LETTER FROM THE EDITOR

Home. It’s “where the heart is,” as Pliny the Elder once said. This concept really started to resonate with me since not only is this our “Housing Issue” of the Urban Review, but also because I am graduating this semester. I am leaving my home in the ugly green walls of the GUAPA lounge and the irritating escalators of the Hunter West building. I will no longer get to sneak a peek at Professor Gross’ gorgeous view of Midtown or enjoy the oily, yet delicious chicken tenders in the cafeteria. I, like several of our staff members this semester, will be saying goodbye to a place, a department, an important stage in our life. And I consider this home.

It’s frightening to move on from a place or a lifestyle you’ve grown so accustomed to. That transition is even harder when the decision is made for you because of a reason other than your own choice: city-wide plans, a flawed justice system, a changing housing structure, or even gentrification itself. In the midst of this housing debate happening in cities around the world, it’s easy to forget what “a home” could really mean for people. For some, it’s a place to crash after researching for hours in the New York Public Library; for others, it’s the sunny, unexplored trails of your neighborhood park, an apologetic relief from the sometimes hostile city life. Home can even be a group of people, professors and administrators, who have guided you, comforted you, challenged you along a piece of your life journey.

As planners and policymakers in the Hunter College Urban Policy and Planning Department, we view the city, whatever city it may be, as our home. And we want that home to be inviting for everyone, including our transgender neighbors and the senior citizens in Brownsville. Our students are working on creative ways to make our cities feel like home for everyone whether it be through health assessments, public open space improvements, or the building of sustainable, permanent, affordable housing units. Our community here at Hunter believes in engaging with communities across New York City and beyond to figure out exactly what kind of home they want to live in and how we can achieve that goal together.

Over the last two years of study, engagement, and debate, I think I have finally figured out what a “home” is. Through this program, I’ve had the opportunity to learn more about not just the city I’ve always wanted to call home, but also about the people who really make it a “home.” It is with them, along with my colleagues, friends, and professors, that I have discovered the ways we can make a difference by being active citizens, participating in decision-making, and contributing to the well-being of the city. I have learned that the ideas, inspiration, and drive we need to transform our world into the place we all have always wanted to live in.

It is now that I finally think I understand what “home” really means, and it is here, in the urban world, that my heart truly lives.

Melanie Breault
Editor-in-Chief
I love New York City, but that is not the only reason I applied. My dad, a native New Yorker, is a retired professor of urban planning. His career has been focused, in large part, on the history of New York City planning, so I grew up in a house with maps of New York from every era on the walls. We had great planning books on the shelves, such as Caro’s The Power Broker, and I grew up hearing about Robert Moses and Jane Jacobs at the dinner table. So this field was in my family, my mind, and my heart very early. My mother also studied planning, and our childhood trips often involved learning about cities and public spaces. I grew up acutely aware of the extent to which a city is built on pursuits or hinders the exercise of citizenship.

What compelled you to apply for a position in the Urban Policy and Planning Department at Hunter College?

I have a fellowship at the New York Public Library, at the Cullman Center for Scholars and Writers, which is a center that gives fellowships each year to 15 writers and professors who are working on books for which they need to consult collections in the Public Library. The New York Public Library has an incredible archival collection, and the primary sources I am using this year are mostly from the Eighteenth Century. The fellowship, by policy, permits you to sit in that amazing, beautiful building and work on your project in its marble company. We each get a talk on our research and also have informal conversations about our work with other poets, playwrights, novelists, journalists, and historians. It’s an incredible place.

What upcoming projects are you excited about?

At the moment, I can’t see past my current book, which is about the first botanical garden in the United States. I’ve been doing research for about 5 years, on and off. I’ve worked in 20 different archives around the world to follow the founder’s studies and influences, and those of the circles he was active in. This book is the first time I’ve had a lengthy period of time to sit down and write the manuscript, and I’m now near the end of the first draft, so this will be in my life for a while. And I am really excited about teaching master’s students. At the University of Michigan, I taught on non-profits at the undergraduate level, and undergraduates are aware of how they will use the study of organizations when they go out in the world. I am excited to teach planning students in New York City. We can’t function without organizations, and often don’t function because of intransigent organizational cultures and bureaucracy. I am excited to bring to the students the most sophisticated thinking about organizations of the last 100 years, and I hope to provide the sort of mental toolkit that comes from studying organizational theory.

This field is interdisciplinary by nature. For example, your work contains elements of history, sociology, and art. What is your advice to students that are just starting in the program or that are trying to find their own specializations?

One thing that is so great about getting older is that you realize the extent to which your learning in college or graduate school stays with you. We keep learning from past lessons, even though they are in the past. It’s like walking past a building and then looking back over your shoulder to see how much you’ve grown. And I hope to provide the sort of mental toolkit that comes from studying organizational theory.

Victoria Johnson is the newest member of the Urban Policy and Planning Department family. She will begin her role as Associate Professor in Fall 2017, but in the meantime, she is completing a fellowship with the Cullman Center for Writers and Scholars at the New York Public Library.
When I graduated from the MUP program, I wasn't sure quite exactly what I wanted to do with my degree. In some ways, I would have preferred to stay in school indefinitely! Luckily, I ended up working at Hunter, where I had the opportunity to keep my foot in the academic world while also meeting students and alumni working in a wide variety of jobs. As students were coming to me for advice, or alumni were checking in to share job openings, I was also benefiting by getting great ideas from them through our discussions! Over time I was able to make more informed decisions about where I wanted to go next. I knew I wanted to work for the city for reasons both practical (good benefits, job security, family-friendly hours) and personal (wanting to be part of the process of making New York City work, wanting to make a difference). Working at Parks seemed the best fit, given my interest in parks and public spaces.

I'm the Program Development Coordinator for the Engineering Unit in the Capital Projects Division. A typical workday is spent at my desk and in meetings. I'm responsible for tracking and prioritizing a high volume of engineering design support for our landscape architecture teams. This involves a lot of coordination with other divisions and collecting information from various sources to keep things moving on schedule.

For example, an Eisenhower Park reconstruction project can have several different engineering elements: drinking fountains, spray showers, drainage system (civil engineering); park security lighting; sensors for spray showers (electrical engineering); adding a new handball court walls (ADA-accessible structural engineering). A recreation center might need a new air conditioning system or pool dehumidification unit (mechanical engineering). You're also an alum of the Urban Planning master's program. What was your area of focus and why did you choose that concentration?

My concentration was "Housing and the Built Environment (including Urban Design and Historic Preservation)." I chose that concentration once I realized I was gravitating towards its courses: Urban Design, Site Planning Workshop, and Regulating Urban Form. One of the most interesting aspects of being a planner, to me, is considering the "big picture" of the built environment as it has developed over time, and how urban design can influence human behavior. "The Social Life of Small Urban Spaces" by William Whyte, and "Finding Lost Space: Theories of Urban Design" by Roger Trancik are two great books on this subject.

I interviewed for the position about six months after I graduated, but it took another few months to get hired. Anyone who has worked for CUNY or for a city agency knows that it can take a long time to get from the interview to a start date. As I mentioned above, when I graduated, I was not quite ready for a focused job search and still figuring things out. When I heard that Hunter UAP (now UPP) was hiring, I jumped at the chance. It was great timing. I was going back to work after being a stay-at-home-mom/grad-student for three years, and it was a relief to re-enter the workforce in a place where I already knew who I'd be working with, what would be expected of me, and in a field that I enjoyed!

As a student, I interned at the Project for Public Spaces and also for a NYC Councilmember. I'm really glad I did two internships – they were both unpaid (I earned academic credit for one) but in the end it was worth it. Working in the community office of a councilmember gave me lots of practical, nuts-and-bolts experience working in the public sector.

Working for a small non-profit (PPS) was a positive experience, but it also helped me realize I'd prefer to work in a larger organization.

What do you think are the most pressing issues facing urban planners and policy makers today? What do you wish more planners would focus on?

I'm sure there are numbers of issues that are pressing, but the one that comes to mind is regional planning. There was a great op-ed in the New York Times recently about re-envisioning the United States as seven mega-regions instead of 50 distinct states called, "A New Map for America" by Parag Khanna. As just about any MUP or MSUA would know from taking Structure of the Urban Region, creating opportunities for effective regional planning is challenging when funding and governance is defined by state lines.

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What makes the NYC Parks Department different from other parks departments in this city?

