vogl's dataset. I use 1970 segregation for the 36 elections between 1965 and 1970 for these places. Results are robust to the exclusion of these observations.

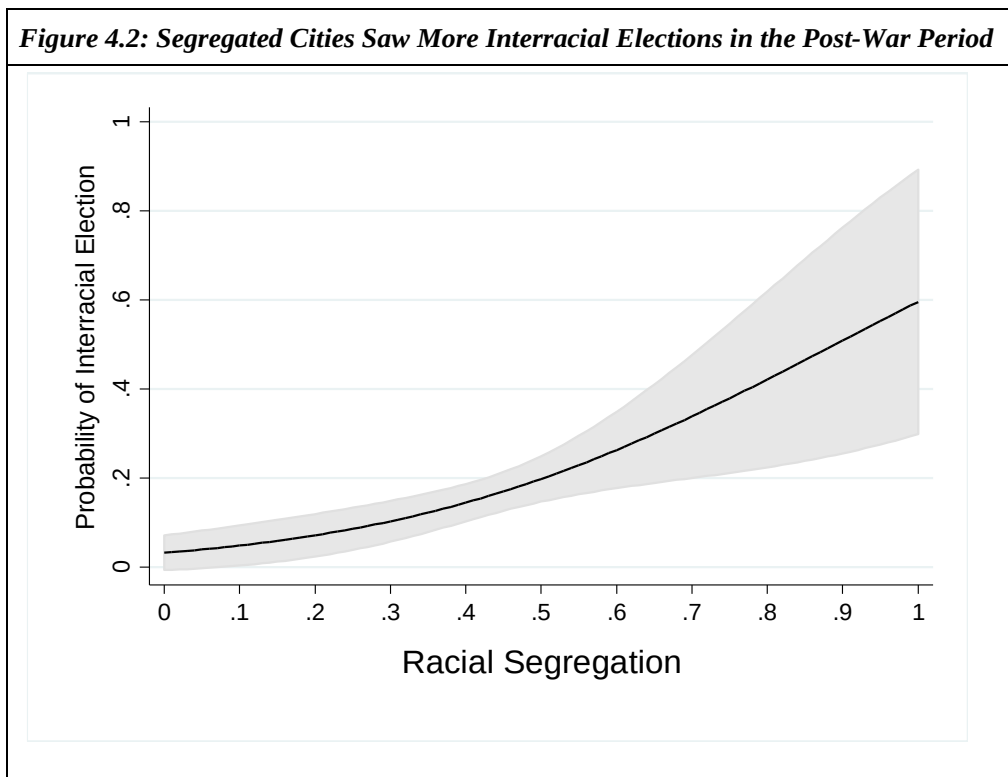


Figure 4.2 makes clear that racially segregated cities were much more likely to experience interracial elections – even controlling for the share of the population that was nonwhite. As will be shown in Chapters 6 and 7, segregated cities are also more likely to have racially divisive politics. Although the dividing lines were in place long before the 1960s, they became much more visible in electoral politics during the postwar period. Elections featuring black candidates (and white contenders) were contentious – driving up turnout among both blacks and whites, and decreasing margins of victory (Vogl 2014, Lublin and Tate 1995, Washington 2006). However, the vast majority of elections were still won by whites. Blacks only won 13% of the 731 contests reflected in Figure 4.2; moreover, these wins were concentrated in places with majority black populations. Although whites maintained power in

most cities throughout the 1960s and 70s, their hold was tenuous. This weakness became increasingly clear through the successes of the open housing movement.

In 1942, only 36% of whites said that they would not be bothered if a black person with their same income and education moved into their block (Schuman and Bobo 1988); the majority of whites, “expect[ed] a vigilant government to protect their segregated neighborhoods” (Sugrue 1996, p63). These beliefs were intimately intertwined with opposition to public housing, which was viewed as “Socialist housing” (Los Angeles Times, March 23, 1952 p E1); specifically, public housing was viewed as, “a taxpayer-subsidized handout for the feckless” (Sugrue 1996, p63). Although a majority of the poor in central cities were white, racial minorities were disproportionately poor and poorly housed.⁹³ Many whites opposed public housing because they feared, “a change in the racial character of the neighborhood” (New York Times, April 13, 1952, p28). Efforts to locate low-income housing in home-owner neighborhoods and/or integrate white areas was viewed as a government assault on owners’, “right to protect one’s own property” (Thomas, William P., Letter to the Editor, Washington Post, February 27, 1949).

In order to prevent integration in housing, white homeowners organized neighborhood associations, encouraged vigilant city inspectors to fine overcrowded minority homes, sent hundreds of letters to city governments, turned out in droves at public hearings, and engaged in violent assaults on black residents (Sugrue 1996, Hirsch 1983). But defending white, home-owner neighborhoods was a zero-sum game. For every area that successfully halted integration or low-income housing, another had to absorb (or block) it. This led to a lack of unity among segregationist forces. At the same time, support for scientific racial categorization plummeted

⁹³ About 62% of persons below the poverty line in central cities were white in 1959. Approximately 14% of whites were poor compared to 41% of blacks (<https://www2.census.gov/prod2/popscan/p60-068a.pdf>, p7).

(Hayward 2013), and outright, public expressions of racism were, “placed on the defensive” (Hirsch 1983, p175, Schuman et al. 1985).

Advocates of open housing began to win concessions from the government. By 1945, in more than 200 cities, municipal authorities dedicated to maintaining peaceful race relations, established interracial commissions, committees, or agencies that advocated for civil rights reform (Hirsch 1983, p42). These often appeared in the wake of violent riots (Meyer 2000). The racial restrictive covenant, long used by real estate developers and homeowners’ organizations to keep minorities out of white neighborhoods, became unenforceable with a Supreme Court decision in 1948 (Abrams 1955). Even before this decision, some municipal judges were refusing to enforce covenants (Hirsch 1983).

Because the government owned and operated public housing, it was an obvious target for constitutional claims of unequal treatment. As early as 1944, New York City enacted an ordinance prohibiting tax-exempt status for housing projects that denied access to tenants on the basis of race. The ordinance had been spearheaded by the city’s interracial relations commission. In other places, civil rights organizations pressured municipal housing authorities to integrate public housing; the NAACP brought this matter before the court (Meyer 2000, Sugrue 1996). In 1953, the California Court of Appeals ruled in *Banks v. Housing Authority of San Francisco* that San Francisco’s Housing Authority must assign residents to public housing without regard to race or color. When the Supreme Court declined to hear the appeal (thereby allowing California’s ruling to stand), the case became precedent-setting. By 1954, 21 cities had passed some form of anti-discrimination law (Meyer 2000) and in 1962, President Kennedy signed an executive order,

directing Federal departments and agencies to take every proper and legal action to prevent discrimination in the sale or lease of housing facilities owned or operated by the

Federal Government; housing constructed or sold as a result of loans or grants to be made by the Federal Government; and housing to be available through the development or redevelopment of property under Federal slum clearance or urban renewal programs (Papers of Burke Marshall, Assistant Attorney General for Civil Rights).

Not only did cities and states pass anti-discrimination laws covering public housing, some also enacted open housing legislation that sought to prevent discrimination in the private housing market. The leader of the movement was again New York City, passing an ordinance prohibiting, “race, creed or national origin” discrimination in rental housing in 1957 (Bennett 1957b, p9). The ordinance was, “bitterly fought by property owners and real estate representatives” (Bennett 1957a, p7) and explicitly exempted room rentals in single-family homes or duplexes unless they were located in large housing developments (Bennett 1957b). Still, the passage of open housing laws represented clear policy change, largely emerging from the bottom-up. By 1968, 22 states had enacted fair housing laws that covered nearly all sales and rentals (Collins 2006). Such laws were passed in response to vocal, mobilized advocates in black and liberal white communities (Collins 2006). The 1968 Federal Fair Housing Act extended this coverage nationwide.

Despite such policy progress, even as of 1973, the General Social Survey found 64% of white respondents believed that a homeowner should be able to, “decide for himself whom to sell his house to, even if he prefers not to sell to Negroes” (GSS 1973), and a homeowners’ rights movement arose in response to the open housing laws. In Detroit, a collection of neighborhood organizations gathered more than 44,000 signatures in support of a homeowners’ right initiative (Chicago Tribune, July 13, 1963). The ordinance passed but was declared unconstitutional by the Wayne County Circuit Court in a suit brought by the NAACP (Chicago Defender, December 23, 1964, Sugrue 1996).

In California, after the state legislature passed a fair housing law known as the Rumford Act in 1963, a statewide campaign for its repeal was led by the California Real Estate Association and the California Apartment Owners Association who combined to form the Committee for Home Protection (Self 2003, Duscha 1964, Turner 1964). Proposition 14, confusingly referred to as “The California Fair Housing Initiative,” prohibited the state from, “denying, limiting, or abridging the right of any person to decline to sell, lease, or rent residential real property to any person as he chooses.”⁹⁴ In an analysis of the campaign for Proposition 14, Self (2003) and Brilliant (2010) show that supporters rarely invoked race in their arguments, focusing instead on freedom and property rights. Reporting on the initiative battle, the Washington Post quoted a pamphlet issued by the Committee for Home Protection that stated, “Those who stand for the preservation of individual property rights today are in direct line of descent from the patriots who endured the hardships of the long winter at Valley Forge with George Washington” (Duscha 1964, pA2). Prominent Democrats including Governor Edmund Brown opposed the initiative, and a number of “right-wing Republicans” including Ronald Reagan and Barry Goldwater were “extremely active” in support of the initiative (Duscha 1964, pA2). In the end, the initiative passed with more than 65 percent of the vote, even as Johnson won the presidential race decisively (Greenberg 1964, p1).

Scholars have identified varying patterns of opposition to open housing in different places. For instance, Sugrue (1996) shows that in Detroit, the staunchest integration resisters were working-class white ethnics who owned modest, single-family homes (see pp236-237). In Oakland, Self (2003) finds that it was *not* solely, “an anti-liberal white working class engaged in direct struggle with African American,” but rather middle and upper-class whites who,

⁹⁴ SALES AND RENTALS OF RESIDENTIAL REAL PROPERTY California Proposition 14 (1964). http://repository.uchastings.edu/ca_ballot_props/672

“understood property rights as sacrosanct expressions of their personal freedom” (p168). Collins (2004) shows that states with higher union membership rates were more likely to pass fair housing legislation and Self (2003) provides evidence that the UAW campaigned against Proposition 14, although Brilliant (2010) argues that rank and file union members were staunchly opposed.

To better understand the individual correlates of opposition to open housing, I gathered data from the 1964 Field Poll in California.⁹⁵ Carried out in seven waves between January and October, the poll asked respondents about their support for the Rumford Act and Proposition 14. I recoded these questions to into a variable coded 1 if the respondent *Opposed Open Housing*.⁹⁶ I use logistic regression to regress this variable on several demographics including whether or not the respondent *Owns* (vs. *rents*) her home, her *Race* (coded 1 for white and 0 for nonwhite or other), her *Age*, her level of *Education*, whether or not the respondent or her spouse belongs to a *Union*, and her *Economic Level* (with higher values representing lower classes).⁹⁷ In addition, I include a measure indicating whether or not the respondent planned to vote for the *Democratic*

⁹⁵ Ideally, I would have analyzed the relationship between community segregation and public opinion on open housing. Unfortunately, the Field Poll recorded no geographic identifiers other than the very broad categories of Northern and Southern California.

⁹⁶ For waves 2, 3, and 5, I used the question about the Rumford Act. In waves 1 and 7, no Rumford Act question was asked, so I used a question about Proposition 14 instead. Waves 4 and 6 did not include open housing questions. The text of the questions are as follows: (Rumford Act) Well, as you know the Rumford Act is a Law which makes it illegal for apartment house owners, owners of publicly assisted housing, and real estate brokers to discriminate against anyone because of race, color, religion, national origin or ancestry in the renting or selling of housing accommodations. From what you know of it, do you approve or disapprove of the Rumford Act?” (Proposition 14) “If you were voting today, would you approve or disapprove of this addition to the state constitution? (the amendment reads as follows – prohibits state, subdivision, or agency thereof from denying, limiting, or abridging right of any person to decline to sell, lease, or rent residential real property to any person as he chooses. Prohibition not applicable to property owned by state or its subdivisions, property acquired by eminent domain, or transient lodging accommodations by hotels, motels, and similar public places.” Where possible, I use the question about the Rumford Act instead of Proposition 14, because the waves included very different wording of the Proposition question (adding more and less detail about the content).

⁹⁷ The coding of this variable is obscure. The codebook suggests that 10 categories were used and lists the following labels “upper,” “upper middle,” “upper middle,” “middle,” “middle,” “middle,” “lower middle,” “lower middle,” “lower,” and “lower.” One can only assume that the coders were instructed in some way to make distinctions across categories.

Presidential ticket (Johnson/Humphrey). I cluster the standard errors by poll wave. The results, presented in Table 4.4 paint a clear picture confirming and undermining various aspects of the historical accounts. Summary statistics are presented in Table A4.2.

Table 4.4: Demographic Characteristics of Open Housing Opponents			
	β	Std. Err.	P> t
Home Owner	0.193	0.065	0.003
White	1.205	0.412	0.003
Education Level	-0.177	0.035	0.000
Union Member	0.284	0.111	0.011
Age	-0.004	0.053	0.934
Economic Level	0.003	0.026	0.897
Democratic Presidential Voter	-0.896	0.386	0.020
Constant	0.33	0.334	0.323
N	4,860		
R ²	0.0575		

Note: Logistic regression with errors clustered by poll wave.

White homeowners were clearly in opposition to open housing, as were less educated respondents, Republicans, and union members. After controlling for these characteristics, economic status and age played no role in the determination of political opinions on open housing. Since the earliest years of the century, the most consistent opponents of integration have been white homeowners who came to view the protection of their neighborhoods as a right to be protected by government. These residents understood the “very essence” of Proposition 14 to be the avoidance of, “state involvement in private decisions in the sale of rental of privately owned residential property” (Blake 1964, pK1).

In 1966, the California Supreme Court declared Proposition 14 in violation of the Constitution, and the Rumford Act was allowed to stand. However, the lack of support for open housing among whites and owners would prove to be a formidable barrier for integrationists. Collins (2004) reveals that fair housing policy had little effect on black housing market outcomes

and did nothing to affect levels of segregation. The changes local communities experienced during post-war period would have other long lasting effects. When California voters overwhelmingly supported Proposition 14, they also overwhelmingly supported Johnson (over Goldwater) for president. Many contemporaries and scholars would explain this apparent inconsistency as Mark Brilliant (2010) does:

Californians who voted *for* Prop 14 but *against* Goldwater were not so much signaling a wholesale rejection of civil rights...They were, however, hoisting a ‘no trespassing’ sign. They drew a line that cordoned off a more public sphere where the state could and should protect against discrimination from a more private sphere where no such state laws could tread (p206).

As Kruse (2005) so forcefully demonstrates, and I quantify in Chapter 7, this turn toward understanding neighborhood protection as a right (rather than a racist act), did not, in fact, represent an expression of newly discovered profound principles. It was, rather, a means to a segregationist end, and would serve as the rhetorical foundation for a rising conservative movement. More immediately, the rise of black candidacies, the advancements of the Black Power and Civil Rights movements, and the changes to public policy encompassed in the Voting Rights and Fair Housing Acts all threatened white control over central cities. At the same time, numerous federal and local policies made suburban living an attractive option – one that would offer white homeowners more complete control over the political arena. The next chapters offer evidence of these patterns.

Chapter 5: The Rise of Suburban Segregation, 1970-2011

In 2012, the Manhattan Institute issued a report entitled “The End of the Segregated Century,” declaring that, “all-white neighborhoods are effectively extinct,” (Glaeser and Vigdor 2012). Though not all demographers shared the optimism of Glaeser and Vigdor, many trumpeted the decline of neighborhood segregation in America following the release of the 2010 Census (Frey 2014). While segregation *between neighborhoods* has declined, another type of segregation has remained remarkably stable, even rising in the post-war period. Segregation *between cities* is persistent along both race and economic lines (Fischer et al 2004, Massey and Hajnal 1995). This means that while integration within cities has increased, cities as a whole have become less racially and economically diverse over time. As a result, a greater share of total segregation in metropolitan areas is now accounted for across cities rather than within them (see Chapter 1). This is what is commonly understood as the process of suburbanization.

While we have substantial evidence on the role federal policies have played in generating suburbanization (Jackson 1985, Massey and Denton 1993, Hayward 2013), our understanding of the ways in which local politics affects suburbanization has been limited. In previous chapters, I argued that segregation was pursued by local governments in order to enhance property values and make it possible to target local public goods towards white homeowners and land-oriented businesses. Such strategies, combined with political control of city councils and mayors’ offices, ensured that local governments operated to protect the homogeneity of white homeowner neighborhoods and provide them with disproportionate benefits. In the post-war period, this control was threatened by increasing minority electoral participation and policy achievements. Here, I demonstrate that these changes contributed to suburbanization.

The analyses in this chapter rely on a measure of segregation that incorporates patterns of sorting both within cities and between cities and suburbs. This strategy offers an advancement over previous scholarship because it allows for a consideration of residential sorting at multiple geographic levels at the same time. Most scholars focus either on metropolitan level segregation (e.g. Dreier et al. 2004, Jackson 1985) or neighborhood segregation (e.g. Massey and Denton 1993) – but these types of sorting are intricately linked. By drawing on a nested measure of segregation for all metropolitan areas over a long time span (1980-2011), I am able to show that residents traded one type of homogeneity for another in response to political outcomes. I utilize time lags and metro area fixed effects to handle the problem of endogeneity, as race and class sorting can, in turn, generate different political outcomes (Massey and Hajnal 1995, Friesema 1969, Nelson 1992). In this chapter, I analyze the relationships between cities within metropolitan areas. I concentrate on the ways in which the politics of the central city (the city with the largest population in the metro area) affects demographic residential patterns in the suburbs. I find that when central cities elect minority mayors, when central city expenditures are higher and favor policing, a greater share of metropolitan area segregation is accounted for between cities rather than within them. I also show that in metropolitan areas where land use regulations are stricter in the suburbs than in central cities, more segregation is accounted for across cities. In short, when central city politics do not favor their interests, white and upper class residents are more likely to reside in different cities rather than in different neighborhoods and they lock in these sorting patterns through public policy. In the final section of the chapter, I show that communities with more whites and homeowners receive a disproportionate share of municipal spending.

Understanding the Link Between Segregation and Suburbanization

People choose where they live based, in part, on the types and quality of public goods and services provided in a community, as well as the taxes required to provide those goods and services (Tiebout 1956, Ely and Teske 2015, Banzhaf and Walsh 2008). However, not all residents are equally able to match these preferences with housing location. Low-income households have less choice than do high-income households because amenities (including schools, parks, and public safety) are capitalized into housing prices and rents. Racial and ethnic minority households have also been severely limited in their ability to live where they choose. In part, this is due to the fact that minorities have lower average levels of income and wealth. But, as previous chapters have shown, it is also the result of concerted efforts by white homeowners to segregate them.

The long history of enforced racial segregation in America has been well documented. Between 1900 and 1940, neighborhood-level residential segregation expanded dramatically throughout the United States (Cutler, Glaeser, and Vigdor 1999). A variety of mechanisms ghettoized racial and ethnic minorities including violence and intimidation perpetrated by white residents, restrictive covenants written into housing deeds, and racial steering by real estate agents (McWilliams 1964, Sugrue 1996, Kruse 2005, Lassiter 2006). As previous chapters have shown, local, state, and federal policies also worked to establish and perpetuate segregation along race and class lines. Through actions like the passage of racial zoning ordinances (Chapter 2), the generation of neighborhood investment ratings through the Home Owners Loan Corporation (Hillier 2005), and official acquiescence to violent activity in protection of homes and neighborhoods (Hirsch 1983), governments pursued policies that limited the mobility of minority households (Ross 2008) between 1900 and 1940.

Around the time of the Second World War, patterns and strategies of segregation began to change. Segregation levels within cities leveled off, but ghettos grew much larger when minority populations increased in cities outside of the South (Cutler, Glaeser, and Vigdor 1999). Similar to previous decades, white homeowners utilized a variety of mechanisms to bar minorities and renters from moving to their communities. Organizing collectively through homeowners' associations, white homeowners controlled government decision making on matters such as the razing of slums, the rebuilding of downtowns, the placement of public housing, and zoning decisions that concentrated negative externalities in poor and minority neighborhoods.

However, as Chapter 4 revealed, starting slowly during the 1940s and then more rapidly during the 1950s and 1960s, white homeowners began to see their exclusive political control chipped away. The massive influx of wartime workers dramatically changed the racial and socioeconomic makeup of many large cities. In the 157 cities that had populations of at least 50,000 in 1940, the white population share declined about eight percentage points between 1940 and 1970 (from 90 to 82). By 2011, the white share of these cities decreased drastically to 52%. However, the share of renters *also* declined during this period, as homeownership rates expanded.⁹⁸ At the same time, black and Latino Americans' sustained battle for civil, economic, and political rights gained ground. As racial minorities began to contest and even win political representation, the open housing movement brought the possibility of neighborhood integration, and civil unrest coursed through many large cities. This period became fraught with uncertainty

⁹⁸ I only have time series data on homeownership rates for 60 cities. In these places, the share of homeowners rose from 35% in 1940 to 48% in 1970. Nationwide, the homeownership rate expanded from 43.6% to 63% during this period (Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970). http://www.census.gov/library/publications/1975/compendia/hist_stats_colonial-1970.html

and fear for many whites placed an increasingly high value on segregation as they joined the ranks of homeowners.

Cutler, Glaeser, and Vigdor (1999) provide evidence that since the 1990s, white homebuyers' willingness to pay a premium for homogenous neighborhoods is the central factor perpetuating segregation. Overt racism has decreased dramatically over the last several decades (Schuman et al., 1997), but whites continue to express a preference for same race neighbors (Charles 2003) and minority neighborhoods continue to be perceived as having poor-quality amenities (Bobo, Kluegel, and Smith 1997, Ellen 2000, Emerson, Chai, and Yancey 2001, Krysan 2002, Bayer, Ferreira, and McMillian 2007). Ellen (2000) shows that a growing black population leads whites to leave neighborhoods and/or be unwilling to enter them. Card, Mas, and Rothstein (2008) report a distribution of tipping points (the size of the minority population that affects white population flows) ranging from 5% to 20%. Once a neighborhood reaches the tipping point, it quickly becomes predominantly inhabited by racial and ethnic minorities. White preferences for homogeneity are undoubtedly enhanced by persistent discrimination in the real estate and mortgage industries which limit minority access to some neighborhoods (Pager and Shepherd 2008, Gaslter and Godfrey 2005, Bobo 2001, Farley et al. 1994, Bobo and Zubrinski 1996).

However, while white preferences for white neighbors help to make sense of the fact that whites live in different *neighborhoods* than nonwhites, they do not help to clarify why whites live in different *cities*. Why, even as neighborhoods have grown more integrated, have cities become less so? The answer is politics and political control. Boustan (2010) finds that residents are willing to pay a 7% premium on housing in order to live in a higher-income suburb, in part, to gain access to higher school quality and lower property tax rates. Baum-Snow and Lutz

(2011) and Lassiter (2006) provide evidence that court-ordered integration of city schools led some white parents to seek out homogenous, suburban school districts. Kruse (2005) shows that when Atlanta's whites lost segregation battles and political control, many chose suburban homes. I build on the findings of these scholars to show that suburban sorting along race and class lines is also linked to central city elections of minority mayors, larger city budgets and a greater share of spending on police.

The rapid increase in the population of the suburbs during the post-war period was mostly not the result of white flight. Rather, rising incomes, low-cost federally-backed mortgages, the lucrative federal mortgage deduction, new housing construction in suburban tracts, and an extensive highway system all worked to bring residents to the periphery (Gotham 2000, Nall forthcoming). Yet, in the early decades of the post-war period, suburban living was much more accessible to whites and homeowners than to people of color and renters (Kruse and Sugrue 2006, Jackson 1985). This pattern eventually changed, allowing many racial minorities and renters live in suburban communities today (Frasure-Yokely 2016). However, as Briffault (1990) explains, "the increased heterogeneity of suburbia as a whole is usually not matched by a greater diversification *within* particular suburbs. There are now more poor and working-class people, more minorities and more industrial and commercial sites in suburbia. But poorer, working-class or black suburbanites are likely to live in different jurisdictions separate from those inhabited by affluent or white suburbanites" (p353). These trends have converged to increase divisions along race and class lines across city lines (C.S. Fischer et al. 2004, M.J. Fischer 2008).

In previous decades, processes of consolidation and annexation made city boundaries malleable so that those moving away from the center of the city would have resided within city

limits (Teaford 1979). However, in the post-war period, state annexation laws changed and political boundaries ceased to keep pace with residential spread (Briffault 1990). As a result, the number of incorporated municipalities in metropolitan areas grew and suburbs gained population, economic activity, and political power (Danielson 1976, Miller 1981, Burns 1994).

As independent municipalities, suburbs have the power to regulate land use for all parcels within their borders. Local governments employ land use regulations to manage the character of their community. Consequently, regulatory environments vary significantly from place to place. Cities are capable of enacting minimum lot sizes so that all development must be located on a certain acreage of land, requiring developers to preserve open space in their development, determining the number of multi-family units that will be allowed within city limits, requiring developers to pay a share of infrastructure improvements associated with new development, offering short/long review periods for zoning changes and building permits, and involving few or many local actors in the approval and planning process. Gyourko et al. (2008) find that there is a strong, positive correlation between different regulations. Specifically, if a city regulates in one area, it is significantly more likely to regulate in other areas as well. Einstein et al (2017) provide evidence that the accumulation of regulations reduces the supply of multi-family housing by allowing residents opposed to development to delay the process and file lawsuits. Gyourko et al (2008) also find that community wealth is positively related to regulatory environments. Places with high median home values, more college-educated residents, and higher incomes are most likely to police land use.

Public Opinion on Local Spending

In order for political preferences to be related to population sorting, it must be the case that different groups have different orientations toward government spending and different

policy priorities. At the national level, the gap between white and nonwhite support for government programs like social services, education, and assistance to the poor, as well as beliefs about the optimal size of government is persistent, systematic, and substantively large (Kinder and Winter 2001, Winter 2006, Jackman 1994, Tate 1994, Kinder and Sanders 1996, Dawson 1994, Bowler and Segura 2011). A related, but distinct gap between high and low socioeconomic status individuals also exists (Gilens 2005, Bartels 2008). Whites and the affluent tend to favor limited government while people of color and those of lower socioeconomic status are more supportive of spending and intervention. In an overview of this large literature, Hutchings and Valentino (2004) explain that the black/white opinion gap typically ranges from 35-50 points on matters dealing with race (like affirmative action and government aid to minorities), and more than 20 points on policies that are not explicitly racial, like government spending on welfare, social services, and education (see also Winter 2006, Federico and Luks 2005, Sears, Hensler, and Speer 1979, Kinder and Sears 1981).

There is less research on these questions at the local level, but scholars have found large racial and socioeconomic status divides with regard to candidate choice (Hajnal and Trounstein 2013b, Hajnal 2009), satisfaction with city services (Hajnal and Trounstein 2013a, Van Ryzin et al. 2004, Durand 1976), and trust in government (Rahn and Rudolph 2005, Marschall and Shah 2007). Hajnal and Trounstein (2013b) find that the largest divide in support for mayoral candidates is black versus white residents, with the divide between Latinos and whites close behind. The divide between Asians and whites is smaller, but persistent, as is the divide between high and low socioeconomic status individuals. In an analysis of the determinants of service evaluations among local residents, Hajnal and Trounstein (2013a) find that race stands out as the most powerful predictor. Again, the largest divides are between black and white and Latino and

white respondents, but class divides are also significant. In sum, white and wealthy residents tend to have more conservative spending preferences and support different candidates than do minorities and the poor at both the local and national levels. When political patterns favor nonwhite and poor interests, white and upper-class residents are inclined to select different localities. In the next sections, I provide evidence of these political contributors to segregation.

Measuring Suburbanization, A New Approach

In order to show that political outcomes affect segregation across city lines, I use a segregation measure that can be decomposed into within-city and across-city components. This measure allows me to take advantage of different predictions depending on the level at which segregation occurs and to control for aggregate preferences for homogeneity. In some metropolitan areas, whites and homeowners tend to be segregated from nonwhites and renters in different neighborhoods (indicating segregation at a low level of geography). In others, race and class sorting is more prevalent across city lines (indicating segregation at a higher level of geography). If a city increases its budget, there is no reason to believe that this would induce residents to sort into different *neighborhoods* but, I argue, it could lead to sorting into a different *city*.

While households may choose residential locations that result in more homogenous neighborhoods for a variety of reasons, only cross-city segregation ought to be affected by the *total* bundle of public goods provided by the city and the election of city officials. Because different racial and economic groups have different preferences for local representatives and policies, when budgets or election outcomes are less favorable to white and homeowner preferences, these residents should be more likely to sort into residential locations outside of city

boundaries.⁹⁹ We most commonly think of segregation across city lines as a process of suburbanization, but sorting between suburbs is another version of the same pattern. The result should be an increase in the share of metropolitan segregation across cities as opposed to within them.

To determine whether or not city political patterns favoring nonwhite and renter interests affect metropolitan segregation, I constructed a dataset measuring segregation in primary metropolitan statistical areas from 1980-2011 GeoLytics' Neighborhood Change Database (NCDB) and the 2007-2011 American Community Survey. These data allowed me to create a panel dataset measuring segregation at the census-tract level for each metropolitan area. To measure segregation, I use the *H* Index described in Chapter 1. The *H* Index allows for decomposition of within-city and across-city components.¹⁰⁰ It measures the evenness of dispersal of groups across geographic units (in this case, Census tracts, cities, and metropolitan areas).

The groups I use to calculate the *H* Index here are white/nonwhite, renter/homeowner, and wealthy/non-wealthy. Since 1980, the Census has tabulated the number of residents in each Census tract that self-identify as racially white and ethnically not-Latino; these individuals are classified as whites in my analysis. All other racial/ethnic combinations are classified as

⁹⁹ There is no evidence that the inverse is true. When budgets favor white/wealthy preferences, poor and minority residents have not been found to move to communities that prioritize their demands and needs. For instance, Levine and Zimmerman (1999) investigate the potential for states' welfare programs to act as magnets for the poor. They find little support for this hypothesis. The process of gentrification – where affluent residents return to the central city – is another scenario that could lead to movement among poor residents. Here too, scholars have found no evidence that gentrification leads poor households to leave their housing units (Vigdor, Massey, Rivlin 2002). The most likely explanation, of course, is that it is whites and the wealthy who have had the greater ability to choose where they live. Beyond this, political outcomes are typically much more responsive to the preferences of whites and the wealthy (Hajnal 2009; Gilens 2014).

¹⁰⁰ The approach is similar to the one taken by C.S. Fischer et al. (2004) who analyze trends over time in the level at which segregation occurs. In contrast to C.S. Fischer et al. (2004), I seek to determine whether such patterns are related to city policy choices, not just time.

nonwhites. The Census gathers tenure information on all occupied housing units, noting whether they are rented or owned. The share of units rented versus owned comprises my measure of segregation. Finally, the Census reports income categorically, not continuously, so wealthy refers to the share of families in each census tract with incomes above particular thresholds for each census year.¹⁰¹ These thresholds were determined by calculating the average family income for all Census tracts in the United States for each Census year. The wealthy threshold represents the income bin with its starting point closest to the 90th percentile of the distribution. The thresholds for each census year are: \$35,000 for 1980, \$75,000 for 1990, \$100,000 for 2000, and \$150,000 for 2011. All families with this amount of income or more are included as wealthy.¹⁰²

As explained in Chapter 1, the H Index measures the degree to which the diversity of subunits differs from the diversity of the larger unit, expressed as a fraction of the larger unit's total diversity and weighted by the subunit's share of the total population. For each census year, I calculate an H Index for all cities within a metropolitan area, denoted $H_{m,c}$ and all tracts within each city, denoted $H_{c,t}$.¹⁰³ These H Indices reveal how diverse each census tract is given the diversity of the city and how diverse each city is given the diversity of the metropolitan area.

$$H_{m,c} = \sum_{c=1}^C \frac{P_c}{P_m} \left(\frac{E_m - E_c}{E_m} \right)$$

¹⁰¹ I use family as opposed to household income because the NCDB does not report household income at the tract level.

¹⁰² Census tracts range from 0 to 100% wealthy, with a mean of 18%, a median of 13%, and a standard deviation of 16%.

¹⁰³ Census tracts are perfectly nested within states and counties. However, in some cases tracts cross city lines. In these cases, GeoLytics assigned the tract to the city containing the largest share of the tract population. In 2011, tracts are weighted by the share of population contained in each city. Observations are unique when defined by year, tract, city, county, and metropolitan area. Tracts located in unincorporated areas within a metropolitan area are combined as a single unincorporated unit. Tracts outside of metropolitan areas are not included in the analysis. I use Metropolitan Statistical Areas and where possible, Primary Metropolitan Statistical Areas as the highest level of aggregation (not Consolidated Metropolitan Statistical Areas which are much larger).

$$H_{c,t} = \sum_{t=1}^T \frac{P_t}{P_c} \left(\frac{E_c - E_t}{E_c} \right)$$

P represents total population of the geography t , c , or m .

These two indices can be combined produce a total H Index for the metropolitan area which is equal to the H Index calculated for the metropolitan area at the tract level, $H_{m,t}$.

$$H_{m,t} = \sum_{t=1}^T \frac{P_t}{P_m} \left(\frac{E_m - E_t}{E_m} \right) = H_{m,c} + \sum_{c=1}^C \left(\frac{P_c}{P_m} \right) \left(\frac{E_c}{E_m} \right) H_{c,t}$$

I analyze the percentage of total metropolitan area segregation that can be attributed to cross-city segregation as opposed to within-city segregation. I have one observation per metropolitan area in 1980, 1990, 2000, and 2011. The dependent variable in my analyses is the share of total segregation in a metropolitan area that is determined by segregation across cities versus within them:

$$share_across = \frac{H_{m,c}}{H_{m,t}}$$

My argument is that city politics affects segregation patterns. Because I only have one measure of segregation for each metropolitan area, I analyze the effect on segregation of city politics in the city with the largest population in the metropolitan area. For example, in the Detroit-Warren-Livonia metropolitan area, I estimate the relationship between Detroit's city expenditures and the share of metropolitan segregation that is attributed to whites living in different cities than nonwhites (which happens to rise from 51% to 88% between 1970 and 2011). Table 5.1 provides aggregate descriptive statistics for the central cities versus non-central cities in my analysis as of 2011.

Table 5.1: Central vs. Non-Central Cities, 2011

	Central Cities	Suburbs
% White	58%	73%
% Black	19%	9%
% Latino	16%	12%
% Asian	4%	4%
% in Poverty	21%	12%
% Renters	47%	32%
Median HH Income	\$42,796	\$61,670
% Wealthy	9%	13%
N	323	4,145

The table reveals that suburbs are whiter, wealthier, and filled with more homeowners than central cities.

In Chapter 4, I argued that in the postwar period, white homeowner neighborhoods felt threatened by increasing electoral contestation by minority candidates and the successes of the open housing movement. Public opinion surveys reveal that racial and income groups are divided over the proper size of government. Further, studies have shown that white opinion on government spending is powerfully shaped by attitudes toward the group perceived to be the beneficiaries of the spending (Nelson and Kinder 1996). During the 1960s and 1970s many central cities became associated with rising crime rates (Wilson 1987). Today, whites link crime and criminality with blackness (Peffley Shields, and Williams 1994; Gilliam and Iyengar 2000, Gilliam et al 1996). For wealthy, white, homeowners with the ability to choose suburban living, it is plausible that the election of minority mayors, increases in the municipal budget, and shares of the budget going toward policing in central cities all may have played a role in encouraging segregation across city lines.

To analyze these relationships, I regress the share of metropolitan area segregation determined across cities on independent variables capturing political and policy control in the

central city. The first is a variable noting whether or not the central city had a *Minority Mayor* (African American, Hispanic, or Asian) at any point in the decade prior to the year in which segregation is measured. These data are from a number of different sources, including Vogl (2014), Hopkins and McCabe (2012), and my own research using websites and newspaper accounts of elections. The variable is a dummy variable coded 1 if the central city had a minority mayor and coded 0 if the mayor was white in all years of the prior decade. Next I add two spending measures: inflation-adjusted *Direct General Expenditure Per Capita* and the proportion of the city budget spent on *Policing*.¹⁰⁴ These variables come from the Census of Governments State and Local Government Finance files from 1977 to 2012.¹⁰⁵ The data are collected in years that end with 2 and 7 and I used linear interpolation to generate estimates of city expenditures in 1980, 1990, 2000, and 2011 to match the Census population data. I add the natural log of the *Population* as a control because large cities have different spending patterns than small cities and size may affect segregation patterns by offering residents greater ability to sort themselves into like neighborhoods. Finally, I add a measure of the *Violent Crime Rate* in the central city to capture local conditions to which both policy and movers might have reacted.¹⁰⁶ These data represent 209 metropolitan areas and include a total of 618 observations. Summary statistics are included in appendix Table A5.1.

There is an obvious endogeneity problem with the assertion that city elections and budgets can affect residential locations. That is, we know that as home-owning whites choose to

¹⁰⁴ Police protection expenditures include, “expenditures for general police, sheriff, state police, and other governmental departments that preserve law and order, protect persons and property from illegal acts, and work to prevent, control, investigate, and reduce crime” Pages 5-58 in The U.S. Bureau of the Census Government Finance and Employment Classification Manual available at:

http://www2.census.gov/govs/pubs/classification/2006_classification_manual.pdf

¹⁰⁵ ¹⁰⁵Available at <http://www2.census.gov/pub/outgoing/govs/special60/>. Filename is “[IndFin_1967-2012.zip](#)”

¹⁰⁶ These data are from the Department of Justice Uniform Crime Reporting Program: Offenses Known and Clearances by Arrest reports for 1980, 1990, 2000, and 2011.

locate in the suburbs as opposed to central cities, the remaining central city population will have different policy and candidate preferences. The success of black mayoral candidates in this scenario is what Friesema (1969) called the “Hollow Prize.” To attempt to mitigate problems this pattern might cause for the analysis, the mayoral data are measured in the decade prior to the segregation data and all of the remaining measures are lagged 10 years. Additionally, my analyses include fixed effects for metropolitan area, so that the estimated effects of politics are within, rather than across areas.

Is it the case that politics favoring nonwhite and poor preferences in central cities is associated with additional cross-city segregation? In short, yes. Table 5.2 presents the results.

Table 5.2: Effect of City Spending Patterns on Share of Metropolitan Segregation Attributed to Cross-City Segregation									
	Racial Segregation			Renter Segregation			Wealth Segregation		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Politics favoring minorities & renters									
Minority Mayor	0.032	0.01	0.01	0.019	0.01	0.08	0.027	0.01	0.01
Direct General Expenditure Per Cap	0.052	0.01	0.00	-0.004	0.01	0.58	0.013	0.01	0.07
% Policing	0.723	0.14	0.00	-0.223	0.12	0.06	0.458	0.12	0.00
Controls									
Population (logged)	0.046	0.03	0.12	-0.057	0.03	0.03	-0.013	0.03	0.60
Crime Rate	0.566	0.13	0.00	0.134	0.11	0.24	0.159	0.11	0.15
Constant	-0.380	0.35	0.28	1.051	0.31	0.00	0.341	0.30	0.25
Number of observations	618			618			618		
Number of MSAs	209			209			209		
R ² (within)	0.211			0.035			0.078		

Note: OLS Regressions, fixed effects for metro area included in all models

Minority mayor refers to previous decade, all other measures lagged 10 years

Table 5.2 tells a consistent story. When central cities elect minority mayors, when the spend more money, and when a larger proportion of their budget is spent on policing a larger proportion of the metropolitan area's total segregation along race and class lines is accounted for across cities rather than within them. In short, more liberal policy in the central city leads to more segregation across city lines while more conservative spending patterns in center cities lead to less. As Table 5.1 makes clear, non-central cities are whiter, wealthier, and more heavily populated with homeowners than central cities. This suggests that it is wealthy whites who make the choice to reside outside of the central city when policies favoring poor and minority interests are enacted. Conversely, wealthy white residents choose to remain in the central city when budgets are more austere. Overall, the results are strongest and most consistent for racial segregation. As has been true throughout this book, race is the clearer dividing line.

With regard to racial segregation in particular, the results are powerful. If we compare, on the one hand, a city with a white mayor in the 25th percentile of the distribution on per capita spending and police expenditure, to one with a minority mayor and in the 75th percentile on the

spending measures, the metro-area racial segregation accounted for across cities increases from 35% to 46%. This is equivalent to the difference between the patterns of segregation in the Wichita, Kansas area (*share_across_race* = 0.355), and the Waco, Texas area (*share_across_race* = 0.468) or the Charlotte, North Carolina area (*share_across_race* = 0.358) and the Portland, Oregon area (*share_across_race* = 0.465).¹⁰⁷

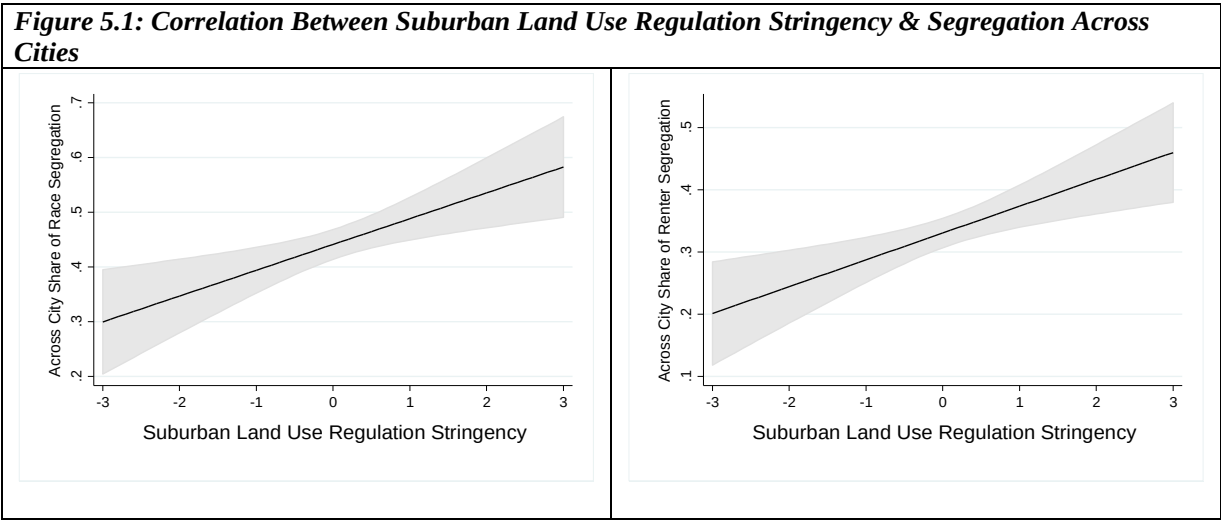
Land Use Regulation and Suburban Segregation

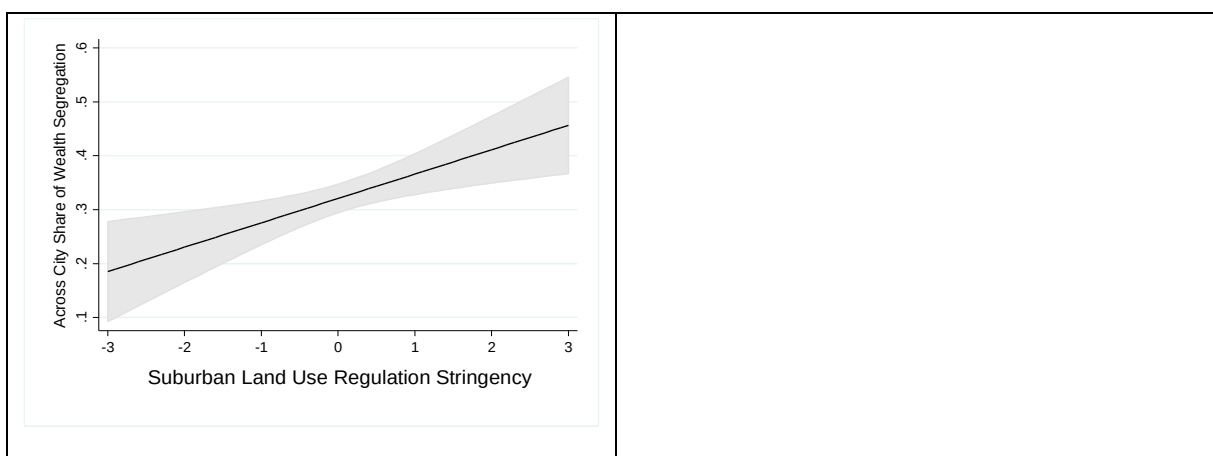
A number of scholars have emphasized the increasing role of land use regulation in the maintenance of segregation (Rothwell 2011, Pendall 2000, Orfield 2002). Scholars have often argued (although not demonstrated), that this tendency has generated a shift from the predominance of racial segregation toward class segregation (Mieszkowski and Mills 1993, Fischel 2004). The work that empirically investigates the relationship between land use regulation and segregation (e.g. Rothwell and Massey 2009, Glaeser and Ward 2006, Berry 2001) has not made a distinction between segregation within cities and segregation across them. This is an important omission, because homogenous suburban municipalities ought to be able to utilize land use regulation much more effectively than homogenous neighborhoods within cities, as municipalities wield more political power. If my argument is correct, that whites and homeowners seek to use local policy to protect home values and control the distribution of public goods, then metropolitan areas with more intense land use regulation in the suburbs should also have greater race and class segregation across cities. This is exactly what I find.

To provide evidence of this link, I use the Wharton Residential Land Use Regulatory Index (WRLURI) developed by Gyourko, Saiz, and Summers (2008). This index is built from a 2006 survey of local governments regarding the characteristics of the regulatory process, rules of

¹⁰⁷ These statistics are for the year 2011.

local residential land use regulation, and regulatory outcomes. These data were combined to measure the, “stringency of the local regulatory environment in each community” (Gyourko et al. 2008, p3). The survey contains data for more than 2,700 municipalities. For each metropolitan area, I determined the average WRLURI for all suburban communities. I then calculated the difference between the center city WRLURI and suburban WRLURI. This difference measure provides an estimate of the degree to which suburban municipalities have more stringent land use regulations than the central city for each metro area. I combined these data with the segregation measures described in the previous analyses – the share of the metropolitan area segregation accounted for across cities rather than within them. The WRLURI data are only available at one point in time, so I analyze the correlation between each region’s *Share Across* and the *WRLURI Difference* in 2011 using OLS regression. Figure 5.3 displays the marginal effect of suburban land use regulation stringency on race, renter, and wealth segregation across cities.





Suburban land use controls are significantly related to the degree to which segregation is accounted for across rather than within cities in metropolitan areas. The graphs also make clear that there is no difference between the effects of land use regulation on race versus class segregation. They are equally effected.

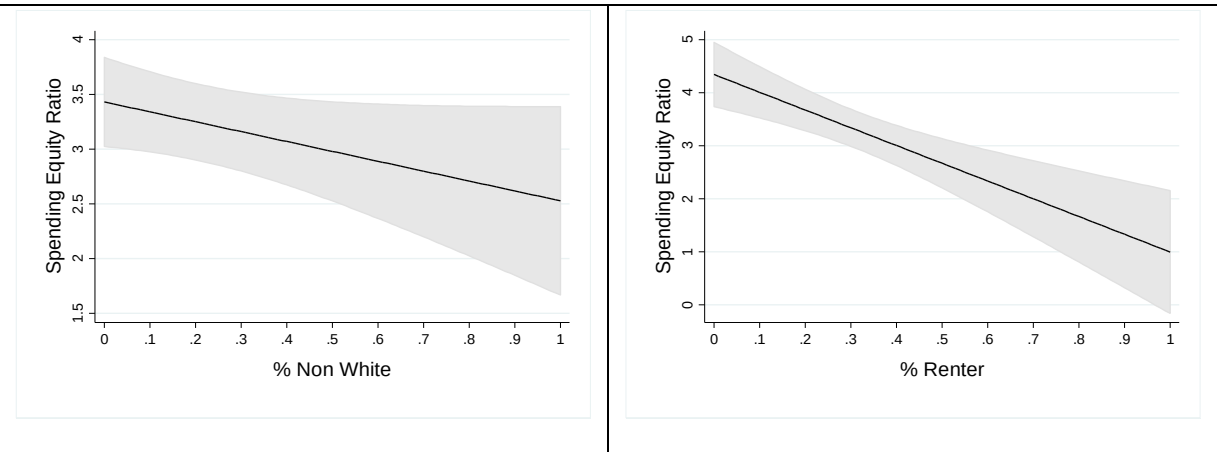
I've argued that white homeowners institutionalized segregation in order to protect their public goods and property values. The result of these policies in the post-war period has been to increase the disparity in service provision across cities. To show this, I draw on the same spending and segregation data described in the previous section. First, I aggregate all inflation-adjusted expenditures per capita by metropolitan area, for each year. This total expenditures per capita variable represents the collective dollars spent by municipal governments in a metropolitan area. I divide each municipality's expenditure by this total to generate the share of metropolitan spending accounted for by each city. I calculate a similar measure for population, generating the share of metropolitan population accounted for by each city. The ratio of these two quantities, the *Spending Equity Ratio*, is my first dependent variable.

$$Spending\ Equity\ Ratio_j = \frac{E_j/E}{P_j}$$

Where E_j is the per capita expenditure by city j , E is the total expenditures in the metropolitan area, and P_j is the share of the metropolitan population represented by city j .

This ratio measures the disparity between the percentage of the population represented by a city and the percentage of total resources received by that population. If resources are distributed exactly equally across the population, the ratio takes a value of 1; values less than 1 indicate that the community receives fewer resources than its population size would predict, and values greater than 1 indicate an abundance of resources. Between 1972 and 2012, this measure averaged 0.4 for central cities and 2.5 for suburbs.¹⁰⁸ Suburban residents receive two and a half times the resources that their population share justifies, while central city residents receive less than half of the amount of resources that their population share justifies. This is the case despite the fact that central cities spend more, on average, per resident than do suburbs. Unsurprisingly, communities with larger populations of racial and ethnic minorities and more renters have a lower *Spending Equity Ratio*. Regressing the *Spending Equity Ratio* on the share of the city that is *Nonwhite* and the share that *Rents* their homes, including fixed effects for years and errors clustered by metropolitan area, yields Figure 5.2.

¹⁰⁸ Calculated for all cities with more than 1,000 residents and all metropolitan areas in which I have data on more than one city.

Figure 5.2: Effect of Race and Class on Spending Equity

Given that cities with more homeowners and more white residents are more likely to garner a larger share of total resources spent in metropolitan areas, we should also expect that metropolitan areas with more segregation along race and class lines will witness more variation in spending from city to city. This is exactly what I find. My dependent variable in this analysis is a measure developed by Rhode and Strumpf (2003) called the coefficient of variation (CV). The CV captures the degree of heterogeneity in spending for a metropolitan area. It is calculated as the ratio of the standard deviation of spending to the mean of spending.

$$CV_{msa} = \frac{\sqrt{\sum_j P_j (E_j - M)^2}}{M}$$

Where E_j is the per capita expenditure of city j , M is the mean per capita expenditure for all cities in the metropolitan area, and P_j is the share of the total metro area population in city j . Rhode and Strumpf (2003) use this measure (calculated for the entire nation, not by metropolitan area) to show that over time, governments across the United States have grown more alike in their spending. I find the same – the mean CV declined about 17.5% between 1972 and 2012, from

1.32 to 1.09. However, more segregated metropolitan areas changed more slowly than less segregated areas. To see this, I regress the CV on racial, renter, and wealth segregation across cities ($H_{m,c}$). I add fixed effects for year to account for the declining time trend. Table 5.3 presents the results.

Table 5.3: Correlation Between Spending Heterogeneity and Segregation

	Column 1		
	β	Std. Err	P> t
Racial Segregation Across Cities	1.02	0.321	0.001
Renter Segregation Across Cities	1.83	0.661	0.006
Wealth Segregation Across Cities	-0.086	0.917	0.925
Constant	1.295	0.066	0.000
N	3149		
R ²	0.031		

Note: Fixed effects for year included but not presented.

The data reveal that metropolitan areas with more racial and renter segregation across cities – that is, where whites/ nonwhites, renters, and owners tend to live in different municipalities, we see more heterogeneity in municipal budgets. Combined with the results presented in Figure 5.2, we can see that communities with large populations of renters and racial minorities in segregated metropolitan areas have access to a much smaller share of the total dollars spent by local governments. Segregation is correlated with inequality; exactly as its architects intended.

Conclusion

Even after decades of progressive change in racial attitudes and growing concern over income inequality, America remains a segregated nation. Increasingly, segregation along race and class lines has occurred among cities rather than within them. I have argued that city politics has played a role in this change. Overall, whites and the wealthy individuals seek smaller, less

active local governments. When city policy does not favor their interests, these types of residents are more likely to trade homogenous neighborhoods within cities for homogenous cities instead. When central cities in metropolitan areas have more active policy agendas, when they spend more on community development, and when property taxes are higher, we see greater segregation across city lines. Whether this is because white homeowners leave central cities or never move in, the result is a higher degree of separation between cities in metropolitan areas. These patterns become fixed by suburban land use regulations that shape the character and structure of these communities.

Chapter 6: Segregation and Public Goods Provision, 1982-2012

Chapter 5 revealed that suburbanization has produced inequalities in spending patterns from city-to-city and I have argued that this was precisely the goal segregations' proponents. But segregation has another set of consequences that we might say were unintended; consequences for the polarization of politics at both the local and national levels. This chapter and the next make a case for this claim.

Many United States cities function without regular problems. They have well-kept roads, sewers that never overflow, and public parks with swing sets and restrooms. Others, however, struggle to maintain balanced budgets, fail to adequately equip or staff their police forces, and offer little assistance to residents of limited means. What explains these differences? One obvious answer is simply wealth. The history of suburbanization detailed in previous chapters suggests that whites and homeowners have ensconced themselves in homogenous municipalities. Given the strong correlation between race, property ownership, and wealth, income differences across communities could explain much of this variation. Except they don't. Although the relationship is statistically significant, the correlation between city level median income and per capita direct general expenditure is only about 0.037 in my data.

At a very basic level, the generation of public goods requires cooperation. Why is it then that some cities find it more difficult to cooperate than others? Scholars have identified racial/ethnic diversity and changes in diversity as prime suspects in determining under-provision of public goods (e.g. Alesina et al. 1999, Hopkin 2009). Nonetheless, diversity alone does not generate a lack of cooperation in city politics. It is only when cities are also segregated along racial lines that we see lower public goods provision. Segregated places are politically-polarized places. The gulf between whites and minorities in segregated places makes it less likely that

they will find common ground in support of a bundle of taxation and expenditures, driving down collective investment. It is segregation, not diversity that contributes to inequality.

I provide evidence for this argument using election data from 25 large cities between 1990 and 2010 and demographic data matched to city finance data from 1982 to 2012 in more than 3,000 cities. To handle the problem of endogeneity in the finance analysis, I instrument for segregation using the number of waterways in a city. I find that segregated municipalities spend less on a wide range of public goods. This lower spending has consequences. In the final section of the chapter, I find that racially segregated cities also have more sewer overflows per capita.

I focus here (and in the next chapter) on racial segregation alone. A series of tests revealed that renter and wealth division do not produce similar results. These findings are bolstered by the historical evidence which indicates that it is race and not class division that generates the starkest conflicts in city politics. Throughout, I control for indicators of wealth and homeownership to ensure that the results are not conflating race and class.

Literature and Hypotheses

Local politics, more so than national or state politics, concerns battles over space. This is because local governments control the location of negative and positive externalities (like pollution-producing factories or public parks) and also because many of the functions that local governments provide are allocational in nature (e.g. where police officers will be deployed and which roads will be repaved). One of the few powers that is reserved nearly exclusively by local government is that of zoning or planning. As a result, geographic areas within cities (e.g. neighborhoods) are frequently important actors in municipal politics.

At the same time, neighborhoods in America remain highly segregated along racial lines (see Chapter 1). Although neighborhood racial segregation has lessened in recent decades, today, the typical white American lives in a neighborhood that is overwhelmingly white, while Black, Latino, and Asian Americans live in substantially more integrated places (Logan and Stults 2011).¹⁰⁹ These patterns have created stark divides between white and nonwhite communities (Enos 2011). When a city is residentially segregated by race, issues cleave along racial and not just spatial lines (Massey and Denton 1993).

Furthermore, in segregated cities, divisions across racial groups are likely to be exacerbated because the political priorities and opinions of racial groups are likely to be more divergent than they are in integrated places. Neighborhood racial isolation is associated with a high degree of racial intolerance, resentment, and competition among all racial groups (Oliver 2010, Chapter 7). This correlation is due to both self-selection and interpersonal interactions (Rodden 2010). When deciding where to live, people with racially intolerant attitudes often seek same race neighbors (Charles 2003, Boustan 2012) either because they want to minimize contact with other race individuals (Massey and Denton 1993) or because they associate other race neighborhoods with poor neighborhood quality on dimensions such as schools, crime, and property values (Helper 1969, Ellen 2000, Bayer, Ferreira, and McMillian 2007, Krysan et al. 2008). However, living in different types of neighborhoods may also change individuals' perspectives. In integrated neighborhoods, regular, casual interaction may work to counteract dominant, negative stereotypes (Allport 1954, Oliver and Wong 2003). The result of both population sorting and/or neighbors' influence is that individuals who live in homogeneous

¹⁰⁹ African Americans, Latinos, and Asians live in neighborhoods that are comprised of 22%-46% of their own group.

neighborhoods are more likely to harbor negative stereotypes about other groups (Oliver 2010, Oliver and Wong 2003).

Yet, at higher levels of geography (e.g. in cities, counties, and metropolitan areas) it is integration or diversity that correlates with intolerance, prejudicial attitudes, increased racial tension, less cooperative behavior, and lower spending on public goods (Key 1949, Glaser 1994, Branton and Jones 2005, Taylor 1998, Campbell et al. 2006, Alesina et al. 1999, Vigdor 2004, Hopkins 2009, Poterba 1997). As a result, racial competition, racial resentment, and racial conservatism are positively correlated with homogeneity at the neighborhood level, but negatively correlated with homogeneity at the city level (see Oliver 2010 for a detailed account of these conflicting patterns).¹¹⁰ A severely segregated city is one that is diverse overall and has many homogeneous neighborhoods – both characteristics which point towards a high degree of racial conflict.

This higher degree of racial conflict in segregated cities has obvious political implications. Levine (2014) has found that racial segregation is strongly predictive of partisan political divisions in metropolitan areas and that these political divides result in an unwillingness to cooperate on metropolitan-wide policy solutions. We can expect a similar pattern at the city level. First, in segregated cities, racial groups should be more divided with respect to political priorities. Second, diverse but divided cities may be less able to come to a consensus about the production of basic government services, and thus, will be less supportive of public goods provision. This second hypothesis speaks directly to the claim that diversity drives down

¹¹⁰ There are a few exceptions to this pattern. A handful of scholars have *not* found that diversity increases tolerance at the neighborhood level. Gay (2006) and Oliver and Mendelberg (2000) find no relationship between neighborhood racial context and racial attitudes. Enos (2016) shows that that homogeneity decreases voter turnout among whites and also decreases support for conservative candidates. Cho, Gimpel and Dyck 2006 find that homogeneity decreases turnout among Asian Americans in some cases, but increases it (or has no effect) in others. Leighly and Vedlitz (1999) find that homogeneity correlates positively with turnout for whites.

collective investment (Alesina et al. 1999). As Benoy Jacob (2013) has persuasively argued, not all diversity is equivalent. When whites and nonwhites live in the same city, the pattern of residential integration ought to factor into expectations about public goods expenditures. White and nonwhites may live as next door neighbors, but they also may not. If segregation represents preferences or attitudes that are incompatible with collective investment, then uneven distribution of groups, not diversity per se, ought to correlate with lower public goods spending.

Segregation and Political Polarization

In municipal politics, vote patterns and policy priorities are shaped by racial cleavages more so than *any* other demographic division (Hajnal and Trounstein 2013a, Hajnal and Trounstein 2013b, Hajnal and Trounstein 2014). While ideology, partisanship, and class all play important roles in determining vote choice and support for municipal administrations, conflicts among racial groups are predominant. If segregated cities are more politically polarized, these racial divides should be most pronounced in places with a high degree of residential segregation. To determine whether or not this is the case, I analyze the relationship between residential segregation patterns and racial divisions in mayoral elections in the nation's largest cities between 1990 and 2010.

To estimate the effect of segregation on racial polarization, I use a dataset compiled by Hajnal and Trounstein (2014) that measures support for winning mayoral candidates across different racial groups in primary and general elections in large cities. The data include 91 separate contests from 25 cities. Vote by race data were compiled from a combination of exit polls, pre-election surveys, homogenous precinct analyses, and ecological inference.¹¹¹

¹¹¹ These data are described completely in Hajnal and Trounstein (2014).

Summary statistics and a list of cities included in the analysis are provided in appendix Tables A6.1 and A6.2.

For each election, I calculated the difference in support for the winning candidate between black and white voters, Latino and white voters, and black and Latino voters. The dependent variable in this analysis is the absolute value of the largest difference in support for the winning candidate between any two racial groups. For instance, in Philadelphia in 2003, exit polls reported that 24% of white voters supported the winner, John Street, compared to 88% of black voters, and 47% of Latino voters. In this election the black-white divide was 0.64, the Latino-white divide was 0.23, and the black-Latino divide was 0.41. Therefore, the dependent variable takes the value of the black-white divide, 0.64. In 62 of the 91 contests, the largest divide was between black and white voters, in 13 contests it was the divide between Latino and white voters, and in 16 contests the largest divide was between black and Latino voters.¹¹² The distribution of racial divides across cases is listed in appendix Table A6.2.

As described in Chapter 1, my primary independent variable is a measure of segregation called Theil's H Index. The H Index measures the degree to which the diversity in each neighborhood differs from the diversity of the city as a whole, expressed as a fraction of the city's total diversity and weighted by the neighborhood's share of the total population.

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where P represents the total population of neighborhood n or city c and E is the entropy of n or c . H varies between 0, where all neighborhoods have the same composition as the entire city, and 1 where all neighborhoods contain only one group.

¹¹² As an alternate measure of division, I took the difference in support between white voters and the average of support among black and Latino voters. The results are extremely similar.

I calculated the *H* Index for all United States cities using Census-tract level demographic data from the 1980, 1990, and 2000 Censuses of Population and Housing and from the 2011 American Community Survey.¹¹³ To start, I use four groups in the calculation of entropy: white (non-Hispanic), black (non-Hispanic), other (non-Hispanic), and Hispanic/Latino.¹¹⁴ I then combine Blacks, Hispanics, and Other races into a single nonwhite group for comparison. For reference, the mean *H* Indices for each city in the analysis are shown in appendix Table A6.2.

I include a number of control variables in addition to the *H* Index. One of the primary arguments in the literature is that racially and ethnically diverse populations will have heterogeneous political preferences which then drives low spending on public goods. If this is the case, we should see more racial polarization in the vote as diversity rises. Thus, I include the proportion of *Blacks*, *Latinos*, and *Asian Americans* in the city and a measure of *Diversity* known as the Herfindahl Index¹¹⁵:

$$Diversity = 1 - \sum_{r=1}^R \pi_r^2$$

I also include control variables that are shown by Hajnal and Trounstein (2014) to affect racial polarization in voting and which may also be correlated with segregation. I account for the *Median Household Income*, proportion of the population *Renting* their homes, proportion of the population with a *College Degree*, the race of the candidates in the election (a dummy variable coded 1 if the election featured *Biracial* candidates), a measure noting whether or not the

¹¹³ Tract-level data for 1980, 1990, and 2000 come from a proprietary product developed by GeoLytics called the Neighborhood Change Database (NCDB), which matches and normalizes Census tracts over time. The data from the 2011 American Community Survey (ACS) are available for download through the Census ftp server located at <http://www2.census.gov/>.

¹¹⁴ The 1980 tract-level data only disaggregate the non-Hispanic population into Whites, Blacks, and Others, so I am unable to include Asians as a separate group.

¹¹⁵ This calculation includes five racial groups: white (non-Hispanic), black (non-Hispanic), Asian (non-Hispanic), Hispanic, and other.

election was *Non-partisan*, an indicator for *Primary* elections, and the size of the total *Population* (logged). Finally, I include fixed effects for year and region and random effects for cities.

In Model 3, I also add a measure of the average *Ideology* among the city's white residents to determine whether or not segregation is merely a proxy for a conservative white population. This measure was constructed using General Social Survey (GSS) data from 1998, 2000, 2002, 2004, 2006, and 2008. Using restricted access data, I geo-coded each respondent in the GSS to his/her city of residence. I then took the mean ideology score for each city's white respondents for each year (higher values indicate more conservative respondents).¹¹⁶ I interpolated ideology for odd years and then merged these data to the racial polarization data set. In order to preserve as many observations as possible, I matched GSS data from the most recent year for each election.

The results presented in Table 6.1 offer strong support for the hypothesis that more segregated cities are also more politically polarized.

¹¹⁶ I dropped city/years from the GSS that only contained a single respondent.

Table 6.1: Racial Polarization in Segregated Cities									
	Racial Divide w/ Multi-Group Segregation Index			Racial Divide w/ Two-Group Segregation Index			Racial Divide w/ Ideology control		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Multi-group H Index	0.932	0.39	0.02						
White/nonwhite H Index				0.756	0.30	0.01	0.835	0.30	0.01
Diversity	0.385	0.36	0.29	0.518	0.32	0.11	0.584	0.32	0.07
% Asian	-0.115	0.53	0.83	0.120	0.56	0.83	-0.004	0.52	0.99
% Black	-0.432	0.27	0.11	-0.237	0.22	0.27	-0.133	0.21	0.53
% Latino	-0.191	0.26	0.46	-0.059	0.25	0.82	0.095	0.28	0.73
Median HH Income (1000s)	-0.004	0.00	0.52	-0.007	0.00	0.32	-0.002	0.00	0.81
% Renters	-0.580	0.42	0.17	-0.806	0.43	0.06	-0.419	0.45	0.36
% College Educated	0.328	0.71	0.65	0.723	0.73	0.32	0.123	0.87	0.89
Biracial contest	0.210	0.04	0.00	0.208	0.04	0.00	0.192	0.04	0.00
Nonpartisan Election	-0.090	0.07	0.18	-0.089	0.07	0.18	-0.034	0.06	0.60
Primary Election	-0.092	0.03	0.00	-0.09	0.03	0.01	-0.071	0.03	0.02
Population (logged)	0.035	0.06	0.53	0.048	0.05	0.38	-0.011	0.06	0.86
White Ideology							-0.051	0.03	0.11
Constant	-0.242	0.57	0.67	-0.393	0.56	0.49	0.236	0.61	0.70
Wald χ^2	187.12		0.00	189.68		0.00	222.92		0.00
N	91			91			86		

Note: Multi-level mixed-effects linear regressions with fixed effects for region and year, and random effects for cities.

The relationship between segregation and political polarization is powerful. A city in the 10th percentile of the segregation distribution can be expected to have a 35 percentage point divide between different racial groups' support for the winning candidate, while a city in the 90th percentile of segregation has a predicted racial divide of 63 percentage points.¹¹⁷ These results hold even with the inclusion of racial demographics. Segregation, not just diversity, matters for polarization. The data also indicate (comparing columns 1 and 2) that there is no significant difference in accounting for segregation among multiple racial groups as opposed to accounting

¹¹⁷ Estimates were generated from the regression presented in column 1 with all other variables held at their mean values. Predicted effects were generated using the "margin" command in Stata 12.

for segregation of whites from nonwhites.¹¹⁸ This makes sense given that whites are much more likely to live in homogenous neighborhoods than are other racial and ethnic groups and given that the most pronounced political division is typically between whites and one or more minority groups, rather than among minority groups. These results suggest that political polarization depends on the degree to which *white* residents live in exclusively white neighborhoods.

I have argued that segregation generates political divisions because the politics of space become intertwined with race. It is possible though, that segregation is simply correlated with a more ideologically conservative white population which then generates divides in support for candidates. As the third column reveals, the relationship between segregation and polarization appears to be unaffected by the conservatism of the white population. In fact, the relationship between ideology and polarization is such that cities with more conservative white populations have smaller racial divides, underscoring the conclusion that racial polarization is not driven by ideological divisions. In the next section, I ask whether or not this polarization extends beyond support for candidates to a lack of consensus over policy. In short, I find that it does.

Diversity and Segregation in the Aggregate

Scholars have provided evidence that racially diverse places and those that are becoming increasingly diverse spend fewer public dollars on productive public goods (Alesina et al. 1999, Hopkins 2009). I have argued that segregation, not just diversity, should matter in municipal politics. In the first section of this chapter, I showed that segregation is related to political polarization, even after accounting for racial demographics. If it is the case that segregated populations are less able to come to a consensus over citywide policy decisions, we should also

¹¹⁸ The 95% confidence intervals for these coefficients are nearly completely overlapping. Additionally, adding both coefficients to the same equation and running a post-estimation Wald test of equality indicates no significant difference.

see less support for government spending in segregated cities after accounting for racial demographics.

In order to analyze this hypothesis, I draw on the Census of Governments city and township expenditure data from 1982, 1987, 1992, 1997, 2002, 2007, and 2012.¹¹⁹ To these data, I merged interpolated data from the 1980, 1990, 2000, and 2010 Census of Population and Housing, and from the 2007-2011 American Community Survey (ACS). In the broadest sample, I have data for 3,113 cities, which range in size from about 750 residents to more than 8 million.¹²⁰ To capture overall spending on public goods, I analyze the effect of segregation on per-capita *Direct General Expenditures*.¹²¹ I follow this with analyses of operations expenditures on specific budgetary categories including *Roads and Highways*, *Police*, *Parks*, *Sewers*, and a combined category of *Welfare, Health, and Housing and Community Development*.¹²² I also analyze per capita *Revenues* coming from the city's own residents (as opposed to intergovernmental revenues) as an indication of the burden of funding the populous is willing to bear.¹²³ All spending data are in thousands of 2012 dollars. Summary statistics are shown in appendix Table A6.3. As above, the primary independent variable is the *H* Index to measure segregation. In the tables and figures below, I present results using the two-group (white and nonwhite) index; results from the multi-group index and isolation index are very similar.

¹¹⁹ Available at <http://www2.census.gov/pub/outgoing/govs/special60/>. Filename is “*IndFin_1967-2012.zip*”.

¹²⁰ Data are available for many more cities in 2012 than in prior years (largely because I have Census data for more places in 2011). I only use observations from 2012 that are also included in 2007 to create a consistent panel.

¹²¹ All analyses are restricted to cities with non-zero expenditures in the category in question because the data do not distinguish between zero expenditures and missing data.

¹²² Operations expenditure totals were generated by taking the total spending in each category less any capital expenditures in that particular year. The category of welfare, health, and housing/community development represents the primary expenditures by cities used to directly support people in economic need.

¹²³ In contrast, the categorical expenditure variables include all spending on a certain target regardless of the source of the funds.

To account for the alternative explanation that diversity drives down spending, the analyses include the proportion of the population that is *Black*, *Asian*, and *Latino* as well as a measure of overall *Diversity*. Controlling for demographics also helps account for the fact that white and minority preferences for government spending differ. Racial and ethnic minorities support more government spending than whites on a large number of programs at all levels of government (Hutchings and Valentino 2004). In the aggregate then, we might expect cities with larger populations of racial and ethnic minorities to support more per capita expenditure, just as Boustan et al. (2013) find. But if my theory is right, cities with more segregation and similar shares of minority residents ought to witness smaller budgets and lower spending on public goods compared to cities with less segregation because the likelihood of cooperation ought to be fundamentally different in these types of places.

The analyses below also control for the total *Population* (logged), the proportion of the population *Over Age 65*, the proportion of the population with a *College Degree*, the proportion of each 100 residents *Employed as Local Government* workers, the proportion of households that *Rent* their home, and the *Median Household Income*. These controls are meant to capture demographic dimensions that affect both segregation and expenditures (through both preferences and need). For instance, we might expect cities with large populations of government workers to have higher levels of spending, while the reverse might be the case in cities with older populations. An important alternative explanation for a negative relationship between segregation and spending could be city wealth. Segregated cities might be poorer cities for some reason, and may simply have fewer resources to spend on public goods. Controlling for the proportion of the city that rents and the median household income are intended to account for

this possibility.¹²⁴ Finally, I include fixed effects for cities. This allows me to analyze the effect of segregation within the same location over time and controls for the many factors (such as age of the city, differentials in costs for service provision, taxation powers and limits, etc.) that might lead cities to differ in expenditure patterns cross-sectionally. I cluster standard errors by city. I exclude from the analyses cities with only a single Census tract because the measure of evenness is constant (by definition).

I begin, in Table 6.2, by regressing per capita *Direct General Expenditure on Segregation* with the controls described above. Then, in the second column, I replace *Diversity* with *5 Year Changes* in racial group shares (following Hopkins 2009) to determine whether or not changes in diversity could be the driving factor.¹²⁵ In the third column, I add the mean *Ideology* of city residents (calculated from the GSS for all city residents as described above) to account for the possibility that segregated cities are more ideologically conservative. In alternate models (not shown), I add a control for renter segregation. The coefficient is insignificant and does not affect the results presented below.

¹²⁴ In alternative analyses I tested the inclusion of proportion of the city in poverty and median home values with no change to the pattern of results.

¹²⁵ Hopkins (2009) uses 10 year changes in racial group shares. I chose 5 years in order to preserve more observations in the time-series. The results are similar with 10 year changes.

Table 6.2: Effect of Segregation on Overall Per Capita City Expenditures

	Direct General Expenditure Per Capita			Direct General Exp w/ changing demographics			Direct General Exp w/ ideology control		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation	-1.266	0.218	0.000	-1.141	0.231	0.000	-1.731	0.45	0.000
Diversity	0.199	0.133	0.134				0.060	0.257	0.816
% Black	0.726	0.179	0.000	0.854	0.168	0.000	0.117	0.641	0.856
% Asian	-0.88	0.288	0.002	-1.212	0.307	0.000	-0.565	0.74	0.445
% Latino	1.634	0.171	0.000	1.721	0.19	0.000	1.560	0.394	0.000
5 yr Δ % Black				-1.918	0.691	0.006			
5 yr Δ % Latino				-1.695	0.725	0.02			
5 yr Δ % Asian				-1.389	1.073	0.196			
Median Income (1000s)	0.006	0.001	0.000	0.005	0.002	0.001	0.009	0.003	0.001
% Local Gov. Employees	-0.004	0.015	0.787	-0.007	0.017	0.683	-0.077	0.051	0.132
% Renters	0.387	0.318	0.223	0.181	0.311	0.560	-0.123	0.693	0.860
% Over 65	0.458	0.597	0.443	0.639	0.453	0.158	-1.139	0.887	0.200
% College Grad	5.114	0.434	0.000	5.806	0.433	0.000	6.66	1.23	0.000
Population (logged)	-0.36	0.045	0.000	-0.439	0.07	0.000	-0.551	0.097	0.000
City ideology							-0.001	0.037	0.972
Constant	3.379	0.441	0.000	4.268	0.675	0.000	6.358	1.317	0.000
N	16,831			14,284			2,524		
Number of Cities	3,113			3,113			395		

Note: Linear regressions with fixed effects for cities, robust standard errors clustered by city presented.

Table 6.2 provides strong evidence that segregation and public goods spending are negatively related, even in the presence of changing demographics, diverse populations, and conservative residents. The effects of segregation are substantively meaningful and statistically significant. Increasing the segregation index from the 25th to 75th percentile (from .01 to .10) in the base model lowers per capita direct general expenditure from \$1,413 to \$1,299. A difference in total spending of more than \$100 per resident could dramatically affect the quality of public goods that individuals experience given that the average per capita operating expenditure on police is about \$190 and about \$51 on parks. In Table 6.3, I show that the depressive effect of segregation extends to individual categories of public goods spending as well.

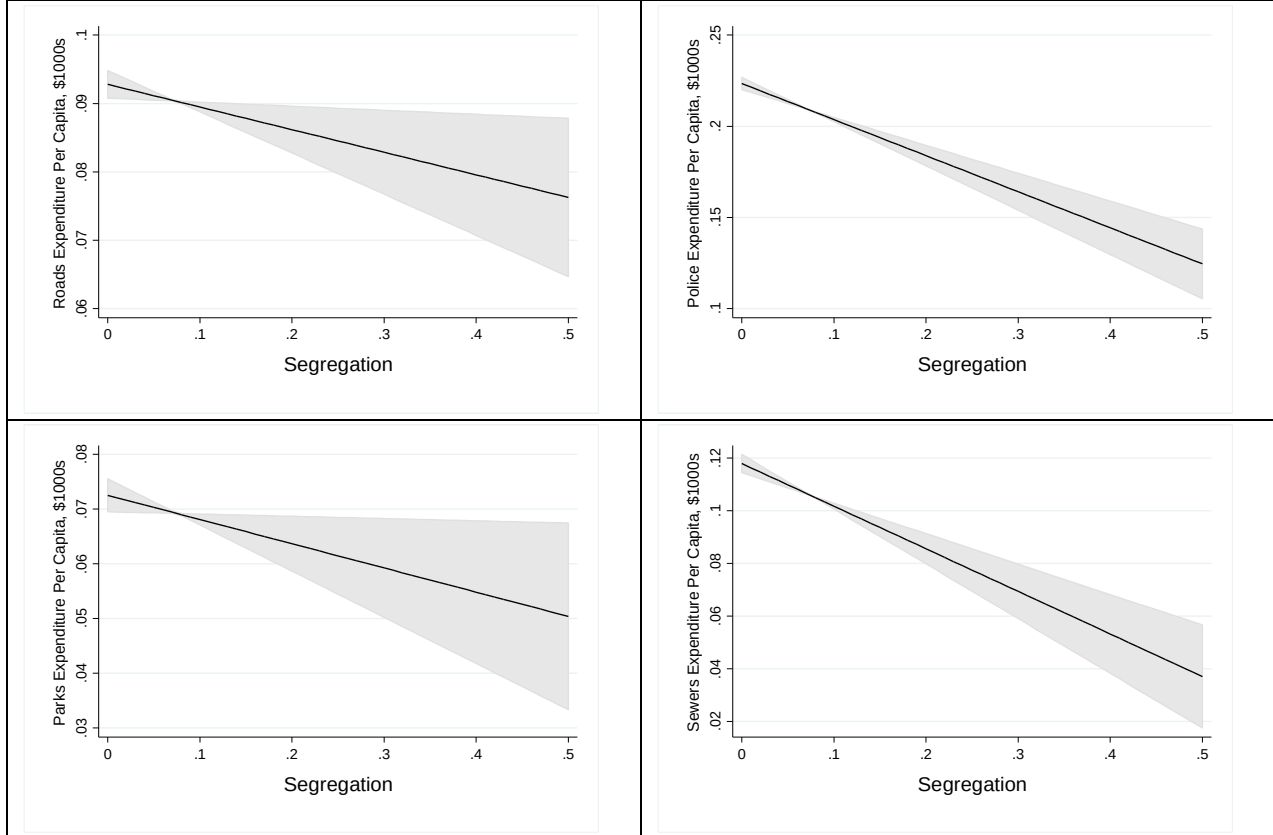
Table 6.3: Effect of Segregation on Public Goods

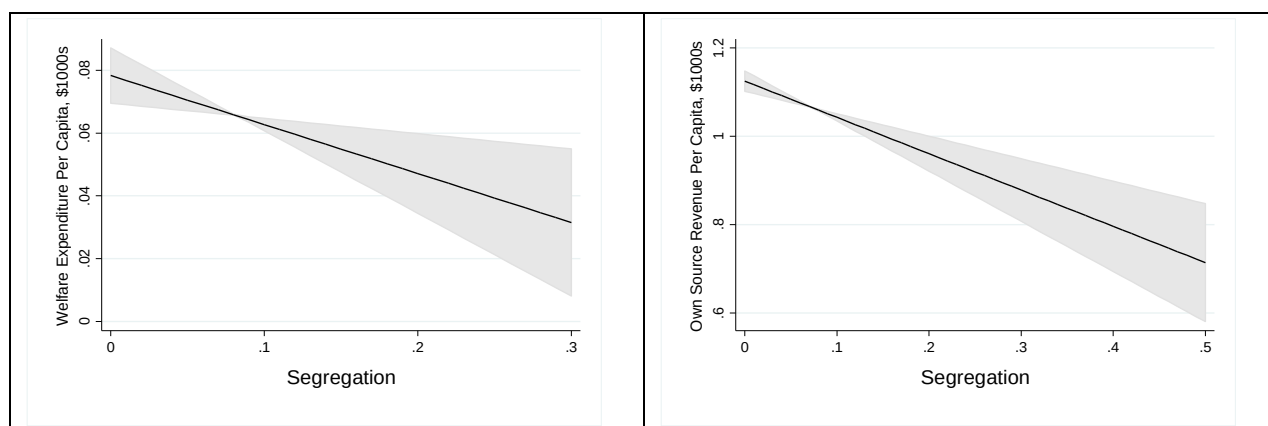
	Roads			Law Enforcement			Parks			Sewers			Housing/Welfare			Own Source Rev		
	β	SE	P> t	β	SE	P> t	β	SE	P> t	B	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation	-0.033	0.01	0.02	-0.198	0.02	0.00	-0.044	0.02	0.03	-0.162	0.02	0.00	-0.156	0.05	0.00	-0.822	0.16	0.00
Diversity	0.017	0.01	0.06	0.060	0.01	0.00	0.012	0.01	0.25	0.041	0.01	0.00	-0.023	0.02	0.35	0.136	0.09	0.13
% Black	0.039	0.01	0.00	0.167	0.02	0.00	0.024	0.02	0.13	0.005	0.02	0.78	-0.013	0.07	0.86	0.321	0.13	0.01
% Asian	-0.069	0.02	0.00	-0.083	0.03	0.02	-0.069	0.03	0.01	-0.155	0.04	0.00	0.084	0.07	0.26	-0.508	0.23	0.02
% Latino	0.018	0.01	0.12	0.361	0.02	0.00	0.031	0.01	0.01	0.088	0.02	0.00	0.144	0.03	0.00	1.303	0.12	0.00
Median Income (1000s)	0.000	0.00	0.00	0.000	0.00	0.11	0.000	0.00	0.01	0.000	0.00	0.00	0.00	0.00	0.57	0.006	0.00	0.00
% Local Gov. Employees	0.000	0.00	0.81	-0.001	0.00	0.52	0.001	0.00	0.38	-0.002	0.00	0.28	-0.009	0.00	0.01	-0.006	0.01	0.64
% Renters	0.030	0.02	0.11	0.085	0.03	0.00	0.026	0.02	0.22	0.188	0.03	0.00	0.075	0.05	0.11	0.501	0.26	0.05
% Over 65	0.149	0.03	0.00	0.191	0.05	0.00	0.174	0.04	0.00	0.076	0.06	0.17	-0.081	0.08	0.29	0.648	0.47	0.17
% College Grad	0.189	0.02	0.00	0.842	0.04	0.00	0.399	0.04	0.00	0.382	0.04	0.00	0.447	0.09	0.00	4.452	0.37	0.00
Population (logged)	-0.020	0.00	0.00	-0.06	0.00	0.00	-0.006	0.00	0.02	-0.027	0.00	0.00	-0.024	0.01	0.00	-0.229	0.03	0.00
Constant	0.197	0.03	0.00	0.548	0.05	0.00	0.006	0.03	0.85	0.215	0.04	0.00	0.262	0.09	0.00	1.894	0.33	0.00
N	16,642			16,673			15,809			13,832			13,203			16,830		
Number of Cities	3,089			3,083			3,020			2,840			2,754			3,113		

Note: Linear regressions with fixed effects for cities, robust standard errors clustered by city presented.

Clearly, spending on public goods is lower in cities with greater segregation. Across all six categories displayed in Table 6.3, segregation exerts a significant negative effect. Figure 6.1 presents these results graphically.

Figure 6.1: Segregation and Public Goods Spending





Note: Figures show the predicted relationship between Theil's H segregation index and per capita spending on public goods in constant 2012 dollars. Gray shading represents 95% confidence intervals.

Tables 6.2 and 6.3 also reveal that while segregation is negatively related to public goods investment, more diverse communities are mostly associated with higher levels of spending as the positive coefficients on diversity and on percent black and Latino indicate. Given that racial and ethnic minorities are both more supportive of public goods spending and more likely to live in segregated places (which see less support for public goods), it is important to ask what the overall impact of these countervailing effects is. Table 6.4 shows how segregation affects public goods provision across the range of values of diversity. I divide the sample of cities into quintiles of percent nonwhite (with 3,366 city-years in each quintile) and then, after estimating the model displayed in column 1 of Table 6.2, I predict Direct General Expenditure per capita at the minimum and maximum values of segregation for each quintile, holding all other variables at their mean values given the quintile. Table 6.4 shows the difference in these predicted values for each quintile of percent nonwhite.

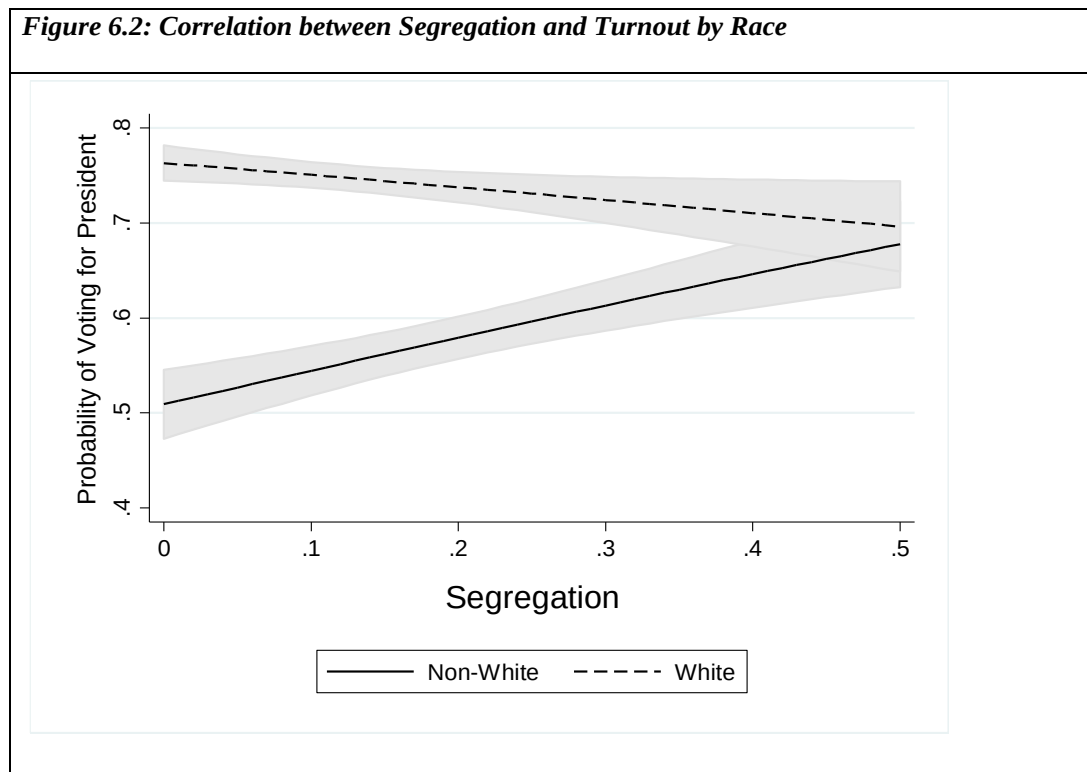
Table 6.4: Change in Direct General Expenditure Per Capita by % Nonwhite at Minimum and Maximum Levels of Segregation				
Quintile of % Nonwhite	Average % Nonwhite	Average Segregation Level	Change in Predicted Direct General Expenditure Per Capita*	95% Confidence Interval
1	4%	0.030	-\$490	(-\$656, -\$325)
2	10%	0.041	-\$870	(-\$1163, -\$576)
3	19%	0.066	-\$970	(-\$1298, -\$643)
4	33%	0.108	-\$930	(-\$1244, -\$616)
5	65%	0.125	-\$846	(-\$1132, -\$561)

*Predicted values generated from regression displayed in column 1, Table 7.2. Change is from the minimum to maximum level of segregation within a quintile of percent nonwhite.

Table 6.4 reveals substantial declines in direct general expenditure as segregation increases, regardless of the size of the minority population. Segregation has the largest effect in cities with moderately sized minority populations (where minorities comprise 19-33% of the population), but even in majority-minority cities (where minorities make up more than 50% of the population) and cities that are overwhelmingly white, increasing segregation decreases investment in public spending. The fact that segregation has the most pronounced effect in the middle quintiles offers indirect evidence that it is white residents responding to significant minority concentrations driving the negative relationship between segregation and public goods spending. An alternative possibility is that low turnout among minority residents drives this pattern. As Figure 6.2 shows, this case is extremely unlikely, given that turnout among minority residents is actually higher in more segregated cities while turnout among whites is lower.

To test this possibility, I draw on data from the General Social Surveys conducted between 1998 and 2008; years for which I was able to determine respondents' city of residence

(see Chapter 7 for additional details on this dataset). I estimate the probability that a respondent *Voted* in the most recent presidential election. Using logistic regression, I regress this variable on the level of *Segregation* in the respondent's city. To understand how segregation operates differently for different groups, I interact the level of segregation with a dummy variable coded 1 if the respondent is *White and Non-Hispanic*, and 0 otherwise. I control for the respondent's level of *Education*, whether or not they have *Kids at home*, their *Gender*, whether or not they are *Married*, their *Income*, and whether or not they are a *Government Employee*.



At low levels of segregation, white turnout is much higher than minority turnout, but the lines converge as segregation increases. Furthermore, using the racial polarization dataset described in the first section of this chapter, I find that turnout and segregation are positively

correlated in the aggregate. These patterns strongly suggest that politics is more contentious in more segregated communities. Thus, a lack of participation by residents who support high spending is not likely to be the cause of lower public goods investment.

However, even with controls, one might still worry about the causal relationship between segregation and spending. I have argued that segregation should suppress public goods spending. However, it is entirely possible, perhaps quite likely, that some unmeasured set of factors affect both spending and segregation (or that the reverse is true, and spending levels affect segregation patterns). Since we cannot randomly assign segregation to determine its effect on city spending, I use an instrumental variable approach to study the relationships.

A great many factors affect residential location and the distribution of different types of residents across neighborhoods. One set of factors that affects both property values and the ability for communities to maintain a preferred degree of homogeneity are natural and manmade barriers. For instance, freeways and railroad tracks frequently divide more desirable and less desirable parts of town (Ananat 2011). But railways and freeways are often built with the intent to segregate racial communities (Bayer 1996). Instead, I focus on waterways (including large streams and rivers), which vary in number across cities and are arguably exogenous to segregation and spending given that they are not man-made. The use of waterways as an instrumental variable was introduced by Hoxby (2000) who used streams to estimate the governmental fragmentation of metropolitan areas. Cutler and Glaeser (1997) rely on Hoxby's waterways data as an instrument for metropolitan area racial segregation. My instrument differs in two ways. First, and most importantly, my data capture waterway counts and segregation patterns at the *city* level rather than at the metropolitan-area level. Secondly, I use a different source file for the waterways data and a different method for determining whether a waterway

ought to be counted within the boundaries of a community.¹²⁶ In order to use waterways as an instrument for segregation, I gathered the “rivers and streams” geographic information system map file from the National Hydrologic Remote Sensing Center which is part of the National Oceanic and Atmospheric Administration (an agency in the US Department of Commerce).¹²⁷ I added Census TIGER Line boundary files for all places in the United States as of 2000.¹²⁸ I then generated counts of waterways for each place and added these counts to the finance data described previously. Overall, the correlation between the number of waterways and the *H* Index is a powerful 0.37, and the F-statistic on the excluded instrument is 3,999, which is considerably higher than the typical target of 10.¹²⁹

The current analyses use the same dependent variables as were presented in Tables 6.2 and 6.3 (per capita spending on various public goods). The number of waterways is used as an instrument for the *H* Index. Waterways are also correlated with other characteristics that are important to both segregation and spending patterns. The most important of these characteristics is the size of the population which is correlated with both the number of waterways and the level of segregation. People have settled near waterways since antiquity, and larger cities are also much more likely to be segregated than smaller cities (perhaps because there are more neighborhoods from which to choose). To account for this, I include logged population

¹²⁶ Hoxby (2000) uses a hand count of streams that are 3.5 miles in length and “of a certain width” supplemented with data from the Geographic Names Information System which lists the latitude and longitude of smaller streams. Instead, I use geographic information system maps as described in the main text and include all large streams and rivers regardless of length and width. Hoxby (2000) attributes a stream to a Metropolitan Statistical Area (MSA) if it terminates in the MSA (Rothstein 2007), whereas my analysis attributes a waterway to a community if it flows through the community at all (not just at its origin or destination).

¹²⁷ The “rivers and streams” shape file is available at: <http://www.nohrsc.noaa.gov/gisdatasets/>. It was most recently updated in 2008.

¹²⁸ Boundary files are available for download by state here: <http://www2.census.gov/geo/tiger/TIGER2010/PLACE/2000/>

¹²⁹ This F-statistic is drawn from a simple two-stage regression instrumenting segregation with waterways and including no additional controls.

as an instrument in the first stage.¹³⁰ In both the first and second stage regressions, I include the same control variables as presented in Table 6.2, with two changes. Because the number of waterways is constant in my dataset, I do not add fixed effects at the city level.¹³¹ Instead, I include fixed effects for region and year. Secondly, I add a lagged version of the dependent variable to account for the high correlation between observations over time for the same city and the fact that local budgets are typically changed incrementally from prior years. The results from this instrumental variable approach are displayed in Table 6.5. For presentation purposes, the first stage results are relegated to appendix Table A6.4.

¹³⁰ In alternative specifications, I use the number of waterways per capita as the instrument. The pattern of the results is exactly the same.

¹³¹ The omission of fixed effects allows for the inclusion of all cities regardless of the number of Census tracts.

Table 6.5: Effect of Segregation on City Expenditures, Instrumental Approach												
	Direct General Exp			Roads			Law Enforcement			Parks		
	β	SE	P> t	β	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation instrumented	-3.806	1.09	0.00	-0.385	0.05	0.00	-0.353	0.10	0.00	-0.025	0.02	0.18
Lagged DV	0.858	0.00	0.00	0.490	0.00	0.00	0.966	0.00	0.00	0.822	0.00	0.00
Diversity	-0.418	0.38	0.27	-0.027	0.02	0.15	-0.001	0.04	0.97	0.004	0.01	0.57
% Black	0.798	0.36	0.03	0.080	0.02	0.00	0.080	0.03	0.02	0.000	0.01	0.98
% Asian	-0.848	0.99	0.39	-0.088	0.05	0.07	-0.082	0.09	0.38	-0.029	0.02	0.08
% Latino	1.121	0.31	0.00	0.086	0.02	0.00	0.078	0.03	0.01	0.007	0.01	0.18
Median Income (1000s)	0.012	0.00	0.00	0.001	0.00	0.00	0.001	0.00	0.00	0.000	0.00	0.00
% Local Gov. Employees	0.276	0.03	0.00	0.017	0.00	0.00	0.020	0.00	0.00	0.002	0.00	0.00
% Renters	2.627	0.39	0.00	0.159	0.02	0.00	0.159	0.04	0.00	0.033	0.01	0.00
% Over 65	2.260	0.81	0.01	0.270	0.04	0.00	0.233	0.08	0.00	0.089	0.01	0.00
% College Grad	-0.495	0.62	0.42	-0.013	0.03	0.68	-0.051	0.06	0.39	0.045	0.01	0.00
Constant	-2.034	0.31	0.00	-0.105	0.02	0.00	-0.149	0.03	0.00	-0.026	0.01	0.00
N	2,669			25,121			25,034			23,197		
	Sewers			Welfare			Own Source Revenue					
	β	SE	P> t	β	SE	P> t	β	SE	P> t			
Segregation instrumented	-0.393	0.06	0.00	-0.194	0.06	0.00	-3.344	0.95	0.00			
Lagged DV	0.082	0.01	0.00	0.936	0.00	0.00	0.712	0.00	0.00			
Diversity	0.075	0.02	0.00	0.000	0.02	1.00	-0.373	0.33	0.26			
% Black	0.054	0.02	0.02	0.065	0.02	0.01	0.686	0.31	0.03			
% Asian	-0.229	0.06	0.00	-0.008	0.05	0.87	-0.909	0.86	0.29			
% Latino	-0.048	0.02	0.01	0.045	0.02	0.01	1.01	0.27	0.00			
Median Income (1000s)	0.000	0.00	0.89	0.000	0.00	0.57	0.013	0.00	0.00			
% Local Gov. Employees	0.000	0.00	0.88	0.007	0.00	0.00	0.294	0.03	0.00			
% Renters	0.082	0.02	0.00	0.090	0.02	0.00	2.573	0.34	0.00			
% Over 65	0.344	0.05	0.00	0.109	0.05	0.03	2.435	0.71	0.00			
% College Grad	0.057	0.04	0.11	0.009	0.04	0.81	-0.433	0.54	0.42			
Constant	0.007	0.02	0.69	-0.057	0.02	0.00	-2.025	0.27	0.00			
N	20,258			17,827			25,671					

Note: Two stage least squares regressions with fixed effects for regions and year (not shown); Instrumented: Two-group H Index of segregation; Excluded Instruments: # of Waterways, Population logged.

