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How to Design Effective Regulatory Institutions for Urban Landscape Management

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Local governments face challenges in establishing cities and towns where people both can and want to live. Preserving buildings and landscapes that have historical significance, along with overall efforts to maintain attractive public spaces, can attract new business investment and create a shared community environment. However, new business investment and economic activity often threaten the very qualities that create an attractive environment. In order to manage and bridge the competing interests within a city in ways that benefit of the common good, city planners and policymakers must understand the politics of urban landscapes.

The Importance of Public Spaces and Risks of Their Demise

Creating and managing public spaces is a central duty of local government. Public spaces play an important role in the economic, political, and social environment of cities and towns. Urban spaces facilitate public interactions that are critical for democracy, representation, and cultural negotiations. Public spaces also allow for demonstrations and community events. Such symbols and spectacles create a sense of belonging and play an important role in the construction of local identities that allow citizens to forgo their personal interests in service of the common good.

Nevertheless, there are social and economic forces that can prevent the realization of these benefits. Over the last several decades, public spaces in urban areas have become increasingly privatized, commercialized, and barricaded for private use. Businesses seek proximity and access to public spaces like parks as part of decisions about the locations of offices and headquarters. These spaces can provide important recreational opportunities for employees without costs to the businesses themselves, aside from sometimes raising property values. As a result, public spaces trade hands frequently and increasingly serve the interests of businesses instead of the general population. Large-scale privatization reduces the number of spaces designed to meet local needs, makes the spaces less likely to reflect local aesthetics, and reduces the number of public spaces accessible to all residents.

Urban landscapes are increasingly regulated for aesthetic purposes, and new spaces are designed to insulate noise, control congestion, or have controllable lighting and climate features. Rules regarding public art, monuments, and heritage are strictly codified to secure the preferences of certain resident constituencies. What is more, management of public spaces is increasingly restrictive, excluding “undesirables” via closing times, fences and gatekeeping, or entry requirements. Studies of public space management in California indicate behavioral restrictions and defensive designs have had the effect of herding low-income populations into lesser-seen parts of the city — or moving them outside the city entirely. This places unfair limits on vulnerable residents’ ability to benefit from the city’s public spaces.

Regulation and Fragmentation

My research examines the interactions between local government institutions, interest groups, social movements, and residents in competition over the shape of the urban landscape and uses of public spaces. My analysis of the Chicago Park District identifies a number of ways to design institutions that can strengthen or weaken governments’ abilities to manage the competing interests in a community. In a comparative analysis of landscape management policies in Charleston, South Carolina and New Orleans, Louisiana, I identify the policy designs that have helped these cities leverage their landscapes and public spaces for economic and social benefit.

Previous research indicates that developers often identify places they can use for their benefit that are at the boundaries of a city or township — areas that are spatially fragmented. Similarly, developers exploit areas where multiple government agencies share authority over a space — institutionally fragmented spaces. Spatial fragmentation occurs because public spaces along district boundaries tend to be neglected, regardless of the asset's value, when compared to public spaces that lie solidly within one district or another. Institutional fragmentation occurs because split governance often requires that officials jump through numerous hoops to accomplish even the simplest tasks. Complexity discourages new voices, makes regulation less effective, and increases the difficulty of implementing coherent public or private agendas.

Effective policies about the urban landscape and public spaces must provide a clear and simple framework — preferably housed within a single agency. This agency in turn can act as a conduit for resources, a domain for the negotiation of interests, and an agent for collaboration. Fragmentation can be further reduced by structuring the responsible agency as a special purpose authority. The Chicago Park District is an example. Agencies of this sort are only indirectly accountable to the elected bodies that designed them. Because the Chicago Park District is not under the power of the Board of Alderman, it is not subject to the same challenges of political fragmentation that can prevent effective urban planning around public spaces.

Are such agencies democratically accountable? By design, these single issue institutions are meant to hear and represent a broad array of interests on a narrow set of topics. For this reason, some argue that these institutions can have democratic value despite of the removal from direct electoral oversight. On the other hand, the size of social movements required to sway Chicago Park District's policy decisions suggests that a single-issue institution may not be as democratic as some argue. For institutions with authority to manage public space, careful planning and oversight is required to ensure that the preferences of residents outweigh those of special interests.

In the absence of specific preventative measures to prevent private interests from capturing the institution, special interests are likely to prevail in conflicts over control of public space. A comparison between the Chicago Parks District and New Orleans' and Charleston's landscape management institutions indicates that clear policies regarding conflict of interests and expert qualifications for board members is a critical mechanism for securing the public interest in the management of a city's spatial resources.

Read more in Rebecca Clendenen "Designing Effective Urban Landscape Management Institutions," (working paper, 2019).