What do you think are the most pressing issues that are pressing, but the one that comes to mind is regional planning. There was a great op-ed in the New York Times recently about re-envisioning the United States as seven mega-regions instead of 50 distinct states called, "A New Map for America" by Parag Khanna. As just about any MUP or MSUA would know from taking Structure of the Urban Region, creating opportunities for effective regional planning is challenging when funding and governance is defined by state lines.

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What makes the Urban Policy and Planning Department different from other urban policy and planning programs? How is it better or worse?

The Hunter UAP program provides a great balance of theory and practice, and the strong alumni network in New York City is a big asset. I didn't really consider any other schools when I was applying – I was already in New York and had no intention of leaving, so my choices were limited to local options. The value and the quality of the program made the decision very easy.
In 2014, Mayor Bill de Blasio put forth an ambitious plan to address New York City’s crisis-level shortage of affordable housing by building 80,000 new affordable units and preserving 120,000 more. The plan to build new units depends to a large degree on implementation of a new mandatory inclusionary housing (MIH) requirement. Developers seeking to build in communities that adopt this requirement would have to set aside a number of units. At a citywide scale, the new MIH plan legalizes an inclusionary district, and all policies that come within the boundaries of such districts are subject to Land Use Review Process (ULURP) that began last September, the city’s uniform land use review process. Despite the community boards and four public hearings, and long-time residents. Community members and borough presidents alike have also bristled at what they feel is top-down planning without adequate consideration of the needs of individual communities, wealth, and poor alike.

I argue the MIH plan is nothing but a good enough deal for developers to incentivize substantial affordable housing development, nor is it strict enough to incentivize meaningful inclusionary units. The units created from the MIH plan will largely be a mix of market-rate and existing residents in areas targeted for rezoning. The initial plan called for 25-30% of units to be targeted to households earning 60-80% area median income (AMI), or roughly $46,000-$62,000 for a couple with one child, and recent community organizing efforts helped insert an additional bracket of 20% of units at 40% AMI (about $31,000) into the plan approved by City Council (see Graphic on p. 10). However, none of these options go far enough to address the core of New York City’s housing crisis or even its population, almost one-third of New Yorkers earn below 40% AMI and of the city’s 1.1 million rent burdened households, 83% are below 60% AMI. Only of course, AMI in

New York City is already a flawed metric since it includes the incomes of the far wealthier Westchester, Rockland, and Putnam counties to the north, yet policymakers use it to determine affordability standards, resulting in housing program targets that do not reach the affordability levels New Yorkers actually need. MIH is an unfortunate example of this, and in fact, other housing programs already serve to subsidize the households at 60% AMI and above targeted by the plan. In a December 2015 study of East New York, the City Comptroller’s office reported that 55% of neighborhood residents would still not be able to afford the affordable units for the neighborhood (to be created anywhere in the community, regardless of whether those living in the off-site apartments will lose out on proximity to quality schools, transportation, and employment opportunities). A study by the Association for Neighborhood and Housing Development (ANHD) concluded that, in fact, most units would end up being built off-site. In this light, the plan appears more generous to developers than it does to communities. Instead of producing a significant quantity of units at a price affordable to targeted communities, the MIH plan would largely have the opposite effect—and cause gentrification and displace local communities. Although much of the progressive push for inclusionary zoning derives from the national and local civil rights anti-segregation efforts to reverse the exclusionary impacts of zoning and other land use policies on communities of color, inclusionary zoning will actually contribute to segregation along class lines. In order for it to generate any affordable units, inclusionary zoning must

The term “mandatory” is also somewhat misleading since there are so many exceptions that developers can take advantage of. While the MIH plan has received praise from real estate executives, suggesting a willingness to utilize it,1 it developers can hold onto land in an MIH district until market conditions or public policies change in their favor, stalling construction of affordable units until the neighborhood is already gentrified. They can also take advantage of the MIH plan’s “Workforce Option,” (a.k.a. the “Gentrification Option,” according to housing advocates) which allows constructors in mid-markets to set aside: 30% affordable units at a much higher price—affordable 120% AMI—resulting in rents of $2,400 for those earning at least $103,000 a year. If that neighborhood then becomes a hot market, the developer will reap huge profits without having generated any deeply affordable units at all. Developers also have the option of placing the affordable units in an entirely separate building on-site or one that is off-site and within the same community district or no more than a mile away. These off-site units will likely require public funding over time because landlords will have less incentive to maintain them as they would units that were part of a single mixed-income building. Also, the fact that developers can choose to locate affordable units relatively far from their new construction means that those living in the off-site apartments will lose out on proximity to quality schools, transportation, and employment opportunities. The plan would largely have the opposite effect: rather than bringing affordable housing to New Yorkers who need it, the plan will instead encourage gentrification, displacement, and higher rent burdens for low-income communities. Unfortunately, while inclusionary zoning can generate affordable housing, it must be strengthened and should be part of a broader progressive, and aggressively public, housing strategy.

The False Promise of NYC’s Mandatory Inclusionary Housing Plan

BY KATIE LYON-HART
OPTIONS DEVELOPERS HAVE UNDER MANDATORY INCLUSIONARY HOUSING

**OPTION 1: 20% OF HOUSING AT AN AVERAGE OF 40% AREA MEDIAN INCOME**

**TARGET INCOME**

$31,080*  

**AFFORDABLE RENT**

$775*

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**OPTION 2: 25% OF HOUSING AT AN AVERAGE OF 60% AREA MEDIAN INCOME**

**TARGET INCOME**

$46,620*  

**AFFORDABLE RENT**

$1,150

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**OPTION 3: 30% OF HOUSING AT AN AVERAGE OF 80% AREA MEDIAN INCOME**

**TARGET INCOME**

$62,150  

**AFFORDABLE RENT**

$1,550

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**OPTION 4: 30% OF HOUSING AT AN AVERAGE OF 120% AREA MEDIAN INCOME**

**TARGET INCOME**

$93,240  

**AFFORDABLE RENT**

$2,550

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*Source: Department of City Planning.  "Added March 2016. Target income is for 3 person household to qualify for subsidy. Affordable Rent is the rent for a two-bedroom apartment considered affordable. Options 4 renters receive no direct subsidy. Graphic courtesy of Katie Garrett.*
adhere to deeper affordability, hire locally, and ensure creation of good jobs in order to take advantage of full development rights through a density bonus. Their plan did not challenge the fundamental premise of inclusionary housing but could, in the appropriate market conditions, incentivize developers to build more deeply affordable units. Investigations by City Limits and ANHD argue that the Bay Area Economics study reveals developers in the strongest markets could still profit under stricter requirements, so while building new affordable units in weaker markets may still be unfeasible with inclusionary housing, there is great potential for building new affordable units in areas like Manhattan's core. ANHD concluded that such locations could support developments with up to 50% of units set aside at 60% AMI, double the number that made its way into the final plan. However, the City Limits report also argues the MIH plan is a result not of a scientific formula but of conscious and cautious choices to keep developers happy and maintain the city's image as "open for business," so ultimately, it may be difficult for the city to pursue stronger inclusionary requirements given the greater political clout of developers compared to that of community groups. Others argue that making MIH a citywide program would be highly effective in the long run, although of course politically difficult given the term of office.
DEMYSTIFYING GENTRIFICATION

Gentrification is a political problem of injustice in urban environments caused by abrupt demographic changes in low-income neighborhoods that out-price long-time residents. It has four dimensions: economic growth and private investment, the distribution of dividends, so economic theory, and more specifically the rent Gap Theory.4 In contrast to the view that the market was driving changes, the poor-industrial white-collar citizen—whose lifestyle was built from the urban working class—was also considered to be producing demographic change; and direct or indirect displacement of low-income groups.3

The debate & the media

Gentrification is wedged between purely economic and sociocultural paradigms, which are presented through human rights and economic development debates in the media. This draws attention to the tensions between growth, inequality, and human rights—the questions of exclusiveness or inclusiveness, and the perception of outcomes as either accidents of development, or direct manifestations of imbalances in power. The two views are mirrored in the media, telling opposing narratives to mobilize analyses briefly acknowledge displacement; however, it is often positioned as an ethical quandary allowing utopian pragmatism to trump individual misfortune. Research has been confined to studying the mobility of low-income families away from gentrifying neighborhoods. Researchers have also acknowledged the retention of diversity in neighborhoods and the overall improvement of education rates.6 It is these transformational truths that attempt to debunk fears of displacement and propose gentrification as a market solution to the problem of urban blight, segregation, and concentrations of poverty, rather than seeing the problems within gentrification itself. By limiting the consequences to quantifiable indicators, the ostensibly broad lines of inquiry coast over the invisible rates of indirect displacement.