Regardless of the statistical approach used, segregation appears to have a powerful, depressive effect on public goods provision in cities. The pattern of results in Table 6.5 reflects the OLS regression findings presented in Table 6.2. After accounting for demographic differences, cities with more segregation tend to have smaller budgets, they tend to extract fewer resources from their residents, and spend less on roads, policing, parks, sewers, and support for the poor.

But perhaps lower spending is what residents prefer. After all, many elections have been won on platforms promising austerity and frugality. In the final section of this chapter, I explore what the consequences of low spending might be by analyzing a universally disliked event: sewer overflows.

Segregation and Sewer Overflows

The federal Environmental Protection Agency (EPA) monitors municipal sewer systems for overflow events. According to a 2004 EPA report to Congress, approximately 860 billion gallons of untreated wastewater were released into communities between 2001 and 2003 when sewer systems' capacities were exceeded. Any single overflow might occur for many reasons – excessive wet weather, pipe blockages, equipment failure, or insufficient capacity. However, generally, as Tessin (2009) explains:

The performance of a sewer system is strongly related to capital fund-raising....Without adequate investment, excessive groundwater can enter sewers through cracked pipes and ingrown tree roots. Aging pipes can break and send sewage to the surface. Growing populations can cause wastewater flow to exceed the system's design capacity....For these reasons, local governments that do not invest enough capital typically experience more sewer overflows and other system failures...(p168).

Some federal and state grants are available for sewer system maintenance, but the vast majority of funding to reduce overflows comes from local sources (EPA 2004). According to

my data, the most segregated cities spend about \$200 less per capita each year on their sewer systems. In the aggregate, this translates to an average of about \$60,000 less per year spent on sewers (after controlling for all of the other demographic variables included in the regressions above). When city engineers plan, build, extend, and repair sewer systems, they take into account variables like population growth and average precipitation, as well as potential deviations from those estimates.

Analyses of effective or responsive governmental policy typically needs to take into account variation in constituent preferences. For instance, a community that spends very little on protection of open space or on recycling may be accurately representing the views of its residents. Sewer overflows are different. No one wants a river of fecal matter running down their street or flooding their basement. Thus, it seems reasonable to assume that more frequent overflows are, without qualification, worse than fewer overflows. That said, voters and sewer engineers may not agree on the level of resources needed to prevent overflows and therefore, raising funds for capital improvements may be challenging. If it is the case, as I have asserted above, that more segregated cities will have more trouble coming to political consensus about public goods provision, then we ought to expect more segregated cities to witness more sewer overflows – all else equal. In order to determine whether or not this is the case, I utilize data collected by the Environmental Protection Agency in 2004.

In this data collection, the EPA gathered information on overflows from 25 state environmental agencies between 2001 and 2003.¹³² In total, the EPA reported about 35,000 different overflow events from several thousand sewer agencies. The EPA data do not include any geographic identifiers other than the name of the sewer agency, and so, I matched these

¹³² The data were generously provided to me by Jeff Tessin who had secured the data from an EPA staff member for his PhD dissertation.

names to cities by hand. After dropping cases in which the sewer operator was not a municipal government (e.g. metropolitan water districts or county governments), and cases in which the EPA data provided insufficient detail to identify the municipality, I determined the location of 19,817 overflow events. I aggregated these events to the city level and was able to match these data to segregation measures and Census data for 1,417 cities.

The median number of overflows during this period was 2, while the mode was 1. A few cities with enormously high numbers of overflow events pull the mean to 50. For this reason, I take the natural log of the number of overflow events for each city and standardize it by the city's population. This *Logged Overflows Per 1000 Persons* measure serves as my dependent variable. My main independent variable is the city's *H Index* of racial segregation measured in 2000 if available and 2010 if not. I control for the natural log of the *Total Population* to account for the possibility that cities serving more people are likely to have more advanced engineering for their sewer systems by necessity. I add fixed effects for states for two reasons. The first is that the EPA data collection gathered statistics from state agencies which may have had different reporting standards. The second reason is to account for the different environmental, regulatory, and funding environments cities in different states face. In a second regression, I add controls for other city demographics. I add the share that *Rents* their homes to account for the possibility that homeowners may be more likely to act politically to prevent overflows. I include the share of the population that is *Urban* to capture the difficulties rural areas may face in providing sewer systems to a dispersed population. I include the share of the population that is *Black*, *Asian*, and *Latino* to determine whether or not diversity alone can account for poor performance. I add the city's *Median Household Income* and *Per Capita Subventions* to measure the city's capacity to

raise funds for sewer maintenance and expansion. The results of these OLS regressions with robust standard errors are shown in Table 6.6 (summary statistics are in appendix Table A6.5).

Table 6.6: Correlation Between Segregation and Sewer Overflows

	β	SE	P> t	β	SE	P> t
Segregation	2.166	0.53	0.00	2.398	0.78	0.00
Population (logged)	-0.347	0.05	0.00	-0.325	0.07	0.00
% Renters				-0.424	0.40	0.29
% Urban				-0.129	0.09	0.16
% Black				-0.524	0.37	0.16
% Asian				3.813	1.01	0.00
% Latino				-0.080	0.28	0.77
Median Income (1000s)				-0.001	0.00	0.66
Subventions Per Capita (1000s)				-0.031	0.01	0.00
Constant	3.678	0.53	0.00	3.554	0.59	0.00
N	1,417			1,417		
R ²	0.199			0.207		

Note: Linear regressions with fixed effects for states, robust standard errors presented.

The data reveal a significant correlation between segregation and sewer overflows. Living in a city with very little segregation, one can expect about 1.5 overflows per year on average. This increases to nearly 2.5 overflows in cities at the 95th percentile of the segregation distribution. Not only do segregated cities see lower spending on public goods, but they also witness worse performance as well.

Conclusion

The evidence presented here indicates that racial segregation plays a significant role in access to public goods. Segregated cities are comprised of homogeneous neighborhoods embedded in larger diverse communities. While African Americans, Latinos, and Asians are today, fairly likely to live as neighbors, whites remain in isolated enclaves. Because local governmental decisions often concern spatial allocation, neighborhoods are important municipal

actors in local politics. In more segregated places, neighborhood interests become overlaid with racial division. Segregated cities are more racially polarized in elections and may be less likely to generate policy consensus. The result is that cities with more segregation have smaller public goods budgets. Segregated cities raise fewer dollars from their residents and spend less money on roads, law enforcement, parks, sewers, welfare, housing, and community development. This low spending may have significant consequences. For example, segregated cities also see more sewer overflows.

Patterns of residential location reveal that white residents are more likely than people of color to live in cities with low levels of segregation. In my dataset, nearly 74% of nonwhite residents live in cities in the top quintile of the segregation distribution, compared to only 48% of whites. What this means is that compared to whites, nonwhites are much more likely to live in communities that struggle to generate adequate public goods for their residents. Not only are whites segregated from racial and ethnic minorities within cities, but they are also segregated from people of color across city lines. This fact means that access to public goods is segregated along racial lines as well. As the nation has become more diverse, it has also become more unequal. Segregation and public goods play important roles in linking these phenomena.

Chapter 7: The Local Roots of Modern Conservatism

Between the late 1940s and mid-1960s, fights over racial integration pervaded the politics of America's cities. Throughout the United States, residents battled over the integration of public schools, public transportation, pools, parks, golf courses, and of course – neighborhoods. In detailed case studies, historians have shown that white resistance to desegregation in urban centers across the country, gave rise to a new rhetoric that emphasized the protection of private property and homeowners' rights (Kruse 2005, Lassiter 2006, Self 2003, Sugrue 1996). These historical studies argue that the rise of conservatism and Republican allegiance associated with suburban America today was actually rooted in the conflictual racial politics of central cities. In this chapter, I provide evidence that these patterns were widespread. I show that battles over the control of public space and public goods in postwar urban America contributed to the transformation of the demographic landscape and affected public opinion. People who would come to live in segregated neighborhoods, either by choice, compulsion, or happenstance, developed political attitudes and loyalties that differed significantly from similarly situated residents in more integrated places.

First, I show that federal school desegregation orders generated increases in the number of segregated neighborhoods in metropolitan areas. In this analysis, I take advantage of the randomness desegregation order timing to substantiate the link. Then, I provide evidence that the relative whiteness of a neighborhood in 1970 is a powerful predictor of political attitudes and loyalties today. People who live in places that were whiter than their metropolitan area in 1970 were more likely to vote for the Republican presidential candidate in 2008 and are more conservative than their individual attributes (e.g. race, gender, marital status, age, education, income, presence of children) would otherwise predict. Conversely, those who live in places that

were more diverse in 1970 are more liberal today. However, even with a set of individual-level controls, it is difficult to convincingly estimate the effect of neighborhoods on public opinion. Some unmeasured characteristic might cause certain neighborhoods to be more or less diverse than the larger metropolitan area in 1970, and for individuals who live there to be more or less liberal. Given existing evidence that racial attitudes became a more important predictor of vote choice and public opinion during this same period (Carmines and Stimson 1989), it is important ensure that these relationships are being driven by the attributes of neighborhoods and not omitted individual-level variables. To do this, I instrument for the relative whiteness of neighborhoods using two geographic features: land elevation (controlling for waterfront areas) and distance from the nearest big city.

The consequences of segregation on individuals' life chances are well known; and as Thomas Sugrue (2015) writes, "the effects...are devastating."¹³³ Segregation increases inequality on many different socio-economic dimensions (Cutler and Glaeser 1997, Ananat 2011). The results presented here indicate that segregation also has powerful political consequences - increasing divisions in both public opinion and voting behavior.

Entanglements of Ideology and Integration

At the onset of the Second World War, the United States was already a very segregated nation. All large cities had clearly defined neighborhoods inhabited by people of color and others inhabited by whites – a pattern generated by both private choices and public policies (Massey and Denton 1988).¹³⁴ As a result of the economic collapse during the Great Depression

¹³³ https://www.washingtonpost.com/opinions/its-not-dixies-fault/2015/07/17/7bf77a2e-2bd6-11e5-bd33-395c05608059_story.html

¹³⁴ However, on the whole, the United States, both rural and urban, was still overwhelmingly white in 1940. About 10% of the population was black, about 1.7% of the population could be considered Hispanic/Latino, and about

and then material scarcity during the war, the nation faced a severe housing shortage during the 1940s. When increasing numbers of blacks moved from rural areas into cities and from the South to the North and West, the boundaries of existing black neighborhoods were pushed to their limits. In the Southwest, the Latino population also swelled with wartime employment.¹³⁵ These pressures resulted in explosive social and policy conflicts along racial lines. Because city governments had the power to zone, to permit development and locate nuisances, and thus to determine the value of property, these fights were central to city politics. As Self (2003) argues, “the effects of property [valuation] are far-reaching...They structure all kinds of interactions - from where one can buy a home to where politics is organized, from how police interact with neighborhoods to where children go to school. The struggle for the postwar city was over no less than the power to control and organize space...” (p18).

In response to postwar demographic changes, white homeowners sought to protect their neighborhoods (which they considered to be the reward for their hard work and frugality) from disruption and disorder. In the minds of many, pursuit of these goals required racial exclusivity. Sugrue (1996) reports that in Detroit, as elsewhere, “a majority of whites looked to increased segregation as the solution to [the] ‘colored problem’” (p215). Whites, particularly those who owned their homes, believed that they had a right to certain neighborhoods and the public benefits (e.g. schools, safety) associated with those spaces. They understood minority demands for integration and court ordered desegregation plans as undermining this entitlement (Kruse 2005, p126). Whites justified exclusion with fiscal arguments; claiming that, “since Negroes are

0.1% Asian. <http://www.latinamericanstudies.org/immigration/Hispanics-US-1850-1990.pdf>; <https://www.census.gov/population/www/documentation/twps0076/twps0076.pdf>

¹³⁵ http://www-bcf.usc.edu/~philipje/Segregation/Haynes_Reports/Contours_PRR_2001-04e.pdf. Hundreds of thousands of Mexican descendants were deported during the Great Depression, so the overall Latino share of the population changed little.

so poor and pay virtually no taxes, they are actually not entitled to get more public services than the whites care to give them...” (Myrdal 1944, p336). When blacks *did* receive benefits, it was believed that whites unfairly bore the financial burden of their support. To illustrate this point, Kruse (2005) quotes a segregationist poem that made rounds in Atlanta in 1957:

Po’ white folks must labor, ‘tween sun and sun,
To pay welfare taxes whilst we has de fun,
We doan pay no taxes, we doan make no goods,
We just raise little niggers, way back in the woods.... (p127).

Above all else, whites feared that integration would jeopardize their single largest investment – the value of their home (Helper 1969), as well as the quality of their neighborhood (Kruse 2005). The tight coupling between property values, public goods, and racial exclusivity was inexorably tied to the racism embedded in the real estate market (Hayward 2013) and the poor public goods that cities had provided to neighborhoods of color in decades past (Myrdal 1944, Torres-Rouff 2013). Kruse (2005) explains that, “by the time white homeowners confronted racial transition at their neighborhood’s borders, the American real-estate industry had completely embraced the idea that such racial transition would, without doubt, lead to a devastating decline in property values” (p60). Public policies like redlining and expulsive zoning¹³⁶ and private actions like racial steering and white flight would make this relationship true over the long run.¹³⁷

¹³⁶ Expulsive zoning is the practice of siting industrial, semi-industrial, or other nuisances in neighborhoods of color in order to both preserve white neighborhoods and induce black movement into particular parts of the city.

¹³⁷ In the short run, blacks paid much higher prices than whites for comparable housing (Cutler and Glaser 1997). This fact was what made it so lucrative for individual whites to abandon neighborhood protection and move to the suburbs. In Atlanta, Kruse (2005) analyzes the property values in a neighborhood that transitioned from white to black between 1950 and 1960, and finds that the property values rose 27 percent over this decade.

Although many whites agreed on the desirability of residential segregation,¹³⁸ they were stymied by various hurdles. The Supreme Court had ruled racial zoning (the designation of certain neighborhoods as being inhabitable only by whites) unconstitutional in 1917, so a perfectly direct policy approach to residential segregation was not an option.¹³⁹ Instead, the preservation of white communities required collective action to prevent individual homeowners from selling or leasing to minority residents. As minority populations expanded and white homeownership rates skyrocketed, hundreds of white homeowners' organizations arose in the 1940s, 50s, and 60s (Sugrue 1996, Kruse 2005).¹⁴⁰ Such organizations were often created by real estate developers to protect the value of their investment. This was a charge taken seriously by property owners. These (typically all white) "civic associations, productive associations, improvement associations, and homeowners' associations" (Sugrue 1996, p211) fought the building of public housing in their neighborhoods, sought representation on planning boards, and battled open housing laws (Self 2003).¹⁴¹ Importantly, they relied on racial restrictions in housing deeds (and racism in the real estate market) to maintain neighborhood exclusivity. But the Supreme Court ruled restrictive covenants unenforceable in 1948 (*Shelley v. Kraemer*), and an open housing movement swept the nation. Then, in the 1950s, other tools of segregation came under fire as the court struck down separate-but-equal accommodations in a series of cases.¹⁴²

¹³⁸ In 1964 only 27% of white Americans supported general integration (Schuman et al 1985).

¹³⁹ Many white neighborhoods also utilized violence to defend their borders (Meyer 2000, Hirsch 1983). Although tolerated (even encouraged) by the police and political establishment of some cities, murders and arson were technically illegal as well.

¹⁴⁰ In some cases, the link between segregationists and homeowners' groups was direct. For example, the head of Atlanta's West End Cooperative Corporation had gotten his start in community organizing as the head of Klavern No 297's Housing Komitee (Kruse 2005 p54).

¹⁴¹ They also served as social organizations welcoming new neighbors and organizing block parties (Sugrue 1996).

¹⁴² e.g. *Muir v. Louisville Park* 1953, *Brown v. Board of Education* 1954 & 1955, *Holmes v. Atlanta* 1955, *Dawson v. Baltimore* 1955, *Rice v. Sioux City Memorial Park Cemetery* 1955, *Browder v. Gayle* 1956, *Burton v. Wilmington* 1961, *Johnson v. Virginia* 1963, *Simkins v. Cone Memorial Hospital* 1963, *Watson v. City of Memphis* 1963.

By this time, nearly all cities utilized zoning in some fashion and many invoked the power of eminent domain to shape development through, for example, the permitting of multi-family housing, the razing of slums, and the placement of highways, public housing, and industry. In the past, white homeowners had successfully used these tools to configure residential demography (Nightingale 2006) – but they became even more important in the face of new court decisions and the rising Civil Rights Movement.¹⁴³ At the same time, racial violence continued to erupt. However, local elites were committed to maintaining peace in their cities (Ogorzalek 2017). So, in order to convince city governments to defend their turf, white neighborhoods needed to change their approach.

In city after city, white middle class, homeowners turned away from claims based on racial exclusivity and began to press their demands in terms of rights; a tactic Sugrue (1996) terms “defensive localism” (p210). White residents fought for the, “‘right’ to select their neighbors...the ‘right’ to do as they pleased with their private property...and the ‘right’ to remain free from what they saw as dangerous encroachments by the federal government,” (Kruse 2005, p9). Local governments responded with neighborhood protection by pursuing “racial stability through spatial apartheid” (Lassiter 2006, p52). In the South, these arguments were the moderate path – a response to violent white supremacy on the right and integrationists on the left (Lassiter 2006, Kruse 2005). The fact that rights-based language gained ground in all regions of the United States meant that it offered a powerful basis for the rise of a national movement.

¹⁴³ Throughout this period, neighborhood organizations also sought to maintain the color line using private mechanisms as well. For instance, some organizations raised funds to repurchase homes sold to black families in order to sell them back to whites. They also pressured real estate agencies and lenders to refuse to sell to black buyers. Additionally, they set fire to homes on the black market and newly purchased homes by black owners (Kruse 2005, Sugrue 1996). The problem with such tactics is that they were always susceptible to a sort of prisoner’s dilemma. It was incredibly lucrative for a single white homeowner to sell her home to a black family and this idea made individual white owners skittish about neighborhood transition. Neighborhood organizations constantly urged owners to think of the common good rather than their bottom line, but frequently failed.

The discourse had several facets. Subscribers claimed support for racial integration in theory (so as to distinguish themselves from the ugliness of Jim Crow), but angrily opposed government intervention in racial uplift or equalization (Lassiter 2006, p137). In fact, integration was typically viewed in zero-sum terms – gains for blacks equated to losses for whites. Government attempts to produce equal outcomes were understood to be an elevation of minority rights above those of the majority (Sugrue 1996, p227), a form of “reverse discrimination” (Lassiter 2006, p123). Policy solutions to redress inequality were cast as the work of an insidious, “‘liberal elite’ made up of judges, intellectuals, and government bureaucrats” (Hall 2005, p5).

Further drawing on racialized beliefs about the distribution of tax burdens, neighborhood defenders argued that they should not have to pay for public benefits or welfare for those who did not contribute to the public pool. So when people of color demanded, and then the court ordered, desegregation of public spaces and residential communities, these views culminated in all out tax-revolts among white residents. In cities like Atlanta, whites urged the city government to eviscerate the public budget, eliminate bus lines, as well as close pools and public parks (Kruse 2005). Whites voted down bonds for civic improvements, abandoned public schools, and railed against an activist government. In the end, many of these residents would leave the city altogether – packing up their belongings and their newly appropriated ideology and moving to the suburbs (Nall 2015, Boustian 2010).

Yet, suburban growth largely happened for market reasons that were unrelated (or at least, only tangentially related) to racial conflict in cities (Jackson 1985). As Chapter 1 revealed, by 1970, a plurality of the population lived in suburbs and more than 60% of Americans owned their homes. As the pace of suburbanization and homeownership picked up, arguments

surrounding neighborhood defense lost explicit racial designations of who contributed and who did not and who had a right to high property values and good services and who did not. As Self (2003) explains, the move away from making overt racial claims was, “intended to inoculate segregation and white privilege against charges of racism” (p268). This new language offered a “color-blind” approach to the maintenance of neighborhood boundaries. This rhetoric perpetuated the myth that residential segregation was a matter of economics and individual choice. White homeowners came to see segregation as the consequence of “meritocratic individualism” – not fostered by public policy or law (Lassiter 2006, p1). Those who lived in segregated minority neighborhoods could thus be blamed for their condition, making them undeserving of social assistance.

Maintaining exclusively white neighborhoods in the central city was possible with the help of cooperative city governments. But it was much easier in the suburbs, where a combination of public policies and private actions made homeownership only available to white residents (Jackson 1985, Hayward 2013). By 1970, neighborhoods (both within central cities and outside of them) that had maintained their whiteness despite the massive demographic shifts over the preceding 30 years had developed a distinctive, conservative approach to politics throughout the nation. Homeowners in these places expected low taxes, they rationalized racial segregation and inequality as the product of meritocracy, and they conflated white exclusivity with high property values (Self 2003, Lassiter 2006). They couched their demands in terms of protection of individual property rights. In so doing, they drew on a long tradition of American conservative principles emphasizing economic individualism, limited government, and equality of opportunity, but not outcomes (Feldman 1988, McClosky and Zaller 1984, Kinder 1998).

Nearly forty years later, these neighborhoods continued to foster distinctive politics. Whether or not new arrivals to defended neighborhoods had been involved in the earlier battles, they came to, “accept the politics born out of white flight all the same. They embraced a new middle class rhetoric of rights and responsibilities” (Kruse 2005, p245). The Republican Party came to embrace the neighborhood defenders. Starting in the 1960s and throughout the 1970s, Republicans positioned themselves as the party that would help whites to resist social change and impose order in their environments (Hetherington and Weiler 2009, Carmines and Stimson 1989). These ideals held sway in defended neighborhoods and residents dutifully sorted themselves into the Republican Party.

The arguments appropriated in support of neighborhood defense in the 1950s and 60s are still visible in politics today. In the 2012 presidential election, Republican nominee Mitt Romney proclaimed:

There are 47 percent of the people who will vote for [the Democratic incumbent] no matter what...who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that's an entitlement. And the government should give it to them....These are people who pay no income tax...My job is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives (Corn 2013).¹⁴⁴

Like the homeowners' organizations of the mid-century, Romney's statement invoked a class (not race)-centered view of deservingness. Forty-seven percent of the American public, Romney implies, “doan pay no taxes,” and rely on government benefits for subsistence. Romney's claim

¹⁴⁴ More boldly, 2016 Republican nominee Donald Trump's first wife explained, “I have nothing against Mexicans, but they [come] here — like this 19-year-old, she's pregnant, she crossed over a wallShe gives the birth in American hospital, which is for free. The child becomes American automatically. She brings the whole family, she doesn't pay the taxes, she doesn't have a job, she gets the housing, she gets the food stamps. Who's paying? You and me.” <http://nypost.com/2016/04/03/ivana-trump-opens-up-about-how-she-advises-donald-his-hands/>

that these non-contributors do not take personal responsibility for their lives recalls the meritocratic arguments white homeowners made in the past about their success and their neighborhoods. It is unsurprising then, that defended neighborhoods have offered disproportionate support to Republican candidates and conservative policies in recent years.

The Effect of Context

To say that neighborhoods condition political views and actions is not novel. A great deal of research investigates contextual effects on public opinion and political behavior. A significant portion of this literature focuses (as I do here) on the community's racial composition.¹⁴⁵ Some scholars find that diversity produces tolerance (e.g. racial contact theory; Allport 1954, Oliver 2010, Sigelman et al. 1996). Others find the reverse - that large minority populations are related to racial intolerance and lack of support for spending on race-focused or race-coded policies (e.g. racial threat theory; Key 1949, Gay 2006, Huckfeldt 1986, Orey 2001, Taylor 1998, Bobo and Hutchings 1996, Blalock 1967, Alesina and Glaeser 2004, Tolbert and Hero 1996, Plotnick and Winters 1985, Enos 2016, Baybeck 2006). Scholars also find a negative relationship between diversity and support for taxation, spending, and public goods provision more generally (Alesina et al. 1999; Glaser 2002; Alesina and Spolaore 1997; Easterly and Levine 1997; Poterba 1997; Habyarimana et al. 2007, 2009; Putnam 2007; Cutler et al. 1993; Goldin and Katz 1999, Hopkins 2009, Vigdor 2004). My argument draws on both of these frames to argue that rights-oriented conservatism was fueled in an environment of racial threat (integration in the 1940s, 50s, and 60s), but became entrenched in an environment of racial isolation (whiteness of the neighborhood in the 1970s). Today, white conservatism at the

¹⁴⁵ Other work on context analyzes social networks (Eulau and Rothenberg 1986, Zuckerman 2005), partisan contexts (Ceaser 2013 and DiSalvo 2006) and economic contexts (Gay 2006, Books and Prysby 1999, Oliver 1999, Oliver and Mendelberg 2000)

individual level is associated with homogeneity *not* diversity in neighborhoods. The whiteness of a neighborhood could produce individual-level conservatism through two different mechanisms: the nonrandom migration of individuals into or out of whiter neighborhoods (i.e. sorting/selection), or by directly affecting the ideology of residents (i.e. treatment). The sorting mechanism is supported by research demonstrating the existence of white flight (Boustan 2010, Nall 2015) and work that offers evidence of residential choice based on differing preferences for integration and other community features (Mummolo and Nall 2016, Cho, Gimpel and Hui 2013, Bishop and Cushing 2008, Card, Mas, and Rothstein 2008, Charles 2006). A treatment effect is consistent with work showing that particular types of places generate distinctive preferences as a result of features like population density or community size (Rodden 2011, Gainsborough 2001, Ogorzalek 2017, Oliver 2001).

Treatment is also consistent with work revealing differences across places that magnify the individual attributes of inhabitants – such as when minority neighborhoods lack elite networks (Wilson 1987, Widestrom 2015). A treatment effect is further predicted by scholarship that finds that neighborhood homogeneity breeds racial hostility and intolerance due to a lack of exposure to or contact with neighbors of different backgrounds (Oliver and Mendelberg 2000, Oliver and Wong 2003). Finally, a treatment effect is indicated by scholarship demonstrating what Acharya, Blackwell, and Sen (2016) refer to as the “historical persistence of political attitudes” (p2). Patterns of race relations developed during early periods of American history generated opinions and behaviors among whites in particular places that were transmitted over time and remain detectable in modern politics (see also Hersh and Nall 2016). My argument is similar: battles over integration that occurred mid-century imbued defended neighborhoods with distinctive political attitudes that are communicated through processes like neighborhood social

interaction (Huckfeldt and Sprague 1995) and/or “low-intensity cues” - the casual observation of ones’ neighbors (Cho and Rudolph 2008).

Very likely, both selection and treatment processes are at work here. Some residents of defended white neighborhoods brought their conservatism with them; others adopted it after arriving. Today, defended neighborhoods are also likely to continue to attract movers with conservative preferences. Without detailed panel survey data, I cannot discern which is the more powerful factor. What I am able to demonstrate is that neighborhood traits from the 1970s predict conservatism at aggregate and individual levels above and beyond the mobility of the population and the demographic makeup of the neighborhood today.

Conservatism and Race

Just as it is not novel to propose that neighborhoods affect political behavior, it is also not novel to propose that modern conservatism and Republican voting are rooted in racial conflict (see Hutchings and Valentino 2004 for a thorough review). Indeed, it is uncontroversial to state that the Civil Rights movement was a catalyst for partisan realignment, as Southern Democrats abandoned the party championing the rights of Black Americans (Frymer 1999, Carmine and Stimson 1989, Miller and Shanks 1996).

Since the 1970s, scholars have argued that white public opinion shifted mid-century, from a willingness to endorse Jim Crow style race prejudice/biological racism to subtler/symbolic expressions of racial resentment (see for example, Sears and Kinder 1971, Kinder and Sears 1981, McConahay 1982, Sears 1988, Kinder and Sanders 1996, Sears et al. 1997, Bobo 1983, Bobo, Kluegel, and Smith 1997, Schuman et al. 1997).

Additionally, a sophisticated literature on public opinion and political behavior reveals that racial attitudes are strongly predictive of views toward redistributive spending (Bobo and Kluegel 1997, Sears 1988, Kinder and Sanders 1996, Rabinowitz et al. 2009, Federico 2005, Gilens 1999, Quadagno 1994, Luttmer 2001) and government policies that have become racially coded (Winter 2006, Valentino, Hutchings, and White 2002, Mendelberg 2001, Hurwitz and Peffley 1997). If an individual holds negative stereotypes of racial minorities, he or she is likely to oppose expenditures on functions like welfare, and even all government spending in some settings (Sears and Citrin 1982).

What I add to these debates is not a link between racial politics, public opinion, ideology, and party identification, but a new perspective on location. The marriage between rights-based conservatism and white perspectives on race was amplified in the crucible of *city* politics throughout the postwar period not just at the state and national levels. And neighborhood defense appears to have played a causal role in the development of a host of conservative political opinions that appear to be “nonracial” (Hutchings and Valentino 2004, p6).

Empirical Evidence

I’ve argued that local battles over integration of public spaces in the postwar period led some whites to pursue exclusively white neighborhoods. To generate government support for segregation, neighborhood defenders turned to a set of conservative arguments that highlighted their meritocratic success. Because the Republican Party protected defenders’ rights to choose their neighbors, it won their allegiance. If my argument is correct, we should find 1) that integration pressures are related to a higher incidence of exclusively white neighborhoods and 2) that residents of homogeneous white neighborhoods are more conservative and more Republican.

Testing these claims requires that I measure the presence of exclusively white neighborhoods (as the dependent variable in the first hypothesis, and as the independent variable in the second). To do this, I constructed a dataset using a proprietary product developed by GeoLytics called the Neighborhood Change Database (NCDB). The NCDB matches and normalizes census tracts between 1970 and 2000, allowing for a direct comparison of neighborhoods over time. To this, I add census tract data from the 2011 American Community Survey, matched to 2000 boundaries. I refer to neighborhoods that have a greater share of white residents than the metropolitan area as a whole as white defended neighborhoods; conversely, neighborhoods that have a greater share of residents of color than the metro area are called minority dominated neighborhoods. I use this relative conception because many residents are constrained to a particular metropolitan area by preferences or needs (Mummolo and Nall 2016), but the choice of neighborhood within that metro area may be more flexible. I capture this dynamic by measuring the demographic makeup of neighborhoods *compared to* the demographic makeup of their larger metropolitan area. This variable is the *Tract-Metro Difference in Percent White Residents*.¹⁴⁶ Neighborhoods that are whiter than the metro area as a whole have a positive value and those that have more people of color take on a negative value. In 1970, the average neighborhood was only very slightly whiter than the metro area (Mean= 0.018), but the distribution has a long left tail, indicating many neighborhoods that were overwhelmingly populated by people of color; by 2011, the distribution was more normally distributed, with a mean just slightly less than zero. This difference in distributions reflects the diversification of the nation and the well-documented finding that neighborhood level segregation between whites

¹⁴⁶ The census did not tabulate whites separately from Hispanics in 1970, but did in 1980, 1990, 2000, and 2011. Where possible I use non-Hispanic whites

and people of color has declined substantially since the 1970s (Vigdor and Glaeser 2012, Frey 2014).

In order to determine the effect that pressures for integration had on neighborhood demographics, I take advantage of a dataset compiled by Nathaniel Baum-Snow and Byron Lutz (2011) that records the timing of federal court orders for desegregation of public schools in central cities.¹⁴⁷ Although *Brown v Board of Education of Topeka* determined the unconstitutionality of segregated schools, a specific court order was nearly always required for large, central city districts to pursue desegregation plans. The data include court orders implemented between 1960 and 1990 for 92 central school districts in metropolitan statistical areas. Of these 92 orders, 48 are in the South, 9 are in the Northeast, 20 are in the Midwest, and 15 are in the West.

My examination does not include metropolitan areas that never faced a desegregation order. The factors that led some metro areas to receive court-ordered school desegregation plans and others not to receive such plans are most certainly not random, and are likely related to the outcome of interest here (the presence of white defended and minority dominated neighborhoods). Inclusion of the districts with no court order would thus be likely to violate the identifying assumption on the desegregation parameter. However, for those central cities in metropolitan areas that *did* receive an order, the timing of that order is plausibly exogenous to unobserved time-varying factors *within* metropolitan areas that might affect segregation due to the vagaries of the judicial process. The precise date at which court orders took effect was

¹⁴⁷ The data are described completely in the statistical appendix to Baum-Snow and Lutz (2011)'s paper. The appendix is available at: https://www.aeaweb.org/aer/data/dec2011/20080918_app.pdf

related to differences in the length of the appeals process for otherwise similar metropolitan areas (Baum-Snow and Lutz 2011).

Including Metropolitan Statistical Area (MSA) fixed effects ensures that the analysis compares the presence of defended/minority neighborhoods before and after the implementation of the court order in each metro area, while accounting for variation across MSAs. For each metropolitan area, in each of four census years (1970, 1980, 1990, and 2000), I calculated the mean *Tract-Metro Difference in Percent White* and the standard deviation of this measure. I then generated a count of census tracts that were either greater than or less than one standard deviation away from the mean racial difference for each census year in each MSA. These counts form the numerator for the share of all neighborhoods that are *White Defended* or *Minority Dominated*. These shares serve as dependent variables in my analyses. The key independent variable in my analysis, *Desegregation Order*, is a dummy indicator coded from the Baum-Snow and Lutz (2011) data noting whether or not a desegregation order was in place in the MSA's central city for a given census year. The analysis compares the number of defended/minority neighborhoods before and after the implementation of desegregation by the federal government in each MSA.¹⁴⁸ As controls, I add the log of the *Total Population* in the MSA, the share of MSA households *Renting* their homes, the *Wealthy* share of households (households with incomes above the 90th percentile), and the population *Density* of the MSA. While it is unlikely that these factors are related to desegregation order timing, directly, it is possible that they reflect an underlying time trend that influenced implementation as well as the propensity for

¹⁴⁸ Of the 92 metro areas in the dataset, 64 had orders implemented between 1970 and 1990. Because tract-level data was not available for most areas in 1960, I am unable to estimate change for 28 metro areas. These MSAs are still included in the regressions – just with no change on the desegregation order variable.

segregation. Figure 7.1 displays the marginal effects of desegregation orders, holding the control variables at their mean values.



The figure shows that desegregation orders significantly increased the share of neighborhoods that were both white defended and minority dominated. On average, desegregation orders generated about 30 new homogeneous neighborhoods in metropolitan areas. Homogeneity was achieved when **whites** moved within cities to new neighborhoods and to the suburbs.¹⁴⁹ Approximately two-thirds of the exclusive white neighborhoods in this dataset

¹⁴⁹ Baum-Snow and Lutz (2011) provide evidence that Black families responded to desegregation orders by moving into newly integrated central school districts suggesting that changes in homogeneity of neighborhoods would have been driven by white not black movers.

are located in suburban places and about three-fourths of the homogeneous neighborhoods of color are located in central cities.

Did these homogeneous neighborhoods produce identifiably different politics? In short, yes. To provide evidence of this claim, I measure the homogeneity of neighborhoods continuously for a single year - 1970. I use 1970 because this year marked the height of residential segregation in America and the end of the post-war period of massive demographic change (Cutler, Glaeser, and Vigdor 1999). First, I analyze the effect of neighborhood homogeneity on the aggregate 2008 presidential vote. Then, I turn to individual-level data. I find that homogeneity in 1970 predicts conservatism today.

My first dependent variable is the 2008 *Democratic Share* of the two-party presidential vote aggregated to the census tract level for the 49 states that collect vote data by precinct.¹⁵⁰ Precinct-level vote returns are available from the Harvard Elections Database Archive.¹⁵¹ Using ArcGIS, I combined the precinct vote data with 2000 census tract boundaries available from the National Historic Geographic Information System archive.¹⁵² I aggregated precinct-level votes to the census tract level.

My independent variable is the *Tract-Metro Difference in Percent White, 1970*. This measure captures the difference between the tract-level share of residents who were white and the metro area-level share of residents who were white in 1970. I control for the 2000 tract-level *Percent White*, the share of the tract that *Rents* their home, and the share of the tract's households

¹⁵⁰ Oregon conducts all elections by mail, so geographically allocated votes are not available.

¹⁵¹ A combined, projected polygon shapefile was very generously provided to me by Clayton Nall.

¹⁵² Because precinct boundaries sometimes cross-tract boundaries, I calculated the land-area share of each precinct falling within each census tract. I used this geographic share as a weight on the total votes for the Democratic and Republican candidates before aggregating precinct vote totals to the tract level.

that are *Wealthy* (incomes above the 90th percentile). These variables account for the possibility that whiter tracts in 1970 are simply populated by more whites and homeowners today, and so, are more conservative only as a result of their current demographics. I also add the *Density* of the census tract (total population divided by total area) to account for Rodden's (2011) argument that the source of modern liberalism is housing density. To investigate the role of selection, I add a measure of the share of the tract's residents who lived in the same house in 1995. In a third analysis, I add fixed effects for region. In all analyses, I use ordinary least squares regression and cluster errors by MSA. Table 7.1 presents the results of these regressions.

Summary statistics are shown in appendix Table A7.1.

Table 7.1: Effect of 1970 Relative Whiteness on 2008 Democratic Vote Share									
	Column 1			Column 2			Column 3		
	B	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	-0.422	0.016	0.000	-0.112	0.023	0.000	-0.080	0.019	0.000
% White 2000				-0.340	0.026	0.000	-0.408	0.021	0.000
% Renters 2000				0.244	0.024	0.000	0.184	0.025	0.000
% Wealthy 2000				0.116	0.036	0.001	0.121	0.040	0.003
% Same House 1995				0.183	0.044	0.000	0.043	0.042	0.306
Density				1.356	1.164	0.245	-0.143	0.725	0.843
Midwest							0.020	0.013	0.115
South							-0.108	0.018	0.000
West							-0.073	0.020	0.000
Constant	0.631	0.013	0.000	0.628	0.044	0.000	0.816	0.040	0.000
R ²	0.207			0.584			0.643		
N	44,958			44,958			44,958		

Note: OLS regression, robust standard errors clustered by MSA presented.

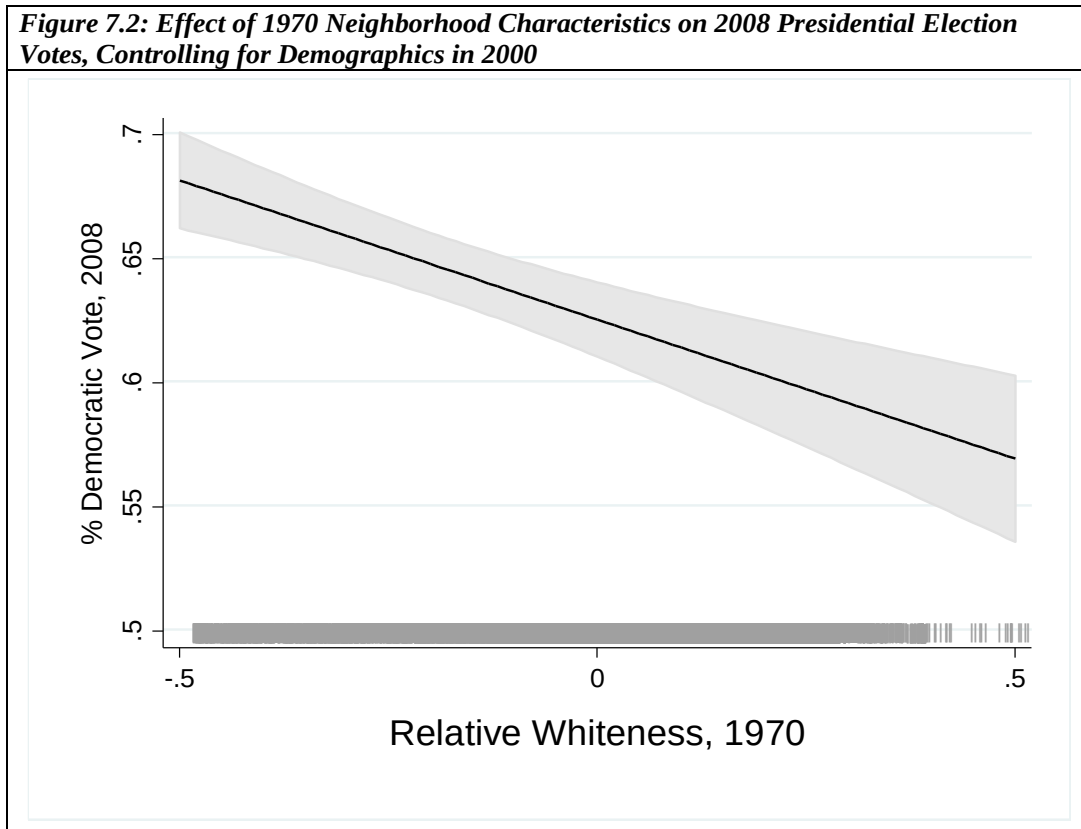
A neighborhood of color in 1970 (*tract-metro difference* = -0.5), delivered about 84% of its votes to Barack Obama in 2008. A neighborhood that was white defended in 1970 (*tract-metro difference* = 0.5) offered Obama only 42% of its votes in 2008.¹⁵³ Obviously,

¹⁵³ Estimates generated following the regression presented in Column 1, using the margins command in Stata 14.

demographic patterns are persistent – one explanation for this outcome is that these neighborhoods that were white defended and minority dominated in 1970 are still populated with whites and people of color today. But as Column 2 shows, even accounting for contemporary demographics, neighborhoods that were relatively whiter in 1970 were about 11 percentage points less likely to support Obama relative to McCain. The difference between the least white and most white neighborhoods in 1970 is 22 percentage points – even controlling for whiteness in 2000.

Contrary to a pure selection story, census tracts with more stable populations were more (not less) likely to support Obama and there is no interaction effect between stability of the population in 1995 and the whiteness of the neighborhood in 1970. That is, if selection were entirely driving these results, we would expect that tracts that were both white in 1970 and had a large share of movers would be most likely to support the Republican candidate. This is not what we see. Holding all other variables at their mean values, Figure 7.2 presents the results from Column 2 graphically for the densest portion of the distribution on the independent variable.¹⁵⁴

¹⁵⁴ This portion of the distribution reflects the concepts of white defended and minority dominated neighborhoods. The mean value of the 1970 tract-metro difference in percent white for minority dominated neighborhoods was -0.5 and 0.25 for defended neighborhoods.



The third column of Table 7.1 reveals that the relationship holds even when accounting for differences in mean levels of Democratic support across regions. Despite the robustness of the effect of 1970 demographics on 2008 presidential votes, it is possible that some set of uncontrolled factors affect the relative whiteness of neighborhoods in 1970 and Republican support in 2008. In an effort to determine a causal neighborhood effect, I instrument for relative whiteness in 1970 with topographical features measured at the census tract level - relative elevation of the census tract (accounting for waterfront neighborhoods) and the tract's distance from the nearest large city.

Starting perhaps with Burgess's concentric zone model of urban social structure (1925), scholars have noted that metropolitan areas often develop such that the most desirable residential neighborhoods are those that are as far as possible from the central business district, but still within commutable distance. From early on, distance from the center denoted privilege; and the historical record indicates that movement to outer lying areas was more available to whites than people of color for many decades (Jackson 1985).¹⁵⁵

To measure distance from the nearest central city, I used 2010 place boundaries available from the National Historic Geographic Information System. Using data from the 2011 American Community Survey, I determined the largest population center in each metropolitan area. I converted these central cities and 2000 census tracts to centroids in ArcGIS. I measured the Euclidean distance between the closest central city and each census tract (using a near table with only one match). To generate a normal distribution, I took the natural log of this distance. The resulting measure, *Distance to Center City* (logged), is my instrumental variable.

To be useful, an instrumental variable must predict the primary independent variable, but not directly affect the dependent variable. As explained above, there is good reason to believe that a neighborhood's distance from the nearest central city positively affects the share of residents who are white in that community. There is no reason to believe that neighborhoods that are far from the city center will house Republican supporters *aside* from their demographic characteristics. However, race is not the only relevant demographic trait. Living outside of the city center also requires residents to be able to afford housing and commuting costs and

¹⁵⁵ That said, at no point in American history has it been the case that black central cities have been ringed by heavily populated white suburbs. This is because when suburbs WERE all white (in the 1920s), they were not heavily populated and central cities were majority white as well. By the time some central cities became majority minority, suburbs had also become more integrated. This fact is further evidence that the correct measure of residential racial context is the racial makeup of the neighborhood as compared to the metropolitan area as a whole.

obviously, race is correlated with socio-economic status. I account for this by adding the share of households in the tract that *Rents* their homes, and the share of households that are *Wealthy* as of 1970 in the first stage of the instrumental analysis.

As in the regressions presented in Table 7.1, my instrumental analysis controls for the share of the population that is white in 2000, the share of the tract that lived in the same house in 1995, and the tract's population density. My dependent variable is again the tract-level aggregate measure of the two-party *Democratic Vote Share* in 2008. I use a two stage least squares regression, with errors clustered by MSA. Table 7.2 presents the results of this estimation.

Table 7.2: Effect of 1970 Relative Whiteness on 2008 Democratic Vote Share, Instrumental Variable Analysis			
	β	SE	P> z
Tract-Metro Difference in % White, 1970	-0.226	0.091	0.013
% White 2000	-0.341	0.042	0.000
% Same House 1995	-0.051	0.027	0.062
Density	5.627	1.862	0.003
Constant	0.856	0.031	0.000
FIRST STAGE			
% White 2000	0.290	0.021	0.000
% Same House 1995	-0.272	0.032	0.000
Density	5.548	0.960	0.000
Distance to City Center (logged)	0.015	0.004	0.000
% Renters 1970	-0.141	0.040	0.000
% Wealthy 1970	0.248	0.033	0.000
Constant	-0.195	0.048	0.000
R ² (second stage)	0.544		
N	44,970		

Note: Two Stage Least Squares Regression, robust standard errors clustered by MSA presented F Test of Excluded Instruments = 50.55

The results of the instrumental variable analysis offer strong additional support for my argument that the defended/minority status of a neighborhood in 1970 continues to exert a powerful, independent, causal effect on partisanship in modern elections. The political identity of neighborhoods appears persistent. In the next section, I provide individual-level evidence of the conservatism of defended neighborhoods.

Individual Level Conservatism

Obtaining individual-level survey data that is representative of city populations is notoriously difficult (Tausanovitch and Warshaw 2014). The costs of sampling across many localities, in addition to the complexity of designing specific surveys for each community, are typically prohibitive for scholars. Instead, I take advantage of the long time series and consistent battery of questions asked by the General Social Survey (GSS). The GSS administers a survey

to an average of 2,000 respondents representing adults living in non-institutional arrangements in the United States on a biennial basis. I create a new dataset built from restricted access GSS data from the 1998, 2000, 2002, 2004, 2006, and 2008 surveys.¹⁵⁶ To the GSS data set, I merge tract and MSA level census data from 1970. To measure contemporary neighborhood demographics, I add linearly interpolated data from the 1990 and 2000 Census of Population and Housing and the 2007-2011 American Community Survey. For tracts not included in the American Community Survey, I use 2000 census data for all years of the GSS. The combined dataset includes tract-level data for 12,188 respondents from 117 metropolitan areas with an average of about 100 respondents per metro area.¹⁵⁷ Although the GSS asks an enormous range of questions each year, only a subset of the survey questions is repeated. This repetition is crucial for my ability to estimate neighborhood effects because I rely on pooling across years to gain a large enough sample size. As a result, I restrict my analyses to questions that include at least 5,000 usable responses. At this threshold, the analyses include an average of 50 responses from each MSA. For the most part, my analyses only include white respondents, as this is the relevant population for my theory.¹⁵⁸ I begin by determining the demographic characteristics of individuals who live in neighborhoods that were defended/segregated in 1970. In this analysis, my dependent variable is the 1970 *Tract-Metro Difference in Percent White* described above. My independent variables include several demographic traits that are known to correlate with vote choice and ideology (Miller and Shanks 1996, Carmines and Stimson 1986, Green, Palmquist and Schickler 2002): the respondent's race (a dummy variable coded 1 for *White, non-*

¹⁵⁶ These are the years for which the GSS was able to provide census tract level information for every respondent, which is essential to my analysis. The tract-level information was provided in response to a sensitive data request submitted to the National Opinion Research Center at the University of Chicago.

¹⁵⁷ Respondents who live outside of metro areas are excluded from these analyses.

¹⁵⁸ It is interesting to note that the results hold for non-white respondents as well. This adds further evidence to my claim that neighborhood context is associated with political conservatism above and beyond the aggregation of residents' demographic traits.

Hispanic)¹⁵⁹, *Age*, *Education* (where 0 is less than high school and 4 is a graduate degree), sex (coded 1 for *Female*), the total number of *Kids* under the age of 18 living at home, marital status (coded 1 for *Married*), and inflation adjusted *Income*.¹⁶⁰ I also add the variable *Mover*, that is coded 1 if the respondent lived in a different city or state when she was 16 years old and 0 if she has lived in the same city.¹⁶¹ To account for the hierarchical structure of the data, I estimate a multilevel mixed-effects linear regression via maximum restricted likelihood, with random effects at the MSA level. This strategy adjusts the estimates and their errors for place-based correlations in attitudes. Table 7.3 presents the results (summary statistics are shown in appendix Table A7.2).

Table 7.3: Modern Demographic Characteristics of 1970 Neighborhoods			
	β	SE	P> z
White, non-Hispanic	0.104	0.004	0.000
Age	-0.001	0.000	0.000
Education	0.003	0.001	0.018
Female	-0.008	0.003	0.013
Kids at home	-0.003	0.002	0.082
Married	0.019	0.004	0.000
Income	0.000	0.000	0.000
Mover	0.031	0.003	0.000
Constant	-0.057	0.009	0.000
Random effects parameter	0.069	0.005	
N	10,701		
Number of MSAs	117		

Note: Mixed effects maximum likelihood regression with random effects for MSA

¹⁵⁹ The GSS has a relatively small sample of non-Black racial and ethnic minorities, so I combine all nonwhite racial/ethnic categories.

¹⁶⁰ Approximately 10% of the observations are missing income data. I imputed observations by regressing income on age, education, gender, race, work status, marital status, the number of people in the household, the size of the city, the presence of children at home, and dummy indicators for year for the non-missing observations, generating predicted values, and replacing the missing observations with the predictions.

¹⁶¹ Ideally, we would like to know whether or not the respondent moved neighborhoods as well, but the GSS does not ask this question.

The estimation reveals few surprises. For example, holding all other variables at their mean values, white respondents live in neighborhoods that were whiter than the metro area in 1970 (0.06), while respondents of color live in neighborhoods that were less white (-0.04). More educated respondents live in neighborhoods that were whiter, as do married, and higher income respondents. Respondents who had moved cities or states since they were 16 chose neighborhoods that were about 4 percentage points whiter than the metro area. Respondents who live in the same city tend to live in neighborhoods that mirrored the metro area. Those with children living at home tend to live in neighborhoods that were less white in 1970, but among middle and high-income respondents this effect reverses. That is, middle and high-income families with kids at home live in significantly whiter neighborhoods.¹⁶² A similar interactive effect occurs with age. Among the poor, older residents live in neighborhoods that were significantly less white in 1970, but among middle and high-income residents, there is no relationship between age and neighborhood characteristics. These results point to several interesting conclusions. First, the results appear to indicate that neighborhoods that were whiter than the metro area in 1970 are more expensive and more desirable. They also suggest that sorting is likely to have played a role in the development of ideology and partisanship of particular places. Finally, these results indicate that it is necessary to control for all of these individual demographic characteristics in any estimation seeking to identify neighborhood effects. I turn to this task next.

I begin with an overview of individual-level partisan affiliation and ideology. I use the 1970 *Tract-Metro Difference in Percent White* as my independent variable in all analyses. My

¹⁶² This interactive relationship is available upon request.

first dependent variable is the respondent's *Partisan Identification*. Respondents were asked, "generally speaking, do you usually think of yourself as a Republican, Democrat, Independent, or what?" Follow up questions asked for the strength of partisanship and pushed independents to identify as leaners. The resulting measure is a seven-point scale running from strong Democrat to strong Republican. Next, I analyze *Ideology* (where 1 is extremely liberal and 7 is extremely conservative), and finally *Republican Presidential Vote*, coded 1 if the respondent voted for the Republican candidate in the most recent election and 0 otherwise.¹⁶³ I control for all of the demographic traits included in Table 6.3 except one – *Mover*. I omit this variable because it is missing for a large share of the total observations. Its inclusion does not affect the results presented (and the coefficient is not significant in any of the estimations). In a second set of analyses, I add controls for current neighborhood attributes to provide additional evidence that the political character of neighborhoods was developed historically. These neighborhood variables are the *Percent White* and *Percent Homeowners* in the tract, linearly interpolated for each year of the survey. Both sets of analyses are presented in Table 7.4.

¹⁶³ For this last analysis, I use a multi-level mixed effects logistic regression to account for the binary dependent variable.

Table 7.4: Effect of 1970 Neighborhood Whiteness on Modern Partisanship & Conservatism									
	Partisan Identification			Political Ideology			Republican Pres. Vote		
	β	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	1.003	0.241	0.000	0.963	0.190	0.000	1.259	0.318	0.000
Age	-0.001	0.001	0.555	0.010	0.001	0.000	0.011	0.002	0.000
Education	-0.051	0.019	0.008	-0.113	0.015	0.000	-0.005	0.022	0.831
Female	-0.310	0.043	0.000	-0.194	0.034	0.000	-0.150	0.050	0.003
Kids at home	0.107	0.025	0.000	0.080	0.020	0.000	0.140	0.028	0.000
Married	0.326	0.049	0.000	0.342	0.039	0.000	0.303	0.056	0.000
Income (\$100k)	0.417	0.058	0.000	0.177	0.046	0.000	0.477	0.066	0.000
Constant	2.845	0.091	0.000	3.590	0.071	0.000	-1.446	0.112	0.000
	β	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	0.899	0.254	0.000	0.898	0.197	0.000	1.131	0.332	0.001
Age	-0.002	0.001	0.168	0.009	0.001	0.000	0.010	0.002	0.000
Education	-0.045	0.019	0.018	-0.106	0.015	0.000	0.000	0.022	1.000
Female	-0.315	0.043	0.000	-0.198	0.034	0.000	-0.155	0.050	0.002
Kids at home	0.096	0.025	0.000	0.068	0.020	0.000	0.130	0.029	0.000
Married	0.298	0.049	0.000	0.317	0.039	0.000	0.276	0.056	0.000
Income (\$100k)	0.355	0.059	0.000	0.118	0.047	0.012	0.420	0.068	0.000
% White Tract	-0.153	0.146	0.294	-0.232	0.113	0.040	-0.052	0.175	0.768
% Homeowners Tract	0.635	0.122	0.000	0.633	0.096	0.000	0.595	0.144	0.000
Constant	2.646	0.125	0.000	3.446	0.097	0.000	-1.703	0.153	0.000
Random effects parameter	0.130	0.026		0.052	0.012		0.247	0.046	
N	8,049			6,558			7,563		
Number of MSAs	116			116			116		

Note: Mixed effects maximum likelihood regression with random effects for MSA; white non-Hispanic respondents only

As was true in the aggregate, at the individual level, the historical persistence of neighborhoods is clear. Places that had defended their exclusive white character as of 1970 are home to significantly more Republican and conservative residents today. This is the case even when we account for both individual and aggregate demographic traits that predict partisanship and ideology.

The same pattern holds when I replace the dependent variable with particular policy items.¹⁶⁴ Respondents who live in neighborhoods that were whiter in 1970 are more likely to view government spending as adequate or too high on categories like social security, parks, and mass transit, and they are more likely to believe that individuals, not the government, should be responsible for health, wealth, and the standard of living.¹⁶⁵ For instance, respondents were asked to place themselves on a five-point scale where at one end the government should do more to solve our country's problems and at the other end the government should leave things to individuals and private businesses. Comparing whites who live in neighborhoods that were minority dominated in the 1970s to those who live in neighborhoods that were white defended moves responses in a conservative direction by about a half of a standard deviation on this scale (from an average of 2.8 to 3.3).

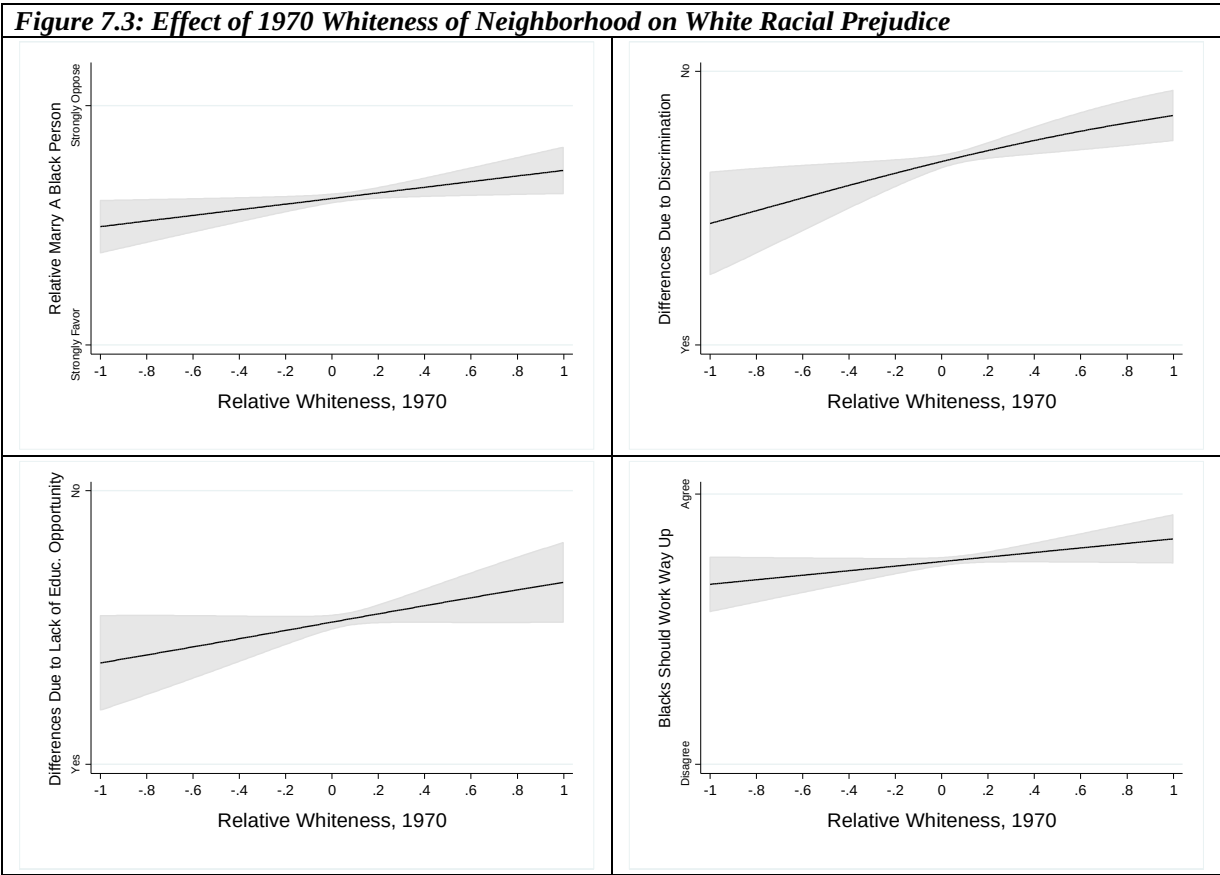
¹⁶⁴ These questions were not asked of all respondents in all years. As a result, in some of the specific policy areas discussed below the total number of respondents falls below 5,000. However, it never falls below 3,000.

¹⁶⁵ One question on which 1970 neighborhood whiteness was not associated with support for lower spending was education. When asked whether or not the government was spending the right amount "improving the nation's education system", there was no difference in the responses of individuals who live in neighborhoods that were whiter in 1970. Although this is obviously circumstantial evidence, it is plausible that the defended neighborhoods have higher quality schools and this is a feature that attracts certain residents who are supportive of higher educational expenditures.

Prejudice and Policy

If integration battles are linked to the ideology of defended neighborhoods, then we would expect residents of these places to have particularly conservative views when it comes to race. I find strong support for this contention. There are many different questions that tap racial views included in the GSS. I use several as dependent variables that are both common in the literature and have a long enough time span to generate sufficient respondents. I begin with an analysis of racial affect and prejudice. The first question asks respondents whether or not they would be in favor of having a family member marry a black person. The second question probes views on inequality. It states “On the average (Negroes/Blacks/African-Americans) have worse jobs, income, and housing than white people.” Then it asks: “Do you think these differences are mainly due to discrimination?” and/or “Because most (Negroes/Blacks/African-Americans) don't have the chance for education that it takes to rise out of poverty?” Finally, I analyze responses to the question, “Do you agree strongly, agree somewhat, neither agree nor disagree, disagree somewhat, or disagree strongly with the following statement: Irish, Italians, Jewish and many other minorities overcame prejudice and worked their way up. Blacks should do the same without special favors.”

All dependent variables are coded so that higher values equate to a more conservative position. The structure of these analyses is the same as those included in the top panel of Table 7.4 (mixed effects maximum likelihood estimation with random effects for MSAs and controls for individual demographic characteristics). Rather than present regression tables, Figure 7.3 graphically display the marginal effects on *Tract-Metro Difference in Percent White, 1970* holding all other variables at their mean values.



The results presented in Figure 6.3 offer a consistent picture of white residents who live in neighborhoods that were whiter than the metro area in 1970. They are more strongly opposed to having a relative marry a black person, they are less likely to see persistent racial inequality in jobs, income, and housing as the result of discrimination or educational opportunities, and they are more likely to agree that blacks should have to work their way up like white ethnic groups. In sum, residents of whiter neighborhoods are more likely to want to avoid close contact with blacks, to blame blacks for conditions of inequality, and put the onus on individuals to advance their position.

These attitudes translate into conservative views on race-targeted policies. To show this, I analyze two questions. The first question reads “Some people think that (Blacks/Negroes/African Americans) have been discriminated against for so long that the government has a special obligation to help improve their living standards. Others believe that the government should not be giving special treatment to (Blacks/Negroes/African Americans). Where would you place yourself on this scale?” Responses were coded on a five-point scale ranging from strong obligation to no special treatment. The second question focuses on affirmative action and asks whether or not respondents are “for or against preferential hiring and promotion of blacks.” The responses are coded on a five-point scale ranging from strongly favoring to strongly opposing. Figure 7.4 presents the marginal effects of the regression of these policy responses on *Tract-Metro Difference in Percent White, 1970* holding all other variables at their mean values.

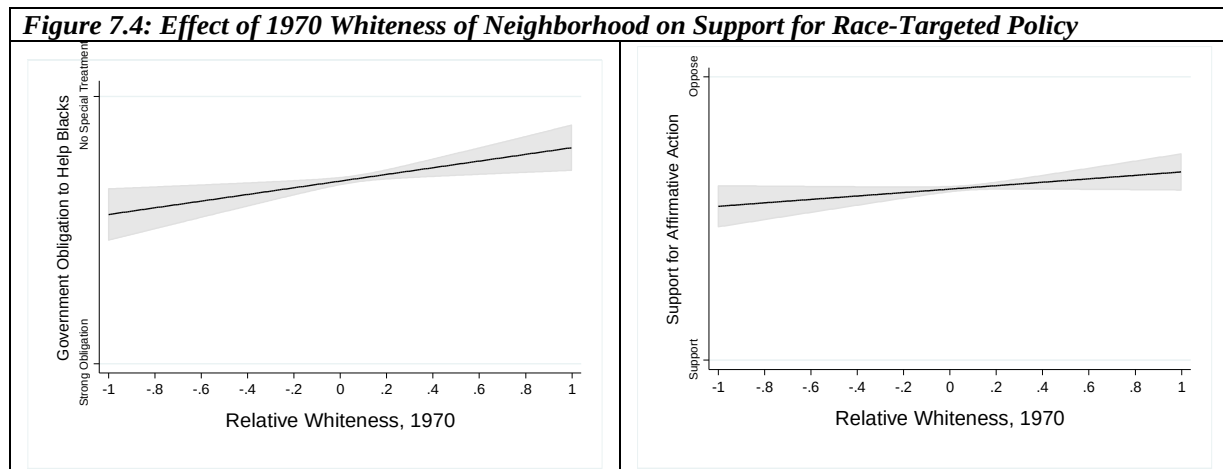


Figure 7.4 reveals that residents who live in neighborhoods that were whiter in 1970 are more likely to hold conservative views on race-targeted policy. They are less likely to feel that the

government has an obligation to make right discrimination against blacks and less likely to support affirmative action.

Conclusion

In sum, there is strong evidence that the language and ideology developed around integration battles in post-war urban America persists. During the tumultuous 1940s, 50s, and 60s, faced with changing legal and rhetorical regimes, white homeowners seeking to keep minorities out of their neighborhoods began to shed the language of racial exclusivity. They understood the defense of their homes and spaces as a defense of their rights as homeowners and freedoms as individuals. Hayward (2013) describes this as the development of an “identity story,” a story about “who ‘we Americans’ are: about what we value, what we want and deserve, and what it is that serves our good” (p119). Hayward is clear though – the Americans included in this vision were not all Americans, but rather all *white* Americans.¹⁶⁶ Yet, the privileged residents of defended neighborhoods promulgated the argument that “race doesn’t matter” (Hayward 2013, p176). Instead, they relied on a frame that emphasized their hard work, frugality, and investment in their children’s education. This perspective persists in these places. This chapter links 1970s neighborhood demographics to feelings of distance from African Americans, a belief that racial inequality is the result of lack of individual motivation, opposition to policies that redress disparities in outcomes across racial groups, and commitment to conservatism more generally. Residents who live in defended neighborhoods today are more

¹⁶⁶ Hayward (2013) situates the genesis of this identity story earlier in the 20th century than I do here. She argues that it was borne of economic need among developers seeking land use planning and financial support from the government. My narrative is not incompatible with her view. It makes sense that the language adopted by rights-oriented white neighborhoods was readily available when they needed to use it. Hayward argues that the narrative of Americans as a homeownership people developed by real estate interests functioned as a “frame to many ordinary stories” (p167).

likely to identify as Republicans and more likely to vote for Republican presidential candidates.

The local roots of modern conservatism are deep.

Chapter 8: Conclusion

In the early decades of the 20th Century, homeownership rates in the United States were already much higher than in many other advanced democracies. As of 1914, in the United Kingdom 10% of households owned their homes (House of Commons Research Paper, 1999). In the United States the figure was about 45%.¹⁶⁷ During the late 1940s homeownership rates for France and Germany were about 31% and 27% respectively (Kohl 2014). For most families, the home was (and is) the single largest component of household wealth (Knoll et al 2014). Not only homeowners, but all property owners, land-oriented businesses (like real estate agencies), and local governments reliant on property taxes, had a strong incentive to protect and enhance the value of property. In a world of limited resources, they also had a strong incentive to politically control the distribution of public goods increasingly offered to city dwellers.

Yet, homeownership and political power were not equally available to all urban residents. In 1900, the homeownership rate among whites was more than double the rate among blacks (Collins and Margo 1999). Chinese and Japanese immigrants were barred from owning property completely in many states, and everywhere the vast majority of blacks, Asians, and Latinos were prohibited from voting (Keyssar 2000). Thus, as America became an urban nation, it was white property owners who dictated the policies of local governments. They used their power to pursue segregation. By invoking the power of land use regulation and zoning, city governments institutionalized prevailing race and class hierarchies.

In cities across the country, “Chinatowns” (McWilliams 1964, p105), Sonoratowns (Torres-Rouff 2013, p139) and “Niggertowns” (Litwack 2004, p9) were walled-off by a combination of public policy, violence, and custom. Local governments then proceeded to

¹⁶⁷ <https://www.census.gov/hhes/www/housing/census/historic/owner.html>

systematically underinvest in these neighborhoods, denying them adequate sewers, paved roads, garbage collection, or public health initiatives. By the onset of the Second World War, city governments had become proficient segregators. When millions of dollars were spent renewing and rebuilding urban communities, segregation was reinforced and deepened.

By the hands of local governments the foundation of Sampson's (2012) powerful 21st century neighborhood effects, was laid. Using Chicago as a lens with which to view large, diverse cities, Sampson shows that today, neighborhoods differ significantly with respect to "crime, poverty, child health, protest, leadership networks, civic engagement, home foreclosures, teen births, altruism, mobility flows, collective efficacy, [and] immigration" (p6). These differences, Patrick Sharkey (2013) explains, are "*not* attributable primarily to factors that lie within the home or within the individual," but rather to the place itself, passed down from generation to generation (p21). Sampson (2012) argues that, as a result of racial segregation, neighborhood disadvantage is "most pronounced in the black community." These inequalities, Sampson tells us are, "durable and multiplex but not inevitable or natural" (p99).

The consequences are irrefutable. Scholars have persuasively demonstrated that segregation causes higher poverty rates for blacks and lower poverty rates for whites (Ananat 2011), lower high school and college graduation rates among blacks (Cutler and Glaeser 1997), higher imprisonment rates (Burch 2014), and higher rates of single-motherhood among blacks (Cutler and Glaeser 1997). Neighborhood disadvantage is also related to black/white income inequality, lack of employment stability among blacks, and larger gaps in cognitive skills between blacks and whites (Sharkey 2013). Cohen and Dawson (1993) show that neighborhood poverty undermines blacks' attachment to and involvement in the political system. I've shown that segregation leads to racial political polarization and underfunding of public goods.

Cumulatively, these results suggest that both growing up and living in disadvantaged places, while not wholly determining one's fate (e.g. Vance 2016), does leave little margin for error. "Mobility out of the poorest neighborhoods," Sharkey (2013) says "may be even less common than mobility out of individual poverty" (p35). Perversely, home ownership in this environment serves to limit mobility rather than enhance it.

In the first half of the 20th century, advantaged and disadvantaged neighborhoods resided within the political boundaries of large central cities. In the second half of the century, when the suburbs captured most of the population growth, the physical, and more importantly political, distance between advantage and disadvantage widened. Today, the most advantaged places are located outside of central cities altogether so that the most disadvantaged residents have no direct role to play in decisions about building affordable housing, expanding public transportation, or diversifying schools. In these places residents are more politically conservative; they vote at higher rates for Republican presidential candidates, support low taxes, want limited spending, and see inequality as the result of individual failings. Recent research suggests that privatization of public services is the most recent response to integration. Trounstein (2015) finds that a greater share of communities' security and educational needs are met through private provision in more diverse communities. Similarly, Betts and Fairlie (2003) show that native-born American families are more likely to send their children to private high school in response to increased immigration. Given this distribution of preferences and opinions, proposals to reduce inequality through mechanisms like regional governments or tax-base sharing (e.g. Orfield 2002, Katz 1999) are simply politically infeasible.

However, moving the policy debate to the state or federal level, could be more workable. Given that property owners' anxiety about protecting their investment is the driver of the many

patterns I reveal in this text, one solution would be to address this concern directly. William Fischel (2015), has argued that reducing federal tax-subsidies for owner-occupied housing would curtail homeowner demands for exclusivity.

State governments may also be able to make significant progress in generating outcomes that approach equality. There are lessons to be learned from the history of public school provision and finance. In a detailed historical analysis comparing the Charlotte and Atlanta metropolitan areas, Lassiter (2006), finds that the large geographic footprint of Charlotte's school system ensured that school integration would be successful. Conversely, Atlanta's fragmentation ensured that it failed. This indicates that states could analyze school district and municipality incorporation with an eye toward integration; limiting fragmentation and opportunities for segregation. Lafortune, Rothstein, and Schanzenbach (2015) show that recent school finance equalization policies have focused not on the gap in funding between advantaged and disadvantaged districts, but rather on ensuring a minimum adequate level of funding for all districts. They find that these reforms significantly reduce inequalities in student achievement outcomes between districts.

School finance reform has been possible because state constitutions guarantee the provision of public schooling and lawsuits (and threats of lawsuits), have forced the hand of state legislatures. Education is not the only public good guaranteed in state constitutions though. In fact, state constitutions are the locus of many positive rights. As Zackin (2013) details, they also obligate state governments to "care the poor, aged, and mentally ill, preserve the natural environment...and protect debtors' homes and dignity" (p3). Bridges (2015) demonstrates that state constitutions provide state governments substantial authority in the regulation of water provision and the protection of labor. Leonard (2010) outlines state constitutional requirements

mandating provision of health care and public health. Thus, the centralization of public goods financing, or at least the provision of a minimum level of public goods support through state governments is possible, though obviously politically contentious. At the end of the day, what is clear is that much is at stake in the local provision of public goods and the politics of segregation.

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Data Appendix

Chapter 1

Coding of Foreign Born Populations 1900-1940

The Census of Population and Housing collected detailed breakdowns regarding the origin of immigrant populations for large cities between 1900 and 1940. However, the categories of origin changed from Census to Census. I created similar categories by combining subcategories (e.g. I created a Poland variable by combining Austrian Poland, German Poland, and Russian Poland). Using the table available at: <http://www.census.gov/population/www/documentation/twps0029/tab04.html>, I created a category of immigrants from Southern and Eastern Europe, Asia, and Latin America. Because immigrants from Turkey in Asia were only separately categorized in some Census years, all Turkish immigrants are coded as being Southern and Eastern European, regardless of continent. The category foreign born nonwhite was created by adding the foreign born populations from countries that the 1930 Census designated as sending a majority of immigrants who were classified as nonwhite (China, Japan, India, Mexico, and West Indies).¹⁶⁸ To generate a measure of foreign born diversity, I calculated a Herfindahl Index:

$$Diversity = 1 - \sum_{f=1}^F \pi_f^2$$

where, π_f is the population share of the foreign-born group f and F is the total number of foreign-born groups (52). The following foreign born groups were listed in Censuses 1900-1940. The table presents summary statistics for all 291 cities included in these data.

Country of Origin	Mean	Std. Dev.	Min	Max
Africa	0.01%	0.04%	0.00%	1.20%
Albania	0.00%	0.03%	0.00%	0.86%
Armenia	0.14%	0.56%	0.00%	13.11%
Atlantic islands	0.07%	0.82%	0.00%	22.96%
Australia	0.04%	0.11%	0.00%	1.27%
Austria	3.57%	4.23%	0.00%	52.56%
Azores	0.09%	1.02%	0.00%	18.64%
Belgium Luxemburg	0.48%	1.78%	0.00%	25.12%
Bohemia	0.11%	1.24%	0.00%	48.24%
Born at sea	0.00%	0.01%	0.00%	0.21%
Canada newfound	10.15%	12.52%	0.00%	86.47%
Central South America	0.15%	0.34%	0.00%	5.57%
China	0.34%	1.20%	0.00%	39.04%
Cuba West Indies	0.14%	1.23%	0.00%	43.85%
Czechoslovakia	1.41%	3.69%	0.00%	49.42%
Denmark	1.22%	2.67%	0.00%	29.90%
England	8.04%	4.65%	0.28%	40.52%

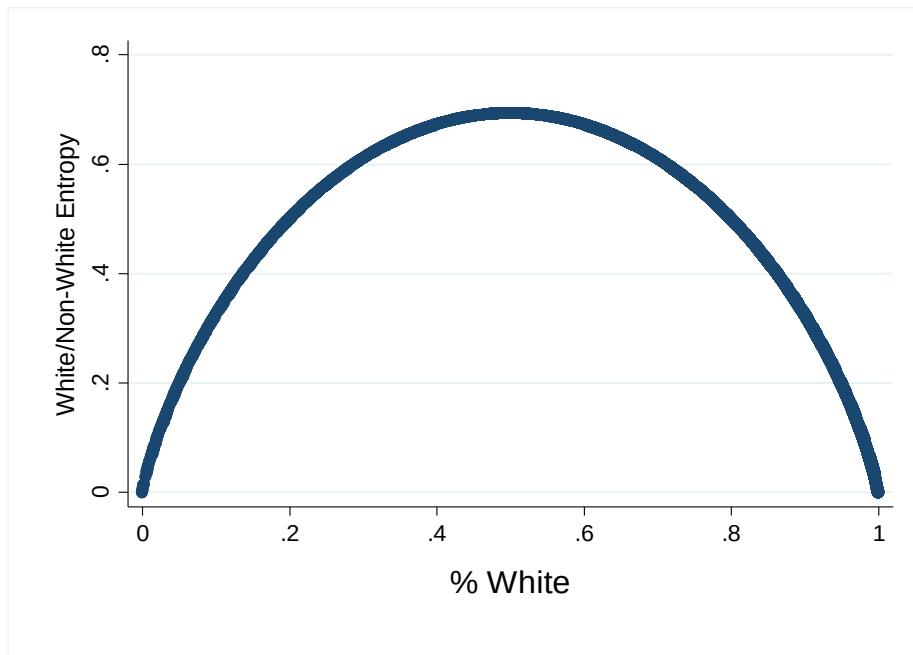
¹⁶⁸ Census of Population and Housing, 1930, Volume II, Chapter 5, "Country of Birth of the Foreign Born," page 231

Estonia	0.00%	0.00%	0.00%	0.02%
Europe, other	0.06%	0.14%	0.00%	3.17%
Finland	0.46%	1.70%	0.00%	21.42%
France	1.21%	1.25%	0.00%	14.62%
Germany	16.92%	14.66%	0.24%	89.81%
Greece	2.07%	2.58%	0.00%	23.83%
Holland	0.07%	1.09%	0.00%	46.72%
Hungary	2.44%	4.66%	0.00%	48.04%
Iceland	0.00%	0.00%	0.00%	0.08%
India	0.01%	0.02%	0.00%	0.47%
Ireland	9.71%	7.63%	0.03%	50.94%
Italy	9.47%	9.14%	0.00%	53.39%
Japan	0.24%	1.10%	0.00%	32.07%
Latvia	0.03%	0.16%	0.00%	2.76%
Lithuania	0.67%	1.48%	0.00%	12.26%
Mexico	1.48%	6.60%	0.00%	91.42%
Netherlands	0.86%	3.92%	0.00%	50.24%
Norway	1.49%	3.43%	0.00%	27.95%
Not specified	0.00%	0.02%	0.00%	0.57%
Other	0.99%	1.71%	0.00%	18.01%
Other Asia	0.09%	0.19%	0.00%	3.08%
Pacific Islands	0.01%	0.03%	0.00%	1.71%
Palestine Syria	0.32%	1.03%	0.00%	16.14%
Poland	6.81%	7.54%	0.00%	78.19%
Portugal	0.46%	1.88%	0.00%	18.82%
Russia	8.40%	7.06%	0.00%	71.83%
Scotland	2.62%	2.02%	0.05%	44.49%
Spain	0.29%	1.52%	0.00%	24.06%
Sweden	4.11%	7.00%	0.00%	71.64%
Switzerland	0.96%	1.09%	0.00%	9.27%
Syria	0.31%	0.92%	0.00%	15.72%
Turkey Bulgaria Romania	0.66%	1.09%	0.00%	16.93%
Wales	0.71%	1.60%	0.00%	26.78%
West Indies	0.28%	2.08%	0.00%	71.70%
Yugoslavia	0.72%	1.98%	0.00%	23.65%

A1.1: Summary Statistics Historical City Expenditures

Variable	N	Mean	Std. Dev.	Min	Max
Expenditures Per Capita (logged)	1,397	6.165	0.512	4.075	8.936
Density	1,397	11.993	8.870	0.747	79.009
Population (logged)	1,397	11.401	0.944	9.333	15.792
% Nonwhite	1,116	0.107	0.128	-0.031	0.558
% Homeowners	1,111	0.377	0.100	0.100	0.697
Foreign born diversity	1,057	0.834	0.089	0.233	0.938
Assessed Value (millions)	1,397	2.442	10.024	0.005	199.837
% Professionals	1,084	0.083	0.031	0.016	0.257

Figure A1.1: Relationship between City Level Entropy and % White



Chapter 2

Table A2.1: Summary Statistics Zoning Ordinances

Variable	Obs	Mean	Std. Dev	Min	Max
Zoning Ordinance	4,293	0.032	0.175	0.000	1.000
Expenditure \$ Per Capita (logged)	4,293	3.346	0.413	1.305	6.165
Property Taxes \$ Per Capita	4,293	19.798	8.045	1.794	66.837
Presidential turnout	4,293	0.514	0.177	0.013	0.991
Republican Vote Share	4,293	0.471	0.171	0.000	0.838
Midwest	4,293	0.314	0.464	0.000	1.000
North	4,293	0.422	0.494	0.000	1.000
South	4,293	0.195	0.396	0.000	1.000
West	4,293	0.070	0.255	0.000	1.000
% For. Born White	3,740	0.182	0.116	0.006	0.603
% For. Born Non White	3,740	0.005	0.024	0.000	0.398
% Black	3,654	0.081	0.125	0.000	0.557
Highways \$ Per Capita	4,265	2.379	1.027	0.230	8.014
Health \$ Per Capita	4,288	0.411	0.328	0.015	3.525
Fire \$ Per Capita	4,293	2.148	0.815	0.364	10.945
Density	4,283	11.732	8.414	0.747	79.009
% Renters	3,577	0.628	0.101	0.303	0.903
% Employed in Manufacturing	3,554	0.533	0.137	0.109	0.838
% Employed in Agriculture	3,554	0.017	0.043	0.002	0.767
10 year population growth rate	3,592	0.327	0.410	-0.867	5.397
School segregation	4,293	0.223	0.412	0.000	1.000
% Unemployed	3,554	0.635	0.064	0.000	0.820

Chapter 3

Table A3.1: Summary Statistics Sewer Extensions, Historical Urban Ecological Dataset

Variable	Obs	Mean	Std. Dev	Min	Max
New Segments Since Last Census	541	37.20	138.45	0.00	1476.00
Total New Segments Since Last Census	541	1237.02	1953.43	0.00	5933.00
Total Segments in Ward	541	857.72	952.77	181.00	8375.00
% Segments Built	541	0.64	0.25	0.00	0.96
% Foreign Born	541	0.25	0.12	0.01	0.64
% Renters	271	0.74	0.13	0.34	0.98
Renter Segregation	541	0.09	0.03	0.04	0.14
% Black	541	0.08	0.14	0.00	0.95
Racial Segregation	541	0.47	0.16	0.29	0.86

Table A3.2: Summary Statistics: Public Sewer Connections

Variable	Obs	Mean	Std. Dev	Min	Max
% Public Sewer in Tract	146,102	0.773	0.328	0.000	1.000
% Nonwhite	146,102	0.203	0.280	0.000	1.000
Racial Segregation	146,102	0.216	0.197	0.000	0.915
% Renters	146,102	0.356	0.238	0.000	1.000
Renter Segregation	146,102	0.115	0.086	0.000	0.786
% Wealthy	146,102	0.183	0.155	0.000	1.000
City Population	146,102	392911	686109	59	3480384
City Public Sewer Connections	146,102	139100	261531	0.000	1269144
Midwest	146,102	0.234	0.423	0.000	1.000
South	146,102	0.307	0.461	0.000	1.000
West	146,102	0.229	0.421	0.000	1.000

Chapter 4

Table A4.1: Summary Statistics: Urban Renewal Applications and Disbursement

Variable	Obs	Mean	Std. Dev.	Min	Max
Racial Segregation, 1980	172	0.299	0.158	0.015	0.671
Renter Segregation, 1980	172	0.139	0.053	0.014	0.284
Urban Renewal Funds Approved, \$100 million	173	0.466	0.734	0.000	5.481
Urban Renewal Funds Disbursed, \$100 million	173	0.315	0.536	0.000	4.165
Segregation, 1950	173	0.398	0.153	0.095	0.908
% Owner occupied, 1950	173	47.127	11.692	12.400	70.700
Median Home Value, 1950 (log)	173	9.0	0.3	8.4	9.9
% Dilapidated, 1950	172	6.7	4.9	0.5	26.1
% Built Pre-1920, 1950	172	56.8	17.6	6.1	94.6
% Units w/o Plumbing, 1950	172	22.4	12.5	2.8	62.4
Population (millions), 1950	173	277794.0	702673.5	38946.0	7891957.0
% Nonwhite, 1950	173	11.7	11.9	0.1	44.0
% Employed Manufacturing, 1950	173	31.2	13.7	6.6	64.9
% Employed, 1950	173	94.6	1.9	88.3	98.0
Median Education, 1950	173	10.1	1.2	7.9	12.7
Family Income, 1950 (log)	173	8.1	0.1	7.6	8.6
% Incomes Below \$2000, 1950	173	21.4	7.5	10.0	48.8
% Housing Operations	170	0.017	0.020	0.000	0.115
Public Housing Units Per Capita	173	1104.9	802.8	0.0	3819.0

Table A4.2 Summary Statistics Open Housing Initiative Survey

Variable	Obs	Mean	Std. Dev.	Min	Max
Opposed to Fair Housing	4,860	0.630	0.483	0	1
Democratic Presidential Voter	4,860	0.591	0.492	0	1
Home Owner	4,860	0.712	0.453	0	1
Education Level	4,860	3.305	1.365	1	6
Age	4,860	3.021	1.535	1	6
Economic Level	4,860	5.007	1.755	1	10
White	4,860	0.933	0.250	0	1
Union Member	4,860	0.305	0.461	0	1

Chapter 5***Table A5.1: Summary Statistics Segregation Across Cities***

Variable	Obs	Mean	Std. Dev.	Min	Max
Across-City Share of Racial Segregation	618	0.4080	0.1799	0.0000	0.8793
Across-City Share of Renter Segregation	618	0.3501	0.1481	0.0000	0.8021
Across-City Share of Wealthy Segregation	618	0.2909	0.1737	0.0000	0.7650
Minority Mayor	618	0.2751	0.4469	0.0000	1.0000
Direct General Expenditure Per Capita	618	1.3443	0.9529	0.3131	9.9550
% Spent on Policing	618	0.1408	0.0511	0.0393	0.3244
Crime Rate	618	0.0917	0.0426	0.0000	0.4194
Population (logged)	618	12.0515	0.9916	9.8635	15.1231

Chapter 6***Table A6.1: Summary Statistics Racial Polarization Data***

Variable	Obs	Mean	Std. Dev.	Min	Max
Largest Racial Divide	91	0.481	0.213	0.016	0.934
H Index – multi-group	91	0.376	0.119	0.183	0.635
H Index – two-group	91	0.353	0.114	0.156	0.614
Diversity	91	0.623	0.088	0.323	0.736
% Asian	91	0.067	0.074	0.008	0.318
% Black	91	0.275	0.181	0.030	0.815
% Latino	91	0.229	0.155	0.009	0.605
Median HH Income	91	36725	10114	17268	75982
% Renters	91	0.535	0.092	0.368	0.718
% College Ed	91	0.167	0.056	0.049	0.359
Biracial contest	91	0.725	0.449	0	1
Nonpartisan Election	91	0.714	0.454	0	1
Primary Election	91	0.352	0.480	0	1
Population (logged)	91	14.166	0.826	13.065	15.921
White Ideology	86	3.835	0.648	2.667	5.250

Table A6.2: Cities included in Racial Polarization Data

City Name	Segregation		Largest Racial Divide, Number of Elections		
	Mean H Index Multi-Group	Mean H Index	Black/White	Latino/White	Black/Latino
		Two-Group			
Austin, TX	0.204	0.208	1		
Baltimore, MD	0.510	0.516	3	1	
Charlotte, NC	0.269	0.287	2		
Chicago, IL	0.572	0.460	7		1
Cleveland, OH	0.558	0.531	2		
Columbus, OH	0.316	0.284	3		1
Dallas, TX	0.359	0.339	4		1
Denver, CO	0.289	0.254	1	2	
Detroit, MI	0.398	0.255	1		1
Houston, TX	0.339	0.308	7		2
Indianapolis, IN	0.292	0.293			1
Jacksonville, FL	0.233	0.222	2		
Los Angeles, CA	0.351	0.366	3		5
Memphis, TN	0.470	0.474	2		
Milwaukee, WI	0.423	0.360	3		
New York, NY	0.468	0.474	5	3	1
Oklahoma, OK	0.231	0.165	1		
Philadelphia, PA	0.492	0.487	5		
Phoenix, AZ	0.255	0.270		1	
San Antonio, TX	0.237	0.225		4	
San Diego, CA	0.255	0.266	3		1
San Francisco, CA	0.223	0.161	3		1
San Jose, CA	0.186	0.198		2	1
Tucson, AZ	0.185	0.192	1		
Washington, DC	0.464	0.491	3		

Table A6.3: Summary Statistics Census of Government Finance and Population

Variable	Obs	Mean	SD	Min	Max
Direct General Expend per cap	16,831	1.332	1.304	0.022	78.010
Highways per cap	16,642	0.090	0.060	0.000	1.225
Parks per cap	16,673	0.209	0.109	0.000	1.746
Police per cap	15,809	0.069	0.073	0.000	2.564
Sewers per cap	13,832	0.106	0.089	0.000	1.762
Welfare, Health & Housing per cap	13,203	0.066	0.156	0.000	6.321
Own Source Revenue per cap	16,830	1.065	1.174	0.020	84.284
Two-Group H Index	16,831	0.074	0.094	0.000	0.767
Diversity	16,831	0.321	0.190	0.005	0.778
% Black	16,831	0.099	0.153	0.000	0.980
% Asian	16,831	0.034	0.057	0.000	0.674
% Latino	16,831	0.111	0.165	0.000	0.987
5 yr Δ % Black	14,284	0.007	0.019	-0.101	0.229
5 yr Δ % Latino	14,284	0.016	0.020	-0.171	0.207
5 yr Δ % Asian	14,284	0.005	0.011	-0.056	0.128
Median income	16,831	60112	24654	17320	266887
% Local Gov Employees	16,831	3.364	0.992	0.302	11.606
% Renters	16,831	0.358	0.140	0.009	0.911
% Over 65	16,831	0.127	0.051	0.007	0.798
% College degree	16,831	0.167	0.103	0.003	0.618
Population (logged)	16,831	10.107	1.030	6.071	15.921
City Ideology	2,524	4.028	0.788	1.000	7.000
Population	16,831	52940	205791	433	8214426

Table A6.4: First Stage Regression of Segregation on Waterways and Population

	Direct General Expenditure		
	β	SE	P> t
# Waterways	0.005	0.00	0.00
Population(logged)	0.028	0.00	0.00
Lagged DV	0.000	0.00	0.00
Diversity	0.085	0.00	0.00
% Black	0.137	0.00	0.00
% Asian	-0.209	0.01	0.00
% Latino	0.001	0.00	0.69
Median Income (1000s)	0.000	0.00	0.00
% Local Gov. Employees	-0.001	0.00	0.01
% Renters	0.011	0.00	0.00
% Over 65	0.255	0.01	0.00
% College Grad	-0.003	0.01	0.66
Constant	-0.271	0.00	0.00
N	25,669		

Note: First stage of two stage least squares regressions with fixed effects for regions and year (not shown); Instrumented: Two-group H Index of segregation; Excluded Instruments: # of Waterways, Population logged

Table A6.5: Summary Statistics Sewer Overflows, EPA

Variable	Obs	Mean	SD	Min	Max
Logged Overflows per capita	1,417	0.508	1.353	0.000	25.548
Racial Segregation	1,417	0.028	0.060	0.000	0.559
Population (logged)	1,417	8.414	1.701	3.091	15.122
% Renters	1,417	0.324	0.124	0.000	0.796
% Urban	1,417	0.609	0.467	0.000	1.000
% Black	1,417	0.086	0.164	0.000	0.978
% Asian	1,417	0.012	0.025	0.000	0.314
% Latino	1,417	0.053	0.092	0.000	0.884
Median Income (1000s)	1,417	37623	14287	13516	190805
Subventions Per Capita (1000s)	1,417	391.648	1397.263	0.000	50670.790

Chapter 7**Table A7.1 Summary Statistics: Democratic Vote Share, 2008, Harvard Elections Database Archive**

Variable	Obs	Mean	Std. Dev.	Min	Max
% Democratic Vote, 2008	44,958	0.623	0.200	0.054	1.000
Tract-Metro Difference in % White, 1970	44,958	0.019	0.216	-0.939	0.553
% White 2000	44,958	0.637	0.320	0.000	1.000
% Renters 2000	44,958	0.377	0.249	0.000	1.000
% Wealthy 2000	44,958	0.167	0.159	0.000	1.000
Density	44,958	0.003	0.005	0.000	0.089
Midwest	44,958	0.241	0.427	0.000	1.000
South	44,958	0.298	0.458	0.000	1.000
West	44,958	0.226	0.418	0.000	1.000
Proportional Tract-Metro Elevation Diff.	44,956	-0.195	0.556	-1.007	19.336
Waterfront Tract	44,958	0.203	0.402	0.000	1.000
Distance to City Center (logged)	44,958	9.692	1.010	3.643	12.228

Table A7.2 Summary Statistics: Modern Partisanship and Conservatism, General Social Survey

Variable	Obs	Mean	Std. Dev.	Min	Max
Partisan Identification	11,674	2.680	1.953	0.000	6.000
Political Ideology	9,376	4.039	1.419	1.000	7.000
Republican Pres. Vote	10,804	0.334	0.472	0.000	1.000
Tract-Metro Difference in % White, 1970	11,674	0.039	0.182	-0.863	0.342
White, non-Hispanic	11,674	0.689	0.463	0.000	1.000
Ago	11,674	46	17	18	89
Education	11,674	1.624	1.213	0.000	4.000
Female	11,674	0.555	0.497	0.000	1.000
Kids at home	11,674	0.617	1.049	0.000	8.000
Married	11,674	0.457	0.498	0.000	1.000
Income	11,674	51987	42442	407	178266
Mover	10,640	0.617	0.486	0.000	1.000
% White Tract	11,674	0.649	0.296	0.000	0.994
% Homeowners Tract	11,674	0.617	0.247	0.000	0.995

From: Pat Friday <patfriday@comcast.net>
Sent: Monday, November 8, 2021 1:40 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter project comment

Hello Planning Department folks,
I am writing to encourage you to proceed with the Hunter Project, especially with the affordable housing aspect. We need worker housing so badly here in St. Helena. Please do not accept a monetary offset, but insist that worker housing be built and provided for those who work here.

I am sure you can find a way to offset water use, and other objections being raised.

We need this new housing to give our town a boost too.

Thank you for considering my view,
Pat Friday

Pat Friday
1430 Wallis Court
St. Helena CA 94574
707.484.4579

From: Pat Friday <patfriday@comcast.net>
Sent: Monday, November 8, 2021 1:27 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: Re: [External] Hunter project comment

Hello Maya,
Ack, in my email below, while trying to edit, it came out wrong!

The first sentence should read:
I am writing to encourage you to proceed with the Hunter Project, **especially** with the affordable housing aspect.

Please correct this, for the record.

Thank you,
Pat

Pat Friday

Napa Valley
707.484.4579
fridayflowers.net
pinterest.com/patfriday

On Nov 8, 2021, at 10:39 AM, Maya DeRosa <MDeRosa@cityofsthelena.org> wrote:

Thank you, your comment has been added to the public record.

**MAYA DEROSA, AICP
PLANNING AND BUILDING DIRECTOR**

City of St. Helena | Planning & Community Improvement Department
1572 Railroad Avenue | St. Helena, CA 94574
Direct: (707) 967-2783
| mderosa@cityofsthelena.org | <http://cityofsthelena.org/planning>
<image001.png>



<image002.png>

From: Pat Friday <patfriday@comcast.net>
Sent: Monday, November 8, 2021 9:56 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter project comment

Hello Planning Department folks,
I am writing to encourage you to proceed with the Hunter Project, but only with the affordable housing aspect. We need worker housing so badly here. Please do not accept a monetary offset, but insist that housing is provided for those who work here.

I'm sure you can find a way to offset water use, and other objections being raised. We need this new housing to give our town a boost too.

Thank you for considering my view,
Pat Friday

Pat Friday
1430 Wallis Court
St. Helena CA 94574
707.484.4579

City of St Helena, City Hall
Received

NOV 08

1480 Main St.
St Helena, CA 94574

November 3, 2021

Dear Ms. DeRosa,

My husband and I live in Vineyard Valley. A major concern is that the access road along the levee that Vineyard Valley used for the first time ever fire drill this summer, would be used for all the construction trucks, i.e., lumber trucks, dump trucks, bull dozers, etc., and to bring in materials; coming up 29, going thru Main St., and turning right on Adams and then to that access road. Has anyone given any thought as to where all these construction related trucks and vehicles are going to park for **6 years**??? It would seem logical that at the very least, the access road would become part of the construction zone and would not be available for an emergency exit if we had another dire circumstance such as the Glass fire over the next **six** years that the project is proposed to take. With that thought in mind, if the project goes forward, what happens if VV needs to use that road in the event of an emergency?

If Adams St. is extended to create a way to the Silverado Trail, then picturing that, it only seems logical that the access road would become part of that route. Then the question becomes, can VV still exit the gate at the end of our park like we did for the fire drill up onto the access road, and would we become part of the mass exodus of all the new residents from 81 new dwellings trying to get out in an emergency? It would be a disaster, as we have over 200 homes here.

Also, if that access road becomes part of the construction zone, it could be greatly compromised from all the wear and tear, and the city would need to repair it before it might be used in another emergency. We discovered a large pothole during the fire drill which Chief Hartley had repaired after the drill.

Along with this concern are emergency resources in the event of another major fire or possible flood. I know for a fact that there are only two patrol cars on duty at any given time. It seems like an additional 80+ dwellings and all the people that would be living there would greatly tax our emergency services, and I'm sure you're aware that our fire department is severely taxed right now.

Another concern: Has the levee been maintained since the flood project? We have heard that it has not and we are working to find out the answer to that.

Another concern: Who's responsibility is it financially if there is loss of property or life if there is another flood on the proposed project, Saint Helena or Hunter? This is not at all clear.

