



Cleveland-Akron, OH CMSA

Regulatory Order/Family: Traditional/Middle America

Summary

Cleveland resembles nearby metropolitan areas in the Northeast—Buffalo, Rochester, and Pittsburgh—more than it resembles those in Ohio. Its growth rate has been negligible in recent years, with rapid decentralization. This is in part a result of slow population growth itself, since slow growth depresses competition and thus prices for land, and of the region's economic transformation, which has resulted in reductions in intensity and even abandonment of many industrial facilities that cannot be economically converted to other uses. But it also owes something to strong development control especially in the region's unincorporated townships. The townships and counties are not empowered to adopt innovative regulations to manage or control growth, but by the same token, their zoning ordinances usually preclude high-density development. Between 15 and 20 percent of municipalities would bar our hypothetical apartment development. This regulatory environment contributes to a region that is sprawling and persistently segregated by both race and class.¹

Governance Framework and Growth Trends

With nearly 3 million residents, the Cleveland-Akron CMSA is the largest metropolitan area in Ohio and the 16th largest in the United States—just larger than San Diego and smaller than Minneapolis-St. Paul. But population growth has been slow, just 3 percent in the 1990s. The 86,000 new residents in the 1990s only barely exceeded a 79,000-person decline in the 1980s.

Metropolitan Cleveland includes 149 cities and villages in eight counties. The counties share planning responsibilities with 113 townships, adding up to a total of 270 jurisdictions. About 85 percent of residents live in municipalities—a higher share than either Cincinnati or Columbus—and incorporated areas cover 1,150 of the region's 3,600 square miles. But it is a “thinning” region in which the settled areas are losing residents while unincorporated areas boom. Between 1982 and 1997, a period in which population fell and then recovered for no net increase, the region urbanized about 180,000 acres of land. Neither the Columbus nor Cincinnati metropolitan areas urbanized as much land as Cleveland, even though both grew by at least 100,000 residents. About 9 percent of the CMSA's land area is publicly owned.

Regulatory Environment

We received responses to our survey from 51 cities and villages, 14 townships, and four counties. Based on these results and those from Columbus and Cincinnati, we estimate that about half of the municipalities with 17 percent of the municipal population have low-density-only zoning. Our hypothetical apartment development would be banned in 30 percent of the cities and villages. These

¹ Todd Swanstrom and others, “Pulling Apart: Economic Segregation among Suburbs and Central Cities in Major Metropolitan Areas,” (Brookings, 2004). Available at http://www.brookings.edu/metro/pubs/20041018_econseggregation.htm.



small jurisdictions account for 9 percent of the region's municipal population and 17 percent of the incorporated land area, about 225,000 residents and 200 square miles in all.

In unincorporated areas, none of the four respondent counties has its own zoning, leaving that to township governments. An Internet search suggested that at least three and possibly all four of the non-respondent counties also lack zoning, again leaving decisions on whether or not to zone to constituent townships. A variety of sources suggest that zoning in unincorporated areas is more restrictive than it is in either of the other two large Ohio metro areas.²

An estimated 75 percent of townships have zoning with density ceilings below four dwellings per acre, and another 17 percent have density caps of four to seven dwellings per acre. Eight of the 10 townships who answered our question about the hypothetical apartment development would bar it entirely, suggesting that a total of 2,200 square miles (including incorporated and unincorporated areas) in a region of 4,800 square miles are in jurisdictions banning apartments. These results contrast sharply with metropolitan Cincinnati and Columbus, where high-density development is permitted by many more townships and is more prevalent, and where at least half of the respondents to this question would allow the hypothetical apartment development. Only about five townships of the 108 lack zoning entirely.

In all, then, metropolitan Cleveland is much more extensively covered by exclusionary zoning than either Cincinnati or Columbus. Its cities and villages are neither more nor less exclusionary than those in the other two large Ohio metro areas, but its unincorporated townships bar apartment development much more commonly. This low-density-only zoning probably bears some of the responsibility for rapid land development even with slow population growth in metropolitan Cleveland.³

Other growth management tools are rare in metropolitan Cleveland with infrastructure based measures being the most common. Impact fees are present in about a third of the cities, representing about 22 percent of the incorporated population. APFOs exist in 17 percent of the cities, with 12 percent of the population. One city, Hudson, has a building permit cap. An estimated 10 percent of the cities have an incentive based affordable housing program; two or three of these may have a density bonus or inclusionary housing program, but they represent only a very small share of the metropolitan area's population or land area. None of the counties or townships reported any of the other land use tools, with one exception: Ashtabula County has "significant areas regulations" that are not impact fees per se but that do require developer contributions for certain public facilities.

² The Internet and county surveys suggested that townships' responses to our survey were rendered inaccurate by our survey's wording; we asked whether townships had zoning ordinances, but Ohio statutes call zoning "resolutions," not "ordinances," in townships. Hence although several of the township clerks answered "no" when asked whether they had zoning ordinances, subsequent research revealed the presence of zoning resolutions.

³ In addition, more than a dozen municipalities in metropolitan Cleveland have provisions that mandate referenda for all zoning changes. It is argued that these provisions are designed to exclude affordable housing from certain jurisdictions. Stuart Meck, "Exclusion by Zoning Referendum," speech to the Cleveland City Club, October 2, 2002.