The public conversation is constructed to position local governments and developers as the purveyors of public good. Not all residents and businesses view themselves as either positive agents of change or not individually impactful enough to be accountable. Often the subject is that it is a natural process and an altruistic act from the rich to the poor. At its extreme, it appeals to a broader right wing, anti-government, anti-welfare agenda that fundamentally questions, “Do the poor have the right to live in expensive areas?” Extremism aside, the narrative is laced with an ambiguity about the core issues, which is an active attempt to glamorize economic development without addressing in multiple outcomes. Extending the definition of displacement is central to the rights-based paradigm of gentrification analysis.

Looking beyond the economic value of land, Neil Smith furs his ‘Rent Gap Theory’ by regarding social value, over commercial value of land by express-
ty is an emerging issue where the poor are becoming too great. Spurring from indirect families doubling up, or moving after a Direct displacement has dominated the environmental impacts. Displacement and of suppression with social, economic, and trification are all interconnected in a web culture, diversity, and social capital.

The negative consequences of gentrification are all interconnected in a web of suppression with social, economic, and environmental impacts. Displacement and economic exclusion are two central issues. Direct displacement has dominated the conversation; however, indirect displacement is equally problematic as it refers to families doubling up, or moving after a period of time when the financial burden becomes too great. Spurring from indirect and direct displacement is suburban poverty, loss of culture and diversity, social segregation, and often the integrity of neighborhoods and the mechanism that has enabled market displacement to strengthen the counter-argument with numbers, and balance the market forces to facilitate equitable economic growth. In doing so, the hope is to collect advertisers and refocus the discus- sion from ‘us and them’ and instead to centrate on how to encourage the growth of prosperous and diverse communities, and retain social capital during times of change.

FINDING COMMON GROUND

The struggle of gentrification allows for precise intervention to capture new value while feeding off displacement. To do so, the sociocultural protectors should consider giving a nod to the prevailing frameworks of this capitalist democracy. Newcomers must respect the place for comple- mentary regulatory mechanisms to equalize the outcomes. Even so, the reality is that gentrification should be ap- proached with an aspiration for objectivity and a pragmatism that respects compo- site and values improvement. We must shed a singular idea of the ‘best outcome’ and appreciate the melting pot of divergent cultural groups. The goal is to convince the public that gentrification has detrimental impacts on individuals and neighborhoods. The greatest challenge is being able to ele- vate people’s experience of gentrification from a common action problem, whereby at- tempting to challenge the ‘dominant cul- ture’ that celebrates private consumption and property rights, gentrification displace- ments tell stories in an attempt to humanize gentrification beyond discrete data points. Stories of the greedy developer transforms- ing neighborhoods from ‘geographical ar- eas languidously defined and populated by cultural groups around education, jobs, and appreciation the melting pot of divergent geographic areas, housing and amenity necessary to support low-income

young people, who are also more agreeable to lower quality amenity and higher crime characteristics of affordable and often mar- ginalized neighborhoods. These early movers are combined with the ‘social pres-ervators’ who seek neighborhood au- thorization-displacement link that has both means and the ends to facilitate equitable economic growth. In doing so, the hope is to collect advertisers and refocus the discus- sion from ‘us and them’ and instead to centrate on how to encourage the growth of prosperous and diverse communities, and retain social capital during times of change.

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well under 5%. Vacancies being per-
eroded, despite the vacancy rate remaining
rental units, and legacy rent control and
City. Two-thirds of the housing stock is
increasingly central to life in New York
progressively deregulated.
within federal funding frameworks.54
come (MFI) is a workable metric, as it fits
together and will be set aside. When quan-
tics for this group is a separate piece all
the social strata and part of broader housing

clear about whom a policy is intended to
ation should be made between ‘affordable
ability
out of the city in 2006, citing housing costs
resulted in 64% of the people moving
consistently low, combined with steep housing

crime that gentrification and its outcomes are
establishing local autonomy. It also reminds
political autonomy or mobility empowering them
in doing so. By empowering residents to
place, and extends to giving them a choice
so on.70 It becomes more about support-
right to housing.

We cannot feed the polarization and put
down immovable roots, or gentrification
continue to irrevocably change the city.
been restricted mobility out of disinvested
neighborhoods, and now there is restrict-
ed choice to remain in the neighborhoods where
individuals have invested their ener-
gies. The focus then becomes on fostering
autonomy and mobility, to allow individ-
uals to follow natural movement trends for
employment, family, school, lifestyle and so
on.71 It becomes more about support-
residents who would like to remain in-
place, and extends to giving them a choice
in doing so. By empowering residents to
stay, or to go and still be able to find afford-
able housing, we can repatriate historic debts.
Mayor Bill de Blasio’s Mandatory In-
clusionary Housing (MIH) plan for East
New York is the largest housing affordabil-
(e.g. Mitchell Lama or 421A tax breaks).73 Predominantly on-site development by-
passes the shortcomings of off-site and
off-site development, which has left parts of
the Bronx with high volumes of affordable
housing, as it is often highly cousin to in-
placements of poverty, low integration and ongo-
ing segregation.72 Both public and private
sites will provide units for a range of in-
come levels, the majority target-
ed to income levels below 60% of AMI or $42,620 for a family
of three. Despite the potential, the greatest concern is that these
thresholds for affordability are set
out of reach for residents. Whether MIH in East New York will be
able to temper the gentrification tidal wave
and data-driven with shrinking regard for
the human casualties. The prevailing nar-
thesis is often perceived, they are also a response
only been the ebb and flow of markets as
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themselves to the intractibility of the existing

generated by gentrification, its genesis means for “in-
reduction of new housing be built for low- and mod-
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The CASE FOR INCLUSIONARY ZONING

Utilized by the public sector to incentiv-
ize the development of affordable hous-
ing. The essential components are private
sector development of affordable housing
units, either on-site, or alternative ordi-
nances such as off-site developments or the
payment of in-lieu fees. They can be man-
datory or voluntary, and the quantities of
units and affordability benchmarks all dif-
fer based on the local ordinance. Whatever
the details, the strategy ties affordability to
the land and cannot be eroded when own-
ership changes.

Inclusionary zoning brings together
pro-development and housing affordability
advocates in a unique way in the New York
City context. Rezoning accounts for a large
portion of highly lucrative development
opportunities, and housing affordability
advocates cannot be substantially impactful
in an otherwise established and deregulat-
ing housing market. The case for inclusion-
ary zoning, and any market intervention, is
bolstered by the historical context of hous-
ing inequality.

Inclusionary zoning emerged in the
1960s and 1970s initially as a response to
exclusive housing policy, which is es-
sential to the disinvestment-investment
version driving gentrification, but remains
City, where affordable housing has been
progressively deregulated.

As supply contracts, housing becomes
increasingly central to life in New York
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increasingly central to life in New York
progressively deregulated.

Within federal funding frameworks.54
come (MFI) is a workable metric, as it fits
together and will be set aside. When quan-
tics for this group is a separate piece all
the social strata and part of broader housing

Clear about whom a policy is intended to
nation should be made between ‘affordable
ability
out of the city in 2006, citing housing costs
resulted in 64% of the people moving
consistently low, combined with steep housing

Gentrification is the manifestation of
past and present social inequalities, and it
is a symptom of a capitalist democracy that
is becoming increasingly market oriented
and data-driven with shrinking regard for
the human casualties. The prevailing nar-
thesis is often perceived, they are also a response
only been the ebb and flow of markets as
and data-driven with shrinking regard for
the human casualties. The prevailing nar-
themselves to the intractibility of the existing

The rezoning of East New York potentially
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In 1985 the Federal Court of the Southern District of New York, presided by the honorable Judge Leonard B. Sand, found the city of Yonkers guilty of segregating its public housing facilities. Over a forty-year period the city constructed 90% of its low-income housing units within a single square mile. Blacks and Hispanics, a quarter of the city's population, were concentrated into only three neighborhoods and around the facilities located on Yonkers' west side. With the exception of Runyon Heights, which was located in the middle of the city, Ashburton, Warburton, and Cottage Place were the only areas where minorities could find housing options. The court ordered the city to create a plan for a paltry two hundred units east of the Saw Mill River Parkway. After legal wrangling, racially charged community pushback, outright defiance by city council members, and astringent fines, the city of Yonkers finally succumbed to the court's decree. Under the guidance of renowned architect and urban planner, Oscar Newman, the city devised plans for townhouse units scattered across Yonkers' east side. The goal was one of integration and the melding of a city divided by both class and race. HBO's 2015 Golden Globe winning docudrama, Show Me a Hero, certainly revisited this moment in history in a way that caught the public eye. But in the portrayal of Mayor Wasicak's efforts to manage the crisis were the historic antecedents that brought Yonkers to this boiling point. While suburbanization and deindustrialization were typical menu items for U.S. cities during the 20th century, an account of Yonkers' struggle with identity as a city, a suburb, and as a satellite of the Big Apple adds a unique twist to this story. This paper will examine how Yonkers' response to these challenges led to its particular identity crisis in terms of housing segregation and the eventual plan to remedy this inequity.