This project is a very bad idea to the detriment of all of Saint Helena, and we have only named a few of the issues it will impact. We sincerely hope the issues that all of the residents have brought up are very carefully weighed as so much is at stake.

Thank you.

Rodney & Elizabeth Green
Vineyard Valley

LAW OFFICES OF
PERRY, JOHNSON, ANDERSON,
MILLER & MOSKOWITZ LLP
 438 First Street, 4th Floor, Santa Rosa, CA 95401

November 8, 2021

VIA ELECTRONIC AND U.S. MAIL

Maya DeRosa, AICP
 Planning and Building Director
 City of St. Helena Planning Division
 1572 Railroad Ave
 St. Helena, CA 94574
 Email: MDeRosa@cityofsthenela.org

Re: **Comment Period for Draft EIR - Hunter Subdivision Project**

Dear Ms. DeRosa:

The applicant team has been advised that the City has extended the comment period beyond the original set date and beyond that provided for by CEQA.

We object to the extension. There is no rational basis for the extension. Given the numbers of comments received, it is apparent that the notice of the DEIR was widely viewed, and many were easily able to meet the deadline.

The only explanation is the City's continued and unjustified delay in processing the Project. The mandatory time for completion of an EIR has been egregiously ignored by the City, and this is just the latest example.

Very truly yours,



Leslie R. Perry

LRP:kh

cc: client
 Andrew M. Skanchy

William D. Anderson
David F. Beach
Deborah S. Bull †
Traci L. Carrillo
Isaac M. Gradman
John E. Johnson*
Marla Keenan-Rivero*
Scott A. Lewis
Michael G. Miller
Lawrence A. Moskowitz*
Leslie R. Perry
Burton H. Fohrman
Malcolm T. Manwell †
Roger J. Illsley
Daphne A. Beletsis
Mary Jane Schneider
Sheila S. Craig*
Oscar A. Pardo
Martin L. Hirsch
Megan J. Lightfoot
Nicole M. Jaffee
Kristin Mattiske-Nicholls
E. Page Allinson
Chad O. Dorr
Sarah Jane T.C. Trueng
Kelsey L. O'Rourke
Sheri N. W. Chlebowski

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 † Appellate Law
 † Estate Planning, Trust and
 Probate Law
 The State Bar of California
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E-MAIL
 perry@
 perrylaw.net

From: Pierre Birebent <outlook_F3F0A884CA33A7B2@outlook.com>

Sent: Saturday, November 13, 2021 5:09 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter project

Dear Madam

I am very concerned about the development of the open property at the end of Adams street, by the Napa river.

This is a major construction project.

Without mentioning traffic congestion I would surely mention the water shortage for our town.

I strongly oppose this insane project.

Sincerely yours.

Pierre Birebent.

Sent from [Mail](#) for Windows

From: Schlatter, Laurence <lschlatter@merryvale.com>
Sent: Sunday, November 14, 2021 9:33 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Opposition to proposed Hunter Project

Dear Mrs De Rosa,

As a resident of Starr Avenue for the last 23 years, I am writing to express my opposition to the Hunter Project.

With the current water shortage, it is unimaginable to think that such a big development could take place in our town. Also, the extension of Starr Avenue would turn our safe, and kid/pet friendly neighborhood into a high traffic and dangerous street.

Also, it would destroy one of St Helena's resident's favorite walking trail. A special place where families, kids, seniors and others have a chance to connect with nature, and enjoy the river.

In case of a natural disaster, what is your evacuation plan for so many people?

It is shocking to me that this project can be proposed once again, knowing that the majority of this town is clearly opposed to it.

Respectfully,

Laurence Schlatter
1183 Starr Avenue
Saint Helena

From: Diane Green <dgreenhagg@gmail.com>
Sent: Monday, November 15, 2021 4:54 PM
To: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Cc: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Rejected email for Hunter EIR comments? And please submit now

Dear City Clerk,

We were disappointed to find that our email with comments letter and attachment (included below) had not been received by the city. We spent much time working on it, and for some reason the email was not accepted. Please see below.

One of our colleagues had used that email in the past to send letters to the Planning Commission, so we used it. Also, he said he used the cityclerk@cityofsthelena.org too. We mean no offense, but using names especially when they are very long is much harder for people than just the title like the email to cityclerk@..... And, we don't always know the exact names and spelling of the Planning Commissioners or the council. The group email is very public friendly for helping people communicate with our government. Can you tell us why they did not go through? We would like to ask if that email to city clerk can be re-instated., and the other if possible I know two other people who did not get their EIR issues letters in to you either because their emails to city clerk were rejected.

And please send the comments letter and attachment to the Planning Commission for the Hunter project EIR now, so they can review.

Thank you very much for your assistance and for your reply.

Diane Green
 Daniel Wheaton
 Mark Arnett
 Carl Barnes
 Gary Oncina
 James Pelligri

ORIGINAL EMAIL BELOW-----

From: Diane Green <dgreenhagg@gmail.com>
Date: Tue, Nov 2, 2021 at 2:04 PM
To: <planningcommission@cityofsthelena.org>, <cityclerk@cityofsthelena.org>

Honorable Planning Commission Chair and Commissioners,

As you review the Hunter Project, it is important to note the long and complicated history of this project and the undesirable behaviors of this Santa Rosa Casino Development Applicant. During the decade long history, the applicant has sued the city multiple times, forced the city to construct the levee around his property (by refusing to allow access for the flood protection of the senior community of Vineyard Valley), refused to supply documentation on numerous items requested by city staff such as movement of tens of tons of soil, updated soil testing and maps, affordable housing plans that comply with the St

Helena Housing Ordinance, Density bonus plans and any specific information regarding the size, bedrooms, bathrooms, etc. for each housing unit which is necessary to calculate traffic, water use, etc. The EIR is insufficient because as stated by a Dudek Rep at the last Public meeting on this topic - "We cannot do an EIR without size of homes, bathrooms, etc. or any density bonus information." This is on tape.

The inadequacy of the EIR is also that the project violates the HCD approved St Helena Housing Element and our own housing laws 17.144 and 17.146. For example, the continued segregation of low income housing, the requirement that the affordable housing must be spread throughout the project, and must have some "for sale" units that are below market rate.

St Helena has illustrated distinct and repeated actions that segregate low income housing from market rate neighborhoods, as evidenced by 98% of ALL affordable and multi-family housing being placed on the East side of St Helena., and often in separate apartment projects.

It has created an undeniable "other side of the tracks" situation, and despite the claim that the land is more affordable on the East Side, the State of California does not accept that as a waiver of the law. In fact, that exact argument serves to aggravate the segregation of neighborhoods by conveniently ruling out the possibility for any diverse housing or socioeconomic and racial diversity ever in those neighborhoods because "it's too expensive for that. over here" Without City intervention and enforcement of our own anti-segregation requirements of projects like this to ensure a mix of housing types for variable income families, you contribute to maintaining a "put them in groups over there" kind of St Helena.

You can see that the 25 new units of affordable restricted housing on the East Side is designed specifically to place the affordable apartments in a "project" immediately adjacent to the existing lower income multi-family housing along Adams rather than distributing it through the rest of the market rate housing AS IS REQUIRED by St Helena Housing Element, St Helena laws, ordinances as well as CA Statelaws against discrimination. And NONE are for sale which is also required.

Attached is a professional perspective from a housing segregation expert describing the situation in St Helena.

The city and you personally, stand to face discrimination claims and lawsuits if you continue the trend of decisions that violate of the St Helena stated goals and ordinances as well as the State's laws by perpetuating the long pattern of housing and racial segregation in St Helena. We all know and see that realtors in St Helena list housing on the West Side of town as "preferred side of town" or "the desirable West Side". Even realtors know exactly what has been done, and use it to realty sales advantage.

With a full read of the St Helena ordinances, zoning codes 17.144 and 17.146, the Housing Element and General Plan as well as new California laws to prevent housing discrimination and segregation, citizens should be assured that you will do what is required by law, and not put the city or yourselves at risk for litigation and embarrassment of being an ongoing segregated city. Do not give this Santa Rosa developer who has no interest in following our laws and actually does not want to work within our city's own clearly stated goals of changing from "the other side of the tracks" city where we put our diverse and lower income population into segregated projects. It's not who we are, so don't let this uber wealthy and questionable casino developer put us and you in an embarrassing and legal situation for his own personal financial gain.

You will no doubt hear from the applicant that he is "helping St Helena housing", when in fact this project will provide a mere 5 units of very low income housing. On top of that, the previously proposed 11 affordable housing ADU's (ADU's) will now be "above moderate" - which is simply a clever way to say market rate.

So in what sense does this enormous subdivision, that further segregates our city, is wholly reliant on our levee where we have full liability, causes unmitigable traffic at one of the ONLY exits out of the city, eliminated the proposed Adams St extension to the Trail in his plans, and exacerbates our ongoing severe water shortages helpful to us? Please do not play his game. Please stand up to protect this city, its resources, its liability and its integrity as a welcoming and diverse place to live. If not you, then who?

Thank you.

Sincerely,
Diane Green
Daniel Wheaton
Mark Arnett
Carl Barnes
Gary Oncina
James Pelligri

From: <postmaster@sthelenacity.onmicrosoft.com>
Date: Tue, Nov 2, 2021 at 2:05 PM
To: <dgreenhagg@gmail.com>



Your message to planningcommission@cityofsthelena.org couldn't be delivered.

The group [planningcommission](#) only accepts messages from people in its organization or on its allowed senders list, and your email address isn't on the list.

Segregation by Design

By Jessica Trounstein
University of California, Merced

Abstract:

Over the course of the 20th century the spatial scale of residential segregation along race and class lines increased. In the late 1800s, whites and people of color, renters and owners, poor and wealthy, were separated from each other in small clusters, so that residential segregation occurred block-to-block. By the middle of the 20th century segregation patterns had transformed; residents became segregated neighborhood-to-neighborhood. Throughout the post-war period, segregation between whole cities rose as the nation suburbanized. In recent decades, city-to-city segregation has remained remarkably persistent despite increasing neighborhood integration. Because political representation is geographically determined, these changing patterns have had profound political consequences – generating opportunities for exclusion and increasing polarization. I argue that local governments have been instrumental in driving and shaping these patterns; and they have done so largely in the name of protecting both property values and exclusive access to public goods for white property owners. When property values and public goods exclusivity were threatened, property owners changed their tactics – shifting the spatial of segregation higher. This process has always been Segregation by Design.

Conventional wisdom holds that segregation and the resulting deficit in services that the poor and people of color experience in American cities is driven by a combination of individual racial prejudices, market logic, and federal policy. This is an insufficient account because it ignores the institutional setting in which racism, economics, and federal law are embedded. Local politics structures the way in which *all* of these forces unfold.

Using qualitative historical evidence from large cities throughout the United States and quantitative data from hundreds of cities, I demonstrate that segregation and the unequal distribution of public goods accruing to individuals and neighborhoods are a function of local policies and political battles. Land-use planning, zoning, and redevelopment have been utilized by white homeowners and businesses seeking to enhance property values and monopolize public goods to generate segregation and inequality in access to benefits for over 100 years.

The changing spatial patterns of segregation have had important implications for political representation. Poor and minority residents have become more isolated and less able to secure political responsiveness and public benefits. In turn, segregation affects both local and national politics. In cities, segregated communities are more polarized and less willing to fund public goods. At the national level, neighborhoods that successfully resisted integration during the civil rights era are markedly more conservative today.

Instead of receding, segregation within cities and between cities and suburbs has grown over the past several decades, further antagonizing the imbalance of public benefits between the haves and the have-nots.

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Introduction

“Segregated people in a nation that professes to be a democracy soon become a frustrated people. Those who segregate others soon become frightened, insecure people forced to accept and invent prejudice to justify their actions” Robert C. Weaver, *The Negro Ghetto*, 1948

City services sustain, prolong, and even save lives. In the latter half of the 19th century, urban American began a rapid ascent. City populations and economies were booming. But so too were their filth, their disease, and their divisions. By 1900, infectious and parasitic diseases killed nearly 8 in every 1,000 residents; accounting for more than 45% of all deaths (Tippett 2014) and more than 60% of deaths in children (Guyer et al 2000).¹ Between 1900 and 1940, the overall mortality rate in the United States declined by 35%² (Linder and Grove 1947) and the infectious disease mortality rate declined by 75% (CDC 1999).³ In some cities in 1900, 30% of babies would not live to celebrate their first birthday (Meckel 1990). Estimates indicate that between one quarter and one half the decline in total mortality can be attributed to the development of public water and sewer systems. Local public works significantly reduced outbreaks of diseases like cholera, typhoid fever, diarrheal diseases, and malaria (Cutler and Miller 2006, Troesken 2004).⁴ Over time, the growth of municipal fire and police forces, street cleaning and refuse disposal, childhood vaccination and physical examination programs, regulation of food supplies (e.g. requirements for milk pasteurization), and the implementation of

¹ Pediatrics. 2000 Dec;106(6):1307-17. Annual summary of vital statistics: trends in the health of Americans during the 20th century. Guyer B1, Freedman MA, Strobino DM, Sondik EJ.

² Total mortality declined from 17 per 1,000 persons to 11 per 1,000 persons.

³ <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm4829a1.htm#fig1>

⁴ It is important to note that the dramatic improvement in mortality from water and sewer systems required the development of filtration and treatment techniques, which were not immediately available when the systems were first built.

building codes all worked to prolong life expectancy (Condran and Cheney 1982, Haines 2001, CDC 1999).

However, such benefits were neither inevitable nor universal. From the beginning poor and minority neighborhoods received fewer and lower quality services: they were less likely to be connected to sewers, have graded and paved streets, or benefit from disease mitigation programs.⁵ Today, the quality of public goods in the United States remains highly variable. Some people have access to well-paved and plowed roads, sewers that never overflow, public parks with swing sets and restrooms, adequately staffed police and fire forces, and clean water. Others do not have access to these resources. The quality of such services is largely a function of the neighborhood, city, and state in which a person resides. The degree to which the poor and people of color have been concentrated into identifiable residential locations (e.g. segregation), varies from place and to place, and everywhere has changed dramatically over time.

Over the course of the 20th century the spatial scale of residential segregation along race and class lines increased (Logan et al 2015, Reardon et al 2009, Lee et al 2008). In the late 1800s, whites and people of color, renters and owners, poor and wealthy, were separated from each other in small clusters, so that residential segregation occurred block-to-block. By the middle of the 20th century segregation patterns had transformed; residents became segregated neighborhood-to-neighborhood. Throughout the post-war period, segregation between whole cities rose as the nation suburbanized. In recent decades, city-to-city segregation has remained remarkably persistent despite increasing neighborhood integration. Because political representation is geographically determined, these changing patterns have had profound political

⁵ This book explores race and class divisions in local politics and residential locations. There are many ways one might go about defining these groups. As explained in more detail in Chapter 1, I focus on divisions between whites and nonwhites, and homeowners and renters. I use the terms minority and nonwhite interchangeably. I also use the terms black and African American interchangeably.

consequences – generating opportunities for exclusion and increasing polarization. I argue that local governments have been instrumental in driving and shaping these patterns; and they have done so largely in the name of protecting both property values and exclusive access to public goods for white property owners. When property values and public goods exclusivity were threatened, property owners changed their tactics – shifting the spatial of segregation higher. This process has always been Segregation by Design.

An example from Southern New Jersey is illustrative. Camden and Cherry Hill, New Jersey are similarly sized cities, just across the Delaware River from Philadelphia. Camden is home to two superfund (toxic waste) sites; Cherry Hill is home to none.⁶ In Camden only 1.7% of state roads had good pavement in 2004⁷ compared to 35% in Cherry Hill.⁸ Camden has 22 combined sewer overflow outfalls (where raw sewage and storm water may be released to the surface during wet weather), while Cherry Hill has zero. Camden offers no e-waste recycling and no yard waste collection; Cherry Hill provides both. In 2012, Camden's water supply ran so low that residents were required to boil water for consumption and were prohibited from watering their gardens.⁹ In contrast, Cherry Hill has a clean, plentiful water supply. The Cherry Hill Public Library has more than 400,000 circulating materials, more than 300 adult programs and classes, and 67 public computers.¹⁰ In 2011, Camden shuttered the doors of its main library and handed control of the remaining two small branches to the county.¹¹ Cherry Hill offers 63 recreational facilities (parks, art centers, tennis courts, etc.) for its residents and supports 13

⁶ <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>

⁷ <http://www.state.nj.us/transportation/works/njchoices/pdf/camden.pdf>

⁸ Personal communication with New Jersey Department of Transportation. The NJDOT provided data from the NJDOT Pavement Management System by email. Available from the author by request.

⁹ http://www.nj.com/news/index.ssf/2012/06/camden_residents_advised_to_bo.html

¹⁰ <http://www.chplnj.org/about/documents/2015%20Annual%20Report%20-%20FINAL.pdf>

¹¹ http://www.nj.com/news/index.ssf/2011/02/main_branch_of_camden_public_l.html

different swim clubs.¹² Camden has 25 parks and 8 community centers.¹³ Between 2007 and 2012, Camden's city budget declined by about \$245 per resident, while Cherry Hill's increased by about \$12 per capita. Clearly, living in Camden is unlike living in Cherry Hill. So, how did Cherry Hill and Camden get to be so different?

The story begins with a focus on Camden at the turn of the century. Although Cherry Hill was incorporated as a municipality in 1844, it remained a small, undeveloped agricultural community in the first few decades of the 20th century. In 1900, Camden had a population of nearly 76,000 residents. The city boasted 55 miles of sewers, 79 miles of water mains, and about 38% of the city's streets were paved; figures that suggest that Camden's development was right in-line with national averages. Also similar to other cities, were Camden's level of race and class segregation. By the turn of the century, Camden was home to two well-established free black communities named Fetersville and Kaighnsville (Garwood 1999). Established in the 1830s (Fetersville) and 1840s (Kaighnsville), these communities were comprised of small lots affordable to people of modest incomes, many of whom were African American (Garwood 1999). One of Fetersville's neighborhood churches, the Macedonia African Methodist Episcopal Church, was believed to be a stop on the Underground Railroad (Garwood 1999). While the majority of Camden's black residents lived in Fetersville and Kaighnsville, both neighborhoods were predominately populated with white, working-class residents.

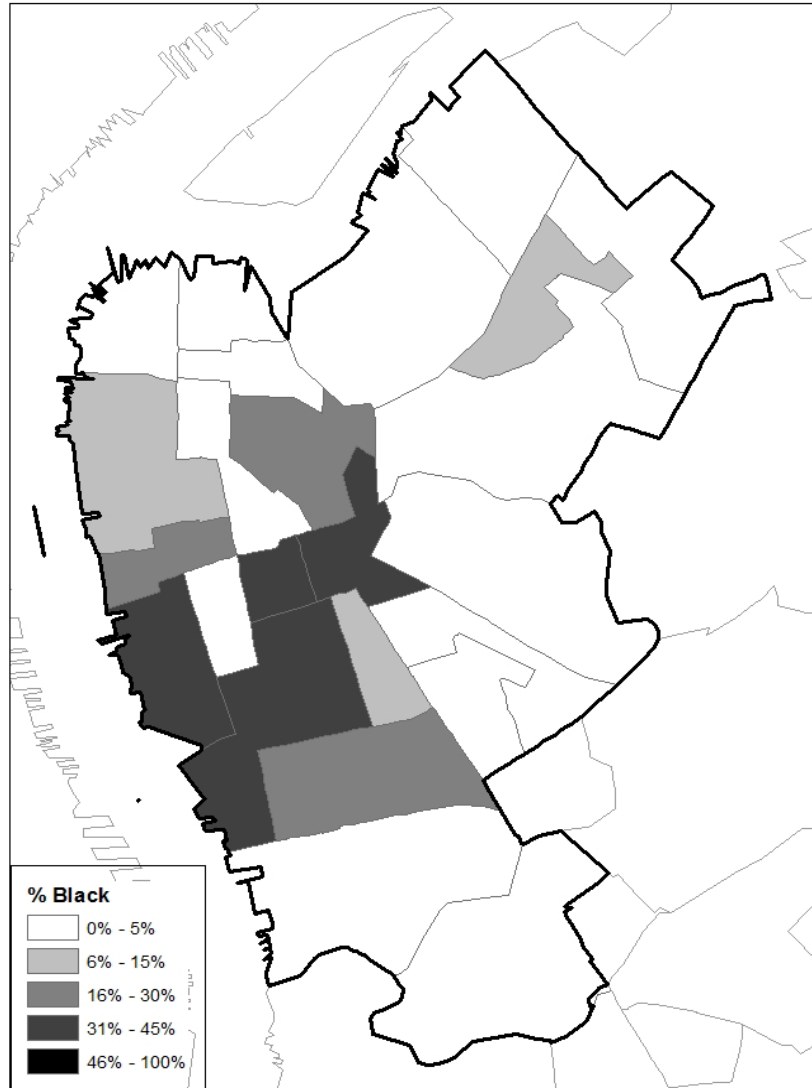
According to the 1900 Census, the wards representing Fetersville and Kaighnsville were about a quarter African American. For a city in which African Americans only comprised 8% of the total population, clearly, blacks were not evenly spread across the city. But, the extent and scale of black segregation would increase dramatically by 1940. By 1940, the share of black

¹² <http://www.cherryhill-nj.com/Facilities>

¹³ <http://ecode360.com/8508679>

residents had increased to 11%, but this growth in the black population was concentrated geographically in the central and southern parts of town. Figure 1 shows that by 1940, the black concentration in parts of Camden exceeded 50%.

Figure 1: Segregation in Camden, 1940



The creation of Camden’s segregated neighborhoods echoed the creation of segregated neighborhoods throughout the United States. Camden city government used zoning laws, the placement of segregated schools, and public housing to create and enforce residential segregation between whites and Africans Americans, as well as between renters and homeowners. New Jersey’s zoning enabling statute specified that regulations “must be made with reasonable

consideration, among other things...with a view of conserving the value of property,” (Cunningham 1965). Camden first authorized zoning in 1928 and like other early zoning adopters, moved quickly to ensure that land use policy was used strategically to protect the interests of white home-owning residents.

By 1930, Camden was a bustling central city. It had more than 118,000 residents and spent nearly \$950 (in 2012 dollars) per capita on municipal expenditures – well above the national median. But the stress of the Great Depression left Camden with an enormous burden of vacant and uninhabitable properties (Housing in Camden, 1942)¹⁴. And, so it was one of the earliest recipients of federal slum clearance and public housing funding in the 1930s (Pommer 1978). In 1938, two buildings were erected – one for whites and one for blacks. When the program was expanded in the 1940s two more projects were built; also segregated. Unsurprisingly, the neighborhoods around each project increasingly came to reflect the race of public housing occupants (Williams 1966a¹⁵). Later, when Interstate 95 was run through the city, “an attempt [was] made to eliminate the Negro and Puerto Rican ghetto areas” (New Jersey State Attorney General report, quoted in Rose and Mohl 2012, p108).

Overtime, neighborhood segregation in Camden rose; climbing more than 50% in the first half of the 20th Century. As would be the case in cities throughout the United States, Camden’s city government underprovided services to its black neighborhoods (Helzner 1968¹⁶, Silvotti 1968¹⁷)

¹⁴ <http://www.dvrbs.com/hacc/CamdenNJ-HousingAuthority.htm> <http://www.dvrbs.com/hacc/CamdenNJ-HousingAuthority.htm>

¹⁵ Camden Courier-Post, June 8, 1966

¹⁶ Helzner, Gerald, Camden Courier-Post, March 7 1968, p 13

¹⁷ Silvotti, Bert, Camden Courier-Post, March 18, 1968

Starting around the time of the Second World War, the city faced desegregation pressures on a number of different fronts. In 1881, the state of New Jersey passed a law prohibiting the segregation of schools by race (Wright 1953). But, as of 1944, no black children attended white elementary schools (Jensen 1948). When the NAACP sued the district, officials responded that black parents had simply not requested attendance at their neighborhood schools. So, the NAACP took out ads in the Camden Courier Post to convince parents to do just that. In 1947, hundreds of black children enrolled in previously all-white schools (Wright 1953).

School desegregation was just one of the first of many signs of racial transition in Camden. In 1951, the city witnessed its first biracial contest for city council when Dr. Ulysses S. Wiggins, the president of the Camden NAACP Branch, was nominated on the Republican ticket (Chicago Defender April 21, 1951). He lost, but in 1961, Elijah Perry became the city's first African American city council member (Riordan 1996¹⁸). In 1954, the New Jersey Supreme Court ordered public housing to be desegregated and the first black families moved into white buildings in 1966 (Williams 1966a, Williams 1966b¹⁹). And in 1969 and 1971, the city erupted in violent race riots, touched off by police brutality against black and Latino residents.

In 1940, the little hamlet of Cherry Hill had a population just under 6,000 residents; they were 91% white and 9% black.²⁰ Not only small, the city was economically weak, having defaulted on its bond obligations been placed in receivership by the state government during the Depression (Shay v Delaware 122 N.J.L. 313, 316 (N.J. 1939), Cammarota 2001). But after the war, while housing and schools in Camden were integrating, Cherry Hill's population and economy exploded, as was true of suburbs throughout the nation.

¹⁸ Riordan, Camden Courier Post, February 2, 4B

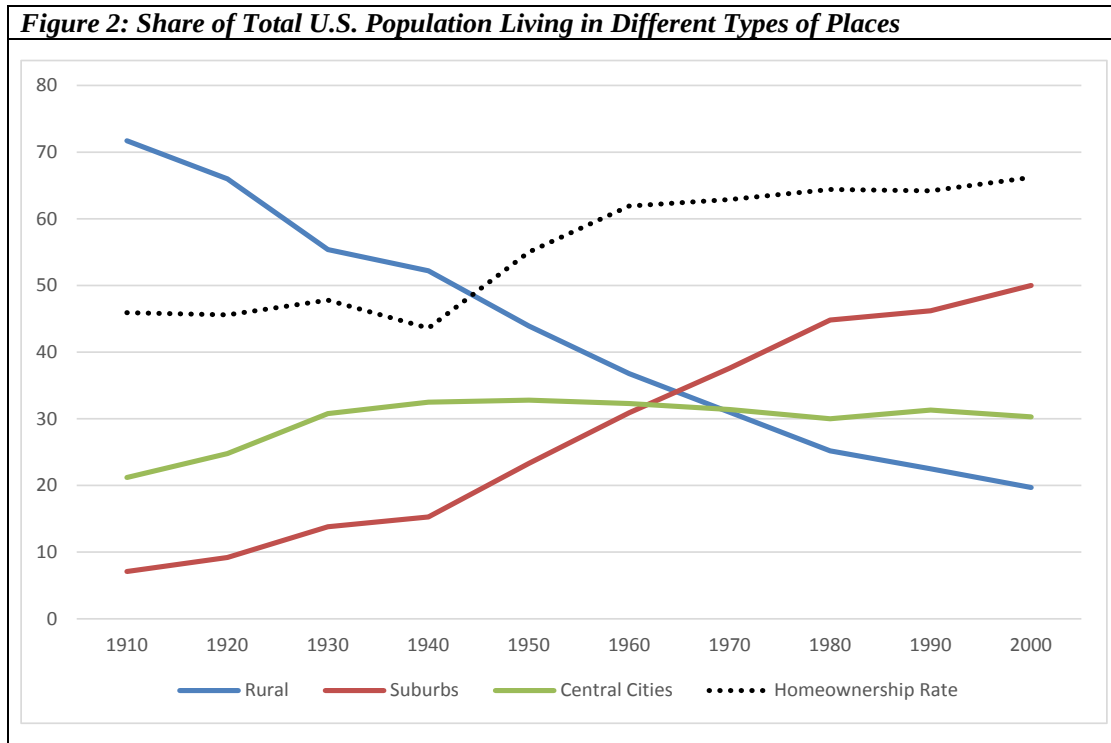
¹⁹ Camden Courier-Post, June 9, 1966, p17

²⁰ <http://lwd.dol.state.nj.us/labor/lpa/census/2kpub/njsdcp3.pdf>; Camden Historical Society scan****

Drawn to places like Cherry Hill by the attractiveness of low-cost federally insured mortgages, the development of new homes and new employment opportunities in outlying communities, and easy commuting along newly built federal highways, the nation suburbanized and white homebuyers moved to the periphery (Jackson 1985). After the war, Cherry Hill witnessed a tenfold increase in 30 years. During the same period, Camden lost 13% of its residents.

Figure 2 shows the share of the total population living in rural areas, central cities, and suburbs over the 20th century. The graph reveals that the pace of suburbanization increased sharply during the postwar period so that by 1970, a plurality of the population lived in suburbs.²¹ The homeownership rate increased at the same time. This latter fact is important because it helps to explain the driving force behind exclusionary zoning adopted by suburban communities.

²¹ Rural here refers to population outside of any metropolitan area. A suburb is an area inside of a metropolitan area, but outside of the central city. City refers to the central cities of metro areas.
<https://www.census.gov/prod/2002pubs/censr-4.pdf> p33;
<https://www.census.gov/hhes/www/housing/census/historic/owner.html>

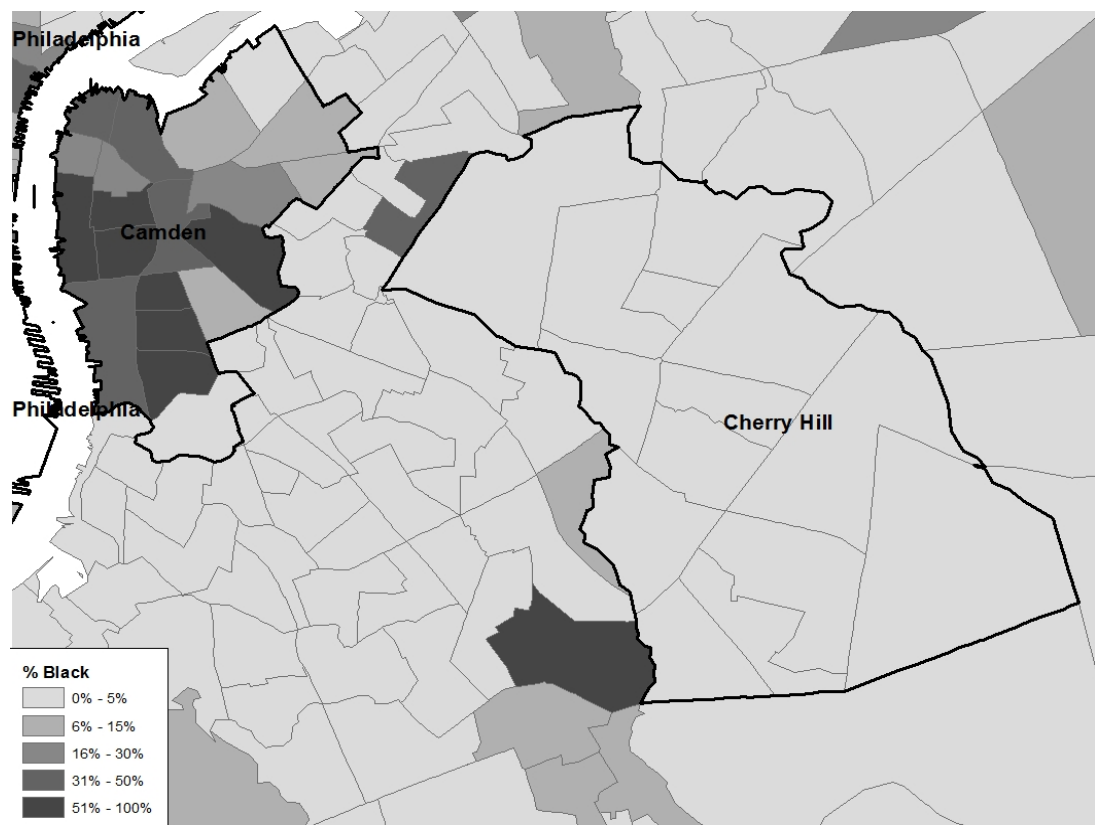


As Camden rushed to utilize more than \$30 million in federal redevelopment funds to revitalize its flagging urban center, Cherry Hill was busy implementing zoning restrictions that effectively prohibited the development of low-or even moderate-income housing (Cammarota 2001). In 1975, black residents of Mount Laurel, New Jersey (a suburb close to Cherry Hill both geographically and demographically) along with several local chapters of the National Association for the Advancement of Colored People (NAACP), won a class action lawsuit challenging Cherry Hill's type of exclusionary zoning. As a direct result of this decision, Cherry Hill was required by the state to zone for thousands of low-income housing units. The city declined to do so. As of 2015, Cherry Hill continued to face litigation for its failure to zone for

affordable housing.²² As is true in many places throughout the United States, exclusionary economic zoning cannot be disentangled from race. One activist argued “many residents carried racist feelings about affordable housing, fearing it would attract poor blacks and Hispanics.”²³

Figures 3 and 4 reveal how segregation between Camden and Cherry Hill changed between 1970 and 2010.

Figure 3: Segregation in Camden and Cherry Hill, 1970



²² <http://www.cherryhill-nj.com/DocumentCenter/View/2562>, page 8;

²³ http://articles.philly.com/1989-09-10/news/26101167_1_bloat-prosperity-sewers-and-roads

Figure 4: Segregation in Camden and Cherry Hill, 2010



In 1960 Camden was 76% white; and the maps show that in 1970, although home to many more people of color than was true in 1940, Camden still had several exclusive white neighborhoods. These white neighborhoods had all completely disappeared by 2010. So, even though Cherry Hill diversified to a limited extent, a greater share of segregation occurs between these cities than within them.

Those who left Camden during the postwar period and those who moved to Cherry Hill were largely white, middle-and upper-class. As of 2014, about 39% of Camden's population owned their homes, 5% were white, and the annual median household income was \$26,000. In Cherry Hill, 80% owned their homes, 75% were white, and the median household income was

\$89,500.²⁴ In 2012, per capita taxes in Cherry Hill were double Camden's. Camden simply cannot afford to offer the services that Cherry Hill provides. The segregation along race and class lines between these two cities, and the resulting inequality in access to public goods was produced by public policy. It is a pattern that was replicated many times over throughout the United States; a postwar version of similar patterns that had developed at the turn of the 20th century.

A Theory of Segregation by Design

In the late 1800s as industrialization brought thousands of migrants and immigrants into cities, people of color and the poor were spatially isolated, not by ward or census tract, but by building and street (Logan et al 2015). What this means is that although blacks, Latinos, and Chinese residents were unlikely to live next door to white homeowners, they *were* quite likely to live down the street. By 1940, segregation shifted up to the neighborhood level (Cutler et al, Massey and Denton), so that large swaths of many cities had become predominately black or white, and both poor and wealthy residents became increasingly clustered in most places. By the onset of the Second World War, every large city in America had parts of town where people of color lived, and parts of town where the poor lived. Sometimes, but not always, these neighborhoods overlapped. Race and class segregation both increased by more than 50% between 1900 and 1940. These concentrating trends continued at a slower pace throughout the postwar period until 1970, when both race and class neighborhood segregation peaked. Neighborhood segregation by race has declined since 1970, but segregation by class has

²⁴ <http://www.census.gov/quickfacts/table/PST045215/3410000,3400712280,00>

increased.²⁵ During the post-war period segregation between cities increased and has remained stable since that time (Massey and Hajnal 1995, Farrell 2008, Fischer et al 2004).

Two classic economic models of individual choice appear to predict these different patterns of segregation. Thomas Schelling (1971) argued that extreme racial segregation could result from individual decisions about where to live, given even mild preferences for having neighbors of the same race. Only a small number of racially intolerant white residents can cause a neighborhood to rapidly transition because as each intolerant white resident is replaced with a black neighbor, whites with lower and lower levels of intolerance choose to leave, creating neighborhood-to-neighborhood segregation. The second individual choice model predicts city-to-city segregation. Charles Tiebout (1956) proposed that residents with similar preferences for taxation and public goods provision should sort themselves into cities with like-minded neighbors. To the extent that heterogeneous preferences for tax and spending levels (or ability to pay) overlap with heterogeneous demographics, they will also generate segregation.²⁶

The trouble is that both theories are subject to instability in the absence of collective enforcement mechanisms (Oates 1969, Oates 1981, Fischel 1992). That is, for an individual to ensure that her neighborhood remains white and has access to a nice public park, she needs the cooperation of her neighbors. But, neighbors may have individual incentives that undermine the achievement of other residents' collective goals. For instance, it can be extremely lucrative for a white homeowner to sell her home to a black buyer. This is especially likely to be the case when black housing options are restricted and when the black population is expanding. As Hamilton

²⁵ The precise pattern of class segregation depends on the measures used to indicate class. Income segregation has increased significantly since the 1970s (although remains lower than racial segregation), while homeowner/renter segregation has increased by a smaller amount.

²⁶ Banzhaf and Walsh combine Schelling and Tiebout's insights into a single model that establishes that preferences over public goods and demographics are mutually reinforcing in the generation of segregation (2010).

(1975) explained, individual incentives can also undermine the Tiebout model. It also makes fiscal sense for a resident who prefers high quality public goods, but is unable to afford high tax rates, to locate the smallest, least expensive home in a wealthy city. The taxes this resident pays do not support the share of the public goods she utilizes, but she benefits from them nonetheless. In Hamilton's tale, this behavior could lead to wealthy residents chasing each other around to try and maintain exclusivity. In the first instance, the collective goal of maintaining the white neighborhood is undermined by sellers seeking the highest sale price. In the second instance, the provision of public goods is undermined by residents who do not pay the full cost.

Governments can promote collective action by generating enforcement of collective goals; and here it is *local* governments that play the starring role, because they alone regulate land-use. By invoking their powers of control over land-use and making choices about service provision, local governments can affect the aggregate demographic makeup of communities and the spatial distribution of residents and services, thereby generating and enforcing segregation. The goal of these policy choices is stability (or enhancement) of property values and the protection of public goods quality.

As North (1990) explains, the relative bargaining strength of different interests in any community will dictate the structure of its rules. Such rules, he tells us, are frequently devised in to promote private rather than public interests (p48). The history of local land-use planning and service provision fits squarely within this theoretical perspective. Property owners (and those who derive their livelihood from property, like realtors and lenders)²⁷, seek both property value appreciation and protection from losses in value. Because tax levels, service quality, and

²⁷ Developers, while also obviously earning their livelihood through property only sometimes have goals that are aligned with homeowners'. In some settings, developers prefer fewer regulations on development (allowing them to build smaller homes on smaller lots or denser multifamily structures, for example), but in others they are strong proponents of restrictive mechanisms like large lot zoning and racial covenants.

neighborhood demographics are capitalized in property values (see Hilber 2011 for a review), property owners invest considerable energy into dictating local policy (Fischel 2001, Stone 1989; Logan and Molotch 1978).

In the United States, property owners have always been disproportionately white; and property value has been tied to the race of occupants and neighbors (Hayward 2013, Freund 2007). Furthermore, as Bradford, Malt, and Oates (1969) argued, the quality of many public goods, like education and public safety, is predominantly affected by the characteristics of the residents themselves rather than inputs from the government. Together these circumstances have given property owners a powerful incentive to regulate who lives where since the very earliest years of urbanization. In particular, white property owners have long been concerned with excluding certain types of people from their communities.

From the earliest years of city development, white, native-born Americans had a racialized, classist understanding of property value and deservingness of public benefits. In particular, it was widely accepted that poor and minority neighbors negatively impacted property values and were less deserving of benefits than property owners and whites. Local policies like zoning and redevelopment serve these ends, and the result has been segregation along race and class lines.

The very first laws generating segregation were adopted in the first decade of the 20th century, to protect both property values and public goods exclusivity. Over the course of the next 100 years, when property owners were stymied in their attempts to create exclusivity by demographic shifts, loss of political control, or meddlesome higher levels of government seeking to promote equality, they adopted new strategies to achieve segregation, often increasing the spatial scale of exclusivity to achieve their goals. For instance, when first industrialization and

then the explosion of war time economies pulled great numbers of working class people of color to cities, many black and Latino neighborhoods swelled, threatening to spill into white, home-owner communities. City governments were called upon to use policy levers like land use regulations, zoning, the placement of thoroughfares and public housing to consolidate, and then circumscribe minority communities. When state and federal courts ordered desegregation of communal spaces like parks, golf courses, and swimming pools, local governments again used control over land use to alter the residential map. In the post-war period, big city governments became unreliable allies in this pursuit. When the federal court ordered desegregation of schools and when white owners saw threats to their political power in central cities, they ensured that suburban governments protected their interests.

The Geography of Inequality

Political geography is comprised of nested units: neighborhoods within wards, wards within cities, cities within states, and states within the nation. When residential segregation maps onto political geography, political divisions become fused with race and class divisions. This has two important consequences. First, segregation generates inequalities between race and class groups because in a world of scarce resources, the politically powerful deny public goods to those who are politically weak. Segregation within cities and suburbanization across city lines has meant that the benefits experienced by racial and ethnic minorities and low-income individuals are inferior to the benefits experienced by whites and the wealthy. Second, segregation generates political polarization between race and class groups and ultimately, inhibits cooperation.

Segregation generates inequalities because it allows political elites to target public goods toward supporters. At one time, public goods were segregated directly, through laws which

dictated that whites and blacks (and often Native Americans, Latinos, and Asians) could not attend the same schools, sit in the same area on public transportation, utilize the same parks, pools, libraries, or hospitals, be incarcerated in the same facility, or be buried in the same public cemeteries.²⁸ The legal segregation of public goods allowed city, county, and state governments to provide unequal funding for black and white schools, black and white hospitals, and black and white playgrounds (thereby generating unequal quality). This meant that compared to whites, blacks received inferior public goods than whites regardless of where they lived. But by the middle of the 20th century, public goods inequalities had largely come to be determined by residential segregation instead of directly.²⁹

This transformation occurred in part as a response to the 1896 decision *Plessy v. Ferguson* which dictated equality in separate facilities. It was cumbersome and expensive to develop separate and equal services in diverse communities. The duplication of schools, parks, hospitals and cemeteries for black (Asian, Latino, and Native American) and white residents meant higher expenses (CQ Researcher 1947).³⁰ Such costs arose not only from the establishment of facilities that would not have been needed if the facilities were integrated, but also from the loss of efficiency that the replication of equipment and personnel entailed.³¹ Obviously, these costs were minimized when nonwhite facilities were severely underfunded

²⁸ Jim Crow laws demanded or permitted segregation in settings far beyond the reach of public goods including everything from seating in theaters and circuses, to marriage and sex, to the playing of checkers or dominos in private homes (Woodward 1955). Furthermore, laws mandating segregation were but one way in which the rights of racial and ethnic minorities were violated during this period. For instance, various laws barred minority individuals from testifying on juries against white defendants, denied them citizenship status, prohibited their access to certain professions, excluded them from owning land, and of course, prevented them from voting.

²⁹ The choice between segregating public goods directly and segregating public goods via residential segregation was not confined to the South. Leon Litwack (1961) writes of the antebellum north “legal and extralegal discrimination restricted Northern Negroes in virtually every phase of existence,” (p64). More details on Jim Crow segregation in the north are provided in Chapter 3.

³⁰ <http://library.cqpress.com/cqresearcher/document.php?id=cqresrr1947110700>

³¹ One study of St Louis’s segregated school system found that 75% of the city’s transportation costs in 1951-52 were spent transporting Negro school children who lived in outlying areas to colored schools in the center of the city (Russell 1954).

(Myrdal 1944, p342), but in the wake of *Plessy v. Ferguson* and successive lawsuits urging cities toward equal (albeit separate) facilities, residential segregation became an attractive alternative. After the many midcentury court decisions striking down any separate facilities (e.g. *Brown v. Board of Education*), residential segregation became the only remaining option (CQ Researcher 1947, Kruse 2005). In addition to being constitutional, residential segregation was also an efficient mechanism for producing inequalities across multiple public goods at once.

A similar transformation occurred in the post-war period, as neighborhood level segregation was traded for city level segregation. In 1948, when the Supreme Court ruled restrictive covenants unenforceable in *Shelley v. Kraemer*, white neighborhoods lost one of their most effective means of defense against integration. The 1968 Fair Housing Act further limited white collective action. As technological changes enhanced suburban service delivery and commute possibilities, and as the federal government subsidized homeownership outside of the central city, segregation across city lines rose. Moving outside of city boundaries allowed suburbanites to provide high levels of public goods for their residents without having to pay for services for nonresidents. For the privileged, suburbanization was an even more efficient mechanism of segregation than choosing separate neighborhoods within the city. As Hayward (2009) has argued, suburbs offered the opportunity to, “engage in exclusionary zoning practices...to opt out of supporting public housing...and even opt out of supporting public transportation within the boundaries of their municipalities,” all while allowing suburbanites to, “pool their tax monies...to provide schooling and other public services.” (p149). In addition to offering efficiency, suburbanization also freed residents from having to fight for control of the city government. Indeed, suburban flight was encouraged by a loss of political power in the central city.

In many ways, these inequalities in access to public goods are precisely the goal of segregation's promoters. But, a second consequence of increasing correspondence between political geography and demographic division, is an increase in political polarization. Within cities, segregation generates stark divides between racial groups, leading segregated cities to underprovide public goods. But, even beyond city borders, segregation is consequential. The process of building and defending white homeowner neighborhoods created new ideological commitments to a meritocratic discourse that depicted inequalities as being the result of the free-market, and choices made by black and poor residents, rather than the result of actions taken by government or white homeowners. The new ideology that was bred in defended white homeowner neighborhoods took root, growing into a modern conservatism that prioritized protection of property, self-reliance, and individual achievement (Self 2003, Lassiter 2006, Kruse 2005). Over the years, this conservatism has persisted, inculcating new neighbors with the same perspective.

Empirical Expectations

The preceding argument generates several broad predictions which I test in various ways throughout the coming chapters. First, I predict that some communities will be more likely to desire segregation than others: these are places that have a taste for segregation and/or have significant resources to protect. These places will be most likely to implement local policies like zoning, urban renewal, and restrictive land use regulations. When communities seeking segregation are thwarted in their ability to generate exclusivity, they'll seek to change the spatial scale of segregation – moving to exclusive neighborhoods and exclusive cities. Second, I predict that these local policies work to generate segregation along race and class lines. Third, I predict that residential segregation generates inequalities in access to public goods. Finally, I propose

that residential segregation will cause political polarization in both local and national politics. No chapter or time period contains tests of all of these predictions; but together they tell a compelling story. For more than 100 years property owners (and those who derive their livelihood from property) have urged local governments to enact policies that institutionalize segregation along race and class lines to protect their property values and control the distribution of public goods; and I show that they have been incredibly successful.

I find that segregation along both race and class lines has been promoted by white homeowners and land oriented businesses for more than 100 years. Where these interests dominated city government, segregation grew more rapidly. I also find that as segregation increased, service investment in white homeowner neighborhoods increased. As whites lost control over the distribution of benefits, they moved to the suburbs and continued to expand service delivery. Today, a greater share of public dollars is spent by suburbs than by central cities. Finally, I reveal that in more segregated places political polarization is greater and poor and minority residents have access to lower quality public goods.

Important Caveats

Schools (or lack thereof)

This is a book about segregation, and only rarely do I engage a discussion of schools. This will seem a glaring omission to many readers, especially because many pieces of my argument overlap with accounts offered by education scholars. The literature exploring inequality of educational opportunities is extremely dense and well developed (see Reardon and Owens 2014 for an overview). As Stephen Macedo writes, “Local control, when combined with local funding, and district-based assignment of pupils to schools, has created a geography marked by stark inequalities centered on class and race: a new form of separate and unequal”

(Macedo 2003, p743 in “School Reform and Equal Opportunity in America's Geography of Inequality”). The arguments that I advance here compliment and underscore much of this research. One might view this book as an extension of these arguments to the provision of *all non-school local public goods*.

My focus here is on the various policies that local governments use to generate segregation; and the consequences of segregation for local and national politics. The vast majority of the governments that I study do not play a direct role in the governance of schools or the provision of public education. That is, most cities in the United States do not spend money on educational services; and most public school students (about 85%) attend schools that are governed by school districts not municipalities. One could approach school district politics as I have done for municipalities – analyzing decisions about the drawing of catchment zones, policies on bussing, and the allocation of resources across schools in the same district. But, this would require vastly different data than what I have gathered.

That said, school enrollment and quality plays a major role in individual decisions about where to live. So while I do not analyze the politics of school districts, my argument attempts to take school dynamics into account when analyzing the impetus for segregation. For instance, I use federal desegregation orders to study how segregation changed in the post-war period.

Data Hurdles

The data that I use to reveal the patterns described above differs in important ways from previous research. Most scholars who analyze the determinants of segregation focus either on metropolitan level segregation (e.g. Dreier et al 2004, Jackson 1985) or neighborhood segregation (e.g. Massey and Denton 1993)³²; and on racial segregation (e.g. Charles 2003) or

³² M.J. Fischer (2008), Reardon, Yun and Eitle (2000), C.S. Fischer et al (2004), and Rhode and Strumpf (2003) are notable exceptions. However, none of these authors analyze the political causes or consequences of segregation.

class segregation (e.g. Bischoff and Reardon 2013) – but these types of sorting are intricately linked. Class segregation and racial segregation are correlated, but they are not identical. Determining both the causes and consequences of segregation requires taking these linkages into account. The data that I have collected measure segregation both within and across cities, they account for both race and class divisions, and cover city expenditures on a wide range of services during the entire 20th century. This required the encoding of archival data, the generation of new spatial data using GIS, and the compilation of thousands of digitized observations from the United States Census. The comprehensiveness of the data allows for a more complete picture of the patterns of segregation over time and allows for an analysis of the factors that give rise to this variation.

I find generally, that I am better able to explain the causes and consequences of racial segregation. In part this is because the data for measuring racial segregation are available for a longer time series and at a finer grain of detail than the data for measuring class segregation. But, the historical record is also clear that exclusion of other races has been a more powerful driver of these processes than exclusion of the poor. This is evidenced by the fact that many neighborhoods contain a mixture of homeowners and renters, as well as varied income levels, even when they are dominated by a single racial group. As a result, racial segregation has always been higher than class segregation. However, today, local policies that generate class based exclusion are generally upheld by courts, while race based exclusion is not. Additionally, income inequality has increased in recent decades. As a result, class segregation has risen and will likely continue to rise, even while racial segregation declines.

Throughout my empirical analyses I face profound causal challenges. In some cases my analysis is plagued by reverse causality: do white residents move to the suburbs because the

central city elected a black mayor, or did the moving of white residents make it possible for a black mayor to get elected? In other cases, my analysis suffers from an inability to disentangle selection from treatment: does living in a homogenous white neighborhood make people more conservative or do people with conservative views move to homogenous neighborhoods? In still other cases, my argument would be aided by evidence of strategy on the part of local elites, but none exists: zoning generates greater segregation, but could this have been an unintended consequence?

In each chapter I describe the hurdles presented by the (lack of) data and my strategies for overcoming them. Generally, I seek to build a case for my argument using both detailed qualitative evidence and quantitative evidence from hundreds or even thousands of places. I often draw on the timing of events for evidence of causality and, where I am able I utilize instrumental variables to underscore my findings.

Contributions to Existing Literature

This book contributes to a number of dense literatures including work focused on segregation, public goods, attitudes toward outgroups, and political inequality. Although a great deal has been written on each of these topics, very little research engages more than one of these areas. For instance, Tiebout's (1956) seminal article arguing that consumer-voters pick communities which best satisfy their preferences for public goods ignores the role of race, segregation, and inequality in these choices and is silent about the ways in which public goods packages are developed. Other scholars (Alesina et al 1998) show that diversity drives down collective investment in public goods, but do not consider the ways that geo-spatial arrangements might affect this relationship. Still others have shown that whites' desire for homogeneity has played a role in generating racial segregation between cities and school districts (Reber 2005,

Baum-Snow and Lutz 2011, Boustan 2010). However, these works largely ignore the political mechanisms by which such preferences are realized (e.g. the development of zoning policies).³³

Outside of (excellent) case studies focused on one to two metropolitan areas at a time (Danielson 1976, Hirsch 1983, Sugrue 1996, Kruse 2005, Lassiter 2006, Kraus 2000), to date most of the research analyzing the relationship between segregation and public policy has focused on national level programs like the Federal Housing Administration underwriting guidelines (Jackson 1985) or the Home Owners Loan Corporation neighborhood investment ratings (Hillier 2005).³⁴ With such far reaching effects, the focus on these programs has been well placed, but has tended to obscure considerable subnational variation; and while the case studies offer invaluable historical detail, they are unable to provide evidence of broader patterns of the effect of local policies on segregation. In short, while scholars have documented changing patterns in racial and class segregation, they have not demonstrated the ongoing role of city politics and local service policy in creating segregation and growing inequality. I show how patterns of local service delivery, zoning laws, and other local policies not only mirrored patterns of segregation but also very much drove them – not only in the pre-civil rights era, but also in recent decades.

Although many scholars have suggested that segregation across neighborhoods or between cities and suburbs fosters inequalities in access to public goods (Massey and Denton

³³ Baum-Snow and Lutz analyze the effect of school district desegregation orders on suburbanization. So, while they focus on the effect of a public policy, they are not concerned with policies that intentionally aided segregationist preferences.

³⁴ Important exceptions include Rothwell (2011) who analyzes the effect of low density zoning on metropolitan area racial segregation and Dreier et al (2004) who suggest (although they do not provide direct evidence) that zoning and redevelopment affect economic segregation across cities. Cutler, Glaeser, and Vigdor (1999) find support for a theory of “collective action racism” prior to 1970. They show that housing prices for equivalent quality housing were higher for blacks than for whites implying that whites acted collectively to limit black housing choices. However, the authors do not provide any analysis of the types of collective action in which whites engaged beyond speculating that restrictive covenants and racial zoning may have played a role. Importantly, Cutler et al do not distinguish between collective actions that occur in the public versus private realm.

1993, Burns 1994, Dreier et al 2004), very little research offers systematic evidence of this intuition.³⁵ Other scholars have carefully documented the pernicious effects of segregation on individual level outcomes (Ananat 2011, Cutler and Glaeser 1997), but have not offered a direct link between these outcomes and allocation of public goods. I offer quantitative and qualitative data showing that segregation across both neighborhoods and cities allows governments to disinvest in poor and minority communities and this produces unequal access to public goods. These results help to explain why social mobility is tied to place, as scholars like Sharkey (2013) and Sampson (2012) find, and demonstrate the consequences of public policy and segregation for larger patterns of inequality.

Much of the work investigating the determinants of segregation (both within cities across neighborhoods, and within regions across cities and suburbs) argues or assumes that the important driver of racial segregation is prejudice – that is, attitudinal predispositions toward racial and ethnic minority groups. This is an insufficient account. It is insufficient first because racial segregation has not declined as precipitously as one would predict given dramatic changes in overt expressions of racism. I argue that the institutionalization of prejudice through local public policy makes segregation more rigid. Second, pure prejudice does little to explain the rise of class segregation. I argue that if we understand segregation as a mechanism to protect public goods and property values, increasing class segregation is predictable. Finally, a pure prejudice account leaves unexplored the basis for these predispositions. I argue that beliefs about the acceptability of different demographic groups as neighbors (e.g. what we might take to be pure

³⁵ An important exception is Troesken (2001) who provides direct evidence of the relationship between segregation and public goods inequalities. He shows that cities with racial segregation were more likely to generate unequal access to municipal water and sewer connections in the late 19th and early 20th centuries.

prejudice) were influenced by the distributions of public goods and battles over those distributions decades ago.

Contrary to some scholars' conclusion that the core problems of segregation have been alleviated, I show that segregation persists, that segregation has grown across cities, and that government policies continue to play a central role in perpetuating segregation.³⁶ White, wealthy Americans are still trying to segregate themselves. And local governments still tend to invest more toward whites and the wealthy. I build this argument through seven substantive chapters and a conclusion that considers omissions from the book and forecasts the path forward.

Chapter Summaries

In order to orient the study, in Chapter 1, I provide descriptive information regarding changes in segregation and public goods spending over the course of the 20th century. I offer an overview of patterns that will be linked through the chapters that follow. I begin by providing a broad overview of spending between 1900 and 1940. It reveals that cities increased expenditures on street paving and lighting, refuse collection, sewers, libraries, health, education, public safety, and recreation, and increased revenue from taxes. During this early period, cities became modern service providers.

Next, I explore early patterns of race and class segregation. I show that racial segregation increased dramatically between 1890 and 1940 while class segregation increased marginally. It was in the cities with the largest budgets that segregation increased the most. Then, I turn to analyzing fiscal and segregation patterns between 1970 and 2011. I argue that during this period, white property owners turned to suburbanization as their primary mechanism for protecting

³⁶ Several recent headlines make this claim "Glimpses of a Ghetto-Free Future," "Segregation Continues to Decline in Most U.S. Cities, Census Figures Show," "The End of the Segregated Century: Racial Separation in America's Neighborhoods, 1890-2010."

property values. After 1970 the dominant trend in both race and class segregation was increasing differentiation between cities. During this period, suburban governments grew more intensely than central cities so that by 2011, central cities accounted for a smaller share of total metro area spending than they had in 1970.

In Chapter 2, I provide the first piece of evidence directly linking the patterns described in Chapter 1 by showing that public goods considerations drove efforts to segregate in the early decades of the 20th century. Acting in response to white homeowners and land-oriented businesses, local government policy explicitly sought to exclude people of color from white neighborhoods and poor individuals from wealthy neighborhoods. In empirical analyses I analyze the factors that encouraged the adoption of zoning laws and the role that zoning laws played in the development of race and class segregation. I find that exclusion was most adamantly pursued in cities that had become significant providers of public goods, where property taxes were high (and so, raising property values was attractive), and where political support for Progressive reform was strongest. I supplement this analysis with qualitative evidence that reveals the many factors local governments utilized to promote segregation, including strategies like the siting of segregated public goods such as parks and schools. Finally, this chapter reveals that zoning laws had their intended effect: early zoning adopters segregated more rapidly over the next several decades compared to cities without similar ordinances and zoned cities witnessed greater inequalities in housing values.

Chapter 3 documents the unequal provision of public goods that early segregation allowed. Using historical case study evidence, I show that poor and minority neighborhoods consistently received worse public amenities like road paving, and health clinics. I draw on detailed ward level data from Baltimore, Boston, Chicago, and Philadelphia to show that sewer

extensions were less likely to be built in neighborhoods with higher proportions of African American and renting residents. As a result, inequality in water and sewer access was greater in more segregated places. I show that these inequalities persisted. Using data on all tracts in all cities in the United States, I provide evidence that whites and minorities, and renters and homeowners had differential rates of access to public sewers in more segregated places in 1970, 1980, and 1990. I argue that these inequalities in service provision affected the ways in which white and wealthy residents would come to view poor and minority neighbors. Daria Roithmayr (2014) points out, “we see the strongest evidence of continuing discrimination in housing markets” (p18). This is because the roots of this bias are whites’ conscious and subconscious beliefs about the effect of nonwhite and renter neighbors on property values and the quality of public goods – beliefs that were fostered by government choices at the turn of the 20th century.

Chapter 4 provides evidence of municipal policy effects on segregation in the middle of the 20th Century. By 1940, segregation was entrenched, as were the unequal allocations of public goods. But patterns would change in the post war period. In some places segregation along racial lines increased, while in others it had already begun to decline (as it would everywhere after 1970). Class segregation began a slow ascent and then leveled off. As was the case in the first time period analyzed, local public policy played a role in these patterns. I provide evidence that cities that more vigorously implemented urban renewal programs grew more segregated along both race and class lines. I also show that during the 1960s and 70s, in many cities white homeowners lost the political power needed to police the borders of their neighborhoods and control the distribution of public goods. I argue that such changes made suburban living a more attractive option than living in homogenous neighborhoods within cities.

Between 1970 and 2000, the major change in segregation patterns occurred between cities. That is, neighborhoods became more racially integrated within cities, but whole cities became more racially homogenous. Class segregation across cities also increased during this period. Chapter 5 offers an analysis of the role of local political control in generating these changes. Using demographic and finance data from all metropolitan areas in the United States between 1980 and 2000, I show that larger budgets, higher spending on policing, and minority mayoral victories are associated with more segregation across city lines. Where whites maintained control they were less likely to move to the suburbs. Throughout the postwar period cities and suburbs alike moved away from explicitly racial strategies toward class based tactics, such as large lot zoning and limiting multi-family developments, to ensure segregation. I show that more restrictive zoning by suburban cities increased both race and class segregation. As a result, suburban communities made decisions that profoundly affected non-suburban residents while preventing them from participating in the decision making process. In this context, representative government, policy responsiveness, and political equality became hollow concepts.

In Chapters 6 and 7, I focus on the consequences of segregation for modern politics. In Chapter 6, I analyze the consequences of segregation within cities. Quite ironically given early claims that segregation was the best solution to racial discord, I show that segregation is associated with deep race and class divisions that dominate city politics today. Polarization makes cooperation difficult and, I show that segregated cities have smaller city budgets and spend less on individual categories of expenditure such as roads, policing, parks, and sewers. Underinvestment means that city services do not operate well. Focusing on one measurable area

of public goods provision, I demonstrate that sewer overflows are more frequent in segregated cities.

In Chapter 7, I focus on the effects of segregation for national level politics. I draw on case study and large-n evidence to show that the integration of public spaces and residential areas encouraged whites and the wealthy to move to the suburbs during the postwar period, which allowed for more control over political decisions and the distribution of public goods. Then, I draw on restricted-access General Social Survey data geo-coded to 1970 Census tracts to show that residents who live in neighborhoods that were whiter than the metropolitan area as a whole in 1970 are much more conservative than those who live in more integrated places. I argue that this conservatism is rooted in the battles over integration that occurred in earlier decades.

In the conclusion of the book, I pull the many pieces of evidence presented previously into a single framework and discuss what the future holds. I reiterate my main claim: local governments pursue segregation at the behest of politically powerful interests. This allows politicians to target public goods towards some residents and away from others, resulting in differential access to public goods. Segregation generates unequal political outcomes which in turn, reinforces segregation. By linking neighborhood level segregation to suburbanization, I suggest that preferences for separation have changed in form, but not intent over time. Going forward we can expect additional change. Rather than seeking residential segregation, some individuals will choose to leave the public realm altogether – relying more heavily on private provision of services like education, policing, and park space. We have some evidence that privatization has increased even as many cities have become more integrated. The drive to protect property values, ensure good schools for children, and safe streets for families has

remained a powerful force. In the final section of this concluding chapter I consider some potential policy solutions to these seemingly intractable problems. I suggest that the most promising path forward is to utilize lessons from school finance reform (e.g. Lafortune, Rothstein, and Schanzenbach 2015) to guide state governments' approach to producing more equal access to a range of local public goods.

Chapter 1: Segregation and Public Goods over the 20th century

At the turn of the 20th Century, cities in the United States experienced intense demographic change. The first waves of African American migrants left the South for Northern communities, and immigrants from Europe streamed across the borders until the onset of World War I and the implementation of restrictive immigration laws. By the middle of the Century, the spatial distribution of residents was markedly different than it had been 50 years prior; and patterns would change again over the ensuing 50 years. Until the onset of the Great Depression, expenditures by local governments also grew rapidly. It was during this period that the foundation for modern urban politics was laid across the nation. This growth in municipal spending continued unabated for the next 100 years, but it was uneven, favoring suburbs at the expense of cities. This chapter charts and links changes in both demographics and service provision in metropolitan America.

I begin with a presentation of data on the growth of expenditures during the first four decades of the 20th century. I analyze demographic correlates of this growth, showing that homeownership, wealth, diversity, and density were all associated with expanding municipal governments. This, I argue, explains why white homeowners and land-oriented businesses pursued residential segregation: to protect property values and capture public goods. Next, I present the changing patterns of race and class segregation for these early decades. I show that cities with greater spending became more segregated. I then turn to an analysis of spending and segregation between 1970 and 2010, concentrating on the effects of suburbanization. I provide evidence showing that the level at which segregation occurred shifted during this time. While neighborhoods within cities became less segregated, cities started to look increasingly different

from one another. As the next several chapters will reveal, the changing level of segregation has had significant implications for the allocation of resources.

The Rise of Urban America

In the year 1800, only 5% of the population of the United States lived in cities and approximately 90% of the workforce was tied to agriculture. For the next half century, this figure inched modestly upwards, so that by 1850, 15% of population lived in urban areas.³⁷ After the end of the Civil War, the pace of urbanization (and industrialization) increased dramatically. By 1900, the nation was 40% urban and in 1920, the Census reported a majority urban nation for the first time. This trend continued; today the nation is approximately 80% urban.

As industrialization advanced, massive demographic shifts accompanied the economic changes. Cities began to fill with migrants and immigrants seeking work in the new factories and service sectors. During this period, most workers commuted to their jobs by foot, limiting the distance residential neighborhoods could be located from places of employment. The result was massive overcrowding – in some cities as early as the first decades of the 1800s. Housing and sanitary capacities became overextended; epidemics and conflagrations were rampant.

O'Connor (1984) offers a vivid description of early 19th century Boston:

Within the heart of the old city...things had deteriorated badly over the years...Its meandering streets...were hedged in by four and five-story houses that blocked out the sunlight. Pedestrians were in constant danger of being knocked down by stagecoaches, or bowled over by droves of pigs being hustled to market....[An] abominable stench rose above it all. Not merely the oily fish smells from the docks, the briny tang of salt water, or the sickish odor of the mudflats at low tide. This was the repulsive reek of

³⁷ The Census determines whether a particular geographical area is urban based on population size and density. Rural territory is any area that is not urban. Starting in 1900, the Census has defined urban areas as all places with at least 2,500 residents. From 1910-1950, urban areas only included incorporated places (e.g. cities) that met the size threshold. In more recent decades, the determination has been a combination of size and density; urban areas contain at least 2,500 people have a density threshold of at least 1,000 people per square mile.

uncontrolled street refuse and untended garbage. To make matters worse, the city's sewerage system emptied out into the Town Dock... (p80).

Despite the clear benefits of moving away from the center of town, the nature of transportation and the needs of industry meant that even while they grew larger and more diverse, cities in the 1800s experienced low levels of segregation along race and class lines. At this time, the population of urban blacks was heavily concentrated in Southern cities. My dataset includes demographics for 296 cities from the 1900 Census of Population and Housing. These cities housed about 1.2 million black residents; approximately 64% of whom lived in the South. In an early analysis of *The Negro Ghetto* (1948) Robert Weaver explained, "in the cities of the Old South, like Charleston and New Orleans...most of the dwellings occupied by Negroes were either servants' quarters in the rear of the better houses or shacks on streets where low-income groups of whites also lived," (p8). In the north, Weaver says blacks "usually lived in clusters in racially mixed neighborhoods," (p9-10). However, detailed research on New York and Chicago by Logan et al (2015) reveals that although northern blacks did not live in "*predominately* black neighborhoods", they did live in "*disproportionately* black...neighborhoods," (p1062). What this means, is that while neighborhoods were mixed in the aggregate (thereby generating low measures of segregation), the housing available to blacks and other racial minorities in urban areas, was nonetheless heavily restricted from the start. Yet, because political representation is frequently defined at the neighborhood level, with low levels of neighborhood segregation, blacks and other minorities were likely to benefit from public goods provided to white homeowners.

Until about 1930, "state and local governments were *the* governments of most Americans" (McDonald and Ward 1984, p14). This was especially true with respect to fiscal

affairs. To the extent that *any* government would have addressed the negative externalities associated with rapid urbanization, it would have been viewed as the responsibility of the city (and their parent states). Yet, throughout the first half of the 19th century, city governments were fairly limited in scope. The economies of early cities were largely commercial, and a dedication to privatism and the market generally dictated political affairs (Monkkonen 1988, Warner 1968, McDonald 1986). A large and meddlesome government was something to be suspicious of and few cities provided extensive public services. Government was run by (and services were often partially funded by) the wealthy – typically merchants. As Bridges (1984) explains of New York City in 1830s, “it is impossible to determine where government began and noblesse oblige (and the church) ended” (p72).

In most instances, services were handled by volunteers (e.g. fire brigades) or part-time, municipally funded workers (e.g. night watchmen); and while city budgets provided contributions toward these services, city responsibilities were largely focused on regulating access to urban activities (like city markets). But by the end of the 19th century, city governments began to adopt a new orientation toward public goods provision and city leadership began to shift away from wealthy merchants and toward career politicians. As a result, services came to be increasingly funded by city budgets, not charitable contributions. Monkkonen (1988) argues that city goals had been broadened by the 1890s to include:

Protecting private property (firefighting); suppressing crime; controlling behavior in public areas; building and maintaining streets and sewerage systems; aiding the poor, schooling children and sometimes adults; funding public libraries; providing recreation and entertainment; supporting a minimal level of health; temporarily assisting all persons incapable of caring for themselves...; enforcing public morality; expending direct financial aid to private capital...; and constructing not-for-profit public buildings in which to house these activities (p218).

Historians do not agree on what caused the transition from the regulatory approach of antebellum governments to what Monkkenon calls the “service city” by the late 1800s. Yet, with one exception (Brown and Halaby 1984), scholars have not analyzed this development quantitatively in more than a handful of cities. Simply put, we lack systematic, quantitative knowledge of the factors that affected the development and expansion of city government at the turn of the 20th century when significant variation was present. In 1902, for example, the median per capita expenditure of local governments in cities over the size of 25,000 (n=160) was about \$11, but the standard deviation was more than a third of that amount (\$4). Some cities spent very little providing services for residents, others, a great deal. If city governments were once limited and weak, why did some choose to begin providing services for residents while others lagged behind?

The dominant paradigm is to understand the growth of city government as the necessary response to the negative externalities of increased population growth and density such as pollution, congestion, conflagration, crime, and disease (see for example Griffith 1927, Still 1948, Glaab and Brown 1967, Chudacoff 1975, Anderson 1977, Troesken 2004). Scholars have generally recognized that the capacity to fund such developments through taxation and debt varied widely across cities (Dilworth 2005, Cutler and Miller 2006, Monkkenon 1988).³⁸

Some scholars argue that managing racial and ethnic diversity in growing, compact cities was an essential driver of the development of municipal government. In an analysis of city relief spending in 1929, Cybelle Fox (2012) argues that native-born Americans and social welfare workers sought to Americanize foreign-born populations by drawing them into the reach of government. Tebeau (2003) shows that the development and expansion of fire services was an

³⁸ Research indicates that prior to the advent of the municipal bond market, cities were largely unable to invest in large infrastructural development.

attempt to confiscate power from ethnic fire brigades, ensuring that firemen would be loyal to the city and not to their group. Similarly, Monkkenen (1988) argues that spending was a mechanism to manage conflict. As cities grew, he says, the bureaucracy of municipal government was invoked to manage conflict and Americanize newcomers as a substitute for small town interactions. In support of this thesis, Brown and Halaby (1984) find a substantial, positive relationship between expenditures and percent foreign born. But contrary to these arguments, Goldin and Katz (2008) show that community *homogeneity* was key in the expansion of free public schooling. A large literature linking diversity and limited public goods provision underscores this finding (Alesina et al. 1999, Poterba 1997, Vigdor 2004, Hopkins 2009, Habyarimana et al. 2007, 2009, Miguel and Gugerty 2005, Miguel 2004, Algan et al. 2011, Fearon and Laitin 1996). This leaves no clear prediction regarding the direction of the relationship between diversity and spending.

Several accounts emphasize demands made by emerging middle-class residents (Yearly 1970), as views regarding what it was the duty of government to provide evolved (Myrdal 1944). McDonald (1986) suggests that property owners in particular wanted good public services which led to high spending through debt. Others highlight the demands of newly minted professionals engaged in the private provision of services, who would benefit from public funding. Teachers pushed for public education; fire fighters pushed for fire forces (Katznelson and Weir 1985, Tebeau 2003). Along these same lines, Monkennen (1988) highlights the growing role of planners, real estate developers, and professional bureaucrats who helped to build the Progressive reform movement (see also Hays 1964, Bridges 1997, Tretter 2012 on Progressivism and growth).

City Spending Data

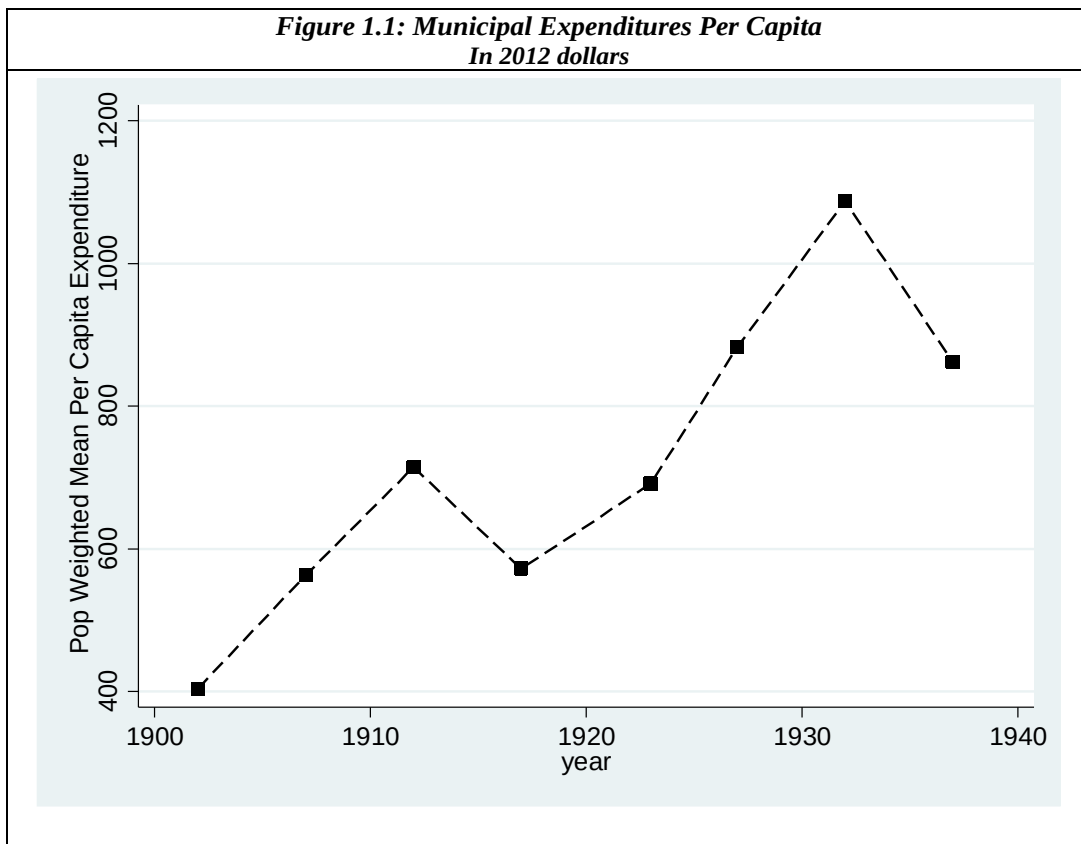
To provide a description of historical expenditure patterns, I use a new dataset built from a number of government sources that includes data from the turn of the century to the Second World War. Starting from 1902, the Bureau of the Census has been responsible for collecting data on the finances of local governments. With a few exceptions, the data have been collected annually for cities that meet a particular population threshold (which has varied over time). The Federal Reserve Archive (<http://fraser.stlouisfed.org/>) has digitized copies of the paper Census reports up until the year 1941, and I encoded a series of relevant variables from these digital reports at five year intervals.³⁹ Thus, I have fiscal data from 1902, 1907, 1912, 1917, 1923,⁴⁰ 1927, 1932, and 1937, as well as other governmental data from a number of early special Census reports.⁴¹ I encoded socioeconomic data from the Census of Population and Housing in 1900, 1910, 1920, 1930, and 1940. In order to be able to analyze the diversity of the population, I gathered data on the country of origin for all of the foreign born residents in each city. Details on the coding of foreign born groups are included in the appendix. Linear interpolation was used to create intercensal estimates for all of the socioeconomic variables. In my largest sample, I have a total of 1,397 city-year observations, which includes data from 262 cities.

³⁹ The five year interval was selected to match the interval that the Census of Government used starting in 1952. From 1902-1903, the report was entitled "Statistics of Cities Having a Population of over 25,000." From 1904-1908, it was entitled "Statistics of Cities Having a Population of over 30,000." From 1909-1931, it was entitled "Financial Statistics of Cities Having a Population of over 30,000." From 1932-1941, it was entitled "Financial Statistics of Cities Having a Population of over 100,000." Collection of data on local governments was spotty between 1942 and 1952. The Census resumed regular collection of data at five year intervals starting in 1952.

⁴⁰ The report produced in 1922 was limited to very basic data and lacked many of the variables of interest. The 1923 report was used instead.

⁴¹ These include the General Statistics of Cities: 1909: Including Statistics of Sewers and Sewage Disposal, Refuse Collection and Disposal, Street Cleaning, Dust Prevention, Highways, and the General Highway Service of Cities Having a Population of Over 30,000; Municipal Electric Fire-Alarm and Police-Patrol Signaling Systems: 1912; General Statistics of Cities: 1915: Including Statistics of Governmental Organizations, Police Departments, Liquor Traffic, and Municipally Owned Water Supply Systems, in Cities Having a Population of Over 30,000; General Statistics of Cities: 1916: Including Statistics of Parks, Playgrounds, Museums and Art Galleries, Zoological Collections, Music and Entertainments, Swimming Pools and Bathing Beaches, and Other Features of the Recreation Service.

I begin with an analysis of total *Per Capita City Expenditure* as the dependent variable.⁴² All data are shown in real (2012) dollars to make comparison to the modern period more straightforward. As Figure 1.1 shows, development of municipal budgets was rapid over this time period. The graph displays the population-weighted mean of per capita total expenditure, plotted against time for all cities that had more than 30,000 residents in 1902. Tables 1.1 and 1.2 show inflation adjusted (but unweighted) mean per capita spending and revenue on various categories over the same time period.



⁴² This measure includes all general expenses, expenditures on interest, and outlays for the municipal corporation.

Table 1.1: Municipal Budgets in the Early 20th Century
Per capita expenditures in 2012 dollars

year	Expenditure	General Expenditure	Outlays	Revenue	Taxes	Subventions
1902	\$313.0		\$ 114.2	\$425.5	\$269.3	\$20.6
1907	\$409.7	\$279.2	\$174.0	\$418.6	\$285.6	\$24.4
1912	\$562.0	\$323.0	\$207.9	\$541.7	\$364.9	\$27.3
1917	\$456.7	\$274.7	\$168.0	\$408.8	\$314.6	\$22.1
1923	\$587.0	\$393.9	\$205.2	\$491.5	\$431.2	\$29.2
1927	\$700.7	\$460.9	\$247.3	\$586.7	\$521.9	\$32.2
1932	\$868.7	\$700.3	\$173.3	\$807.4	\$710.8	\$65.0
1937	\$670.9	\$682.2	\$115.5	\$704.0	\$643.9	\$126.9

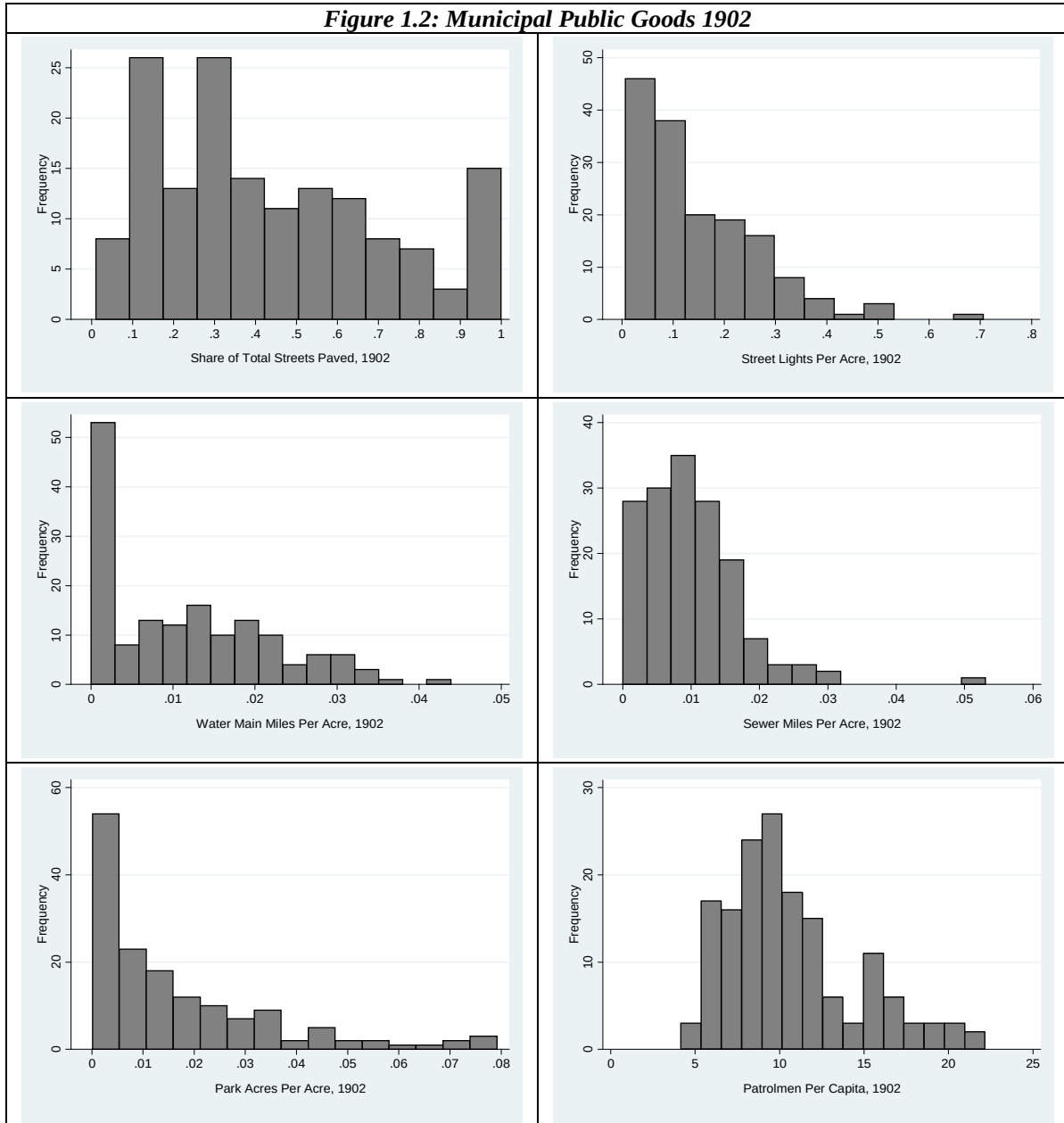
Table 1.2: Municipal Spending in the Early 20th Century
Per capita expenditures in 2012 dollars

Year	Inspections	Refuse Collection	Sewers	Libraries	Police	Fire	Health	Highways	Recreation	Schools
1902	\$1.3	\$4.6	\$3.7	\$3.0	\$28.9	\$31.1	\$4.8	\$43.2	\$6.5	\$84.4
1907	\$1.4	\$6.7	\$4.6	\$4.4	\$31.4	\$35.4	\$4.6	\$38.7	\$7.3	\$96.0
1912	\$2.2	\$19.6	\$5.0	\$5.1	\$33.3	\$37.9	\$6.2	\$42.2	\$10.1	\$107.7
1917	\$1.9	\$16.1	\$3.8	\$4.0	\$27.0	\$29.2	\$6.3	\$32.6	\$8.9	\$97.5
1923	\$2.4	\$11.9	\$5.1	\$5.6	\$36.1	\$39.8	\$9.0	\$39.0	\$11.9	\$161.8
1927	\$3.0	\$14.1	\$5.9	\$6.7	\$43.6	\$45.2	\$11.2	\$43.4	\$13.1	\$202.3
1932	\$3.9	\$18.7	\$7.7	\$10.7	\$63.2	\$57.2	\$17.7	\$51.6	\$22.3	\$257.5
1937	\$3.4	\$16.1	\$7.9	\$10.7	\$60.3	\$53.5	\$11.5	\$43.4	\$21.2	\$233.0

The figure and tables reveal that during this period, city expenditures grew across the board. In every category, from sanitation to safety, from health to highways, American cities became modern service providers. Spending slid back during the time of the First World War and the Great Depression, but otherwise followed a steep upward trajectory. Over the next 70 years, growth continued. In 2012, per capita spending was literally 10 times what it had been in 1902. Yet, even at the start of the period, growth was uneven.

Figure 1.2 shows histograms of a number of different public goods that were provided by cities in 1902, including the share of total street miles that were paved, the number of street lights per acre, water main miles per acre, sewer miles per acre, park acres per acre, and

patrolmen per capita. All of the distributions are widely spread. Clearly, significant variation existed.



To analyze the correlates of expenditure, I regress the natural log of inflation adjusted *Expenditures Per Capita* on several variables intended to capture explanations offered in the historical literature. Many scholars have argued that cities responded to pressing needs as they arose. For instance, Glaab and Brown (1967) argue that industrialization and population growth generated demands that were fulfilled by city government. While my dependent variable is measured as per capita spending, it is still possible that large and/or dense cities may have required higher levels of spending (if, for example, fires or diseases were more likely to spread in such places). Monkkonen (1988) argues that the need for social control through bureaucratization was greatest in large cities. Alternatively, large cities may have benefitted from returns to scale, and therefore may have been able to provide services for a lower cost. To test for these possibilities, I include a measure of the *Total Population* (logged) and *Density* (total population divided by total acres).

The analyses also include two different measures of diversity. The first is the share of all residents that were classified as *Nonwhite* by the Census of Population and Housing. During this period, racial categorization was in flux (Roediger 2005) and the determination of race was made by Census takers (Nobles 2000). However, generally speaking, the *Nonwhite* category included Blacks, Asians and Asian Americans, Native Americans, and sometimes Mexican/Latin Americans. Persons of mixed race were typically identified as nonwhite.

The second measure of diversity is a Herfindahl Index:

$$Diversity = 1 - \sum_{f=1}^F \pi_f^2$$

where, π_f is the population share of the foreign-born group f and F is the total number of foreign-born groups. There were 52 different foreign-born groups recorded by the Census during this

period (listed in the appendix), and the resulting diversity index ranges from a low of 0.23 to 0.94, with a mean of 0.84.⁴³ This illustrates that the foreign-born population in the United States was extremely diverse.

As explained above, property owners were among the most supportive of investing in new services (McDonald 1986). However, scholars also report a general tendency among the populace to rail against high taxes and profligate spending of city governments in the late 19th and early 20th centuries (Bridges 1984). According to Monkkonen (1988), this belief was particularly pronounced among property owners. To investigate the role of support for spending among owners, I include the proportion of housing units occupied by *Home Owners*. To measure the wealth of the community I include the *Assessed Value* of all property in the city. McDonald (1986) provides compelling evidence that this measure accurately captures the level of economic development in the city – which should correlate positively with ability to fund city services.⁴⁴ Finally, to capture the argument that the development of city services was driven by the emerging professional class (including land developers and planners), I add the share of adults employed as *Professionals*.⁴⁵ Because I have missing data on a number of variables, I begin with a presentation of the results using only density and population as independent variables. I then add the remaining variables iteratively. Summary statistics for all variables are in appendix Table A1.1.

⁴³ Making these categories comparable across censuses required some recoding. For instance, in 1930 and 1940, Irish immigrants were separated by Northern and Southern Ireland. I combined these categories to make the data comparable to the 1900, 1910, and 1920 censuses, which included only one category for Ireland.

⁴⁴ However, McDonald (1986) finds that when assessed value rose in San Francisco, politicians tended to lower tax rates, perhaps resulting in little difference in expenditure.

⁴⁵ The other occupational categories coded by the Census during this period were trade, manufacturing, domestic work, and agriculture. In 1900, the category professionals included actors, architects, artists, clergymen, dentists, electricians, engineers and surveyors, journalists, lawyers, literary and scientific persons, musicians, government officials, physicians, teachers, and other professionals.

These variables are admittedly insufficient to capture all of the important differences across cities during this period. So, rather than attempt to explain variation across cities, I pursue a more modest goal – to describe variation within cities over time. To do so requires that I use a city fixed effects model for the analysis. This strategy overwhelms much of the variation present in the data, but it allows for a more precise estimate of the effect of each of these contextual variables on spending. Table 1.3 presents the results.

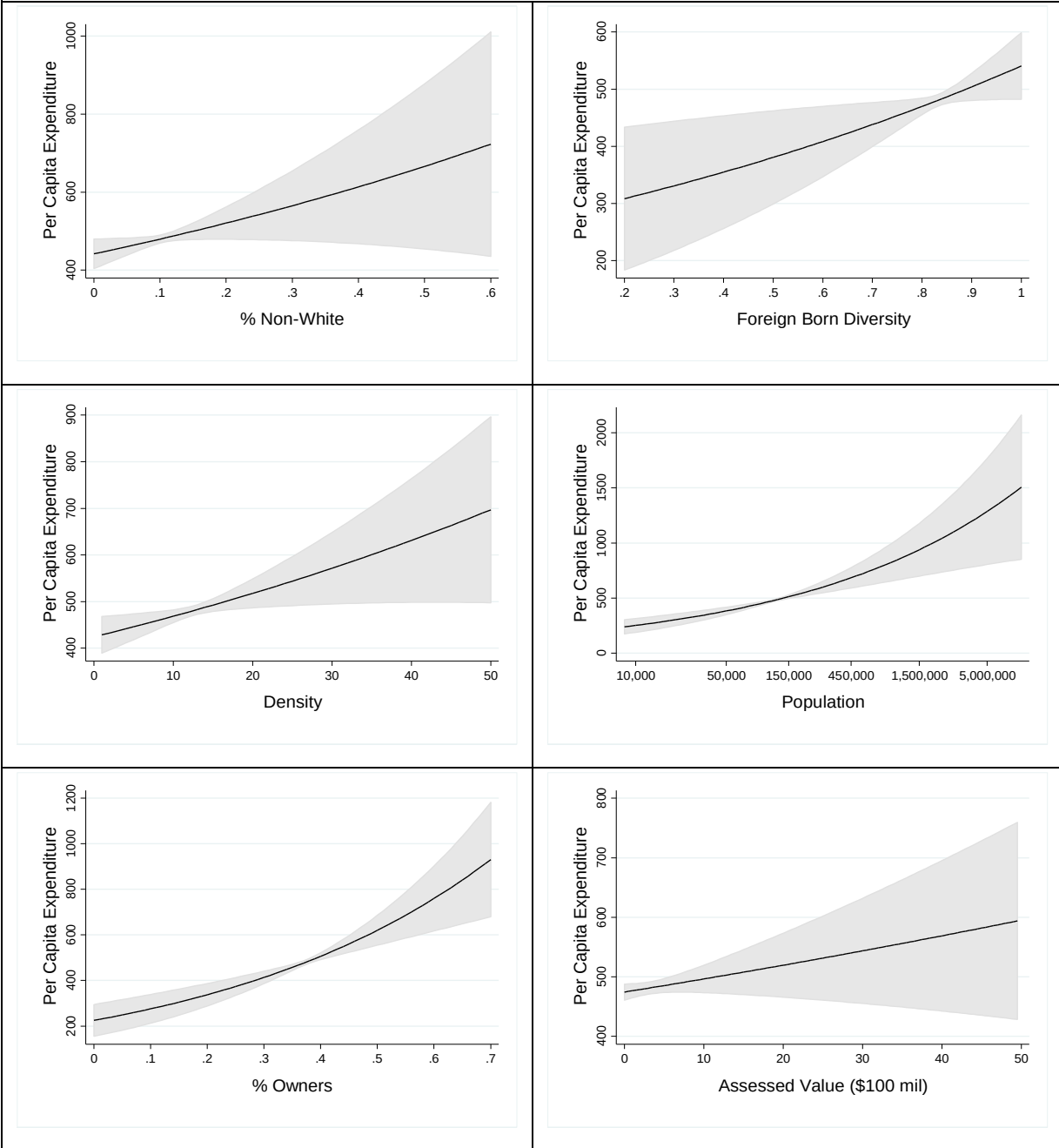
Table 1.3: Factors Affecting City Wide Expenditure

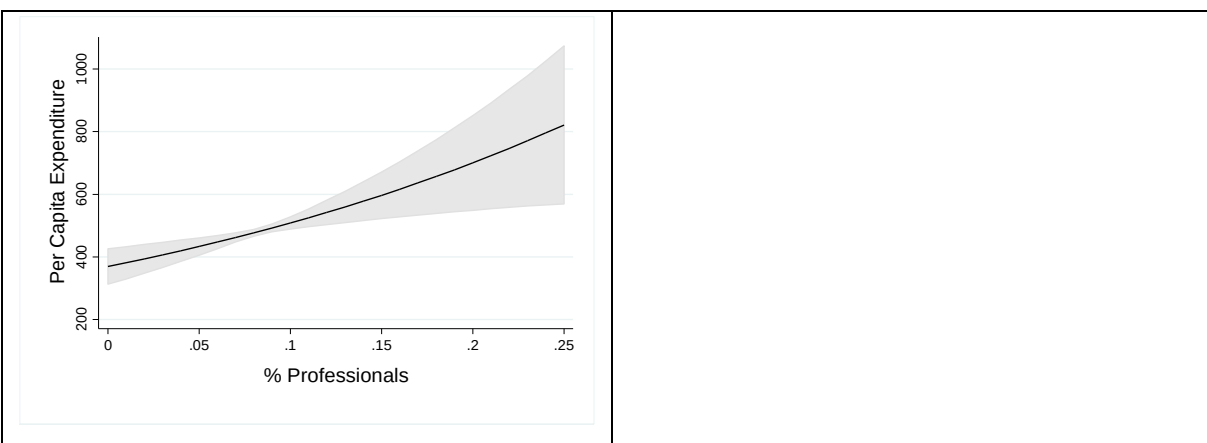
Logged Per Capita Expenditure									
	β	Std. Err	P> t	β	Std. Err	P> t	β	Std. Err	P> t
Population (log)	0.520	0.037	0.000	0.329	0.047	0.000	0.263	0.051	0.000
Density	0.016	0.004	0.000	0.013	0.004	0.001	0.01	0.004	0.011
% Nonwhite				0.838	0.412	0.042	0.821	0.409	0.045
Foreign Born Diversity				0.893	0.322	0.006	0.702	0.326	0.031
Assessed Value (\$100 mill)				0.005	0.003	0.104	0.005	0.003	0.138
% Home Owners				2.672	0.385	0.000	2.030	0.423	0.000
% Professionals							3.197	0.934	0.001
Constant	0.045	0.421	0.961	0.332	0.481	0.49	1.275	0.559	0.023
N	1,397			1051			1040		
Number of Cities	262			173			169		
R ² within	0.175			0.301			0.315		
R ² between	0.064			0.077			0.112		
ρ	0.681			0.606			0.567		

Note: Fixed effect for cities included, but not presented

The regression reveals that the factors identified by historical research *do* correlate with expenditures. Cities that were more diverse (either having more nonwhite residents or a diverse foreign-born population from many different places) spent more money. Those places with large, dense populations witnessed higher spending per resident. In an alternate analysis, I add the number of fires per capita that the city experienced in 1902 and 1907. This variable is powerful. Increasing from the 25th to the 75th percentile (from 3 to 5 fires per 1000 people each year), increased spending by \$50 per resident. Cities were clearly responding to the negative externalities associated with urbanization. Finally, cities with more capacity and demand (higher property values, more homeowners, and more professionals) also had larger budgets. These results are shown graphically in Figure 1.4. Figures show the marginal effect of each independent variable, holding all other variables at their mean value.

Figure 1.4: Factors Related to Expenditure in Cities, 1902-1937





In this book, I argue that white, homeowners sought to institutionalize the residential segregation of poor and minority residents in order to protect their property values and control the distribution of public goods. They were supported in this pursuit by land-oriented businesses. The pattern of relationships presented in Table 1.1 and Figure 1.4 begin to explain this impetus – particularly the positive correlation between property ownership, assessed value, percent professionals, and municipal expenditures. Holding all other variables at their means, a city that was in the 25th percentile of home-owning, assessed value, and professionals (30% owners, \$43 million in assessed value, 6% professionals) spent about \$378 per resident. A city in the 75th percentile of all three measures (45% owners, \$218 million in assessed value, 10% professionals) spent about \$588 per person.

These relationships were circular. Local service provision was understood to increase the value of property. It was for this reason that the property tax was thought to be the most appropriate avenue for supporting local expenditures, as owners would be able to “recoup at least part of the levies in the form of higher real property worth” (Benson and O’Halloran 1987). Thus, property owners sought high levels of municipal services, which were expected to bring both direct benefits (from having access to clean water, paved streets, reliable fire-fighting, etc.)

and indirect benefits through increases in property values. In turn, cities expected owners to fund public goods. Yet, even in the early 20th century, owners were prone to believing that city governments were wasteful and they often opposed increases in taxes. Residents wanted high quality services, but were loath to pay for them.