**AN IDENTITY CRISIS IN THE MAKING**

While some accounts of Yonkers in its heyday identify it as a booming industrial powerhouse, other nostalgic retellings depict a pastoral retreat isolated from the grid and grind of New York City. Together, these tropes—the “Queen City of the Hudson” and “City of Gracious Living”—illustrate the history of a city deeply divided. New York Times journalist, Harrison Salisbury, gets to the heart of Yonkers’ identity crisis in 1955: “When Yonkers is described as a city with schizophrenia or a split personality this is no figure of speech. There actually are two Yonkers—one, the old river town, the other, the new suburban community.” Though he was describing a mid 20th century Yonkers, Salisbury's observations also encapsulated an aspect of the city that had been ongoing for much of its history. Historian, Roger Panetta traces the fear of urbanization by Westchester County residents as far back as 1871. In a prospectus for Tarrytown Heights produced by Frederick Olmsted Law and Calvert Vaux, Panetta relays their warning, “If the suburbanite is not vigilant, his home and community could be drawn into the vortex of New York City's dreaded housing patterns of excessive density and rampant decay.” Distance, they thought, was the best protection against this inevitable process. It was the railroad, though, that bridged the gap between the city and suburbs for the upper and working classes.

The “drive toward homogeneity” and the “backlash against the perceived cacophony of urban life,” as a piece of suburban ideology that took form in the late 19th century according to Panetta was complicated by diverse socioeconomic patterns of settlement along the railways of Westchester. While it is true that high status elites collaborated in transplanting their upper class lifestyles from the city to the rural suburbs, they still relied on the support of a proximal servant class. Until the end of the 19th century, Yonkers remained a “walking city” with the majority of its industrial workforce both living and working in downtown Getty Square. But in 1893 the introduction of new trolleys in Yonkers connected the downtown to its unusual periphery as well as connecting it to New York City. The “Bronxification” that suburban Yonkers residents feared in the 1950's had already become a migration pattern by the turn of the century.

Not only did middle and upper class residents to the east fear urbanization, but so too did working class whites fear competition from the black “other.” Bruce Haynes explains, “The development and maintenance of a consciously constructed, both man-made and natural features of Yonkers’ geography reinforced them. A report prepared by the Yonkers Planning Board in 1958 noted the city was shaped by a "peculiar topography" of valleys and ridges, and a "Chinese-wall" otherwise known as Sawmill River Parkway. Planners used these features as a template for identifying neighborhood footprints. In other cases ethnic enclaves delineated neighborhood forms. Population density tests also clarified boundaries when determined appropriate. Though the planning board specified that a degree of improvisation was required, in some instances based on "sociological reasons," they were amenable that racial isolation was not their objective.

This board was not (their emphasis) deliberately attempting to create homogenous neighborhoods that could be regarded as racial ghettos. It must be pointed out that Yonkers has no "racial island." The small (3%) non-white population is scattered through many neighborhoods. Only two of the 237 census enumeration districts had non-white majorities. In
between the two communities. Over some of the more explicit measures used neighborhood situated at a distance from Heights—the lone predominantly black differentiations. Yonkers. This geographic constraint hoods were concentrated in southwest this period, the report fails to consider forces that determined the locations of this century were not only dictated by physical boundaries and exclusionary tactics, but would leave the "Queen on the Hudson" dead in the water.

Despite troubles with Yonkers' industrialization, some officials believed that they had reason to celebrate. Only two months prior to Alexander Smith's shuttering, the Cross County Shopping Center opened for business. Expectations ran high and the New York Times predicted, "Not the least of the beneficiaries will be Yonkers, largest community in Westchester. Hard pressed for funds to meet rising municipal costs, the city will receive at least $300,000 a year in real estate taxes from the new Center." 12 From a sales perspective the shopping center was an immediate success capitalizing on its proximity to a booming dormitory sector, city officials relished the influx of tax revenue the mall offered a zero sum solution to the city's economic woes.

"Deteriorating, mainly merchants in Getty Square, feared the worst despite claims that the mall would serve a clientele that had never been there. 15" This was indicative of the growing pessimism about Main Street America as new demographic patterns emerged. According to historian Alison Isenberg, downtown during the 1950's and 60's had not only deteriorated, but had also failed by middleclass women's standards. "Main Street battled with malls not only for generic business dollars, but also for customers of a particular gender and race."16 Middle class shoppers, in general, preferred the controlled environment of the mall to the less predictable "rough edges" of downtown. 17 Downtown businesses spent considerable time and effort strategizing on how to recoup their middle class female clientele. But times were changing. Yonkers struggled to keep up as competing economic forces continued to reshape the city. The expression, "Ghetto Square," as a recent epithet for downtown decline in Yonkers' Getty Square, informs little about the racial and structural repercussions of deindustrialization and suburbanization during the mid 20th century. While white working class residents migrated elsewhere—because they could—minorities housed in the worker dormitories of a bygone era were left behind with little opportunity. Physical and symbolic boundaries forged over time relaxed even the most financially capable minorities to small pockets on the west side of town. For the city of Yonkers, undying a history of intentional racial exclusion and combating complex structural forces would become a painful process that required imagination, perseverance and the power of the courts.

While there is evidence of significant black homeownership in Yonkers during this period, the report fails to consider forces that determined the locations of these homes. Black residents may have been "scattered in mixed, middle and lower middle-class neighborhoods," however all but one of these neighborhoods were concentrated in southwest Yonkers. This geographic constraint would prove to be significant for minorities in later decades as the grip of de-industrialization furthered racial and class differentiations.

A historical account of Runyon Heights—the lone predominantly black neighborhood at a distance from downtown Yonkers exemplifies the restrictions that formed in the first place they would not be able to keep pace as social and economic changes took the unprecedented step of selling and marketing land to "negroes"—a large- ly untargeted market in the early 20th century—were responsible for black settle- ment in Runyon Heights. The Hudson Rose Company and Henry Sougharte, for example, placed advertisements for their lots in the New Amsterdam News to lure potential buyers from nearby Harlem to the suburbs. The profit mo- tives of these speculators, coupled with the restrictive measures mentioned earlier, reinforced racial and class homoge- neity in Runyon Heights. 8 For much of the remainder of the 20th century real estate agents and developers continued marketing housing opportunities to blacks only where blacks could already be found. Thus segregated settlement patterns in Yonkers during the 20th century were not only dictated by physical segregation, but also by intentional steering of the real estate market.
We still help those who couldn’t help themselves. Now it’s predominantly minority from broken families but we are giving them a place to live—and at some expense to ourselves. We have to absorb the cost of social services from having people like that down there.18

In Yonkers, these attitudes were deeply ingrained. Crippling fines imposed by the courts meant that the city of Yonkers cut or reduced basic services. Garbage ingrained. Crippling fines imposed by the private market, ignited by the Clinton administration’s HOPE VI program, has helped to create mixed-income housing, questions about displacement of the poor have surfaced. Can the profit imperative of individuals and collective social responsibility coincide in a mutually beneficial way? Like numerous other municipalities, Yonkers’ Public Housing Authority is facing funding challenges and is tasked with making up shortfalls through public-private partnerships. The RAD program (Rental Assistance Demonstration) moves public housing units to a Section 8 platform and according to HUD, “allows public housing agencies to leverage public and private debt and equity in order to reinvest in the public housing stock.”24 Skeptics worry about loopholes that could threaten the preservation of affordable housing for Yonkers’ low-income population. These new housing strategies deconcentrating poverty, or relocating poverty? Is the mixed income solution merely a reinterpretation of Oscar Newman’s environmental determinism? Considering some of the forces that have shaped US cities during the 19th and 20th centuries—real estate, transportation, suburbanization, and de-industrialization—are the latest efforts to privatize housing in Yonkers representative of a new generation of exclusion? M