Property owners' orientation toward both government and services was related to the emerging understanding of *who* should benefit from publicly-funded improvements (Myrdal 1944). The cities with the fastest growing service provision were also cities with high levels of racial and ethnic diversity. As Tretter (2012) explains, growth in municipal service provision operated “within a framework of white supremacy” (p10). Controlling who accessed the new benefits was of utmost importance. During this period, the vast majority of blacks, Asians, and Latinos lived in places where they lacked the right to vote; and everywhere, foreign-born residents had to be naturalized before participating (Keyssar 2000). Thus, the preferences of these groups hardly played a direct role in formation municipal policy. A white voter living in Birmingham in 1902 could be certain that no matter how much money the local government raised in taxes, black residents would have little say in how that money was spent. The same was true for a San Franciscan thinking about his Chinese neighbors and for an El Paso resident concerned with Mexicans in his city (Myrdal 1944, Chen 2000, Fox 2012). However, most public goods provided by cities were not targetable to individuals.⁴⁶

When municipal governments provide streetlights and sewers, even those ineligible to vote benefit from these services. But, residential segregation could limit equality of access. Segregation made targeting services – at least to groups, if not individuals – easier. As will be

⁴⁶ Municipal jobs, particularly when distributed as patronage, are an exception to this statement. However, despite early accounts to the contrary, the presence of political machines actually depressed spending (Trounstein 2008, Fox 2010, Brown and Halaby 1984). Thus, it appears to be the case that growth in municipal governments has never really been driven by the logic of patronage.

shown in detail in the chapters to come, segregation allowed city governments to collect taxes from poor and minority residents, but underprovide services to them – thereby holding down the total tax bill. Oates (1981) explains that for many important local services such as education and public safety, the characteristics of residents are more important in determining the quality of the public good output than budgetary contributions. Thus, the generation of race and class segregation via policy enacted by local governments (such as zoning or urban renewal), was, in and of itself, a mechanism to improve municipal service provision. Segregation also ensured that the presence of poor and minority neighbors would not threaten property values. As the chapters ahead will show, it was in those places where city spending was high that segregation was institutionalized through local public policy; such institutionalization was pursued most adamantly by white owners and developers of property.

Explaining and Measuring Segregation

The high level of residential segregation in America has been tremendously well-documented (see Charles 2003, Ross 2008, and Boustan 2012 for extensive literature reviews). A smaller, though still well-developed, body of literature is focused on class segregation (see Bischoff and Reardon 2013 and Jargowsky 1996 for reviews). The debate over the fundamental causes of segregation is extensive and nuanced. Scholars have focused on two primary explanations: individual preferences for same race/income neighbors (particularly among whites and the wealthy) and market explanations (e.g. differences in the socioeconomic status of different racial groups and the ability to pay for quality housing/transportation among the poor).

Research on racial segregation largely concludes that the driving force behind residential separation is white preferences for same race neighbors (Cutler et al. 1999, Bayer, Ferreira, and

McMillan 2007, Charles 2006).⁴⁷ Boustan (2010) finds that in northern metropolitan areas, between 1940 and 1970, every black arrival from the South was associated with 2.7 white departures to the suburbs. Several scholars show that differences in socioeconomic characteristics such as education, income, wealth, and family structure cannot fully account for segregated living patterns for blacks, but *does* explain a fair amount of the segregation of Latinos and Asians (Bayer et al. 2004, Erbe 1975, Massey and Denton 1987 and 1993, Iceland and Wilkes 2006). Logan summarizes by explaining that racial segregation for blacks is due to the inability to “translate higher income...into residential mobility” (Logan 2011 p15).

Several scholars find that income inequality is an important driver of economic segregation (Bischoff and Reardon 2013, Watson 2009). Others concentrate on selection. Alesina et al. (2004) show that people are willing to give up economies of scale in order to avoid being in a jurisdiction with significant income heterogeneity and Bayer, Ferreira, and McMillan (2007) reveal that households self-segregate on the basis of education.

The links between race and class segregation also form a considerable literature. Some scholars like Denton and Massey (1991), Krysan et al. (2008), and Emerson, Chai, and Yancey (2001) find that whites avoid black neighbors *because* they are black, while others like Ellen (2000), Yinger (1997), Taub et al. (1984), and Harris (1999) argue that whites use black neighbors as a proxy for neighborhood quality. That is, whites do not avoid black neighbors *per se*, but rather choose what they perceive to be better neighborhood amenities or neighbor characteristics like wealth.

With only a handful of exceptions (e.g. Rothwell 2011, Pendall 2000), quantitative research on the causes of segregation ignores the political context in which it occurs. Local

⁴⁷ A small amount of scholarship shows that black preferences for same race neighbors contributes to segregation (Bayer, Ferreira, and McMillan 2007, Fossett 2006)

policies and political battles are crucial for understanding *how* white/wealthy preferences for homogeneity and socioeconomic inequalities are translated into residential patterns. To be sure, scholars have extensively documented the *private* mechanisms by which these factors affect segregation (e.g. via racial steering, mortgage discrimination, and willingness to pay for homogenous neighborhoods). But even private mechanisms may be shaped by local policies and political concerns. For example, I argue that white beliefs about available amenities in poor and minority neighborhoods are, in part, the product of under provision of public goods early in the 20th century. Cutler et al. (1999) find that these beliefs contribute to whites' willingness to pay higher housing prices in whiter neighborhoods. In the next section, I provide the first piece of evidence for this argument. Segregation is correlated with city expenditures – places that provide more services are also more segregated.

There are many different ways to measure segregation (e.g. the degree to which groups are disproportionately distributed across geographic space). Indices of segregation are typically correlated with each other, but capture different theoretical dimensions of separation and so, measure different things (Massey and Denton 1988). The two most commonly used measures are the index of dissimilarity and the index of isolation which can be intuitively interpreted respectively as the proportion of a racial group that would need to move neighborhoods in order to generate an even racial distribution given the racial makeup of the larger community, and the racial makeup of the neighborhood in which the typical member of the racial group lives. While these are obviously meaningful dimensions of segregation, neither measure includes the most relevant information from a political perspective. In politics, what matters is not just how individuals from different racial groups are distributed across neighborhoods, but also how large each racial group is relative to others and how big of an impact each neighborhood might have

on the vote. That is, we need a measure that weights diversity by group size and weights evenness by population size. The H index developed by Theil (1972) meets these criteria.

Theil's H Index measures the difference between the diversity of the city and the weighted average diversity of individual neighborhoods. Diversity scores for each neighborhood and the city as a whole are influenced by the relative size of racial groups, while the overall index is influenced by the relative size of each neighborhood, giving more weight to larger than to smaller places. Both types of weighting are key to understanding the political implications of segregation. We should expect the effect of segregation to be most pronounced when minority groups are unevenly dispersed across geographic units *and* represent a substantial share of the population.

Theil's H has a number of other useful qualities. Importantly, for understanding city politics, Theil's H can be calculated for more than two groups at a time (unlike either the dissimilarity or isolation indices). Additionally, it is the only index that obeys the principle of transfers in the multi-group case - the index declines when a minority resident (theoretically) moves to a neighborhood with fewer minority residents (Reardon and Firebaugh 2002). Finally, as will be discussed in the next section, Theil's H is additive and can also be aggregated to higher levels or decomposed into its constituent parts.

Theil's H Index is built from Theil's entropy score which is a measure of diversity itself

$$E = \sum_{r=1}^R (\pi_r) \ln \frac{1}{\pi_r}$$

where π_r represents the proportion of the population in racial group r (or class group r if the index is measuring class segregation). The higher the entropy score, the more diverse an area

is.⁴⁸ The score ranges between 0 and the natural log of the total number of groups R . It is maximized when individuals are evenly distributed among the different racial groups (e.g. when

$$\pi_r = \frac{1}{R} \text{ for all } r$$

).⁴⁹ Entropy is calculated for each neighborhood individually and for the city as a whole.

The H Index measures the degree to which the diversity in each neighborhood differs from the diversity of the city as a whole, expressed as a fraction of the city's total diversity and weighted by the neighborhood's share of the total population.

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where P represents total population of neighborhood n or city c and E is the entropy of n or c . H varies between 0, where all neighborhoods have the same composition as the entire city, and 1 where all neighborhoods contain only one group.⁵⁰ This H Index serves as a key outcome to be explained throughout the book.

The dataset that I constructed to measure segregation is built from a number of different sources. The calculation of the H Index requires data on population characteristics at the sub-city level. Cutler et al. (1999) digitized sub-city demographics on race and immigration for 178 different cities from the 1890- 1950 Censuses. To this, I add available data that I encoded on homeownership from the 1900 Census and data from the Elizabeth Mullen Bogue files (1975) on

⁴⁸ Where any group's share of the population is 0, the natural log is set to zero, as is the convention in the literature (Iceland 2004).

⁴⁹ A scatterplot relating a white/nonwhite calculation of E to percent white is included in appendix Figure A1.1.

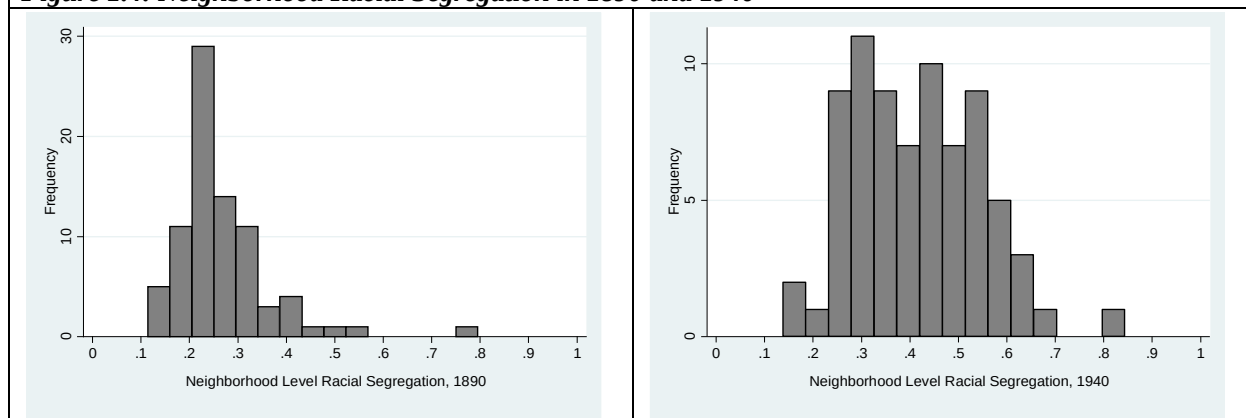
⁵⁰ In all analyses, neighborhoods are represented by Census tracts, which are relatively stable, contiguous geographic areas containing approximately 4,000 people. Most studies of segregation (e.g. Massey and Denton 1993) use Census tracts as a proxy for neighborhood (although this is not without debate, see for instance Logan et al. 2015).

homeownership from the 1940 census.⁵¹ For the 1970-2000 Censuses, I rely on a product developed by GeoLytics called the Neighborhood Change Database (NCDB). The NCDB matches and normalizes Census tract boundaries for each Census year, allowing for direct comparison in demographic changes across time. Finally, I add data from the 2007-2011 American Community Survey. These data allow me to create a panel dataset measuring segregation at the Census-tract level for cities and metropolitan areas for more than 100 years.

Figure 1.4 plots the distribution of racial segregation scores in 1890 and 1940, using data for the 80 cities with populations of at least 25,000 and with at least 1,000 blacks as of the 1890 Census.⁵² In 1890, racial segregation patterns were similar from place to place, and generally fairly moderate – although higher than some historical analyses indicate (Cutler et al. 1999). Both features had changed substantially by 1940.

⁵¹ The data from 1900-1940 are collected at the ward level (political units for electing city council members). Starting in 1940, the Census published tract-level data for some cities. Wards tend to be larger in area than tracts and therefore, suggest a smaller value of the segregation index without actually representing a lower level of segregation. To account for this, I adjust all ward-level estimates by a correction factor calculated using a set of 47 cities that reported both ward and tract-level data in 1940.

⁵² For all figures presented in this chapter, the two groups used to calculate the *H* index are whites and all others for years 1890-1970. For 1980-2011, the groups are non-Hispanic whites and all others. Throughout the book, I calculate the *H* Index by tract-city-county-msa (Metropolitan Statistical Area). This means that cities which cross county lines end up with multiple observations. This is necessary because Census tracts are nested within counties – not cities. When presenting any analysis at the city level, I use the observation representing the largest share of the city population.

Figure 1.4: Neighborhood Racial Segregation in 1890 and 1940

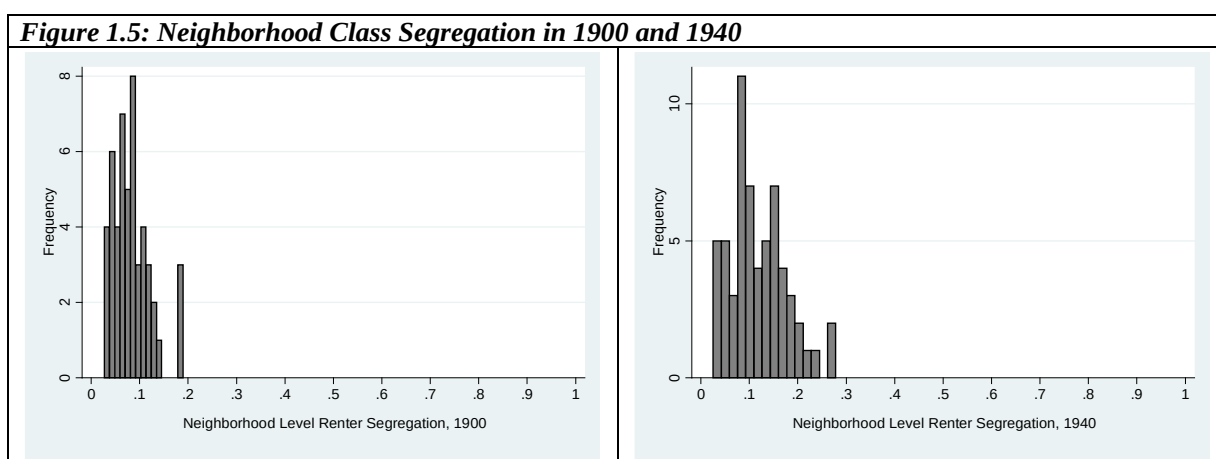
Note: The white/nonwhite H index for 1890 is calculated using wards as the base population unit with an additional correction factor to make the data comparable to tract-level estimates. The H Index for 1940 is calculated at the tract level where available and at the ward level otherwise. Data provided by Cutler et al. (1999) and Bogue (1975).

In all but a handful of cases, neighborhood-level racial segregation rose between 1890 and 1940 – on average rising 0.15, a change of about 65%. But the standard deviation is large at 0.13; some cities segregated much more intensely than others. There are many ways to consider measuring class segregation. Throughout the book I use two measures – the distribution of renters versus homeowners, and the concentration of households in the top income threshold.⁵³ The correlation between owner and wealth segregation is about 0.60. I rely primarily on the former measure for two reasons. First, it is available for the entire time period. More importantly, the existing scholarship indicates that it is property ownership – not wealth – which is the more important driver of local political participation and preferences (Fischel 2000, Oliver and Ha 2007). The downside of this measure is that, at an aggregate level, it is very resistant to

⁵³ The Census reports income categorically, not continuously; wealthy refers to the number of families in each Census tract with incomes above particular thresholds for each Census year. I use family as opposed to household income because the NCDB does not report household income at the tract level. The thresholds were determined by calculating the average family income for all Census tracts in the United States for each Census year. The wealthy threshold represents the income bin with a starting point closest to the 90th percentile of this distribution. The thresholds for each census year are: \$35,000 for 1980, \$75,000 for 1990, \$100,000 for 2000, and \$150,000 for 2011. All families with this amount of income or more are categorized as wealthy. Census tracts range from 0 to 100% wealthy, with a mean of 18%, a median of 13%, and a standard deviation of 16%.

change as the housing stock changes more slowly than demographics. Wealth segregation is a more straightforward measure of the residential divisions along socioeconomic lines, but it is only available starting with the 1970 Census and is less directly affected by city policy.

To demonstrate change over time, Figure 1.5 presents data on the renter/homeowner distribution within cities. This figure reveals that class segregation started off much lower and was more consistent from city to city as compared to racial segregation, and increased a small amount (0.037) between 1900 and 1940.



To determine how segregation correlates with expenditure in the pre-war period, I add to the segregation dataset the measure of *Logged Expenditures Per Capita* described in the previous section. Because segregation data are measured every decade, and expenditures in years ending in 2 and 7, I interpolate spending data. I then lag spending by five years under the assumption that demographic sorting takes time to respond to budgets. I regress *Racial Segregation* and *Renter Segregation* on the lagged *Expenditures* variable. As in the previous section, I add fixed effects for cities. This fixed effect model analyzes the relationship between lagged expenditures and racial segregation over time within cities. This accounts for variation across cities on all other dimensions that might affect segregation and spending.

Table 1.4: Correlations Between Spending and Segregation

	Racial Segregation			Renter Segregation		
	β	Std. Err	P> t	β	Std. Err	P> t
Expend. Per Capita, 5 year lag (logged)	0.100	0.010	0.000	0.026	0.003	0.000
Constant	-0.238	0.059	0.000	-0.052	0.018	0.005
N	368			179		
Number of Cities	118			56		
R ² within	0.292			0.383		
R ² between	0.020			0.010		
ρ	0.802			0.931		

Note: Fixed effect for cities included, but not presented.

The results, presented in Table 1.4, indicate a positive correlation between spending and segregation. The R² suggests that about 30 to 40% of the variation in city segregation levels can be explained by variation in the budget. Places with larger budgets were more segregated five years later compared to cities with smaller budgets up until the Second World War. For a host of reasons, this relationship would change going forward.

Suburbanization – Another Form of Segregation

Teaford (1979) argues that two conflicting forces animated city development in the late 19th and early 20th century. On the one hand, socioeconomic diversity generated an impetus for separation. As early as the mid-1800s, “the urban population was resolving itself into separate geographic spheres – factory zones, ethnic neighborhoods, upper-middle-class retreats, race track havens – and each zone sought local self-government as a means of protecting its own particular interests” (Teaford 1979, p23). This separation, Teaford shows, led to the explosion of newly incorporated municipalities. But, over the course of the next 50 years, many of these tiny new cities consolidated and/or were annexed into larger central cities for one primary reason: the provision of city services. Prior to 1900, suburban governments were simply unable to provide the quality of sewers, clean water, paved streets, uniformed police forces, and fire-fighting that

was available in the central city. As a result, as cities became more diverse, the forces of separation pulled people into different neighborhoods, but not into different cities.

However, in the period following the Second World War, America began to suburbanize rapidly (Rappaport 2005). Scholars have detailed the role that automobile accessibility (Glaeser, Kahn, and Rappaport 2008), highway construction (Nall forthcoming), federal programs encouraging home ownership (Jackson 1985), changes in the building industry, and rising incomes (Margo 1992) played in the growth of suburbs. The vast majority of people who arrived in the bucolic, grassy, neighborhoods filled with single-family homes were whites with incomes slightly (although not dramatically) higher than the median income of the central city (Cutler et al. 1999, Winsberg 1989). By about 1940, many larger suburbs were able to compete with central city service provision, thus increasing the attractiveness among residents, industry, and business to move away from the center. As Teaford (1979) explains, “while the forces encouraging unity were weakening, the forces of separatism and disunion remained powerful” (p84). Thus, in the middle of the century, central cities stopped growing politically and suburbs arose as powerful actors in the metropolitan universe (Teaford 1979, Danielson 1976, Miller 1981, Burns 1994). In 1970, more than half of all metropolitan area populations lived outside of the central city; a figure that would grow to two-thirds over the next 30 years. The rise of suburbs decoupled residential spaces from job spaces, and encouraged suburban residents to prioritize neighborhood amenities and property values in political decision making (Teaford 1979, Fischel 2004).

As they moved outside of the central city, suburbanites sought to protect their investments (high quality public goods and property values) in much the same way as their predecessors had – by institutionalizing segregation through public policies like land use

planning and zoning. Thus, the impetus toward separation in the latter half of the 20th century played out across, rather than within, city lines. The level of segregation is of crucial importance to politics. When cities are not segregated by neighborhood, district representation ensures that all residents within a particular location are likely to be provided similar services. When a district councilor wins a public park for his neighborhood all those who live nearby benefit. As the level of segregation shifts from blocks to neighborhoods, residents are more likely to lose representation. Still though, when segregation occurs across neighborhoods within cities, it is possible for residents of segregated neighborhoods to affect the delivery of municipal services through the political process. If a heavily minority neighborhood lacks a public park, residents from this neighborhood might mobilize to try to elect a mayor or city council member who is responsive to their demands. But when segregation occurs across cities, heavily minority cities have no ability to affect the distribution of public goods from neighboring white towns.

To understand how segregation patterns have changed over time, I compiled a measure of segregation that accounts for segregation both within cities and across them. In order to do this, I build on the measure of segregation presented in the previous section – Thiel's *H* Index. Thiel's *H* is suited to this purpose because it is perfectly additive for nested geographies (Reardon and Firebaugh 2002, C.S. Fischer et al. 2004). In my case, census tracts are nested within cities, and cities are nested within metropolitan areas. Residents can be segregated in two ways – across neighborhoods within cities, or across cities within metropolitan areas. My measure combines these two types of segregation.

As explained above, the *H* Index measures the degree to which the diversity (*E*) of subunits differs from the diversity of a larger unit. For each Census year, I calculate *H* Indices at the two levels that are of interest – within cities and across cities. Respectively, these measure

the extent to which Census tract diversity differs from city diversity (H_{c_t}) and the extent to which city diversity differs from metropolitan area diversity (H_{m_c}).⁵⁴

$$H_{c_t} = \sum_{t=1}^T \frac{P_t}{P_c} \left(\frac{E_c - E_t}{E_c} \right)$$

$$H_{m_c} = \sum_{c=1}^C \frac{P_c}{P_m} \left(\frac{E_m - E_c}{E_m} \right)$$

Where P represents total population of the tract t , city c , or metropolitan area m , and E represents the entropy of the geography ($E = \sum_{r=1}^R (\pi_r) \ln \frac{1}{\pi_r}$).

I combine the two indices to produce a total H Index for the metro area calculated at the tract level, H_{m_t} .

$$H_{m_t} = \sum_{t=1}^T \frac{P_t}{P_m} \left(\frac{E_m - E_t}{E_m} \right) = H_{m_c} + \sum_{c=1}^C \left(\frac{P_c}{P_m} \right) \left(\frac{E_c}{E_m} \right) H_{c_t}$$

To illustrate the two levels of segregation, Figure 1.6 provides images from a map of the population developed by Dustin Cable for the Weldon Cooper Center for Public Service at the University of Virginia. The map includes one dot for each person in the United States as of the 2010 Census, color coded by race (blue for white, green for African American, red for Asian, and orange for Latinos).⁵⁵

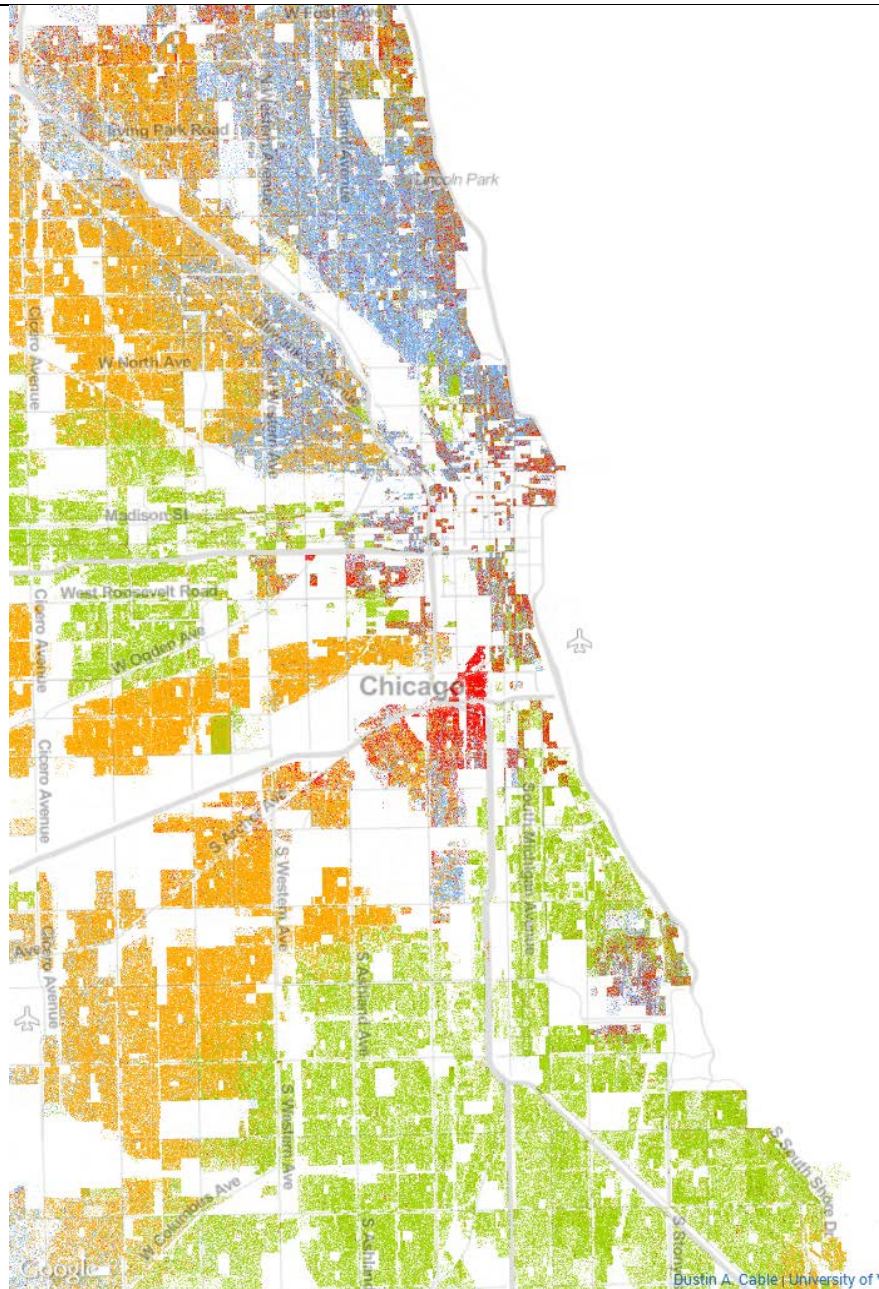
⁵⁴ Census tracts are perfectly nested within states and counties. However, in some cases, tracts cross city lines. In these cases, GeoLytics assigned the tract to the city containing the largest share of the tract population. In 2011, tracts are weighted by the share of population contained in each city. Observations are unique when defined by year, tract, city, county, and metropolitan area. Tracts located in unincorporated areas within a metropolitan area (even if they are denoted as places by the Census) are combined as a single unincorporated unit. Tracts outside of metropolitan areas are not included in the analysis. I use Metropolitan Statistical Areas and where possible, Primary Metropolitan Statistical Areas, as the highest level of aggregation (not Consolidated Metropolitan Statistical Areas which are much larger).

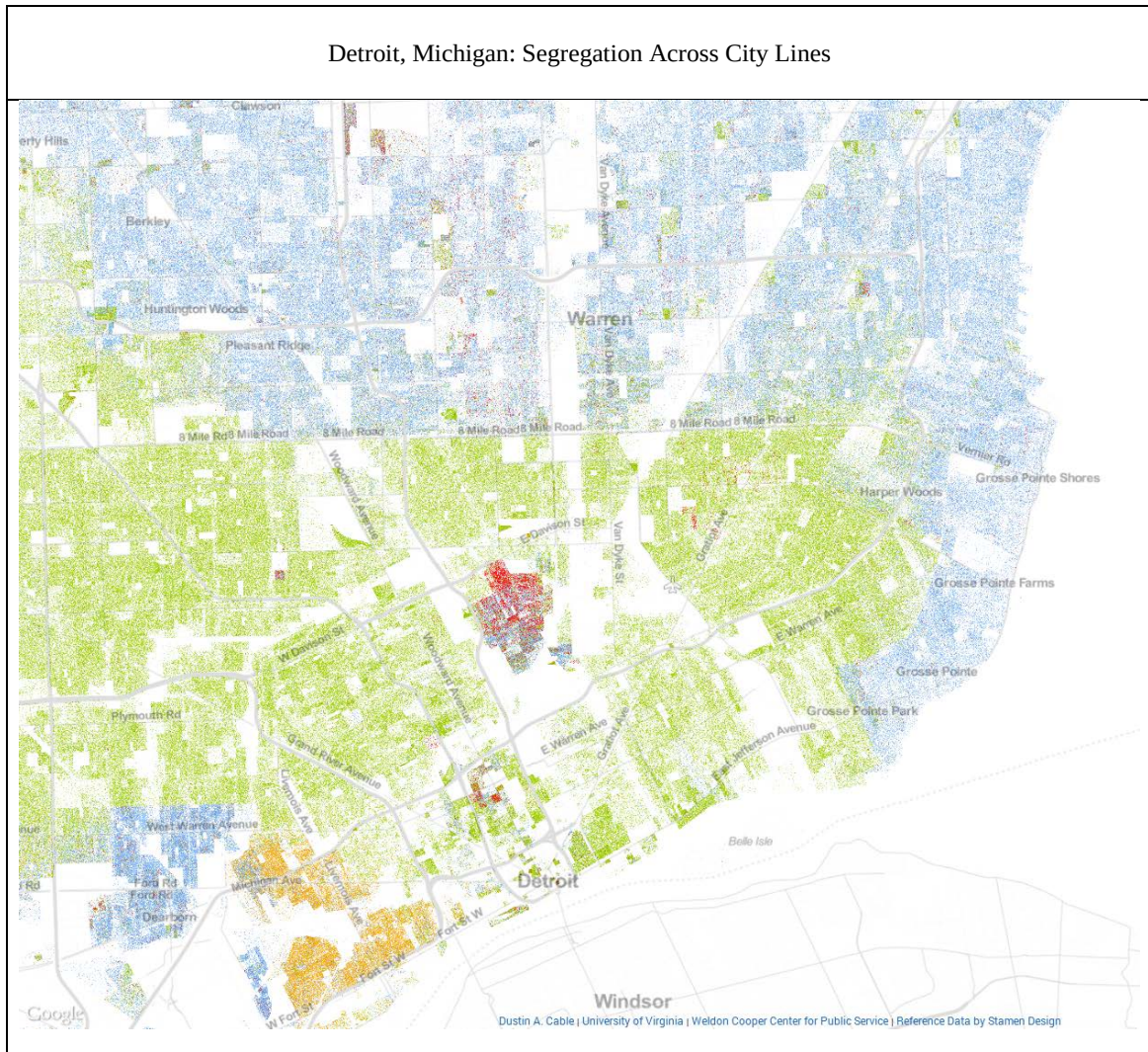
⁵⁵ Available at <http://demographics.coopercenter.org/DotMap/index.html>.

The upper panel shows Chicago, Illinois – a city in which whites are segregated from nonwhites in different neighborhoods (indicating a high amount of segregation across tracts within the city, H_{c-t}). The bottom panel shows a section of the Detroit, Michigan metropolitan area where racial sorting is much more prevalent *across* city lines as opposed to within them (indicating a high value of H_{m-c}).

Figure 1.6: Segregation Within City vs. Across Cities, 2010

Chicago, Illinois: Segregation within a City



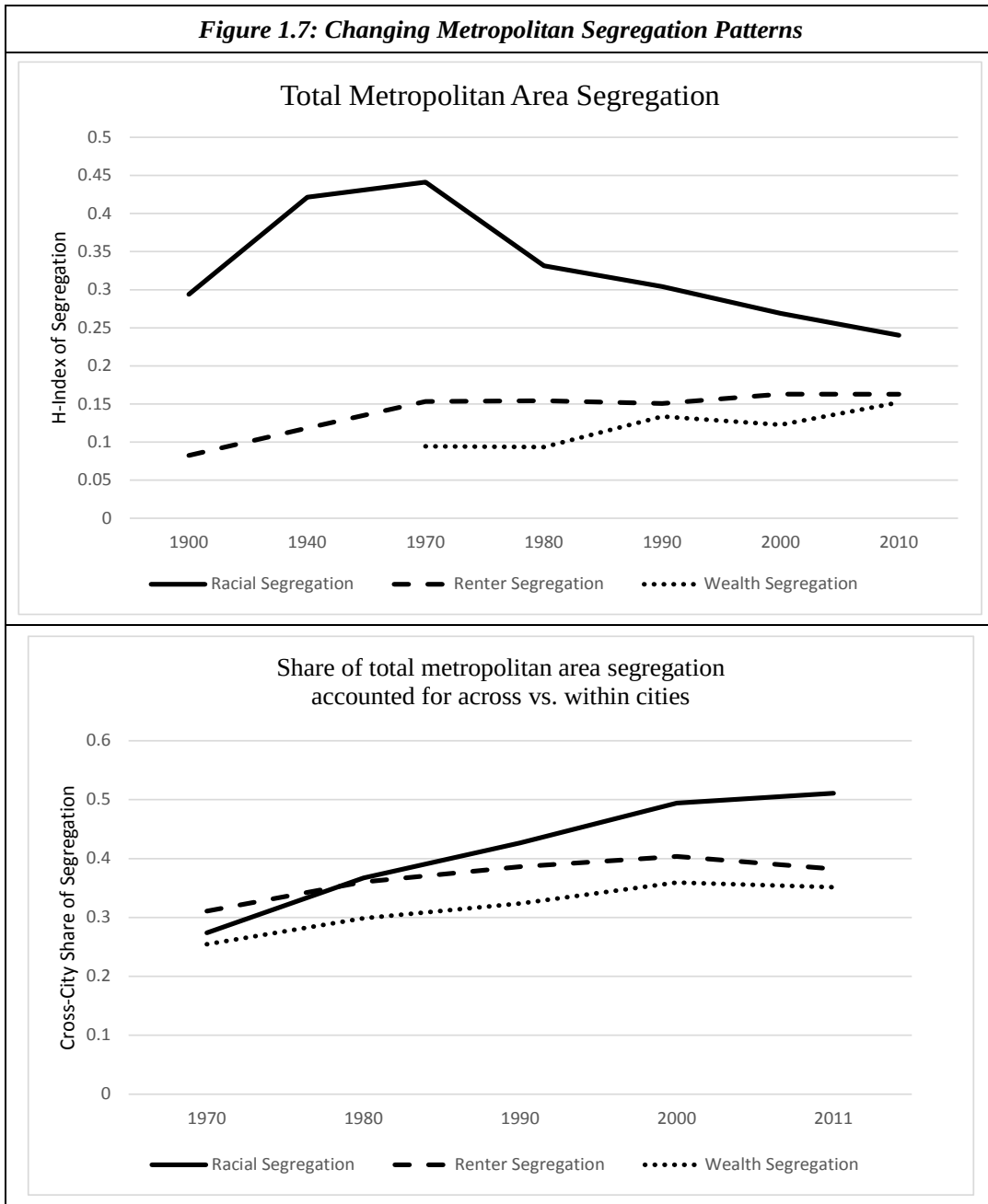


The maps make it clear that white and nonwhite residents of Chicago live in homogenous neighborhoods. Overall, the city is very segregated. The value of H_{c_t} in 2011 for Chicago was 0.379; the value of H_{m_c} (total segregation across cities) for the Chicago metropolitan area was 0.192. In the bottom panel, the neighborhoods within the cities of the Detroit metropolitan area are much more homogenous. The stark horizontal divider between the blue and green dots is 8

Mile Road which marks the boundary between Detroit and the neighboring **city** of Warren. A similar vertical division can be found on the right hand side of the picture, noting the boundary between Detroit and the cities of Grosse Pointe, Grosse Pointe Park, Grosse Pointe Farms, and Grosse Pointe Shores.⁵⁶ The value of $H_{c,t}$ (within city segregation) in 2011 for Detroit was 0.220, while the value of $H_{m,c}$ for the metropolitan area was 0.395.

How has metropolitan area segregation changed over time? The top panel of Figure 1.7 shows total metropolitan segregation measured at the tract level ($H_{m,t}$) since 1900, while the bottom panel shows the share of that segregation that was accounted for across cities rather than within them ($\frac{H_{m,c}}{H_{m,t}}$) from 1970-2011.

⁵⁶ The maps are shaded based on population density, hence the darker colors in Chicago.



These figures reveal that by 1970, racial segregation had peaked and begun to decline, while class segregation began a slow ascent. Between 1970 and 2011, in nearly every

metropolitan area in the United States, neighborhood segregation was exchanged for city level segregation along both race and class lines. The figures also show that historically, class segregation was much lower than racial segregation, but by 2011, the indices had converged substantially. The relationship between race and class segregation also increased over time. In 1990 (the earliest date for which I have data on all 330 metropolitan areas), the correlation between race and renter segregation was 0.19. It rose to 0.32 in 2011. The correlation between race and wealth segregation increased from 0.46 to 0.51 over this same period. The link between race and wealth segregation across city lines is even stronger; it was 0.70 in 2011. This tightening link between race and class is driven by changes in both race and class segregation, both within and across cities. However, these remain distinct demographic patterns.

Chapter 2: Local Government Action Contributes to Segregation 1900-1940.

Segregation along both race and class lines grew in tandem with the growth of cities (Meyer 2000). Race, ethnic, and class enclaves developed as urbanization brought white migrants, African Americans, and immigrants to cities (Teaford 1979). At the turn of the century, the predominant pattern of segregation occurred building by building, block by block, and sometimes several blocks by several blocks, but typically not by neighborhoods (Logan et al. 2015, Meyer 2000). Many cities featured multiple racial, ethnic, and class enclaves (Kellogg 1982, Rabinowitz 1978). In Philadelphia, for instance, about 40% of the black population lived in central city wards (4th, 5th, 7th, and 8th); but there were significant clusters of black homes in the 14th, 15th, 20th, 22nd, 26th, 27th, 29th, 30th, and 37th wards too (DuBois 1899). In Atlanta blacks lived in “Shermantown, Mechanicsville, Hell’s Half Acre, Bone Alley, and Pigtail Alley,” as well as “Darktown....Peasville...and Jennings town,” (Rabinowitz 1978, p106). By 1940 neighborhoods had become much more homogenous. So, while the residential location of people of color and the poor was nearly always restricted, the pattern of segregation changed during the years leading up to the Second World War. In this chapter I argue that local governments played a role in producing this change. Governments adopted zoning and other policies that created or reinforced segregation in service to business elites and white, property-owning constituents who were demanding a larger, more active city government.

In the very large social science literature on the causes and maintenance of race and class segregation, the contributions of local government are given limited attention.⁵⁷ Boustian (2012) concludes, “the most important [factor in the generation of residential segregation] appears to be individual choices of white households” (p318). Hayward (2013) agrees, arguing that restrictive

⁵⁷ The contributions of the federal government, on the other hand, are well covered (Jackson 1985, Massey and Denton 1993).

covenants were, “a more significant mechanism of racial segregation,” than local government activities (p59).⁵⁸ Other scholars combine private and public actions into a single theoretical construct. For example, Cutler et al. (1999) provide evidence of “collective action racism” which involves, “specific policy instruments such as racial zoning or restrictive covenants prohibiting sales to blacks, or organized activities such as threatened lynchings or fire bombings that discourage blacks from moving into neighborhoods” (p476). Similarly, Dreier et al. (2004) associate racial zoning laws with biased real estate codes of ethics, racial steering, insurance redlining, and white violence concluding that, “racial segregation thus stems from the routine practices of the private real estate industry” and the spontaneous choices of urban residents “as well as from government policy” (p 120).

The role of government was important. For one thing, using the state to engage in promote restrictive collective action is qualitatively different than arranging segregation privately. Marshalling the power of city government institutionalizes prejudicial behavior and denies victims recourse. As Abrams (1955) explains, “passions and prejudices...unsanctioned by government...exhausted themselves” (p206). But when democratically elected local governments developed policies promoting segregation they became, “instruments of oppression against minorities” (p207).

Furthermore, while prejudicial attitudes and behavior were widespread during this period, government action was more variable. Understanding where and when local governments worked to create segregation along both race and class lines helps to clarify where segregation was likely to become entrenched and where it was more fluid, as well as provide insight into the factors that generate consequential local policy decisions.

⁵⁸ Of course, restrictive covenants required government action for enforcement. However, they could be generated without government involvement.

In this chapter, I explore the factors that contributed to the adoption of zoning laws. I argue that zoning was enacted by political elites seeking to manage the distribution of public goods to their core supporters. To present that argument, I first offer a historical narrative detailing the adoption of zoning laws by municipal governments. Then, I present a quantitative analysis of these adoptions. I find that cities with higher property taxes and larger budgets (where more was at stake), where Republicans (who led the municipal reform movement) had greater support, and where political participation was low (and thus more likely to be heavily skewed toward middle-upper class, native, white voters), zoning ordinances were more likely to be adopted. Finally, I analyze the effect of zoning adoption on future levels of segregation. I show that cities that were early adopters of zoning went on to become more segregated along both race and class lines than similarly situated cities without early zoning plans.

The dawn of the 20th century was an exciting time for local government. Populations exploded as the industrial revolution took hold. In this environment, the limited, caretaker approach to city governance became suddenly and profoundly insufficient for maintaining health, order, and property. Monkonnien (1988) explains, “cities could have chosen to ignore sewage, crime, unschooled children, and slow transportation by simply tolerating higher disease rates, offense rates, illiteracy rates, and traffic tangles” (p4). City governments did not take that path. Instead city governments worked aggressively to shape their social and economic environments. As Chapter 1 revealed, between 1890 and 1940, cities became modern – providing services like clean water, fire protection, police patrol, and road paving. It was in this environment that cities also began to seek control over space and residents’ use of space through zoning and city planning. The end goal of this control, as was true of most Progressive Era reforms, was to improve the lives and opportunities for businesses and residents – more

specifically, US born Anglo residents (Tretter 2012, Woodward 1955, Toll 1969, Brownwell 1975).

As Monkonnien indicates, it was far from obvious that cities would assert control over their environments, but the rapid spread of slums, worries about skyscrapers blocking natural light, fears of conflagration, and concern about public health threats provided early inspiration for cities to invoke their policy power of regulation over nuisances (Toll 1969).⁵⁹ Reformers debated the correct policy solutions for these ills, recommending for example, density restrictions (Woodbury 1929), stricter building codes (Power 1983), the removal of alley dwellings (Silver 1997), or policies, including increased public transportation, that would encourage suburban homeownership for the working class (Baar 1996). In many cases, typically at the urging of local chambers of commerce, city councils chose to pursue zoning – regulating the use, height, and area of buildings and land (Brownwell 1975). Zoning was sometimes, but often not, combined with general development plans for the city. While zoning became wildly popular, planning did not. This decoupling of zoning from planning was viewed negatively by some leaders of the early planning movement who thought the creation of homogenous neighborhoods would be likely to reinforce social divisions and inequality (Toll 1969). Of course, this was often precisely the goal of zoning supporters.

The rise of social Darwinism contributed to the attraction of zoning as a solution for burgeoning problems. Social Darwinists argued that the evolution of humanity would follow a process of natural selection in which the environment played a defining role. As a result, controlling the environment was of utmost importance (Toll 1969). A related body of literature

⁵⁹ A number of important court battles ensured that zoning would be constitutionally allowed for the promotion of health, safety, welfare, and morals and did NOT constitute the deprivation of life, liberty, or property (see Hayward 2013 and Toll 1969 for overviews).

came to understand race and the differences between racial and ethnic groups as biologically rooted, hence, immutable (Hayward 2013). According to this doctrine, the inherent inferiority of blacks and other people of color (Native Americans, Chinese, Japanese, Mexicans), the preservation of “race purity” demanded, “segregation and discrimination in recreation, in religious service, in education, before the law, in politics, in housing, in stores, and in breadwinning” (Myrdal 1944, p58). Additionally, scientific and medical experts as well as politicians believed that the unsanitary habits and homes of the poor and people of color spread epidemic disease (Shah 2001, p6). In combination, these new theories offered a convincing rationale for the creation of special districts to quarantine offending groups. By 1930, about half of all large cities in the US had adopted comprehensive zoning plans.

Political leaders often used threats to public safety as a rationale for legislating segregation. New York’s 1916 zoning law, the first comprehensive zoning ordinance in the nation, sought to limit the health threat posed by skyscrapers which blocked natural light and so, contributed to the spread of tuberculosis (Toll 1969, p154). Because immigrants and Blacks were viewed as disease carriers, segregating them was a typical goal of zoning. In San Francisco, the first city to segregate explicitly on the basis of race, whites had grown increasingly paranoid that Chinese residents were spreading diseases like smallpox and tuberculosis and in 1890, enacted an ordinance that required all Chinese residents and their businesses to move, within 60 days, to the section of town which had been set aside for, “slaughterhouses, tallow factories, hog factories, and other businesses thought to be prejudicial to the public health or comfort” (McClain 1996, p224). In Baltimore, segregationists agreed that, “blacks should be quarantined in isolated slums in order to reduce the incidents of civil

disturbance, to prevent the spread of communicable disease into nearby white neighborhoods, and to protect property values among the white majority” (Power 1983, p301).

The belief that zoning would create stability in property values was widely held and generated strong support from land owners, commercial organizations, bankers, realtors, and developers (Abrams 1955, Brownell 1975, Weiss 1987). Boston’s first height restriction was passed in 1892 at the behest of downtown property owners who feared that the new skyscrapers would lead to an oversupply of office space and drive down property values (Kennedy 1992). In some places, this view had to be cultivated. In Los Angeles, for example, some developers were opposed to the city’s 1908 zoning law because they worried it would inhibit growth (Weiss 1987). To combat such reservations, early supporters of zoning made sure to argue that their proposals would, “enhance, not detract from property values,” (Toll 1969, p150). Zoning could easily have been invoked to improve the quality and health of working and lower class neighborhoods and limit land speculation (as some of the early reformers argued it should); however, “political pressures from those less inclined toward broad civic improvement” won out (Silver 1997, p24).

As zoning practices spread through the 1920s, emphasis on the enhancement of property values became the dominant argument; almost universally, it was believed that the wrong sorts of people residing or sometimes even working in an area could negatively impact property values. Abrams (1955) quotes an early real estate text which argued that, “...property values have been sadly depreciated by having a single colored family settle down on a street occupied by white residents,” and another that claimed a similar effect of “unassimilated aliens.” Both prescribed “rigid segregation” as a solution, “no matter how unpleasant or objectionable the thought may be to colored residents” (p159).

Aside from adding wealth to property-owning and voting residents, city governments had an even more powerful reason to protect and enhance property values – taxes (Lees 1994). An advertisement run by 5th Avenue merchants in the March 5th and 6th, 1916 editions of the New York Times argued that failure to support the city’s new zoning plan would lead to “vacant or depreciated property,” which would lead to “reduced taxes, leaving a deficit made up by extra assessment on other sections” (p5). Rising property values allowed municipal governments to grow without increasing tax rates. When some property values actually declined, municipal officials faced the unwelcome task of raising tax rates or cutting the budget.

As municipal governments began to spend vast sums on improving the lives and environments of residents, ensuring that the right (white/wealthy) residents benefited from the new city services became of utmost importance. This goal was clear to observers at the time. Booker T. Washington explained that, “the negro objects to being segregated because it usually means that he will receive inferior accommodations in return of the taxes he pays.” Such objection stemmed from the belief that segregation would ensure that, “the sewerage in his part of the city will be inferior; that the streets and sidewalks will be neglected, that the street lighting will be poor; that his section of the city will not be kept in order by the police and other authorities, and that the ‘undesirables’ of other races will be placed near him.” Thus, Washington concluded, “when a negro seeks to buy a house in a reputable street he does it not only to get police protection, lights and accommodations, but to remove his children to a locality in which vice is not paraded” (Washington 1915, p113-114). Frequently, white elites made arguments that taxing whites to pay for black public goods (like schooling) was “an indignity.” One delegate to the Louisiana Constitutional Debate in 1864, incredulous at the proposition asked, “Shall we tear the slave away from his master and then force the master to educate him?”

(Louisiana Constitutional Debate, quoted at length in Bond 1934, p16-17). As a result, in many cities (see Chapter 3), black areas lacked municipal services such as, “paving, water, sewerage, lighting and garbage removal,” (Knight 1927, p53; also Myrdal 1944).

Given that zoning was viewed as a way to both increase property values and maintain exclusivity in the distribution of public goods, it is unsurprising that Southern cities made early use of zoning to hem in expanding black neighborhoods and create clear dividing lines between white and black residential areas. Of course, the development of racial zoning in the South was part of a much larger process of reconfiguring race relations after the Civil War. During the period of Reconstruction and Redemption, whites subordinated, exploited, and killed blacks, but even in this context, the legal segregation of the races was not a foregone conclusion (Woodward 1955).⁶⁰ In fact, although Jim Crow laws were widespread, most Southern cities did not legislate residential segregation directly.⁶¹

Blacks being able and willing to live in white neighborhoods was a necessary (although not sufficient) condition for the enactment of legislation. Baltimore passed the first racial zoning law directed at blacks in 1910 following the violent response of white residents as black migrants moved into previously all white areas. Baltimore’s ordinance prohibited whites and blacks from moving into city blocks occupied by a majority of members of the other race. Quite aware of the requirements of the 14th amendment, the Baltimore council argued (and the Maryland Supreme Court agreed), that because the ordinance placed the same limitations on both racial groups it

⁶⁰ One vivid example of the ways in which Jim Crow changed existing practice comes from New Bern, North Carolina. In 1913, the city aldermen passed an ordinance which required that all “colored bodies” buried in the public cemetery be dug up and moved to a segregated location.
<http://www.newbernsj.com/article/20140209/Opinion/302099914>

⁶¹ Rabinowitz (1978) argues that the picture was different with respect to schooling. Here, segregation was immediate and unchanging after the end of the war.

was not discriminatory (Virginia Law Review 1916).⁶² The vote of the city council fell along party lines with all of the Democrats in support and all of the Republicans opposed.⁶³ Republicans were joined in their opposition by the entire community of black residents, some real estate brokers, and white homeowners who lived in integrated neighborhoods (Power 1983). Democrats were not just responding to their white voters in their promotion of segregation. Limiting black residential location also bolstered Democratic political power by ensuring that blacks would be packed into certain wards; thereby reserving the rest of the city for Democratic control (Rabinowitz 1976).

In some places, black political power slowed or inhibited the enactment of segregation ordinances (Rice 1968). In St. Louis, an effort to pass a segregation ordinance failed because it was opposed by a significant number of city elites (including most of the city's leading Republicans, labor interests, religious leaders, and newspapers). The National Association for the Advancement of Colored People (NAACP) and the Knights of Pythias lobbied the St. Louis city government tirelessly and ultimately convinced 21 of the 28 aldermen and the mayor to vote against it. In 1912, the city went so far as to station five police officers at the house of a black family to protect them from, "possible attack by whites who resent what they term a 'Negro invasion' in their residential district" (*The Crisis* 1912 Vol 4, No 6, p272). In a low turnout election in 1916, supporters of the segregation ordinance won a city referendum and the city immediately began mapping the race of each city block. (Meyer 2000 19-21). In Kansas City, Missouri, blacks had a modest amount of political power due to their ties to the (Democratic)

⁶² Although the Court agreed with the city's reasoning about the 14th amendment, it ultimately declared the ordinance unconstitutional because its provisions were retroactive thereby representing a taking by the government. (*State v. Gurry* 121 Md. 534 (1913))

⁶³ Republicans were generally (tepidly) supportive of black rights in Baltimore and between 1890 and 1931, six black Republicans served on the Baltimore City Council (Greene 1979). Over the course of their careers, these councilors led the city council to provide significant contributions to Baltimore's black community; but none were able to defeat the segregated housing legislation.

Pendergast machine. Despite support from a significant segment of the city's white population, a racial zoning ordinance never made it past the lower chamber of the city council (Meyer 2000).

Bacote (1955) reports that throughout the late 1800s in Atlanta, black support was frequently courted by white factions. For instance, in the 1891 election, black candidates were nominated for council positions in the 1st, 4th, and 6th wards on the Citizens' ticket (an anti-prohibitionist faction of the Democratic Party). White factions did this when they were in danger of losing the election – in 1891 the anti-prohibition Democrats were worried about a Populist victory. To prevent white factions from seeking black support in the future, the Democratic Party adopted the white primary in 1892, and the state of Georgia enacted a new constitution in 1901 which included a character requirement, a literacy test, and made property ownership a condition for registration (Bayor 1996). These changes severely restricted black participation, ensuring that white factions would only rely on white votes. The evisceration of the black electorate and black representation opened the way to the city's enactment of segregation ordinances (Key 1949, Kousser 1974, Woodward 1955).

Atlanta enacted a racial zoning ordinance on the heels of a violent race riot in 1906. The riot erupted after local newspapers reported four alleged (but never substantiated) assaults upon white women by black men. According to Garrett (1969), the riot was ignited by the sight of black passengers riding next to whites on street cars. A white mob killed and beat dozens of black Atlantans over the course of three days. A concerted organizing effort among the city's African American population followed. White elites and politicians denounced the riot, and a public/private relief fund was even established for families of the murdered victims (Garrett 1969). However, the riot also led many whites to conclude that, "separation of the races is the only radical solution of the negro problem in this country" (Charleston News and Courier,

quoted in the New York Times, September 30, 1906). Following the passage of the ordinance in 1913, all blocks in the city were assigned racial designations based on the race of the majority of current residents (Silver 1997).

Fighting racial zoning was one of the early nationwide causes to be adopted by the NAACP (Rice 1968, Meyer 2000) and due to the organization's work, in 1917, the Supreme Court ruled racial zoning unconstitutional in *Buchanan v. Warley*. In the *Buchanan* decision the justices did not seek to protect the rights of black property buyers or to prohibit "amalgamation of the races," but rather to protect the right of white owners to, "sell or lease their lands and houses to whomsoever they pleased" (Virginia Law Review 1928, p531).⁶⁴ Nonetheless, the Chicago Defender declared that the, "hydra-headed monster of segregation...was killed by the Supreme Court," and argued that the, "decision [was] a direct slap in the face to white southern oligarchy." (November 10, 1917). According to Rice (1968), it was also a, "victory for moderate whites and Republicans" (p197).

Following *Buchanan*, many cities sought to enact constitutionally defensible racial zoning plans by turning to comprehensive city plans (Silver 1997).⁶⁵ In 1914, a racial zoning ordinance was proposed in Birmingham while the *Buchanan* case was already moving through the court. A group of black attorneys convinced the Birmingham city council that they could face a costly legal battle if the Court ruled against Louisville's ordinance. In order to prevent this, and to appease white demands for segregation, the council chose instead to adopt a

⁶⁴ The Court found that the ordinance improperly restricted the rights of property owners to dispose of property. It did not challenge the separate-but-equal doctrine that was in place as a result of the 1896 *Plessy v. Ferguson* decision.

⁶⁵ San Francisco was the first city to utilize a form of use zoning for a racial purpose. In 1885, the city enacted a set of regulations for laundries operating in residential areas in an attempt to keep Chinese residents (who owned nearly all of the laundries and typically lived above them) from white neighborhoods. The law was invalidated by the Supreme Court in the 1886 case *Yick Wo v. Hopkins* in which the Court found that a law which is race neutral on its face may still violate the 14th amendment if administered in a prejudicial manner.

comprehensive zoning plan in 1926 that included racial designations for different city zones (Connerly 2005). Atlanta's 1922 revision of the zoning ordinance combined zoning categories of land use and building regulations with racial designations. For instance, the city's master zone map noted that, "unless otherwise designated on this map, all areas designated as dwelling house districts are also class H1 height districts and white race districts." Other areas were designated as "colored district and an apartment house district" or "colored district and dwelling house district."⁶⁶ In 1929, the zoning code was again revised, this time including a prohibition on occupying a home on a street where the majority of residences were occupied by persons whom the resident was forbidden to marry by law (Meyer 2000). Eventually, the court ruled against these ordinances and by the 1930s segregationists had dropped the racial designations in favor of comprehensive zoning.

As the court struck down plans that endorsed outright racial segregation, the case for other forms of zoning had been building. A series of judicial decisions established the bounds of permissible approaches to regulating the uses and size of buildings. For instance, the court determined that exercise of police power (e.g. the authority to regulate behavior and enforce order), "must be reasonably adapted to the purpose of protecting some interest of the community," (C.C.S. 1925 p417) and that nuisance regulation and other use restrictions, "must bear a substantial relation to the public health, safety, morals or general welfare" (Monchow 1928, p323). Zoning ordinances spread rapidly throughout the 1920s, particularly after the Supreme Court determined that comprehensive zoning would not require cities to compensate owners for losses in prospective land values in the 1926 case *Euclid v. Ambler Realty Company*.

⁶⁶ <https://citylocl.files.wordpress.com/2014/07/6-atlanta-19291954.pdf>

Zoning adoption was also propelled by the Republican-led federal government. In 1922, under the direction of Secretary Herbert Hoover, the Department of Commerce issued a template for state enabling laws in the Standard State Zoning Enabling Act. The Act was published in 1924 and a revised edition was released in 1926. Thus, while Republicans tended to oppose zoning in the South, they were frequently the drivers elsewhere. In Boston, Republicans were shut out of city government by the powerful Democratic organization, leaving them to pursue zoning laws through the Massachusetts state legislature instead (Kennedy 1992, p113).

The arguments surrounding the adoption of comprehensive zoning were broad but imbued with municipal Progressivism's race and class prejudices (Bridges 1997, Trounstein 2008). Comprehensive zoning supporters highlighted benefits such as the "adequate provision of light and air," "stabilization [sic] and protection of property values," "protection and maintenance of the home and home environment," "to apply the most up-to-date methods of sanitation and hygiene," "simplifying the problems of street traffic regulations," and the prevention of congestion (A.C. Holliday 1922, p217). By separating industrial, commercial, and residential uses into separate districts each with standard regulations regarding the use, height, and area of buildings, zoning would make, "every town, city or village a more orderly, convenient, economic and attractive place in which to live and work," (A.C. Holliday 1922, p218,). One key to ensuring high property values and orderly living arrangements was the ability for zoning ordinances to prevent noxious uses from polluting residential neighborhoods (Fischel 2001). Apartment buildings constituted one such noxious use.

In *Euclid v. Ambler*, Justice Sutherland explained that the apartment house is often a, "mere parasite, constructed to take advantage of the open spaces and attractive surroundings... interfering by their height and build with the free circulation of air and monopolizing the rays of

the sun...depriving children of the privilege of quiet and open spaces for play enjoyed by those in more favored localities...until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed. Under these circumstances, apartment houses, which in a different environment would be not only entirely unobjectionable but highly desirable, come very near to being nuisances.” (p394-395).

In allowing the protection of single-family home neighborhoods, *Euclid* laid the groundwork for the long-term shift from a country segregated by race to one that became increasingly segregated by income. In the early 20th century, race and income were so strongly overlapping that denying apartment buildings in a neighborhood of single-family homes would also largely prohibit blacks and many immigrants from residency. Making this point, Bruno Lasker, editor of *Survey Magazine* asked:

“Why, in this country of democracy, is a city government, representative of all classes of the community, taking upon itself to legislate a majority of citizens – those who cannot afford to occupy a detached house of their own – out of the best located parts of the city area, practically always the part with the best aspect, best parks and streets, best supplied with municipal services and best cared for in every way? Why does it deliberately ‘segregate’ the foreign-born who have not yet become sufficiently prosperous to buy or rent a home under building regulations which preclude the possibility of inexpensive development and construction?” (“Unwalled Towns,” *The Survey*, Volume 43, 1920, p677).

Lasker suggested that the answer to his question was the dominance of politics by wealthy property owners who sought to employ, “public power for the purpose of protecting sectional interests” (“The Issue Restated,” *The Survey*, Volume 44, 1920, p278). Segregation enforced via zoning was a means to accomplish this end. In cities like Chicago, Kansas City, and Los Angeles, some of the most powerful voices in support of zoning were homebuilders and real estate boards who stood to gain monetarily from segregation (Gotham 2000).

With such wide-ranging positive effects for powerful interests, it is easy to see why zoning became so popular. Yet, by the close of the 1920s, many cities had not yet adopted zoning plans. I have argued that zoning was a tool that enables elected officials to make it easier to limit the distribution of public goods to certain constituents and to ensure high property taxes, and that it was successfully implemented where zoning supporters had political power. In order to provide more systematic evidence of this argument, I collected data on all of the cities that enacted *zoning ordinances* between 1900 and 1930. I gathered racial zoning information from several reports including Rice (1968), Connerly (2005), Silver (1997), and numerous issues of the NAACP's *Crisis Magazine*. To encode general zoning plans, I drew on an article published in *The American City* by Norman Knauss in 1929, which listed the years that zoning ordinances were enacted. Knauss reports having sent a survey to all municipalities with the authority to enact zoning. His list includes 768 municipalities that reported having an ordinance. I coded the city year in which zoning was enacted as a 1 and years leading up to that date as a 0. Cities exit the analysis once they enact zoning. Cities that were included in the Census but had no zoning law by 1929 are coded 0 for the entire time period. Zoning is my dependent variable. To these data, I merged city spending and demographic data culled from the Census (which are described in Chapter 1).

My primary independent variables are per capita total *Expenditure* and *Property Taxes*. I log the total expenditure variable because the data have a strong rightward skew. I expect both of these variables to be positively correlated with zoning. Where spending and property taxes were higher, local officials would have a greater incentive to protect the existing distribution of public goods and the total tax revenue. I include two additional political variables – the county-level *Republican presidential vote share* (linearly interpolated for non-election years) and county

level *Turnout* of age-eligible voters.⁶⁷ Republican vote share is a rough proxy for the degree of support for regulatory policy, of which zoning was an example. I expect that greater Republican support will be associated with a higher likelihood of implementing zoning – except in the South. A range of voting restrictions were in place throughout the time period under consideration (Keyssar 2000) and I include the turnout of the age-eligible population to capture the permissiveness of the electoral environment. This measure is preferable to including state level laws like the poll tax or literacy test because it allows for sub-state variation in the electoral setting. Generally, higher turnout is associated with greater participation of the poor and people of color (Hajnal 2010); populations that both tended to be opposed to zoning plans and stood to lose from their implementation. Thus, I expect that where turnout was higher, the likelihood of enacting zoning was lower.

A wide range of alternative explanations for the adoption of zoning were proposed by contemporary observers and later analysts of the movement, many of which are correlated with the political factors I seek to test. Writing about racial segregation laws, Woodward (1955) argues that the economic depression at the end of the 1890s led to “aggression against the minority race” (p81). To account for this possibility, I include a measure of the share of the total population that was *Unemployed*, linearly interpolated from the Census of Population and Housing. Fischel (2004) claims that zoning adoption followed the invention of trucks and busses, which made it feasible for businesses and apartment buildings to be built in residential and suburban areas, away from rail lines. I include per capita spending on *Roads*, which include street paving, street cleaning, and street lighting to capture differences in vehicular accessibility. In the “History of Zoning,” Gordon Whitnall explains that, “the practice of zoning began...when

⁶⁷ This denominator includes men over the age of 21 until 1919 and both women and men over the age of 21 in 1920 and later elections.

the concentration of population in cities began to be pronounced” (1931, p2). The “urge for zoning” he goes on to say, “has arisen from the desire and the necessity to bring some order out of the chaos that has resulted from the anarchistic development of our cities.” I include the *10 year rate of change* in total population and population *Density* (persons per acre) to capture urbanization. To measure threats of disease and conflagration, I include per capita spending on *Health care* and *Fire-fighting*.

As described above, contemporary supporters of segregation ordinances often asserted the protection of white, single-family neighborhoods as the primary goal. To measure the social threat of black and foreign populations, I include the share of the population that is *Black*, *Foreign Born White*, and *Foreign Born Non White*. To measure the threat of lower-income (apartment dwelling) populations I include the share of the population *Renting* their homes. To capture the presence of noxious industry that might be better contained in a zoned city, I include the share of the employed population working in *Manufacturing*. This variable also captures an argument presented by Connerly (2005): that industrialists preferred to maintain segregated cities in order to dampen the threat of union organizing across racial lines.

Many scholars (e.g. Woodward 1955, Myrdal 1944, Blumer 1958) understand segregation as a mechanism to bolster hierarchical racial control, as social distance may preserve the relative status advantage of whites. For instance, Wade (1967) argues that segregation was, “rooted in the white’s need for discipline and deference,” and that it, “provided public control to replace dwindling private supervision of the master over his slave” (p278). If this is the case, we should expect that cities with existing patterns of segregation would be most likely to institutionalize the practice. It is also possible, however, that cities with high levels of segregation would have had no need for legislation (see Silver 1997 on Roanoke). To adjudicate

between these two possibilities, I include a dummy variable coded 1 if the city had *Segregated Schools*. This variable is encoded from Johnson (2015) who characterizes states as requiring segregation, permitting segregation, prohibiting segregation, or with no segregation statutes. My variable is coded one for states that require segregation, .5 for states permitting segregation, and 0 for all others. Bobo, Kluegel, and Smith (1997) argue that the political institutionalization of Jim Crow ideology was driven by the needs of the Southern economy, particularly the exploitation of black agricultural labor. On the other hand, Godsil (2006) suggests that whites with a significant stake in retaining a large black laboring class may have opposed racial zoning, as such ordinances might lead black workers to leave the city. To account for either possibility, I include for the share of the workforce employed in the *agricultural sector*. If Bobo et al.'s theory applies to zoning, we would expect a positive relationship between agricultural dominance and zoning. We'd expect the inverse if Godsil is correct.

My observations represent 4293 city-years from 240 cities. All spending data are inflation adjusted and linearly interpolated. Census data are linearly interpolated as well. I run logistic regressions with errors clustered by city. I include fixed effects for region, which means that these comparisons are all within the same area of the country. That is, the regressions analyze the effect of city expenditures on the adoption of zoning in each of four regions – West, North, Midwest, and South. Column 1 shows the base model with no controls. Column 2 includes all of the above-described controls. In Column 3, I change the dependent variable to focus on racial and comprehensive zoning. Here, the dependent variable is coded 1 when the city adopts either race zoning or comprehensive zoning and is coded zero otherwise. In this analysis, I present an interaction between Republican vote share and region to show how party

politics differed in the South. These results are presented in Table 2.1 and summary statistics are shown in appendix Table A2.1

Table 2.1: Effect of Local Political Factors on Zoning Implementation

	Column 1		Column 2		Column 3 Race and Comprehensive Zoning Only	
	β	P> z	β	P> z	β	P> z
Expenditure \$ Per Capita (logged)	0.787	0.008	1.255	0.000	1.354	0.000
Property Taxes \$ Per Capita	0.052	0.000	0.049	0.007	0.072	0.000
Presidential turnout	-2.094	0.005	-3.18	0.001	-2.639	0.015
Republican Vote Share	5.133	0.000	5.249	0.000	11.292	0.002
% For. Born White			-4.645	0.011	-5.797	0.003
% For. Born Non White			-24.709	0.011	-26.98	0.065
% Black			-2.162	0.359	-3.398	0.177
Highways \$ Per Capita			-0.330	0.027	-0.292	0.047
Health \$ Per Capita			0.234	0.482	-0.322	0.505
Fire \$ Per Capita			0.224	0.203	-0.052	0.759
Density			-0.006	0.637	-0.010	0.499
% Renters			2.136	0.170	5.743	0.001
% Employed in Manufacturing			2.643	0.049	3.361	0.027
% Employed in Agriculture			5.527	0.000	6.735	0.000
10 year population growth rate			-1.355	0.026	-2.242	0.001
School segregation			1.276	0.068	1.150	0.115
% Unemployed			5.338	0.052	5.788	0.073
Midwest	-0.621	0.019	-1.567	0.000	0.442	0.860
North	-0.883	0.000	-1.788	0.000	1.868	0.441
South	0.313	0.349	-1.628	0.056	4.287	0.089
North * Rep. Vote Share					-1.069	0.786
Midwest * Rep. Vote Share					-4.805	0.207
South * Rep. Vote Share					-8.347	0.030
Constant	-8.436	0.000	-8.073	0.000	-15.241	0.000
N	4293		3514		3687	
R ²	0.123		0.178		0.170	

Note: Logistic regressions; Robust Standard Errors clustered by city

Table 2.1 offers strong support for my claim that cities with greater public goods expenditures and more property tax revenues were more likely to implement zoning ordinances. With all else equal, shifting from the minimum per capita expenditure (about \$4) to the maximum (about \$476), changes the probability of adopting a zoning ordinance from 0.004 to 0.15. Similarly, cities with the lowest property taxes per capita (about \$2) rarely adopted zoning ordinances, while those with the highest taxes (\$67 per person) had around an 18% chance of implementing zoning. Where turnout of the voting age population was higher, zoning was less likely to be adopted. This result supports Toll's (1969) claim that, "the demand neither for zoning nor for planning had grown out of any widespread outcry in the cities of the United States" (p199). Zoning adoption appears to have been led by the Republican Party, except in the South, where Republican voting strength limited the likelihood of adoption of comprehensive and racial zoning ordinances.⁶⁸ These data fit the historical narrative presented above well.

In addition, many of the control variables suggest interesting patterns. For instance, there is no evidence that larger racial and ethnic minority populations drove zoning adoption. Nor did greater threats to public health or conflagration increase the likelihood of zoning. Contrary to Fischel's prediction, zoning was not more common in cities with more spending on roads. Economic factors appear to have played a more important role. Zoning adoption was more likely in cities with higher unemployment and with greater shares of the workforce employed in manufacturing and agriculture. It was also more likely in cities with more renters (particularly in the case of comprehensive and racial zoning). This conclusion is bolstered by a secondary analysis in which I add a measure of renter segregation in 1900 for 42 cities. Where renters were

⁶⁸ Cities with reformed institutional structures were not more likely to adopt zoning. In fact, nonpartisan cities were somewhat less likely to adopt. This effect is largely driven by cities in the South where nonpartisan laws may have advantaged Republicans.

more segregated from homeowners, zoning was much more likely to be implemented. This finding suggests that homeowners were more supportive of zoning measures when they lived in more defined neighborhoods to protect. It is also clear that zoning ordinances were much more likely to be enacted in places that had a preference for segregation. Where segregated schools were the law, cities were more likely to adopt zoning. In additional analyses I find that cities with marked segregation at the turn of the Century, particularly in the South, were also more likely to adopt zoning. These results support the contention that zoning was a mechanism used to reinforce existing racial hierarchies. In the next section I provide evidence that this was precisely its effect.

Zoning Generates Segregation

As Chapter 1 revealed, race and class segregation existed prior to the introduction of public policy measures that would separate residents and land uses. The history of private mechanisms producing segregation is well understood (e.g. Jones-Correa 2000, Meyer 2000, Burgess 1994, Myrdal 1944). Blacks, immigrants, and the poor tended to live in areas that were removed from native white middle class residents for a variety of reasons. Rabinowitz (1974) explains, “some of the housing segregation was voluntary: Negroes sought proximity to their jobs, welcomed the freedom from white surveillance, and enjoyed the company of other blacks” (p98). More important was “black poverty, which limited housing options” and “white pressures to keep blacks out of their neighborhoods” (p98). Restrictive covenants, clauses written into property deeds specifying restrictions on the use of the property, were widely used to bar undesirable neighbors from occupying properties starting in the late 1880s (Fogelson 2005). Mortgage discrimination and real estate steering were institutionalized in the early 1900s (Helper 1969). However, Hayward (2013) explains that the problem with relying on black poverty or

restrictive covenants to maintain segregation was that the market was susceptible to encroachment, requiring coordination and constant vigilance against potential violators (Brooks 2002, McAdams 2008). Marshaling the power of municipal governments to restrict land use offered developers and property owners the promise of a protected investment.

Evidence indicates that zoning adopted in the early 1900s followed patterns created by private actors (Burgess 1994, Tretter 2012). Writing in 1929, M. T. Van Hecke explained, “zoning programs are frequently influenced by restrictions in deeds. Where a very substantial area has been set aside for a high type use through the medium of deed restrictions, and that area is sufficiently large and geographically distinctive, zoning officials ordinarily recognize the character of the development and classify that section accordingly, so that the objectives of the statutory and deed restrictions are the same” (p420). Both supporters and opponents of zoning argued that the new laws would simply reinforce patterns produced by the market. Supporters, like Robert Whitten, creator of Atlanta’s post-*Buchanan* comprehensive zoning plan, claimed that zoning would serve to lessen racial antagonism and economic loss by making the future of development more predictable as it enforced existing segregation patterns (Toll 1969 p262). Opponents suggested that zoning would add unnecessary (and some argued, unconstitutional) regulation when restrictive covenants were perfectly suited to the job of preserving neighborhoods and property (Virginia Law Review 1928, Ellickson 1973, Hayward 2013 pp118-119, Denzau and Weingast 1982, Berry 2001).

Aside from freezing private decisions in public policy, zoning also had the potential to generate race and class segregation through implementation. Ostensibly, zoning is undertaken in the interest of the city as a whole, but this, “depends entirely upon the way in which the work is done” (Van Hecke 1929, p414). This is because zoning, as an administrative task, requires

innumerable small decisions by municipal officers who may, consciously or unconsciously, bias outcomes toward some groups and away from others. E.T. Hartman (1925) explains, “chief among the problems are the granting or refusal of permits in accordance with the law, the decisions of the board of appeals in appealed cases, and appeals from either or both by interested parties” (p162-163). As is true of any regulation, zoning serves political purposes (Denzau and Weingast 1982). The discretion inherent in applying zoning laws meant that local officials could deny permits to builders who sought to house nonwhite or poor families and/or make exceptions for developers serving white and upper class residents (Bayor 1996, Meyer 2000). Abrams (1955) explains, “those who build for whites can get a modification pro forma. But the moment an unwelcome group appears, the officials stand firm” (p210). Until 1949, the Federal Housing Administration officially encouraged the use of zoning to generate race and class segregation (Stearns 1962). Valuers were instructed that, “the best artificial means of providing protection from adverse influences is through the medium of appropriate and well-drawn zoning ordinances” (Federal Housing Administration 1936, *Underwriting Manual*, Part II paragraph 227). Zoning was understood to protect locations “against declines in value or desirability” (section 306(2)) by preventing the, “infiltration of business and industrial uses, lower class occupancy, and inharmonious racial groups” (paragraph 229).

As Berry (2001) notes, providing evidence of the effects of zoning on segregation has proved challenging because zoning is ubiquitous today.⁶⁹ But as the first section of this chapter revealed, in the first decades of the 20th century, zoning adoption was variable. I argue that this variation shows that early zoning adopters became more segregated cities – even accounting for the degree of segregation that existed when zoning laws were adopted. My dependent variables

⁶⁹ Berry (2001) takes advantage of the lack of zoning laws in Houston and their presence in Dallas to show that private controls – particularly covenants – produce the same outcomes as zoning laws.

in these analyses are *Change* in the level of *Race* and *Class segregation* between about 1900 and 1970. More specifically, I subtract the level of segregation at the earliest point in my dataset from the 1970 of segregation of non-Hispanic whites and renters. The earliest measures for racial segregation are from 1890, 1900, or 1910. For renter segregation, the earliest measure is 1900 for most cities.⁷⁰ As explained in Chapter 1, the segregation of renters is an imperfect measure of class segregation – but it is the only measure that allows me to capture change over time.

My primary independent variables are drawn from the data described for Table 2.1. I expect that racial segregation will be most closely linked to racial zoning and comprehensive zoning (as the historical discussion indicated), while class segregation will be tied to all forms of zoning. In the analysis of racial segregation, my independent variable is a dummy variable noting whether a city adopted either a race based or comprehensive zoning ordinance in the period 1900 and 1930. These *Early Zoning Adopters* are coded 1, and cities that did not adopt racial or comprehensive zoning are coded 0. In the analysis of renter segregation, cities are coded 1 if they adopted any type of zoning ordinance between 1900 and 1930 and zero otherwise. I control for the *Change in City Population* between the earliest point of measurement for each city and 1970. Table 2.2 presents these results.

⁷⁰ I have data in 1900 for 49 cities. To increase the number of usable observations, I include the level of renter segregation in 1940 for 14 additional cities. The correlation between renter segregation in 1900 and 1940 is .8676. The results are nearly identical (though less precise) using only the data from 1900.

Table 2.2: Zoning's Effect on Race and Class Segregation

	Change in Racial Segregation 1900-1970		Change in Renter Segregation 1900-1970	
	β	P> z	β	P> z
Early Zoning Adopter	0.133	0.001	0.036	0.061
Change in City Population	0.000	0.002	0.000	0.000
Constant	0.057	0.103	0.026	0.181
N	88		63	
R ²	0.198		0.222	

Note: OLS Regressions

The results in Table 2.2 are striking – cities that were early adopters of zoning ordinances grew more segregated over the next 50 years compared to cities that were not early adopters. Around 1900, cities that adopted zoning had very similar racial segregation rates to non-adopting cities (0.265 for adopters and 0.287 for non-adopters). By 1970, cities that adopted early zoning ordinances had segregation levels about 10 points higher on average (0.489 compared to 0.390). Zoning also exacerbated renter segregation. Cities that were not early adopters saw about a 4 percentage point increase in renter segregation between 1900 and 1970 compared to an 8 percentage point increase in cities with zoning.

Furthermore, zoning had significant consequences for property value inequality (as its promoters had hoped). To measure property value inequality, I created a *Property Value Gini Index* built from median home values at the census tract level in 1970. Cities in which all census tracts have very similar 1970 median home values have a low score on this measure, while cities that witness inequality in property values from neighborhood to neighborhood have a high score. Regressing the property gini on the dummy variable for early zoning adoption, including state fixed effects produces a coefficient of 0.09 (SE=0.003). Cities without early zoning had an average 1970 property gini of 0.04, compared to 0.13 among early zoning adopters. This difference is greater than a standard deviation on the gini index.

Of course, zoning was not the only mechanism available to local governments to promote race and class segregation. One of the most successful strategies of directing residential locations without force was the placement of segregated amenities. Austin, Texas was a pioneer in this practice. The city's 1928 comprehensive zoning plan found that, "the Negroes are present in small numbers, in practically all sections of the city, excepting the area just east of East Avenue and south of the City Cemetery. This area seems to be all Negro population" (page number). So, the plan recommended that, "all facilities and conveniences be provided the negroes in this district, as an incentive to draw the negro population to this area." This strategy would, "eliminate the necessity of duplication of white and black schools, white and black parks, and other duplicate facilities for this area" (Koch and Fowler 1928, p57). Soon after the adoption of the plan, Austin's city council pursued this approach, providing a park, school, and sewer connections for African Americans only in this one section of the city. The council went on to duplicate the strategy for Latinos (Tretter 2012). In the 1940s and 50s (as I discuss in Chapter 4), the siting of segregated public housing followed a similar pattern.

Another tactic cities used to shape minority residential patterns was the use of eminent domain and the placement of public improvements. Abrams (1955) reports, "Sites abutting Negro developments have been acquired for railroad stations, incinerator dumps, urban redevelopment, public housing projects, roads, and similar improvements. These improvements sometimes tend to cut off the minority area from the rest of the city and stem the expansion of its living space" (p212). Such decisions became increasingly frequent as the federal government provided funds for redevelopment. As I show in Chapter 4, cities that spent more urban renewal dollars also became more segregated.

Cities also engaged in several strategies that enhanced/protected private decisions generating segregation. Chief among these was the refusal to deploy police forces to protect blacks from white violence when they sought to buy or rent homes in white neighborhoods. In many places, police routinely prevented the poor and people of color from setting foot in wealthy white areas at all (Meyer 2000, Myrdal 1944).⁷¹ In some places, city governments took actions to aid the effectiveness of private deed restrictions (Hirsch 1983). For example, the mayor of Baltimore established a special Committee on Segregation to help coordinate deed restrictions in white neighborhoods. The committee included the city's building inspector, representatives from the health department, real estate agents, and neighborhood improvement association members (Meyer 2000).

Conclusion

This chapter has provided the first piece of quantitative evidence along with qualitative historical references that suggest that local governments influenced patterns of segregation by taking into consideration public goods provision as well as the wishes of wealthy business elites and white property-owning constituents. Local governments institutionalized prejudicial behavior and promoted segregation through the use of zoning ordinances.

Political elites enacted zoning ordinances in order to control the distribution of public goods in the city. They justified their zoning and segregation legislation with the argument that the poor and minorities had habits that were harmful to public health. One of the main goals of zoning ordinances was to create property values that were stable; this was highly supported by influential groups including home and landowners who did not want "others" settling in their

⁷¹ As was the case with zoning, the use of police to support segregationists was variable. For instance, Meyer (2000) reports several examples of police providing support for black residents in New York City, St Louis, and Baltimore.

areas and decreasing the value of their investments. Local governments had no objections to keeping the property values high and stable, as this allowed them to refrain from raising taxes.

One major consequence that resulted from enacting zoning ordinances was that cities that adopted them early became more segregated in terms of both race and class lines. When cities restricted land use and the location of specific buildings, this created areas that were homogenous, leading to the reinforcement of inequality and social divisions.

In 1917, the Supreme Court ruled that zoning ordinances were indeed unconstitutional. This led many cities to turn their attention to comprehensive city plans and other forms of zoning that did not make outright segregation obvious. New comprehensive city plans were fueled by continuing race and class prejudice, and influenced the long-term shift from racial segregation to segregation by income level.

The historical references presented in this chapter support the argument that local government politicians used zoning as a mechanism to control the distribution of public goods towards their supporters and away from others, as well as create and maintain high property values in their cities. Zoning was implemented effectively in areas where those in favor of zoning had political power to turn racial and class prejudice into legislation. Cities that were early adopters of zoning ordinances grew to be ten percent more segregated over the following fifty years than did cities that were not early adopters. The results also illustrate that zoning ordinances doubled the amount of renter segregation. In these early adoption cities, property values would also become more unequal by 1970.

Local governments used zoning ordinances as a mechanism to solidify, through institutionalization, existing racial hierarchies and prejudice, and this practice has had long-lasting effects. When cities could have used zoning to enhance the life of all residents, local

government officials catered to the private interests of their supporters and utilized policy tools including the placement of segregated amenities, public improvements, eminent domain, and redevelopment funds to protect and increase property values. The consequence of these practices was the generation of long-standing race and class segregation and prejudice.

Chapter 3: Inequality in Public Goods Provision, 1900-1940

Throughout the first decades of the 20th century, neighborhoods became increasingly homogenous along both race and class lines. By 1940, white/nonwhite segregation had increased by an average of 63%, while renter segregation increased by 54%.⁷² Chapter 2 provided evidence that cities pursued race and class segregation in an effort to ensure the protected delivery of public goods to constituents with political power – namely land owners, realtors, developers, and white homeowners. Segregation served this goal because both local public goods and local political representation have a spatial component. While it is difficult to deny particular households access to sewer lines or a local public park, it is much easier to deny particular neighborhoods. Thus, as segregation geography shifted, so too did public goods inequalities.

Nothing about the existence of residential segregation necessitates inequality in service provision; it only makes it easier to produce if it is what city officials prefer to do. In fact, early planning advocates often argued that taking race into account when developing city plans was the key to *protecting* black communities and ensuring that they received, “all necessary municipal services – paving, city water, sewers, electricity, fire, and police protection...” (Knight 1927, p137).⁷³ While it was clear that public facilities would be separate, some planners insisted that there would be, “equal opportunities and facilities” (Virginia Law Review, 1928, p526). In most places though, inequality was the norm as, “housing segregation...permit[ted] any prejudice on the part of public officials to be freely vented on Negroes without hurting whites” (Myrdal 1944, p618).

⁷² As described in detail in Chapter 1, renter segregation remained at lower levels than race segregation throughout this period.

⁷³ Knight, Charles. 1927. Negro Housing in Certain Virginia Cities, Publications of the University of Virginia Phelps-Stokes Fellowship Papers, Number 8

As Abrams (1955) explains, “though often merged into a single neighborhood, the ghetto was not always a slum nor the slum always a ghetto....the slum-ghetto was created when those of a single ethnic minority group lived not only in a ghetto but also in bad housing” (p76). Local governments contributed to the development of slum-ghettos by providing worse city services to neighborhoods populated predominantly by certain groups. Myrdal (1944) explains that the argument offered in support of these unequal allocations was the (erroneous) belief that whites paid all of the taxes, and so were therefore entitled to all of the benefits. It followed that, “whatever [Negroes] get is a charitable gift for which they should be grateful” (p336).

Over the long run, this pattern of government behavior contributed to the development of negative stereotypes about the people who lived in the slum-ghetto (e.g. that racial minorities or the poor, “*cause[d]* the deterioration of the places in which they live[d]” Hayward 2013, p64, emphasis in original). This is what Glenn Loury (2002) refers to as a “politically consequential cognitive distortion” because the disadvantage observed among a group of people is assumed to be, “intrinsic to that group when, in fact, that disadvantage is the product of a system of social interactions,” which then leads observers to be opposed to policy solutions or systemic reform (p26). It was in the early part of the 20th century that the foundation for continuing inequality in the 21st century was laid. By building inequality into the physical landscape, cities added, “unprecedented durability and rigidity to previously fragile and fluid [social] arrangements” (Torres-Rouff 2013, p257).

In Chapter 2, I provided evidence that political power in the hands of opponents could slow or inhibit the enactment of such policies. A similar pattern existed with respect to the distribution of benefits. In many cities, political participation of lower socio-economic status groups and racial minorities limited the degree to which public goods were allocated unequally.

When these groups were able to assert political power through voting strength or in official positions, they received more benefits from municipal governments.

In this chapter, I show that between 1900 and 1940, neighborhoods that were identifiably poor or inhabited by minorities were allocated lower quality services including road paving, public health efforts, and sewer extensions. I draw on detailed data from Atlanta, Birmingham, Baltimore, Boston, Chicago, and Philadelphia to provide this evidence. Where relevant, I discuss mobilization efforts on the part of underserved groups that limited the extent of unequal allocation. I also show that in the case of sewer connections, this inequality persisted into the latter half of the century. Using data from all places included in the Census in 1970, 1980, and 1990, I provide evidence that where minorities and renters were more concentrated (e.g. in more segregated cities) they were less likely to be connected to public sewers.

A common argument promoted in the literature, as early as the 1930s, was that class, not race, was the more important determinant of inequality. A 1932 report commissioned by President Hoover stated, “These conditions of Negro housing in our cities are not the result of any willful inhumanity on the part of our society. On the contrary, they merely emphasize the present shortcomings of our individualistic theory of housing...The Negro’s housing problem is part of the general problem of providing enough housing of acceptable standards for the low-income groups in our society” (Johnson 1932, p.viii). Myrdal (1944) also argued that, “in the North there is little, if any, direct discrimination...What inequality there is in the Negro’s consumption of public services in the North is due mostly to poverty, lack of education, and other disabilities which he shares with other lower class persons in the region” (p335). Thus, the belief that blacks endured worse conditions than whites solely because of their lower socio-economic status, was widespread. As will be shown throughout this book, this was not true in

either the historical or modern period, regardless of the measures used or the region studied.

Race and class exert powerful, independent effects on distributional outcomes.

Jim Crow and Public Goods Inequalities

Until the mid-1950s (and in some places long after), many Southern (and some Northern) cities generated inequalities in public goods by segregating access directly and then underfunding nonwhite services. Of all of the public goods residents sought to secure, none was as important as schooling. As of 1947, all southern states, along with Arizona, Indiana, Kansas, and New Mexico required or allowed segregation of schools (CQ Researcher 1947). Until the mid-1930's, about 75% of public school revenues were completely locally derived (Snyder 1993).⁷⁴ In the post-war period state and then later, federal government contributions rose. According to the data described in Chapter 1, localities spent an average of \$103 (in 2012 dollars) per capita on schooling in 1902, representing about 35% of total expenditures. Per capita spending rose dramatically over the next 25 years (to \$203 in 1927), but not as quickly as other expenditures. In 1927, schooling represented about 31% of local budgets. Until (and in some places even long after) *Brown v. Board of Education* was decided in 1954, racial segregation in schools was generated directly – that is, *residential* segregation was not needed to

⁷⁴ Technically, most schools in the United States are governed by approximately 13,000 independent, single purpose governments called school districts, rather than by cities. Not only are the governments that provide schooling and garbage service different entities, with separate budgets and separately elected officials, they do not often share the same boundaries. Today, only about one quarter of cities over 50,000 people have boundaries that are coterminous with a single school district (Fischel 2007). However, the 1902 Census Statistics of Cities reports that, “In most cities [included in the report] the schools are under the control of the city government, or of a school district, practically coterminous with the city” (p21). In his study of modern district boundaries, Fischel (2007) confirms that older cities are much more likely to have coterminous boundaries. It is for this reason that I include a discussion of schooling in this section. The figures cited in this paragraph combine revenue and expenditure for the municipality and the district as reported by the Census. However, it is not proper, even during this early period, to think of expenditures on schooling as being exchangeable with expenditures on other types of services. That is, increasing school spending did not directly impact funds available for policing, although one might imagine a theoretical budget constraint that the voters could impose on all governments. Due to a lack of clarity both theoretically and statistically, for the most part, I do not consider school district revenue and expenditure as part of the municipal budget in the remainder of this book.

ensure that whites and Blacks attended different schools. This was true in both the North and South. As one observer explained, “contrary to the general impression, this doctrine [of segregated schools] is of Northern and not of Southern origin. It originated in fact in the Quaker state of Pennsylvania and the abolitionist state of Massachusetts, and; although it repudiates any implication of a superior and an inferior race and insists on equal opportunities and facilities...” (Virginia Law Review 1928, p526). Litwack (1961) found that, “by the 1830s, statute or custom placed Negro children in separate schools in nearly every northern community” (p115).

In 1912, the Census reported expenditure data on schools separated by race in 40 communities. Unsurprisingly, white schools were better funded than black schools. I estimate that these cities spent about \$4 per white resident and about \$2.6 per black resident (in 1912 dollars).⁷⁵ However, the ratio of spending in black to white schools differed by region. While Northern black schools were not, as the Virginia Law Review implied, equally funded – it was the case that the disparities were greater in the South. For cities in the Midwest, the ratio was 0.846, compared to 0.685 in the Northeast, and 0.573 in the South.⁷⁶ School enrollments were also lower among black children. For the 1902-1903 school year, about 56% of black children were enrolled in school in Southern states, compared to 72% of white children (DuBois and Dill 1911, p24).⁷⁷ In some places with substantial black populations, no black schools were provided

⁷⁵ This is an estimate because I used linear interpolation to estimate the total white and Negro population in each city in 1912. The figure represents the total amount of funding for white and Negro schools reported by the Census divided by my population estimates.

⁷⁶ It is important to note that these data only represent a fraction of the communities with black schools or significant numbers of black school aged children (see discussion on page 122 in *Financial Statistics of Cities Having a Population of Over 30,000: 1912*). The 40 communities included in this special Census report spent less overall on schooling compared to other communities (about \$3.6 per capita vs. \$4.8 per capita). Compared to data reported in DuBois and Dill (1911), these figures appear to understate the discrepancy in funding between black and white schools.

⁷⁷ W.E. Burghardt DuBois, PhD and Augustus Granville Dill A.M., editors, *The Common School and the Negro American: Report of a Social Study Made Under the Direction of Atlanta University*, No. 16.

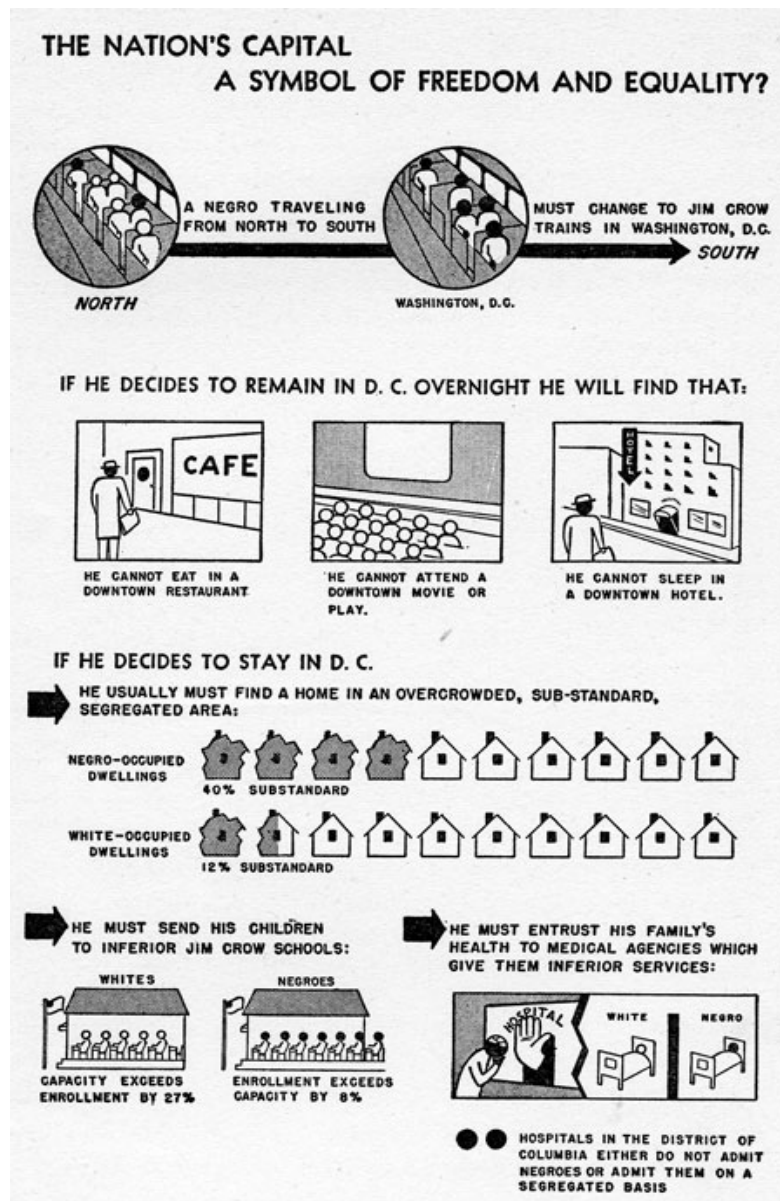
at all (DuBois and Dill 1911). Indeed, as Rabinowitz (1978) has argued, segregated schools actually represented an improvement in many communities because the alternative was complete exclusion – not integration.

Black schools had fewer teachers per child, shorter school years, and inferior physical infrastructure (DuBois and Dill 1911, Myrdal 1944). Teacher pay also differed substantially. For instance, in 1908 Georgia, the average teacher salary for whites was \$45.47 compared to \$26.37 for blacks (DuBois and Dill 1911). Despite similarly sized populations of white and black school children, Atlanta provided only 15 black grammar schools in 1920 compared to more than 40 grammar schools for white children. But not all white schools were treated equally. Schools serving poor whites (largely immigrants) were also, “older, less well equipped and often more overcrowded” (Myrdal 1944, p338).

Everywhere, blacks paid property taxes that were used to support white schools. Myrdal (1944) explains, “whenever the proportion of Negroes in the population is high, and the standard of Negro schools is kept well below that of white schools, the white educational system can derive substantial gains from segregation. Segregation makes discrimination possible; discrimination means lower expenditures for Negro schools, and the white population thus gets a vested interest in separation” (p341). In 1917, the Negro-at-Large series sought to catalogue reasons for the increasing Northern migration among Southern Blacks. The results of the organization’s survey were printed in the Atlanta Independent. The third most important reason (after unhappiness with Jim Crow laws and disenfranchisement) dealt with inequality in school funding. The survey stated, “At present Negroes pay their proportion of taxes directly and a big portion in-directly through their rents, yet Negro schools receive in some cases less than 30 per cent of their just desserts” (reported in West 1976, p14).

However, the extent of inequality differed from place to place. DuBois and Dill (1911) report that in Washington D.C., where blacks sat on the Board of Education and held an assistant superintendent position, “there is no discrimination in the pay of teachers or in the requirements for teachers or in the course of study laid down” (p32). St. Louis and Baltimore both offered black high schools during this period. A 1954 study of inequality in education funding in St. Louis found that black schools were underfunded given their enrollment, but the difference was only about 5% and teacher pay was nearly identical (Russell 1954). In Atlanta, an active chapter of the NAACP sought to mobilize black voting power to improve public services in general and schooling in particular. In spite of a series of restrictions on voting (e.g. the white primary, poll taxes, etc.), the organization was able to register enough blacks to vote to sway some elections (Bacote 1955). In 1919, black Atlantans organized to defeat a bond package that would have solely funded white schools. So, in 1921 sponsors of the referendum sought black support in exchange for a black high school (West 1976).

Schools were not the only public good that was segregated directly during this period. Recreational facilities like parks, swimming pools, bath houses, and golf courses were also designated for white use only in many Southern cities. In Atlanta, blacks had three recreational sites compared to 22 for whites (Kruse 2005, p75). In 1954, The Atlanta Urban League calculated that whites had access to one acre of park land for every 155 residents compared to one acre of park land per every 1020 black residents. As a result, black parks witnessed severe overcrowding and much more rapid degradation (Kruse 2005). Myrdal (1944) writes, “virtually the whole range of...publicly administered facilities...are much poorer for Negroes than for whites” (p335). A graphic from President Truman’s Report of the President’s Committee on Civil Rights (Wilson 1947) makes the point visibly:



Although Jim Crow legislation was efficient at producing racial inequality, it was not perfect. As the Truman Report explained, “Following the *Plessy* decision, the Supreme Court for many years enforced with a degree of leniency the rule that segregated facilities must be equal. Gradually, however, the Court became stricter about requiring a show of equality”

(Wilson 1947, p82). Separate-but-equal facilities increased costs dramatically (Myrdal 1944). Additionally, some public goods could not be segregated directly. Troesken (2004) argues that, “because most cities and towns installed their water and sewer systems before 1920, during an era of relatively low residential segregation, it was difficult to construct systems that underserved African Americans without also underserving whites” (p91). As a result, he finds that the delivery of clean water and sewage disposal had a dramatic effect on lowering black mortality in the South. Furthermore, in some places, white public opinion had already begun to develop in opposition to overt racial prejudice and blacks were able to make headway in pursuing integration. Boston desegregated its schools in 1855 after sustained protest by blacks and abolitionist whites (Mabee 1968). By 1947, eighteen states had enacted antidiscrimination legislation prohibiting direct segregation (Konvitz 1947). Even some Southern cities (e.g. Atlanta) witnessed a significant local voice in opposition to Jim Crow (Kruse 2005). As direct segregation became untenable and the black population of these cities expanded, residential segregation became the obvious solution. Furthermore, unlike Jim Crow legislation, residential segregation permitted the separation of poor residents from wealthy residents in addition to the separation of residents of color.

Inequalities Generated Through Residential Segregation

When the nonwhite or poor community was segregated residentially, systematic denial of services was possible. A mid-century analysis of “American Negro, Puerto Rican, and Mexican” housing in large cities found that,

“Garbage collections, building inspections, street maintenance, and other city services are less satisfactory than in other areas. The abnormal number of rat bites in Harlem, for example, may be ascribed not only to proper upkeep but to the ready supply of uncollected garbage in the streets. Southern cities and some in the North omit street paving and sidewalks in Negro sections. In hills sections the residents try to fill gullies in

the streets with broken masonry, worn-out linoleum, and other trash” (Abrams 1955, p74-75).

In Birmingham, a committee of Black professionals protested the city’s 1923 segregation ordinance saying that while blacks “would prefer to live to themselves,” black neighborhoods, “are without the necessary sanitary arrangements, street improvements, lights, police protections, and the necessary comforts given other people in the municipality” (Connerly 2005, p44).

Among the most ambitious and expensive public goods that cities developed in the first decades of the 20th century were the delivery of clean water and removal of waste through sewer systems. Sewer and water mains were built along major roads, and homes located along these lines would have had the opportunity to be connected to the system. Troesken (2004) suggests, in a detailed analysis of Savannah and Memphis, that it appears that segregation, “facilitated efforts to underprovide African Americans with sewer and water systems” (p91). I build on Troesken’s case studies by analyzing sewer and water extensions over time in four cities: Baltimore, Boston, Chicago, and Philadelphia. These cities all witnessed increases in racial and renter segregation between 1900 and 1940 and had data available on sewer construction.

To measure segregation, I calculated the *H* Index (as described in Chapter 1) for Baltimore, Boston, Chicago, and Philadelphia using ward-level demographic data from the 1900, 1910, 1920, 1930, and 1940 Censuses of Population and Housing.⁷⁸ For racial segregation, I use whites and nonwhites as the groups in the calculation of the measure. For class segregation, I use renters and homeowners. Table 3.1 shows each city’s *H* index in 1900 and 1940 measuring white/nonwhite segregation and renter/homeowner segregation.

⁷⁸ In order to make these scores comparable to modern data, I adjust the scores using a correction factor to make the ward-level estimates similar to the tract-level estimates used in later decades.

Table 3.1: Segregation Increased in the early 20th C

	Race		Class	
	1900	1940	1900	1940
Baltimore	0.43	0.60	0.07	0.12
Boston	0.33	0.52	0.09	0.11
Chicago	0.46	0.84	0.09	0.15
Philadelphia	0.29	0.44	0.04	0.09

If the argument that I have presented is correct, it should be the case that nonwhite and renter households should have been less likely to have access to water and sewer connections in more segregated cities. Unfortunately, I do not have the individual-level data to test this hypothesis. However, there are also aggregate implications of my theory. If elected officials were taking demographics into account when making decisions about where to build sewer extensions, we should witness an interactive effect between segregation and the demographics of a neighborhood. As segregation increases, it should be the case that the share of residents who are nonwhite or renters should have a more powerful negative effect on new sewer extensions.

The data I use for this analysis were provided by the Center for Population Economics at the University of Chicago in the Historical Urban Ecological dataset (which is really a collection of many different datasets and maps). The dataset (Costa and Fogel 2015) includes ward boundaries for the four cities listed above between 1900 and 1930 and also includes a map of each city's sewer system. The sewer map includes the year different segments of the system were built. Using ArcGIS, I created counts of sewer segments in each decade for each ward and combined these counts with ward-level data from the Census of Population and Housing.

Observations are arranged by ward-census year. That is, each observation represents one ward in a city in a single year. The dependent variable in the analysis is the *Total New Segments*

built in each ward before the next census. The key independent variables are the share of each ward's total population that is *Black* and the share of occupied housing units that were *Rented* (as opposed to owned). These demographic variables are interacted with each city's *H index of segregation* (for race and class respectively) in a given Census year.

I control for the *Total New Segments* built in the city in each decade to account for the slackening pace of sewer development over time. I include the *Total Segments* built in the ward at the completion of the sewer system to account for the variation in sewer needs across wards. I also control for the proportion of those total segments that were built at the beginning of each decade in the variable *Percent Built*. Finally, I account for the share of the ward population that is *Foreign Born* to account for the possibility that city governments were providing fewer benefits to immigrant neighborhoods (which would have correlated with renter neighborhoods).

An important alternative (and undoubtedly true) explanation to rule out is that black and renting residents chose housing that lacked public services because it was less expensive. I do this by taking advantage of time. I explore the pattern of sewer line extensions in each decade between 1900 and 1940 given the racial makeup of each ward at the beginning of the decade. For instance, the total number of extensions built between 1900 and 1910 is regressed on the share of the ward that was black and the share that were renters in 1900. Because the dependent variable is a count of sewer segments, I fit a Poisson regression.

I was able to obtain data at the ward-level detailing racial makeup for every decade between 1900 and 1940, but data on renters is only available for 1900 and 1940. Because ward boundaries changed dramatically in some cities between these years, interpolation is not possible. Additionally, the Census did not tabulate data on renters in 1940 for the city of Chicago. As a result, adding the proportion of renters to the models significantly decreases the

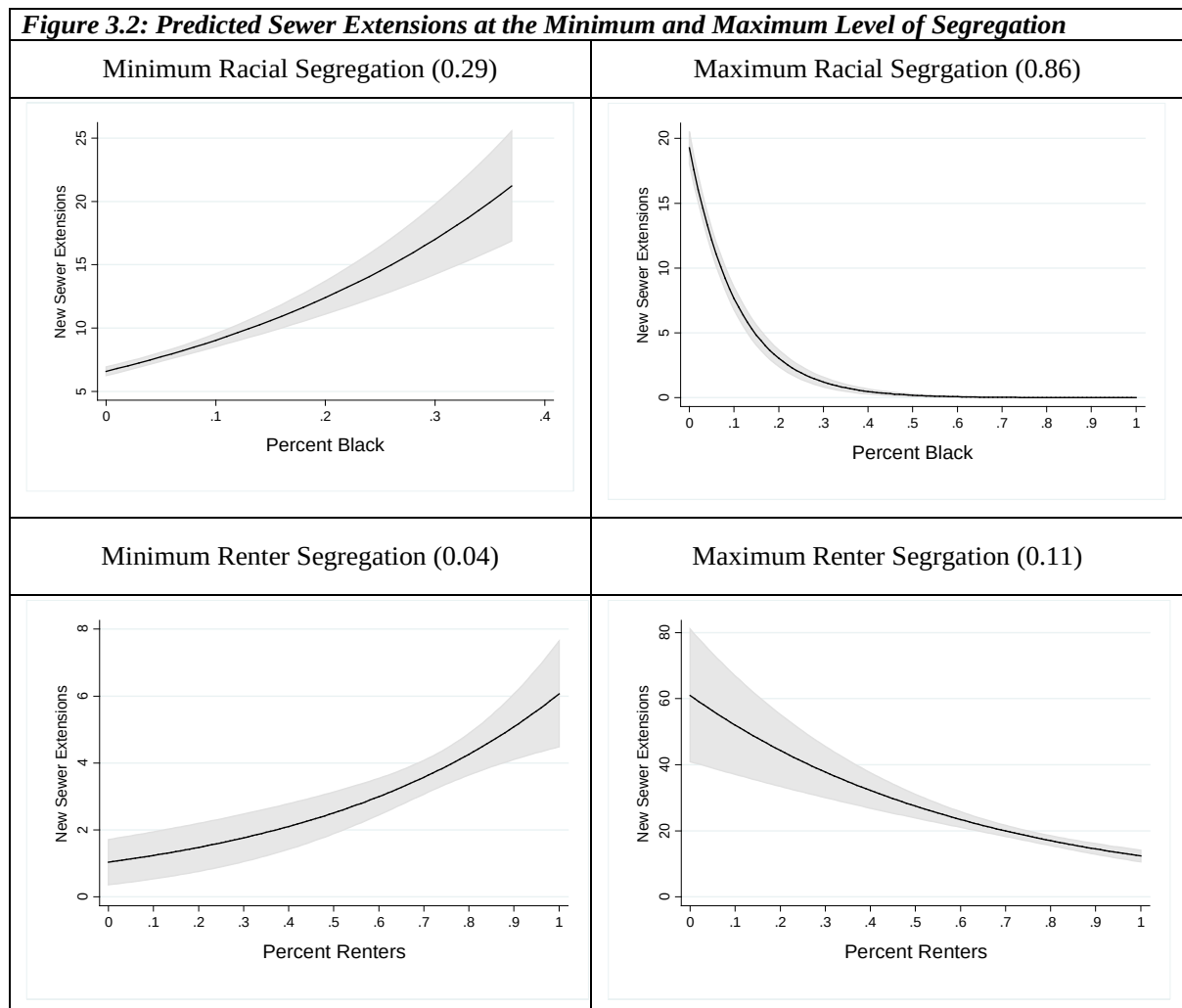
number of observations. For this reason, I present the model without the inclusion of renters in the first model, and with the proportion of renters in the second.

The results, presented in Table 3.2, reveal a powerful negative relationship between the share of the ward that was black or renting and new sewer extensions in more segregated cities.

Table 3.2: Segregation Decreased Access to Sewers for Blacks & Renters

	β	Std. Error	P> t	β	Std. Error	P> t
% Black*Racial Segregation	-21.643	1.347	0.000	-11.811	2.002	0.000
% Black	9.429	0.676	0.000	6.713	0.925	0.000
Racial Segregation	1.874	0.082	0.000	-4.645	0.424	0.000
% Renters*Renter Segregation				-48.256	8.570	0.000
% Renters				3.654	0.765	0.000
Renter Segregation				58.505	6.510	0.000
Total New Segments	0.000	0.000	0.000	0.001	0.000	0.000
Total Segments	0.000	0.000	0.000	0.000	0.000	0.000
% Built	-3.275	0.044	0.000	-2.740	0.062	0.000
% Foreign Born	0.074	0.097	0.442	-0.411	0.198	0.038
Constant	2.611	0.048	0.000	0.651	0.521	0.211
N	541			271		
Pseudo R ²	0.788			0.748		

The data indicate that in more segregated cities, heavily black and renter wards were unlikely to receive new sewer lines. Figure 3.2 plots the predicted number of new sewer segments across the full range of black and renter population shares for the least and most segregated city-years in the dataset. The graph in the top right makes clear that majority black wards see no additional investment in their sewer systems. A similar pattern exists for wards with increasingly large renter populations in cities that were segregated by class.



In integrated cities however, the reverse is true: larger black and renting populations increase sewer line extensions. This may seem puzzling at first glance – but it is not. Troesken (2004) explains that the reason for this apparent generosity was self-preservation. He says:

...discrimination in this arena was costly to white politicians and voters in at least three ways. First, given the networked structure of these systems it was difficult to deny service to African-American households and neighborhoods without also denying service to white households and neighborhoods.... Second, in a world where blacks and whites lived in close proximity, ‘sewers for everyone’ was an aesthetically sound strategy. Third, failing to install water and sewer mains in black neighborhoods increased the risk of diseases spreading from black neighborhoods to white ones (p9-10).

As a result, to the extent that sewer systems were built prior to rising segregation, variation in sewer system service did not disproportionately affect any demographic group. In Richmond, Virginia, neighborhood segregation actually declined between 1890 and 1930, and one contemporary observer wrote, “With the completion of the 1925 program practically the whole of Richmond was sewerred and supplied with city water” (Knight 1927, p51).

In other cities, organized political action on the part of nonwhites and the poor mitigated inequalities. Bond passage in Atlanta required approval of two-thirds of votes cast and the two-thirds majority had to constitute a majority of registered voters – so by simply registering and not turning out, African Americans could ensure defeat at the polls (West 1976, Bayor 1996). In 1919, Black voters defeated a one-million-dollar bond package that was to provide, “for improvement of waterworks, a motorized fire department, erection of a museum at cyclorama, and the construction of a crematory with electricity generating facilities,” after being told that, “blacks would receive no benefits from the measures” (West 1976, p13). When a new package was submitted to voters in 1921, it included \$2,850,000 for water works and \$750,000 for the viaduct (Atlanta Independent, February 24, 1921, p4). The mayor promised to appoint a special commission of colored citizens to advise the Bond Commission regarding the distribution of the

funds (Atlanta Independent, February 24, 1921, p4). On election day, Atlanta's "colored citizens...voted for every improvement named on the ballot" (Atlanta Independent, March 10, 1921, p4).

In some cities, sewers were built at the behest of property owners and developers. This was the situation in Birmingham and Los Angeles. In cities with this type of process, land-owners played a crucial role in the eventual sewer map. Because very few land owners were people of color, blacks in Birmingham and Mexicans and Chinese residents in Los Angeles lacked the opportunity to request sewer extensions or connections. While it might seem reasonable to explain inequality in access as the result of these economic differences, cities had other means by which to compel development. In Birmingham, sanitation and building codes were ignored in black neighborhoods (Connerly 2005), and in Los Angeles the city council ordered sewers to be built at the, "cost and expense of the several parties owning property along its route." However, they declined to compel sewer building in Sonoratown or Chinatown (Torres-Rouff 2013, p224; quoting Los Angeles City Council minutes, April 4, 1873). Because most Mexican and Chinese residents were renters, this refusal was a significant benefit extended to their landlords. As a result, in both cities, the absence of sewer and water service was concentrated in minority neighborhoods.

In this next section, I ask whether this unequal pattern of sewer development continued to affect minority and renting residents in the latter half of the 20th century. In order to investigate this question, I draw on the GeoLytics Neighborhood Change Database which matches and normalizes Census tract boundaries between 1970 and 1990. This normalization allows for direct comparison of tract attributes across time. I use this database to construct the race and

renter *H* index (as described in the previous section) for 4,566 incorporated municipalities and 800 unincorporated county areas.

The dependent variable in my analysis is the share of housing units in a given census tract that is connected to *Public Sewers*. My primary independent variables, similar to the previous analysis, are the share of the tract population that is *Nonwhite*, and the share of households that are *Renters*. These variables are interacted with each city's *H* index of *segregation* (for race and renters respectively) in each year. I control for the proportion of *Wealthy Families* in the tract (those earning incomes above the 90th percentile for a given Census year: \$15,000 in 1970, \$35,000 in 1980, \$75,000 in 1990), the total *City Population*, and the total number of families connected to *Public Sewers* in the city. I include fixed effects for region and cluster the errors by city. The results are presented in Table 3.3 (summary statistics are in table A3.2).

Table 3.3: Nonwhite and Renter Sewer Access in Segregated Cities			
	β	Std. Error	P> t
% Nonwhite*Racial Segregation	-0.261	0.069	0.000
% Nonwhite	0.164	0.037	0.000
Racial Segregation	0.122	0.035	0.000
% Renters*Renter Segregation	-2.643	0.854	0.002
% Renters	0.851	0.228	0.000
Renter Segregation	1.631	0.418	0.000
% Wealthy	0.254	0.105	0.016
City Population	0.000	0.000	0.000
City Public Sewer Connections	0.000	0.000	0.000
Midwest	0.053	0.013	0.000
South	-0.040	0.012	0.001
West	0.017	0.012	0.171
Constant	0.327	0.161	0.042
N	146,102		
R ²	0.327		

As was the case in the early period, between 1970 and 1990 renters and nonwhite residents continued to have inferior sewer access in more segregated cities. Of course today, overall sewer

access is high; the median census tract has 97% of homes connected to public sewers. The point demonstrated by this analysis is that both in the past and today, lack of access to public sewers is disproportionately concentrated among minority and renting residents.

Delivery of other public goods followed a similar pattern to sewer development and clean water provision. In 1900, 8,000 automobiles were registered in the United States; by 1940 the figure was 27.5 million (Federal Highway Administration 1997). But during this same period, actual spending on roads increased very little and dropped as a share of total budgets.⁷⁹ This meant that road paving distribution was an intensely political decision and different areas of the city were treated differently. One study of four Virginia cities reported, “a general lack of paving in the Negro residential areas” (Knight 1927, p53). In Los Angeles, Torres-Rouff (2013) explains, “many paved streets ran through the Anglo residential neighborhoods and commercial center but abruptly yielded to dirt as soon as they crossed into Sonoratown and Chinatown” (p226). A 1958 study of Birmingham analyzed white and black blocks in a single working class neighborhood and found that about a third of the black blocks had unpaved streets on three or four sides compared to only 6% of white blocks (Connerly 2005, p31).

As described in the introduction, mortality rates in cities during this time period, particularly the early years, were high. A budding public health movement sought to utilize government funds to address disease contraction and death. Cities created new public health departments, passed regulations regarding the storage and transport of milk, sent inspectors to stores and dairies, and engaged in large scale fumigation efforts. In all of these activities, white and homeowner neighborhoods were treated more protectively than neighborhoods inhabited by

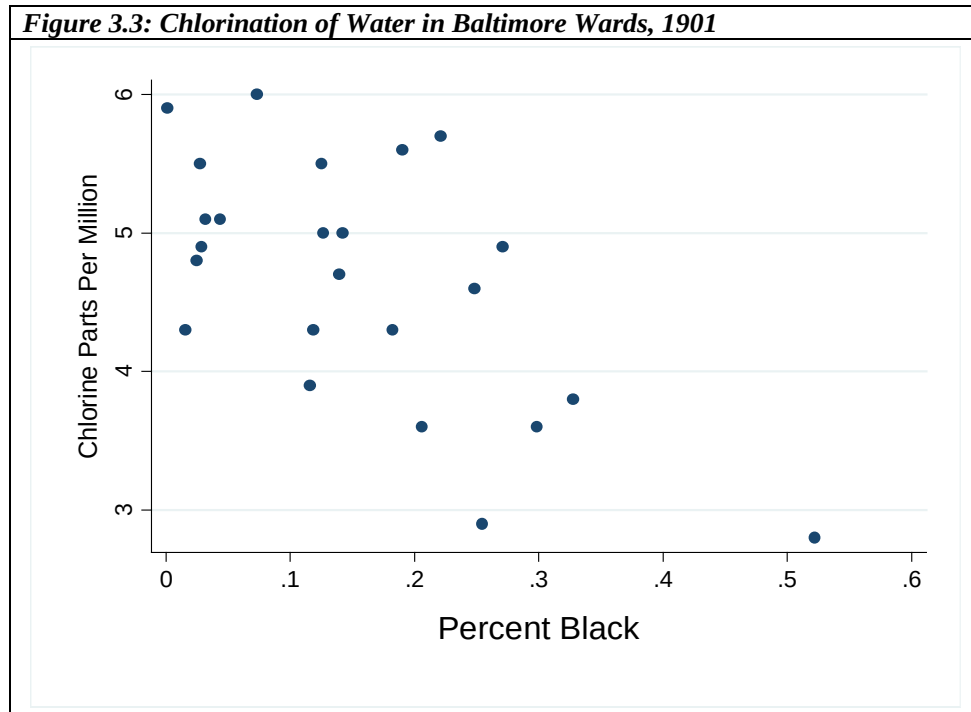
⁷⁹ In a sample of 84 cities for which I was able to obtain data between 1902 and 1937, mean per capita road spending was \$44 in 1902 (in 1912 dollars) and \$43 in 1937. It reached a high of \$51 in 1932. Road spending represented about 13% of city budgets in 1902 and about 8% in 1937.

renters and minorities. In 1915, the nationwide infant mortality rate was 57% higher among nonwhites than whites. One study of 4 southern cities determined that nearly 1 of every 2 black babies died (Meckel 1990 p.142). Even still, black infants were “almost entirely” excluded from the “early part of the infant welfare campaign,” (Meckel 1990, p142).

A 1914 analysis of Baltimore’s Public Health department by the United States Surgeon General found that regulations were not enforced in the poorer parts of town. The report explained:

An inspection was made by me of the stores selling milk in two of the districts of the city. One was located on the outskirts of the city in a good neighborhood...In every store the milk was sold in unbroken packages, was kept in a separate compartment of a large refrigerator and the conditions were as good as could be expected...The other district visited was of a different type altogether. It was located in the slums, among the foreign population. Here all the milk was sold in bulk under the most insanitary conditions. To make regulations here is practically hopeless. There are but three things to be done – stop the sale of milk in such places, establish a municipally controlled dairy within the district, or prohibit the sale of anything but bottled milk in original packages... (Fox 1914, p37).

In 1901, the Baltimore Health Department (reported in HUE dataset by Costa and Fogel 2015) reported an assessment of water quality in each ward. Only one ward had water that was classified as “Very Muddy” (as opposed to clear, fairly clear, cloudy, or muddy). That one ward was 52% black. The same ward also had the lowest level of chlorination in the entire city. In fact, there was a powerful negative relationship between chlorine parts per million and the share of black residents in a ward. Figure 3.3 provides a scatter plot of the data.



Not only were services provided differentially, but many cities engaged in a practice Rabin (1990) calls expulsive zoning: the placing of negative uses in minority neighborhoods. Kruse (2005) explains that as neighborhoods transitioned from white to black, city officials would assume that property values would fall and the area would become a slum. “Accordingly, planners and zoning committees lowered their standards for the region and began approving projects they would have routinely rejected if the residents were still white” (Kruse 2005, p74). A 1932 analysis of housing in one New Orleans neighborhood reported that, “The superintendent of the public school system used to live in this area but the white residents began to move out and then the city built a garbage incinerator over here, and all of the best whites moved out and the Negroes moved in with the poor whites,” (Johnson 1932, p19). In Birmingham, city planners zoned black neighborhoods in flood plains and in industrial areas (Connerly 2005). Myrdal

(1944) reports that it was common to ignore criminal activity in black areas. As Muhammad (2010) explains, municipal authorities allowed crime to flourish in black neighborhoods as a service to white politicians and constituents. Doing so allowed whites access to prostitution, gambling, illicit alcohol and drugs while protecting white neighborhoods from the criminality. Because such operations were, “mostly owned, partially operated, and unofficially regulated by a largely white power structure” (Muhammad 2010 p.227), the benefits were captured by whites, while the negative externalities of vice were borne nearly exclusively by blacks. These strategies created conditions that lead later generations of planners to denote black areas as blighted slums, thus enabling the expulsion of blacks from these neighborhoods in redevelopment projects.

The historical record indicates that lower levels of segregation and more political power in the hands of blacks and the poor could mitigate such inequalities. Throughout the late 1880s, blacks held significant bargaining power in Atlanta city politics. Blacks were appointed to the nominating committees for city elected offices, and black votes were courted with promises of a black fire company, schools for black children, and street paving (Bacote 1955). After the white primary was struck down in 1946, blacks gained even more leverage in Atlanta politics. Black leaders had been pressing the city government for years to hire black police officers, “hoping to solve the problems caused by both the absence and the presence of white policemen” (Kruse 2005, p33), but their requests were ignored until they could marshal votes in city elections. In 1948, eight black patrolmen were hired (although they were only allowed to patrol black neighborhoods and could not arrest whites).

In Birmingham, many black neighborhoods formed active, dues-paying, civic leagues to lobby the city government for improved services. While they won a few small victories (the first city-owned park for blacks, some street paving and lighting, fire hydrant installation, sewer

extensions, and gas lines), they were mostly met with staunch resistance from the all-white government. One organization, the Harriman Park Civic League waited for four months to get an appointment with the public safety commissioner, Bull Connor. When the meeting finally occurred, Connor literally turned his back on the presentation (Connerly 2005, p221). In the late 1960s and early 1970s, as political power began to shift toward black residents, many of the requests brought by the civic leagues were finally addressed.

In Boston, Progressive Reformers attracted public support and won a series of institutional reforms between 1903 and 1913. Nonpartisan neighborhood organizations arose as powerful voices in municipal politics. The result was the consolidation of political power in the hands of middle-class homeowners (Connolly 2009) at the expense of working-class white ethnic immigrant constituencies like the Irish. However, the city was fairly integrated residentially along both ethnic and class lines during these years – and so, while political power shifted hands and the agenda changed, when neighborhoods won improvements like street cleaning and repair, playgrounds, libraries, or improved police protection, they benefitted all residents in the community, not just those with political power.⁸⁰

Between 1914 and 1950, Boston was governed (on and off) by a staunch advocate of the poor and working classes – James Michael Curley. Curley was a machine-style politician, who was never able to consolidate a dominant citywide organization (Erie 1988). Many histories of this period note Curley’s lavish attention to the city’s, “working-class, ethnic neighborhoods” (Connolly 2009, p146). But the Census data from the period reveal that even the most heavily ethnic wards were actually fairly mixed. In 1930 for instance, wards ranged from 21% foreign

⁸⁰ Connolly (2009) argues that this shift in political power altered the agenda of city politics toward neighborhood improvement and away from issues that the working class prioritized like union protections and wage and pension increases (see pages 115-120) and also decreased participation among working-class voters.

born to 42%, and no ward housed more than 11% of the total foreign born population. So when Curley “ordered loans to clean and pave local streets, build a playground and bathhouse, and improve sewer and water serves” (Connolly 2009, p166) in the North End in order to woo Italian votes, non-Italian residents also benefitted.⁸¹

Yet, in many cities, even when residents and activists mobilized to lessen inequalities, “segregation [became] the cornerstone of the elaborate structure of discrimination against some American citizens,” (Wilson 1947). Hayward (2013) explains that the, “black ghetto [was] subjected to systematic disinvestment, while collective investments in new residential and commercial structures, and in ‘public amenities’, such as parks and athletic facilities and well-built and well-equipped schools, disproportionately [were] channeled to places that were, first legally, then practically, restricted to those constructed as white” (p63). These inequalities contributed to a growing collective sense of whiteness and homeowner identity on the one hand (Sugrue 1996, Hayward 2013), and on the other hand, the hardening of stereotypes about the suitability of poor and nonwhite residents as neighbors. White homeowners believed that individuals who shared demographic characteristics with those who lived in disinvested neighborhoods would bring slum conditions with them wherever they lived. In 1951 and 1953, Rose Helper conducted 40 interviews with real estate agents in New York City and Chicago to learn about the, “reasons for excluding Negroes from white residential areas” (Helper 1969 p18). She reported that the agents believed that, “[white people] fear that their neighborhood will deteriorate if Negroes come because of their manner of living in other areas: they associate Negroes with the undesirable slum (dirt, noise, squalor, stealing, vice), something to be avoided

⁸¹ One scholar (Puleo 1994) estimates that in 1920, 95% of the North End population was Italian (p116). Without detailed data regarding the exact location of Curley’s benefits, it is impossible to know the degree to which they served other populations.

if possible” (p79). In response, white homeowners sought continued governmental protection of their neighborhoods. Over the next several decades they succeeded in this fight.

Conclusion

Between 1900 and 1940, America’s cities became increasingly segregated along race and class lines. While renters and homeowners both became more concentrated, the most dramatic changes in segregation occurred between blacks and whites. These changes in residential living patterns changed the distribution of public goods. As cities became modern service providers, the allocation of public goods was intensely political. In the earliest years when no neighborhoods benefitted from paved streets or clean water, health and cleanliness did not differ dramatically from place to place. But as streets became sewerred, paved, and lit, and as inspectors enforced building, sanitation, and health codes, some neighborhoods reaped the benefits while others, “continued to contend with dirt roads and open cesspools” (Torres-Rouff 2013, p227). As Torres-Rouff (2013) explains, “these decisions produced a city that physically imposed inequality on its citizens” (p227). Such choices would be consequential for the future as inhabitants of these neighborhoods came to be associated with poor living conditions. Today, evidence indicates that segregation is maintained by white homeowners’ willingness and ability to pay a premium to live among white, educated neighbors (Cutler, Glaeser, and Vigdor 1999).

Chapter 4: City policy maintains/deepens segregation, 1940-1970

By 1940, segregation patterns in cities were well-established. The boundaries of minority neighborhoods were clearly defined and white prejudice against nonwhite neighbors was entrenched. As one Chicago realtor explained, our “firm has a policy where they won’t sell to a Negro in an area where Negroes are not resident...the general public...is not willing to accept the Negro as a neighbor. That’s the basis for our not selling to Negroes in this type of an area unless one Negro family is already in the block. You can’t be censured then. A silly idea but that’s life” (Helper 1969, p41).

The maintenance of property values was the typical explanation offered for these practices; a belief that had been cultivated by policies enacted by local governments and which quickly became a self-fulfilling prophecy. Blacks were seen as undesirable *neighbors* because the features of their *neighborhoods* became associated with individual members of the racial group. Whites came to similar conclusions about Chinese residents in San Francisco (Shah 2001, McWilliams 1964) and Latinos throughout the Southwest (Abrams 1955, Torres-Rouff 2013, McWilliams 1964). This was the case despite the fact that minorities and renters experienced poor neighborhood quality because of paltry municipal services, neglectful landlords, and the overcrowding that resulted from segregation, not from their own doing.

During the build-up of the war effort in the early 1940s, massive demographic changes rippled through the nation. African Americans moved to the North and West, and the war and agricultural industries attracted Latinos to cities and farms in the Southwest (Weaver 1948, McWilliams 1964). In the post-war period, city governments utilized policy instruments like urban renewal and the placement of public housing to prevent minority and poor neighborhoods from expanding into white areas, and to protect property values for white homeowners. At the

same time, tumultuous battles over racial integration (of neighborhoods, schools, busses, lunch counters, unions, etc.), the rising Civil Rights movement, and the passage of the Voting Rights Act, threatened to undermine white homeowners' control of the political system, distribution of city services, and ability to police the borders of their neighborhoods (Sugrue 1996, Kruse 2005, Self 2003).

A great deal of insightful, detailed historical research studying the Civil Rights movement, segregation, and suburbanization has been written about the postwar period and this chapter does not attempt to retell what we already know. Instead, here and also in Chapter 5, I focus on the role of city policy in the generation of neighborhood segregation and suburbanization. An important contribution of these chapters is to explore why, if the drivers of segregation and suburbanization are similar, do white homeowners choose one avenue of separation over another? I argue that policy control plays an essential role. When white homeowners lost the power to adequately guard their neighborhoods and dictate municipal policy and public goods distribution, suburbanization became attractive. First, I show that urban renewal was linked to increased race and class segregation in the postwar period. Then, I demonstrate that whites in racially segregated cities witnessed increasing threats to their political power, both electorally and more specifically, with regard to housing policy.

Urban Renewal and Segregation

In 1932, more than 80% of local revenues came from property taxes (Census of Governments Finance File). By the end of that year, nearly 750 homes were foreclosed every day (Gotham 2000). City government revenue plummeted. Mayors sought relief from Congress; organizing as the National Conference of Mayors and testifying in hearing after hearing about the dire need for federal subsidy (Ogorzalek, forthcoming). As part of its

response, Congress enacted housing legislation. With its first foray into this area, the 1934 Housing Act and establishment of the Federal Housing Administration (FHA), Congress had multiple goals –the reemployment of the construction industry, the shoring up of the financial sector, and the stimulation of home ownership. But these policies were *also* spurred by a commitment to residential segregation. As Gotham (2000) details, the major authors of the proposals under consideration were, “leading officials in the real estate and lending industries” (p303), most of whom, by this time, had come to view race and class segregation as a stabilizer of property values and therefore, made them a conscious goal of these policies. Thus, it should not be surprising that the FHA played a major role in the institutionalization of suburban segregation (Gelfand 1975, Jackson 1985, Massey and Denton 1993).

However, the next piece of housing legislation, enacted in 1937 as the Wagner-Steagall Housing Act, was a conscious turn *away* from these forces. The Wagner Act sought to, “provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity” (Wagner-Steagall Act 1937). To achieve these goals, the act established the United States Housing Authority (USHA) to, “make grants and loans to local public housing authorities, to enable them to build, own, and operate housing projects for families of low income,” and importantly, to clear slums (Robbins 1937, p4). As such, the Wagner Act served as the first Congressional effort to assist in what is now commonly referred to as “urban renewal” – local efforts to address the ravages of time, revitalizing the “urban built environment” (Avila and Rose 2009, p339).

Whereas the establishment of the FHA and passage of the 1934 Housing Act were aimed at assisting those who *could* afford housing in the private market, the Wagner-Stegall Act sought to, “provide decent, safe and sanitary housing for that large group of our population who [could not] afford to pay enough to cause private capital to supply their housing needs” (Brabner-Smith 1937, p681). In addition to focusing on low-income residents, the Wagner Act also understood that, “any realistic approach to clearing slums and rehousing low income families would necessarily include a large number of Negroes as tenants” (Weaver 1940, p150). Thus, the USHA included an Office of Race Relations directed by an African American, Harvard-trained economist, Dr. Robert C. Weaver (Meyer 2000).⁸² Weaver’s office was charged with reviewing applications for federal funds to ensure that, “sound racial policy may be reflected in all projects” (Weaver 1940, p155). In a 1968 interview, Weaver recalled:

The Public Housing Program was perhaps one of the outstanding examples of equity of treatment as between white and black Americans....In public housing we not only got approximately a third, as I recall, at one time of the units available to nonwhites--most of them were Negroes--we also got Negro managers, which was unheard of in places like Atlanta and Memphis and Jacksonville and in Miami. We were able in the North to get projects which were open to both Negroes and whites. This required some doing as early as 1937 to '38. These were the exceptions rather than the rules but they did occur. (Weaver Oral History 1968, p9)⁸³

Reviewing Dr. Weaver’s tenure, *The Crisis* (the official publication of the NAACP) reported, “As a result of his efforts and the support of USHA officials, a more fair and equitable racial policy now exists in USHA than in any other branch of the Federal Government. On the basis of need, Negroes are enjoying equitable benefits from public housing...” (October 1940, p319).

⁸² Dr. Weaver was the first African American to earn an Economics PhD at Harvard. He went on to serve as the first black cabinet member as the Secretary of Housing and Urban Development.

⁸³ Available at <http://transition.lbjlibrary.org/files/original/6404ca478ed6c3848eedaaf380acdb45.pdf>

However, despite the fact that, “The United States Housing Authority...tried to set...desirable precedents in the field of practical racial relations” (Weaver 1940, p155), the seeds of segregation were embedded in the design of urban renewal; planted by the coalition that brought it to fruition.

The first of these seeds was local control. J. W. Brabner-Smith, Counsel for the Federal Housing Administration explained in 1937 that the, “problem is essentially local and should be decentralized as far as possible” (p.681). Allowing local governments to decide which land would be cleared and where new housing would be built virtually guaranteed the continuation and exacerbation of race and class segregation because white homeowners and land-oriented businesses controlled city governments and opposed residential integration along either race or class lines. Further, these interests quickly moved to ensure control of the new housing and renewal authorities created to direct and manage the process (Hirsch 1983, Sugrue 1996, Gotham 2001). Sugrue (1996) explains, “local governments had the final say over the expenditure of federal funds, the location of projects, and the type constructed” (p60).

In Chapter 3, I provided evidence that city governments underprovided city services and practiced expulsive zoning – the placement of negative uses (like garbage incinerators) in poor and minority neighborhoods. The land values in these areas were low; the environment was degraded. As a result, they were considered blighted. In the early 1930s, local realtors and bankers assisted the federal Home Owners’ Loan Corporation (HOLC) in mapping property values of every block of every city in the nation (Gotham 2000). The HOLC’s low appraisal of neighborhoods of color and large numbers of renters is well known (Jackson 1985, Weaver 1948). These areas too, were considered slums. In San Antonio, 82,000 Mexican Americans populated a 4-square mile neighborhood west of downtown. Many of the homes were wooden

shacks or converted horse stalls. Tellingly, the neighborhood lacked paved and lit streets, parks, and sufficient sewer capacity (obviously the doing of the local government). Annual flooding created a breeding ground for mosquitos (Fairbanks 2000). Neighborhoods like this *barrio* – predominately populated with people of color and renters – particularly those close to downtowns or homogenous white neighborhoods, were the first to be cleared (Hirsch 1983, Sugrue 1996).

At the same time, in order to preserve property values and access to FHA loans (which required racial homogeneity), white homeowners vigorously blocked the building of low-income and multi-unit housing in their neighborhoods (Weaver 1948, Sugrue 1996, Hirsch 1983). Weaver (1948) reports that even whites living miles away from proposed projects objected to their development on the grounds that their property values would be threatened. Nearly all new housing was provided on a segregated basis – that is, whites and nonwhites were not to live in the same projects (Weaver 1946). In order to provide enough units for racial minorities, and given the few sites that were available for building, many of the public housing projects were constructed as high-rise buildings – which, even at the time, were understood to be less desirable for the successful integration of people in need (Weaver 1946). Thus, as neighborhoods with large populations of renters and people of color were razed, these residents were displaced into even more densely segregated communities. In both the decisions regarding clearance and the decisions regarding the building of replacement housing, local control generated increased segregation.

The second important feature linking urban renewal to segregation was underfunding. Basil Stockbridge, Executive Assistant to the United States Building and Loan League, complained that, “it can readily be seen that the Authority’s activities will hardly scratch the

surface of the real needs of the country in eliminating urban slums and blighted areas” (Stockbridge 1938, p329). The Act required that the development of any new housing be accompanied by the razing of unsafe or insanitary dwellings, “substantially equal in number to the newly constructed dwellings provided by the project” (Wagner-Steagall Act, 1937, p5). But the new housing did not need to be located where the old housing had stood. Additionally, it was possible to raze more housing than was actually built. The lack of adequate funds meant first, that many slums remained, and second, that the number of new, affordable units was generally lower than the number cleared. Because of this, overcrowding in existing poor and minority neighborhoods worsened.

Furthermore, the receipt of federal funds required the local community to contribute funds for construction, typically in the form of land donation and property tax exemption, as well as funds for ongoing operation of the project (Levine 1941). Many cities eagerly accepted the federal dollars, but budgeted vastly insufficient amounts for the maintenance of public housing. So, even though by the 1950s most housing authorities stopped the explicit segregation of public housing tenants, and in some cases promoted peaceful race relations (Weaver 1946, 1956, Collins 2004), the degradation of the units meant that they had already become housing of last resort. Those who could avoid public housing did and preexisting segregation meant that it was whites who could most easily find housing in the private market.

As is true of all large government endeavors, the coalition in support of the Wagner Act and its later revisions was a collection of diverse, conflictual interests. These interests can be roughly categorized as those who emphasized slum clearance versus those who sought “public low-rent” housing (Ickes 1935, p109).⁸⁴ The former included business interests who held

⁸⁴ Although of course, there was diversity within these broad groups, see Marcuse 1995.

property in and/or relied on a healthy economic market in the downtown of cities, real estate elites, urban planners, homeowners, and local politicians hoping to increase the tax base (Zipp 2012, Ringelstein 2015, Avila and Rose 2009, Gotham 2001, Sugrue 1996). As one journalist representing this set of interests explained, “the housing problem is not merely one of replacing insanitary or unhealthful dwellings for large numbers of our people. More importantly, it involves the whole problem of progressive neighborhood decay, which for years has been eating like a cancer at the heart of every great city in America. The victims of this cancer are not only slum dwellers. In greater number these victims are taxpaying, home-owning families in neighborhoods from humble to well-to-do in all parts of the country” (Lewis 1937, p189).

On the other side were those concerned about the extreme housing shortages among lower-income residents, severe overcrowding plaguing minority neighborhoods, and the influence of slums on lax moral standards and community disorder (Dean 1949, Zipp 2012, Meyer 2000, Hirsch 1983). This group included many low-income and working class residents, people of color, organizations like the NAACP, institutions like the Chicago Defender, unions, and social workers (Meyer 2000, Gotham 2001, Compass 1936).

From the outset, slum clearance supporters, like the National Association of Real Estate Boards, were opposed to direct government provision of housing (Gotham 2001). However, much of the land that local elites viewed as blighted and sought to redevelop was residential, and the areas were often physically quite large. Razing the houses and assembling parcels required eminent domain, which required a clear public purpose. Public housing offered this justification, but only when *local* authorities engaged in the taking – thus necessitating local control.⁸⁵ Public

⁸⁵ In *United States v. Certain Lands in the City of Louisville* (1935) the 6th Circuit Court ruled that the condemnation of land for slum clearance by the *federal* government was unconstitutional because it did not constitute a use necessary to carry out the powers delegated to Congress. The Housing Act of 1937 thus moved to decentralize

housing advocates worried that local control over site selection and construction would exacerbate segregation (Meyer 2000), but without support from the slum clearance interests, public housing would have collapsed nearly as soon as it started for lack of funding (Marcuse 1995).

When the Wagner-Stegall Housing Act was revised and expanded in 1949 and 1954, power shifted toward the interests favoring slum clearance and segregation. Because the crisis of the Great Depression had abated, slum clearance was much more popular with voters and elites than was public housing (Fairbanks 2000, Zipp 2012).⁸⁶ As Gotham (2001) explains, these revisions, “represented the culmination of real estate industry lobbying efforts to curtail the production of public housing, create local redevelopment authorities with broad powers of eminent domain, and provide generous public subsidies for private redevelopment” (p297). By the time the last funds were allocated to local governments in 1974, the program had operated for more than 25 years as a mechanism to maintain and deepen segregation; it was termed the, “successor-weapon to the restrictive covenant and the racial zoning ordinance” (Abrams 1950). According to Collins and Shester (2013), urban renewal cumulatively resulted in the clearance of 400,000 housing units and 57,000 total acres; 300,000 families were displaced, about 54% of whom were nonwhite.⁸⁷ But, as we saw with racial zoning in Chapter 2, there was great variation in the local pursuit of urban renewal funds, and thus its effect on segregation.

To provide evidence of the relationship between urban renewal and segregation, I rely on a dataset gathered by Collins and Shester (2013). In their article, Collins and Shester (2013)

housing administration – requiring local housing authorities to be established to receive loans and grants from the federal government and engage in slum clearance and public housing construction (Freedenberg 1941).

⁸⁶ The Housing Acts were not the only mechanism cities used to engage in urban renewal, but patterns were similar with regard to other programs. For instance, Barrett and Rose (1999) provide evidence that local business, politicians, and real estate interests utilized highway construction to produce similar outcomes.

⁸⁷ Collins and Shester (2013) provide significant evidence that these measures accurately capture urban renewal activity undertaken by cities.

show that slum clearance and urban development programs had quantifiable *positive* benefits on city-level measures of income, property values, employment, and poverty rates. I seek to determine whether or not the program also increased race and class segregation. Collins and Shester's data represent all funds approved and disbursed under Title 1 of the 1949 Housing Act between 1950 and 1974. The data were gathered from the Department of Housing and Urban Development's Urban Renewal Directory. Cities applied for federal grants for particular urban renewal projects, and the directory listed the value of total approved and disbursed grants as of the date of publication. I add to these data each city's level of white/nonwhite and renter/owner segregation in 1980, measured using the *H* Index described in Chapter 1:

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where *P* represents total population of neighborhood *n* or city *c* and *E* is the entropy (diversity) of *n* or *c*. *H* varies between 0, where all neighborhoods have the same composition as the entire city (no segregation), and 1 where all neighborhoods contain only one group (high segregation).

First, I regress *Total Approved Urban Renewal Funds* (in hundreds of millions of dollars) as of 1974, on the *H* Index of *Segregation in 1950*. We should expect that cities with a strong preexisting propensity for segregation should have been the most eager applicants for federal funds. I add a series of city characteristics also measured in 1950 to account for the many demographic and environmental conditions that might have both led cities to seek urban renewal funding and be correlated with segregation. These controls include the proportion of housing units that were *Owner* occupied, *Median Home Value*, the share of housing units that were *Dilapidated*, the share that were *Built Prior to 1920*, and the share that lacked *Indoor Plumbing*. I include *Total Population*, the share of the population that was *Nonwhite*, median *Educational Attainment* of the population over age 24, the log of *Median Family Income*, the *Employment*

Rate, the share employed in *Manufacturing*, and the percentage of families with *Income Below* \$2,000 in 1949. These variables were all provided by Collins and Shester (2013). I add fixed effects for region, and report robust standard errors clustered by state. Collins and Shester provide data for all cities with more than 25,000 residents in 1950 and 1980 (482 in total), but I only have segregation measures for 172 observations. Table 4.1 presents the results (summary statistics are in appendix Table A4.1).

Table 4.1: Relationship between Preexisting Racial Segregation and Approved Urban Renewal Funds

	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Segregation, 1950	2.49	0.551	0	1.205	0.321	0.001
% Owner occupied, 1950				0.004	0.005	0.456
Median Home Value, 1950 (log)				0.128	0.255	0.617
% Dilapidated, 1950				0.012	0.016	0.443
% Built Pre-1920, 1950				0.009	0.003	0.011
% Units w/o Plumbing, 1950				-0.005	0.005	0.342
Population (millions), 1950				0.706	0.098	0.000
% Nonwhite, 1950				0.005	0.006	0.422
% Employed Manufacturing, 1950				-0.002	0.004	0.539
% Employed, 1950				-0.019	0.023	0.419
Median Education, 1950				-0.028	0.062	0.655
Family Income, 1950 (log)				0.25	1.166	0.831
% Incomes Below \$2000, 1950				-0.003	0.023	0.896
Constant	-0.237	0.162	0.152	-1.771	8.885	0.843
N	173			172		
R ²	0.227			0.679		

Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Table 4.1 reveals that the application for urban renewal funds is strongly correlated with preexisting segregation. Those places that had a propensity for segregation were the most likely to apply for federal funding – even accounting for all of the physical factors that would have generated such applications. Topeka, Kansas, with a segregation index of 0.26 in 1950, applied for about \$17.5 million in urban renewal funds over the course of the program. Kansas City, Kansas, where the segregation index was 0.54, applied for nearly \$53 million. Atlanta, Georgia, with a segregation index of 0.67, applied for more than \$100 million. In Richmond, VA, where

the segregation index was 0.51, city leaders only asked for \$37 million. Salt Lake City, Utah with a segregation index of 0.18 applied for less than \$5 million compared to Denver, Colorado's application of \$83 million with a segregation index of 0.49.

Next, I analyze the effect of urban renewal funding on future levels of *Segregation* (*H* Index measured in 1980), conditional on preexisting segregation (*H* Index measured in 1950). The independent variable in these analyses is *Total Disbursed Urban Renewal Funding* (in hundreds of millions of dollars) as of 1974. I do not have data on renter segregation in 1950, so these analyses use the 1950 level of racial segregation as the control. Again, I present the models with and without demographic and environmental controls measured in 1950. Table 4.2 shows the results for racial segregation and 4.3 shows renter segregation.

Table 4.2: Relationship between Dispersed Urban Renewal Funds and Future Racial Segregation						
	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Urban Renewal Funds (\$100 millions)	0.073	0.021	0.001	0.073	0.029	0.014
Segregation, 1950	0.514	0.11	0.000	0.476	0.087	0.000
% Owner occupied, 1950				0.002	0.001	0.088
Median Home Value, 1950 (log)				0.118	0.043	0.010
% Dilapidated, 1950				-0.004	0.004	0.350
% Built Pre-1920, 1950				0.002	0.001	0.152
% Units w/o Plumbing, 1950				-0.001	0.001	0.165
Population (millions), 1950				-0.004	0.017	0.832
% Nonwhite, 1950				0.007	0.002	0.003
% Employed Manufacturing, 1950				0.003	0.001	0.003
% Employed, 1950				0.006	0.006	0.329
Median Education, 1950				0.007	0.014	0.642
Family Income, 1950 (log)				-0.292	0.187	0.127
% Incomes Below \$2000, 1950				-0.001	0.004	0.726
Constant	0.017	0.032	0.609	0.469	1.578	0.768
N	172			171		
R ²	0.639			0.711		

Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Table 4.3: Relationship between Dispersed Urban Renewal Funds and Future Renter Segregation						
	Model 1			Model 2		
	β	Std. Err.	P> t	β	Std. Err.	P> t
Urban Renewal Funds (\$100 millions)	0.023	0.006	0.001	0.020	0.009	0.037
Segregation, 1950	0.005	0.032	0.889	0.016	0.041	0.700
% Owner occupied, 1950				0.000	0.001	0.703
Median Home Value, 1950 (log)				0.059	0.030	0.060
% Dilapidated, 1950				0.000	0.001	0.676
% Built Pre-1920, 1950				0.000	0.000	0.464
% Units w/o Plumbing, 1950				0.001	0.000	0.052
Population (millions), 1950				0.003	0.011	0.761
% Nonwhite, 1950				0.000	0.001	0.997
% Employed Manufacturing, 1950				0.000	0.001	0.826
% Employed, 1950				-0.001	0.003	0.715
Median Education, 1950				0.016	0.007	0.032
Family Income, 1950 (log)				0.008	0.118	0.946
% Incomes Below \$2000, 1950				0.001	0.003	0.800
Constant	0.129	0.013	0	-0.591	1.130	0.604
N	172			171		
R ²	0.229			0.334		

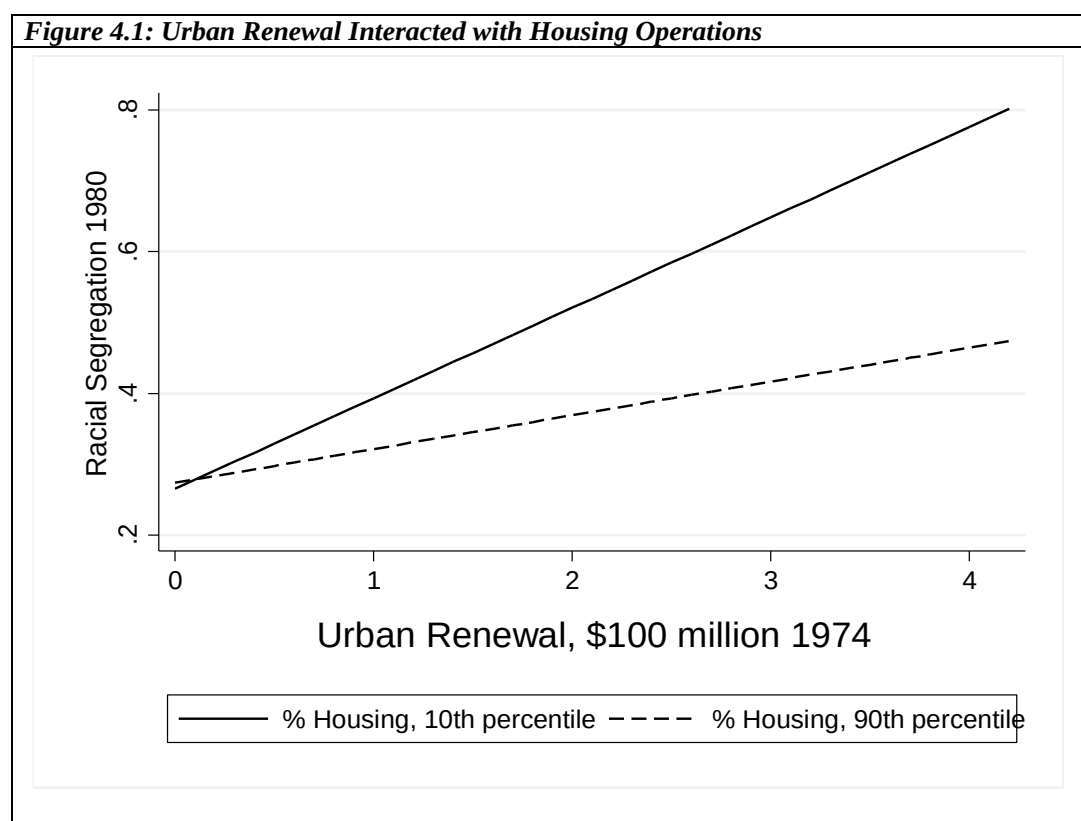
Note: OLS regression including fixed effects for region, robust standard errors clustered by state presented.

Tables 4.2 and 4.3 reveal that the vigorousness with which a city pursued urban renewal affected the level of segregation after the completion of the program (conditional on starting levels of segregation). The results are much more powerful for racial segregation than for renter segregation. Every additional \$100 million in urban renewal funds is associated with a 7% increase in racial segregation, compared to a 2% increase in renter segregation.⁸⁸ As was the case for the effects of zoning shown in Chapter 2, local policy implementation is more tightly linked to racial housing patterns than class housing patterns.

This historical evidence indicates that cities varied not only with respect to their participation in the urban renewal program, but also in their investment in the ongoing maintenance of public housing. To investigate this possibility, I add to the data a measure of the

⁸⁸ Collins and Shester (2013) use an instrumental variable approach in their analysis. They estimate urban renewal funds with the number of years the city had access to the program as a result of state enabling legislation. Even more powerful results are evident when I replicate their strategy.

share of total expenditures each city spent on *Housing and Community Development Operations*⁸⁹ in 1972. I interact this variable with the measure of *Total Urban Renewal Funding* in Model 2 from Table 4.2 above.⁹⁰ I also add a control for the number of *Public Housing Units Per Capita* built under the Housing Act (from Collins and Shester) to account for differences in the need for maintenance spending.⁹¹ Figure 4.1 reveals how urban renewal funding operated differently when cities invested in ongoing maintenance and when they did not.



⁸⁹ This variable was constructed using the finance data described in Chapter 1. It is calculated as the total dollar amount spent on housing and community development minus housing and community development capital outlays, divided by total expenditure.

⁹⁰ Adding the interaction to Model 2, Table 4.3 (analyzing renter segregation) produces a similar effect that is smaller in size than the effect on racial segregation.

⁹¹ Interestingly, the coefficient on this variable is negative – meaning that cities that had more public housing overall were less segregated. However, interacting the number of public housing units with urban renewal funding results in a positive coefficient. This indicates that slum clearance and public housing were both factors in the increase in segregation that urban renewal produced.

In cities that accepted urban renewal funds, but budgeted nothing for operations in 1972, urban renewal had a steep positive effect on racial segregation. In places that provided municipal funds for the maintenance of renewal sites, increasingly vigorous renewal expenditures had a much smaller effect on segregation. Of course, this analysis does not offer causal leverage. It is entirely plausible that the cities that were inclined to invest in maintenance had a social/political culture that led to a smaller increase in residential segregation for other reasons. Whatever the underlying cause was – cities that accepted federal funds without ongoing budget provision for housing operations segregated the most rapidly. This variation aside, generally speaking, where slums were cleared and public housing was built, segregation increased.

Yet, even while urban renewal was largely carried out to the benefit of white homeowners and land-oriented businesses, their control over public policy was not absolute; the rising Civil Rights movement threatened it significantly. As of 1960, not a single large city in the United States had elected a black mayor. By 2010, more than a third had (Vogl 2014). Changes to voter eligibility brought by the 24th amendment and the 1965 Voting Rights Act increased turnout of racial minorities and the poor during this period as well (Filer, Kenny, and Morton 1991).

I use data collected by Vogl (2014) to investigate the relationship between levels of segregation and interracial electoral competition. Vogl (2014) analyzes mayoral election returns between 1965 and 2010 for all cities that had 1960 populations that were at least 50,000 and 4% black (194 cities). His data record the race of the top two candidates (either black or not black) and their vote totals. I add segregation measures to Vogl's data resulting in complete data for

122 cities.⁹² During the 1960s, only 13 black candidates sought the mayor's seat in Vogl's dataset; this number rose to 57 in the 1970s, and 84 in the 1980s. Interracial electoral competition was much more likely in more segregated cities. To show this, I regress a dummy variable coded 1 if the election was *Interracial* (e.g. featured a black candidate running against a non-black candidate) on the city's *H* Index of *Segregation* for the election year (interpolated between Censuses). I add the share of the city's residents that were *White* and the share *Renting* their homes, as well as the natural log of total *Population*, and a trend variable for the *Year* as controls. I use a random-effects logit model with errors clustered by city. I restrict the analysis to elections that occurred between 1965 and 1990 in order to focus on the post-war period. The regression includes 731 elections from 117 cities. Figure 4.2 shows the marginal effect of segregation on the probability of witnessing an interracial election, holding all other variables at their mean values.

⁹² I am missing pre-1970 segregation measures for 20 cities in Vogl's dataset. I use 1970 segregation for the 36 elections between 1965 and 1970 for these places. Results are robust to the exclusion of these observations.

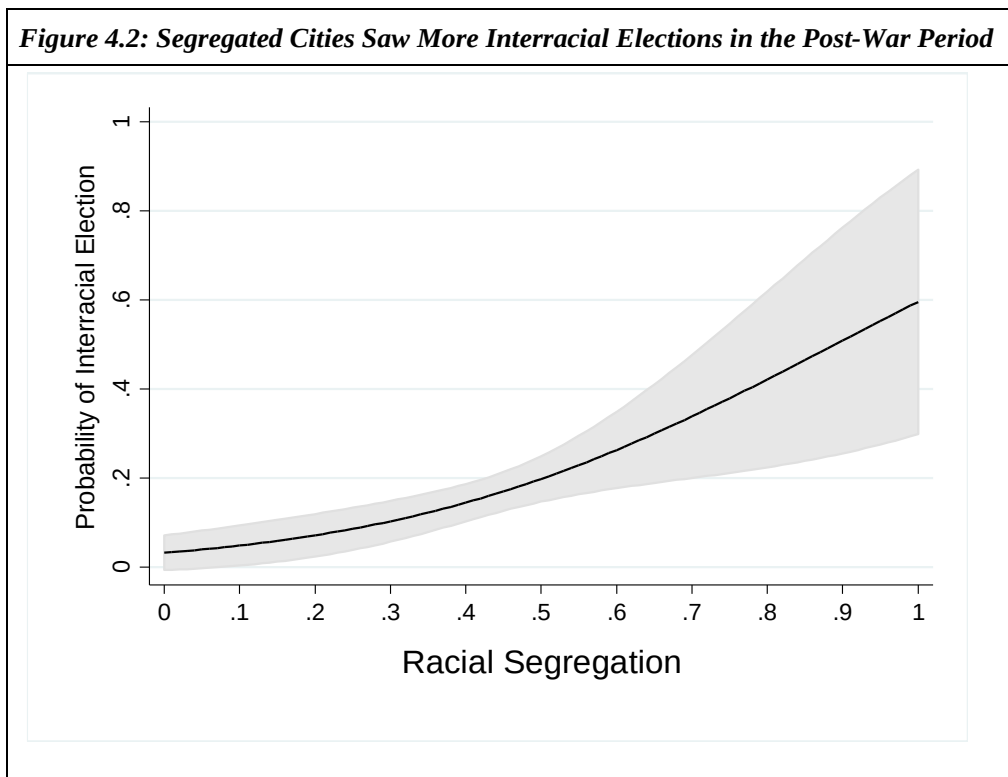


Figure 4.2 makes clear that racially segregated cities were much more likely to experience interracial elections – even controlling for the share of the population that was nonwhite. As will be shown in Chapters 6 and 7, segregated cities are also more likely to have racially divisive politics. Although the dividing lines were in place long before the 1960s, they became much more visible in electoral politics during the postwar period. Elections featuring black candidates (and white contenders) were contentious – driving up turnout among both blacks and whites, and decreasing margins of victory (Vogl 2014, Lublin and Tate 1995, Washington 2006). However, the vast majority of elections were still won by whites. Blacks only won 13% of the 731 contests reflected in Figure 4.2; moreover, these wins were concentrated in places with majority black populations. Although whites maintained power in

most cities throughout the 1960s and 70s, their hold was tenuous. This weakness became increasingly clear through the successes of the open housing movement.

In 1942, only 36% of whites said that they would not be bothered if a black person with their same income and education moved into their block (Schuman and Bobo 1988); the majority of whites, “expect[ed] a vigilant government to protect their segregated neighborhoods” (Sugrue 1996, p63). These beliefs were intimately intertwined with opposition to public housing, which was viewed as “Socialist housing” (Los Angeles Times, March 23, 1952 p E1); specifically, public housing was viewed as, “a taxpayer-subsidized handout for the feckless” (Sugrue 1996, p63). Although a majority of the poor in central cities were white, racial minorities were disproportionately poor and poorly housed.⁹³ Many whites opposed public housing because they feared, “a change in the racial character of the neighborhood” (New York Times, April 13, 1952, p28). Efforts to locate low-income housing in home-owner neighborhoods and/or integrate white areas was viewed as a government assault on owners’, “right to protect one’s own property” (Thomas, William P., Letter to the Editor, Washington Post, February 27, 1949).

In order to prevent integration in housing, white homeowners organized neighborhood associations, encouraged vigilant city inspectors to fine overcrowded minority homes, sent hundreds of letters to city governments, turned out in droves at public hearings, and engaged in violent assaults on black residents (Sugrue 1996, Hirsch 1983). But defending white, home-owner neighborhoods was a zero-sum game. For every area that successfully halted integration or low-income housing, another had to absorb (or block) it. This led to a lack of unity among segregationist forces. At the same time, support for scientific racial categorization plummeted

⁹³ About 62% of persons below the poverty line in central cities were white in 1959. Approximately 14% of whites were poor compared to 41% of blacks (<https://www2.census.gov/prod2/popscan/p60-068a.pdf>, p7).

(Hayward 2013), and outright, public expressions of racism were, “placed on the defensive” (Hirsch 1983, p175, Schuman et al. 1985).

Advocates of open housing began to win concessions from the government. By 1945, in more than 200 cities, municipal authorities dedicated to maintaining peaceful race relations, established interracial commissions, committees, or agencies that advocated for civil rights reform (Hirsch 1983, p42). These often appeared in the wake of violent riots (Meyer 2000). The racial restrictive covenant, long used by real estate developers and homeowners’ organizations to keep minorities out of white neighborhoods, became unenforceable with a Supreme Court decision in 1948 (Abrams 1955). Even before this decision, some municipal judges were refusing to enforce covenants (Hirsch 1983).

Because the government owned and operated public housing, it was an obvious target for constitutional claims of unequal treatment. As early as 1944, New York City enacted an ordinance prohibiting tax-exempt status for housing projects that denied access to tenants on the basis of race. The ordinance had been spearheaded by the city’s interracial relations commission. In other places, civil rights organizations pressured municipal housing authorities to integrate public housing; the NAACP brought this matter before the court (Meyer 2000, Sugrue 1996). In 1953, the California Court of Appeals ruled in *Banks v. Housing Authority of San Francisco* that San Francisco’s Housing Authority must assign residents to public housing without regard to race or color. When the Supreme Court declined to hear the appeal (thereby allowing California’s ruling to stand), the case became precedent-setting. By 1954, 21 cities had passed some form of anti-discrimination law (Meyer 2000) and in 1962, President Kennedy signed an executive order,

directing Federal departments and agencies to take every proper and legal action to prevent discrimination in the sale or lease of housing facilities owned or operated by the

Federal Government; housing constructed or sold as a result of loans or grants to be made by the Federal Government; and housing to be available through the development or redevelopment of property under Federal slum clearance or urban renewal programs (Papers of Burke Marshall, Assistant Attorney General for Civil Rights).

Not only did cities and states pass anti-discrimination laws covering public housing, some also enacted open housing legislation that sought to prevent discrimination in the private housing market. The leader of the movement was again New York City, passing an ordinance prohibiting, “race, creed or national origin” discrimination in rental housing in 1957 (Bennett 1957b, p9). The ordinance was, “bitterly fought by property owners and real estate representatives” (Bennett 1957a, p7) and explicitly exempted room rentals in single-family homes or duplexes unless they were located in large housing developments (Bennett 1957b). Still, the passage of open housing laws represented clear policy change, largely emerging from the bottom-up. By 1968, 22 states had enacted fair housing laws that covered nearly all sales and rentals (Collins 2006). Such laws were passed in response to vocal, mobilized advocates in black and liberal white communities (Collins 2006). The 1968 Federal Fair Housing Act extended this coverage nationwide.

Despite such policy progress, even as of 1973, the General Social Survey found 64% of white respondents believed that a homeowner should be able to, “decide for himself whom to sell his house to, even if he prefers not to sell to Negroes” (GSS 1973), and a homeowners’ rights movement arose in response to the open housing laws. In Detroit, a collection of neighborhood organizations gathered more than 44,000 signatures in support of a homeowners’ right initiative (Chicago Tribune, July 13, 1963). The ordinance passed but was declared unconstitutional by the Wayne County Circuit Court in a suit brought by the NAACP (Chicago Defender, December 23, 1964, Sugrue 1996).

In California, after the state legislature passed a fair housing law known as the Rumford Act in 1963, a statewide campaign for its repeal was led by the California Real Estate Association and the California Apartment Owners Association who combined to form the Committee for Home Protection (Self 2003, Duscha 1964, Turner 1964). Proposition 14, confusingly referred to as “The California Fair Housing Initiative,” prohibited the state from, “denying, limiting, or abridging the right of any person to decline to sell, lease, or rent residential real property to any person as he chooses.”⁹⁴ In an analysis of the campaign for Proposition 14, Self (2003) and Brilliant (2010) show that supporters rarely invoked race in their arguments, focusing instead on freedom and property rights. Reporting on the initiative battle, the Washington Post quoted a pamphlet issued by the Committee for Home Protection that stated, “Those who stand for the preservation of individual property rights today are in direct line of descent from the patriots who endured the hardships of the long winter at Valley Forge with George Washington” (Duscha 1964, pA2). Prominent Democrats including Governor Edmund Brown opposed the initiative, and a number of “right-wing Republicans” including Ronald Reagan and Barry Goldwater were “extremely active” in support of the initiative (Duscha 1964, pA2). In the end, the initiative passed with more than 65 percent of the vote, even as Johnson won the presidential race decisively (Greenberg 1964, p1).

Scholars have identified varying patterns of opposition to open housing in different places. For instance, Sugrue (1996) shows that in Detroit, the staunchest integration resisters were working-class white ethnics who owned modest, single-family homes (see pp236-237). In Oakland, Self (2003) finds that it was *not* solely, “an anti-liberal white working class engaged in direct struggle with African American,” but rather middle and upper-class whites who,

⁹⁴ SALES AND RENTALS OF RESIDENTIAL REAL PROPERTY California Proposition 14 (1964). http://repository.uchastings.edu/ca_ballot_props/672

“understood property rights as sacrosanct expressions of their personal freedom” (p168). Collins (2004) shows that states with higher union membership rates were more likely to pass fair housing legislation and Self (2003) provides evidence that the UAW campaigned against Proposition 14, although Brilliant (2010) argues that rank and file union members were staunchly opposed.

To better understand the individual correlates of opposition to open housing, I gathered data from the 1964 Field Poll in California.⁹⁵ Carried out in seven waves between January and October, the poll asked respondents about their support for the Rumford Act and Proposition 14. I recoded these questions to into a variable coded 1 if the respondent *Opposed Open Housing*.⁹⁶ I use logistic regression to regress this variable on several demographics including whether or not the respondent *Owns* (vs. *rents*) her home, her *Race* (coded 1 for white and 0 for nonwhite or other), her *Age*, her level of *Education*, whether or not the respondent or her spouse belongs to a *Union*, and her *Economic Level* (with higher values representing lower classes).⁹⁷ In addition, I include a measure indicating whether or not the respondent planned to vote for the *Democratic*

⁹⁵ Ideally, I would have analyzed the relationship between community segregation and public opinion on open housing. Unfortunately, the Field Poll recorded no geographic identifiers other than the very broad categories of Northern and Southern California.

⁹⁶ For waves 2, 3, and 5, I used the question about the Rumford Act. In waves 1 and 7, no Rumford Act question was asked, so I used a question about Proposition 14 instead. Waves 4 and 6 did not include open housing questions. The text of the questions are as follows: (Rumford Act) Well, as you know the Rumford Act is a Law which makes it illegal for apartment house owners, owners of publicly assisted housing, and real estate brokers to discriminate against anyone because of race, color, religion, national origin or ancestry in the renting or selling of housing accommodations. From what you know of it, do you approve or disapprove of the Rumford Act?” (Proposition 14) “If you were voting today, would you approve or disapprove of this addition to the state constitution? (the amendment reads as follows – prohibits state, subdivision, or agency thereof from denying, limiting, or abridging right of any person to decline to sell, lease, or rent residential real property to any person as he chooses. Prohibition not applicable to property owned by state or its subdivisions, property acquired by eminent domain, or transient lodging accommodations by hotels, motels, and similar public places.” Where possible, I use the question about the Rumford Act instead of Proposition 14, because the waves included very different wording of the Proposition question (adding more and less detail about the content).

⁹⁷ The coding of this variable is obscure. The codebook suggests that 10 categories were used and lists the following labels “upper,” “upper middle,” “upper middle,” “middle,” “middle,” “middle,” “lower middle,” “lower middle,” “lower,” and “lower.” One can only assume that the coders were instructed in some way to make distinctions across categories.

Presidential ticket (Johnson/Humphrey). I cluster the standard errors by poll wave. The results, presented in Table 4.4 paint a clear picture confirming and undermining various aspects of the historical accounts. Summary statistics are presented in Table A4.2.

Table 4.4: Demographic Characteristics of Open Housing Opponents			
	β	Std. Err.	P> t
Home Owner	0.193	0.065	0.003
White	1.205	0.412	0.003
Education Level	-0.177	0.035	0.000
Union Member	0.284	0.111	0.011
Age	-0.004	0.053	0.934
Economic Level	0.003	0.026	0.897
Democratic Presidential Voter	-0.896	0.386	0.020
Constant	0.33	0.334	0.323
N	4,860		
R ²	0.0575		

Note: Logistic regression with errors clustered by poll wave.

White homeowners were clearly in opposition to open housing, as were less educated respondents, Republicans, and union members. After controlling for these characteristics, economic status and age played no role in the determination of political opinions on open housing. Since the earliest years of the century, the most consistent opponents of integration have been white homeowners who came to view the protection of their neighborhoods as a right to be protected by government. These residents understood the “very essence” of Proposition 14 to be the avoidance of, “state involvement in private decisions in the sale of rental of privately owned residential property” (Blake 1964, pK1).

In 1966, the California Supreme Court declared Proposition 14 in violation of the Constitution, and the Rumford Act was allowed to stand. However, the lack of support for open housing among whites and owners would prove to be a formidable barrier for integrationists. Collins (2004) reveals that fair housing policy had little effect on black housing market outcomes

and did nothing to affect levels of segregation. The changes local communities experienced during post-war period would have other long lasting effects. When California voters overwhelmingly supported Proposition 14, they also overwhelmingly supported Johnson (over Goldwater) for president. Many contemporaries and scholars would explain this apparent inconsistency as Mark Brilliant (2010) does:

Californians who voted *for* Prop 14 but *against* Goldwater were not so much signaling a wholesale rejection of civil rights...They were, however, hoisting a ‘no trespassing’ sign. They drew a line that cordoned off a more public sphere where the state could and should protect against discrimination from a more private sphere where no such state laws could tread (p206).

As Kruse (2005) so forcefully demonstrates, and I quantify in Chapter 7, this turn toward understanding neighborhood protection as a right (rather than a racist act), did not, in fact, represent an expression of newly discovered profound principles. It was, rather, a means to a segregationist end, and would serve as the rhetorical foundation for a rising conservative movement. More immediately, the rise of black candidacies, the advancements of the Black Power and Civil Rights movements, and the changes to public policy encompassed in the Voting Rights and Fair Housing Acts all threatened white control over central cities. At the same time, numerous federal and local policies made suburban living an attractive option – one that would offer white homeowners more complete control over the political arena. The next chapters offer evidence of these patterns.

Chapter 5: The Rise of Suburban Segregation, 1970-2011

In 2012, the Manhattan Institute issued a report entitled “The End of the Segregated Century,” declaring that, “all-white neighborhoods are effectively extinct,” (Glaeser and Vigdor 2012). Though not all demographers shared the optimism of Glaeser and Vigdor, many trumpeted the decline of neighborhood segregation in America following the release of the 2010 Census (Frey 2014). While segregation *between neighborhoods* has declined, another type of segregation has remained remarkably stable, even rising in the post-war period. Segregation *between cities* is persistent along both race and economic lines (Fischer et al 2004, Massey and Hajnal 1995). This means that while integration within cities has increased, cities as a whole have become less racially and economically diverse over time. As a result, a greater share of total segregation in metropolitan areas is now accounted for across cities rather than within them (see Chapter 1). This is what is commonly understood as the process of suburbanization.

While we have substantial evidence on the role federal policies have played in generating suburbanization (Jackson 1985, Massey and Denton 1993, Hayward 2013), our understanding of the ways in which local politics affects suburbanization has been limited. In previous chapters, I argued that segregation was pursued by local governments in order to enhance property values and make it possible to target local public goods towards white homeowners and land-oriented businesses. Such strategies, combined with political control of city councils and mayors’ offices, ensured that local governments operated to protect the homogeneity of white homeowner neighborhoods and provide them with disproportionate benefits. In the post-war period, this control was threatened by increasing minority electoral participation and policy achievements. Here, I demonstrate that these changes contributed to suburbanization.

The analyses in this chapter rely on a measure of segregation that incorporates patterns of sorting both within cities and between cities and suburbs. This strategy offers an advancement over previous scholarship because it allows for a consideration of residential sorting at multiple geographic levels at the same time. Most scholars focus either on metropolitan level segregation (e.g. Dreier et al. 2004, Jackson 1985) or neighborhood segregation (e.g. Massey and Denton 1993) – but these types of sorting are intricately linked. By drawing on a nested measure of segregation for all metropolitan areas over a long time span (1980-2011), I am able to show that residents traded one type of homogeneity for another in response to political outcomes. I utilize time lags and metro area fixed effects to handle the problem of endogeneity, as race and class sorting can, in turn, generate different political outcomes (Massey and Hajnal 1995, Friesema 1969, Nelson 1992). In this chapter, I analyze the relationships between cities within metropolitan areas. I concentrate on the ways in which the politics of the central city (the city with the largest population in the metro area) affects demographic residential patterns in the suburbs. I find that when central cities elect minority mayors, when central city expenditures are higher and favor policing, a greater share of metropolitan area segregation is accounted for between cities rather than within them. I also show that in metropolitan areas where land use regulations are stricter in the suburbs than in central cities, more segregation is accounted for across cities. In short, when central city politics do not favor their interests, white and upper class residents are more likely to reside in different cities rather than in different neighborhoods and they lock in these sorting patterns through public policy. In the final section of the chapter, I show that communities with more whites and homeowners receive a disproportionate share of municipal spending.

Understanding the Link Between Segregation and Suburbanization

People choose where they live based, in part, on the types and quality of public goods and services provided in a community, as well as the taxes required to provide those goods and services (Tiebout 1956, Ely and Teske 2015, Banzhaf and Walsh 2008). However, not all residents are equally able to match these preferences with housing location. Low-income households have less choice than do high-income households because amenities (including schools, parks, and public safety) are capitalized into housing prices and rents. Racial and ethnic minority households have also been severely limited in their ability to live where they choose. In part, this is due to the fact that minorities have lower average levels of income and wealth. But, as previous chapters have shown, it is also the result of concerted efforts by white homeowners to segregate them.

The long history of enforced racial segregation in America has been well documented. Between 1900 and 1940, neighborhood-level residential segregation expanded dramatically throughout the United States (Cutler, Glaeser, and Vigdor 1999). A variety of mechanisms ghettoized racial and ethnic minorities including violence and intimidation perpetrated by white residents, restrictive covenants written into housing deeds, and racial steering by real estate agents (McWilliams 1964, Sugrue 1996, Kruse 2005, Lassiter 2006). As previous chapters have shown, local, state, and federal policies also worked to establish and perpetuate segregation along race and class lines. Through actions like the passage of racial zoning ordinances (Chapter 2), the generation of neighborhood investment ratings through the Home Owners Loan Corporation (Hillier 2005), and official acquiescence to violent activity in protection of homes and neighborhoods (Hirsch 1983), governments pursued policies that limited the mobility of minority households (Ross 2008) between 1900 and 1940.

Around the time of the Second World War, patterns and strategies of segregation began to change. Segregation levels within cities leveled off, but ghettos grew much larger when minority populations increased in cities outside of the South (Cutler, Glaeser, and Vigdor 1999). Similar to previous decades, white homeowners utilized a variety of mechanisms to bar minorities and renters from moving to their communities. Organizing collectively through homeowners' associations, white homeowners controlled government decision making on matters such as the razing of slums, the rebuilding of downtowns, the placement of public housing, and zoning decisions that concentrated negative externalities in poor and minority neighborhoods.

However, as Chapter 4 revealed, starting slowly during the 1940s and then more rapidly during the 1950s and 1960s, white homeowners began to see their exclusive political control chipped away. The massive influx of wartime workers dramatically changed the racial and socioeconomic makeup of many large cities. In the 157 cities that had populations of at least 50,000 in 1940, the white population share declined about eight percentage points between 1940 and 1970 (from 90 to 82). By 2011, the white share of these cities decreased drastically to 52%. However, the share of renters *also* declined during this period, as homeownership rates expanded.⁹⁸ At the same time, black and Latino Americans' sustained battle for civil, economic, and political rights gained ground. As racial minorities began to contest and even win political representation, the open housing movement brought the possibility of neighborhood integration, and civil unrest coursed through many large cities. This period became fraught with uncertainty

⁹⁸ I only have time series data on homeownership rates for 60 cities. In these places, the share of homeowners rose from 35% in 1940 to 48% in 1970. Nationwide, the homeownership rate expanded from 43.6% to 63% during this period (Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970). http://www.census.gov/library/publications/1975/compendia/hist_stats_colonial-1970.html

and fear for many whites placed an increasingly high value on segregation as they joined the ranks of homeowners.

Cutler, Glaeser, and Vigdor (1999) provide evidence that since the 1990s, white homebuyers' willingness to pay a premium for homogenous neighborhoods is the central factor perpetuating segregation. Overt racism has decreased dramatically over the last several decades (Schuman et al., 1997), but whites continue to express a preference for same race neighbors (Charles 2003) and minority neighborhoods continue to be perceived as having poor-quality amenities (Bobo, Kluegel, and Smith 1997, Ellen 2000, Emerson, Chai, and Yancey 2001, Krysan 2002, Bayer, Ferreira, and McMillian 2007). Ellen (2000) shows that a growing black population leads whites to leave neighborhoods and/or be unwilling to enter them. Card, Mas, and Rothstein (2008) report a distribution of tipping points (the size of the minority population that affects white population flows) ranging from 5% to 20%. Once a neighborhood reaches the tipping point, it quickly becomes predominantly inhabited by racial and ethnic minorities. White preferences for homogeneity are undoubtedly enhanced by persistent discrimination in the real estate and mortgage industries which limit minority access to some neighborhoods (Pager and Shepherd 2008, Gaslter and Godfrey 2005, Bobo 2001, Farley et al. 1994, Bobo and Zubrinski 1996).

However, while white preferences for white neighbors help to make sense of the fact that whites live in different *neighborhoods* than nonwhites, they do not help to clarify why whites live in different *cities*. Why, even as neighborhoods have grown more integrated, have cities become less so? The answer is politics and political control. Boustan (2010) finds that residents are willing to pay a 7% premium on housing in order to live in a higher-income suburb, in part, to gain access to higher school quality and lower property tax rates. Baum-Snow and Lutz

(2011) and Lassiter (2006) provide evidence that court-ordered integration of city schools led some white parents to seek out homogenous, suburban school districts. Kruse (2005) shows that when Atlanta's whites lost segregation battles and political control, many chose suburban homes. I build on the findings of these scholars to show that suburban sorting along race and class lines is also linked to central city elections of minority mayors, larger city budgets and a greater share of spending on police.

The rapid increase in the population of the suburbs during the post-war period was mostly not the result of white flight. Rather, rising incomes, low-cost federally-backed mortgages, the lucrative federal mortgage deduction, new housing construction in suburban tracts, and an extensive highway system all worked to bring residents to the periphery (Gotham 2000, Nall forthcoming). Yet, in the early decades of the post-war period, suburban living was much more accessible to whites and homeowners than to people of color and renters (Kruse and Sugrue 2006, Jackson 1985). This pattern eventually changed, allowing many racial minorities and renters live in suburban communities today (Frasure-Yokely 2016). However, as Briffault (1990) explains, "the increased heterogeneity of suburbia as a whole is usually not matched by a greater diversification *within* particular suburbs. There are now more poor and working-class people, more minorities and more industrial and commercial sites in suburbia. But poorer, working-class or black suburbanites are likely to live in different jurisdictions separate from those inhabited by affluent or white suburbanites" (p353). These trends have converged to increase divisions along race and class lines across city lines (C.S. Fischer et al. 2004, M.J. Fischer 2008).

In previous decades, processes of consolidation and annexation made city boundaries malleable so that those moving away from the center of the city would have resided within city

limits (Teaford 1979). However, in the post-war period, state annexation laws changed and political boundaries ceased to keep pace with residential spread (Briffault 1990). As a result, the number of incorporated municipalities in metropolitan areas grew and suburbs gained population, economic activity, and political power (Danielson 1976, Miller 1981, Burns 1994).

As independent municipalities, suburbs have the power to regulate land use for all parcels within their borders. Local governments employ land use regulations to manage the character of their community. Consequently, regulatory environments vary significantly from place to place. Cities are capable of enacting minimum lot sizes so that all development must be located on a certain acreage of land, requiring developers to preserve open space in their development, determining the number of multi-family units that will be allowed within city limits, requiring developers to pay a share of infrastructure improvements associated with new development, offering short/long review periods for zoning changes and building permits, and involving few or many local actors in the approval and planning process. Gyourko et al. (2008) find that there is a strong, positive correlation between different regulations. Specifically, if a city regulates in one area, it is significantly more likely to regulate in other areas as well. Einstein et al (2017) provide evidence that the accumulation of regulations reduces the supply of multi-family housing by allowing residents opposed to development to delay the process and file lawsuits. Gyourko et al (2008) also find that community wealth is positively related to regulatory environments. Places with high median home values, more college-educated residents, and higher incomes are most likely to police land use.

Public Opinion on Local Spending

In order for political preferences to be related to population sorting, it must be the case that different groups have different orientations toward government spending and different

policy priorities. At the national level, the gap between white and nonwhite support for government programs like social services, education, and assistance to the poor, as well as beliefs about the optimal size of government is persistent, systematic, and substantively large (Kinder and Winter 2001, Winter 2006, Jackman 1994, Tate 1994, Kinder and Sanders 1996, Dawson 1994, Bowler and Segura 2011). A related, but distinct gap between high and low socioeconomic status individuals also exists (Gilens 2005, Bartels 2008). Whites and the affluent tend to favor limited government while people of color and those of lower socioeconomic status are more supportive of spending and intervention. In an overview of this large literature, Hutchings and Valentino (2004) explain that the black/white opinion gap typically ranges from 35-50 points on matters dealing with race (like affirmative action and government aid to minorities), and more than 20 points on policies that are not explicitly racial, like government spending on welfare, social services, and education (see also Winter 2006, Federico and Luks 2005, Sears, Hensler, and Speer 1979, Kinder and Sears 1981).

There is less research on these questions at the local level, but scholars have found large racial and socioeconomic status divides with regard to candidate choice (Hajnal and Trounstein 2013b, Hajnal 2009), satisfaction with city services (Hajnal and Trounstein 2013a, Van Ryzin et al. 2004, Durand 1976), and trust in government (Rahn and Rudolph 2005, Marschall and Shah 2007). Hajnal and Trounstein (2013b) find that the largest divide in support for mayoral candidates is black versus white residents, with the divide between Latinos and whites close behind. The divide between Asians and whites is smaller, but persistent, as is the divide between high and low socioeconomic status individuals. In an analysis of the determinants of service evaluations among local residents, Hajnal and Trounstein (2013a) find that race stands out as the most powerful predictor. Again, the largest divides are between black and white and Latino and

white respondents, but class divides are also significant. In sum, white and wealthy residents tend to have more conservative spending preferences and support different candidates than do minorities and the poor at both the local and national levels. When political patterns favor nonwhite and poor interests, white and upper-class residents are inclined to select different localities. In the next sections, I provide evidence of these political contributors to segregation.

Measuring Suburbanization, A New Approach

In order to show that political outcomes affect segregation across city lines, I use a segregation measure that can be decomposed into within-city and across-city components. This measure allows me to take advantage of different predictions depending on the level at which segregation occurs and to control for aggregate preferences for homogeneity. In some metropolitan areas, whites and homeowners tend to be segregated from nonwhites and renters in different neighborhoods (indicating segregation at a low level of geography). In others, race and class sorting is more prevalent across city lines (indicating segregation at a higher level of geography). If a city increases its budget, there is no reason to believe that this would induce residents to sort into different *neighborhoods* but, I argue, it could lead to sorting into a different *city*.

While households may choose residential locations that result in more homogenous neighborhoods for a variety of reasons, only cross-city segregation ought to be affected by the *total* bundle of public goods provided by the city and the election of city officials. Because different racial and economic groups have different preferences for local representatives and policies, when budgets or election outcomes are less favorable to white and homeowner preferences, these residents should be more likely to sort into residential locations outside of city

boundaries.⁹⁹ We most commonly think of segregation across city lines as a process of suburbanization, but sorting between suburbs is another version of the same pattern. The result should be an increase in the share of metropolitan segregation across cities as opposed to within them.

To determine whether or not city political patterns favoring nonwhite and renter interests affect metropolitan segregation, I constructed a dataset measuring segregation in primary metropolitan statistical areas from 1980-2011 GeoLytics' Neighborhood Change Database (NCDB) and the 2007-2011 American Community Survey. These data allowed me to create a panel dataset measuring segregation at the census-tract level for each metropolitan area. To measure segregation, I use the *H* Index described in Chapter 1. The *H* Index allows for decomposition of within-city and across-city components.¹⁰⁰ It measures the evenness of dispersal of groups across geographic units (in this case, Census tracts, cities, and metropolitan areas).

The groups I use to calculate the *H* Index here are white/nonwhite, renter/homeowner, and wealthy/non-wealthy. Since 1980, the Census has tabulated the number of residents in each Census tract that self-identify as racially white and ethnically not-Latino; these individuals are classified as whites in my analysis. All other racial/ethnic combinations are classified as

⁹⁹ There is no evidence that the inverse is true. When budgets favor white/wealthy preferences, poor and minority residents have not been found to move to communities that prioritize their demands and needs. For instance, Levine and Zimmerman (1999) investigate the potential for states' welfare programs to act as magnets for the poor. They find little support for this hypothesis. The process of gentrification – where affluent residents return to the central city – is another scenario that could lead to movement among poor residents. Here too, scholars have found no evidence that gentrification leads poor households to leave their housing units (Vigdor, Massey, Rivlin 2002). The most likely explanation, of course, is that it is whites and the wealthy who have had the greater ability to choose where they live. Beyond this, political outcomes are typically much more responsive to the preferences of whites and the wealthy (Hajnal 2009; Gilens 2014).

¹⁰⁰ The approach is similar to the one taken by C.S. Fischer et al. (2004) who analyze trends over time in the level at which segregation occurs. In contrast to C.S. Fischer et al. (2004), I seek to determine whether such patterns are related to city policy choices, not just time.

nonwhites. The Census gathers tenure information on all occupied housing units, noting whether they are rented or owned. The share of units rented versus owned comprises my measure of segregation. Finally, the Census reports income categorically, not continuously, so wealthy refers to the share of families in each census tract with incomes above particular thresholds for each census year.¹⁰¹ These thresholds were determined by calculating the average family income for all Census tracts in the United States for each Census year. The wealthy threshold represents the income bin with its starting point closest to the 90th percentile of the distribution. The thresholds for each census year are: \$35,000 for 1980, \$75,000 for 1990, \$100,000 for 2000, and \$150,000 for 2011. All families with this amount of income or more are included as wealthy.¹⁰²

As explained in Chapter 1, the H Index measures the degree to which the diversity of subunits differs from the diversity of the larger unit, expressed as a fraction of the larger unit's total diversity and weighted by the subunit's share of the total population. For each census year, I calculate an H Index for all cities within a metropolitan area, denoted $H_{m,c}$ and all tracts within each city, denoted $H_{c,t}$.¹⁰³ These H Indices reveal how diverse each census tract is given the diversity of the city and how diverse each city is given the diversity of the metropolitan area.

$$H_{m,c} = \sum_{c=1}^C \frac{P_c}{P_m} \left(\frac{E_m - E_c}{E_m} \right)$$

¹⁰¹ I use family as opposed to household income because the NCDB does not report household income at the tract level.

¹⁰² Census tracts range from 0 to 100% wealthy, with a mean of 18%, a median of 13%, and a standard deviation of 16%.

¹⁰³ Census tracts are perfectly nested within states and counties. However, in some cases tracts cross city lines. In these cases, GeoLytics assigned the tract to the city containing the largest share of the tract population. In 2011, tracts are weighted by the share of population contained in each city. Observations are unique when defined by year, tract, city, county, and metropolitan area. Tracts located in unincorporated areas within a metropolitan area are combined as a single unincorporated unit. Tracts outside of metropolitan areas are not included in the analysis. I use Metropolitan Statistical Areas and where possible, Primary Metropolitan Statistical Areas as the highest level of aggregation (not Consolidated Metropolitan Statistical Areas which are much larger).

$$H_{c,t} = \sum_{t=1}^T \frac{P_t}{P_c} \left(\frac{E_c - E_t}{E_c} \right)$$

P represents total population of the geography t , c , or m .

These two indices can be combined produce a total H Index for the metropolitan area which is equal to the H Index calculated for the metropolitan area at the tract level, $H_{m,t}$.

$$H_{m,t} = \sum_{t=1}^T \frac{P_t}{P_m} \left(\frac{E_m - E_t}{E_m} \right) = H_{m,c} + \sum_{c=1}^C \left(\frac{P_c}{P_m} \right) \left(\frac{E_c}{E_m} \right) H_{c,t}$$

I analyze the percentage of total metropolitan area segregation that can be attributed to cross-city segregation as opposed to within-city segregation. I have one observation per metropolitan area in 1980, 1990, 2000, and 2011. The dependent variable in my analyses is the share of total segregation in a metropolitan area that is determined by segregation across cities versus within them:

$$share_across = \frac{H_{m,c}}{H_{m,t}}$$

My argument is that city politics affects segregation patterns. Because I only have one measure of segregation for each metropolitan area, I analyze the effect on segregation of city politics in the city with the largest population in the metropolitan area. For example, in the Detroit-Warren-Livonia metropolitan area, I estimate the relationship between Detroit's city expenditures and the share of metropolitan segregation that is attributed to whites living in different cities than nonwhites (which happens to rise from 51% to 88% between 1970 and 2011). Table 5.1 provides aggregate descriptive statistics for the central cities versus non-central cities in my analysis as of 2011.

Table 5.1: Central vs. Non-Central Cities, 2011

	Central Cities	Suburbs
% White	58%	73%
% Black	19%	9%
% Latino	16%	12%
% Asian	4%	4%
% in Poverty	21%	12%
% Renters	47%	32%
Median HH Income	\$42,796	\$61,670
% Wealthy	9%	13%
N	323	4,145

The table reveals that suburbs are whiter, wealthier, and filled with more homeowners than central cities.

In Chapter 4, I argued that in the postwar period, white homeowner neighborhoods felt threatened by increasing electoral contestation by minority candidates and the successes of the open housing movement. Public opinion surveys reveal that racial and income groups are divided over the proper size of government. Further, studies have shown that white opinion on government spending is powerfully shaped by attitudes toward the group perceived to be the beneficiaries of the spending (Nelson and Kinder 1996). During the 1960s and 1970s many central cities became associated with rising crime rates (Wilson 1987). Today, whites link crime and criminality with blackness (Peffley Shields, and Williams 1994; Gilliam and Iyengar 2000, Gilliam et al 1996). For wealthy, white, homeowners with the ability to choose suburban living, it is plausible that the election of minority mayors, increases in the municipal budget, and shares of the budget going toward policing in central cities all may have played a role in encouraging segregation across city lines.

To analyze these relationships, I regress the share of metropolitan area segregation determined across cities on independent variables capturing political and policy control in the

central city. The first is a variable noting whether or not the central city had a *Minority Mayor* (African American, Hispanic, or Asian) at any point in the decade prior to the year in which segregation is measured. These data are from a number of different sources, including Vogl (2014), Hopkins and McCabe (2012), and my own research using websites and newspaper accounts of elections. The variable is a dummy variable coded 1 if the central city had a minority mayor and coded 0 if the mayor was white in all years of the prior decade. Next I add two spending measures: inflation-adjusted *Direct General Expenditure Per Capita* and the proportion of the city budget spent on *Policing*.¹⁰⁴ These variables come from the Census of Governments State and Local Government Finance files from 1977 to 2012.¹⁰⁵ The data are collected in years that end with 2 and 7 and I used linear interpolation to generate estimates of city expenditures in 1980, 1990, 2000, and 2011 to match the Census population data. I add the natural log of the *Population* as a control because large cities have different spending patterns than small cities and size may affect segregation patterns by offering residents greater ability to sort themselves into like neighborhoods. Finally, I add a measure of the *Violent Crime Rate* in the central city to capture local conditions to which both policy and movers might have reacted.¹⁰⁶ These data represent 209 metropolitan areas and include a total of 618 observations. Summary statistics are included in appendix Table A5.1.

There is an obvious endogeneity problem with the assertion that city elections and budgets can affect residential locations. That is, we know that as home-owning whites choose to

¹⁰⁴ Police protection expenditures include, “expenditures for general police, sheriff, state police, and other governmental departments that preserve law and order, protect persons and property from illegal acts, and work to prevent, control, investigate, and reduce crime” Pages 5-58 in The U.S. Bureau of the Census Government Finance and Employment Classification Manual available at:

http://www2.census.gov/govs/pubs/classification/2006_classification_manual.pdf

¹⁰⁵ ¹⁰⁵Available at <http://www2.census.gov/pub/outgoing/govs/special60/>. Filename is “[IndFin_1967-2012.zip](#)”

¹⁰⁶ These data are from the Department of Justice Uniform Crime Reporting Program: Offenses Known and Clearances by Arrest reports for 1980, 1990, 2000, and 2011.

locate in the suburbs as opposed to central cities, the remaining central city population will have different policy and candidate preferences. The success of black mayoral candidates in this scenario is what Friesema (1969) called the “Hollow Prize.” To attempt to mitigate problems this pattern might cause for the analysis, the mayoral data are measured in the decade prior to the segregation data and all of the remaining measures are lagged 10 years. Additionally, my analyses include fixed effects for metropolitan area, so that the estimated effects of politics are within, rather than across areas.

Is it the case that politics favoring nonwhite and poor preferences in central cities is associated with additional cross-city segregation? In short, yes. Table 5.2 presents the results.

Table 5.2: Effect of City Spending Patterns on Share of Metropolitan Segregation Attributed to Cross-City Segregation									
	Racial Segregation			Renter Segregation			Wealth Segregation		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Politics favoring minorities & renters									
Minority Mayor	0.032	0.01	0.01	0.019	0.01	0.08	0.027	0.01	0.01
Direct General Expenditure Per Cap	0.052	0.01	0.00	-0.004	0.01	0.58	0.013	0.01	0.07
% Policing	0.723	0.14	0.00	-0.223	0.12	0.06	0.458	0.12	0.00
Controls									
Population (logged)	0.046	0.03	0.12	-0.057	0.03	0.03	-0.013	0.03	0.60
Crime Rate	0.566	0.13	0.00	0.134	0.11	0.24	0.159	0.11	0.15
Constant	-0.380	0.35	0.28	1.051	0.31	0.00	0.341	0.30	0.25
Number of observations	618			618			618		
Number of MSAs	209			209			209		
R ² (within)	0.211			0.035			0.078		

Note: OLS Regressions, fixed effects for metro area included in all models

Minority mayor refers to previous decade, all other measures lagged 10 years

Table 5.2 tells a consistent story. When central cities elect minority mayors, when the spend more money, and when a larger proportion of their budget is spent on policing a larger proportion of the metropolitan area's total segregation along race and class lines is accounted for across cities rather than within them. In short, more liberal policy in the central city leads to more segregation across city lines while more conservative spending patterns in center cities lead to less. As Table 5.1 makes clear, non-central cities are whiter, wealthier, and more heavily populated with homeowners than central cities. This suggests that it is wealthy whites who make the choice to reside outside of the central city when policies favoring poor and minority interests are enacted. Conversely, wealthy white residents choose to remain in the central city when budgets are more austere. Overall, the results are strongest and most consistent for racial segregation. As has been true throughout this book, race is the clearer dividing line.