Mixed-income housing has become en vogue in recent decades, yet its precise definition and desired outcome remain murky.23 While the burgeoning romance between public housing and the private market, ignited by the Clinton administration’s HOPE VI program, has helped to create mixed-income housing, questions about displacement of the poor have surfaced. Can the profit imperative of individuals and collective social responsibility coincide in a mutually beneficial way? Like numerous other municipalities, Yonkers’ Public Housing Authority is facing funding challenges and is tasked with making up shortfalls through public-private partnerships. The RAD program (Rental Assistance Demonstration) moves public housing units to a Section 8 platform and according to HUD, “allows public housing agencies to leverage public and private debt and equity in order to reinvest in the public housing stock.” Skeptics worry about loopholes that could threaten the preservation of affordable housing for Yonkers’ low-income population. These new housing strategies deconcentrating poverty, or relocating poverty? Is the mixed income solution merely a reinterpretation of Oscar Newman’s environmental determinism? Considering some of the forces that have shaped US cities during the 19th and 20th centuries—real estate, transportation, suburbanization, and de-industrialization—are the latest efforts to privatize housing in Yonkers representative of a new generation of exclusion? M

Many central city neighborhoods across the nation. But does this renewed growth in central cities mirror a decline in the suburbs? The erstwhile notion of the suburb as the near universal choice for the middle and upper classes as a safe, homogenous, and family-friendly environment for raising children and owning a home is no longer universal.

The question of whether we are witnessing the “end” of suburbia in favor of a return to city-center housing has generated discussion among planners. Several decades of sustained growth in central city populations, along with apparent renewed cultural preference for urban living, has made it appear to many that there is a major shift in metropolitan population trends. Based on current trends, some planners and commentators believe that American suburbs have entered a period of decline.

There is unquestionably a new enthusiasm for urban living, and the years following the Great Recession have unleashed a torrent of development in many central city neighborhoods across the nation. But does this renewed growth in central cities mirror a decline in the suburbs? The erstwhile notion of the suburb as the near universal choice for the middle and upper classes as a safe, homogenous, and family-friendly environment for raising children and owning a home is no longer universal.

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The vast majority of these proj- ects were built for white people. And they put it there because they wanted it to be near the mills. And now we’re heinous racists for doing it. It’s just blatantly unfair. Situations changed. Our factories left. We still help those who couldn’t help themselves. Now it’s predominantly minority from broken families but we are giving them a place to live—and at some expense to ourselves. We have to absorb the cost of social services from having people like that down there.18

In Yonkers, these attitudes were deeply ingrained. Crippling fines imposed by the courts meant that the city of Yonkers cut or reduced basic services. Garbage piled on the streets. Library and park employees were dismissed. Finally, with no alternative the city council voted to comply with the desegregation order.19 Now would come time to implement a plan. Architect and planner, Oscar New- man, was slated to design the housing

units. Locating two hundred units on seven sites across the east side of Yonkers would limit each site to a maximum of twenty-four units. By also design- ing the housing to resemble that of the surrounding community Newman sur- mised that the new structures would be less noticeable. The goal of his design was to:

…eliminate all of the trouble- some, crime ridden areas typical of multi family housing proj-
Central cities—or to more urban housing forms—emerged to challenge the prevailing preference for the suburbs as early as the late 1950s. During this period, developers marketed well-appointed co-op buildings in central cities to young couples and empty nesters, and in some cases specifically marketed the new buildings to “returnees” from the suburbs. These developments sprang up in New York, Philadelphia, Washington, and Chicago. Professor Matthew Lasner notes that this same time period also marked a return to denser, remaining slums, smaller apartment buildings in outer-borough or suburban markets such as Levitt House in Queens. Examples of mid-rise and high-rise market rate and luxury buildings quickly proliferated throughout the suburbs during this period. Thus, in the face of new suburban growth, central cities emerged as a place where some people choose to live. These buildings have demonstrated the ability of the central core to reclaim its reputation as a place to be avoided. The 1960s saw the beginning of the phenomenon of modern gentrification. Gentrification occurred as young baby-boomers rejected what they perceived as mainstream middle-class suburbs and expressed an enthusiasm for living in formerly central city neighborhoods such as New York’s Greenwich Village and Boston’s North End. Lasner explains that the 1960s and 1970s saw a great expansion of gentrification in urban neighborhoods. Artists, single women, gay men, and a class of people working in expanding service-oriented professions concentrated in cities; and they bought and renovated under-utilized multi-family dwellings. This movement initiated the creation of neighborhoods that were associated with cultural movements and entertainment among the young and unassumingly helped chip away at the notion that cities were undesirable. In the decades that followed, cities have continued to attract increasingly desirable and the trends that were foreshadowed in the 1960s have intensified. In a CityLab interview, the Great Inversion author Alan Ehrenhalt contends that cities have now become magnets for an affluent class of young professional young adults, and central city neighborhoods are becoming more expensive places to live. Indeed, the tide is longer than Engholt’s book signifies with the seer as a major shift in which the suburbs, formerly seen as enclaves of the affluent, have become the entry points where new immigrants settle. While demographic trends that have facilitated movement to cities have only increased, such as delaying marriage and child losses in central cities. However, a significant number of major metropolitan areas now show white population losses in suburbs. In fact, an exemplar of white suburban affluence, New York’s Westchester County, is about to lose its white majority. Therefore, the fact that suburbs are losing population is a stabilizing factor of central city white populations. Gentrification is often seen as a catalyst for suburban growth, and suburbs are becoming magnets for an affluent class of professionals young adults, and central city neighborhoods are becoming more expensive places to live. Indeed, the tide is longer than Engholt’s book signifies with the see as a major shift in which the suburbs, formerly seen as enclaves of the affluent, have become the entry points where new immigrants settle. While demographic trends that have facilitated movement to cities have only increased, such as delaying marriage and child losses in central cities. However, a significant number of major metropolitan areas now show white population losses in suburbs. In fact, an exemplar of white suburban affluence, New York’s Westchester County, is about to lose its white majority. Therefore, the fact that suburbs are losing population is a stabilizing factor of central city white populations.

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Patterns of poverty and wealth have simultaneously increased. While poverty has increased in both cities and suburbs between 2000 and 2010, during this period the growth rate of poverty in the suburbs was twice that of poverty in central cities. Today, the suburbs remain home to the largest and fastest growing poor populations in the nation. Working-class immigrants who would have once settled in the city are bypassing the city and settling directly in the suburbs. Furthermore, many longtime residents of suburban communities who are experiencing rising costs, stagnant wages, or declining income, as well as an increase in elderly households who have aged in place, are contributing to the growth in suburban poverty. With the increase in suburban poverty has come an increase in suburban crime. From 2001 to 2010, the homicide rate in cities declined 16.7%, while the homicide rate in suburbs rose 17.6%. In addition, the presence of gang activity, once associated almost exclusively with cities, is unfortunately well established in suburban communities. As demographers have commented, the suburbs have changed from en-claves reserved for the upper or middle classes to places that more closely mirror America; and suburbs encapsulate every segment of society, race, age, income, and housing type. As one demographer observed, “If it’s part of America, it’s part of the suburbs.” While increasing poverty and crime are always a cause for concern, it is doubtful that these trends spell a prospective end to suburban living and to suburban communities. The physical housing stock of suburbs of the 1960s, such as New York’s Greenwich Village and Boston’s North End.