With regard to racial segregation in particular, the results are powerful. If we compare, on the one hand, a city with a white mayor in the 25th percentile of the distribution on per capita spending and police expenditure, to one with a minority mayor and in the 75th percentile on the

spending measures, the metro-area racial segregation accounted for across cities increases from 35% to 46%. This is equivalent to the difference between the patterns of segregation in the Wichita, Kansas area (*share_across_race* = 0.355), and the Waco, Texas area (*share_across_race* = 0.468) or the Charlotte, North Carolina area (*share_across_race* = 0.358) and the Portland, Oregon area (*share_across_race* = 0.465).¹⁰⁷

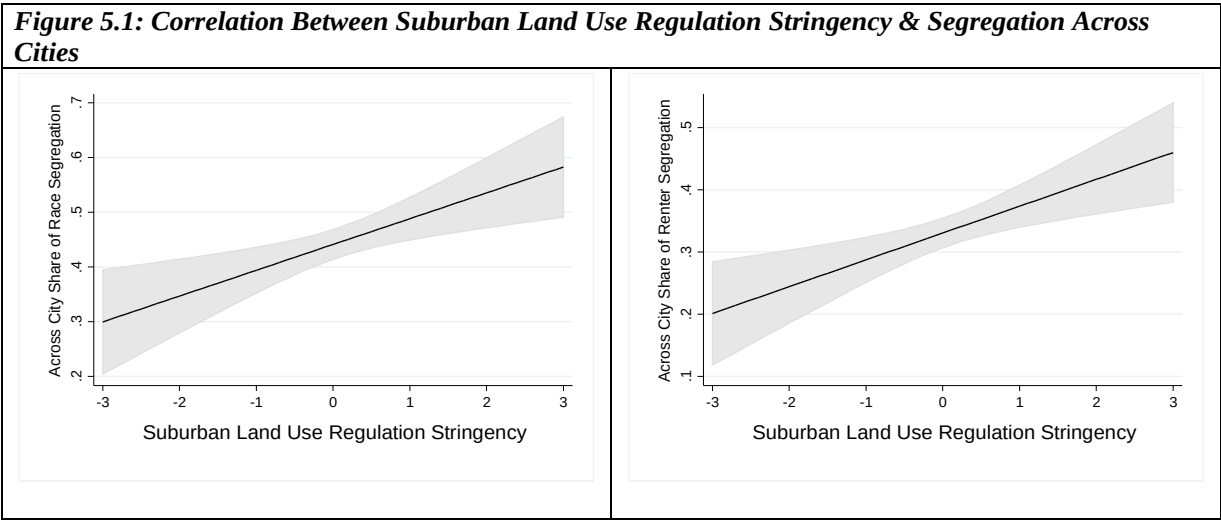
Land Use Regulation and Suburban Segregation

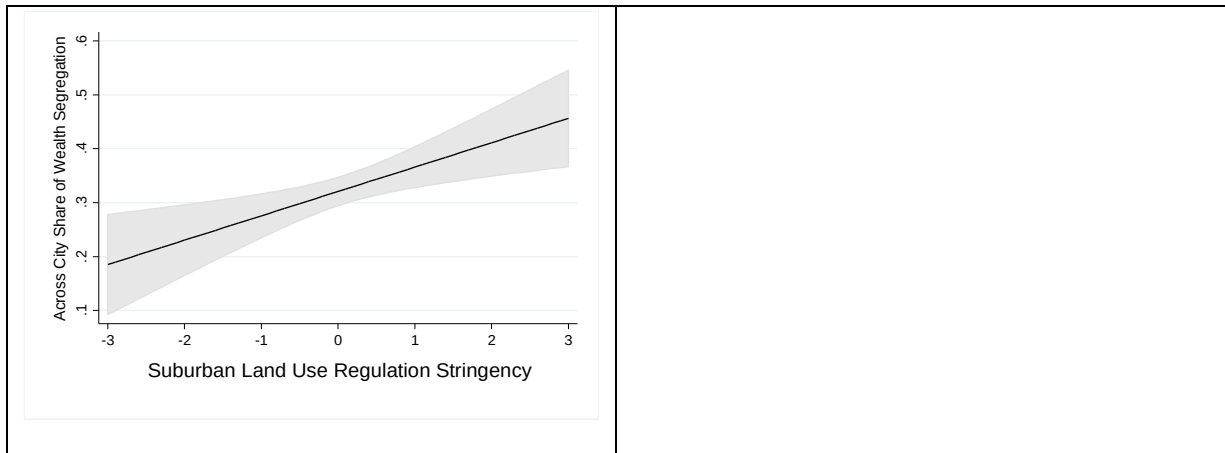
A number of scholars have emphasized the increasing role of land use regulation in the maintenance of segregation (Rothwell 2011, Pendall 2000, Orfield 2002). Scholars have often argued (although not demonstrated), that this tendency has generated a shift from the predominance of racial segregation toward class segregation (Mieszkowski and Mills 1993, Fischel 2004). The work that empirically investigates the relationship between land use regulation and segregation (e.g. Rothwell and Massey 2009, Glaeser and Ward 2006, Berry 2001) has not made a distinction between segregation within cities and segregation across them. This is an important omission, because homogenous suburban municipalities ought to be able to utilize land use regulation much more effectively than homogenous neighborhoods within cities, as municipalities wield more political power. If my argument is correct, that whites and homeowners seek to use local policy to protect home values and control the distribution of public goods, then metropolitan areas with more intense land use regulation in the suburbs should also have greater race and class segregation across cities. This is exactly what I find.

To provide evidence of this link, I use the Wharton Residential Land Use Regulatory Index (WRLURI) developed by Gyourko, Saiz, and Summers (2008). This index is built from a 2006 survey of local governments regarding the characteristics of the regulatory process, rules of

¹⁰⁷ These statistics are for the year 2011.

local residential land use regulation, and regulatory outcomes. These data were combined to measure the, “stringency of the local regulatory environment in each community” (Gyourko et al. 2008, p3). The survey contains data for more than 2,700 municipalities. For each metropolitan area, I determined the average WRLURI for all suburban communities. I then calculated the difference between the center city WRLURI and suburban WRLURI. This difference measure provides an estimate of the degree to which suburban municipalities have more stringent land use regulations than the central city for each metro area. I combined these data with the segregation measures described in the previous analyses – the share of the metropolitan area segregation accounted for across cities rather than within them. The WRLURI data are only available at one point in time, so I analyze the correlation between each region’s *Share Across* and the *WRLURI Difference* in 2011 using OLS regression. Figure 5.3 displays the marginal effect of suburban land use regulation stringency on race, renter, and wealth segregation across cities.





Suburban land use controls are significantly related to the degree to which segregation is accounted for across rather than within cities in metropolitan areas. The graphs also make clear that there is no difference between the effects of land use regulation on race versus class segregation. They are equally effected.

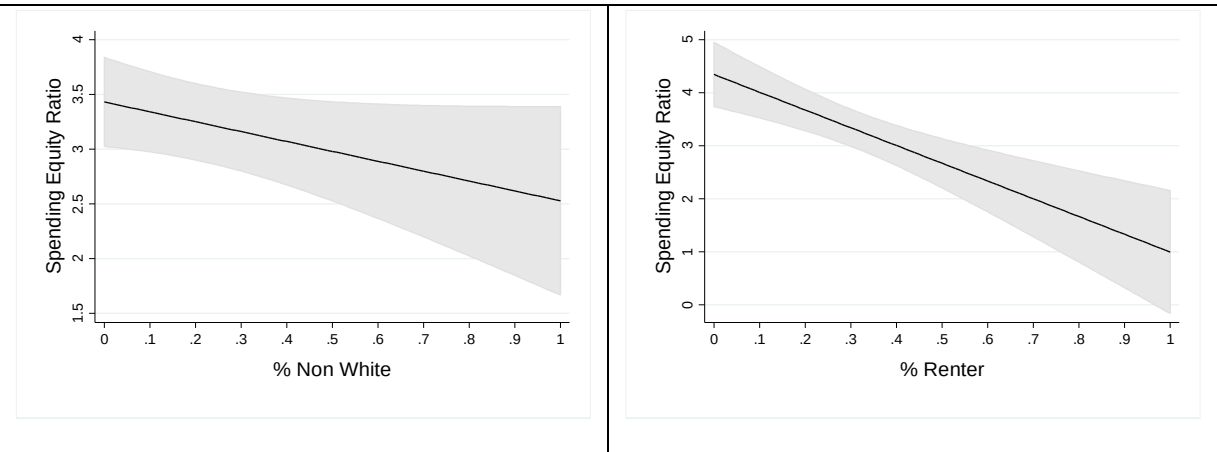
I've argued that white homeowners institutionalized segregation in order to protect their public goods and property values. The result of these policies in the post-war period has been to increase the disparity in service provision across cities. To show this, I draw on the same spending and segregation data described in the previous section. First, I aggregate all inflation-adjusted expenditures per capita by metropolitan area, for each year. This total expenditures per capita variable represents the collective dollars spent by municipal governments in a metropolitan area. I divide each municipality's expenditure by this total to generate the share of metropolitan spending accounted for by each city. I calculate a similar measure for population, generating the share of metropolitan population accounted for by each city. The ratio of these two quantities, the *Spending Equity Ratio*, is my first dependent variable.

$$Spending\ Equity\ Ratio_j = \frac{E_j/E}{P_j}$$

Where E_j is the per capita expenditure by city j , E is the total expenditures in the metropolitan area, and P_j is the share of the metropolitan population represented by city j .

This ratio measures the disparity between the percentage of the population represented by a city and the percentage of total resources received by that population. If resources are distributed exactly equally across the population, the ratio takes a value of 1; values less than 1 indicate that the community receives fewer resources than its population size would predict, and values greater than 1 indicate an abundance of resources. Between 1972 and 2012, this measure averaged 0.4 for central cities and 2.5 for suburbs.¹⁰⁸ Suburban residents receive two and a half times the resources that their population share justifies, while central city residents receive less than half of the amount of resources that their population share justifies. This is the case despite the fact that central cities spend more, on average, per resident than do suburbs. Unsurprisingly, communities with larger populations of racial and ethnic minorities and more renters have a lower *Spending Equity Ratio*. Regressing the *Spending Equity Ratio* on the share of the city that is *Nonwhite* and the share that *Rents* their homes, including fixed effects for years and errors clustered by metropolitan area, yields Figure 5.2.

¹⁰⁸ Calculated for all cities with more than 1,000 residents and all metropolitan areas in which I have data on more than one city.

Figure 5.2: Effect of Race and Class on Spending Equity

Given that cities with more homeowners and more white residents are more likely to garner a larger share of total resources spent in metropolitan areas, we should also expect that metropolitan areas with more segregation along race and class lines will witness more variation in spending from city to city. This is exactly what I find. My dependent variable in this analysis is a measure developed by Rhode and Strumpf (2003) called the coefficient of variation (CV). The CV captures the degree of heterogeneity in spending for a metropolitan area. It is calculated as the ratio of the standard deviation of spending to the mean of spending.

$$CV_{msa} = \frac{\sqrt{\sum_j P_j (E_j - M)^2}}{M}$$

Where E_j is the per capita expenditure of city j , M is the mean per capita expenditure for all cities in the metropolitan area, and P_j is the share of the total metro area population in city j . Rhode and Strumpf (2003) use this measure (calculated for the entire nation, not by metropolitan area) to show that over time, governments across the United States have grown more alike in their spending. I find the same – the mean CV declined about 17.5% between 1972 and 2012, from

1.32 to 1.09. However, more segregated metropolitan areas changed more slowly than less segregated areas. To see this, I regress the CV on racial, renter, and wealth segregation across cities ($H_{m,c}$). I add fixed effects for year to account for the declining time trend. Table 5.3 presents the results.

Table 5.3: Correlation Between Spending Heterogeneity and Segregation			
	Column 1		
	β	Std. Err	P> t
Racial Segregation Across Cities	1.02	0.321	0.001
Renter Segregation Across Cities	1.83	0.661	0.006
Wealth Segregation Across Cities	-0.086	0.917	0.925
Constant	1.295	0.066	0.000
N	3149		
R ²	0.031		

Note: Fixed effects for year included but not presented.

The data reveal that metropolitan areas with more racial and renter segregation across cities – that is, where whites/ nonwhites, renters, and owners tend to live in different municipalities, we see more heterogeneity in municipal budgets. Combined with the results presented in Figure 5.2, we can see that communities with large populations of renters and racial minorities in segregated metropolitan areas have access to a much smaller share of the total dollars spent by local governments. Segregation is correlated with inequality; exactly as its architects intended.

Conclusion

Even after decades of progressive change in racial attitudes and growing concern over income inequality, America remains a segregated nation. Increasingly, segregation along race and class lines has occurred among cities rather than within them. I have argued that city politics has played a role in this change. Overall, whites and the wealthy individuals seek smaller, less

active local governments. When city policy does not favor their interests, these types of residents are more likely to trade homogenous neighborhoods within cities for homogenous cities instead. When central cities in metropolitan areas have more active policy agendas, when they spend more on community development, and when property taxes are higher, we see greater segregation across city lines. Whether this is because white homeowners leave central cities or never move in, the result is a higher degree of separation between cities in metropolitan areas. These patterns become fixed by suburban land use regulations that shape the character and structure of these communities.

Chapter 6: Segregation and Public Goods Provision, 1982-2012

Chapter 5 revealed that suburbanization has produced inequalities in spending patterns from city-to-city and I have argued that this was precisely the goal segregations' proponents. But segregation has another set of consequences that we might say were unintended; consequences for the polarization of politics at both the local and national levels. This chapter and the next make a case for this claim.

Many United States cities function without regular problems. They have well-kept roads, sewers that never overflow, and public parks with swing sets and restrooms. Others, however, struggle to maintain balanced budgets, fail to adequately equip or staff their police forces, and offer little assistance to residents of limited means. What explains these differences? One obvious answer is simply wealth. The history of suburbanization detailed in previous chapters suggests that whites and homeowners have ensconced themselves in homogenous municipalities. Given the strong correlation between race, property ownership, and wealth, income differences across communities could explain much of this variation. Except they don't. Although the relationship is statistically significant, the correlation between city level median income and per capita direct general expenditure is only about 0.037 in my data.

At a very basic level, the generation of public goods requires cooperation. Why is it then that some cities find it more difficult to cooperate than others? Scholars have identified racial/ethnic diversity and changes in diversity as prime suspects in determining under-provision of public goods (e.g. Alesina et al. 1999, Hopkin 2009). Nonetheless, diversity alone does not generate a lack of cooperation in city politics. It is only when cities are also segregated along racial lines that we see lower public goods provision. Segregated places are politically-polarized places. The gulf between whites and minorities in segregated places makes it less likely that

they will find common ground in support of a bundle of taxation and expenditures, driving down collective investment. It is segregation, not diversity that contributes to inequality.

I provide evidence for this argument using election data from 25 large cities between 1990 and 2010 and demographic data matched to city finance data from 1982 to 2012 in more than 3,000 cities. To handle the problem of endogeneity in the finance analysis, I instrument for segregation using the number of waterways in a city. I find that segregated municipalities spend less on a wide range of public goods. This lower spending has consequences. In the final section of the chapter, I find that racially segregated cities also have more sewer overflows per capita.

I focus here (and in the next chapter) on racial segregation alone. A series of tests revealed that renter and wealth division do not produce similar results. These findings are bolstered by the historical evidence which indicates that it is race and not class division that generates the starkest conflicts in city politics. Throughout, I control for indicators of wealth and homeownership to ensure that the results are not conflating race and class.

Literature and Hypotheses

Local politics, more so than national or state politics, concerns battles over space. This is because local governments control the location of negative and positive externalities (like pollution-producing factories or public parks) and also because many of the functions that local governments provide are allocational in nature (e.g. where police officers will be deployed and which roads will be repaved). One of the few powers that is reserved nearly exclusively by local government is that of zoning or planning. As a result, geographic areas within cities (e.g. neighborhoods) are frequently important actors in municipal politics.

At the same time, neighborhoods in America remain highly segregated along racial lines (see Chapter 1). Although neighborhood racial segregation has lessened in recent decades, today, the typical white American lives in a neighborhood that is overwhelmingly white, while Black, Latino, and Asian Americans live in substantially more integrated places (Logan and Stults 2011).¹⁰⁹ These patterns have created stark divides between white and nonwhite communities (Enos 2011). When a city is residentially segregated by race, issues cleave along racial and not just spatial lines (Massey and Denton 1993).

Furthermore, in segregated cities, divisions across racial groups are likely to be exacerbated because the political priorities and opinions of racial groups are likely to be more divergent than they are in integrated places. Neighborhood racial isolation is associated with a high degree of racial intolerance, resentment, and competition among all racial groups (Oliver 2010, Chapter 7). This correlation is due to both self-selection and interpersonal interactions (Rodden 2010). When deciding where to live, people with racially intolerant attitudes often seek same race neighbors (Charles 2003, Boustan 2012) either because they want to minimize contact with other race individuals (Massey and Denton 1993) or because they associate other race neighborhoods with poor neighborhood quality on dimensions such as schools, crime, and property values (Helper 1969, Ellen 2000, Bayer, Ferreira, and McMillian 2007, Krysan et al. 2008). However, living in different types of neighborhoods may also change individuals' perspectives. In integrated neighborhoods, regular, casual interaction may work to counteract dominant, negative stereotypes (Allport 1954, Oliver and Wong 2003). The result of both population sorting and/or neighbors' influence is that individuals who live in homogeneous

¹⁰⁹ African Americans, Latinos, and Asians live in neighborhoods that are comprised of 22%-46% of their own group.

neighborhoods are more likely to harbor negative stereotypes about other groups (Oliver 2010, Oliver and Wong 2003).

Yet, at higher levels of geography (e.g. in cities, counties, and metropolitan areas) it is integration or diversity that correlates with intolerance, prejudicial attitudes, increased racial tension, less cooperative behavior, and lower spending on public goods (Key 1949, Glaser 1994, Branton and Jones 2005, Taylor 1998, Campbell et al. 2006, Alesina et al. 1999, Vigdor 2004, Hopkins 2009, Poterba 1997). As a result, racial competition, racial resentment, and racial conservatism are positively correlated with homogeneity at the neighborhood level, but negatively correlated with homogeneity at the city level (see Oliver 2010 for a detailed account of these conflicting patterns).¹¹⁰ A severely segregated city is one that is diverse overall and has many homogeneous neighborhoods – both characteristics which point towards a high degree of racial conflict.

This higher degree of racial conflict in segregated cities has obvious political implications. Levine (2014) has found that racial segregation is strongly predictive of partisan political divisions in metropolitan areas and that these political divides result in an unwillingness to cooperate on metropolitan-wide policy solutions. We can expect a similar pattern at the city level. First, in segregated cities, racial groups should be more divided with respect to political priorities. Second, diverse but divided cities may be less able to come to a consensus about the production of basic government services, and thus, will be less supportive of public goods provision. This second hypothesis speaks directly to the claim that diversity drives down

¹¹⁰ There are a few exceptions to this pattern. A handful of scholars have *not* found that diversity increases tolerance at the neighborhood level. Gay (2006) and Oliver and Mendelberg (2000) find no relationship between neighborhood racial context and racial attitudes. Enos (2016) shows that that homogeneity decreases voter turnout among whites and also decreases support for conservative candidates. Cho, Gimpel and Dyck 2006 find that homogeneity decreases turnout among Asian Americans in some cases, but increases it (or has no effect) in others. Leighly and Vedlitz (1999) find that homogeneity correlates positively with turnout for whites.

collective investment (Alesina et al. 1999). As Benoy Jacob (2013) has persuasively argued, not all diversity is equivalent. When whites and nonwhites live in the same city, the pattern of residential integration ought to factor into expectations about public goods expenditures. White and nonwhites may live as next door neighbors, but they also may not. If segregation represents preferences or attitudes that are incompatible with collective investment, then uneven distribution of groups, not diversity per se, ought to correlate with lower public goods spending.

Segregation and Political Polarization

In municipal politics, vote patterns and policy priorities are shaped by racial cleavages more so than *any* other demographic division (Hajnal and Trounstein 2013a, Hajnal and Trounstein 2013b, Hajnal and Trounstein 2014). While ideology, partisanship, and class all play important roles in determining vote choice and support for municipal administrations, conflicts among racial groups are predominant. If segregated cities are more politically polarized, these racial divides should be most pronounced in places with a high degree of residential segregation. To determine whether or not this is the case, I analyze the relationship between residential segregation patterns and racial divisions in mayoral elections in the nation's largest cities between 1990 and 2010.

To estimate the effect of segregation on racial polarization, I use a dataset compiled by Hajnal and Trounstein (2014) that measures support for winning mayoral candidates across different racial groups in primary and general elections in large cities. The data include 91 separate contests from 25 cities. Vote by race data were compiled from a combination of exit polls, pre-election surveys, homogenous precinct analyses, and ecological inference.¹¹¹

¹¹¹ These data are described completely in Hajnal and Trounstein (2014).

Summary statistics and a list of cities included in the analysis are provided in appendix Tables A6.1 and A6.2.

For each election, I calculated the difference in support for the winning candidate between black and white voters, Latino and white voters, and black and Latino voters. The dependent variable in this analysis is the absolute value of the largest difference in support for the winning candidate between any two racial groups. For instance, in Philadelphia in 2003, exit polls reported that 24% of white voters supported the winner, John Street, compared to 88% of black voters, and 47% of Latino voters. In this election the black-white divide was 0.64, the Latino-white divide was 0.23, and the black-Latino divide was 0.41. Therefore, the dependent variable takes the value of the black-white divide, 0.64. In 62 of the 91 contests, the largest divide was between black and white voters, in 13 contests it was the divide between Latino and white voters, and in 16 contests the largest divide was between black and Latino voters.¹¹² The distribution of racial divides across cases is listed in appendix Table A6.2.

As described in Chapter 1, my primary independent variable is a measure of segregation called Theil's H Index. The H Index measures the degree to which the diversity in each neighborhood differs from the diversity of the city as a whole, expressed as a fraction of the city's total diversity and weighted by the neighborhood's share of the total population.

$$H = \sum_{n=1}^N \frac{P_n}{P_c} \left(\frac{E_c - E_n}{E_c} \right)$$

Where P represents the total population of neighborhood n or city c and E is the entropy of n or c . H varies between 0, where all neighborhoods have the same composition as the entire city, and 1 where all neighborhoods contain only one group.

¹¹² As an alternate measure of division, I took the difference in support between white voters and the average of support among black and Latino voters. The results are extremely similar.

I calculated the *H* Index for all United States cities using Census-tract level demographic data from the 1980, 1990, and 2000 Censuses of Population and Housing and from the 2011 American Community Survey.¹¹³ To start, I use four groups in the calculation of entropy: white (non-Hispanic), black (non-Hispanic), other (non-Hispanic), and Hispanic/Latino.¹¹⁴ I then combine Blacks, Hispanics, and Other races into a single nonwhite group for comparison. For reference, the mean *H* Indices for each city in the analysis are shown in appendix Table A6.2.

I include a number of control variables in addition to the *H* Index. One of the primary arguments in the literature is that racially and ethnically diverse populations will have heterogeneous political preferences which then drives low spending on public goods. If this is the case, we should see more racial polarization in the vote as diversity rises. Thus, I include the proportion of *Blacks*, *Latinos*, and *Asian Americans* in the city and a measure of *Diversity* known as the Herfindahl Index¹¹⁵:

$$Diversity = 1 - \sum_{r=1}^R \pi_r^2$$

I also include control variables that are shown by Hajnal and Trounstein (2014) to affect racial polarization in voting and which may also be correlated with segregation. I account for the *Median Household Income*, proportion of the population *Renting* their homes, proportion of the population with a *College Degree*, the race of the candidates in the election (a dummy variable coded 1 if the election featured *Biracial* candidates), a measure noting whether or not the

¹¹³ Tract-level data for 1980, 1990, and 2000 come from a proprietary product developed by GeoLytics called the Neighborhood Change Database (NCDB), which matches and normalizes Census tracts over time. The data from the 2011 American Community Survey (ACS) are available for download through the Census ftp server located at <http://www2.census.gov/>.

¹¹⁴ The 1980 tract-level data only disaggregate the non-Hispanic population into Whites, Blacks, and Others, so I am unable to include Asians as a separate group.

¹¹⁵ This calculation includes five racial groups: white (non-Hispanic), black (non-Hispanic), Asian (non-Hispanic), Hispanic, and other.

election was *Non-partisan*, an indicator for *Primary* elections, and the size of the total *Population* (logged). Finally, I include fixed effects for year and region and random effects for cities.

In Model 3, I also add a measure of the average *Ideology* among the city's white residents to determine whether or not segregation is merely a proxy for a conservative white population. This measure was constructed using General Social Survey (GSS) data from 1998, 2000, 2002, 2004, 2006, and 2008. Using restricted access data, I geo-coded each respondent in the GSS to his/her city of residence. I then took the mean ideology score for each city's white respondents for each year (higher values indicate more conservative respondents).¹¹⁶ I interpolated ideology for odd years and then merged these data to the racial polarization data set. In order to preserve as many observations as possible, I matched GSS data from the most recent year for each election.

The results presented in Table 6.1 offer strong support for the hypothesis that more segregated cities are also more politically polarized.

¹¹⁶ I dropped city/years from the GSS that only contained a single respondent.

Table 6.1: Racial Polarization in Segregated Cities									
	Racial Divide w/ Multi-Group Segregation Index			Racial Divide w/ Two-Group Segregation Index			Racial Divide w/ Ideology control		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Multi-group H Index	0.932	0.39	0.02						
White/nonwhite H Index				0.756	0.30	0.01	0.835	0.30	0.01
Diversity	0.385	0.36	0.29	0.518	0.32	0.11	0.584	0.32	0.07
% Asian	-0.115	0.53	0.83	0.120	0.56	0.83	-0.004	0.52	0.99
% Black	-0.432	0.27	0.11	-0.237	0.22	0.27	-0.133	0.21	0.53
% Latino	-0.191	0.26	0.46	-0.059	0.25	0.82	0.095	0.28	0.73
Median HH Income (1000s)	-0.004	0.00	0.52	-0.007	0.00	0.32	-0.002	0.00	0.81
% Renters	-0.580	0.42	0.17	-0.806	0.43	0.06	-0.419	0.45	0.36
% College Educated	0.328	0.71	0.65	0.723	0.73	0.32	0.123	0.87	0.89
Biracial contest	0.210	0.04	0.00	0.208	0.04	0.00	0.192	0.04	0.00
Nonpartisan Election	-0.090	0.07	0.18	-0.089	0.07	0.18	-0.034	0.06	0.60
Primary Election	-0.092	0.03	0.00	-0.09	0.03	0.01	-0.071	0.03	0.02
Population (logged)	0.035	0.06	0.53	0.048	0.05	0.38	-0.011	0.06	0.86
White Ideology							-0.051	0.03	0.11
Constant	-0.242	0.57	0.67	-0.393	0.56	0.49	0.236	0.61	0.70
Wald χ^2	187.12		0.00	189.68		0.00	222.92		0.00
N	91			91			86		

Note: Multi-level mixed-effects linear regressions with fixed effects for region and year, and random effects for cities.

The relationship between segregation and political polarization is powerful. A city in the 10th percentile of the segregation distribution can be expected to have a 35 percentage point divide between different racial groups' support for the winning candidate, while a city in the 90th percentile of segregation has a predicted racial divide of 63 percentage points.¹¹⁷ These results hold even with the inclusion of racial demographics. Segregation, not just diversity, matters for polarization. The data also indicate (comparing columns 1 and 2) that there is no significant difference in accounting for segregation among multiple racial groups as opposed to accounting

¹¹⁷ Estimates were generated from the regression presented in column 1 with all other variables held at their mean values. Predicted effects were generated using the "margin" command in Stata 12.

for segregation of whites from nonwhites.¹¹⁸ This makes sense given that whites are much more likely to live in homogenous neighborhoods than are other racial and ethnic groups and given that the most pronounced political division is typically between whites and one or more minority groups, rather than among minority groups. These results suggest that political polarization depends on the degree to which *white* residents live in exclusively white neighborhoods.

I have argued that segregation generates political divisions because the politics of space become intertwined with race. It is possible though, that segregation is simply correlated with a more ideologically conservative white population which then generates divides in support for candidates. As the third column reveals, the relationship between segregation and polarization appears to be unaffected by the conservatism of the white population. In fact, the relationship between ideology and polarization is such that cities with more conservative white populations have smaller racial divides, underscoring the conclusion that racial polarization is not driven by ideological divisions. In the next section, I ask whether or not this polarization extends beyond support for candidates to a lack of consensus over policy. In short, I find that it does.

Diversity and Segregation in the Aggregate

Scholars have provided evidence that racially diverse places and those that are becoming increasingly diverse spend fewer public dollars on productive public goods (Alesina et al. 1999, Hopkins 2009). I have argued that segregation, not just diversity, should matter in municipal politics. In the first section of this chapter, I showed that segregation is related to political polarization, even after accounting for racial demographics. If it is the case that segregated populations are less able to come to a consensus over citywide policy decisions, we should also

¹¹⁸ The 95% confidence intervals for these coefficients are nearly completely overlapping. Additionally, adding both coefficients to the same equation and running a post-estimation Wald test of equality indicates no significant difference.

see less support for government spending in segregated cities after accounting for racial demographics.

In order to analyze this hypothesis, I draw on the Census of Governments city and township expenditure data from 1982, 1987, 1992, 1997, 2002, 2007, and 2012.¹¹⁹ To these data, I merged interpolated data from the 1980, 1990, 2000, and 2010 Census of Population and Housing, and from the 2007-2011 American Community Survey (ACS). In the broadest sample, I have data for 3,113 cities, which range in size from about 750 residents to more than 8 million.¹²⁰ To capture overall spending on public goods, I analyze the effect of segregation on per-capita *Direct General Expenditures*.¹²¹ I follow this with analyses of operations expenditures on specific budgetary categories including *Roads and Highways*, *Police*, *Parks*, *Sewers*, and a combined category of *Welfare, Health, and Housing and Community Development*.¹²² I also analyze per capita *Revenues* coming from the city's own residents (as opposed to intergovernmental revenues) as an indication of the burden of funding the populous is willing to bear.¹²³ All spending data are in thousands of 2012 dollars. Summary statistics are shown in appendix Table A6.3. As above, the primary independent variable is the *H* Index to measure segregation. In the tables and figures below, I present results using the two-group (white and nonwhite) index; results from the multi-group index and isolation index are very similar.

¹¹⁹ Available at <http://www2.census.gov/pub/outgoing/govs/special60/>. Filename is “*IndFin_1967-2012.zip*”.

¹²⁰ Data are available for many more cities in 2012 than in prior years (largely because I have Census data for more places in 2011). I only use observations from 2012 that are also included in 2007 to create a consistent panel.

¹²¹ All analyses are restricted to cities with non-zero expenditures in the category in question because the data do not distinguish between zero expenditures and missing data.

¹²² Operations expenditure totals were generated by taking the total spending in each category less any capital expenditures in that particular year. The category of welfare, health, and housing/community development represents the primary expenditures by cities used to directly support people in economic need.

¹²³ In contrast, the categorical expenditure variables include all spending on a certain target regardless of the source of the funds.

To account for the alternative explanation that diversity drives down spending, the analyses include the proportion of the population that is *Black*, *Asian*, and *Latino* as well as a measure of overall *Diversity*. Controlling for demographics also helps account for the fact that white and minority preferences for government spending differ. Racial and ethnic minorities support more government spending than whites on a large number of programs at all levels of government (Hutchings and Valentino 2004). In the aggregate then, we might expect cities with larger populations of racial and ethnic minorities to support more per capita expenditure, just as Boustan et al. (2013) find. But if my theory is right, cities with more segregation and similar shares of minority residents ought to witness smaller budgets and lower spending on public goods compared to cities with less segregation because the likelihood of cooperation ought to be fundamentally different in these types of places.

The analyses below also control for the total *Population* (logged), the proportion of the population *Over Age 65*, the proportion of the population with a *College Degree*, the proportion of each 100 residents *Employed as Local Government* workers, the proportion of households that *Rent* their home, and the *Median Household Income*. These controls are meant to capture demographic dimensions that affect both segregation and expenditures (through both preferences and need). For instance, we might expect cities with large populations of government workers to have higher levels of spending, while the reverse might be the case in cities with older populations. An important alternative explanation for a negative relationship between segregation and spending could be city wealth. Segregated cities might be poorer cities for some reason, and may simply have fewer resources to spend on public goods. Controlling for the proportion of the city that rents and the median household income are intended to account for

this possibility.¹²⁴ Finally, I include fixed effects for cities. This allows me to analyze the effect of segregation within the same location over time and controls for the many factors (such as age of the city, differentials in costs for service provision, taxation powers and limits, etc.) that might lead cities to differ in expenditure patterns cross-sectionally. I cluster standard errors by city. I exclude from the analyses cities with only a single Census tract because the measure of evenness is constant (by definition).

I begin, in Table 6.2, by regressing per capita *Direct General Expenditure on Segregation* with the controls described above. Then, in the second column, I replace *Diversity* with *5 Year Changes* in racial group shares (following Hopkins 2009) to determine whether or not changes in diversity could be the driving factor.¹²⁵ In the third column, I add the mean *Ideology* of city residents (calculated from the GSS for all city residents as described above) to account for the possibility that segregated cities are more ideologically conservative. In alternate models (not shown), I add a control for renter segregation. The coefficient is insignificant and does not affect the results presented below.

¹²⁴ In alternative analyses I tested the inclusion of proportion of the city in poverty and median home values with no change to the pattern of results.

¹²⁵ Hopkins (2009) uses 10 year changes in racial group shares. I chose 5 years in order to preserve more observations in the time-series. The results are similar with 10 year changes.

Table 6.2: Effect of Segregation on Overall Per Capita City Expenditures

	Direct General Expenditure Per Capita			Direct General Exp w/ changing demographics			Direct General Exp w/ ideology control		
	β	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation	-1.266	0.218	0.000	-1.141	0.231	0.000	-1.731	0.45	0.000
Diversity	0.199	0.133	0.134				0.060	0.257	0.816
% Black	0.726	0.179	0.000	0.854	0.168	0.000	0.117	0.641	0.856
% Asian	-0.88	0.288	0.002	-1.212	0.307	0.000	-0.565	0.74	0.445
% Latino	1.634	0.171	0.000	1.721	0.19	0.000	1.560	0.394	0.000
5 yr Δ % Black				-1.918	0.691	0.006			
5 yr Δ % Latino				-1.695	0.725	0.02			
5 yr Δ % Asian				-1.389	1.073	0.196			
Median Income (1000s)	0.006	0.001	0.000	0.005	0.002	0.001	0.009	0.003	0.001
% Local Gov. Employees	-0.004	0.015	0.787	-0.007	0.017	0.683	-0.077	0.051	0.132
% Renters	0.387	0.318	0.223	0.181	0.311	0.560	-0.123	0.693	0.860
% Over 65	0.458	0.597	0.443	0.639	0.453	0.158	-1.139	0.887	0.200
% College Grad	5.114	0.434	0.000	5.806	0.433	0.000	6.66	1.23	0.000
Population (logged)	-0.36	0.045	0.000	-0.439	0.07	0.000	-0.551	0.097	0.000
City ideology							-0.001	0.037	0.972
Constant	3.379	0.441	0.000	4.268	0.675	0.000	6.358	1.317	0.000
N	16,831			14,284			2,524		
Number of Cities	3,113			3,113			395		

Note: Linear regressions with fixed effects for cities, robust standard errors clustered by city presented.

Table 6.2 provides strong evidence that segregation and public goods spending are negatively related, even in the presence of changing demographics, diverse populations, and conservative residents. The effects of segregation are substantively meaningful and statistically significant. Increasing the segregation index from the 25th to 75th percentile (from .01 to .10) in the base model lowers per capita direct general expenditure from \$1,413 to \$1,299. A difference in total spending of more than \$100 per resident could dramatically affect the quality of public goods that individuals experience given that the average per capita operating expenditure on police is about \$190 and about \$51 on parks. In Table 6.3, I show that the depressive effect of segregation extends to individual categories of public goods spending as well.

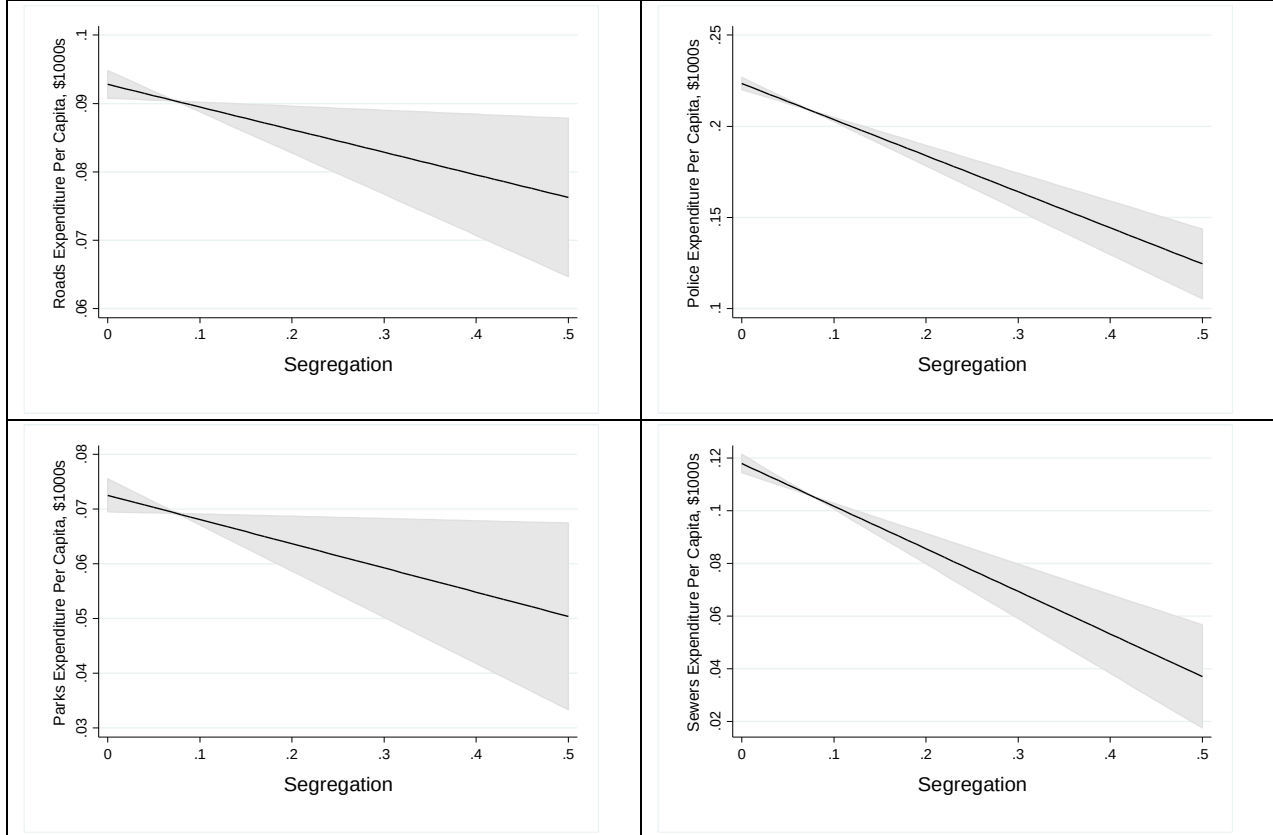
Table 6.3: Effect of Segregation on Public Goods

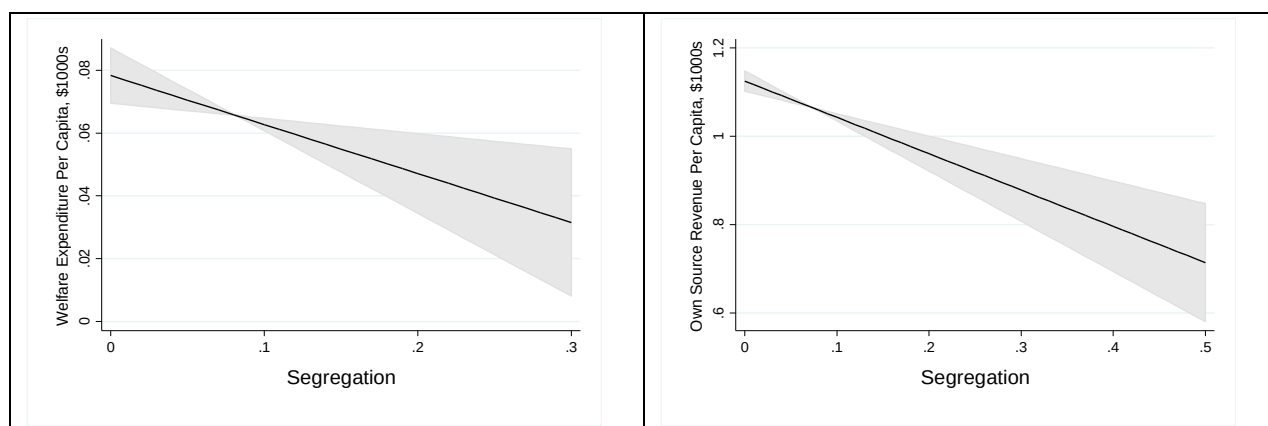
	Roads			Law Enforcement			Parks			Sewers			Housing/Welfare			Own Source Rev		
	β	SE	P> t	β	SE	P> t	β	SE	P> t	B	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation	-0.033	0.01	0.02	-0.198	0.02	0.00	-0.044	0.02	0.03	-0.162	0.02	0.00	-0.156	0.05	0.00	-0.822	0.16	0.00
Diversity	0.017	0.01	0.06	0.060	0.01	0.00	0.012	0.01	0.25	0.041	0.01	0.00	-0.023	0.02	0.35	0.136	0.09	0.13
% Black	0.039	0.01	0.00	0.167	0.02	0.00	0.024	0.02	0.13	0.005	0.02	0.78	-0.013	0.07	0.86	0.321	0.13	0.01
% Asian	-0.069	0.02	0.00	-0.083	0.03	0.02	-0.069	0.03	0.01	-0.155	0.04	0.00	0.084	0.07	0.26	-0.508	0.23	0.02
% Latino	0.018	0.01	0.12	0.361	0.02	0.00	0.031	0.01	0.01	0.088	0.02	0.00	0.144	0.03	0.00	1.303	0.12	0.00
Median Income (1000s)	0.000	0.00	0.00	0.000	0.00	0.11	0.000	0.00	0.01	0.000	0.00	0.00	0.00	0.00	0.57	0.006	0.00	0.00
% Local Gov. Employees	0.000	0.00	0.81	-0.001	0.00	0.52	0.001	0.00	0.38	-0.002	0.00	0.28	-0.009	0.00	0.01	-0.006	0.01	0.64
% Renters	0.030	0.02	0.11	0.085	0.03	0.00	0.026	0.02	0.22	0.188	0.03	0.00	0.075	0.05	0.11	0.501	0.26	0.05
% Over 65	0.149	0.03	0.00	0.191	0.05	0.00	0.174	0.04	0.00	0.076	0.06	0.17	-0.081	0.08	0.29	0.648	0.47	0.17
% College Grad	0.189	0.02	0.00	0.842	0.04	0.00	0.399	0.04	0.00	0.382	0.04	0.00	0.447	0.09	0.00	4.452	0.37	0.00
Population (logged)	-0.020	0.00	0.00	-0.06	0.00	0.00	-0.006	0.00	0.02	-0.027	0.00	0.00	-0.024	0.01	0.00	-0.229	0.03	0.00
Constant	0.197	0.03	0.00	0.548	0.05	0.00	0.006	0.03	0.85	0.215	0.04	0.00	0.262	0.09	0.00	1.894	0.33	0.00
N	16,642			16,673			15,809			13,832			13,203			16,830		
Number of Cities	3,089			3,083			3,020			2,840			2,754			3,113		

Note: Linear regressions with fixed effects for cities, robust standard errors clustered by city presented.

Clearly, spending on public goods is lower in cities with greater segregation. Across all six categories displayed in Table 6.3, segregation exerts a significant negative effect. Figure 6.1 presents these results graphically.

Figure 6.1: Segregation and Public Goods Spending





Note: Figures show the predicted relationship between Theil's H segregation index and per capita spending on public goods in constant 2012 dollars. Gray shading represents 95% confidence intervals.

Tables 6.2 and 6.3 also reveal that while segregation is negatively related to public goods investment, more diverse communities are mostly associated with higher levels of spending as the positive coefficients on diversity and on percent black and Latino indicate. Given that racial and ethnic minorities are both more supportive of public goods spending and more likely to live in segregated places (which see less support for public goods), it is important to ask what the overall impact of these countervailing effects is. Table 6.4 shows how segregation affects public goods provision across the range of values of diversity. I divide the sample of cities into quintiles of percent nonwhite (with 3,366 city-years in each quintile) and then, after estimating the model displayed in column 1 of Table 6.2, I predict Direct General Expenditure per capita at the minimum and maximum values of segregation for each quintile, holding all other variables at their mean values given the quintile. Table 6.4 shows the difference in these predicted values for each quintile of percent nonwhite.

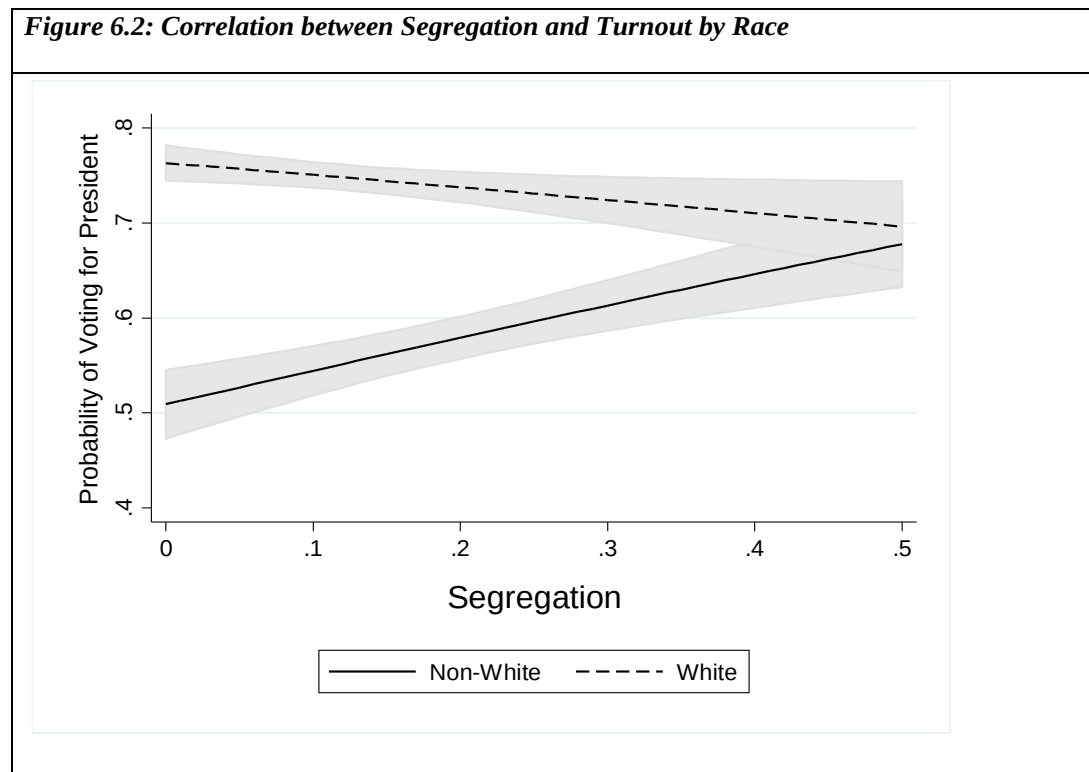
Table 6.4: Change in Direct General Expenditure Per Capita by % Nonwhite at Minimum and Maximum Levels of Segregation				
Quintile of % Nonwhite	Average % Nonwhite	Average Segregation Level	Change in Predicted Direct General Expenditure Per Capita*	95% Confidence Interval
1	4%	0.030	-\$490	(-\$656, -\$325)
2	10%	0.041	-\$870	(-\$1163, -\$576)
3	19%	0.066	-\$970	(-\$1298, -\$643)
4	33%	0.108	-\$930	(-\$1244, -\$616)
5	65%	0.125	-\$846	(-\$1132, -\$561)

*Predicted values generated from regression displayed in column 1, Table 7.2. Change is from the minimum to maximum level of segregation within a quintile of percent nonwhite.

Table 6.4 reveals substantial declines in direct general expenditure as segregation increases, regardless of the size of the minority population. Segregation has the largest effect in cities with moderately sized minority populations (where minorities comprise 19-33% of the population), but even in majority-minority cities (where minorities make up more than 50% of the population) and cities that are overwhelmingly white, increasing segregation decreases investment in public spending. The fact that segregation has the most pronounced effect in the middle quintiles offers indirect evidence that it is white residents responding to significant minority concentrations driving the negative relationship between segregation and public goods spending. An alternative possibility is that low turnout among minority residents drives this pattern. As Figure 6.2 shows, this case is extremely unlikely, given that turnout among minority residents is actually higher in more segregated cities while turnout among whites is lower.

To test this possibility, I draw on data from the General Social Surveys conducted between 1998 and 2008; years for which I was able to determine respondents' city of residence

(see Chapter 7 for additional details on this dataset). I estimate the probability that a respondent *Voted* in the most recent presidential election. Using logistic regression, I regress this variable on the level of *Segregation* in the respondent's city. To understand how segregation operates differently for different groups, I interact the level of segregation with a dummy variable coded 1 if the respondent is *White and Non-Hispanic*, and 0 otherwise. I control for the respondent's level of *Education*, whether or not they have *Kids at home*, their *Gender*, whether or not they are *Married*, their *Income*, and whether or not they are a *Government Employee*.



At low levels of segregation, white turnout is much higher than minority turnout, but the lines converge as segregation increases. Furthermore, using the racial polarization dataset described in the first section of this chapter, I find that turnout and segregation are positively

correlated in the aggregate. These patterns strongly suggest that politics is more contentious in more segregated communities. Thus, a lack of participation by residents who support high spending is not likely to be the cause of lower public goods investment.

However, even with controls, one might still worry about the causal relationship between segregation and spending. I have argued that segregation should suppress public goods spending. However, it is entirely possible, perhaps quite likely, that some unmeasured set of factors affect both spending and segregation (or that the reverse is true, and spending levels affect segregation patterns). Since we cannot randomly assign segregation to determine its effect on city spending, I use an instrumental variable approach to study the relationships.

A great many factors affect residential location and the distribution of different types of residents across neighborhoods. One set of factors that affects both property values and the ability for communities to maintain a preferred degree of homogeneity are natural and manmade barriers. For instance, freeways and railroad tracks frequently divide more desirable and less desirable parts of town (Ananat 2011). But railways and freeways are often built with the intent to segregate racial communities (Bayer 1996). Instead, I focus on waterways (including large streams and rivers), which vary in number across cities and are arguably exogenous to segregation and spending given that they are not man-made. The use of waterways as an instrumental variable was introduced by Hoxby (2000) who used streams to estimate the governmental fragmentation of metropolitan areas. Cutler and Glaeser (1997) rely on Hoxby's waterways data as an instrument for metropolitan area racial segregation. My instrument differs in two ways. First, and most importantly, my data capture waterway counts and segregation patterns at the *city* level rather than at the metropolitan-area level. Secondly, I use a different source file for the waterways data and a different method for determining whether a waterway

ought to be counted within the boundaries of a community.¹²⁶ In order to use waterways as an instrument for segregation, I gathered the “rivers and streams” geographic information system map file from the National Hydrologic Remote Sensing Center which is part of the National Oceanic and Atmospheric Administration (an agency in the US Department of Commerce).¹²⁷ I added Census TIGER Line boundary files for all places in the United States as of 2000.¹²⁸ I then generated counts of waterways for each place and added these counts to the finance data described previously. Overall, the correlation between the number of waterways and the *H* Index is a powerful 0.37, and the F-statistic on the excluded instrument is 3,999, which is considerably higher than the typical target of 10.¹²⁹

The current analyses use the same dependent variables as were presented in Tables 6.2 and 6.3 (per capita spending on various public goods). The number of waterways is used as an instrument for the *H* Index. Waterways are also correlated with other characteristics that are important to both segregation and spending patterns. The most important of these characteristics is the size of the population which is correlated with both the number of waterways and the level of segregation. People have settled near waterways since antiquity, and larger cities are also much more likely to be segregated than smaller cities (perhaps because there are more neighborhoods from which to choose). To account for this, I include logged population

¹²⁶ Hoxby (2000) uses a hand count of streams that are 3.5 miles in length and “of a certain width” supplemented with data from the Geographic Names Information System which lists the latitude and longitude of smaller streams. Instead, I use geographic information system maps as described in the main text and include all large streams and rivers regardless of length and width. Hoxby (2000) attributes a stream to a Metropolitan Statistical Area (MSA) if it terminates in the MSA (Rothstein 2007), whereas my analysis attributes a waterway to a community if it flows through the community at all (not just at its origin or destination).

¹²⁷ The “rivers and streams” shape file is available at: <http://www.nohrsc.noaa.gov/gisdatasets/>. It was most recently updated in 2008.

¹²⁸ Boundary files are available for download by state here: <http://www2.census.gov/geo/tiger/TIGER2010/PLACE/2000/>

¹²⁹ This F-statistic is drawn from a simple two-stage regression instrumenting segregation with waterways and including no additional controls.

as an instrument in the first stage.¹³⁰ In both the first and second stage regressions, I include the same control variables as presented in Table 6.2, with two changes. Because the number of waterways is constant in my dataset, I do not add fixed effects at the city level.¹³¹ Instead, I include fixed effects for region and year. Secondly, I add a lagged version of the dependent variable to account for the high correlation between observations over time for the same city and the fact that local budgets are typically changed incrementally from prior years. The results from this instrumental variable approach are displayed in Table 6.5. For presentation purposes, the first stage results are relegated to appendix Table A6.4.

¹³⁰ In alternative specifications, I use the number of waterways per capita as the instrument. The pattern of the results is exactly the same.

¹³¹ The omission of fixed effects allows for the inclusion of all cities regardless of the number of Census tracts.

Table 6.5: Effect of Segregation on City Expenditures, Instrumental Approach												
	Direct General Exp			Roads			Law Enforcement			Parks		
	β	SE	P> t	β	SE	P> t	β	SE	P> t	β	SE	P> t
Segregation instrumented	-3.806	1.09	0.00	-0.385	0.05	0.00	-0.353	0.10	0.00	-0.025	0.02	0.18
Lagged DV	0.858	0.00	0.00	0.490	0.00	0.00	0.966	0.00	0.00	0.822	0.00	0.00
Diversity	-0.418	0.38	0.27	-0.027	0.02	0.15	-0.001	0.04	0.97	0.004	0.01	0.57
% Black	0.798	0.36	0.03	0.080	0.02	0.00	0.080	0.03	0.02	0.000	0.01	0.98
% Asian	-0.848	0.99	0.39	-0.088	0.05	0.07	-0.082	0.09	0.38	-0.029	0.02	0.08
% Latino	1.121	0.31	0.00	0.086	0.02	0.00	0.078	0.03	0.01	0.007	0.01	0.18
Median Income (1000s)	0.012	0.00	0.00	0.001	0.00	0.00	0.001	0.00	0.00	0.000	0.00	0.00
% Local Gov. Employees	0.276	0.03	0.00	0.017	0.00	0.00	0.020	0.00	0.00	0.002	0.00	0.00
% Renters	2.627	0.39	0.00	0.159	0.02	0.00	0.159	0.04	0.00	0.033	0.01	0.00
% Over 65	2.260	0.81	0.01	0.270	0.04	0.00	0.233	0.08	0.00	0.089	0.01	0.00
% College Grad	-0.495	0.62	0.42	-0.013	0.03	0.68	-0.051	0.06	0.39	0.045	0.01	0.00
Constant	-2.034	0.31	0.00	-0.105	0.02	0.00	-0.149	0.03	0.00	-0.026	0.01	0.00
N	2,669			25,121			25,034			23,197		
	Sewers			Welfare			Own Source Revenue					
	β	SE	P> t	β	SE	P> t	β	SE	P> t			
Segregation instrumented	-0.393	0.06	0.00	-0.194	0.06	0.00	-3.344	0.95	0.00			
Lagged DV	0.082	0.01	0.00	0.936	0.00	0.00	0.712	0.00	0.00			
Diversity	0.075	0.02	0.00	0.000	0.02	1.00	-0.373	0.33	0.26			
% Black	0.054	0.02	0.02	0.065	0.02	0.01	0.686	0.31	0.03			
% Asian	-0.229	0.06	0.00	-0.008	0.05	0.87	-0.909	0.86	0.29			
% Latino	-0.048	0.02	0.01	0.045	0.02	0.01	1.01	0.27	0.00			
Median Income (1000s)	0.000	0.00	0.89	0.000	0.00	0.57	0.013	0.00	0.00			
% Local Gov. Employees	0.000	0.00	0.88	0.007	0.00	0.00	0.294	0.03	0.00			
% Renters	0.082	0.02	0.00	0.090	0.02	0.00	2.573	0.34	0.00			
% Over 65	0.344	0.05	0.00	0.109	0.05	0.03	2.435	0.71	0.00			
% College Grad	0.057	0.04	0.11	0.009	0.04	0.81	-0.433	0.54	0.42			
Constant	0.007	0.02	0.69	-0.057	0.02	0.00	-2.025	0.27	0.00			
N	20,258			17,827			25,671					

Note: Two stage least squares regressions with fixed effects for regions and year (not shown); Instrumented: Two-group H Index of segregation;
Excluded Instruments: # of Waterways, Population logged.

Regardless of the statistical approach used, segregation appears to have a powerful, depressive effect on public goods provision in cities. The pattern of results in Table 6.5 reflects the OLS regression findings presented in Table 6.2. After accounting for demographic differences, cities with more segregation tend to have smaller budgets, they tend to extract fewer resources from their residents, and spend less on roads, policing, parks, sewers, and support for the poor.

But perhaps lower spending is what residents prefer. After all, many elections have been won on platforms promising austerity and frugality. In the final section of this chapter, I explore what the consequences of low spending might be by analyzing a universally disliked event: sewer overflows.

Segregation and Sewer Overflows

The federal Environmental Protection Agency (EPA) monitors municipal sewer systems for overflow events. According to a 2004 EPA report to Congress, approximately 860 billion gallons of untreated wastewater were released into communities between 2001 and 2003 when sewer systems' capacities were exceeded. Any single overflow might occur for many reasons – excessive wet weather, pipe blockages, equipment failure, or insufficient capacity. However, generally, as Tessin (2009) explains:

The performance of a sewer system is strongly related to capital fund-raising....Without adequate investment, excessive groundwater can enter sewers through cracked pipes and ingrown tree roots. Aging pipes can break and send sewage to the surface. Growing populations can cause wastewater flow to exceed the system's design capacity....For these reasons, local governments that do not invest enough capital typically experience more sewer overflows and other system failures...(p168).

Some federal and state grants are available for sewer system maintenance, but the vast majority of funding to reduce overflows comes from local sources (EPA 2004). According to

my data, the most segregated cities spend about \$200 less per capita each year on their sewer systems. In the aggregate, this translates to an average of about \$60,000 less per year spent on sewers (after controlling for all of the other demographic variables included in the regressions above). When city engineers plan, build, extend, and repair sewer systems, they take into account variables like population growth and average precipitation, as well as potential deviations from those estimates.

Analyses of effective or responsive governmental policy typically needs to take into account variation in constituent preferences. For instance, a community that spends very little on protection of open space or on recycling may be accurately representing the views of its residents. Sewer overflows are different. No one wants a river of fecal matter running down their street or flooding their basement. Thus, it seems reasonable to assume that more frequent overflows are, without qualification, worse than fewer overflows. That said, voters and sewer engineers may not agree on the level of resources needed to prevent overflows and therefore, raising funds for capital improvements may be challenging. If it is the case, as I have asserted above, that more segregated cities will have more trouble coming to political consensus about public goods provision, then we ought to expect more segregated cities to witness more sewer overflows – all else equal. In order to determine whether or not this is the case, I utilize data collected by the Environmental Protection Agency in 2004.

In this data collection, the EPA gathered information on overflows from 25 state environmental agencies between 2001 and 2003.¹³² In total, the EPA reported about 35,000 different overflow events from several thousand sewer agencies. The EPA data do not include any geographic identifiers other than the name of the sewer agency, and so, I matched these

¹³² The data were generously provided to me by Jeff Tessin who had secured the data from an EPA staff member for his PhD dissertation.

names to cities by hand. After dropping cases in which the sewer operator was not a municipal government (e.g. metropolitan water districts or county governments), and cases in which the EPA data provided insufficient detail to identify the municipality, I determined the location of 19,817 overflow events. I aggregated these events to the city level and was able to match these data to segregation measures and Census data for 1,417 cities.

The median number of overflows during this period was 2, while the mode was 1. A few cities with enormously high numbers of overflow events pull the mean to 50. For this reason, I take the natural log of the number of overflow events for each city and standardize it by the city's population. This *Logged Overflows Per 1000 Persons* measure serves as my dependent variable. My main independent variable is the city's *H* Index of racial segregation measured in 2000 if available and 2010 if not. I control for the natural log of the *Total Population* to account for the possibility that cities serving more people are likely to have more advanced engineering for their sewer systems by necessity. I add fixed effects for states for two reasons. The first is that the EPA data collection gathered statistics from state agencies which may have had different reporting standards. The second reason is to account for the different environmental, regulatory, and funding environments cities in different states face. In a second regression, I add controls for other city demographics. I add the share that *Rents* their homes to account for the possibility that homeowners may be more likely to act politically to prevent overflows. I include the share of the population that is *Urban* to capture the difficulties rural areas may face in providing sewer systems to a dispersed population. I include the share of the population that is *Black*, *Asian*, and *Latino* to determine whether or not diversity alone can account for poor performance. I add the city's *Median Household Income* and *Per Capita Subventions* to measure the city's capacity to

raise funds for sewer maintenance and expansion. The results of these OLS regressions with robust standard errors are shown in Table 6.6 (summary statistics are in appendix Table A6.5).

Table 6.6: Correlation Between Segregation and Sewer Overflows

	β	SE	P> t	β	SE	P> t
Segregation	2.166	0.53	0.00	2.398	0.78	0.00
Population (logged)	-0.347	0.05	0.00	-0.325	0.07	0.00
% Renters				-0.424	0.40	0.29
% Urban				-0.129	0.09	0.16
% Black				-0.524	0.37	0.16
% Asian				3.813	1.01	0.00
% Latino				-0.080	0.28	0.77
Median Income (1000s)				-0.001	0.00	0.66
Subventions Per Capita (1000s)				-0.031	0.01	0.00
Constant	3.678	0.53	0.00	3.554	0.59	0.00
N	1,417			1,417		
R ²	0.199			0.207		

Note: Linear regressions with fixed effects for states, robust standard errors presented.

The data reveal a significant correlation between segregation and sewer overflows. Living in a city with very little segregation, one can expect about 1.5 overflows per year on average. This increases to nearly 2.5 overflows in cities at the 95th percentile of the segregation distribution. Not only do segregated cities see lower spending on public goods, but they also witness worse performance as well.

Conclusion

The evidence presented here indicates that racial segregation plays a significant role in access to public goods. Segregated cities are comprised of homogeneous neighborhoods embedded in larger diverse communities. While African Americans, Latinos, and Asians are today, fairly likely to live as neighbors, whites remain in isolated enclaves. Because local governmental decisions often concern spatial allocation, neighborhoods are important municipal

actors in local politics. In more segregated places, neighborhood interests become overlaid with racial division. Segregated cities are more racially polarized in elections and may be less likely to generate policy consensus. The result is that cities with more segregation have smaller public goods budgets. Segregated cities raise fewer dollars from their residents and spend less money on roads, law enforcement, parks, sewers, welfare, housing, and community development. This low spending may have significant consequences. For example, segregated cities also see more sewer overflows.

Patterns of residential location reveal that white residents are more likely than people of color to live in cities with low levels of segregation. In my dataset, nearly 74% of nonwhite residents live in cities in the top quintile of the segregation distribution, compared to only 48% of whites. What this means is that compared to whites, nonwhites are much more likely to live in communities that struggle to generate adequate public goods for their residents. Not only are whites segregated from racial and ethnic minorities within cities, but they are also segregated from people of color across city lines. This fact means that access to public goods is segregated along racial lines as well. As the nation has become more diverse, it has also become more unequal. Segregation and public goods play important roles in linking these phenomena.

Chapter 7: The Local Roots of Modern Conservatism

Between the late 1940s and mid-1960s, fights over racial integration pervaded the politics of America's cities. Throughout the United States, residents battled over the integration of public schools, public transportation, pools, parks, golf courses, and of course – neighborhoods. In detailed case studies, historians have shown that white resistance to desegregation in urban centers across the country, gave rise to a new rhetoric that emphasized the protection of private property and homeowners' rights (Kruse 2005, Lassiter 2006, Self 2003, Sugrue 1996). These historical studies argue that the rise of conservatism and Republican allegiance associated with suburban America today was actually rooted in the conflictual racial politics of central cities. In this chapter, I provide evidence that these patterns were widespread. I show that battles over the control of public space and public goods in postwar urban America contributed to the transformation of the demographic landscape and affected public opinion. People who would come to live in segregated neighborhoods, either by choice, compulsion, or happenstance, developed political attitudes and loyalties that differed significantly from similarly situated residents in more integrated places.

First, I show that federal school desegregation orders generated increases in the number of segregated neighborhoods in metropolitan areas. In this analysis, I take advantage of the randomness desegregation order timing to substantiate the link. Then, I provide evidence that the relative whiteness of a neighborhood in 1970 is a powerful predictor of political attitudes and loyalties today. People who live in places that were whiter than their metropolitan area in 1970 were more likely to vote for the Republican presidential candidate in 2008 and are more conservative than their individual attributes (e.g. race, gender, marital status, age, education, income, presence of children) would otherwise predict. Conversely, those who live in places that

were more diverse in 1970 are more liberal today. However, even with a set of individual-level controls, it is difficult to convincingly estimate the effect of neighborhoods on public opinion. Some unmeasured characteristic might cause certain neighborhoods to be more or less diverse than the larger metropolitan area in 1970, and for individuals who live there to be more or less liberal. Given existing evidence that racial attitudes became a more important predictor of vote choice and public opinion during this same period (Carmines and Stimson 1989), it is important ensure that these relationships are being driven by the attributes of neighborhoods and not omitted individual-level variables. To do this, I instrument for the relative whiteness of neighborhoods using two geographic features: land elevation (controlling for waterfront areas) and distance from the nearest big city.

The consequences of segregation on individuals' life chances are well known; and as Thomas Sugrue (2015) writes, "the effects...are devastating."¹³³ Segregation increases inequality on many different socio-economic dimensions (Cutler and Glaeser 1997, Ananat 2011). The results presented here indicate that segregation also has powerful political consequences - increasing divisions in both public opinion and voting behavior.

Entanglements of Ideology and Integration

At the onset of the Second World War, the United States was already a very segregated nation. All large cities had clearly defined neighborhoods inhabited by people of color and others inhabited by whites – a pattern generated by both private choices and public policies (Massey and Denton 1988).¹³⁴ As a result of the economic collapse during the Great Depression

¹³³ https://www.washingtonpost.com/opinions/its-not-dixies-fault/2015/07/17/7bf77a2e-2bd6-11e5-bd33-395c05608059_story.html

¹³⁴ However, on the whole, the United States, both rural and urban, was still overwhelmingly white in 1940. About 10% of the population was black, about 1.7% of the population could be considered Hispanic/Latino, and about

and then material scarcity during the war, the nation faced a severe housing shortage during the 1940s. When increasing numbers of blacks moved from rural areas into cities and from the South to the North and West, the boundaries of existing black neighborhoods were pushed to their limits. In the Southwest, the Latino population also swelled with wartime employment.¹³⁵ These pressures resulted in explosive social and policy conflicts along racial lines. Because city governments had the power to zone, to permit development and locate nuisances, and thus to determine the value of property, these fights were central to city politics. As Self (2003) argues, “the effects of property [valuation] are far-reaching...They structure all kinds of interactions - from where one can buy a home to where politics is organized, from how police interact with neighborhoods to where children go to school. The struggle for the postwar city was over no less than the power to control and organize space...” (p18).

In response to postwar demographic changes, white homeowners sought to protect their neighborhoods (which they considered to be the reward for their hard work and frugality) from disruption and disorder. In the minds of many, pursuit of these goals required racial exclusivity. Sugrue (1996) reports that in Detroit, as elsewhere, “a majority of whites looked to increased segregation as the solution to [the] ‘colored problem’” (p215). Whites, particularly those who owned their homes, believed that they had a right to certain neighborhoods and the public benefits (e.g. schools, safety) associated with those spaces. They understood minority demands for integration and court ordered desegregation plans as undermining this entitlement (Kruse 2005, p126). Whites justified exclusion with fiscal arguments; claiming that, “since Negroes are

0.1% Asian. <http://www.latinamericanstudies.org/immigration/Hispanics-US-1850-1990.pdf>;
<https://www.census.gov/population/www/documentation/twps0076/twps0076.pdf>

¹³⁵ http://www-bcf.usc.edu/~philipje/Segregation/Haynes_Reports/Contours_PRR_2001-04e.pdf. Hundreds of thousands of Mexican descendants were deported during the Great Depression, so the overall Latino share of the population changed little.

so poor and pay virtually no taxes, they are actually not entitled to get more public services than the whites care to give them...” (Myrdal 1944, p336). When blacks *did* receive benefits, it was believed that whites unfairly bore the financial burden of their support. To illustrate this point, Kruse (2005) quotes a segregationist poem that made rounds in Atlanta in 1957:

Po’ white folks must labor, ‘tween sun and sun,
To pay welfare taxes whilst we has de fun,
We doan pay no taxes, we doan make no goods,
We just raise little niggers, way back in the woods.... (p127).

Above all else, whites feared that integration would jeopardize their single largest investment – the value of their home (Helper 1969), as well as the quality of their neighborhood (Kruse 2005). The tight coupling between property values, public goods, and racial exclusivity was inexorably tied to the racism embedded in the real estate market (Hayward 2013) and the poor public goods that cities had provided to neighborhoods of color in decades past (Myrdal 1944, Torres-Rouff 2013). Kruse (2005) explains that, “by the time white homeowners confronted racial transition at their neighborhood’s borders, the American real-estate industry had completely embraced the idea that such racial transition would, without doubt, lead to a devastating decline in property values” (p60). Public policies like redlining and expulsive zoning¹³⁶ and private actions like racial steering and white flight would make this relationship true over the long run.¹³⁷

¹³⁶ Expulsive zoning is the practice of siting industrial, semi-industrial, or other nuisances in neighborhoods of color in order to both preserve white neighborhoods and induce black movement into particular parts of the city.

¹³⁷ In the short run, blacks paid much higher prices than whites for comparable housing (Cutler and Glaser 1997). This fact was what made it so lucrative for individual whites to abandon neighborhood protection and move to the suburbs. In Atlanta, Kruse (2005) analyzes the property values in a neighborhood that transitioned from white to black between 1950 and 1960, and finds that the property values rose 27 percent over this decade.

Although many whites agreed on the desirability of residential segregation,¹³⁸ they were stymied by various hurdles. The Supreme Court had ruled racial zoning (the designation of certain neighborhoods as being inhabitable only by whites) unconstitutional in 1917, so a perfectly direct policy approach to residential segregation was not an option.¹³⁹ Instead, the preservation of white communities required collective action to prevent individual homeowners from selling or leasing to minority residents. As minority populations expanded and white homeownership rates skyrocketed, hundreds of white homeowners' organizations arose in the 1940s, 50s, and 60s (Sugrue 1996, Kruse 2005).¹⁴⁰ Such organizations were often created by real estate developers to protect the value of their investment. This was a charge taken seriously by property owners. These (typically all white) "civic associations, productive associations, improvement associations, and homeowners' associations" (Sugrue 1996, p211) fought the building of public housing in their neighborhoods, sought representation on planning boards, and battled open housing laws (Self 2003).¹⁴¹ Importantly, they relied on racial restrictions in housing deeds (and racism in the real estate market) to maintain neighborhood exclusivity. But the Supreme Court ruled restrictive covenants unenforceable in 1948 (*Shelley v. Kraemer*), and an open housing movement swept the nation. Then, in the 1950s, other tools of segregation came under fire as the court struck down separate-but-equal accommodations in a series of cases.¹⁴²

¹³⁸ In 1964 only 27% of white Americans supported general integration (Schuman et al 1985).

¹³⁹ Many white neighborhoods also utilized violence to defend their borders (Meyer 2000, Hirsch 1983). Although tolerated (even encouraged) by the police and political establishment of some cities, murders and arson were technically illegal as well.

¹⁴⁰ In some cases, the link between segregationists and homeowners' groups was direct. For example, the head of Atlanta's West End Cooperative Corporation had gotten his start in community organizing as the head of Klavern No 297's Housing Komitee (Kruse 2005 p54).

¹⁴¹ They also served as social organizations welcoming new neighbors and organizing block parties (Sugrue 1996).

¹⁴² e.g. *Muir v. Louisville Park* 1953, *Brown v. Board of Education* 1954 & 1955, *Holmes v. Atlanta* 1955, *Dawson v. Baltimore* 1955, *Rice v. Sioux City Memorial Park Cemetery* 1955, *Browder v. Gayle* 1956, *Burton v. Wilmington* 1961, *Johnson v. Virginia* 1963, *Simkins v. Cone Memorial Hospital* 1963, *Watson v. City of Memphis* 1963.

By this time, nearly all cities utilized zoning in some fashion and many invoked the power of eminent domain to shape development through, for example, the permitting of multi-family housing, the razing of slums, and the placement of highways, public housing, and industry. In the past, white homeowners had successfully used these tools to configure residential demography (Nightingale 2006) – but they became even more important in the face of new court decisions and the rising Civil Rights Movement.¹⁴³ At the same time, racial violence continued to erupt. However, local elites were committed to maintaining peace in their cities (Ogorzalek 2017). So, in order to convince city governments to defend their turf, white neighborhoods needed to change their approach.

In city after city, white middle class, homeowners turned away from claims based on racial exclusivity and began to press their demands in terms of rights; a tactic Sugrue (1996) terms “defensive localism” (p210). White residents fought for the, “‘right’ to select their neighbors...the ‘right’ to do as they pleased with their private property...and the ‘right’ to remain free from what they saw as dangerous encroachments by the federal government,” (Kruse 2005, p9). Local governments responded with neighborhood protection by pursuing “racial stability through spatial apartheid” (Lassiter 2006, p52). In the South, these arguments were the moderate path – a response to violent white supremacy on the right and integrationists on the left (Lassiter 2006, Kruse 2005). The fact that rights-based language gained ground in all regions of the United States meant that it offered a powerful basis for the rise of a national movement.

¹⁴³ Throughout this period, neighborhood organizations also sought to maintain the color line using private mechanisms as well. For instance, some organizations raised funds to repurchase homes sold to black families in order to sell them back to whites. They also pressured real estate agencies and lenders to refuse to sell to black buyers. Additionally, they set fire to homes on the black market and newly purchased homes by black owners (Kruse 2005, Sugrue 1996). The problem with such tactics is that they were always susceptible to a sort of prisoner’s dilemma. It was incredibly lucrative for a single white homeowner to sell her home to a black family and this idea made individual white owners skittish about neighborhood transition. Neighborhood organizations constantly urged owners to think of the common good rather than their bottom line, but frequently failed.

The discourse had several facets. Subscribers claimed support for racial integration in theory (so as to distinguish themselves from the ugliness of Jim Crow), but angrily opposed government intervention in racial uplift or equalization (Lassiter 2006, p137). In fact, integration was typically viewed in zero-sum terms – gains for blacks equated to losses for whites. Government attempts to produce equal outcomes were understood to be an elevation of minority rights above those of the majority (Sugrue 1996, p227), a form of “reverse discrimination” (Lassiter 2006, p123). Policy solutions to redress inequality were cast as the work of an insidious, “‘liberal elite’ made up of judges, intellectuals, and government bureaucrats” (Hall 2005, p5).

Further drawing on racialized beliefs about the distribution of tax burdens, neighborhood defenders argued that they should not have to pay for public benefits or welfare for those who did not contribute to the public pool. So when people of color demanded, and then the court ordered, desegregation of public spaces and residential communities, these views culminated in all out tax-revolts among white residents. In cities like Atlanta, whites urged the city government to eviscerate the public budget, eliminate bus lines, as well as close pools and public parks (Kruse 2005). Whites voted down bonds for civic improvements, abandoned public schools, and railed against an activist government. In the end, many of these residents would leave the city altogether – packing up their belongings and their newly appropriated ideology and moving to the suburbs (Nall 2015, Boustan 2010).

Yet, suburban growth largely happened for market reasons that were unrelated (or at least, only tangentially related) to racial conflict in cities (Jackson 1985). As Chapter 1 revealed, by 1970, a plurality of the population lived in suburbs and more than 60% of Americans owned their homes. As the pace of suburbanization and homeownership picked up, arguments

surrounding neighborhood defense lost explicit racial designations of who contributed and who did not and who had a right to high property values and good services and who did not. As Self (2003) explains, the move away from making overt racial claims was, “intended to inoculate segregation and white privilege against charges of racism” (p268). This new language offered a “color-blind” approach to the maintenance of neighborhood boundaries. This rhetoric perpetuated the myth that residential segregation was a matter of economics and individual choice. White homeowners came to see segregation as the consequence of “meritocratic individualism” – not fostered by public policy or law (Lassiter 2006, p1). Those who lived in segregated minority neighborhoods could thus be blamed for their condition, making them undeserving of social assistance.

Maintaining exclusively white neighborhoods in the central city was possible with the help of cooperative city governments. But it was much easier in the suburbs, where a combination of public policies and private actions made homeownership only available to white residents (Jackson 1985, Hayward 2013). By 1970, neighborhoods (both within central cities and outside of them) that had maintained their whiteness despite the massive demographic shifts over the preceding 30 years had developed a distinctive, conservative approach to politics throughout the nation. Homeowners in these places expected low taxes, they rationalized racial segregation and inequality as the product of meritocracy, and they conflated white exclusivity with high property values (Self 2003, Lassiter 2006). They couched their demands in terms of protection of individual property rights. In so doing, they drew on a long tradition of American conservative principles emphasizing economic individualism, limited government, and equality of opportunity, but not outcomes (Feldman 1988, McClosky and Zaller 1984, Kinder 1998).

Nearly forty years later, these neighborhoods continued to foster distinctive politics. Whether or not new arrivals to defended neighborhoods had been involved in the earlier battles, they came to, “accept the politics born out of white flight all the same. They embraced a new middle class rhetoric of rights and responsibilities” (Kruse 2005, p245). The Republican Party came to embrace the neighborhood defenders. Starting in the 1960s and throughout the 1970s, Republicans positioned themselves as the party that would help whites to resist social change and impose order in their environments (Hetherington and Weiler 2009, Carmines and Stimson 1989). These ideals held sway in defended neighborhoods and residents dutifully sorted themselves into the Republican Party.

The arguments appropriated in support of neighborhood defense in the 1950s and 60s are still visible in politics today. In the 2012 presidential election, Republican nominee Mitt Romney proclaimed:

There are 47 percent of the people who will vote for [the Democratic incumbent] no matter what...who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that's an entitlement. And the government should give it to them....These are people who pay no income tax...My job is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives (Corn 2013).¹⁴⁴

Like the homeowners' organizations of the mid-century, Romney's statement invoked a class (not race)-centered view of deservingness. Forty-seven percent of the American public, Romney implies, “doan pay no taxes,” and rely on government benefits for subsistence. Romney's claim

¹⁴⁴ More boldly, 2016 Republican nominee Donald Trump's first wife explained, “I have nothing against Mexicans, but they [come] here — like this 19-year-old, she's pregnant, she crossed over a wallShe gives the birth in American hospital, which is for free. The child becomes American automatically. She brings the whole family, she doesn't pay the taxes, she doesn't have a job, she gets the housing, she gets the food stamps. Who's paying? You and me.” <http://nypost.com/2016/04/03/ivana-trump-opens-up-about-how-she-advises-donald-his-hands/>

that these non-contributors do not take personal responsibility for their lives recalls the meritocratic arguments white homeowners made in the past about their success and their neighborhoods. It is unsurprising then, that defended neighborhoods have offered disproportionate support to Republican candidates and conservative policies in recent years.

The Effect of Context

To say that neighborhoods condition political views and actions is not novel. A great deal of research investigates contextual effects on public opinion and political behavior. A significant portion of this literature focuses (as I do here) on the community's racial composition.¹⁴⁵ Some scholars find that diversity produces tolerance (e.g. racial contact theory; Allport 1954, Oliver 2010, Sigelman et al. 1996). Others find the reverse - that large minority populations are related to racial intolerance and lack of support for spending on race-focused or race-coded policies (e.g. racial threat theory; Key 1949, Gay 2006, Huckfeldt 1986, Orey 2001, Taylor 1998, Bobo and Hutchings 1996, Blalock 1967, Alesina and Glaeser 2004, Tolbert and Hero 1996, Plotnick and Winters 1985, Enos 2016, Baybeck 2006). Scholars also find a negative relationship between diversity and support for taxation, spending, and public goods provision more generally (Alesina et al. 1999; Glaser 2002; Alesina and Spolaore 1997; Easterly and Levine 1997; Poterba 1997; Habyarimana et al. 2007, 2009; Putnam 2007; Cutler et al. 1993; Goldin and Katz 1999, Hopkins 2009, Vigdor 2004). My argument draws on both of these frames to argue that rights-oriented conservatism was fueled in an environment of racial threat (integration in the 1940s, 50s, and 60s), but became entrenched in an environment of racial isolation (whiteness of the neighborhood in the 1970s). Today, white conservatism at the

¹⁴⁵ Other work on context analyzes social networks (Eulau and Rothenberg 1986, Zuckerman 2005), partisan contexts (Ceaser 2013 and DiSalvo 2006) and economic contexts (Gay 2006, Books and Prysby 1999, Oliver 1999, Oliver and Mendelberg 2000)

individual level is associated with homogeneity *not* diversity in neighborhoods. The whiteness of a neighborhood could produce individual-level conservatism through two different mechanisms: the nonrandom migration of individuals into or out of whiter neighborhoods (i.e. sorting/selection), or by directly affecting the ideology of residents (i.e. treatment). The sorting mechanism is supported by research demonstrating the existence of white flight (Boustan 2010, Nall 2015) and work that offers evidence of residential choice based on differing preferences for integration and other community features (Mummolo and Nall 2016, Cho, Gimpel and Hui 2013, Bishop and Cushing 2008, Card, Mas, and Rothstein 2008, Charles 2006). A treatment effect is consistent with work showing that particular types of places generate distinctive preferences as a result of features like population density or community size (Rodden 2011, Gainsborough 2001, Ogorzalek 2017, Oliver 2001).

Treatment is also consistent with work revealing differences across places that magnify the individual attributes of inhabitants – such as when minority neighborhoods lack elite networks (Wilson 1987, Widestrom 2015). A treatment effect is further predicted by scholarship that finds that neighborhood homogeneity breeds racial hostility and intolerance due to a lack of exposure to or contact with neighbors of different backgrounds (Oliver and Mendelberg 2000, Oliver and Wong 2003). Finally, a treatment effect is indicated by scholarship demonstrating what Acharya, Blackwell, and Sen (2016) refer to as the “historical persistence of political attitudes” (p2). Patterns of race relations developed during early periods of American history generated opinions and behaviors among whites in particular places that were transmitted over time and remain detectable in modern politics (see also Hersh and Nall 2016). My argument is similar: battles over integration that occurred mid-century imbued defended neighborhoods with distinctive political attitudes that are communicated through processes like neighborhood social

interaction (Huckfeldt and Sprague 1995) and/or “low-intensity cues” - the casual observation of ones’ neighbors (Cho and Rudolph 2008).

Very likely, both selection and treatment processes are at work here. Some residents of defended white neighborhoods brought their conservatism with them; others adopted it after arriving. Today, defended neighborhoods are also likely to continue to attract movers with conservative preferences. Without detailed panel survey data, I cannot discern which is the more powerful factor. What I am able to demonstrate is that neighborhood traits from the 1970s predict conservatism at aggregate and individual levels above and beyond the mobility of the population and the demographic makeup of the neighborhood today.

Conservatism and Race

Just as it is not novel to propose that neighborhoods affect political behavior, it is also not novel to propose that modern conservatism and Republican voting are rooted in racial conflict (see Hutchings and Valentino 2004 for a thorough review). Indeed, it is uncontroversial to state that the Civil Rights movement was a catalyst for partisan realignment, as Southern Democrats abandoned the party championing the rights of Black Americans (Frymer 1999, Carmine and Stimson 1989, Miller and Shanks 1996).

Since the 1970s, scholars have argued that white public opinion shifted mid-century, from a willingness to endorse Jim Crow style race prejudice/biological racism to subtler/symbolic expressions of racial resentment (see for example, Sears and Kinder 1971, Kinder and Sears 1981, McConahay 1982, Sears 1988, Kinder and Sanders 1996, Sears et al. 1997, Bobo 1983, Bobo, Kluegel, and Smith 1997, Schuman et al. 1997).

Additionally, a sophisticated literature on public opinion and political behavior reveals that racial attitudes are strongly predictive of views toward redistributive spending (Bobo and Kluegel 1997, Sears 1988, Kinder and Sanders 1996, Rabinowitz et al. 2009, Federico 2005, Gilens 1999, Quadagno 1994, Luttmer 2001) and government policies that have become racially coded (Winter 2006, Valentino, Hutchings, and White 2002, Mendelberg 2001, Hurwitz and Peffley 1997). If an individual holds negative stereotypes of racial minorities, he or she is likely to oppose expenditures on functions like welfare, and even all government spending in some settings (Sears and Citrin 1982).

What I add to these debates is not a link between racial politics, public opinion, ideology, and party identification, but a new perspective on location. The marriage between rights-based conservatism and white perspectives on race was amplified in the crucible of *city* politics throughout the postwar period not just at the state and national levels. And neighborhood defense appears to have played a causal role in the development of a host of conservative political opinions that appear to be “nonracial” (Hutchings and Valentino 2004, p6).

Empirical Evidence

I’ve argued that local battles over integration of public spaces in the postwar period led some whites to pursue exclusively white neighborhoods. To generate government support for segregation, neighborhood defenders turned to a set of conservative arguments that highlighted their meritocratic success. Because the Republican Party protected defenders’ rights to choose their neighbors, it won their allegiance. If my argument is correct, we should find 1) that integration pressures are related to a higher incidence of exclusively white neighborhoods and 2) that residents of homogeneous white neighborhoods are more conservative and more Republican.

Testing these claims requires that I measure the presence of exclusively white neighborhoods (as the dependent variable in the first hypothesis, and as the independent variable in the second). To do this, I constructed a dataset using a proprietary product developed by GeoLytics called the Neighborhood Change Database (NCDB). The NCDB matches and normalizes census tracts between 1970 and 2000, allowing for a direct comparison of neighborhoods over time. To this, I add census tract data from the 2011 American Community Survey, matched to 2000 boundaries. I refer to neighborhoods that have a greater share of white residents than the metropolitan area as a whole as white defended neighborhoods; conversely, neighborhoods that have a greater share of residents of color than the metro area are called minority dominated neighborhoods. I use this relative conception because many residents are constrained to a particular metropolitan area by preferences or needs (Mummolo and Nall 2016), but the choice of neighborhood within that metro area may be more flexible. I capture this dynamic by measuring the demographic makeup of neighborhoods *compared to* the demographic makeup of their larger metropolitan area. This variable is the *Tract-Metro Difference in Percent White Residents*.¹⁴⁶ Neighborhoods that are whiter than the metro area as a whole have a positive value and those that have more people of color take on a negative value. In 1970, the average neighborhood was only very slightly whiter than the metro area (Mean= 0.018), but the distribution has a long left tail, indicating many neighborhoods that were overwhelmingly populated by people of color; by 2011, the distribution was more normally distributed, with a mean just slightly less than zero. This difference in distributions reflects the diversification of the nation and the well-documented finding that neighborhood level segregation between whites

¹⁴⁶ The census did not tabulate whites separately from Hispanics in 1970, but did in 1980, 1990, 2000, and 2011. Where possible I use non-Hispanic whites

and people of color has declined substantially since the 1970s (Vigdor and Glaeser 2012, Frey 2014).

In order to determine the effect that pressures for integration had on neighborhood demographics, I take advantage of a dataset compiled by Nathaniel Baum-Snow and Byron Lutz (2011) that records the timing of federal court orders for desegregation of public schools in central cities.¹⁴⁷ Although *Brown v Board of Education of Topeka* determined the unconstitutionality of segregated schools, a specific court order was nearly always required for large, central city districts to pursue desegregation plans. The data include court orders implemented between 1960 and 1990 for 92 central school districts in metropolitan statistical areas. Of these 92 orders, 48 are in the South, 9 are in the Northeast, 20 are in the Midwest, and 15 are in the West.

My examination does not include metropolitan areas that never faced a desegregation order. The factors that led some metro areas to receive court-ordered school desegregation plans and others not to receive such plans are most certainly not random, and are likely related to the outcome of interest here (the presence of white defended and minority dominated neighborhoods). Inclusion of the districts with no court order would thus be likely to violate the identifying assumption on the desegregation parameter. However, for those central cities in metropolitan areas that *did* receive an order, the timing of that order is plausibly exogenous to unobserved time-varying factors *within* metropolitan areas that might affect segregation due to the vagaries of the judicial process. The precise date at which court orders took effect was

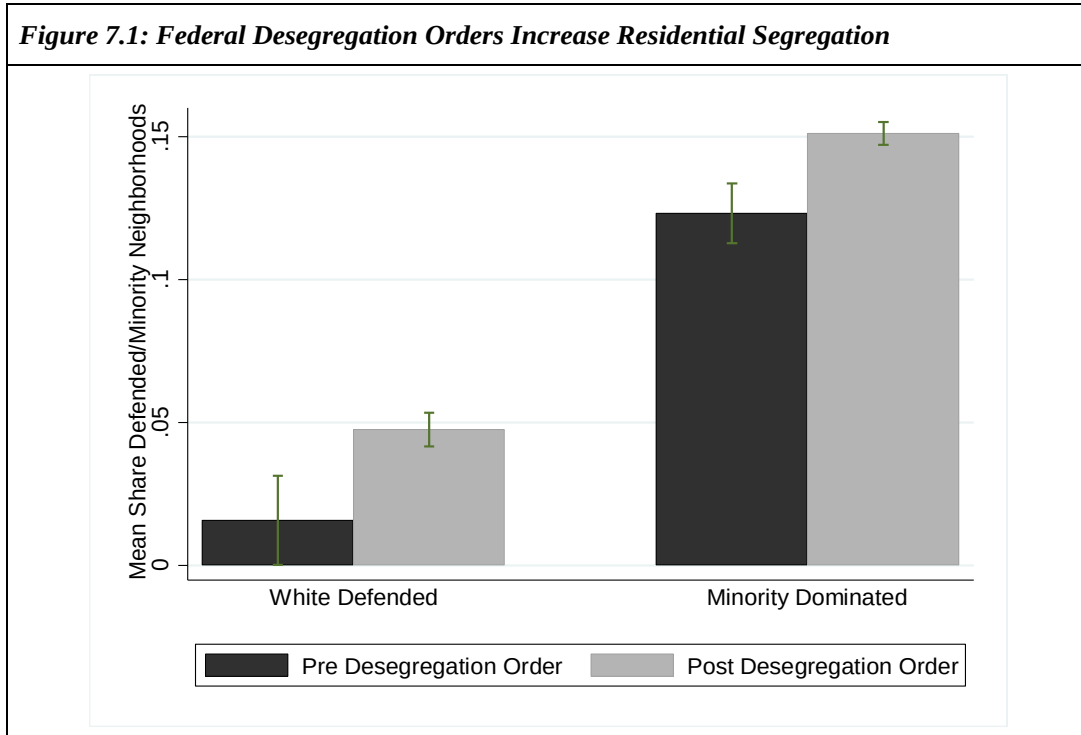
¹⁴⁷ The data are described completely in the statistical appendix to Baum-Snow and Lutz (2011)'s paper. The appendix is available at: https://www.aeaweb.org/aer/data/dec2011/20080918_app.pdf

related to differences in the length of the appeals process for otherwise similar metropolitan areas (Baum-Snow and Lutz 2011).

Including Metropolitan Statistical Area (MSA) fixed effects ensures that the analysis compares the presence of defended/minority neighborhoods before and after the implementation of the court order in each metro area, while accounting for variation across MSAs. For each metropolitan area, in each of four census years (1970, 1980, 1990, and 2000), I calculated the mean *Tract-Metro Difference in Percent White* and the standard deviation of this measure. I then generated a count of census tracts that were either greater than or less than one standard deviation away from the mean racial difference for each census year in each MSA. These counts form the numerator for the share of all neighborhoods that are *White Defended* or *Minority Dominated*. These shares serve as dependent variables in my analyses. The key independent variable in my analysis, *Desegregation Order*, is a dummy indicator coded from the Baum-Snow and Lutz (2011) data noting whether or not a desegregation order was in place in the MSA's central city for a given census year. The analysis compares the number of defended/minority neighborhoods before and after the implementation of desegregation by the federal government in each MSA.¹⁴⁸ As controls, I add the log of the *Total Population* in the MSA, the share of MSA households *Renting* their homes, the *Wealthy* share of households (households with incomes above the 90th percentile), and the population *Density* of the MSA. While it is unlikely that these factors are related to desegregation order timing, directly, it is possible that they reflect an underlying time trend that influenced implementation as well as the propensity for

¹⁴⁸ Of the 92 metro areas in the dataset, 64 had orders implemented between 1970 and 1990. Because tract-level data was not available for most areas in 1960, I am unable to estimate change for 28 metro areas. These MSAs are still included in the regressions – just with no change on the desegregation order variable.

segregation. Figure 7.1 displays the marginal effects of desegregation orders, holding the control variables at their mean values.



The figure shows that desegregation orders significantly increased the share of neighborhoods that were both white defended and minority dominated. On average, desegregation orders generated about 30 new homogeneous neighborhoods in metropolitan areas. Homogeneity was achieved when **whites** moved within cities to new neighborhoods and to the suburbs.¹⁴⁹ Approximately two-thirds of the exclusive white neighborhoods in this dataset

¹⁴⁹ Baum-Snow and Lutz (2011) provide evidence that Black families responded to desegregation orders by moving into newly integrated central school districts suggesting that changes in homogeneity of neighborhoods would have been driven by white not black movers.

are located in suburban places and about three-fourths of the homogeneous neighborhoods of color are located in central cities.

Did these homogeneous neighborhoods produce identifiably different politics? In short, yes. To provide evidence of this claim, I measure the homogeneity of neighborhoods continuously for a single year - 1970. I use 1970 because this year marked the height of residential segregation in America and the end of the post-war period of massive demographic change (Cutler, Glaeser, and Vigdor 1999). First, I analyze the effect of neighborhood homogeneity on the aggregate 2008 presidential vote. Then, I turn to individual-level data. I find that homogeneity in 1970 predicts conservatism today.

My first dependent variable is the 2008 *Democratic Share* of the two-party presidential vote aggregated to the census tract level for the 49 states that collect vote data by precinct.¹⁵⁰ Precinct-level vote returns are available from the Harvard Elections Database Archive.¹⁵¹ Using ArcGIS, I combined the precinct vote data with 2000 census tract boundaries available from the National Historic Geographic Information System archive.¹⁵² I aggregated precinct-level votes to the census tract level.

My independent variable is the *Tract-Metro Difference in Percent White, 1970*. This measure captures the difference between the tract-level share of residents who were white and the metro area-level share of residents who were white in 1970. I control for the 2000 tract-level *Percent White*, the share of the tract that *Rents* their home, and the share of the tract's households

¹⁵⁰ Oregon conducts all elections by mail, so geographically allocated votes are not available.

¹⁵¹ A combined, projected polygon shapefile was very generously provided to me by Clayton Nall.

¹⁵² Because precinct boundaries sometimes cross-tract boundaries, I calculated the land-area share of each precinct falling within each census tract. I used this geographic share as a weight on the total votes for the Democratic and Republican candidates before aggregating precinct vote totals to the tract level.

that are *Wealthy* (incomes above the 90th percentile). These variables account for the possibility that whiter tracts in 1970 are simply populated by more whites and homeowners today, and so, are more conservative only as a result of their current demographics. I also add the *Density* of the census tract (total population divided by total area) to account for Rodden's (2011) argument that the source of modern liberalism is housing density. To investigate the role of selection, I add a measure of the share of the tract's residents who lived in the same house in 1995. In a third analysis, I add fixed effects for region. In all analyses, I use ordinary least squares regression and cluster errors by MSA. Table 7.1 presents the results of these regressions.

Summary statistics are shown in appendix Table A7.1.

Table 7.1: Effect of 1970 Relative Whiteness on 2008 Democratic Vote Share									
	Column 1			Column 2			Column 3		
	B	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	-0.422	0.016	0.000	-0.112	0.023	0.000	-0.080	0.019	0.000
% White 2000				-0.340	0.026	0.000	-0.408	0.021	0.000
% Renters 2000				0.244	0.024	0.000	0.184	0.025	0.000
% Wealthy 2000				0.116	0.036	0.001	0.121	0.040	0.003
% Same House 1995				0.183	0.044	0.000	0.043	0.042	0.306
Density				1.356	1.164	0.245	-0.143	0.725	0.843
Midwest							0.020	0.013	0.115
South							-0.108	0.018	0.000
West							-0.073	0.020	0.000
Constant	0.631	0.013	0.000	0.628	0.044	0.000	0.816	0.040	0.000
R ²	0.207			0.584			0.643		
N	44,958			44,958			44,958		

Note: OLS regression, robust standard errors clustered by MSA presented.