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backlogs are particularly egregious, ad-
flaws remain. While the Bronx Courts’
measures have been taken to reduce the
acceptably overdue. Since then, drastic
the judiciary itself to be un-
and more than two thirds
meanor cases were pending,
18,000 felony and misde-
the ills identi-
remedies for the ills identi-
this piece
dealt with the roots and history of the
in the Fall 2015 issue of
Urban Review
Courts indicted New Y ork’s trial court system
as being “the most backward and inefficient
court structure in the nation.” 1

A public report prepared by Special Commission on
the Future of New York State Courts indic-
meeting the needs of the 21st century, the
situation in the Bronx courts will play
out time and time again. These short-
come cannot be contained in crim-
nal courts of the Bronx, and will cer-
tinately crop up in other jurisdictions.
This administrative is-
sue has bloomed into a civil
rights issue of epic propor-
tions as thousands of accused
criminals from the Bronx
 languish in New York City’s
overcrowded jail facilities for
months, even years. Even
worse, indigent, Black and
Hispanic defendants are dis-
proportionately affected. Furthermore, the
inefficiencies of the state’s court sys-
tem impose an incredible cost on New York
City itself, which pays an annual
cost of over $160,000 per prisoner. 3

effective policy approach to the back-
log in the Bronx combines legislation
to ensure that accused criminals are not
stripped of their rights, a constitutional amendment to allow the Unified Court
System to function efficiently, and a
promise that the legislature will deliv-
er funds when they are needed.

The Right to a Speedy Trial
One pernicious question raised by
the Bronx courts felony backlog is how
defendants can possibly wait for long
periods of time to go to trial. After all, the
42nd amendment clearly guarantees
a right to a speedy trial and New York’s
own Court of Appeals has released de-
defendants on the grounds that they were
imprisoned too long before trial. In
1971, the U.S. Court of Appeals missed
an opportunity to censure New York
for the number of prisoners awaiting
trial. Though the opinion upheld “that
some rule it required would seem ob-
vious,” the Court of Appeals ultimately
defeated to the legislature and judiciary of
the state to “fashion a rule which will
require standards of performance de-
signed to guarantee speedy trials in state
cases.

Ultimately, a tough on crime Re-
publican legislature, led by Nelson
Rockefeller, killed a speedy trial law
along the lines of most states. The typi-
speedy trial law stipulates that pros-
ucutors must demonstrate the he or she
is ready to go to trial, and the trial must
actually commence within a set peri-
don of time. In its place, the legislature
passed the so-called “ready rule.” Under
the ready rule, “The prosecution would
merely have to be ‘ready for trial’ before
a deadline. Whether a trial actually oc-
curred was not relevant.” 4

Subsequent court decisions have
ruled on the side of the prosecution, and so
prosecutors are granted lengthy
extensions, while staying within the let-
ter of the ready rule statute. In practice,
the clock stops for many rea-
sons—for example, when de-
ense attorneys submit
motions before trial—so that
the amount of time that is of-
ficially held to have elapsed can
be wildly different from the
amount of time that really has. 5

In this way, defendants are legally barred
from filing a successful writ of habeas
corpus, or otherwise challenging their
pro-trial imprisonment because the state
can prove in court that the letter of the
law has been followed.

Because of the nature of legal prec-
cedent, it is impossible for the courts to
reverse course on their decisions regard-
ing the ready rule. In order to bring jus-
tice to defendants in New York, the leg-
islature must amend the existing ready
rule to 1) ensure that prosecutors have
completed their discovery before declar-
ing that they are ready to go to trial and
2) mandate the time a trial is delayed
due to court congestion counts towards
the deadline after which the defendant
must be released. These two provisions
will ensure that defendants who cannot
make bail are not jailed for months or
years. Sadly, these proposals do not exist
outside the pages of law journals. 6

In many ways, this is the heart of the
problem that bedevils the Bronx courts.
As long as defendants can be jailed indefini-
tively, there is external pressure on the
courts to work more efficiently. If
there were a meaningful chance that
defendants would be released from jail
before trial, a legitimate public outcry
would undoubtedly force the state to
address the underlying structural flaws
that allowed for thousands of criminal
cases to accumulate.

The Administrative Morass
The New York State Unified Court System is both inefficient and under-
ended. These two trends play off one
another; the inefficiencies of the Court’s
structure push the budget ever farther
into the red. Neither of these trends is
sufficient to explain the felony backlog
in the courts of the Bronx. After all, the
backlog persisted even when New York’s
budget swelled in the late 1990s and
the 2000s. The most basic problem with the
Unified Court System is its structure, and
it requires a fundamental override.

In order to discuss court adminis-
tration, it is critical to understand the
three types of trial courts: general juris-
diction, limited jurisdiction, and single-
tiered. A general jurisdiction court is “a
trial court having original jurisdiction
over all subject matter or persons within
its geographical limits except those that
can be assigned by law to a special or
limited jurisdiction court.” A limited
jurisdiction court is “a trial court hav-
ing legal jurisdiction over only the spe-
cific subject matter or persons assigned
by law or statute to that court.” A single
tiered court is “a court of limited juris-
diction over all subject matter or persons
within its geographical lim-
its and sharing no jurisdiction with any
special or limited jurisdiction court.” 7

At present, the judiciary is a patch-
work of general and limited jurisdiction
trial courts. For example, the Criminal
Court of New York City is a court of
limited jurisdiction, (it can only hear
misdemeanor cases and arraignments)
while the Supreme Court branch in
New York is a court of general juris-
diction (it has jurisdiction over all civil
and criminal cases, though in practice it
only hears large civil cases and felonies).

Since as early as the 1980s, both
the legislature and the judiciary itself
have been calling for a major overhaul
of the Unified Court System. The New
York State Senate Select Task Force on
Court Reorganization was assembled in
1976 and collected testimonies for sev-
eral years before releasing its report in
1983. 8 The primary complaint identi-
fied by the report was that the 11 differ-
tent courts that make up the system cre-
ate an administrative morass that makes
the disposition of cases—criminal and
civil—unnecessarily complicated and
expensive. The report quotes Chief
In the Bronx, it reflects the danger of slipping systematically kept from justice and unfairly imprisoned, as they are in the civil and criminal matters. The same year, the Board of Judges of the Civil Court of New York and the Association of Criminal Court Judges of the City of New York released their own report on the Task Force’s findings. In many key areas, it argues. The report provides anecdotes to illustrate the wasteful nature of the Court System’s structure.

A judge in the Criminal Court is hearing a case involving an arrest and discovers that the defendant is also charged with a violation of probation in the Supreme Court. She adjourns the case to await that disposition.16 A judge in the Supreme Court is scheduled for a hearing in a part next week. She takes no cases, which will not be finished by the end of the week. He waits for a short case, but no such matters are ready. He knows that there are short cases and hearings ready in the Criminal and Civil Court, but the current system does not permit him to take those cases.17

In a final flight of illustrative futor, the authors point out that the time it takes to hear many cases “is longer than that which it took to go to the moon.”

As much as it concurs on the reasons that the courts are in desperate need of structural reform, the report categorically rejects the reforms envisioned by the State Senate Task Force. In fact, it argues that the proposal would not only promote a form of second class justice, but because every associate judge’s decisions would be up for appeal, it would severely complicate the system’s problems. In place of the quasi-single-tier system put forward in the Senate Report, the City Court Judges advocate for a radical shift in the nature of the Unified Court System across the state. They propose that the entire judiciary be transformed by constitutional amendment into a single, statewide trial court.

New York has only 2.3 judges per 100,000 citizens. Despite being the fourth largest state in the nation, the state employs a paltry 459 judges.15 These justices are spread through 11 trial courts, so both judges and other judicial resources—like court reporters and jurors—cannot be used to their maximum efficiency. Under the current constitution, the Chief Judge cannot appoint more than one temporary Supreme Court Justice per 50,000 citizens. Therefore, the mandatory restriction limits its administrative power and damps any efforts to address the backlog in the Bronx.16

These are the exact types of problems that a single tier trial court would help to address. During the summer and winter months when felony filings are fewer, judges and other judicial resources can be moved from arraignment parts to hearing parts in order to continue the work of disposing criminal cases.

This is not an easy solution, but a constitutional amendment to fundamentally resolve the fractured nature of the New York State Unified Court System is the only long-term answer to the backlog in the Bronx. Without a single tier of court for each county, there is no way either effectively clear the felony backlog in the Bronx or to ensure that it does not happen again. Despite the critical importance of this reform, neither the judiciary nor the legislature has seriously considered crafting a constitutional reform since 2003.

THE FUNDING GAP

The judiciary needs to be fully funded, and the failure of the legislature to fund the courts is unconscionable.

The Constitution of the State of New York clearly states the following:

The legislature shall provide for the allocation of the cost of operating and maintaining the court of appeals, the appellate division of the supreme court in each judicial department, the supreme court, the court of claims, the county court, the surrogate’s court, the family court, the courts for the city of New York.

In theory and in fact, the legislature has opened itself up to a significant liability. The state is currently being sued by New Yorkers for Student’s Educational Rights on the grounds that the state has failed to adequately fund schools.18

There is significant precedent for this. Throughout the early 1990s, many courts across the country faced rising caseloads, and the American Bar Association commissioned a report that indicated funding was an incipient threat to the entire American justice system.19 In 1991, Chief Justice Sol Wachtler filed suit against the state, alleging that it had failed in its constitutional duty to fund the courts. Justice Wachtler’s suit was settled out of court, and his brininskanship resulted in a suitable compromise.20 This is not a sustainable solution in the long term, both because it increases animosity between the branches of government and because the court’s legal basis is shaky; cases proper to Wachtler’s suit set a precedent for the state to deny the judiciary funding.21

The judiciary needs to be fully funded, and it should be considered a priority no matter the conditions of the state budget. When the courts are underfunded, not only is it impossible to conduct business in a timely and efficient manner, but also the legitimacy of the judiciary as a separate, equal branch of the government is undermined. Though the 2015 budget will begin to restore balance, great damage was done between 2008 and 2014 when the budget was frozen. In fact, the hour-shorter court days and loss by attrition of experienced court employees helped to cement the felony backlog in the Bronx at that time.22

Like with the Unified Court System’s structure, there is no easy solution to this question. For one thing, increased spending on court infrastructure is perennially politically unpopular. The public perception is that spending monies on courts is a waste of public funds. As the financial condition of New York begins to stabilize, it provides a critical opportunity to guarantee funding for the judiciary in perpetuity by providing for a statutory minimum budgetary increase of 2.5% per annum. This growth rate, though modest, is actually consistent with a modest growth budget increase, which has been sought by the judiciary over the past decade.23

CONCLUSION

The backlog in the Bronx is complex, and it demands a complex solution. It has roots in the festering recesses of a horse drawn bureaucracy thrust into the space age. By law, New Yorkers can be held in pre-trial detention indefinitely, and the poorly organized and funded courts make that a daily reality for hundreds of defendants. Furthermore, this statewide failure imposes harsh costs on New York City, which is required to foot the bill for pretrial detentions. In order to bring criminal justice in the Bronx into the 21st century, the entire state must undergo reform, first to amend the “ready rule” that allows court backlog to keep defendants in pretrial detention indefinitely. In and of itself, this is insufficient to relieve the strain on Bronx criminal courts. The entire trial court system needs to be simplified to a single tier court, in order to use judges and other judicial resources with maximum efficiency. Finally, the judiciary needs to be fully funded, with a minimum guarantee set by statute.

There are many reasons for adopting these reforms. A single tier court would save the state millions, and a guaranteed budget would smooth tense relations between the judiciary and the other branches, putting to rest fears of a divisive lawsuit. But the most important reason to reform the New York State Unified Court System is the pursuit of justice itself. Objective, swift, and fair systems of justice are the hallmark of justice itself. Objective, swift, and fair systems of justice are the hallmark of freedom and civilization. When the poor and the racially disadvantaged as systematically kept from justice and unfairly imprisoned, as they are in the Bronx, it reflects the danger of slipping from freedom to repression. Fyodor Dostoevsky once wrote, “The degree of civilization in a society can be judged by entering its prisons.” What does it say about our society that thousands are imprisoned without having been convicted of any crime? There is no reasonable excuse not to resolve the backlog in the Bronx and to fight to keep it from occurring ever again.
Recent events indicate that our cities need to begin planning for harsher climatic conditions. In East Harlem, the need for environmental improvements is especially urgent since this area, as a water-bound community, is vulnerable to storm surges and flooding. However, ‘green rhetoric’ is often used as a façade for changes that sprouting up across the neighborhood. Our planning studio—in partnership with Lott Community Development Corporation—created a plan that finds common ground between various complex issues that the neighborhood is facing. Rather than viewing economic development, affordable housing, and environmental resiliency as unrelated issues, El Barrio Verde—informed by the Eco-District model—begins from the assumption of their commonality.

El Barrio Verde is currently undergoing a transition, with luxury high-rises sprouting up across the neighborhood; gentrification is certainly moving on to East Harlem, threatening its unique culture and institutions. We are certain that the plan for El Barrio Verde will utilize the community, making it a culturally and economically vibrant, safe, resilient and sustainable place to live while maintaining the local social make-up of the neighborhood and keeping it affordable for its current residents. This is an Eco-District model for equitable transformation, not looming transformation, not looming gentrification.

One way to address this set of concerns—as outlined in the El Barrio Verde proposal—is to create an Eco-District that is tailored specifically to the needs of East Harlem. The Eco-District is a holistic approach to sustainability that takes into consideration both regional environmental issues and local concerns ostensibly unrelated to the environment. In East Harlem, many residents are concerned about unemployment and rising cost of housing. Can green initiatives address these issues? Our planning studio—in partnership with Lott Community Development Corporation—created a plan that finds common ground between various complex issues that the neighborhood is facing. Rather than viewing economic development, affordable housing, and environmental resiliency as unrelated issues, El Barrio Verde—informed by the Eco-District model—begins from the assumption of their commonality.

One of the many challenges facing East Harlem is housing, which is plagued by deteriorating building conditions, health risks resulting from these building conditions, and a lack of affordability due to rising rents. We identified underutilized development rights within the NYCHA campuses and undertook lots as a source of opportunity for addressing housing needs in the study area. In order to improve the quality and quantity of housing, our team proposed a number of recommendations that focus on sustainability, affordability, and equity, including: rehabilitating NYCHA-owned properties and privately owned properties as well as creating new affordable housing. We also provided a variety of strategies for the implementation these recommendations.

The plan is grouped into the following six categories:

1) Sustainability:
   - Use environmentally friendly practices to decrease energy consumption, reduce the area’s carbon footprint, and mitigate the impacts of climate change.

2) Health and Safety:
   - Implement programs and infrastructure to promote healthier lifestyles and improve safety for pedestrians and bicyclists, while reducing crime rates.

3) Affordability:
   - Create an economically inclusive community with new green affordable housing units while creating opportunities to retain local existing affordable housing.

4) Livability:
   - Create a more unified community and strengthen its cultural identity, while improving opportunities for local employment.

5) Public Open Space Improvements:
   - Based on our observations and conversations with local residents, the main issues our team identified was that open spaces in the area, although abundant, do not often feel safe or accessible. Significant open space, natural and recreational resources just outside of the study area—Central Park to the southwest, the waterfront to the east, and Randall’s Island across the East River—feel disconnected from the neighborhood while many of NYCHA’s open spaces are fenced off, unwelcoming, and underutilized. Our recommendations for open space seek to find common ground with local culture and history while improving the quality of the public sphere, by enhancing the network of community gardens, developing existing resources and buildings new ones, and increasing resiliency.

6) Job Creation and Training to Reduce Unemployment:
   - After speaking to local residents and consulting Community Board 11’s Statement of District Needs, we determined that unemployment is a large concern in East Harlem. Notably, the unemployment rate for NYCHA residents within our study area is 21%. This number is high compared to our study area as a whole (16%), East Harlem as a whole (12%), and the average for New York City (11%). We made recommendations within each topic area of our plan that focus on addressing the unemployment issue by creating jobs and training opportunities for the local residents.

7) Zoning Amendments to Incentivize Affordable Housing and Green Building Design:
   - Zoning plays an important role in our proposal for an Eco-District. Within the scope of zoning, our team has outlined three main goals: alleviate NYCHA’s financial burden with respect to local building repairs, create new affordable housing while preserving the existing affordable housing stock, and encourage the implementation of green building design and infrastructure. To enable the success of the Eco-District, we recommend the creation of a Special Purpose District called the Special East Harlem Eco-District.
Urban planning practices have historically planned for a heterogeneous public in processes that marginalize difference. Gender-inclusive planning recognizes that gender plays a significant role in the urban public realm without privileging any one gender identity over another. To update and address the diversity of experiences among people of all gender identities in the enactment of land use, zoning, housing, transportation, urban design, and policy recommendations that affect the built environment.

The Gender-Inclusive Planning Studio (GenderInc) envisions a more just city where LGBTQ people of all races and cultures experience safety – in mind and body – in public spaces. We believe that policy and design interventions focused on the urgent need for ending violence against and harassment of transgender and gender non-conforming (GNC) people will affect policy and cultural changes that result in a safer city for all New Yorkers.