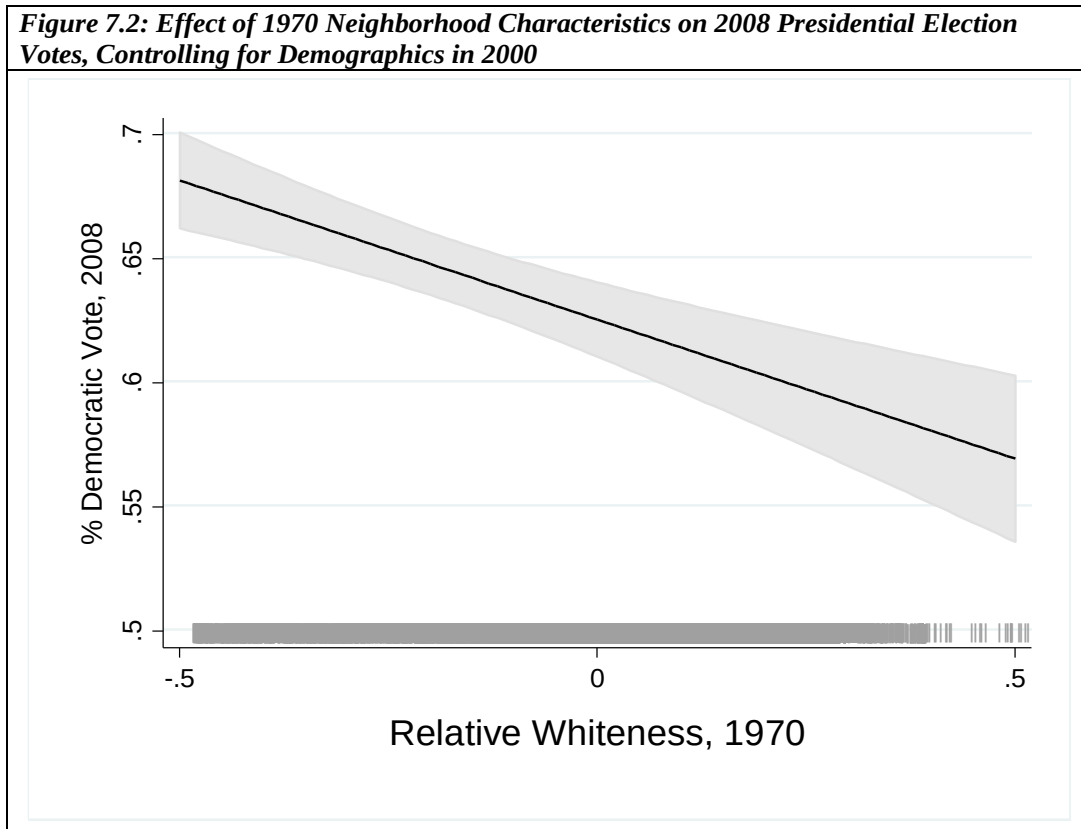
A neighborhood of color in 1970 (*tract-metro difference* = -0.5), delivered about 84% of its votes to Barack Obama in 2008. A neighborhood that was white defended in 1970 (*tract-metro difference* = 0.5) offered Obama only 42% of its votes in 2008.¹⁵³ Obviously,

¹⁵³ Estimates generated following the regression presented in Column 1, using the margins command in Stata 14.

demographic patterns are persistent – one explanation for this outcome is that these neighborhoods that were white defended and minority dominated in 1970 are still populated with whites and people of color today. But as Column 2 shows, even accounting for contemporary demographics, neighborhoods that were relatively whiter in 1970 were about 11 percentage points less likely to support Obama relative to McCain. The difference between the least white and most white neighborhoods in 1970 is 22 percentage points – even controlling for whiteness in 2000.

Contrary to a pure selection story, census tracts with more stable populations were more (not less) likely to support Obama and there is no interaction effect between stability of the population in 1995 and the whiteness of the neighborhood in 1970. That is, if selection were entirely driving these results, we would expect that tracts that were both white in 1970 and had a large share of movers would be most likely to support the Republican candidate. This is not what we see. Holding all other variables at their mean values, Figure 7.2 presents the results from Column 2 graphically for the densest portion of the distribution on the independent variable.¹⁵⁴

¹⁵⁴ This portion of the distribution reflects the concepts of white defended and minority dominated neighborhoods. The mean value of the 1970 tract-metro difference in percent white for minority dominated neighborhoods was -0.5 and 0.25 for defended neighborhoods.



The third column of Table 7.1 reveals that the relationship holds even when accounting for differences in mean levels of Democratic support across regions. Despite the robustness of the effect of 1970 demographics on 2008 presidential votes, it is possible that some set of uncontrolled factors affect the relative whiteness of neighborhoods in 1970 and Republican support in 2008. In an effort to determine a causal neighborhood effect, I instrument for relative whiteness in 1970 with topographical features measured at the census tract level - relative elevation of the census tract (accounting for waterfront neighborhoods) and the tract's distance from the nearest large city.

Starting perhaps with Burgess's concentric zone model of urban social structure (1925), scholars have noted that metropolitan areas often develop such that the most desirable residential neighborhoods are those that are as far as possible from the central business district, but still within commutable distance. From early on, distance from the center denoted privilege; and the historical record indicates that movement to outer lying areas was more available to whites than people of color for many decades (Jackson 1985).¹⁵⁵

To measure distance from the nearest central city, I used 2010 place boundaries available from the National Historic Geographic Information System. Using data from the 2011 American Community Survey, I determined the largest population center in each metropolitan area. I converted these central cities and 2000 census tracts to centroids in ArcGIS. I measured the Euclidean distance between the closest central city and each census tract (using a near table with only one match). To generate a normal distribution, I took the natural log of this distance. The resulting measure, *Distance to Center City* (logged), is my instrumental variable.

To be useful, an instrumental variable must predict the primary independent variable, but not directly affect the dependent variable. As explained above, there is good reason to believe that a neighborhood's distance from the nearest central city positively affects the share of residents who are white in that community. There is no reason to believe that neighborhoods that are far from the city center will house Republican supporters *aside* from their demographic characteristics. However, race is not the only relevant demographic trait. Living outside of the city center also requires residents to be able to afford housing and commuting costs and

¹⁵⁵ That said, at no point in American history has it been the case that black central cities have been ringed by heavily populated white suburbs. This is because when suburbs WERE all white (in the 1920s), they were not heavily populated and central cities were majority white as well. By the time some central cities became majority minority, suburbs had also become more integrated. This fact is further evidence that the correct measure of residential racial context is the racial makeup of the neighborhood as compared to the metropolitan area as a whole.

obviously, race is correlated with socio-economic status. I account for this by adding the share of households in the tract that *Rents* their homes, and the share of households that are *Wealthy* as of 1970 in the first stage of the instrumental analysis.

As in the regressions presented in Table 7.1, my instrumental analysis controls for the share of the population that is white in 2000, the share of the tract that lived in the same house in 1995, and the tract's population density. My dependent variable is again the tract-level aggregate measure of the two-party *Democratic Vote Share* in 2008. I use a two stage least squares regression, with errors clustered by MSA. Table 7.2 presents the results of this estimation.

Table 7.2: Effect of 1970 Relative Whiteness on 2008 Democratic Vote Share, Instrumental Variable Analysis			
	β	SE	P> z
Tract-Metro Difference in % White, 1970	-0.226	0.091	0.013
% White 2000	-0.341	0.042	0.000
% Same House 1995	-0.051	0.027	0.062
Density	5.627	1.862	0.003
Constant	0.856	0.031	0.000
FIRST STAGE			
% White 2000	0.290	0.021	0.000
% Same House 1995	-0.272	0.032	0.000
Density	5.548	0.960	0.000
Distance to City Center (logged)	0.015	0.004	0.000
% Renters 1970	-0.141	0.040	0.000
% Wealthy 1970	0.248	0.033	0.000
Constant	-0.195	0.048	0.000
R ² (second stage)	0.544		
N	44,970		

Note: Two Stage Least Squares Regression, robust standard errors clustered by MSA presented F Test of Excluded Instruments = 50.55

The results of the instrumental variable analysis offer strong additional support for my argument that the defended/minority status of a neighborhood in 1970 continues to exert a powerful, independent, causal effect on partisanship in modern elections. The political identity of neighborhoods appears persistent. In the next section, I provide individual-level evidence of the conservatism of defended neighborhoods.

Individual Level Conservatism

Obtaining individual-level survey data that is representative of city populations is notoriously difficult (Tausanovitch and Warshaw 2014). The costs of sampling across many localities, in addition to the complexity of designing specific surveys for each community, are typically prohibitive for scholars. Instead, I take advantage of the long time series and consistent battery of questions asked by the General Social Survey (GSS). The GSS administers a survey

to an average of 2,000 respondents representing adults living in non-institutional arrangements in the United States on a biennial basis. I create a new dataset built from restricted access GSS data from the 1998, 2000, 2002, 2004, 2006, and 2008 surveys.¹⁵⁶ To the GSS data set, I merge tract and MSA level census data from 1970. To measure contemporary neighborhood demographics, I add linearly interpolated data from the 1990 and 2000 Census of Population and Housing and the 2007-2011 American Community Survey. For tracts not included in the American Community Survey, I use 2000 census data for all years of the GSS. The combined dataset includes tract-level data for 12,188 respondents from 117 metropolitan areas with an average of about 100 respondents per metro area.¹⁵⁷ Although the GSS asks an enormous range of questions each year, only a subset of the survey questions is repeated. This repetition is crucial for my ability to estimate neighborhood effects because I rely on pooling across years to gain a large enough sample size. As a result, I restrict my analyses to questions that include at least 5,000 usable responses. At this threshold, the analyses include an average of 50 responses from each MSA. For the most part, my analyses only include white respondents, as this is the relevant population for my theory.¹⁵⁸ I begin by determining the demographic characteristics of individuals who live in neighborhoods that were defended/segregated in 1970. In this analysis, my dependent variable is the 1970 *Tract-Metro Difference in Percent White* described above. My independent variables include several demographic traits that are known to correlate with vote choice and ideology (Miller and Shanks 1996, Carmines and Stimson 1986, Green, Palmquist and Schickler 2002): the respondent's race (a dummy variable coded 1 for *White, non-*

¹⁵⁶ These are the years for which the GSS was able to provide census tract level information for every respondent, which is essential to my analysis. The tract-level information was provided in response to a sensitive data request submitted to the National Opinion Research Center at the University of Chicago.

¹⁵⁷ Respondents who live outside of metro areas are excluded from these analyses.

¹⁵⁸ It is interesting to note that the results hold for non-white respondents as well. This adds further evidence to my claim that neighborhood context is associated with political conservatism above and beyond the aggregation of residents' demographic traits.

Hispanic)¹⁵⁹, *Age*, *Education* (where 0 is less than high school and 4 is a graduate degree), sex (coded 1 for *Female*), the total number of *Kids* under the age of 18 living at home, marital status (coded 1 for *Married*), and inflation adjusted *Income*.¹⁶⁰ I also add the variable *Mover*, that is coded 1 if the respondent lived in a different city or state when she was 16 years old and 0 if she has lived in the same city.¹⁶¹ To account for the hierarchical structure of the data, I estimate a multilevel mixed-effects linear regression via maximum restricted likelihood, with random effects at the MSA level. This strategy adjusts the estimates and their errors for place-based correlations in attitudes. Table 7.3 presents the results (summary statistics are shown in appendix Table A7.2).

Table 7.3: Modern Demographic Characteristics of 1970 Neighborhoods			
	β	SE	P> z
White, non-Hispanic	0.104	0.004	0.000
Age	-0.001	0.000	0.000
Education	0.003	0.001	0.018
Female	-0.008	0.003	0.013
Kids at home	-0.003	0.002	0.082
Married	0.019	0.004	0.000
Income	0.000	0.000	0.000
Mover	0.031	0.003	0.000
Constant	-0.057	0.009	0.000
Random effects parameter	0.069	0.005	
N	10,701		
Number of MSAs	117		

Note: Mixed effects maximum likelihood regression with random effects for MSA

¹⁵⁹ The GSS has a relatively small sample of non-Black racial and ethnic minorities, so I combine all nonwhite racial/ethnic categories.

¹⁶⁰ Approximately 10% of the observations are missing income data. I imputed observations by regressing income on age, education, gender, race, work status, marital status, the number of people in the household, the size of the city, the presence of children at home, and dummy indicators for year for the non-missing observations, generating predicted values, and replacing the missing observations with the predictions.

¹⁶¹ Ideally, we would like to know whether or not the respondent moved neighborhoods as well, but the GSS does not ask this question.

The estimation reveals few surprises. For example, holding all other variables at their mean values, white respondents live in neighborhoods that were whiter than the metro area in 1970 (0.06), while respondents of color live in neighborhoods that were less white (-0.04). More educated respondents live in neighborhoods that were whiter, as do married, and higher income respondents. Respondents who had moved cities or states since they were 16 chose neighborhoods that were about 4 percentage points whiter than the metro area. Respondents who live in the same city tend to live in neighborhoods that mirrored the metro area. Those with children living at home tend to live in neighborhoods that were less white in 1970, but among middle and high-income respondents this effect reverses. That is, middle and high-income families with kids at home live in significantly whiter neighborhoods.¹⁶² A similar interactive effect occurs with age. Among the poor, older residents live in neighborhoods that were significantly less white in 1970, but among middle and high-income residents, there is no relationship between age and neighborhood characteristics. These results point to several interesting conclusions. First, the results appear to indicate that neighborhoods that were whiter than the metro area in 1970 are more expensive and more desirable. They also suggest that sorting is likely to have played a role in the development of ideology and partisanship of particular places. Finally, these results indicate that it is necessary to control for all of these individual demographic characteristics in any estimation seeking to identify neighborhood effects. I turn to this task next.

I begin with an overview of individual-level partisan affiliation and ideology. I use the 1970 *Tract-Metro Difference in Percent White* as my independent variable in all analyses. My

¹⁶² This interactive relationship is available upon request.

first dependent variable is the respondent's *Partisan Identification*. Respondents were asked, "generally speaking, do you usually think of yourself as a Republican, Democrat, Independent, or what?" Follow up questions asked for the strength of partisanship and pushed independents to identify as leaners. The resulting measure is a seven-point scale running from strong Democrat to strong Republican. Next, I analyze *Ideology* (where 1 is extremely liberal and 7 is extremely conservative), and finally *Republican Presidential Vote*, coded 1 if the respondent voted for the Republican candidate in the most recent election and 0 otherwise.¹⁶³ I control for all of the demographic traits included in Table 6.3 except one – *Mover*. I omit this variable because it is missing for a large share of the total observations. Its inclusion does not affect the results presented (and the coefficient is not significant in any of the estimations). In a second set of analyses, I add controls for current neighborhood attributes to provide additional evidence that the political character of neighborhoods was developed historically. These neighborhood variables are the *Percent White* and *Percent Homeowners* in the tract, linearly interpolated for each year of the survey. Both sets of analyses are presented in Table 7.4.

¹⁶³ For this last analysis, I use a multi-level mixed effects logistic regression to account for the binary dependent variable.

Table 7.4: Effect of 1970 Neighborhood Whiteness on Modern Partisanship & Conservatism									
	Partisan Identification			Political Ideology			Republican Pres. Vote		
	β	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	1.003	0.241	0.000	0.963	0.190	0.000	1.259	0.318	0.000
Age	-0.001	0.001	0.555	0.010	0.001	0.000	0.011	0.002	0.000
Education	-0.051	0.019	0.008	-0.113	0.015	0.000	-0.005	0.022	0.831
Female	-0.310	0.043	0.000	-0.194	0.034	0.000	-0.150	0.050	0.003
Kids at home	0.107	0.025	0.000	0.080	0.020	0.000	0.140	0.028	0.000
Married	0.326	0.049	0.000	0.342	0.039	0.000	0.303	0.056	0.000
Income (\$100k)	0.417	0.058	0.000	0.177	0.046	0.000	0.477	0.066	0.000
Constant	2.845	0.091	0.000	3.590	0.071	0.000	-1.446	0.112	0.000
	β	SE	P> z	β	SE	P> z	β	SE	P> z
Tract-Metro Difference in % White, 1970	0.899	0.254	0.000	0.898	0.197	0.000	1.131	0.332	0.001
Age	-0.002	0.001	0.168	0.009	0.001	0.000	0.010	0.002	0.000
Education	-0.045	0.019	0.018	-0.106	0.015	0.000	0.000	0.022	1.000
Female	-0.315	0.043	0.000	-0.198	0.034	0.000	-0.155	0.050	0.002
Kids at home	0.096	0.025	0.000	0.068	0.020	0.000	0.130	0.029	0.000
Married	0.298	0.049	0.000	0.317	0.039	0.000	0.276	0.056	0.000
Income (\$100k)	0.355	0.059	0.000	0.118	0.047	0.012	0.420	0.068	0.000
% White Tract	-0.153	0.146	0.294	-0.232	0.113	0.040	-0.052	0.175	0.768
% Homeowners Tract	0.635	0.122	0.000	0.633	0.096	0.000	0.595	0.144	0.000
Constant	2.646	0.125	0.000	3.446	0.097	0.000	-1.703	0.153	0.000
Random effects parameter	0.130	0.026		0.052	0.012		0.247	0.046	
N	8,049			6,558			7,563		
Number of MSAs	116			116			116		

Note: Mixed effects maximum likelihood regression with random effects for MSA; white non-Hispanic respondents only

As was true in the aggregate, at the individual level, the historical persistence of neighborhoods is clear. Places that had defended their exclusive white character as of 1970 are home to significantly more Republican and conservative residents today. This is the case even when we account for both individual and aggregate demographic traits that predict partisanship and ideology.

The same pattern holds when I replace the dependent variable with particular policy items.¹⁶⁴ Respondents who live in neighborhoods that were whiter in 1970 are more likely to view government spending as adequate or too high on categories like social security, parks, and mass transit, and they are more likely to believe that individuals, not the government, should be responsible for health, wealth, and the standard of living.¹⁶⁵ For instance, respondents were asked to place themselves on a five-point scale where at one end the government should do more to solve our country's problems and at the other end the government should leave things to individuals and private businesses. Comparing whites who live in neighborhoods that were minority dominated in the 1970s to those who live in neighborhoods that were white defended moves responses in a conservative direction by about a half of a standard deviation on this scale (from an average of 2.8 to 3.3).

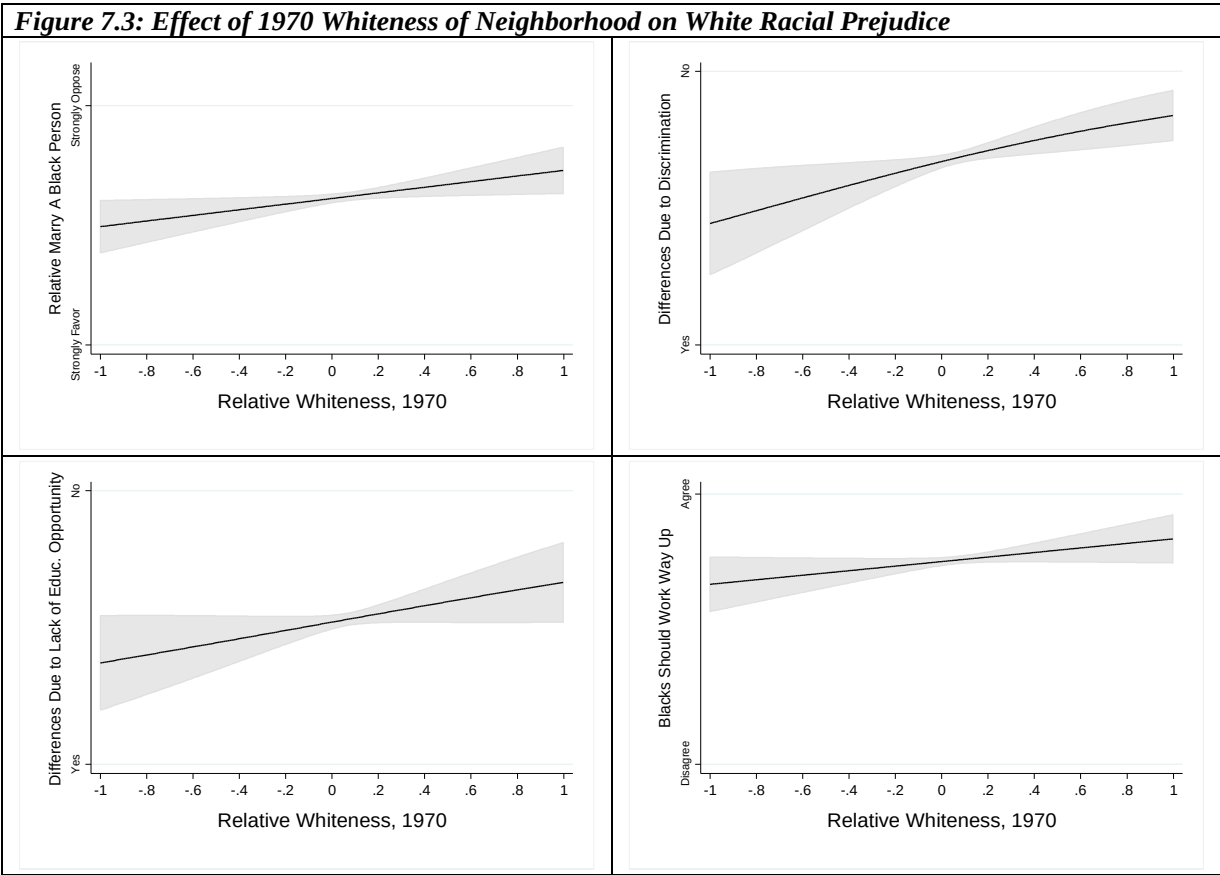
¹⁶⁴ These questions were not asked of all respondents in all years. As a result, in some of the specific policy areas discussed below the total number of respondents falls below 5,000. However, it never falls below 3,000.

¹⁶⁵ One question on which 1970 neighborhood whiteness was not associated with support for lower spending was education. When asked whether or not the government was spending the right amount "improving the nation's education system", there was no difference in the responses of individuals who live in neighborhoods that were whiter in 1970. Although this is obviously circumstantial evidence, it is plausible that the defended neighborhoods have higher quality schools and this is a feature that attracts certain residents who are supportive of higher educational expenditures.

Prejudice and Policy

If integration battles are linked to the ideology of defended neighborhoods, then we would expect residents of these places to have particularly conservative views when it comes to race. I find strong support for this contention. There are many different questions that tap racial views included in the GSS. I use several as dependent variables that are both common in the literature and have a long enough time span to generate sufficient respondents. I begin with an analysis of racial affect and prejudice. The first question asks respondents whether or not they would be in favor of having a family member marry a black person. The second question probes views on inequality. It states “On the average (Negroes/Blacks/African-Americans) have worse jobs, income, and housing than white people.” Then it asks: “Do you think these differences are mainly due to discrimination?” and/or “Because most (Negroes/Blacks/African-Americans) don't have the chance for education that it takes to rise out of poverty?” Finally, I analyze responses to the question, “Do you agree strongly, agree somewhat, neither agree nor disagree, disagree somewhat, or disagree strongly with the following statement: Irish, Italians, Jewish and many other minorities overcame prejudice and worked their way up. Blacks should do the same without special favors.”

All dependent variables are coded so that higher values equate to a more conservative position. The structure of these analyses is the same as those included in the top panel of Table 7.4 (mixed effects maximum likelihood estimation with random effects for MSAs and controls for individual demographic characteristics). Rather than present regression tables, Figure 7.3 graphically display the marginal effects on *Tract-Metro Difference in Percent White, 1970* holding all other variables at their mean values.



The results presented in Figure 6.3 offer a consistent picture of white residents who live in neighborhoods that were whiter than the metro area in 1970. They are more strongly opposed to having a relative marry a black person, they are less likely to see persistent racial inequality in jobs, income, and housing as the result or discrimination or educational opportunities, and they are more likely to agree that blacks should have to work their way up like white ethnic groups. In sum, residents of whiter neighborhoods are more likely to want to avoid close contact with blacks, to blame blacks for conditions of inequality, and put the onus on individuals to advance their position.

These attitudes translate into conservative views on race-targeted policies. To show this, I analyze two questions. The first question reads “Some people think that (Blacks/Negroes/African Americans) have been discriminated against for so long that the government has a special obligation to help improve their living standards. Others believe that the government should not be giving special treatment to (Blacks/Negroes/African Americans). Where would you place yourself on this scale?” Responses were coded on a five-point scale ranging from strong obligation to no special treatment. The second question focuses on affirmative action and asks whether or not respondents are “for or against preferential hiring and promotion of blacks.” The responses are coded on a five-point scale ranging from strongly favoring to strongly opposing. Figure 7.4 presents the marginal effects of the regression of these policy responses on *Tract-Metro Difference in Percent White, 1970* holding all other variables at their mean values.

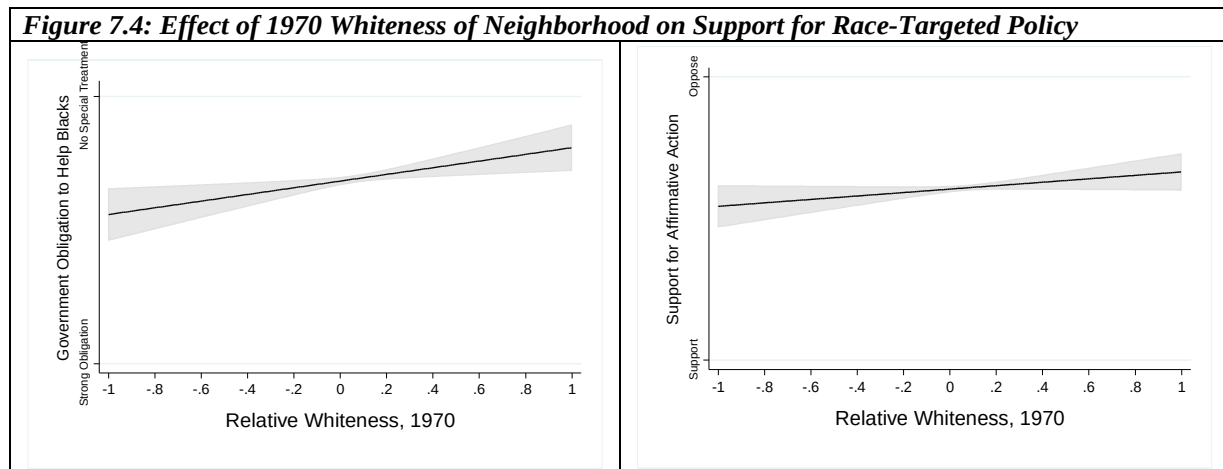


Figure 7.4 reveals that residents who live in neighborhoods that were whiter in 1970 are more likely to hold conservative views on race-targeted policy. They are less likely to feel that the

government has an obligation to make right discrimination against blacks and less likely to support affirmative action.

Conclusion

In sum, there is strong evidence that the language and ideology developed around integration battles in post-war urban America persists. During the tumultuous 1940s, 50s, and 60s, faced with changing legal and rhetorical regimes, white homeowners seeking to keep minorities out of their neighborhoods began to shed the language of racial exclusivity. They understood the defense of their homes and spaces as a defense of their rights as homeowners and freedoms as individuals. Hayward (2013) describes this as the development of an “identity story,” a story about “who ‘we Americans’ are: about what we value, what we want and deserve, and what it is that serves our good” (p119). Hayward is clear though – the Americans included in this vision were not all Americans, but rather all *white* Americans.¹⁶⁶ Yet, the privileged residents of defended neighborhoods promulgated the argument that “race doesn’t matter” (Hayward 2013, p176). Instead, they relied on a frame that emphasized their hard work, frugality, and investment in their children’s education. This perspective persists in these places. This chapter links 1970s neighborhood demographics to feelings of distance from African Americans, a belief that racial inequality is the result of lack of individual motivation, opposition to policies that redress disparities in outcomes across racial groups, and commitment to conservatism more generally. Residents who live in defended neighborhoods today are more

¹⁶⁶ Hayward (2013) situates the genesis of this identity story earlier in the 20th century than I do here. She argues that it was borne of economic need among developers seeking land use planning and financial support from the government. My narrative is not incompatible with her view. It makes sense that the language adopted by rights-oriented white neighborhoods was readily available when they needed to use it. Hayward argues that the narrative of Americans as a homeownership people developed by real estate interests functioned as a “frame to many ordinary stories” (p167).

likely to identify as Republicans and more likely to vote for Republican presidential candidates.

The local roots of modern conservatism are deep.

Chapter 8: Conclusion

In the early decades of the 20th Century, homeownership rates in the United States were already much higher than in many other advanced democracies. As of 1914, in the United Kingdom 10% of households owned their homes (House of Commons Research Paper, 1999). In the United States the figure was about 45%.¹⁶⁷ During the late 1940s homeownership rates for France and Germany were about 31% and 27% respectively (Kohl 2014). For most families, the home was (and is) the single largest component of household wealth (Knoll et al 2014). Not only homeowners, but all property owners, land-oriented businesses (like real estate agencies), and local governments reliant on property taxes, had a strong incentive to protect and enhance the value of property. In a world of limited resources, they also had a strong incentive to politically control the distribution of public goods increasingly offered to city dwellers.

Yet, homeownership and political power were not equally available to all urban residents. In 1900, the homeownership rate among whites was more than double the rate among blacks (Collins and Margo 1999). Chinese and Japanese immigrants were barred from owning property completely in many states, and everywhere the vast majority of blacks, Asians, and Latinos were prohibited from voting (Keyssar 2000). Thus, as America became an urban nation, it was white property owners who dictated the policies of local governments. They used their power to pursue segregation. By invoking the power of land use regulation and zoning, city governments institutionalized prevailing race and class hierarchies.

In cities across the country, “Chinatowns” (McWilliams 1964, p105), Sonoratowns (Torres-Rouff 2013, p139) and “Niggertowns” (Litwack 2004, p9) were walled-off by a combination of public policy, violence, and custom. Local governments then proceeded to

¹⁶⁷ <https://www.census.gov/hhes/www/housing/census/historic/owner.html>

systematically underinvest in these neighborhoods, denying them adequate sewers, paved roads, garbage collection, or public health initiatives. By the onset of the Second World War, city governments had become proficient segregators. When millions of dollars were spent renewing and rebuilding urban communities, segregation was reinforced and deepened.

By the hands of local governments the foundation of Sampson's (2012) powerful 21st century neighborhood effects, was laid. Using Chicago as a lens with which to view large, diverse cities, Sampson shows that today, neighborhoods differ significantly with respect to "crime, poverty, child health, protest, leadership networks, civic engagement, home foreclosures, teen births, altruism, mobility flows, collective efficacy, [and] immigration" (p6). These differences, Patrick Sharkey (2013) explains, are "*not* attributable primarily to factors that lie within the home or within the individual," but rather to the place itself, passed down from generation to generation (p21). Sampson (2012) argues that, as a result of racial segregation, neighborhood disadvantage is "most pronounced in the black community." These inequalities, Sampson tells us are, "durable and multiplex but not inevitable or natural" (p99).

The consequences are irrefutable. Scholars have persuasively demonstrated that segregation causes higher poverty rates for blacks and lower poverty rates for whites (Ananat 2011), lower high school and college graduation rates among blacks (Cutler and Glaeser 1997), higher imprisonment rates (Burch 2014), and higher rates of single-motherhood among blacks (Cutler and Glaeser 1997). Neighborhood disadvantage is also related to black/white income inequality, lack of employment stability among blacks, and larger gaps in cognitive skills between blacks and whites (Sharkey 2013). Cohen and Dawson (1993) show that neighborhood poverty undermines blacks' attachment to and involvement in the political system. I've shown that segregation leads to racial political polarization and underfunding of public goods.

Cumulatively, these results suggest that both growing up and living in disadvantaged places, while not wholly determining one's fate (e.g. Vance 2016), does leave little margin for error. "Mobility out of the poorest neighborhoods," Sharkey (2013) says "may be even less common than mobility out of individual poverty" (p35). Perversely, home ownership in this environment serves to limit mobility rather than enhance it.

In the first half of the 20th century, advantaged and disadvantaged neighborhoods resided within the political boundaries of large central cities. In the second half of the century, when the suburbs captured most of the population growth, the physical, and more importantly political, distance between advantage and disadvantage widened. Today, the most advantaged places are located outside of central cities altogether so that the most disadvantaged residents have no direct role to play in decisions about building affordable housing, expanding public transportation, or diversifying schools. In these places residents are more politically conservative; they vote at higher rates for Republican presidential candidates, support low taxes, want limited spending, and see inequality as the result of individual failings. Recent research suggests that privatization of public services is the most recent response to integration. Trounstein (2015) finds that a greater share of communities' security and educational needs are met through private provision in more diverse communities. Similarly, Betts and Fairlie (2003) show that native-born American families are more likely to send their children to private high school in response to increased immigration. Given this distribution of preferences and opinions, proposals to reduce inequality through mechanisms like regional governments or tax-base sharing (e.g. Orfield 2002, Katz 1999) are simply politically infeasible.

However, moving the policy debate to the state or federal level, could be more workable. Given that property owners' anxiety about protecting their investment is the driver of the many

patterns I reveal in this text, one solution would be to address this concern directly. William Fischel (2015), has argued that reducing federal tax-subsidies for owner-occupied housing would curtail homeowner demands for exclusivity.

State governments may also be able to make significant progress in generating outcomes that approach equality. There are lessons to be learned from the history of public school provision and finance. In a detailed historical analysis comparing the Charlotte and Atlanta metropolitan areas, Lassiter (2006), finds that the large geographic footprint of Charlotte's school system ensured that school integration would be successful. Conversely, Atlanta's fragmentation ensured that it failed. This indicates that states could analyze school district and municipality incorporation with an eye toward integration; limiting fragmentation and opportunities for segregation. Lafortune, Rothstein, and Schanzenbach (2015) show that recent school finance equalization policies have focused not on the gap in funding between advantaged and disadvantaged districts, but rather on ensuring a minimum adequate level of funding for all districts. They find that these reforms significantly reduce inequalities in student achievement outcomes between districts.

School finance reform has been possible because state constitutions guarantee the provision of public schooling and lawsuits (and threats of lawsuits), have forced the hand of state legislatures. Education is not the only public good guaranteed in state constitutions though. In fact, state constitutions are the locus of many positive rights. As Zackin (2013) details, they also obligate state governments to "care the poor, aged, and mentally ill, preserve the natural environment...and protect debtors' homes and dignity" (p3). Bridges (2015) demonstrates that state constitutions provide state governments substantial authority in the regulation of water provision and the protection of labor. Leonard (2010) outlines state constitutional requirements

mandating provision of health care and public health. Thus, the centralization of public goods financing, or at least the provision of a minimum level of public goods support through state governments is possible, though obviously politically contentious. At the end of the day, what is clear is that much is at stake in the local provision of public goods and the politics of segregation.

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Data Appendix

Chapter 1

Coding of Foreign Born Populations 1900-1940

The Census of Population and Housing collected detailed breakdowns regarding the origin of immigrant populations for large cities between 1900 and 1940. However, the categories of origin changed from Census to Census. I created similar categories by combining subcategories (e.g. I created a Poland variable by combining Austrian Poland, German Poland, and Russian Poland). Using the table available at: <http://www.census.gov/population/www/documentation/twps0029/tab04.html>, I created a category of immigrants from Southern and Eastern Europe, Asia, and Latin America. Because immigrants from Turkey in Asia were only separately categorized in some Census years, all Turkish immigrants are coded as being Southern and Eastern European, regardless of continent. The category foreign born nonwhite was created by adding the foreign born populations from countries that the 1930 Census designated as sending a majority of immigrants who were classified as nonwhite (China, Japan, India, Mexico, and West Indies).¹⁶⁸ To generate a measure of foreign born diversity, I calculated a Herfindahl Index:

$$Diversity = 1 - \sum_{f=1}^F \pi_f^2$$

where, π_f is the population share of the foreign-born group f and F is the total number of foreign-born groups (52). The following foreign born groups were listed in Censuses 1900-1940. The table presents summary statistics for all 291 cities included in these data.

Country of Origin	Mean	Std. Dev.	Min	Max
Africa	0.01%	0.04%	0.00%	1.20%
Albania	0.00%	0.03%	0.00%	0.86%
Armenia	0.14%	0.56%	0.00%	13.11%
Atlantic islands	0.07%	0.82%	0.00%	22.96%
Australia	0.04%	0.11%	0.00%	1.27%
Austria	3.57%	4.23%	0.00%	52.56%
Azores	0.09%	1.02%	0.00%	18.64%
Belgium Luxemburg	0.48%	1.78%	0.00%	25.12%
Bohemia	0.11%	1.24%	0.00%	48.24%
Born at sea	0.00%	0.01%	0.00%	0.21%
Canada newfound	10.15%	12.52%	0.00%	86.47%
Central South America	0.15%	0.34%	0.00%	5.57%
China	0.34%	1.20%	0.00%	39.04%
Cuba West Indies	0.14%	1.23%	0.00%	43.85%
Czechoslovakia	1.41%	3.69%	0.00%	49.42%
Denmark	1.22%	2.67%	0.00%	29.90%
England	8.04%	4.65%	0.28%	40.52%

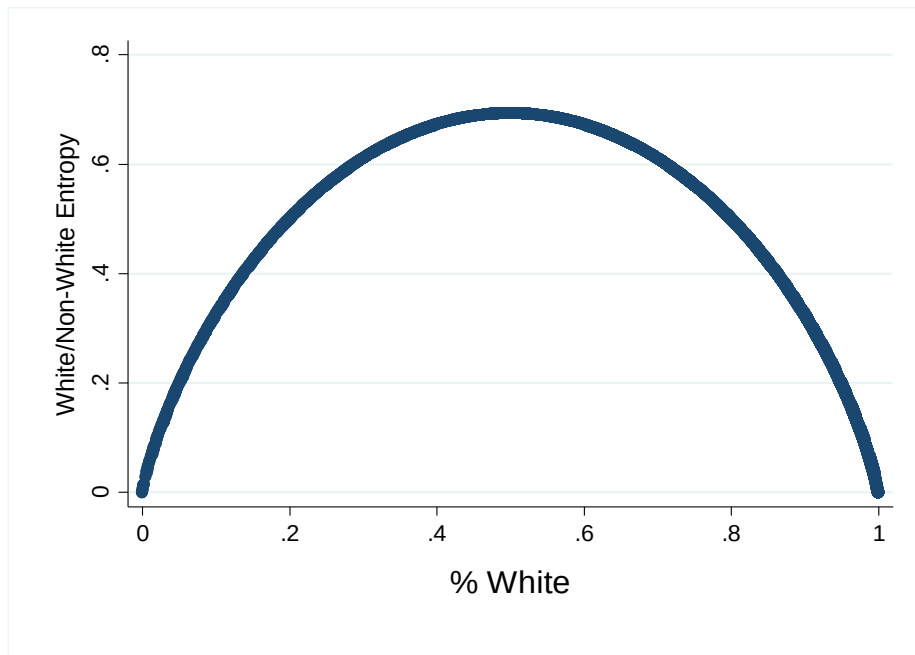
¹⁶⁸ Census of Population and Housing, 1930, Volume II, Chapter 5, "Country of Birth of the Foreign Born," page 231

Estonia	0.00%	0.00%	0.00%	0.02%
Europe, other	0.06%	0.14%	0.00%	3.17%
Finland	0.46%	1.70%	0.00%	21.42%
France	1.21%	1.25%	0.00%	14.62%
Germany	16.92%	14.66%	0.24%	89.81%
Greece	2.07%	2.58%	0.00%	23.83%
Holland	0.07%	1.09%	0.00%	46.72%
Hungary	2.44%	4.66%	0.00%	48.04%
Iceland	0.00%	0.00%	0.00%	0.08%
India	0.01%	0.02%	0.00%	0.47%
Ireland	9.71%	7.63%	0.03%	50.94%
Italy	9.47%	9.14%	0.00%	53.39%
Japan	0.24%	1.10%	0.00%	32.07%
Latvia	0.03%	0.16%	0.00%	2.76%
Lithuania	0.67%	1.48%	0.00%	12.26%
Mexico	1.48%	6.60%	0.00%	91.42%
Netherlands	0.86%	3.92%	0.00%	50.24%
Norway	1.49%	3.43%	0.00%	27.95%
Not specified	0.00%	0.02%	0.00%	0.57%
Other	0.99%	1.71%	0.00%	18.01%
Other Asia	0.09%	0.19%	0.00%	3.08%
Pacific Islands	0.01%	0.03%	0.00%	1.71%
Palestine Syria	0.32%	1.03%	0.00%	16.14%
Poland	6.81%	7.54%	0.00%	78.19%
Portugal	0.46%	1.88%	0.00%	18.82%
Russia	8.40%	7.06%	0.00%	71.83%
Scotland	2.62%	2.02%	0.05%	44.49%
Spain	0.29%	1.52%	0.00%	24.06%
Sweden	4.11%	7.00%	0.00%	71.64%
Switzerland	0.96%	1.09%	0.00%	9.27%
Syria	0.31%	0.92%	0.00%	15.72%
Turkey Bulgaria Romania	0.66%	1.09%	0.00%	16.93%
Wales	0.71%	1.60%	0.00%	26.78%
West Indies	0.28%	2.08%	0.00%	71.70%
Yugoslavia	0.72%	1.98%	0.00%	23.65%

A1.1: Summary Statistics Historical City Expenditures

Variable	N	Mean	Std. Dev.	Min	Max
Expenditures Per Capita (logged)	1,397	6.165	0.512	4.075	8.936
Density	1,397	11.993	8.870	0.747	79.009
Population (logged)	1,397	11.401	0.944	9.333	15.792
% Nonwhite	1,116	0.107	0.128	-0.031	0.558
% Homeowners	1,111	0.377	0.100	0.100	0.697
Foreign born diversity	1,057	0.834	0.089	0.233	0.938
Assessed Value (millions)	1,397	2.442	10.024	0.005	199.837
% Professionals	1,084	0.083	0.031	0.016	0.257

Figure A1.1: Relationship between City Level Entropy and % White



Chapter 2

Table A2.1: Summary Statistics Zoning Ordinances

Variable	Obs	Mean	Std. Dev	Min	Max
Zoning Ordinance	4,293	0.032	0.175	0.000	1.000
Expenditure \$ Per Capita (logged)	4,293	3.346	0.413	1.305	6.165
Property Taxes \$ Per Capita	4,293	19.798	8.045	1.794	66.837
Presidential turnout	4,293	0.514	0.177	0.013	0.991
Republican Vote Share	4,293	0.471	0.171	0.000	0.838
Midwest	4,293	0.314	0.464	0.000	1.000
North	4,293	0.422	0.494	0.000	1.000
South	4,293	0.195	0.396	0.000	1.000
West	4,293	0.070	0.255	0.000	1.000
% For. Born White	3,740	0.182	0.116	0.006	0.603
% For. Born Non White	3,740	0.005	0.024	0.000	0.398
% Black	3,654	0.081	0.125	0.000	0.557
Highways \$ Per Capita	4,265	2.379	1.027	0.230	8.014
Health \$ Per Capita	4,288	0.411	0.328	0.015	3.525
Fire \$ Per Capita	4,293	2.148	0.815	0.364	10.945
Density	4,283	11.732	8.414	0.747	79.009
% Renters	3,577	0.628	0.101	0.303	0.903
% Employed in Manufacturing	3,554	0.533	0.137	0.109	0.838
% Employed in Agriculture	3,554	0.017	0.043	0.002	0.767
10 year population growth rate	3,592	0.327	0.410	-0.867	5.397
School segregation	4,293	0.223	0.412	0.000	1.000
% Unemployed	3,554	0.635	0.064	0.000	0.820

Chapter 3

Table A3.1: Summary Statistics Sewer Extensions, Historical Urban Ecological Dataset

Variable	Obs	Mean	Std. Dev	Min	Max
New Segments Since Last Census	541	37.20	138.45	0.00	1476.00
Total New Segments Since Last Census	541	1237.02	1953.43	0.00	5933.00
Total Segments in Ward	541	857.72	952.77	181.00	8375.00
% Segments Built	541	0.64	0.25	0.00	0.96
% Foreign Born	541	0.25	0.12	0.01	0.64
% Renters	271	0.74	0.13	0.34	0.98
Renter Segregation	541	0.09	0.03	0.04	0.14
% Black	541	0.08	0.14	0.00	0.95
Racial Segregation	541	0.47	0.16	0.29	0.86

Table A3.2: Summary Statistics: Public Sewer Connections

Variable	Obs	Mean	Std. Dev	Min	Max
% Public Sewer in Tract	146,102	0.773	0.328	0.000	1.000
% Nonwhite	146,102	0.203	0.280	0.000	1.000
Racial Segregation	146,102	0.216	0.197	0.000	0.915
% Renters	146,102	0.356	0.238	0.000	1.000
Renter Segregation	146,102	0.115	0.086	0.000	0.786
% Wealthy	146,102	0.183	0.155	0.000	1.000
City Population	146,102	392911	686109	59	3480384
City Public Sewer Connections	146,102	139100	261531	0.000	1269144
Midwest	146,102	0.234	0.423	0.000	1.000
South	146,102	0.307	0.461	0.000	1.000
West	146,102	0.229	0.421	0.000	1.000

Chapter 4

Table A4.1: Summary Statistics: Urban Renewal Applications and Disbursement

Variable	Obs	Mean	Std. Dev.	Min	Max
Racial Segregation, 1980	172	0.299	0.158	0.015	0.671
Renter Segregation, 1980	172	0.139	0.053	0.014	0.284
Urban Renewal Funds Approved, \$100 million	173	0.466	0.734	0.000	5.481
Urban Renewal Funds Disbursed, \$100 million	173	0.315	0.536	0.000	4.165
Segregation, 1950	173	0.398	0.153	0.095	0.908
% Owner occupied, 1950	173	47.127	11.692	12.400	70.700
Median Home Value, 1950 (log)	173	9.0	0.3	8.4	9.9
% Dilapidated, 1950	172	6.7	4.9	0.5	26.1
% Built Pre-1920, 1950	172	56.8	17.6	6.1	94.6
% Units w/o Plumbing, 1950	172	22.4	12.5	2.8	62.4
Population (millions), 1950	173	277794.0	702673.5	38946.0	7891957.0
% Nonwhite, 1950	173	11.7	11.9	0.1	44.0
% Employed Manufacturing, 1950	173	31.2	13.7	6.6	64.9
% Employed, 1950	173	94.6	1.9	88.3	98.0
Median Education, 1950	173	10.1	1.2	7.9	12.7
Family Income, 1950 (log)	173	8.1	0.1	7.6	8.6
% Incomes Below \$2000, 1950	173	21.4	7.5	10.0	48.8
% Housing Operations	170	0.017	0.020	0.000	0.115
Public Housing Units Per Capita	173	1104.9	802.8	0.0	3819.0

Table A4.2 Summary Statistics Open Housing Initiative Survey

Variable	Obs	Mean	Std. Dev.	Min	Max
Opposed to Fair Housing	4,860	0.630	0.483	0	1
Democratic Presidential Voter	4,860	0.591	0.492	0	1
Home Owner	4,860	0.712	0.453	0	1
Education Level	4,860	3.305	1.365	1	6
Age	4,860	3.021	1.535	1	6
Economic Level	4,860	5.007	1.755	1	10
White	4,860	0.933	0.250	0	1
Union Member	4,860	0.305	0.461	0	1

Chapter 5***Table A5.1: Summary Statistics Segregation Across Cities***

Variable	Obs	Mean	Std. Dev.	Min	Max
Across-City Share of Racial Segregation	618	0.4080	0.1799	0.0000	0.8793
Across-City Share of Renter Segregation	618	0.3501	0.1481	0.0000	0.8021
Across-City Share of Wealthy Segregation	618	0.2909	0.1737	0.0000	0.7650
Minority Mayor	618	0.2751	0.4469	0.0000	1.0000
Direct General Expenditure Per Capita	618	1.3443	0.9529	0.3131	9.9550
% Spent on Policing	618	0.1408	0.0511	0.0393	0.3244
Crime Rate	618	0.0917	0.0426	0.0000	0.4194
Population (logged)	618	12.0515	0.9916	9.8635	15.1231

Chapter 6***Table A6.1: Summary Statistics Racial Polarization Data***

Variable	Obs	Mean	Std. Dev.	Min	Max
Largest Racial Divide	91	0.481	0.213	0.016	0.934
H Index – multi-group	91	0.376	0.119	0.183	0.635
H Index – two-group	91	0.353	0.114	0.156	0.614
Diversity	91	0.623	0.088	0.323	0.736
% Asian	91	0.067	0.074	0.008	0.318
% Black	91	0.275	0.181	0.030	0.815
% Latino	91	0.229	0.155	0.009	0.605
Median HH Income	91	36725	10114	17268	75982
% Renters	91	0.535	0.092	0.368	0.718
% College Ed	91	0.167	0.056	0.049	0.359
Biracial contest	91	0.725	0.449	0	1
Nonpartisan Election	91	0.714	0.454	0	1
Primary Election	91	0.352	0.480	0	1
Population (logged)	91	14.166	0.826	13.065	15.921
White Ideology	86	3.835	0.648	2.667	5.250

Table A6.2: Cities included in Racial Polarization Data

City Name	Segregation		Largest Racial Divide, Number of Elections		
	Mean H Index Multi-Group	Mean H Index	Black/White	Latino/White	Black/Latino
		Two-Group			
Austin, TX	0.204	0.208	1		
Baltimore, MD	0.510	0.516	3	1	
Charlotte, NC	0.269	0.287	2		
Chicago, IL	0.572	0.460	7		1
Cleveland, OH	0.558	0.531	2		
Columbus, OH	0.316	0.284	3		1
Dallas, TX	0.359	0.339	4		1
Denver, CO	0.289	0.254	1	2	
Detroit, MI	0.398	0.255	1		1
Houston, TX	0.339	0.308	7		2
Indianapolis, IN	0.292	0.293			1
Jacksonville, FL	0.233	0.222	2		
Los Angeles, CA	0.351	0.366	3		5
Memphis, TN	0.470	0.474	2		
Milwaukee, WI	0.423	0.360	3		
New York, NY	0.468	0.474	5	3	1
Oklahoma, OK	0.231	0.165	1		
Philadelphia, PA	0.492	0.487	5		
Phoenix, AZ	0.255	0.270		1	
San Antonio, TX	0.237	0.225		4	
San Diego, CA	0.255	0.266	3		1
San Francisco, CA	0.223	0.161	3		1
San Jose, CA	0.186	0.198		2	1
Tucson, AZ	0.185	0.192	1		
Washington, DC	0.464	0.491	3		

Table A6.3: Summary Statistics Census of Government Finance and Population

Variable	Obs	Mean	SD	Min	Max
Direct General Expend per cap	16,831	1.332	1.304	0.022	78.010
Highways per cap	16,642	0.090	0.060	0.000	1.225
Parks per cap	16,673	0.209	0.109	0.000	1.746
Police per cap	15,809	0.069	0.073	0.000	2.564
Sewers per cap	13,832	0.106	0.089	0.000	1.762
Welfare, Health & Housing per cap	13,203	0.066	0.156	0.000	6.321
Own Source Revenue per cap	16,830	1.065	1.174	0.020	84.284
Two-Group H Index	16,831	0.074	0.094	0.000	0.767
Diversity	16,831	0.321	0.190	0.005	0.778
% Black	16,831	0.099	0.153	0.000	0.980
% Asian	16,831	0.034	0.057	0.000	0.674
% Latino	16,831	0.111	0.165	0.000	0.987
5 yr Δ % Black	14,284	0.007	0.019	-0.101	0.229
5 yr Δ % Latino	14,284	0.016	0.020	-0.171	0.207
5 yr Δ % Asian	14,284	0.005	0.011	-0.056	0.128
Median income	16,831	60112	24654	17320	266887
% Local Gov Employees	16,831	3.364	0.992	0.302	11.606
% Renters	16,831	0.358	0.140	0.009	0.911
% Over 65	16,831	0.127	0.051	0.007	0.798
% College degree	16,831	0.167	0.103	0.003	0.618
Population (logged)	16,831	10.107	1.030	6.071	15.921
City Ideology	2,524	4.028	0.788	1.000	7.000
Population	16,831	52940	205791	433	8214426

Table A6.4: First Stage Regression of Segregation on Waterways and Population

	Direct General Expenditure		
	β	SE	P> t
# Waterways	0.005	0.00	0.00
Population(logged)	0.028	0.00	0.00
Lagged DV	0.000	0.00	0.00
Diversity	0.085	0.00	0.00
% Black	0.137	0.00	0.00
% Asian	-0.209	0.01	0.00
% Latino	0.001	0.00	0.69
Median Income (1000s)	0.000	0.00	0.00
% Local Gov. Employees	-0.001	0.00	0.01
% Renters	0.011	0.00	0.00
% Over 65	0.255	0.01	0.00
% College Grad	-0.003	0.01	0.66
Constant	-0.271	0.00	0.00
N	25,669		

Note: First stage of two stage least squares regressions with fixed effects for regions and year (not shown); Instrumented: Two-group H Index of segregation; Excluded Instruments: # of Waterways, Population logged

Table A6.5: Summary Statistics Sewer Overflows, EPA

Variable	Obs	Mean	SD	Min	Max
Logged Overflows per capita	1,417	0.508	1.353	0.000	25.548
Racial Segregation	1,417	0.028	0.060	0.000	0.559
Population (logged)	1,417	8.414	1.701	3.091	15.122
% Renters	1,417	0.324	0.124	0.000	0.796
% Urban	1,417	0.609	0.467	0.000	1.000
% Black	1,417	0.086	0.164	0.000	0.978
% Asian	1,417	0.012	0.025	0.000	0.314
% Latino	1,417	0.053	0.092	0.000	0.884
Median Income (1000s)	1,417	37623	14287	13516	190805
Subventions Per Capita (1000s)	1,417	391.648	1397.263	0.000	50670.790

Chapter 7**Table A7.1 Summary Statistics: Democratic Vote Share, 2008, Harvard Elections Database Archive**

Variable	Obs	Mean	Std. Dev.	Min	Max
% Democratic Vote, 2008	44,958	0.623	0.200	0.054	1.000
Tract-Metro Difference in % White, 1970	44,958	0.019	0.216	-0.939	0.553
% White 2000	44,958	0.637	0.320	0.000	1.000
% Renters 2000	44,958	0.377	0.249	0.000	1.000
% Wealthy 2000	44,958	0.167	0.159	0.000	1.000
Density	44,958	0.003	0.005	0.000	0.089
Midwest	44,958	0.241	0.427	0.000	1.000
South	44,958	0.298	0.458	0.000	1.000
West	44,958	0.226	0.418	0.000	1.000
Proportional Tract-Metro Elevation Diff.	44,956	-0.195	0.556	-1.007	19.336
Waterfront Tract	44,958	0.203	0.402	0.000	1.000
Distance to City Center (logged)	44,958	9.692	1.010	3.643	12.228

Table A7.2 Summary Statistics: Modern Partisanship and Conservatism, General Social Survey

Variable	Obs	Mean	Std. Dev.	Min	Max
Partisan Identification	11,674	2.680	1.953	0.000	6.000
Political Ideology	9,376	4.039	1.419	1.000	7.000
Republican Pres. Vote	10,804	0.334	0.472	0.000	1.000
Tract-Metro Difference in % White, 1970	11,674	0.039	0.182	-0.863	0.342
White, non-Hispanic	11,674	0.689	0.463	0.000	1.000
Ago	11,674	46	17	18	89
Education	11,674	1.624	1.213	0.000	4.000
Female	11,674	0.555	0.497	0.000	1.000
Kids at home	11,674	0.617	1.049	0.000	8.000
Married	11,674	0.457	0.498	0.000	1.000
Income	11,674	51987	42442	407	178266
Mover	10,640	0.617	0.486	0.000	1.000
% White Tract	11,674	0.649	0.296	0.000	0.994
% Homeowners Tract	11,674	0.617	0.247	0.000	0.995

-----Original Message-----

From: Chuck Pniower <chuckcfp@comcast.net>

Sent: Tuesday, November 16, 2021 4:34 PM

To: Maya DeRosa <MDeRosa@cityofsthenana.org>

Subject: [External] Hunter subdivision

This is repose to the proposed development on the north side of Vingard Valley. I understand the the property owners have the right to develop their property. What I have concerns is the city will be able to maintain the existing utilities, fire, water sewer, pubic safety without effecting the existing residents and resources and raising costs. As things move on there is a need for housing. But for who is it for? We live in a agricultural area that are reliant on the work of what is becoming low cost labor. These people are being forced out the housing market. As I see St Helena as a liberal community, what are we to do? As I see it this is a opportunity. Do we need 51 single family homes with no open space to enjoy. This is a chance for the city to support the people that support us, from the vineyard workers, gardens, restaurant workers, house keepers. The city needs to find a balance that will support the developers and the people that give us the support and the need maintain the ambience of where we live.

Yours

Charles Pniower, 9 Del Campo Ct.

Sent from my iPad

From: Vivian Pirchner <vivianhpirchner@gmail.com>

Sent: Thursday, November 18, 2021 2:12 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter project

I must add my name to the protest over the proposed construction of more than fifty large houses behind Vineyard Valley. It seems obvious that we will be exacerbating water problems for drinking, ground water, and waste water. The problems that will be created by routing emergency exits through the middle of Vineyard Valley are staggering to contemplate. Please consider the environmental impact report and decide against this project. Sincerely, Vivian Pirchner

Angela M. Zivkovic, PhD
1180 Starr Avenue
St. Helena, CA. 94574

City of St. Helena Planning Division
1572 Railroad Avenue
St. Helena, California 94574
(707) 967-2783
mderosa@cityofsthelena.org

Dear Members of the City Planning Commission of St. Helena,

I am writing regarding the Hunter Project Draft Environmental Impact Report (EIR). I have carefully reviewed the report and am writing to express serious concerns about the findings of the report and, more importantly, all of the considerations that are **missing from the report**. In particular I am **extremely concerned** about the **lack of consideration of the environmental impacts with regard to climate change**. Instead of taking into account the changing landscape of future impacts on such issues as water, infrastructure, and natural disasters, **this draft EIR uses old data, outdated reports, and irrelevant projections** based on assumptions about the climate staying the same as it always was, of water availability staying predictable, of flood risks fitting outdated “100-year flood plain” approaches that are no longer being used by the Federal Emergency Management Agency (FEMA), and sewage capacity and other reports based on outdated materials such as reports from as long ago as 2008 and 2011.

Climate change is happening. We all know it and have lived it and seen it over the last several years. Each fire season is worse than the last, each winter is warmer than the last, each year the weather patterns become more unpredictable. The recent conclusion from the United Nations Glasgow Climate Change Conference (COP26) meeting is that even if all countries that pledged to fully implement changes needed to meet agreed upon greenhouse gas reduction goals are actually able to meet those goals, we are still on a trajectory to see increases in the earth’s temperature of at least 1.8 degrees Celsius (<https://www.washingtonpost.com/climate-environment/2021/11/09/cop26-un-emissions-gap/>). This means that the recently experienced natural disasters in our area including wildfires, flooding, mud slides, and droughts, are only going to be more frequent and exacerbated over the next 10-20 years and beyond.

What were once “100-year flood areas” will now effectively need to be renamed “it could flood any time” areas, highlighting the issue of the levy and the fact that **the Hunter project is in a high-risk flood zone**, which is inadequately addressed in the EIR. Furthermore, more frequent wildfires, as we have seen recently, will require more frequent evacuations, thus **public safety and transportation during emergencies and natural disasters** is another area that was not adequately addressed by the EIR. Finally, we are currently and in all likelihood will continue to experience droughts of unknown severity and duration and **we barely have enough water for the current citizens of St. Helena**, and this threat to our future water supply is inadequately

addressed in the EIR. I have addressed each of these issues, as well as several additional issues in my comments below.

- 1) **The Hunter Project is in a flood zone behind a levy that is NOT supported by federal funds, and when the levy fails and the homes within the project are flooded the residents of the city of St. Helena will be fully responsible for paying for repair of the levy and all the damage to the homes.**

For the first time in 50 years the Federal Emergency Management Agency (FEMA) is changing its flood insurance program to better reflect the real risks associated with flooding in certain high-risk zones, and that take into account climate change. **The entire idea of “100-year flood” zones is now outdated and no longer being used** because it uses outdated projections about yearly percentage risk of flooding based on irrelevant, old information about weather patterns over the last 100 years. The new Risk Rating 2.0 is instead tailored to each individual property, and is designed to “adapt and re-adjust rates based on a changing, unpredictable climate,” clearly highlighting the fact that **the risk of catastrophic floods and failing levies in certain high-risk areas is so volatile as to be unpredictable** (<https://www.houstonpublicmedia.org/articles/news/energy-environment/2021/06/24/401402/femas-changing-its-flood-insurance-program-heres-how-it-will-impact-texans/>). The new approach also takes into account more causes and types of flooding, including storm surge, river overflow and heavy rainfall, because **climate change is increasingly and unpredictably leading to flooding due to heavier rain falls, sea-level rise, and stronger wind and storm weather patterns**. The new risk rating policy is in effect starting October 1, 2021 for any new projects (<https://www.fema.gov/flood-insurance/risk-rating>). This is **brand new information that is not in any way reflected in the EIR** and in fact, all of the material in the EIR with regard to the fact that this project is in a high-risk flood zone, behind a levy that is city-managed and maintained rather than being maintained by the Army Corps of Engineers, is completely ignored by the EIR.

According to the official FEMA map of the city of St. Helena, the Hunter Subdivision project is clearly within a flood zone (<https://map1.msc.fema.gov/firm?id=06055C0264E>). Although the city paid for consultants to try to mitigate this risk by providing independent evaluations that take into account the mitigation of the flood risk due to the existence of the levy, as I pointed out above, this all goes out the window **with the current increased risks we are facing due to climate change**. How does the city plan to provide and pay for the rescue of hundreds of additional citizens in this high-risk area, repair the failed levy and all the damaged homes WHEN (not if) there is a catastrophic flooding event, possibly as early as within the next 5-10 years? The unfortunate truth is that this parcel of land is in a flood zone. The entire parcel was purchased for a laughably low amount that currently cannot get you an average 2-bedroom, 1-bathroom home in this town. **This parcel was sold cheap, because it should never be built on. A levy was constructed against the recommendation of the Federal government, which walked away from the project because it is not a good idea to build homes in a flood zone, and the city of St. Helena and its residents are entirely financially responsible for the maintenance, repair, and when needed, re-building of the levy when it fails.** Where is the accounting on the financial implications of such an undertaking and the environmental impact of such a financial burden on the city and its citizens? Not to mention the financial toll on the

people who will have bought these houses falsely deluded into thinking that they were “safe” behind the levy? The simple truth is that levies fail. Even a brand new, world-class levy built by the Army Corps of Engineers to protect the city of New Orleans failed a *second time*, after it was professionally rebuilt.

It was only last month, as we all remember so vividly, that we experienced an “atmospheric river.” Anyone who lives near the Napa River here and walked out to take a look over the bridge saw for themselves that the water rose well beyond the riverbed, and in some places flooded over the river banks. And this was, even in comparison to the atmospheric storm that we experienced last year, actually a fairly modest event. What will the next one look like? We simply do not know. But one thing is for sure: there will be a catastrophic weather event, and the levy will fail. The only question is when. The likely NEW answer, given the accelerating rate of climate change, is that it will be in significantly less than 100 years.

2) Climate change is drastically and unpredictably altering weather patterns, and the incidence of wildfires and all of their consequences, both acute and long-term, is increasing to unprecedented rates that are surpassing all predictions based on historical data.

According to the National Interagency Fire Center the state of California faced over 8,000 fires that burned over 500,000 acres of land in 2002 (https://www.predictiveservices.nifc.gov/intelligence/2002_statsumm/fires_acres.pdf). In 2020 those numbers jumped to nearly 10,000 fires that burned over 4 million acres of land (https://www.predictiveservices.nifc.gov/intelligence/2020_statsumm/fires_acres20.pdf)! The state of California is facing unprecedented increases in wildfire incidences just in the last 20 years, at a time when the earth’s temperature has increased by less than 1 degree Celsius (<https://www.climate.gov/news-features/understanding-climate/climate-change-global-temperature>), while the **best-case scenario projections for temperature change, as pointed out above, are on the order of 1.8 degrees Celsius over the next 20 years, strongly suggesting that the incidence of wildfires is only going to increase.** The current EIR does not account for these increases in risk due to wildfire. This is a problem in two specific ways: 1) more fires means more evacuations and more people that need to be able to leave in a short amount of time in a limited geographic area with limited evacuation routes, and 2) more fires also means more mud slides due to deforestation and loss of vegetation, which makes our beautiful hills more susceptible to slides when heavy rains hit.

The recent wildfires in Napa Valley and Sonoma Valley are a sobering reminder of what happens when wild, unpredictable winds coincide with extreme dry conditions and ignition sources. Sometimes those ignition sources are dry lightning, other times sparking generators, other times, devastatingly, even arson. Regardless of the ignition source, which in and of itself is growing in incidence (dry lightning storms in the Napa Valley in August?), the cold, hard truth is that **due to climate change the “wildfire season” in California is increasing. More and more days out of more and more months of the year, from as early as April to as late as December, there are days when the combined conditions of extremely low humidity and high winds make this area ripe for fires to start** (<https://www.latimes.com/projects/wine-country-fires-california-sonoma-napa/>). The fact is that there are only two ways out of town. Highway 29 and Silverado Trail. These are both narrow, 2-lane highways that can only move so many cars out

per minute, and that is if all goes well and there are no accidents from people panicking and driving recklessly.

I remember very vividly driving in the middle of the night and listening to the radio with the announcer imploring people to please drive carefully so that our only arteries out of danger are not blocked by overturned vehicles, effectively trapping everyone trying to evacuate to safety. We have no right to endanger the people who already live in this town by building a large development that would add as much as 10% to our overall population in the city, with **an even higher impact on the residents on the East side of town, where the population density is already higher and the population is already more vulnerable, with multiple apartment complexes and low-income housing areas housing our town's low income residents and seniors**, including Hunt's Grove apartments, Stonebridge apartments, the Silverado Orchards Retirement apartments, and the Vineyard Valley Mobile Home Park 55+ community.

This is not the part of town where half of the homes are second homes that sit unoccupied most of the year. **The East side of St. Helena where the Hunter parcel is located is the part of town where there are more people per square mile that need to be able to evacuate in an emergency.** The draft EIR already concedes that the one environmental impact that cannot simply "be mitigated" as has so conveniently been down with all of the other potential impacts, **is the unavoidable impact on traffic.** Phrasing it as a simple "traffic problem" makes it seem like just a minor nuisance. This is not about us having to wait a few extra minutes to make a left turn onto Pope Street when we are trying to get to work on a Monday morning. **This could mean the difference between a family being able to evacuate to safety in time, or not being able to do so** because they are stuck in traffic with 500 more people than should be living here all trying to leave their homes at the same time. And make no mistake this is also an equity issue: the very people who are the most likely to have to wait until the last minute to evacuate and thus be in danger when traffic is backed up and they cannot evacuate from fire, are those who do not have the funds to evacuate earlier than "necessary" because they cannot afford to simply pay for a hotel for days on end.

It is also critical to consider that the only way out, on one of only two roads out of town via the Silverado Trail for residents of the East side of town, is **the Pope Street bridge. A historic, narrow, completely inadequate bridge** that if even one car failed, crashed or overturned while trying to drive across, would completely cut off this evacuation route, and **redirect all traffic from the East side of town onto Highway 29.** It is difficult to envision how such an accident could even be remedied in a situation such as this, given that the bridge is barely wide enough for two vehicles to drive across, with no shoulder at all for emergency vehicles to be able to approach. **It is easy to see how very quickly this very real danger of too many vehicles on the road all trying to go the same way out in a nightmare, yet very real, and recently experienced emergency wildfire evacuation scenario, becomes not just an East side problem, but also a problem for those trying to evacuate from the West side of town.**

Just as the recent "atmospheric river" weather event increased our awareness of the high risk of flooding on the Hunter parcel, perhaps even more convincingly it reminded us of the extreme vulnerability of recent burn areas to heavy rainfall, the resulting mud slides, and the further impacts on our roads. I am sure that I do not need to remind anyone of the nightmare traffic that we experienced for nearly 3 weeks following the October 22 weather event that caused a mud slide that resulted in the closing of Silverado Trail

(<https://patch.com/california/napavalley/storm-takes-out-part-silverado-trail>). Traffic on Highway 29, from vehicles being redirected from Silverado Trail north and south of town, was atrocious. Many residents who either needed to drive north or south out of town were dealing with traffic delays of up to 2 hours. On a normal day this is very frustrating and disruptive to work and school schedules. In an emergency situation where fast-moving wildfires necessitate immediate evacuations, a situation such as this is a devastating problem for a town that has only two roads out of town.

3) The severe drought and water shortages we are currently experiencing in the city of St. Helena are a harbinger of even worse times to come. We simply cannot support a large development which will drastically increase water demands on an already strained and inadequate system that can barely supply enough water to our current residents.

Unfortunately, our water shortage problems here in St. Helena are happening all over the state. **Wells are running dry** (<https://calmatters.org/environment/2021/08/california-groundwater-dry/>). Despite changes to California ground water laws in 2014 to enact sustainable practices that protect ground water, seven years later wells around the state continue to run dry. Current climate change projections, as outlined already above, are dire, and suggest that drought severity, intensity, and duration will only worsen over the coming decades. We simply cannot rely on old projections about water availability because we are in uncharted territory. Our ground water sources are not being normally replenished. The normal water cycles are not operating the way they used to. And it is not just wells that are running dry.

Snowpack in the Sierras normally “supplies about 30% of water statewide when the spring melt comes and water runs off to be captured in the state’s system of reservoirs” (<https://www.sfgate.com/bayarea/article/Sierra-snowpack-satellite-image-atmospheric-river-16568005.php>). But last year’s snowpack was only 59% of average, and even more disturbing and unexpected was the fact that 80% of the already lower than normal, predicted water runoff was simply soaked up or evaporated because the soils were so hot and dry, severely impacting water levels in reservoirs across the state. Even after the “atmospheric weather” event in October which brought heavy rains and a rise of over 20 feet to Lake Oroville, for example, according to the Department of Water Resources, this reservoir is at only 27% capacity. So it is **not just our ground water and wells that are drying up, our Sierra snowpack, and thus reservoirs and rivers are also drying up.** As mentioned earlier, climate change means that we are experiencing more and more warmer and warmer days, and this means that **even if we do get big storms the snowpack does not stick around, and even when we do get runoff from the snowpack, the earth is so parched that the water simply disappears on its way to our reservoirs.**

Our own reservoirs and water sources are not doing so well. This summer, as I am sure we are all quite vividly aware of given the astronomical water bills, we entered severe drought restrictions (Phase II Water Regulations), with water use limited per household, and very unpopular and extreme fines being put in place in an attempt to mitigate the very real risk that we could run out of water before the reservoir was replenished by winter storms. We were lucky this time, we did happen to get the big storm in October that saved us from imminent disaster, but next time we may not be so lucky. What is our city’s plan for dealing with these new, unexpected, unpredicted risks of severe and sustained drought conditions due to climate

change? How do we plan to supply water to even the current residents, much less to 500 more residents if the Hunter parcel were to be developed? The current draft EIR does not adequately address these issues. Laughably simplistic solutions like the use of “low flow toilets” as a mitigation solution for our real water shortage issues that are only going to worsen over time, are so inadequate as to be insulting. **We cannot rely on water supplies staying what they were even in the recent past, or being predictable based on what we used to know about how much water we might expect any given year based on old weather patterns.** In fact, it is quite clear that this year’s severe drought and water shortages are likely to occur with much greater frequency in the coming years and decades, as our ground water supplies, snowpack, river flows, and reservoir levels continue to be severely impacted by climate change. The draft EIR does not address these very real water issues in any real way.

There are several additional environmental impacts that are inadequately addressed by this draft EIR:

- 1) The **aesthetics** of the entire East end of the town are inextricably linked with the vineyards, wetlands, and public outdoor space in the designated project area. Every day dozens of St. Helena residents, from both the East and West side of town, access the areas in and around this site for recreation, as do visitors and tourists to the area. If the Hunter parcel were to be developed it would irreversibly damage the aesthetics of this town as a small, agricultural town with historic significance. No longer would one be able to walk on the walkway through the area and have a view of the hills on either side of the valley, and of the natural habitat restoration area. The housing development would also permanently alter the aesthetics of the East Side of town, by drastically increasing traffic and congestion in this area.
- 2) As a direct result of the building work itself and the subsequent increase in traffic and congestion to and from the development by hundreds of new residents, there would also be significant impacts on the **air quality** of the East side of town, which would additionally impact the West side of town, and to all of the current residents as well as wildlife that live in the protected wildlife habitat zone directly adjacent to the development. The impacts on air quality from hundreds of additional vehicles driving to and from these residences, and from the extension of Starr Avenue and Adams Street, with the additional “cutting over” of vehicles from Main Street and Silverado Trail, would have a significant cumulative and negative impact on air quality. This would be especially true during the summer, when air quality is already severely impacted.
- 3) It is difficult to fathom how the Hunter development project could possibly fit in with the goals and aspirations of our community for **public services and recreation** as well as **public utilities**. As it is, our community is barely able to meet the needs of current residents with regard to basic public services, recreation and utilities. Everything from schools and recreational programs to water, sewer, and garbage collection would be severely impacted by a construction project that would increase the population of St. Helena by 10% practically overnight. It is difficult to understand how our schools could possibly continue to provide quality teaching to a student body that could grow by 10% from one year to the next. Where would the funds for the additional space and teachers come from to support such rapid growth? Our current water and sewage treatment

facilities are severely in need of repair and maintenance, and are barely able to supply the basic needs of current residents. A substantial amount of infrastructure development would be required to accommodate any growth, much less a 10% increase all at once as would occur with a single development project of this scale and size, relative to the small size of our town. There is zero evaluation of how adding over 500 residents could possibly be accommodated by the current building plan. The plan naively states that the sewage would simply be diverted to existing sewer lines on Starr Avenue and Vineyard Valley. It is very disturbing to note that there is already something amiss with the sewage on Starr Avenue, where in the fall especially there is often a bad sewage smell on the corner of Starr Avenue and Hunt Avenue, clearly indicating an issue with capacity. The idea that we would simply add the sewage from over 500 additional residents to this already overwhelmed system is unsupportable.

- 4) Finally, it is important to note that **the Hunter parcel is very likely to be an important wildlife habitat area**. There are hundreds of waterfowl, including geese and ducks, that nest or stop off on that parcel every winter on their migratory route, a fact that is easily noted by anyone who regularly uses the walking path adjacent to the Hunter parcel for recreation in the winter time. According to the California Farm Bureau Federation as many as 60% of waterfowl in the Pacific Flyway, the main migratory route for water fowl on the West Coast, use California wetlands and grasslands for habitat in the winter months (<https://www.cfbf.com/wp-content/uploads/2019/06/CommitmenttoConservation.pdf>). **The draft EIR does not in any way address the impact of the proposed development project on the waterfowl that currently use this land in the winter months on their migratory route.**

I request that the city planning commission address the concerns expressed above about the inadequacy of the draft EIR for the Hunter parcel.

Sincerely,



Angela M. Zivkovic

November15, 2021

To: MAYA DEROSA, AICP

City of St. Helena Planning and Community Development Department

My comments focus on the section of the EIR defined as HYDROLOGY AND WATER QUALITY, Section 3.9. and my focus is on the potential effects of the proposed Hunter Subdivision on the Vineyard Mobile Home Park, a community of over 55 age group. We strongly believe that mitigation is necessary in several areas. The EIR for the proposed Hunter subdivision states that no mitigation is necessary. The following areas need mitigation or further research.

1. Section 3.9.1 looks at Regional Climate. This section studies only up to 2016. We have had 2-4 years of drought since 2016 and this needs to be factored into the decision-making process. Climate change could cause a continuation of drought.
2. There are several references to Engineering studies done to design, finance and construct the St. Helena Comprehensive Flood Control and River Restoration Project. The owners of the Hunter property need to do their own Engineering studies and the City needs to more clearly direct the public how to find these studies if in fact there are some current studies available.
3. Page 3.9.8 of the EIR states "The Proposed Project does not include any element that exacerbates existing flood hazards for off-site properties or the general public (i.e.) through flood plain encroachment that blocks or redirects flood decision-making flows or by placing habitable structures within areas with reasonable risk of flooding).
4. Where is the proof of this assertion? The engineering studies if available should be reasonably easy to obtain and read.
5. The Hunter property is at a higher elevation than Vineyard Valley. When there are rainstorms, excessive drainage would flow toward Vineyard Valley Mobile Home Park. We are all aware that the sewer systems in the City of St. Helena as well as VV Mobile Home Park are inadequate. The Proposed Hunter Development must design additional sewer systems and not use already inadequate drainage. The new sewer system must include blue or purple pipe to direct water to the Water Treatment Plant where it will be treated to use as non-potable water for landscape and other non-potable uses.
6. One of their intentions is to direct overflow to the Flood Project Detention Basin. The Detention Basin was designed to retain overflow and direct overflow through a water cleaning process and back into the Nap River. This was designed when the property consisted of 16.9 acres of permeable soil. The Proposed Project once again is using studies done while designing the Flood Project. They determined that the Proposed Hunter Project would consist of up to 70% of the impervious surface area. The Proposed Hunter Project is *estimated* to be developed at *approximately* 58% of impervious surface. Words like estimated and assumed are not scientific. That language is repeated throughout this EIR.
7. Page 3.9.45 states that the entire project was paid for by Measure A sales tax and other government bonds and loans. I think the Proposed Project should design and build their own Detention Basin. Why should they be able to take advantage of money coming from a sales tax and intended to protect housing already constructed. This as well as River Restoration was the purpose of the Measure A Ordinance. On page 1 of the Measure A Ordinance under Section 2 Findings, Letter G states "None of the projects in the Plan are intended or designed to

encourage population growth in Napa County.” This is repeated on pages 7 and 8. This reference to “The Plan,” refers to the plan put forth in the Measure A Ordinance.

8. In summary this Proposed Project would endanger Vineyard Valley because of their inadequate plan for directing runoff.
9. They intend to use the Detention Basin designed for very different circumstances, tagging on to the 33 million dollar Flood Project. This could endanger residents of Vineyard Valley Mobile Home Park.
10. The dust and dirt will affect the quality of life for as many years as it takes to build. I am guessing two to three years.
11. It is in direct conflict with the Measure A Ordinance. This alone should stop the Proposed Project.
12. The added traffic will make Vineyard Valley residents as well as our neighbors suffer the difficulties created by this added traffic. This is not only an inconvenience but also creates a safety hazard. Emergency evacuations would be impossible.
13. As I read the EIR a few times it became evident that a wealthy Developer has proposed building a project using Engineering and Geomorphic data from the St. Helena Comprehensive Flood Control and River Restoration Project. They want to use the Detention Basin designed when the 16.9 acres was permeable surfaces. Words like estimate and assumed do not show adequate studies to go forward with the project.

Priscilla (Pa) Dell St. Helena

Maria Villegas
1166 Meadowcreek Circle
St. Helena, Ca 94574

Maya DeRosa
Planning and Building Director
City of St. Helena, Planning & Community Improvement
Department
1572 Railroad Ave. St. Helena, Ca 94574

Dear Maya,

The following are my questions on the draft EIR for the Hunter Project.

Thank you,
Maria

3.3 Air Quality
City of St. Helena 1993 General Plan
Policy 8.2.6: Minimizing local adverse air quality impacts related to construction by requiring dust abatement procedures for local projects.

Toxic Air Contaminants

“Sensitive receptors are groups of individuals, including children, older adults, the acutely ill, and the chronically ill, that may be more susceptible to health risks due to chemical exposure.

Sensitive-receptor population groups are likely to be located at hospitals, medical clinics, schools, playgrounds, childcare centers, residences, and retirement homes. As previously discussed, the nearest sensitive receptors are single-family residences located approximately 20 feet east of the Project site.

Question:

With medical advancements, there are more and more individuals receiving medical care at home. This would include chemotherapy, dialysis and respiratory care. Please address mitigation for the above individuals (sensitive-receptors) including pediatric data and detailed dust control for the project.

3.6 Geology and Soils

Soil Settlement and/or Collapse

“...As discussed above, the subsurface investigation of the site found that there is an approximately 3-foot-thick layer of clayey silts under recently placed and compacted fill that may be prone to soil settlement or differential settlement. Based on the findings of the geotechnical investigation, the settlement risk at the Project site presents a potentially significant hazard (Appendix F)”

Question:

The settlement risk at the Project site presents a potentially significant hazard, why is the developer inclined to build in a hazardous zone?

Seismic Hazards

“The Project site is mapped as having a moderate liquefaction susceptibility, based on the Quaternary geologic units described above (USGS 2006). ...According to the well completion report for the onsite well, the static water level was recorded as being 11 feet below in 1992 (DWR 1992). Given these factors, there is a potentially significant risk for liquefaction at the Project site.”

State Regulations

The statewide minimum public safety standard for mitigation of earthquake hazards (as established through the California Building Code (CBC), AP Act, and the Seismic Hazards Mapping Act) is that the minimum level of mitigation for a project should Reduce the risk of ground failure during an earthquake to a level that does not cause the collapse of buildings for human occupancy...”

Question:

With the significant risk for liquefaction as described in the draft EIR will the ground be able to withstand a 6.0 magnitude earthquake? The recommended mitigation seems insufficient. Please clarify.

Question:

According to State regulations, a minimum level of mitigation should reduce the risk of ground failure during an earthquake to buildings for human occupancy.

Please address how the multiple soil hazards reported will be mitigated, given “no seismic hazard zones have yet to be delineated for the City including the Project site.”

Significant and Unavoidable Impacts

“The proposed Project would result in the following significant and unavoidable transportation impacts. **There is no feasible mitigation available to reduce the impacts to less than significant.**”

- The proposed Project would generate an increase in project-specific vehicle miles traveled (VTM) that would exceed the Office of Planning and Research’s (OPRs) threshold of 15% below that of existing development .

- Under cumulative conditions the Proposed Project would generate an increase in VMT that would exceed the threshold.

Question:

The applicant recognizes “there is no feasible mitigation available to reduce these impacts to less than significant.”

Please make clarify why the current draft EIR is accepted as complete.

From: Suzanne Day James <sdayjames@earthlink.net>
Sent: Sunday, November 21, 2021 7:11 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Objections to Hunter Project

November 22, 2021

Dear Ms. Derosa,

I am writing to express my serious concern related to the proposed 87-Unit Hunter project between Vineyard Valley and the levee which poses numerous significant problems.

Others have spoken and written on the impact traffic issues will have on our small city's limited roadways. Main Street is already congested and a bottleneck during a major portion of the day. How will it handle the additional cars and trucks from 87 new units? It makes me shudder to think about the congestion, to say nothing of the additional pollution, noise, and safety issues for pedestrians.

The same is true for substantial water issues. We are currently under a Phase 2 water shortage emergency program which limits non landscaping use to 65 gallons per resident daily. The Draft EIR dramatically underestimates water usage of the 87 new units. Further, the proposal is to use the Vineyard Valley sewer system which is already compromised and inadequate, would likely result in even more backups of rainwater and waste products than has already occurred from a city manhole located on Paseo during heavy rains. Vineyard Valley has more than enough responsibility providing water and sewer for its own residents. Adding 87 more units is untenable and dangerous.

However, my main concern is the lack of any emergency evacuation plan for our approximately 350 residents, a major omission for a retirement community such as ours. A couple of years ago I did a survey of our Park on safety issues, and discovered more than twenty percent of residents used assistive devices for mobility, e.g., walkers, electric carts, wheelchairs, crutches, canes. These people would need extra assistance in case of an emergency evacuation as well as two safe and dependable exits, one on each end of the Park. Will there be access to the levee as there is now that we can use to get to town? Are there evacuation plans for the proposed project that will not interfere with Vineyard Valley resident's exodus? There is no way of knowing as this critical issue is not addressed in the EIR.

Finally, I am horrified at the idea of six years to complete this project! Six years of construction noise, diesel trucks, dust, pollution, traffic congestion, etc., in the center of town will significantly reduce our quality of life and likely reduce property values.

Little financial gain to the city as the expenses for providing infrastructure and first responders will likely equal or exceed any income. Major issues with transportation, water and sewer. Omission of emergency evacuation considerations and plans.

I fail to see any positive value in the proposed project for our city and its quality of life. Therefore, I strongly urge the Planning Commission and Council, if it gets that far, to say NO and refuse to support any further consideration of the Hunter Project.

Sincerely,

Suzanne James

Resident of Vineyard Valley

From: Grace Kistner <gdkistner@comcast.net>
Sent: Tuesday, November 23, 2021 3:02 PM
To: Maya DeRosa <MDeRosa@cityofsthenana.org>
Subject: [External] Proposed Hunter Project EIR Comments

Hi Maya,

My comments regarding the Proposed Hunter Development begin with Napa Counties Measure A Ordinance that was passed with over two thirds of Napa County Voters in March 1998.

I am attaching a copy of the Measure A Ordinance in its entirety. However the part of this Ordinance that is pertinent to the proposed Hunter Development is in: Section 2 Findings, Paragraph G which states:

"None of the projects in the Plan are intended or designed to encourage population growth in Napa County. All of the projects are for flood protection, preserving ground water integrity, reducing sediment in the Napa River system, and for maintaining the reliability of the water supply for existing Napa County population of the date of this Ordinance."

The proposed Hunter has 51 Single Family Homes, 11 ADUs and 25 Multi-Family units which when sold or rented would increase the population significantly in St. Helena a City of about 6000 residents.

Flood protection to the existing residents would be greatly decreased and possibly put existing St. Helena residents in jeopardy due to the increase in concrete and asphalt required to build roads and driveways that would be necessary for the proposed project. This increase in hard surfaces in case of heavy rains would cause water to run off to the lower areas south of the project. In addition these hard surfaces would produce more sediment flowing to the Napa River.

Additionally the use of the well water for landscaping would not be helpful in preserving ground water integrity. Also the use of City water for this project would not maintain the reliability of the water supply for existing residents.

Measure A in itself should be grounds for denying the Proposed Hunter Project.

Grace D. Kistner25
San Juan Court
St. Helena, Ca

ORDINANCE NO. 1 (NCFPWIA)

AN ORDINANCE OF THE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY, IMPOSING A 1/2% NAPA COUNTY FLOOD PROTECTION TRANSACTIONS (SALES) AND USE TAX PURSUANT TO THE PROVISIONS OF REVENUE AND TAXATION CODE SECTION 7285.5, ESTABLISHING A NAPA FLOOD PROTECTION AND WATERSHED IMPROVEMENT EXPENDITURE PLAN, ESTABLISHING A FINANCIAL OVERSIGHT COMMITTEE AND TECHNICAL ADVISORY PANEL, REQUIRING ANY FUNDS GENERATED AS A RESULT OF THE IMPOSITION OF THE NAPA COUNTY FLOOD PROTECTION TRANSACTIONS (SALES) AND USE TAX TO BE SPENT ON THE PROJECTS IDENTIFIED IN THE EXPENDITURE PLAN, AUTHORIZING THE ISSUANCE OF BONDS OR OTHER OBLIGATIONS TO FINANCE THE PROJECTS IDENTIFIED IN THE EXPENDITURE PLAN PAYABLE FROM THE REVENUES GENERATED BY THE TRANSACTIONS (SALES) AND USE TAX AND ESTABLISHING AN APPROPRIATIONS LIMIT.

The Napa County Flood Protection and Watershed Improvement Authority (hereafter "Authority") does ordain as follows:

SECTION 1. Title

This Ordinance shall be known as the "Napa County Flood Protection Sales Tax Ordinance" (the "Ordinance") which establishes and implements a transactions and use tax (hereafter "Flood Protection Sales Tax") and establishes a Napa County Flood Protection and Watershed Improvement Expenditure Plan (hereafter "Plan") describing the specific projects for which the revenues received as a result of the imposition of the tax may be expended, all pursuant to Revenue and Taxation Code Section 7285.5. The transactions and use tax provisions of this Ordinance shall be applicable in the incorporated and unincorporated territory of the County of Napa. The County of Napa shall hereinafter be referred to as "District".

SECTION 2. Findings

The Authority finds that:

A. Since 1862, more than 27 major floods have plagued the Napa Valley, resulting in a significant loss of life and damage to property. Among the most damaging was the flood of 1986 which caused more than \$140 million in damage and led to the evacuation of 7,000 residents. The 1995 flood damaged an estimated 227 businesses and residences at a cost of over \$100 million.

B. In addition to these major and extremely serious floods, damage from the more common annual flooding—like the recent floods of January 1997—cost an annual average of \$6 million in repairs and cleanup.

C. A Plan has been developed and is designed to protect the residents and businesses of Napa County from all floods up to and including a 100-year storm event.

D. The Plan is an integrated approach which applies to all the Napa County watersheds.

E. The Plan was developed by a unique and broad-based coalition of Napa County residents, including local community water experts, engineers, architects, environmentalists, business owners, government officials and other leaders.

F. The Plan relies on natural processes to protect Napa County residents and their properties, takes into account the Napa River's overall watershed, and envisions wetlands, open space, bypass channels, set-back levees, river widening by establishing flood plain terracing, elevation and relocation of homes and bridge replacements as its main weapons against flooding.

G. None of the projects in the Plan are intended or designed to encourage population growth in Napa County. All of the projects are for flood protection, preserving ground water integrity, reducing sediment in the Napa River system, and for maintaining the reliability of the water supply for the existing Napa County population as of the effective date of this Ordinance.

H. The majority of the Plan will be paid for by federal money as well as state and existing local resources.

I. The ultimate goal of the Plan is to provide flood protection, save lives, protect property, restore the Napa River, Napa Creek, and other tributaries, maintain Napa County's economic vitality, and enhance riparian environments.

J. The allocation of the Flood Protection Sales Tax revenues that will be generated as a result of the passage of this 1/2% transactions and use tax by the Authority and the subsequent approval by the People with a 2/3rds vote, shall be based on the amount of Flood Protection Sales Tax revenue generated by the various geographic areas within the County, subject to Section 20 of this Ordinance.

SECTION 3. Purpose and Intent

The Authority declares that, in passing this Ordinance, it is its intent to fund a Plan which will:

A. Minimize the County's vulnerability to major floods that have plagued Napa County, resulting in a significant loss of life and substantial damage to property;

B. Manage flood waters throughout Napa County, thereby providing benefits to Napa, Calistoga, St. Helena, Yountville, American Canyon, Angwin/Deer Park, and the unincorporated County areas;

C. Provide flood protection from all floods up to and including the 100-year storm event while avoiding environmentally damaging channelization and excessive dredging, and utilizing environmentally beneficial methods such as wetlands and open space, as well as bypass channels, set-back levees and floodwalls, river widening by establishing flood plain terracing, elevation and/or relocation of homes, floodproofing of businesses, and bridge replacements;

D. Minimize flood damage, save lives, protect property, safeguard the environment, maintain the economic viability of Napa County and avoid to the greatest extent possible the need for flood insurance;

E. Provide for water reliability and wastewater treatment, using accepted watershed management practices, to maintain water quality in the Napa River;

F. Ensure ongoing community input in the finalization of all projects necessary for flood protection and water supply reliability for the existing Napa County population as of the effective date of this Ordinance.; and

G. Ensure ongoing involvement of all municipalities of Napa County in the implementation of the Plan by execution of a Joint Powers Agreement (JPA) between the Authority, Napa County, the Flood Control and Water Conservation District, and the incorporated Cities and Towns of Napa County. This agreement shall contain specific allocations and methods of distribution of the Flood Protection Sales Tax revenues based on the tax revenues generated by each of the incorporated and unincorporated areas in Napa County subject to section 20 of this Ordinance.

SECTION 4. Use of Flood Protection Sales Tax Revenues

A. The revenues generated by the Flood Protection Sales Tax shall be used to fund the projects included in the Plan. The revenues shall also be utilized to fund reasonable costs incurred in the administration of the Napa County Financial Oversight Committee and the Technical Advisory Panel which are established by this Ordinance.

B. The Napa County Auditor-Controller shall deposit all revenues received from the Flood Protection Sales Tax and all earnings thereon into the general fund of the Authority and the proceeds shall be used only for the projects identified in Sections 7 and 8 of this Ordinance, the administration costs identified in subparagraph (A) of this section, and the payment of bonds or other obligations issued to finance such projects and related financing costs.

SECTION 5. Equitable Distribution of the Flood Protection Sales Tax Revenues to County-Wide Projects

The distribution of the Flood Protection Sales Tax revenues to fund the projects described in this Ordinance, over the life of the tax, shall occur in a manner which is proportional to the Flood Protection Sales Tax revenues generated by each of the incorporated and unincorporated areas in Napa County. The portion of the distributions representing the share of the revenues allocated to the unincorporated area may be used to assist in paying for the flood protection projects involving incorporated areas that are described in this Ordinance.

Specific allocations and methods of distribution based on the amount of Flood Protection Sales Tax revenues generated by each of the incorporated and unincorporated areas in Napa County shall be specified in a Joint Powers Agreement which shall be developed following the enactment of the Flood Protection Sales Tax.

SECTION 6. Napa County Flood Protection and Watershed Improvement Expenditure Plan

The Plan involves the following two interrelated components which are described in greater detail in Sections 7 and 8 of this Ordinance:

A. The Napa River and Napa Creek Project for the City of Napa which will provide the City of Napa with flood protection from all floods up to and including a 100 year storm event; and

B. Countywide flood protection and watershed improvement projects for the communities of Calistoga, Yountville, St. Helena, Angwin/Deer Park, American Canyon, and the unincorporated areas

of Napa County.

SECTION 7. Approved Projects: City of Napa: Napa River and Napa Creek Flood Protection Project

The following component of the Plan involves the City of Napa:

The Napa River and Napa Creek Project as detailed and designed by the Community Coalition for Napa Flood Management and the Army Corps of Engineers. This project, approximately 50% of which is expected to be paid for by the Army Corps of Engineers, is designed to protect the City of Napa against all floods up to and including a 100-year storm event such as the floods of February, 1986 and January 1997. This environmentally restorative project includes the following components:

- A. A dry bypass channel with a weir will be constructed to divert flood waters around the Oxbow (the extreme bend in the Napa River near First Street);
- B. A tidal and floodplain terrace will be created;
- C. Wetlands will be created on the east and west banks of the Napa River;
- D. Toxics throughout the project area, including the Oil Company Road area, will be cleaned up and excavated to improve flood water conveyance and improve the water quality of the Napa River;
- E. New bridges will be constructed so they do not act as obstructions during flooding;
- F. Maintenance roads/recreation trails will be extended from Kennedy Park through downtown Napa to Trancas Street;
- G. Set-back levees and floodwalls will be constructed;
- H. Properties will be purchased and/or relocated if necessary to implement the Plan; and
- I. Capital improvement maintenance of the project.

SECTION 8. Approved Projects: County-Wide Flood Protection and Watershed Improvement Projects Not Involving the City of Napa

The component of the Plan that involves the rest of the County must include the following projects which are designed to protect against flooding, improve water quality, preserve the integrity of ground water resources and/or stabilize water supply reliability for the existing Napa County population as of the effective date of this Ordinance. None of these projects are intended or designed to expand water capacity for growth and new development.

All of these projects shall be planned in accordance with the "Living River Guidelines" contained in the Community Coalition's Flood Management Plan and the Napa River Watershed Owners Manual of the Napa County Resource Conservation District.

The Technical Advisory Panel, which is established by Section 9(B) of this Ordinance, will be available to assist each municipality in project planning, upon request by the municipality or jurisdiction.

- A. Community of Angwin/Deer Park
 - 1. Stabilization and enhancement of existing water reservoirs which shall be for the purpose of flood protection and water reliability; and

2. Stabilize water quality.
- B. City of American Canyon
 1. Implement the adopted Flood Control and Storm Drain Master Plan to protect existing development; and
 2. Restore wetlands by replacing the existing wastewater treatment facility.
- C. City of Calistoga
 1. Stabilization and enhancement of Kimball Reservoir which shall be for the purpose of flood protection and water supply reliability; and
 2. Flood protection and drainage improvements in the Grant Street area and other critical areas to protect residents and businesses from flooding.
- D. City of St. Helena
 1. Flood management measures for the Napa River, Sulpher Creek, York Creek, and other tributaries to prevent flooding; and
 2. Construct urban stormwater run-off facilities at Fulton, McCorkle, Mills and other areas; and
 3. Stabilization and enhancement of Bell Canyon Reservoir, or other existing reservoirs, which shall be for the purpose of flood protection and water supply reliability.
- E. Unincorporated Areas of Napa County:
 1. County unincorporated area flood damage reduction projects including elevating/relocating structures, including bridges, in the floodway and floodplain; and
 2. Agricultural watershed and stormwater runoff management improvements planned jointly by the agricultural industry, the County, the Napa County Resource Conservation District and the Department of Fish and Game, including projects which will:
 - Reduce the amount of storm runoff and sediment in the Napa River System from agricultural lands; and
 - Increase flood storage of the River system by the setback of active land uses from river and tributary banks.
- F. Town of Yountville
 1. Flood protection for the Town's mobilehome parks and surrounding areas; and
 2. Hopper Creek and Beard Ditch improvements and restoration for flood protection.

In the event any project described in this Section is not economically or environmentally feasible, the legislative body having jurisdiction over the lands involved shall recommend to the Napa County Flood Control and Water Conservation District a replacement project. Only replacement projects that meet the criteria set forth in the first two paragraphs of this Section shall qualify and may be approved provided, however, that facilities for, or purchase of, North Bay Aqueduct or other water imported from outside Napa County shall not qualify as replacement projects. The Napa County Flood Control and Water Conservation District shall consider recommending approval of a replacement project to the Authority

only after obtaining the recommendation of the Financial Oversight Committee and the Technical Review Committee. Approval by the Authority shall be in the form of an amendment to this Ordinance. Changes meeting the above criteria, to the extent permitted by law, shall not need a vote of the People ratifying the amendment.

SECTION 9. Napa County Financial Oversight Committee and the Technical Advisory Panel

A. Financial Oversight Committee.

1. **Establishment.** A Napa County Financial Oversight Committee is hereby established and shall remain in existence for as long as the Flood Protection Sales Tax is in effect. The Financial Oversight Committee's purpose and charge is to inform the public regarding the expenditure of the Flood Protection Sales Tax proceeds that will be generated as a result of the approval of this Ordinance by the Authority and the electorate.

2. Responsibilities.

The Financial Oversight Committee shall be responsible for:

a. Providing the public with information regarding the manner in which the expenditure of the Flood Protection Sales Tax proceeds that will be generated as a result of the approval of this Ordinance by the Authority and the electorate has occurred;

b. Reviewing the expenditure of the Flood Protection Sales Tax proceeds that will be generated as a result of the approval of this Ordinance by the Authority and the electorate, and the proceeds received as a result of the issuance of any bonds or other obligations payable from the Flood Protection Sales Tax proceeds, and causing to be prepared an annual audit regarding the use of these proceeds;

c. Reviewing the financial impact of all projects, planned and approved, utilizing the Flood Protection Sales Tax proceeds that will be generated as a result of the approval of this Ordinance by the Authority and the electorate, and advising the public whether such projects are consistent with the purpose, spirit, intent and language of this Ordinance;

d. Informing the public if there is an expenditure of the Flood Protection Sales Taxes that will be generated as a result of the approval of this Ordinance by the Authority and the electorate which is inconsistent with the purpose and intent of this Ordinance.

e. Meet not less than once each calendar quarter, pursuant to the Ralph M. Brown Open Meeting Act and invite public participation and comment with respect to any expenditure or the implementation of any project envisioned by this Ordinance.

3. Membership.

a. The Financial Oversight Committee shall consist of the following individuals:

i. One representative recommended by each of the five Napa County City/Town Councils, and one representative recommended by the Board of Supervisors of the County of Napa. However, the representatives shall not be officers, agents, employees, or elected officials of any City in Napa County or the County;

ii. Two representatives each of whom must be recommended by the business community;

iii. One representative who must be recommended by the local media;

iv. One representative who must be recommended by the Napa County Taxpayers Association;

v. Two representatives each of whom must be recommended by the environmental community;

vi. One representative who must be recommended by the Friends of the Napa River; and

vii. Two representatives who must be recommended by the agricultural industry; and

viii. A certified public accountant, whose practice includes auditing public agencies, but who is

not currently acting as an independent auditor in the case of any incorporated area within the County of Napa or the County of Napa, who must be recommended by the representatives and appointees identified in subparagraphs (i) through (vii).

b. All representatives shall be appointed by the Board of Supervisors. However, no appointments shall be made by the Board of Supervisors other than from the recommended list of the public agencies or organizations identified in subdivision (A)(3)(a) above.

c. In addition to the sixteen members described above, the Financial Oversight Committee may recommend to the Board of Supervisors that it appoint up to two additional members if in the opinion of the Committee additional representation of individuals and groups located in Napa County is necessary.

d. No member of the Committee shall receive any salary or compensation for serving on the Committee. However, the Committee may, in the case of the Certified Public Accountant, upon the unanimous vote of the other members of the Committee, compensate said individual in an amount not to exceed the rate of compensation commonly charged by Certified Public Accountants in the City of Napa.

e. All members of the Committee, except for the Certified Public Accountant, shall be individuals who live in the incorporated or unincorporated areas of Napa County. The panel shall have resources sufficient to carry out their duties.

B. Technical Advisory Panel

1. Establishment. A Technical Advisory Panel is established and shall remain in existence for as long as the Flood Protection Sales Tax is in effect.

2. Membership. The Napa County Flood Control and Water Conservation District Board of Directors shall appoint the Technical Advisory Panel whose purpose and charge is to provide technical expertise in reviewing the Corps of Engineers proposed project which is located within the City of Napa to ensure consistency with the Community Coalition Project Plan. The Panel shall consist of no more than nine members. Members of the Panel shall have expertise in one or more of the following disciplines: (1) architecture, (2) landscape architecture, (3) civil engineering, (4) hydrology/hydraulics, (5) urban planning or design, (6) water and wastewater engineering (7) geotechnical engineering and/or (8) environmental sciences/natural resource management. All members shall demonstrate a thorough knowledge of and commitment to the "Living River Guidelines" and the "Urban Design Criteria" of the Community Coalition Flood Management Plan and the watershed management guidelines contained in the Napa River Watershed Owner's Manual of the Napa County Resource Conservation District, as well as sound engineering flood protection principles.

3. The Panel may provide technical expertise to review and comment on the planning of other Countywide projects.

4. The Panel is advisory to the Napa County Flood Control and Water Conservation District.

5. The Napa County Flood Control and Water Conservation District Board of Directors shall appoint the Panel to ensure its ongoing input and recommendations regarding the following Army Corps of Engineers documents prior to executing same:

- a. The General Design Memorandum and related Environmental Impact Statement (EIS);
- b. The Project Cooperation Agreement;
- c. All preliminary plans and construction contracts, final plans and specifications related to the City of Napa Corps of Engineers project.

6. All members of the Panel shall be individuals whose domicile is in Napa County.

7. The panel shall have resources sufficient to ensure continuous onsite review of Army Corps of Engineers construction activities.

SECTION 10. Expiration of Tax; Extension of Tax.

A. The transactions and use tax imposed by this Ordinance shall expire June 30, 2018; provided, that if the Authority shall not have contracted with the State Board of Equalization on or before July 1, 1998, and as a result the operative date is the beginning of a calendar quarter subsequent to July 1, 1998, the expiration date shall be extended, for a period of time equal to the delay. Notwithstanding the preceding sentence, this tax may be extended beyond the twenty-year period if the question of extending the tax is placed on the ballot and approved by the legally required percentage of qualified voters voting on the extension.

B. This transactions and use tax may be reduced or rescinded by a majority vote of the Governing Board of the Authority; provided, however that such modification or rescission shall not occur if to do so would violate any law, including but not limited to Article I, §10 of the United States Constitution and Article I, §16 of the California Constitution or if prohibited by any covenant made with the holders of any bonds or obligations payable from this transactions and use tax. The Governing Board of the Authority shall take such action only after receiving a recommendation regarding such rescission or modification from the Financial Oversight Committee and, subsequent to such receipt, conducting a noticed public hearing. Such action shall be subject to California law pertaining to the cancellation of prior contractual obligations and the rules and regulations of the State Board of Equalization.

SECTION 11. Purpose.

This Ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a one half of one percent retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.5 of Part 1.7 of Division 2 which authorizes the Authority to adopt this tax Ordinance which shall be operative only if two-thirds of the electors voting on this Ordinance approve same at an election called for that purpose.

B. To adopt a retail transactions and use tax Ordinance which incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax Ordinance which imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California Sales and Use Taxes.

D. To adopt a retail transactions and use tax Ordinance which can be administered in a manner which will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of recordkeeping upon persons subject to taxation under the provisions of this Ordinance.

E. To establish an expenditure limit for the Authority as required by Article XIII B of the California Constitution.

F. To authorize bonds and other obligations to be issued for the purpose of financing projects in the expenditure plan with said bonds or other obligations to be payable from the transaction and use tax proceeds.

SECTION 12. Operative Date; Contract with the State.

The operative date of this Ordinance, at which time collection of the tax imposed by this Ordinance shall commence, is July 1, 1998. Prior to July 1, 1998, the Authority shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this Transactions and Use Tax Ordinance; provided, that if the Authority shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such contract.

SECTION 13 Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of one-half of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this Ordinance. The tax shall be imposed for a period of twenty years.

SECTION 14. Place of Sale.

For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under the rules and regulations to be prescribed and adopted by the State Board of Equalization.

SECTION 15. Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the incorporated and unincorporated area of the District of tangible personal property purchased from any retailer on and after the operative date of this Ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made. The tax shall be imposed for a period of twenty years.

SECTION 16. Adoption of Provisions of State Law.

Except as otherwise provided in this Ordinance, and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

SECTION 17. Limitations On Adoption of State Law and Collections of Use Taxes.

In adopting this provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this Authority shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this Authority or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "District" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

SECTION 18. Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

SECTION 19. Exemptions and Exclusions.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county,

or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the District which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the district shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-District and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.

5. For the purposes of subsections (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this district of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax Ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time

for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.

5. For the purposes of subsections (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District, or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order either directly or indirectly, at a place of business of the retailer in the district or through any representative, agent, canvasser, solicitor, subsidiary or person in the District under the authority of the retailer.

7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

D. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code, with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

SECTION 20. Bonds and Other Obligations.

Upon voter approval of this Ordinance, the Authority shall have the authority to issue bonds or other obligations (including, without limitation, lease or installment sales agreements) to finance any of the projects included in the Plan as it may be amended from time to time (including reserves and other financing costs), which bonds or other obligations shall be payable from the revenues of the Flood Protection Sales Tax. In allocating Flood Protection Sales Tax revenues all debt service requirements and other financing costs of such bonds and other obligations shall be met prior to allocating funds for any other purposes or projects.

SECTION 21. Amendments.

All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to transactions and use taxes and which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 of Division 2 of the Revenue and Taxation Code, shall automatically become part of this Ordinance, provided, however, that no such amendment shall operate so as to increase the rate of tax imposed by this Ordinance or extend the period of time the tax will remain in effect.

SECTION 22. Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SECTION 23. Napa County Auditor-Controller Audit.

In addition to the audit required pursuant to Section 9(A)(2)(b), the Napa County Auditor-Controller shall annually conduct an audit of how the new transactions and use tax revenues are spent by the County of Napa. The audit shall be published in at least two County newspapers and copies of the audit shall be provided to, and must be available at, every public library located in the County.

SECTION 24. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 25. Effective Date; Approval of the Voters.

This Ordinance shall take effect on March 3, 1998, but only if 2/3rds of the electors voting on the Ordinance at an election held on March 3, 1998, vote to approve this Ordinance.

SECTION 26. Annual Appropriation Limit.

The maximum annual appropriation limit for the Authority is \$20,000,000.00, subject to such adjustments or increases as are provided for by law.

SECTION 27. Implementation Subsequent to Vote.

Upon approval of this Ordinance by 2/3rds of the voters, the Authority may adopt policies and take such actions as may be necessary for the implementation of the one-half of one percent (1/2%) transactions and use tax authorized by this Ordinance. Such actions shall include, but not be limited to, the Authority amending this Ordinance without being required to secure a ratification by the electorate to provide for use of additional federal, state or local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances, or if such amendments are deemed necessary and recommended by the Authority's general counsel, bond counsel, or legal counsel for the State Board of Equalization; provided, however, that no amendments that will increase the rate of the transactions and use tax rate or extend the term beyond twenty years may be

made without securing the approval of the amendment by the legally required percentage of qualified voters voting on the amendment.

SECTION 28. Publication of Ordinance.

This Ordinance shall be published at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in the County of Napa, together with the names of the Directors voting for and against the same.

The foregoing Ordinance was introduced and read at a special meeting of the Napa County Flood Protection and Watershed Improvement Authority, held on the 28th day of October, 1997 and passed at a special meeting of the Napa County Flood Protection and Watershed Improvement Authority, held on the 4th day of November, 1997, by the following vote:

AYES: NOES: ABSTAIN: ABSENT:	DIRECTORS DIRECTORS DIRECTORS DIRECTORS	<u>VARRELMAN, LUCE, FERRIOLE, WINTER and RIPPEY</u> _____ <u>NONE</u> _____ <u>NONE</u> _____ <u>NONE</u> _____ <i>Mike Rippey</i> <u>MIKE RIPPEY, Chairman</u> Board of Directors
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ATTEST:

MARY JEAN McLAUGHLIN
Clerk of the Board

By Leri Lissom
Deputy

APPROVED NOV 04 1997
BOARD OF SUPERVISORS
COUNTY OF NAPA

MARY JEAN McLAUGHLIN
CLERK OF THE BOARD

BY Michelle Price Deputy

APPROVED AS TO FORM Office of County Counsel	
By: <u>Winter</u>	
Date: <u>10/30/97</u>	

Response to Hunter Project Draft EIR Report

Hazards and Hydrology:

The Draft EIR does not adequately address the potential danger of a flood in this area due to climate change dynamics.

Replacing the currently available absorbing soil with homes and concrete augments flood danger.

When it floods, personal safety of Hunts Grove, Vineyard Valley, and Hunter Project residents would be hazardous.

Regarding the water neutrality issue in the DEIR, we are currently restricted in our use of water with no anticipated increase in our water supply. Paying into a fund to retrofit toilets does not provide more water and does not adequately mitigate estimated water usage by the Hunter Project.

Public Utilities:

Increased sewer flow from the Hunter Project would inevitably impact the currently inadequate sewer structure in Vineyard Valley. The DEIR does not adequately address this impact.

Transportation:

We believe the Hunter Project would negatively impact our Vineyard Valley evacuation plan. This has not been adequately addressed in the DEIR.

We are concerned the sizeable increase of vehicles on our Saint Helena roads will exacerbate traffic congestion, especially on Pope Street and the Pope Street Bridge. We believe this impact is sufficient to deny the Hunter Project.

Carroll and Ellen Cotten
1 Del Rio Court
Saint Helena

From: Grace Kistner <gdkistner@comcast.net>
Sent: Monday, November 29, 2021 7:18 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Hunter EIR

The Proposed Hunter Project is definitely a residential development project and therefore falls the St. Helena zoning code 17.146. Residential Development Project Inclusionary which states that "A least twenty (20%) of all new dwelling units in a residential development project shall be affordable units, which shall be constructed and completed no later than the related market rate units."

Section I Basic Requirements for Owner-Occupied and Rental Affordable Units

Section I states: Affordable units shall be comparable in number of bedrooms, exterior appearance and overall quality of construction to market rate units
in the same residential project. Subject to approval of the planning commission, square footage of affordable units and interior features
in affordable units need not be the same or equivalent to those in market rate units in the same residential project so long as they are of
good quality and are consistent with contemporary standards for new housing. Affordable units shall be dispersed throughout the
project, or subject to the approval of the planning commission may be clustered within the residential project when thus furthers
affordable housing opportunities."

In looking at the Project Description In The City Of St. Helena Notice Of Availability, Hunter Sub Division Project it appears that 16.9-acre parcel is proposed to contain fifty one (51) Single Family Market Homes and Eleven (11) ADU's.
Chapter 17.146 of the ST. Helena Zoning would require twenty (20) percent of the homes to be affordable in the 16.9 acre . This project should be denied as it is now proposed.

From: Vineyard Valley MHP <vineyardvalleymhp@gmail.com>
Sent: Monday, November 29, 2021 11:09 AM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Subject: [External] Vineyard Valley Response Hunter Project Draft EIR

Maya,
Please confirm receipt of this submission. Thank you.

Vineyard Valley Shared Response

These comments are submitted by the Vineyard Valley Managing Partner and supported by the following residents of the Vineyard Valley community.

Andree Bryan	Denise Leonetti
Kristi Lyn Matthews	Doris Bryant
Margret O'Fallon	Judith Greene
Maureen Barton	Paul Piazza
Betsy Holzhauer	Barbara Ringenberg
Linda Titus	John West
Elizabeth Green	Mary West
Rodney Green	Nora O'Neill
Diane J Barr	Mariam Hansen
Kenneth G Young	Carol Havens
John Polley	Barrie Rose
Chris Echols	Gary Rose
Michael Powell	Neil Walden
Mara M Rankin	Barbara Barnhart
David Chan	Rob Tedeschi
Rebecca Soret	Dagmar Gewiese-David
Vivian Pirchner	Janeen Dirienzo
Gunter Pirchner	Geri Densberger
Trevor Barlow	Cathy Small
Beth Rodda	Leanne Corkill
Steve McNabb	Tom Corkill
Donna McNabb	Sherie Downie
Dottie Gingerelli	Chris Duffey
Lauretta Cecchino	Grace Kistner
Chuck Pniower	Doris Mosler
Gary Crosman	Tom Vence
Madeline DeMarco	Jenna Lavagnino
Marina Lavagnino	

It is beyond dispute that our community will be directly and significantly impacted by the Hunter Project. With this in mind we submit these comments which are limited to the inadequacies perceived by us in the areas of **transportation** (traffic impacts), **utilities**, especially serious wastewater problems based on past experience, and **emergency evacuation** (with fairly quick evacuation from Vineyard Valley in the current environment can be no small challenge).

Our comments relate solely to our reading of the adequacy of the Draft EIR regarding: Transportation and Circulation, Utilities and Service Systems and Omission of Emergency Evacuation

1. Transportation and Circulation

Draft EIR page 3.14-41 presents Table 3.14-3 which provides a Proposed Project VMT, Vehicle Miles Traveled Summary.

It is clear from the table the Proposed Project Transportation Demand Management (TDM) strategies would result in a Project VMT to be 15.2 % higher than the City wide VMT per capita.

The conclusion under the heading **Mitigation Measures** states because there are no feasible mitigation measures available to substantially reduce or lessen the impact of the Proposed Project to less than significant..... **the impact is a significant and unavoidable impact.**

Draft EIR concludes and clearly states that the Proposed Project has a significant and unavoidable impact. It is our opinion that City Planning and Council has an obligation to the citizens of St Helena to protect their environmental integrity and respect the well substantiated conclusion of the Draft EIR; There is no legitimate basis for overriding such a clear unavoidable impact as stated in the Draft EIR.

2. Utilities and Service Systems

Draft EIR page 2-29 section entitled Sewer System states that wastewater flows will discharge from two locations on the proposed project site. The western end of the site is proposed to drain into an existing manhole at the corner of Starr and Hunt avenue.

The area **east of Starr avenue**, is proposed to drain east through the project site via new 8-inch sewer pipes through lot 21 within a public easement manhole on the adjacent parcel in the **Vineyard Valley Home Park**. The number of homes served on the eastern end of the project would number 46 and results based on estimates, in the Draft EIR by RSA+, a civil engineering firm calculates approximately **13,000 gallons** of new discharge to the existing manhole per day taking into account the proportion of 46 homes to the Projects 51 homes.

The manhole on Vineyard Valley property connects to a sewer pipe that runs under Paseo Grande Drive which is the central thoroughfare in the Park. This pipe delivers the wastewater to a pipeline system ending up at the city wastewater facility.

The pipe is part of a wastewater siphon system that is owned and maintained by the City. The siphon was installed most likely because the discharge pipe has to cross Sulphur Creek. These systems **are well known to present problems in communities around the country** (EPA newsletter March 2015: "Inverted siphons carry wastewater flows under rivers, canals, road, etc. These structures can present problems, and communities look for ways to avoid siphons in their collection system when

possible.”} and here in Vineyard Valley we have had our share of problems over the years from backups of water and waste products from a city manhole located on Paseo Grande Drive during heavy rains. The result is a public health issue for our residents when spills occur. The city is fully aware of these issues since we call them to mitigate when they occur.

Additional wastewater flows projected from the Project are health and safety issues for the residents of Vineyard Valley.

The Draft EIR has not addressed this issue of sewage spilling in the streets of Vineyard Valley.

Further, after reviewing the estimates in the Water Neutral Report Volume III Appendix J prepared by RSA+ we believe the wastewater estimates could be as low as 50 to 100 %, thus: even making things worse. Also, we do not see estimates of wastewater from the **11 ancillary units**

The reason we disagree with the estimates in the EIR is the assumption of 35 gallons per occupant per day of residential wastewater discharge does not even come close to historical St Helena water usage as described in a 2016 Water and Wastewater study which ranges from 65 to 80 gallons per day (excluding landscaping) depending on assumptions of occupants per residential account.

In addition, currently Phase 2 of the City's water shortage emergency program calls for residents to limit non-landscaping use to 65 gallons per day. How can 35 gallons per day be a reasonable assumption based on past practices. Why should the City, in this time of water shortage, consider this assumption of water use as reasonable?

We believe that the Draft EIR is wrong on the estimates of water use as calculated by RSA+

In summary, the Draft EIR does not address the public health and safety issue of increased flows and an inadequate sewage delivery system resulting in sewage spilling into the streets of Vineyard Valley.

We believe the Draft EIR is wrong on the estimates of water use as calculated by RSA+

Sewage spills in Vineyard Valley have been documented in the past with vastly lower wastewater flows than the unrealistic estimates in the Draft EIR.

3. Emergency Evacuation

During a Wildfire Fire emergency or any other major event in order to quickly and safely evacuate residents we need the two designated exits to be available and viable. These exits are Paseo Grande Drive to Pope street and Paseo Grande Drive connected to Adams street (or extended)

We believe the Hunter Project Development will seriously impact the adequacy of the Adams street evacuation plans, with the CEQA requirements not adequately addressed in the Draft EIR.

1. CEQA IX Hazardous and Hazardous Materials. Would the Project:

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The issue of emergency evacuation in the event of a significant Hazardous waste spill event in Vineyard Valley is not covered in the Draft EIR

2. CEQA XVII Transportation Would the project: **d) Result in inadequate emergency access?**

We have not seen this topic covered in the draft EIR and we are very concerned that emergency access will be greatly diminished by the Hunter Project development.

3. CEQA XX Wildfire. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan.

We believe the Hunter Project Development would impair our evacuation Plan and this has not been addressed adequately in the Draft EIR

The Draft EIR has failed to adequately address CEQA requirements related to section IX Hazards and Hazardous Materials f) section XVII Transportation d), and section XX Wildfire a)

We believe the implementation of the Hunter project puts the park residents in harm's way in an emergency evacuation event.



TO: The City of St Helena Planning Commission
 RE: Our Town St Helena Comments on Hunter Project

Many people in the community have inquired regarding Our Town St Helena's position on the Hunter Project. Our Town St Helena (OTSH) is a non-profit organization whose mission is to create and preserve housing that is affordable to the people vital to St Helena. The Hunter Project has been under discussion for the entire twelve years of our organization's existence.

In those 12 years, we have continually advocated for housing that benefits and serves our local community. In this time, we have seen this acute need broaden from housing for the lowest economic rung of our community - agricultural, service and winery workers - to now including the "Missing Middle" - families and professionals making up to \$200,000 who cannot afford to purchase or rent a home here. This dramatic change is evident in the 400+ families who have left St Helena between 2000 and 2015 and not been replaced (City of St Helena 2018 Housing Study), and the 6% drop in population recorded in the 2020 census. It is also evident in the increased traffic congestion from commuters and service vehicles.

We understand this new Draft EIR is analyzing potential environmental impacts of the proposed project, and "housing" is not a specific part of that analysis, yet we feel compelled to comment on the project at this early stage in the process as follows:

1. The Project is Not Consistent with the City's Basic Requirements for Owner-Occupied and Rental Affordable Units

The City's Inclusionary Ordinance states that "affordable units shall be comparable in number of bedrooms, exterior appearance and overall quality of construction to market rate units in the same residential project." Further, "Affordable units shall be dispersed throughout the residential project, or, subject to approval of the planning commission, may be clustered within the residential project when this furthers affordable housing opportunities."

In the current Hunter plan, all of the affordable units are two-bedroom rentals while the market rate homes have 3+ bedrooms. The affordable units are isolated to one side of the property and even appear to have a separate entrance. We think that this configuration and siting are not compatible with the City's stated inclusionary basic requirements. We suggest that the City and community would be better served by a more integrated project.

2. The Project Does Not Serve the Needs of St Helena

The Draft EIR does not address this issue, but it is very important to the community. All new housing does not necessarily serve our community's housing needs. By our rough estimation, based on the size of lots and the cost of construction, the new market rate homes will be priced at or above \$2,000,000 each.

Even with the admirable inclusion of 24 rental units and OTSH's projections that at least some (15%?) of the market-rate homes may be purchased as primary residences, we see little community benefit to St. Helena to building dozens of new second homes. In fact, the migration of primary homes to renovated second homes combined with ever emerging vacation rentals (e.g., Pacaso) is taking "affordable" inventory off the market faster than it can be funded and built. We have seen neighborhoods like Sylvaner and Signorelli, which were built as middle-class subdivisions, slowly slide out of workforce housing and into the multi-million dollar second home market. It would appear the Hunter Project could start out as a primarily second home neighborhood. The 2020 US Census confirms that St. Helena does not have a large primary residence market for \$2M+ homes. This is a project that makes sense from a developer's standpoint but does not benefit, and in fact could be detrimental to our community by placing even more demand on the services provided to the second homes by a commuting workforce.

3. Is There a Better Way?

In today's environment, the CEQA process provides somewhat standard mitigations to somewhat standard issues. There is no process to evaluate how the project fulfills the specific needs of the community. But our community IS our environment. If our City had a Housing Strategy, developers might try to design a project that could a) fill our needs and therefore, b) be supported by the community.

St Helena needs homeownership opportunities for families making up to 200K. We need townhomes, triplexes, and fourplexes, for sale and for rent, that are affordable to families making \$80K and up. And, we need rental units for the people who are essential to the wine and hospitality industries which drive our economy – these are families making \$30K to \$80K. This is all workforce housing – housing affordable to the people making \$30K to \$200K who are integral to a functioning community, who participate in our City life and infrastructure, and enrich the lives and livelihoods of all who live here. Every day, St. Helena imports more and more of its workforce, leading to increased traffic and congestion. This IS an environmental impact.

Could there be ways to make the Hunter Project fulfill these needs? Maybe. But it will require the City to better define what we need and provide innovative incentives to make it happen, a developer that is willing to think outside the box and a community that is willing to increase density for new developments.

Respectfully Submitted by the OTSH Board of Directors
November 26, 2021

-----Original Message-----

From: Bernerd Buckley <bernerdbuckley@gmail.com>

Sent: Monday, November 29, 2021 1:42 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter

Can you explain the way DEIR says the 333 housing retrofits can off set 87 water consuming households. How many people do they assume will be in the new housing? Are there other communities the size of Saint Helena that have done this? Can you document the towns and results?

Sent from my iPhone

Marina Lavagnino
Jenna Lavagnino
15 Del Rio Ct.
Saint Helena, Ca 94574

November 29, 2021

Ms. Maya DeRosa, Planning & Building Director
City of Saint Helena
1572 Railroad Avenue
Saint Helena, CA 94574

Re: **Hunter Project Draft Environmental Impact Report**

First, we want to thank you for extending the comment period. We only learned of this project midway through October, even though we moved to a home less than 100 feet from the proposed development in July. Neither my sister and I, nor the previous owners, received a notice regarding the DEIR. It took some time to get up-to-speed. We appreciated the opportunity to participate in the first public comment discussion of the DEIR, and look forward to the second.

About us: we live on Del Rio Ct. Our grandparents moved to Vineyard Valley in 1975 and went through two floods. Our mother moved here in 1993 and stayed through one flood. One of us moved here in 2017, and the other moved 'home' to Saint Helena this summer. We walk or ride a bicycle along the berm almost every day. One of us works from home, where our office looks directly out onto the beautiful land that is affected by this project. We talk to the people who walk, run and ride through this area of St. Helena, watch the wildlife, observe the colors of the sky, fog and vineyards, hear the birds, crickets and frogs.

We realize that we do not have the time or resources to adequately make sense of the details found in this report. We see that in most instances the writers of the report come to the conclusion that the issues raised can be resolved and will ultimately not have a substantial impact on our town. In a perfect world, that might be true, but our world is far from perfect.

In this letter we address three of the 15 areas of consideration in the DEIR: 10) Land Use, 12) Public Service and Recreation, and 13) Utilities and Service Systems (in reverse order.)

Utilities and Service Systems

Water. St. Helena does not currently have enough water to meet the needs of the current residents. It is one thing to let grass go brown in the summer, but another to outlaw watering trees and ask residents to severely curtail water usage. We either have a big problem and no solution, or the warnings of water shortages are over-hyped. Drought years will happen. Until

we have a more reliable way to meet the needs of the current citizens of St. Helena, we should stop inviting people to move here. We have read through the details of the 2010 plan, and the 2019 plan. The projected water deficit, in every scenario, is troubling. You seem to be balancing the water problem by anticipating that the current extreme water conservation will continue, while threatening people who live here now that things could be much worse before they get better.

Wastewater and stormwater drainage are also serious concerns. Living immediately adjacent and 4 - 20 feet closer to sea-level than the anticipated homes is a real concern. We suggest that St. Helena take a close look at previous wastewater problems in this location and find a way to avoid future problems.

Public Service and Recreation

There is so much to review within this section. 2.45 persons per household for the purpose of calculating park and recreation facility demands is very different from the 8 persons per 4 bedroom home estimate used in the Utilities section. 12 elementary students among 87 residential units seems low. We would be interested in seeing what the numbers are at Hunt Street.

We will focus on recreation here. In section 3.12-16 it is stated that the City would have a ratio of 4.48 acres per 1,000 residents, which falls below the goal of 5 acres per 1,000 residents. So we would be short almost 5 acres of this goal, and about **40 acres short of the nationally recommended standard mentioned**. Don't we in St. Helena desire and deserve the higher standard?

What this section woefully ignores is the recreation usage that will be taken away by this development. Yes, there are parks in St. Helena. Table 3.12-2 lists 11 parks, 8 of these are mini parks. None of these parks provide a connection to the grandeur of St. Helena's position in the Napa Valley. There is a reason why so many St. Helenan's flock to the maintenance path, and it is not to look at the gravel beneath our feet. Walking along the berm provides a view of Mt. Saint Helena, both sides of the valley, beautiful vineyards, unique architecture with water towers and barns, a meadow, a habitat restoration area and a river, all of which are home to numerous wildlife, and a tremendous view of the sky. From glorious sunrise to inspiring sunset people come to this area to experience nature. It is convenient to the center of town and the library. It is free and currently available to all. It is a natural resource that provides space that we need, that isn't available in any of our 11 parks. This resource should be better understood if we are trying to document St. Helena's recreational facilities. It will be drastically diminished if homes are built up to the edge of the maintenance road.

Land Use

We need to have our utility needs met, and we need adequate access to outdoor recreation. We also need affordable housing. The people who work in St. Helena and the surrounding Napa Valley need safe places to live that do not require a 1 hour plus commute each way. It would be wonderful to build such housing in St. Helena, perhaps some of it on a portion of this parcel.

But what is shown on the drawings is so far from what seems acceptable or even legal that others will surely point out the numerous faults. There are two sections of affordable housing near us in St. Helena: the apartments next to Napa Valley College, and those on Hunt Street. Both of these are beautiful developments that feature something the Hunter Project seems to be lacking - common space. Where is the playground, the soccer field, the community garden, the dog park, the lawn? We know what works and what is meaningful for our community. When we propose affordable housing, let's do it like we value the people who will live in it.

In Conclusion

We have a Planning Department for a reason - to make sure that future development meets the needs and goals of St. Helena. A lot of time has gone into preparing this document. It is inspiring to see how many thoughtful policies have been developed over the years to help guide us to a happy future. Now we have an opportunity to think about what will serve us - and what will not.

Thank you for your consideration-

From: Kathleen Guneratne <kathleen.guneratne@gmail.com>
Sent: Monday, November 29, 2021 11:21 PM
To: Public Comment <publiccomment@cityofsthelena.org>
Cc: Liz Guneratne <GUNERATNE@gmail.com>
Subject: [External] Opposition to Hunter Subdivision

Hello:

I am a homeowner at 1370 Grove Court in St Helena, CA. I live several hundred feet from the planned Hunter Division. While I support affordable housing, I do not see this plan as an affordable housing plan. It appears to be a wolf in sheep's clothing--designed to make developers wealthy and deleteriously alter the landscape of St Helena. I am not satisfied with the environmental impact report (EIR) that has been filed and I am deeply concerned about the negative environmental impacts this huge development will have on our neighborhood. Given how precariously we sit perched on flood plains, and how limited water resources and other land resources are, I do not believe we can accommodate the additional population density contemplated by the report. We cannot support the additional traffic. I oppose this development.

I also am concerned that sufficient concern has not been given to preservation of protected wildlife and whether this would affect any sacred burial sites of the Wappo Indian tribe. [Flood project dig unearths Wappo artifacts, bones | The Weekly Calistogan | napavalleyregister.com](https://www.napavalleyregister.com/story/news/2021/11/29/flood-project-dig-unearths-wappo-artifacts-bones/7711117002/)

Please feel free to contact me with any questions.

Kathleen Guneratne
1370 Grove Court
St Helena, CA 94574

November 29, 2021

Maria Villegas
1166 Meadowcreek Circle
St. Helena, Ca 94574

Maya De Rosa, AICP
Planning and Building Director
City of St. Helena, Planning & Community Improvement Department
1572 Railroad Ave., St. Helena, Ca 94574

Dear Maya,
The following are my comments regarding the draft EIR for the Hunter Subdivision Project, Assessor's Parcel Number 009-030-057.

Project Background 10839, ES-1

The majority of the Project site was acquired by Dennis Hunter in 1997. **Planning efforts were first initiated for development of the Project site in 2005 and an application was submitted to the City in September 2010** that included a request for a Tentative Map to subdivide the property for residential development. **A completeness letter for the proposed subdivision was issued by the City on March 28, 2011. Since the Proposed Project application was submitted in September 2010 and deemed complete by the City in 2011, this EIR uses the 1993 General Plan as the applicable general plan for the purposes of evaluating the Proposed Project. Nonetheless, this EIR also evaluates consistency with the City's current "General Plan Update 2040" for information and consistency purposes.**

Question

Planning efforts were initiated for development of the project site in 2005 and the application was submitted to the City in September 2010, why was the application submission date accepted as qualifying for the 1993 General Plan?

1. What is the approval date for the application?

2. How long is an application valid before a developer needs to submit a new application?
3. Has an extension been applied to the application to prevent a lapse in the permits?
4. If so, on what basis was the extension applied?
5. What is the time frame for filing an extension?
6. What work has allowed an extension to be applied since the date of the permit's completion?
7. If an extension is inapplicable, shouldn't the current general plan be used to analyze the project's impacts?

"A completeness letter for the proposed subdivision was issued by the City on March 28, 2011." Why isn't the date the City issued the completeness letter implemented, given the City's request for a Tentative Map, when the application was submitted?

1993 General Plan

1.2 Purpose and scope of the General Plan 1-3

The St. Helena General Plan is a legal document required by State law. It serves as the City's "constitution," identifying the City's long range plans for development of land and the conservation of resources.

...The 1993 St. Helena General Plan establishes City policy for the period between 1993-2010.

While each community's General Plan should be tailored to the specific concerns or interests of its residents, State law requires that at a minimum seven topics or "elements" be addressed. These elements include: land use, housing, circulation, conservation, open space, public safety and noise. **The Plan can also include other elements as needed to address issues of local importance. Other issues that are often addressed in separate elements include: recreation, public services and facilities, community design, historic preservation, and growth management. The 1993 St. Helena General Plan addresses all of these issues, but combines some of them into single elements...**

Question:

1993 General Plan - 1.2 Purpose and scope of the General Plan 1-3

The St. Helena General Plan is a legal document required by State law. It serves as the City's "constitution,"....The 1993 St. Helena General Plan established City policy for the period between 1993-2010.

1. Please clarify why approval of the proposed subdivision does not fall under the jurisdiction of the 2019 General Plan.
2. There are changes with the City's water supply, electrical grid and climate change. Is the City accepting outdated data? Please clarify the justification for accepting data that was applied in 1993 to our current infrastructure of 2021.

DEIR 2040 10839 4-8

4 - CEQA Considerations

The City updated the General Plan in 2019. However, since the Proposed Project application was submitted in September 2010 and deemed complete by the City in 2011.

Exhibit A

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE ST. HELENA 2040 GENERAL PLAN UPDATE - 1

II. THE PLAN

4. The Plan is the St. Helena 2040 General Plan Update (Plan or or Project) analyzed under CEQA, which addresses growth and preservation within the City of St. Helena to the horizon year of 2040. **The Plan replaces the existing 1993 General Plan. The Plan referred to in these findings is the Plan as approved by the St. Helena City Council on May 14, 2019**
6. The Plan provides the basis for the City's land use and development policy and represents the basic community values, ideals and aspirations that will govern development and conservation through the planning horizon year of 2040. Specific objectives established for the Plan include the following:

- (b) Focus future development so that it is contiguous to

- existing developed areas and supports efficient delivery of public services and infrastructure;
- (e) Reduce traffic congestion by providing alternative transportation choices, enhancing regional public transit connections, and achieving an appropriate jobs-to-housing balance to reduce commuter trips;
- (j) Provide a high-quality network of parks, open spaces, and trails that enhances quality of life and connectivity in the community; and

Question:

1. According to Exhibit A, CEQA Findings of Fact and Statement of Overriding Considerations for the St. Helena 2040 General Plan Update, II. The Plan-4. States the Plan replaces the existing 1993 General Plan. The Plan was approved by City Council on May 14, 2019 is inconsistent with the current draft EIR. Please clarify how the draft EIR is valid.

Question:

Exhibit A specifies objectives to include:

“6 (b) Focus future development so that it is contiguous to existing developed areas and support efficient delivery of public services and infrastructure.”

2. Currently the City is in a severe drought prompting the City to impose significant fines to residents for water overuse. St. Helena is the only city in Napa County imposing such fines. Please clarify how imposing a fifteen second hand wash, which is not what CDC advises as precautionary measures for COVID-19, and three flushes per day, would not impact the City’s existing developed areas.

6 (e) Reduce traffic congestion by providing alternative transportation choices...

3. The proposed Projects eighty-seven (87) units would increase traffic on Starr, Adams Street and Hunt Street. There are only two (2) routes for evacuation which are Starr and Adams Streets. There is not mitigation in the draft EIR addressing evacuation for residents. Please address how the developer will resolve traffic and evacuations routes.

6 (j) "Provide a high-quality network of parks, open spaces, and trails that enhances quality of life and connectivity in the community."

4. The eighty-seven (87) units would eliminate the walking path residents use daily. Please specify how the developer will mitigate the walking path and how will the removal of vineyards preserves our open space.

Respectfully,

Maria Villegas

November 29, 2021

To: Planning Commission, City of St. Helena

From: Michael Mills, 1380 Grove Court, St. Helena

Re: Hunter Subdivision Project

Does the draft Environmental Impact Report (the “Draft”) completely and correctly set forth all “potential significant environmental effects” so the Planning Commission, the City Council, and the community can accurately and fairly evaluate the Hunter Subdivision Project (the “Project”)?

No.

As documented in the many informed, detailed, and precise comments submitted, the Draft is deficient in many respects, most egregiously as to geology and soils and hydrology and water quality.

I join in those comments. However, this comment is limited to two apparently minor but in fact significant aspects of transportation and circulation.

The Draft concludes that the project will have a “significant and unavoidable impact” on Vehicle Miles Traveled (VMT, the statistical proxy for traffic) for which “there are no feasible mitigation measures available.” (Page 3.14-41)

I agree with that conclusion. It might well be even stronger if VMT were calculated not on the basis of generic assumptions—as to the number of residents per unit and the number of vehicles per unit—but instead on the basis of actual data from St. Helena. Compare the Draft’s assumptions to data from City-Data.com, <https://www.city-data.com/zips/94574.html>, which shows a significant fraction of both owner- and renter-occupied units having three or four vehicles per unit.

Nonetheless, the Project’s consultants object even to the light VMT numbers the City calculated, complaining that the assumptions used should have been more generous to the Project. (Page 158, Agenda Packet Amended 11/23/21) To justify dismissing the “significant and unavoidable impact” found by the City, the consultants wrap their argument in an environmental cloak. Climate change

analyses are based on regional VMT, so local traffic analyses should be too. The argument is sophistry, not statistics.

A neighborhood walk confirms that Hunts Grove and Monte Vista Court parking spaces are insufficient, so residents park on Starr, Hunt, Meadowcreek, and Grove Court. In effect, the owners of those housing units have shifted the cost of providing parking to City taxpayers, who pay for street construction and maintenance, without compensation to the City. Those owners also shift burdens to houses nearby—air pollution, noise, and traffic.

The Draft accepts without analysis the proponents' statements as to parking.

The Draft is also deficient in providing adequately detailed and complete maps. The "proposed tentative map," Figure 2-4, is drawn at large scale without any indication of key features, particularly in Lot 52. Statements about vineyard preservation, planting strips, sidewalks and other features within and adjacent to the Project are material to evaluating it, but cannot be evaluated based on the Draft.

HUNTER PROJECT – REVISED COMMENTS AND QUESTIONS ON DEIR (11/30/21)
Isobel Luria – 1173 Starr Avenue

With the effects of “climate change” becoming more and more severe, this is an inopportune time to consider approving the Hunter Project. The fires of 2017 and 2020 have made people all too aware that our lovely city, as well much of the Napa Valley, can suddenly turn into an inferno. Furthermore, the residents of Saint Helena are struggling with the effects of one of the most severe droughts on record. Additionally, while things are really dry now, in the future, we will experience some really wet winters with even more severe storms and the Napa River will flood. If in the past, the “100 year” flood was the marker to which all floods were compared, we should accept the fact that a “200 year” flood is not unimaginable and prepare for such an event. It is in the light of this new reality that the Hunter Project DEIR should be scrutinized by our community.

The DEIR relies on vague, untested figures that when examined often seem ludicrous. While it is useful to quantify data, the methods employed must be able to withstand examination. This is a very disappointing report that cavalierly dismisses impacts as insignificant when a mitigation is needed.

TRAFFIC AND CIRCULATION: PARKING

After describing local roadways including the proposed extension of Starr Avenue and Adams Street, discussing how to measure traffic impacts (DEIR 3.14-39) using Vehicle Miles Travelled (VMT), and identifying areas of future congestion, the DEIR concludes that, while the vehicles used by future residents of the Hunter Project will increase traffic, there is really no way to mitigate this situation. Even though the Project has good access to shopping, even though there will be bike routes and sidewalks, people living in a place like St. Helena tend to drive.

The DEIR estimates that 213 individuals will live in the subdivision. This number is based on the figure of 2.45 people per unit, which is the basis the City relies on for medium/high density zoning. Some people will own several cars. It is always difficult to accurately predict the size of a new population and it is in the interest of developers to underestimate this to some extent. The DEIR fails to take into consideration what happens to families as time goes by: they tend to increase in size, baby by baby. When children reach a certain age, especially in a valley such as ours, they want and need cars and parking. **While the number of parking spaces and garages described in the DEIR may be sufficient at first, it will not accommodate future needs.** Those of us who live in the neighboring Meadowcreek subdivision are well aware of this phenomenon. Parking in our neighborhood, especially overnight and early in the morning, can be so dense that there is barely room to put out garbage bins on collection day. This congestion is partly the result of inadequate parking at the Hunt Grove apartments located at the east end of Hunt Street.

Isobel Luria cont'd

Question 1. What can the Applicant do to insure that the new subdivision doesn't exacerbate in the future the parking problem we already have in our neighborhood?

TRAFFIC AND CIRCULATION: SAFETY

The proposed subdivision will necessitate a four-way intersection where Starr Avenue and Hunt Street meet. (DEIR 3.14-47). Currently, this is a somewhat hazardous intersection for residents of the neighborhood, particularly children, and a fair number of people have experienced "close calls." Additionally, the DEIR notes that an extended Starr to an extended Adams could be used by drivers as an alternate route bypassing Main Street. This will not only increase traffic at this location but also the potential for accidents.

Question 2. What could be done to mitigate this impact?

EMERGENCY EVACUATION

The DEIR doesn't address the fact that there is not an efficient means for evacuating the residents of St. Helena in an emergency even though adding more population impacts this situation. It is clear from the location of the proposed subdivision that most vehicles will travel south on Starr Avenue to reach Pope Street and then head north or south as the situation dictates via either the Silverado Trail or Route 29. Granted there is the possibility of following a circuitous route by driving west on Adams but that would not be the route of choice. The narrow Pope Street bridge is a very poor structure to handle evacuations. In the last two fires, the northern exits from the valley were blocked by fires and everyone had to exit to the south. Last week, as a result of the recent heavy rains, a portion of the Silverado Trail had to be shut down. I question why the City of St. Helena would consider granting approval to a new subdivision in the area described in the DEIR until infrastructure has been updated to allow for a more efficient evacuation.

Question 3. What can be done to improve the Emergency Evacuation Routes out of St. Helena?

WILDLAND FIRE HAZARDS

An example of the callous attitude found in this DEIR occurs in its brief discussion and dismissal of Wildland Fire Hazards. (DEIR 3.8-5) While speaking about the September 2020 Glass Fire the statement is made that "The hills visible from the Project site experienced fire damage." It makes no mention of the fact that part of the area where the subdivision will be constructed, also burned in that fire. The fact that the Project site is in a Non Very High fire Hazard Safety Zone did not seem to protect it!

Isobel Luria cont'd

Question 4. What mitigations are planned to protect the Project area from the dangers of Wildfires?

HYDROLOGY AND WATER QUALITY

In its analysis of Hydrology and Water Quality, (see DEIR 3.9-40 – 3.9-43) the DEIR reaches faulty conclusions about the Hunter Project's impact on ground water in the area. In addition, it bases conclusions on weather history without taking into consideration the probability that, because of Climate Change, we will experience weather of record-breaking severity. The report makes statements like the following (DEIR section 3.9-10) "The Subbasin was found to exhibit stable groundwater levels, even despite a very dry 2020 water year...The long-term (1988-2020) annual change in storage for the subbasin is a decrease of 8,0945 AF following the very dry conditions of 2020 but still with water ranges generally experienced over the long term. "

The DEIR goes on to discuss (see Table 3.13-9) that the proposed landscaping for the subdivision, its **outdoor water needs**, will be "water neutral" because of a currently inoperable well on the property. The well was tested for one 24 hour period and produced 350 GPM. The DEIR states that this output is adequate to supply the landscaping water requirements for the subdivision, which is projected to use 17.16 acre feet per year, without noticeably affecting levels in the Napa River because it will draw water from deep in the aquifer. I take exception to this statement as the Applicant expects to plant 185 trees with drought tolerant plantings between the them. Young trees and plants need ample water to establish themselves. Furthermore, **no allowance is made for the outdoor water needs of the 51 privately owned lots**. The applicant assumes that future rainfall will recharge the subbasin as it has in the past when the area served as a vineyard. Unfortunately, St. Helena is experiencing the effects of a "megadrought" of unknown duration. In addition, much of the proposed subdivision will be covered by buildings and "hardscape" thus eliminating a large percentage of land currently available for direct recharging of ground water. I question the DEIR's conclusion that the irrigation of this development will not have a negative impact on the local subbasin.

To assume, based on one 24 hour well test, that a subdivision the size of the Hunter Project will be "water neutral" as far as its landscape needs are concerned is questionable. To go even further and state that the project's irrigation will have no impact on the Subbasin or nearby Napa River without further testing is unconscionable.

Question 5. From what source will the landscaping on the privately owned lots be irrigated and how much additional water will that require?

Question 6. What additional testing should be required of the Applicant to determine more accurately the actual impact on the ground water subbasin that the well on the Project will draw from.

The report, in its discussion on water (DEIR section 3.13-24.-3.13-33), also underestimates the quantity of **indoor water** future residents of the subdivision will purchase from the City of St. Helena: 17,752 gallons per day or 19.88 acre-feet per year. The figures on which the DEIR

Isobel Luria cont'd

bases its conclusions are found in Table 3.13.10. (**Again I point out that these figures do not include any water allowance for private yards.**)While I understand that some “guesstimates” must be used for discussion purposes, these figures seem low and some sort of tests should be run to determine how to accurately measure water usage by individuals. For example, the DEIR states that the residents of the new subdivision will flush toilets 3 times per person per day. Another understated usage concerns the future kitchen faucets. It is projected that each resident will briefly use this faucet 1 time daily. It would seem these people will neither drink nor prepare meals. But the biggest fallacy in logic is yet to come. To support its contention that the Hunter Project will achieve a Water Neutral status (a requirement of all new construction called for by the St. Helena 2019 General Plan EIR), the developers will be required to retrofit a certain percentage of existing homes and businesses with water saving devices. I assume that the water saved by this retrofitting is supposed to compensate for a portion of the future consumption of in-house water by the subdivision. Many homes and businesses in St. Helena have already had this sort of retrofit. Secondly, and more importantly, water usage in town has already been drastically reduced owing to stringent conservation regulations in place and backed up by penalties. Considering the conservation already taking place, it is difficult to imagine that retrofitting several hundred houses will result in much additional water being saved. Alternately, the developer offers to pay a fee to the city in lieu of the retrofit. How will paying a fee render the subdivision “water neutral?”

Question 7. What is a better method to determine how much indoor water will actually be consumed by future residents?

Question 8. Once a reasonable projection is made, how will that level of usage impact the city and its residents, who are already under Stage II water restrictions?

Isobel Luria cont'd

From: Bette Antor <bantor8@gmail.com>
Sent: Monday, November 29, 2021 5:56 PM
To: Maya DeRosa <MDeRosa@cityofsthenelena.org>
Subject: [External] Hunter Project

I live in Vineyard Valley and am opposed to the Hunter Project.

My biggest opposition is that the Hunter Project would jeopardize the health and welfare of the residents of Vineyard Valley.

We would be subjected to a greater chance of flooding as the Hunter property would turn open space to high-density building and paving.

Also, water is already at a premium and that capacity would be extremely stretched. St. Helena does not have enough water currently for its residents.

The gate at the north end of VV is currently used by us as an emergency exit. The construction would block that exit. That would leave us with only one way out, Pope Street. The traffic jam would be enormous. In case of the next fire emergency and evacuation (and experts say there will be a "next time"), this could be a matter of life and death for VV residents.

There are also concerns about water and sewer being hooked up to VV's utility lines on Paseo Grande, our main street. We don't have the capacity to accommodate said utilities.

The construction would go on for years. Vineyard Valley would bear the brunt of all the noise, dirt, dust and commotion.

Many of us enjoy the open space as a place to walk, walk our dogs and bicycle. It makes for a healthier lifestyle as most of us at VV are senior citizens. Continuing to access our town's open space is good for our health. I personally walk every day from VV to the Library and back. Open spaces are good for a small town like St. Helena.

I strongly oppose the Hunter Project and look forward to your response.

Bette Antor
415 690 0516
Bantor8@gmail.com

From: Lou Lavigne & Nancy Rothman
Fulton Lane
St. Helena

Subject: Hunter Project EIR

Dear Planning Commission:

We built our home on Fulton Lane (on the former Napa Valley Oriental Nursery site) after investigating the prior history of rejection of development on the Hunter site and the resultant preservation of the levee. We also explored the flood risk in this immediate area and concluded that the levee and existing drainage ditches/swales on Fulton Lane provided a reasonable level of protection. This new Hunter project proposal (which is literally in our backyard) is a significant concern to us for a number of reasons enumerated below and we strongly recommend its permanent rejection.

-Flood risk-it is difficult to see how building inside the levee on the floor of the basin is a safe proposition...who is going to assume the liability..the City or FEMA? Then there is the question of flood risk to the surrounding area starting in particular with Vineyard Valley? We are also concerned that if the levee is compromised the two major drainage ditches from Fulton Lane will be overwhelmed and flood water will back up toward Fulton Lane as well. This already occurs in heavy rains to some extent near the outside base of the levee due to the congested connection of the Fulton drainage ditches and poor maintenance of the ditches which apparently is a City responsibility.

-Water Supply & Sewage -how any proposal to add 20 acre feet of water use (or 6.5 million gallons...more graphic) to St. Helena's already constrained water supply could be justified based on the ludicrous idea of retrofitting 333 offsite homes or paying ~\$597,000 in lieu fees just doesn't compute without an identified plan.. Where is the water going to come from? St. Helena already has constraints on obtaining more water supply? Then there is the proposed use of abandoned wells being activated for the landscaping..where are these wells and is that practical without jeopardizing the other wells of vineyards and residents in this area. Then there is the other side of the new water usage....Sewage..how the City's sewage system and plant could be made to handle even an additional 6.5 million gallons of waste water is a major challenge considering current City finances and sewage needs.

-Traffic-St Helena recently had a good taste of incremental traffic on Pope Street and surrounding streets with the rain caused closure of Silverado Trail; not a pleasant experience. The proposed project adds traffic issues on at least two fronts
If as the developer proposes Starr Ave. were extended to an extended Adams Street the resultant short-cut speedway from Pope Street to Main street via Starr and Adams will further the traffic jam at Railroad and ultimately Main Street. Any proposal to add stop lights on this route would risk increasing speeds in a residential area with drivers attempting to make the light/s. Then there is the added traffic resulting from the residents and their visitors and vendors

of the proposed development which will also feed into the extensions of Adams and Starr....plus the incremental intersections added by the proposed project would further add traffic hazards and congestion potential.

The intersections of Pope and Starr, the extended Starr and Hunt, Starr and the new street in the proposed development and the intersection of the extended Adams and Starr plus a new proposed street in the development linking with Adams at that same proposed intersection are all going to add congestion and pollution in a residential and agricultural neighborhood.

-Parking-while the project allows for parking it is hard to see based on other areas of the City where development has occurred that the proposed project doesn't add additional cars parking on-street further adding to congestion and adding more hazards for traffic, pedestrians and bicyclists.

-Hiking Trail—everyday we see many people hiking on the City Trail alongside and the one on top of the levee literally all the way to the Napa River...a beautiful walk in surrounded by vineyards and much nature as it is also a natural habitat in places. To systematically destroy the rural charm of St. Helena including this hiking trail plus replacing vineyards with houses and streets is short sighted in our view.

-Affordable Housing-we recognize and support the need for additional affordable housing, however, to build it in a flood risk area and to add a major residential development with all the issues raised here and by others seems like an inefficient way to get there. The City should fully explore other more development efficient alternatives.

-Financial strength of the developer—while this isn't a topic for the EIR per se it becomes one that needs to be carefully evaluated and monitored due the disruptive nature of the proposed project to the current site and neighboring areas and the estimated long six year duration of the project. Were this ill advised project to be attempted without the City having financial assurance from the developer (perhaps in the form of a bond) that it would be completed would add an additional risk as an interruption in construction, drainage etc. could result in incremental flood and other risks...plus an eyesore of a partially completed project.

In conclusion we have been unable to find the benefit to St. Helena and its residents of this proposed development. It all seems like a major step toward impairing the character of St. Helena which makes it a wonderful place to live and turning it into another congested suburb with strained municipal resources. We are totally against the proposed Hunter project.

Thank you, Lou Lavigne and Nancy Rothman
11/29/21

From: Gayle Davies <gayleddavies@gmail.com>
Sent: Monday, November 29, 2021 9:15 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Geoff Ellsworth <GEllsworth@cityofsthelena.org>; Paul Dohring <PDohring@cityofsthelena.org>; Anna Chouteau <AChouteau@cityofsthelena.org>
Subject: [External] Hunter Project

Dear Maya,

I respectfully submit these comments in response to what I see as a deficiency in the DEIR process for the Hunter Project, specifically, violations of AB 52.

It is known that this area was a burial and artifact site of Native Americans who resided here before us. AB 52 has requirements applicable for this project, including consultation with Native American tribal representative(s) affiliated with this geographic region.

California law defines consultation as the “meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement.” Gov. Code § 65352.4 (emphasis added).

Respectful, effective consultation consists of in-person meetings between appropriate representatives of the parties, which the tribe may wish to host at its reservation or rancheria. During consultation meetings, the parties should make a point to identify any significant impacts the proposed project would have on tribal cultural resources and discuss potential avoidance or mitigation measures; the tribe may identify additional consultation topics in its response to the lead agency’s notice letter. Agencies should also be aware that tribes may take a broad view of cultural resources and extend this characterization to entire landscapes, as contemplated under AB 52’s tribal cultural resources definition. See Pub. Res. Code § 21074(a)(1)(A). AB 52 also requires agencies to recognize that tribes may attach cultural or spiritual value to these resources, apart from their scientific or archaeological merit. *Id.*

This DEIR does not indicate such consultation occurred and in fact seems to state the opposite, that the Tribal Chairman, Scott Gabaldan, was not only not in consultation, but not contacted.

This is law.

Beyond law, is nothing sacred?

Please consider.

Gayle Davies
St Helena resident

November 29, 2021

Maya DeRosa, Building and Planning Director
City of St. Helena
mderosa@cityofstheleena.org

Re: Hunter DEIR Public Comment

Ms. DeRosa:

Thank you for the opportunity to review and comment on the Draft EIR for the Hunter project. For the past 17 years, I have lived less than ¼-mile from the project site and have frequented the nature trail adjacent to the site at least weekly. Below please find my comments on four sections of the draft.

3.4-1 Wildlife Habitat

The EIR only provides commentary on “Special Status Wildlife,” and only the white-tailed kite and pallid bat are considered potentially affected. I can’t say that I’ve seen the kite or the pallid bat in that area, but over the past years I have seen bats and I have watched at least three different species of hawks hunt at the project site. Great blue heron and black-crowned night heron are commonly seen in the adjacent open space and trees. Perhaps none of these species have special status, but at what point is their occupation of the land worthy of consideration? At what point do we consider the cumulative effects of this and other projects that continue to take away large chunks of open space from birds and ground animals which depend on these foraging and hunting grounds?

3.4-3 Migratory Corridors

For the past 17 years, I have watched Canada Geese fly up and down the Valley, directly over my house, and routinely stopping to forage at the Project Site. This usage decreased when a large portion of the site was planted to grapes, but the geese continue to use the undeveloped area. Anyone who has lived on the floor of the Valley knows that it is a significant migratory corridor for Canada Geese.

The EIR states, “Lighting and increased usage of the site by humans may result in indirect effects to local wildlife using the riparian corridor for nursery sites or as a migratory corridor. Any site disturbance to these resources could result in a potentially significant impact.” It goes on to state that the Project’s Mitigation Measures such as reducing glare will mitigate impacts. This section of the EIR provides a myopic viewpoint by first stating that wildlife is not present and unaffected, then going on to state that mitigation measures will take care of everything. Reducing glare is meaningless when you have completely removed their habitat. What about the geese???

The Project, with its measly one-half acre of remaining open space, will completely remove this historically valuable migratory stopping ground for Canada Geese. This significant impact is omitted in the Draft EIR.

The EIR authors will dismiss these wildlife and migratory corridor comments. They will tell you that all the impacts have been mitigated, that the Canada Geese and the hawks and the bats and the fox and skunks and coyotes and countless other species who have historically used the Project site have other places to forage and nest and hunt. They will say these species aren't "special." They will say there is no significant impact. But at the end of the day, what was once open space used by all these animals will be gone forever and replaced with homes and roads and cars and noise. The cumulative effect of project after project in this Valley will add up, the habitat will be gone, and with it the wildlife.

3.13 Infrastructure – Water

The analysis of water impacts is quite long and difficult to follow. The City should consider how a revised EIR and future EIR's could be required to provide impacts and conclusions which are easier to understand. Regardless, I have several issues with the EIR water analysis and its conclusions:

1. Table 3.13-8 shows projected supply and demand data from the 2010 Water Supply Plan, which concluded that "water supplies under both the Likely Buildout Scenario and Full Buildout Scenario would not be sufficient to meet demands during all scenarios." The 2010 Plan went on to conclude that "the long-term safe yield of the City's water supply is 1,950 acre-feet per year." The deficit between this safe yield and the projected demands on Table 3.13-8 was presumed to be made up by approximately 500 acre-feet of future conservation efforts. It claims that these efforts have been successful since usage has averaged 1,637 acre-feet from 2013-2020. Having provided these data points, the EIR then concludes, "Considering the current downward water usage trend due to water conservation measures and that future demands are required to offset their projected use, future water demand is not expected to exceed the existing policy limit of 1,950 acre-feet annual use set by the Safe Yield Committee..."

I have two issues with this analysis. First, on the supply side, the EIR gives credence to the 1,950 acre-feet supply as though it is a sustainable value for the foreseeable future. This value was established in a 2010 study. Since then, 11 years later, our Valley has and continues to change significantly. It is hotter and it is drier. This change has been accelerating in the past five years, and yet the EIR is basing the City's sustainable water supply on 2010 data. The EIR should show a combination of historical rainfall through 2021 along with some projections of the accelerating effects of climate change to at least offer a scientifically based forecast of a truly sustainable water supply value for the next 30 years. It is likely that climate change will drive us towards a supply value more like those shown in Table 3.13-8 for "dry year" or "critical dry year." *The supply values for these categories are 12% - 34% below the 1,950 acre-feet value which the EIR assumes is sustainable.* In citing the 2010 Safe Yield value of 1,950 acre-feet, the EIR has made a wishful and risky assumption of the stability of the City's water supply which benefits the Applicant.

Secondly, on the demand side, I have issue with the overly simplistic and optimistic conclusion that future water demand will not exceed the City's supply. As previously quoted, the EIR claims that the City is on a "current downward usage trend" based on data from 2013-2020 in Table 3.13-1. This is not true! The EIR takes as its starting point usage from 2013 (1,882 acre-feet), compares it to 2020 usage (1,629 acre-feet) and concludes a downward trend. In fact, if one

uses 2015 as the starting point, there is clearly a trend of *increasing* usage over the past six years, and *during a time in which the City has made a focused conservation effort*.

Further issue on the demand side is the lack of credible evidence or any attempt to validate the notion that water offsets or in-lieu of payments will keep the growing demand (see previous paragraph) below the likely decreasing supply limit of 1,950 acre-feet. There is not an endless supply of old toilets in town to replace with new ones and there are limitations on what the City can do with in-lieu fees to curb demand. I find the conclusion that “future water demand is not expected to exceed the existing policy limit” to be another leap of faith to the benefit of the Applicant, as it poses an unrealistic baseline assumption that we need not concern ourselves with the actual water usage of the project (or other future projects for that matter).

2. On page 3.13-31, the EIR attempts to answer question 3.13-2 “Would sufficient water supplies be available to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years?”

The EIR again takes shelter in the outdated 2010 Safe Yield value of 1,950 acre-feet, but fails to answer the question. As I noted earlier, we have good reason to question the integrity of the 1,950 value, but regardless, the question posed here asks about dry and multiple dry years. Again referring to Table 3.13-8, the City’s supply for dry and critically dry years are 12% - 34% below the 1,950 acre-feet value. Given the trend of the past five years, how can this EIR ignore climate change and the increasing likelihood that 1,950 is not a sustainable value and that City supply could be significantly less for any given year or multiple years? Do not ignore the drought! Do not ignore the last five years!

Furthermore, the EIR again takes shelter in the notion that the City’s water-neutrality policy will offset future use. So, what does water-neutrality mean for this project? Let’s look at the Water Neutral Report in Appendix J. The proposed mitigation measures identified in the report include:

- “1. Assist the City in fixing the leaking transmission line between the City and Rutherford. It’s our understanding there is a substantial amount of water lost as part of the old pipeline.
2. Place/replace water meters that are not in place or functioning improperly.
3. Paying the in-lieu fee to be used by the City for any of the options identified in the attached Report or otherwise selected by the City.”

Fixing a transmission line leak is not offsetting future water demand. Fixing a leak simply maintains the supply—it *does not reduce usage* by this Project or anywhere else in town. Replacing water meters could influence use but it does not in and of itself reduce demand. Paying fees could reduce demand, but only if the City uses those fees to reduce demand. In the end, Appendix J proposes that the Applicant pay an in-lieu of fee of \$596k—a nice sum, but when the increased demand of this Project’s 76+ units hits the water system, what will have been done by the Applicant or the City to truly offset this demand? It looks like a lot of math without a true impact.

Developers are buying entitlement then burdening the system with increased demand. This lack of true offset is perhaps evidenced by the increase in usage from 2016 (1,465 acre-feet) to 2020

(1,629 acre-feet), an increase of over 11%. Usage should have been decreasing, but it has not because the offset program does not work, it just provides developers with another way to buy entitlement.

Lastly, the EIR makes no attempt to address the question about “reasonably foreseeable future development.” Given the conflicts between general plans, growth ordinances, and SB330, it is understandably difficult to forecast the actual number of housing units in the foreseeable future, but that is not a good reason to make overly simplistic assumptions which favor the Applicant. Development pressure is ever-increasing in St. Helena and one-by-one, the project EIRs make claims of “less than significant impact” while cumulatively making a very significant impact. The City must provide guidance to the EIR process which makes science-based forecasts of “reasonably foreseeable future development” so that assessments such as this EIR can properly consider cumulative impacts. Question 3.13-2 was not fully answered.

In summary, the entire water supply, demand, and impact analysis is thick with math but thin with science. It relies on dated values such as the 2010 Safe Yield without due consideration of climate change, and it assumes water offsets that are not defined and likely will not be realized.

For the past 10 years, the City’s residents have dealt with the harsh reality of drought. Whereas in generations past there was always hope for droughts to end, climate change has made drought a likely standard rather than exception. It is incumbent upon the City to take a conservative approach to the supply data being used by developers and by EIR authors; otherwise, the cumulative effect of projects approved on old data will result in a water deficit we can’t overcome.

The City must re-evaluate the Safe Yield based on current data and climate change forecasts. The City must have more certainty regarding its water supply. The City must get past its current water emergency restrictions. Then and only then should the City even consider a project of this size. To approve this project under the current conditions is risky and cavalier. The City’s residents have worked hard to endure the effects of the drought. We shouldn’t have to shoulder the risk this Project poses to our collective future.

3.14-2 CEQA 15064.3(b) VMT Criteria

Although the EIR seeks multiple ways to mitigate VMT for the Project, it ultimately concludes that “Because there are no feasible mitigation measures available to substantially reduce or lessen the impact of the Proposed Project to less than significant, the impact is a **significant and unavoidable impact**.” Next to water, our City’s primary struggle is with increasing traffic and congestion. The cumulative effect of unchecked regional development has created horrendous traffic challenges in St. Helena which increasingly detract from quality of life for residents and quality of experience for tourists. The inability of the Project to mitigate significant impact of traffic is important and another reason to delay consideration of a project this large until the City can conservatively absorb the impact.

Concluding Comments

Several years ago, the City decided to protect Vineyard Valley from future floods. The City had multiple engineering options to accomplish that objective. Ultimately, the City—on behalf of its taxpayers—

gifted Dennis Hunter with a levee that turned his floodplain into a valuable piece of developable land. The City—on behalf of its taxpayers—then wrote Dennis Hunter a big check to pay for a thin and otherwise useless strip of land to build a portion of the levee which in turn made his land so valuable. The City—on behalf of its taxpayers—then gave him all the dirt from the flood project to build up his site. If this project is approved, it will tax our water supply and traffic, and guess who will pay for that? The City's residents will pay for it in further water restrictions and increased traffic. Dennis Hunter will have paid some modest impact fees which will not come close to addressing the actual impacts and, once again, the City's taxpayers will be left to pick up the tab for this and all the other cumulative impacts of projects whose EIRs espoused similar "less than significant" impacts or showed lots of math to rationalize how our over-burdened infrastructure could—remarkably--handle yet another project!

The City is not ready for this project. At the very least, it needs to scientifically assess climate change impact on future water supply. It needs to accurately assess future development impact, both residential and commercial, on water and traffic. It needs to assess water demand without making unrealistic assumptions about conservation. It needs to reconfigure its water neutrality requirements such that future projects must truly offset demand, not simply buy their way out.

The City cannot afford to continue a pattern of approval based on EIR's which make rosy assumptions based on old or incomplete data. It must start making hard decisions which favor its citizens and not out-of-town developers.

Thank you for considering my comments.

Regards,



Ethan Brown
Owner, 489 Fulton Lane

From: Tracy McBride, email: tracymcbride22@gmail.com

To: City Planners/Staff

Subject: Hunter Project Draft EIR is Inadequate and Incomplete

11/28/21

I support more housing, more diversity in St. Helena, and property owner rights. But I strongly feel the proposal for 87 units DEIR is significantly lacking in information and proposes inaccurate information.

The question is, why does no one in town support this project? Or alternatively, why isn't the project so compelling, that it generates support?

Notably:

1. **SAFETY & Circulation:** The circulation via Starr Ave, Adams, to the Silverado Trail must be addressed. It is critical the Adams eastern entrance to St Helena is now planned and budgeted. Even without the Hunter project, the Adams St extension needs to connect to the Silverado Trail. We are at a tipping point: build the bridge. Pope and Pratt are not seismically sound bridges, nor can these historic bridges serve adequately for the next 100 years. Adams between Railroad and the eastern terminus was always intended to be a major artery street connecting to Silverado trail (as shown by the width of Adams near Railroad & Library Lane). It is time to bite the bullet and figure out how to get a MODERN, seismically safe, truck compliant bridge between Deer Park and Zinfandel Lane, crossing the Napa River. By adding "conservatively" 213 residents to St. Helena, using as example 160 cars (1.84 car/unit @ 14' per car) translates to a line of cars about ½ mile long. It is imperative this new neighborhood and all residents have a means of evacuation during a fire, seismic or other hazardous event.

The Starr Ave extension (~60') appears to be narrower than the Adams St extension (~65') – these are important residential streets to accommodate larger than average traffic, and sound mitigation measures, visual enhancement measures (ie larger verges, bulb-out parking/cross walks, median strips), bike lanes, should be implemented.

Underground wires to prevent fire hazards should be implemented; this is the bordering the urban wildland interface, and all fire mitigation measures should be detailed and modeled for the community.

Per the St Helena General plan quoted in this report "Policy 4.7.3: The new eastern entry via the Adams extension" needs to be factored into the long-term planning for the Adams/Silverado Trail connection.

The DEIR does not address additional financial impacts to the residents of St. Helena by completing the Adams St extension to Silverado Trail.

The DEIR does not account for the cost of a traffic light at Adams and Silverado Trail.

The City of St. Helena is already routing TRUCK traffic down residential streets: Pope to Edwards to Hunt for the 6-week closure of Hunt/Hwy 29. ADAMS Street is the logical and right location for **TRUCK and thoroughfare traffic**. Edwards is no wider than Adams at Adams/Hwy29, but nonetheless, the City of St. Helena is routing traffic on a narrow tree-lined street (with portions of low wires and low branches, and the sweet “oak tree” in the street block). It is past time to take responsibility for safe, planned, attractive thoroughfare traffic.

The extension of Adams St for this project does not adequately show how 18-wheeler trucks will navigate the “kink” in the road which is the western starting point of this project. This will be the main eastern entrance to St. Helena – it needs to be “beautified” with tree-lined verges and ideally a tree-lined median, bike lanes, and extra buffer between the street and the residences for separation of people and traffic. Now is the time to rectify and plan for this, not make due with 100-year old streets and retrofit them.

We need 2 WAYS OUT of this valley. To not act on this is irresponsible and a lawsuit waiting to happen when lives could be jeopardized in an emergency.

2. **The water mitigation measures are completely inadequate.** Providing the cost of 333 bathroom faucets, toilets, sink faucets, & shower heads to the city WILL NOT mitigate the water impact from this project. IF this was the case, the citizens of St. Helena would gladly have paid this ONE-TIME cost to mitigate our water woes by now.

In fact, does this mean that I can pay \$7K/residence and not have water rationing anymore because I’ve paid an in-lieu fee to the city? This is absurd. **The project needs to pay the true cost of added water consumption, instead of a fake fee to pretend it generates more water. The project must pay for new infrastructure to generate more water for this development.**

Hunter Subdivision Water Neutrality Calculations, Appendix J, state the home and multi-units will use 17,752 gallons per day / 508 persons = 34.9 Gallons per person per day. 34.9 gallons PER PERSON DAY is completely inadequate to project for the water usage. Do they never wash the dog, wash the car, have a guest, fill a kiddie pool?

There is a disconnect in the DEIR stating in table 5-1 the need for **15,509,215** gallons per year (Gallons per year is a figure most citizens will understand vs acre feet/year) and the

17,752 gal/day or **6,479,480** gal/year in the Appendix J. This is a shortfall of 9M+ gallons/year.

The Appendix J is a broad brush, inadequate analysis of the water impact. It is simply a calculation of the cost of water fixtures for an in-lieu fee, and proposing that the citizens of St Helena do MORE to save water so the developer can build out his property. **Many citizens of St Helena have been saving water since the 1970's drought! There is no more water to save in the households.**

The Appendix J does not account for the ADU usage; it only accounts for 51 homes @ 8 persons/ 4 bed home and 25 multi-unit homes at 4 persons/2 bedroom unit.

"The per capita water use for St. Helena in 2015 is approximately 220 gallons/day" per DEIR. Right now, the per capita is <65 gallons per person day.

There are few if any lawns in St Helena (certainly no green lawns now). Schools and parks have different water rules than residents, so water saving here is not going to benefit residents in my opinion. Lawns are completely inappropriate for the landscape design in this project as stated in the DEIR.

There is no data to support there still exists any non-conserving water fixtures in St Helena.

The City of St. Helena residents already pay very very high water rates. **This project DEIR does not address potential future additional costs to residents for water rate increases due to poor planning for new water resources, especially those on a fixed income.**

This project proposes an outdated schematic for single family homes and low-income apartments, when it should be proposing high-energy efficient housing, probably multi-story, with an elevator, to serve both elderly and persons with disabilities, with a native community garden/park with extremely low water needs, and compact private outdoor space, which will further reduce water needs.

- 3. St. Helena does not need more segregated low-income housing.** The developer has a blank slate, and instead is using an outdated ideology for housing. Grouping multi-family units in one location perpetuates the history of segregated housing which is now recognized as having a huge impact on equity, perception of real estate value, and is not a forward-thinking design of inclusivity, integration of housing types.

The site of the Hunter multi-housing units puts it adjacent to the existing multi-housing units on Monte Vista. The subtext is clear. Put the low-income housing next to the existing apartments—bunch the multi-units low/lower-income housing together because no one wants to look at them or treat them like equal citizens. **This is a stigma**

for this neighborhood and the City east of the railroad which bears by far, the burden of multi-family housing. This is not a design of inclusivity. The DEIR does not address the impact on neighborhood perceptions by building easily identifiable “low income housing.” The low-income housing should look the same as all the other housing in the project, and make efforts to integrate with the adjoining existing housing. This has been successfully done in many communities, where the low-income housing looks just like all the other housing in the neighborhood.

The low-income housing needs to include homes for purchase, not only rentals. This will be regulated housing and will not appreciate the same as market-rate, but it will allow owners the opportunity for pride of ownership, tax benefits, and further diversify St. Helena.

The DEIR does not account for the added cost of administering the low-income housing; a trust fund needs to be established.

The schematic housing plan has rigid housing types: Single family homes, likely 2-level, some with ADUs, and duplex or apartment attached multi-unit 2-bedroom low-income homes. If there were more attached homes, both conservation of land and energy is achieved. 3 stories need to be considered. Elevator access needs to be considered for a project of this size.

The ADU schematics are lacking in the site plan. Where are they going? To truly make the ADU affordable, there should be site condos constructed by the developer to increase the range of housing price, with supporting site-condo HOA docs provided at the outset.

There is no recognition of housing for persons with mobility impairments. Our land is too valuable to put all the ADA housing on the street level, and multi-level housing with elevator(s) need to be created.

The HOA information is lacking in the DEIR, and when there is a flood, or serious project impairment, what bond is placed by the developer? If the HOA does not have financial reserves/stability, how does this affect the low-income housing and the development?

There is no information in the DEIR explaining how the homes will be available for VA loans, FHA loans, or help to first time home-buyers.

The DEIR does not address how it will serve very low, low, moderate, and market rate homes specifically, and how many bedrooms/units will each have. There needs to be equity in distribution here, and the “low-income” housing can not only be 2-bedroom residences.

Additionally:

- There are no public parks affiliated with this project, and there should be both parks and improvement to the river trail. There is no analysis in the DEIR of park's needs.
- At the public meeting, a resident commented there are important artifacts of native people at this site. I can attest that I have personally seen native artifacts at this site when I walked this area for hours at a time as a child. There is no recognition or addressing of this in the DEIR. This is offensive and a huge oversight.
- The DEIR is labeled reduced and/or optimized, which degrades the quality of the file. The full file should be available for review. Case in point, Figure 2.1, Regional Location, should be able to zoom in 200%+ to clearly identify adjoining parcels. Zooming in shows a fuzzy image. Figure 2-2 & 2-3 project site photographs are faded, and poor resolution, do not adequately show interface with adjacent properties.
- On figure 2-4, Single family homeowners names are identified. However, the individuals who live at Hunt's Grove, are not identified on the map. There are human beings who live at Hunt's Grove and Monte Vista, and just because they are not property owners, their presence should not be overlooked. At a minimum, the number of units showing bed/bath count in the multi units should be displayed, to indicate the direct impact to Hunts Grove and other adjacent parcels. The Vineyard Valley owners are also not identified. Size and adjoining agricultural parcels should be identified to the north of the project. # Bedrooms and # of residences should be identified on the site maps.
- The concept to extend Starr Ave to Fulton should be noted here as years from now, this is a direct possibility, and part of safety/evacuation planning.
- The Adams Street at a minimum should have bioswales to receive water to replenish the ground water, vs dumping rain water to the sewer infrastructure.
- Page 2-11: Mt. St. Helena is a significant view. It is notable and similar to views of Mt. Tamalpais, Mt Diablo. Vineyards are a significant view in the City limits. If need be the CITY needs to designate views of Mt St Helena as significant.
- Even if "The Project site is now designated Zone X, which FEMA identifies as an area with a moderate to low risk of flooding due to a levee failure and is considered protected from a 100-year flood event," the project needs to address the impact during a 100 year flood event. Also, what foundations will be used on top of the added fill at this project site and will prospective home buyers be notified their homes are built on fill? What is the height of the foundations and first floors to absorb a 100 year flood? Surely these homes are built to last 100 years. **Will these owners be required to buy flood insurance? How will this impact the financing available to purchase these homes?**
- The 2019 General Plan designates this area a medium green, "agriculture." I'm not seeing on the 2019 General plan where this project site is designated medium density residential. The DEIR should show the General Plan designation, and it should be linked in the report for ease of location, not buried in an appendix that one has to sift through to find. 2019 General plan showing agriculture at this site:



- The DEIR states the HOA would oversee street lights and public landscaping. This is confusing and inadequate. There is minimal public landscaping, and there should be a park, verges with trees, a walking path to the Napa River. Why would the HOA service the streetlights on a city street? Is it a private street, and if so the HOA needs to pay for full street maintenance, the common sewer line and underground utilities.
- There is no % for the arts this project. A project of this size needs to contribute to the arts, culture and history of our community. Funds for a permanent City arts project must be considered.

I expect our city and each council member, each commission member to express their opinion on this project.

I am disappointed in the level of communications from the City to outreach to citizens for comments, and to make it easy for citizens to comment on this project.

Thank you for your serious consideration.

Tracy McBride, 510-517-6202, tracymcbride22@gmail.com

-----Original Message-----

From: Karen Bradley <bradleyhuskers@comcast.net>

Sent: Tuesday, November 30, 2021 1:48 PM

To: Maya DeRosa <MDeRosa@cityofsthelena.org>

Subject: [External] Hunter Project

If possible I would like to add our names to the Vineyard Valley response to the Hunter project.

Karen & Kevin Bradley
6 San Juan Ct.

Thank you,
Karen Bradley

Sent from my iPad

From: Janell Myhre <janellrae@gmail.com>
Sent: Tuesday, November 30, 2021 6:40 PM
To: Maya DeRosa <MDeRosa@cityofsthelena.org>
Cc: Vineyard Valley MHP <vineyardvalleymhp@gmail.com>
Subject: Fwd: [External] Vineyard Valley Shared Response - Hunter Project Draft EIR (DEIR)

Hello Maya,

I am writing as a resident of Vineyard Valley. I wholeheartedly support the shared response summarized below and attached. I understand this was submitted to the city and I want to make sure to add my name to the concerns listed in the response. My experience working in the area of emergency management for county governments including County Executive Offices, as well as Fire and Sheriff's departments, in four Bay Area counties (San Francisco, Santa Clara, Marin, Solano) has me very concerned about this development.

The ramifications of the lack of infrastructure mentioned in the Vineyard Valley Shared Response has far-reaching, negative impacts to the public health and safety of the Vineyard Valley and St Helena communities. Additionally, this development will literally eliminate a critical evacuation route for Vineyard Valley's residents, all of whom are of senior age and need quick access to exit routes. With the current catastrophic fire behavior that is becoming common to Napa, St Helena, and the North Bay area, this housing development poses dangerous ramifications to me and my neighbors.

As a resident of St Helena and Vineyard Valley, I appreciate you taking the attached Shared Response into consideration and doing what you can to stop the Hunter Subdivision Project. If there is a need for additional housing, I ask that you look into other options without such public health and safety implications.

Respectfully,

Janell Myhre

23 San Lucas Ct, St Helena, CA

Vineyard Valley Shared Response

This submission by Vineyard Valley is very specific to 3 areas of concern. The requested responses to the DEIR is to be prescriptive and specific to the DEIR. I know as we have gone through this process that there are **numerous issues** related to this project that concern us and many in St Helena. Again we have taken a very specific direction and focused on 3 of the many topics. With this in mind we submit these comments which are limited to the inadequacies perceived by us in the areas of

1. transportation (traffic impacts),

2.**utilities**, especially serious wastewater problems based on past experience, and

3.**emergency evacuation** (with fairly quick evacuation from Vineyard Valley in the current environment can be no small challenge)

A greater description and commentary is included in the attachment below.

Public Comment on Draft EIR for the Hunter Subdivision Project
11/17/2021

These comments are submitted by the ownership and supported by the community of Vineyard Valley. It is beyond dispute that our community will be directly and significantly impacted by the Hunter Project. With this in mind we submit these comments which are limited to the inadequacies perceived by us in the areas of **transportation** (traffic impacts), **utilities**, especially serious wastewater problems based on past experience, and **emergency evacuation** (with fairly quick evacuation from Vineyard Valley in the current environment can be no small challenge.

Our comments relate solely to our reading of the adequacy of the Draft EIR regarding: Transportation and Circulation, Utilities and Service Systems and Omission of Emergency Evacuation

1. Transportation and Circulation

Draft EIR page 3.14-41 presents Table 3.14-3 which provides a Proposed Project VMT Summary. It is clear from the table the Proposed Project Transportation Demand Management (TDM) strategies would result in a Project VMT to be 15.2 % higher than the City wide VMT per capita.

The conclusion under the heading **Mitigation Measures** states because there are no feasible mitigation measures available to substantially reduce or lessen the impact of the Proposed Project to less than significant..... **the impact is a significant and unavoidable impact.**

Draft EIR concludes and clearly states that the Proposed Project has a significant and unavoidable impact.

It is our opinion that City Planning and Council has an obligation to the citizens of St Helena to protect their environmental integrity and respect the well substantiated conclusion of the Draft EIR; There is no legitimate basis for overriding such a clear unavoidable impact as stated in the Draft EIR.

2. Utilities and Service Systems

Draft EIR page 2-29 section entitled Sewer System states that wastewater flows will discharge from two locations on the proposed project site. The western end of the site is proposed to drain into an existing manhole at the corner of Starr and Hunt avenue.

The area **east of Starr avenue**, is proposed to drain east through the project site via new 8-inch sewer pipes through lot 21 within a public easement manhole on the adjacent parcel in the **Vineyard Valley Home Park**. The number of homes served on the eastern end of the project would number 46 and result based on estimates in the Draft EIR by RSA+, a civil engineering firm calculates approximately **13,000 gallons** of new discharge to the existing manhole per day taking into account the proportion of 46 homes to the Project 51 homes.

The manhole on Vineyard Valley property connects to a sewer pipe that runs under Paseo Drive which is the central through fair in the Park. This pipe delivers the wastewater to a pipeline system ending up at the city wastewater facility.

The pipe is part of a wastewater siphon system that is owned and maintained by the City. The siphon was installed most likely because the discharge pipe has to cross Sulphur Creek. These systems **are well known to present problems in communities around the country** (EPA newsletter March 2015: "Inverted siphons carry wastewater flows under rivers, canals, road, etc. These structures can present problems, and communities look for ways to avoid siphons in their collection system when possible.") and here in Vineyard Valley we have had our share of problems over the years from backups of water and waste products from a city manhole located on Paseo during heavy rains. The result is a public health issue for our residents when spills occur. The city is fully aware of these issues since we call them to mitigate when they occur.

Additional wastewater flows projected from the Project are health and safety issues for the residents of Vineyard Valley.

The Draft EIR has not addressed this issue of sewage spilling in the streets of Vineyard Valley.

Further, after reviewing the estimates in the Water Neutral Report Volume III Appendix J prepared by RSA+ we believe the wastewater estimates could be as low by 50 to 100 %, thus: even making things worse. Also, we do not see estimates of wastewater from the **11 ancillary units**

The reason we disagree with the estimates in the EIR is the assumption of 35 gallons per occupant per day of residential wastewater discharge does not even come close to historical St Helena water usage as described in a 2016 Water and Wastewater study which ranges from 65 to 80 gallons per day (excluding landscaping) depending on assumptions of occupants per residential account.

In addition, currently Phase 2 of the City's water shortage emergency program calls for residents to limit non landscaping use to 65 gallons per day. How can 35 gallons per day be a reasonable assumption based on past practices. Why should the City in this time of water shortage consider this assumption of water use as reasonable?

We believe that the Draft EIR is wrong on the estimates of water use as calculated by RSA+

In summary, the Draft EIR does not address the public health and safety issue of increased flows and an inadequate sewage delivery system resulting in sewerage spilling into the streets of Vineyard Valley.

We believe the Draft EIR is wrong on the estimates of water use as calculated by RSA+

Sewage spills in Vineyard Valley have been documented in the past with vastly lower wastewater flows than the unrealistic estimates in the Draft EIR.

3. Emergency Evacuation

During a Wildfire Fire emergency or any other major event in order to quickly and safely evacuate residents we need the two designated exits to be available and viable. These exits are Paseo Drive to Pope street and Paseo Drive connected to Adams street (or extended)
We believe the Hunter Project Development will seriously impact the adequacy of the Adams street evacuation plans, with the CEQA requirements not adequately addressed in the Draft EIR.

1. CEQA IX Hazardous and Hazardous Materials. Would the Project:

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The issue of emergency evacuation in the event of a significant Hazardous waste spill event in Vineyard Valley is not covered in the Draft EIR

2. CEQA XVII Transportation Would the project: **d) Result in inadequate emergency access?**

We have not seen this topic covered in the draft EIR and we are very concerned that emergency access will be greatly diminished by the Hunter Project development.

3. CEQA XX Wildfire. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan.

We believe the Hunter Project Development would impair our evacuation Plan and this has not been addressed adequately in the Draft EIR

The Draft EIR has failed to adequately address CEQA requirements related to section IX Hazards and Hazardous Materials f) section XVII Transportation d), and section XX Wildfire a)

We believe the implementation of the Hunter project puts the park residents in harms way in an emergency evacuation event.

From: Tishna Pastrama <pastrama@sbcglobal.net>
Sent: Tuesday, November 30, 2021 2:08 PM
To: Public Comment <publiccomment@cityofsthenana.org>
Subject: [External] Against the Hunter Subdivision

Dear City of St. Helena and to whom it may concern:

We have lived in St. Helena for 40 years. This was always such a quaint and special place to call home. We have lived through all of the changes that have taken place and have happily grown with those changes.

However, the last 5 years we have experienced so many things that we hadn't had to before and must now be prepared to face in the future on unfortunately a more continual basis that it has brought up many questions and concerns. The Hunter Project is the largest red flag among them.

With fires, extreme draught concerns, electricity outages, roads that have deteriorated to beyond abysmal condition, a parking state of emergency on our streets that prevent home owners from even parking in front of their own homes, a sewer system that can barely function right now without additional users, bridges that although historic and something to be proud of that would be unable to safely bare the load of more traffic in an emergency.

The Hunter Subdivision would add too many residents into a space that would not have adequate parking for each car that would be living in each dwelling. There is currently a major problem on the east side of St. Helena for that exact reason with the current residents of Hunt Avenue, Grove Court and Starr Avenue having to deal with cars lining their street with cars from tenants of the apartments on Monte Vista and the Huntsgrove Apartments. The streets for the new Hunter Subdivision will be packed with cars adding a major safety issue from many perspectives. Kids needing to walk through that subdivision to the bus stop will be dealing with high traffic. The overflow of cars needing a place to park will become worse than a nightmare as there are no spaces available in the immediate surrounding streets now. There will be no place for all those vehicles to park.

What provisions are in place to provide adequate parking that does not interfere with the current city residents?

What safety measures do you have in place to safely evacuate the whole east side from Adams to Pope with the additional up to 350-500 new residents in the case of an emergency and Silverado Trail is not accessible - as we have just experienced?

We feel it is extremely discriminatory for tenants to have all of the new subdivisions / apartments/ affordable housing on only one side of the town. How can you answer this major concern?

Our electricity grid is inferior currently without any new building. Does the city plan to improve the electric grid before any new subdivisions are approved or will we all be stuck with an even more taxed grid that can't handle the current use right now?

Wanting the best for our town,

Gabriel and Tishna Pastrama
Sent from my iPhone



HUNTER SUBDIVISION DRAFT EIR 2nd PUBLIC COMMENT MEETING

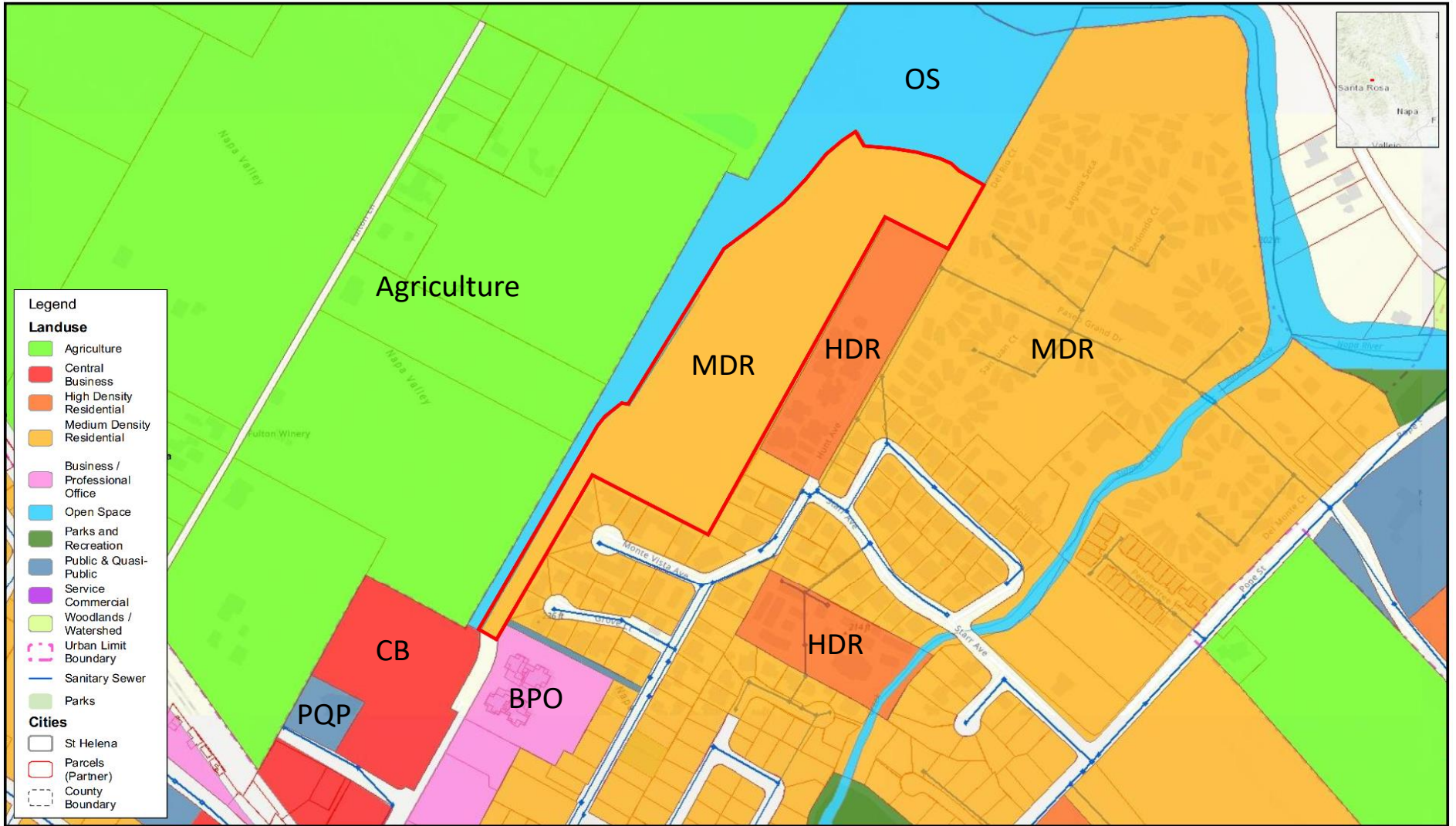
NOVEMBER 30, 2021





Hunter Subdivision

- 16.9 Acres
- 87 proposed dwelling units (51 + 25 + 11)
- General Plan: Medium Density Residential (5.1 – 16 per acre)
- Zoning: MDR
- Density: 87 – 270 dwelling units





Applications

Current:

- Draft EIR
- Tentative Subdivision Map

Future:

- Affordable Housing Agreement (CC)
- Design Review of Proposed Homes (PC)
- Conditional Use Permit for Multi-Family Housing (PC)



Draft EIR Topics

Aesthetics/Visual Resources

Agriculture And Forestry
Resources

Air Quality

Biological Resources

Cultural And Tribal Cultural
Resources

Geology And Soils

Greenhouse Gas Emissions

Hazards And Hazardous
Materials

Hydrology And Water Quality

Land Use

Noise And Vibration

Public Services And Recreation

Utilities And Service Systems

Transportation And Circulation

Energy



Draft EIR

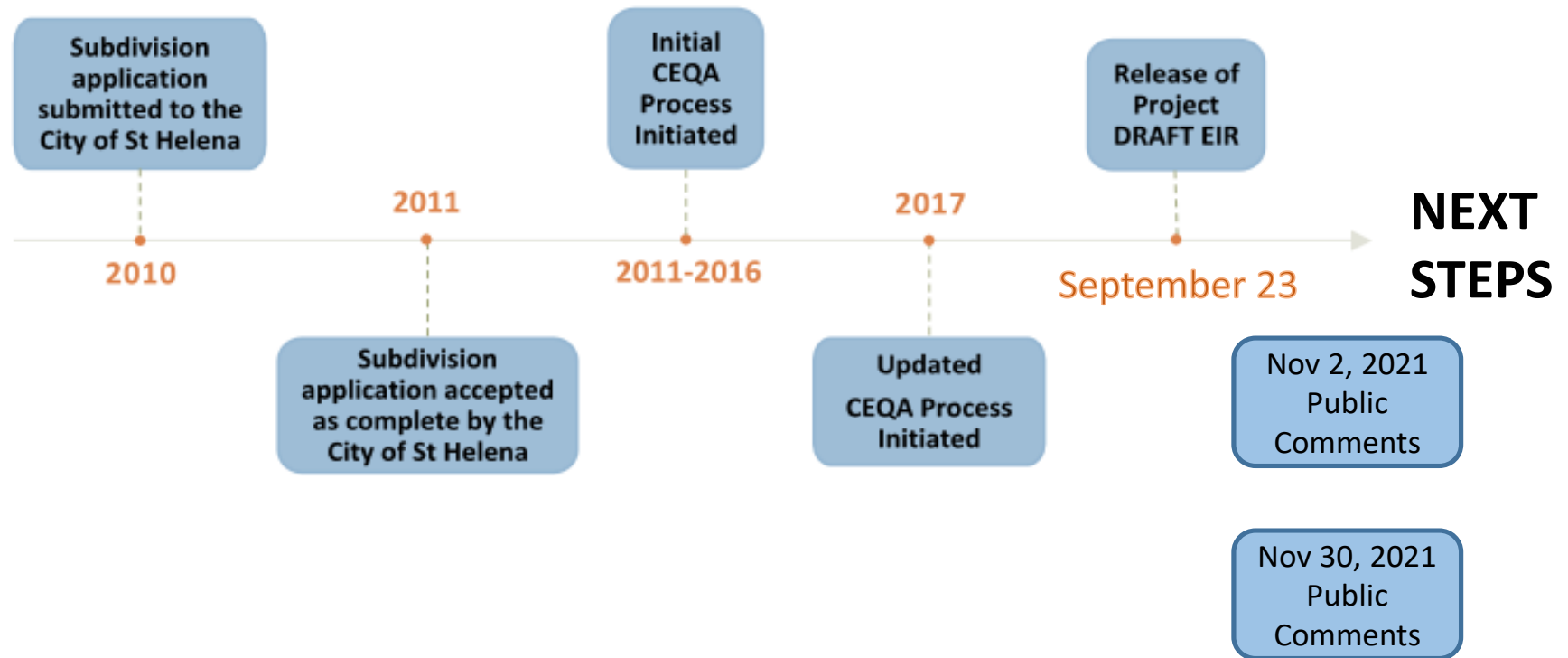
The Draft EIR concludes that the project's impacts can all be reduced to a less-than-significant level **except** impacts related to “**Vehicle Miles Traveled**,” (VMT) which measures the amount of new vehicle travel (measured in the number of miles driven by residents to work, shopping, and other locations).

Impacts related to **VMT** are identified as “**significant unavoidable**.”

All other impacts in the Draft EIR have been mitigated to a level of less than significant.



Project Activity to Date





Hunter Subdivision Next Steps

Winter 2021:

- Responding to comments on the Draft EIR
- Response to Comments/Final EIR

Q1 2022:

- Public hearings on EIR and Tentative Map

Future Entitlements (2022 or later):

- Affordable Housing Agreement (CC)
- Design Review of Proposed Homes (PC)
- Conditional Use Permit for Multi-Family Housing (PC)



Opportunities for Public Input

Item	67-Day Public Review and Comment*	Planning Commission Public Hearing	City Council Public Hearing	Timing
Draft Environmental Impact Report	✓ (Includes Public comment meeting at PC)	✓	✓	45-Day Review Starts mid- September
Tentative Subdivision Map		✓	✓	Winter 2021

* Comment period extended to 67 days; 45 days required by state law



Comments

For Tonight's Meeting:

- Comments on the Draft EIR
- Focus on the adequacy of the Draft EIR—Is information missing? Analysis not correct? Conclusions wrong?

NOT for Tonight's Meeting:

- Comments on the project
- Public hearings in 2022 will be the time to discuss the project



Draft EIR Availability

<https://www.cityofsthelena.org/planning/page/hunter-draft-eir>

The Draft EIR has also been available in printed form at:

- St. Helena Public Library, 1492 Library Lane; and
- St. Helena Planning Department, 1572 Railroad Avenue

Comment Deadline: November 30, 2021



Recommendation

- Receive staff's presentation on the EIR process;
- Open the public hearing;
- Receive comments from the public;
- Close the public hearing; and
- Provide any Commissioner comments on the Draft EIR