Our mission is to make New York City a national leader in addressing gender-based violence and harassment on multiple levels. We will elevate LGBTQ safety and equity in public spaces through a combination of formal and informal actions that engage all levels of government, facilitate coalition building, encourage allyship initiatives, and design interventions focused on the urgent need for ending violence against and harassment of transgender and gender non-conforming (GNC) people.

Our work on the studio will culminate in a report describing planning interventions and policy recommendations that will elevate LGBTQ safety and equity in the urban public realm. The studio is using Jackson Heights, Queens as a focus area for our efforts, as it is home to a large LGBTQ population and has been the site of several recent instances of gender-based violence. Jackson Heights also contains varied land uses, transportation options, and a richly diverse populace, enough so to capture the wide range of planning issues that one could encounter in the rest of the city at-large. There, the studio is working with community members to understand the sources, locations, and types of gender-based harassment and violence to arrive at planning and policy interventions that will make public spaces safer for not only LGBTQ individuals, but for the broader New York City population-at-large.

Our initiatives and recommendations will be aimed at reducing harassment and violence against LGBTQ people in public spaces, with a particular focus on public transit as well as on transit’s street-level access points. These recommendations and initiatives will be specifically designed to be executed on a broader level across the five boroughs of New York City. Such a citywide application of the report’s findings would position New York City as a national leader in addressing gender-based violence and harassment.

Work on the project is multifaceted, comprised of interviews with LGBTQ advocates, policy shapers, and planning professionals to build coalitions; gathering qualitative data from members of the Jackson Heights LGBTQ community to inform planning interventions; and presenting our findings to city agencies.

The studio employed a variety of methodologies to accomplish our project goals. We conducted in-person and telephone meetings with community leaders, movement builders, and policy makers to help us understand current and future policy directions, and to educate agencies about particular gender agenda items. The interviews conducted at the beginning of the project informed our policy recommendations, and interviews with agency leaders were arranged to disseminate project recommendations to those in power.

The GenderInc Studio hosted a workshop of New York City planning professionals to facilitate discussion amongst practicing planners on planning, policy, and design interventions to elevate LGBTQ safety in the urban public realm. This workshop attracted professionals in academia, transportation planning, policy making, parks planning, and the private sector, among others, leading to a robust and meaningful conversation on what potential recommendations and interventions could look like.

To gauge differences in perceptions of safety in New York City’s public spaces, the studio administered an online survey, open to all who live or work in New York. We also gathered intercept surveys on the streets of Jackson Heights to better inform our research with site-specific conditions and perceptions of the neighborhood.

A number of focus groups with transgender New Yorkers shaped our understanding of the issues that this community faces in public space, and we were able to collect suggestions for improvements.

Existing data collected by Hollaback!, our partner organization, NYPD crime data, and MTA ridership numbers for the two subway stops in our Jackson Heights study area make up the quantitative data points of our study.

The studio’s preliminary findings suggest that the LGBTQ community – particularly transgender individuals – need to be more closely considered in urban planning processes to elevate inclusiveness and safety. Community policing, eyes on the street, participatory planning, and general education and awareness are aspects that are lacking in these communities and the wider urban realm currently experienced by these publics. The studio’s policy recommendations and urban design interventions will be informed by the intersectionality of gentrification, homelessness, policing, gay-friendly public spaces and land use, zoning, urban design, and city-level public policy.
Public health has influenced city planners and their predecessors for centuries. The decisions to separate residential from industrial uses, develop sewage infrastructure, and create parks, for instance, all stem from the need to keep people physically and mentally healthy. Our policies or zoning laws or planning practices can all be traced back to public health, in some form or another.

However, the problem that concerns us, which we’ll attempt to address in this studio, is one of equity, because while city planning may be a construction of public health, we can’t confidently say that all residents have reaped the benefits of public health planning equally. Through the lens of health equity, we look to Brownsville.

Our early surveys and interviews of Brownsville reveal a community rich with assets. The residents of Brownsville are well serviced by public transit; the public housing, though badly in need of city, state, and federal investment, houses a large portion of the community; and the informal networks and cultural capital are perhaps stronger here than anywhere else. Many of Brownsville’s residents grew up in the neighborhood, and they know their neighbors well.

Brownsville residents also have a life expectancy of 74 years, which is 11 years less than residents of Murray Hill, Financial District, and the Upper East Side. Of all 59 community districts, Brownsville’s community district 16 tops top 5 in premature mortality rate, infant mortality rate, pre-term births, psychiatric hospitalizations, avoidable diabetes hospitalizations, non-fatal assault hospitalizations, and alcohol- and drug-related hospitalizations.

A lot is already being done to address these issues. In conjunction with local businesses and nonprofits, innovative partnerships across city, state, and federal agencies are already providing Brownsville with best-in-class services. This studio will take into account ongoing projects and research, as well as best practices in cities across the globe.

Our report will consist of a thorough analysis of the needs of Brownsville residents, the services that already exist, and the built environment. Our recommendations will fall within three goals:

1. Improve public safety,
2. Improve physical health,
3. Improve mental health.

We believe that zip code should not be an indicator of public health. We believe that just as there are cycles of poverty, there are also cycles of public health, and the sooner we as civic thinkers intervene with place-based solutions, the sooner we can make a real difference in our neighborhoods.
HOUSING

After months of debate and opposition, the City Council of New York voted to approve Mayor Bill de Blasio’s Mandatory Inclusionary Housing plan and Zoning for Quality and Affordability text amendment on March 22, 2016.

Last fall, the city of Detroit developed a map of multi-family housing developments, which is now taking effect. However, city housing officials are deciding whether these targeted areas have stabilized enough to accommodate the new construction.

To grapple with its own rising housing costs and increasing evictions, San Francisco approved policy changes in April 2016 to boost affordable housing among projects in progress and for new construction projects.

TRANSPORTATION

The first portion of Santiago Calatrava’s World Trade Center Transportation Hub opened this March, including Oculus, the ribcage-like sculpture that encircles the large main hall. The $3.9 billion project is intended mostly for PATH users travelling between New York and New Jersey.

Public transportation investment projects have been popping up around the world. Manila, the capital of the Philippines, has broken ground on a fourth metro line, while the Panama Government struck a deal with the Japan Government to fund a monorail in Panama City. La Paz, Bolivia is also building on their urban cable-car system, which is the largest in the world.

The Transportation Department reported that the last quarter in 2015, had the lowest airfares in five years, down 14.4% from the average fare of $462 in 2000.

ENVIRONMENT

As of April 2016, two state employees, Stephen Busch and Michael Pysby of the Michigan Department of Environmental Quality, have been charged in the ongoing Flint water contamination crisis that exposed nearly 100,000 residents to poisonous levels of lead. Michigan’s Republican Governor Rick Snyder has still not been questioned by residents who have called for his resignation.

Democratic presidential hopefuls, Hillary Clinton and Bernie Sanders, have outlined their plans to deal with climate change, while Republican Presidential candidates, Donald Trump and Ted Cruz, continued to deny climate change and its environmental consequences.

Seattle has developed a plan titled, Transfer of Development Rights, which preserves farmland in King County by selling the rights to develop their land in exchange for monetary compensation and a conservation easement on the property.

POLITICS

While the Democratic and Republican primaries have been playing out throughout the U.S. over the last several months, it has exposed numerous inconsistencies in voter registration and access from one city to another. In New York City alone, multiple investigations were launched after 126,000 registered Democrats were found to be removed from the rolls.

Election results have shown that Hillary Clinton has been winning in more urban areas, while Bernie Sanders has been appealing to those living in more rural parts of the country. After the primaries in New York, results showed that while Donald Trump came out on top, he did not win in Manhattan.

Icelandic Prime Minister Sigmundur David Gunnlaugsson stepped down from his position after the massive data leak known as the Panama Papers linked him to secret offshore bank accounts.

ECONOMIC DEVELOPMENT

Cities across the U.S., including Oakland, are trying to address the issue of equity in urban economic development projects by focusing their efforts on making local residents active participants in the development process.

The Rochester Institute of Technology in upstate New York celebrated the grand opening of their new program, The Center for Urban Entrepreneurship, on April 25, 2016. The center is located in the heart of the city’s downtown innovation zone and is working to help reshape the regional economy.

A new report by the Institute for Local Self-Reliance (ILSR) outlines how rising commercial rents are threatening independent businesses and what cities are doing to counteract this.